

Development Control B Committee Agenda



Date: Wednesday, 10 April 2024

Time: 2.00 pm

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

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

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

Councillors: Ani Stafford-Townsend (Chair), Chris Windows (Vice-Chair), Lesley Alexander, Amal Ali, Fabian Breckels, Sarah Classick, Lorraine Francis, Katja Hornchen and Guy Poultney

Copies to: Norman Cornthwaite, Allison Taylor (Democratic Services Officer), Jeremy Livitt, Rachael Dando, David Fowler (Members' Office Manager (Conservative)), Stephen Fulham, Paul Shanks, Stephen Peacock (Chief Executive), Philippa Howson, John Smith (Executive Director: Growth & Regeneration), Jonathan Dymond, Simone Wilding, Jane Woodhouse and Lewis Cook

Issued by: Jeremy Livitt, Democratic Services
City Hall, PO Box 3399, Bristol, BS1 9NE
www.bristol.gov.uk
Tel:



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

Date: Tuesday, 2 April 2024

Agenda

1. Welcome, Introduction and Safety Information

2.00 pm

(Pages 5 - 8)

2. Apologies for Absence

3. Declarations of Interest

To note any interests relevant to the consideration of items on the agenda.

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

To agree the minutes of –

(Pages 9 - 16)

a) 29 November 2023

b) 21 February 2024

5. Action Sheet

The Committee is requested to note any outstanding actions listed on the rolling Action Sheet for DCB Committee. **(Page 17)**



6. Appeals

To note appeals lodged, imminent public inquiries and appeals awaiting decision. **(Pages 18 - 28)**

7. Enforcement

To note enforcement notices. **(Page 29)**

8. Public forum

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. Please note that the following deadlines will apply in relation to this meeting:

Questions:

Written questions must be received three clear working days prior to the meeting. For this meeting, this means that your question(s) must be received at the latest by 5pm on 4 April 2024.

Petitions and statements:

Petitions and statements must be received by noon on the working day prior to the meeting. For this meeting, this means that your submission must be received at the latest by 12.00 noon on 9 April 2024.

The statement should be addressed to the Service Director, Legal Services, c/o The Democratic Services Team, City Hall, 3rd Floor Deanery Wing, College Green,
P O Box 3176, Bristol, BS3 9FS or email - democratic.services@bristol.gov.uk

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 Development Control B Committee Public Forum FAQ for more information

<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.

9. Planning and Development

To consider the following planning applications

(Page 30)

- a) **22/06037/F - 203 Church Road Redfield Bristol BS5 9HL** **(Pages 31 - 88)**
- b) **24/01112/COND - Statue Of Edward Colston Colston Avenue Bristol BS1 4UA** **(Pages 89 - 132)**

10. Date of Next Meeting

2pm 5 June 2024



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.

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**.

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>



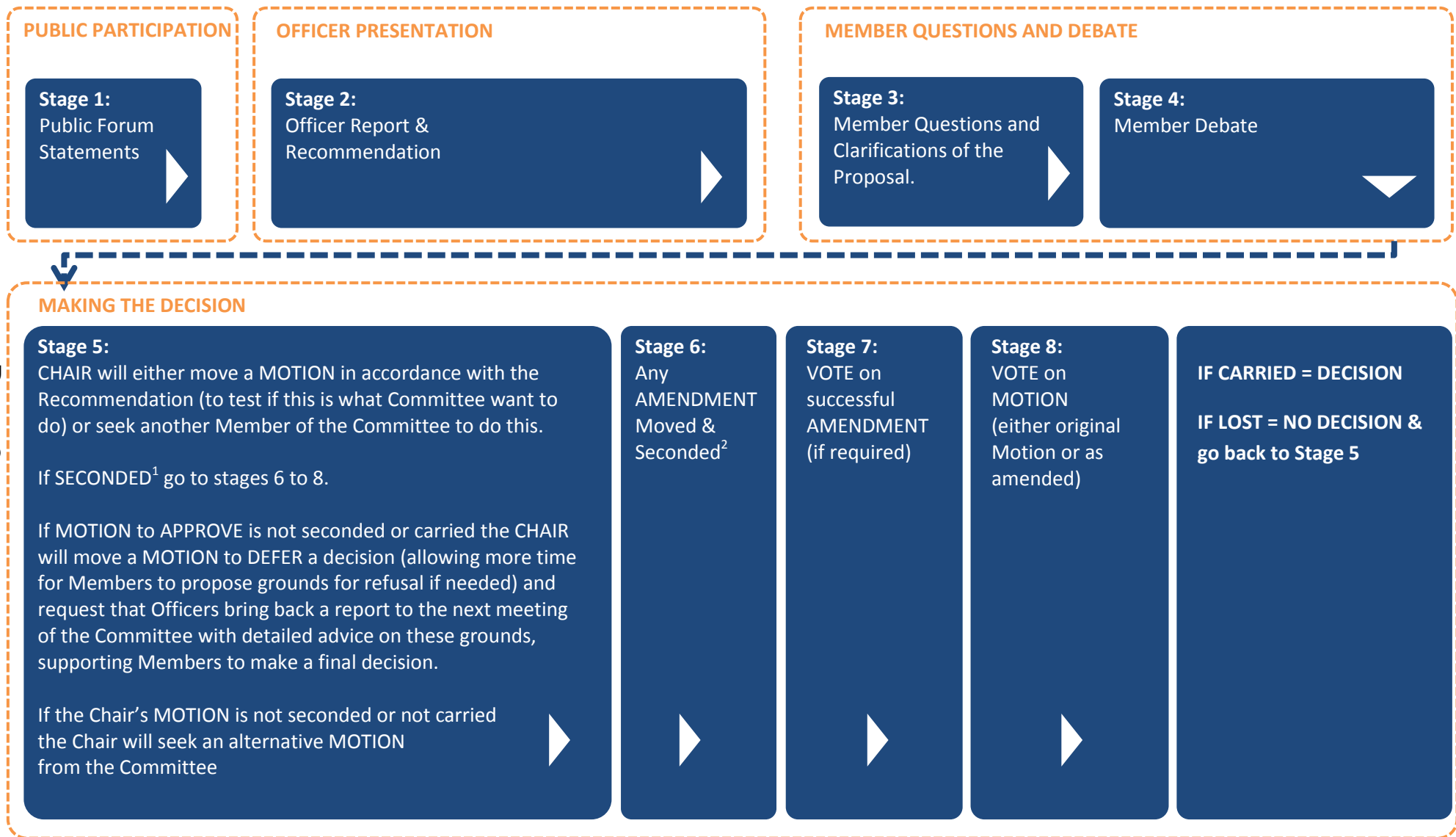
Webcasting/ Recording of meetings

Members of the public attending meetings or taking part in Public forum are advised that all Full Council and Cabinet meetings and some other committee meetings are now filmed for live or subsequent broadcast via the council's [webcasting pages](#). The whole of the meeting is filmed (except where there are confidential or exempt items). If you ask a question or make a representation, then you are likely to be filmed and will be deemed to have given your consent to this. If you do not wish to be filmed you need to make yourself known to the webcasting staff. However, the Openness of Local Government Bodies Regulations 2014 now means that persons attending meetings may take photographs, film and audio record the proceedings and report on the meeting (Oral commentary is not permitted during the meeting as it would be disruptive). Members of the public should therefore be aware that they may be filmed by others attending and that is not within the council's control.

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



Development Control Committee Debate and Decision Process



Page 8

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 B Committee

29 November 2023 at 6 pm



DRAFT

Members Present:

Councillor: Ani Stafford-Townsend (Chair), Lesley Alexander, Amal Ali, Sarah Classick, Lorraine Francis, Katja Hornchen, Farah Hussain (sub for Fabian Breckels), Guy Poultney

Officers in Attendance:

Steve Gregory, Philippa Howson, Simone Wilding, Lewis Cook

25 Welcome, Introduction and Safety Information

The Chair welcomed all parties to the meeting and drew attention to the emergency evacuation procedure in the event of an emergency.

26 Apologies for Absence

Apologies for absence were received from Councillor Fabian Breckels who was substituted by Councillor Farah Hussain. Noted that Councillor Chris Windows (Vice-Chair) was not present.

27 Declarations of Interest

Councillor Ani Stafford-Townsend declared that she had been lobbied by the applicant regarding this application.

28 Minutes of previous meetings

RESOLVED –

- a) That the minutes of the meeting held on 6 September 2023 be confirmed as a correct record subject to the last sentence on page 13 bullet point 8 being amended to read 'An Equalities Impact is a planning consideration that needs to be considered in all planning applications.'
- b) That the minutes of 18 October 2023 be confirmed as a correct record.

29 Action Sheet

There were no issues arising from the Action Sheet.



30 Appeals

Officers gave the following comments concerning appeals:

1. 91 - 101 Church Road Redfield Bristol - Appeal against non-determination had been dismissed.
2. Ever Ready House Narrowways Road Bristol - Appeal against non-determination had been postponed until February 2024.

31 Enforcement

There were no enforcement issues reported.

Members were assured that everything possible was being done to recruit more enforcement officers and despite the significant work pressures, there had been some improvement thanks to the hard work of the enforcement team.

32 Public Forum

Members of the Committee received Public Forum Statements and Questions & Answers in advance of the meeting. The public forum business had been published online prior to the meeting. All public forum was taken fully into consideration by the Committee prior to reaching a decision.

33 Planning and Development

The Committee considered the following Planning Application:

33a 22/05714/FB - South Bristol Crematorium and Cemetery, Bridgewater Road

Planning officers introduced the report and gave a detailed presentation to members of the committee.

The application was for full planning permission for the use of land designated as Green Belt for the expansion of the existing cemetery to provide new burial and memorial plots with associated roads, footpaths, parking, drainage infrastructure, fencing, landscaping and furniture. This included an extension of the cemetery into two currently undeveloped areas, and the provision of an attenuation pond in a further area.

The application was of significance to the city and had been subject to high levels of representation, both for and against the development. The application was previously reported to planning committee on 6th September 2023, with a recommendation for approval, however, following debate on the application the committee deferred a decision pending a further report being resubmitted to a future meeting which would have regard to possible reasons for refusal based on the issues suggested by members at the meeting.

The concerns raised were –

- a) Whether the strategic need for the cemetery was justified and what other areas had been explored.



- b) Whether there was a harmful impact on heritage assets.
- c) Whether the correct test had been applied in respect of the impacts on Biodiversity Net Gain and the SNCI, and whether late representations, including those from Avon Wildlife Trust had been fully addressed.
- d) Whether the impact on the viability of the neighbouring Yew Tree Farm had been properly assessed.

It was noted that the Applicant had since provided further evidence to justify the development, and address the concerns raised at the Committee meeting.

In response to the concerns raised officers were of the view that the previous recommendation was sound, subject to a revised suite of conditions. The updated report also provided further guidance on the issues raised by Members at the 6 September 2023 meeting.

Clarifications made following committee members questions:

1. Since the previous committee meeting the Publication Version of the revised Local Plan had been agreed by Full Council and was now available for public comment. It would therefore be a material consideration and have some limited weight in the decision-making process although it was emphasised that the current Local Plan would have overriding authority.
2. There were more ecology policies in the emerging Local Plan and it was now a material consideration. There were no additional protections in the emerging local plan that would indicate a different decision than the one recommended.
3. A Cemetery Strategy had not been subject to formal scrutiny as a formal strategy was not currently available. Regardless of this, members were reminded that the key function of the committee was to consider the Application before them on its own merits.
4. A new site for a cemetery was not considered to be realistically deliverable due to higher costs, greater land take and timescale issues. In addition, a new cemetery site would need to be subject to evaluation by the Law Commission. For these reasons the Application site was deemed to be the favoured option by Bristol City Council (BCC).
5. BCC had looked for other potential sites including other cemeteries but had found that they were already full to capacity. A Bristol site was preferred regarding the Council's climate policies, including reducing environmental impacts by reducing traffic movements in and out of the city. The Application was fully compliant with the Council's climate policies. The Committee was reminded that the consideration of alternatives was not necessary in planning terms and that the applicant had done everything they needed to do to satisfy planning requirements.
6. Biodiversity Net Gain as far as was known had not been settled in law by a case study. Notwithstanding this, members were reminded that the Application had to be considered as it stood and as a whole. It was explained that maintaining the specific characteristics for which the SNCI was designated and BNG were separate issues in law. The Application was fully compliant with SNCI policy and therefore did not require mitigation as the site would be managed and improved. The Council's ecologists had confirmed that the Application was in line with council policy.
7. Reference to loss of biodiversity in the November 2022 report would be counterbalanced by the overall site management plan. It was clarified that currently there was no legal requirement requiring 10% uplift for biodiversity, only an undefined amount of net gain was required to be policy compliant.
8. The Grade 2 listed Farmhouse did not require additional conditions to protect it as this would be regulated by the management plan which limited what could be put on graves. The regulations regarding this were strict and contained powers to remove objects if they were not compliant.



9. The onsite Management Strategy as submitted would ensure that conservation measures overall would negate any potential, small-scale specific biodiversity loss.
10. Proposed hedgerow removal as part of the development would be limited to the encroaching scrub of lesser biodiversity value which is not part of the specific characteristics of the SNCI designation. In addition, there would be substantial planting of new hedgerows, the aim of which would be to increase the overall biodiversity of the site.
11. Ancient trees on the site would be fully protected as enforcement by tree officers was well resourced and it had been confirmed that enforcement would be well managed.
12. The estimated future capacity of burial plots on site due to ground conditions was debated, and Members were advised that this was difficult to predict. Members were informed that burial capacity was currently under review nationally which would inform future use of cemetery sites. There was no conflict with planning policy.
13. Regarding comments by the Avon Wildlife Trust about biodiversity net loss, members were reminded that protected species were subject to special legislation and the council's ecologists had reviewed the comments and concluded that the scheme would not impact on protected species on the site.

Committee Members debated the application and made the following comments:

14. No formal evidence had been provided about alternative sites and a lack of a formal cemetery strategy available for proper scrutiny meant approving the application could not be done in a balanced way. Members were forced to rely on an agreement of a bespoke management plan. If SNCI species had to be moved, it was unclear how this would work, this appeared to be heavily reliant on good will.
15. Not enough weight had been given to equalities impacts. People who cared about burial sites were not well represented at the meeting. It appeared that not all other potential options had been fully explored.
16. There had not been enough time to analyze the ecology report, more time was needed for an in-depth analysis on this.
17. There had been no obvious public support for the vaunted gain of biodiversity on this site, and no new protections had been applied. EIA impact derived from running out of cemetery space, and the site appeared to be selected as it was administratively and financially convenient and no other alternatives given and no apparent strategic case.
18. The Bristol area was the best site for practical reasons and there was a clear need for balance between cemeteries and conservation.
19. It was clear that more burial sites were needed, the only question being, was the site the only real option given its conflict with nature conservation. The Council had not made a strong case that this was the only site possible for future burial needs and there had not been a formal report detailing that the council was running out of burial spaces. More evidence was needed that wider research for alternative sites had been done to justify progressing the proposal in an SCNI.

In accordance with standard procedure Councillor Ani Stafford-Townsend moved the officer recommendation contained in the report to grant planning permission and this was seconded by Councillor Katja Hornchen.

On being put to the vote there were five in favour and three against.

RESOLVED - that the application be granted subject to conditions and delegations to officers.



35 Date of Next Meeting

The next meeting is scheduled for 2pm on Wednesday 10 January 2024 in the Council Chamber, City Hall, Bristol.

The meeting ended at 8.40 pm.

CHAIR _____



Bristol City Council
Minutes of the Development Control B Committee

21 February 2024 at 6 pm



DRAFT

Members Present:

Councillor: Ani Stafford-Townsend (Chair), Lesley Alexander, Sarah Classick, Lorraine Francis, Guy Poultney, Chris Windows.

Officers in Attendance:

Simone Wilding – Chief Planner, Jonathan Dymond – Deputy Head of Planning, Pip Howson – Transport Development Manager, Allison Taylor – Democratic Services Officer.

1. Welcome, Introduction and Safety Information

The Chair welcomed all parties to the meeting and drew attention to the emergency evacuation procedure in the event of an emergency.

2. Apologies for Absence

Apologies for absence were received from Councillor Fabian Breckels, Amal Ali & Katja Hornchen.

3. Declarations of Interest

The Chair and Councillor Classick declared that they had responded to the BCC/History Commission public consultation regarding the Edward Colston statue.

4. Minutes of previous meetings.

The Chair agreed to defer approval of these minutes until the next meeting.

5. Action Sheet

There were no issues arising from the Action Sheet.



6. Appeals

There were no questions regarding appeals.

7. Enforcement

There were no questions regarding Enforcement.

8. Public Forum.

The Public forum bundle was noted. There were no speakers.

9. Planning and Development

The Committee considered the following Planning Application:

9a. 23/04315/LA - Statue Of Edward Colston, Colston Avenue Bristol BS1 4UA

The report was summarized for the benefit of the Committee and the following points arose from questions:-

1. Both the plinth and the statue were currently listed but this application would regularize the situation as if granted the statue would no longer be listed and would then become part of the museum's collection. The statue would then be cared for under the regulations of the museum. Conditions 3 & 4 ensured the public benefits were secured in their totality;
2. Officers were confident that the right balance had been struck in relation to the benefits secured without being overly prescriptive. Future administrations could come back and seek a variation to those conditions.

Councillor Windows arrived part way through the presentation and the Chair informed him that he would not be able to vote on the application in line with the Code of Conduct on planning matters.

The following points arose from debate:-

1. The application was welcomed as coming before the Committee for transparency purposes. It was noted that history was a moveable concept and this application was the appropriate response to recent events. It was hoped that one day there would be a museum in Bristol to those harmed by the slave trade;
2. It was a shame that the statue had been pulled from the plinth and the museum was the best place for it and kept most people happy;
3. It was good that the statue was down and it should never go back up. There was some reservation regarding whether the plaque struck the right balance in adequately explaining the context. The Officer recommendation was supported, though a change of wording and the ability for the statute to go elsewhere in the future should this be chosen was additionally supported;



4. There was some concern regarding who had the final decision regarding the plinth;
5. The wording for the plaque was suggested by the History Commission but it was felt that it did not reflect African heritage;
6. The Chief Planner reported that the Committee could review the wording and a revised wording would come back to the next DC B Committee for approval. The application could then be granted subject to conditions and the review of the wording and this was supported by members;
7. There being no further comments the officer recommendation, as amended, was moved and seconded and on being put to the vote it was:-

RESOLVED – (Unanimous) - that the application be granted subject to conditions and that the wording for the plinth be reviewed by the Committee and the matter come back to 10 April DC B Committee for decision.

10. Date of Next Meeting

The next meeting is scheduled for 2pm on 10 April 2024.

The meeting ended at 6.50pm.

CHAIR _____



Action Sheet – Development Control Committee B

Date of Meeting (s)	Item/report	Action	Responsible officer(s)/Councillor	Action taken / progress
30/01/24	No Actions			
Page 17				

DEVELOPMENT CONTROL COMMITTEE B

10th April 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	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
3	Filwood	3 Kenmare Road Bristol BS4 1PD Double storey extension to side. Appeal against refusal Delegated decision	07/02/2024
4	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
5	Easton	37 Chelsea Park Bristol BS5 6AH Proposed front dormer. Appeal against refusal Delegated decision	13/02/2024

6	Horfield	108 Wellington Hill West Bristol BS9 4SL Creation of an off street parking bay in the front garden and electric-vehicle charging point. Appeal against refusal Delegated decision	21/03/2024
7	Bishopston & Ashley Down	2 Seymour Mews 29 Seymour Road Bishopston Bristol BS7 9FE Single storey front extension. Appeal against refusal Delegated decision	22/03/2024

Informal hearing

Item	Ward	Address, description and appeal type	Date of hearing
8	Avonmouth & Lawrence Weston	2 Ely Grove Bristol BS9 2LD Beech - Reduce crown by 40%, thin by 30% and lift to 5m TPO 1343. Appeal against refusal Delegated decision	TBA

Written representation

Item	Ward	Address, description and appeal type	Date lodged
9	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
10	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
11	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

12	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
13	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
14	Henbury & Brentry	Land To Rear Of 2 Arnall Drive Bristol BS10 7AP Proposed new dwelling including demolition of existing garage. Appeal against non-determination Delegated decision	06/11/2023
15	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
16	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
17	Southville	52 Bedminster Parade Bristol BS3 4HS Part conversion of ground floor from A1 use to C3. Appeal against non-determination	13/11/2023
18	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

19	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
20	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
21	Southville	Top Floor Flat 7 Acramans Road Bristol BS3 1DQ Loft extension. Appeal against refusal Delegated decision	02/01/2024
22	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
23	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
24	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

25	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
26	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
27	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
28	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
29	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
30	Brislington East	8 St Brelades Grove Bristol BS4 4QJ First floor rear extension. Appeal against non-determination Delegated decision	29/01/2024
31	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

32	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
33	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
34		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
35	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
36	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
37	Brislington West	17 Bloomfield Road Bristol BS4 3QA Change of use from a residential dwelling (C3a) to a large house in multiple occupation (sui generis) for up to seven people, including the erection of an L-shaped rear roof and ground floor extension. Appeal against refusal Delegated decision	26/02/2024

38	St George West	The Orchards Bakery And Co 51 Clouds Hill Road St George Bristol BS5 7LE Erection of a ground floor rear extension and the change of the ground floor from commercial, business and service (Use Class E) to 2no. self-contained flats. Appeal against non-determination Delegated decision	27/02/2024
39	Southville	Claro Homes 11 - 16 Philip Street Bedminster Bristol BS3 4EA Proposed replacement of external escape staircase, to replace existing (located in a different location on the building). Appeal against non-determination	27/02/2024
40	St George West	Land To Rear Of 2 To 2A Howard Avenue Bristol BS5 7BB Proposed new two bedroom dwelling. Appeal against refusal Delegated decision	04/03/2024
41	Southville	49 Exeter Road Southville Bristol BS3 1LY First floor extension and loft conversion at rear. Appeal against non-determination Delegated decision	04/03/2024
42	Avonmouth & Lawrence Weston	5 East Street Avonmouth Bristol BS11 9AN Erection of a two-storey side extension, single-storey rear extension, and 2no. dormer roof extensions, and the change of use to a 9-person large dwelling house in multiple occupation (sui generis). Appeal against non-determination	06/03/2024
43	Redland	102 Gloucester Road Bishopston Bristol BS7 8BN Demolition of western part of former chapel and single storey extension and construction of a three-storey extension comprising 9 dwellings (5 small houses in multiple occupation (use class C4) and 4 large houses in multiple occupation (sui generis)), retention of 225sqm of Commercial, Business and Service floorspace (use class E), external alterations, associated access and landscaping works. Appeal against non-determination	07/03/2024
44	Hengrove & Whitchurch Park	11 Elderberry Close Bristol BS14 0FX Erection of a side boundary wall. Appeal against non-determination Delegated decision	11/03/2024

45	Lockleaze	1 Bonnington Walk Bristol BS7 9XF Erection of an attached dwelling house (Use Class C4) HMO, and the erection of a single storey rear extension to existing dwelling. Appeal against refusal Delegated decision	12/03/2024
46	Henbury & Brentry	13 Charlton Lane Bristol BS10 6SG Demolition of existing house and construction of 4 dormer bungalows (C3) including altering of access off Rose Acre. Appeal against refusal Delegated decision	12/03/2024
47	Horfield	5 Jocelyn Road Bristol BS7 0HW Change of use from a dwellinghouse (C3a) to a small dwellinghouse in multiple occupation (C4) for 3-6 people. Appeal against non-determination	13/03/2024
48	Brislington East	28 Woodside Road Bristol BS4 4DP Proposed additional storey and external access to the existing single storey side extensions to form 2, 1 bedroom apartments with dedicated garden space (Self - Build). Appeal against refusal Delegated decision	18/03/2024
49	Knowle	84 Kingshill Road Bristol BS4 2SN Application for a Lawful Development Certificate for a proposed hip to gable roof extension with dormer. Appeal against refusal Delegated decision	19/03/2024
50	Lockleaze	357 Filton Avenue Bristol BS7 0BD Change of use of part of the Ground Floor to Takeaway use (Sui Generis), and part of the Ground and First Floors to an 8-bedroom HMO (Sui Generis); new extract flue for Takeaway. Extension of existing 2-bedroom flat to create a 3-bedroom flat. Appeal against refusal Delegated decision	19/03/2024
51	Easton	71 Battersea Road Bristol BS5 6AJ 5 new dwellings. Appeal against refusal Delegated decision	19/03/2024

52	Clifton Down	Flat Alma Church St Johns Road Clifton Bristol BS8 2ES Application for a Certificate of Proposed Development - Replace four single glazed windows with double glazed uPVC windows in the flat, on the first floor, at the back of the old church. Appeal against refusal Delegated decision	21/03/2024
53	Hillfields	45 Mayfield Park North Speedwell Bristol BS16 3NH Change of use from residential care home (use class C2) to residential dwelling (use class C3). Appeal against non-determination	26/03/2024
54	Hillfields	11 The Greenway Bristol BS16 4EZ Application for variation of Condition Nos. 11 (No further extensions) following grant of planning permission 22/00457/F (Double storey side extension together with change of use from C3 dwelling house to Sui Generis large HMO for up to 7 people). Appeal against non-determination	26/03/2024
55	Bishopsworth	27C And 27D Bridgwater Road Bristol BS13 7AQ Two storey side extension to existing two storey block consisting 2 flats to provide additional bedroom and living accommodation to each flat Appeal against non-determination	26/03/2024
56	Windmill Hill	3 Cotswold Road Bristol BS3 4NX Proposed dropped kerb with access to Cotswold Road, basement room converted into garage. Access to garden location changed at rear (new door installed). Roof rebuild & addition of dormer bedroom to rear with windows. Appeal against non-determination	27/03/2024
57	Hotwells & Harbourside	3 Christina Terrace Bristol BS8 4QB Certificate of proposed use for - Replace the existing red double roman clay tiles, battens and roofing felt/underlay with new double roman colour rustic / old English dark red concrete tiles, underlay and new battens. Insert two roof lights 550 x 980mm, Velux, top hung, clear glass, black frame finish. Re-render parapet walls and repoint chimneys. Smooth render finish. Repair / replace parapet wall coping stones with concrete coping stones. Repair / replace soffit and fascia with black uPVC. Replace gutters and down pipes with new black round. Repair leadwork as required. Appeal against refusal Delegated decision	27/03/2024

List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
58	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	Appeal dismissed 11/03/2024
59	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	Appeal dismissed 27/03/2024
60	Avonmouth & Lawrence Weston	19 Capel Road Bristol BS11 0RD New dwelling. Appeal against refusal Delegated decision	Appeal dismissed 14/02/2024
61	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
62	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	Appeal dismissed 08/03/2024
63	Hartcliffe & Withywood	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
64	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

65	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
66	Windmill Hill	1 Somerset Terrace Bristol BS3 4LL Loft conversion with concealed roof terrace. Appeal against refusal Delegated decision	Appeal dismissed 04/03/2024
67	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	Appeal dismissed 05/03/2024
68	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	Appeal allowed 07/03/2024 Costs not awarded
69	Hartcliffe & Witherwood	2A Vigor Road Bristol BS13 9QH Conversion of double garage into a 1 bed dwelling. Appeal against refusal Delegated decision	Appeal dismissed 19/03/2024
70	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	Appeal allowed 08/03/2024
71	Bishopsworth	24 Hillyfield Road Bristol BS13 7QF Single storey side and rear extensions. Appeal against non-determination Delegated decision	Appeal withdrawn 25/03/2024

DEVELOPMENT CONTROL COMMITTEE B

10th April 2024

REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE

LIST OF ENFORCEMENT NOTICES SERVED

No Enforcement Notices to report

Development Control Committee B 10 April 2024

Report of the Director: Economy of Place

Index

Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Easton	Refuse	22/06037/F - 203 Church Road Redfield Bristol BS5 9HL Proposed change of use and extension of existing building to create a scheme of 13 x HMO Cluster Units (42 beds) together with associated Gym and Communal Workspace facilities (Sui Generis). Change of use of Drinking Establishment floorspace (Sui Generis) to Commercial floorspace (Sui Generis)
2	Central	Approve Details	24/01112/COND - Statue Of Edward Colston Colston Avenue Bristol BS1 4UA Application for approval of conditions 2 (Details of plaque) of permission 23/04315/LA - Proposal to move the statue of Edward Colston from Colston Avenue to M Shed.

index
v5.0514

Development Control Committee B – 10 April 2024

ITEM NO. 1

WARD: Easton

SITE ADDRESS: 203 Church Road Redfield Bristol BS5 9HL

APPLICATION NO: 22/06037/F Full Planning

DETERMINATION DEADLINE: 23 March 2023

Proposed change of use and extension of existing building to create a scheme of 13 x HMO Cluster Units (42 beds) together with associated Gym and Communal Workspace facilities (Sui Generis). Change of use of Drinking Establishment floorspace (Sui Generis) to Commercial floorspace (Sui Generis)

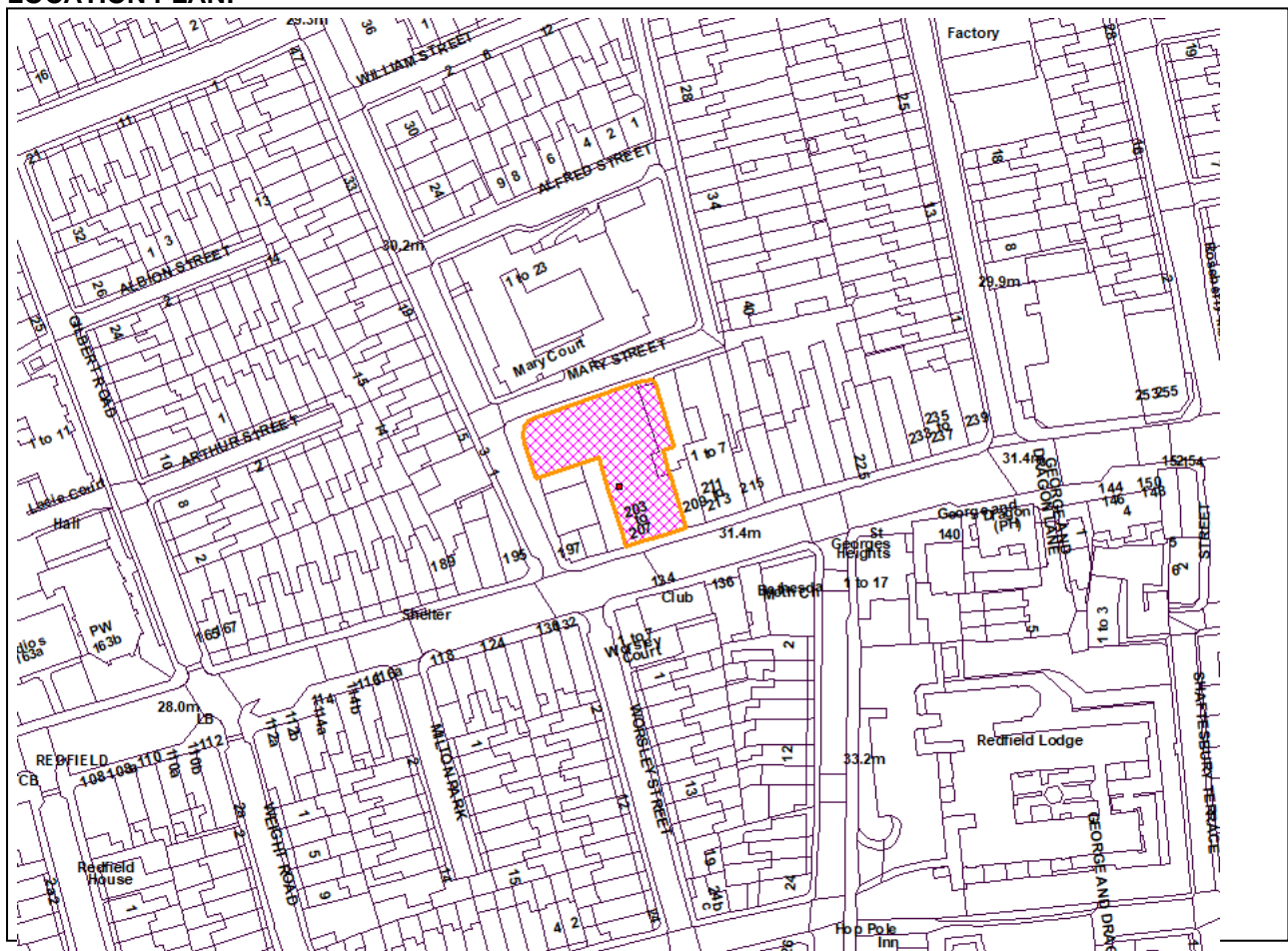
RECOMMENDATION: Refuse

AGENT: LPC (Trull) Ltd
Trull
Tetbury
Gloucestershire
GL8 8SQ

APPLICANT: Landrose Bristol 03
Deben House
1 - 5 Lawrence Hill
Bristol
BS5 0BY

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

LOCATION PLAN:



Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

BACKGROUND

The application has been referred by Councillor Barry Parsons to planning committee for determination, with the following grounds for referral cited:

- Loss of community asset
- Impact on Local High Street
- Overdevelopment
- Size and quality of accommodation
- Inadequate cycle storage
- Lack of meaningful community consultation

It should be noted that the nature of the proposal, along with the level of public interest, are such that determination by planning committee would have been undertaken in any case.

The application is recommended for refusal, but this is based on a balanced assessment of the benefits and harms. In some aspects Members may weigh the considerations differently, subject to having due regard to the relevant policies.

SITE DESCRIPTION AND APPLICATION

The application property is a vacant public house fronting Church Road, and is set within a primary shopping frontage that comprises part of the St George Town Centre. The application property has a deep plan, and widens to the rear, with building frontages also to Mary Street to the rear, and Victoria Parade to the side.

When originally constructed, the application property was a cinema, which opened in 1912. The use of the building was changed to a bingo hall in 1961. Planning permission was granted in 1997 for the change of use of the building to a public house. More details of the planning history of the site is set out below.

The application proposes the conversion of the rear portion of the site to residential use, with additional floors inserted internally, along with a roof extension. Residential use is also proposed to the upper floors of the front portion of the building, again including a roof level extension. The residential accommodation would comprise 13 cluster flats, each forming an individual House in Multiple Occupation (HMO) of between 3 and 4 bedrooms, each with communal living and kitchen areas to serve that unit. A total of 42 bedrooms are proposed across the development as a whole. The development would also incorporate co-living principles, with shared facilities for residents provided at ground floor level, comprising a gym, socialising/lounge space, and co-working area.

At ground floor level, commercial units would be retained to the Church Road frontage, comprising a bar and a small cinema containing 46 seats and 3 further wheelchair accessible spaces.

Externally, to the rear portion of the site, the existing gable-ended roof would be removed and replaced with a mansard roof in order to facilitate the provision of residential accommodation at this level. The mansard would be set back from the existing parapets to the Mary Street (rear) and Victoria Parade (side) elevations. The mansard would be lower in height than the existing ridge line of the building. Centrally atop the mansard, an enclosure is proposed that would surround the proposed air-source heat pumps and solar PV panels, which would exceed the existing ridge height of the building by approximately 0.5 metres. Windows would be inserted across 5 floors (ground plus 4) as well as additional doors for access and servicing.

To the front portion of the site and additional storey is proposed atop the existing flat-roofed

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

element, which would be set back from the Church Road frontage. Alterations to the fenestration layout to the shopfront at ground floor level are also proposed.

See plans and supporting documents for full details.

RELEVANT HISTORY

22/00803/F - Change of use and extension of building to create a scheme of 14 x HMO cluster units (44 beds) together with associated gym and communal workspace facilities (sui generis). Change of use of drinking establishment floorspace (sui generis) to commercial floorspace (sui generis). WITHDRAWN.

05/04296/X - Variation of condition 2 attached to approval ref. 97/02248/F/C, to allow extended opening hours to 0700 - 0100 (including 30 mins drinking-up time) Sunday to Thursday and 0700 - 0130 Friday and Saturday (including 30 mins drinking-up time), with closing times between 0130 & 0230 (including 30 mins drinking-up time) on up to fifteen specified days each year. PERMISSION GRANTED.

97/02248/F - Conversion of existing retail shop units and former bingo hall to A3 traditional ale, wine and food bar. PERMISSION GRANTED.

97/02247/F - Conversion of existing retail shop units and former bingo hall to A3 traditional ale, wine and food bar. PERMISSION GRANTED.

88/02447/F - New shopfront. PERMISSION GRANTED.

61/03143/P_U - Outline application for the conversion of cinema into a Supermarket in conjunction with three existing shops (coloured pink on plan). REFUSED.

61/03975/U_U - Installation of new shop front. PERMISSION GRANTED.

PRE-APPLICATION COMMUNITY INVOLVEMENT

The application is supported by a statement of community involvement. This sets out that prior to the application being submitted consultation was undertaken with various stakeholders, including local councillors; local amenity groups, and; neighbours/surrounding businesses who were invited via a letter drop of 300 invitations. A consultation event was undertaken at the application site on 30th November 2022.

In summary of key points set out within the Statement of Community Involvement submitted, principal concerns raised are as follows:

- o Loss of the former cinema
- o The building should be in community use
- o Impact on parking locally
- o Residential accommodation is too dense
- o Poor quality residential accommodation
- o Boutique cinema is not viable
- o Design impact of building alterations.

Full details can be found on the application record.

Commentary has been provided by the planning agent in response to the points made in response

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

to pre-application community consultation, and advocating the scheme proposed. No detail has however been provided to demonstrate any alterations made in response to the consultation.

RESPONSE TO PUBLICITY AND CONSULTATION

Consultation was undertaken via site and press notices, along with letters sent to surrounding properties. 921 written objections were received in response to public consultation, raising concerns that can be summarised as follows:

Support (within a wider objection comment):

- o Support the principle of creating more bedspaces and HMO's in the city as we need innovative solutions to housing issues

Objection:

Principle (refer to Key Issues A and B)

- o The site should be used for a community space
- o The site should be used for a Cinema/ the former Cinema reinstated
- o Loss of a community facility [please note that the lawful use is a Public House]
- o There is an existing lack of cultural and leisure facilities in this area of Bristol
- o Loss of the Public House
- o There is no information to suggest that the pub was unviable
- o Harm to the cultural landscape of the city
- o Harm to the local centre, contrary to policies DM8 and DM9
- o Does not accord with BCC High Streets Recovery initiative - Church Rd named as a 'Priority High Street'
- o There is a need for family housing, not bedsits
- o The site should provide active frontage and leisure facilities
- o Proposal would result in an over-concentration of HMO accommodation locally
- o The proposed cinema is not viable due to the low number of seats, lack of seating rake; fire exits; sound proofing, and ;projection room
- o Need and demand for a Cinema has been demonstrated by the Save Redfield Cinema Campaign and its supporters
- o Removal of a large building from a Primary Shopping Area for residential use constitutes increasing the population of the area whilst simultaneously removing essential amenities
- o The mix of uses is incorrect - more of the space should be for commercial and community use
- o A hybrid scheme with larger Cinema and bar/community facilities at ground floor level, with fewer residential flats above should be provided
- o Loss of floorspace within a centre does not support principles of 15 minute cities/walkable neighbourhoods
- o Lack of affordable housing
- o Negative impact upon local night time economy
- o 'Tap room' bar is too small to accommodate all the facilities necessary for this type of use
- o The site is an Asset of Community Value
- o Excessive loss of commercial floorspace

Amenity (refer to Key Issue C)

- o Poor quality living environment for future occupiers
- o Impact upon mental health and wellbeing of residents due to poor quality living environment
- o Accommodation falls well below space standards requirements

Development Control Committee B – 10 April 2024

Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

- o Lack of a light study in support of the application
- o Inadequate natural daylighting for the proposed accommodation
- o Contrary to the requirements of the Urban Living SPD
- o Local facilities are inadequate to cope with population increase locally
- o Increased noise and disturbance
- o Extensions at high level would be imposing/overbearing
- o Increased litter
- o Overlooking of surrounding windows and gardens

Equality (refer to Key Issue B and F)

- o No accessibility for people with disabilities
- o No disabled parking provision

Design/Conservation (refer to Key Issues D and E)

- o The original theatre should be preserved
- o Loss of a significant piece of architectural history
- o A missed opportunity for what could be a focal point of Church Rd of benefit to the community
- o Poor quality design that fails to meet the requirements of policy BCS21
- o The Art Deco interior should be preserved
- o Once the cinema building and features are destroyed it cannot be replaced
- o The proposal does not constitute high quality Urban Design
- o Fails to respond to local context in terms of density, scale, and form
- o Proposed features and materials do not respond to the Art Deco architecture
- o Loss of a locally listed monument

Highways and Servicing (refer to Key Issue F)

- o Increased pressure for on-street parking
- o Increased congestion locally
- o The development being 'Car Free' is not realistic
- o How would the 'car free' requirement be enforced?
- o Inadequate refuse/recycling storage facilities to serve the development
- o Inadequate cycle storage facilities to serve the development

Air Quality

- o Increased pollution due to more cars in the area

Safety and security

- o Exacerbation of existing anti-social behaviour issues locally
- o Likely that the development will become a hive of criminal activity
- o Increase in crime

Sustainability (refer to Key Issue G)

- o No solar PV shown on plans
- o More is required in relation to sustainability

General

- o Community consultation was inadequate

During the course of the application, amendments were made to the scheme, with key changes summarised as:

Enlargement of commercial space to provide larger bar, and larger cinema with sound lobby and

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

raked seating;
Rearrangement of ground floor residential/communal accommodation, including re-orientation of residential rooms;
Amended refuse/recycling/cycle store provision;
Reduced extent of top floor extension to Church Rd frontage (pulling back from Church Rd);
Further information regarding building management and vehicle ownership amongst future occupiers.
Reduction in the number of bedrooms proposed to 42.

A re-consultation exercise was subsequently undertaken. 120 written responses were received in response to the second round of public consultation.

Further amendments to the scheme were subsequently made, comprising:

Re-positioning the proposed ground floor flat proposed;
Re positioned and re-designed communal residential space at ground floor;
re-positioning refuse/recycling and cycle stores;
Amended fenestration layout at ground floor level to Mary St and Victoria Pde elevations;
Re-positioning of residential entrance

A further public re-consultation was undertaken. 215 responses were received in response to the third consultation.

Across the two-re-consultations, the majority of responses reiterated objections previously raised, and set out above (so will not be repeated here). Many of the comments expressed that the alterations did not amount to meaningful changes to the proposal.

Comments that differ from those previously received can be summarised as follows:

Principle (refer to Key Issues A and B)

- o There is no guarantee that the proposed 'Boutique Cinema' would be retained as such

Amenity (refer to Key Issue C)

- o Contravenes liveable neighbourhood guidelines
- o Overshadowing

Design/Conservation (refer to Key Issue D and E)

- o The physical mass of the development is too great

Highways and Servicing (refer to Key Issue F)

- o The transport addendum provided is biased as it has been undertaken by/on behalf of the applicant and relates to the applicant's existing tenants
- o The 'car free' requirement could not be enforced by the landlord
- o Inadequate public transport locally
- o It is inevitable that future residents will have cars

Safety and security (refer to key issue K)

- o The management plan submitted is meaningless as does not detail how the measures set out will be achieved

The various points raised across the three rounds of public consultation will be discussed within the key issues section of this report.

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

Councillor Fabian Breckels has commented as follows (first response):

I object to the second application by Landrose to gut the former St Georges Hall public house and what remains of the former Granada cinema and bingo hall at 203 Church Road, Redfield, Bristol BS5 9HL to convert it into 14 HMO units with 44 bedrooms - probably the biggest HMO for miles around.

This is a revised application as the original was withdrawn. I attended the "consultation" in the front of the former pub area before Christmas. Landrose have owned the site since 2021 and the pub closed on, 19 September 2021. Since then the building has been allowed to deteriorate, I noticed water stains over the entrance, while the main floor is plastered with asbestos warning signs and one of the men hosting the consultation exercise was over-egging the issue of asbestos when I queried the presence of the signs in what had been a very busy pub area. What Landrose are offering is almost the same unacceptable proposal. An over-development of the site to provide effectively, 13 HMOs. All that has really changed are the external elevations.

Site History

The vast bulk of the site has been used as a place of entertainment or recreation and leisure, providing evening and daytime activity in Church Road and meeting the social wellbeing and social interests of the local community, in various guises, for 110 years.

The site had been a Wetherspoons public house from 1998 to 2021. As such it provided affordable food and drink to the local community. There were a number of regulars for whom it was a social hub, there were several groups that met there during the week including a knitting group and a parent, carer and toddler group and a retired men's group. All these furthered social wellbeing and social interests of the local community. It also provided the ability for local people to eat out at affordable prices considerably lower than the other eateries in the area that have sprung up as a result of increasing gentrification in the area. The pub's closure has effectively displaced those people who cannot afford the prices of the alternative pubs and bars that remain.

Before that most of the site was the independent Granada bingo and social club, from 1961 to 1998, as such it was meeting the social wellbeing and social interests of its members. It closed when Mecca opened a purpose built bingo hall in Lawrence Hill, which is now a Pure Gym. The rest of the site was a butcher and a lock-up shop that served as a seasonal greengrocer in the run up to Christmas.

Before bingo use the bingo hall was the Granada Cinema - not part of the Granada cinema chain but Bristol owned and run by the Pugsleys, a local family who ran several cinemas in Bristol - helping to meet the social wellbeing and social interests of the local cinema going population. In fact the first cinema on the site was built in 1912, being extended and remodelled twice before becoming the Granada Cinema in 1935 and closing in 1961.

Threats and opportunities

Landrose's plans will, if implemented, effectively terminate any meaningful social wellbeing or social interest on the bulk of the site for the first time in 110 years. The nature of the conversion will make turning the site back into any kind of community or leisure use will be impossible.

Looking at their comments on the public consultation they are very dismissive of any objections or suggestions of alternative uses. One meeting and then arguing against all the key objections is not adequate community consultation.

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

With the original scheme the Save Redfield Cinema campaign were offered a small boutique cinema at the front of the site that consultants advised them was not viable.

They have repeated the idea with this scheme but I would question the viability of this alternative design, which is still too small.

The size of this space means cinema use is unlikely so daytime only use as a shop or cafe are the only realistic options. This means that there will continue to be a huge gap in the local night time economy. Several eateries only open for the second half of the week and if night time activity is permanently lost on this site, that could threaten the economic future of Church Road. Far more of the application site needs to be available for public use if this high street is not to be weakened by this housing development.

Unfortunately, Landrose only seem to be interested in one model of development, and are so far closed to any alternatives. Different sites need different approaches. Landrose were refusing to sell the site last time despite being asked, even though a mixed use deal could be agreed with nobody losing face. A petition against the original scheme raised 9,000 signatures and over 3,000 were from Bristol. The potential audience is already here.

It is also worth noting that there has been a shift in cinema going away from out of town multiplexes and towards local cinemas within walking distance from people's homes. It's why the Henleaze Orpheus cinema continues to prosper and was recently refurbished; and why Everyman was able to re-open the Whiteladies cinema with such success. Specialist consultants have been helping neighbourhood and community cinemas to spring up all over the country and this trend has been accelerated by the pandemic. A cinema in Church Road can be made to work, and this is the ideal site.

Change of use

We all know that Bristol has a housing crisis but what people need is secure, self-contained homes. What we are being offered is 44 bedsits with shared facilities in 13 HMO units One less than the original plans. You only have to think about how many houses nearby would need to be converted to HMOs to create 44 bedsits to understand the scale of what is proposed. The outside space is also inadequate for so many residents. This is over development of the site on an epic scale. Landrose may claim their developments are to a high standard, but how long for? What is the feedback from current and former tenants of their properties? What if the site changes hands and the new owner only wants the income? There is a real, medium to long term risk of the site becoming a future slum. Is that what we want and would that really help the housing situation in Bristol? Besides, HMOs are not permanent homes, I should know having lived in a few when I first moved to Bristol. They make money but the population is transient.

Just down the road from this site conversion of the former gym next to the Hindu Temple to residential use is nearly complete and the site next to the Stillage is also earmarked for housing. What is needed is an active local High Street with facilities that people can walk to and enjoy. A thriving night time economy means an active and therefore safer street at night. That's essential for sustainability. Converting the former cinema and Wetherspoons into so many bedsits will achieve the opposite.

Design Issues

Whilst the fenestration is adequate, it creates massive issues with overlooking existing homes on all sides, especially the rear of the site which faces a sheltered housing scheme.

I live locally on the Redfield/St George border, and I can see the auditorium block from the back bedroom of my home. It might not be that pretty but it is an established part of the local street

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

scene, indicating its original use. It is part of Bristol's social history in what is the nearest local High Street for my ward. Constituents of mine shop in Church Road. I also know the loss of the St Georges Hall pub is still a sore point. Redfield, Easton and St George stand to lose an important facility that definitely did cater for the social wellbeing and social interests of the wider community for 110 years.

This site could easily accommodate a community cinema with a café/bar alongside residential use if Landrose were prepared to compromise explore more suitable options for this site. Several mixed use configurations are possible. The Save Redfield Cinema Campaign have been working with architecture students at UWE to develop ideas for how this could be done and we need space for these to be considered. Or Landrose could just sell the site and go elsewhere?

I do not consider the permanent loss of this site for social wellbeing and social interests to be acceptable. A mixed use development that meets everyone's needs is easily possible with some compromise. Putting a new skin on the original scheme does not alter the real harm it would cause the area.

Please reject this application. Please consider the over development, potential harm to the local economy, needs of the local community and overlooking. A clear indication that a mixed use development is needed here will certainly help

Councillor Fabian Breckels has commented as follows (second response):

I object again to the third application by Landrose to gut the former St Georges Hall public house and what remains of the former Granada cinema and bingo hall at 203 Church Road, Redfield, Bristol BS5 9HL to convert it into 13 HMO units with 42 bedrooms - probably the biggest HMO for miles around. This is a revision of a revised application as the original was withdrawn. I attended the "consultation" in the front of the former pub area before Christmas 2022. Landrose have owned the site since 2021 and the pub closed on, 19 September 2021. Since then the building has been allowed to deteriorate, I noticed water stains over the entrance, while the main floor is plastered with asbestos warning signs and one of the men hosting the consultation exercise was over-egging the issue of asbestos when I queried the presence of the signs in what had been a very busy pub area. A cynic might think that the process of constantly revising the application in order to delay a decision is in the hope that what survives will deteriorate too much to be saved. I hope that is not the case.

What Landrose are offering is almost the same unacceptable proposal. An over-development of the site to provide effectively, 13 HMOs. All that has really changed are the external elevations. Bristol City Council has sought to designate the Church Road area that the Property is located in as a "Primary Shopping Area" under site ref PSA0017 and as a "Town Centre" under site ref CEN0032. The proposed removal of an existing community social space would have a negative impact on the wellbeing of the local people already living in the area, and that this would not comply with Policy DM5, which require development proposals to provide equivalent or better replacement facilities and to avoid the loss of community facilities or infrastructure.

Policy DM5 2.5.3 states that "Community facilities include all uses, commercial or non-commercial, that provide a social or welfare benefit to the community", which clearly applies to what is the largest social space on Church Road. Additionally, the proposed HMO scheme fails to provide parking for its residents which could conceivably number 88 people across 44 beds, and this would lead to increased traffic and parking problems in the local area, which would not comply with Policy DM2. "Proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that the loss of the existing community use would not create, or add to, a shortfall in the provision or quality of such uses within the locality or, where the use has ceased, that there is no need or demand for any other suitable community facility that is willing or able to

Development Control Committee B – 10 April 2024**Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL**

make use of the building(s) or land, and appropriate replacement community facilities are provided in a suitable alternative location. " (Policy DM5: Protection of Community Facilities).

"Proposals for the conversion of existing dwellings or construction of new buildings to be used as houses in multiple occupation will not be permitted where the development would harm the residential amenity or character of the locality as a result of levels of on-street parking that cannot be reasonably accommodated or regulated through parking control measures" (Policy DM2: Residential Sub-divisions, Shared and Specialist Housing)

Site History

The vast bulk of the site has been used as a place of entertainment or recreation and leisure, providing evening and daytime activity in Church Road and meeting the social wellbeing and social interests of the local community, in various guises, for 110 years. The site had been a Wetherspoons public house from 1998 to 2021. As such it provided affordable food and drink to the local community. There were a number of regulars for whom it was a social hub, there were several groups that met there during the week including a knitting group and a parent, carer and toddler group and a retired men's group. All these furthered social wellbeing and social interests of the local community. It also provided the ability for local people to eat out at affordable prices considerably lower than the other eateries in the area that have sprung up as a result of increasing gentrification in the area. The pub's closure has effectively displaced those people who cannot afford the prices of the alternative pubs and bars that remain.

Before that most of the site was the independent Granada bingo and social club, from 1961 to 1998, as such it was meeting the social wellbeing and social interests of its members. It closed when Mecca opened a purpose built bingo hall in Lawrence Hill, which is now a Pure Gym. The rest of the site was a butcher and a lock-up shop that served as a seasonal greengrocer in the run up to Christmas. Before bingo use the bingo hall was the Granada Cinema - not part of the Granada cinema chain but Bristol owned and run by the Pugsleys, a local family who ran several cinemas in Bristol - helping to meet the social wellbeing and social interests of the local cinema going population. In fact the first cinema on the site was built in 1912, being extended and remodelled twice before becoming the Granada Cinema in 1935 and closing in 1961.

Threats and opportunities

It is also worth noting that there has been a shift in cinema going away from out of town multiplexes and towards local cinemas within walking distance from people's homes. It's why the Henleaze Orpheus cinema continues to prosper and was recently refurbished; and why Everyman was able to re-open the Whiteladies cinema with such success. Specialist consultants have been helping neighbourhood and community cinemas to spring up all over the country and this trend has been accelerated by the pandemic. A cinema in Church Road can be made to work, and this is the ideal site. Landrose's plans will, if implemented, effectively terminate any meaningful social wellbeing or social interest on the bulk of the site for the first time in 110 years. The nature of the conversion will make turning the site back into any kind of community or leisure use will be impossible. Looking at their comments on the public consultation they are very dismissive of any objections or suggestions of alternative uses. One meeting and then arguing against all the key objections is not adequate community consultation.

With the original scheme the Save Redfield Cinema campaign were offered a small boutique cinema at the front of the site that consultants advised them was not viable. For the second time they have repeated the idea with this scheme but I would question the viability of this alternative design, which is still too small, and someone is apparently interested in running it as some brunch driven venue with some cinema and other events. Brunch is not an evening event. The size of this space means cinema use is unlikely so daytime only use as a shop or cafe are the only realistic options. This means that there will continue to be a huge gap in the local night time economy.

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

Several eateries only open for the second half of the week and if night time activity is permanently lost on this site, that could threaten the economic future of Church Road.

Far more of the application site needs to be available for public use if this high street is not to be weakened by this housing development. Unfortunately, Landrose only seem to be interested in one model of development, and are so far closed to any alternatives. Different sites need different approaches.

Landrose were refusing to sell the site last time despite being asked, even though a mixed use deal could be agreed with nobody losing face. A petition against the original scheme raised 9,000 signatures and over 3,000 were from Bristol. The potential audience is already here. There has also been significant growth in the community and neighbourhood cinema market across the country. There is no reason why such a venue could not thrive here.

Change of use

We all know that Bristol has a housing crisis but what people need is secure, self-contained homes. What we are being offered is 44 bedsits with shared facilities in 13 HMO units One less than the original plans. You only have to think about how many houses nearby would need to be converted to HMOs to create 44 bedsits to understand the scale of what is proposed. The outside space is also inadequate for so many residents. This is over development of the site on an epic scale.

Landrose may claim their developments are to a high standard, but how long for? What is the feedback from current and former tenants of their properties? What if the site changes hands and the new owner only wants the income? There is a real, medium to long term risk of the site becoming a future slum. Is that what we want and would that really help the housing situation in Bristol? Besides, HMOs are not permanent homes, I should know having lived in a few when I first moved to Bristol. They make money but the population is transient.

Just down the road from this site conversion of the former gym next to the Hindu Temple to residential use is nearly complete and the site next to the Stillage is also earmarked for housing. What is needed is an active local High Street with facilities that people can walk to and enjoy. A thriving night time economy means an active and therefore safer street at night. That's essential for sustainability. Converting the former cinema and Wetherspoons into so many bedsits will achieve the opposite.

Design Issues

Whilst the fenestration is adequate, it creates massive issues with overlooking existing homes on all sides, especially the rear of the site which faces a sheltered housing scheme. I live locally on the Redfield/St George border, and I can see the auditorium block from the back bedroom of my home. It might not be that pretty but it is an established part of the local street scene, indicating its original use. It is part of Bristol's social history in what is the nearest local High Street for my ward.

Constituents of mine shop in Church Road. I also know the loss of the St Georges Hall pub is still a sore point. Redfield, Easton and St George stand to lose an important facility that definitely did cater for the social wellbeing and social interests of the wider community for 110 years. This site could easily accommodate a community cinema with a café/bar alongside residential use if Landrose were prepared to compromise explore more suitable options for this site. Several mixed use configurations are possible.

The Save Redfield Cinema Campaign have been working with architecture students at UWE to develop ideas for how this could be done and we need space for these to be considered. Or Landrose could just sell the site and go elsewhere? I do not consider the permanent loss of this site for social wellbeing and social interests to be acceptable. A mixed use development that meets

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

everyone's needs is easily possible with some compromise. Putting a new skin on the original scheme does not alter the real harm it would cause the area. Please reject this application. Please consider the over development, potential harm to the local economy, needs of the local community and overlooking. A clear indication that a mixed use development is needed here will certainly help.

Finally, DM5 states that: "Proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that the loss of the existing community use would not create, or add to, a shortfall in the provision or quality of such uses within the locality or, where the use has ceased, that there is no need or demand for any other suitable community facility that is willing or able to make use of the building(s) or land" The Landrose proposal clearly does create the above scenario. Need and demand has been demonstrated consistently and in volume by the Save Redfield Cinema Campaign and its supporters: A 10,000 string petition to have the site listed as Asset of Community Value, >980 objections to the first set of (near identical) plans submitted by Landrose, 2600 Facebook group members, 7 well attended public consultations.

DM5 also states "Proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that the building or land is no longer suitable to accommodate the current community use and cannot be retained or sensitively adapted to accommodate other community facilities"

There is no question at all that the building could easily be retained and adapted to meet the needs and demands of the community with a more sympathetic developer. DM5 also says: "Proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that the community facility can be fully retained, enhanced or reinstated as part of any redevelopment of the building or land; or Appropriate replacement community facilities are provided in a suitable alternative location"

The Save Redfield Cinema Campaign team has repeatedly demonstrated it has funding options, potential buyers and developers who are willing to develop the site in keeping with the community wishes expressed at several public consultations held by the campaign and UWE MA Architecture programme.

In relation to the most recent use as a Wetherspoons public house: DM6: Public Houses "Proposals involving the loss of established public houses will not be permitted unless it is demonstrated that: (i) The public house is no longer economically viable; or (ii) A diverse range of public house provision exists within the locality. Where development is permitted any extensions or alterations should not harm the identity or architectural character of the public house". There is no evidence to suggest that the pub was not viable. Wetherspoons were still making a profit on the site but restructuring their portfolio at a national level. Given the site had not been refurbished in a number of years it is more likely that this was the reason for the sale.

Cllr Barry Parsons has called this application in as the Ward Councillor and I wish to speak at the Planning Committee that deals with it. If it is DC B then I will declare an interest and just speak from the public gallery for this item.

Councillor Fabian Breckels has commented as follows (third response 12.11.23):

Objection to Planning Application 22/06037/F Proposed change of use and extension of existing building to create a scheme of 13 x HMO Cluster Units (42 beds) together with associated Gym and Communal Workspace facilities (Sui Generis). Change of use of Drinking Establishment floorspace (Sui Generis) to Commercial floorspace (Sui Generis) 203 Church Road Redfield Bristol BS5 9HL (Further Revised application)

I am writing to object to the further revised plans submitted on 2nd November 2023 for the

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

application 22/06037/F. As per my previous objections I only see marginal changes in these revised plans for a planning application that still fails the basic requirements needed for development in this area of Bristol.

Landrose still intend to gut the former St Georges Hall public house and what remains of the former Granada cinema and bingo hall at 203 Church Road, Redfield, Bristol BS5 9HL to convert it into 13 HMO units with 42 bedrooms - probably the biggest HMO for miles around.

This is a further revision of a revised application as the original was withdrawn. I attended the "consultation" in the front of the former pub area before Christmas 2022. Landrose have owned the site since 2021 and the pub closed on, 19 September 2021. Since then the building has been allowed to deteriorate, I noticed water stains over the entrance, while the main floor is plastered with asbestos warning signs and one of the men hosting the consultation exercise was over-egging the issue of asbestos when I queried the presence of the signs in what had been a very busy pub area.

A cynic might think that the process of constantly revising the application in order to delay a decision is in the hope that what survives will deteriorate too much to be saved. I hope that is not the case. However, that they have seen fit to tinker round the edges and cause further delay suggests otherwise.

What Landrose are offering is almost the same unacceptable proposal. An over-development of the site to provide effectively, 13 HMOs. All that has really changed are the external elevations.

Bristol City Council has sought to designate the Church Road area that the Property is located in as a "Primary Shopping Area" under site ref PSA0017 and as a "Town Centre" under site ref CEN0032.

The proposed removal of an existing community social space would have a negative impact on the wellbeing of the local people already living in the area, and that this would not comply with Policy DM5, which require development proposals to provide equivalent or better replacement facilities and to avoid the loss of community facilities or infrastructure. Policy DM5 2.5.3 states that "Community facilities include all uses, commercial or non-commercial, that provide a social or welfare benefit to the community", which clearly applies to what is the largest social space on Church Road.

Additionally, the proposed HMO scheme fails to provide parking for its residents which could conceivably number 88 people across 44 beds, and this would lead to increased traffic and parking problems in the local area, which would not comply with Policy DM2.

"Proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that the loss of the existing community use would not create, or add to, a shortfall in the provision or quality of such uses within the locality or, where the use has ceased, that there is no need or demand for any other suitable community facility that is willing or able to make use of the building(s) or land, and appropriate replacement community facilities are provided in a suitable alternative location. " (Policy DM5: Protection of Community Facilities).

"Proposals for the conversion of existing dwellings or construction of new buildings to be used as houses in multiple occupation will not be permitted where the development would harm the residential amenity or character of the locality as a result of levels of on-street parking that cannot be reasonably accommodated or regulated through parking control measures" (Policy DM2: Residential Sub-divisions, Shared and Specialist Housing)

Site History

The vast bulk of the site has been used as a place of entertainment or recreation and leisure,

Development Control Committee B – 10 April 2024**Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL**

providing evening and daytime activity in Church Road and meeting the social wellbeing and social interests of the local community, in various guises, for 110 years.

The site had been a Wetherspoons public house from 1998 to 2021. As such it provided affordable food and drink to the local community. There were a number of regulars for whom it was a social hub, there were several groups that met there during the week including a knitting group and a parent, carer and toddler group and a retired men's group. All these furthered social wellbeing and social interests of the local community. It also provided the ability for local people to eat out at affordable prices considerably lower than the other eateries in the area that have sprung up as a result of increasing gentrification in the area. The pub's closure has effectively displaced those people who cannot afford the prices of the alternative pubs and bars that remain.

Before that most of the site was the independent Granada bingo and social club, from 1961 to 1998, as such it was meeting the social wellbeing and social interests of its members. It closed when Mecca opened a purpose built bingo hall in Lawrence Hill, which is now a Pure Gym. The rest of the site was a butcher and a lock-up shop that served as a seasonal greengrocer in the run up to Christmas.

Before bingo use the bingo hall was the Granada Cinema - not part of the Granada cinema chain but Bristol owned and run by the Pugsleys, a local family who ran several cinemas in Bristol - helping to meet the social wellbeing and social interests of the local cinema going population. In fact the first cinema on the site was built in 1912, being extended and remodelled twice before becoming the Granada Cinema in 1935 and closing in 1961.

Threats and opportunities

It is also worth noting that there has been a shift in cinema going away from out of town multiplexes and towards local cinemas within walking distance from people's homes. It's why the Henleaze Orpheus cinema continues to prosper and was recently refurbished; and why Everyman was able to re-open the Whiteladies cinema with such success. Specialist consultants have been helping neighbourhood and community cinemas to spring up all over the country and this trend has been accelerated by the pandemic. A cinema in Church Road can be made to work, and this is the ideal site.

Landrose's plans will, if implemented, effectively terminate any meaningful social wellbeing or social interest on the bulk of the site for the first time in 110 years. The nature of the conversion will make turning the site back into any kind of community or leisure use will be impossible.

Looking at their comments on the public consultation they are very dismissive of any objections or suggestions of alternative uses. One meeting and then arguing against all the key objections is not adequate community consultation.

With the original scheme the Save Redfield Cinema campaign were offered a small boutique cinema at the front of the site that consultants advised them was not viable.

For the second time they have repeated the idea with this scheme but I would question the viability of this alternative design, which is still too small, and someone is apparently interested in running it as some brunch driven venue with some cinema and other events. Brunch is not an evening event.

The size of this space means cinema use is unlikely so daytime only use as a shop or cafe are the only realistic options. This means that there will continue to be a huge gap in the local night time economy. Several eateries only open for the second half of the week and if night time activity is permanently lost on this site, that could threaten the economic future of Church Road. Far more of the application site needs to be available for public use if this high street is not to be weakened by

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

this housing development.

Unfortunately, Landrose only seem to be interested in one model of development, and are so far closed to any alternatives. Different sites need different approaches. Landrose were refusing to sell the site last time despite being asked, even though a mixed use deal could be agreed with nobody losing face. A petition against the original scheme raised 9,000 signatures and over 3,000 were from Bristol. The potential audience is already here.

There has also been significant growth in the community and neighbourhood cinema market across the country. There is no reason why such a venue could not thrive here.

Change of use

We all know that Bristol has a housing crisis but what people need is secure, self-contained homes. What we are being offered is 44 bedsits with shared facilities in 13 HMO units One less than the original plans. You only have to think about how many houses nearby would need to be converted to HMOs to create 44 bedsits to understand the scale of what is proposed. The outside space is also inadequate for so many residents. This is over development of the site on an epic scale. Landrose may claim their developments are to a high standard, but how long for? What is the feedback from current and former tenants of their properties? What if the site changes hands and the new owner only wants the income? There is a real, medium to long term risk of the site becoming a future slum. Is that what we want and would that really help the housing situation in Bristol? Besides, HMOs are not permanent homes, I should know having lived in a few when I first moved to Bristol. They make money but the population is transient.

Just down the road from this site conversion of the former gym next to the Hindu Temple to residential use is nearly complete and the site next to the Stillage is also earmarked for housing. What is needed is an active local High Street with facilities that people can walk to and enjoy. A thriving night time economy means an active and therefore safer street at night. That's essential for sustainability. Converting the former cinema and Wetherspoons into so many bedsits will achieve the opposite.

Design Issues

Whilst the fenestration is adequate, it creates massive issues with overlooking existing homes on all sides, especially the rear of the site which faces a sheltered housing scheme.

I live locally on the Redfield/St George border, and I can see the auditorium block from the back bedroom of my home. It might not be that pretty but it is an established part of the local street scene, indicating its original use. It is part of Bristol's social history in what is the nearest local High Street for my ward. Constituents of mine shop in Church Road. I also know the loss of the St Georges Hall pub is still a sore point. Redfield, Easton and St George stand to lose an important facility that definitely did cater for the social wellbeing and social interests of the wider community for 110 years.

This site could easily accommodate a community cinema with a café/bar alongside residential use if Landrose were prepared to compromise explore more suitable options for this site. Several mixed use configurations are possible. The Save Redfield Cinema Campaign have been working with architecture students at UWE to develop ideas for how this could be done and we need space for these to be considered. Or Landrose could just sell the site and go elsewhere?

I do not consider the permanent loss of this site for social wellbeing and social interests to be acceptable. A mixed use development that meets everyone's needs is easily possible with some compromise. Putting a new skin on the original scheme does not alter the real harm it would cause the area.

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

Please reject this application. Please consider the over development, potential harm to the local economy, needs of the local community and overlooking. A clear indication that a mixed use development is needed here will certainly help.

Finally, DM5 states that: "Proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that the loss of the existing community use would not create, or add to, a shortfall in the provision or quality of such uses within the locality or, where the use has ceased, that there is no need or demand for any other suitable community facility that is willing or able to make use of the building(s) or land"

The Landrose proposal clearly does create the above scenario. Need and demand has been demonstrated consistently and in volume by the Save Redfield Cinema Campaign and its supporters: A 10,000 string petition to have the site listed as Asset of Community Value, >980 objections to the first set of (near identical) plans submitted by Landrose, 2600 Facebook group members, 7 well attended public consultations.

DM5 also states: "Proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that the building or land is no longer suitable to accommodate the current community use and cannot be retained or sensitively adapted to accommodate other community facilities"

There is no question at all that the building could easily be retained and adapted to meet the needs and demands of the community with a more sympathetic developer.

And finally in DM5: "Proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that the community facility can be fully retained, enhanced or reinstated as part of any redevelopment of the building or land; or Appropriate replacement community facilities are provided in a suitable alternative location"

The Save Redfield Cinema Campaign team has repeatedly demonstrated it has funding options, potential buyers and developers who are willing to develop the site in keeping with the community wishes expressed at several public consultations held by the campaign and UWE MA Architecture programme.

In relation to the most recent use as a Wetherspoons public house, DM6: Public Houses states: "Proposals involving the loss of established public houses will not be permitted unless it is demonstrated that: (i) The public house is no longer economically viable; or (ii) A diverse range of public house provision exists within the locality. Where development is permitted any extensions or alterations should not harm the identity or architectural character of the public house".

There is no evidence to suggest that the pub was not viable. Wetherspoons were still making a profit on the site but restructuring their portfolio at a national level. Given the site had not been refurbished in a number of years it is more likely that this was the reason for the sale.

Cllr Barry Parsons has called this application in as the Ward Councillor and I wish to speak at the Planning Committee that deals with it. If it is DC B then I will declare an interest and just speak from the public gallery for this item.

The Coal Authority has commented as follows (15/05/23):

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

The application site does fall within the defined Development High Risk Area; however, I can confirm that the nature of development is exempt from Version 7, January 2023 of the Coal Authority's Guidance for Local Planning Authorities.

Accordingly, there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted with any planning application or for the Coal Authority to be consulted on this proposal.

The City Council City Design and Conservation Officer has commented as follows (14.02.23):

It's acknowledged that Historic England have rejected the building for consideration for the national List however for purposes of assessment against the National Planning Policy Framework (NPPF) the former Granada cinema is a non-designated heritage asset (NDHA). The NPPF requires NDHAs to be considered in the planning balance in line with their relative significance.

The exterior of the building has particular interest on Church Road where its well-proportioned 1927 frontage remains a visually distinctive element in the streetscape. The main auditorium block to the rear has limited aesthetic interest, but retains attractive corner features around a former entrance; this architectural interest is however limited in an otherwise substantial blind faced block. There is evidential value here in the articulation of the voluminous auditorium block within the surrounding context.

The chief interest of the building is in the remains of the 1935 cinema interior, with its stylish Art Deco ceiling and wall finishes, and the surprising survival of the upper circle seating and projection room. Some of the other ancillary foyer and lobbies retain decorative cornice work and terrazzo floors. The remains of the cinema interior are a rare survival in Bristol, with no other cinema interior of this quality known. Regrettably we have to consider the condition of the interiors to be generally very poor and incomplete. There have been substantial losses of wall finishes and detail caused by the insertion of the pub use at ground floor level and the complete loss of the proscenium arch area, once the focus and culmination of the interior scheme. Regrettably, the recording of interior features to a high level might be the most realistic way of preserving remaining heritage value in balance with its significance as a NDHA.

Whilst the interiors are of greatest significance to the NDHA we are limited in how we can address them with current planning policy. We would strongly advocate their retention, restoration, and reuse, but it's accepted this would be incompatible with the proposed change of use, and would need a viable use to secure that level of restoration. We acknowledge that proposals provide aesthetic improvements to the blank facades of the auditorium block and the elevations proposed are generally harmonious in design. The evidential value of the exterior of the auditorium block would be impacted, but the scale and massing would be preserved.

Design proposals need to be revised to remove the overbearing impact of the additional storey over the Church Road elevation. The grey-box element added to the flat roof of the existing building would be visible up and down the street appearing incongruous against the generally consistent 2-3 storey height and traditional character, and damage the proportions and character of the 1920s frontage. Any further height here should be pushed back and not visible when viewed along the street. Following this required design change we ask that Conservation are re-consulted. You should also seek the views of Urban Design officers in regard to the appearance, layout and liveability of the proposed designs.

The City Council Pollution Control Officer has commented as follows (06.02.2023):

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

I have just looked at this application and the Noise Impact Assessment submitted with it and would comment as follows:

The residential part of the development comprises a significant number of residential units but I can not see any details as to how the property will be managed and there does not appear to be any management or concierge type facilities shown on the plans. I would therefore like to see further information provided in the application as to how the property will be managed.

I am happy with the Noise Impact Assessment with regards to the insulation of the residential flats against external noise. The assessment assesses noise from neighbouring condenser units at 209 Church Road. Whilst internal noise levels are in compliance with recommended internal noise levels as an assessment of the noise in accordance with BS4142 indicates a 'significant adverse' noise impact, depending on context, I do feel that further mitigation, as detailed in the assessment will need to be carried out in order to offer protect the viability of the neighbouring business and to adhere to the principles of agent of change.

The Noise Impact Assessment does not deal with noise from the ground floor Sui Generis uses nor noise from any external plant at the development. I will therefore need to see a further assessment regarding this and would be happy for this to be provided by condition.

I would therefore ask for the following conditions should the application be approved:

1. Construction Management Plan
2. Noise from development (noise assessment and mitigation measures)
3. Details of Kitchen Extraction/Ventilation System (Ground floor Sui Generis uses only)
4. Noise from plant & equipment (Ground floor Sui Generis uses only) - noise level restriction
5. Use of Refuse and Recycling facilities (Ground floor Sui Generis uses only) - hours restriction
6. Deliveries to the premises (Ground floor Sui Generis uses only) - hours restriction
7. Opening Times - 07.00 to midnight Sunday to Thursday and 07.00 to 01.00 Friday & Saturday

The City Council Pollution Control Officer has commented as follows (29.02.2024):

The content of the submitted Premises Management Plan is acceptable. This does not require a separate condition.

The City Council Highways Officer has commented as follows (17/05/23):

Principle

The application proposal seeks approval for the change of use and extension of building to create a scheme of 13 x HMO cluster units (44 beds) together with associated gym and communal workspace facilities (sui generis). The proposals involve the change of use of drinking establishment floorspace (sui generis) to commercial floorspace (sui generis).

A Transport Statement (TS) has been submitted with the application to consider the transport impact of the scheme.

Local Conditions

The site is situated along Church Road with access directly from Church Road, Victoria Parade and

Development Control Committee B – 10 April 2024**Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL**

Mary Street. There are frequent bus services which run along Church Road including the following services 35, 42, 43, 44 and 45. These routes offer services towards the City Centre, Kingswood and Cadbury Heath. There are numerous local amenities situated in the vicinity of the site which offer good options for any local residents. In regard to cycle routes there is no segregated cycle infrastructure along Church Road however access to the Bristol to Bath railway path is located approximately 620m away. Local parking in this area is extremely constrained with parking along both sides of Victoria Parade restricting the useable width of the carriageway. Parking along Church Road is restricted during Mon-Fri 07:00am-09:30am and 04:30pm-06:30pm and any parking during these times will obstruct the Eastbound bus lane.

Trip Generation

No trip generation exercise has been undertaken given the lack of parking however the applicant could provide a multi-modal analysis which TDM encourage given movement from the site still occurs.

Car Parking

The applicant has stated the proposed scheme will be car free with no car parking spaces made available for residents.

Parking surveys of the surrounding streets have been carried out and confirm that there is little or no overnight car parking available.

The TS states that the applicant proposes to agree with the Council the wording of a Unilateral Undertaking to secure zero car ownership amongst tenants and that it is expected thereafter that suitable wording will be inserted into residents tenancy agreement and enforced by the buildings management company. If the residents do not adhere to their agreement their tenancy will be terminated.

We do not consider that such a requirement would be reasonable or enforceable, and therefore we do not think that we can assume that the development would not lead to substantial increased pressure on the surrounding streets.

TDM consider that overspill parking from the development on surrounding streets is likely to intensify the demand for on street parking in the locality of the development which can often lead to unsafe highway conditions including the obstruction of footways through indiscriminate footway parking which can in some locations force disabled users, pushchairs and pedestrians into the road whilst also hindering visibility between road users at junctions. This is already experienced in this area of the City and TDM considers that to not address this matter will result in a failure to mitigate the impacts of this development and therefore result in a highway safety issue.

Cycle Parking

Residential cycle parking will be provided in a secure storage area. Although the TS claims that 22 hoops have been provided, the drawing appears to show stacking spaces which we do not consider to be appropriate as the sole form of cycle parking as they are not accessible to all bicycle users. TDM do not raise concerns regarding the quantum, as this meets the minimum standards set out within the local plan, however, would encourage further detail be provided regarding the layout of the store.

Waste

A number of commercial and domestic waste stores have been provided, accessed from Mary St. Further details of these including size and how there are accessed are needed. It is not entirely clear if purpose built HMOs are eligible for domestic waste collections. This should be clarified. The location of the residential waste store is considered to be well placed given this can be accessed directly by waste collectors and will negate the need for bins to be stored on the highway on collection day.

Recommendation

TDM recommend refusal of the application given the highway safety concerns that have arisen due to the impact of the parking on the locality and given the application is contrary to the following

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

policies:

- o Chapter 9 of the NPPF
- o Policy DM23 of the Bristol Local Plan
- o Policy BCS10 of the Bristol Core Strategy
- o Policy DM32 of the Bristol Local Plan

The City Council Highways Officer has commented as follows (05/07/23):

At present the applicant has not demonstrated they are able to adequately cater for the parking demand that they will produce, as set out within the transport statement.

The proposal of including a restriction to residents owning a car within a UU would in TDM's view be unenforceable and we would reject the inclusion of these on other schemes due to this.

Realistically the developer would need to calculate an evidenced car ownership level for a HMO within this area (ideally using ward data or a smaller area) compare this to the shortfall and adjust numbers accordingly. Restricted parking (such as single yellow or bus lanes) would not count towards the level of parking availability.

The City Council Highways Officer has commented as follows (17/11/23):

[Comment following receipt of further information regarding parking]

The information is unacceptable and TDM maintain the objection on parking.

The applicant has outlined their tenancy agreements require tenants to be car free with the result being eviction proceedings and therefore when being surveyed a resident is very unlikely to admit to owning a car.

Additionally the condition to require the applicant to include car free within the tenancy agreement is unenforceable and would not meet the tests.

The census data is based on a larger dataset than two surveys and shows a larger likely number of cars generated.

The City Council Highways Officer has commented as follows (21/03/24):

[Following the submission of a Parking Survey]

- o BCC has not accepted this is a very/extremely sustainable location - there is limited to no cycle infrastructure in the vicinity which limits cycle use to wider destinations. I refer back to Matthews initial comments dated 22nd May 2023.
- o The development description clearly sets out clearly the application is for 13 x HMO cluster units (a total of 42 bedspaces). The applicant can't apply for a HMO then expect the application to be considered under different criteria [co-living]. This however wouldn't impact the parking calculation given the similarity between uses.
- o The applicant has outlined their tenancy agreements require tenants to be car free with the result being eviction proceedings and therefore when being surveyed a resident is very unlikely to admit to owning a car.

Development Control Committee B – 10 April 2024**Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL**

- o Additionally, the condition to require the applicant to include car free within the tenancy agreement is unenforceable and would not meet the NPPF tests.
- o There were 4 illegal/obstructive spaces being parked along on the 30th January and 5 on the 31st January and once taken from the total available there would have been 11 on the 30th January and 4 on the 31st January respectively.
- o The census data is based on a larger dataset than two surveys and shows a larger likely number of cars generated.
- o Having looked at the census data for a development of this use and scale the parking ratio utilising 2011 census ward data is 34% resulting in the demand for 15 parking spaces.
- o This results in a shortfall of between 4 and 11 during the periods that have been assessed.
- o The parking surveys are a snapshot and whilst they have been conducted in line with BCC methodology there is significant number of objections corroborating the parking pressures in this location
- o There are no residents parking schemes in the area which would allow parking controls within the locality.

Bristol Waste has commented as follows (13.02.23):

For a 44 bed HMO, we would recommend that the following waste and recycling provision is allowed for:

Material	Collection frequency	Container size	No. bins
Plastic / Cans	Alternate Weekly	360 litres	3
Glass	Alternate Weekly	240 litres	2
Paper	Alternate Weekly	240 litres	1
Card	Weekly	1100 litres	1
Food	Weekly	140 litres	1
Refuse	Weekly	1100 litres	2
Total			10

Bristol Waste cannot guarantee a weekly collection service for Plastic/cans, Glass & Paper. Room for one more an additional plastic/can & glass bin would be required. The plan does show these bins, but they are not shown on the table on the Waste Management Plan drawing. We would urge at this stage of the planning process that the developers refer to the Planning Guidance for Waste and Recycling produced by Bristol Waste Company. When considering the layout, access and the design of the bin stores, this guide contains a wealth of information regarding the bin volumes, requirements etc.

Waste and Recycling Storage and Collection Facilities (bristol.gov.uk)

Bristol Waste vehicles will only collect from adopted highways. Any collections from private roadways would be by agreement with Bristol Waste and may need a covering letter of indemnity. I hope that this has provided sufficient feedback with regards to the areas of concern should this development progress as proposed.

The City Council Sustainability Officer has commented as follows (02.02.23):**Summary**

Generally the energy strategy is supported, however some further clarifications (and amendments

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

where appropriate) are required before the % reduction in CO2 emissions can be verified. The overheating risk assessment needs to be revised in line with the comments below. Once the additional information has been received, I can recommend conditions.

BCS14

Calculations

The applicant should confirm which version of Part L has been used - 2013 or 2021, including carbon factors, and whether the building has been modelled as an existing or new build - or a combination of both.

If any of the building as been modelled as existing then the baseline CO2 emissions for that part of the development should be determined as follows:

"The baseline energy demand and emissions for existing buildings should be based on the fabric specification for each thermal element required to comply with building regulations Part L1/2B or the existing building fabric, whichever is better in terms of environmental performance"

Energy efficiency

The energy efficiency measures are listed as 'assumed' in tables 1 and 2.

The applicant should confirm that the stated fabric u values and energy efficiency measures form part of the proposals (and will be committed to) rather than simply being assumed for the purpose of generating an energy statement.

Heat Hierarchy

A communal ASHP is proposed, which is supported in accordance with BCS14 provided a heat network connection is not available.

Renewable Energy

As above, an ASHP is proposed. PV is also proposed.

We need confirmation of how the building has been modelled as above, before we can verify the % reduction figure stated in the energy statement (72%).

Energy proposals (once finalised) should be secured by condition (I can provide recommended wording).

BCS13

Overheating risk

An overheating risk assessment has been carried out using the CIBSE 2020 and 2050 DSY weather files.

This shows there is an overheating risk to the following spaces:

- Workspaces area on the ground floor
- Gym - there are no openable windows to this space.
- Cluster 13 Communal Amenity Space

Air conditioning is the proposed measure to remove the overheating risk, however this is not in accordance with policy BCS13 as it will result in an increase in CO2 emissions. Alternative measures should be explored, such as external shading, lower g values, reduced glazing areas.

As with comments above, the applicant should confirm that the specification entered into the software is actually the proposed specification, rather than simply an 'assumed' specification as stated in table 1 of the overheating assessment.

Of particular concern is the stated air permeability of 25 m³ /hm². It's understood that this is a default value that needs to be entered into the SAP calculation for the purpose of demonstrating compliance with Part L where the dwelling is not going to be air tested, rather than the actual air permeability proposed.

A higher assumed air permeability such as this is likely to show a lower risk of overheating due to

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

increased levels of ventilation - the applicant should revise the assessment to include a more realistic air permeability.

Similarly with occupancy assumptions, the overheating assessment states:

"On the ground floor, it is assumed that all openable external windows and fully glazed doors are fully open during daytime hours but closed during the night.

Above the ground floor, it is assumed that all openable external windows and fully glazed doors are fully open at all times. In practice this is unlikely but demonstrates that opening the windows can be used to control the temperature in the rooms which have them."

The TM59 methodology prescribes opening times for windows and doors based on the internal dry bulb temperature and occupancy profile - see section 3.3

The applicant should provide an updated assessment in line with the TM59 methodology.

Finally, the building should also be tested against the 2080 weather file. Whilst it is not necessary for the building to mitigate risks flagged for testing against this weather file, it is recommended that appropriate measures are identified and it is demonstrated how the building has been designed to accommodate this in the future if they cannot be installed from the outset.

Should the updates to the overheating assessment result in it being demonstrated that there is an overheating risk present, measures to mitigate the overheating risk will be required, and a revised assessment inclusive of the measures submitted to demonstrate that the proposed measures remove the risk sufficiently. Note internal blinds and curtains are not supported in line with Part O as these rely on occupants to implement them, and can also affect liveability. Air conditioning is also not supported as this will increase CO2 emissions and therefore doesn't comply with policy BCS13.

BCS15

The sustainability statement covers all areas of BCS15, and the proposals should be secured by the condition (I can provide recommended wording).

The City Council Sustainability Officer has commented as follows (17.04.23):

The energy statement is acceptable, please see conditions below.

The overheating risk assessment has been updated based on my comments, and some changes made to the design, which are supported.

It concludes:

"As identified, there are few zones which have been flagged up as not meeting the criteria and therefore at risk of overheating:

- o Plant room - this is a non-habitable room

- o Gym - there are no openable windows to this space. For such a high activity space, it is reasonable to assume that air conditioning could be introduced to this area

For reference purposes, future weather modelling was also carried out using weather files for 2050 and 2080. The 2080 simulation shows that some additional zones are at risk of overheating:

- o Workspaces area on the ground floor (more of the glazed roof could be openable)

- o Cluster 13 Communal Amenity Space (additional shading could be added to the glazed openings)"

My comments are -

- 1) Can improved ventilation be added to the gym to increase ventilation rates and reduce energy demand for cooling? - this doesn't have to be windows, it could also be ventilation grilles in the wall for example.

- 2) 2080 - Risk of overheating identified in GF work spaces, cluster 13 communal amenity-

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

please provide updated assessment to demonstrate that the proposed mitigation measures are capable of removing the risk of overheating.

Recommended conditions:

Energy and Sustainability in accordance with statement

Renewable Energy - PV and Air source heat pump - details

Broadband - evidence and provision

The City Council Sustainability Officer has commented as follows (12.12.23):

Please see comments below on the updated energy statement and overheating risk assessment provided in April 2023.

I note that further design changes have been made since then. The applicant should seek confirmation from their consultants as to whether the proposed changes will affect the figures/conclusions drawn in the energy/overheating risk assessments - if they will, a revised assessment should be provided, noting that where the application is approved construction in accordance with the approved statements will be secured by condition including % reduction in CO2 emissions.

BCS14 - Energy

The energy statement demonstrates compliance with the policy and should be secured by the condition below.

BCS13 - Overheating

The overheating risk assessment has been updated to identify that some spaces could have passive retrofit measures to reduce overheating risk in the future (instead of air conditioning). Specifically:

- o Workspaces area on the ground floor (more of the glazed roof could be openable)
- o Cluster 13 Communal Amenity Space (additional shading could be added to the glazed openings)

The applicant should demonstrate through an updated assessment that these measures will result in a 'pass' for the future weather files.

They should also confirm whether these measures would be included from the design from the outset (preferred) or retrofitted in the future. Where they will be retrofitted, the applicant should demonstrate current design will support the future retrofit (and not hinder it) - for example for the addition of external shading- is the façade capable of supporting this? Will fixing points be provided in the current design to enable this?

The City Council Flood Risk Officer has commented as follows (09.02.2023):

We have no comment on this application as the development proposes no change to the impermeable area and therefore no change to the existing drainage arrangement.

The City Council Air Quality Officer has commented as follows (20.01.2023):

The air quality assessment concludes that air quality impact from the development will be negligible. I therefore do not object to the development on the grounds of air quality.

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

The City Council Land Contamination Officer has commented as follows (24.02.2023):

The planning application has been reviewed in relation to land contamination.

The applicants are referred to the following

' Bristol Core Strategy - BCS23 Pollution

' Local Plan ' DM34 Contaminated Land

' National Planning Policy Framework (2021) Paragraphs 120, 174, 183, 184, 188

' Planning Practice Guidance Note <https://www.gov.uk/guidance/land-affected-by-contamination>

' <https://www.bristol.gov.uk/planning-and-building-regulations-for-business/land-contamination-for-developers>

The proposed development is sensitive to contamination but is situated on land not thought to have been subject to a potentially contaminating land use. In light of this and the nature of the development, the following condition is recommended:

Reporting of Unexpected Contamination

Advice:

Asbestos Advisory

The City Council Affordable Housing Officer has commented as follows (08.02.2023):

Having looked at the plans, I am of the view that each individual cluster flat will fall within the definition of an HMO under s254 of the Housing Act 2004, providing they are each occupied by three or more persons from two or more households and sharing cooking facilities as it appears.

In terms of HMO licensing, each flat will be required to be licensed under Mandatory HMO licensing if it is occupied by five or more persons from two or more households.

If a flat is occupied by three or four persons from two or more households, it will be required to be licensed under the Central Additional Licensing (CAL) scheme which runs until 7 July 2024.

As the HMO is classed as Sui Generis no affordable housing would be required for this application.

The Police Crime Prevention Design Advisor has commented as follows (03.02.2023):

Objection in principle.

Neither the Design and Access statement nor the Planning Statement make any reference to crime and disorder.

Crime figures, taken from Police systems, for a 200m radius from the proposed development site, for a 12 month period to 26.01.23 are detailed below;

Anti-social behaviour	89
Violence against the person	88
Public order offence	26
Theft	23
Vehicle offences	16
Burglary	12
Arson and criminal damage	9

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

Theft of pedal cycle 6

I have viewed the planning application and have the following comments.

A&S Police recognise that HMOs are an important source of low-cost housing within the private rented sector, particularly for those on low incomes, students, young people and vulnerable groups who cannot access other types of market or affordable housing. HMOs are also an important source of flexible housing for those seeking temporary accommodation, however.

The above location immediately neighbours a stretch of Church Road which is the subject of a Police problem solving plan due to consistent anti-social behaviour.

There has been concerted partnership working between the Police, local community, and the street intervention team (BCC) to try and address the anti-social behaviour being conducted in this area.

The Avon and Somerset Police anti-social behaviour coordinator for the locality has commented.

Church Road is currently an ASB hot spot, and the neighbourhood beat teams & anti-social behaviour team focus a large amount of attention on problem solving the ongoing ASB in the area. The ASB is often linked to street drinking, begging and general rowdy behaviour. The local businesses report how their businesses are affected by the ASB and prevents the community wanting to visit their businesses, we have also had similar reports from the community outlining how unsafe they feel accessing Church Road because of the ongoing ASB. I am concerned that a 44 bed HMO would cause additional worry to the community and add to the ongoing ASB in the area which we are trying to tackle.

Neighbourhood Officers also comment;

'I have been the Police Community Support Officer covering the area of St George including Church Road for the last 4 and half years. During this time Church Road has always been an area which has drawn heavily on resources, myself and my team spend a larger amount of time in this area than other locations on our beat. We regularly have incidents of Anti-Social behaviour, this is partially due to the make-up of the area, with offenders being drawn to the pubs, take aways and numerous off-licenses in this location. We regularly receive calls regarding the impact this is having on local residents.

In addition, an application (20/06252/F) for HMO of 2 x eight bed apartments and 1 x 4-bedroom apartment (16 rooms) has been approved, approx. 170 yds away, at 163A Church Road with the possibility that there are smaller HMO's also in the vicinity that we are not able to identify due to the lack of a requirement for planning consent /licensing.

The very nature of an HMO means that they are designed for single occupancy with a transient occupancy.

Research from Nottingham Trent University identifies those residents of a property with three or more adults experience 'Around 15% more property crimes than (otherwise identical) two adult households and their members are victims of 51% more personal crimes (Tseloni and Pease 2015)'.

Nationally, it is generally accepted that an over concentration of HMOs occurs when 10% of properties in a neighbourhood are HMOs. Research argues 10% concentration is the tipping at which HMOs may give rise to harmful effects and where neighbourhoods go from balanced to unbalanced communities (Lewisham review and Evidence paper May 2022).

There is also evidence to suggest that instances of non-domestic violence are more prevalent in HMO's.

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

Although the applicant would be obliged to adhere to the BCC mandatory HMO licensing scheme, which does mention the need to address any anti-social behaviour, I do not accept that this would be adequate to ensure the long-term guardianship of an HMO of this size, or mitigate the demand on Police resources in this location.

Further Police comments (23.11.23):

My concerns around this application are that the site is in an area which is currently subject of a Police problem solving plan around levels of crime and anti-social behaviour.

This means that the location will have been discussed at a multi-agency forum where actions around ASB are discussed.

The location is also very close to a location identified as a LSOA for the purposes of a 2023 bid for Home Office Safer Streets funding.

Another HMO has been proposed very nearby (as detailed on my response) and my view as a Designing Out Crime Officer is that a further concentration of accommodation aimed at predominantly short term occupancy could result in an impact on a location which is already experiencing issues, potentially creating a further increase in demand on Police resources.

Although the HMO would be obliged to abide by the BCC license requirements, in reality, any issues at the premise or surrounding areas would result in reports/complaints to the Police rather than BCC.

In addition, if consented we could potentially see vulnerable residents housed here who may be adversely affected by the current issues.

The reason for my objection, at this location, is due to the size of the HMO=number of residents, in a location that is problematic in terms of crime and ASB.

Building Bristol has commented as follows (18/01/2023):

Please note there was no Employment and Skills statement including within the planning documentation. Please ensure the applicant is aware of this requirement as detailed on the Planning Application Requirements Local List.

The development will require an Employment & Skills Plan in line with guidance issued by the local authority (www.buildingbristol.com) and the applicant is welcome to make contact with Building Bristol as soon as possible to discuss the targets and requirements of the ESP.

Should planning permission be granted please ensure the following condition(s) are included within the decision and that the S106 fee is collected (fee to be confirmed in line with guidance document)

Employment and Skills Plan (ESP) Construction Phase

No development shall take place including any works of demolition until a Construction Phase ESP is submitted to and approved by the Local Planning Authority. The ESP is to be in conformity with the Building Bristol Guidance www.buildingbristol.com and will aim to maximise training and employment opportunities for local residents available during the construction phase of the development. The development shall thereafter be carried out in accordance with the approved ESP unless a variation in the plan is agreed in writing in advance by the Local Planning Authority.

Reason: In recognition of the employment opportunities offered by the construction phase of the

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

development.

RELEVANT POLICIES

Planning Obligations - Supplementary Planning Document - Adopted 27 Sept 2012
 Managing the development of houses in multiple occupation SPD - November 2020
 National Planning Policy Framework – December 2023
 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.

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

KEY ISSUES

(A) ASSET OF COMMUNITY VALUE IMPLICATIONS

During the course of the application assessment period, the premises was listed as an Asset of Community Value (ACV). This ACV listing is on the basis of the current/most recent use of the property as a public house, and is explicitly detailed as such within the ACV listing information.

Whilst the ACV legislation is separate to the planning decision-making process, it can be a material consideration within planning assessments, and it would be useful to understand the implications here. Community Right to Bid was introduced under the Localism Act 2011 and requires local authorities to maintain and publish the lists of assets of community value which have been nominated by the local community. The list is for both successful and unsuccessful nominations and each asset will stay on the list for a period of 5 years.

When successfully nominated assets come up for sale, the Act gives community interest groups the time to submit a request to the local authority to be considered as a bidder, and time to develop a business case and secure funding to support the bid to put the asset on the open market. This requires an interim moratorium period of six weeks from the date the Council accepted receipt of the owner's notice of intent to dispose of the asset on the open market. During this period eligible community interest groups can express an interest in being considered as a potential bidder by sending in a written request to the Council. After the moratorium period - either the six weeks if there has been no community interest, or the full 6 months if a community group sends in a written request to express an interest to be considered as a potential bidder. However, at the end of the 6 month moratorium period the owner does not have any obligation to sell the pub to the community group. The owner is free to dispose of the property to whomever they choose and at whatever price, and no further moratorium will apply for an 18 month protected period.

In addition, the requirements of the Localism Act do not prevent planning permission for a change of use being granted within this process but it is a material consideration. This is evidenced by Section 2.20 of "Community Right to Bid: Non-statutory advice note for local authorities Part 5 Chapter 3 of the Localism Act 2011 and the Assets of Community Regulations 2012" which states: "The provisions do not place any restriction on what an owner can do with their property, once listed, so long as it remains in their ownership. This is because it is planning policy that determines permitted uses for particular sites".

The fact that the site is listed as an ACV may affect planning decisions - it is open to the Local

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

Planning Authority to decide whether listing as an asset of community value is a material consideration if an application for change of use is submitted, considering all the circumstances of the case.

Consideration of the existing and proposed uses will be set out within key issue B below.

(B) NATURE AND MIX OF USES PROPOSED

Background

It should be noted that the lawful use of the application site is as a public house. Many objection comments make reference to the loss of a cinema from the site, however it should be noted that in land use terms the use of the site as a cinema ceased in 1961 when the use was changed to a bingo hall. Subsequently, in 1997 the use of the site changed again to a public house, and has remained as such to date, although at present the site is vacant. Some of the former cinema interior remains, which will be discussed later in this report, however this does not change the fact that the long established lawful use of the site is as a public house, and the proposed change of use must be assessed on this basis. Many objection comments also suggested alternative uses that interested parties would prefer the site be used for, however the assessment of the application must be on the basis of what is proposed.

Local Plan Policy Context

Policy BCS7 states: "Retail development, offices, leisure and entertainment uses, arts, culture and tourism uses will be primarily located within or, where appropriate, adjoining the centres in the identified network and hierarchy serving Bristol.

Town, District and Local Centres will also be focuses for the development of:

- o Community facilities;
- o Higher density forms of residential development provided the centre is suitable for such development and has a high level of accessibility by public transport, cycling and walking; and
- o Smaller scale office developments providing local office floorspace provision.

Development will be of a scale and intensity appropriate to the position of the centre in the hierarchy and to the character of the centre. Where proposed developments would be significantly larger in scale than existing uses, it should be clearly demonstrated that the catchment the development will serve is in keeping with the role of the centre.

Mixed-use development at accessible centres will be particularly promoted where it takes advantage of under-used land.

Uses which contribute to maintaining the vitality, viability and diversity of centres will be encouraged. Active ground floor uses will be maintained and enhanced throughout the centres.

Retail shop uses will predominate in the designated primary shopping areas of the City and Town Centres, supported by a wider range of appropriate uses in the other parts of these centres. The role of District and Local Centres in meeting the day-to-day shopping needs of their catchments will be maintained. Developments in all centres should include provision for a mix of units including opportunities for small shops and independent traders."

Policy DM8 states that within Primary Shopping Areas and Secondary Shopping Frontages identified on the Policies Map development will be expected to maintain or provide active ground floor uses. Proposals which would result in the loss of retail floorspace, including storage or

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

servicing space, will be expected to demonstrate that they will not be detrimental to the continued viability of the retail unit.

Policy DM6 relates to Public Houses, safeguarding against the loss of established public houses unless it can be demonstrated that i. the public house is no longer economically viable, or; ii. A diverse range of public house provision exists within the locality. The associated Public Houses Practice Note (October 2022) further sets out assessment criteria in this regard.

Policies DM5 and BCS12 relate to the protection of community facilities. BCS12 states that Community facilities should be located where there is a choice of travel options and should be accessible to all members of the community. Where possible community facilities should be located within existing centres. Existing community facilities should be retained, unless it can be demonstrated that there is no longer a need to retain the use or where alternative provision is made. Where community facilities are provided as an integral part of a development they should wherever possible be within adaptable mixed-use buildings. DM5 states that proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that:

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

Policy BCS18 expresses that all new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. This includes requirements to contribute to the diversity of housing in the local area and help to redress any housing imbalance that exists, and to; respond to the requirements of a changing population.

Policy BCS20 states:

"New development will maximise opportunities to re-use previously developed land.

Where development is planned opportunities will be sought to use land more efficiently across the city. Imaginative design solutions will be encouraged at all sites to ensure optimum efficiency in the use of land is achieved. Higher densities of development will be sought:

- o In and around the city centre;
- o In or close to other centres;
- o Along or close to main public transport routes.

For residential development a minimum indicative net density of 50 dwellings per hectare will be sought. Net densities below 50 dwelling per hectare should only occur where it is essential to safeguard the special interest and character of the area.

The appropriate density for any individual site will be informed by:

- o The characteristics of the site;
- o The local context;
- o Its current and future level of accessibility by walking, cycling and public transport to a range of employment, services and facilities;
- o The opportunity for a mix of uses across the site;
- o The need to provide an appropriate mix of housing to meet the community's needs and demands;

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

- o The need to achieve high quality, well designed environments."

Policy DM2 states that the conversion of existing dwellings or construction of new buildings to be used as houses in multiple occupation will not be permitted where:

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

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

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

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

Policy DM2 is supported by the HMOs SPD (2020).

Commercial Floorspace

The upper floor space to the rear portion of the site comprises the former cinema auditorium, the upper portion of which is cordoned off due to asbestos contamination, whilst the lower part is in use as storage space associated with the public house use. This represents inefficient use of space within a designated centre. Below the auditorium level are back-of-house and toilet facilities associated with the (currently vacant) public house use of the building.

The proposed layout would result in the loss of commercial floorspace comprising the existing back-of-house and toilet facilities and ancillary storage space to the upper floor to the rear. This would facilitate the use of the rear building for residential use and would unlock upper floor space and enable the insertion of additional floors within the existing building. During the course of the application, amendments were made to the scheme that increased the commercial floorspace to be retained, along with improvements to servicing facilities.

A key consideration is whether the retained ground floor commercial units would remain viable, and it is considered that they would. The commercial unit that would remain would have a triple-width frontage, and would have a depth of floor plan comparable to many other commercial units within the Town Centre, and overall the remaining commercial unit would be larger than the majority locally. There is adequate floor area for a range of potential occupiers, with servicing/welfare facilities integrated into the design, such that the remodelling of the building would not threaten the viability of the retail units or wider shopping frontage and Town Centre. This is consistent with the requirements of policy DM8.

Proposed commercial uses (Public House and Cinema)

The application proposes a dual-use commercial space, comprising the retention of a pub/bar at the site, along with the re-establishment of a small-scale cinema. This would therefore retain active commercial leisure uses on the site that would be compatible with the primary frontage and designated centre within which the site is located.

During the course of the application amendments were made to the scheme which enlarged the extent of the commercial space proposed. Public comments that raised concerns of the usability of

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

the cinema space were also acted upon, with the cinema enlarged; a sound lobby incorporated to prevent conflict between the bar use and cinema use, and; raked seating provided within the auditorium for an improved viewing experience. When considering the cinema proposed, this is an additional use when compared with existing, and aligns with aspirations of the local community for the provision of a cinema on the site, albeit not within the former auditorium space to the rear portion of the site.

It should also be noted that there would be a public house retained on site. This would be a smaller scale pub than the existing (vacant) use, but it is considered to be adequately sized to be viable for this use, and suitable alternative uses within the designated centre.

The ACV listing on the site relates to the public house use of the premises, and whilst the commercial floorspace would be reduced by this proposal, the public house use would not be lost. The listing as an ACV however demonstrates the importance of the public house use to the local community, and as such, for completeness, an assessment of pubs within walking distance of the site has been undertaken in order to obtain a picture of alternative local provision.

To determine what a reasonable walking distance is, Bristol City Council takes its cues from the Providing for Journeys on Foot guidance published by the Chartered Institute of Highways and Transport. This document considers a reasonable walking distance to be 1200m (0.746 miles) or a 15 minute walk, with measurements taken based on walking routes, not as the crow flies. The following public houses have been identified within this 15 minute walk distance:

The George and Dragon (Church Rd) 86m
 The Dark Horse (Church Rd) 213m
 The Old Stillage (Church Rd) 209m
 The Fire Engine (Church Rd) 295m
 The Rd Lion (Whitehall Rd) 361m
 Whitehall Tavern (Devon Rd) 500m

The Kings Head (Whitehall Rd) 661m
 The Pack Horse (Lawrence Hill) 800m
 The Plough (Easton Rd) 754m
 The Queens Head (Easton Road) 983m
 Chelsea Inn (Chelsea Rd) 1003m

Eleven pubs have therefore been identified within a 15 minute walk of the application site, six of which are within 500m. There is therefore a diverse provision of alternative drinking establishments locally. Further, it should be noted that a public house use is also proposed to be retained at the application site. This evidence is considered to further demonstrate that the loss of public house floorspace would not be harmful to a degree that would warrant refusal of the application on this basis, and that the proposal accords with the provisions of policy DM6 and the associated Public Houses Practice Note. The listing of the premises as an ACV is not considered to alter the planning balance in this instance, given the available alternative provision locally. It is therefore considered that there is no policy basis to resist the loss of public house floor space.

Community Facilities

Public comments received raise concern of the loss of a community facility.

In terms of whether a pub is considered to be a community facility, the supporting text to Policy BCS12 states the following:

"The term Community facilities is wide-ranging and can include community centres and childcare

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

facilities, cultural centres and venues, places of worship, education establishments and training centres, health and social care facilities, sport and recreation facilities and civic and administrative facilities. It may also include other uses whose primary function is commercial but perform a social or community role i.e. sport, recreational and leisure facilities including local pubs. Such services and facilities provide a focus for local people, helping to promote better personal contact between groups and individuals and generating community spirit and a sense of place. Together, they are essential to the quality of life of people living and working in Bristol and can help to reduce levels of deprivation and social exclusion and improve health and wellbeing."

The supporting text therefore places greatest importance on non-commercial uses that provide social or welfare benefit to the community. Leisure facilities may be considered a community use, although the policy does not assert that this is always the case. A pub for example, in an area where there is no other such provision, may be of importance to the community to facilitate social interaction to a degree that it is considered a community facility, however this is not necessarily the case where there is alternative provision within the vicinity that provides leisure and social opportunities for local residents.

It should be noted that the nature of any particular pub operator cannot be taken into consideration as this could change at any time, without the need for planning consent. Therefore, whilst some public comments have expressed a local need for the particular offer provided by the large national chain operator that has vacated the premises, the reality is that a particular operator and hence their business model cannot be forced to stay at a particular premises.

Given that locally there is a variety of alternative public houses, it is considered that whilst the now vacant pub was part of the social offer in the area, it was not of such individual importance to be considered a community facility by definition, and certainly not in the same way that a community centre or healthcare centre would be considered a community facility.

It should also again be noted that a public house would be retained on site, albeit of a smaller extent than that it would replace. In addition, a new cinema use would be created on site, further enhancing the cultural offer at the site when compared with existing.

Proposed HMO use

Policy BCS18 outlines that a neighbourhood with a mix of housing tenures, types and sizes will be more able to meet the changing needs and aspirations of its residents, through changing life stages, household shapes and sizes or changes in income. Providing greater housing choice increases the opportunities for households to remain within their communities and promotes social equality and inclusion by easing geographical constraints on the search for appropriate homes. Conversely, an excess of single forms of dwelling will gradually limit housing choice or harmfully erode the mix and balance of a community.

Policy BCS20 states that new development will maximise opportunities to re-use previously developed land.

Policy DM2 relates to specialist housing, including HMOs, and does not permit new HMOs or the intensification of existing HMOs where development would create or contribute to a harmful concentration within a locality. The policy identifies a harmful concentration as a worsening of existing harmful conditions or a change to the housing mix that reduces housing choice. This policy is supported by the HMOs SPD (2020).

The supporting text to the policy provides further detail on when harmful concentrations are likely to arise. This is where issues associated with HMOs cumulatively result in detrimental effects on the qualities and characteristics of a residential area. The supporting text also states that assessments

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

should consider impacts at street, neighbourhood and ward levels.

A harmful concentration can arise at a localised level when an existing dwelling is sandwiched between two HMOs. This can intensify impacts on individual households even if few HMOs exist locally and create an imbalance between HMOs and other housing at a street level. A harmful concentration can arise when HMOs exceed a certain proportion of the dwelling stock in any given neighbourhood. In accordance with the HMO SPD, proposals for intensification of existing HMOs are unlikely to be consistent with Local Plan policy where 10% or more of the total housing stock is already occupied as houses in multiple occupation. There are currently 8 licensed HMOs within a 100m radius of the site, and of the 228 residential properties this represents 3.51%. Taking each of the 13 cluster flats proposed as an individual HMO (which represents a statistically worst-case scenario in comparison to a single large HMO), this proposal would result in 9.2% HMOs (21 properties out of 228) within a 100m radius of the site. As such, on the basis of the assessment criteria set out within the HMO SPD, the proposal would not result in an over proliferation this type of accommodation locally.

The proposed development would not result in the loss of any other type of residential accommodation, and would add a flatted development of HMOs that would in total provide 42 bedrooms of residential accommodation. The proposed development would provide a housing type which is not prevalent within the local area, and on that basis the development would diversify the housing mix and balance within the area.

The proposed ground floor HMO cluster flat proposed would be a wheelchair accessible unit. Changes in floor levels are such that a short flight of steps would provide access to the unit, however this would be complimented with a platform lift which would also be provided.

Individual cluster flats would be complimented by communal internal socialising space, a work area, and gymnasium, as well as a communal outdoor yard/garden provided.

On the basis of the 13 cluster flats proposed, the dwelling density for the site would be 162.5 dwellings per hectare (dph). Given the location within a designated centre and along a main transport route, this density is supported by policy BCS20.

Conclusion on nature and mix of uses

The proposed development would provide for a mixed-use development, supported by local plan policy, of commercial uses comprising a replacement pub and the provision of a new cinema, and residential development comprising a HMO development across 13 cluster flats along with shared communal facilities. Whilst the extent of commercial floorspace would be reduced when compared with existing, this would unlock the potential for a more efficient use of the existing buildings and land. The extent of the retained commercial floorspace is considered to remain viable for the uses proposed, and suitable for a variety of potential alternative future uses should the need arise. The proposal would also provide for much needed housing, which must be given significant weight in the planning decision.

The nature and proposed mix of uses is compatible with the function of the St George Town Centre, with the commercial element supporting the ongoing vitality of the Centre, whilst the residential element would diversify the housing mix locally. The mix of uses and density of residential development align with current adopted local plan policy aspirations. The nature and mix of uses proposed are therefore considered acceptable in land use terms.

(C) RESIDENTIAL AMENITY

Development Control Committee B – 10 April 2024**Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL**

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 DM30 expects alterations to existing buildings to safeguard the amenity of the host premises and neighbouring occupiers. Policy BCS23 expresses that in locating and designing new development, account should be taken of the impact of existing sources of noise or other pollution on the new development, and the impact of new development upon the viability of existing surrounding development. Policy DM35 expects noise sensitive development in locations likely to be affected by existing sources of noise to provide an appropriate scheme of mitigation to ensure adequate levels of amenity for future occupiers.

a) Neighbouring Occupiers

Immediately surrounding properties comprise a mix of commercial and residential uses. When considering adjacent residential properties the closest window to window inter-relationships would be with the adjacent Mary Court to the North. The narrow width of Mary Street is such that the limited separation distances are already established by existing buildings in this location, although the nature of use and the number of windows proposed would differ from existing. Separation distances between the existing buildings here are between approximately 8 and 10 metres, which is a low separation distance, although not dissimilar to that between adjacent terraces on William Street to the North (approx. 9 metres separation). Indeed, there are many narrow streets of terraced housing within the locality with limited separation distances between front elevations. It is noted that the Mary Street elevation of Mary Court contains a number of windows, the majority of which are obscure glazed serving bathrooms. There are 7 clear glazed windows to that elevation, and as such some overlooking of these windows would occur from new windows proposed, with mutual overlooking also taking place in return, and whilst this is not ideal it can be considered in line with established local characteristics by virtue of low separating distances, albeit with slightly lesser separation distances than are typical locally. Other windows within the development would be further spaced from surrounding properties, according with local layout characteristics.

The top floor units proposed to the rear building would benefit from balcony areas, as would the upper floor unit to the Church Road frontage. When considering the rear building, some overlooking of nearby residential windows would be possible when considering Victoria Parade properties, however differences in height are such that any such impact is likely to be lesser than occurring from the existing roof terrace to the south. When considering Mary Court, limited separation distances and differentials in building height are such that lines of sight would likely be such that overlooking of from balconies would be limited, if at all possible. When considering the roof terrace fronting Church Road, greater separation distances across Church Road are such that it is considered that any amenity impact from overlooking would not be harmful to a degree that would warrant refusal of the scheme on that basis.

A replacement roof is proposed to the rear building. The existing gable-ended form would be replaced with a mansard roof to enable the provision of residential accommodation at roof level. The proposed mansard would be lesser in height than the ridge of the existing roof, although would be of a more bulky form by virtue of its mansard nature. A rooftop plant enclosure is also proposed atop the mansard, which would result in an overall height increase of approximately 0.5m when compared with existing. These alterations would be relatively minor when compared with the scale and massing of the existing rear building, and as such would not have a significant effect when considering issues of overbearing and overshadowing impacts.

An additional storey is proposed to part of the existing frontage building, albeit set back from the church Road frontage. The scale and position in relation to surrounding development are such that concern is not raised in relation to overshadowing and overbearing impacts.

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

Concern was raised within objection comments of increased noise and anti-social behaviour in the area due to increased occupancy. The site is located within a busy and vibrant city centre location, with existing noise and activity throughout the day and night. Whilst increased occupancy increase the number of residents, and hence level of activity within the area, it is considered that any such increase would not be harmful and would be compatible with the existing busy nature of the location. It should also be noted that a Premises Management Plan has been submitted during the course of the application, the content of which is supported by the BCC Pollution Control Officer, and would serve to ensure that the proposed development is appropriately managed and hence any impact upon the residential amenity of surrounding occupiers minimised in this regard.

If the development were to be permitted, conditions would be required in relation to opening hours of the commercial units; deliveries and waste collections; and a premises management plan, to safeguard local residents against potential impacts from the operation of the development. A construction management plan would also be required to safeguard surrounding amenity during construction works.

b) Future Residents

When considering future residents of the proposed development, it is noted that the site is located within a busy urban environment, with significant noise levels emanating from vehicles using Church Road, along with noise associated with the night-time economy. An acoustic report was submitted in support of the application, and based on its contents the BCC Pollution Control Officer is comfortable with the proposal when considering the internal noise environment, subject to the conditioning of further details of acoustic assessment and mitigation as necessary to safeguard future occupiers from noise associated with the proposed ground floor commercial use and also in relation to plant noise.

The individual bedrooms proposed within the development have floor areas ranging between 20 and 34 square metres. Communal living rooms within each cluster have floor areas ranging between 22 and 48 square metres. Each cluster flat and the individual bedrooms within therefore exceed the minimum floor area requirements set out within the Nationally Described Space Standards. Further, although a useful point of reference, it should be noted that National Space Standards requirements do not apply to the HMO/co-living style of accommodation proposed but instead licensing standards would apply and are less stringent. In addition, occupiers would also have access to shared socialising/work space, gym facilities, and external communal amenity space on site.

Of the 13 residential units proposed, 10 are dual aspect, however 3 of the units are single-aspect and North-facing. Whilst the proposed single-aspect north-facing dwellings are compromised in relation to daylighting and ventilation, this must be weighed against other factors of the developments as a whole. It is considered that in relation to the majority of the units a good standard of living accommodation would be provided, and in all cases adequate space and facilities would be provided.

The proposed ground floor residential unit would be set on an elevated floor slab, as existing, and as such windows would be raised up above pavement level, such that inward overlooking from passers-by would not result in unacceptable impact upon occupier privacy. Windows within other residential units proposed would have relationships with surrounding properties that accord with established local layout characteristics and are considered acceptable in relation to occupier amenity.

Generally in residential amenity terms, for the most part the proposed development would safeguard the amenity of neighbouring occupiers, and would provide for a good quality living environment for future occupiers. There are some identifiable shortfalls when considering

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

overlooking impacts upon neighbouring occupiers, and a small number of north-facing sing-aspect units, however these amenity impacts are considered limited in the overall scope of the development proposed and must be weighed in the overall planning balance.

(D) DESIGN

Local plan policies BCS21, DM26, DM27, DM28 and DM30 set out the design requirements that development should achieve, including in relation to alterations to existing buildings (DM30).

The existing rear building is a monolithic block of considerably greater scale than surrounding development. The elevations are largely devoid of features with the exception of banding detailing; a small number of windows to the eastern extent of the Mary Street elevation, and; a curved bonnet to the corner entrance onto Victoria Parade/Mary Street. Whilst the aforementioned detailing does provide some character to the building, the relatively featureless elevations result in a stark and imposing structure.

The proposed provision of windows within the existing building envelope has been executed in a manner sympathetic to the form of the host building, and it should be noted that the proposal would retain the previously identified detailing elements that provide character. It is considered that the provision of windows within the rear building would result in a more visually welcoming development when considering street scene views, whilst respecting the original building form and characterful features.

The provision of a mansard roof to the rear building is considered acceptable in design terms, with the proposed set-back from the existing parapet providing a visual break between existing building fabric and new development at roof level, as well as reducing any impact when considering street scene views.

The proposals also include the provision of a roof extension to the front portion of the site. During the course of the application this element has been pushed back from the Church Road frontage, and in doing so preserves the character of the Church Road frontage and wider street scene.

Finishing materials include white render for elevations of the rear building, along with the existing brickwork being re-pointed. New roof extension elements would be finished in metal standing seam cladding. If permission is granted, external finishing materials can be secured by condition to ensure an external appearance that is appropriate for the context.

On the basis of the above, the proposal is considered acceptable in design terms.

(E) HERITAGE

It should be noted that the application property is not nationally or locally Listed, and does not sit within a Conservation Area. It should also be noted that Historic England have rejected the building for consideration for the national list.

Local Plan Policies BSC22 and DM31 relate to heritage assets (including Listed Buildings and Conservation Areas) and seek to preserve or enhance heritage assets. Given that the property however has no national or local designation, these policies do not apply in this instance.

For the purposes of heritage assessment in relation to the proposal, any such consideration must be in the context of the building as a Non-Designated Heritage Asset (NDHA). Paragraphs 209-211 for the NPPF (2023) relate to NDHA's, with relevant extracts as follows:

Development Control Committee B – 10 April 2024**Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL**

209. 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.

210. Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

211. Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

It is considered appropriate here to set out the comments received from the BCC Conservation Officer, for completeness and with regard to the assessment of the property as a heritage asset, with comments as follows:

"The exterior of the building has particular interest on Church Road where its well-proportioned 1927 frontage remains a visually distinctive element in the streetscape. The main auditorium block to the rear has limited aesthetic interest, but retains attractive corner features around a former entrance; this architectural interest is however limited in an otherwise substantial blind faced block. There is evidential value here in the articulation of the voluminous auditorium block within the surrounding context.

The chief interest of the building is in the remains of the 1935 cinema interior, with its stylish Art Deco ceiling and wall finishes, and the surprising survival of the upper circle seating and projection room. Some of the other ancillary foyer and lobbies retain decorative cornice work and terrazzo floors. The remains of the cinema interior are a rare survival in Bristol, with no other cinema interior of this quality known. Regrettably we have to consider the condition of the interiors to be generally very poor and incomplete. There have been substantial losses of wall finishes and detail caused by the insertion of the pub use at ground floor level and the complete loss of the proscenium arch area, once the focus and culmination of the interior scheme. Regrettably, the recording of interior features to a high level might be the most realistic way of preserving remaining heritage value in balance with its significance as a NDHA.

Whilst the interiors are of greatest significance to the NDHA we are limited in how we can address them with current planning policy. We would strongly advocate their retention, restoration, and reuse, but it's accepted this would be incompatible with the proposed change of use, and would need a viable use to secure that level of restoration. We acknowledge that proposals provide aesthetic improvements to the blank facades of the auditorium block and the elevations proposed are generally harmonious in design. The evidential value of the exterior of the auditorium block would be impacted, but the scale and massing would be preserved."

The application property, as a NDHA, is afforded only limited weight by national planning policy in terms of its protection, and lesser than the protection afforded to Listed and Locally Listed buildings. As the building is not Listed there are no controls over works to the interior. Given these facts, combined with acknowledgement of the poor quality of the interior (as observed by the BCC Conservation Officer), and the need to secure a viable use of the building, it is therefore considered that recording of the building prior to works is the most appropriate course of action in terms of policy compliance, with the recording deposited into publicly accessible archive. This can be secured by condition if planning permission is granted.

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

(F) HIGHWAYS AND SERVICING

Core Strategy policy BCS10 sets out a transport hierarchy for the design of developments, and expresses that development should be located where sustainable travel patterns can be achieved; should minimise the need to travel; and maximise opportunities for the use of walking, cycling and public transport. It is also expressed that developments should be designed and located to ensure the provision of safe streets.

Policy DM23 expresses that development should not give rise to unacceptable traffic conditions and will be expected to provide: safe and adequate access onto the highway network; adequate access to public transport; transport improvements where necessary; adequate provision for pedestrians and cyclists. The policy also requires the provision of adequate servicing facilities, and safe accessible and usable parking in accordance with the parking standards schedule. Policy DM2 expresses that HMO's will not be permitted where the proposal would result in levels of on-street parking that cannot be reasonably accommodated or regulated through parking control measures.

Policy DM32 requires adequate refuse and recycling provision in new development.

The application site is considered to be sustainably located, being positioned within a designated centre (St George Town Centre) amongst a variety of shops, services and leisure facilities. The site is also well located for public transport links, with bus routes along Church Road, and Stapleton Road train station being a reasonable walking distance to the west. The BCC Transport Development Management (TDM) Officer has observed that purpose-built cycle infrastructure is limited locally, however the site is within reasonable cycling distance of the city centre.

Cycle Parking

An internal secure cycle store is proposed, which would accommodate 44 bikes, and as such exceeds a 1:1 provision. Whilst TDM raise concern of the nature of the stacked cycle stands proposed, on balance the nature, location and extent of cycle storage provision is considered supportable.

Servicing

The residential element of the proposed scheme would be served by two refuse/recycling stores, which would be serviced from Mary Street to the rear of the site. The nature, position and level of provision for refuse and recycling storage is considered acceptable.

The commercial element of the proposal would have servicing access onto Victoria Parade to the side of the site, such that collections and deliveries can occur directly to back-of-house facilities. An internal commercial refuse/recycling store is proposed which would need to be serviced by a private contractor. These arrangements are considered acceptable.

In order to prevent nuisance from odour, the provision and retention of appropriate means of ventilation to refuse recycling stores will be required, which can be secured by condition if planning permission is granted.

Car Parking

A significant proportion of the public comments received raised concern of impact of the proposal upon parking locally, with it being acknowledged that the area is already heavily parked with little scope for additional on-street parking to be accommodated. These concerns are reiterated by TDM, who also raise concern of additional parking pressure from the proposed development

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

exceeding local capacity on street, and resulting in dangerous/illegal parking that would pose a highway safety risk.

The developer's team had initially proposed measures to prevent additional on-street parking comprising requirements within tenancy agreements that residents cannot own a car, and also the provision of a legal agreement that would prevent car ownership associated with the proposed development. Neither of these proposed approaches are however considered reasonable or enforceable, and as such cannot be supported from a planning perspective. It should also be noted that there are no parking controls locally by way of Residents' Parking Zone (RPZ), and as such there is not opportunity to restrict parking through preventing the issue of permits to future residents.

The provision of a parking survey was requested from the developer's team, and the document initially submitted was centred around other similar developments owned by the developer. This approach was however not considered representative and did not accord with the parking survey methodology required by TDM.

A parking survey in accordance with BCC methodology was subsequently provided. It should be noted that the BCC parking survey methodology is more stringent than the Lambeth test (repeatedly mentioned within public comments received), as BCC work to a smaller acceptable survey area. TDM maintain their objection on parking/highway safety grounds on the basis of the parking survey provided. The methodology used to compile the parking survey is considered sound and in accordance with BCC requirements, however the outcomes are such that necessary parking capacity cannot be demonstrated locally.

TDM has confirmed that based on census data, a development of this type in this location would have a parking demand ratio of 34%, which equates to a requirement for 15 parking spaces. Two snapshot parking surveys were undertaken (30th and 31st January 2024), and when illegal/obstructive parked vehicles (4 and 5 respectively) are taken from the totals, the available parking within the defined 150m walking distance falls short of the required 15 spaces by 4 and 11 spaces respectively. Across the two survey dates this represents an average shortfall of 7.5 spaces, or 50% provision.

The survey data, whilst only providing evidence from snapshots in time, details that there is parking pressure locally, with unavailable capacity to accommodate the likely parking requirements associated with the proposed development. This is compounded by the anecdotal evidence comprising a significant number of objections from local residents in relation to existing ongoing parking pressures locally and the likelihood of the proposed development further worsening this situation. It is therefore considered that the proposed development would further exacerbate existing parking pressure locally, with the surrounding streets not having the capacity to accommodate the additional parking that the proposed development would likely generate, and as a result increased levels of dangerous/illegal parking are likely to occur, to the detriment of highway safety. It is considered that the application should be refused on this basis.

(G) SUSTAINABILITY AND FLOOD RISK

Current planning policy within the adopted Bristol Development Framework, Core Strategy (2011) requires new development to be designed to mitigate and adapt to climate change and meet targets to reduce carbon dioxide emissions. This should be achieved, amongst other measures, through efficient building design, the provision of on-site renewable energy generation to reduce carbon dioxide emissions by at least 20% based on the projected residual energy demand of new buildings and extensions to existing buildings, and for new development to mitigate against the risk of flooding. The approach proposed should also be supported by the provision of a sustainability statement and an energy strategy.

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

Policy BCS13 expresses that development should contribute to both mitigating and adapting to climate change, and to meeting targets to reduce carbon dioxide emissions. Measures to achieve this cited within the policy includes through the use of de-centralised, renewable and low carbon energy supply systems. Policy BCS14 states that within Heat Priority Areas, major development will be expected to incorporate, where feasible, infrastructure for district heating, and will be expected to connect to existing systems where available. BCAP20 expresses the need for the development to meet BREEAM 'excellent' standard. BCAP21 states that proposals for development that would require heating will be expected to demonstrate that account has been taken of potential opportunities to source heat from adjoining development or nearby heating networks.

a) Sustainability

The application as originally submitted led to a request from the BCC Sustainability Officer for further information/clarifications in relation to on-site renewable energy generation and also in relation to the overheating assessment.

The energy statement as amended is found to be acceptable, with reductions in CO2 emissions from residual emissions exceeding policy requirements (72%) being achieved through a combination of air-source heat pumps (providing heating and hot water) combined with solar PV panels for electricity generation.

The application site is located within a designated Heat Priority Area, and as such provision for district heating (DH) connection is expected under policy BCS14. There is not a current heat network serving the site, or a network likely in the near future. The proposed heating system is however compatible with future DH connection as the proposed system is a 'wet system' served by air-source heat pumps, which could be connected to a future heat network.

During the course of the application the City Council Sustainability Officer raised concerns of potential overheating impacts within the development, by virtue of a lack of information to demonstrate that the development would not be subject to unacceptable overheating. Further information was provided in relation to overheating during the course of the application, as requested by the BCC Sustainability Officer, including in relation to 2050 and 2080 weather files. The information provided expresses that there is the potential for overheating within the plant room and gym, and additionally when considering the 2080 weather file, the ground floor workspace and cluster 13 communal amenity space. The plant room is not an issue as this is a non-habitable space, and since then amendments to the ground floor layout have resulted in the relocation of the gym and ground floor workspaces, both of which would have openable windows. In relation to cluster 13 communal amenity, there is potential for overheating when considering the 2080 weather file, however external shading could be retrofitted if necessary to mitigate this. Passive cooling technologies could also be accommodated within/onto the proposed building without extensive modification. Given that the technologies are retrofitable without significant intrusive modification to the building, and in recognition that available technologies are likely to advance and improve in the intervening period until the measures become necessary, it is considered in this instance that it has been adequately demonstrated that the building is appropriately adaptable to be resistant to overheating under predicted future weather scenarios.

On the basis of the above, and given the imposition of relevant planning conditions, the proposal is considered acceptable in relation to sustainability.

b) Flood Risk

The application site is set within flood zone 1 and as such is at low risk from tidal and fluvial

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

flooding. The nature of the uses proposed would not result in an increase in flood risk. The proposal works within the existing building footprint and with no change to the impermeable area on site, and as such a scheme of Sustainable Drainage for the site is not necessary in this instance. The proposal is therefore considered acceptable in relation to flood risk.

(H) AIR QUALITY

Policy BCS23 requires development to avoid adversely impacting environmental amenity in terms of various forms of pollution, including air pollution, and to take account of the impact of existing sources of pollution on new development. Policy DM33 requires development within designated Air Quality Management Areas to take account of existing air pollution and include measures to mitigate its impact upon future occupiers.

On the basis of the Air Quality Assessment submitted, the proposal is found to be acceptable in air quality terms during its operational phase, as expressed by the City Council Air Quality Officer. Safeguards will be required by condition as part of a Construction Environment Management Plan in relation to dust during the construction phase.

(I) CONTAMINATION

Policy BCS23 expresses that in locating and designing development, account should be taken of the impact of existing sources of noise and other pollution on the new development. DM34(i) expresses that new development should demonstrate that any existing contamination of the land will be addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use and that there is no unacceptable risk of pollution within the site or in the surrounding area.

As can be seen from the Land Contamination Officer's comments above, concern is not raised in relation to ground contamination. A condition has however been recommended in the event that unexpected contamination is encountered during works.

It is also noted that asbestos is believed to be present within the existing building, with the ceiling and decorative wall features of the former cinema believed to be composed of asbestos containing material. Whilst the presence and removal of asbestos is not a planning consideration (as this is controlled by separate legislation), and advice will be added in relation to this should the application be approved.

(J) LAND STABILITY

Policy DM37 states that on sites where there is reason to suspect unstable land and the risk of instability has the potential to materially affect either the proposed development or neighbouring uses/occupiers, development will only be permitted where: i. A desk-based study of available records has been carried out to assess the previous uses of the site and their potential for instability in relation to the proposed development; and ii. Where the study establishes that instability is likely but does not provide sufficient information to establish its precise extent or nature, site investigation and risk assessment are carried out to determine the standard of remediation required to make the site suitable for its intended use.

The application site sits within a coal mining High Risk Area. The Coal Authority have been consulted and have confirmed in response that the nature of development is exempt from Version 7, January 2023 of the Coal Authority's Guidance for Local Planning Authorities. Accordingly, there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

Mining Risk Assessment to be submitted with any planning application or for the Coal Authority to be consulted on this proposal. This is due to the proposal not requiring any significant groundworks. On this basis, the requirements of policy DM37 are satisfied.

(K) SAFETY AND SECURITY

Policies BCS21 and DM27 include consideration of safety and security. These considerations are centred around physical elements of the built environment, including layout, form and pattern of development to ensure healthy, safe and sustainable places.

The application site is located with an area which suffers from crime and disorder. As can be seen within the consultation responses above, the Police Crime Prevention Design Advisor and Avon and Somerset Police anti-social behaviour co-ordinator have raised an in principle objection to the proposal. Full comments from the Police can be seen within the consultations section of the report, with key concerns summarised as follows:

- o Church Rd is an ASB hotspot, often linked with street drinking, begging and rowdy behaviour
- o Concerns that a 44 bed HMO would cause additional worry to the community and add to the ongoing ASB in the area
- o The proposal would introduce a transient population
- o Evidence suggests that residents of HMO's are more likely to be victims of crime than other forms of accommodation
- o Concerns of increasing the number of residents in an area where ASB is an issue
- o Over-concentration of HMO's in the area is adding to the problem

The concerns raised by the police therefore do not centre around the physical nature of the building alterations proposed. Where there are issues of concern in this regard, security details could be secured, including external lighting around entrances; secure gates; ground floor laminated glazing; access controlled doors; lockable furniture for valuables in each room; building compartmentalisation to prevent unauthorised free movement through; secure cycle storage covered by CCTV; on-site security; identification quality CCTV; localised alarm sounders. These measures could reasonably be secured by appropriately worded condition.

In planning terms, assumptions cannot be made in relation to the nature of people who may move into the premises. Indeed, planning policy BCS18 includes a requirement to take account of the changing needs of the population, and in a context of current high property and rent prices, there are a wide range of people who would benefit from this type of accommodation, including higher education leavers and young professionals, as well as lower-income earners. It cannot be assumed that future residents will cause crime/ASB problems.

With regard to concerns raised of moving more people into an area where ASB is an issue, there are not examples of other types of residential accommodation in the vicinity being refused on this basis, for example new flats and family homes that could result in a similar increase in population locally, and as such in planning policy terms there is not evidence to suggest that refusal on this basis is warranted, especially given that there is not an identified over-concentration of HMO's as assessed within Key Issue B above. There is also an argument that increased occupation would result in increased activity and natural surveillance that could assist in a reduction in ASB opportunity.

Therefore, whilst the concerns of the Police are acknowledged in relation to the existing ASB issues in the area, it is considered that there are not planning policy grounds to reasonably refuse the proposed development on this basis.

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

(L) NATURE CONSERVATION

Policy BCS9 expresses that where development would have an impact on the Bristol Wildlife Network it should ensure that the integrity of the network is maintained or strengthened. Policy DM19 expresses that development which would be likely to have any impact upon habitat, species or features, which contribute to nature conservation in Bristol will be expected to: i. Be informed by an appropriate survey and assessment of impacts; and ii. Be designed and sited, in so far as practicably and viably possible, to avoid any harm to identified habitats, species and features of importance; and iii. Take opportunities to connect any identified on-site habitats, species or features to nearby corridors in the Wildlife Network. Where loss of nature conservation value would arise development will be expected to provide mitigation on-site and where this is not possible provide mitigation off-site.

The proposed development would not impact upon existing assets of nature conservation value. Given that current policy requires an uplift in relation to nature conservation, if permission is granted it is recommended that a condition is attached requiring the provision of Bat and Bird boxes on the building.

(M) PLANNING OBLIGATIONS

New development often creates a need for additional or improved community services and facilities, without which there could be a detrimental effect on local amenity and the quality of the environment. Planning obligations are the mechanism by which measures are secured to enhance the quality of both the development and the wider environment, to help ensure that the development makes a positive contribution to sustainable development providing social, economic and environmental benefits to the community as a whole.

The legislative framework for planning obligations is set out in Section 106 of the Town and Country Planning Act 1990 as amended by Section 12 of the 1991 Planning and Compensation Act. Further legislation is set out in the Community Infrastructure Levy CIL Regulations (2010) (as amended). The NPPF reiterates the tests (at paras 55 to 58 that are required to be met when planning obligations are sought, namely that they should be necessary to make the development acceptable in planning terms; directly related to the development and, fairly and reasonably related in scale and kind to the development.

Supplementary Planning Document entitled 'Planning Obligations' (2012) sets out the Council's overall approach to planning obligations and the types of obligation that the Council may seek to secure and complements BCS 11.

In addition to the required CIL payment of £85,384.82 necessary planning obligations, which are to be secured via section 106 agreement, would comprise:

Employment and Skills Plan monitoring fee: £2000, index linked.

Highways contributions are also likely necessary, comprising local infrastructure upgrades, along with the provision of Traffic Regulation Order(s) as necessary. At the time of writing the final figures for these have however not been confirmed by TDM due to the ongoing objection on Highways grounds. If members are minded to approved, then TDM can set out the necessary contributions in this regard.

As a legal agreement has not been made to cover the necessary financial contributions, if the application is refused, the lack of a legal agreement in place would also need to constitute a reason for refusal.

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

CONCLUSION AND RECOMMENDATION

The proposed development would provide for a sustainably-located mixed-use development, of commercial uses comprising a replacement pub and the provision of a new cinema, and residential development comprising a HMO development across 13 cluster flats along with shared communal facilities. Whilst the extent of commercial floorspace would be reduced when compared with existing, this would unlock the potential for a more efficient use of the existing buildings and land. The extent of the retained commercial floorspace is considered to remain viable for the uses proposed, and suitable for a variety of potential alternative future uses should the need arise. The nature and proposed mix of uses is compatible with the function of the St George Town Centre, with the commercial element supporting the ongoing vitality of the Centre, whilst the residential element would provide additional housing and would diversify the housing mix locally. The mix of uses and density of residential development align with current adopted local plan policy aspirations. The nature and mix of uses proposed are therefore considered acceptable in land use terms.

The proposal would impact upon a Non-Designated Heritage Asset, however it is acknowledged that the asset is in poor condition and not subject to any formal protection in heritage terms, with Historic England electing not to consider the building for listing. As expressed by the BCC Conservation Officer, it is considered that the most appropriate way of preserving some heritage interest associated with the site would be through building recording and deposition of such records within the public domain. The external alterations to the building are considered appropriate in the context of the host property and when considering street scene views.

Whilst the proposal would introduce some additional overlooking of surrounding properties, this is considered largely in line with established local layout characteristics, and is on-balance considered acceptable. The proposal would not introduce additional overbearing or overshadowing impacts. When considering further occupiers, it is considered that an acceptable internal living environment would be achieved.

The concerns of the Police are acknowledged, with objection raised on the basis of introducing residential development that would likely house a transient population within an area that suffers from anti-social behaviour (ASB) issues, and the potential for this to exacerbate the ASB issues locally. The nature and actions of future residents however cannot be assumed, and it is therefore considered that refusal is not warranted on this basis in planning terms.

The site is located in an area that experiences severe pressure for on-street parking, with a significant proportion of the high number of public objections received raising this as a concern. BCC Highways Officers have also objected to the proposal on this basis throughout the application process, and despite the provision of two separate parking surveys, the latter in accordance with BCC requirements, evidence has not been provided to satisfactorily alleviate these concerns. It is therefore considered that the proposal would result in illegal/dangerous parking that would be to the detriment of highway safety, and is contrary to planning policy. Refusal of the application is recommended on this basis.

When considering the planning balance, there are identifiable benefits of providing mixed-use commercial and residential development in an appropriate location, through a more-efficient use of existing buildings/land within a designated centre, which directly aligns with policy aspirations. There is a factor of compromise within this planning balance by way of a reduction in commercial floorspace, however this would unlock the site to facilitate higher density accommodation in line with policy aspirations whilst retaining viable commercial floorspace and thus supporting the ongoing viability and vitality of the shopping frontage and wider centre. The proposal would also introduce some additional overlooking of surrounding residential properties, which would have some residential amenity impact upon neighbours, however this impact is not considered severe

Development Control Committee B – 10 April 2024
Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL

and is also considered to be outweighed by the benefits of the scheme. The negative impact of the proposed development upon highway safety through introducing levels of additional on-street parking in an area that cannot reasonably accommodate it is however contrary to current local plan policy and is considered to outweigh the identifiable benefits of the proposed development.

CIL LIABILITY

The CIL liability for this development is £85,384.82.

EQUALITIES ASSESSMENT

During the determination of this application due regard has been given to the impact of this scheme in relation to the Equalities Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs, experiences, issues and priorities in relation this particular proposed development. Overall, it is considered that this application would not have any significant adverse impact upon different groups or implications for the Equality Act 2010.

RECOMMENDED REFUSED

The following reason(s) for refusal are associated with this decision:

Reason(s)

1. The proposal would exacerbate demand for on-street parking in an area of existing excessive parking pressure, such that the likely additional parking demand generated cannot be accommodated on surrounding streets, and would result in dangerous/illegal parking to the detriment of highway safety. The proposal is therefore contrary to policy BCS10 of the Bristol Development Framework, Core Strategy (2011); policies DM2 and DM23 of the Bristol Local Plan, Site Allocations and Development Management Policies (2014), and; Supplementary Planning Document: Managing the Development of Houses in Multiple Occupation (2020).
2. In the absence of an appropriate agreement under s106 of the Town and Country Planning Act 1990, the proposed development fails to provide for appropriate provision in order to mitigate the impacts of the development, contrary to the requirements of policy BCS11 of the Bristol Local Plan: Core Strategy (2011),and; the Planning Obligations SPD (Adopted 2012).

Advice(s)

1. Refused Applications Deposited Plans/Documents

The plans that were formally considered as part of the above application are as follows:-

Site Plan - Window Relationships, received 29 August 2023
 St Georges Hall Management Plan, received 30 August 2023
 Transport Technical Note Addendum, received 30 August 2023
 21169-OA-XX-00-DR-A-3016_P3 Proposed Ground Floor Plan (full), received 2 November 2023
 21169-OA-XX-00-DR-A-3001_P17 Proposed ground floor plan, received 2 November 2023
 21169-OA-XX-XX-DR-A-2001_P1 Site location plan, received 22 December 2022
 21169-OA-XX-XX-DR-A-2002_P2 Existing site plan, received 22 December 2022

Development Control Committee B – 10 April 2024**Application No. 22/06037/F : 203 Church Road Redfield Bristol BS5 9HL**

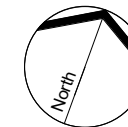
21169-OA-XX-XX-DR-A-2003_P8 Proposed site plan, received 2 November 2023
 21169-OA-XX-00-DR-A-3008_P6 Proposed commercial space, received 30 August 2023
 21169-OA-XX-01-DR-A-3002_P12 Proposed first floor plan, received 8 August 2023
 21169-OA-XX-XX-DR-A-3010_P1 Existing basement plan, received 22 December 2022
 21169-OA-XX-XX-DR-A-3011_P1 Existing ground floor (1-2), received 22 December 2022
 21169-OA-XX-XX-DR-A-3012_P1 Existing ground floor plan (2-2), received 22 December 2022
 21169-OA-XX-XX-DR-A-3013_P1 Existing mezzanine floor plan, received 22 December 2022
 21169-OA-XX-XX-DR-A-3014_P1 Existing first floor plan, received 22 December 2022
 21169-OA-XX-XX-DR-A-3015_P1 Existing second floor plan, received 22 December 2022
 21169-OA-XX-XX-DR-A-4001_P10 Long section, received 2 November 2023
 21169-OA-XX-XX-DR-A-4002_P11 Cross section, received 2 November 2023
 21169-OA-XX-XX-DR-A-4003_P9 Stairs section, received 2 November 2023
 21169-OA-XX-XX-DR-A-4004_P1 Existing section A, received 22 December 2022
 21169-OA-XX-XX-DR-A-4005_P1 Existing section B, received 22 December 2022
 21169-OA-XX-XX-DR-A-4006_P1 Existing section C, received 22 December 2022
 21169-OA-XX-XX-DR-A-4007_P1 Existing section D, received 22 December 2022
 21169-OA-XX-XX-DR-A-5001_P13 Proposed North elevation, received 2 November 2023
 21169-OA-XX-XX-DR-A-5003_P13 Proposed West elevation, received 2 November 2023
 21169-OA-XX-XX-DR-A-5005_P1 Existing East elevation, received 22 December 2022
 21169-OA-XX-XX-DR-A-5009_P1 Existing Church Road elevation, received 22 December 2022
 21169-OA-XX-XX-DR-A-5006_P1 Existing Mary street elevation, received 22 December 2022
 21169-OA-XX-XX-DR-A-5007_P1 Existing Victoria Parade elevation, received 22 December 2022
 21169-OA-XX-XX-DR-A-5008_P1 Existing South elevation, received 22 December 2022
 21169-OA-XX-XX-DR-A-5010_P1 Existing North elevation, received 22 December 2022
 21169-OA-XX-XX-DR-A-8000_P1 Facade design, received 22 December 2022
 21169-OA-XX-02-DR-A-3003_P11 Proposed second floor, received 8 August 2023
 21169-OA-XX-02-DR-A-3004_P11 Proposed third floor, received 8 August 2023
 21169-OA-XX-02-DR-A-3005_P12 Proposed fourth floor, received 8 August 2023
 21169-OA-XX-02-DR-A-3006_P8 Proposed cluster 13 bottom floor, received 8 August 2023
 21169-OA-XX-02-DR-A-3007_P9 Proposed cluster 13 top floor, received 30 August 2023
 21169-OA-XX-XX-DR-A-5002_P14 Proposed East elevation, received 2 November 2023
 21169-OA-XX-XX-DR-A-5004_P7 Proposed South elevation, received 8 August 2023

Air quality assessment, received 22 December 2022
 Broadband connectivity assessment, received 22 December 2022
 Community involvement statement, received 22 December 2022
 Drainage strategy, received 22 December 2022
 Noise impact assessment, received 22 December 2022
 Planning obligations statement, received 22 December 2022
 Sustainability statement, received 22 December 2022
 Transport statement, received 22 December 2022
 Waste management plan, received 22 December 2022
 Energy strategy, received 6 April 2023
 Overheating assessment, received 6 April 2023
 Parking Survey (TTN Addendum 2), received 12 February 2024

Supporting Documents

203 Church Road Redfield

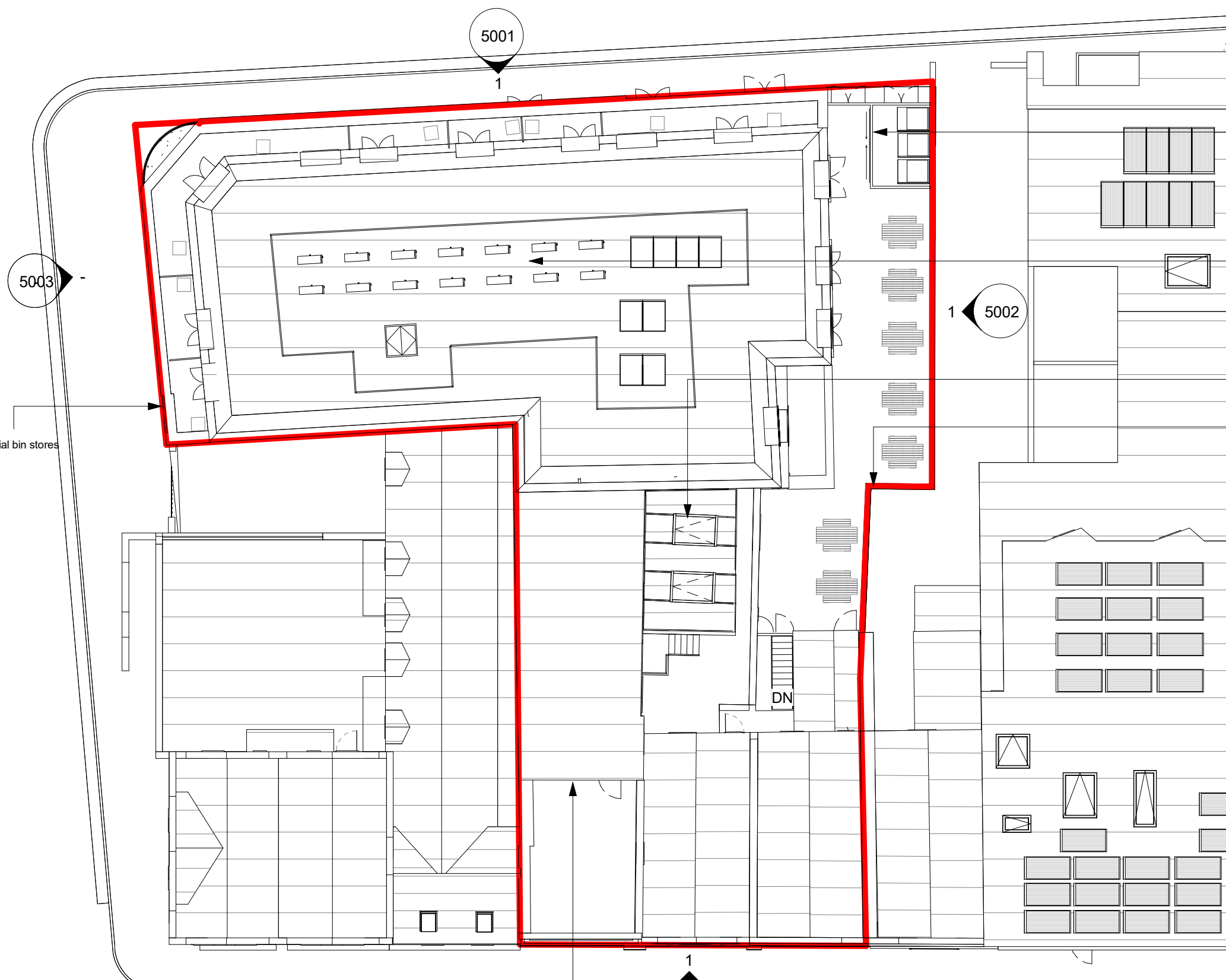
1. Proposed Site Plan
2. Proposed Ground Floor Plan
3. Proposed First Floor Plan
4. Proposed Second Floor Plan
5. Proposed Third Floor Plan
6. Proposed Fourth Floor Plan
7. North Elevation
8. East Elevation
9. West Elevation
10. South Elevation



0m 6m

1:200 @ A3

Page 79



Bin stores and rear access

Indicative locations for ASHP & PVs

Openable windows to be added to the existing glazed skylight above commercial space. To prevent overheating.

Close boarded timber fence to act as a noise barrier to the neighbouring condenser units.

Access to the commercial bin stores

Building line brought back to not affect the street scene

P8	Ground floor layout and levels revised following comments	01/11/23
P7	Pod 23 removed and building line brought back	30/08/23
P6	Ground floor unit moved to courtyard, Amenity moved to Mary Street	20/07/23
P5	Openable rooflights added above workspace.	28/02/23
P4	Bin store relocation	16/11/22
P3	Revised Planning drawings	29/09/22
P2	Updated drawings	10/02/22
P1	Full drawing pack	09/02/22

Revision	Description	Date
Partner	Drawn	Date Created
AJ	BC	01/17/2022

Project
St Georges Hall

Title
Proposed Site plan

Drawing Reference
21169 - OA - XX - 00 - DR - A - 2003

Proj Ref	Origin	Volume	Level	Type	Role	Drawing No.
Drawing No	Revision	Status				
2003	P8	S2				

Scale
1 : 200 @ A3

OXFORDARCHITECTS

Bagley Croft, Hinksey Hill, Oxford, OX1 5BS
T. 01865 329100
The Workshop, 254 Southmead Road, Bristol, BS10 5EN
T. 0117 9581500





1:100 @ A1 0m 4m
1:200 @ A3



P3	Ground floor layout and levels revised following comments	01/11/23
P2	Ground floor unit moved to courtyard. Amenity moved to Mary Street	20/07/23
P1	First Issue	17/07/23

Revision	Description	Date
Partner	Drawn	Date Created
AJ	BC	14/07/2023

Project
St Georges Hall

Title
Proposed Ground floor plan Full

Drawing Reference
21169 - OA - B1 - 00 - DR - A - 3016

Proj Ref	Origin	Volume	Level	Type	Role	Drawing No.

Drawing No	Revision	Status
3016	P3	S2

Scale
1 : 100 @ A1 & 1 : 200 @ A3

OXFORDARCHITECTS

Bagley Croft, Hinksey Hill, Oxford, OX1 5BS
T. 01865 329100
The Workshop, 254 Southmead Road, Bristol, BS10 5EN
T. 0117 9581520

www.oxford-architects.com



Total pod space: 220 sqm
Total Cluster amenity: 82 sqm

Revision	Description	Date
P12	Ramp Removed	20/07/23
P11	Corner units rearranged	10/11/22
P10	Corner amenity increased	27/10/22
P9	Revised Planning drawings	29/09/22
P8	Reorganisation of ground floor and set back fourth floor	20/07/22
P7	Full drawing pack	09/02/22
P6	Issued to consultants	24/01/22
P5	General changes	18/01/22
P4	Layout changes	10/01/22
P3	Design review	06/01/22
P2	Revised plans	23/12/21
P1	First issue	20/12/21

Revision	Description	Date
Partner	Drawn	Date Created
AJ	BC	21/12/2021

Project
St Georges Hall

Title
Proposed first floor plan

Drawing Reference			
21169 - OA - XX - 01 - DR - A - 3002			
Proj Ref	Origin	Volume	Level
3002			
Drawing No	Revision	Status	
3002	P12	S2	

Scale
1 : 50 @ A1 & 1 : 100 @ A3

OXFORDARCHITECTS
 Bagley Croft, Hinksey Hill, Oxford, OX1 5BS
 T. 01865 329100
 The Workshop, 254 Southmead Road, Bristol, BS10 5EN
 T. 0117 9581500

www.oxford-architects.com



Total pod space: 220 sqm
Total Cluster amenity: 81 sqm

P11	Ramp Removed	20/07/23
P10	Openable rooflights added above workspace.	28/02/23
P9	Corner units rearranged	10/11/22
P8	Corner amenity increased	27/10/22
P7	Revised Planning drawings	29/09/22
P6	Reorganisation of ground floor and set back fourth floor	20/07/22
P5	Full drawing pack	09/02/22
P4	Issued to consultants	24/01/22
P3	General changes	18/01/22
P2	Layout changes	10/01/22
P1	Design review	06/01/22

Revision	Description	Date
Partner	Drawn	Date Created
AJ	BC	05/01/22

Project
St Georges Hall

Title
Proposed second floor plan

Drawing Reference			
21169 - OA - XX - 02 - DR - A - 3003			
Proj Ref	Origin	Volume	Level - Type - Role - Drawing No.
3003			
Drawing No	Revision	Status	
3003	P11	S2	
Scale			
1 : 50 @ A1		& 1 : 100 @ A3	

S1
4001

S3
4003

S2
4002

S1
4001

S3
4003

S2
4002



Total pod space: 220 sqm
Total Cluster amenity: 81 sqm

P11	Ramp Removed	20/07/23
P10	Openable rooflights added above workspace.	28/02/23
P9	Corner units rearranged	10/11/22
P8	Corner amenity increased	27/10/22
P7	Revised Planning drawings	29/09/22
P6	Reorganisation of ground floor and set back fourth floor	20/07/22
P5	Full drawing pack	09/02/22
P4	Issued to consultants	24/01/22
P3	General changes	18/01/22
P2	Layout changes	10/01/22
P1	Design review	06/01/22

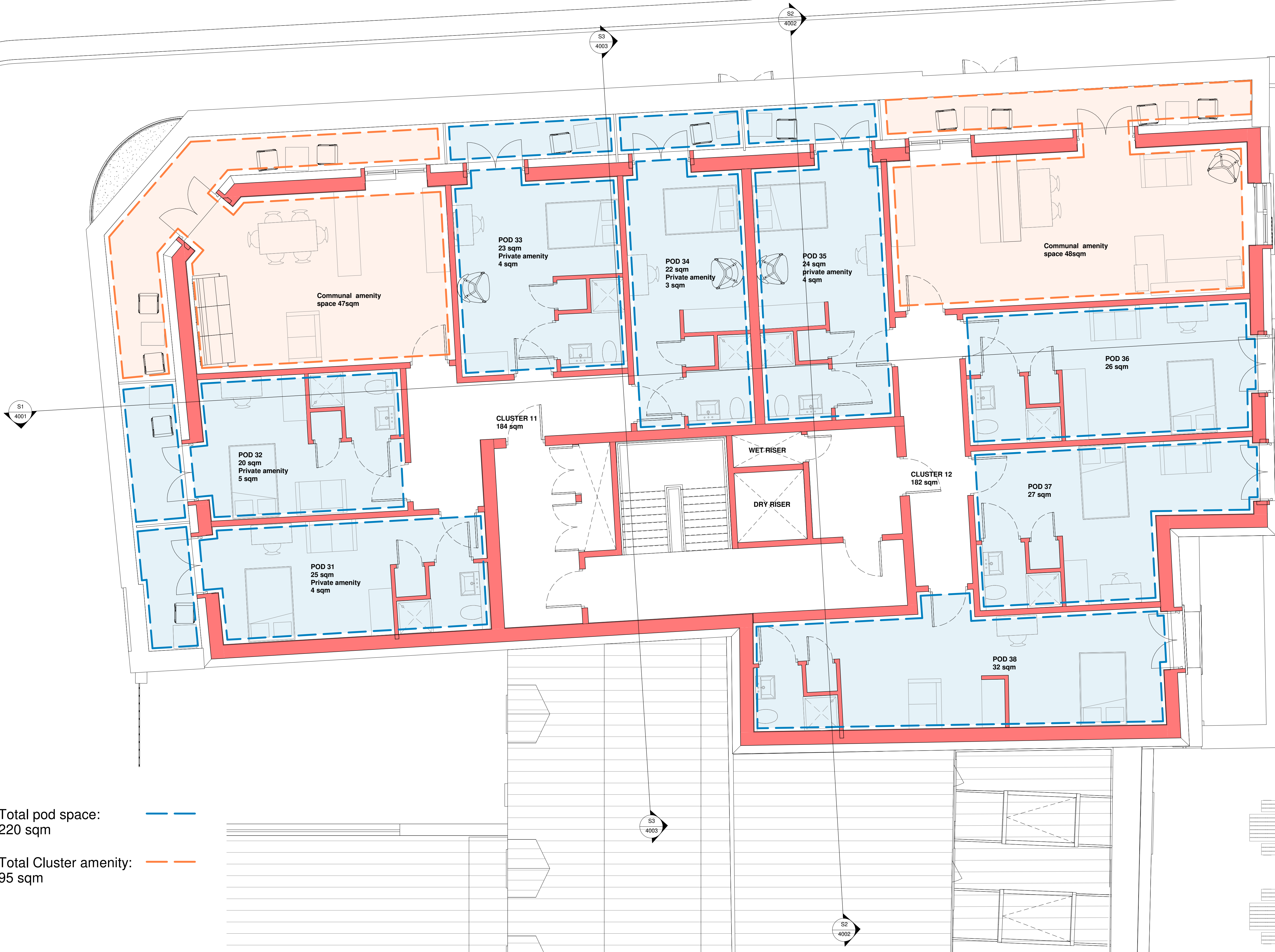
Revision	Description	Date
Partner	Drawn	Date Created
AJ	BC	21/12/2021

Project
St Georges Hall

Title
Proposed Third floor

Drawing Reference			
21169 - OA - XX- 03 - DR - A - 3004			
Proj Ref	Origin	Volume	Level
3004			
Drawing No	Revision	Status	
3004	P11	S2	

Scale
1 : 50 @ A1 & 1 : 100 @ A3



Total pod space: 220 sqm
Total Cluster amenity: 95 sqm

Revision	Description	Date
P12	Ramp Removed	20/07/23
P11	Openable rooflights added above workspace.	28/02/23
P10	Pod 39 increased	21/12/22
P9	Bin store relocation	16/11/22
P8	Revised Planning drawings	29/09/22
P7	Reorganisation of ground floor and set back fourth floor	20/07/22
P6	Updated drawings	10/02/22
P5	Full drawing pack	09/02/22
P4	Issued to consultants	24/01/22
P3	General changes	18/01/22
P2	Layout changes	10/01/22
P1	Design review	06/01/22

Revision	Description	Date
Partner	Drawn	Date Created
AJ	BC	05/01/22

Project
St Georges Hall


Title
Proposed Fourth floor

Drawing Reference
21169 - OA - XX - 04 - DR - A - 3005

Proj Ref	Origin	Volume	Level	Type	Role	Drawing No.
						3005

Drawing No	Revision	Status
3005	P12	S2

Scale
1 : 50 @ A1 & 1 : 100 @ A3

OXFORDARCHITECTS
Bagley Croft, Hinksey Hill, Oxford, OX1 5BS
T. 01865 329100
The Workshop, 254 Southmead Road, Bristol, BS10 5EN
T. 0117 9591500


Existing Ridge line
47240

1:50 @ A1, 0m
1:100 @ A3 2m

Existing Parapet Height
43360

Proposed 4th Floor
43600

Proposed 3rd Floor
40850

Proposed 2nd Floor
38100

Proposed 1st Floor
35350

Page 85

L01 Entrance level
31560

1 North Elevation
5001 1 : 50



P13	Ground floor windows adjusted	02/11/23
P12	Ground floor layout revised	26/10/23
P11	Commercial and Domestic Bin Stores Relocated	19/10/23
P10	Ground floor unit moved to courtyard, Amenity moved to Mary Street	20/07/23
P9	Bin store relocation	16/11/22
P8	Revised Planning drawings	29/09/22
P7	Reorganisation of ground floor and set back fourth floor	20/07/22
P6	Updated drawings	10/02/22
P5	Full drawing pack	09/02/22
P4	Window sizes and reveals	03/02/22
P3	Commercial plan & materials	01/02/22
P2	Issued to consultants	24/01/22
P1	General changes	18/01/22

Revision	Description	Date
Partner	Drawn	Date Created
AJ	BC	18/01/22

Project
St Georges Hall

Title
Proposed North Elevation

Drawing Reference
21169 - OA - XX - XX - DR - A - 5001

Proj Ref	Origin	Volume	Level	Type	Role	Drawing No.
5001						

Drawing No	Revision	Status
5001	P13	S2

Scale
1 : 50 @ A1 & 1 : 100 @ A3

OXFORDARCHITECTS

Bagley Croft, Hinksey Hill, Oxford, OX1 5BS
T. 01865 329100
The Workshop, 254 Southmead Road, Bristol, BS10 5EN
T. 0117 9681520



www.oxford-architects.com

Existing Ridge line
47240

1:50 @ A1 0m 2m
1:100 @ A3



Page 86

P14	Ground floor layout and levels revised following comments	L01.1 Entrance level	01/11/23
P13	Ground floor layout revised		26/10/22
P12	Pod 23 removed and building line brought back		30/08/23
P11	Ground floor unit moved to courtyard, Amenity moved to Mary Street		20/07/23
P10	Openable rooflights added above workspace.		28/02/23
P9	Louvred window (Cluster 13)		05/12/22
P8	Bin store relocation		16/11/22
P7	Revised Planning drawings		29/09/22
P6	Reorganisation of ground floor and set back fourth floor		20/07/22
P5	Updated drawings		10/02/22
P4	Full drawing pack		09/02/22
P3	Window sizes and reveals		03/02/22
P2	Commercial plan & materials		01/02/22
P1	Issued to consultants		24/01/22

Revision	Description	Date
Partner	Drawn	Date Created
AJ	BC	18/01/2022

Project
St Georges Hall

Title
Proposed East Elevation

Drawing Reference
21169 - OA - XX - XX - DR - A - 5002

Proj Ref	Origin	Volume	Level	Type	Role	Drawing No.
5002						

Drawing No	Revision	Status
5002	P14	S2

Scale
1 : 50 @ A1 & 1 : 100 @ A3

OXFORDARCHITECTS
 Bagley Croft, Hinksey Hill, Oxford, OX1 5BS
 T. 01865 329100
 The Workshop, 254 Southmead Road, Bristol, BS10 5EN
 T. 0117 9681520

www.oxford-architects.com

Existing Ridge line
47240

1:50 @ A1 0m
1:100 @ A3 2m

Proposed 4th Floor
43600

Proposed 3rd Floor
40850

Proposed 2nd Floor
38100

Proposed 1st Floor
35350

GF
32350

L01.1 Entrance level
31560

Page 87

Opaque low panel

Standing seam metal cladding in anthracite grey

White Render to be refurbished

Existing brick to be repointed and painted



Revision	Description	Date
P13	Ground floor windows adjusted	02/11/23
P12	Ground floor layout and levels revised following comments	01/11/23
P11	Ground floor layout revised	26/10/23
P10	Pod 23 removed and building line brought back	30/08/23
P9	Ground floor unit moved to courtyard, Amenity moved to Mary Street	20/07/23
P8	Bin store relocation	16/11/22
P7	Revised Planning drawings	29/09/22
P6	Reorganisation of ground floor and set back fourth floor	20/07/22
P5	Updated drawings	10/02/22
P4	Full drawing pack	09/02/22
P3	Window sizes and reveals	03/02/22
P2	Commercial plan & materials	01/02/22
P1	Issued to consultants	24/01/22

Revision	Description	Date
Partner	Drawn	Date Created
AJ	BC	20/01/22

Project
St Georges Hall

Title
Proposed West Elevation

Drawing Reference
21169 - OA - XX - XX - DR - A - 5003

Proj Ref	Origin	Volume	Level	Type	Role	Drawing No.

Drawing No	Revision	Status
5003	P13	S2

Scale
1 : 50 @ A1 & 1 : 100 @ A3

OXFORDARCHITECTS

Bagley Croft, Hinksey Hill, Oxford, OX1 5BS
T. 01865 329100
The Workshop, 254 Southmead Road, Bristol, BS10 5EN
T. 0117 9081520



www.oxford-architects.com

P7	solid door to Cluster 13 amenity.	28/02/23
P6	Parapet height	05/12/22
P5	Revised Planning drawings	29/09/22
P4	Updated drawings	10/02/22
P3	Full drawing pack	09/02/22
P2	Window sizes and reveals	03/02/22
P1	Commercial plan & materials	01/02/22

Revision	Description	Date
Partner	Drawn	Date Created
AJ	BC	01/02/2022

Project
St Georges Hall

Title
Proposed South Elevation

Drawing Reference
21169 - OA - XX - XX - DR - A - 5004

Proj Ref - Origin - Volume - Level - Type - Role - Drawing No.

Drawing No	Revision	Status
5004	P7	S2

Scale
1 : 50 @ A1 & 1 : 100 @ A3

OXFORDARCHITECTS

Bagley Croft, Hinksey Hill, Oxford, OX1 5BS
T. 01865 329100
The Workshop, 254 Southmead Road, Bristol, BS10 5EN
T. 0117 9591500



Standing seam metal cladding
in anthracite grey

Solid door to amenity space
to prevent overheating.

White Render

Development Control Committee B – 10 April 2024

Application No. 24/01112/COND : Statue Of Edward Colston Colston Avenue Bristol BS1 4UA

Application for the approval of details reserved by condition pursuant to Condition 2 (Details of plaque) of Listed Building Consent 23/04315/LA - Proposal to move the statue of Edward Colston from Colston Avenue to M Shed.

SUMMARY

This is an application for the approval of details reserved by condition pursuant to Condition 2 of listed building consent 23/04315/LA dated 4th March 2024, for the “Proposal to move the statue of Edward Colston from Colston Avenue to M Shed”.

The listed building consent application was considered by the DC B Committee on 21st February 2024 and it was resolved to grant the application subject to conditions.

Condition 2 of this consent required the submission of details to the Local Planning Authority for approval relating to the proposed plaque that would be attached to the plinth that is to remain in situ. Members requested that the Committee consider these proposals and this submission is therefore being brought to Committee on that basis.

The applicant has provided details of the proposed plaque and information regarding the background to the proposed wording. The reason for imposing the Condition was to safeguard the architectural and historic interest of the Listed structure and the special character of the Conservation Area and to ensure the public benefits of development were secured in their totality. Assessing the proposed details in this context and having regard to relevant policies and the Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered that the proposals would be acceptable.

It is therefore recommended that the submitted details be approved.

BACKGROUND

This is an application for the approval of details reserved by condition pursuant to Condition 2 of Listed Building Consent 23/04315/LA dated 4th March 2024, for the “Proposal to move the statue of Edward Colston from Colston Avenue to M Shed”.

The listed building consent application was considered by the DC B Committee on 21st February 2024 and it was resolved to grant the application subject to conditions.

Development Control Committee B – 10 April 2024
Application No. 24/01112/COND : Statue Of Edward Colston Colston Avenue Bristol
BS1 4UA

A copy of the report to the Committee on 21st February 2024 is attached for information as a Supporting Document.

Members specifically requested that the Committee consider the details of the proposed plaque that was proposed to be attached to the plinth that is to remain in situ.

The relevant condition reads as follows:

“ 2. Prior to installation of the plaque, the following detailed drawings shall be submitted to the Local Authority and approved in writing:

a) 1:5 section and elevation drawings of the proposed plaque showing it's intended materials, profiles, design, fixings, typeface, and wording

b) 1:10 elevation detail of the plinth showing the location of the proposed plaque and its fixings

The plaque shall be installed no later than 12 months from the date of the statue and base going on display as part of the Bristol Museums collections, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the architectural and historic interest of the Listed structure and the special character of the Conservation Area and to ensure the public benefits of development are secured in their totality.”

PROPOSAL

The details submitted by the applicant shows a plaque that would be 650mm wide and 400mm high. It would be a cast plaque in genuine semi-precious bronze, with bright metal raised detail and sepia toned recessed detail. The proposed plaque would be attached to the plinth.

The wording of the proposed plaque is as follows:

“On 13 November 1895, a statue of Edward Colston (1636 - 1721) was unveiled here celebrating him as a city benefactor.

In the late twentieth and early twenty-first century, the celebration of Colston was increasingly challenged given his prominent role in the enslavement of African people.

On 7 June 2020, the statue was pulled down during Black Lives Matter protests and rolled into the harbour. Following consultation with the city in 2021, the statue entered the collections of Bristol City Council's museums.

Development Control Committee B – 10 April 2024
Application No. 24/01112/COND : Statue Of Edward Colston Colston Avenue Bristol
BS1 4UA

2024”

At the Committee meeting on 21st February 2024, Members raised issues regarding the suggested wording for the plaque. The applicant has therefore provided information regarding the background to this, which is copied in full below:

“Background

A new plaque attached to the empty plinth is required to help recontextualise some of the contested heritage associated with this place in accordance with recent policy and government guidance on these matters.

The wording for this proposed new plaque formed part of the application to place the statue in the care of the museum collections. The planning committee resolved to grant consent, but due to concerns raised about the proposed words for the plaque a request was made to review the details of the plaque required under condition 2 of the consent.

The submitted details for the condition discharge application include a supporting narrative provided by Tim Cole of the History Commission that did not form part of the original application. It is hoped that this background to the effort that has gone into getting to this point, together with the fact that these words are the result of contributions from over 14,000 Bristolians will reassure the committee that this is a good result for the city given the current social and political climate.

“One question that the History Commission asked people in the city and beyond was what they thought should now happen with the empty plinth.

Most people in the city wished to see a plaque placed on the plinth briefly explaining what once stood here, why it was now empty, and what happened to the statue. They wanted something short and factual that explained what was absent and why.

In contrast, they saw the museum display as a place for much more thorough discussion of the statue, who Colston was and his connections with Transatlantic Slavery, decades of protest against the statue and artistic interventions and its removal, the BLM movement globally and in Bristol etc. People recognised that this kind of contextualisation required far more words than can be placed on a short plaque and hence wished for the statue to be displayed in the museum.

As a result, the Commission worked through multiple possible drafts of a very short text for a plaque to be placed on the plinth that would be a simple, factual statement of when the statue was erected, when it was taken down, and where it now is. Alongside this, they made recommendations based on the extensive comments in the consultation about what the much larger museum display of the statue will involve. We saw the plaque as a pointer for the interested visitor to go to the museum to read that much fuller history.

We didn't do a full public consultation on the exact wording for the plaque but rather sought to draw upon what people said in the consultation to develop some v. brief and factual wording on the history of the site (statue of X erected in Y and taken

Development Control Committee B – 10 April 2024
Application No. 24/01112/COND : Statue Of Edward Colston Colston Avenue Bristol
BS1 4UA

down by Z in 2020 kind of thing). The critical thing is that the plaque orients the visitor to the museum where a much richer and more dynamic display is possible.

All members of the History Commission were actively involved in this so it was a joint effort from:

Joanna Burch-Brown

Edson Burton

Tim Cole

Nigel Costley

Steve Poole

Shawn Sobers

Estella Tincknell”

Contested heritage is a complex issue that cannot be fully addressed through the words of a plaque and if you asked 20 people to write their own words for the plaque you would get 20 different versions.

Therefore, in addition to the plaque it is proposed to site a QR code with a link to further information that relates to Colston and the display at M Shed. This web content associated with the exhibition [New display at M Shed: the toppling of the Colston statue | Bristol Museums](#) can be more easily be kept up to date and remain current.

Proposed words for new plaque

These words, that result from the process described by Tim Cole (above), are split into three factual paragraphs. The first presents a short sentence describing what was here. The second describes the recent social context and the third provides a brief detail of the events in 2020.

The content of these paragraphs recontextualises the empty plinth through factual, non-emotive language.

On 13 November 1895, a statue of Edward Colston (1636 - 1721) was unveiled here celebrating him as a city benefactor.

In the late twentieth and early twenty-first century, the

Development Control Committee B – 10 April 2024
Application No. 24/01112/COND : Statue Of Edward Colston Colston Avenue Bristol
BS1 4UA

celebration of Colston was increasingly challenged given his prominent role in the enslavement of African people.

On 7 June 2020, the statue was pulled down during Black Lives Matter protests and rolled into the harbour. Following consultation with the city in 2021, the statue entered the collections of Bristol City Council's museums.

2024"

CONSULTATION

As this is an application for the approval of details reserved by condition, no public consultation is undertaken. Consultation was however undertaken in connection with the application Listed Building Consent. A summary of the responses received can be read in the copy of the report to the Committee on 21st February 2024, which is attached for information as a Supporting Document.

EQUALITIES ASSESSMENT

The public sector equalities duty is engaged through the public body decision making process.

Section 149 of the Equalities Act 2010 provides that a public authority must in the exercise of its functions have due regard to:-

- (a) eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Act
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) foster good relationships between persons who share a relevant characteristic and those who do not share it.

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.

Officers have had due regard to the Public Sector Equality Duty contained in the Equality Act 2010 when making the assessment set out in this report.

Development Control Committee B – 10 April 2024
Application No. 24/01112/COND : Statue Of Edward Colston Colston Avenue Bristol
BS1 4UA

An Equalities Impact Assessment was undertaken in connection with the Listed Building Consent application, which referenced the proposed plaque. This Assessment was reviewed by the Council's Equality and Inclusion Team. The Assessment was included as a Supporting Document to the report to Committee on the Listed Building Consent application.

The Assessment considered whether the proposal would have any potentially adverse impacts on people based on their protected or other relevant characteristics. Disproportionate impacts on those with protected characteristics was not indicated by the Assessment. The Assessment considered that the wider proposals had the potential to create benefits in terms of advancing equality of opportunity between people who share a protected characteristic and those who don't, and also through the fostering good relations between people who share a protected characteristic and those who don't.

RELEVANT POLICY

The following are considered to be relevant:

National Planning Policy Framework (NPPF) – December 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)

Other relevant documents/guidance:

Written Ministerial Statement by The Secretary of State for Housing, Communities and Local Government "Planning and Heritage: Historic Statues, Plaques, Memorials and Monuments" Monday 18 January 2021

Historic England: Checklist to Help Local Authorities Deal With Contested Heritage Decisions

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

KEY ISSUE

Are the details submitted pursuant to Condition 2 of listed building consent 23/04315/LA dated 4th March 2024 acceptable?

The reason Condition 2 was imposed was to safeguard the architectural and historic interest of the Listed structure and the special character of the Conservation Area and to ensure the public benefits of development are secured in their totality.

In assessing the Listed Building Consent application, regard was had to the Planning (Listed Buildings and Conservation Areas) Act 1990, in particular Section 16 which states that in considering whether to grant listed building consent for any works 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.

Development Control Committee B – 10 April 2024
Application No. 24/01112/COND : Statue Of Edward Colston Colston Avenue Bristol
BS1 4UA

Special attention was also paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Regard must be had to this Act in assessing the acceptability of the details submitted.

Relevant policies include the requirements of the NPPF, Bristol Core Strategy (2011) Policy BCS22 which seeks to ensure that development proposals safeguard or enhance heritage assets in the city, with Policy DM31 in the Site Allocations and Development Management Policies (2014) expressing that alterations to buildings should preserve or enhance historic settings.

Having regard to the above legislation and policies, it is considered that the proposed details would be acceptable given the reason for imposing Condition 2.

The level of harm that is considered would arise and the public benefits that would be secured, in particular in terms of Paragraph 204 of the NPPF which highlights the importance of retention and explanation, are considered to be in accordance with the assessment undertaken at the Listed Building Consent stage and as detailed in the report to the Committee on 21st February 2024. The information provided by the applicant regarding the background to the proposals is noted.

It is therefore recommended that the details submitted pursuant to Condition 2 of Listed Building Consent 23/04315/LA dated 4th March 2024 be approved.

RECOMMENDATION

Approve details.

Supporting Documents

Statue of Edward Colston Colston Avenue

1. Cover Letter
2. Details of Bronze Plaque
3. Copy of report to Committee on 21st February 2024 (for information)

Application to discharge condition 2 of consent 23/04315/LA |

Proposal to move the statue of Edward Colston from Colston Avenue to M Shed. |

Statue Of Edward Colston Colston Avenue Bristol BS1 4UA

Pre occupation condition(s)

2. Prior to installation of the plaque, the following detailed drawings shall be submitted to the Local Authority and approved in writing:

a) 1:5 section and elevation drawings of the proposed plaque showing it's intended materials, profiles, design, fixings, typeface, and wording

b) 1:10 elevation detail of the plinth showing the location of the proposed plaque and its fixings

The plaque shall be installed no later than 12 months from the date of the statue and base going on display as part of the Bristol Museums collections, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the architectural and historic interest of the Listed structure and the special character of the Conservation Area and to ensure the public benefits of development are secured in their totality.

Background

A new plaque attached to the empty plinth is required to help recontextualise some of the contested heritage associated with this place in accordance with recent policy and government guidance on these matters.

The wording for this proposed new plaque formed part of the application to place the statue in the care of the museum collections. The planning committee resolved to grant consent, but due to concerns raised about the proposed words for the plaque a request was made to review the details of the plaque required under condition 2 of the consent.

The submitted details for the condition discharge application include a supporting narrative provided by Tim Cole of the History Commission that did not form part of the original application. It is hoped that this background to the effort that has gone into getting to this point, together with the fact that these words are the result of contributions from over 14,000 Bristolians will reassure the committee that this is a good result for the city given the current social and political climate.

“One question that the History Commission asked people in the city and beyond was what they thought should now happen with the empty plinth.

Most people in the city wished to see a plaque placed on the plinth briefly explaining what once stood here, why it was now empty, and what happened to the statue. They wanted something short and factual that explained what was absent and why.

In contrast, they saw the museum display as a place for much more thorough discussion of the statue, who Colston was and his connections with Transatlantic Slavery, decades of protest against the statue and artistic interventions and its removal, the BLM movement globally and in Bristol etc. People recognised that this kind of contextualisation required far

more words than can be placed on a short plaque and hence wished for the statue to be displayed in the museum.

As a result, the Commission worked through multiple possible drafts of a very short text for a plaque to be placed on the plinth that would be a simple, factual statement of when the statue was erected, when it was taken down, and where it now is. Alongside this, they made recommendations based on the extensive comments in the consultation about what the much larger museum display of the statue will involve. We saw the plaque as a pointer for the interested visitor to go to the museum to read that much fuller history.

We didn't do a full public consultation on the exact wording for the plaque but rather sought to draw upon what people said in the consultation to develop some v. brief and factual wording on the history of the site (statue of X erected in Y and taken down by Z in 2020 kind of thing). The critical thing is that the plaque orients the visitor to the museum where a much richer and more dynamic display is possible.

All members of the History Commission were actively involved in this so it was a joint effort from:

Joanna Burch-Brown

Edson Burton

Tim Cole

Nigel Costley

Steve Poole

Shawn Sobers

Estella Tincknell”

Contested heritage is a complex issue that cannot be fully addressed through the words of a plaque and if you asked 20 people to write their own words for the plaque you would get 20 different versions.

Therefore, in addition to the plaque it is proposed to site a QR code with a link to further information that relates to Colston and the display at M Shed. This web content associated with the exhibition [New display at M Shed: the toppling of the Colston statue | Bristol Museums](#) can be more easily be kept up to date and remain current.

Proposed words for new plaque

These words, that result from the process described by Tim Cole (above), are split into three factual paragraphs. The first presents a short sentence describing what was here. The second describes the recent social context and the third provides a brief detail of the events in 2020.

The content of these paragraphs recontextualises the empty plinth through factual, non-emotive language.

On 13 November 1895, a statue of Edward Colston (1636 - 1721) was unveiled here celebrating him as a city benefactor.

In the late twentieth and early twenty-first century, the celebration of Colston was increasingly challenged given his prominent role in the enslavement of African people.

On 7 June 2020, the statue was pulled down during Black Lives Matter protests and rolled into the harbour. Following consultation with the city in 2021, the statue entered the collections of Bristol City Council's museums.

2024

Original Layout

Cast Plaque

Genuine Semi Precious Bronze

Bright Metal Raised Detail

Sepia Toned Recessed Detail

Page 101

On 13 November 1895, a statue of Edward Colston (1636 - 1721) was unveiled here celebrating him as a city benefactor.

In the late twentieth and early twenty-first century, the celebration of Colston was increasingly challenged given his prominent role in the enslavement of African people.

On 7 June 2020, the statue was pulled down during Black Lives Matter protests and rolled into the harbour. Following consultation with the city in 2021, the statue entered the collections of Bristol City Council's museums.

2024

650 mm

400 mm

Client	BCC - Colston Statue
Job	Colston Statue Bronze Plaque - Feb 24
Scale	1:4 @ A4
Date	8/2/24
Revision	0 - TM

Final manufacture is based upon this design.

Please check all artwork and either approve for manufacture or advise as to changes.
It is your responsibility to check spelling, font, size, spacing and all design characteristics.



**Complete Signage
Solutions...**

Tel: 0117 955 3385
www.ward-signs.co.uk

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024

Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

SUMMARY

This is an application for Listed Building Consent to move the statue of Edward Colston from Colston Avenue to the M Shed. The application is made by Bristol City Council. The application has not been referred by a Ward Member to a DC Committee for a decision.

Listed Building Consent is required because the statue and plinth is Grade II listed. The plinth would remain in situ and a new plaque is also proposed.

The applicant has provided the following summary of events leading up to the submission of this application:

“On 7th June 2020, the grade II listed bronze statue of Edward Colston was pulled down from its plinth on Colston Avenue during a Black Lives Matter demonstration. After being rolled through the City Centre, the statue was dumped into the Floating Harbour by a crowd of demonstrators.

The statue was recovered from the harbour and in the summer of 2021 went on display in the museum. While on display, Bristol City Council and the History Commission that had been established by the authority following the events in June, ran a public consultation process with visitors to the exhibition and online. This consultation asked what people thought should now happen to the statue and surviving plinth in the City Centre. The results of this consultation process informed a report by the commission that concluded with 6 recommendations for the future of the statue and plinth.” This application seeks to implement a number of those recommendations.

This significance of the heritage asset has been identified and assessed. This is considered to be principally artistic and historic, with the historic significance of the statue and plinth having been increased following the events of June 2020.

It is concluded that the public benefits would outweigh the less than substantial harm posed. In reaching this conclusion, officers have given great weight to the heritage asset’s conservation, that is, the sustaining and enhancing of its significance. There is considered to be clear and convincing justification for the harm.

The proposal is therefore considered to be in accordance with the requirements of the NPPF, Bristol Core Strategy (2011) Policy BCS22 which seeks to ensure that development proposals safeguard or enhance heritage assets in the city, with Policy DM31 in the Site Allocations and Development Management Policies (2014) expressing that alterations to buildings should preserve or enhance historic settings.

Furthermore, this would be in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that in considering whether to grant listed building consent for any works 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.

Special attention has also been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024
Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

It is therefore recommended that Listed Building Consent be granted. Conditions are recommended regarding the implementation of the proposed works.

SITE AND SURROUNDINGS

The site is located in Bristol city centre in a prominent position on Colston Avenue. Colston Avenue is where many transport routes come together to form a very active and extensive area of public realm. The area is known as “The Centre”, an important civic and transport hub for the city.

The site is located within the College Green Conservation Area and close to the City and Queen Square Conservation Area. The Conservation Area has a Character Appraisal that was adopted in 2016 and the site falls within “The Centre” character area. The Character Appraisal refers to the Centre as “a major city landmark space and focal point for gathering, convening and events”. To emphasise the importance of the location, the city’s Cenotaph is located in relatively close proximity to the site.

The Conservation Area covers a large portion of the city centre, from the Council House and the Cathedral round to the areas of Colston Avenue that used to be part of the harbour until it was culverted in the late 19th Century. The linear area of public realm on Colston Avenue that contains the site, along with the varied and strong built form lining each side, reflect the quayside that was here, while the historic statues and features along the public realm reinforce elements of the City’s history.

In the College Green Conservation Area Character Appraisal the statue and plinth does not appear to be identified as a local landmark. There are other listed monuments nearby however.

The specific structure the subject of this application is the plinth that, until 7th June 2020, was the pedestal of the statue of Edward Colston that had been in situ since 1895. The statue and plinth were Grade II listed in March 1977.

The Official List Entry reads as follows:

“Heritage Category: Listed Building
Grade: II
List Entry Number: 1202137
Date first listed: 04-Mar-1977
List Entry Name: STATUE OF EDWARD COLSTON
Statutory Address 1: STATUE OF EDWARD COLSTON, COLSTON AVENUE

District: City of Bristol (Unitary Authority)
Parish: Non Civil Parish
National Grid Reference: ST 58628 73014

Details

BRISTOL

901-1/11/555 COLSTON AVENUE 04-MAR-77 CENTRE (Northeast side) STATUE OF EDWARD COLSTON

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024
Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

|| This list entry has been amended as part of the Bicentenary commemorations of the 1807 Abolition Act.

Statue of Edward Colston, standing in Colston Avenue, to south of central pavement; the statue faces south. Erected 1895; the sculptor was John Cassidy of Manchester. A bronze statue on a pedestal of Portland stone. The statue shows Colston in middle age, dressed in C17 costume and leaning pensively on a stick. A rectangular moulded plinth with buttressed corners to a moulded pedestal; above this, consoles to an octagonal base supporting the statue. Inscribed on the south face of the base the words 'Edward Colston / Born 1636 / Died 1721'. To each corner of the pedestal, a bronze dolphin (dolphins feature on the Colston family crest), and on each face, a bronze plaque with Art Nouveau-style relief. On the south face, the words 'Erected by / citizens of Bristol / as a memorial / of one of the most / virtuous and wise sons of / their city / AD 1895' and 'John Cassidy fecit'. On the west face, Colston dispenses charity to poor children; on the north he is shown at the harbour; on the east is a scene with marine horses, mermaids, and anchors.

HISTORY: Edward Colston (1636-1721) was the son of a prosperous Bristol merchant; the family had long been established in Bristol. Edward Colston was apprenticed to the London Mercers' Company in 1654, in which he was enrolled in 1673. Thereafter, Colston established his own successful business in London, trading with Spain, Portugal, Italy, and Africa. The details of precisely how Colston's fortune was accumulated are not recorded, but his business interests were wide. Besides trading extensively in various commodities, including cloth and wine, he acted as a money-lender, and had interests in the West Indian island of St Kitts. In 1680 he became a shareholder in the Royal African Company. The Company, which had been founded in 1672 in place of the Royal Adventurers, had a monopoly on trade with Africa until 1688, after which time it received fees from English traders. Colston took a leading role in the Company, serving on several committees, and becoming deputy governor in 1689. Other members of the Colston family had connections with the Company; Edward's brother Thomas supplied beads that were used to buy slaves.

Although his trade was based in London, Colston continued to take an interest in his native Bristol; it is thought that he moved here for a while during the 1680s. He inherited a Bristol business from his brother, and became a partner in a Bristol sugar refinery, processing sugar produced by slaves in the West Indies. He was elected a free burgess of the city, and a member of the Society of Merchant Venturers, which meant that he could trade out of Bristol. By 1689 Colston had taken up residence at Mortlake, Surrey, where he lived for the rest of his life, but the philanthropic benefaction for which he was to become famous was concentrated on Bristol, the city for which he was MP from 1710-14.

Edward Colston is buried at All Saints' Church in Bristol, where a monument, designed by Gibbs and carved by Rysbrack, lists his charities. The bronze statue in Colston Avenue was commissioned by a committee organised by J. W. Arrowsmith, a Bristol printer and publisher and a promoter of the Exhibition, whose premises overlooked the site. The statue was unveiled by the Lord Mayor of Bristol on 13 November 1895.

Until the 1990s, Colston's involvement in the slave trade, the source of much of the money which he bestowed in Bristol, went largely unremarked. Since that time there has been growing interest in Bristol's role in the 'triangular trade', which saw ships

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024

Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

leave Bristol filled with goods to purchase slaves, carry those slaves to West Indian plantations, and return to Bristol laden with sugar. Although Colston's principal connection with the slave trade was through the London-based Royal African Company, he has come to be seen as the pre-eminent representative of this aspect of Bristol's history.

SOURCES: Dictionary of National Biography; V. Coules, *The Trade: Bristol and the Transatlantic Slave Trade* (2007); Bristol Historic Environment Record; D. Merritt, *Sculpture in Bristol* (2002); <http://johnccassidy.org.uk/> accessed on 2 January 2008; R. Winstone, *Bristol in the 1890s* (1960)

REASONS FOR DESIGNATION The statue of Edward Colston is designated at Grade II for the following principal reasons: * A handsome statue, erected in the late C19 to commemorate a late C17 figure; the resulting contrast of styles is handled with confidence * The statue is of particular historical interest, the subject being Edward Colston, Bristol's most famous philanthropist, now also noted for his involvement in the slave trade. * Group value with other Bristol memorials: a statue of Edmund Burke, the Cenotaph, and a drinking fountain commemorating the Industrial and Fine Art Exhibition of 1893"

PROPOSAL

This is an application for Listed Building Consent to move the statue of Edward Colston from Colston Avenue to the M Shed. Listed Building Consent is required because the statue including the pedestal and plinth is Grade II listed. The plinth would remain in situ and a new plaque is proposed.

The applicant has provided the following summary of events leading up to the submission of this application:

"On 7th June 2020, the grade II listed bronze statue of Edward Colston was pulled down from its plinth on Colston Avenue during a Black Lives Matter demonstration. After being rolled through the City Centre, the statue was dumped into the Floating Harbour by a crowd of demonstrators.

The statue was recovered from the harbour and in the summer of 2021 went on display in the museum. While on display, Bristol City Council and the History Commission that had been established by the authority following the events in June, ran a public consultation process with visitors to the exhibition and online. This consultation asked what people thought should now happen to the statue and surviving plinth in the City Centre. The results of this consultation process informed a report by the commission that concluded with 6 recommendations for the future of the statue and plinth."

This application, which is made by Bristol City Council, seeks to implement a number of those recommendations. Specifically, these are as set out in the applicant's statement follows:

Recommendation 1

That the Colston statue enters the permanent collection of the Bristol City Council Museums service.

Recommendation 2

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024
Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

That the statue is preserved in its current state and the opportunity to reflect this in the listing description is explored with Historic England.

Recommendation 3

That the statue be exhibited, drawing on the principles and practice of the temporary M Shed display where the statue was lying horizontally. That attention is paid to presenting the history in a nuanced, contextualised and engaging way, including information on the broader history of the enslavement of people of African descent.

Recommendation 4

That the former Colston statue plinth, along with the original plaques, remain in place and that a new plaque is installed that briefly and factually explains when and why the statue was put up and taken down.

The following wording for the new plaque is suggested:

“On 13th November 1895, a statue of Edward Colston (1636 - 1721) was unveiled here celebrating him as a city benefactor. In the late twentieth and early twenty-first century, the celebration of Colston was increasingly challenged given his prominent role in the enslavement of African people.

On 7th June 2020, the statue was pulled down during Black Lives Matter protests and rolled into the harbour. Following consultation with the city in 2021, the statue entered the collections of Bristol City Council’s museums.”

It is understood that the applicant sought pre-application advice from Historic England prior to the submission of the application.

RELEVANT PLANNING HISTORY

20/03127/F – Appeal: Temporary art installation for a period of 2 years (retrospective) entitled, ‘A Surge of Power (Jen Reid) 2020’ on the plinth of the former statue of slave trader Edward Colston (grade II listed). (Appeal reference APP/Z0116/W/20/3260461) Appeal against non-determination dismissed 4th August 2021

20/03128/LA – Appeal: Temporary art installation for a period of 2 years (retrospective) entitled, ‘A Surge of Power (Jen Reid) 2020’ on the plinth of the former statue of slave trader Edward Colston (grade II listed). (Appeal reference APP/Z0116/Y/21/3269256) Appeal against non-determination dismissed 4th August 2021

20/02458/LA – A Grade 2-listed statue of Edward Colston is proposed for partial demolition of the metal statue and statue base. The remainder of the pedestal is proposed to be retained. Application cancelled

18/03688/LA – Addition of a new bronze plaque to the stone pedestal. Granted subject to conditions 13th November 2018

07/03469/F – Temporary artwork constructed around the statue of Edward Colston. Granted subject to conditions 12th October 2007

07/03470/LA – Temporary artwork constructed around the statue of Edward Colston. Granted subject to conditions 12th October 2007

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024
Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

01/01753/LA – Maintenance treatment comprising of cleaning and wax treatment of bronze statue and panels and cleaning of stone plinth. Granted subject to conditions 27th July 2001

RESPONSE TO PUBLICITY AND CONSULTATION

A site notice was displayed at the site on 22/11/2023 and a press advertisement was published on 22/11/2023.

There were 4 representations received, comprising 2 objections, 1 neutral comment and 1 comment in support, on the following grounds in summary:

Objections to the application

- Object to the statue being put on display at M Shed for the same reason quoted in the Crown Court for its removal. The statue is offensive in its nature, Colston is unbristolian.
- Whatever one feels of the contested history involved, it 'immortalises' and thereby rewards a heritage crime and act of art vandalism by people flouting Covid rules at the height of the pandemic, showing contempt for the democratic process, and undermining the law - it is deeply offensive to very many Bristolians and others as a result.

Pre-toppling the council had a 'retain and explain' plan for the statue, with planning permission, of the type recommended by Historic England for contested monuments, arrived at with substantial public input and wide support, and aimed at bringing the city together in a better understanding of its history.

Instead of this positive plan, after the toppling and a cynical disinformation campaign and flawed survey, we now have this highly divisive misuse of the remnants of the statue to promote a simplistic polarised, politicised, radicalised and racialised viewpoint also elevating the often semi-literate ahistorical rants of a lawless mob to prominence, while ignoring law abiding dissenting voices across the city - many of whom have a wealth of historical knowledge.

Also object to the proposed wording for the additional plaque for the empty plinth for the reasons and suggest a reworded version that is fit for purpose.

Neutral comment

- Comment received from Chair of Bristol Civic Society's Blue Plaques Panel with a request for a condition to be added that a design showing the wording is submitted.

Comment in support of the application

- Comment received from Chair of the History Commission advising that the Commission held an extensive consultation with the city in the summer and autumn of 2021, linked with the temporary display of the statue in the M-Shed museum.

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024

Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

Just under 14000 people responded - around half from Bristol - with a clear majority supportive of moving the statue into the permanent collection of the M-Shed museum and putting it on display there. 80% of Bristol respondents wished to see the statue in the M-Shed (with smaller numbers - c. 12% of the Bristol sample wanted the statue back on the plinth; c. 4% of the Bristol sample wanted the statue back in the harbour or destroyed - wanting the statue to end up somewhere else).

One thing that was important was ensuring that these voices were broadly representative of the city as a whole.

The proposal to move the statue from Colston Avenue to the M Shed museum is one that meets with widespread approval from those who responded in their thousands to the consultation in 2021.

From reading comments most people in the city feel that the statue is too problematic to sit atop a plinth in the city centre, but remains of historical value (including the recent history of its toppling) and so should be placed into a museum where its long and contested history can be explained in more words than a plaque allows, and in a place where people can choose to visit.

Consultees

Historic England

“Summary

In June 2020, the statue of Edward Colston was pulled down and rolled into Bristol’s Floating Harbour during a Black Lives Matter protest. Subsequently the City Council arranged for the statue to be retrieved from the waters and for it and the fallen capstone from the plinth to be taken to Bristol Museums.

The statue of Edward Colston has become a touchstone for Bristol’s connections to the transatlantic trade in enslaved people. The proposal to regularise its removal from its plinth would cause a high degree of harm to the listed ensemble of plinth and statue; this would be substantial in the language of the National Planning Policy Framework (NPPF). Planning policy and legislation sets a high bar for justifying such a proposal.

While it will be for the decision-maker to determine whether the proposals would deliver substantial public benefits sufficient to outweigh the substantial harm it would entail, Historic England recognises both that the Council has undertaken a wide-ranging appraisal of the sentiment of Bristolians towards the future of Colston’s statue, and that it believes that the removal of the statue is important to the well-being of the city. We also note the Council’s commitment to permanently displaying the statue in the M Shed Museum.

Historic England Advice

Significance

Legally, the statue of Colston and its plinth remain intact and in situ, and together form a monument listed at grade II on account of its historic and artistic interest. This provides the correct starting point in planning terms for consideration of the current

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024
Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

proposals, and not the current de facto position, in which the statue has been removed.

Edward Colston played a central part in the trade in enslaved people of the late 17th and early 18th centuries. His engagement in this trade was both sustained and direct. In the 1680s and early 1690s Colston was a member of the Royal African Company, and for a year was its principal official. The company had a monopoly of trade with Africa and thus of the slave trade. Colston's involvement in the trade in enslaved people continued after he left the company.

During Colston's membership of the Royal African Company, it is estimated that the company transported over 84,000 enslaved people from Africa to the West Indies and Americas. As many as 19,000 people may have died during the Atlantic crossing - the Middle Passage. Conditions for those who survived were harsh, and life expectancy short.

Colston gave a substantial part of his wealth to philanthropy. His chief benefactions were to Bristol institutions. They included almshouses, schools and churches.

In 1895 Colston's benefactions were recognised by the erection of a monument to his memory. It was intended to commemorate Colston's substantial benefactions to Bristol, and to commemorate his philanthropy. It was commissioned by a committee organised by J.W. Arrowsmith, a Bristol printer and publisher and a promoter of the Industrial and Fine Art Exhibition held on this site in 1893-94.

The monument was the work of John Cassidy (1860-1939). Cassidy was born in Ireland, trained in Milan and worked throughout his career in Manchester. Much of his work comprised busts and plaques celebrating commercial and cultural figures in Manchester and the surrounding areas. After the First World War he designed a series of war memorials.

Cassidy's monument to Colston is an eclectic work, characteristic of the period. It comprises a substantial plinth which supported a full-length figure of Colston.

Colston is portrayed deep in thought, his head supported by his left hand and arm, which are in turn supported by his right hand and a long staff. He wears late 17th century dress. The portrait combines sensitivity in the modelling and mood of the face with an illustrative character in its treatment of the clothing.

The plinth on which the statue was set is Baroque in its general character. Angled projections at the base support dolphins - Colston's emblems. Inverted volutes articulate the narrowing of the main body of the plinth to the cap upon which the statue itself was set. The principal surface on each side is set with a bronze plaque, which commemorate Colston's life.

The ensemble of statue and plinth was listed at grade II in 1977. The monument's entry on the National Heritage List for England, which was revised in 2007, identifies the following reasons for the monument's designation:

- a) "A handsome statue, erected in the late C19 to commemorate a late C17 figure; the resulting contrast of styles is handled with confidence";
- b) "The statue is of particular historical interest, the subject being Edward Colston, Bristol's most famous philanthropist, now also noted for his involvement in the slave trade";

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024

Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

c) “Group value with other Bristol memorials: a statue of Edmund Burke, the Cenotaph, and a drinking fountain commemorating the Industrial and Fine Art Exhibition of 1893”.

From this it may be concluded that the significance of the Colston monument, in the language of the NPPF, lies in its artistic and historic interest, both of which are considerable.

Summary of proposals

The current proposals would regularise the removal of the statue from its plinth. The statue, which has been conserved in its current state, would be displayed in the M Shed, one of the City’s museums, where the fallen capstone from the top of the plinth would also be kept. An interpretive panel would be attached to the plinth itself, which would remain in situ, and the plinth would be used for temporary installations.

Proposals for a cultural programme for the site of the plinth do not form part of the listed building consent application.

Impact of the proposed development

The removal of the statue of Colston from the monument of which it forms part would severely impair the monument’s significance.

The statue is the *raison d’être* of the monument itself. It represents the man the monument commemorates and is the most artistically important part of the whole. The removal of the statue would take away much of the monument’s historic and artistic interest.

This notwithstanding, the plinth itself would remain of some interest. It is a substantial structure, carefully composed and richly adorned, and is of historic and artistic interest in its own right.

Planning legislation and policy context

The NPPF sets out three overarching objectives at paragraph 8, of which two are relevant to this case.

One of these is “a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being”.

Another is “an environmental objective - to protect and enhance our natural, built and historic environment”.

The NPPF explains that heritage 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” (189).

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024
Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

Paragraph 196 makes clear that “where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision”.

The next paragraph goes on to say that “in determining applications, local planning authorities should take account of ... the desirability of sustaining and enhancing the significance of heritage assets” and also “the positive contribution that conservation of heritage assets can make to sustainable communities” (197, a, b).

Paragraph 198 specifically addresses applications to remove historic statues. It states that “in considering any applications to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal.”

The NPPF continues, “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... This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance” (paragraph 199).

Paragraph 200 sets out that “any harm to, or loss of, the significance of a designated heritage asset ... should require clear and convincing justification. Substantial harm to or loss of ... grade II listed buildings ... should be exceptional”.

Finally, paragraph 201 explains that “where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or unless four criteria are all met”.

In a Written Ministerial Statement made to Parliament on 18 January 2021, the then Secretary of State for Housing, Communities and Local Government, Robert Jenrick, stated about statues and monuments that “decisions to remove any such heritage assets owned by a local authority should be taken in accordance with its constitution, following consultation with the local community and interested parties, and the rationale for a decision to remove should be transparent.” This statement of government policy is a material consideration when deciding applications.

Historic England Position

The City Council’s proposal is to confirm the removal of Colston’s statue from its plinth, and conserve it within the City’s collection. Historic England recognises the very difficult history of which the statue has become the touchstone, but considers that the statue’s removal would cause substantial harm to the listed structure formed by statue and plinth. The policies referred to above would be engaged.

Most obviously, the City Council’s proposal runs counter to the importance of retaining statues in situ and interpreting them (NPPF, 198). It must also be tested against the requirement that local planning authorities refuse proposals which would cause substantial harm to the significance of a designated heritage asset, unless that harm would be outweighed by substantial public benefits, or meet all of four criteria

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024
Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

(NPPF, 201). The strength of this policy flows from the great weight to be accorded to the conservation of the significance of designated heritage assets (NPPF, 199).

In this case, in considering the NPPF's policy in respect of substantial harm, the former test is the relevant one; the criteria are not applicable. In other words, the proposal must be justified by the public benefits it would provide, or not at all.

While it will be for the Local Authority, as decision-maker, to determine whether the proposal would deliver substantial public benefits sufficient to outweigh the substantial harm it would entail, Historic England can make a number of observations on the nature of the arguments put forward and the policies engaged.

At the heart of the Council's justification is the argument that regularising the removal of Colston's statue from the monument is of great importance to Bristol's well-being. This argument rests on an appraisal of the wishes of the City, a judgement about the consequences of reinstating the statue and a commitment to explain Colston's role as both slave trader and benefactor.

Since 2020, Bristol City Council has deliberated on the future of the statue and the monument of which it forms part. These deliberations have been informed by the work of the 'We Are Bristol History Commission', established by the Mayor in the immediate aftermath of events in June 2020.

Through the work of the Bristol History Commission, Bristol City Council has undertaken a wide-ranging appraisal of the sentiment of Bristolians towards the future of Colston's statue. The Commission reported that four out of five Bristolians thought the statue should be kept in a museum; seven of ten supported the addition of a plaque to the plinth to reflect the events of 2020; six of ten supported the use of the plinth for temporary artworks; and five of eight approved the pulling down of the statue.

The Commission's report does make clear that opinion, although broadly in favour of the points set out above, is also divided. While 65% of Bristolians were positive about what had happened, 36% - a substantial minority - felt negatively about the pulling down of the statue.

It is not for Historic England to gauge the weight to be accorded to the Commission's conclusions, but we acknowledge the seriousness with which this exercise has been conducted. This approach seems wholly in accordance with the Secretary of State's requirement that councils consult communities when considering such proposals.

The obverse of the Commission's conclusions is the Council's judgement that the "reinstatement of the statue to Edward Colston... would cause additional upset and disgust and potentially lead to further public order and health and safety risks as well as damage community cohesion".

Again, it is not for Historic England to gauge this judgement, although given the climate of public opinion in the city, as demonstrated by the consultation process that took place as part of the History Commission report, it must be taken seriously.

The Framework recognises that the social objective of the planning system, one of the three objectives which support the achievement of sustainable development, is "to support strong, vibrant and healthy communities" (NPPF, 8, b). Equally, the

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024
Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

Framework requires local planning authorities to take account of “the positive contribution that conservation of heritage assets can make to sustainable communities” (NPPF, 197, b). In this case, the City considers in effect that the retention - practically, the reinstatement - of the statue would run counter to the social objective of the planning system.

The final part of the justification rests on the Council’s commitment to contextualise and explain the role of Colston as both slave trader and benefactor through the display of the statue in the M Shed Museum and the installation of a new plaque on the remaining plinth. The impact of the installation of a new plaque on the plinth to the significance of the listed structure would be very modest. Any harm would be negligible.

We recognise the potential of these proposals to contextualise the empty plinth and the fallen statue, enabling a deeper understanding of Colston’s difficult past.

In summary, the most important part of the City Council’s proposal would be the permanent removal of the statue of Colston - which remains, in law, in place - from the listed structure. This would entail substantial harm to that listed structure, and it will be for the decision-maker to determine whether the Council’s justification would provide substantial public benefits to outweigh the harm that removal would entail. Should it be found to do so, it would be reasonable to conclude that the other policy tests referred to above would be met, including that requiring the consideration of the importance of retaining statues in situ, and, where appropriate, explaining their historic and social context (NPPF, 198).

Conclusion

We recognise the pain that Colston’s role in the transatlantic trade in enslaved people has caused.

The monument to Edward Colston, a slave trader and benefactor, is of historic and artistic interest. Its permanent removal from its plinth would cause a high degree of harm to the significance of the listed ensemble of plinth and statue. This harm would be ‘substantial’ in the language of the NPPF. We welcome the work of the Bristol History Commission, and recognise the wide-ranging approach to the consultation, which has informed these proposals. Ultimately, however, it will be for Bristol City Council as the decision-maker to determine whether the proposals would be justified.”

National Amenity Societies

No comments received.

Conservation Advisory Panel

“The Panel recognised that the future location of the statue was a very sensitive issue, and this was discussed at length. The Panel regret the damage and harm that has been caused to this heritage asset, and whilst they would prefer that the statue was replaced and retained in its original location, with an explanation provided on its background, they acknowledged that this was unlikely to be feasible in practice. It was agreed that the statue should not be cleaned or repaired, but should for preference be displayed in an upright position in the Museum.”

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024
Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

Bristol City Council Conservation

“Summary:

The proposed development would be harmful to designated heritage assets; that harm and the public benefit arising from it are wholly exceptional. Harm would be partially mitigated through the proposed works. On balance, development would be significantly in the public interest and this is given very considerable weight. Despite the great weight required in the conservation of the assets, the public benefit outweighs the degree of harm posed. We recommend the decision-maker approve development subject to conditions.

Significance:

Development would directly impact the architectural and historic interest of the Grade II Listed statue and base, and the character of the City Centre and College Green Conservation Area. The group value of the collection of Listed civic monuments along the Centre would also have their setting impacted; these include the Grade II Listed statue of Burke, drinking fountain commemorative of the 1891 exhibition, and the cenotaph.

The statue of Edward Colston and its plinth were erected posthumously in 1895, 174 years after his death. The statue was commissioned to stand in the new park laid out following the culverting of the River From. This presented a new opportunity to host civic adornments in one of the few open public spaces then available in the city centre. The selection of Colston as a subject for a statue was championed by JW Arrowsmith, whose Printing business adjoined the new open space at the head of the former quay. The choice of Colston, a Tory MP, appears to have been, at least partly, a political reaction to the planned and executed erection of a statue to the eminent Whig MP, Edmund Burke, by the Wills family, in the same area.

Architecturally, it's a prominent, monumental structure designed and executed in form, detail, and materials intended to impress. The plinth is highly ornate with attractive stepped form and bronze embellishments expressing the opulence and wealth of the age in which it was erected. The statue, in contrast, has a hunched, sullen and downbeat pose, unlike the posturing classical stance adopted in Burke's statue. The modelling and bronze casting are particularly high quality.

Significance of the statue and plinth is considered to have been considerably heightened by events of 7.6.20 when it received international attention following toppling during an anti-racism protest. Edward Colston's involvement in the Transatlantic slave trade, a long-established fact in Bristol, became nationally known through the pulling-down of the statue from its plinth and throwing into the docks. It inspired citizen action against totems of intolerance across the world. Statue and plinth, although presently separated, are now historically significant in new ways to those intended by its creators.

The National Planning Policy Framework (NPPF) is clear, that: '196. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision' The toppling of the statue from the plinth was clearly a deliberate act of damage, so the deteriorated state cannot be taken into account in the planning decision. This creates a paradox, where a degree of historic significance of the asset now arises from its

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024
Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

effective separation. Whilst the NPPF states that the deteriorated state cannot be taken into account in the decision, it does not preclude that damage having increased the heritage significance or the assessment of that significance as part of assessing against the tests of the NPPF.

Proposals:

This Listed building application seeks to formally remove the statue and base from the plinth, and lodge them in the collections of the Council-owned M-Shed museum. The Museum is Accredited by the Arts Council England and is required to maintain a collections care and conservation policy, and a collections care and conservation plan; following lodging in the collections, the statue would be protected by those provisions.

Proposals also include for the affixing of a new plaque to the Grade II Listed plinth, recording the role of Edward Colston in slavery, and commemorating the pulling down of the statue in 2020. Drawings or other material showing the design of this plaque are not provided in the application, though an intended location and draft wording for the plaque is included in the supporting statements.

Assessment and potential mitigation

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

As noted above, the NPPF the 'deteriorated state' of the asset cannot be taken into account in decision making, though it's not clear how damage that has amplified significance should be dealt with; To what extent has its 'state' been deteriorated or elevated by unlawful actions? It is undoubted that physical harm has occurred to the Listed structure. The ripping away of the statue has caused material damage to the plinth, and the statue itself is in a technically irreparable condition. The physical damage is irreversible. The deteriorated state of the heritage asset is not to be taken into account in any decision, that is to say, the present state of the asset is a separate consideration from the procedural assessment of heritage significance against the other tests of the NPPF, and the assessment of significance, harm, justification, and balancing harm against public benefit remain necessary parts of the

The NPPF is explicit that assessment should take into account 'the desirability of sustaining and enhancing the 'significance' of heritage assets' in our assessment rather than their physical 'state'. Accepting only the previous physical condition of the structure, we would be forced to disregard the heritage significance as it presently exists. The NPPF is clear that significance should underpin the decision-making process and that the physical state of the asset should not.

The NPPF requires harm to significance to be established. Historic England define significance as 'a collective term for the sum of all the heritage values attached to a place, be it a building an archaeological site or a larger historic area such as a whole village or landscape.' It defines heritage values as being:

Evidential value: the potential of a place to yield evidence about past human activity.

Historical value: the ways in which past people, events and aspects of life can be connected through a place to the present - it tends to be illustrative or associative.

Aesthetic value: the ways in which people draw sensory and intellectual stimulation from a place.

Communal value: the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory.

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024
Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

Harm would occur to the Listed statue and plinth where its heritage values were undermined. To summarise these individually:

Evidential value of the structure arises from its location in a prominent civic site, and how the construction and fabrication of the statue and plinth help inform our understanding of historic techniques. The large chunk taken out of the plinth moulding evidences the aggressive method of the statue's removal. Despite the present intention to separate the statue from the plinth, the evidential value would remain unaffected, with the location continuing to be marked by the masonry plinth, and the bronze casting secured in a museum collection where it would be available for inspection and protected by the collection management policies which would ensure better preservation than in the intended location.

The historical value derives from the celebration of Edward Colston as a significant figure in Bristol's past, from the physical expression of the social and political context in which the statue and plinth was erected, and from the actions of 2020 that brought it to international interest. It is argued that greater historic and commemorative value now resides in the plinth as symbolically vacant. Colston's commemoration by the Victorians remains explicit in the remaining plinth and plaques, though without the physical presence of the effigy itself.

The statue and plinth have aesthetic value together. They are a traditional coupling of a masonry pedestal and elevated representation of a celebrated personage that derives ultimately from the traditions of the Classical world; separated this allusion is damaged. Harmonious composition and proportions of both elements would be significantly impacted by the loss of the statue. The visually attractive, lifelike, and high-quality modelling of the statue would be entirely lost to the Listed building, but preserved elsewhere. The complementing materials of dark patinated statue, reliefs, and dolphins set against the bright white Portland Stone would be undermined, though not entirely lost. The stepped form of the plinth would be impacted by the loss of its uppermost masonry section, the statue base, which gave added stature and monumentality to the whole composition. The foreshortened plinth would retain a degree of aesthetic value in the late-Victorian dolphins and plaques, and the generally attractive proportions of the remaining structure, however, it would not have the same visual and monumental prominence of the complete structure.

Communal value contributes to significance through the collective memory and experience. The presence of a statue of a prominent slave trader is offensive to many, whilst Colston's charitable works are well memorialised on the plinth and elsewhere in the city. In the present day, consciousness of the statue and works of Colston were most frequently experienced when interventions to highlight Colston's role in the slave trade, artworks or new plaques, or a continuing campaign to address Colston's role became newsworthy events. Most Bristolians will have experienced the statue and plinth as an historically controversial monument, whatever their view might be on Colston as a man. Despite dating from the 19th Century, what the structure represented of 17th and 18th Century was how it was most frequently appreciated. The toppling of the statue in controversial circumstances has escalated communal value way beyond the boundaries of the city, with international interest being focussed on the statue, plinth, and notable historic events of June 2020.

In conclusion, whilst the aesthetic value has been significantly impacted, and the traditional historic and evidential values altered, the actual historic significance of the

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024
Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

statue and plinth have been increased through the actions of 2020 regardless of its current state.

In considering whether the asset would be harmed by development it is also worthwhile returning to the Planning (Listed building and Conservation Areas) Act 1990. The act allows for buildings to be added to the national list and protected for their 'special architectural and historic interest'. The terminology here is different from that of the NPPF and Historic England's heritage values, and lacks the same breadth and nuance. The Act prohibits 'alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, unless the works are authorised' by the Local Authority. The protection of the architectural and historic characteristics of the statue and plinth are therefore the objective of the Act. The statue and plinth have been moved several times within the broad area of the modern Centre without the architectural and historic character being impacted. This demonstrates the location of statue and plinth has little bearing on its special historic interest or character, and that those characteristics might be protected and sustained in alternative locations.

The NPPF requires decision making to 'sustain or enhance' heritage significance. Where development would fail in those ambitions it can be judged to pose harm. The development proposed, to remove the statue from the plinth and provide new interpretation, would ensure the present significance is sustained and enhanced through the new interpretive plaque. If the statue was still in place and the present application refused, the overall heritage significance would be less than it is currently experienced.

In summary, certain of the heritage values underpinning significance would be harmed by the proposed development, others sustained and enhanced. Conversely, should development be refused, the heritage values would be harmed in other ways. However, the statue is an integral and key component of the Listed building and its removal is, on balance, considered to cause harm to significance. The proposals to protect the statue in an alternative location and provide interpretation on the standing plinth help mitigate that harm. Overall, therefore, the harm to significance is not of a substantial degree.

Has clear and convincing justification been given for the harm? (NPPF para 200):

Before now, Historic England have often posed the question, how else could the purported public benefits be secured without harm to the asset? It's clear in this instance, that the totality of the public benefits could only be achieved through the removal of the statue to a secure public collection. Allowing the statue to remain on the plinth would expose it to further attack, damage and the risk of provoking further civil unrest. It is no longer possible to protect the architectural and historic interest with the statue and base attached to the plinth. Whilst the approach would usually be 'retain and explain' assets of contested heritage, the now-international profile of the statue and broader understanding of Colston's history in slave trading brought about for the 2020 actions, have focussed negative attention on the celebration of Colston, and retention would be enticement to future acts of a similar violent nature.

The current condition of the bronze casting is very poor. Whilst it's damaged state cannot form part of our decision making, the statue itself cannot continue to form part of the Listed asset as a whole. We are satisfied that, due to the irreparable and

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024

Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

unsafe condition of the statue, it would require recasting if it were to remain integral to the plinth. Any replacement of the statue would not have the same heritage value as the original Victorian casting, even if the appearance could be replicated. With a facsimile in place of the original, the original integrity could not be fully restored. The replacement would remain provocative, the target of vandalism and antisocial behaviour, and the potential focus of civil unrest. A statue of Colston remaining on the plinth is not a reasonable expectation.

What are the purported public benefits? (NPPF para 202):

The NPPF requires public benefits to be of an economic, social, or environmental benefit. There is an overwhelming degree of public benefit in the removal of the statue. It would minimise the potential for criminal damage and vandalism of the Listed structure. The removal of the statue would encourage greater community cohesion, where the presence of the statue of Colston in a highly trafficked public place has stoked division. Development would help repair relationships between the Council and communities, for whom years of inaction have caused upset and alienation.

It would ensure the statue forms part of a secure accredited museum collection with enhanced conservation requirements, where people have the option to view it should they choose to. It would allow for the interpretation of contested heritage through the retention and contextualisation of the plinth with a new plaque, and the further explanation of the heritage significance as part of museum collections. The enhanced interpretation of statue and plinth would have an additional heritage benefit, where the international significance of statue and plinth could be greatly enhanced.

There are economic benefits where the city's tourism industry would benefit from the international attention from the statue and its felling, though it is difficult to attribute a specific degree of weight in this aspect. There would be economic benefit too, in removing the significant financial obligation on the local taxpayer of having to replace the statue where the original is irreparable.

Do public benefits outweigh harm where that harm has clear and convincing justification? (NPPF para 202)

It's clear there are exceptional circumstances around the current application. Significant, or 'great' weight is required in the planning balance in favour of conservation of designated assets. Historic England define conservation as "The process of maintaining and managing change to a heritage asset in a way that sustains and where appropriate enhances its significance." We have indicated above that we consider that consenting to the removal of the statue from its plinth would enable change to be managed in a way that could enhance the heritage values that underpin significance.

We acknowledge the harm that would be caused to significance by consenting removal of substantial proportion of the Listed structure, a key element of its significance, and the resultant loss or aesthetic value and architectural character of the whole composition. That the present state is deteriorated, permanently damaged, cannot be taken into account in forming a recommendation, however the NPPF separates consideration of the deteriorated state of the asset from the assessment of significance. As defined by Historic England, the heritage values underpinning significance are not entirely dependent on the objective physical state of the asset.

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024
Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

They allow for intangible aspects to contribute to special importance, how an asset is experienced and appreciated, its meanings and memories, how it intellectually stimulates and allows for interpretation. The significance would be enriched by formalising removal of the statue of Colston.

We consider the harm posed by development is justifiable, and that there would be very significant and substantial public benefits to the removal of the statue from the public realm, its future protection in an accredited museum collection, the preservation of the plinth in-situ, and the addition of an interpretive plaque. The substantial public benefits outweigh the harm posed. In this assessment we have placed great weight in conservation of the heritage asset, that is, the sustaining and enhancing of its significance.

Following, and in reaction to, the widely publicised and controversial felling of the statue, its dropping in the harbour, and subsequent national and international attention focussed on contested heritage, the Government made a specific addition to the NPPF:

'198. In considering any applications to remove or alter a historic statue, plaque, memorial, or monument (whether listed or not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal.'

We have regarded the importance of retaining the statue and plinth together in situ, and the required 'great weight' required in the conservation of designated heritage assets. We welcome the Government's recognition of the importance of the historic environment and the need to protect it unharmed. We have agreed that explaining of the significance of the statue through a permanent plaque installed on the plinth is wholly appropriate and offers a degree of mitigation for the harm that would arise from development.

Recommendation for decision:

Setting aside the current deteriorated state of the Listed structure, the public benefits that would be brought about by development are substantial in degree. Any harm posed to significance 'the collective heritage values' is judged to be wholly exceptional in this case, and justified in being overwhelmingly in the public interest. The harm posed to significance would be permanent, but we do not consider that it impacts the heritage values to be impaired to a substantial degree. Harm would be mitigated somewhat in the setting up of a new interpretive plaque and the protection of the statue of Colston in accredited museum collections.

The significant public benefits, social and to a lesser extent, brought about by development would be of such a degree that we consider they outweigh the harm posed; this is despite placing great weight in the planning balance in favour of conservation.

We recommend the following:

- ' That Listed building consent is granted subject to conditions.
- ' That the Secretary of State is notified of the Local Authorities intended decision
- ' That Historic England are invited to amend the Listing description of the plinth to omit the statue element and explain the amended the historic interest of the remaining plinth.

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024
Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

Should the local Authority decide to approve development we request that the following conditions are appended:

Prior to commencement of the relevant element, the following detailed drawings shall be submitted to the Local Authority and approved in writing:

- a) 1:5 section and elevation drawings of the proposed plaque showing it's intended materials, profiles, design, fixings, typeface, and wording
- b) 1:10 elevation detail of the plinth showing the location of the proposed plaque and its fixings

Development should be completed in accordance with the approved drawings.

Reason: To safeguard the architectural and historic interest of the Listed structure and the special character of the Conservation Area.

Prior to completion of the works, written confirmation must be provided to the Local Authority that the statue and statue base have been formally entered as accessioned artefacts in the Bristol Museums collection.

Reason: To ensure the public benefits of development are secured in their totality.

Prior to the Completion of the works, a management plan for the display and interpretation of the statue and statue base as part of Bristol Museums collections should be submitted to the Local Authority and approved in writing.

Reason: To ensure the public benefits of development are secured in their totality.

Development must be fully implemented within three years of consent.

Reason: To ensure the public benefits of development are secured in their totality.”

Arrangements for handling heritage applications Direction 2021

As noted above, notification of the application has been given to Historic England and the National Amenity societies. Based on the proposals, the comments received and noting the requirements of Arrangements for handling heritage applications Direction 2021, it is not considered that there is a need to refer the application to the Secretary of State.

EQUALITIES ASSESSMENT

The public sector equalities duty is engaged through the public body decision making process.

Section 149 of the Equalities Act 2010 provides that a public authority must in the exercise of its functions have due regard to:-

- (a) eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Act
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) foster good relationships between persons who share a relevant characteristic and those who do not share it.

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.

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024
Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

Officers have had due regard to the Public Sector Equality Duty contained in the Equality Act 2010 when making the assessment set out in this report.

An Equalities Impact Assessment has been undertaken in relation to this decision which has been reviewed by the Council's Equality and Inclusion Team. The Assessment considers whether the proposal would have any potentially adverse impacts on people based on their protected or other relevant characteristics. Disproportionate impacts on those with protected characteristics has not been indicated by the Assessment. The Assessment considers that the proposal would have the potential to create benefits in terms of advancing equality of opportunity between people who share a protected characteristic and those who don't, and also through the fostering good relations between people who share a protected characteristic and those who don't. It would also enable opportunity for a wide variety of people to learn about the history of Bristol through the display of the statue in the M Shed with associated accessible material.

RELEVANT POLICY

The following are considered to be relevant:

National Planning Policy Framework (NPPF) – December 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)

Other relevant documents/guidance:

Written Ministerial Statement by The Secretary of State for Housing, Communities and Local Government "Planning and Heritage: Historic Statues, Plaques, Memorials and Monuments" Monday 18 January 2021

Historic England: Checklist to Help Local Authorities Deal With Contested Heritage Decisions

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

COMMUNITY ENGAGEMENT

Community consultation is not a formal requirement for non-major applications for Listed Building Consent such as this.

By way of background, the applicant has however referred to the public consultation that has been undertaken relating to the proposal, and in a section headed "Statement of Community Involvement" contained within the submitted "Heritage and design statement" a summary of the key results from the History Commission's work has been provided.

The applicant submits that the approach for both the statue and plinth as set out by the application is the result of an extensive city wide consultation as detailed in 'The Colston Statue what next?' History Commission Report. The 'We Are Bristol' History Commission was set up in September 2020 by Marvin Rees, Mayor of Bristol, after the pulling down of the statue of Edward Colston in the summer.

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024

Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

In the summer of 2021, the 'We are Bristol' History Commission consulted with the public about the future of the Colston statue and the Colston plinth. People had a chance to see the statue and learn about its history in a temporary display at the M Shed museum, as well as view the display online. Alongside the display was a survey that invited people from Bristol and beyond to share their views on a number of questions.

This survey was a chance for people to help to decide what happens to the statue and plinth. The Mayor asked the History Commission to review the consultation and offer a number of recommendations in the light of it. The 'We are Bristol' History Commission Full Report titled The Colston Statue: What Next? summarizes the findings and also suggests what might happen next.

The applicant submits that key results from this consultation relevant to this application were that:

- 80% of respondents agreed that the statue should be displayed in a museum
- 70% agreed that a new plaque should be added to the plinth
- 14,000 people responded to the consultation from a good representative sample of the city population, over 50% of whom were from BS postcodes (History Commission short report pages 10-15)

KEY ISSUE

IS THE HARM TO THE SIGNIFICANCE OF THE GRADE II LISTED BUILDING ACCEPTABLE?

Legislation and Policy

Under the Planning (Listed Buildings and Conservation Areas) Act 1990, listed building consent from the local planning authority is required for the removal or alteration of a statue, plaque, memorial or monument which is designated as a listed building, or which forms part of a listed building, where it affects the special historic or architectural character of the listed building.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant listed building consent for any works 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.

There is also a general duty in respect of conservation areas when exercising planning functions under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

Bristol Core Strategy (2011) Policy BCS22 seeks to ensure that development proposals safeguard or enhance heritage assets in the city with Policy DM31 in the Site Allocations and Development Management Policies (2014) expressing that alterations to buildings should preserve or enhance historic settings. Policy BCS21 also requires new development in Bristol to deliver high quality urban design and sets out criteria to measure developments against including the need for development to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness.

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024

Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

Policy DM26 more specifically states that the design of development proposals should contribute towards local character and distinctiveness by responding appropriately to the height, scale, massing, shape, form and proportion of existing buildings, building lines, skylines and roofscapes. Policy DM27 further expresses that the layout, form, pattern and arrangement of streets, buildings and landscapes should contribute towards to creation of quality urban space and that the height, scale and massing of development should be appropriate to the immediate context, site constraints, character of adjoining streets and spaces and setting. Policy DM30 further states that any extensions and alterations to existing buildings should respect the siting, scale, form, proportions, materials and overall design and character of the host building and broader street scene. DM30 further states that extensions should be physically and visually subservient to the host building, including its roof form.

Section 2 of the NPPF sets out the aim of achieving sustainable development and Paragraph 8 describes three overarching objectives for the planning system. These objectives are as follows:

- an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure
- a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following assessment of the proposed works has been undertaken having regard to Section 16 of the NPPF, "Conserving and enhancing the historic environment".

Paragraph 195 of the NPPF states that heritage assets (including sites and buildings of local historic value to those of the highest significance) 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."

What is the Significance of the Heritage Asset? (Paragraphs 200 and 201 of the NPPF)

When determining applications affecting heritage assets, the NPPF requires through Paragraph 200, that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

The NPPF defines "significance" as "the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence but also from its setting".

The applicant has submitted a Heritage and Design Statement. This includes information regarding historic significance of the specific asset, which is the statue and plinth. This is considered to be sufficient to understand the potential impact of the proposal on the asset's

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024
Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

significance. The information provided by the applicant regarding significance is provided in three sections: Edward Colston; The statue; Significance following 7th June 2020.

The applicant has set out the following in relation to the significance of the asset following 7th June 2020:

“The actions in June 2020 has caused a high degree of harm to the asset’s significance. The direct connection between the statue and the plinth as well as the statue’s setting within the College Green Conservation Area adjacent to several other designated monuments has obviously now been lost.

However, the events of 7th June 2020 reached a global audience bringing international recognition to Bristol, Edward Colston, contested heritage in general and wider injustices.

The now fallen statue and empty plinth are monuments to an international story about enslavement, misguided Victorian commemoration, and modern reactions to injustice.

However, the historic significance of both statue and plinth has now arguably increased. They will always be connected with the moment the statue commemorating a man who had direct connections with the enslavement, torture and death of thousands of people was torn down by demonstrators.

In the weeks and months since, the plinth and surrounding public realm has become a dynamic space, being the focus of conversations and interventions such as the Jen Reid statue and other temporary pieces.”

Paragraph 201 of the NPPF states that Local planning authorities should “identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”

In addition to the above, the Listing Description notes that the statue of Edward Colston is designated at Grade II for the following principal reasons:

- “A handsome statue, erected in the late C19 to commemorate a late C17 figure; the resulting contrast of styles is handled with confidence
- The statue is of particular historical interest, the subject being Edward Colston, Bristol’s most famous philanthropist, now also noted for his involvement in the slave trade
- Group value with other Bristol memorials: a statue of Edmund Burke, the Cenotaph, and a drinking fountain commemorating the Industrial and Fine Art Exhibition of 1893”

The Conservation comments also refer to Historic England’s guidance regarding significance and heritage values, which includes: evidential value, historic value, aesthetic value, and communal value. This analysis can be read in full above, however they conclude that “whilst the aesthetic value has been significantly impacted, and the traditional historic and evidential

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024

Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

values altered, the actual historic significance of the statue and plinth have been increased through the actions of 2020 regardless of its current state.” Insofar as the impacts on the Conservation Area are concerned, the Conservation comments note that the proposal would have the potential to impact the character of the City and Queen Square, and College Green Conservation Areas. In particular the group value of the collection of Listed civic monuments along the Centre would also have their setting impacted.

Historic England have also commented on the significance of the asset. This can also be read in full above, and they have concluded that “the significant of the Colston monument, in the language of the NPPF, lies in its artistic and historic interest, both of which are considerable.”

Also of note are the views of the Inspector in their consideration of the non-determination appeals for the Jen Reid temporary art installation (appeal references APP/Z0116/W/20/3260461 and APP/Z0116/Y/21/3269256), where the Inspector noted that the significance of the asset was artistic and historic.

Taking into account the description of significance provided by the applicant and the available evidence and expertise relevant to this application for listed building consent, it is considered that the Local Planning Authority has sufficient information to identify and assess the particular significance of the heritage asset and to take this into account when considering the impacts. This significance is considered to be principally artistic and historic, with the historic significance of the statue and plinth having been increased.

Assessment and Potential Mitigation

Historic England have advised that legally, the statue of Colston and its plinth remain intact and in situ, and as such this is the correct starting point in planning terms. This is also the approach that the Inspector took in considering the non-determination appeals for the Jen Reid temporary art installation.

Regard must also be had to Paragraph 202 of the NPPF which states “Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.”

The toppling of the statue from the plinth is considered to be evidence of damage having regard to the wording of the above paragraph, so the deteriorated state cannot be taken into account by the Local Planning Authority in the decision. As Conservation note however, this creates something of a paradox, where a degree of historic significance of the asset may now arise from its effective separation. Whilst the NPPF states that the deteriorated state cannot be taken into account in the decision, Conservation also note it does not appear to preclude that evidence of damage having increased the heritage significance or the assessment of that significance as part of assessing against the tests of the NPPF.

Paragraph 205 of the NPPF states “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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024

Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

Accordingly, the Local Planning Authority must give great weight to the asset's conservation when considering the impact of the proposal on the significance of the heritage asset and undertaking the assessment that now follows.

Is there harm posed to the significance of the Listed Building by the works? (Paragraph 206 of the NPPF)

The applicant submits that the harm arising from the proposal would be less than substantial harm.

They have noted in their supporting statement that the NPPF states that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

The applicant considers that a high degree of harm to the statue and plinth has already occurred as a result of the events of June 2020. Their view is that the significance of the asset has not been entirely lost and in some aspects, such as historic interest the asset's significance has increased, as detailed above.

The applicant further advises that the museum has recovered and placed the statue in its stores. A condition survey and conservation work to the statue has taken place as set out in the accompanying documents. The applicant states that the museum's 'Collections Care & Preservation Policy and Strategy' will ensure that no further harm comes to the statue and this care extends to any display of the artefact.

The applicant also acknowledges that the proposed plaque on the plinth will impact on the character and appearance of the grade II listed asset and will cause a level of harm to the asset. The size of the plaque has been kept to the minimum required to neatly cover the existing damage to the stonework and the materials have been chosen to complement the aesthetic of the statue and its pedestal.

Having regard to the comments received from Bristol City Council's Conservation team and Historic England, it is clear that there is some difference of view from consultees as to the level of harm to the significance of heritage asset that would occur as a result of the works. Based on the comments received this appears to have arisen in part due to the extent to which the events of June 2020 are considered to have affected the significance of the asset, having regard to the different types of interest described by the NPPF and the Historic England Guidance.

The Council's Conservation team considers that the harm to significance is "not of a substantial degree", and so would be less than substantial harm in the terms of the NPPF. The Council's Conservation team have commented that "certain of the heritage values underpinning significance would be harmed by the proposed development, others sustained and enhanced. Conversely, should development be refused, the heritage values would be harmed in other ways. However, the statue is an integral and key component of the Listed building and its removal is, on balance, considered to cause harm to significance. The proposals to protect the statue in an alternative location and provide interpretation on the standing plinth help mitigate that harm. Overall, therefore, the harm to significance is not of a substantial degree."

On the other hand, Historic England considers that the harm would be substantial harm in the terms of the NPPF. Historic England have commented that "the removal of the statue of Colston from the monument of which it forms part would severely impair the monument's

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024

Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

significance. The statue is the *raison d'être* of the monument itself. It represents the man the monument commemorates and is the most artistically important part of the whole. The removal of the statue would take away much of the monument's historic and artistic interest. This notwithstanding, the plinth itself would remain of some interest. It is a substantial structure, carefully composed and richly adorned, and is of historic and artistic interest in its own right."

Of relevance to how harm should be viewed are also the conclusions reached by the Inspector in considering the non-determination appeals for the Jen Reid temporary art installation. The Inspector considered the significance of the designated heritage asset, as noted above, and considered that the proposal under consideration in that case, noting it would be for a temporary period and the heritage value of the plinth itself, would result in harm that would be less than substantial.

Having regard to the application and comments received, officers consider on balance that the works would lead to less than substantial harm to the significance of the designated heritage asset.

Has clear and convincing justification been given for the harm? (NPPF para 206):

Paragraph 206 of the NPPF 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."

There is considered to be clear and convincing justification for the harm that would occur. The comments from the Council's Conservation team are considered to address this succinctly:

"It's clear in this instance, that the totality of the public benefits could only be achieved through the removal of the statue to a secure public collection. Allowing the statue to remain on the plinth would expose it to further attack, damage and the risk of provoking further civil unrest. It is no longer possible to protect the architectural and historic interest with the statue and base attached to the plinth. Whilst the approach would usually be 'retain and explain' assets of contested heritage, the now-international profile of the statue and broader understanding of Colston's history in slave trading brought about for the 2020 actions, have focussed negative attention on the celebration of Colston, and retention would be enticement to future acts of a similar violent nature.

The current condition of the bronze casting is very poor. Whilst it's damaged state cannot form part of our decision making, the statue itself cannot continue to form part of the Listed asset as a whole. We are satisfied that, due to the irreparable and Insafe condition of the statue, it would require recasting if it were to remain integral to the plinth. Any replacement of the statue would not have the same heritage value as the original Victorian casting, even if the appearance could be replicated. With a facsimile in place of the original, the original integrity could not be fully restored. The replacement would remain provocative, the target of vandalism and antisocial behaviour, and the potential focus of civil unrest. A statue of Colston remaining on the plinth is not a reasonable expectation."

Do the public benefits of the proposal outweigh the less than substantial harm? (Paragraph 208 of the NPPF)

Where works would lead to less than substantial harm that harm should be weighed against the public benefits of the proposal. Officers consider that less than substantial harm would

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024
Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

be caused to the significance of the listed building and also the Conservation Area. Balanced against this the applicant has identified public benefits.

They submit that the public benefits of providing an improved historic contextual balance to the statue and plinth that addresses this sensitive contested heritage issue outweighs this harm.

To summarise the applicant's justification for the proposals, they consider that placing of the statue in the care of the M Shed museum will ensure its long term preservation. This would be accompanied by contextual information and a new plaque on the Colston avenue plinth. The original plaques would remain in place. The applicant has provided some suggested wording for the new plaque, as follows:

“On 13th November 1895, a statue of Edward Colston (1636 - 1721) was unveiled here celebrating him as a city benefactor. In the late twentieth and early twenty-first century, the celebration of Colston was increasingly challenged given his prominent role in the enslavement of African people.

On 7th June 2020, the statue was pulled down during Black Lives Matter protests and rolled into the harbour. Following consultation with the city in 2021, the statue entered the collections of Bristol City Council's museums.”

The applicant proposes that the new plaque would be cast in bronze and measure 600mm wide by 400mm high and fixed to the pedestal using grouting rods set within mortar joints. It should be noted that Listed Building Consent was granted in November 2018 under application reference 18/03688/LA for the addition of a new bronze plaque to the stone pedestal which was of similar dimensions.

The applicant also submits that “Any reinstatement [of the statue] would cause additional upset and disgust and potentially lead to further public order and health and safety risks as well as damage community cohesion.”

In a Written Ministerial Statement made to Parliament on 18 January 2021, the then Secretary of State for Housing, Communities and Local Government, stated about statues and monuments that “decisions to remove any such heritage assets owned by a local authority should be taken in accordance with its constitution, following consultation with the local community and interested parties, and the rationale for a decision to remove should be transparent.” This Written Ministerial Statement is also a material consideration when deciding applications.

As noted above, the approach for both the statue and plinth is the result of an “extensive city wide consultation” as detailed in ‘The Colston Statue what next?’ History Commission Report, the key results from which have been summarised above.

In their comments on this application, Historic England have noted that the report makes clear that opinion, although broadly in favour of the proposals, is also divided. It is noted that the objections received raise concerns regarding this process in terms of the options presented, but this is considered to be beyond the scope of the assessment of this application.

Historic England however “acknowledge the seriousness with which this exercise has been conducted” and considers that “this approach seems wholly in accordance with the Secretary of State's requirement that councils consult communities when considering such

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024

Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

proposals.” Officers consider that the History Commission’s Report should be given significant weight and that the aims of the Written Ministerial Statement appear to have been met.

Whilst the Council’s Conservation team consider that there would be an overwhelming degree of public benefit associated with the proposal and note specifically that the proposal would minimise the potential for criminal damage and vandalism of the listed structure, and that greater community cohesion would be encouraged and relationships repaired.

They also comment that the statue would form part of a secure accredited museum collection with enhanced conservation requirements, where people have the option to view it should they choose to. The proposals would also provide opportunity for interpreting contested heritage through the retention and contextualisation of the plinth with a new plaque, and the further explanation of the heritage significance as part of museum collections.

They consider that the enhanced interpretation of statue and plinth would have an additional heritage benefit, where the international significance of statue and plinth could be greatly enhanced. They also comment that there would be economic benefits associated with tourism, although it would be difficult to quantify this benefit, along with the costs that may be incurred associated with the damaged condition of the statue.

There is therefore considered to be clear and convincing justification for the harm. This harm would be less than substantial harm and this has harm has been weighed against the public benefits of the proposal as required by Paragraph 208 of the NPPF. Great weight has also been given to the asset’s conservation when considering the impact of the proposal on the significance of the heritage asset.

Returning to the aims of achieving sustainable development as set out in Section 2 of the NPPF, it is considered that the social objective of supporting communities’ health, social and cultural well-being would be central to the public benefits that would be achieved. Environmental objectives would also be met of protecting and enhancing our built and historic environment.

Paragraph 204 of the NPPF states “In considering any applications to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal.” This can be summarised as ‘retain and explain’. The Local Planning authority must have regard to the importance of this in determining this application.

Whilst the applicant submits that this will address the ‘retain and explain’ requirements of this paragraph of the NPPF, it is considered that the proposal would conflict with this paragraph, as the statue would be moved from the plinth and put on display in the M Shed museum with accompanying contextual information however combined with a proposed new plaque on the plinth. Whilst the applicant has set out some suggested wording for this, which it is expected would be confirmed outside of the planning process, it is recommended that the final details are to be secured by condition to ensure these can be considered.

Regard has been had to the importance of the retention of the statue in situ together with the plinth, however when also considering the great weight required in the conservation of designated heritage assets and the substantial public benefits mentioned above, it is considered that the addition of a new permanent plaque installed on the plinth is appropriate

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024
Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

in the circumstances in terms of contextualising the empty plinth the fallen statue, noting other the public benefits associated with the proposal.

Assessment to be undertaken if the proposal is considered to constitute Substantial Harm

Should the Committee be of the view that the harm to the heritage asset would be substantial harm in the terms of the NPPF, Paragraph 207 would apply. This states the following:

“Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- (a) the nature of the heritage asset prevents all reasonable uses of the site; and
- (b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- (c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- (d) the harm or loss is outweighed by the benefit of bringing the site back into use.”

It is important to note that this test requires consideration to be given as to whether the substantial harm is necessary to achieve substantial public benefits that outweigh that harm.

Conclusion

It is therefore concluded that the public benefits would outweigh the less than substantial harm posed. In reaching this conclusion, officers have given great weight to the heritage asset’s conservation, that is, the sustaining and enhancing of its significance.

The public benefits are considered to outweigh the less than substantial harm. There is clear and convincing justification for the harm.

The proposal is therefore considered to be in accordance with the requirements of the NPPF, Bristol Core Strategy (2011) Policy BCS22 which seeks to ensure that development proposals safeguard or enhance heritage assets in the city, with Policy DM31 in the Site Allocations and Development Management Policies (2014) expressing that alterations to buildings should preserve or enhance historic settings.

The statutory provisions of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states that in considering whether to grant listed building consent for any works 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. Have also been taken into account and are considered to have been compiled with.

Returning to the general duty to under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which relates to duty in respect of conservation areas when

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024
Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

exercising planning functions, special attention has also been paid to the desirability of preserving or enhancing the character or appearance of that area and the public benefits would outweigh the less than substantial harm posed.

It is therefore recommended that Listed Building Consent be granted. Conditions are recommended regarding the implementation of the proposed works.

RECOMMENDATION

Grant Subject to Conditions

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

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

2) Prior to installation of the plaque, the following detailed drawings shall be submitted to the Local Authority and approved in writing:

- a) 1:5 section and elevation drawings of the proposed plaque showing it's intended materials, profiles, design, fixings, typeface, and wording
- b) 1:10 elevation detail of the plinth showing the location of the proposed plaque and its fixings

The plaque shall be installed no later than 12 months from the date of the statue and base going on display as part of the Bristol Museums collections, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the architectural and historic interest of the Listed structure and the special character of the Conservation Area and to ensure the public benefits of development are secured in their totality.

3) Prior to completion of the works, written confirmation must be provided to the Local Authority that the statue and statue base have been formally entered as accessioned artefacts in the Bristol Museums collection. The statue and base shall be retained as accessioned artefacts unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the public benefits of development are secured in their totality.

4) Prior to the completion of the works, a management plan for the display and interpretation of the statue and statue base as part of Bristol Museums collections should be submitted to the Local Authority and approved in writing. Once approved, the management plan should be fully implemented unless otherwise agreed.

Reason: To ensure the public benefits of development are secured in their totality.

5) List of approved plans and drawings

The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision.

SUPPORTING DOCUMENT – FOR INFORMATION

Copy of Report to Development Control Committee B – 21 February 2024

Application No. 23/04315/LA : Statue of Edward Colston, Colston Avenue, Bristol, BS1 4UA

Colston Statue Location Plan, received 7th November 2023

M Shed Location Plan, received 7th November 2023

Heritage and Design Statement, May 2023, received 7th November 2023

Bristol Museums & Art Gallery Condition Report, received 7th November 2023

Bristol Culture Collection Care and Preservation Policy & Strategy 2017-2022, received 8th February 2024

Colston Statue Treatment Report, received 8th February 2024