

Development Control A Committee Agenda



Date: Wednesday, 5 April 2017

Time: 6.00 pm

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

Distribution:

Councillors: Lesley Alexander (Chair), Fabian Breckels (Vice-Chair), Stephen Clarke, Mike Davies, Kye Dudd, Steve Pearce, Jo Sergeant, Clive Stevens, Chris Windows, Mark Wright and Harriet Bradley

Copies to: Zoe Willcox (Service Director - Planning), Gary Collins, Stuart Langer, Susannah Pettit, Laurence Fallon and Rachael Dando

Issued by: Jeremy Livitt, Democratic Services

City Hall, PO Box 3167, Bristol BS3 9FS

Tel: 0117 92 23758

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

Date: Monday, 27th March 2017



Agenda

1. Apologies for Absence and Substitutions

(Pages 5 - 6)

2. Declarations of Interest

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

3. Minutes of the previous meeting

6.05 pm

To agree the minutes of the last meeting held on 22nd February 2017 as a correct record.

(Pages 7 - 15)

4. Appeals

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

(Pages 16 - 22)

5. Enforcement

To note recent enforcement notices.

(Page 23)

6. Public Forum

Up to 30 minutes is allowed for this item

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

Questions - Written questions must be received 3 clear working days prior to the meeting. For this meeting, this means that your question(s) must be received in this office at the latest **by 5pm on Thursday 30th March 2017.**



Petitions and Statements - Petitions and statements must be received on the working day prior to the meeting. For this meeting this means that your submission must be received in this office at the latest **by 12 Noon on Tuesday 4th April 2017.**

Please note, your time allocated to speak may have to be strictly limited if there are a lot of submissions. This may be as short as one minute.

7. Planning and Development

Please note the following applications for consideration at this meeting.

(Page 24)

- a) Planning Application Numbers 16/05329/F and 16/05330/LA - Former Gas Works (West Purifier House), Lime Kiln Road**

(Pages 25 - 63)

Erection of Building To Provide Residential Accommodation (Class C3), Associated Parking, Landscaping and Boundary Treatment, Internal and External Alterations to West Purifier House

- b) Application Number 16/04561/F - Linear Park, Avon Street, Bristol**

(Pages 64 - 113)

Erection of a 8-11 storey building comprising 255 no. residential units, 536 sq metres of flexible commercial / community floor space (Use Classes A1, A2, A3, A4, B1a, D1 or D2) at ground floor level, basement car park and associated development, including access, landscaping, bin storage and cycle parking. (Amendment to planning permission 14/03133/F) – Major Application

8. Date of Next Meeting

The next meeting is scheduled for 2pm on Wednesday 17th May 2017.



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.

You can also inspect papers at the City Hall Reception, College Green, Bristol, BS1 5TR.

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 and be available in the meeting room one hour before the meeting. Please submit it to democratic.services@bristol.gov.uk or Democratic Services Section, City Hall, College Green, Bristol BS1 5UY. 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 **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, 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. This information will also be made available at the meeting to which it relates and placed in the official minute book as a public record (available from Democratic Services).

We will try to remove personal information such as contact details. 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. Public Forum statements will not be posted on the council's website. Other committee papers may be placed on the council's website and information in them may be searchable on the internet.

Process 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.

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) 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.



Bristol City Council Minutes of the Development Control A Committee



22 February 2017 at 2.00 pm

Members Present:-

Councillors: Lesley Alexander (Chair), Harriet Bradley, Stephen Clarke, Mike Davies, Kye Dudd, Steve Pearce, Jo Sergeant, Clive Stevens and Mark Wright

1. Apologies for Absence and Substitutions

Apologies received from –

- (a) Councillor Breckels, substituted by Councillor D Alexander;
- (b) Councillor Windows, no substitution.

2. Declarations of Interest

Declarations received –

- (a) Agenda item 7 (d) - Councillor Clarke non pecuniary interest as member of the Port authority and confirmed would not take part for this item;
- (b) Agenda item 7 (d) - Councillor D Alexander non pecuniary interest as member of the Port authority and that he had expressed views on the Application in his Ward. Councillor D Alexander confirmed that he had submitted a statement for the Committee's consideration and would not take part for this item;
- (c) Agenda item 7 (d) - Councillor Sergeant non pecuniary interest as a Ward member but confirmed that she had not made a judgement on the Application so would take part in the consideration of the Application;
- (d) Agenda item 7 (a) - Councillor Davies non pecuniary interest, as his employer (Thangam Debonnaire MP for Bristol West) had made comments on the Application, but confirmed that he had not made a judgement on the Application so would take part in the consideration of the Application.

3. Minutes of the previous meeting



The Minutes of the last meeting held on 11th January 2017 were agreed as a correct record.

4. Appeals

The Service Manager, Development Management updated the Committee -

Item 5 – appeal was written representation but Planning Inspectorate now wanted an Informal Hearing; Items 29 – 34 appeals were associated with an application to DC B Committee but Change of Use was allowed even though application subject to DC B decision was already being implemented. A partial award of costs was granted against the Council because the refusal reason concerning ventilation could have been dealt with by Condition.

5. Enforcement

The report was noted.

6. Public Forum

Members of the Committee received public forum statements in advance of the meeting. The Statements were heard before the application they related to and were taken fully into consideration by the Committee prior to reaching a decision. *(A copy of the public forum statements are held on public record by Democratic Services democratic.services@bristol.gov.uk).*

7. Planning and Development

8. Application Number 15/06400/F - Former Chocolate Factory, Greenbank Road, Easton Bristol BS5 6EL

Members were reminded that this application had been deferred by the Development Control Committee (A) meeting on 30 November 2016, after concerns had been raised about the level of affordable housing provided on the site and the highway impacts with regard to parking and traffic. Two reasons for deferral had been put forward namely –

(A) Further consultation with local stakeholders about the need for more affordable housing on the site including discussions about:

- (i) the possibility of a trade-off between the need for retaining the existing buildings and provision of further affordable housing on the site;
- (ii) further analysis of the viability appraisal reports used in the assessment process as appropriate;
- (iii) negotiations with the developers about the mix of uses on site and potential flexibility with the site allocation policy;



(B) Further discussions with the developers about parking and traffic.

The Service Manager, Development Management explained that the Applicant had submitted an appeal against non-determination to the Planning Inspectorate including an application for costs against the Council. This meant that the application would now be decided by the Secretary of State for Communities and Local Government via the Planning Inspectorate. The Council was now required to put forward, to the Planning Inspectorate, reasons on which the Planning application, would have been refused, if a decision had been taken by the DC (A) Committee. This would assist the Planning Inspectorate to assess the merits of the application and reach a decision on the Appeal.

The Committee was advised that having regard to the specific issues and conclusions raised at the November meeting (which included a detailed professional assessment of scheme viability) there would be no reasonable planning case to be made regarding refusal of this application on the viability of delivering additional affordable housing on the site or on parking and traffic grounds.

The Committee was strongly advised that it should now focus on limiting the Council's potential financial exposure in this situation. Additional costs would be incurred in appointing consultants to prepare the Council's written appeal statement and to prepare further evidence regarding viability. The Appellant would also prepare further evidence as a rebuttal to anything that the Council puts forward and, bearing in mind the existing application for costs, there was a high risk that the Council might have to cover all of the costs.

During the ensuing debate members of the Committee expressed their serious concern about the 'Planning system' that put the Council in a difficult position due to financial costs being awarded against it. Various ideas and suggestions were put forward by members in order to find an acceptable solution but it was ultimately realised that the law and policy as it currently stood barred any of the ideas from reaching an acceptable fruition.

It was recognised that this particular problem was a wider issue than this individual application and that policy relating to affordable housing and viability would have to be reviewed and significant changes made in order to mitigate the situation the Committee currently faced.

It was subsequently moved and seconded that if the Committee had the power to determine the Application that permission be granted.

On the motion being put to the vote there were 7 in favour and 3 against.

Resolved –

1. That if the Committee had the power to determine the application it would have GRANTED planning permission, subject to the obligations (including the delivery of 6



affordable units) set out in the report to committee on 30th November 2016 and the associated Amendment Sheet, to be secured by an agreement or undertaking under s106 of the Town & Country Planning Act 1990, and all of the proposed conditions;

2. That the Head of Development Management be authorised to advise the Planning Inspectorate of this resolution and that the Council does not intend to defend the Appeal.

9. Application Number 16/03029/F - Somerset House, 18 Canynge Road, Bristol BS8 3JX

Members were reminded that this application had been deferred following consideration at the Development Control Committee A meeting which took place on 19 October 2016. At the meeting, Members had raised a number of concerns which were discussed, and initially 7 reasons for deferral were put forward as a motion and seconded.

These were as follows:

- (a) the site was an unsustainable location for housing;
- (b) the impact of the design in a conservation area;
- (c) loss of employment;
- (d) impact on car parking;
- (e) loss of light;
- (f) loss of privacy;
- (g) loss of Yew tree on site.

The vote to defer the application on these 7 grounds was lost, and instead 2 reasons for deferral were put forward, as follows:

- (a) the design of the proposals in terms of their location in a conservation area, and their scale, given the context;
- (b) loss of the plane tree on site;

The Committee resolution was that these issues should be looked at by the applicant and by officers before being brought back to Committee in a revised form for a decision.

The Applicant subsequently notified planning officers on 4 January 2017 that they had submitted an appeal against non-determination to the Planning Inspectorate but had not included an application for costs.

The Committee was informed that there were grounds for refusal and it was proposed that the Council would put forward its case at the Appeal. A consultant would be appointed to present the Council's case.

During the debate the following points were considered/made –

1. The Council could choose not to defend its decision;



2. If the Appeal went ahead the Committee would need to define its reasons for refusal;
3. The costs relating to an appointment of a consultant were significant and for a hearing could be in the region of £30k-40k;
4. The chance of success at the Appeal was around 50%/50%;

After further consideration it was moved and seconded that the case be not defended at the Appeal.

On the motion being put to the vote there were 6 in favour and 4 against.

Resolved –

- 1. That if the Committee had the power to determine the application it would have GRANTED planning permission, subject to the conditions set out in the report to committee on 19th October 2016 and the associated Amendment Sheet;**
- 2. That the Head of Development Management be authorised to advise the Planning Inspectorate of this resolution and that the Council does not intend to defend the Appeal.**

10 Application Number 16/00828/F - O + M Sheds, Welsh Back, Bristol BS1 4SL

Members were reminded that this application had been considered at the Development Control Committee A meeting on 19 October 2016. Arising from a number of concerns the Application had been deferred for the following reason:

‘A decision on the application be deferred for the proposals to be amended to accommodate the existing residential mooring, including removal of the proposed walkway and outdoor seating on the harbour side of the site, plus ensuring that the windows on this elevation are obscurely glazed.’

The Committee was advised that this application was not subject to an appeal and could be determined on its own merits emphasising that the houseboat issue was not a planning matter and for that reason the officer recommendation was for approval.

Arising from the debate the following points were made/considered –

1. Bristol City Council was the land owner of the development site and the harbour authority, the Committee had to act outside of these roles as the Local Planning Authority;
2. In order to protect amenity the houseboat would need to be relocated and, in its Local Planning Authority role, the Committee could secure this through a ‘negative’ condition that would prevent the development from taking place whilst the houseboat remained;
3. A point was raised about the Council having conflicting interest as landowner in relation to the removal of the houseboat. The Committee was advised that this issue was not a material planning consideration;



4. Bat activity on the site had not been confirmed but a condition to protect any bat conservation issues had been included as part of the permission;
5. Questions were raised about the difference between use classes A3 (café / restaurants) and A4 (drinking establishments) and the differing effects on local residents. The committee were informed that suitable controls were in place to prevent a change of use from A3 to A4 without planning permission, although sometimes the boundaries between the two uses could be blurred;
6. If the Application was refused the Applicant would have the right to appeal;
7. The site was not allocated for housing in the adopted Central Area Plan. Overall, the Bristol Local Plan already included sufficient allocated housing sites to meet the housing need identified in the Core Strategy, although this overall objective was being assessed through the emerging Joint Spatial Plan which in itself would trigger a review of the Bristol Local Plan. The Committee had to determine this application in accordance with the currently adopted development plan. In addition, the recently published Government white paper on housing acknowledged that future development was not all about housing, it was about creating places that included supporting uses such as the ones being proposed by this application;

After further consideration it was moved and seconded that the Application be refused on the following grounds –

1. The development would have a significant impact on the historic use of the Quayside by large boats;
2. The development would harm the amenity of local residents;
3. The development would provide potential for anti-social behaviour;

On the motion being put to the vote there were in 5 favour, 3 against and 2 abstentions.

Resolved –

That permission be refused for the following reasons –

1. **The development, particularly the cantilevered decking, would compromise the historic setting of the Harbour;**
2. **The development would impede the historic use of the quayside, which is the residential mooring of large boats;**
3. **The development would result in harm to the amenity of local residents.**

11 Application Number 16/05322/F - Land Adjoining Berth T and Graving Dock Royal Edward Dock Bristol

(Councillors D Alexander and S Clarke did not take part in the debate or decision for this application)

The Committee was advised that this application had received an 'advise against' recommendation (objection) from The Health and Safety Executive, however it was considered that draft conditions set out



in the report would overcome the issues that had been raised. As approval of the application was technically against the HSE's advice it was considered that the Committee should make the final decision to allow for further scrutiny and discussion.

The recommendation also requested delegated authority that if, prior to the city council issuing the decision notice, further information is received which provides suitable additional information relating to the conditions below, that the conditions be varied to take account of this prior to the issuing of the decision notice. Any variation must be approved by the Development Management Service Manager.

During the discussion the following points were made/considered –

1. Enforcement of the Conditions would not be done proactively as the Compliance officer posts were recently deleted as part of the Corporate Strategy savings plan, however there was still a reactive enforcement function that would investigate if complaints were received;
2. Deliveries of materials to the site would be by boat or rail, not lorries;
3. There was no requirement for a condition regarding explosive storage as this was covered under separate health and safety law and regulations;
4. That a condition to be added to monitor air quality and the noise monitoring should take account of tonality & impulse.

It was moved and seconded that the Application be approved.

On being put to the vote the Committee was unanimously in favour.

Resolved –

1. **That permission be Granted subject to the Conditions as set out in the report and the Amendment sheet, with delegated authority for the conditions to be updated prior to issuing the decision subject to the receipt of new suitable information, with prior agreement of the Development Management Service Manager;**
2. **That a condition to be added to monitor air quality.**

12 Application Number 16/04561/F - Linear Park, Avon Street, Bristol

The Committee was informed that this application was in a key city centre location and emphasised to Members the negotiated proposals, which were now recommended for approval subject to a number of conditions and a section 106 agreement.

It was important to note that the development did not fully comply with a number of policies including affordable housing provision, compliance with the Bristol Temple Quarter Enterprise Zone Spatial Framework, housing mix, public art and sustainability / climate change mitigation. However planning policies did allow for the consideration of viability issues to be set against the relevant policy issues.



A viability assessment had been submitted as part of the application package which clarified that in order to meet all of the policy objectives the development would not be viable. Therefore, officers had sought to negotiate a scheme which achieved a reasonable mix of residential accommodation, including the provision of affordable housing, a fabric first approach in terms of sustainability and a more constrained approach to the public realm works around the site.

Members noted the viability criteria but emphasised their desire for more affordable housing and some questioned giving approval for the scheme. Particular attention was drawn to this issue by a comment made by the applicant, during his public forum comment, that suggested that the construction period was notably shorter than that set out in the submitted viability appraisal. The Planning Obligations Manager suggested that if this was the case, this would have a favourable impact on scheme viability which could potentially increase the amount of affordable housing delivered as part of the proposal. In response to questions from members, the Service Manager - Development Management advised that the Committee could approve the application subject to delegated authority being given to officers to verify the viability aspects in the light of this apparently new information. The delegated authority could be given subject to officers reporting the outcome of this work back to the Chair of the DC A Committee. An extension of time would be sought regarding the legal agreement to facilitate this.

The officer suggestion was accepted but the Committee reiterated its strong support for greater affordable housing provision for future development proposals.

On the Application being put to the vote, there were 9 in favour and 1 against.

Resolved –

- 1. That permission be Granted subject to Conditions and the completion of the S106 planning agreement as set out in the report;**
- 2. That delegated authority be given to the Local Planning Authority to secure the Section 106 planning agreement to finalise the affordable housing provision and report the outcome to the Chair of the DC A Committee.**

13 Application Numbers 16/02964/F and 16/02349/F - (16/02964/F) 16A St Thomas Street, Bristol BS1 6JJ and (16/02349/F) Land Bounded by Redcliff Street, St Thomas Street and Three Queens Lane, Redcliffe, Bristol BS1 6LJ

The Committee was advised that these applications were being brought back to Committee in order to address the issues raised by Historic England (HE) in the submission of a pre-action protocol letter prior to an application for Judicial Review . HE were principally concerned that all the relevant statutory requirements and policy considerations were taken into account. A new Key Issue had been presented including an analysis of the impact of the heritage assets, drawing particular attention to the distinction between nearby listed buildings and the conservation area.



The Officer reported that they undertook an assessment required by Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and gave special regard to the desirability of preserving the heritage assets, their setting and any features of special architectural or historic interests they possess.

It had been concluded that the application proposal would result in harm to the Conservation Area and to listed buildings by virtue of the change in grain and scale of development. Officers have given this harm considerable importance and weight and having undertaken this assessment officers consider that it will not however result in significant harm that would warrant the application being refused.

No amendments had been made to the application proposal brought to Committee on 30 November 2016 and officers maintained their recommendation for approval having regard to all material considerations.

On Applications 16/02964/F and 16/02349/F being put to the vote, there were 9 in favour and 1 against.

Resolved –

That permission be Granted applications 16/02964/F and 16/02349/F subject to Conditions and the completion of the S106 planning agreement as set out in the report.

14 Date of Next Meeting

5 April 2017 @ 6 pm.

Meeting ended at 6.45 pm

CHAIR



DEVELOPMENT CONTROL COMMITTEE A

5th April 2017

REPORT OF THE SERVICE DIRECTOR - PLANNING

LIST OF CURRENT APPEALS

Householder appeal

Item	Ward	Address, description and appeal type	Date lodged
1	Bishopsworth	160 St Peters Rise Bristol BS13 7NE Proposed two storey side extension and loft conversion with roof extension. Appeal against refusal Delegated decision	08/02/2017
2	Stockwood	58 Sturminster Road Bristol BS14 8AA Proposed front dormer. Appeal against refusal Delegated decision	08/02/2017
3	Knowle	8 Beckington Road Bristol BS3 5EB Erection of single storey extension to the lower ground floor with balcony above and insertion of patio doors to rear elevation. Appeal against refusal Delegated decision	20/02/2017
4	Stoke Bishop	49 The Crescent Sea Mills Bristol BS9 2JT A first floor rear extension. Appeal against refusal Delegated decision	22/03/2017

Informal hearing

Item	Ward	Address, description and appeal type	Date of hearing
5	Clifton	Somerset House 18 Canynge Road Bristol BS8 3JX Demolition of three storey office block. Erection of 8no. residential dwellings in two separate blocks with access and egress to Canynge Road. Block one comprises 1 no. 3 bedroom and 2no. 4 bedroom town houses with two dedicated garage parking spaces per dwelling; block two comprises 5no. 2 bed flats with 8no. parking spaces (including 1 no. disabled). Provision of secure refuse and bicycle spaces and associated hard and soft landscaping. Appeal against non-determination Committee	10/05/2017

Public inquiry

Item	Ward	Address, description and appeal type	Date of inquiry
6	Eastville	541-551 Fishponds Road Fishponds Bristol BS16 3AF Demolition of existing warehouse and erection of a freestanding two storey restaurant with associated basement, drive-thru, car parking and landscaping. Installation of 2 no. customer order display and canopy. Appeal against refusal Committee	20/04/2017
7	Central	Old Bristol Royal Infirmary Building Marlborough Street (South Side) City Centre Bristol BS1 3NU Amended proposal Conversion of the Old BRI Hospital building including two upper storey additions and partial demolition to accommodate 6283sqm Office floorspace (Use Class B1) and 4031sqm Medical School (Use Class D1); and part 6, part 7, part 8, part 12, part 14, part 16, and part 20 storey building to the rear for student accommodation (Sui Generis) comprising 738 student bedspaces; communal areas and refurbishment of Fripps Chapel for communal student facility with ground floor commercial use (Use Class A3); associated landscaping, car parking and cycle parking. Appeal against refusal Committee	TBA

Written representation

Item	Ward	Address, description and appeal type	Date lodged
8	Ashley	52 Picton Street Bristol BS6 5QA Enforcement notice appeal for the installation of an external roller shutter and associated shutter housing structure to the front of the property. Appeal against an enforcement notice	08/11/2016
9	Hotwells & Harbour	1 Cathedral Square Bristol BS1 5TP Application for consent to display one halo illuminated sign. Appeal against refusal	25/11/2016
10	Windmill Hill	16 Oxford Street Totterdown Bristol BS3 4RQ Appeal against an enforcement notice for the erection of canopy/porch to front of dwelling. Appeal against an enforcement notice	10/01/2017
11	Redland	Flat 2 54 Gloucester Road Bishopston Bristol BS7 8BH Erection of two storey rear extension to provide a further bedroom. Appeal against refusal	12/01/2017
12	Clifton Down	48-52 Kings Parade Avenue Bristol BS8 2RE Proposed erection of a first floor extension and the creation of a two-bedroom self-contained flat, with alterations at ground floor level including new access and refuse and cycle storage. Appeal against refusal Delegated decision	12/01/2017
13	Westbury-on-Trym	Land To The East Of Wesley College Westbury-on-Trym Bristol Proposed construction of four new residential dwellings with associated access and landscaping. Appeal against refusal Committee	25/01/2017
14	Clifton Down	Hall Floor Flat 4 Eaton Crescent Bristol BS8 2EJ Replace rear, small balcony over garden with a slightly, larger balcony; enlarge present door opening at rear/garden extension onto this balcony. Appeal against refusal	25/01/2017

15	Eastville	351 Fishponds Road Eastville Bristol BS5 6RD Variation of condition 3 (which lists approved plans) of planning permission 15/05979/F (which consented the insertion of a front dormer extension in the roof of each of the 7 properties : 351 -363 Fishponds Road) to increase the size of each dormer. Appeal against refusal Delegated decision	02/02/2017
16	Hengrove & Whitch	1 Cranleigh Road Bristol BS14 9PL Appeal against an enforcement notice for erection of a rear roof dormer extension. Appeal against an enforcement notice	02/02/2017
17	Easton	Shah Jalal Jame Mosque 468 - 470 Stapleton Road Eastville Bristol BS5 6PE The erection of a double sided digital advertising tower with associated logo boxes. Appeal against refusal Committee	03/02/2017
18	Ashley	44 Mina Road Bristol BS2 9XH Proposed rear extension of an existing end-terraced building, currently used as counselling rooms and administration premises for The Green House Charity, alongside external works. Appeal against refusal Delegated decision	03/02/2017
19	Redland	(Telephone Kiosk O/s) 13 The Promenade Bishopston Bristol BS7 8AL Internally illuminated digital panel as integral part of telephone kiosk. Appeal against refusal Delegated decision	10/02/2017
20	Central	Telephone Kiosk Outside 2/4 Fairfax Street Bristol Internally illuminated digital panel as integral part of telephone kiosk. Appeal against refusal Delegated decision	10/02/2017
21	Central	Telephone Kiosk O/s 1 Lewins Mead Bristol Internally illuminated digital panel as integral part of telephone kiosk. Appeal against refusal Delegated decision	10/02/2017

22	Bishopston & Ashl	318 Gloucester Road Horfield Bristol BS7 8TJ Enforcement notice appeal for the erection of structure to rear of property used in association with the commercial ground floor unit. Appeal against an enforcement notice	13/03/2017
23	Eastville	351 Fishponds Road Eastville Bristol BS5 6RD Enforcement notice appeal for front dormer extension built larger than approved by planning permission 15/05979/F. Appeal against an enforcement notice	13/03/2017
24	Bishopston & Ashl	(Garage Site Next To) 2 Brent Road Bristol BS7 9QZ New one-and-part- two storey coach house. Appeal against refusal Delegated decision	15/03/2017
25	Cotham	58 Ravenswood Road Bristol BS6 6BP Retention of existing single-storey side extension with alterations to the roof. Appeal against refusal Delegated decision	15/03/2017
26	Westbury-on-Trym	12 Southover Close Bristol BS9 3NG Application for planning permission for the demolition of existing dwelling; construction of 4no. semi-detached dwellings and associated works, including site levelling [part-retrospective]. Appeal against refusal Delegated decision	15/03/2017
27	Lawrence Hill	16 West Street St Philips Bristol BS2 0BH Conversion of existing fourth floor attic roof space to form single bed apartment, including extension of existing stair from third to fourth floor. Removal of existing upper rear mansard allowing extension of existing lower mansard to adjoin new profile rear mansard roof. Appeal against non-determination	16/03/2017
28	Lawrence Hill	Avonbank Feeder Road Bristol BS2 0TH Proposed installation of low carbon, bio-diesel powered generators and associated infrastructure for the provision of a Flexible Generation Facility to provide energy balancing services via the capacity market for the National Grid. Appeal against refusal Committee	24/03/2017

29	Easton	Former Chocolate Factory Greenbank Road Easton Bristol BS5 6EL Mixed use development comprising conversion of existing remaining buildings (labelled Blocks C, D and F) and erection of new buildings to provide: 135 dwellings (91 apartments; 44 houses) (Blocks A, B, D, E, F, G and terraces); 485 sq m Class B1 floorspace (Block D); 726 sq m of commercial floorspace (Use Class B1/A1/A2) (Blocks B and C); 332 sq m of flexible community/business/health/leisure floorspace (Class B1/D1/D2) (Block C); 412 sq m flexible Class A3 or A4 floorspace (Block D); and associated accesses including a new pedestrian/cycle link onto the Railway Path, parking and landscaping. (Major Application) Appeal against non-determination Committee	24/03/2017
----	--------	--	------------

List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
30	Clifton	19 Royal York Crescent Bristol BS8 4JY Addition to the existing single storey element; external wall insulation and associated works to existing eaves, sill and windows reveals, and installation of double glazed lights and doors. Appeal against refusal Delegated decision	Appeal dismissed 01/03/2017
31	Clifton	19 Royal York Crescent Bristol BS8 4JY Addition to the existing single storey extension; external wall insulation and associated works to existing eaves, sill and windows reveals, and installation of double glazed lights and doors; and associated internal structural and refurbishment works. Appeal against refusal Delegated decision	Appeal dismissed 01/03/2017
32	Clifton	11 Hope Square Bristol BS8 4LX Appeal against a high hedge blocking light and view on boundary with No. 12. Appeal against high hedge	Appeal dismissed 23/02/2017
33	Bedminster	40 Winterstoke Road Bristol BS3 2NW Replacement of existing non-illuminated display with internally illuminated backlight display, Appeal against refusal Delegated decision	Appeal dismissed 28/02/2017

34	Lawrence Hill	199 Avonvale Road Bristol BS5 9SR Two storey rear extension. Appeal against refusal Delegated decision	Appeal dismissed 06/03/2017
35	Central	3-8 Redcliffe Parade West Bristol BS1 6SP Application for variation of condition 13 attached to planning permission 15/04495/F, which approved the refurbishment, including 1970s extension, to provide 30 new homes with associated landscaping and car/cycle parking, in order to limit the size of the proposed privacy screens to a height of "at least 1.5m" above the balcony finished floor levels (Major Application). Appeal against refusal Delegated decision	Appeal allowed 24/02/2017
36	Clifton	4 & 5 Dover Place Cottages Bristol BS8 1AN Conversion of a basement/storage area into 2 no. studio flats and associated external and internal works. Appeal against refusal	Appeal allowed 06/03/2017
37	Clifton	4 & 5 Dover Place Cottages Bristol BS8 1AN Conversion of a basement/storage area into 2 no. studio flats and associated external and internal works. Appeal against refusal	Appeal allowed 06/03/2017
38	Frome Vale	1 Eaton Close Fishponds Bristol BS16 3XL Retention of 8 Bedroom HMO (Sui-Generis) together with installation of windows to the side elevation and cycle and refuse stores. Appeal against refusal Delegated decision	Appeal dismissed 15/03/2017
39	Cotham	12B Cotham Road Bristol BS6 6DR Drop Kerb. Appeal against refusal Delegated decision	Appeal dismissed 09/03/2017
40	Bedminster	29 Argus Road Bristol BS3 3NY Retrospective application for front dormer extension. Appeal against refusal Delegated decision	Appeal dismissed 27/03/2017

DEVELOPMENT CONTROL COMMITTEE A

5th April 2017

REPORT OF THE SERVICE DIRECTOR - PLANNING

LIST OF ENFORCEMENT NOTICES SERVED

Item	Ward	Address, description and enforcement type	Date issued
1	Eastville	310 - 312 Fishponds Road Eastville Bristol BS5 6RA Installation of wooden railings around perimeter of flats roofs resulting in creation of balconies. Enforcement notice	21/02/2017
2	Eastville	351 Fishponds Road Eastville Bristol BS5 6RD Front dormer extension built larger than approved by planning permission 15/05979/F. Enforcement notice	21/02/2017

Development Control Committee A 5 April 2017

Report of the Service Director - Planning

Index

Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Hotwells & Harbourside	Grant subject to Legal Agreement	16/05329/F & 16/05330/LA - Former Gas Works (West Purifier House) Lime Kiln Road Bristol BS1 6UN Erection of building to provide residential accommodation (Class C3), associated parking, landscaping and boundary treatment. Internal and external alterations to West Purifier House and the Engine House to facilitate conversion into 58 residential units (Class C3). Alterations to boundary wall to provide access (Major Application)
2	Lawrence Hill	Grant subject to Legal Agreement	16/04561/F - Linear Park Avon Street Bristol Erection of a 8-11 storey building comprising 255 no. residential units, 536 sqm of flexible commercial / community floor space (Use Classes A1, A2, A3, A4, B1a, D1 or D2) at ground floor level, basement car park and associated development, including access, landscaping, bin storage and cycle parking. (Amendment to planning permission 14/03133/F) - Major Application.

index
v5.0514

Development Control Committee A – 5 April 2017

ITEM NO. 1

WARD: Hotwells & Harbourside **CONTACT OFFICER:** Susannah Pettit
SITE ADDRESS: Former Gas Works (West Purifer House) Lime Kiln Road Bristol BS1 6UN

APPLICATION NO: 16/05329/F Full Planning
 16/05330/LA Listed Building Consent (Alter/Extend)

DETERMINATION DEADLINE: 28 April 2017

Erection of building to provide residential accommodation (Class C3), associated parking, landscaping and boundary treatment. Internal and external alterations to West Purifier House and the Engine House to facilitate conversion into 58 residential units (Class C3). Alterations to boundary wall to provide access (Major Application)

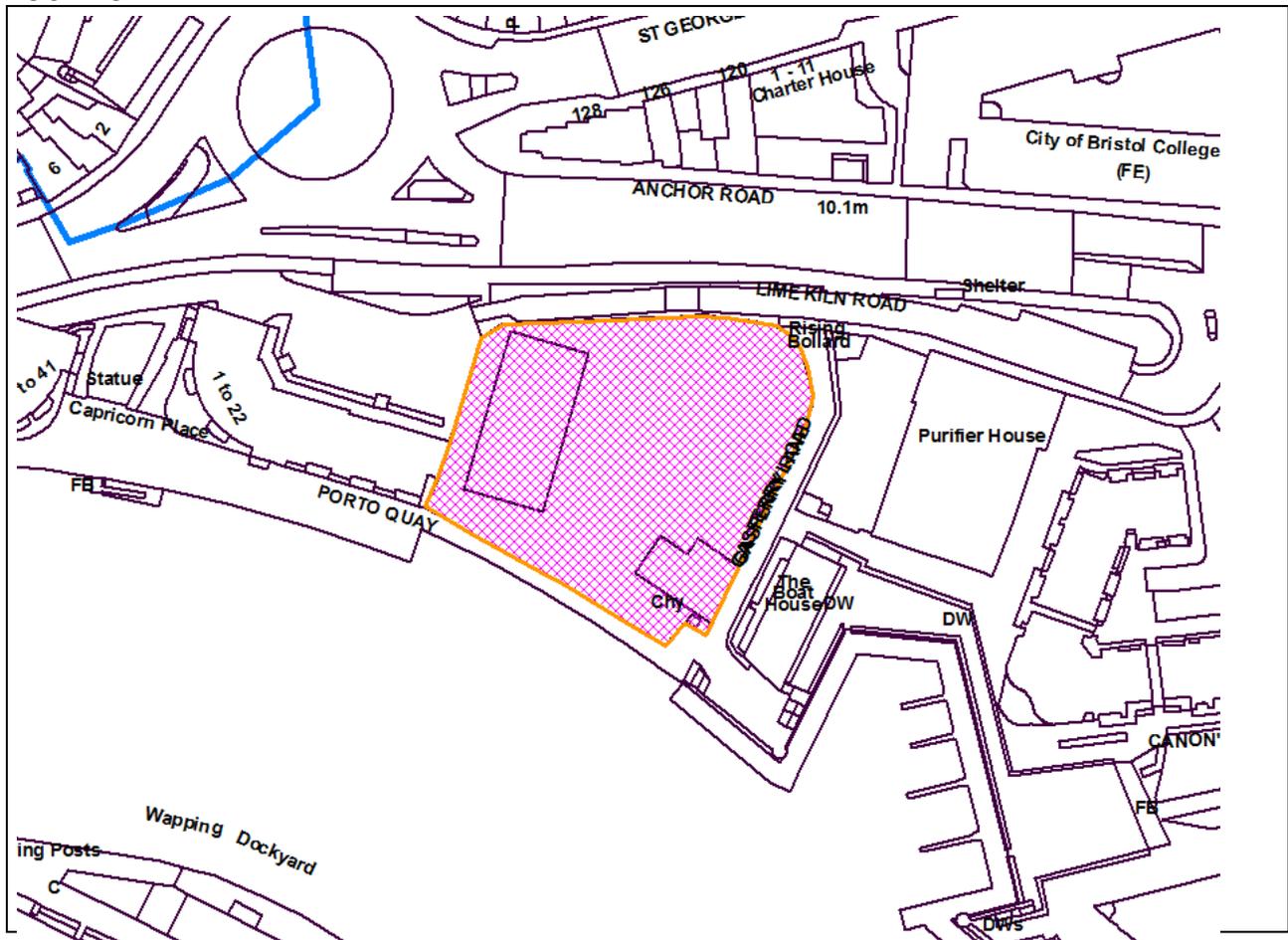
RECOMMENDATION: GRANT subject to Planning Agreement

AGENT: GVA
 St Catherine's Court
 Berkeley Place
 Bristol
 BS8 1BQ

APPLICANT: Square Bay (Anchor) LLP & Anchor Road (Bristol) Ltd
 c/o Agent

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

LOCATION PLAN:



Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifier House) Lime Kiln Road Bristol BS1 6UN****SUMMARY**

This application relates to one of the last remaining pieces of land on the Bristol Harbour side to be developed, which is an allocated site within the Bristol Central Area Plan. It contains several listed buildings (including the West Purifier House). It is being brought to committee for a decision due to the prominence of the site and the level of public interest.

The application proposes a redevelopment of the site to form a purely residential development, which is a change away from the last approval that existed on this site (the Soil Association scheme) which proposed commercial uses (detailed below). This application proposes 58 residential units spread over West Purifier House, a new 6-storey building in the north-eastern area of the site, and two houses in the Engine House. The retention of the iconic chimney is also proposed as well as a landscaping scheme in the centre of the site. The Harbour Walkway (which currently has a temporary tarmac surface) would be re-paved and details of this are included in the application.

Officers have undertaken the required assessments in terms of the scheme's impacts on the heritage assets, and this has been done in the context of an objection from Historic England. The conclusion reached is that the benefit of bringing this site and the listed buildings back into beneficial use, outweighs any harm that would be inflicted on the heritage assets.

A Section 106 agreement, the basis on which permission would be granted, would secure an off-site affordable housing contribution of £364,182, in addition £34,488 towards public transport improvements, and £9,300 towards Travel Plan monitoring. The land-use, design, amenity, transport, sustainability, ecology and flood implications are found to be acceptable and are assessed within the report below.

SITE DESCRIPTION

The site is located on the northern side of the Floating Harbour. The site is approximately 0.4 hectares in size and is bounded to the north by Lime Kiln Close with Anchor Road beyond. To the east is the site of the Grade II Listed East Purifier House and to the west is the residential development known as Capricorn Quay.

The site was formerly used as a gas works and accommodates the Grade II listed West Purifier House and Engine House and is bounded to the east and north by curtilage listed rubble stone walls. The site previously held a large gas holder which has now been removed and the site has become vacant with the listed buildings remaining as building shells only. Some remediation work has already been carried out on the site.

The site is within the Bristol City Centre, City Docks Conservation Area, and Harbourside neighbourhood area.

It is also an allocated site in the Central Area Plan, reference SA103 - Purifier House West, Anchor Road. This is allocated for office/residential development, and the development criteria for the site state that development should:

- Reuse the existing gasworks buildings and integrate other surviving heritage assets such as stone walls and setts into its design;
- Deliver a significantly improved Quayside Walkway to replace the present temporary surface as shown on the Policies Map;
- Provide any vehicular access from Lime Kiln Road;
- Take account of the City Docks conservation area;
- Be supported by a Flood Risk Assessment.

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifier House) Lime Kiln Road Bristol BS1 6UN**

There are four Grade II listed buildings / structures on the site as follows: Retort House; Former Engine House; Former Engine House chimney; Gateway and Boundary Wall around the site, along Gasferry Road (alternatively known as Gasworks Lane).

RELEVANT HISTORY

11/03266/F & 11/03267/LA (Soil Association)

Refurbishment and conversion of West Purifier House to provide commercial floorspace (Class B1), the Engine House (Class A3); erection of four storey building to provide commercial floorspace (Class B1), associated disabled parking, cycle parking, landscaping and boundary treatment.

A number of pre-commencement conditions were also discharged for this development.

Pre-Application Enquiry

A pre-application enquiry (reference 16/02662/PREAPP - for Refurbishment of West Purifier House and Engine House (Grade II Listed) for residential use; erection of new building for residential use; creation of access through boundary wall (Grade II Listed); and associated works, including the provision of parking, landscaping and infrastructure) was dealt with by officers, with formal advice issued on 10 August 2016.

APPLICATION

Planning permission is sought to redevelop the site for 58 residential flats, and would involve the refurbishment and conversion of the Grade II listed West Purifier House and the Engine House, and the construction of a new build block (called Block A) which would be mainly 6 storeys in height, with a 3 storey element fronting Anchor Road towards the north end of the site. The site would also be landscaped and the existing harbourside walkway (which is included within the application site and demarcated by the red line plan) would be upgraded. A new vehicular entrance of 8m wide would be formed in the wall facing Lime Kiln Road, and parking would be available in an undercroft to Block A, for 25no. cars.

PRE APPLICATION COMMUNITY INVOLVEMENT

Due to its size, the application is required to be accompanied by a Statement of Community Involvement. Guidance and good practice examples exist to inform the choice of appropriate methods in order to help ensure effective, efficient, transparent and accountable community involvement. Those responsible for undertaking community involvement are expected to reflect such good practice to ensure inclusive, fair and effective initiatives. Failure to do so may limit the validity and relative credibility of the involvement undertaken.

The applicant prepared a statement of community involvement (dated September 2016) which is summarised below:

i) Process

A large number of stakeholders and organisations were engaged within the process, and these are listed in the document. A number of meetings were held with individuals and organisations, with a public exhibition having taken place on 13 September 2016.

Concerns were raised which related to traffic, but many people liked the architectural style.

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifer House) Lime Kiln Road Bristol BS1 6UN**

ii) Outcomes

The applicant's statement clearly sets out what the responses were to the consultation, and how the scheme was amended to respond to concerns.

The statement concludes that on the whole, there was local support for the redevelopment of the site.

EQUALITIES ASSESSMENT

During the determination of this application, due regard has been given to the impact of the schemes in relation to the Equalities Act 2010 in terms of 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 these particular proposed developments. Overall, it is considered that neither the approval nor refusal of this application would have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

RESPONSE TO PUBLICITY AND CONSULTATION

The application was advertised by letter sent to 919 neighbours on 24.10.2016, a site notice and press advert were also both displayed on 02.11.2016. The 21 day period for comment expired on 23.11.2016.

15 replies were received: 5 in support and 10 objections.

Issues raised are summarised below, and the full responses can be found on the Council's website.

Land Use objections:

- Objection to the proposed residential use of the site due to the proposed density

Amenity objections:

- The development would impact on Capricorn Place in terms of daylight and sunlight, as well as privacy. Some north facing rooms in Capricorn Place are habitable rooms, contrary to what is reported in the developer's Daylight and Sunlight Amenity Study. Additional opaque glazing needs to be proposed to the first floor and dormer windows in Block B's west elevation
- The VSC study is also incorrect as it concludes that none of the windows in Capricorn Place relate to habitable rooms, whereas some do
- Residents in The Boat House would suffer a loss of privacy and a loss of light. Block A would be very close to flats on the north side of The Boat House
- The height and mass would overshadow the East Purifier House

Design and Conservation objections:

- The height and massing of the new building would not be subservient to the historic buildings and would be out of scale and character
- Breath-taking views, particularly from SS Great Britain would be lost

Transport objections:

- It is unrealistic to create a new development with only 29 car parking spaces for this many units
- Lime Kiln Road would not be able to cope with this many extra vehicles as well as construction traffic
- Lime Kiln Road is not safe for the level of vehicular and pedestrian activity that would occur, and has

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifier House) Lime Kiln Road Bristol BS1 6UN**

poor street lighting

- The site access is inadequate and unsafe
- Sight lines from the site (particularly to the west towards Capricorn Place) are inadequate
- Manoeuvrability from the site onto Lime Kiln Road is extremely tight as demonstrated by the swept path analysis
- There appears to be no provision for emergency vehicles or HGVs to access the site, so they would have to wait outside. Similarly, such vehicles would not be able to turn around so would have to reverse up Lime Kiln Road
- The access would function better if it were to be moved to the north-eastern corner of the site
- Any permitted scheme should include the repositioning of the bollards on Gasworks Lane so that they are moved further back to allow vehicles to turn around
- Cars should be able to turn right out of Lime Kiln Road towards the centre, and not have to go through the busy Jacobs Wells roundabout
- The public transport system needs to be improved if this very low number of car parking spaces is to be permitted

Construction objections:

- The buildings should be shrouded during construction to prevent toxic substances from being transferred to nearby residential buildings
- The proposed works could weaken the old wall on (The Boat House's) side of Gasworks Lane as they will be neglected and potentially damaged by construction work

SS Great Britain

- The site was first captured in a Fox Talbot photograph of the SS Great Britain in front of the Gasworks and Brandon Hill in 1884
- The Trust objects to the planning application because of the design, scale and external treatment of the new build block which it considers will seriously damage the local amenity, the character of the Conservation Area, and the setting of the ss Great Britain herself. The building is totally out of character and scale with the listed buildings all around, will diminish their character and setting, and will not enable the historic buildings to stand out as they currently do. The building is a random mixture of materials showing no rhythm and makes no historic reference to its Harbour setting or its immediate neighbours. The massing is all wrong and very clumsy, and the building is significantly taller than it should be to the point that it will detract from the listed buildings all around, and across the water.
- There should be a pitched roof

Bristol Civic Society

The Society supports the long-delayed development of this important derelict site but regrets that it cannot support the proposed design. The cluster of the two purifier sites and Gas Ferry Lane are a major heritage asset. Together with Capricorn Quay the developments relieve the bland Crest Nicholson apartment blocks. The Society supports the construction of a new building to the east of the site.

However, the mass and height of the proposed new building is out of scale with the other buildings in the group. The proposed new building would divide the two halves of the site, which should read as a whole. The 2011 planning permission 11/03266/F is a material consideration as is the design of the completed development of the East Purifier House.

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifier House) Lime Kiln Road Bristol BS1 6UN**

Change of use

If the Council accepts the developer's submission that residential use is more suited to the site than the current undeveloped commercial use, the Society supports that use.

Height and mass

- i. The Grade II listed Purifier House West - The Society supports the proposal to redevelop the listed building if it follows the example of the redeveloped Purifier House East. There is a strong argument that the alterations to two listed structures should be similar.
- ii. The Engine House - The Society supports the proposal for the conversion of the Engine House but the proposed new building would overbear it. The Society assumes that the Council will require the developer to submit a management programme to include the future maintenance of the stack.
- iii. New building. The Society objects to this aspect of the scheme, which appears to remain unaltered; the mass and height of the block are oversized for the site. The unsympathetic mass and scale of the proposed new building significantly exceeds that of the previous consent. The proposed new building would be an overdevelopment of the site which would harm the historic fabric. The office block in the unbuilt permission was for three floors above a ground floor plus a pitched roof. The current application is for five floors above the ground floor. The proposal substitutes for the gable and pitched roof of the consented scheme a full floor of accommodation plus a penthouse floor on top.

The Society supports the advice of the Bristol Urban Design Forum given to the developer's architect on the 21st June 2016 that the mass and height of the proposed new building would harm the 'reading' and setting of the whole of the former industrial site. The listed Purifier House West would become subsidiary to the new building. The new building should be subsidiary to the listed Purifier House. The western extension of the new building would encroach on the listed Purifier House West. The height mass and design of the proposed new building would conflict with the planning guidance given by Historic England for development within the setting of a listed building and to the Council's design guide - responding to local character. The height of the consented scheme 11/03266/F should determine the envelope of the new building. The height and mass of the Boat House beside the Purifier House East is a material planning consideration. That building is three floors above a ground floor and is subsidiary to the listed structure.

Design

The Society suggests that a pitched roof, similar to the roof included in permission 11/03266/F would improve the scheme. In this setting BCS21 requires high quality design, which implies a design informed by the dominant local architectural characteristics; the pitched roofs of the two Purifier Houses. The Society would prefer to see a greater set-back between the building frame and the glazed elements of the façade to create greater articulation and visual interest.

The Society has questions the housing mix. The development would add to the oversupply of small flats in the centre of the city. A larger proportion of bigger flats would reduce the car parking requirement. The Society does not support the developer's argument to support an exception to the Council's affordable housing policy.

Materials

The Society suggests that when the design is developed it should include materials of the same quality as those included in permission 11/03266/F to reflect the quality of the materials in the surrounding heritage buildings. The quality of the materials used to pave the courtyard area are equally important.

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifier House) Lime Kiln Road Bristol BS1 6UN**

The landscape

The Society supports the comments about the landscape made by the Bristol Urban Design Forum in its advice letter to Bilfinger GVA dated the 21st December 2016. The Society proposes that there should be a condition in the planning permission to retain and repair the former gateway into Gas Ferry Road, which is grandly constructed with monumental gateposts and wrought iron gates. The entrance is a heritage asset.

OTHER COMMENTS

Historic England has commented as follows:-

Whilst there have subsequently been minor changes to the proposals, since the pre-application, the scale and massing of the proposals remains, and therefore those previous objections remain relevant to this proposal. The advice letter [relating to the pre-app scheme] sets out the heritage assets affected by the proposals, the potential impacts and the relevant legislation and guidance. The West Purifier House, the former Engine House and the East Retort House, including their boundary walls, etc., form one of the few surviving historic industrial complexes in this part of the City Docks Conservation Area. They are also seen in the context of the SS Great Britain (itself on the Register of National Historic Ships), and the listed structures around it, on the opposite side of the Floating Harbour.

The proposals, by virtue of their excessive scale, materials and articulation, are at odds with the smaller scale listed structures in the immediate vicinity, and will harm the strong relationships between the listed group. They will also harm the character of the Conservation Area, and impact on views up to (and from) Brandon Hill.

Historic England recommends that the current application be refused because it fails to meet the requirements of the Planning (Listed Building & Conservation Areas) Act 1990 and guidance, relating to the historic environment, as set out in the National Planning Policy Framework (2012)

Flood Risk Manager has commented as follows:-

We have no objections in principle to the unrestricted discharge of surface water runoff to the floating harbour, putting in place water quality mitigation requirements where necessary. We also note that the principle of a new surface water outfall in the harbour has been agreed by the city docks engineer and harbour master. We therefore have no objections to the proposals provided our standard pre-commencement drainage condition is applied. Please also note that at the detailed design phase it will be necessary to fully examine and demonstrate the effectiveness of the drainage system under the following two scenarios:

Extreme rainfall event with outfall submerged to normal harbour level

1:2 year rainfall event with outfall submerged to 1:200 year tidal flood level in the floating harbour

We suggest that the applicant contacts us to discuss the full requirements of the detailed drainage design prior to commencement of this phase of work.

Transport Development Management has commented as follows:-

No objection to level of car and cycle parking, and the access to the site is acceptable subject to certain conditions. The full Transport assessment is provided at Key Issue D of this report.

Urban Design has commented as follows:-

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifer House) Lime Kiln Road Bristol BS1 6UN**

The design and heritage aspects of the scheme have been subject of much discussion during pre-app and during the course of the application. There is no objection in this regard. Full design and heritage considerations are set out at Key Issue (C) of this report.

The Coal Authority has commented as follows:-

The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. The Coal Authority records indicate that the site is likely to have been subject to historic unrecorded underground coal mining at shallow depth.

The applicant has obtained appropriate and up-to-date coal mining information for the proposed development site; including a Coal Authority Mining Report, BGS geological mapping and BGS borehole data. This information has been used to inform the Coal

Protecting the public and the environment in mining areas

2

Mining Risk Assessment (September 2016, prepared by Clarkebond (UK) Ltd), which accompanies the planning application.

Based on this review of existing mining information, the Report concludes that coal mining is not a risk at this site.

The Coal Authority considers that the content and conclusions of the Coal Mining Risk Assessment are sufficient for the purposes of the planning system in demonstrating that the application site is safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development.

BCC Air Quality:-

No comments received.

Environment Agency (Sustainable Places) has commented as follows:-

We have no objection to the proposal subject to the inclusion of the conditions and informative in any grant of planning consent. (The conditions are included in the recommendation.)

Crime Reduction Unit has commented as follows:-

Comments were made recommending specific security measures should be put into place within the development (such as security windows, lockable cycle storage etc). These recommendations have been passed to the applicant as they are not measures that would need planning permission.

BCC Nature Conservation Officer has commented as follows:-

This proposal includes the refurbishment of existing buildings, which principally consist of walls. Whilst a site visit on 24 May 2016 suggests that the buildings, which lack roofs, have low potential to support roosting bats, there is nevertheless the possibility that crevice-dwelling bats are present, for example in crevices in the walls of the buildings. This is also acknowledged in the extended phase one habitat survey dated 21st September 2016. Accordingly the following planning condition is recommended. As a planning condition, prior to commencement of development a precautionary method statement shall be submitted to and approved by the Local Planning Authority to minimise impacts on legally protected bats in case they are found to be roosting on site. The methods

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifer House) Lime Kiln Road Bristol BS1 6UN**

employed shall include the checking of crevices before repointing works. These precautionary methods shall be carried out under the supervision of a suitably qualified ecologist. The development shall be carried out in accordance with the approved method statement or any amendment to the statement as approved in writing by the local planning authority. Please note that all species of bats and their roosts are legally protected.

There is some vegetation on site, including ivy on walls and chimneys and buddleia. All species of wild birds, their eggs, nests and chicks are legally protected until the young have fledged. Planning conditions to address these matters are recommended.

BCC Pollution Control has commented as follows:-

Officers are content with the acoustic report which makes a number of recommendations with regards to glazing and ventilation. The recommendations within this report should be secured by a condition. The report also mentions plant at the site and gives plant noise limits but says that no details of plant to be used are known at present. Conditions are therefore recommended to ensure noise does not creep above the British Standard level.

RELEVANT POLICIES

City Docks Character Appraisal

Planning (Listed Buildings & Conservation Areas) Act 1990

National Planning Policy Framework – March 2012

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.

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) IS THE PROPOSAL ACCEPTABLE IN LAND-USE TERMS?****(a) Is the lack of office provision acceptable?**

The site is capable of delivering a commercial use, and the Soil Association application (described in the History section, above) proposed 2,980 sqm commercial floorspace. Whilst this scheme has not been delivered, the site allocation has been made since the Soil Association scheme and residential use is one of the uses required by the criteria, as well this use being established by recent planning history. As such, the absence of such a use in any new proposal needs to be weighed against Local Plan policies which encourage employment generating uses within the City Centre.

The NPPF states that the planning system should do all it can to promote sustainable economic growth. Core Strategy policy BCS8 defines employment land as being sites, premises and floorspace which are used, were last used or are allocated for employment uses, and seeks to protect employment land. This site is allocated for employment uses (as well as residential).

BCAP6 Discusses the delivery of employment space within the Central Area. This policy states that for sites outside of Temple Quarter, development will be encouraged to include a proportion of office or other employment floorspace of a scale and type appropriate to the site and its context, except

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifer House) Lime Kiln Road Bristol BS1 6UN**

where land is allocated or designated specifically for other uses. This site is allocated for office / residential use. The applicant has made a response to this issue in their supporting statement, and this is summarised as follows:

The grant of planning permission for the Soil Association office scheme in 2011 was closely followed by the recession, and it was deemed inappropriate for the Association (which is a charity) to progress a major fund raising campaign at the time. Efforts were made in 2013 to extend the period of consent for the office scheme (from the approved 3 years, to 5 years) and to seek a development partner to enable it to be developed, however it became clear that the proposals were not viable. The site was marketed in 2015, and many developers concluded that the scheme consented in 2011 presented too high a risk to pursue commercial uses due to uncertainty in levels of demand for office in the city centre.

It is considered that in view of the history of the site, as well as the fact that residential use is one of the uses listed in the site allocation criteria, a purely residential scheme is acceptable in this case.

(b) Mix of Dwellings

Section 6 of the NPPF reflects the need to significantly boost the supply of housing and to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Policy BSC18 of the adopted Core Strategy reflects this guidance and states that "all new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities" Paragraph 4.18.5, with reference to the evidence provided by the Strategic Housing Market Assessment, also notes that 'developments should contribute to a mix of housing types and avoid excessive concentrations of one particular type'. The policy wording states that development 'should aim to' contribute to the diversity of housing in the local area and help to redress any housing imbalance that exists.

Analysis of the city's general housing needs and demands has identified a number of indicative requirements for each of 6 city zones. The zones reflect sub-market areas used in the Strategic Housing Market Assessment (SHMA). The intention is to provide a strategic steer for all sizes of residential scheme within each zone. Within the Inner West Zone, 2 bed and 3 bed flats are considered appropriate. However, a more local area-based assessment is required to assess the development's contribution to housing mix. A smaller scale will not provide a proper understanding of the mix of that area; a larger scale may conceal localised housing imbalances. As a guide the neighbourhood is defined as an area equivalent to the size of a Census Lower Level Super Output Area (average of 1,500 residents).

The application site is located within the Spike Island LSOA within the Hotwells and Harbourside Ward and is also very close to the boundary with The Centre LSOA. A picture of the range of housing types in the LSOA can be obtained by consulting the 2011 Census data. The Spike Island LSOA has a ratio of flats to houses at: 81% : 15.1%. The Centre LSOA has a ratio of flats to houses at 6.6% : 93%. For the ward as a whole, the ratio is 20.8% : 78%.

It can be seen that accommodation in this part of the city is predominantly in small flatted units, and there is a lack of family sized housing (5 x 3-bed flats, and 2 x 2 bed duplexes). New residential development is therefore expected to seek to redress the balance, and in this area therefore, to provide larger units. This is commensurate with the BCAP3 policy requirement to provide more family sized homes (flats with 3 or more bedrooms, or houses with 2 or more bedrooms) throughout the City Centre. The policy also states that in defining the proportion of family sized homes that will be sought, regard will be had to the existing housing profile of the area, including local housing requirements and the characteristics of the site, including its suitability for different housing types. The policy also says the proportion of family sized housing will also be proportionate to the scale of development.

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifier House) Lime Kiln Road Bristol BS1 6UN**

The scheme proposes 58 units, and 7 of these would be family-sized accommodation as defined in BCAP3. Across the scheme this equates to 12%. In order to bring the scheme up to a level that is commensurate with the current provision of family sized housing in the area (20.8%), a further 4 units (11 in total) would need to be family-sized. This is the minimum that would be required to balance the offer, however, more should ideally be provided in order to provide a true mix, as this would start to tip the balance towards providing more family sized units within the city centre. The applicant has been asked to provide more, for example, by looking at creating larger units on the ground floor of Purifier House where there are currently 4no. large two-bedroom units. These would be ideal for families as they have access to private external space. The applicant has considered this, and the application in its original form showed smaller 1 bed flats in this location. Since the application was submitted they have revised the scheme to provide the two-bed flats in Purifier House (but no larger.) Additional larger units have also been added in Block A. For viability reasons, the offer remains at 7 family sized units. Officers have considered this, and in doing so have looked at the neighbouring East Purifier House. This scheme was approved with 5% family-sized units. It was recognised in this scheme, that there were constraints with the existing building which limited the ability to provide family sized units, and in the interests of bringing the site into use, it is considered that the same argument may be applied here. In the light of the considerations above, the mix is therefore accepted.

(B) IS THE PROPOSED DEVELOPMENT VIABLE, AND WOULD IT PROVIDE AN APPROPRIATE LEVEL OF AFFORDABLE HOUSING?

The proposed development falls within Use Class C3 of the Use Classes Order, meaning that it is required to address the Council's Affordable Housing Policies. It comprises 58 dwellings and therefore it is required to comply with Core Strategy Policy BCS17, which requires the provision of up to 40% affordable housing subject to scheme viability.

Government policy and guidance is very clear that scheme viability is a key consideration in determining the level of affordable housing that a development can provide, and that Council's should not require a level of affordable housing that would render a development unviable. The government's Planning Practice Guidance states as follows:

Where affordable housing contributions are being sought, obligations should not prevent development from going forward. (Para 004 Reference ID: 23b-004-20140306)

In simple terms, a development is considered to be viable if the Residual Land Value (RLV) of the development is greater than the Site Value.

The RLV is calculated by ascertaining the value of the completed development, and subtracting from this all the costs involved in bringing the development forward (eg build costs, professional fees, legal costs, financing costs etc) and the developers profit. All inputs are based on present day costs and values.

The applicant has claimed that, to remain viable in planning terms, the proposed scheme is unable to provide any affordable housing. A detailed viability appraisal and supporting commentary has been submitted in support of this claim.

Officers have commissioned DVS (the property arm of the Valuation Office Agency) to assess the viability information and advise the Council as to whether the applicants claim is reasonable. DVS have assessed the values and costs associated with the development, and liaised with the applicant to resolve areas of dispute. They conclude that whilst the scheme could not provide the full 40% affordable housing, it would be able to make a financial contribution of £364,182 towards the provision of affordable housing.

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifer House) Lime Kiln Road Bristol BS1 6UN**

The DVS appraisal inputs can be summarised as follows:

Residential sales values	In line with the highest sales values currently being achieved at Bridge Quay, Finzels Reach and Huller House, all of which contain dwellings that are currently being marketed or have been sold in the past year.
Base Build Costs	Base Build Costs are reflective of industry norms (as identified by the Build Cost Information Service (BCIS) though they do take account of the higher costs and design standards required when developing in and around listed buildings
Abnormal costs	There are very significant abnormal costs associated with this site. These include contamination, flood remediation, replacement of the current bracing of the listed buildings, and removal and reconstruction of part of the site boundary wall. In total, these abnormal costs add over £2.6 million to the costs of developing the scheme
Fees	Reflective of industry norms
Finance costs	Reflective of current returns required by lenders
Developers profit	Reflective of industry norms

Whilst the site is in a very desirable location, there are a range of factors that make it difficult and expensive to develop, which are as follows:

- The location of the listed buildings means that it is not possible to maximise the potential of the site
- The site remains contaminated, and the costs of removing and treating all the waste created from digging foundations, are high
- The need to protect the listed buildings during construction significantly increases costs

It should also be noted that this site has lain empty for fifty years (since 1967), and that whilst it has had a number of consents for various uses, none of them have been brought forward. This would suggest that the constraints of the site make it simply unviable, unless it comes forward for residential development at the top of an economic cycle.

As far as the Site Value is concerned, the site is one acre in size and a Site Value of £2 million has been agreed. From both DVS research and advice received from the Service Director – Property, it is clear that land in and around Harbourside is regularly valued at significantly in excess of £2 million per acre. Even with the abnormal costs associated with this site, it is not considered that a Site Value of less than £2 million could be sustained, as the desirable location and evidence of other land sales in the area, mean that a “willing land owner” would not consider anything less than £2 million as a competitive return.

The concept of a willing land owner is set out in Paragraph 173 of the National Planning Policy Framework, which states:

To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifer House) Lime Kiln Road Bristol BS1 6UN**

When the scheme is appraised as a wholly open market scheme, it shows a RLV of £2,364,182, meaning that the sum of £364,182 is available for affordable housing. This would equate to less than two dwellings on this site, and therefore the Housing Delivery Team have indicated that they would prefer the sum to take the form of an off-site financial contribution.

Consequently, it is recommended that the scheme is approved with an off-site affordable housing contribution of £364,182 (index linked) payable on occupation of the 10th residential dwelling contained in the scheme.

In addition it is recommended that if the development is not commenced within 18 months of planning consent being granted, a viability review is undertaken to ascertain if the scheme is able to provide any additional affordable housing.

(C) WOULD THE PROPOSAL OFFER AN ACCEPTABLE DESIGN RESPONSE, AND WOULD IT RESULT IN ANY HARM TO THE HERITAGE ASSETS?

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Authority is also required (under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The case of R (Forge Field Society) v Sevenoaks DC [2014] EWHC 1895 (Admin) ("Forge Field") has made it clear where there is harm to a listed building or a conservation area the decision maker "must give that harm considerable importance and weight." [48]. This is applicable here because there is harm to the listed building and conservation area caused by the proposals as set out below.

Section 12 of the national guidance within the National Planning Policy Framework (NPPF) 2012 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with any harm or loss requiring clear and convincing justification. Paragraph 132 of the NPPF states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Further, Para.133 states 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 loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Finally, Para 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

In addition, the adopted Bristol Core Strategy 2011 within Policy BCS22 and the adopted Site Allocations and Development Management Policies within Policy 31 seek to ensure that development proposals safeguard or enhance heritage assets in the city. BCS21 requires new development in Bristol to deliver high quality urban design, by contributing positively to an area's character and identity, creating or reinforcing local distinctiveness. DM26 requires developments to respect, build upon or restore the local pattern and grain of development, including the historical development of the area, and to respond appropriately to height, scale, massing, shape, form and proportion of existing buildings, building lines and set-backs from the street, skylines and roofscapes.

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifier House) Lime Kiln Road Bristol BS1 6UN**

a) Impact on Listed Buildings

Officers have undertaken the assessment required under the Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and have given special regard to the desirability of preserving the assets, their setting and features of special architectural or historic interest which they possess. This has been given considerable importance and weight. The assessment is provided below, and is a balanced view taking into account an objection from Historic England.

Historic England has commented as follows: "Whilst there have subsequently been minor changes to the proposals [since the pre-app], the scale and massing of the proposals remains, and therefore those previous comments remain relevant to this proposal. That letter sets out the heritage assets affected by the proposals, the potential impacts and the relevant legislation and guidance. The West Purifier House, the former Engine House and the East Retort House, including their boundary walls, etc., form one of the few surviving historic industrial complexes in this part of the City Docks Conservation Area. They are also seen in the context of the SS Great Britain (itself on the Register of National Historic Ships), and the listed structures around it, on the opposite side of the Floating Harbour. The proposals, by virtue of their excessive scale, materials and articulation, are at odds with the smaller scale listed structures in the immediate vicinity, and will harm the strong relationships between the listed group. They will also harm the character of the Conservation Area, and impact on views up to (and from) Brandon Hill."

Officers' reflection on these comments, and in the context of National and Local policy is set out in the following paragraphs:

The Purifier House, Engine House, and curtilage wall are protected as Grade II Listed structures, and are within the Docks Conservation Area. The buildings are a significant example of the robust and characterful industrial architecture of the late C19th period in Bristol, and closely comparable to other examples of "Bristol Byzantine" styled buildings around the city.

The SS Great Britain and Wapping Dock are on the opposite side of the harbour to the site, and are both listed Grade II*. The SS Great Britain site and dock contains Bristol's nationally important maritime heritage and it is recognised that any development affecting the setting of the listed assets needs to be considered closely.

The listed assets on the application site enjoy an extremely prominent location within the Conservation Area, being on the dockside, opposite the SS Great Britain, and immediately below Brandon Hill. The tourism and leisure activities around the docks have thrived since the 1970s and now attract thousands of visitors a year.

The buildings on the site are part of a former gas works established in the first decades of the C19th. The works continued on the east side of Gas Ferry Lane, and a second purifier house has recently been restored in this area. They have considerable group value as a series of industrial buildings designed to a broadly similar appearance.

Both the purifier house and the engine house have been abandoned for in excess of thirty years. Neither building retains its roof, internal floors, windows, or other timber fabric, and each stands only as external walls, largely retained and supported by an independent temporary steel structure. The existing boundary wall is in a relatively good condition, but areas are suffering from failing mortar and are unstable.

The immediate setting of the buildings is currently characterised by open and barren gravel surface everywhere within the boundary walls. This has been the result of extensive decontamination works within the former gas works setting, and has resulted in the loss of the majority of other associated industrial structures.

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifier House) Lime Kiln Road Bristol BS1 6UN**

The proposed development of this site seeks to retain the historic structures and bring them into a new viable use as residential flats. The purifier and engine houses are to receive replacement roofs, new windows and doors, and have extensive new internal structure which would re-stabilise the external walls. An additional storey would be added into the attic of the new purifier roof and closely match the conversion of neighbouring East Purifier House. The Engine house would be similarly refurbished for residential use and spaces incorporated within the existing footprint. Restoration work to the existing brick chimney and walls will also be of benefit.

The proposal also seeks to introduce a 6 storey residential block to the east side of the site. This will incorporate car parking at basement level and flats in an L-form building over the floors above. The proposed external treatment of this block is intended to be sympathetic to the industrial setting, and designed to ensure the proposed height does not interfere with the silhouette of Brandon Hill when viewed from key locations on the south side of the Floating Harbour, including from the ss Great Britain. The existing stone boundary wall is identified as having some structural issues in the north section and the proposal is to dismantle, and reconstruct some elements. A new opening will be inserted into the same side to provide vehicle and pedestrian access into the site.

b) Design of Block A

The Harbourside area is highly visible from surrounding parts of the city and there are a number of identified key long and panoramic views into and out of the area, as well as local and glimpsed views within and around the site. The applicant has undertaken a full Townscape and Visual Impact Assessment in order to identify and understand the key townscape features around the site. This assessment has been used to inform the proposed development including the reduction in the height of the new building proposed on the site since the pre-app.

Development adjacent to the Floating Harbour is expected to be of a scale and design appropriate to its setting, reflecting the special interest and visual prominence of quayside areas and character and setting of the surviving historic buildings and the ss Great Britain, and fabric and preserving and enhancing views to and from the Floating Harbour.

The need to reflect a coherent design rationale based on local building patterns, and this site's unique history, were also key guidelines during pre-application discussions on this site, and these aims are the focus of policies DM26 and DM29. As a result of pre-application advice, Block A was designed to be no taller than the previously consented building on this part of the site and is 6 storeys, which includes a set-back top floor. Block A has a contemporary design with a brick frame, shutters, inset glazing to balconies, and zinc screens, and this combination of depth and textures successfully reflects the industrial heritage within a modern response to this part of the site. Conditions are proposed to secure large scale details and materials, in order to ensure a quality development.

Officers consider that the proposed new-build development (Block A) will lead to less than substantial harm to the character of the Conservation Area and the setting of the listed buildings. The scale exceeds that of the existing listed structures on site, and is likely to dominate views across the harbour. Following design development however, the impact on the skyline of Brandon Hill has been minimised, and the design has been adapted - through use of materials and articulation - to redistribute accommodation in less harmful areas; however it is acknowledged that this section of the proposals still represents a degree of harm.

The proposals to form new residential uses within the shell of the listed buildings is supportable in principle. There is no direct harm posed to the significance of the assets, and their declining condition halted and reversed. Some new openings will be introduced to least significant parts of the building in a fashion that is both complementary and demonstrates an honesty in design. It is therefore considered there is a strong public benefit in bringing these buildings into reuse for a sustainable new purpose.

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifer House) Lime Kiln Road Bristol BS1 6UN**

The proposed restoration of the failing walls and structures is welcomed. Similarly the retention and restoration of the boundary wall is supported, although specific conditions are proposed to ensure that rebuilt fabric retains the existing fabric and character. It is recognised that there is a need for an opening through the boundary wall to provide access, and ongoing discussions with the applicant have ensured that the gap (in the scheme as-constructed) would be minimised as far as possible (to a maximum width of 8m) to maintain the integrity of the site's perimeter. It is also recognised however, that the wall will need to be dismantled to allow for access of construction vehicles, and that the intention to rebuild it as-is, can be conditioned. This issue is covered in more detail in the accompanying recommendation for listed building consent (16/05330/LA).

Officers consider that the public benefit in retaining and repairing the listed structures outweighs the less than substantial harm posed by the new block. The applicant's approach to try and minimise this harm is recognised, and the previous consent on this site is a material consideration which sets a degree of precedent for the scale of new elements. The proposed adaptation of the listed buildings and the erecting of the new structure are supportable in order to ensure the continued survival of the historic buildings. This application is therefore acceptable in heritage terms, and conditions are recommended to secure the design and material quality of the development and ensure it remains in keeping with the historic setting; and also to ensure that the appropriate conservation and restoration techniques are applied during works.

c) Impact on City Docks Conservation Area

The application site sits within Character Area 5 - Canons Marsh, of the City Docks Character Appraisal which was adopted in 2011. The Former Gasworks Buildings on the application site, as well as the walls to Gasferry Road, are classed as key buildings and features of this Character Area. Some of the strengths of this area, as set in the character appraisal, are seen to be the robust large-scale buildings and the re-use of heritage structures and buildings; there are opportunities to improve the continuous pedestrian walkway and restore historic gasworks buildings (which this proposal would do). Weaknesses are seen to be bland, over-scaled facades to modern buildings and sterilisation of character, and lack of trees and landscaping. This proposal would restore the listed buildings, retain the iconic chimney on the site, and would provide an enhancement to the site in the form of hard and soft landscaping. Block A is seen by officers to be of an acceptable scale which would not harmfully interrupt Key Views, and would incorporate suitably textured and robust facades which are considered to be appropriate to the industrial character of the site. The development is seen to both preserve and enhance this site, which forms part of the special character and appearance of this part of the City Docks Conservation Area, and would not harmfully detract from key views.

d) Landscaping

Policy DM27 requires development to contribute to a sense of place, and use trees and other plants appropriate to the character of the site and its context. The site would have a central communal garden, which would be accessible by the public, although designed primarily as an intimate space for use by residents. In view of the site's gasworks history, the landscaped area has been designed using coal seams and Isolux contours (the gaslight contours that once illuminated the City) to inform the layout of "seamed" areas of hard and soft landscaping. Officers initially considered that two prominent trees planned to be positioned close to the harbour, would have been out of context due to the site's industrial character. Whilst trees are encouraged elsewhere within the site, the two next to the harbour have been removed from the scheme.

The Harbourside walkway would be paved with a mix of slabs and stone setts, and there would be a low stone wall to delineate the boundary between the Brandon Yard development and the walkway. The details showing these works have been submitted and are acceptable. A condition shall be included to require the works to be undertaken as per the approved plan. Details of planting (perennial and shrub planting, and taller planting) have been submitted. A Landscape Lighting

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifier House) Lime Kiln Road Bristol BS1 6UN**

Statement also accompanies the submission. These are acceptable and shall be conditioned.

e) Public Art

BCS21 requires new development (particularly Majors) to deliver a high quality urban design, and one of the ways in which it is expected to do this is to enable the delivery of permanent and temporary public art, through a multi-disciplinary approach to commissioning artists in the design process. The applicant has been informed of this during the pre-application process and discussions have taken place on how this part of the policy could be met. The applicant has indicated a willingness to provide an historical interpretation of the site's historical use within the landscaping scheme, however no formal response to public art has been provided against policy BCS21. Conditions are therefore imposed to secure submission of a Public Art Strategy prior to implementation.

(C) WOULD THE PROPOSAL RESULT IN ANY HARMFUL AMENITY IMPACTS?

Good design and protection and enhancement of the environment are critical components of central government guidance, as identified in the NPPF. In addition, Policy BCS21 expects development to safeguard the amenity of existing developments and create a high-quality environment for future occupiers. Furthermore, Core Strategy Policy BCS15 requires development to address issues of flexibility and adaptability, allowing future modification of use or layout, facilitating future refurbishment and retrofitting.

The nearest residential properties are at The Boat House (to the east of the site), East Purifier House, to the north-east of the site and Capricorn Place to the site's west. Impacts on these properties due to the proximity of new development, in terms of amenity, are assessed below.

(a) Is there potential for Overlooking?

The closest neighbouring properties are Capricorn Place (to the site's west) and The Boat House (to the site's east). Habitable rooms of The Boat House are located opposite the south-east corner of the proposed Block A, which would be constructed 9.6m away from the nearest corner (although angled away at greater distances). The scheme has been arranged so that habitable rooms in this section of Block A have sections of metal cladding instead of windows in order to prevent views into properties in The Boat House. The drawings demonstrate that these relate to secondary windows only, and that the installation of the metal panels would not unreasonably restrict light from flats in the proposed Block A building. Officers therefore consider there would be no harmful overlooking from the proposed building to properties in The Boathouse.

There are no windows in the flank elevation of Capricorn Place, however at the upper levels there are 2 set-back roof terraces, and these would be 6m and 9m away respectively from the rear windows of the refurbished West Purifier House. Because of the arrangement of these terraces (they have differing floor levels to those proposed in the W Purifier House scheme), the angles at which views could be possible mean that no direct views would be possible. Whilst views would be possible, they would be oblique, and therefore not significantly harmful. This has been demonstrated on a section drawing submitted by the applicant.

Due to the distance that would remain between East Purifier House and Block A, (27m), it is not considered that harmful overlooking could occur between these properties.

(b) Overshadowing/Daylight and Sunlight

Block A would introduce a new relationship, bringing 6 storeys of built development closer to neighbours at The Boat House and East Purifier House. This would result in a noticeable impact on daylight and sunlight received by occupiers of these properties. In order to explore how severe this

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifier House) Lime Kiln Road Bristol BS1 6UN**

relationship would be, the application is accompanied by a BRE Daylight and Sunlight Assessment. Windows in Capricorn Place have also been assessed, however, due to the fact that the height of West Purifier House in its current position would not be amended through this proposal, it would not significantly worsen the light received by north facing windows in Capricorn Place. There are no habitable room windows in the flank (east) elevation of Capricorn Place, (the windows relate to stair cores). The report concludes that there would be no harmful effect here.

(i) Vertical Sky Component (VSC)

The VSC is a measure of light falling on a window, and the target for a good level of light is 27% - meaning a ratio of direct sky luminance falling on the surface of the window. 40% is the maximum possible VSC score, and would mean that if one had a view from a window which was totally unobstructed by buildings, 40% of the total hemisphere would be visible. If a development would reduce the VSC from a given window to less than 27%, AND to less than 0.8 times its former value, then according to the BRE guidelines it is likely that the loss of light would be harmful.

(ii) East Purifier House

This property was converted to residential use in 2015. Of the 26 windows assessed, 21 are reported to meet the target BRE values. The windows that would fail the test are on the ground floor, and these windows relate to two flats in total. The new development at Block A would maintain a distance of 27m away from East Purifier House, therefore despite the low BRE scores, the development would maintain a sufficient gap such that it would not be overbearing.

(iii) The Boat House

This building was constructed in 2013 and contains dual aspect maisonettes, with commercial uses on the ground floor facing onto the Porto Quay development. Of the 23 windows assessed, 16 windows would meet the target BRE values. It is reported that of the windows that would fail the tests, some are on the ground floor and already fail the test due to the presence of the large boundary wall, and also many of the windows relate to rooms which have secondary windows, or other windows which face in an opposing direction (ie relating to an open plan living/dining/kitchen area.) The report concludes that whilst some of the individual windows would not meet the assessment criteria, each of the rooms would still have adequate levels of daylight with the proposal in place.

Conclusion on Daylight and Sunlight

The tests show that some of the windows assessed would fall below the levels recommended in the BRE guidelines. This means that whilst the proposed development would affect daylight and sunlight received by surrounding properties, and the loss would be noticeable, for most of the windows tested there is no quantifiable reason to uphold a reason for refusal in this regard due to the largely positive results and conclusions that have been set out in the Assessment. Whilst neighbours would notice a reduction in daylight and sunlight received, it is not considered that these impacts would be significantly harmful as to warrant a refusal. It must be borne in mind that the BRE tests are guidelines only, and not planning policy, however they are a useful tool for assessing the impacts of developments on light received by neighbouring windows. They are intended to be applied flexibly, and the background sets out that in some areas (for example city centres and high density areas,) developments may not always achieve optimum levels of daylight or sunlight.

The site is within a central location where densities sought are typically the highest in the City, and residents currently enjoy a more open aspect due currently vacant site. The development itself does not breach established building heights in the area. The existence of the consented Soil Association scheme, which proposed a building of an identical size in the same location, is a material consideration here. It is not therefore considered that a refusal on the basis of loss of daylight and

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifer House) Lime Kiln Road Bristol BS1 6UN**

sunlight could be supported.

(c) Quality of Accommodation

Policy BCS18 makes specific reference to residential developments providing sufficient space for everyday activities and to enable flexibility and adaptability by meeting the appropriate space standards. The National Space Standards came into effect on 1 October 2015 and the proposed 17 x 1 bed flats, 36 x 2 bed flats (including 2 duplex units), and 5 x 3 bed flats all comfortably exceed the this Standard. DM29 states that new residential development should provide dual aspect where possible, particularly where one of the aspects is north-facing. Two of the family-sized units within Block A would have only a single aspect, however in this case neither of these two units are north facing. They are generously sized and each has a private outdoor terrace, therefore there is considered to be no harm arising from them having only single aspect.

To conclude the amenity Key Issue, the scheme would acceptably safeguard the amenity of nearby neighbours and would offer an acceptable standard of accommodation.

(D) WOULD THE PROPOSAL MAINTAIN SAFE OPERATION OF THE HIGHWAY AND OFFER AN ACCEPTABLE LEVEL OF PARKING?

BCS10 requires proposals to create places and streets where traffic and other activities are integrated and where buildings, spaces and the needs of people shape the area. DM23 expects development to provide a safe secure, accessible and usable level of parking provision having a regard to parking standards, as well as secure and well-located cycle parking and facilities for cyclists. The same policy also expects developments to provide appropriate servicing and loading facilities which make effective and efficient use of land and be integral to the design of the development. DM32 requires the location of recycling and refuse provision to be integral to the design of the proposed development. The residential parking standards (appendix 2 of Site Allocations and Development Management Policies) require parking levels to reflect the number of bedrooms within a scheme, and that the accepted standards are maximum standards (which cannot be exceeded). Due to the central location, policy BCAP26 sets out that where vehicular access is sought to a site for essential operational parking or servicing, the council will work with the applicant to identify the most appropriate access point having regard to any proposals for pedestrianisation or traffic management.

(a) Car Parking

The plans show a total of 26 car parking spaces, of which 2 are dedicated for Blue Badge holders, and 5 of which have electric charging points. The scheme (of 58 units) could, within the remit of parking policy, have up to 69 spaces. It is welcomed therefore, that the application recognises the central location and aspiration for reduced car ownership, and has limited the number of car parking spaces. The inclusion of Blue Badge bays and electric charging points is also welcomed.

The developer has agreed to make a contribution to upgrade bus stops on Jacobs Wells Road, and has agreed a sum of £34,488.00. This is discussed further in Key Issue (H) Planning Obligations, but it is considered that the development would mitigate its impact in a way that is commensurate to its size and characteristics, in assisting with public transport improvements in this way.

The site does not form part of, but is located close to, the Central Controlled Parking Zone (CPZ). An advice note is attached to this recommendation, to require residents of this scheme to be exempt from obtaining car parking permits in this CPZ in order to avoid additional parking pressure in this protected area.

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifer House) Lime Kiln Road Bristol BS1 6UN****(b) Cycle Parking**

The policy requirement for this development would be to provide 99 cycle spaces, plus an additional 5 for visitors. The plans show that there are 74 spaces for residents within enclosures in the undercroft car park, and 3 Sheffield stands to provide space for an additional 6 visitor cycles. This shortfall was discussed between officers and the agent during the course of the application. The type of cycle storage is proposed to be a mix of Sheffield and semi-vertical stands. If the storage were to have been solely semi-vertical stands, there could have been a more policy-compliant number proposed, however, in the interests of providing convenient and accessible cycle parking, officers deemed a mix of Sheffield and semi-vertical stands would deliver the most flexibility and convenience for users.

(c) Servicing and Access

Pre-application discussions, as well as discussions that have taken place between officers and the applicant during the application, have considered the approach to the access for this site. The new vehicular access is proposed to be off Lime Kiln Road which is a private road. Initial plans submitted by the applicant showed this road proposed as a shared surface, however further assessment has revealed that due to ownership issues, the applicant is unlikely to be able to undertake the works required to make a shared surface. A shared surface is an urban design approach which seeks to minimise the segregation of pedestrians and vehicles and is a highways-related method with the aim making road users more aware of each other. This is done by removing features such as kerbs, road surface markings, traffic signs and traffic lights. This approach was seen as suitable for Lime Kiln Road because there is a narrow raised margin (pavement) on the south side of the carriageway.

The current carriageway width is approximately 4.8m with narrow margins to the north and south, and as a consequence Lime Kiln Road is considered to be constrained. Pedestrians and cyclists relating to Capricorn Place currently have direct access onto Lime Kiln Road. The development proposed here would add to those having access. The applicant has indicated that the level of trips associated with this proposal would be low - with up to 22 two-way movements in the AM and PM peaks based on the TRICS (transport movement assessment model) datasets. Although officers do not dispute this low level of movement, there are concerns over pedestrian and vehicle conflict in this location.

The Government publication, 'Manual for Streets' (MfS) indicates that 4.8m is a sufficient width to allow two small vehicles to pass. However this is only based on carriageway widths and does not include pedestrians. The margins either side of the carriageway measures approximately 1.0m & 0.5m. MfS requires a minimum width of 1.5m to allow for two people to pass as well as a pushchair. The applicant has indicated that there is sufficient overall width to allow an average-sized vehicle and pedestrians to share the carriageway. This might be the case however it would still result in pedestrians having to walk in a live carriageway. The applicant has argued that although pedestrians and cars will share the same space due to the level of movements, the potential for conflict is quite low. Officers have considered this, and it is accepted that vehicle movements are low, however there is still a potential for conflict with pedestrians on the carriageway which represents a degree of highway safety concern. The applicant has submitted a revised Transport Statement containing measures which they consider would address the highway concern. This includes - residents with a space in the car park to have key fobs to open the gate so that no pedestrians and cycles can open the gate to access Lime Kiln Road. Signage directing pedestrians and cyclists to use the harbour walkway and Gas Ferry Lane to access Anchor Road would be erected. Whilst these are soft measures, in the circumstances it is considered this is the only solution in the light of the civil issue that exists between the applicant and third party. The drawing showing the shared surface shall still form part of the approved drawings so that, in the event of a solution being found to enable these works to be implemented, any planning consent granted here would allow it.

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifer House) Lime Kiln Road Bristol BS1 6UN**

A tracking diagram shows that service and emergency vehicles would reverse into the site from Lime Kiln Road and exit in a forward gear. The waste would be collected by a private waste contractor, which would typically use smaller vehicles than Council waste contractors. This would enable easier manoeuvrability into and out of the site.

With regard to the issue raised by the neighbour objection to allow a right turn onto Anchor Road from Lime Kiln Road, the junction is currently operating as a left out only, and this is not proposed to change as a result of the proposal. If this were to be revised, it would require additional highway works to the junction and the central reservations on Anchor Road. Officers consider it would be unreasonable and disproportionate to request the developer to pay for these works. Furthermore by allowing right turns it would also create a highway safety issue as vehicles would effectively be crossing four lanes of traffic which is not acceptable. The Anchor Road/Hotwell Road/St George's Road roundabout has the capacity to accommodate the additional traffic that needs to utilise the roundabout to come back on themselves.

(d) Possibility of a Second Access

Discussions were held during the pre-application process regarding the possibility of providing a second access to the site, at the north-eastern corner. This is also the position of a second access as approved by the Soil Association scheme. The status of the listed wall took precedent over the inclusion of a second access in this location, therefore one access in its currently proposed location was the preferred option. A second issue which influenced this issue was that land ownership in the north-east corner is complex, and re-location of the bollards on Gas Ferry Lane, adoption, as well as opening out a new access were considered overly problematic to entertain.

(e) Travel Plan

The Travel Plan is a tool which is applied to large developments and sets out measures to inform sustainable travel at the development, with a general aim to increase the use of sustainable transport over the 5 year plan period. The applicant has submitted a Travel Plan and this is available on the Council's website. This has been assessed by officers and is acceptable, provided the measures within it are monitored and the progress reported annually to the Council. This shall be secured through the s106 process.

(f) Refuse and Recycling

Space is shown within the ground floor car parking area to store 8,800L of refuse, within 8 1100L containers. There is also space for 13 x 240L containers for recycling. This provision more than adequately serves the development and complies with the waste storage capacity guidelines in the Council's adopted Waste and Recycling: Collection and Storage Facilities (Guidance for developers, owners and occupiers)

(g) Construction Traffic and Service Management

Standard conditions are proposed, to require highway works to be addressed by the relevant legislation, but to require details of these works prior to commencement. A Construction Management Plan has already been submitted with the application and has been found to be acceptable by officers. A condition shall therefore require this to be adhered to. A Service Management Plan shall also be required by condition.

(E) DOES THE PROPOSAL OFFER AN ACCEPTABLE SUSTAINABILITY RESPONSE?

Sustainability should be integral to all new development in Bristol. BCS13 encourages developments to respond pro-actively to climate change, by incorporating measures to mitigate and adapt to it.

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifier House) Lime Kiln Road Bristol BS1 6UN**

BCS14 expects development to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%. BCS15 requires developments to demonstrate through a Sustainability Statement how they have addressed energy efficiency; waste and recycling; conserving water; materials; facilitating future refurbishment and enhancement of biodiversity.

The applicant has submitted a Sustainability Statement which sets out the development's performance against sustainability and energy efficiency policies. The development would perform below the Part L Building Regulations baseline requirements, by using energy efficiency measures such as better U-values (building insulation) than a Part L notional building; high efficiency gas-fired boilers; natural ventilation and LED lighting. On top of this, a further reduction in residual carbon emissions would be achieved by using PV panels on the roof of Block A, and these would generate a saving of 23.3%. Conditions shall require these provisions to be adhered to within the development. An advice note shall also be added, to advise the applicant to obtain a certificate relating to efficient installation of the PV panels, to ensure their maximum efficiency and lifetime.

(F) FLOOD RISK AND GROUND CONTAMINATION

Most of the site lies within Flood Zone 2 as identified by the Environment Agency. In accordance with the Site Allocation criteria (SA103 for this site), the application is accompanied by a flood risk assessment. Due to the risk of flooding on this site, the finished floor levels have to be set at a minimum of around 9mAOD (depending on the levels within the site). The drawings confirm that this restriction will be adhered to, and is the reason for car parking being located on the ground floor of Block A. Floor levels within the Engine House and Purifier House will be raised to this level.

The Environment Agency have recommended conditions to be included, and these have been suggested in consultation with the Council's Contamination Officer, as a number of the issues are closely correlated.

(G) ECOLOGY

Following consultation with the Council's Ecology Officer, dusk emergence or dawn re-entry bat surveys were requested. These were provided and were found to be of an acceptable standard. A dark corridor is required to be retained along the western edge of the site (where there are rear gardens planned), and the applicant has duly provided a drawing showing Lux levels which would maintain an adequately dark corridor for the commuting bats. Conditions are proposed to require swift and bat boxes.

(H) PLANNING OBLIGATIONS

BCS11 sets out that development should contribute towards the provision of measures to mitigate its impact through use of planning obligations. In addition to the standard CIL payment (which is put towards infrastructure, facilities and services required to support growth,) it is also possible to ask for site specific contributions. In this case officers deem it necessary to provide an upgrade to the bus stops close to the site on Jacobs Wells Road. The applicant has agreed to provide a sum of £34,488.00 towards this and a s106 agreement is in the process of being drawn up. A further sum of £9,300 to go towards the monitoring of the travel plan is also being secured. No further site specific contributions were deemed necessary (unless AH).

CONCLUSION

The development complies with the Site Allocation criteria for this site, as it would re-use the existing listed buildings on the site and bring them back into a sustainable use; improve the Harbourside walkway; provide vehicular access from Lime Kiln Road; preserve and enhance the character and

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifer House) Lime Kiln Road Bristol BS1 6UN**

appearance of the conservation area; and is supported by a Flood Risk Assessment. The scheme mitigates its impacts through s106 obligations, and would provide ** Affordable Housing. Despite the objection from Historic England, officers have applied the correct assessment under the Planning (Listed Building and Conservation Areas) Act 1990, and have concluded that the impacts on the heritage assets are acceptable when they are balanced with the interests of bringing the site and buildings back into use. The scheme provides a policy-compliant sustainability response, and the application includes robust supporting information on protection of nearby residents' amenity. Transport implications are acceptable, and conditions would ensure the design details of the development are acceptable. The scheme would bring a long-term derelict site back into sustainable use and is therefore recommended for approval.

COMMUNITY INFRASTRUCTURE LEVY

The CIL liability for this development is £519,673.13

RECOMMENDED GRANT subject to Planning Agreement

The completion, within a period of six months from the date of this committee, or any other time as may be reasonably agreed with the Service Director, Planning and at the applicant's expense, of a planning agreement made under the terms of Section 106 of the Town and Country Planning Act 1990 (as amended), entered into by the applicant, Bristol City Council and any other interested parties to secure:

- 1. The provision of a contribution of £364,182 towards the provision of off-site affordable housing.**
- 2. The provision of £34,488 towards public transport improvements.**
- 3. The provision of £9,300 towards Travel Plan monitoring.**

Time limit for commencement of development

1. Full Planning Permission

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

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

Pre commencement condition(s)

2. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
 - i) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
 - ii) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifier House) Lime Kiln Road Bristol BS1 6UN**

iii) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

3. To ensure implementation of a programme of archaeological works

No development shall take place within the area indicated on plan number until the applicant/developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Investigation which has been submitted by the developer and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

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

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

4. To secure the recording of the fabric of buildings of historic or architectural importance

No redevelopment or refurbishment of West Purifier House or the Engine House shall take place until the applicant/developer has recorded those parts of the buildings which are likely to be disturbed or concealed in the course of redevelopment or refurbishment. The recording must to be carried out by an archaeologist or archaeological organisation approved by the Local Planning Authority and submitted to the Historic Environment Record (HER), the archive should then be submitted to Bristol City Museum and a hard copy to Bristol Record Office.

Reason: To ensure that features of archaeological or architectural importance within a building are recorded before their destruction or concealment.

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifier House) Lime Kiln Road Bristol BS1 6UN**

5. No development approved by this planning permission shall take place until such time as a scheme with full details of demountable flood boards to protect West Purifier House and undercroft and plant areas of Block A (new build) as well as flood resilience measures to be used throughout the development has been submitted to, and approved in writing by, the local planning authority in consultation with the Environment Agency.

The scheme shall be fully implemented prior to first occupation and subsequently maintained, in accordance with the details embodied within the scheme, unless otherwise agreed by the Local Planning Authority in consultation with the Environment Agency.

Reason: To reduce the risk of flooding to the proposed development and future users.

6. The development hereby approved shall be constructed with Finished Floor Levels of Block A and the Engine Shed set at a minimum of 10.1m AOD. The Finished Floor Levels of West Purifier House shall be set at a minimum of 9.95m AOD.

Reason: To reduce the risk of flooding to the proposed development and future users.

7. Prior to commencement of the element detailed section and elevation drawings of all proposed access ramps, steps, garden boundary treatments, raised decks, and their balustrades to be attached to the Purifier House and Engine House, to a scale of 1:5 or 1:10 shall be submitted to the Local Authority and approved in writing. The drawings shall show all proposed materials, material connections with the Listed structures, the proposed appearance, finishes, colours, and fabrication details. The works shall be carried out in accordance with the approved details statement.

Reason: To conserve the character and appearance of the Conservation Area and the Special interest of the curtilage Listed boundary wall.

8. Prior to commencement of the element detailed section drawings of the proposed rooflights and attic-storey dormers on the Purifier house and Engine House at a scale of 1:5 or 1:10 shall be submitted to the Local Authority and approved in writing. The details shall include the proposed materials, and connections with the proposed roof finishes. The works shall be completed in accordance with the approved drawings.

Reason: In the interests of safeguarding the special interest of the Listed Buildings and character and appearance of the Conservation Area

9. Prior to commencement of the element detailed section drawings of the proposed roof on the Purifier house and Engine House at a scale of 1:5 or 1:10 shall be submitted to the Local Authority and approved in writing. The details shall include the proposed roof fabric, materials, and connections with the parapet walls, and eaves level. The works shall be completed in accordance with the approved drawings.

Reason: In the interests of safeguarding the special interest of the Listed Buildings and character and appearance of the Conservation Area

10. The development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the Sustainable Energy statement (by Arup, dated 6 January 2017) prior to first occupation. A total 23.3% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy shall be achieved, and a 20% reduction/or other agreed % reduction in carbon

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifer House) Lime Kiln Road Bristol BS1 6UN**

dioxide emissions below residual emissions through renewable technologies shall be achieved.

Reason: To ensure the development incorporates measures to minimise the effects of, and can adapt to a changing climate in accordance with policies BCS13 (Climate Change), BC14 (sustainable energy), BCS15 (Sustainable design and construction), DM29 (Design of new buildings), BCAP20 (Sustainable design standards), BCAP21 (connection to heat networks).

11. The measures set out in the Construction Method Statement by Speller Metcalfe (submitted in February 2017) shall be adhered to during construction of the development.

Reason: In order to ensure highway safety and to safeguard residential amenity.

12. Highway Works

Prior to commencement of development, general arrangement plans indicating the following works to the highway shall be submitted and approved in writing by the Local Planning Authority :

- Threshold levels of the finished highway and building levels
- Alterations to waiting restrictions or other Traffic Regulation Orders to enable the works
- Locations of lighting, signing, street furniture, street trees and pits
- Structures on or adjacent to the highway
- Extents of any stopping up or dedication of new highway

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

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

NB: Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the City Council's technical approval and inspection fees paid before any drawings are considered and approved and formal technical approval is necessary prior to any works being permitted.

13. Prior to commencement of any construction works for the development (excluding groundworks and enabling works including forming site entrance and temporary works to the listed buildings), a Public Art Plan shall be submitted to and approved in writing by the Local Planning Authority. The Public Art Plan shall be prepared by a suitably qualified consultant and set out the process to be used to commission and integrate public art within the development, set out the specific commissions for development which includes budget allocations, artist procurement process, a timetable for delivery of the various commissions, and details of the future maintenance responsibilities and requirements. The delivery of public art shall then be carried out in full accordance with the agreed Public Art Plan.

Reason: to ensure the provision of public art in the development and in pursuance of Bristol City Council's public art policy

14. Following the approval of the Public Art Plan and prior to the commencement of each public art commission, or the design for the area where any public art is to be integrated - details of the individual artwork commission(s) in the form of full detailed designs shall be submitted to and

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifer House) Lime Kiln Road Bristol BS1 6UN**

approved in writing by the Local Planning Authority. The public art works shall be implemented and completed in accordance with the approved details and in accordance with the agreed timetable for their delivery.

Reason: to ensure the provision of public art in the development and in pursuance of Bristol City Council's public art policy

15. Prior to commencement, detailed drawings demonstrating the set-backs between the between the masonry and the façade system of Block A shall be submitted and approved in writing by the local planning authority.

Reason: To ensure a high quality of design.

16. Sample Panels before specified elements started

Sample panels of the natural slate proposed to the roofs; are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.

Reason: In order that the external appearance of the building is satisfactory.

17. Prior to the element commencing section and elevation details of all proposed windows and external doors in the Purifier House and the Engine House, at a scale of 1:5 and 1:10 respectively, shall be submitted to the Local Authority and approved in writing. The details shall show the proposed windows in context and show all material connections at cills or thresholds, heads, and jambs. The works shall be completed in accordance with the approved drawings.

Reason: In the interests of safeguarding the special interest of the Listed Buildings and character and appearance of the Conservation Area

18. Prior to the element commencing detailed elevation drawings to a scale of 1:10, and section drawings to a scale of 1:5 showing the proposed vehicle gates and masonry piers in the boundary wall shall be submitted to the Local Authority and approved in writing. The works shall be completed in accordance with the approved drawings.

Reason: In the interests of safeguarding the special interest of the Listed Buildings and character and appearance of the Conservation Area

19. Development shall not commence until details of a scheme for the retention of the bats' roost and the retention of the bats' existing accesses or the provision of alternative new roosts or accesses, has been submitted to and approved in writing by the local planning authority.

The scheme shall include a programme for the implementation of the development which minimises any impacts on bats including the provision of suitable voids or crevices for bats, bat tubes, boxes, bricks or similar, 'soft strip' demolition methods and measures to minimise light pollution. The development shall be carried out in accordance with the approved scheme or any amendment to the scheme as approved in writing by the local planning authority.

Reason: To enable the local planning authority to retain control over development in order to safeguard bats and their roosts which are specially protected by law.

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifier House) Lime Kiln Road Bristol BS1 6UN**

20. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of noise insulation measures for all residential accommodation, this scheme shall also include details of ventilation.

The following criteria are recommended:

Daytime (07.00 - 23.00) 35 dB LAeq 16 hours in all rooms & 50 dB in outdoor living areas.

Nighttime (23.00 - 07.00) 30 dB LAeq 8 hours & L_{max} less than 45 dB in bedrooms.

The scheme of noise insulation measures shall take into account the recommendations detailed in the Noise Assessments submitted with the application and the provisions of BS 8233: 2014 " Guidance on sound insulation and noise reduction for buildings".

The approved details shall be implemented in full prior to the commencement of the use permitted and be permanently maintained.

Reason: To protect residential amenity.

21. No development approved by this planning permission shall take place until such time as a scheme with full details of demountable flood boards to protect West Purifier House and undercroft and plant areas of Block A (new build) as well as flood resilience measures to be used throughout the development has been submitted to, and approved in writing by, the local planning authority in consultation with the Environment Agency.

The scheme shall be fully implemented prior to first occupation and subsequently maintained, in accordance with the details embodied within the scheme, unless otherwise agreed by the Local Planning Authority in consultation with the Environment Agency.

Reason: To reduce the risk of flooding to the proposed development and future users.

22. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

all previous uses

potential contaminants associated with those uses

a conceptual model of the site indicating sources, pathways and receptors

potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifer House) Lime Kiln Road Bristol BS1 6UN**

Reason: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

23. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

24. Notwithstanding the submitted drawings, prior to commencement of the element a method statement detailing the repointing and repair of stonework and brickwork shall be submitted to the Local Authority and approved in writing. The works shall be carried out in accordance with the approved Method statement.

Reason: To conserve the character and appearance of the Conservation Area and the Special interest of the Listed buildings.

25. Prior to commencement a method statement detailing how the existing boundary wall will be dismantled, the material salvaged with care, stored on site and cleaned prior to re-erection, and the proposed method of reconstruction to match its original state shall be submitted to the Local Authority and approved in writing. The works shall be carried out in accordance with the approved Method statement.

Reason: To conserve the character and appearance of the Conservation Area and the Special interest of the curtilage Listed boundary wall.

Pre occupation condition(s)

26. Prior to occupation, a Service Management Plan shall be submitted and approved in writing by the LPA, and the provisions within the Plan shall be adhered to throughout the lifetime of the development unless otherwise agreed in writing by the LPA. The plan shall include frequencies of deliveries/collections, size of vehicles, and vehicle tracking diagrams.

Reason: In order to ensure methods of servicing the development are acceptable in waste management and highways safety terms.

27. Completion of Vehicular Access - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the means of vehicular access has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be retained for access purposes only.

Reason: In the interests of highway safety.

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifer House) Lime Kiln Road Bristol BS1 6UN**

28. Completion and Maintenance of Car/Vehicle Parking - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the car/vehicle parking area shown on the approved plans has been completed, and thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development

Reason: To ensure that there are adequate parking facilities to serve the development.

29. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

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

No building or use hereby permitted shall be occupied or the use commenced until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.

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

31. To ensure completion of a programme of archaeological works

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

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

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

No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed, and thereafter, be kept free of obstruction and available for the parking of cycles only.

Reason: To ensure the provision and availability of adequate cycle parking.

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifer House) Lime Kiln Road Bristol BS1 6UN**

33. Prior to commencement of development details shall be submitted to and approved in writing by the Local Planning Authority providing the specification, orientation, height and location for built-in bird nesting and bat roosting opportunities. This shall include ten swift bricks or boxes and six built-in bat boxes. Development shall be undertaken in accordance with the approved details.

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

34. Prior to occupation, the development hereby approved shall be constructed to incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the energy statement (entitled 'Brandon Yard - response to BCS14 Sustainable Energy, by Arup, dated 6 January 2017). A total 23.3% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy shall be achieved, and a 20% reduction/or other agreed % reduction in carbon dioxide emissions below residual emissions through renewable technologies shall be achieved

Reason: To ensure the development incorporates measures to minimise the effects of, and can adapt to a changing climate in accordance with policies BCS13 (Climate Change), BC14 (sustainable energy), BCS15 (Sustainable design and construction), DM29 (Design of new buildings), BCAP20 (Sustainable design standards), BCAP21 (connection to heat networks).

35. Prior to occupation the existing boundary wall shall be reinstated to the extent shown on the planning drawings, made available for inspection by the Local Authority Conservation Officer, and approved in writing.

Reason: In the interests of safeguarding the special interest of the Listed Buildings and character and appearance of the Conservation Area

Post occupation management

36. Hard and soft landscape works - shown

The landscaping proposals hereby approved shall be carried out in accordance with drawing MWA-6.03-00, and Landscape Lighting Statement (submitted 24 February 2017) no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials shall be maintained for five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced with others of similar size and species to those originally required to be planted.

Reason: To ensure that the appearance of the development is satisfactory.

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

Reason: In order to protect nearby residential amenity.

38. The provisions and recommendations set out in the Noise report (by SRL Technical Services, dated 8 September 2016) shall be implemented prior to occupation and adhered to throughout the lifetime of the development.

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifer House) Lime Kiln Road Bristol BS1 6UN**

Reason: In order to protect residential amenity.

List of approved plans

39. List of approved plans and drawings

The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision.

3642-BA2100_F_Ground Floor Plan
 3642-7000_D_Gross internal Area Schedule
 3642-0131_A_Existing Site Plan - Topographical Survey
 3642-0110_F_Proposed Site Plan - Ground Floor Level

Block C - Engine House:

3642-0152_B_Block C -Engine House - Demolition Conservation - Section F-F & Section G-G
 3642-0153_C_Block C -Engine House - Demolition Conservation - West Elevation & Section H-H
 3642-0154_C_Block C -Engine House - Demolition Conservation - Section I-I & Section J-J
 3642-0155_C_Block C -Engine House -Demolition Conservation -North Elevation & Section K-K
 3642-0156_C_Block C -Engine House - Demolition Conservation - South Elevation & Section L-L
 3642-3123_A_Engine House Section C
 3642-BA0416_C_3D views Material Selection
 3642-EH0135_A_Block C - Engine House - Existing Survey Plan
 3642-EH0137_A_Block C - Engine House - Survey Sections
 3642-EH0435_D_Engine House - Proposed Section A-A
 3642-EH0621_B_Engine House - External Wall and Roof Typical Details
 3642-EH0651_A_External Treatment
 3642-EH0651_C_External Treatment
 3642-EH2120_A_Proposed-Block C-Engine House-Ground Floor Plan
 3642-EH2121_A_Proposed-Block C-Engine House-First Floor Plan
 3642-EH2126_B_Engine House - Proposed Roof Plan
 3642-EH3020_B_North Elevation
 3642-EH3021_C_South Elevation
 3642-EH3022_B_East Elevation
 3642-EH3023_B_West Elevation

Block A - new build

3642-0100_B_Site Location Plan
 3642-0115_B_Proposed Site Roof Plan
 3642-0410_B_Site Sections - Long
 3642-BA0305_D_Block A - North & West Elevations
 3642-BA0306_D_Block A - South & East Elevations
 3642-BA0405_C_Proposed Block A - Sections
 3642-BA0411_B_Block A 1-50 Part Elevation and Section
 3642-BA0412_A_Block A Section First Floor Balcony to Gaswork Lane
 3642-BA0413_A_Block A Boat House Relationship Section
 3642-BA0416_B_3D views Material Selection
 3642-BA0417_A_Cycle parking detailed plan
 3642-BA2100_F_Ground Floor Plan
 3642-BA2101_E_First Floor Plan

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifier House) Lime Kiln Road Bristol BS1 6UN**

3642-BA2102_D_Second Floor Plan
 3642-BA2103_C_Third Floor Plan
 3642-BA2103_C_Third Floor Plan
 3642-BA2105_E_Fifth Floor Plan
 3642-BA2106_A_Roof Plan

Block C - Purifier House

3642-0141_A_Block B - PH Demo Conservation - East Elevation & Section A-A
 3642-0142_A_Block B - PHouse Demo Conservation - North Elevation & Section B-B
 3642-0143_A_Block B - PH Demo Conservation - South Elevation & Section C-C
 3642-0144_A_Block B - PH Demo Conservation - West Elevation & Section D-D
 3642-3114_B_Block B - Purifier House - Section D-D
 3642-3115_A_Section E-E South Gable End
 3642-PH0620_B_Purifier House - Proposed Wall and Roof Details
 3642-PH1000_C_Purifier House - Proposed amendments to planning submission
 3642-PH1072_E_Section through Purifier and Capricorn Place
 3642-PH2110_F_Block B - Purifier House - Ground Floor Plan
 3642-PH2111_D_Block B - Purifier House - Proposed First Floor Plan
 3642-PH2112_D_Block B - Purifier House - Proposed Second Floor Plan
 3642-PH2116_C_Block B - Purifier House - Roof plan
 3642-PH3010_C_Block B - Purifier House - North elevation
 3642-PH3011_E_Block B - Purifier House - South elevation
 3642-PH3012_E_Block B - Purifier House - East elevation
 3642-PH3013_C_Block B - Purifier House - West elevation
 3642-PH3112_B_Block B - Purifier House - Section A-A
 3642-PH3114_D_Block B - Purifier House - Section B-B
 3642-PH3115_B_Block B - Purifier House - Section C-C

Enabling works

Appendix A Site Layout
 Appendix B - Site access constraints access and hoardings
 Appendix C.1 - Vehicle tracking analysis
 Appendix C.2- Vehicle tracking analysis
 Appendix C.3 - Vehicle tracking analysis
 Appendix C.4 - Vehicle tracking analysis
 CD-101 - Proposed Drainage Outfall into Floating Harbour
 CH-101 Shared Surface Scheme

External works

3642_Brandon Yard_Block B_SK1001_Northwest gate treatment
 3642-0160_B_Perimeter Wall External East Gasworks Lane
 3642-BW0162_D_Boundary Wall - Demolition & Conservation Proposals - External North Lime Kiln Road
 MWA-16.03-001_10 - Landscape General Arrangement
 MWA-16.03-002_02 Site Sections
 MWA-16.03-200_01 gateway
 MWA-16.03-201_01 Purifier Terraces
 ARUP-SK-EL-02 - REVC (lighting plan)

Reason: For the avoidance of doubt.

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifer House) Lime Kiln Road Bristol BS1 6UN****Advices**

- 1 The applicant is advised that evidence that the PV design has been approved by an MCS (Microgeneration Certification Scheme) accredited installer to ensure shading is taken into account within the energy generation calculations should be submitted within energy statements and PV details.
- 2 Any temporary or permanent works to the existing Listed dock wall will require further planning consent and are explicitly excluded from this consent.
- 3 Under the Environmental Permitting (England and Wales) Regulations 2010 permission from the Environment Agency may be required should any site/site infrastructure works take place in, under, over or within 8 metres of the bank top of the River Avon, a designated 'main river'.

The need for an Environmental Permit is over and above the need for planning permission. To discuss the scope of the controls please contact the Environment Agency on 03708 506 506. Some activities are now excluded or exempt; please see the following link for further information: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

- 4 Guidance:

If built-in bird and bat boxes cannot be provided within built structures, they should be provided on trees (with no more than one bird box per tree).

Bird boxes should be installed to face between north and east to avoid direct sunlight and heavy rain. Bat boxes should face south, between south-east and south-west. Bat boxes should be erected at a height of at least four metres, close to hedges, shrubs or tree-lines and avoid well-lit locations. Bat boxes which are being placed on buildings should be placed as close to the eaves as possible.

Swifts

Internal nest trays or boxes are particularly recommended for swifts. Swift bricks are best provided in pairs or groups (e.g. at least two or three on a building, avoiding windows) at least one metre apart. This is because they are usually colonial nesters. Swift boxes/bricks are best located on north, north-east or east facing walls, at least 5 metres high, so that there is a clear distance (drop) below the swift boxes/bricks of 5 metres or more so that there is space for the swifts to easily fly in and out of the boxes. Locating swift boxes under the eaves (where present) is desirable. One of the best designs is those by Schwegler because they are very durable. See below for some websites with examples of swift boxes:

http://www.nhbs.com/schwegler_swift_box_16_tefno_173237.html

<http://swift-conservation.org/Shopping!.htm>

Further guidance is available at:

<http://www.swift-conservation.org/InternalNestTrays.htm>

- 5 Nesting birds: Anyone who takes, damages or destroys the nest of any wild bird whilst that nest is in use or being built is guilty of an offence under the Wildlife and Countryside Act 1981 and prior to commencing work you should ensure that no nesting birds will be affected.
- 6 Bats and bat roosts: Anyone who kills, injures or disturbs bats, obstructs access to bat roosts or damages or disturbs bat roosts, even when unoccupied by bats, is guilty of an offence under the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 and the Conservation (Natural Habitats, &c.) Regulations Act. Prior to commencing work you should ensure that no bats or bat roosts would be affected. If it is suspected that a bat or bat roost is likely to be affected by the proposed works, you should consult English Nature

Development Control Committee A – 5 April 2017**Application No. 16/05329/F & 16/05330/LA: Former Gas Works (West Purifer House) Lime Kiln Road Bristol BS1 6UN**

(Taunton office 01823 283211).

- 7 Note that in deciding to grant permission, the Committee/Planning Service Director also decided to recommend to the Council's Executive in its capacity as Traffic Authority in the administration of the existing Controlled Parking Zone of which the development forms part, that the development should be treated as car free / low-car and the occupiers ineligible for resident parking permits.
- 8 Construction site noise: Due to the proximity of existing noise sensitive development and the potential for disturbance arising from contractors' operations, the developers' attention is drawn to Section 60 and 61 of the Control of Pollution Act 1974, to BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites code of practice for basic information and procedures for noise and vibration control" and the code of practice adopted by Bristol City Council with regard to "Construction Noise Control". Information in this respect can be obtained from Pollution Control, Brunel House, Bristol City Council, PO Box 3176, Bristol BS3 9FS.
- 9 Under the Environmental Permitting (England and Wales) Regulations 2010 permission from the Environment Agency may be required should any site/site infrastructure works take place in, under, over or within 8 metres of the bank top of the River Avon, a designated 'main river'.

The need for an Environmental Permit is over and above the need for planning permission. To discuss the scope of the controls please contact the Environment Agency on 03708 506 506. Some activities are now excluded or exempt; please see the following link for further information: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

Supporting Documents

1. Former Gas Works (West Purifer House) Lime Kiln Road

1. Proposed site plan – ground floor level
2. Block A – North West elevations
3. Block A – South East elevations

Notes
 This drawing may be scaled for the purposes of Planning Applications, Land Registry and for Legal plans where the scale bar is used, and where it verifies that the drawing is an original or an accurate copy. It may not be scaled for construction purposes.
 Always refer to figured dimensions. All dimensions are to be checked on site. Discrepancies and/or ambiguities between this drawing and information given elsewhere must be reported immediately to this office for clarification before proceeding. All drawings are to be read in conjunction with the specification and all works to be carried out in accordance with latest British Standards / Codes of Practice.



Application Site Boundary



Page 60



D	13/09/16	EC	Draft Planning Application	PB
C	30/08/16	EC	Purifier and Engine House ground floor terraces updated	PB
B	25/08/16	EC	Entrance ramps and steps added to Purifier House.	PB
A	23/08/16	EC	New blockwork wall to inside face of boundary wall, cycle stores updated	PB

Rev	Date	Init	Notes	Clkd
-----	------	------	-------	------

Client

Drawing Originator

AWW inspired environments
 London - 7 Birch Lane, London, EC3V 9BW 020 7160 6000
 Bristol - Rivergate House, Bristol, BS1 1LS 0117 923 2326
 Plymouth - East Quay House, Plymouth, PL4 0HN 01752 261 282
 RIBA Chartered Practice www.aww-uk.com

Project Title
Brandon Yard, Anchor Road, Bristol

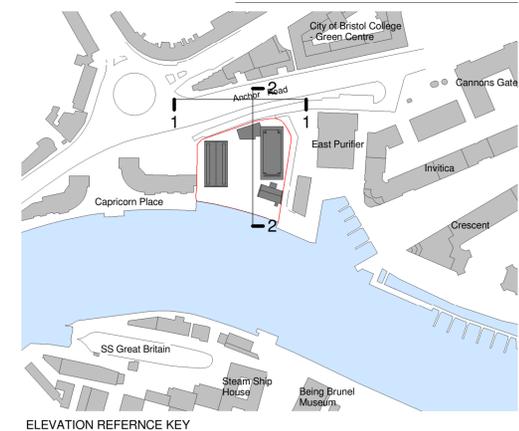
Drawing Title
Proposed Site Plan - Ground Floor Level

Scale	1:200	Sheet	@	Drawn	A1	Checked	Author	Date	20.09.16
Status	PLANNING		Project No.	3642		Drawing No.	0110		
Drawing Reference			Drawing No.	0110		Revision	D		

Notes
 This drawing may be scaled for the purposes of Planning Applications, Land Registry and for Legal plans where the scale bar is used, and where it verifies that the drawing is an original or an accurate copy. It may not be scaled for construction purposes.
 Always refer to figured dimensions. All dimensions are to be checked on site. Discrepancies and/or ambiguities between this drawing and information given elsewhere must be reported immediately to the office for clarification before proceeding. All drawings are to be read in conjunction with the specification and all works to be carried out in accordance with latest British Standards / Codes of Practice.



- 06_Sixth Floor 27350
- 05_Fifth Floor 24200
- 04_Fourth Floor 21200
- 03_Third Floor 18200
- 02_Second Floor 15200
- 01_First Floor 12200
- 00_Ground Floor 9200



- ELEVATION REFERENCE KEY
- KEY
1. Brick
 2. PPC aluminium framed double glazed panels and glazed spandrel panels
 3. Fixed copper panels
 4. Hit and miss brick panels with horizontal galvanised rods to support climbing vegetation
 5. Zinc cladding
 6. Glass Balustrade
 7. Glass Balustrade above brick parapet
 8. PV's
 9. Steel 'C' sections supporting sliding screen mechanism
 10. Louvres

1 Anchor Rd Elev 1
 1 : 200

Page 61



- 06_Sixth Floor 27350
- 05_Fifth Floor 24200
- 04_Fourth Floor 21200
- 03_Third Floor 18200
- 02_Second Floor 15200
- 01_First Floor 12200
- 00_Ground Floor 9200

2 West Elevation
 1 : 200

C	23.09.16	JP	Issued for Planning	PB
B	13/09/16	EC	Draft Planning Application	PB
A	23/08/16	EC	Wing lowered to 4 storeys	PB

Rev	Date	Init	Notes	Clkd
-----	------	------	-------	------



Client

Drawing Originator

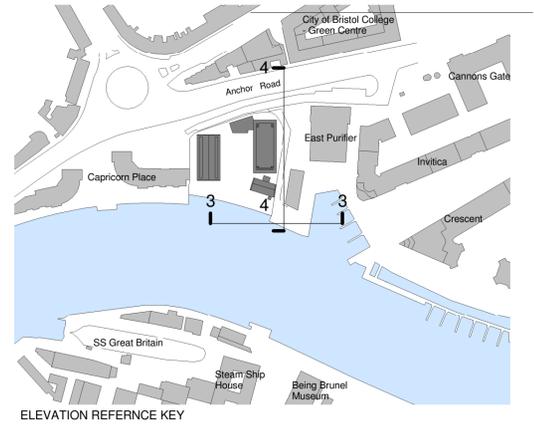
AWW inspired environments
 London - 7 Birch Lane, London, EC3V 9BW 020 7160 6000
 Bristol - Rivergate House, Bristol, BS1 6LS 0117 923 2535
 Plymouth - East Quay House, Plymouth, PL4 0HN 01752 261 282
 RIBA Chartered Practice www.aww-uk.com

Project Title
Brandon Yard, Anchor Road, Bristol

Drawing Title
Block A - North & West Elevations

Scale	Sheet	Drawn	Checked	Date
As indicated	A1	CP	PB	22.09.16
Status	PLANNING		Project No.	3642
Drawing Reference	Drawing No.	Revision		
	BA0305	C		

Notes
 This drawing may be scaled for the purposes of Planning Applications, Land Registry and for Legal plans where the scale bar is used, and where it verifies that the drawing is an original or an accurate copy. It may not be scaled for construction purposes.
 Always refer to fixed dimensions. All dimensions are to be checked on site. Discrepancies and/or ambiguities between this drawing and information given elsewhere must be reported immediately to the office for clarification before proceeding. All drawings are to be read in conjunction with the specification and all works to be carried out in accordance with latest British Standards / Codes of Practice.



- ELEVATION REFERENCE KEY**
- KEY**
1. Brick
 2. PPG aluminium framed double glazed panels and glazed spandrel panels
 3. Fixed copper panels
 4. Hit and miss brick panels with horizontal galvanised rods to support climbing vegetation
 5. Zinc cladding
 6. Glass Balustrade
 7. Glass Balustrade above brick parapet
 8. PV's
 9. Steel 'C' sections supporting sliding screen mechanism
 10. Louvres

3 Harbour Elev
 1 : 200

Page 62



4 Gasworks Lane Elev
 1 : 200

C	23/09/16	JP	Issued for Planning	PB
B	13/09/16	EC	Draft Planning Application	PB
A	23/08/16	EC	Wing lowered to 4 storeys	PB
Rev	Date	Init	Notes	Clkd



Client

Drawing Originator
AWW inspired environments
 London - 7 Birch Lane, London, EC3V 9BW 020 7160 6000
 Bristol - Rivergate House, Bristol, BS1 1LS 0117 923 2026
 Plymouth - East Quay House, Plymouth, PL4 0HN 01752 261 282
 RIBA Chartered Practice www.aww-uk.com

Project Title
Brandon Yard, Anchor Road, Bristol

Drawing Title
Block A - South & East Elevations

Scale	Sheet	Drawn	Checked	Date
As indicated	A1	AS	PB	22.09.16
Status	Project No.		3642	
PLANNING	Drawing No.	Revision		
	BA0306	C		

Development Control Committee A – 5 April 2017

ITEM NO. 2

WARD: Lawrence Hill **CONTACT OFFICER:** Stuart Langer
SITE ADDRESS: Linear Park Avon Street Bristol

APPLICATION NO: 16/04561/F Full Planning

DETERMINATION DEADLINE: 7 April 2017

Erection of a 8-11 storey building comprising 255 no. residential units, 536 sqm of flexible commercial / community floor space (Use Classes A1, A2, A3, A4, B1a, D1 or D2) at ground floor level, basement car park and associated development, including access, landscaping, bin storage and cycle parking. (Amendment to planning permission 14/03133/F) - Major Application.

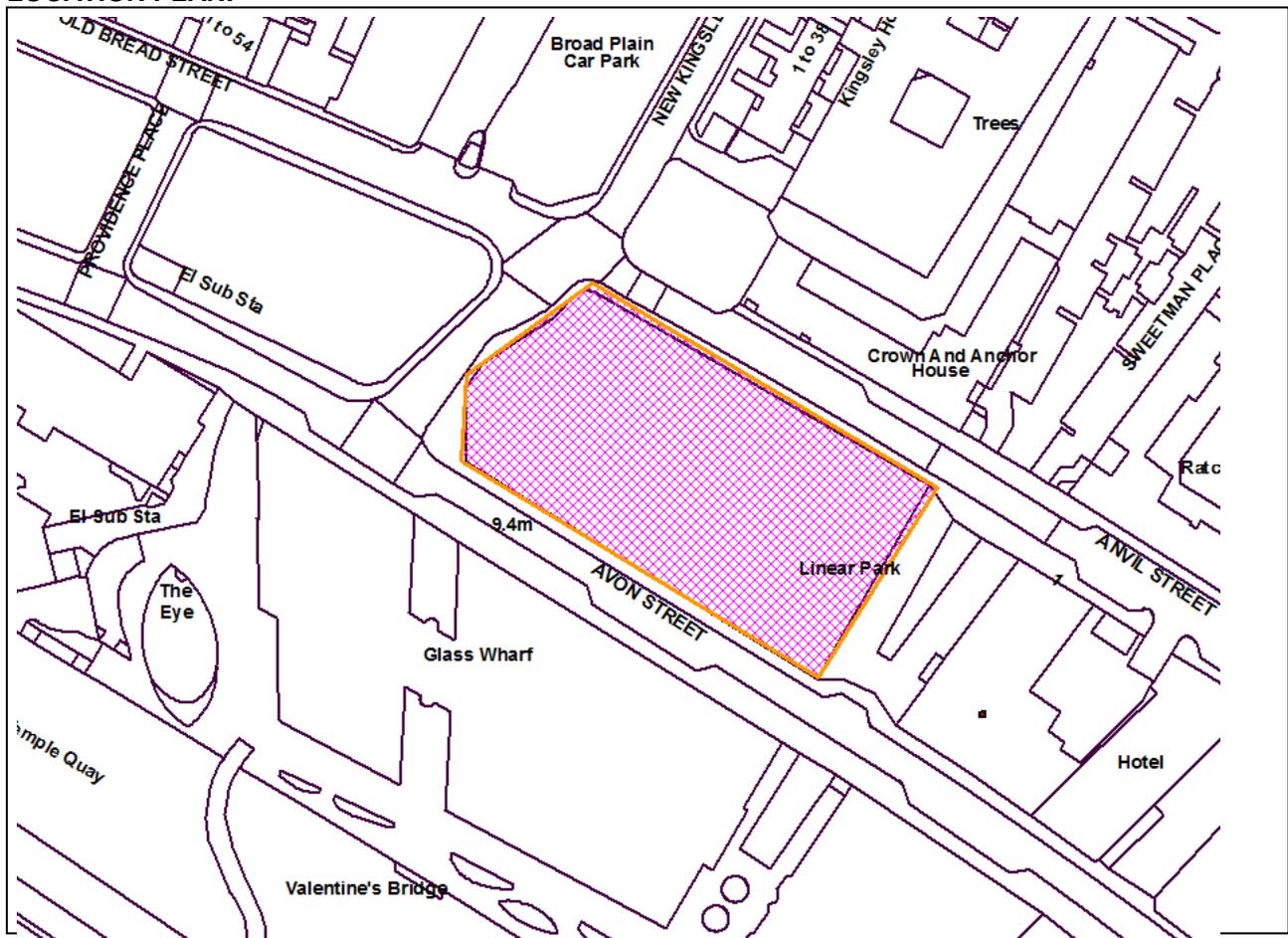
RECOMMENDATION: GRANT subject to Planning Agreement

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

APPLICANT: Legal and General Property Ltd
 c/o agent

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

LOCATION PLAN:



Development Control Committee A – 5 April 2017
Application No. 16/04561/F: Linear Park Avon Street Bristol

INTRODUCTION

The planning application was previously considered by the Bristol Development Control A Committee on 22 February 2017. In the report for that committee, officers recommended that the scheme be approved, subject to conditions and a legal agreement to provide 26 affordable dwellings. However in his presentation to committee, the representative from Legal and General (the developer) made a statement about the build period of the development that contradicted the information contained in the viability appraisal. Given the significant financing costs of the scheme, a reduced build period would improve scheme viability meaning that more affordable housing could be provided.

This issue was highlighted by officers during the Committee meeting and a discussion took place. Committee resolved that officers should verify the build period in the light of this new information, and report their conclusions to the Chair of the Committee. The Chair has requested that the revised position be returned to Committee for determination.

In addition, further comments from the general public have been received regarding this application.

AFFORDABLE HOUSING - LATEST POSITION

Following the 22 February 2017 committee, the representative from Legal and General wrote to the Service Manager – Development Management retracting his statement.

The agent has provided information from 4 tenders for the build contract, and officers have forwarded this information to our viability advisor (DVS). DVS advise that, based on the information provided, the build period should be 37 months, which is significantly longer than the 24 months claimed (and since retracted) by the representative from Legal and General, but slightly shorter than the 39 months set out in the original appraisal. However, because the financing costs of the scheme are significant, officers considered it appropriate to re-run the viability appraisal to see if the affordable housing position changed.

DVS subsequently re-ran the appraisal, based on a 37 month build period and including the correct CIL payment, and amended land value, as mentioned in the 22 February 2017 committee report.

The result of this is that the viability of the scheme improves such that the level of affordable housing that can be provided increases from 26 to 34 affordable dwellings. This increases the affordable percentage from 10% to 13%.

It should be noted that the applicant is strongly of the opinion that because the build period is only marginally different from that set out in the original appraisal, the original appraisal should stand. They are now also claiming that the period for letting out the properties will be 10 to 12 months from completion of the development, which contradicts the information provided in their original appraisal which was based on all the properties being occupied in the month after the development was completed.

In addition the applicant is now claiming that they do not agree with the land value or the level of CIL. As set out in the 22 February 2017 committee report, DVS considered that the land value of the site should be lower than that claimed by the applicant. At no point prior to the Committee meeting of 22nd February was this disputed by the applicant. As far as the calculation of CIL is concerned, it has been undertaken based on information provided by the applicant and at no point has it been questioned.

In any event, officers were only asked to deal with issues over the build period, as that was the issue that arose on 22 February 2017.

Development Control Committee A – 5 April 2017
Application No. 16/04561/F: Linear Park Avon Street Bristol

Having investigated this matter and sought advice from DVS, officers recommend that the scheme is approved, but with the provision of 34 affordable dwellings. Officers are, however, in an ongoing dialogue with the applicants regarding these matters and Committee will be updated at the meeting if the officer advice changes.

RESPONSE TO PUBLIC CONSULTATION – LATEST POSITION

In addition to the public comments that were reported in the previous report to committee and amendments sheet, additional public comments have been received. These more recent comments all make reference solely to affordable housing and all request that additional affordable housing is secured. In total therefore, 26 comments have been received from the general public. The issues identified by the public are as previously reported, although now with the addition that the scheme would not provide sufficient affordable housing at 26 units.

LEGAL AGREEMENT

As reported previously, the officers of the council intend to secure the following through planning and highways agreements with the developer (under section 106 of the Town and Country Planning Act 1990 and section 278 of the Highways Act 1980 respectively):

- * the provision of 13% affordable housing (34 affordable dwellings) on-site, and the provision of a viability review if the scheme has not commenced within 18 months of a planning consent being granted
- * highway works, to include a raised plateau along New Kingsley Road
- * improvement of footways surrounding the site
- * dedication of land around the site to provide a 2m footway from the kerb edge
- * provision of a new layby on Avon Street
- * re-instatement of an existing layby to level footway
- * provision of uncontrolled pedestrian crossings
- * parking space for a car club
- * funding of traffic regulation orders

This was reported at the previous committee but the recommendation below has been updated to include some of the elements above that were not in part A of the recommendation in the original report, specifically the car club parking space and funding for traffic regulation orders.

RECOMMENDATION

The recommendation to the committee is updated according to the previous report and amendments sheet, and the above text regarding the legal agreement, and is now as follows:

RECOMMENDED GRANT subject to Planning Agreement

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

- * the provision of 13% affordable housing (34 affordable dwellings) on-site, and the provision of a viability review if the scheme has not commenced within 18 months of a planning consent being granted.
- * All units (other than the affordable units as set out in the planning obligations agreement between the development parties and the local planning authority) shall be rented to occupants and no element of freehold or leasehold shall be available for purchase by persons occupying the premises.

Development Control Committee A – 5 April 2017
Application No. 16/04561/F: Linear Park Avon Street Bristol

- * Parking space for a car club
- * Funding of traffic regulation orders

(B) That the Head of Legal Services be authorised to conclude the Planning Agreement to cover matters in recommendation (A).

(C) That on completion of the Section 106 Agreement, planning permission be granted, subject to the following conditions:

Time limit for commencement of development

1. Full Planning Permission

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

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

Pre commencement condition(s)

2. Notification of commencement of use and district heating

At least 6 weeks prior to the commencement of the development, the developer will provide written notice to the local planning authority of the intention to commence. If at this time there is a viable district heating network present with pipework that can be connected to the development within a 30 metre area of the site, the development will connect into this district heating network and it will be utilised to provide the hot water to the development.

Reason: To ensure that district heating is utilised if the infrastructure is in place and available.

3. Approval of road works necessary

No development shall take place until details of the following works to the highway have been submitted to and approved in writing by the Local Highway Authority, in general accordance with plan SK04 (submitted 25.11.2016):

- a) Provision of a raised table on New Kingsley Road and at the junction of New Kingsley Road with Avon Street, and at its junction with Anvil Street and Old Bread Street.
- b) Provision of a new layby on the north side of Avon Street as indicated on submitted drawing reference A2728S200-P33 Proposed Ground Floor Plan.
- c) Provision of land to provide a 2 metre wide footway around the proposed layby (see point b above) and around the frontage of the site for adoption as public highway, as shown on plan SK05;
- d) Upgrade and improvement of the existing footway around the entire site;
- e) The reinstatement of the existing layby on the north side of Avon Street, to the east of the development site, as full height footway to include paving to match the adjacent footways;
- f) The provision of an uncontrolled dropped kerb pedestrian crossing point on the line of the linear park footway nearest the southern corner of the site;
- g) The provision of uncontrolled dropped kerb pedestrian crossing points, including tactile paving, on the development site side of Anvil Street and at either end of New Kingsley Street

The building hereby permitted shall not be occupied until these works have been completed in accordance with the approved details.

Development Control Committee A – 5 April 2017
Application No. 16/04561/F: Linear Park Avon Street Bristol

Reason: To ensure that all road works associated with the proposed development are planned and approved in good time to include any Highways Orders, and to a standard approved by the Local Planning Authority and are completed before occupation.

4. Sound Insulation

With the exception of works related to construction of the basement no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of noise insulation measures for all residential accommodation, this scheme shall also include details of ventilation. The scheme of noise insulation measures shall take into account the recommendations detailed in the acoustic report submitted with the application titled 'ND7 development, Bristol - Planning Noise Assessment (Revision C)' and dated 24 November 2016.

The approved details shall be implemented in full prior to the commencement of the use permitted and be permanently maintained. The works will be regularly checked by a competent acoustic consultant throughout the construction of the development and inspected by an authorised officer of Bristol City Council's Pollution Control Team prior to the first occupation of the development.

Reason: to ensure that residential units are suitably protected from excessive noise in order to safeguard amenity.

5. Land affected by contamination - Site Characterisation

No development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, and has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme should be submitted to and be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- * human health,
- * property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- * adjoining land,
- * groundwaters and surface waters,
- * ecological systems,
- * archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination is understood prior to works on site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

Development Control Committee A – 5 April 2017
Application No. 16/04561/F: Linear Park Avon Street Bristol

6. Land affected by contamination - Submission of Remediation Scheme

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

Reason: To ensure that risks from land contamination is understood prior to works on site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7. Land affected by contamination - Implementation of Approved Remediation Scheme

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

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

Reason: To ensure that risks from land contamination both during the construction phase and to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

8. Sustainable urban drainage system (SUDS)

No development shall take place until a detailed design of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved development shall be implemented in accordance with the approved detailed design prior to the use of the building commencing. The approved surface water drainage strategy will be maintained for the lifetime of the development.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal.

9. Electric Vehicle Charging

Prior to the laying out of the car parking spaces hereby approved details of at least 16 electric vehicle charging spaces shall be submitted to and approved in writing by the local planning authority. This will include:

- a) the location of the parking spaces
- b) the technology associated with electric vehicle charging and how this will be accessed by users

Development Control Committee A – 5 April 2017
Application No. 16/04561/F: Linear Park Avon Street Bristol

Reason: to ensure that alternative vehicle technologies are available to occupants of the building to help mitigate climate change.

10. Highway condition survey

Prior to the commencement of the development hereby approved a highway condition survey shall be undertaken and submitted to and approved in writing by the local planning authority.

Reason: to help identify where damage may occur to the public highway as a result of development.

11. Further details of before relevant element started

Detailed drawings at an appropriate scale of the following shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The detail thereby approved shall be carried out in accordance with that approval.

- a) Typical brick details including coursing, bonding, pointing and other decorative features.
- b) Typical details of all external cladding systems.
- c) Typical details of all types of doors and window opening including sills, lintels, surrounds, reveals and design of external doors and windows.
- d) Typical details of all balcony types and treatments
- e) Typical details of shop frontages, location for signage
- f) Typical details of staircase including entrances, windows and projections above the eaves
- g) Typical details of bay projections, porches and canopies
- h) Typical details of eaves, soffits, overhangs, ridge, parapets, coping and balustrades.
- i) Typical details of rain water goods
- j) Typical details of junctions between materials
- k) Typical details of ventilation of basement, storage of bins,

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

12. Sample panels before specified elements started

Sample panels of the external materials including wall facing materials, external cladding, plinth, external doors and windows including frames, sills, lintels and surrounds, door / window decorative features, eaves, soffits and rainwater goods; demonstrating, where present, the colour, texture, face bond and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.

Reason: In order that the external appearance of the building is satisfactory.

13. Swift nesting places

With the exception of works related to construction of the basement prior to the commencement of the development hereby approved details shall be submitted providing the specification, orientation, height and location for twelve swift boxes.

The development shall be constructed so as to include the nesting boxes in accordance with the approved details prior to first occupation, and shall thereafter be maintained as such.

Development Control Committee A – 5 April 2017
Application No. 16/04561/F: Linear Park Avon Street Bristol

Reason: To help conserve legally protected birds.

14. Semi-natural roof

With the exception of works related to construction of the basement prior to the commencement of the development hereby approved, details of the semi natural green / roof shall be submitted to and approved in writing by the local planning authority. The details will include:

- a) planting species
- b) substrate / soil media used
- c) provision of refuges for insects and other invertebrates
- d) long term management

The development will be constructed in strict and full accordance with the approved details prior to first occupation and will be maintained as such for the lifetime of the development.

Reason: in order to help protect and enhance the environment.

Pre occupation condition(s)

15. Land affected by contamination - Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 5 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 6, which is to be submitted to and be approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 7.

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

16. Construction environmental management plan

The development shall be constructed in strict and full accordance with the document titled '1918 ND7 Bristol Construction Logistics Plan' prepared by Elliot Thomas Logistics and submitted to the local planning authority on 30th August 2016.

All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:

- 08 00 Hours and 18 00 Hours on Mondays to Fridays and
- 08 00 and 13 00 Hours on Saturdays and;
- at no time on Sundays and Bank Holidays.
- Deliveries to, and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.

Development Control Committee A – 5 April 2017
Application No. 16/04561/F: Linear Park Avon Street Bristol

Reason: to ensure the impacts of the development on the public highway and on amenity of the surrounding area are mitigated to appropriate levels.

17. Artificial light (external)

No part of the development hereby approved shall be occupied until a report detailing the external lighting scheme and predicted light levels at neighbouring residential properties has been submitted to and approved in writing by the local planning authority.

External artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting contained within Table 2 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01:2011.

The development will be constructed in full and strict accordance with the approved details and will thereafter be maintained as such.

Reason: to safeguard the amenity of surrounding developments.

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

No building or use hereby permitted shall be occupied or the use commenced until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.

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

19. Completion of Vehicular Access - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the means of vehicular access has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be retained for access purposes only.

Reason: In the interests of highway safety.

20. Completion and Maintenance of Car/Vehicle Parking - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the car/vehicle parking area shown on the approved plans has been completed, and thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development

Reason: To ensure that there are adequate parking facilities to serve the development.

Development Control Committee A – 5 April 2017
Application No. 16/04561/F: Linear Park Avon Street Bristol

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

No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed, and thereafter, be kept free of obstruction and available for the parking of cycles only.

Reason: To ensure the provision and availability of adequate cycle parking.

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

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

Reason: In the interests of highway safety.

23. Installation of vehicle crossover - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the vehicular crossover(s) has been installed and the footway has been reinstated in accordance with the approved plans.

Reason: In the interests of pedestrian safety and accessibility

24. Reinstatement of Redundant Accessways - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the existing accesses to the development site has been permanently stopped up and the footway reinstated in accordance with the approved plans.

Reason: In the interests of pedestrian safety.

25. Travel plans

Prior to the first occupation of the development hereby approved a revised travel plan shall be submitted to and approved in writing by the local planning authority.

The development will be managed in strict and full accordance with the approved travel plan details thereafter for the lifetime of the development.

The Approved Travel Plan shall be monitored and reviewed in accordance with the agreed Travel Plan targets to the satisfaction of the Local Planning Authority.

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

26. Car Club

The development hereby approved will not be first occupied until evidence is provided that there is provision of a car club within the vicinity of the site and that a space on the site has been made available exclusively for that car club.

Reason: To ensure that the development is provided with a mixture of public and private transport options.

Development Control Committee A – 5 April 2017
Application No. 16/04561/F: Linear Park Avon Street Bristol

27. Details of extract/ventilation system - not shown

No ground floor unit shall be first occupied for the purposes of A3 or A4 use until a scheme of the means of ventilation for the extraction and dispersal of cooking smells/fumes has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include the following:

- a) Specification of equipment
- b) Method of ensuring that plant fumes and smells do not affect residents or neighbouring occupiers
- d) Management/maintenance schedule.

The details provided shall be in accordance with Annexe B of the 'Guidance on the Control of Odour & Noise from Commercial Kitchen Exhaust System'. Published electronically by Department for Environment, Food and Rural Affairs, or any superseding document.

The approved scheme shall be installed before the first time an A3 or A4 land use commences and thereafter shall be permanently retained.

Reason: These details need careful consideration and formal approval and to safeguard the amenity of adjoining properties and to protect the general environment.

28. Phasing

The residential units hereby approved shall not be occupied until the ground floor commercial units are constructed and available for occupation.

Reason: To ensure that the commercial floor space is constructed in accordance with the approved plans.

29. Flood Risk Assessment

Prior to the first occupation of the development, the building will be constructed in accordance with the Flood Risk Assessment (FRA) Addendum dated 18 August 2016 by CBRE. The building shall be constructed in accordance with the following:

1. Flood-risk mitigation measures detailed in Table 2 on page 4 in the FRA Addendum.
2. Finished floor levels for residential floor space is set no lower than 10.52m above Ordnance Datum (AOD).

Reason: 1. To reduce the impact of flooding on the proposed development and future occupants. 2. To reduce the risk of flooding to the proposed development and future occupants.

30. Flood defence barrier

The development hereby permitted shall not be occupied until the design of the proposed flood barrier has been submitted and is approved in writing by the local planning authority and the barrier has been installed in accordance with the approved details. The barrier must provide effective protection up to a level of at least 10.22m AOD.

Reason: To reduce the impact of flooding on the proposed development and future occupants.

Development Control Committee A – 5 April 2017
Application No. 16/04561/F: Linear Park Avon Street Bristol

31. Sustainability

The development hereby approved shall be constructed in accordance with the recommendations of the Sustainability Statement Rev 06 prepared by Beverley Clifton Morris Ltd (10755/16).

Reason: To ensure that the development provides for the sustainability and climate change goals of the adopted development plan.

32. Noise from commercial premises

No commercial premises on the ground floor shall be occupied until an assessment of the potential for noise from the development affecting residential properties as part of this development and existing residential properties in the area has been submitted to and approved in writing by the Council.

The assessment shall include noise from:

- Music
- Customers (including customers in any outside area)
- Ventilation, refrigeration and air conditioning plant or equipment
- Servicing (deliveries and refuse collections)

If the assessment indicates that noise from the development is likely to affect neighbouring affecting residential or commercial properties then a detailed scheme of noise mitigation measures shall be submitted to and approved in writing by the Council prior to the occupation of the commercial units.

The noise mitigation measures shall be designed so that nuisance will not be caused to the occupiers of neighbouring noise sensitive premises by noise from the development.

The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS4142: 2014 Methods for rating and assessing industrial and commercial sound and of BS 8233: 2014 "Guidance on sound insulation and noise reduction for buildings".

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

Reason: to safeguard amenity against the potential for disturbance from noise.

33. Submission and approval of hard and soft landscaping

The development shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping. The scheme shall set out:

- A. Species proposed to be planted at ground floor level and at roof terrace level
- B. Maturity / sizes of specimens to be planted
- C. Typical specifications of tree pits and planting beds
- D. Surface treatment for hard surfaces at ground floor level and roof terrace level
- E. Sectional details showing the proposed construction of the rooftop garden and landscaping above parking including depth of garden deck, depth of planting and irrigation methods
- F. Construction details of all steps, ramps, boundary walls, kerbs, landscape enclosures, railings, carparking vents

Development Control Committee A – 5 April 2017
Application No. 16/04561/F: Linear Park Avon Street Bristol

- G. Construction details for junctions between paving materials (showing level changes), and between hard and soft surfacing
- H. Construction details of boundary treatments and retaining walls
- I. Details of street furniture including seating and lighting
- J. Management / maintenance so as to ensure vegetation does not interfere with users of public highway and to ensure planting is maintained.

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

The management and maintenance proposals as approved under part J of this condition will be implemented for the lifetime of the development.

Reason: To protect and enhance the character of the site and the area and to ensure its appearance is satisfactory and also to ensure that appropriate highway visibility is maintained.

Post occupation management

34. Flood evacuation plan - residential property

The development shall be operated and maintained in strict and full accordance with the details set out in the document titled 'Flood Management Plan' dated August 2016 which was submitted in support of the application.

Reason: To limit the risk of flooding by ensuring the provision of a satisfactory means of flood management on the site.

35. Highway condition survey

Following completion of the works necessary to allow the proposed use to commence, the developer shall submit a highway condition survey to the local planning authority.

The highway condition survey shall re-survey the routes that were surveyed in the highway condition survey submitted in support of the application and any other additional routes if so directed in writing by the local planning authority.

Reason: in order to ensure highways impacts are recorded.

36. Noise from plant & equipment affecting residential

The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB below the pre-existing background level at any time at any residential premises.

Any assessments to be carried out and be in accordance with BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

Reason: to safeguard the amenity of surrounding development and of the occupiers of the development hereby approved.

Development Control Committee A – 5 April 2017
Application No. 16/04561/F: Linear Park Avon Street Bristol

37. Hours of use

The uses within Class A1(Retail), A3 (Restaurants and Cafes) and Class A4 (Drinking Establishments) hereby permitted shall not be open to customers except between the hours of 08.00 and 23.00 daily, with staff access between 07.30 and 00.30 daily.

The uses A2 (Financial and professional services), B1a (business as an office other than a use within class A2), D1 (Non-residential institutions) and D2 (Assembly and Leisure) hereby permitted shall not be open to customers except between the hours of 08.00 and 21.00 daily, with staff access between 07.30 and 21.30 daily.

Reason: in order to protect the amenity of surrounding development.

38. Limitation of Uses - 'A1 (Shops)' Land Use

A maximum of 200 square metres of floor space within the development as a whole shall be used for A1 (shops) as defined in the Town and Country Planning Use Classes Order 1987 (as amended).

Reason: In order to protect the vitality of existing identified centres

39. Hours of Use of Outdoor Areas

There shall be no consumption of food or beverages in the outdoor areas of the site in relation to the commercial use of any ground floor unit after 22:00.

Reason: To protect the amenities of adjoining occupiers.

40. Use of Refuse and recycling facilities

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

Reason: To safeguard the amenities of nearby occupiers

41. Deliveries

Activities relating to deliveries at the ground floor commercial units shall only take place between 08:00 and 20:00 Monday to Saturday and not at all on Sundays and Bank Holidays.

Reason: To safeguard the amenities of nearby occupiers.

42. Retention of garage/car parking space(s)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the garage/car parking space(s) hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with the residential occupation of the property and ancillary domestic storage without the grant of further specific planning permission from the Local Planning Authority.

Reason: To retain garage/car space for parking purposes.

Development Control Committee A – 5 April 2017
Application No. 16/04561/F: Linear Park Avon Street Bristol

List of approved plans

43. 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.

A2728 S150-P31 Site location plan, received 23 August 2016
 A2728 S199 P33 Proposed basement floor plan, received 25 November 2016
 A2728 S200 P33 Proposed ground floor plan, received 25 November 2016
 A2728 S201 P33 Proposed 1st floor plan, received 25 November 2016
 A2728 S202 P33 Proposed 2nd floor plan, received 25 November 2016
 A2728 S203 P33 Proposed 3rd floor plan, received 25 November 2016
 A2728 S204 P33 Proposed 4th floor plan, received 25 November 2016
 A2728 S205 P33 Proposed 5th floor plan, received 25 November 2016
 A2728 S206 P33 Proposed 6th floor plan, received 25 November 2016
 A2728 S207 P33 Proposed 7th floor plan, received 25 November 2016
 A2728 S208 P33 Proposed 8th floor plan, received 25 November 2016
 A2728 S209 P33 Proposed 9th floor plan, received 25 November 2016
 A2728 S210 P33 Proposed 10th floor plan, received 25 November 2016
 A2728 S211 P33 Proposed plant level, received 25 November 2016
 A2728 S212 P33 Proposed roof plan, received 25 November 2016
 A2728 S300 P33 Proposed section AA & BB, received 25 November 2016
 A2728 S301 P33 Proposed section CC & DD, received 25 November 2016
 A2728 S350 P33 Ladder section 1-1, received 25 November 2016
 A2728 S351 P33 Ladder section 2-2, received 25 November 2016
 A2728 S400 P33 Proposed south and west elevations, received 25 November 2016
 A2728 S401 P33 Proposed north and east elevations, received 25 November 2016
 A2728 S402 P33 Inner east and west elevations, received 25 November 2016

Reason: For the avoidance of doubt.

Advices

1 Wild birds

All species of wild birds, their eggs, nests and chicks are legally protected until the young have fledged. No site clearance or tree or hedge removal shall be carried out on site between 1st March and 30th September inclusive in any year, unless a check has been carried out beforehand by a qualified ecologist as agreed with the local planning authority.

2 Lighting

Regards the lighting strategy (in section 4.21 in the Design and Access Statement), up-lighting of trees in soft landscape areas is not desirable from the point of view of ecology and nocturnal wildlife including foraging and commuting bats. According to paragraph 125 (page 29) of the National Planning Policy Framework (2012), 'By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.' Accordingly low level bollard lighting is preferred.

Development Control Committee A – 5 April 2017
Application No. 16/04561/F: Linear Park Avon Street Bristol

3 Semi-natural roofs

The proposed inclusion of semi-natural living roofs on sections of the roof space is welcomed. The semi-natural roof should include features for invertebrates (as well as open mosaic habitats on previously developed land as is currently proposed). To benefit certain invertebrates the roof should include local substrates, stones, shingle and gravel with troughs and mounds, piles of pure sand 20 - 30 cm deep for solitary bees and wasps to nest in, small logs, coils of rope and log piles of dry dead wood to provide invertebrate niches (the use of egg-sized pebbles should be avoided because gulls and crows may pick the pebbles up and drop them). Deeper areas of substrate which are at least 20 cm deep are valuable to provide refuges for animals during dry spells. The Design and Access Statement includes illustrations showing Sedum roofs which are not recommended because they will not provide the appropriate wildlife habitats.

4 Swift boxes

Internal nest trays or boxes are particularly recommended for swifts. Swift bricks are best provided in pairs or groups (e.g. at least two or three on a building, avoiding windows) at least one metre apart. This is because they are usually colonial nesters. Swift boxes/bricks are best located on north or east facing walls, at least 5 metres high, so that there is a clear distance (drop) below the swift boxes/bricks of 5 metres or more so that there is space for the swifts to easily fly in and out of the boxes. Locating swift boxes under the eaves (where present) is desirable. One of the best designs is those by Schwegler because they are very durable. See below for some websites with examples of swift boxes:

http://www.nhbs.com/schwegler_swift_box_16_tefno_173237.html

<http://swift-conservation.org/Shopping!.htm>

Further guidance is available at:

<http://www.swift-conservation.org/InternalNestTrays.htm>

5 Noise Levels

The recommended design criteria for dwellings are as follows:

- Daytime (07.00 - 23.00) 35 dB LAeq 16 hours in all rooms & 50 dB in outdoor living areas.
- Nighttime (23.00 - 07.00) 30 dB LAeq 8 hours & LAmax less than 45 dB in bedrooms.

Where residential properties are likely to be affected by amplified music from neighbouring pubs or clubs, the recommended design criteria is as follows:

- Noise Rating Curve NR20 at all times in any habitable rooms

6 Extraction from cooking emissions

Guidance on flues for the dispersal of cooking smells can be gained at 'Guidance on the Control of Odour & Noise from Commercial Kitchen Exhaust System' Published electronically by Department for Environment, Food and Rural Affairs. Product Code PB10527.

[http://www.defra.gov.uk/environment/noise/research/kitchenexhaust/pdf/kitchenreport .pdf](http://www.defra.gov.uk/environment/noise/research/kitchenexhaust/pdf/kitchenreport.pdf)

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

SUMMARY

The application is being reported to the Bristol Development Control Committee to due to its key city centre location and to allow Members to review the negotiated proposals, which is now recommended for approval subject to a number of conditions and a section 106 agreement.

The development does not fully comply with a number of policies including affordable housing provision, compliance with the Bristol Temple Quarter Enterprise Zone Spatial Framework, housing mix, public art and sustainability / climate change mitigation.

Planning policies do allow for the consideration of viability issues to be set against the relevant policy issues, although offer little guidance on how to prioritise meeting competing policy aims. A viability assessment was submitted as part of the application package which essentially clarifies that a scheme that meets all of the policy objectives would not be viable. Therefore, officers have sought to negotiate a scheme which achieves a reasonable mix of residential accommodation, including the provision of affordable housing; a fabric first approach in terms of sustainability, and a more constrained approach to the public realm works around the site

SITE DESCRIPTION

The application site is located within the Temple Quarter Enterprise Zone, to the east of Bristol City Centre, in an area known as Temple Quay North, in the ward of Lawrence Hill. It is bounded by Anvil Street to the north, Avon Street to the south and New Kingsley Road to the west. To the east of the site is an area of open space, described as Linear Park, which was provided in accordance with a previous outline consent (01/01606/P - granted in 2002) for a wider area which includes this site, this site is known as 'ND7'.

The site is currently vacant and consists of broken hardstanding. The site is secured by hoarding and several self-seeded shrubs have grown up.

The area was historically used for housing and commercial uses, although much of the industrial infrastructure was removed towards the end of the 20th century. The site itself appears to have a history of use for car sales and as a police depot, although all of the buildings associated with this use have been removed. Since then the area has been subject to significant redevelopment, which originated from planning permission no 01/01606/P. This established the masterplan for the area (please refer to the supporting documents for the layout of the area), dividing the area into 13 plots (known as ND1 to ND13). Plots ND1 to ND5 were located along the floating harbour, and were designated primarily for office use. Plots ND6 to ND9 were located in the area between Anvil Street and Avon Street, and were designated for a mixture of residential and commercial (again primarily offices). The area to the north of Avon Street was designated primarily for residential uses. This planning permission has now expired, and the masterplan it provided has been subject to a number of variations since originally approved (see history below).

So far the work based on application 01/01606/P has provided for significant development, as follows:

- complete and operational residential and office development to the south of the site (the eye on ND2, the Burgess Salmon building on ND3 and 2 Glass Wharf on ND4)
- construction on plot ND5 is likely to begin very soon
- reserved matter applications for residential and office have been granted for plot ND6
- a hotel has been completed and is operational to the east of the site (Ibis hotel on ND8)
- residential development to the north (ND10 - ND13) has also been completed and is occupied.

The site is within the development allocation BCAP35 (also known as site KS01) 'Bristol Temple Quarter' in the Central Area Plan. The allocation covers the whole of the temple quarter which is a

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

much wider site than this application site alone. The policy sets out that this area will deliver, amongst other things, at least 100,000 sqm of net additional high quality work space, 2,200 new homes as well as complementary retail and leisure uses. The site is also within the Enterprise Zone and the Enterprise Zone Spatial Framework published in October 2016 provides further detail about what is anticipated to come forwards on the site. The key issues section below includes the relevant aspirations of the spatial framework.

In addition to this, other site characteristics include:

The site is within the Bristol air quality management area

The eastern half of the site is within flood zone 2 (the remainder is flood zone 1)

The site is within the low risk coal mining legacy area defined by The Coal Authority

The site is not within a conservation area and does not include a listed building. The nearest listed building is the grade II Gardiner's Warehouse, former soapworks, which is approximately 60m to the northwest and in addition grade I listed Bristol Temple Meads Station is approximately 180m to the south.

The site is just outside the boundary of the Old Market Quarter neighbourhood planning area.

There are no biodiversity designations on the site.

RELEVANT HISTORY

The application site has a long and relatively complex planning history, as follows:

01/01606/P: Redevelopment to provide a mixed use scheme comprising business (including offices), residential, leisure, retail, financial and professional services, food and drink, and community facilities (Use Classes B1, C3, D2, A1, A2, A3 and D1), public and private open space, a pedestrian/cyclists' bridge over the floating harbour, car parking, roads and footpaths and other associated infrastructure and landscaping – outline planning permission granted 05/06/2002. Although no development occurred on the application site as a result of this consent, it did result in the delivery of the mainly residential buildings to the north of the site (ND10 to ND13), as well as much of the surrounding infrastructure. This was progressed through various reserved matter applications, which are not referenced in this report for brevity.

12/02482/X: Variation of conditions 5, 6, 7, 9, 41 and 47 for planning permission 01/01606/P to allow New Kingsley Road alignment between plots ND6 and ND7 to remain unchanged - Redevelopment to provide a mixed use scheme comprising business (including offices), residential, leisure, retail, food and drink, and community facilities, public and private open space, a pedestrian/cyclists bridge and car parking (Major application) - permission granted: 01/05/2013.

Although no reserved matter consent was issued for this particular ND7 site, a full application has been submitted and determined:

14/03133/F: Erection of a 7/8 storey building comprising 168 no. residential units, 1071 sqm of flexible commercial floor space (Use Classes A1, A2, A3, A4, B1a, D1 or D2) at ground floor level, basement car park and associated development, including access, landscaping, bin storage and cycle parking. (Major Application) – permission granted 22.12.2014. This provides material consideration in the determination of the current application. It expires on 22.12.2017.

The relevant planning history on the immediate surrounding sites also includes:

ND8:

05/04336/F: Construction of a building comprising Class B1 office (6,145 sqm) and Class C1 hotel (5,344 sqm) with car parking, associated infrastructure and public realms works to NP3, NS3, and NS4 - Planning Permission granted: 26/01/2006. This application relates to site ND8, immediately to the south east of this site. The permission granted full planning permission, and did not directly relate

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

to the original outline permission. This permission has been constructed on the site.

ND1-5:

07/01858/P: Outline application for redevelopment to provide a mixed use scheme comprising business (including offices), residential, retail, leisure, financial and professional services, food and drink, and leisure uses (Classes B1, C3, D2, A1, A2, A3, A4 and A5), public realm, car parking, roads and footpaths, landscaping and other associated infrastructure - Permission granted: 16/11/2007. This application relates to the development of the row of units fronting the floating harbour (ND1 to ND5, although this application removed ND1). Whilst an outline application, it included full details of ND2 (The Eye), ND3 (the Burgess Salmon building) and ND4 (which was later varied and constructed).

14/04758/F - Seven storey Class B1 office building over ground floor (Classes A1, A3 and B1 uses) with semi-basement car parking, rooftop plant, and ancillary soft and hard landscaping. (Major application). Permission Granted 09.06.2015.

ND6:

13/02010/M: Reserved matters approval in respect of Application. No. 01/01606/P, as varied by App. No. 12/02482/X. - a 5/7 storey building comprising 78 flats (12 no. three bedroom, 34 No. two bedroom and 32 No. one bedroom), retail unit (440 sq. m), cycle parking, plant room and associated public realm. (Major Application) - Permission Granted 21.04.2016. This provided effectively the full consent for residential units to be built on ND6. The development allowed by this consent has not been commenced.

16/01122/P: Outline planning application for development of a single building consisting of up to 9,800 sqm of gross internal office (Use Class B1(a)) floor space across up to seven storeys, plus a basement level car park. 'Scale' and 'Layout' to be considered only with all other matters (access, appearance and landscaping) reserved. (Major application) – Permission granted 29.09.2016. This provided a new outline consent for ND6 for office use. No reserved matter application in relation to this has since come forward.

APPLICATION DETAILS

The layout of the building comprises an H-Plan configuration, with a new area of public space on north-eastern part of the site facing Anvil Street, flanked on both sides by the two wings of the building. The scheme also includes a new area of public realm to the west of the building, along New Kingsley Road.

When originally submitted, the proposals were to construct the building using a modular system, which whilst simpler to construct, resulted in various constraints to the design of the building. Originally the building was to be approx. 39.6m tall, excluding the biomass boiler flues and other plant. The building was arranged so as to be 9 storeys on the wings nearest Anvil Street and 10 storeys at the core of the building nearest Avon Street.

Due to comments from the general public and consultees, the scheme was amended. The various reasons for the amendments are set out in the key issues section below.

The revised scheme is different to the original proposal in that the building wings are 8 storeys tall nearest Anvil Street (rather than 9), and the building is 11 storeys tall at its main core (rather than 10). Although an additional storey has been included in the main core of the building, the overall height of this has actually reduced slightly. This has been achieved by using reduced floor to floor heights (the previous modular construction method requires voids which are not needed with more traditional methods which are now proposed). The overall height of the main core is reduced by 0.3m excluding the biomass boiler flues and plant. The height of the building wings nearest Anvil Street has reduced

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

by 5.1m. In total the revised scheme provides a building that is between 8-11 storeys and provides for the following:

255 private rented sector (PRS) residential units

536 sqm of flexible commercial / community floor space (Use Classes A1, A2, A3, A4, B1a, D1 or D2) at ground floor level

A basement car park

Associated development including access, landscaping, bin storage and cycle parking.

To summarise the main difference between the proposals now and as they were originally submitted is the change in height across the building and the increase in units. The other elements of the scheme remain the same or very slightly adjusted.

The building will feature a basement accessed by ramp in the south western corner of the site, providing 71 car parking spaces (14 disabled), 248 cycle parking spaces and other plant and storage.

The ground floor provides storage for a further 86 secure cycle spaces and 30 outside cycle spaces. The floorplans show two commercial units, one of 372sqm and another of 164 sqm. The commercial units have been designed with maximum flexibility, with use classes A1, A2, A3, A4, B1a, D1 and D2 referred to in the application. The ground floor also includes a fitness studio of 85sqm, and socialising space including a café and lobby. In the north-eastern corner of the site on the ground floor are four residential units.

The landscaping on the ground floor also provides parking for 8 cars, a delivery bay and a car club space.

The floors above contain residential units, although the 9th storey includes a garden room, function room and access to the roof terrace on the top of the north-western wing of the building.

The roof is proposed to be a green roof (other than the outside terrace amenity space), and also to feature solar panels.

The proposed development would be largely clad in brick. The top two storeys on the main core are set back from the street façade of the building by 1.7m and these are clad in standing seam metal.

The unit breakdown is as follows:

1 bed 1 person studios – 41 (16%)

1 bed 2 person flats – 135 (53%)

2 bed 4 person flats – 72 (28%)

3 bed 6 person flats – 7 (3%)

The application proposes 9.4% affordable housing (24 dwellings), all of which would be for an affordable rented product based on the Council's Local Housing Allowance rates.

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 neither the approval nor refusal of this application would have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

PRE-APPLICATION COMMUNITY INVOLVEMENT

The site previously gained planning approval under application 14/03133/F. As such publicity about development on the site has been made over the past few years. Prior to the submission of the current application (2nd June 2016) the applicant sent 50 letters to stakeholders identified through the previous consultations about the site and 360 letters to nearby neighbours. The letter advised of the revised proposals as they were originally submitted (240 units and 9-10 storey height). The community involvement statement dated June 2016 sets out that no responses were forthcoming.

RESPONSE TO PUBLIC CONSULTATION

The application was validated on 24 August 2016, and has been available to view and comment upon online since that date. In addition a site and press notice was posted, on 21.09.2016 and 15.09.2016 respectively, both with a target response date of 12.10.2016.

In addition 138 neighbouring addresses were mailed informing them of the application, with a target response date of 10.10.2016.

In response to this first round of consultation 17 responses were received. The main issues raised in these are summarised as:

The building is too high and the proposal would result in diminished sunlight to neighbouring properties leading to reduced amenity for residents and negatively affected commercial premises
 The reduction in sunlight will also result in increased energy usage for those affected and diminished health and wellbeing

The reduction in sunlight to the surrounding streets will create a negative effect to these spaces

The height of the building is not in keeping with the surroundings

The raised table at New Kingsley Road / Avon Street should be flush to the kerb

The development will exacerbate pre-existing parking issues which cause social tensions and affect fire tender access

The car club should be accessible by the wider community not just residents

The local infrastructure will not be able to accommodate the increased local population, specifically the local highways which are significantly congested

The development will result in a loss of privacy for nearby residents

The development will result in loss of outlook for nearby residents

The construction will result in noise and disruption for occupants of nearby buildings

The development proposals are not high quality and will not provide sufficient occupier amenity

The proposals include many 1 bedroom flats

Larger specimen trees would be more appropriate

Planting of climbing plants on the southern elevation would be beneficial

Nesting boxes should be provided

Uplighting the building should not be pursued due to visual pollution

Concerns that the travel plan cites walking and cycling as hazardous [officer note: the travel plan does not state this but does recommend use of equipment such as high visibility clothing to enhance safety]

The proposal will attract less affluent persons [officer note: this is not a planning consideration]

The development will result in loss of value for surrounding residential units [officer note: this is not a planning consideration].

It is clear from the objections that the main concern is from occupants of Crown and Anchor House, which is across Anvil Street from the site.

Following the revisions to the design, a second round of consultation was undertaken. This involved a repeat maildrop to the same addresses as per the first round of consultation. These had a target response date of 12.12.2016.

In response to the second round of consultation two further comments were received from the general

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

public. They were from persons who had commented in response to the first round of consultation. The comments are summarised as follows:
 The alterations do not overcome the daylight / sunlight impacts on nearby buildings
 The increase in units is unacceptable.

It should be noted that since the second round of public consultation, the description of development has been amended to reflect the change in height from 9-10 storeys to 8-11. The number of storeys of the proposals themselves have not changed since the second round of consultation.

RESPONSE FROM CONSULTEES

As with the general public, consultees were advised of the proposals as originally submitted, and again once the revised plans had been provided. The comments below reflect the latest position on all matters and therefore take into account the revised submissions.

Bristol Transport Development Management

The transport department has made several comments on the final scheme which are summarised as:

The development will generate fewer peak time trips on the highway network than the previous consent on the site, despite having more residential units. This is due to a reduction in the amount of commercial floor space proposed.

255 units on the site will not have an adverse impact on the operation of the local highway network
 The level of car parking proposed is acceptable

The number of electric vehicle charging points is accepted and should be controlled by planning condition

The proposal will feature a car club space which is acceptable

The proposals feature a number of off-site improvements to the transport network, including raised platforms, removal of layby, installation of tactile crossings and the installation of a new vehicle crossover. This is acceptable

The applicant has agreed to fund any requisite traffic regulation orders, which is welcomed

The applicant has agreed to preparing a travel plan, which will be approved by council officers and this approach is considered acceptable.

A number of conditions were also recommended, specifically ensuring that the application is built in compliance with the submitted details.

Bristol City Council Urban Design

The urban design team commented twice on the proposals – once for the first round of consultation and again for the second round. These are the comments:

Previous Comments

“The building heights are also clear in the SF at 5 to 8 storeys for this site and I cannot see justification on exceeding this approach. With regard to other matters I would raise the following:
 1 – The general arrangement of the scheme is improved allowing in principle a better relationship with existing housing onto Anvil Street, and the West facing commercial units on the ground floor.
 2 – the landscape and public realm proposals are an improvement on the previous scheme but needs to be tested in terms of overshadowing to inform detailed treatment.
 3 – Notwithstanding the overall height of the proposed scheme the elevational modelling is too flat. We would agree with a change of material at for the upper storeys, however would expect this to be reflected in a setting back of upper floors to enable a more comfortable relationship with surrounding buildings, provide opportunities for upper floor terraces on more desirable units etc.
 4 – with regard to materials I note that brick slips are mentioned in pre-application discussions, we

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

need to reiterate that we are having issues with the use of Brick slips and achieving appropriate detailing around window returns, building corners and façade modelling generally, as such we would not be encouraging the use of such techniques on what should be expected to be a quality development within the central area.

Updated response

Regarding the key issue of building height the building proposal is still significantly higher than the spatial framework by a good 3 storeys. The implication of this is that the stepping down from Avon Street to Anvil Street does not conform to either the SF or masterplan principles, and has implications in the massing on surrounding buildings, and particularly with regard to the residential building to the North. Whilst the supporting documentation has regard to levels of light compared with the previous approval, the increase in height of the block relates poorly in townscape terms and does not help to deliver an attractive and comfortable public realm. It is noted that the illustrative material seems optimistic with regard to direct sunlight from the North East.

With regard to the issue of height the revised planning statement submitted by Alder King seems misleading in suggesting that the concerns regarding the massing and that it was recommended that the upper storey are set back. Although this does help to reduce the visual impact of the upper floors to an extent it does not conform to the urban design comment that the building proposal should be in line with the spatial framework at 5 to 8 storeys.

It is noted also that the description of the development (erection of a 9-10 storey building) is misleading with regard to its height in that the revised elevations and sections show an 11 storey building – ground plus 10 [officer note: this has been clarified since the consultation was undertaken and the overall height of the building has reduced].

The design of the building has improved with the setting back of the upper floors and the massing and design breaking up the block to better step down to Anvil Street, although the proposal would benefit from a reduction of at least a storey, and would be the spirit of the Spatial Framework, if not by the letter, if it were reduced overall by 2 storeys maintaining the step down i.e. 6 storeys onto Anvil Street and 9 onto Avon Street.

With regard to the material and detailed design I am happy that design concerns are dealt, and the scheme could be satisfactorily resolved with the usual conditions with regard to sample and on site reference panels”.

Environment Agency

The Environment Agency have not objected to the development, although required planning conditions relating to finished floor levels, flood barriers, contaminated land assessment and requisite remediation.

Bristol Pollution Control - Contaminated Land

The contaminated land officer commented that ‘as no further investigation work is forthcoming at this time we concur with the conditions proposed by the Environment Agency’.

Bristol Pollution Control – Nuisance

The Bristol Pollution Control team commented that the submitted report demonstrates that the development will be acceptable with regard to external noise and if approved, these should be ensured by condition.

In addition, further detail is required to ensure that occupiers of the building are not unsuitably affected

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

by noise from the commercial uses on the ground floor – and that if approved a scheme of insulation between the commercial property and residential units will need to be submitted and approved by the local planning authority.

Bristol City Landscape

The landscape officer most recently commented that ‘The additional information on the landscape and public realm clarifies the landscape strategy in relation to shade tolerant species in the Anvil Street courtyard and maintenance relating to hard surface materials. Both are helpful and acceptable’.

Air Quality

The Bristol Air Quality Officer commented as follows:

“I’ve reviewed the AQ assessment and can confirm that that I am satisfied with the methodology used to determine the potential air quality impacts from the proposed CHP and Gas Boilers. The predicted impacts are negligible, therefore I do not have any objections on the basis of emissions from the proposed on-site combustion plant”.

Sustainable cities team

The sustainable cities team commented that it is welcome to see energy efficiency measures proposed which exceed minimum building regulations requirements. However they also raised comments that the development should include more solar PV panels to generate a CO2 saving of 20%, and that the overheating calculations should reflect climate change impacts. The comments also set out that the design should demonstrate that it can accommodate connection to a district heating plant and that overheating assessments should be made to demonstrate that the development will still be suitable in 2050.

The comments also set out that a BREEAM communities assessment should be made.

City Council Ecology

The city ecology team have commented that the development should provide 12 swift nesting places, which should be controlled by planning condition. In addition advice was provided regarding the design of the proposed green roof.

City Council Public Art

The Public Art Officer recommended planning conditions for the event that the development be approved. The condition seeks to ensure that public art is designed by a suitable artist prior to commencement of the development and suitably installed by an appropriate time.

City Council Archaeology Team

The City Council Archaeology Team commented that ‘Archaeological evaluation of this site in 2015 established that there was considerable modern overburden on this site of little archaeological interest. However, there were traces of eighteenth century occupation at the lowest levels of the trial trenches that will possibly relate to land use at the early stage of industrial development in the area. This evidence will be worthy of further [investigation] that can be undertaken during archaeological monitoring of ground works on the site. This monitoring can be secured by standard conditions (B28, and C18, to ensure that a subsequent watching brief is carried out on development groundworks).

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

Avon and Somerset Police

The police planning liaison officer made recommendations as to how the building should be provided. The key ones are summarised as:

The access to the basement should be secured by vertical shutter door or similar, secured by access token

All cycle storage should be within a secured and lockable structure

Recycling and refuse store should be secured

Lighting in the basement should be to the appropriate level

Recesses greater than 600mm in doorways should be avoided

All doors and windows should be to the appropriate British standard

The development should be suitably secure with locks between lobbies and residential properties

A burglar alarm should be included in the commercial property.

Bristol Sustainable Drainage Team

The Bristol Sustainable Drainage Team commented that they do not object to the proposals and that the proposed drainage would be acceptable. However they also commented that a different scheme involving less attenuation of surface water could also be acceptable, but that this could be resolved by condition as there is a potential strategy which would require the developer to actually do less than they currently propose.

Wessex Water

Wessex Water commented to confirm that suitable sewerage capacity should be available as development of the plot has been factored into their plans.

RELEVANT POLICIES

National Planning Policy Framework – March 2012

Bristol Local Plan Comprising Core Strategy (Adopted June 2011), Site Allocation and Development Management Policies (Adopted July 2014) and the Bristol Central Area Plan (Adopted March 2015).

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) IS THE PROPOSAL ACCEPTABLE IN LAND USE TERMS?

As referred to above, historically, the site was included in a masterplan for the area, which was established by planning permission no. 01/01606/P. Whilst this did not direct specific uses to specific plots, it did establish a range of uses for a range of plots. As stated above, the riverside buildings (ND1 to ND5) were designed to be predominantly in office use, and units ND10 to ND13 predominantly residential. The zone in-between was identified for a mixture of uses, comprising approximately 10,000 square metres of residential, 23,000 square metres of office, 1,500 square metres of leisure and 1,300 square metres of retail. However, this permission has now expired as far as it relates to this site, and with it the parameters set by the accompanying masterplan. The masterplan still has some relevance insofar as it discusses the relationship between buildings and uses, but the acceptability of the current uses has to be assessed against the current planning policies.

The site is allocated for development in Bristol Central Area Plan policy BCAP35. This policy establishes the aims for the Temple Quarter Enterprise Zone, as an employment-led mixed use regeneration area. Amongst the specific developments allowed for in the zone include:

A major indoor arena and complementary leisure uses;

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

At least 100,000m² of net additional high quality office and flexible workspace;
Up to 2,200 new homes including live/work space;
Hotel and conference facilities;
Complementary retail and leisure uses, particularly within and adjacent to Bristol Temple Meads station;
New walking and cycle routes to connect the developments to the rest of the city centre and surrounding neighbourhoods;
Green infrastructure and public realm enhancements including a continuous and accessible Quayside Walkway (Policy BCAP32) and the improvement of open space to serve the new developments.

Clearly, this allows for flexibility in the delivery of development across the enterprise zone. Ultimately, all of the uses proposed as part of this application (A1, A2, A3, A4, B1(a), C3, D1 and D2) are allowed by this policy. Therefore, the acceptability of this application against this policy falls to be decided on the basis of the mix and specific quantum of the various uses which are proposed.

It is also important to note that policy BCAP35 sets out that development within the allocation should have regard to the spatial framework for the area. The Bristol Temple Quarter Spatial Framework is a non-statutory planning document that sets out the key urban design principles for the enterprise zone. Importantly, the framework is not a masterplan and is intended to give guidance and direction to development within this area.

With regards to the provision of residential units, the 255 residential units proposed here would contribute to meeting the total residential units proposed for the Enterprise Zone. Specifically the proposal is for a scheme of solely rented apartments, however this still fits within the C3 planning use class and is acceptable (other considerations in relation to this are set out below). The Enterprise Zone Spatial Framework sets out that this site should be a mixed use plot, with residential accounting for up to 60% of the floor space. The application is approximately 97% residential. However as explained above, the spatial framework sets is intended to be a living document which is flexible and which sets guidance and context. The provisions of the framework are not hard and fast rules. As such whilst the proposals do account for a significantly greater proportion of residential than was envisaged for this site, this is not felt to be a sufficient reason for refusal.

For office uses, the policy sets an ambitious target of providing 100,000 square metres of office / flexible workspace floor space across the enterprise zone. This application includes 536 square metres of flexible commercial floor space at ground floor (which could feature offices). It is unlikely that all of the floor space will be used for office space, and therefore this development will make a fairly modest contribution to the delivery of the target office space in the zone, however, given other sites for planning permission for office accommodation, or currently vacant and not committed sites, will not prejudice the target from being achieved. It is therefore considered that the provision of a predominantly residential development on this site is acceptable in the wider context of the redevelopment of this area.

With regards to the potential uses of the ground floor commercial units, retail and other leisure uses are permitted by policy BCAP13 and BCAP35 and are acceptable in principle. However, with specific regard to retail (use A1) it should be noted that the site is within the central area, but not within the Primary or Secondary Shopping frontages. In accordance with the NPPF and policies BCS7 and BCAP14, retail units outside of these frontages should be of a small scale (below 200 square metres) unless demonstrated that there is no other suitable available site in the centres. The applicant is seeking up to 536 square metres of flexible use floor space which includes A1, however they have agreed to a condition to specifically limit the amount of A1 floor space to 200 square metres. As such the policy is complied with the remainder of the floor space will be taken up by the other uses.

The food and drink uses proposed (A3 and A4) need to be considered against policies BCAP19 and DM10. These policies permit such uses, subject to the development not harming the character of the area, residential amenity or public safety, either individually or as a result of the concentration of uses.

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

Issues relating to amenity impacts are dealt with specifically in the key issues below. However, in respect of the concentration of uses, the only other A3 use in the immediately surrounding streets is approximately 21 sqm at the ground floor of The Eye (currently a Friska Cafe). There are no other active A3 or A4 uses immediately surrounding the site. However, there are a number of vacant units, which could potentially be put to these uses, and other planning permissions relating to this use. Currently, this could amount to around 1,000 square metres in units ND2 to ND4, a maximum of 787 square metres of A3 on site ND5, a maximum of 1,594 square metres in ND6 (although it is unlikely that the all of this floor space would be provided as part of this development) and a maximum of 122 square metres in ND11. Whilst this is a substantial amount of floor space, it does represent a relatively small proportion of the overall floor space, with much of that space provided on the ground floor of commercial buildings. In addition, the impact of this type of use can be mitigated by the use of conditions limiting hours of use and impact of noise and smells from plant and equipment. It is important to note the aspirations of the spatial framework which are to deliver a place that is for 'live, work and leisure' and therefore the mix of uses will help to achieve this. These uses also help to create active street frontages. As such it is not considered that the amount of food and drink uses proposed would give rise to any specific overconcentration of these uses given that it is such a small proportion of the overall floor space in the area.

The principle of the proposed D2 assembly and leisure use is accepted as per policy BCAP35, however policy BCAP19 makes it clear that such uses should not be permitted if this would give rise to a concentration that would result in harmful impacts. There are no assembly and leisure uses in the immediate surrounding streets and therefore no such concentration so as to cause harmful impacts.

Another potential use is D1 community use, which would be supported by policy BCS12 of the Core Strategy. This requires that community uses are located where there is a choice of travel options. This site is a highly sustainable site, less than 400 metres from Bristol Temple Meads railway station, which is a focus of public transport, including buses and ferries. The remaining uses including the A2 financial and professional and B1(a) office use are acceptable under policy and are not limited.

In conclusion, if the recommended conditions below are applied, the principle of the proposed uses is considered to meet the aims of local plan policy and the NPPF.

(B) IS THE PROPOSED DENSITY AND HOUSING MIX APPROPRIATE?

Density

Policy BCS20 refers to density and specifically seeks a minimum density of 50 dwellings per hectare. The proposed development is approximately 690 units per hectare (255/0.37Ha). As such this policy aspiration is more than achieved.

Whilst this density is very high, it does reflect the very sustainable nature of the site. There are no policies that relate to maximum development densities, although high densities can impact on the appearance of the development, and the quality of the residential development created. These issues are addressed in the key issues C, D and E below.

Affordable housing provision

In terms of the mix of units provided, policy BCS17 of the adopted Bristol Core Strategy (2011) requires affordable housing to be provided in residential developments of 15 dwellings or more at a percentage target of 40% in Central Bristol. Such residential developments should provide a mix of affordable housing units and reflect identified needs, site suitability and economic viability. Where scheme viability may be affected, developers are expected to provide full development appraisals to demonstrate an alternative affordable housing provision.

To be fully compliant, this development would need to provide 102 affordable units. The applicant

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

submitted a viability appraisal with their planning application, which claimed that the scheme is able to provide a contribution of 9.4% affordable housing (24 units), whilst remaining viable. It should be noted that this was on the basis of providing affordable rented housing rather than housing which could be purchased by an occupier. This is a reflection of the scheme as a whole, which is to provide rented residential accommodation only.

The issue of scheme viability is covered in Key Issue H

Size of residential units

Policy BCS18 also requires development to contribute to the mix of housing tenures, types and sizes in an area. The draft Central Area Plan recognises that there are specific issues with delivering family accommodation within the City Centre, and therefore policy BCAP3 specifically requires new developments within the area to include a significant proportion of family sized homes. It defines family sized homes as houses with two or more bedrooms, or flats with three or more bedrooms. The area around the application site including Old Market and Temple Meads is dominated by flats, apartments or maisonettes (around 97.4% in April 2016). The representation of family accommodation (3+ bedrooms) in this area is therefore very low at 48 (6.7%) and is not sustainable. The 2011 census data does show that there is a high proportion of social rented accommodation, but beyond this the range of housing provided in the area is relatively limited. As such, in order to make a significant contribution to the mix of development in the area it would be necessary to provide a significant proportion of family accommodation on the site. The proposals include 7 (3%) units which are three bedrooms in size. These are dispersed so that there is one on each floor from first-seventh floor, all in the north-eastern most corner.

The applicant has argued that this site is less appropriate for family accommodation, given the surrounding uses, and this being considered a less aspirational location. They also argue that the provision of additional three bedroom units would impact on the viability of the development. This is particularly relevant given that the viability evidence submitted with the application shows that there is scope to provide some affordable housing, and any part of the development that impacts on the viability of the scheme will therefore impact on the proportion of affordable units that could be provided at the site.

The Council's viability assessor does support some of the concerns raised by the applicant in this regard. The provision of family accommodation on city centre sites is certainly desirable in that it encourages more permanence of residence, and the creation of communities. Therefore, whilst viability does not impact on the principle of securing family units, in this case where it has a direct impact on the provision of affordable housing on site, it is a material consideration. Therefore it is considered that although the development does not provide a significant mix of unit sizes, that to amend the proposed mix would reduce the affordable housing offer.

It should also be noted that high density flatted accommodation is generally considered to be less attractive as family accommodation due to there being no private amenity space.

The size of the units proposed is also of note. The Bristol City Council Space Standards Practice Note sets out that units should include at least two bedspaces. However the development proposed includes 41 (16%) of units as one bedspaces. The applicants claim that this helps to provide housing opportunities for those requiring cheaper properties and increases the viability of the scheme, thus increasing the affordable housing provision. Committee Members may be interested to note that 61% of the residential units in the Old Market and The Dings lower super output area (immediately adjacent to this site) are one bed units.

In any case, the proposed mix of housing and size of units is as submitted and following negotiation, and whilst the mix is not fully in accordance with policy aspirations, it does reflect the priority given to improving the viability of the scheme, and securing a contribution to affordable housing.

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

(C) WOULD THE PROPOSED DEVELOPMENT MAKE A POSITIVE CONTRIBUTION TO THE CHARACTER OR APPEARANCE OF THE AREA?

Context

Policy BCS21 of the Core Strategy promotes high quality design, requiring development to contribute positively to an area's character, promote accessibility and permeability, promote legibility, clearly define public and private space, deliver a safe, healthy and attractive environment and public realm, deliver public art, safeguard the amenity of existing development and future occupiers, promote diversity through the delivery of mixed developments and create buildings and spaces that are adaptable to change. The adopted development management policies reinforce this requirement, with reference to Local Character and Distinctiveness (DM26), Layout and Form (DM27), Public Realm (DM28) and the Design of New Buildings (DM29). The design policies in the Central Area Plan refer to issues that specifically relate to the City Centre. Of particular relevance to this application is BCAP31, which requires active ground floor uses adjacent to the public realm.

The area around the application site has been subject to substantial redevelopment over recent years, and as such the character of the area is of large modern blocks. The buildings on the waterfront are large scale blocks, with a corporate identity, primarily faced in cladding panels and glazing. Those buildings to the north east of the site, whilst large, are more residential and modest in character, featuring brickwork and render. The buildings on the waterfront, apart from 'The Eye' (13 storeys), are predominantly 6 to 7 storeys - although it should be noted that these are commercial storeys, which are larger than the residential storeys to the north of the site. The residential parts of the area tend to be 4 to 6 residential storeys, where they front on to Anvil Street, with the scale reducing in parts away from the road. The buildings in the area tend to be rectilinear in form, with the residential blocks being formed of perimeter blocks, with open space in the centre. This results in the apparent form of the buildings filling the blocks. In addition to this there are also a number of vacant plots in the area. The Enterprise Zone Spatial Framework provides that buildings in this area should be around 5-8 storeys high. It is important to note that the spatial framework is intended to be a flexible document.

The height of the proposals

In contrast to the rectilinear blocks this proposal is for a building with an 'H' shaped block. This will add variety to the form of the blocks in the area, allowing some public realm to be delivered on the development site. The previous consent on the site (which is still extant) provides a building which is predominantly 21.8m tall, with a maximum height of 26 metres (excluding flues / plant). These heights were in line with the masterplan for the area which was approved under application 01/01606/P. The current proposal is to provide a building with a maximum height of 39.3m at its tallest point (excluding flues and plant). The wings of the building are approximately 28m tall. Whilst the building may be 39.3m tall, the top two storeys on its core are set back, thus making a 'shoulder' with a height of 31m.

It is important to note the original submission was for a building that was significantly taller on its northern elevation along Anvil Street, and the proposals now are an improvement, having been reduced by approximately 5m from 33m to 28m on this northeastern elevation. In addition, compared to the previous consent, the building has been re-oriented, so that the open public realm area faces the northeast (onto Anvil Street). As a result the impact in visual terms on the residential buildings to the north is softened by the reduced height of the wings, and the provision of the open space on the northern part of the plot.

The southern elevation faces the Burgess Salmon building which at this elevation is in office use. The 'shoulder' of the proposed building is comparable to the total height of the Burgess Salmon building which is approximately 31m tall. Notably the building rises in height from the lower development form on Anvil Street to the taller form on Avon Street, which was an aspiration of the original masterplan for the area approved under 01/01606/P.

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

In summary, the building is taller than the previous consent, and the comments from the urban design team and the general public have raised concern about the suitability of the height for the context. However, the enterprise zone is a location where significant growth is anticipated, and it is therefore considered that there may be scope for buildings of this scale in the area. In addition to this, officers consider that the height of the proposals allows for more floor space which in turn increases viability and the affordable housing offer, and on balance, the proposals are acceptable in terms of scale.

Building materials

In terms of materials, it is considered that the proposed building is well articulated, with different material panels and the location of the windows and balconies giving the building interesting variety and depth, and strong vertical rhythm. The significant use of brick also reflects the surrounding buildings, perhaps most notably the Gardiner Haskins building, and will balance the glazed and clad commercial buildings to the south. It is worthwhile to note that the original application featured brick slips, however the applicant is now proposing the use of full bricks, which is considered an improvement. The upper, recessed storeys are to be clad in standing seam metal which, it is considered, will visually separate them from the lower storeys and add interest to the building.

The interaction of the building with the street

The success of the building will partly depend on how it interacts with the public realm around the site, and indeed the quality of the public realm. In this regard, policy BCAP 31 is particularly relevant, as this requires active uses at ground floor level, where it fronts on to the public realm. This is well expressed in the architecture of the building, with the apparent double height element at ground floor level on Avon Street (this effect is reduced on Anvil Street because of the ground level increases from south to north). The proposed uses also help to ensure that the ground floor uses are active.

The 'back uses' of the building, which includes inactive frontages such as the recycling and refuse store gates and car park access ramp are in southern most corner of the site. This is considered appropriate as this faces onto similar features of the Burgess Salmon building. In addition, this area does not face residential buildings, and as such helps to safeguard the amenity of the residents to the north.

The proposals also include tree planting along Anvil Street, which is currently a rather harsh environment, with buildings at the back edge of the pavement. Coupled with the provision of open space and an open amenity area on this elevation, it is felt that this treatment will significantly improve this part of Anvil Street. It is notable that as the garden is north of the building that it will not receive so much sunlight as other spaces might, the planting approach is to provide shade tolerant species, the specific details of which are controlled by recommended condition below.

The development features commercial uses, which will create active frontages of interest along Avon Street and New Kingsley Road, and will result in improvements to the street scene here.

In summary it is considered that the building will successfully animate and improve the streetscene, and be built of suitable materials.

With regard to public art, whilst this is considered important for many reasons, including creating interest and education opportunities, or creating a focal point, the applicants have in this specific instance declined to provide it. The officers have not insisted upon its inclusion, in the understanding that the provision of affordable housing is a key objective of the council's corporate strategy and that the provision of public art would further diminish the viability of the building and its affordable housing provision.

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

(D) WOULD THE PROPOSED DEVELOPMENT PROVIDE FOR AN ADEQUATE RESIDENTIAL AMENITY FOR THE PROPOSED RESIDENTS AND PROTECT AMENITIES OF ADJOINING OCCUPIERS?

Policies BCS21, DM26, DM27, DM28 and DM29 of the Core Strategy require development to create a high-quality environment for future occupiers and safeguard the amenity of existing development.

Existing building occupiers

As stated above, whilst the properties to the south and east of the site are commercial, the building directly to the north west of the site is in residential use. The proposed building would be in close proximity to the neighbouring buildings to the north, at its closest point around 16 metres away from Crown and Anchor House. As a result concerns have been raised by residents of Crown and Anchor House regarding impact on amenity, particularly given the scale of the proposed development.

However, it should be noted that site has a planning history which has always envisaged the area as a high density urban quarter, which necessitates a tightly knit urban form and promotes higher densities. Whilst this development is taller at its highest point, it has, compared to the extant permission, been re-oriented to reduce the amount of built form that is directly opposite the residential buildings, instead providing amenity space, with some parking. On balance therefore, it is felt that although taller, the proposed building will provide a better immediate outlook for the residential buildings to the north. In any case, the previous consent on the scheme permitted building to building relationships that were this close and as such, this could not form a robust reason for refusal. The proposal also features balconies on the northern side, which reflect those within the extant consent and are considered to be acceptable given the close urban grain of the site.

In addition to this, the proposal includes a roof terrace facing the buildings to the north, and this would at the closest point be 14 metres away from the neighbouring properties. However, the cross sections show that the roof terrace will be at least two storeys higher than the top floor of the neighbours, and whilst it could provide views into the nearest residential flats, the relationship would not be a direct one where the degree of disturbance would be significantly harmful. The main views out would therefore be over the top of the neighbouring building. Therefore, given that the area was originally designed as a high density residential area, it is not considered that the level of overlooking would be unreasonable, and the application should not be rejected on that basis.

In addition to the immediate outlook for a building and the potential for overlooking, it is important to assess how built form can impact upon the amount of daylight and sunlight that enters an existing room – this being an important element of amenity. The application is supported by a daylight / sunlight assessment, which was updated to reflect the revised designs. The assessment follows guidance which is published by the building research establishment (BRE).

The assessment considered only the residential buildings nearby, as daylight / sunlight requirements do not apply to commercial or hotel buildings, which are the other surrounding permitted uses. The assessment compares the proposed scenario to one where the extant consent on the site has been built – technically this could happen and it is considered appropriate, therefore, to use this as the baseline, rather than the current day situation which is as a vacant plot. The results of the assessment are as follows:

Christopher Thomas Court

The assessment shows that the daylight / sunlight will not be diminished by noticeable levels by this development, compared to the consented scheme.

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

Crown and Anchor House

The assessment shows that direct sunlight to the rooms in this development will also be reduced however this effect is similar to those which would be produced by the extant consent. The assessment shows that no direct sunlight will reach the windows, however it must be noted that the area is one of tight urban grain and as such, the amount of actual daylight received is of more relevance.

The assessment models the amount of daylight that each window / room will receive (this is sunlight that is reflected from the general environment rather than direct sunlight). 104 rooms were assessed in this building, and the report provided of this assessment shows that there will be 12 rooms where the amount of daylight entering the rooms will be below BRE guidelines and significantly worse than the situation with the extant consent in place. These rooms however all have recessed windows and therefore the design of Crown and Anchor House does compound the situation in these instances. The other rooms continue to receive levels of sunlight which are above or only just below the BRE guideline standards.

Ratcliffe Court

In terms of daylight, 1 room, out of 82 assessed will receive less than the recommended amount. In terms of sunlight there are no significant decreases compared to the approved planning scenario .

In conclusion the development will reduce direct sunlight, and in some cases, the amount of daylight available to nearby residents. However, it must be considered that the site of this development has been a vacant plot for approximately ten years and therefore some impacts on sunlight and daylight are the unfortunate result of development on the site. The designs have been amended from their original form to reduce the height next to residential properties and in addition the building form has been turned around (compared to the existing consent) so the amenity area is nearest to residential properties, therefore further reducing the impact of the building on these even further. It is therefore considered that although the building will have impacts with regards to daylight and sunlight, that the impacts are not significantly worse than the previously consented scheme.

Future occupiers of the proposed building

Policy BCS18 requires new residential units to be of a sufficient size to undertake everyday activities and be flexible and adaptable. The governments Technical housing standards – nationally described space standard provides the minimum floor spaces that one unit can be. All of the units proposed meet the standards set out in this document. As set out above, 41 (16%) of units feature only a single bedspace, which fails to meet the Bristol City Council Space Standards Practice Guidance, however is allowed under the national space requirements.

Almost all of the units are single aspect, which although is not ideal, has been allowed in other locations in the city. This is generally a product of large pavilion blocks, and is similar to the previously consented scheme on the site.

As per the comments from pollution control set out above, planning conditions will be used to ensure that suitable noise insulation is provided within the building (to protect those above the commercial ground floor uses) and those in neighbouring buildings. Opening hours will also be conditioned. This will adequately control nuisance issues.

In addition, conditions will be imposed to ensure any contamination on the site will be suitably ameliorated prior to the occupation of the building, as recommended by the environment agency and contaminated land team.

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

(E) WOULD THE PROPOSED DEVELOPMENT SATISFACTORILY ADDRESS TRANSPORT AND MOVEMENT ISSUES?

Policies BCS10, BCS11 and DM23 specifically relate to transport, ensuring that new development is supported by appropriate transport infrastructure for various users of the network, including pedestrians, cyclists, public transport users and motorists and contains sufficient parking. The development includes the resurfacing of the footway directly around the site and the provision of a new raised table area on New Kingsley Road – including its junction with both Old Bread Street / Anvil Street and Avon Street. The proposal also includes creating a sociable space as part of this raised table area on New Kingsley Road. In addition, the development includes the formation of an amenity public garden and tree planting around the building. As such, it is considered that the environment for the pedestrian will be significantly improved.

Regards cyclists, there are a number of different locations where cycles can be secured, including space for visitors on street. The level of cycle parking proposed meets the standards set out in the local plan (the development provides 3 extra cycle spaces) and is acceptable.

For public transport users, whilst the development will not contribute specifically to public transport improvements, it is considered that the improvements in the general environment will help to promote walking to major transport hubs, specifically Bristol Temple Meads, although this benefit will be minor and should not be overstated.

With regards to vehicle parking, the development proposes a total of 94 parking spaces. This is approximately one parking space per 2.7 residents or 0.36 spaces per unit (assuming the commercial uses do not require any parking). This is well below the maximum parking standard allowed in the local plan policies. It is also important to note that a significant number of public comments raised parking as a concern. However, the site is an extremely sustainable location, being close to public transport routes and major interchanges. The enterprise zone spatial framework sets out that in order to achieve its high density vision, less space can be provided for car parking. In addition the development includes provision for a car club and is supported by a travel plan. As such, the level of parking proposed is considered to be appropriate.

An advice will be applied to any consent, setting out that the residents will not be able to gain residents parking permits, in line with corporate parking policy.

(F) WOULD THE PROPOSED DEVELOPMENT BE AT RISK FROM FLOODING, HAS A SEQUENTIAL APPROACH BEEN TAKEN TO LOCATING THE DEVELOPMENT, AND WOULD IT INCREASE THE RISK OF FLOODING ELSEWHERE?

Flood risk

The development is partly within flood zone 2, which covers the eastern half of the site. As such, it is important to consider the flood risks of the site. In accordance with the NPPF and policy BCS16, development should be located in sequentially appropriate locations. In accordance with city council guidance, the sequential test relates to the area covered by the allocation policy BCAP35. The site already benefits from planning permission for comparable uses and therefore in accordance with the city council sequential test guidance (page 4) this site is acceptable in terms of location.

This said, the development needs to be designed to mitigate flood risk to acceptable levels. Flood risk modelling of the area shows that the greatest risk of flooding comes from the floating harbour, rather than from specific surface water drainage risks. The eastern half of the site that is in flood zone 2 may be affected by a 1:200 year event. The flood levels on the site have been investigated and taking account of climate change, a 1:200 year event could result in water levels of up to 10.22 AOD level in 2110 (this is the output of flood risk modelling). The National Planning Practice Guidance sets out that residential dwellings are 'more vulnerable' whilst the other ground floor uses are 'less vulnerable'. In

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

order to help mitigate the flood risk, the majority of residential units are at first floor and above and those on the ground floor have a proposed floor level of 10.52 AOD, which provides for the anticipated flood level in 2110 and adds 30cm headboard. This is considered to provide acceptable protection. The ground levels for the other uses in the building on the ground floor are controlled by the street level, as it is desired to have level access. The ground levels for the communal areas are set at 9.5 AOD, and 9.7 for the commercial units. This will protect against an anticipated 1:200 year event today and up until 2060, however would not protect against the 2110 scenario. However, given that these are 'less vulnerable' uses, this is considered to be acceptable when balanced against the benefits of providing level access from the street.

In addition, the basement is to be protected by a demountable flood barrier to prevent water inundation. This will provide protection to a depth of 10.22 AOD. The details of this will be controlled by planning condition.

The proposals are supported by a flood emergency plan which includes provisions for flood monitoring and emergency evacuation procedures.

It is considered that the flood risk provisions of the development will provide suitable protection, commensurate with the level of risk to people and property in this area.

Drainage

In terms of drainage, the proposals include a surface water attenuation tank which will reduce the run-off rate of water falling onto the site before it is discharged into the floating harbour. However, comments from the flood risk management team set out that the floating harbour could accommodate unrestricted flows, which would be beneficial in that the development would no longer have to provide an attenuation tank (as the location of this was not known). Wessex Water who maintain the sewerage in the area have confirmed that the infrastructure would be able to accommodate predicted flood water.

As such, a condition is recommended below which will require the submission of further details in relation to the drainage of the site, whereby the technical details will be approved.

(G) SUSTAINABILITY AND ENERGY

Policies BCS13, BCS14, BCS15 and BCS16 of the adopted Core Strategy give guidance on sustainability standards to be achieved in any development, and what measures to be included to ensure that development meets the climate change goals of the development plan. Applicants are expected to demonstrate that a development would meet those standards by means of a sustainability statement. A sustainability statement has been submitted with this application, which includes a number of measures to improve the environmental performance of the buildings.

The Sustainability Statement demonstrates a fabric first approach to improving the performance of the building, by constructing the building to a higher standard than the current building regulations requirement. The report states that a combination of the improved thermal performance of the fabric and the use of the combined heat and power plant would result in a 31.6% improvement over building regulations in terms of predicted energy demand.

Policy BCS14 clearly requires that a 20% saving on CO2 emissions is achieved through the use of renewable energy generation. The proposals include 288 square metres of solar voltaic panels on the roof, however due to the overall size of the building this will only generate carbon dioxide savings of about 7%. This said, it brings the total carbon dioxide savings from residual emissions of the building to 36.45%. The policy does allow for exceptions where development is appropriate and necessary, and where it is demonstrated that meeting the required standard would not be feasible or viable. Clearly, the status of the site being within the enterprise zone, and the contribution to meeting the

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

housing targets does make the site a priority for development. In addition, a viability assessment has been submitted in support of the application. Whilst this does not demonstrate that it would not be viable to provide renewable technology at the site, there is a cost involved, and that cost would directly impact on the provision of affordable housing at the site. As with the other key issues discussed in this report, a balance has to be achieved between competing policy aims, and given that improvements to the fabric would be achieved, it is not considered reasonable to refuse the application on this basis.

In addition, the applicant has demonstrated that if a district heating network is provided in the area, then the building would be able to connect into this. This would further improve the sustainability of the development. A condition recommended below will ensure that if the building is delivered at a time when a district heating network is available then the building will connect into it.

The sustainability team has also requested a 'BREEAM communities' assessment (in line with policy BCS 15). However the applicant has declined to provide this. For the reasons relating to the cost of this, and the impact it would potentially have on the affordable housing provision, it is not considered appropriate to refuse the development due to the lack of this assessment.

(H) IS THE PROPOSED DEVELOPMENT VIABLE AND DOES IT PROVIDE AN APPROPRIATE LEVEL OF AFFORDABLE HOUSING?

Government policy and guidance is very clear that scheme viability is a key consideration in determining the level of affordable housing that a development can provide, and that Council's should not require a level of affordable housing that would render a development unviable. The government's Planning Practice Guidance states as follows:

Where affordable housing contributions are being sought, obligations should not prevent development from going forward. (Para 004 Reference ID: 23b-004-20140306)

In simple terms, a development is considered to be viable if the Residual Land Value (RLV) of the development is greater than the Site Value.

The RLV is calculated by ascertaining the value of the completed development, and subtracting from this all the costs involved in bringing the development forward (eg build costs, professional fees, legal costs, financing costs etc) and the developers profit. All inputs are based on present day costs and values.

The applicant has claimed that, to remain viable in planning terms, the proposed scheme is unable to provide the full policy requirement of 40% affordable housing. A detailed viability appraisal and supporting commentary has been submitted by their agent, Alder King, in support of this claim.

Officers have commissioned DVS (the property arm of the Valuation Office Agency) to assess the viability information and advise the Council as to whether the applicants claim is reasonable. It should be noted that DVS only work for the public sector. DVS have assessed the values and costs associated with the development, and in virtually all areas have concluded that the applicant's costs and values are reasonable. The only area of fundamental difference relates to the Site Value, which is addressed further on in this Key Issue.

DVS findings can be summarised as follows:

Residential rental values In line with rental values currently being achieved in PRS schemes. DVS consider that the rental yield should be 4.3%, which is slightly higher than the applicant, and therefore slightly reduces the overall value

Build Costs Build Costs are reflective of industry norms (as identified by the Build Cost Information Service (BCIS) for new build development. Additional costs for contamination, flood remediation,

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

highways and relocation of a substation works increase build costs by approximately £980,000

Fees Reflective of industry norms

Finance costs Reflective of current returns required by lenders

Developers profit Reflective of industry norms

Site Value can be calculated by identifying the Existing Use Value of a site and applying a premium (usually 20% on brownfield sites) to incentivise the owner to bring the site forward for development. Alternatively, the price paid for the site can be considered as the Site Value, provided that the purchaser did not pay an overly inflated price.

In the case of ND7, the applicant claims that the Site Value should be approximately £4,800,000, as this reflects the purchase price. However DVS consider that this reflects an overpayment for the site, when compared to comparable local transactions, and the fact that a Site Value of approximately £2,500,000 was agreed for the site only two and a half years ago when the previous planning consent was granted. DVS consider that the Site Value should be approx. £3,400,000, and it is on this basis that officers consider the scheme viability should be assessed.

With a Site Value of £3,400,000 DVS conclude that the scheme can provide 26 affordable dwellings comprising 10.2% of the proposed development.

The cost to the developer (or value to the Council) of the development providing 26 affordable housing units (i.e. the difference between renting them on the open market and renting them at Local Housing Allowance rates) is approximately £3,260,000.

DVS recommend that the proposed development is viable when providing 26 affordable dwellings, They also recommend that a review of viability should be required if the scheme does not commence within an agreed timescale.

Consequently, officers recommend that the provision of 26 affordable dwellings is secured through a Section 106 Agreement, along with the requirement for a viability review to be undertaken if the development has not commenced within 18 months of a planning consent being granted.

Finally, it should be noted that the CIL information provided by the applicant in their appraisals, is incorrect, and the amount of CIL will be approximately £380,000 higher than that accounted for in the appraisals. As CIL is a fixed cost that should have been calculated correctly, and should be taken account of in the Site Value, it is considered that the Site Value should be further reduced to take account of the additional CIL payment, and that it should not impact on the level of affordable housing required.

(I) WHAT OBLIGATIONS ARE NECESSARY TO MITIGATE THE IMPACT OF THE DEVELOPMENT ON THE EXISTING INFRASTRUCTURE?

New development may create a need for measures to mitigate its impact, without which there would be a detrimental effect on local amenity and the quality of the environment. Planning obligations are the mechanism by which these measures are secured. The framework for planning obligations is contained within Paragraphs 203 to 205 of the National Planning Policy Framework (March 2012) and the regulations governing their use are contained within part 11 of the Community Infrastructure Levy Regulations 2010 (as amended).

In order to mitigate the impact of this development on local infrastructure, to ensure that it does not have a harmful impact on highway safety and to ensure the delivery of a reasonably proportion of affordable housing the section 106 and section 278 agreements will include the following:

* the provision of 10% affordable housing (26 affordable dwellings) on-site, and the provision of a viability review if the scheme has not commenced within 18 months of a planning consent being granted

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

- * highway works, to include a raised plateau along New Kingsley Road
- * improvement of footways surrounding the site
- * dedication of land around the site to provide a 2m footway from the kerb edge
- * provision of a new layby on Avon Street
- * re-instatement of an existing layby to level footway
- * provision of uncontrolled pedestrian crossings
- * parking space for a car club
- * funding of traffic regulation orders

Given contributions to the Community Infrastructure Levy (see below), no further contributions are required.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

The anticipated CIL receipt from this development is £2,147,417.42. However, social housing relief from CIL can be claimed on the affordable housing and this is likely to reduce the CIL receipt by approximately £200,000.

CONCLUSION

The application involves the development of a residential led development on a currently vacant site within the Temple Quay Enterprise Zone. The site currently has an extant permission for 168 flats and around 1000 square metres of commercial floor space. The new proposals are similar in approach to the consented scheme, although increases the density and height of the proposals. It is considered that the building will add interest to the street scene and will provide a suitably active frontage to the street level.

The current proposal represents a negotiated solution which reflects the viability evidence that has been submitted in support of the application. This evidence demonstrates that it would not be viable to meet all of policy aspirations for the site in full, particularly in relation to affordable housing. As such, the current scheme does not provide the full renewable energy generation that is required by policy, and does not meet policy aspirations in respect of family accommodation, the enterprise zone spatial framework or public art. However, the costs involved in achieving these policy requirements would impact directly on the viability of the development, and result in the provision of fewer affordable housing units. The proposed scheme would achieve 10% affordable housing provision, and officers take the view that this is an appropriate balance to achieve on this site. As such, subject to the affordable housing and highway works being secured through a section 106 agreement, the application is being recommended for approval.

RECOMMENDATION

RECOMMENDED GRANT subject to Planning Agreement

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

the provision of 10% affordable housing (26 affordable dwellings) on-site, and the provision of a viability review if the scheme has not commenced within 18 months of a planning consent being granted;

All units (other than the affordable units as set out in the planning obligations agreement between the development parties and the local planning authority) shall be rented to occupants and no element of

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

freehold or leasehold shall be available for purchase by persons occupying the premises.

(B) That the Head of Legal Services be authorised to conclude the Planning Agreement to cover matters in recommendation (A).

(C) That on completion of the Section 106 Agreement, planning permission be granted, subject to the following conditions:

Time limit for commencement of development

1. Full Planning Permission

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

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

Pre commencement condition(s)

2. Notification of commencement of use and district heating

At least 6 weeks prior to the commencement of the development, the developer will provide written notice to the local planning authority of the intention to commence. If at this time there is a viable district heating network present with pipework that can be connected to the development within a 30 metre area of the site, the development will connect into this district heating network and it will be utilised to provide the hot water to the development.

Reason: To ensure that district heating is utilised if the infrastructure is in place and available.

3. Approval of road works necessary

No development shall take place until details of the following works to the highway have been submitted to and approved in writing by the Local Highway Authority, in general accordance with plan SK04 (submitted 25.11.2016):

- a) Provision of a raised table on New Kingsley Road and at the junction of New Kingsley Road with Avon Street, and at its junction with Anvil Street and Old Bread Street.
- b) Provision of a new layby on the north side of Avon Street as indicated on submitted drawing reference A2728S200-P33 Proposed Ground Floor Plan.
- c) Provision of land to provide a 2 metre wide footway around the proposed layby (see point b above) and around the frontage of the site for adoption as public highway, as shown on plan SK05;
- d) Upgrade and improvement of the existing footway around the entire site;
- e) The reinstatement of the existing layby on the north side of Avon Street, to the east of the development site, as full height footway to include paving to match the adjacent footways;
- f) The provision of an uncontrolled dropped kerb pedestrian crossing point on the line of the linear park footway nearest the southern corner of the site;
- g) The provision of uncontrolled dropped kerb pedestrian crossing points, including tactile paving, on the development site side of Anvil Street and at either end of New Kingsley Street

The building hereby permitted shall not be occupied until these works have been completed in accordance with the approved details.

Reason: To ensure that all road works associated with the proposed development are planned and approved in good time to include any Highways Orders, and to a standard approved by

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

the Local Planning Authority and are completed before occupation.

4. Sound Insulation

With the exception of works related to construction of the basement no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of noise insulation measures for all residential accommodation, this scheme shall also include details of ventilation. The scheme of noise insulation measures shall take into account the recommendations detailed in the acoustic report submitted with the application titled 'ND7 development, Bristol - Planning Noise Assessment (Revision C)' and dated 24 November 2016.

The approved details shall be implemented in full prior to the commencement of the use permitted and be permanently maintained. The works will be regularly checked by a competent acoustic consultant throughout the construction of the development and inspected by an authorised officer of Bristol City Council's Pollution Control Team prior to the first occupation of the development.

Reason: to ensure that residential units are suitably protected from excessive noise in order to safeguard amenity.

5. Land affected by contamination - Site Characterisation

No development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, and has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme should be submitted to and be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- * human health,
- * property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- * adjoining land,
- * groundwaters and surface waters,
- * ecological systems,
- * archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination is understood prior to works on site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

6. Land affected by contamination - Submission of Remediation Scheme

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

Reason: To ensure that risks from land contamination is understood prior to works on site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7. Land affected by contamination - Implementation of Approved Remediation Scheme

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

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

Reason: To ensure that risks from land contamination both during the construction phase and to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

8. Sustainable urban drainage system (SUDS)

No development shall take place until a detailed design of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved development shall be implemented in accordance with the approved detailed design prior to the use of the building commencing. The approved surface water drainage strategy will be maintained for the lifetime of the development.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal.

9. Electric Vehicle Charging

Prior to the laying out of the car parking spaces hereby approved details of at least 16 electric vehicle charging spaces shall be submitted to and approved in writing by the local planning authority. This will include:

- a) the location of the parking spaces
- b) the technology associated with electric vehicle charging and how this will be accessed by users

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

Reason: to ensure that alternative vehicle technologies are available to occupants of the building to help mitigate climate change

10. Highway condition survey

Prior to the commencement of the development hereby approved a highway condition survey shall be undertaken and submitted to and approved in writing by the local planning authority.

Reason: to help identify where damage may occur to the public highway as a result of development.

11. Further details of before relevant element started

Detailed drawings at an appropriate scale of the following shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The detail thereby approved shall be carried out in accordance with that approval.

- a) Typical brick details including coursing, bonding, pointing and other decorative features.
- b) Typical details of all external cladding systems.
- c) Typical details of all types of doors and window opening including sills, lintels, surrounds, reveals and design of external doors and windows.
- d) Typical details of all balcony types and treatments
- e) Typical details of shop frontages, location for signage
- f) Typical details of staircase including entrances, windows and projections above the eaves
- g) Typical details of bay projections, porches and canopies
- h) Typical details of eaves, soffits, overhangs, ridge, parapets, coping and balustrades.
- i) Typical details of rain water goods
- j) Typical details of junctions between materials
- k) Typical details of ventilation of basement, storage of bins,

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

12. Sample panels before specified elements started

Sample panels of the external materials including wall facing materials, external cladding, plinth, external doors and windows including frames, sills, lintels and surrounds, door / window decorative features, eaves, soffits and rainwater goods; demonstrating, where present, the colour, texture, face bond and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.

Reason: In order that the external appearance of the building is satisfactory.

13. Swift nesting places

With the exception of works related to construction of the basement prior to the commencement of the development hereby approved details shall be submitted providing the specification, orientation, height and location for twelve swift boxes.

The development shall be constructed so as to include the nesting boxes in accordance with the approved details prior to first occupation, and shall thereafter be maintained as such.

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

Reason: To help conserve legally protected birds.

14. Semi-natural roof

With the exception of works related to construction of the prior to the commencement of the development hereby approved, details of the semi natural green / roof shall be submitted to and approved in writing by the local planning authority. The details will include:

- a) planting species
- b) substrate / soil media used
- c) provision of refuges for insects and other invertebrates
- d) long term management

The development will be constructed in strict and full accordance with the approved details prior to first occupation and will be maintained as such for the lifetime of the development.

Reason: in order to help protect and enhance the environment.

Pre occupation condition(s)

15. Land affected by contamination - Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 5 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 6, which is to be submitted to and be approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 7.

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

16. Construction environmental management plan

The development shall be constructed in strict and full accordance with the document titled '1918 ND7 Bristol Construction Logistics Plan' prepared by Elliot Thomas Logistics and submitted to the local planning authority on 30th August 2016.

All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:

- 08 00 Hours and 18 00 Hours on Mondays to Fridays and
- 08 00 and 13 00 Hours on Saturdays and;
- at no time on Sundays and Bank Holidays.
- Deliveries to, and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.

Reason: to ensure the impacts of the development on the public highway and on amenity of the surrounding area are mitigated to appropriate levels.

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

17. Artificial light (external)

No part of the development hereby approved shall be occupied until a report detailing the external lighting scheme and predicted light levels at neighbouring residential properties has been submitted to and approved in writing by the local planning authority.

External artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting contained within Table 2 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01:2011.

The development will be constructed in full and strict accordance with the approved details and will thereafter be maintained as such.

Reason: to safeguard the amenity of surrounding developments.

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

No building or use hereby permitted shall be occupied or the use commenced until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.

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

19. Completion of Vehicular Access - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the means of vehicular access has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be retained for access purposes only.

Reason: In the interests of highway safety.

20. Completion and Maintenance of Car/Vehicle Parking - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the car/vehicle parking area shown on the approved plans has been completed, and thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development

Reason: To ensure that there are adequate parking facilities to serve the development.

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

No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed, and thereafter, be kept free of obstruction and available for the parking of cycles only.

Reason: To ensure the provision and availability of adequate cycle parking.

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

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

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

Reason: In the interests of highway safety.

23. Installation of vehicle crossover - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the vehicular crossover(s) has been installed and the footway has been reinstated in accordance with the approved plans.

Reason: In the interests of pedestrian safety and accessibility

24. Reinstatement of Redundant Accessways - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the existing accesses to the development site has been permanently stopped up and the footway reinstated in accordance with the approved plans.

Reason: In the interests of pedestrian safety.

25. Travel plans

Prior to the first occupation of the development hereby approved a revised travel plan shall be submitted to and approved in writing by the local planning authority.

The development will be managed in strict and full accordance with the approved travel plan details thereafter for the lifetime of the development.

The Approved Travel Plan shall be monitored and reviewed in accordance with the agreed Travel Plan targets to the satisfaction of the Local Planning Authority.

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

26. Car Club

The development hereby approved will not be first occupied until evidence is provided that there is provision of a car club within the vicinity of the site and that a space on the site has been made available exclusively for that car club.

Reason: To ensure that the development is provided with a mixture of public and private transport options.

27. Details of extract/ventilation system - not shown

No ground floor unit shall be first occupied for the purposes of A3 or A4 use until a scheme of the means of ventilation for the extraction and dispersal of cooking smells/fumes has been submitted to and approved in writing by the Local Planning Authority.

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

The scheme shall include the following:

- a) Specification of equipment
- b) Method of ensuring that plant fumes and smells do not affect residents or neighbouring occupiers
- d) Management/maintenance schedule.

The details provided shall be in accordance with Annexe B of the 'Guidance on the Control of Odour & Noise from Commercial Kitchen Exhaust System'. Published electronically by Department for Environment, Food and Rural Affairs, or any superseding document.

The approved scheme shall be installed before the first time an A3 or A4 land use commences and thereafter shall be permanently retained.

Reason: These details need careful consideration and formal approval and to safeguard the amenity of adjoining properties and to protect the general environment.

28. Phasing

The residential units hereby approved shall not be occupied until the ground floor commercial units are constructed and available for occupation.

Reason: To ensure that the commercial floor space is constructed in accordance with the approved plans.

29. Flood Risk Assessment

Prior to the first occupation of the development, the building will be constructed in accordance with the Flood Risk Assessment (FRA) Addendum dated 18 August 2016 by CBRE. The building shall be constructed in accordance with the following:

1. Flood-risk mitigation measures detailed in Table 2 on page 4 in the FRA Addendum.
2. Finished floor levels for residential floor space is set no lower than 10.52m above Ordnance Datum (AOD).

Reason: 1. To reduce the impact of flooding on the proposed development and future occupants.

2. To reduce the risk of flooding to the proposed development and future occupants.

30. Flood defence barrier

The development hereby permitted shall not be occupied until the design of the proposed flood barrier has been submitted and is approved in writing by the local planning authority and the barrier has been installed in accordance with the approved details. The barrier must provide effective protection up to a level of at least 10.22m AOD.

Reason: To reduce the impact of flooding on the proposed development and future occupants.

31. Sustainability

The development hereby approved shall be constructed in accordance with the recommendations of the Sustainability Statement Rev 06 prepared by Beverley Clifton Morris Ltd (10755/16).

Reason: To ensure that the development provides for the sustainability and climate change goals of the adopted development plan.

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

32. Noise from commercial premises

No commercial premises on the ground floor shall be occupied until an assessment of the potential for noise from the development affecting residential properties as part of this development and existing residential properties in the area has been submitted to and approved in writing by the Council.

The assessment shall include noise from:

- Music
- Customers (including customers in any outside area)
- Ventilation, refrigeration and air conditioning plant or equipment
- Servicing (deliveries and refuse collections)

If the assessment indicates that noise from the development is likely to affect neighbouring residential or commercial properties then a detailed scheme of noise mitigation measures shall be submitted to and approved in writing by the Council prior to the occupation of the commercial units.

The noise mitigation measures shall be designed so that nuisance will not be caused to the occupiers of neighbouring noise sensitive premises by noise from the development.

The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS4142: 2014 Methods for rating and assessing industrial and commercial sound and of BS 8233: 2014 "Guidance on sound insulation and noise reduction for buildings".

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

Reason: to safeguard amenity against the potential for disturbance from noise.

33. Submission and approval of hard and soft landscaping

The development shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping. The scheme shall set out:

- A. Species proposed to be planted at ground floor level and at roof terrace level
- B. Maturity / sizes of specimens to be planted
- C. Typical specifications of tree pits and planting beds
- D. Surface treatment for hard surfaces at ground floor level and roof terrace level
- E. Sectional details showing the proposed construction of the rooftop garden and landscaping above parking including depth of garden deck, depth of planting and irrigation methods
- F. Construction details of all steps, ramps, boundary walls, kerbs, landscape enclosures, railings, carparking vents
- G. Construction details for junctions between paving materials (showing level changes), and between hard and soft surfacing
- H. Construction details of boundary treatments and retaining walls
- I. Details of street furniture including seating and lighting
- J. Management / maintenance so as to ensure vegetation does not interfere with users of public highway and to ensure planting is maintained.

The approved details shall be implemented so that planting can be carried out no later than the first planting season following the occupation of the building(s) or the completion of the

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

development whichever is the sooner. All planted materials shall be maintained for five years or until established, whichever is the longer. Any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

The management and maintenance proposals as approved under part J of this condition will be implemented for the lifetime of the development.

Reason: To protect and enhance the character of the site and the area and to ensure its appearance is satisfactory and also to ensure that appropriate highway visibility is maintained.

Post occupation management

34. Flood evacuation plan - residential property

The development shall be operated and maintained in strict and full accordance with the details set out in the document titled 'Flood Management Plan' dated August 2016 which was submitted in support of the application.

Reason: To limit the risk of flooding by ensuring the provision of a satisfactory means of flood management on the site

35. Highway condition survey

Following completion of the works necessary to allow the proposed use to commence, the developer shall submit a highway condition survey to the local planning authority.

The highway condition survey shall re-survey the routes that were surveyed in the highway condition survey submitted in support of the application and any other additional routes if so directed in writing by the local planning authority.

Reason: in order to ensure highways impacts are recorded

36. Noise from plant & equipment affecting residential

The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB below the pre-existing background level at any time at any residential premises.

Any assessments to be carried out and be in accordance with BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

Reason: to safeguard the amenity of surrounding development and of the occupiers of the development hereby approved.

37. Hours of use

The uses within Class A1(Retail), A3 (Restaurants and Cafes) and Class A4 (Drinking Establishments) hereby permitted shall not be open to customers except between the hours of 08.00 and 23.00 daily, with staff access between 07.30 and 00.30 daily.

The uses A2 (Financial and professional services), B1a (business as an office other than a use within class A2), D1 (Non-residential institutions) and D2 (Assembly and Leisure) hereby permitted shall not be open to customers except between the hours of 08.00 and 21.00 daily,

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

with staff access between 07.30 and 21.30 daily.

Reason: in order to protect the amenity of surrounding development.

38. Limitation of Uses - 'A1 (Shops)' Land Use

A maximum of 200 square metres of floor space within the development as a whole shall be used for A1 (shops) as defined in the Town and Country Planning Use Classes Order 1987 (as amended).

Reason: In order to protect the vitality of existing identified centres

39. Hours of Use of Outdoor Areas

There shall be no consumption of food or beverages in the outdoor areas of the site in relation to the commercial use of any ground floor unit after 22:00.

Reason: To protect the amenities of adjoining occupiers.

40. Use of Refuse and recycling facilities

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

Reason: To safeguard the amenities of nearby occupiers

41. Deliveries

Activities relating to deliveries at the ground floor commercial units shall only take place between 08:00 and 20:00 Monday to Saturday and not at all on Sundays and Bank Holidays.

Reason: To safeguard the amenities of nearby occupiers.

42. Retention of garage/car parking space(s)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the garage/car parking space(s) hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with the residential occupation of the property and ancillary domestic storage without the grant of further specific planning permission from the Local Planning Authority.

Reason: To retain garage/car space for parking purposes.

List of approved plans

43. 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.

A2728 S150-P31 Site location plan, received 23 August 2016

A2728 S199 P33 Proposed basement floor plan, received 25 November 2016

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

A2728 S200 P33 Proposed ground floor plan, received 25 November 2016
 A2728 S201 P33 Proposed 1st floor plan, received 25 November 2016
 A2728 S202 P33 Proposed 2nd floor plan, received 25 November 2016
 A2728 S203 P33 Proposed 3rd floor plan, received 25 November 2016
 A2728 S204 P33 Proposed 4th floor plan, received 25 November 2016
 A2728 S205 P33 Proposed 5th floor plan, received 25 November 2016
 A2728 S206 P33 Proposed 6th floor plan, received 25 November 2016
 A2728 S207 P33 Proposed 7th floor plan, received 25 November 2016
 A2728 S208 P33 Proposed 8th floor plan, received 25 November 2016
 A2728 S209 P33 Proposed 9th floor plan, received 25 November 2016
 A2728 S210 P33 Proposed 10th floor plan, received 25 November 2016
 A2728 S211 P33 Proposed plant level, received 25 November 2016
 A2728 S212 P33 Proposed roof plan, received 25 November 2016
 A2728 S300 P33 Proposed section AA & BB, received 25 November 2016
 A2728 S301 P33 Proposed section CC & DD, received 25 November 2016
 A2728 S350 P33 Ladder section 1-1, received 25 November 2016
 A2728 S351 P33 Ladder section 2-2, received 25 November 2016
 A2728 S400 P33 Proposed south and west elevations, received 25 November 2016
 A2728 S401 P33 Proposed north and east elevations, received 25 November 2016
 A2728 S402 P33 Inner east and west elevations, received 25 November 2016

Reason: For the avoidance of doubt.

Advices

Wild birds

All species of wild birds, their eggs, nests and chicks are legally protected until the young have fledged. No site clearance or tree or hedge removal shall be carried out on site between 1st March and 30th September inclusive in any year, unless a check has been carried out beforehand by a qualified ecologist as agreed with the local planning authority.

2 Lighting

Regards the lighting strategy (in section 4.21 in the Design and Access Statement), up-lighting of trees in soft landscape areas is not desirable from the point of view of ecology and nocturnal wildlife including foraging and commuting bats. According to paragraph 125 (page 29) of the National Planning Policy Framework (2012), 'By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.' Accordingly low level bollard lighting is preferred.

3 Semi-natural roofs

The proposed inclusion of semi-natural living roofs on sections of the roof space is welcomed. The semi-natural roof should include features for invertebrates (as well as open mosaic habitats on previously developed land as is currently proposed). To benefit certain invertebrates the roof should include local substrates, stones, shingle and gravel with troughs and mounds, piles of pure sand 20 - 30 cm deep for solitary bees and wasps to nest in, small logs, coils of rope and log piles of dry dead wood to provide invertebrate niches (the use of egg-sized pebbles should be avoided because gulls and crows may pick the pebbles up and drop them). Deeper areas of substrate which are at least 20 cm deep are valuable to provide refuges for animals during dry spells. The Design and Access Statement includes illustrations showing Sedum roofs which are not recommended because they will not provide the appropriate wildlife habitats.

Development Control Committee A – 22 February 2017
Application No. 16/04561/F : Linear Park Avon Street Bristol

4 Swift boxes

Internal nest trays or boxes are particularly recommended for swifts. Swift bricks are best provided in pairs or groups (e.g. at least two or three on a building, avoiding windows) at least one metre apart. This is because they are usually colonial nesters. Swift boxes/bricks are best located on north or east facing walls, at least 5 metres high, so that there is a clear distance (drop) below the swift boxes/bricks of 5 metres or more so that there is space for the swifts to easily fly in and out of the boxes. Locating swift boxes under the eaves (where present) is desirable. One of the best designs is those by Schwegler because they are very durable. See below for some websites with examples of swift boxes:

http://www.nhbs.com/schwegler_swift_box_16_tefno_173237.html

<http://swift-conservation.org/Shopping!.htm>

Further guidance is available at:

<http://www.swift-conservation.org/InternalNestTrays.htm>

5 Noise Levels

The recommended design criteria for dwellings are as follows:

- Daytime (07.00 - 23.00) 35 dB LAeq 16 hours in all rooms & 50 dB in outdoor living areas.
- Nighttime (23.00 - 07.00) 30 dB LAeq 8 hours & LMax less than 45 dB in bedrooms.

Where residential properties are likely to be affected by amplified music from neighbouring pubs or clubs, the recommended design criteria is as follows:

- Noise Rating Curve NR20 at all times in any habitable rooms

6 Extraction from cooking emissions

Guidance on flues for the dispersal of cooking smells can be gained at 'Guidance on the Control of Odour & Noise from Commercial Kitchen Exhaust System' Published electronically by Department for Environment, Food and Rural Affairs. Product Code PB10527.

<http://www.defra.gov.uk/environment/noise/research/kitchenexhaust/pdf/kitchenreport.pdf>

7. Occupation

The applicant should be aware that in assessing the adequacy of the smaller units of accommodation (below 50 square metres), these units have been accepted on the basis that they should only be occupied by a single occupant, reflecting Government guidance in the Nationally Described Space Standards.