Public Document Pack

Development Control B Committee

Agenda

Date: Wednesday, 12 July 2017

Time: 2.00 pm

Venue: Council Chamber, City Hall, Bristol, BS1 5TR

Distribution:

Councillors: Donald Alexander, Harriet Bradley, Fabian Breckels, Harriet Clough, Mike Davies, Carla Denyer, Richard Eddy, Martin Fodor, Margaret Hickman, Kevin Quartley and Afzal Shah

Copies to: Zoe Willcox (Service Director - Planning), Gary Collins, Laurence Fallon, Jon Fellingham, Rachael Dando, Steve Gregory (Democratic Services Officer) and Allison Taylor (Democratic Services Officer)

Issued by: Allison Taylor, Democratic Services
City Hall, PO Box 3167, Bristol, BS3 9FS
Tel: 0117 92 22237
E-mail: democratic.services@bristol.gov.uk
Date: Tuesday, 4 July 2017

Agenda

1. Election of Chair for Municipal Year 2017/18

2. Election of Vice Chair Municipal Year 2017/18.

3. Terms of Reference.

DEVELOPMENT CONTROL COMMITTEES

Terms of Reference

Arrangements

There are 2 Development Control Committees:

- *Development Control Committee "A"*
- *Development Control Committee "B"*

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

Functions

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

1. ***Power to determine application for planning permission (section 70(1)(a) and (b) and 72 of the Town & Country Planning Act 1990 (c.8)).***
2. ***Power to determine applications to develop land without compliance with conditions previously attached (section 73 of the Town & Country Planning Act 1990).***
3. ***Power to grant planning permission for development already carried out (section 73(A) of the Town & Country Planning Act 1990).***
4. ***Power to decline to determine application for planning***

permission (section 70A of the Town & Country Planning Act 1990).

5. ***Duties relating to the making of determinations of planning applications (Sections 69, 76 and 92) of the Town & Country Planning Act 1990 and Articles 8, 10 to 13, 15 to 22 and 25, and 26 of the Town & Country Planning (General Development Procedure Order 1995) (S.I. 1995/419 and directions made thereunder).***
6. ***Power to determine application for planning permission made by a local authority, alone, or jointly with another person (section 316 of the Town & Country Planning Act 1990 and the Town & Country Planning General Regulations 1992 (S.I. 1992/1492)).***
7. ***Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights (Parts 6, 7, 11, 17, 19, 20, 21 to 24, 26, 30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995).***
8. ***Power to enter into agreement regulating development or use of land (Section 106 of the Town and Country Planning Act 1990).***
9. ***Power to issue a certificate of existing or proposed lawful use or development (Section 191(4) and 192(2) of the Town and Country Planning Act 1990).***
10. ***Power to serve a completion notice (Section 94(2) of the Town and Country Planning Act 1990).***
11. ***Power to grant consent for the display of advertisements (Section 220 of the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992).***
12. ***Power to authorise entry onto land (Section 196A of the Town and Country Planning Act 1990).***
13. ***Power to require the discontinuance of a use of land (Section 102 of the Town and Country Planning Act 1990).***
14. ***Power to serve a planning contravention notice, breach of condition notice or stop notice (Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990).***
15. ***Power to issue a temporary stop notice (Section 171 of the Town and Country Planning Act 1990).***
16. ***Power to issue an enforcement notice (Section 172 of the Town and Country Planning Act 1990).***
17. ***Power to apply for an injunction restraining a breach of planning control (Section 187B of the Town and Country Planning Act 1990).***

18. ***Power to determine applications for hazardous substances consent, and related powers (Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990 (c.10)).***
19. ***Duty to determine conditions of which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites or mineral permissions relating to mining sites, as the case may be, are to be subject (paragraph 2(6)(a) of Schedule 2 of the Planning and Compensation Act 1991, paragraph 9(6) of the Schedule 13 of the Environment Act 1995 (c.25) and paragraph 6(5) of Schedule 14 to that Act.***
20. ***Power to require proper maintenance of land (section 215(1) of the Town and Country Planning Act 1990).***
21. ***Power to determine application for listed building consent, and related powers (sections 16(1) and (2), 17 and 33(1) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 (c.9).***
22. ***Power to determine applications for conservation area consent (section 16(1) of the Planning (Listed Buildings and Buildings in Conservation Areas Act 1990, as applied by section 74(3) of that Act.)***
23. ***Duties relating to applications for listed building consent and conservation area consent (sections 13(1) and 14(1) and (4) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and regs 3 to 6 and 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 S.I. 1990/1519) and paragraphs 8,15 and 26 of the Department of Environmental, Transport and the Regions circular 01/01).***
24. ***Power to serve a building preservation notice, and related powers (sections 3(1) and 4(1) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990.***
25. ***Power to issue enforcement notice in relation to demolition of listed building in conservation area (section 47 and 48 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990).***
26. ***Powers to acquire a listed building in need of repair and to serve a repairs notice (section 47 and 48 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990).***
27. ***Power to apply for an injunction in relation to a listed building (section 44A of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990).***
28. ***Power to execute urgent works (section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990).***

29. Power to authorise stopping up or diversion of highway (section 247 of the Town and Country Planning Act 1990).

30. Power to authorise stopping-up or diversion of footpath, bridleway or restricted byway (section 257 of the Town and Country Planning Act 1990).

31. Power to extinguish public rights of way over land held for planning purposes (Section 258 of the Town and Country Planning Act 1990).

32. Powers relating to the protection of important hedgerows (the Hedgerows Regulations 1997 (S.I. 1997/1160).

33. Powers relating to the preservation of trees (sections 197 to 214D of the Town and Country Planning Act 1990 and the Trees Regulations 1990 (S.I. 1999/1892)).

34. Powers relating to complaints about high hedges (Part 8 of the Anti-Social Behaviour Act 2003).

35. Power to include modifications in other orders (Section 53A of the Wildlife and Countryside Act 1981).

Code of Conduct

The committee must follow the council's Code of Conduct for Councillors and Officers dealing with development control and other appropriate planning matters (in part 5 of the constitution).

4. Dates of Future Meetings.

To note as follows:

30 August at 6pm;
27 September at 2pm;
8 November at 6pm;
20 December at 2pm;
31 January at 6pm;
14 March at 2pm;
25 April at 6pm.

5. Welcome, Introduction and Safety Information 2.00 pm

(Pages 8 - 9)

6. Apologies for Absence

7. Declarations of Interest

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

Any declarations of interest made at the meeting which are not on the register of interests should be notified to the Monitoring Officer for inclusion.

8. Minutes of the previous meeting **6.05 pm**

To agree the minutes of the last meeting as a correct record. **(Pages 10 - 15)**

9. Appeals

To note appeals lodged, imminent public inquiries and appeals awaiting decision. **(Pages 16 - 23)**

10. Enforcement

To note enforcement notices. **(Page 24)**

11. Public forum

Any member of the public or councillor may participate in public forum. The detailed arrangements for so doing are set out in the Public Information Sheet at the back of this agenda. Please note that the following deadlines will apply in relation to this meeting:

Questions:
Written questions must be received three clear working days prior to the meeting. For this meeting, this means that your question(s) must be received at the latest by 5pm on **6 July 2017.**

Petitions and statements:
Petitions and statements must be received by noon on the working day prior to the meeting. For this meeting, this means that your submission must be received at the latest by 12.00 noon on **11 July 2017.**

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

12. Planning and Development

To consider the following applications for Development Control Committee B - **(Page 25)**

a)	**17/01836/F - 125 Raleigh Road Bristol BS3 1QU**	**(Pages 26 - 44)**
b)	**17/01789/F - Former Mercedes Garage Winterstoke Road Bristol BS3 2LG**	**(Pages 45 - 75)**
c)	**16/05376/F & 16/05398/LA - Blackberry Hill Hospital Manor Road Fishponds Bristol BS16 2EW**	**(Pages 76 - 117)**
d)	**17/02240/F - Accolade Park Kings Weston Lane Avonmouth Bristol BS11 9FG**	**(Pages 118 - 140)**
e)	**17/02598/H - 3 Haverstock Road Bristol BS4 2DA**	**(Pages 141 - 149)**

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 Development Control Committee B
26 April 2017 at 6pm

Present:
Councillors: Donald Alexander, Harriet Clough, Mike Davies, Carla Denyer, Richard Eddy, Martin Fodor, Olly Mead, Sultan Khan and Afzal Shah.

35. Apologies for Absence, Substitutions and Introductions.

Apologies were received from Councillor Phipps with Councillor Alexander as substitute and from Councillor Hickman.

36. Declarations of interest.

There were none.

37. Minutes.

These were agreed as a correct record.

Resolved – that the Minutes of the Meeting held on 15 March 2017 be agreed as a correct record of the Meeting and signed by the Chair.

38. Appeals

The Representative of the Service Director – Planning introduced the report, summarised it for everyone and drew the Committee's attention to:-

1. Item 3 – 541 – 551, Fishponds Road. A Public Inquiry had started last week and was due to conclude on 28 April 2017. The Planning Inspector would give no more than an indicator regarding the decision timescale. Officers would communicate the decision to members as soon as it was made available;
2. Item 4 – Old BRI Building, Marlborough Street. This Committee refused an application on 28 September. The applicants have requested a Public Inquiry which is yet to be decided. At the same time, the applicants were engaging with officers in a pre-application process and with the local community before submitting a fresh application;
3. Item 8 – Shal Jalal Jame Mosque 468 – 470 Stapleton Road, Eastville. The Planning Inspector had taken the same view as the Committee ie. the digital screen coming in was acceptable but the outbound screen was not supported as it was considered a distraction;

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4. Item 15 – Avonbank, Feeder Road. Committee refused this application on 28 September and the Planning Inspectorate had agreed to consider the appeal through the written representations process. Officers did not object to this process as it was less costly. Campaign groups would submit evidence to the Inspector;
5. Item 29 – 1, Eaton Close, Fishponds. This was an 8 bedroom HMO refused under delegated decision. The Inspector did not like the standard of accommodation which fell short of the minimum standard. With respect to 3 parking spaces for 8 bedrooms, the Inspector noted there were parking restrictions in the locality and as it was in an accessible location, access to a car was not needed so on street parking was acceptable. The Inspector, however, dismissed the appeal on the grounds of unacceptable standards of accommodation.

Councillor Davies asked whether Officers would have to defend the BRI appeal even though there was a new application in the process and was informed that Officers would be expected to defend a Committee's decision. The new application would be assessed on its merits and both processes would run side by side. The Chair gave an example where this had recently happened and reiterated that there was an expectation that Officers would defend Committee's decisions.

39. Enforcement.

The Representative of the Service Director – Planning reported that there had been 4 notices since the last Committee. In response to a question regarding Item 2 – 310 – 312, Fishponds Road, he agreed to report back to Councillor Khan outside of the Committee.

40. 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 list and statements are held on public record by Democratic Services).

At this point, Councillor Shah arrived.

41. Planning and Development

The Committee considered the following reports of the Service Director, Planning:

(1) 16/06074/F – 9, Ebenezer Street, Bristol.

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

The Chair noted that Councillor Shah had arrived after the start of Public Forum so would not be able to participate in the debate or vote on the application.

The following points were made in the Officer presentation:-

1. The application had been referred to Committee by the Ward Councillor, Asher Craig;
2. The building was last used as a film studio and is now empty;
3. This application is in response to a previously refused application for the division of the building in to four houses in multiple occupation;
4. This application proposes three cluster flats – defined as dwellings with shared accommodation and including one, one bedroom self-contained flat;
5. This application included a condition requiring a Premises Management Plan with a Manager on site between 8pm and 8am in order to manage any potential noise or disturbance from the tenants;
6. The issue of parking had been the biggest concern from objectors. A survey had been undertaken by the applicant, Highway Officers and the Planning Officer. The Planning Officer reported a minimum of 8 spaces with a maximum 300m from the site. The side streets were constrained with the majority of parking around Beaufort Road;
7. The application was in a sustainable location as it was close to a main bus route;
8. The Highway Officer added that he had undertaken a survey in December 2016 and found 18 parking spaces on nearby streets and in March 2017 when 11 spaces were found. Five spaces were found just outside the 200m recommended walking distance. On this basis, Highways Development Management had withdrawn their objection as it was considered that the surrounding streets have the capacity to accommodate any additional parking from the development;
9. The Planning Officer recommended the application be granted with conditions.

The following points arose during discussion:-

1. The flats were not affordable housing in terms of the planning definition but were at the lower cost end for such housing. It was for the Committee to determine what part of the housing needs this application meets and weigh it against issues relating to the application;
2. This development did not easily fall into Government space standards for new dwellings as the development proposed shared kitchens. The double bedrooms were 14 sqm and the minimum standard was 11 sqm. Overall, the 3 cluster flats were under minimum standards for a one bedroom two person flat but this did not include a kitchen. The development did however meet HMO licence standards;
3. It was noted there was an error in the report regarding the level of CIL which said £1517.72. The correct figure was £15,717.72;
4. ‘Cluster flats’ were another term for shared accommodation. The kitchen space was communal;
5. The bike storage number of 20 was based on the number of bedrooms with one space provided per bedroom unit and this met the current standards of the Local Plan;
6. Condition 5 – the Premises Management Plan included a Manager on the site between 8pm and 8am. Included with the application was a draft management plan that

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proposed a clause stating ‘2 strikes and you are out’ arrangement. The Committee was at liberty to impose other matters it felt was important to condition. The Plan would need to be drafted and approved by condition before any development could take place;

7. It was noted that building regulations would need to be met for conversion of the building and a separate HMO Standards approval would be required. The HMO licence would specify how many people could use a shared kitchen;
8. One unit on the ground floor was on one level. All others included a mezzanine arrangement. The Representative of the Service Director advised that the development was below the threshold for requiring wheelchair accessible housing. Policy DM4 required developments of 50 dwellings or more to provide 2% of new housing to be wheelchair accessible. It was hoped to increase this figure in the next Local Plan review;
9. It was noted that the proposed level of on-site supervision was beyond that of most HMO’s. Councillor Denyer asked if the Supervisor could only take action as a result of a complaint from a neighbour and was informed that the Supervisor’s powers would be specified in the Management Plan. She therefore proposed that a form of wording as follows ‘The Premises Management Manager shall be empowered to approach residents of the flats without prior request from the public’;
10. Councillor Eddy understood that the building needed redevelopment but a key matter was whether the proposal would overall improve the area or cause harm. The density of the building with 20 bedrooms and 40 residents was high. He would vote against approval on the basis of over intensive development and the negative impact on parking. He suggested that the reasons used could be as per the previous proposal refused with amendments concerning ‘cluster flats’ and ‘on site supervision’;
11. Councillor Mead supported the onsite Manager subject to them being monitored and doing their job properly. He believed 20 cycle spaces was a sustainable number. He noted there had been no new build in the area since 2011 and believed that if this application was refused, the applicant would be able to develop with less controls than the current submission because of new powers given to them when the national “prior approval” arrangements to change between Class B1 and Class C3 without full planning permission came into effect. He asked whether it was possible to condition tenants not owning a car and was informed that this should be possible to control as done for student accommodation. Finally, he noted the development was in a sustainable location with a main bus route nearby;
12. Councillor Denyer suggested that the control could be part of the tenancy agreement if it was not possible to condition. She stated that she was less concerned regarding the parking as she believed the accommodation was aimed at young transient people who sought temporary places to live and were unlikely to have cars;
13. Councillor Davies asked whether the no car ownership could be enforced. The Representative of the Service Director – Planning replied that there was no reason why there could not be a restriction on car ownership. The applicant could either accept the condition, apply for the removal of the condition or appeal the condition. If appealed the evidence regarding limited parking would come into play;
14. Councillor Alexander added that he believed such tenants were often builders with a van or car and often brought their rubbish back with them;
15. The Chair proposed that the application to discharge the condition requiring approval of the Premises Management Plan (including the restriction on car ownership) could come

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before a Committee for consideration. He noted that tenants may have different modes of transport and so fears might be unfounded;

16. Councillor Mead proposed three further conditions for the Premises Management Plan as follows –
    - The roof terrace not to be used after 11pm;
    - No music after 11pm;
    - Waste bins to be promptly managed.

17. Councillor Alexander believed that enforcement officers did not have the capacity to ensure these conditions were being upheld. He was assured that the enforcement team were able to maintain their reactive service and take action where necessary;
18. Councillor Davies did not support imposing conditions to improve a proposal as the development should be acceptable or not. He envisaged problems with the development;
19. Councillor Khan shared this view, stating he would vote against approval;
20. The Representative of the Service Director – Planning advised the Committee that there was a desperate need for housing in the City and this fulfilled some of that need. The building would be redeveloped at some point. He understood that it was an intensive use but it was not possible to prescribe what the Council wanted but instead had react to applications. There was evidence over two applications that the proposal was not intense enough to refuse and defend at appeal. There were a number of controls that could be applied and the enforcement team could enforce them which would be the test at appeal;
21. The Chair emphasised that the Housing department would also need to be satisfied with the proposal as an HMO through the separate licencing process. The proposal had more controls than most HMO's in the City. The grounds to refuse needed to be secure in order to defend at appeal;
22. Councillor Denyer had been undecided but would now vote for approval subject to the new conditions proposed for the Premises Management Plan.

Councillor Mead moved the officer recommendations along with the additional Premises Management Plan conditions and subject to the Premises Management Plan condition being discharged at a future Committee. This was seconded by Councillor Denyer.

On being put to the vote, there were 4 for, 4 against and 1 abstention. The Chair exercised his casting vote for approval.

RESOLVED –

1. That the application be granted subject to conditions and including the following amendments to the Premises Management Plan:-

i) There shall be no car ownership for tenants;
ii) The Premises Manager shall be empowered to approach residents of the flats regarding issues arising without prior request from the public;
iii) Tenants shall not use the roof terrace after 23:00 hours;
iv) There shall be no music after 23:00 hours;
v) Waste bins shall be promptly managed.

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2. That the discharge of the Premises Management Plan condition be brought before a future Committee.

The meeting ended at 7.35pm.

Chair _____

DEVELOPMENT CONTROL COMMITTEE B

12th July 2017

REPORT OF THE SERVICE DIRECTOR - PLANNING

LIST OF CURRENT APPEALS

Householder appeal

Item	Ward	Address, description and appeal type	Date lodged
1	Hengrove & Whitchurch Park	131 East Dundry Road Bristol BS14 0LP First floor extension to the rear of the property. Appeal against refusal Delegated decision	06/06/2017
2	Clifton	Trinity House Kensington Place Bristol BS8 3AH Remodelling of the front boundary treatment to form vehicular access. Appeal against refusal Delegated decision	06/06/2017

Public inquiry

Item	Ward	Address, description and appeal type	Date of inquiry
3	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	21/11/2017

Written representation

Item	Ward	Address, description and appeal type	Date lodged
4	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
5	Bishopston & Ashley Down	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
6	Eastville	351 Fishponds Road Eastville Bristol BS5 6RD Enforcement notice appeal for front dormer extension built larger than approved by planning permsision 15/05979/F. Appeal against an enforcement notice	13/03/2017
7	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
8	Clifton Down	101 Queens Road Clifton Bristol BS8 1LW Internal alterations to accommodate an additional bedroom (Flat 2) together with associated internal and external alterations. Appeal against refusal Delegated decision	12/04/2017
9	Avonmouth & Lawrence Weston	11A High Street Shirehampton Bristol BS11 0DT Demolition of existing domestic garage and erection of detached two storey dwelling. Appeal against refusal Delegated decision	12/04/2017
10	Ashley	(IT Center) 14 Mina Road Bristol BS2 9TB Erection of internally illuminated digital display and associated structure. Appeal against non-determination Delegated decision	21/04/2017

11	Easton	28 York Road Easton Bristol BS5 6BJ Enforcement notice appeal for the erection of a porch to the front. Appeal against an enforcement notice	21/04/2017
12	Avonmouth & Lawrence Weston	16 Green Lane Bristol BS11 9JD Conversion of single dwelling house into two self contained one bedroom flats. Appeal against refusal Delegated decision	03/05/2017
13	Brislington West	65 Winchester Road Bristol BS4 3NH Erection of detached dwelling house. Appeal against refusal Delegated decision	03/05/2017
14	Brislington East	26 Capgrave Crescent Bristol BS4 4TW Demolition of existing 16 No. residential garages and construction of 3 No. three bedroom dormer bungalows. Appeal against refusal Delegated decision	03/05/2017
15	Hengrove & Whitchurch Park	12 Widcombe Bristol BS14 0AS Proposed driveway and 2no. parking spaces with access onto Bamfield, to front of property. Appeal against refusal Delegated decision	04/05/2017
16	Ashley	Land To Rear Of 173 North Road Bishopston Bristol BS6 5AH Erection of single dwelling house (Revision to consent granted under app.no. 13/03853/F). Appeal against refusal Delegated decision	08/05/2017
17	Central	Southey House 33 Wine Street Bristol BS1 2BQ Change of use of part of the lower ground floor from ancillary storage space (A1 Use Class) to residential (C3 Use Class) with ancillary selfcontained storage space. Appeal against refusal Delegated decision	08/05/2017
18	Horfield	73 Filton Grove Bristol BS7 0AW Removal of existing garage and construction of a 2 bedroom attached dwelling. Appeal against refusal Delegated decision	08/05/2017

19	Horfield	Adjacent 2 Filton Road Bristol Erection of an internally illuminated 48-sheet digital display. Appeal against refusal Delegated decision	17/05/2017
20	Filwood	129 Leinster Avenue Bristol BS4 1NN 1 no detached 2 storey house. Appeal against refusal Delegated decision	23/05/2017
21	Windmill Hill	164-188 Bath Road Totterdown Bristol BS4 3EF Removal of the three existing advertisements (2x 12mx3m displays, 1x 6mx3m display), to be replaced with two internally illuminated digital advertisements. Appeal against refusal Delegated decision	12/06/2017
22	Bedminster	(Land At 64) Bedminster Down Road Bristol BS13 7AB Removal of the existing illuminated advertisement, measuring 12m x 3m, to be replaced by an internally illuminated digital advertisement, measuring 6m x 3m. Appeal against refusal Delegated decision	12/06/2017
23	Hotwells & Harbourside	13 Christina Terrace Bristol BS8 4QB Installation of a new side elevation window, at ground floor level. Appeal against refusal Delegated decision	12/06/2017
24	Windmill Hill	Land At St Johns Lane Site Adjacent To South-east Corner Of Railway Bridge Bristol BS3 5BE Replacement of an existing 48-sheet advertising display with a 48-sheet LED advertising display. Appeal against refusal Delegated decision	12/06/2017
25	Henbury & Brentry	191 Passage Road Henbury Bristol BS10 7DJ Outline application for the construction of a house and two garages in garden of 191 Passage Road (with access and siting to be considered). Appeal against refusal Delegated decision	13/06/2017
26	Lockleaze	Land To Rear Of 1 Dorchester Road Bristol BS7 0LA Application for planning permission for a new two bedroom dwelling. Appeal against refusal Delegated decision	13/06/2017

27	Horfield	47 Montreal Avenue Bristol BS7 0NB Erection of a single dwellinghouse, attached to existing property. Appeal against refusal Delegated decision	13/06/2017
28	Filwood	32 Creswicke Road Bristol BS4 1UD Proposed two storey side extension. Appeal against refusal Delegated decision	27/06/2017

List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
29	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	Appeal allowed 14/06/2017
30	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	Appeal dismissed 29/03/2017
31	Westbury-on-Trym & Henleaze	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	Appeal dismissed 03/05/2017
32	Hengrove & Whitchurch Park	1 Cranleigh Road Bristol BS14 9PL Appeal against an enforcement notice for erection of a rear roof dormer extension. Appeal against an enforcement notice	Appeal dismissed 06/06/2017
33	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	Split decision 20/04/2017

34	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	Appeal dismissed 26/05/2017 Costs not awarded
35	Bishopston & Ashley Down	(Garage Site Next To) 2 Brent Road Bristol BS7 9QZ New one-and-part- two storey coach house. Appeal against refusal Delegated decision	Appeal dismissed 09/06/2017
36	Westbury-on-Trym & Henleaze	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	Appeal dismissed 13/06/2017 Costs not awarded
37	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 Delegated decision	Appeal dismissed 16/05/2017
38	Stoke Bishop	49 The Crescent Sea Mills Bristol BS9 2JT A first floor rear extension. Appeal against refusal Delegated decision	Appeal dismissed 16/05/2017
39	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	Appeal dismissed 28/06/2017

40	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	Appeal allowed 28/06/2017 Costs awarded
41	Hillfields	75 Abingdon Road Bristol BS16 3NZ To erect an attached dwelling. Appeal against refusal Delegated decision	Appeal dismissed 05/06/2017
42	Clifton	85 Queens Road Clifton Bristol BS8 1QS For the extension of opening hours to 0800-2330 hours Monday-Thursday; 0800-midnight Fridays-Saturdays and 0800-2300 hours Sundays and Bank Holidays, external alterations to the shop front to create a new entrance from Queens Road, removal of 4no plant condensers and replace with 3no new plant condensers, installation of green wall and enlarged louvre opening Appeal against refusal	Appeal allowed 29/06/2017 Costs awarded
43	Ashley	119 Richmond Road Montpelier Bristol BS6 5EP Demolition of existing two storey extension and replacement with single storey extension and roof extension to create additional storey. Appeal against refusal Delegated decision	Appeal dismissed 02/06/2017
44	Brislington East	Advertising Board Near Mardon Road Bristol BS4 4AA Replacement of externally illuminated 48-sheet advertising display with 48-sheet digital display. Appeal against refusal Delegated decision	Appeal dismissed 17/05/2017
45	Westbury-on-Trym & Henleaze	23 Holmwood Gardens Bristol BS9 3EB Proposed loft conversion with rear flat roof dormer. Appeal against refusal Delegated decision	Appeal dismissed 17/05/2017

46	Horfield	1 Hazel Grove Bristol BS7 0NG Narrow two storey side extension to extend ground floor hall and include study while extending first floor bedroom and bathroom. Garage to side of extension. Appeal against refusal Delegated decision	Appeal dismissed 02/06/2017
47	Clifton	8 Clifton Park Road Bristol BS8 3HL Removal of rear elevation balcony and construction of conservatory. Appeal against refusal Delegated decision	Appeal dismissed 03/07/2017

DEVELOPMENT CONTROL COMMITTEE B
12th July 2017

REPORT OF THE SERVICE DIRECTOR - PLANNING

LIST OF ENFORCEMENT NOTICES SERVED

Item	Ward	Address, description and enforcement type	Date issued
1	Bishopsworth	8 Ilchester Crescent Bristol BS13 7HL Erection of rear extension without planning permission. Enforcement notice	19/04/2017
2	Clifton	60 Bellevue Crescent Bristol BS8 4TF Breach of condition 1 (in respect of approval not obtained for obscured glass), condition 2 (which restricts use of roof) and deviation from approved plans in the formation of the opening at first floor level (insertion of doors) of planning permission 15/03207/X which consented a single storey rear extension. Breach of conditions notice	19/04/2017
3	Lawrence Hill	4 Lawford Street Bristol BS2 0DH Erection of three storey extension to the rear. Enforcement notice	11/05/2017

30 June 2017

Development Control Committee B
12 July 2017

Report of the Service Director - Planning

Index

Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Southville	Grant	17/01836/F - 125 Raleigh Road Bristol BS3 1QU Proposed change of use of an existing office building (Building A) to the mixed use of cafe and bookshop (Use Classes A1 and A3), to include a single storey extension. Extension of an existing, two storey entrance building (Building B) to create a self-contained dwelling (Use Class C3).
2	Bedminster	Grant	17/01789/F - Former Mercedes Garage Winterstoke Road Bristol BS3 2LG Erection of a self storage unit, use class B8, with ancillary uses, on site car parking provision and landscaping (Major Application).
3	Frome Vale	Grant subject to Legal Agreement	16/05376/F & 16/05398/LA - Blackberry Hill Hospital Manor Road Fishponds Bristol BS16 2EW Regeneration, refurbishment and demolition of existing buildings and new build development to provide a total of 346 residential units (comprising of 217 new build and 129 refurbished units) (Use Class C3), 317 sqm of commercial/retail floorspace (Use Class A1 /A2 /A3 /B1) and 310 sqm community space (Use Class D1); new and amended vehicular, pedestrian and cycle access; car parking; cycle parking; landscaping and boundary treatment. Major Application.
4	Avonmouth & Lawrence Weston	Grant	17/02240/F - Accolade Park Kings Weston Lane Avonmouth Bristol BS11 9FG Proposed single wind turbine (130m high), along with associated infrastructure including electrical housing.
5	Windmill Hill	Grant	17/02598/H - 3 Haverstock Road Bristol BS4 2DA Retrospective application for rear 'dormer' roof extension.

Development Control Committee B – 12 July 2017 **ITEM NO. 1**

WARD:	Southville	**CONTACT OFFICER:**	Amy Prendergast
SITE ADDRESS:	125 Raleigh Road Bristol BS3 1QU		

APPLICATION NO:	17/01836/F	Full Planning
DETERMINATION DEADLINE:	27 June 2017	

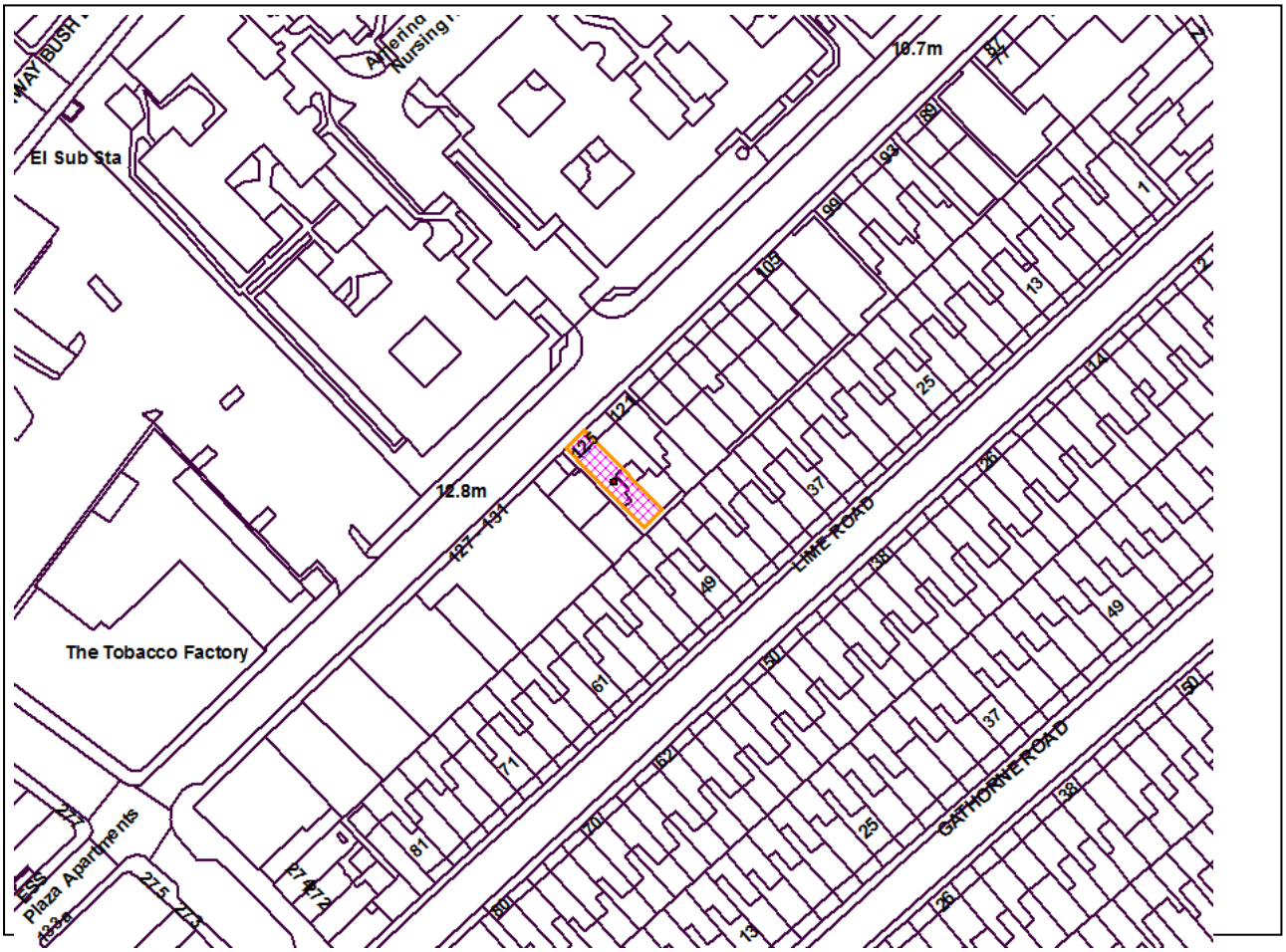
Proposed change of use of an existing office building (Building A) to the mixed use of cafe and bookshop (Use Classes A1 and A3), to include a single storey extension. Extension of an existing, two storey entrance building (Building B) to create a self-contained dwelling (Use Class C3).

RECOMMENDATION: Grant subject to Condition(s)

AGENT:	Aspect360 (SW) Ltd G17 Kestrel Court 1 Harbour Road Portishead Bristol BS20 7AN	**APPLICANT:**	Anders and Alice Ousley and Sommerlad 3 Bells Court Falmouth TR11 3AZ

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

LOCATION PLAN:



Development Control Committee B – 12 July 2017
Application No. 17/01836/F: 125 Raleigh Road Bristol BS3 1QU

SUMMARY

Application 17/01836/F brought before committee due to the level of public interest it is considered appropriate for this application to come before Committee.

The application is for the conversion of an existing office building (Use class B1) to a café/bookshop (Use Classes A1 and A3). The proposed works result in the extension of the existing building to enclose the courtyard. Works also include the extension of the first floor frontage building to create a 3 bedroom dwelling house (Use Class C3).

Forty representations were received in total following public consultation from residents and amenity groups, all in opposition to the scheme. There is an objection from Councillor Bolton however the application has not been referred to committee by any Councillor.

SITE DESCRIPTION

The application relates to the old fire station; a two storey brick building to the street frontage with a large under-croft leading to an area of paved courtyard and single storey brick built vacant office building at the rear of the site.

The site is surrounded by residential properties.

The application site is attached to number 127-131 Raleigh Road to the South West, a large three-storey building previously occupied by offices with planning consent to be converted into a combination of office space and new apartments (Reference 16/00013/F).

To the south of the site are the rear outside amenity spaces and rear elevation of residential properties fronting Lime Road. The application site is immediately opposite numbers 51 and 53 Lime Road.

To the North West of the site is 125a and b Raleigh Road. A row of three terraced brick built dwellinghouses. The end of terrace house has been divided up into two separate self-contained flats.

Opposite the site and separated by Raleigh Road is Amerind Grove Care Home.

The application site is not located within a designated centre or conservation area.

APPLICATION

Full Planning permission (ref: 17/01836/F) is sought for the conversion of the existing office building (B1) to a café/bookshop (A1 and A3). The works propose a single storey extension to the rear, which infills the existing courtyard. A part single/part two storey extension is proposed above the existing building and extended ground floor to create a 3 bedroom dwelling house with roof terrace.

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 to this particular proposed development. Overall, it is considered that the refusal of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

RELEVANT PLANNING HISTORY

The application site has an extensive history. History of most relevance to the pending application includes the following:

03/04832/F: Erection of 1 no. self-contained flat at first floor level over existing office, and external staircase. Refused (10 May 2004) for the following reasons:

The proposed development of a self-contained flat above the existing ground floor office would result in a cramped overdevelopment of the site.

The proposed development because of its height and position in relation to adjoining properties, particularly Nos. 51 and 53 Lime Road, would have an overbearing and adverse impact on the amenities of the occupiers of these properties.

04/00132/F: Retention of conversion of single dwelling house to 2 no. self-contained flats. Approved (9 March 2004)

13/02678/F Retention of residential use and extension of frontage building to create first floor 2-bed self-contained flat.
Date Closed 13 November 2013 Granted.

15/02602/F Change of use of an existing office building from Use Class B1 to Mixed-use A1 (retail) and A3 (Cafe), and the extension of an existing two storey entrance building into three storey, three bedroom residential dwelling.
Date Closed 4 December 2015 WITH

16/06799/COU Notification for Prior Approval for a Proposed Change of Use of a building from Office Use (Class B1(a)) to a Dwellinghouse (Class C3)
Date Closed 6 February 2017 GIVEN

127 - 131 Raleigh Road
15/05097/COU Prior approval for the change of use from office floor space within Use Class B1(a) to residential accommodation falling within Class C3 (dwelling houses)
Date Closed 27 November 2015 GIVEN

16/00013/F Conversion of existing second floor from Use Class B1(c) to form 9 apartments (Use Class C3) with associated third floor roof extension, external alterations, refuse and cycle storage.
Date Closed 14 July 2016 Granted (Committee Decision)

17/00986/X Variation of condition 15 (list of approved plans) of planning permission 16/00013/F for conversion of existing second floor from Use Class B1(c) to form 9 apartments (Use Class C3) with associated third floor roof extension, external alterations, refuse and cycle storage - insertion of additional windows
Date Closed 20 April 2017 Granted

RESPONSE TO PUBLICITY

The application was advertised via a press and site notice with an expiry date of 17.05.2017. 22 neighbouring premises were also directly consulted by neighbour notification letter with an expiry date of 29.05.2017.

As a result 40 objections were received. Including an objection from a councillor and amenity group. These comments are summarised under heading 'Other Comments'.

Some of the representations are addressed by officers in italics; all other representations are addressed within the body of this committee report. The comments are summarised as follows:

Principle of development

- There is an over concentration of cafes in the area.
- Residents need a break between their properties and the commercial activities on North Street

Case Officer Note: Please see Key Issue A of this committee report

Amenity

- The proposed use would result in additional noise including in the evening, in an area bordered by residential properties.
- The proposed use would result in harm by virtue of odour
- The proposal would result in overlooking and a loss of privacy
- Outlook/loss of light/overshadowing/overbearing impact/sense of enclosure.

Case Officer Note: Please see Key Issue B of this committee report

Design

- The proposal dwarfs adjacent houses
- The proposed works result in the overdevelopment of the site
- The loss of the old fire station doors would be harmful

Case Officer Note: Please see Key Issue D of this committee report

Transport and Movement issues

- Parking will be problematic as a result of increased footfall
- Parking is problematic as existing
- The proposed A3 use will add to congestion in the area

Case Officer Note: Please see Key Issue E of this committee report

Crime

- The proposed use will result in an increased level of antisocial behaviour
- The site is within a cumulative impact zone

Case Officer Note: Please see Key Issue G of this committee report

Other matters

- Consultations weren't adequate [*Case Officer Note: Consultations were carried out in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015-*

- The opening hours would likely get extended [*Case Officer Note: A condition is attached restricting opening hours. If the applicant wished to increase the opening hours this would be subject to separate officer assessment under a new planning application]*
- There is no need for another café in this location [*Case officer Note: The Local Planning Authority has a duty to assess planning applications on their own merits regardless of need*.]
- Concern the premises would get a license to sell alcohol [*Case Officer Note: Licensing is dealt with separately from planning]*
- Signage will likely be visually offensive [*Case Officer Note: No signage has been proposed under this application. If signage were to be proposed then an application for advertisement consent would be needed]*
- The building will be used as a public house or restaurant without the retail element [*Case Officer Note: Were the applicant to propose such a change of use this would be subject to separate officer assessment under a new planning application.]*
- The proposal will obliterate rear views of Clifton from the Lime Road residences [*Case Officer Note: The loss of a view from individual residential properties is not a material planning consideration]*

COMMUNITY INVOLVEMENT

This is not a major scheme, and there is therefore no obligation to undertake consultation with local residents. However, we understand that the applicant contacted all of the nearby properties and provided them with copies of the proposals and this is detailed within the Design and Access Statement.

OTHER COMMENTS

Councillor Charlie Bolton has commented as follows:

I see I objected to the previous version of this application, and I intend to object again for more or less the same reasons, I am increasingly not a fan of café/bar/restaurant in residential areas.

In this case, while no alcohol license has been applied for, well, it becomes a café and the precedent is set, and, whatever the motives of the current applicants, somewhere down the line, you have to suspect a license will be sought.

I also think there comes a distance from North St where it isn't North St anymore, and is a place where people live - this is about it.

I just think this is the wrong place for this application.

BS3 Planning group has commented as follows:

A number of group members and none members have contacted us to raise concerns about this proposal. Their objections relate to spreading the "leisure" offer off North St and further into the residential area and Raleigh and neighbouring roads plus the increase in size and configuration of the unit and the negative impact that it is believed that that will have on local residents in close proximity to the unit.

The BS3 Planning Group is recognised as part of the Bristol Neighbourhood Planning Network (NPN) and is an advisory body in the Greater Bedminster Community Partnership, the neighbourhood partnership for Bedminster and Southville wards. We will also endeavour to provide assistance on planning consultations and pre-applications to other areas of BS3 outside the GBCP area that do not have their own representation in the Bristol NPN.

BCC City Design Group has verbally commented as follows:

No objections to the proposed design.

Pollution Control has commented as follows:-

I've had a look at the above application and would comment as follows:

The application proposes opening hours till 8 pm and no external seating area. In my experience such a closing time and no outdoor use help prevent the likelihood of noise nuisance of customers using a café premises.

No extraction or ventilation equipment is shown in the application for the café. Whilst I understand that there will be a minimal food offer from the café some additional ventilation may be required.

Other than the 3 windows on the North East elevation facing on to 127 - 131 Raleigh Road there are no windows in the ground floor part of the building and no details as to how the ground floor will be ventilated are given. If these 3 windows are to be kept closed then this should further reduce any possible noise breakout for the premises again additional ventilation may be required.

I therefore have no objection to this application but would ask for the following conditions should the application be approved.

(See conditions attached to this application).

Transport Development Management has commented as follows:-

-The site is considered to be located in a highly sustainable location with good public transport links and amenities within short walking/cycling distance. Therefore, TDM deems that there is no requirement to provide any off-street car parking.

-The site is located within the Southville residents parking scheme. TDM advises that future residents of the development should not be eligible to receive residents parking permits to avoid any increased pressure on existing on-street parking and to encourage a 'low-car' form of development.

KEY ISSUES

(A) IS THE PRINCIPLE OF DEVELOPMENT ACCEPTABLE?

Proposed mixed A1/A3 use:

The site currently benefits from a Class B1 (business) use and is located in an “edge of centre” location just outside of the North Street, Southville district centre.
The NPPF defines edge of centre sites as follows:

‘For retail purposes, a location that is well connected and up to 300 metres of the primary shopping area.’

Policy DM7 (Town Centre Uses) of the Local Plan states that town centre uses, such as shops and cafes, should be located within centres identified on the policies map. It also states that edge of centre sites, such as the application site, may be appropriate provided the proposal would support the role of the centre and be of a scale and intensity proportionate to the centre’s position in the identified hierarchy.

The impact of food and drink uses, such as the partial Class A3 use proposed, must also be assessed against Policy DM10 (Food and Drink Uses) of the Site Allocation and Development Management Policies (2014). The policy states that the development of food and drink uses will be acceptable provided that "…*they would not harm the character of the area, residential amenity and/or public safety, either individually or cumulatively*". Proposals which would result in a harmful concentration of food and drink uses will not be permitted. In order to assess the impact of food and drink proposals on an area the policy requires that the following matters will be taken into account:

i) The number, distribution and proximity of other food and drink uses, including those with unimplemented planning permission; and
ii) The impacts of noise and general disturbance, fumes, smells, litter and late night activity, including those impacts arising from the use of external areas; and
iii) The availability of public transport, parking and servicing; and
iv.) Highway safety; and
v) The availability of refuse storage and disposal facilities; and
vi) The appearance of any associated extensions, flues and installations.

Points ii-vi are addressed under other key issues within this committee report. However point i) is addressed below:

The proposed works are for a mixed Class A1 and A3 use. Whilst there are a number of cafes in the nearby vicinity on North Street they are not of a mixed A1/A3 use. There are also a number of retail uses (A1 and A2 units) present on the section of North Street closest to the application site ensuring an appropriate mix and balance of uses is retained in this instance.

Whilst the application site is located just outside of the designated centre, in policy terms it is considered to be an "edge of centre" location that is well connected to the town centre. The proposal is also of a small scale in a highly sustainable location and it will provide for local needs. Furthermore the proposed use would not detract from the main shopping area or adversely impact upon its vitality, viability or diversity. Indeed, it is considered that the proposed use in this location would complement and support the role of the designated centre.

The property is situated in an area where there is a mix of both commercial and residential uses and therefore the proposed mix of uses on the site is compatible with the existing area.

Concern has been raised by local residents that the proposed mixed Class A1/A3 use will, in the future, move to a Class A3 (restaurant) use or A4 (drinking establishment) use. The change of use from a mixed Class A1/A3 use to either Class A3 or a Class A4 use would require separate planning permission and subsequently be subject to further consultations and officer assessment. Given there is no permitted change from the proposed use a use restriction condition is not required in this instance.

A number of representors have raised concern that the commercial use is spreading into the residential area. The proposed A1/A3 is considered to act as a transition from the centre to the residential area in this instance and for the reasons given above, the proposed development is considered to accord with relevant Development Plan policies.

Loss of the B1a office use:

The proposed development would also result in the loss of the class B1a office use, which is classed as employment land, which also needs to be considered as there are policies which seek to protect this, namely Core Strategy policy BCS8 (Delivering a Thriving Economy) and Local Plan policy DM12 (retaining Valuable Employment Sites). While justification for the loss of the employment land has not been provided, a prior approval application (ref: 16/06799/COU) has been given this year, accepting the loss of the office floorspace. Were this application implemented, this would result in the complete

loss of any employment use on the site. Given this, the principle of the loss has been established and it is not considered reasonable to refuse the application on the loss of employment land in this instance.

Introduction of C3 dwellinghouse use:

There is no objection in principle to the creation of new residential accommodation in this residential area.

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", 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.

Bristol comprises a diverse range of residential neighbourhoods with significant variations in housing type, tenure, size, character and quality. A wide range of factors influence the housing needs and demands of neighbourhoods. Such factors include demographic trends, housing supply, economic conditions and market operation. The inter-relationship between these and other factors is often complex and dynamic. In the circumstances, housing requirements will differ greatly across the city and will be subject to change over time. With this in mind an overly prescriptive approach to housing mix would not be appropriate. However, it has been possible to identify broad housing issues that are applicable to many neighbourhoods.

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. A local area-based assessment is required to assess the development's contribution to housing mix as 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 Coronation Road West LSOA within the Southville Ward. An up-to-date picture of the proportion of different residential accommodation types in the LSOA can be obtained by assessing the 2011 Census data. The Coronation Road West LSOA (LSOA) has a proportion of flats to houses at 52.5% flats and 47.5% houses.

Overall, the above census data would lead to the conclusion that in this instance, there is a need for houses and family sized units rather than smaller flats in the area. The creation of the three bedroom dwellinghouse is subsequently considered acceptable in this instance with regards to mix and balance.

It is considered that the development is acceptable in principle land use terms and complies with the relevant Development Plan policies.

(B) WOULD THE PROPOSAL HARM THE AMENITY OF THE LOCALITY AND SURROUNDING PROPERTIES?

Policy DM10 of the Site Allocation and Development Management Policies (2014) which is set out

under Key Issue A above states that in order to assess the impact of food and drink proposals on an area the following matter must be taken into account:

ii) The impacts of noise and general disturbance, fumes, smells, litter and late night activity, including those impacts arising from the use of external areas;

In addition, Policy BCS21 (Quality Urban Design) of the Core Strategy (2011), as well as requiring development to be of a high quality design, also requires new development to safeguard the amenities of existing residents. Policy BCS23 (Pollution) also requires development to be designed so as not to have a detrimental impact on the surrounding environment. Included within this is the requirement that development should not impact on the viability of surrounding uses through its sensitivity to noise or other pollution. Finally, Policy DM35 (Noise Mitigation) of the Site Allocation and Development Management Policies (2014) advocates that development which would have an unacceptable impact on environmental amenity or biodiversity by reason of noise will be expected to provide an appropriate scheme of mitigation. Development will not be permitted if mitigation cannot be provided to an appropriate standard with an acceptable design, particularly in proximity to sensitive existing uses or sites.

It should be noted that the majority of representations received as a result of the public consultation in respect of this proposal raise concern that the proposed use would result in detrimental harm to neighbouring amenity, of particular concern is the noise that would arise as a result of the proposal.

Noise from the Proposed Use of the Building

The proposed opening hours are 08.00 to 20:00 Monday to Saturday and 10.00 to 17:00 on Sundays and Bank Holidays. The proposed opening hours in general terms are considered suitable for a food and drink use in such close proximity to a designated centre and primary shopping frontage. The opening hours for the café/bookshop are also restricted via condition to protect neighbouring amenity from noise and disturbance.

The applicant has advised that the level of cooking proposed at the café is limited. The intention is for the café to serve hot drinks, cakes and light meals such as sandwiches. As such it is not considered that any significant extraction equipment is required preventing any harm by virtue of odour. If extraction or ventilation equipment is required in the future then details must be approved in writing by the Local Planning Authority and this will be secured via condition.

Deliveries would be made during normal working hours of 8am-5pm and will be restricted via conditions.

Lime Road houses.

The Lime Road houses are situated on ground level approximately 1.8metres higher than the application site. The front building of the proposed development is to be increased in height from 6.8 metres high to 9.1 metres high. This 2.3 metre increase in height is set approximately 23 metres away from the rear elevation of Lime Road. The changes in ground level and separation distance between buildings prevent any detrimental harm by virtue of overbearing impact, sense of enclosure, overshadowing and a loss of light. Whilst the outlook from rear windows of properties on Lime Road will be altered this will not be so significant to warrant the refusal of the scheme in this instance. Furthermore the loss of a view is not a material planning consideration.

At first floor level of the proposed dwellinghouse there is a window fronting the rear elevation of Lime Road. This window does not result in any overlooking or a loss of privacy given the addition of a 2 metre wall to the terrace screening views. This wall would only appear as 3.4 metres high to Lime Road properties (inclusive of the ground floor building height) when taking into account the ground level changes. In addition the wall is set over 16metres away from the rear elevation of these

properties, again preventing any detrimental harm by virtue of overbearing impact, sense of enclosure, overshadowing and a loss of light.

At second floor level of the dwellinghouse there is rooflight on the elevation of the building fronting Lime Road. This rooflight has been angled above head height to prevent any overlooking or a loss of privacy.

125a and 125b Raleigh Road

The bulk of the building is increasing on the North East Elevation facing 125A and 125B Raleigh Road. The full extent of the works will not be immediately visible to the occupiers of 125 Raleigh Road given there is an existing 2 storey rear extension and two metre high boundary wall between properties. Given this, the proposal would not appear overbearing or result in a sense of enclosure to these occupiers.

Within appendix 2 of the Design and Access Statement, the applicant has carried out a shadow study across the year indicating that the loss of direct sunlight to windows would be minimal. The shadow study carried out is satisfactory in identifying that no detrimental harm will arise as a result of a loss of light or overshadowing in this instance.

Four windows within the North East Elevation are being retained under the proposed works. Given these windows already exist it is not considered that the proposal would result in any harm above that already existing. The three windows 125a and 125b Raleigh Road will be fixed shut and this is secured via condition further reducing any possible noise breakout from within the premises.

Three velux rooflights are proposed within the first floor bedroom 1 window. These are angled away from no. 125 Raleigh Road preventing any detrimental harm by virtue of overlooking or a loss of privacy.

127-131 Raleigh Road

No windows are inserted within the side elevation of no *127-131 Raleigh Road*, subsequently proposed windows fronting the side elevation of this building do not result in any overlooking or a loss of privacy. The height and depth of no. 127-131 Raleigh Road is such that it is not considered that occupiers will experience any detrimental harm to their amenity.

Amerind Grove Care Home

The care home is separated from the application site by the already overlooked public frontage- Raleigh Road. The increase in height of the frontage building does not result in any detrimental harm given the proposed height increase and separation distance between these properties.

Subject to condition the proposed works are not considered to result in any detrimental harm to neighbouring amenity and the development accords with relevant Development Plan policies.

(C) AMENITY FOR FUTURE OCCUPIERS

Policy DM29 (Design of New Buildings) of the SADMP outlines that the design of all new buildings should ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight.

Policy BCS18 (Housing Type) of the Core Strategy outlines that residential developments should provide sufficient space for everyday activities and to enable flexibility and adaptability by meeting appropriate space standards.

The relevant space standards are the Department for Communities and Local Government (DCLG) Nationally Described Space Standards for new housing published in March 2015. These outline technical standards for application to all tenures of housing across England. Of relevance to this application, the standards outline that three bedroom, six occupant dwellings across two storeys should provide a minimum of 102m2 of gross internal floor area. This should include 2.5m2 of built in storage. Double bedrooms should have a floor area of 11.5m2 and a minimum width of 2.75m. It is also noted that the space standards outline that all rooms should ensure 2.3m in floor to ceiling height for 75% of the area.

The proposed dwelling would be split over two floors with the living accommodation being situated at the first and second floor level. The ground floor would contain the access only. The first floor would contain the three bedrooms with the bathroom.

All bedrooms have windows and will receive natural light. Outlook from bedrooms 1 and 2 is somewhat restricted given they look over privacy screens in relatively close proximity, however this is accepted in this high density area.

All three bedrooms exceed the 11.5-sqm internal floorspace required by national space standards for a double bedroom.

The second floor would contain the main living area which would have good outlook and access to natural light.

The dwelling would provide around 120 square metres of floor space which would exceed the floor space requirements for a three bedroom, six bedspace property within the national Technical Housing Standards. The property would have access to some outside space in the form of a screened terrace and it is noted that the site is a short walk from Greville Smyth Park with Dame Emily Park and South Street Park also in close proximity providing good access to outside space.

(D) WOULD THE PROPOSAL BE ACCEPTABLE IN RESPECT OF DESIGN AND THE CHARACTER OF THE AREA?

Section 7 of the NPPF outlines the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

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

Policy DM26 (Local Character & Distinctiveness) and Policy DM27 (Layout & Form) of the SADMP outlines that all development is expected to contribute positively to an area's character and identity. It is outlined that this should be achieved by responding to the existing built environment. In particular, development should respect the local pattern and grain of existing buildings and respond to the local scale and character created by height, massing, shape and form, proportion, building lines, set-backs from the street, skylines and roofscapes.

Policy DM29 (Design of New Buildings) of the SADMP outlines that new buildings should present high quality design, responding appropriately to their importance and reflecting their function and role within the public realm. In particular, clear organisation and hierarchy in relation to function is encouraged, as are active street frontages with main entrances fronting the public realm and good levels of natural surveillance. Exteriors should generate visual interest, be well proportioned and appear well ordered. Materials should be high quality, durable and sustainable, utilising colours and patterns which contribute positively to the character of the area.

A representation has been received raising concern that the increase in height of the building fronting Raleigh Road will dwarf adjacent residential buildings. The increase in height of the building by approximately 2metres will not dwarf the adjacent residential building. The height is significantly lower than the adjacent building at 127-131 Raleigh Road which the application site is most closely read alongside. The loss of the original wooden doors to the fire station is regrettable, however the proposed bookshop frontage takes inspiration and articulation from the existing fenestration form of 127-131 Raleigh Road and uses materials to match those used on the existing building preventing any detrimental harm. This will also be secured via condition.

The front façade is extended vertically from the existing coping detail, set back approximately 840mm. This 'setting back' of the facade would serve to discreetly mark a point between the old and the new, allow the dwelling to sit recessively to the existing adjacent former factory building. The fenestration details are designed to complement the adjacent former factory building in scale and form.

Bristol City Councils City Design team was consulted as part of the assessment of the application and have raised no objections to the proposals. The development is considered to accord with the relevant design policies.

(E) TRANSPORT AND MOVEMENT ISSUES

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

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

The application does not include any vehicular parking, however, given its sustainable location and the fact that the Council has maximum parking standards this is considered to be an acceptable approach.

Cycle parking is proposed for the bookshop and café as well as for the dwelling, which accords with the minimum standards.

Suitable refuse storage is also provided within the front courtyard which is of an appropriate size for both the dwelling and the commercial use. It is also easily accessible for collection purposes.

(F) SUSTAINABILITY

Current planning policy within the adopted Bristol Development Framework, Core Strategy (2011) requires new development to be designed to mitigate and adapt to climate change and meet targets to reduce carbon dioxide emissions. This should be achieved, amongst other measures, through efficient building design, the provision of on-site renewable energy generation to reduce carbon dioxide emissions by at least 20% based on the projected residual energy demand of new buildings.

The approach proposed should also be supported by the provision of a sustainability statement and an energy strategy.

The application is supported by a Sustainably Statement which demonstrates the sustainability measures that will be put into place. The scheme will comply with the Council's requirement for 20% from renewable energy and this will be provided through 6 PV panels mounted at an angle on the flat roof of the building facing South East.

(G) WOULD THE PROPOSALS RAISE ISSUES OF SAFETY AND SECURITY?

The application site is located within a Cumulative Impact Zone and subsequently the opening hours should be restricted via a condition.

CONCLUSION

The proposals would develop a site that has been vacant and would bring the site back into active use generally in line with the site's allocation in the Bristol Local Plan (Site Allocation & Development Management Policies).

Overall the applicants have tried to address the concerns of officers and local residents since the withdrawn application (15/02602/F). As a result revisions to the scheme are for a form of development that has adequately addressed issues relating to: principle, residential amenity, future occupiers amenity, design, highways and sustainability.

Therefore this application is recommended for approval subject to conditions.

COMMUNITY INFRASTRUCTURE LEVY

How much Community Infrastructure Levy (CIL) will the development be required to pay?

The CIL liability for this development is £8183.04

RECOMMENDED GRANT subject to condition(s)

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. Details of Extraction/Ventilation System

   No ventilation or air conditioning equipment, including equipment for the extraction and dispersal of cooking smells/fumes shall be installed until details have been submitted to and been approved in writing by the Local Planning Authority. The approved scheme shall be installed before the installation of any such equipment and thereafter shall be permanently retained.

The submitted details shall include appearance, finish, any odour control measures and an assessment, by a suitably qualified acoustic consultant/engineer, to show that the rating level of any ventilation or air conditioning plant & equipment will be at least 5 dB below the background level in accordance with BS4142: 2014 'Methods for rating and assessing industrial and commercial sound'.

Reason: These details need careful consideration and formal approval and to safeguard the host building and amenity of nearby properties and to protect the general environment

Pre occupation condition(s)

3. 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 related to that building or use, 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 nearby 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.

4. 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 related to that building or use 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.

Post occupation management

5. Hours open to customers Monday - Sunday

No customers shall remain on the premises outside the hours of

08:00am to 20:00pm Monday to Saturday
10:00am to 17:00pm Sundays and Bank Holidays.

Reason: In order to safeguard the amenities of nearby occupiers

6. Fixing shut relevant windows during opening hours.

The three identical windows within the North East Elevation as shown on Drawing No. EL09 hereby approved shall remain closed at all times during the opening hours set out under condition 5 of this permission (17/01836/F) except in the event of an emergency.

Reason: In order to safeguard the amenities of nearby occupiers

7. Noise from plant & equipment

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

Reason: In order to safeguard the amenities of nearby occupiers

8. 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

9. External Works to Match

All new external work and finishes and work of making good shall match existing original work adjacent in respect of materials used, detailed execution and finished appearance except where indicated otherwise on the approved drawings.

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

10. Deliveries restriction

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

Reason: To safeguard the amenities of nearby occupiers

11. No Further Windows

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) no windows, other than those shown on the approved plans shall at any time be placed in the North East or South East elevation of the building/extension hereby permitted without the grant of a separate planning permission from the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy.

List of approved plans

12. 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.

PL01 Location Plan, received 5 April 2017
PL02 Existing and Proposed Site Plan, received 5 April 2017
PL03 Existing Ground and First Floor Plans, received 5 April 2017
PL04A Proposed Ground Floor Plan, received 5 April 2017
PL4B Proposed First Floor Plan, received 5 April 2017
PL04C Proposed Second Floor Plan, received 5 April 2017

PL04D Proposed Roof Plan, received 5 April 2017
SE10 Existing Sectional Elevation, received 5 April 2017
SE11 Proposed Sectional Elevation AA, received 5 April 2017
SE12 Proposed Sectional Elevation BB, received 24 May 2017
EL13 Existing and Proposed Elevation, received 5 April 2017
EL14 Existing and Proposed Elevation, received 5 April 2017
EL05 Proposed North West Elevation, received 5 April 2017
EL06 Proposed North West Elevation, received 5 April 2017
EL07 Existing and Proposed South East Elevations, received 5 April 2017
EL08 Existing and Proposed North East Elevation, received 5 April 2017
EL09 Proposed North East Elevation, received 5 April 2017
Sustainability Statement and Energy Strategy, received 5 April 2017

Reason: For the avoidance of doubt.

Advices

1. Signage

This application does not include the assessment of any signage associated with the proposed development. Any signage required by end users is likely to require separate advertisement

2. Cumulative Impact Zone

Please note that this site is located in a designated Cumulative Impact Area (CIA). The CIA policy, when triggered, applies to applications for the grant of new licenses or significant variations of existing licenses in respect of premises that primarily provide alcohol for supply on the premises, restaurants and takeaway outlets. Applicants for licenses in the CIA area will need to be able to demonstrate that they can offer something different from what is currently available without adding to the impact already being experienced.

The applicant should note that the grant of planning permission for uses that may require a separate licence does not prejudice or preclude the application of the CIA policy by other departments of Bristol City Council.

3. Consent to Enter Adjoining Land

This planning permission does not grant access rights, or give any right of ownership over adjoining property/land. It is the applicant's responsibility to establish the ownership and legal position of the boundary before carrying out the work shown on the plan/s. Where it is necessary to gain access to adjoining land/property, to carry out building operations, or to allow inspections of work, it is recommended that written permission is obtained from the owner of the land/property.

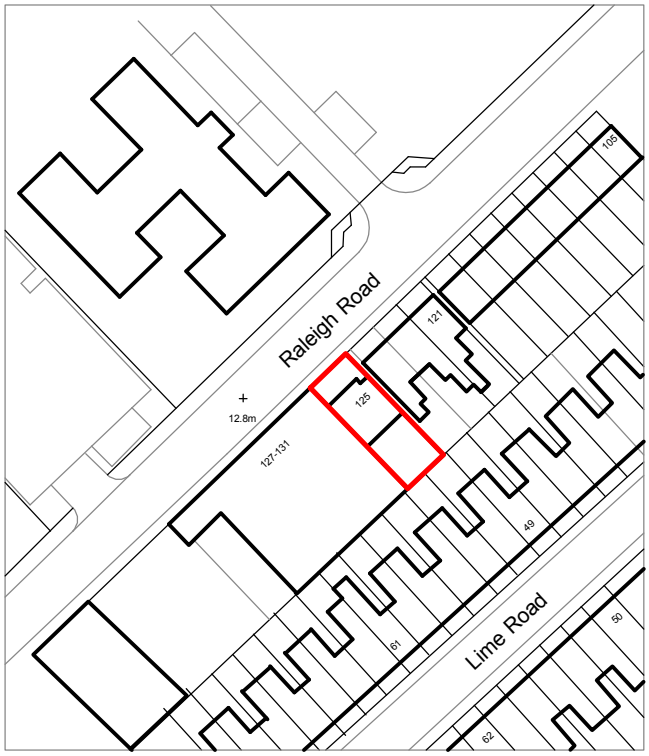
Your attention is drawn to the Access to Neighbouring Land Act 1992 and the Party Wall etc Act 1996. The Party Wall Act covers: - a) work on an existing wall or structure shared with another property b) building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property c) excavating near a neighbouring building. It is important to note that the Party Wall Act requires at least one months notice (in some cases two months) of 'planned start of work' to be given to the neighbour. The minimum time period should be sufficient to enable a written agreement to be made regarding boundary ownership, positions, access etc.

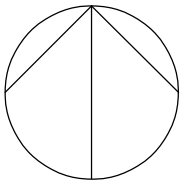
4. Note that in deciding to grant permission, the Committee/Planning Service Director also decided to recommend to the Council's Executive in its capacity as Traffic Authority in the administration of the existing Controlled Parking Zone of which the development forms part, that the development should be treated as car free / low-car and the occupiers ineligible for resident parking permits.

Supporting Documents

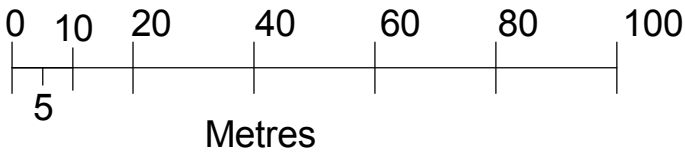
1. 125 Raleigh Road

1. Site location plan





NORTH



The Old Fire Station
125 Raleigh Road, Southville, BS3 1QU

Anders Ousley & Alice Sommerlad

TITLE: LOCATION PLAN

SCALE: 1:1250 @ A4 **DATE:** 29.09.14 **DRAWING** PL01

Development Control Committee B – 12 July 2017 **ITEM NO. 2**

WARD: Bedminster **CONTACT OFFICER:** Tom Watson

SITE ADDRESS: Former Mercedes Garage Winterstoke Road Bristol BS3 2LG

APPLICATION NO: 17/01789/F Full Planning

DETERMINATION DEADLINE: 17 July 2017

Erection of a self storage unit, use class B8, with ancillary uses, on site car parking provision and landscaping (Major Application).

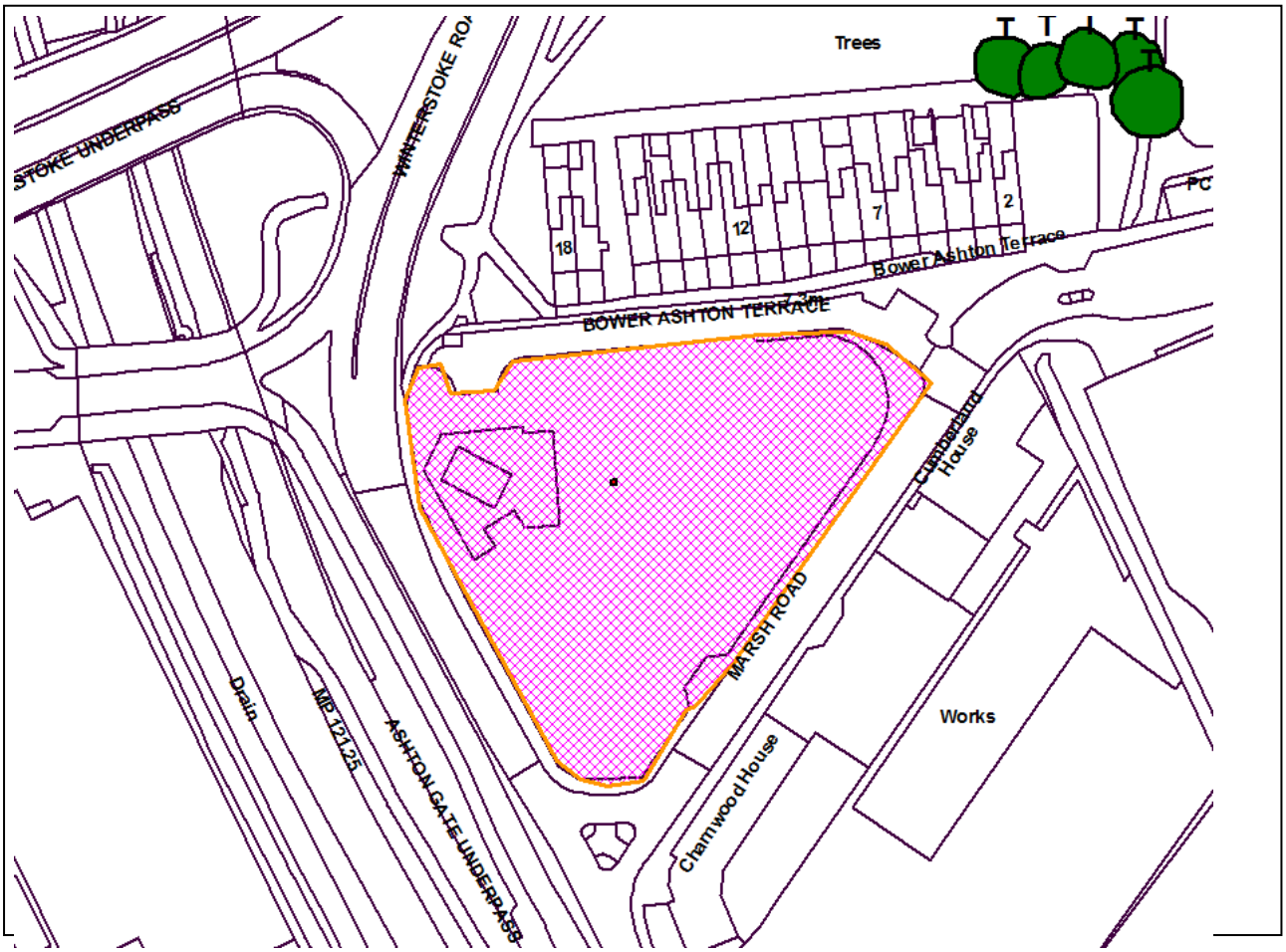
RECOMMENDATION: Grant subject to Condition(s)

AGENT: Planning Ventures Ltd
52 Jubilee Road
Knowle
Bristol
BS4 2LP
UK

APPLICANT:
93 Park Lane
London
W1K 7TB
UK

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

LOCATION PLAN:



SITE DESCRIPTION

The application site is located within South Bristol, to the west of the district centre of North Street in the ward of Southville.

The site is triangular in shape, located at the junction of Marsh Road, Winterstoke Road and Ashton Road. The western and south and south-eastern boundaries of the site are formed by Winterstoke Road and Marsh Road respectively. The northern boundary is formed by Ashton Road and Bower Ashton Terrace which sits adjacent to and at a lower level than Ashton Road.

The site is 0.5 ha and has a gentle sloping topography decreasing in gradient in a southerly direction towards Marsh Road.

The character of the surrounding area is mixed, with commercial development to the west and south along Winterstoke Road, with residential terraced development to the north and north-east of the site. Ashton Gate Stadium is located to the south of the site. In the last year, to the south and west of the site a large viaduct forming part of the MetroBus route has commenced construction. Bower Ashton Terrace, adjacent to the northern boundary of the site, is characterised by a group of Victorian terrace houses, sitting at a lower level than the site.

There is a diverse range of commercial uses (B1, B2 and B8) within the vicinity of the site, contained within buildings that are relatively large in scale and generally three storeys in height. Situated to the east and north-east of the site is Greville Smyth Park, a large municipal park and recreation space.

The site was previously occupied by a Mercedes dealership, built in the 1930s, but has been vacant since early 2007. Original elements of the previous car dealership building remained on the site until recently, but were demolished last year as they were found to be structurally unsafe. These structures included an Art Deco façade and tower, faced with bath stone and off white render which provided a strong presence at the north-west corner of the site facing Winterstoke Road.

In 2008, planning permission was granted (application ref: 08/03578/F) for the redevelopment of the site into a 9,764 sqm self-storage warehouse (Use Class B8) and a three storey terrace comprising 14 no. residential properties. The planning permission has not been implemented and the site remains vacant.

The site is not allocated in the Development Plan for a particular land use, or by any adopted planning policy.

RELEVANT HISTORY

08/03578/F - Erection of a three-storey building comprising 9764 sqm commercial floorspace for self storage (Use Class B8) and a three-storey terrace comprising 7no. two-bed maisonettes and 7no. one-bed flats, with associated off street car, motorcycle and bicycle

parking, refuse/recycling storage and hard/soft landscaping.
GRANTED subject to condition(s) 17/11/2008

APPLICATION

This application seeks full planning permission for the erection of a use class B8 self-storage unit on the site, comprising 9,520 sqm of Gross Internal Area. The development would include 520 sqm of ancillary office floorspace to support the function of the self-storage unit.

The form of the self-storage building would be an 'L shape' that follows the western and northern boundaries of the site with a central parking and circulation space and vehicular access from two points on the southern boundary. This reflects the extant planning permission (application ref: 08/03578/F) for the site.

The building would be three storeys in height. The reception area would be situated on the south-west corner of the building at ground floor level, with two floors of office accommodation above.

The principal western and southern elevations would utilise a palette of modern materials that reflect the commercial nature of the use facing Winterstoke Road and Marsh Road. These continue to reflect a commercial aesthetic with the use of glazed curtain walling, composite metal curtain walling and cladding panels and aluminium windows and doors and recycled natural stone and composite stone. The colour palette uses the Applicant's corporate colours of dark blue and grey with yellow signage.

A different approach is proposed to the building's north elevation, facing onto Bower Ashton Terrace. This proposes a design that would utilise a palette of pastel coloured renders in conjunction with inset timber and aluminium panels, the stepping down of the parapet (eaves) building line along the street gradient and the use of white painted pilasters and parapets. Glazed corners are proposed at either end of the north elevation.

A contemporary tower is proposed on the north western corner of the building, of the same height and massing of the former Art Deco tower on the site. The tower would be constructed as a steel framed element, clad with a mixture of colour coated panels.

Two access points are proposed, into and out of the site from Marsh Road. The proposed development would provide 20 on site car parking spaces, including two disabled bays. Eight cycle parking spaces are proposed within a secure and covered facility. A screened refuse and recycling area is proposed within the internal forecourt area.

A 40 panel solar PV array is proposed on the roof of the building.

The proposed development would have a manned reception open between 08.30 – 18.00 Monday to Friday, 08.30 – 17.00 on Saturday and 10.00 – 16.00 on Sunday. Access to the proposed development would be available for customers 24 hours a day via electronic access cards.

During consultation on the application, concerns were raised by the Council's City Design Group and members of the public in terms of the impact of the scheme on Bower Ashton Terrace. As a result, revised plans were submitted by the Applicant which propose amendments to the design of the building which are detailed below.

The roofline of the building has been adjusted in order to reduce the ridge height by 1m, equal to the ridge of the extant planning permission. The proposed tower would remain the same height as the tower that previously stood on the site.

The north elevation, adjacent to Bower Ashton Terrace has been pulled back by 2.5m, now standing 3.7m from the existing kerb line and over 20m from houses on Bower Ashton Terrace.

A Landscape Scheme has been submitted, focusing on a new landscape strip introduced along the north elevation adjacent to Ashton Road / Bower Ashton Terrace and the open areas at either end of Ashton Road. Adjacent to Bower Ashton Terrace, hedgerows and trees are proposed, taking cues from residential front gardens. The design includes low levels walls and knee rails, several trees along Ashton Road and timber planters. A narrow footway has also been proposed along the north boundary of the building in the revised scheme.

PRE APPLICATION COMMUNITY CONSULTATION

The Applicant has carried out pre application community consultation, as detailed in the Statement of Community Involvement submitted with the planning application.

A community involvement exhibition was held on 8 February 2017 between 15.00 and 19.00 in Ashton Gate Stadium. Letters were issued to neighbours in a catchment area around the site on 1 February 2017, to invite them to the event. Twenty four members of the public attended the exhibition.

RESPONSE TO PUBLICITY AND CONSULTATION

Site notices were issued, a press advert published and letters sent to neighbouring properties.

Following responses from members of the public and statutory consultees, revised plans were received on 16 June 2017. Local residents were re-consulted by letter, with an expiry date of 3 July 2017.

Comments received on the additional information relating the scheme have been considered and are included in this report.

GENERAL RESPONSE FROM THE PUBLIC

In response to the original application as submitted there were a total of 145 responses from the general public. Of these, all were in objection.

Objections to the original application were made on the following grounds:

- Preference for the site be developed for housing, particularly affordable housing.
- No demand for the proposed development in the local area.
- The proposed development is not in keeping with the character of the local area and properties on Bower Ashton Terrace.
- The scale of the building would prevent natural light from reaching properties on Bower Ashton Terrace and would block views from these properties.
- The proposed development is unacceptable in terms of scale and massing.
- Removal of the pavement on the northern boundary of the site poses a safety hazard, particularly to schoolchildren walking to Ashton Park School.
- The proposed development would cause further traffic congestion and contribute to existing issues with parking.
- 24-hour operation of the site would cause noise and light pollution.
- Construction of the proposed development may cause damage to properties on Bower Ashton Terrace.
- Community consultation was inadequate and is not representative of the views expressed by residents of Bower Ashton Terrace.

In response to the amended plans as submitted on 16 June 2017, there have been seven responses which were all in objection.

Objections to the amended scheme were made on the following grounds:

- Preference for the site is be developed for housing.
- The building is still unacceptable in terms of scale and massing and is too close to properties on Bower Ashton Terrace.
- The scale of the building would prevent natural light from reaching properties on Bower Ashton Terrace and would block views from these properties.
- The proposed development should use features from the previous Mercedes garage in the design of the scheme.

RESPONSE FROM ELECTED MEMBERS

Councillor Mark Bradshaw – Objection

Objection to the proposed development and formal request that the application be determined by planning committee.

RESPONSES FROM INTEREST GROUPS AND ORGANISATIONS

BS3 Planning Group – Objection

We remain concerned at the lack of true consultation about the future of this strategic site. This is the first building many will see on their approach to Bristol and to replace a landmark

art deco car showroom with a large metal shed shows a lack of respect to the local built environment. Whilst replicating the tower on site is welcome, it is very much paying lip service to the historic tenor of the site.

Consultation has been poor - there has been no approach to ourselves and the immediately adjacent neighbours feel ignored and have even stated that they believe that their feedback has been edited. They would prefer a residential development or failing that a building that is no more intrusive than its predecessor, which stood well back on the site from them. Whilst this V2 is pulled slightly back, it remains of the same height. The only argument that they have heard against residential is site contamination, which in reality is economic as clearly it could be remediated at a cost.

If employment use is to be repeated then replacing a garage with storage units is hardly a good replacement in terms of jobs. It also appears that the building will be accessed 24/7, with commensurate noise, light, pollution and disturbance to the immediate neighbours.

This is a city gateway and demands a building / buildings that respect that.

RESPONSES FROM INTERAL CONSULTEES

City Design Group – No objection

The Council's Urban Design Officer and Landscape Officer commented as follows:

It is considered that the scheme has been revised to an extent that overcomes design and landscape concerns.

It should be noted that this is an on-balance decision from a design point of view. However given the mixed character along Winterstoke Road, including large scale commercial buildings, and having due regard to the extant permission and lack of policy requirement for housing on the site it is considered the proposed revisions, which push the building line back from Ashley Road by a further 2.5m (making a 3.5 total setback), in combination with revised landscape proposals and elevational treatment are sufficient to address the transitional nature of this site, as far as a building of this use can.

Should planning permission be granted, we would request that the following be secured via condition:

Landscaping - detailed landscape plan, including soft and hard landscaping.

Large Scale Details - standard large scale detail condition related to the Ashley Road elevation, all windows and doors, and the glazed elevation to Winterstoke Road.

Samples - Samples/ sample panels of all proposed materials.

Transport Development Management – No objection

Transport Development Management commented as follows:

The application proposes to construct a self-storage facility, incorporating a small amount of office accommodation. Transport Development Management considers the proposed usage of the site acceptable.

Road Network

The site is triangular in shape and is bounded by Winterstoke Road (A3029) a strategic route which connects via a signalised junction to Marsh Road, a secondary distributor route that has double yellow lines on both sides, an all-day no-loading ban along with some on-street parking which is restricted to just two hours between 8am and 6pm (Monday to Saturday) and Ashton Road, a local access road that has double yellow lines on one side and on-street parking on the other. Both Marsh Road and Ashton Road are within a 20mph zone. Visibility along all three roads is acceptable.

Transport Statement

The Transport Statement sets out that the site is in a sustainable location, due to its proximity to several bus routes that are within walking distance of the site and cycle routes. Cycle storage will be provided for staff and users of the proposed offices and a Servicing and Management Plan has been submitted TRICs data indicates that the extant use of the site (self-storage) will create 90 trips per day and that the proposed office space will create during the AM peak 18 trips and during the PM peak 17 trips, or a total of 156 trips per day. Given the existing traffic flows on neighbouring Winterstoke Road (A3029) such an amount would not affect the safe operation of the highway network. It is therefore considered that the proposed vehicle movements that would be generated by the proposed self-storage and office usage is acceptable.

Travel Plan

As the site is over 1,000m2 a Travel Plan must be produced and submitted which should set out the following:

1. Provide background information about the site and its location. Include details of how the site can be accessed by the different modes of transport; expected number of employees/visitors; overview of facilities at the site, e.g. number of car, motorbike, cycle parking spaces, showers, lockers available for staff and visitors etc. A local area map with contours showing walking and cycling distances should ideally be included.
2. Identify who the Travel Plan Co-ordinator is and set out their roles and responsibilities. Confirm they have management support.
3. Provide details of the minimum annual ongoing budget to be allocated that will be available to the Travel Plan Co-ordinator to be spent each year on measures including direct incentives, implementation, monitoring and promotion of the Travel Plan and sustainable travel. It should be demonstrated where funding is likely to come from to ensure the Travel Plan can be fully implemented.
4. For each mode of sustainable transport, clearly set out physical measures involving a tangible output that will actually be implemented to reduce unnecessary car trips, especially those made by drivers on their own. Present as an Action Plan/table with

details of measures (e.g. the measures and why they are being implemented), who is responsible for implementation and when will measures be implemented.

5. For each mode of sustainable transport give details of how that mode will be promoted to help achieve targets, for example promotion of walking, cycling, use of public transport, car sharing on a Travel Notice board, or promotional events. Present as an Action Plan/table with details of measures (e.g. the measures and why they are being implemented), who is responsible for implementation and when will measures be implemented.
6. What provisions/procedures are in place to increase facilities to meet an increase in demand if necessary, for example additional cycle parking.
7. Provide baseline data for travel modes by conducting a staff travel survey. Visitor surveys may also be required.
8. Set targets that are SMART, specific, measurable, attainable, realistic and a time frame in which these figures will be achieved.
9. Set out a mechanism for monitoring, reviewing and updating the Travel Plan.

Access / Footways

The Site Plan submitted proposes to use the two existing vehicular access points on Marsh Road. The southern access point will be designated for vehicles entering the site and northern for vehicles exiting the site. These must be left as vehicle crossovers. Both will be designed and are fitted with sliding gates which is acceptable. A separate pedestrian only access point will be provided. Currently the site has two additional vehicular access points on Ashton Road. As these will no longer by required the Applicant proposes to reinstate the footway to full kerb height, which will require a Section 171 Licence.

The Site Plan submitted proposes to provide two permissive footpaths, one along the north eastern façade of the building on Marsh Road and a second encompassing a set of steps from Ashton Road up to Winterstoke Road. These will be signed accordingly and will enable the footpaths to be used by members of the public for 364 days of the year, with closure permitted for one day only for inspection and any maintenance. To enable this, two street lights will need to be relocated for which the Applicant must contact lighting@bristol.gov.uk . To provide additional capacity for pedestrians when Bristol City and Bristol Rugby are playing as Ashton Gate, the footway to the south of the site is proposed to be widened to 3m.

Layout of Car Park

A delineated route across the car park from the pedestrian only access point is proposed which is acceptable. To prevent the proposed building being struck a 0.5m rubbing strip must be provided on the two facades of the building which face onto the car park. The fire escape will be protected by safety hatching and three bollards which is acceptable. Within the car park the application proposes 17 spaces 2.4m wide x 5m long, of which 15 will be laid out communally, separated by 6m wide gaps to provide sufficient room for manoeuvring.

Three spaces will be reserved for disabled people and will have a side and rear hatched area 1.2m wide. A further three spaces will be provided for large vans that will measure 3m

wide x 6m long. These spaces should be marked and signed accordingly. The building will have two access doors for loading purposes. The car park will be illuminated as will external areas. Swept path analysis has been provided for a 16.5m articulated lorry and a 10m rigid vehicle, which demonstrates that both vehicles can safely manoeuvre into, within and out of the site. Signage is proposed within the car park to indicate to HGV's to turn right, thus avoiding neighbouring residential areas.

Traffic Regulation Orders

To alter the existing on-street parking on Marsh Road to facilitate HGV access to and form the site and extend existing double yellow lines, a Traffic Regulation Order will be required, the cost of which (£5,395) must be met by the Applicant to be collected via a Unilateral Undertaking.

Servicing

A Servicing and Management Plan has been submitted. This states that the management of the site will:

- Encourage customers to access the site outside of peak times.
- Encourage office tenants to source goods locally and vehicles used to transport them should be alternatively fuelled.
- Reception will be manned during offices hours.
- HGVs must turn right out of the site.
- Ensure that customers and tenants are aware when homes games will take place at the neighbouring Ashton Gate Stadium.
- Ensure customers and tenants are aware of the in/out access arrangements.
- Issue verbal/written instructions setting out the parking and loading procedures that apply to them.
- Drivers will be informed that they must turn off their engines when their vehicles is stationary.

The plan will be periodically reviewed. All of the proposed measures are acceptable.

Car Parking / Cycle Parking

The application proposes 20 car parking spaces (of which one will feature an Electric Vehicle Charging Point), one motorcycle space and three spaces for larger vans. Enclosed, secure cycle storage will be provided for eight cycles. It is unclear from the site plans submitted what this will consist and it is recommended that further details be required as part of any planning permission granted.

Waste

The application proposes to provide an area for waste storage, although the site plan does not indicated where this would be. This area should be screened. It is unclear from the site plans submitted what this will consist of and it is recommended that further details be required as part of any planning permission granted.

Recommendations

Transport Development Management has no objection to the proposed development providing that further information as to the design and layout of the cycle and waste storage is provided.

Air Quality – No objection

The Air Quality Officer commented as follows:

I have reviewed the Air Quality Assessment that accompanied the planning application. The assessment methodology is considered acceptable. There is potential for generation of dust during demolition and construction activities. The mitigation measures outlined in Appendix G of the Air Quality Assessment should be conditioned in order to ensure the impact of dust during this phase is mitigated effectively.

The air quality impacts from the operational phase of the development are considered to be negligible and therefore I do not consider air quality to be a constraint on the proposed development.

Pollution Control – No objection

The Council's Pollution Control Officer made no objection to the proposed development, subject to conditions being included relating to contaminated land.

Flood Risk – No objection

The Council's Flood Risk Manager commented as follows:

The over-arching drainage strategy proposed is to limit the surface water flow off site to a peak rate of 3.3l/s (equivalent to Greenfield Qbar), up to the 1:100 rainfall event with appropriate allowance for both climate change and the impact of tide locking. This approach is acceptable. The proposed development does not include above ground "natural" SuDS features, but given the nature of the development and the inclusion of a petrol interceptor to protect and improve the quality of surface water coming off the site in comparison to the existing situation, we do not object to the below ground attenuation storage solution.

However, the implementation of the strategy is dependent on the feasibility of connecting the site drainage to the existing Longmoor brook culvert in Marsh Road. The depth of this culvert is unknown and it is therefore unknown whether the drainage strategy presented is deliverable. We request that culvert soffit and invert level information is obtained and the drainage strategy updated accordingly prior to determination of the application.

The Applicant should also note that should planning permission be granted, it does not negate the need to obtain flood defence consent from the Environment Agency (EA) for the connection to the culvert. We advise that early engagement with the EA is undertaken to obtain an opinion on this matter.

NB – the Applicant subsequently provided culvert soffit and invert level information which was considered to be acceptable.

Coal Authority – No objection

The Coal Authority commented as follows:

In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

RELEVANT POLICIES

National Planning Policy Framework (NPPF) (March 2012)
Planning Practice Guidance

Bristol Core Strategy (Adopted June 2011)

BCS1 South Bristol
BCS7 Centres and Retailing
BCS8 Delivering a Thriving Economy
BCS10 Transport and Access Improvements
BCS13 Climate Change
BCS14 Sustainable Energy
BCS15 Sustainable Design and Construction
BCS16 Flood Risk and Water Management
BCS20 Effective and Efficient Use of Land
BCS21 Quality Urban Design
BCS23 Pollution

Bristol Site Allocations and Development Management Policies (Adopted July 2014)

DM1 Presumption in Favour of Sustainable Development
DM12 Retaining Valuable Employment Sites
DM15 Green Infrastructure Provision
DM23 Transport Development Management
DM26 Local Character & Distinctiveness
DM27 Layout & Form
DM28 Public Realm
DM29 Design of New Buildings
DM322 Recycling & Refuse Provision in New Development
DM33 Pollution Control, Air Quality & Water Quality
DM34 Contaminated Land
DM35 Noise Mitigation

Bristol City Council Planning Obligations SPD (2012)

KEY ISSUES

A. IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN PRINCIPLE?

The application site is not allocated in the Development Plan for a particular use. However, the site is situated within the south Bristol development area defined by Policy BCS1. Policy BCS1 outlines the priority for south Bristol to deliver development including the provision of up to 10 ha of new industrial and warehousing land and around 60,000m2 of net additional office floorspace. BCS1 and BCS20 require that new development is primarily focused on previously developed sites.

Policy BCS8 and DM12 place emphasis on retaining employment land for employment uses, with it noted that the built up nature of the city means that it is very difficult to physically replace employment sites which are re-developed for alternative uses.

The majority of the site would be comprised of a self-storage warehouse building. Comments have been made by the public to question the demand for a self-storage warehouse development in the area. In response, the Applicant has provided a market report to confirm that there is an undersupply of such development in the Bristol area. The site is considered appropriate for such a use, as the site is located adjacent to an established industrial/warehousing area. In addition, the principle of self-storage warehouse development on the site has already been established by the grant of planning permission for such a use in 2008 (ref: 08/03578/F).

An element of ancillary office development is proposed in the south west corner of the site, as part of the main building. Given that the office use would be ancillary to the main function of the proposed development, and is minor in nature, the principle of office development on the site is considered acceptable and would not detract from other office development in the area.

Comments have been made by members of the public to suggest that the site should be developed for a housing use. The site is not allocated for housing development or any other use by the Development Plan and as such there is no policy requirement for housing on the site. The location of the site is adjacent to an established industrial/warehousing area on the opposite side of Marsh Road, and the proposed development would reflect a similar employment use to the previous function of the site which is considered to be appropriate and is supported by Officers.

The site has been vacant since May 2007, and its run-down appearance detracts from the function of the area. The proposed development would regenerate a prominent site at the gateway to an important industry and warehousing area within south Bristol.

The proposed development would create 10,040 sqm of employment floorspace, and would generate approximately six new jobs. In conclusion, it is considered by Officers that the principle of B8 Use Class self-storage use and ancillary office space on the site is supported, subject to compliance with the full tranche of development management policies.

The Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the Development Plan unless material considerations

indicated otherwise. The principle of the scheme and the uses proposed are firmly supported by the Development Plan, specifically Policy BCS1, BCS8, BCS20 and DM12. The planning application therefore reflects up to date policy.

Paragraph 14 of the National Planning Policy Framework (NPPF) sets a presumption in favour of sustainable development. Specifically for decision taking this means that development proposals that accord with an up-to date development plan should be approved without delay, unless other material considerations indicate otherwise.

Given the support of the Development Plan, it is considered, that the principle of the proposed development should be supported with significant weight attached to this aspect of the assessment.

It is recognised that a proposal of this nature must not only be justified in accordance with established national and local planning policy and guidance; but also within the detail of the scheme. As such, the proposed scheme is assessed under a broad range of headings within the remaining sections of this report.

B. IS THE DESIGN OF THE PROPOSED DEVELOPMENT ACCEPTABLE?

Policy BCS21 of the Core Strategy aims to ensure that all new development in Bristol achieves high standards of urban design. The policy states that design can contribute positively to local character by responding to the underlying landscape structure, distinctive patterns and forms of development local culture.

Policies DM26-29 of the Site Allocations & Development Management Policies require development to contribute to the character of an area through its layout, form, public realm and building design.

The character of the area in which the site is located, is mixed between large warehousing and industrial estate on Marsh Road and Winterstoke Road, and residential development along Ashton Road / Bower Ashton Terrace. The Applicant has explained the design approach taken to the scheme, and how it has responded to the unique context and transitional nature of the site from residential to commercial / industrial development.

Officers from City Design Group have carefully considered the design of the development, and how the Applicant has sought to address the competing scales of commercial and residential development immediately adjacent to the site.

In terms of the scale and massing, the proposed development would be arranged over three storeys with the ground floor level to accord with the lowest part of the site on Marsh Road. In response to comments made by members of the public on scale and massing, the Applicant has lowered the roof line of the building facing Bower Ashton Terrace by 1m in height taking it to the lowest possible height available to the scheme without comprising its operation. The total floor space of the proposed development would be 9,520 sqm, which is smaller than the floorspace granted in the 2008 planning permission, but of the same height (three storeys).

The south and western elevations of the scheme, fronting onto Winterstoke Road and Marsh Road are commercial by nature in terms of style and materials including composite metal panels clad in blue and grey. This is considered acceptable given the adjacent uses and style of buildings, comprised of a mixed character including large scale commercial buildings. Officers are in support of the contemporary tower feature proposed by the Applicant, which reflects the tradition of the former local landmark Art Deco tower and would provide a public art opportunity at this 'gateway' to the city.

In terms of the northern elevation, the Applicant has carefully considered an alternative treatment in attempts to reflect the adjacent residential context of Bower Ashton Terrace. Variations in colour render and timber are proposed along the northern elevation to reflect the character of the extant residential consent along the elevation. In response to comments from members of the public and Officers from City Design Group, the Applicant has submitted revised plans which include a much stronger landscape buffer between the northern elevation of the building and Bower Ashton Terrace. The proposed landscaping takes cues in terms of planting and hard landscaping from traditional front gardens. In combination, the revised landscape proposals and elevational treatment are considered by Officers to be sufficient to address the transitional nature of the site.

In conclusion, it is considered the proposed development has given careful consideration to the unique transitional nature of the site in terms of the proposed layout, form, public realm and building design, and therefore accords with Policy BCS21 and Policies DM26-29.

C. DOES THE PROPOSED DEVELOPMENT SATISFACTORILY ADDRESS TRANSPORT, ACCESS AND MOVEMENT ISSUES?

BCS10 (Transport and Access Improvements) and DM23 (Transport Development Management) require that development does not give rise to unacceptable traffic conditions. These policies support the delivery of improvements to transport infrastructure to provide an integrated transport system, which improves accessibility within Bristol and supports the proposed levels of development. With regards to parking and servicing, it requires that development proposals provide an appropriate level of safe, secure, accessible and usable provision having regard to the parking standards.

The Applicant has submitted a Transport Statement with the application; and a Servicing Strategy to set out how the proposed development would be managed.

Transport Development Management (TDM) have reviewed the Transport Statement and have concluded that vehicle movements generated from the proposed development would not cause a significant impact to the local highway network or create traffic congestion which would be unacceptable.

It is therefore considered that the proposed vehicle movements that would be generated by the proposed self-storage and office usage is acceptable.

The proposed development includes the introduction of two permissive footpaths, one along the north eastern façade of the building and a second encompassing a set of steps from Bower Ashton Terrace up onto Winterstoke Road. To provide additional capacity for

pedestrians when Bristol City and Bristol Rugby are playing at Ashton Gate, the footway to the south of the site is proposed to be widened to 3m. These pedestrian movement improvements are welcomed and acceptable.

The application proposes 20 car parking spaces (of which one will feature an Electric Vehicle Charging Point), one motorcycle space and three spaces for larger vans. A mix of sizes in car park spaces is proposed to cater for different sized vehicles accessing the site. The amount of car parking spaces proposed is compliant with adopted policy and is considered to be acceptable. Enclosed, secure cycle storage will be provided for eight cycles. Details of the eight cycle spaces would be secured through planning condition.

The application proposes to provide an area for waste storage in the internal courtyard of the site. Details of the waste storage area would be secured through planning condition.

The Servicing and Management Plan includes measures for the management of the site. This includes the requirement for larger vehicles to turn right when exiting the site, out towards Winterstoke Road, thus avoiding neighbouring residential area. The Servicing and Management Plan also requires employees of the self-storage warehouse to inform customers of when home games are taking place at Ashton Gate Stadium to discourage movements during busy periods.

Conditions have been requested for the following aspects of the proposed development:

- Further details of cycle and waste storage
- Installation of refuse storage and recycling facilities
- Completion of pedestrians/cyclists access
- Installation of vehicle crossover
- Reinstatement of redundant access ways
- Completion and maintenance of cycle provision
- Travel Plan
- Use of refuse and recycling facilities
- Protection of parking and servicing provision

Contributions (£5,395) have been sought and would be secured through a Unilateral Undertaking to alter existing on-street parking on Marsh Road to enable larger vehicles to access to and from the site.

Based on the conditions and obligations above, the proposed development is considered to be in accordance with BCS10 (Transport and Access Improvements) and DM23 (Transport Development Management).

D. DOES THE PROPOSAL HAVE AN ADVERSE IMPACT ON THE AMENITY OF SURROUNDING RESIDENTS?

Policy BCS21 of the Core Strategy states that high quality design should consider the amenity of both existing and future development including privacy and availability of natural light. Policy BCS23 states that development should be sited and designed in a way to avoid adverse impacts on environmental amenity by reason of pollution including: noise, vibration

and air quality. Policy DM27 seeks development that enables existing and proposed development to achieve appropriate levels of privacy and daylight.

A number of comments have been made by members of the public relating to the impact of the proposed development on privacy and daylight / sunlight loss. Comments have also been made in terms of pollution control – potential light and noise pollution arising from the proposed development.

To address these key issues, the Applicant has commissioned a Daylight and Sunlight Assessment alongside revised plans, Air Quality Assessment, Noise Assessment and prepared a Construction Management Plan.

Daylight / Sunlight / Privacy

Comments have been received relating to the proposed development impacting upon levels of daylight and sunlight available to residents of Bower Ashton Terrace. In response to comments made by members of the public, the Applicant has submitted revised plans. The revised plans pull the northern elevation of the building back by 2.5m, now standing more than 20m from the nearest property on Bower Ashton Terrace. In addition, the roof height of the proposed building has been decreased by 1m.

To accompany the revised plans, an updated Daylight and Sunlight Assessment has been submitted by the Applicant. The Assessment confirms that the amended scheme would further reduce any impact on Bower Ashton Terrace and that the levels of light that the houses receive would be within BRE guidelines. The office component of the scheme has been positioned away from properties on Bower Ashton Terrace, so that there would be no impact upon amenity in terms of overlooking.

It is considered that the revised scheme would protect amenity of existing development including privacy and availability of natural light.

Air Quality

In terms of the impact on air quality, the Council's Air Quality Officer has undertaken a review of the Air Quality Assessment submitted with the planning application. Officers consider that the air quality impacts from the operational phase of the proposed development would be negligible. In terms of the construction phase, whilst there is potential for generation of dust, the mitigation measures set out in Air Quality Assessment are considered acceptable to ensure that the impact of dust during this phase is mitigated effectively. The Air Quality Assessment would be a document approved with the planning permission, requiring the site to be developed in accordance with the proposed mitigation measures.

Noise

Officers have reviewed the Noise Assessment submitted with the planning application. The noise baseline for the site includes ambient noise levels from road traffic, particularly from the busy Winterstoke Road. The use of the proposed development would generate very little noise once operational, with limited external activity associated with the use of the site.

Construction noise would be temporary in nature, and would be controlled by measures within the Construction Management Plana and through other legislation. Whilst access to the facility could take place 24 hours a day, activity would be minimal and the Noise Assessment finds that there would be no impact on receptors at Bower Ashton Terrace.

Lighting

No additional lighting is proposed on the northern elevation of the building adjacent to Bower Ashton Terrace. All lighting would be in the internal area of the site, and as such there would be no adverse impact on the amenity of residential properties on Bower Ashton Terrace.

The Applicant has submitted a Construction Management Plan with the application, which is the mechanism to control aspects of the scheme such as the parking of vehicle of site operatives and visitors; routes for construction traffic; hours of operation; and any proposed temporary traffic restrictions. The Construction Management Plan has been reviewed by Officers and is considered to be acceptable.

Overall, the proposed development is considered to be sited and designed in a way to avoid adverse impacts on residential and environmental amenity in line with Policy BCS21, BCS23 and DM27.

E. DOES THE PROPOSED DEVELOPMENT ADOPT AN APPROPRIATE APPROACH TO SUSTAINABLE DESIGN AND CONSTRUCTION?

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. The policies require development in Bristol to include measures that reduce carbon emissions from residual energy use by at least 20%. Sustainable design and construction should be integral to new development. For major development, the sustainability statement should include a BREEAM assessment.

The scheme would include a 40 panel solar PV array and an air source heat pump as part of the office heating and cooling system. Taken together, this would achieve a 20% reduction in regulation CO2 emissions, which aligns with the policy requirement.

A BREEAM pre-assessment estimator has been undertaken, which has followed the BREEAM 2014 New construction Industrial Building Assessment. The pre-assessment estimator finds that the building could achieve a ‘very good’ rating which is considered acceptable for a building of this nature. A full BREEAM pre-assessment would be required as a planning condition on the planning permission.

The Energy and Sustainability Statement submitted by the Applicant demonstrates that through the use of PV panels across the development, a carbon dioxide saving of 20% can be achieved, which aligns with the policy requirement.

In terms of flood risk, the proposed development does not include above ground “natural” SuDS features, but given the nature of the development and the inclusion of a petrol interceptor to protect and improve the quality of surface water coming off the site in

comparison to the existing situation, this is considered acceptable by the Council's Flood Risk Manager. The Applicant would be required to obtain a flood defence consent from the Environment Agency for the connection of the proposed drainage solution to the Longmoor brook culvert.

In conclusion, the application has sufficiently addressed the range of issues covered by policies BCS 13-16.

F. HAS THE APPLICANT UNDERTAKEN THOROUGH PRE APPLICATION COMMUNITY CONSULTATION?

A number of comments have been made by members of the public relating to the community consultation exercise undertaken to support the planning application.

Bristol City Council's Statement of Community Involvement (SCI) states the importance and benefits of pre application community involvement. Paragraph 66 of the NPPF further emphasises the importance of an Applicant carrying out involvement on their emerging proposals, with it expected that the Applicant will work closely with those directed affected by their proposals. Further to this, Bristol City Council's SCI notes that the type of pre application involvement undertaken should be in proportion to the potential impact of the proposal having regard to the type and nature of the proposed development.

The Applicant has carried out pre application community consultation, as detailed in the Statement of Community Involvement submitted with the planning application.

A community involvement exhibition was held on 8 February 2017 between 15.00 and 19.00 in Ashton Gate Stadium. Letters were issued to neighbours in a catchment area around the site including Bower Ashton Terrace on 1 February 2017, inviting residents to the event. Twenty four members of the public attended the exhibition.

The Applicant's Statement of Community Involvement reports the comments made by those attending the exhibition, and how the scheme has evolved in response to the comments. Amendments have been made to the scheme not only based upon feedback received at the pre application consultation stage (including incorporation of the lower eave height and variation in level of a parapet eave treatment to reflect properties on Bower Ashton Terrace), but the Applicant has also submitted revised plans in response to concerns made by the community to the full planning application.

It is considered that the Applicant has carried out pre application community involvement which meets the principles of Bristol City Council's SCI. In addition to the above, whilst determining the planning application, Officers have carefully considered comments made by the community at pre application and those received during formal consultation during determination of the full planning application

SUMMARY AND CONCLUSION

Paragraph 14 of the NPPF sets a presumption in favour of sustainable development. Specifically for decision-making this means that development proposals that accord with an up-to-date development plan should be approved without delay, unless other material considerations indicate otherwise.

Given the support of the development plan, it is considered, that the principle of the proposed development should be supported with significant weight attached to this aspect of the assessment. The site is not allocated in the Development Plan for a particular use, and there is no policy requirement for the Applicant to propose housing development on the site.

The application site is located in a transitional location between industrial/warehousing to the south and west and the residential development of Bower Ashton Terrace to the north. Given the unique context of the site, Officers have carefully considered how the scheme has proposed to respond to competing uses surrounding the site. It is considered that the scheme is well designed to the context of the site, and strikes a balance between the competing uses surrounding in the local area.

Having carefully considered the information submitted with the application the policy context, weighed against comments received from members of the public, it is concluded by Officers on balance that the proposed development is acceptable. The proposed development would regenerate a prominent site at the gateway to an important industry and warehousing area within south Bristol.

The application is recommended for approval subject to conditions (attached to this report).

COMMUNITY INFRASTRUCTURE LEVY

How much Community Infrastructure Levy (CIL) will this development be required to pay?

The development is liable for CIL. The CIL rate for this type of development, as set out in the CIL Charging Schedule is: Commercial (use class B1, B2 and B8) £0.

RECOMMENDED **GRANT subject to condition(s).**

CONDITIONS

Time limits 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 conditions

2. Further large scale details before relevant element started

   Large scale detailed drawings 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) All elements of the Bower Ashton Terrace elevation.
   b) All windows and doors.
   c) Glazed elevation to Winterstoke Road.

   Reason: To ensure that the external appearance of the building is satisfactory.

3. Submission of samples before work starts

   Sample panels of the following demonstrating 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.

   a) Timber rainscreen cladding.
   b) Railing adjacent Bower Ashton Terrace.
   c) Details of each coloured render panel.
   d) Curtain walling.
   e) Low level walls adjacent Bower Ashton Terrace.
   f) Grey and blue composite panels.
   g) Piers and moulding former of retained stone.

   Reason: To ensure that the external appearance of the building is satisfactory.

4. Submission and Approval of Landscaping Scheme

   No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which

shall includes indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection, in the course of the development. The approved scheme shall be implemented so that planting is carried out no later than the first planting season following the occupation of the building(s) or the completion of the development whichever is sooner. All planted materials shall be maintained for five years and 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.

Reason: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory.

5. Further details of cycle and waste storage

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority further details of the proposed cycle and waste storage. The details will confirm that the cycle and waste storage is provided in a secure and covered space. No building or use hereby permitted shall be occupied or the use commenced until the cycle and waste storage have been completed in accordance with the approved plans.

Reason: To ensure the provision of secure cycle and waste storage.

6. BREEAM

No development shall take place until evidence that the development is registered with a BREEAM certification body and a pre-assessment report (or design stage certificate with interim rating if available) has been submitted indicating that the development can achieve the stipulated final BREEAM level. No building shall be occupied until a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating ‘very good’ has been achieved for this development unless the Local Planning Authority agrees in writing to an extension of the period by which a Certificate is issued.

Reason: To ensure that the development achieves BREEAM rating level ‘very good’ (or any such equivalent national measure of sustainability for building design which replaces that scheme) and assessment and certification shall be carried out by a licensed BREEAM assessor and to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

7. 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 quality as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

8. 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 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.

Pre occupation conditions

9. 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 8 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 7, 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.

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.

10. Renewable Energy Generation Measures

    The development hereby approved shall not be occupied until the respective solar photovoltaic panels shown on the approved plans have been installed and are operational. Thereafter the solar panels shall be maintained as fully operational in perpetuity at all times, unless otherwise agreed in writing by the Local Planning Authority.

    Reason: To secure sufficient renewable energy generation to satisfy Core Strategy Policy BCS14.

11. Completion of Vehicular Access – Shown on approved plans

    No building of 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.

12. 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.

13. 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 has been installed and the footway has been reinstated in accordance with the approved plans.

    Reason: In the interests of pedestrian safety and accessibility.

14. 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.

15. Completion and Maintenance of Car/Vehicle Parking – Shown on approved plans

    No building or use hereby permitted shall be occupier 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.

16. Travel Plans – Not submitted

No building or use hereby permitted shall be occupied or the use commenced until a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and been approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets to the satisfaction of the Council.

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

17. Completion and Maintenance of Sustainable Urban Drainage – Shown on Approved Plans

No building or use hereby permitted shall be occupied or the use commenced until the sustainable urban drainage schemes for this site has been completed in accordance with the submitted details. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that the principles of sustainable drainage are incorporated into the proposal and maintained thereafter.

Post occupation management

18. 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.

19. Protection of Parking and Servicing Provision

The areas allocated for vehicle parking, loading and unloading, circulation and manoeuvring on the approved plans shall only be used for the said purpose and not for any other purposes.

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

20. Servicing & Management Plan

    The measures set out within the servicing and management plan submitted shall thereafter be implemented in accordance with the approved servicing and management plan.

    Reason: To ensure that the arrival, waiting, parking and departure from the site of all vehicles is appropriately and safely managed.

21. Permissive Footpaths

    The permissive footpaths as defined by drawing L_003 “Proposed Highways Plan” and designated by Section 31 of the Highways Act 1980 must be kept open, free from any obstruction and in a safe condition for use by members of the public for 364 days of the year. Closure for inspection and/or maintenance, for which the applicant is liable, can take place for just one day a year. The footpaths must be clearly signed to indicate that there is no indication to dedicate them as adopted highway.

    Reason: To ensure the provision of safe footpaths for the use of members of the public.

22. Street Lighting

    To facilitate the construction of the development a number of streetlights will need to be relocated. The applicant must contact the councils Streetlighting Team - lighting@bristol.gov.uk to arrange this.

    Reason: To ensure that any relocated or new lighting meets Bristol City Councils Street Lighting Specification 2012 Version 2

List of Approved Plans and Drawings

23. 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:

    L_020 P2 Existing Site Plan, received 31 March 2017
    064134-CUR-00-ZZ-RP-C-001 01 Flood Risk Assessment, received 31 March 2017
    064134-CUR-00-ZZ-RP-C-002 01 Drainage Strategy, received 31 March 2017
    Construction Environment Management Plan, received 31 March 2017
    Noise Assessment, received 31 March 2017
    42359AQ-T02 Air Quality Assessment, received 31 March 2017
    Energy & Sustainability Statement, received 31 March 2017
    Servicing and Management Plan, received 25 May 2017
    Daylight & Sunlight Report, received 16 June 2017
    Concept Landscape Plan, received 16 June 2017
    A_151 P3 Sketch Sections, received 16 June 2017

A_150 P3 Bower Ashton Terrace Section, received 16 June 2017
L_002 P6 Proposed Site Plan, received 16 June 2017
L_040 P6 Ground Floor, received 16 June 2017
L_041 P6 1st Floor Plan, received 16 June 2017
L_042 P6 2nd Floor Plan, received 16 June 2017
L_043 P6 Roof Plan, received 16 June 2017
L_100 P5 Proposed Elevations, received 16 June 2017
L_110 P3 North Façade Elevation Detail, received 16 June 2017
L_111 P3 Tower Elevation Detail, received 16 June 2017
SK_026 Bower Ashton Terrace Section, received 16 June 2017
SK_027 Ashton Road and Bower Ashton Terrace Elevation Comparison, received 16 June 2017

Reason: For the avoidance of doubt.

Advices

1. Minor works on the Public Highway

   The development hereby approved includes the carrying out of work on the public highway. You are advised that before undertaking the work on the highway you must enter into a highway agreement under s184 of s278 of the Highways Act 1980 with the Council. You will be required to pay fees to cover the Council's costs in undertaking the approval and inspection of the works. You should contact the Highways Asset Management Team on 0117 9222100.

2. Traffic Regulation Order

   You are advised that the implementation of a Traffic Regulation Order (TRO) is required relating to the development. The TRO process is a lengthy legal process involving statutory public consultation and you should allow an average of 6 months from instruction to implementation. You are advised that the TRO process cannot commence until payment of the TRO fees are received. To start the TRO process telephone 0117 9036846.

3. Impact on the highway network during construction

   The development hereby approved is likely to impact on the highway network during its construction. The Applicant is required to contact Highway Network Management to discuss any temporary traffic management measures required, such as footway, Public Right of Way, or carriageway closures or temporary parking restrictions. Please call 0117 9031212 or email traffic@bristol.gov.uk a minimum of eight weeks prior to any activity on site to enable Temporary Traffic regulations Orders to be prepared and a programme of temporary Traffic Management measures to be agreed.

4. Coal mining – low risk

   The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority. Further information is also available on the Coal Authority website. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service.

Supporting Documents

2. Former Mercedes Garage, Winterstoke Road

1. Bower Ashton Terrace Section
2. North Façade Elevation Detail
3. Tower Elevation Detail

Notes:

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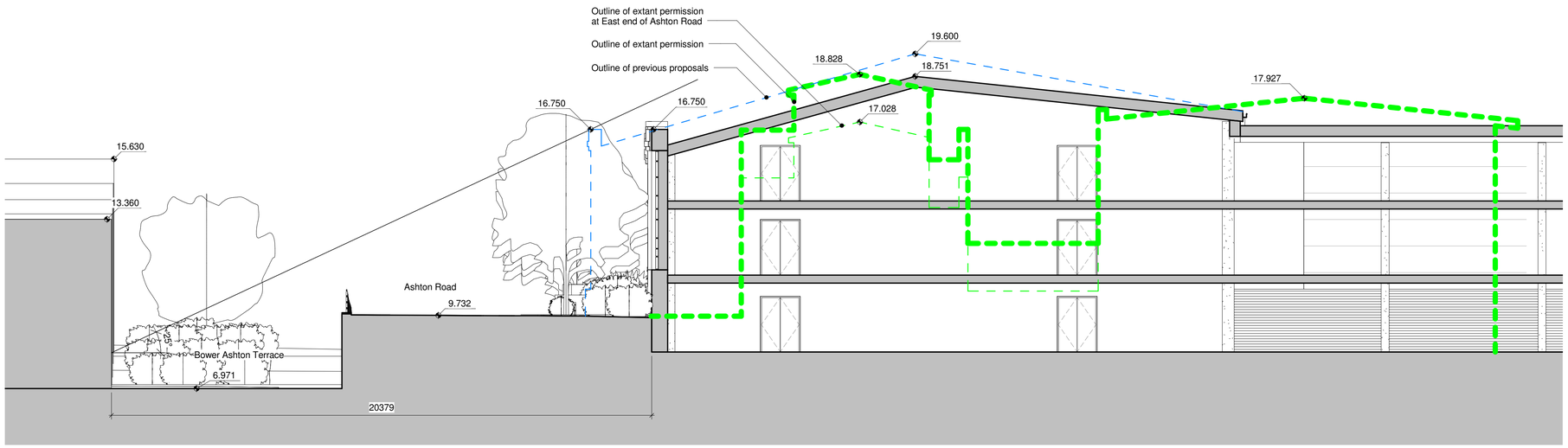
THIS DRAWING IS TO BE READ IN CONJUNCTION WITH STRUCTURAL, MECHANICAL AND ELECTRICAL ENGINEERS DRAWINGS AND ALL DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT.



Rev	Revision Details	Dr	Date

THE BUSH CONSULTANCY
5.20 The Paintworks
Bath Road
Arnos Vale
Bristol
BS4 3EH
T +44(0)117 316 0570
F +44(0)117 316 0571
info@thebushconsultancy.com
www.thebushconsultancy.com

Client's Name
Access Self Storage

Job Title
Winterstoke Rd

Drawing Title
Bower Ashton Terrace Section

Scale
1 : 100 @ A1
mm 100 200

Drawn	Checked	Date
AH	RD	06.06.17

Job No	Drawing No	Rev
3126	SK_026	

Status
Planning

06/06/2017 20:39:55

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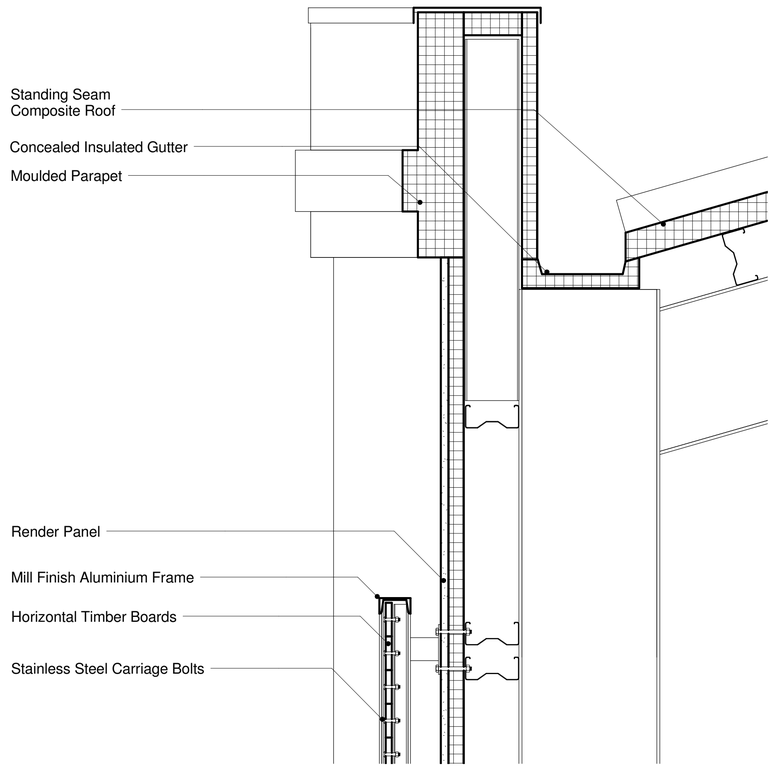
1 North Elevation

1 : 50 (1:100 @ A3)



2 Parapet & Cladding Detail

1 : 10 (1:20 @ A3)

Notes:

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Rev	Revision Details	Dr	Date
P 3	Alterations to tower, north elevation & landscaping	AH	02.06.17
P 2	For Planning	AGH	29.03.17
P 1	Draft for Planning	AGH	22.03.17

THE BUSH CONSULTANCY
5.20 The Paintworks
Bath Road
Arnos Vale
Bristol
BS4 3EH
T +44(0)117 316 0570
F +44(0)117 316 0571
info@thebushconsultancy.com
www.thebushconsultancy.com

Client's Name
Access Self Storage

Job Title
Winterstoke Rd

Drawing Title
North Facade Elevation Detail

Scale
As indicated @ A1
metres 1 2 3 4 5

Drawn	Checked	Date
AGH	RD	22.03.17

Job No	Drawing No	Rev
3126	L_110	P3

Status
Planning

14/06/2017 15:34:38

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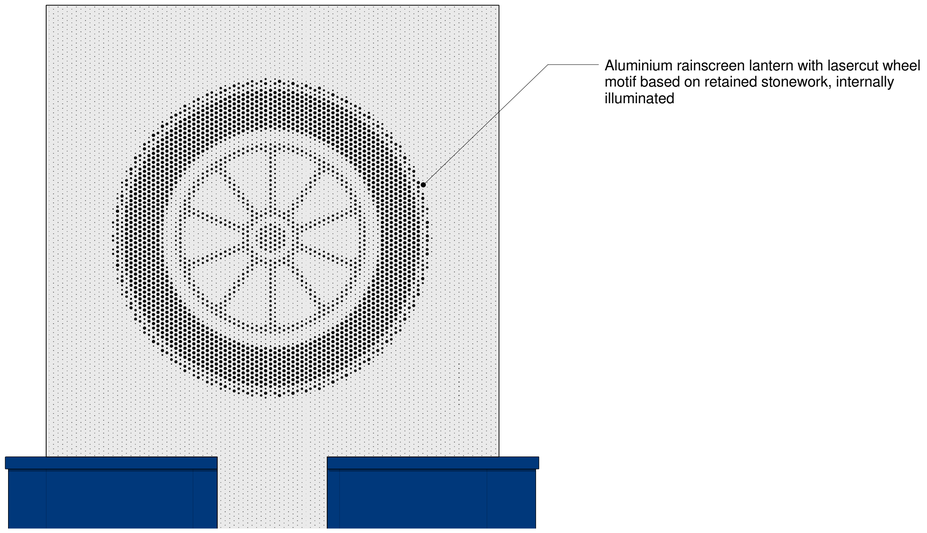
1 Tower & Retained Facade Elevation

1 : 50

2 Tower ISO



3 Lantern Detail

1 : 25

Notes:

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Rev	Revision Details	Dr	Date
P 3	Alterations to tower and north elevation	AH	07.06.17
P 2	For Planning	AGH	29.03.17
P 1	Draft for Planning	AGH	22.03.17

THE BUSH CONSULTANCY
5.20 The Paintworks
Bath Road
Arnos Vale
Bristol
BS4 3EH
T +44(0)117 316 0570
F +44(0)117 316 0571
info@thebushconsultancy.com
www.thebushconsultancy.com

Client's Name
Access Self Storage

Job Title
Winterstoke Rd

Drawing Title
Tower Elevation Detail

Scale
As indicated ((1:100 @ A3)
metres 1 2 3 4 5

Drawn	Checked	Date
AGH	RD	22.03.17

Job No	Drawing No	Rev
3126	L_111	P3

Status
Planning

14/06/2017 15:35:52

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Development Control Committee B – 12 July 2017 **ITEM NO. 3**

WARD:	Frome Vale	**CONTACT OFFICER:**	Peter Westbury
SITE ADDRESS:	Blackberry Hill Hospital Manor Road Fishponds Bristol BS16 2EW		

APPLICATION NO:	16/05376/F 16/05398/LA	Full Planning Listed Building Consent (Alter/Extend)
DETERMINATION DEADLINE:	5 May 2017	

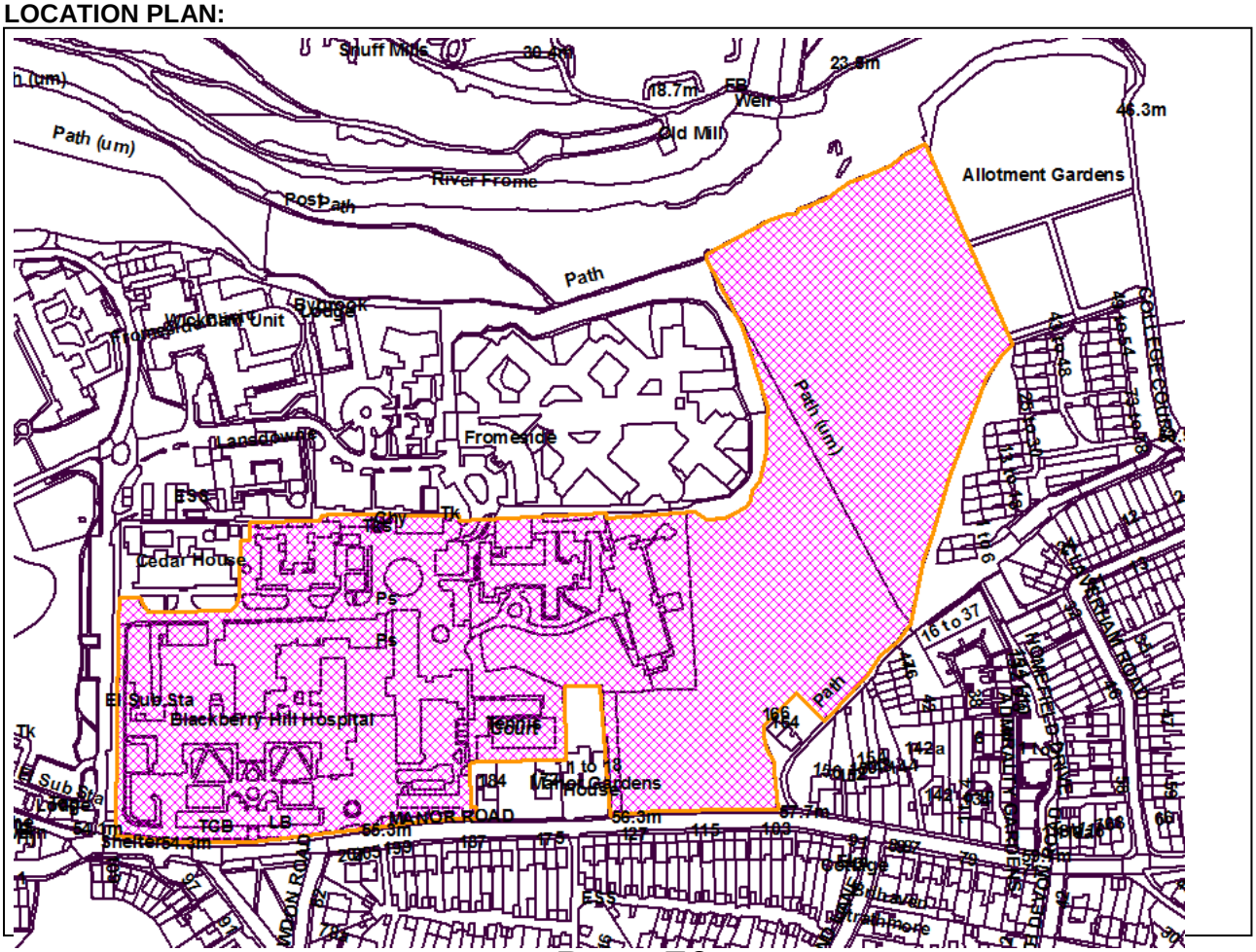
Regeneration, refurbishment and demolition of existing buildings and new build development to provide a total of 346 residential units (comprising of 217 new build and 129 refurbished units) (Use Class C3), 317 sqm of commercial/retail floorspace (Use Class A1 /A2 /A3 /B1) and 310 sqm community space (Use Class D1); new and amended vehicular, pedestrian and cycle access; car parking; cycle parking; landscaping and boundary treatment. Major Application.

RECOMMENDATION: GRANT subject to Planning Agreement

AGENT:	BiLfinger GVA St Catherine's Court Berkeley Place Bristol BS8 1BQ	**APPLICANT:**	Galliford Try Regeneration And Homes And Community Agency As Agent

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

LOCATION PLAN:



1.0 SUMMARY

1.1 These applications are brought to Committee on account of their importance to housing provision in the city and local interest. The proposal which if Members were minded to approve, would involve significant redevelopment of a valuable heritage asset in the city, as a number of the buildings on the site are listed as Grade II.

1.2 This report is concerned with two applications for full planning permission and listed building consent for the redevelopment of the Blackberry Hill Hospital site to provide predominantly residential development.

1.3 Through the planning process, provision is made for 20 affordable units. However, through funding from both the City Council and Homes and Communities Agency (HCA) there is the potential for the site to occupy up to 100 affordable units. However, it should be noted that this cannot be guaranteed through this planning process.

1.4 The applications' site is allocated for development – housing with mixed-uses – in the Site Allocations and Development Management Policies document. The applications subject to this report seek permission for these uses. Given the support of the development plan, it is considered, that the principle of the proposed development should be supported with significant weight attached to this aspect of the assessment.

1.5 The key issue of affordable housing has been considered and has been subjected to intensive discussions with the applicants. Due to the allowance that has to be made for Vacant Building Credit the target for affordable housing to be provided on site through the s106 agreement and at the applicant's cost is 41 units. The Council's independent viability consultant has advised that the site could actually deliver 37 units. After originally proposing zero affordable housing, the applicant has maintained for a while that the site can only afford 17. Over the last 2 weeks this offer has been increased to 20 units, although the information justifying this offer has not been fully assessed at the time of writing this report.

1.6 Officers have liaised with City Council Housing Delivery colleagues and also the Homes & Communities Agency. It is clear that, with grant support, the development is likely to deliver a total of 100 affordable units. The debate has been about what proportion of these are provided at full cost by the developer and, therefore, how much public subsidy goes into the remaining units to deliver the full 100. Any public funds used for this site would not be available for other sites, although Members should note that some of the HCA funding has been moved to Bristol from another region of England. Members are entitled to give whatever weight they see fit to the issue of grant funding and the delivery of the additional 80 units because planning policy requires affordable housing to have nil public subsidy and it is also not possible to secure the 80 additional units by s106 agreement because a key principle of grant funding is that of "additionality"

1.7 Members should give substantial weight to the extent to which the proposals are contributing to the delivery of affordable housing through s106, specifically at least 20 units secured in this way. However, Members may want to also give weight to the potential overall outcome of the total amount of affordable housing delivered at the site. In order to demonstrate delivery the applicants have agreed to a one year consent.

1.8 Whilst the negotiations on the viability of the site could continue, in order to seek an increase of the 20 units currently offered, the site will still continue to deliver a total of 100 affordable units. Officers consider that we have reached a stage where the proposals should now be determined on their merits, and that a window of opportunity exists to enable a high quality development that (with the input of public subsidy) provides a good level of affordable housing.

2.0 SITE DESCRIPTION

2.1 The application site is located in the Fishponds area of Bristol, approximately 4 miles north-east of the city centre. It is within the designated Stapleton and Frome Valley Conservation Area. The application site is located within a wider complex known as the Blackberry Hill Hospital, part of which remains an operating NHS unit. The site, which is in Flood Zone 1, includes a designated village green, called the Laundry Field. The total area of the application site is approximately 8.62 hectares.

2.2 The application site was originally built for use as a prisoner of war camp before becoming a workhouse during the 1800s. It was converted to an NHS hospital site in 1946, specialising in psychiatric care. The NHS Blackberry Hill Hospital has been contained to modern buildings to the north of the site and the historic Manor Park Hospital buildings have been unoccupied since 2007. The Homes and Communities Agency (HCA) acquired Manor Park Hospital in 2007.

2.3 The proposed development concerns a Grade II listed building, Manor Park Hospital. The Historic England listing number is 1202370 and its entry reads:

"Prisoner of war camp, work-house, now hospital. c1779. Work-house from 1837, extended 1865, and hospital since 1946. Pennant rubble with limestone ashlar porches, exterior stacks and interlocking tile hipped roof. Axial, Eshaped plan. 3 storeys; 5:9:3:9:5-window range. A symmetrical front has a 3- window central projecting block, and 5-window T-shaped end wings, with a central C19 porch with columns to a flat canopy; C20 porches to the other ranges except the le-hand one. Cambered rubble heads to late C20 windows. The side wings are articulated by pairs of exterior decapitated stacks. Large 1861-5 five-window extension to the le has semicircular ground-floor arches with chamfered surrounds, now glazed. INTERIOR: remodelled C20. HISTORICAL NOTE: constructed by the Admiralty as a prisoner of war camp, holding prisoners from the wars with the American colonies, and with France from 1793, an early and important example. The other is at Yaxley, Cambs. Converted by the Poor Law Commission, and a lunatic asylum from 1870. (Site Record, Trial Survey of Gardens, etc. ACCES: Harding S: SMR 2794: Bristol: 1987)."

2.4 While the main Manor Park Hospital building is the Grade II listed asset, 13 other buildings/structures within the site complex are considered to meet the criteria to qualify as listed by curtilage. This criteria is set out in the Listed Buildings and Conservation Act 1990, stating that any building or structure fixed to the listed building, or which is within the curtilage and has been part of the land prior to 1 July 1948, is also considered listed.

2.5 There are various uses immediately surrounding the site. To the north, it is bordered by an NHS secure psychiatric hospital, to the north east the site contains open space including the Laundry Field village green and allotments. To the west is the University of the West of England (UWE) Glenside campus, containing teaching and accommodation facilities. The areas to the south and east of the site are predominantly residential.

2.6 There is ancient woodland and the River Frome to the north of the site. Within the wider area of the site, there are several listed buildings, a registered Park and Garden (Oldbury Court Estate), a secondary school and allotments. There is also considerable residential and commercial land use, particularly in the local centre Fishponds Road, which is approximately a ten minute walk from the site.

2.7 The application site fronts onto Manor Road, which provides the sole access for the site for vehicles, pedestrians and cyclists. Manor Road is a single lane carriageway located between two major roads – the M32 and the A432 Fishponds Road. There are bus stops directly opposite the site which service routes to the city centre and north towards Filton and Bristol Parkway rail station. More frequent and a greater range of services are available from Fishponds Road.

3.0 RELEVANT HISTORY

3.1 There is a substantial planning history for this site relating to its former use as an NHS facility. These applications are not relevant to this case. There are three cases relating directly to this application which are of relevance:

Ref. No: 16/04291/SCR Request for a Screening Opinion as to whether an Environmental Impact Assessment is required for the retention and conversion of existing Listed Buildings and new build development to provide 298 residential units, 510 sqm of commercial floorspace and 280 sqm of community space.

Status: EIA not required

Ref. No: 16/06831/F: Retention of Cedar House and conversion to provide 25 new residential units (C3), alongside demolition of ancillary redundant buildings, car parking, landscaping and access.

Status: Pending Consideration

Ref. No: 16/06832/LA: Retention of Cedar House and conversion to provide 25 new residential units (C3), alongside demolition of ancillary redundant buildings, car parking, landscaping and access.

Status: Pending Consideration

4.0 APPLICATION

4.1 Two applications were submitted for the proposed development on 3 October 2016 by Galliford Try Regeneration and the HCA.

4.2 When these applications were originally submitted the description of development for the full application was for the regeneration, refurbishment and demolition of existing buildings and new build development to provide a total of 305 residential units (comprising of 192 new build and 113 refurbished units) (Use Class C3), 510 sqm of commercial/retail floorspace (Use Class A1 /A2 /A3 /B1) and 280 sqm community space (Use Class D1); new and amended vehicular, pedestrian and cycle access; car parking; cycle parking; landscaping and boundary treatment."

4.3 Specifically, the applications sought to:

- Retain the Grade II Listed Manor Park Hospital building and 2no. buildings listed by curtilage.
- Demolish buildings ancillary to the Manor Park Hospital building. This includes 11no. buildings considered listed by curtilage.
- Convert the retained buildings into 113 residential units, comprising a mixture of 1-3 bedroom apartments and 2-4 bedroom houses.
- Erect 192 new build residential units, comprising 142no. 2-4 bedroom houses and 50no. 1-2 bedroom apartments. Apartments will mostly be contained within 5no. new build blocks of accommodation of no more than 3 storeys.
- Propose 510sqm commercial/retail floorspace and 280sqm community space within the new build element of the scheme.
- Create 1 new vehicular access to the east of the site from Manor Road.
- Create 435 total parking spaces: 414 allocated residential spaces, 5 visitor spaces and 16 commercial use spaces.
- Remove 103 trees, groups of trees and hedgerows.
- Planting of ca.130 trees across the site.
- Install secure cycle parking for all apartments, commercial and community buildings.
- Use materials including brick, render and stone cladding on walls and terracotta and grey roof tiles.
- Install photovoltaic panels throughout the site.

4.4 Following consultation with the public and responses from statutory consultees, the applicant submitted a revised details on 4 April 2017 which introduced the following changes to the proposed development:

- Increase in density of development across the site with the number of residential units increasing from 305 to 346.
- Increase in the provision in affordable housing, from no affordable units to 20 affordable units across the site.
- An increase in height across the development to include 4no. buildings extending to 4 storeys and 1no. building of 5 storeys.
- Retention of 3 no. additional buildings listed by curtilage, resulting in a reduction to the extent of demolition on the site.
- Convert the retained buildings into 129 residential units.
- Erect 217 new build residential units.
- Increase community floorspace to 310sqm.
- Reduce the commercial/retail floorspace to 317sqm.
- Create 424 total parking spaces: 403 allocated residential spaces, 5 visitor spaces and 16 commercial use spaces.
- An increased buffer area between the site and the Fromeside NHS unit adjacent to increase privacy and prevent overlooking of the facility.

4.5 The applications therefore are seeking full planning permission (16/05376/F) and listed building consent (16/05398/LA) for:

"Regeneration, refurbishment and demolition of existing buildings and new build development to provide a total of 346 residential units (comprising of 217 new build and 129 refurbished units) (Use Class C3), 317 sqm of commercial/retail floorspace (Use Class A1 /A2 /A3 /B1) and 310 sqm community space (Use Class D1); new and amended vehicular, pedestrian and cycle access; car parking; cycle parking; landscaping and boundary treatment."

5.0 EQUALITIES ASSESSMENT

5.1 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 to this particular proposed development. Overall, it is considered that the refusal of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

6.0 RESPONSE TO PUBLICITY AND CONSULTATION

6.1 The planning applications were received and validated by the Local Planning Authority on 3 October 2016. Site notices were erected around the site which expired on 7 December 2016.

6.2 Local residents have been consulted by letter, with an expiry date of 7 December 2016. 402 letters were sent to notify local residents of both applications.

6.3 Following responses from members of the public and statutory consultees, additional information for the scheme was submitted on 4 April 2017.

6.4 Local residents were re-consulted by letter, with an expiry date of 25 April 2017. 402 letters were sent to notify local residents of amendments to both applications.

6.5 Comments received on the additional information relating the scheme have been considered and are included in this report.

General comments received from the Public

6.6 In response to the application as submitted for full planning permission (16/05376/F) there were a total of 38 responses from the general public.

6.7 Of these, 2 were comments neither in support or objection to the proposed development and 36 were in objection.

6.8 Reasons for objection include:

- Lack of affordable housing in the proposed development.
- Non-compliance with BCC policy requirement of 30% for affordable housing.
- Impact on traffic and congestion in the context of other large-scale developments nearby.
- Noise levels related to increased traffic.
- Loss of mature trees.
- Harm to and loss of heritage assets.
- Loss of part of the Laundry Field and impact on the designated Village Green.
- Potential harm to the Glenside Hospital Museum through loss of access resulting from building works.

6.9 In response to the application for listed building consent (16/05398/LA) there was a total of 78 responses from the general public. Of these, 3 comment neither in support or objection to the proposed development and 75 were in objection.

6.10 Reasons for objections include:

- Lack of affordable housing in the proposed development.
- Non-compliance with BCC policy requirement of 30% for affordable housing.

- Impact on traffic and congestion in the context of other large-scale developments nearby.
- Air pollution levels related to increased traffic.
- Lack of designated cycle path as part of development.
- Harm to and loss of heritage assets.
- Loss of some of the Laundry Field and impact on the designated Village Green.
- Potential harm to the Glenside Hospital Museum.

6.11 In response to the amended details as submitted on 4 April 2017, there have been three further responses in objection. Reasons for objections include:

- A lack of clarity on affordable housing to be provided.
- Number of parking spaces provided for residents is less than the number of properties so it is inevitable that vehicles will park on the surrounding roads.

Response from External Consultees

6.12 Historic England:

- Historic England gave extensive pre-application comments on this application in a letter dated 2 September 2016.
- Whilst further information has been submitted in support of the application, the scheme itself appears not to have changed. The broad tenor of the comments, therefore, remain.
- At the time of the preparation of the report, no comments on the amended plans had been received.

Responses from Interest Groups and Organisations

6.13 Conservation Advisory Panel:

- The Panel has no comment to make on this application.
- The Panel welcomes the quality and quantum of the heritage assessment undertaken by the applicant and the work undertaken to assess the significance of this site.

6.14 Bristol Civic Society:

- The Society supports this mix of uses, and in particular supports proposals for the landscaping of and public access to the large area of parkland on the E of the site.
- The Society is disappointed that the existing chapel (which we think is numbered as building 28 on the masterplan) is not to be retained and converted. The chapel is presumably a substantial Victorian building whose loss seems regrettable. We note that a new building of broadly similar footprint to the chapel is shown on the masterplan. We suggest that the Council takes conservation advice about the possibility of retaining this potentially valuable older building which - with imaginative conversion – might add significant interest and beauty to the overall

development. Local listing might also be considered at the same time.
[The Chapel has since been retained since this comment was made].

- The Society strongly supports the proposal to set the maximum building height across the site at three stories. This matches the heights of the three current buildings which are intended for retention/refurbishment. This suburban site does not call for higher buildings. We note that some of the proposed new-build houses are shown as two stories (mainly along the edge of development bordering the Town Green area) while the townhouses around the central green spaces are three stories in height. This is sensible placing in our view, as it reduces the impact of the housing adjacent to the parkland while allowing greater housing density towards the centre of the site.
- From the 3D images presented in the masterplan documents we feel the proposed height and mass of the larger buildings on the site will deliver an overall pleasing balance of close-grained suburban living. The elevations of the planned new larger apartment buildings to be linked to the retained existing buildings by glazed atrium links are attractive in our view.
- We note that three of the proposed new apartment buildings will be positioned close to the main road, Manor Road, which runs along the S boundary. In our view the height, profiles, choice of materials, and detailing of these three large buildings will be particularly important to the public realm. These aspects should therefore be designed and chosen with particular attention to how they appear from Manor Road and how the three buildings will signal the entrance to the site.
- Apart from comments above about the desirability of retaining the chapel, the Society - with some regret - endorses the proposal to demolish the remaining buildings on the site which are judged to be of medium or low significance as heritage assets.
  [The Chapel has since been retained since this comment was made].
- The Society suggests that the choice of building shapes and materials should be either a close match with the retained existing buildings (largely constructed of local grey limestone with pitched red tiled roofs), or else deliberately chosen to be in marked contrast with the existing buildings to highlight the difference.
- The Society supports the proposal for a number of green spaces across the development, giving all residents the benefit of parkland area right by where they live. Where possible we would like to see existing mature trees retained as we think this will immediately enhance the sense of this as an established development.
- The open space to the E of the site to be retained as a Village Green is a key feature of this development. Residents will of course be aware of this space close to where they live, but it is important in the Society's view that availability and easy access to this valuable public space is also well signalled to the public at large.
- The masterplan document in S04 recognises the importance of maintaining views from Manor Road and highlights a "viewing corridor" to the Village Green from the E end of the Manor Road boundary. However, this sightline is very narrow, as it is severely constrained by proposed new buildings. We suggest that the design improves the signposting to attract visitors to the Village Green public space behind the new houses.

Response from Internal Consultees

City Design Group

6.15 City Design Group make the following comments:

- The amended scheme is much improved from the original submission. Officers have worked with the applicant team to balance considerations of increasing density, retaining historic buildings and improving the frontage onto Manor Road.
- Officers have worked with the applicant to further reinforce the positive character of the site – providing an improved setting for the listed hospital buildings, providing better enclosure and definition of the central square, and greater diversity within the more suburban areas adjacent to Laundry Field.
- Efforts have looked to balance the improvements in design with the need to provide an increase in smaller units and to not prejudice the delivery of affordable housing.

Conservation Officer:

- This proposed development site consists of a series of Grade II Listed Buildings that comprise a former Napoleonic war prison and mid-19th century workhouse buildings.
- The buildings relating to the Napoleonic period are particularly significant as is the associated cemetery and plan form of the site from the workhouse period where the areas of former work yards and garden spaces remain legible.
- Consequently bringing these structures back into use is welcomed particularly as this is a large, complex site that is no longer required for institutional use.
- In order to achieve a viable scheme for the site, 'harm' in heritage policy terms will inevitably be required such as the demolition of some of the ancillary structures and extensions. However this is viewed as less than substantial and outweighed by the overall benefits of the scheme.
- We therefore support the principles of the proposals from a historic environment perspective.
- There will be a need for further details should the applications receive consent and these details can be secured through appropriate conditions as set out below.
- Condition requested for further details for historic buildings (7, 24, 26, 28, 37-9 and 40): Windows; New external doors; Rainwater goods; Vents; Flues; PV panels; Terrace wall and railings (Building 7); Ramps (Building 37-9); New entrance (Building 40); Replacement roof (Building 40); and Rear glazed openings (Building 40).
- Condition requested for Sample Panels before specified elements started on the historic buildings (7, 24, 26, 28, 37-9 and 40) for the areas of making good including the ashlar infill on Building 28 demonstrating the colour, texture, face bond and pointing are to be erected on site.
- Condition for a method statement for the demolition of the rubble stone former Workhouse buildings. The method statement shall describe the approach to the

proposed demolition and how the stone rubble will be salvaged and set aside for re use in the construction of the new development.
- Conditions requested for a programme of archaeological works; and an archaeological watching brief during development works.
- Condition requested for further details on works to the boundary walls fronting Manor Road.

Design Officer:

- The new feature buildings will have a significant impact on the historic group as well as the help to characterise the new development and its impact onto Manor Road.
- There is a need to see the typical approach to details to ensure depth and visual quality these will be limited to window returns, entrance details and roof eaves.
- Much of the quality of these buildings will be determined by the use of materials which will be secured by way of condition requesting the submission of samples and sample panels.
- New Feature Buildings: Building A, B and E – these buildings feature the stone frontages that help to articulate the site entrance and end of the new avenue. It is noted that this will be done in reconstructed stone and as such we need to ensure that the detailed design helps to ensure the suitable construction and weathering of a material that can be difficult to achieve the expected quality. As such samples of this material should be considered will full design details including sections, returns and jointing with particular attention given to ground floor areas.
- Building B contains the commercial unit onto Manor Road where the general indications for domestic windows would not be appropriate. As such details should be requested notwithstanding any notation on the approved plans. Shopfront details including window and entrance frames, stall riser and signage will be secured by way of condition.
- Building U – the south facing rendered gabled elevation facing onto the triangular green space is a prominent part of the building which lacks a detailed level of articulation on the submitted plans. As such a specific request for this elevation in detail will be secured by way of a condition.
- House Types – the house types indicate variations using brick and render with dark frame windows, protruding lead appearance bays and entrance canopies, eaves and bargeboards to a mix of tile and slate roofs. A set of typical details for each of these elements via the submission of material samples and reference panels will be secured by way of condition.

Landscape Officer:

- The landscape proposals based upon the revised master plan retains a number of the historic buildings as recommended by CDG officers.
- Though the proposals require the loss of a number grade A and B trees it is acknowledged that the layout derived from the retention of the historic buildings provides a successful residential scheme that preserves historic access points

and makes good use of retained open spaces, creating what should be a varied and interesting living environment.

- Tree loss is compensated for throughout the scheme according to the Tree Replacement Standard and the street tree species are well considered and detailed.
- Hard landscape elements – surface materials and furniture are also acceptable.
- The only omission appears to be a management plan detailing how the various landscape elements are to be cared for after establishment. This will be requested by way of condition.
- From a landscape perspective the scheme can be approved.

Transport Development Management

6.16 Transport Development Management make the following comments:

- On balance Transport Development Management (TDM) raises no objection to this application subject to suitable conditions being attached and financial contributions being secured via a Section 106 Agreement.
- The proposal will have a significant impact on the surrounding highway with a growth in movements in both the AM and PM peaks. This will result in congestion at the Broom Hill roundabout as well as delays at the Manor Road/Fishponds Road signalised junction.
- Consequently TDM will require the applicant to pay a contribution to the Bristol City Council improvement scheme for the Broom Hill mini roundabout junction. The applicant has stated that they are willing to do this in the submitted TA and draft Heads of Terms.
- The site is located on an existing bus network which provides a regular service to the city centre and UWE. However to encourage a modal shift away from the private car and onto public transport Bristol City Council would need to upgrade three of the existing stops. Therefore the applicant would be required to pay a contribution towards this upgrade. This is committed to in the draft Heads of Terms.
- The surrounding pedestrian routes are considered to be acceptable to accommodate the increase in pedestrian footfall. Notwithstanding this the crossing on Snowdon Lane and the pedestrian routes to Begbrook Primary School would require improvement as part of the safe routes to school programme. A contribution from the applicant is committed to in the draft Heads of Terms.
- The level of parking for both cars and cycles are considered to be acceptable.
- The internal layout is considered to be broadly acceptable with a few minor amendments.
- Based on the above and subject receiving contributions for the off-site works and suitable conditions being attached TDM raise no objection to this proposal.

6.17 Having assessed the additional submitted information and weight up the positives and negatives of the proposal on balance Transport Development Management (TDM) raises no objection to this application subject to suitable conditions being attached and financial contributions being secured via a S106 agreement

Traffic Impact

6.18 The applicant's highways consultant has submitted a Technical Note in response to the applicant's amendments to the proposal to increase the number of units from 305 to 346.

6.19 The applicant acknowledges that the revised layout will lead to an increase in vehicle movements from the site. The applicant has used the TRICS database to derive the revised number of movements. From the details provided they have indicated that it will see an increase of 21 movements in the AM peak, 18 movements in the PM peak and an additional 178 movements thought out the day. This would equate to an average of one additional vehicle every 3mins furthermore it would also see an additional 16 movements utilising the Broomhill Roundabout.

6.20 Having assessed the additional information TDM is satisfied that the inclusion of these additional units will not result in a severe impact on the highway network. Although in TDM's view it does strengthen our argument for the applicant to pay a highways contribution towards the proposed improvement works to the Broomhill Roundabout.

Travel Plan

6.21 Bristol City Council will undertake the implementation of the Travel Plan on the applicant's behalf for a charge of £45,750. This sum would need to be paid three months prior to the first occupation. By paying this Travel Plan levy the applicant would be released from their travel planning obligations over a 5 year period or alternatively the applicant may implement, deliver and monitor their Travel Plan over the 5 year period reporting annual progress to the council.

6.22 With regards to the submitted Travel Plan we have the following observations to make. Firstly with regard to paragraph 3.8 this refers to Fig 3.2 which shows the site in proximity to local services and amenities which is note included in the report please can the applicant amend this prior to their next submission. The applicant is also required to provide an overview of facilities at the site within the Travel Plan i.e. number of parking spaces for car, bikes and motor cycles.

6.23 The applicant would need to provide details of the minimum ongoing budget to be allocated that will be available to the Travel Plan Co-ordinator to be spent each year or it should be demonstrated where funding is likely to come from to ensure the Travel Plan can be fully implemented.

6.24 A Travel Information Pack should be a promotional tool from the outset. The packs should include a map promoting railway stations; car club bays; bus stops and public transport routes; pedestrian and cycle routes; electric charging points; Residents' Parking Schemes (RPS); ferry landing stages and key destinations points. Information can be found at www.travelwest.info/movinghome. In addition the measures such as free bus tickets and cycle vouchers etc. and contact details of the Travel Plan Co-ordinator which would need to be agreed with Bristol City Council prior to occupation should be included. There is also an aspiration to see travel awareness and Personalised Travel Planning (PTP) undertaken. This will help the applicant promote sustainable travel. Another way of doing this is through their marketing materials to promote travel at the sales stage and provide travel information packs at the marking suite. The action plan should include all measures

plus the implementation date and who is responsible. Finally the Travel Plan needs to be user friendly as it is to be access by everyone at the site. We would also advise that the Travel Plan Co-ordinator joins Bristol Workplace Travel Network and the Cycle Champion schemes.

Layout

6.25 The applicant has provided details of traffic calming measures, adoption and lighting plans. These details have now been provided and TDM are currently assessing their acceptability although it should be noted that amendments can be made during the S38 adoption process.

6.26 Furthermore there were concerns over the western section of the site as it was unable to accommodate the standard 11.4m refuse vehicle. However from the submitted adoption plan it appears that this part of the site will not be 'offered up' for adoption. As a consequence the applicant needs to be made aware that this section of the site will need to be privately managed.

S106 Contribution

6.27 A contribution is sought to make improvements under the following headings:

Broomhill Roundabout;
Sustainable Transport (bus stop upgrades);
Car Club contributions;
Right of Way contributions; and
Safe Routes to School

6.28 Having reviewed the Draft Heads of Terms the applicant has proposed a total highways contribution of £455,901. On balance the proposed contribution is considered acceptable. With regard to addressing the omission of the car club. A condition is recommended that requires the implementation of a car club.

Conclusion and Recommendation

6.29 To conclude the applicant has increased the size of the development by 41 units to 346. Consequently the applicant's Highway Consultant has provided additional information in regards to traffic impact. These figures have been devised by utilising the TRICS datasets, which is acceptable and from the data provided the additional units will not result in a significant increase in vehicles movement which could be considered severe under Section 4 of the National Planning Policy Framework (NPPF).

6.30 In terms of the internal layout the applicant has now submitted revised plans, which should take into account TDM's comments set out both our initial response and also our meeting with the applicant. These drawings are currently being processed. But it is noted from the adoption plan that the western section of the site will be privately maintained and therefore the issues of waste collection will need to be managed by a private company.

6.31 Finally the applicant has proposed a contribution of £455,901. It should be noted that TDM are disappointed that this does not include the car club contribution. That being

said it does cover all the other contributions that TDM requested. Therefore on balance we find the applicant's proposed contribution to be acceptable.

6.32 Therefore taking into account the above information TDM raises no objection to this proposal and if permission were to be granted we would require the following to be attached.

BCC Air Quality Officer

6.33 In terms of the impact on air quality, the Council's Air Quality Officer considers that the proposed traffic flows, as outlined in the Transport Assessment, are not considered significant in relation to potential air quality impacts. As a result, it is considered that the proposed development is acceptable in terms of impact on air quality.

BCC Nature Conservation Officer

6.34 Nature Conservation make the following comments:

- This proposal includes the development of part of the designated Wildlife Corridor site, Land North of Manor Road. Policy DM19 in the Local Plan applies and accordingly ecological mitigation measures are required.
- The ecological mitigation which is set out in the Ecological Appraisal dated September 2016 and the landscape and ecology strategy plan is considered satisfactory and should be secured by condition.
- The proposal includes the loss of seven bat roosts within six buildings. Bats are a highly protected European Protected Species, a legally protected species and a material planning consideration.
- Accordingly work must not commence until a Natural England licence has been obtained for the works and an ecological mitigation scheme must be conditioned for bats.
- To meet the statutory requirements of the Conservation of Habitats and Species Regulations 2010 (as amended): 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 will be secured by condition.
- Condition to be added for external lighting to include a lux level contour plan, and should seek to ensure no light spill outside of the site boundaries.
- The site has some potential to support legally protected reptiles and hedgehogs. Accordingly a precautionary method of working method statement (PMW) with regards to the potential presence of reptiles, hedgehogs and great crested newts should be conditioned as a pre commencement of site any vegetation clearance and development.
- No development shall take place until measures to protect badgers from being trapped in open excavations and/or pipes and culverts are submitted to and approved in writing by the local planning authority.
- Prior to vegetation clearance or commencement of development an update survey for badger setts shall be undertaken by a suitably qualified ecologist.

- An ecological method statement to include the inspection of trees with the potential to support roosting bats and the use of 'soft felling' techniques should be conditioned.
- No clearance of vegetation or structures suitable for nesting birds, shall take place between 1st March and 30th September inclusive in any year without the prior written approval of the local planning authority.
- There appears to be Cotoneaster on site. If this includes one of the following Cotoneaster species which are included on Schedule 9 Part II of the Wildlife and Countryside Act 1981 then these species which tend to be very invasive of semi-natural habitats should be removed from site and omitted from planting proposals.

7.0 RELEVANT POLICIES

National Planning Policy Framework (NPPF) (March 2012)
Planning Practice Guidance

Bristol Core Strategy (Adopted June 2011)

BCS5 Housing Provision
BCS7 Centres and Retailing
BCS9 Green Infrastructure
BCS10 Transport and Access Improvements
BCS11 Infrastructure and Developer Contributions
BCS12 Community Facilities
BCS13 Climate Change
BCS14 Sustainable Energy
BCS15 Sustainable Design and Construction
BCS16 Flood Risk and Water Management
BCS17 Affordable Housing Provision
BCS18 Housing Type
BCS20 Effective and Efficient Use of Land
BCS21 Quality Urban Design
BCS22 Conservation and the Historic Environment
BCS23 Pollution

Bristol Site Allocations and Development Management Policies (Adopted July 2014)

DM1 Presumption in Favour of Sustainable Development
DM4 Wheelchair Accessible Housing
DM14 The Health Impacts of Development
DM15 Green Infrastructure Provision
DM16 Open Space for Recreation
DM17 Development Involving Existing Green Infrastructure
DM19 Development and Nature Conservation
DM23 Transport Development Management
DM25 Greenways
DM26 Local Character and Distinctiveness
DM27 Layout and Form

DM28 Public realm
DM29 Design of new buildings
DM30 Alterations to Existing Buildings
DM31 Heritage Assets
DM32 Recycling and Refuse Provision in New Development
DM33 Pollution Control, Air Quality and Water Quality
DM34 Contaminated Land
DM35 Noise Mitigation
SA1 Site Allocations (BSA0501)

Bristol City Council Space Standards Practice Note (2011)
Bristol City Council Planning Obligations SPD (2012)

8.0 KEY ISSUES

A. IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN PRINCIPLE?

8.1 The application site is allocated for development – housing with mixed-uses – in the Site Allocations and Development Management Policies (2014) document.

8.2 It states that development on the site (BSA0501) should be led by a masterplan guided by community involvement and should adopt a heritage-led approach which identifies heritage assets to be retained and enhanced. It should also take into account development in the wider area, including two other nearby allocated sites and the cumulative impact of such development on the area. The site was estimated to deliver approximately 300 homes.

8.3 Core Strategy Policy BCS5 sets out a minimum target of 26,400 homes to be delivered in Bristol between 2006 and 2026, primarily on previously developed sites. Core Strategy Policy BCS20 states that new development should maximise opportunities to use previously developed land, with high densities sought in sustainable locations close to local centres and main transport routes.

8.4 The principle of the proposed development in land use terms is strongly supported by the above policies. The site is allocated in the development plan for the use that is being proposed by the applicant and it is in a sustainable location using previously developed land. It would also contribute to the overall housing target in Bristol under Policy BCS5. For these reasons, the principle of the proposed development is supported.

8.5 The Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the Development Plan unless material considerations indicated otherwise. The principle of the scheme and the uses proposed are firmly supported by the Development Plan, specifically Bristol Core Strategy (BCS) Policy BCS5, Site Allocations and Development Management Policy SA1 (site reference: BSA0501). The planning application therefore reflects up to date policy.

8.6 Paragraph 14 of the National Planning Policy Framework (NPPF) sets a presumption in favour of sustainable development. Specifically for decision taking this means that development proposals that accord with an up-to date development plan should be approved without delay, unless other material considerations indicate otherwise.

8.7 Given the support of the development plan, it is considered, that the principle of the proposed development should be supported with significant weight attached to this aspect of the assessment.

8.8 It is recognised that a proposal of this scale and complexity must not only be justified in accordance with established national and local planning policy and guidance; but also within the detail of the scheme. As such, the proposed scheme is assessed under a broad range of headings within the remaining sections of this report.

B. DOES THE PROPOSED DEVELOPMENT PROVIDE AN APPROPRIATE LEVEL OF AFFORDABLE HOUSING?

8.9 Paragraph 50 of the National Planning Policy Framework (NPPF) states that local planning authorities should set policies for meeting the need of affordable housing. Policies should aim to meet the need on development sites, unless off-site provision or financial contribution can be robustly justified.

8.10 Through Policy BCS17 of the Core Strategy, Bristol City Council has set out the requirement for affordable housing in the city. For the area in which the application site is located, the policy requires that any development of 15 dwellings or more should provide 30% of residential units as affordable housing. According to this policy, the proposed development of 346 dwellings would result in the delivery of 103 affordable units.

8.11 The affordable housing requirement for this site is devised as follows:

- Policy 30% requirement – 103 units
- Vacant building credit – 62 units
- Affordable housing requirement – 41 units

8.12 An update on the viability work will be provided on the amendment sheet and will also form part of the Officer's presentation at the Committee Meeting.

8.13 Outside the planning process, the applicant proposes to deliver a further 80 affordable homes across the site. It should be noted that the means by which this additional provision is made cannot be guaranteed by the planning process and therefore Members must be aware that this provision may not come to fruition. Nevertheless, it is indicative of the challenges of delivering affordable housing on such complex sites within the context of current planning guidance and also the commitment of interested parties to secure affordable housing provision.

8.14 This proposition is being discussed between the following bodies:

- Galliford Try Partnerships & Regeneration – providing discounted market homes.

- Sovereign Housing Association (a Registered Provider Partner) – to allow the retention of Recycled Capital Grant Funding.
- HCA – funding shared ownership homes.
- BCC – funding affordable rented homes (at Local Housing Allowance cap).

8.15 If secured, this would increase the total affordable provision on the Blackberry Hill Hospital site to a maximum of 100 units. These additional affordable units would be for affordable rent and shared ownership. These additional affordable units would be secured outside of the planning process as conditions and stipulations of the funding agreements in place between the partner organisations referenced above.

C. WOULD THE IMPACT UPON THE GRADE II LISTED BUILDING AND CONSERVATION AREA BE ACCEPTABLE?

8.16 As per the advice of Historic England the applications should be considered in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, which states at section 66(1) that local authorities shall have “special regard to the desirability of preserving the building or its setting” when considering proposals affecting listed buildings or their settings.

8.17 The NPPF defines ‘designated’ heritage assets as being: World Heritage Sites, Scheduled Monuments, Listed Buildings, Protected Wreck Sites, Registered Parks and Gardens, Registered Battlefields or Conservation Areas. The heritage assets of relevance to these applications are: the Grade II listed building (with buildings listed as curtilage) – Manor Park Hospital (and its setting) and the Frome and Stapleton and Frome Valley Conservation Area (and its setting).

8.18 The proposed development requires the change of use and conversion of a Grade II listed building – Manor Park Hospital - and various structures within its curtilage that are considered to be listed. The buildings relating to the Napoleonic period are particularly significant as is the associated cemetery and plan form of the site from the workhouse period where the areas of former work yards and garden spaces still remain legible.

8.19 Paragraph 132 of the NPPF states that any harm or loss to a heritage asset should require clear and convincing justification. Furthermore, substantial harm or loss to a Grade II listed building should be exceptional. Paragraph 133 of the NPPF provides further guidance, stating that when a proposed development would lead to substantial harm or loss to a heritage asset, it should be refused consent unless it can be demonstrated that there are substantial public benefits of the development which outweigh that harm or loss.

8.20 In the assessment of the impact on these designations, the policies from the Core Strategy and SA&DM apply - BCS22 (Conservation and the Historic Environment) and DM31 (Heritage Assets) also apply.

Demolitions of buildings within the site

8.21 The applicant submitted a Heritage and Archaeological Impact Assessment and an addendum (Design Rationale Statement). In combination, the impact of the proposed development on the Listed Building, the Conservation Area, and their settings have been assessed. These documents have been reviewed by Historic England and the Conservation Officer as part of the consultation process for the applications.

8.22 The principles of the proposals from a historic environment perspective are supported by the Conservation and Design Officers. Bringing these structures back into use is welcomed particularly as this is a large, complex site that is no longer required for institutional use.

8.23 The Manor Park Hospital and its curtilage has been out of use since 2007, when the NHS hospital use of the site ceased. In bringing the site back into use after a decade of being vacant, it is considered that the loss of some heritage assets on the site is outweighed by the public benefit of bringing a historic site back into a long-term use.

8.24 In order to achieve a viable scheme for the site, 'harm' in heritage policy terms will inevitably be required such as the demolition of some of the ancillary structures and extensions. Overall, this has been assessed by Officers as less than substantial and outweighed by the substantial public benefits of the scheme.

8.25 The public benefits of the proposals are considered to be:

- Retention and sensitive conversion of the key historic buildings.
- Regeneration of an allocated brownfield site for 346 homes.
- A wide choice of new homes in terms of dwelling sizes and tenures.
- 20 affordable homes (and additional 80 affordable homes).
- Community space.
- Commercial and retail space.
- Support the creation of approximately 1,479 jobs.
- Contributions to public transport improvements.
- The Laundry Field village green to be protected in perpetuity.

Impact of the proposed development upon the Listed Buildings and Conservation Area:

8.26 The description from the Conservation area enhancement statement refers to several Listed Buildings within the Conservation Area that "contribute particular architectural and historical qualities to the built fabric of the area" which would apply to the case of the buildings at the Blackberry Hill Hospital site.

8.27 The proposed development is considered to provide an improved setting for the listed hospital buildings, providing better enclosure and definition of the central square, and greater diversity within the more suburban areas adjacent to Laundry Field. Overall, there is considered to be an improvement to the setting within and adjacent to the Blackberry Hill Hospital site as well as the Stapleton and Frome Valley Conservation Area.

Summary

8.28 The applications submitted are not considered to cause substantial harm to any designated heritage asset or its setting, including the Stapleton and Frome Valley Conservation Area. The substantial public benefits of the proposals as outlined above are considered to outweigh any harm. As such, the proposal would comply with policies BCS22, DM31 and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

D. IS THE DESIGN OF THE PROPOSED DEVELOPMENT ACCEPTABLE?

8.29 Policy BCS21 of the Core Strategy aims to ensure that all new development in Bristol achieves high standards of urban design. The policy states that design can contribute positively to local character by responding to the underlying landscape structure, distinctive patterns and forms of development local culture.

8.30 Policies DM26-29 of the Site Allocations & Development Management Policies require development to contribute to the character of an area through its layout, form, public realm and building design.

8.31 The City Design Group reviewed all of the planning application documents and have worked with the applicant to further reinforce the positive character of the site providing an improved setting for the listed hospital buildings, providing better enclosure and definition of the central square, and greater diversity within the more suburban areas adjacent to Laundry Field.

8.32 As well as looking at the visual environment, the protection of historic fabric and green infrastructure, the design comments have looked to balance the improvements in design with the need to provide an increase in smaller units and to not prejudice the delivery of affordable housing.

8.33 CDG are content with the design aspects of the scheme and the arrangements of buildings and spaces and the relationship and retention of the Listed Buildings. Officers have successfully resolved issues outlined in initial comments on the application as original submitted. The amended scheme design is at the stage that CDG can support the proposed development with no further alterations requested.

8.34 It is considered that matters relating to the design of the proposed development have been adequately assessed by the applicant. The design is considered to respond to both the unique features of the former Hospital site as well as the area which surrounds the application site. The proposed development is acceptable from a design perspective.

8.35 Conditions have been requested to secure further details on new windows; new external doors; vents; flues; PV panels. Sample panels and details have also been requested for the historic aspects of the site: boundary walls fronting Manor Road; terrace wall, railings, entrance steps and ramps (Building 7); ramps (Building 37-9); new entrance (Building 40); replacement roof (Building 40); and rear glazed openings (Building 40).

8.36 In the interests of the character of the area further details and sample panels have also been requested for the new build aspects of the proposed development including: public art; stone frontages of Building A, B and E; Building B (commercial unit onto Manor Road) – shop front details (window and entrance frames, stall riser and signage); and Building U – a detailed elevation and all component features (windows, doors and cladding).

Summary

8.37 In conclusion, it is considered the proposed development has given careful consideration to its layout, form, public realm and building design, and therefore accords with Policy BCS21 and Policies DM26-29.

E. DOES THE PROPOSED DEVELOPMENT SATISFACTORILY ADDRESS TRANSPORT, ACCESS AND MOVEMENT ISSUES?

8.38 This should be read in conjunction with Transport Development Management's (TDM) set out above.

8.39 BCS10 (Transport and Access Improvements) and DM23 (Transport Development Management) require that development does not give rise to unacceptable traffic conditions. These policies support the delivery of improvements to transport infrastructure to provide an integrated transport system, which improves accessibility within Bristol and supports the proposed levels of development. With regards to parking and servicing, it requires that development proposals provide an appropriate level of safe, secure, accessible and usable provision having regard to the parking standards.

8.40 The applicant has submitted a Transport Assessment with the original application; and a Technical Note to accompany the amended details that are for approval. The proposal will have a significant impact on the surrounding highway with a growth in movements in both the AM and PM peaks. This will result in congestion at the Broom Hill roundabout as well as delays at the Manor Road/Fishponds Road signalised junction.

8.41 Consequently TDM would require the applicant to pay a contribution to the Bristol City Council improvement scheme for the Broom Hill mini roundabout junction. The applicant has stated that they are willing to do this in their submitted TA.

8.42 The site is located on an existing bus network which provides a regular service to the city centre and UWE. However to encourage a modal shift away from the private car and onto public transport Bristol City Council would need to upgrade three of the existing stops. Therefore the applicant would be required to pay a contribution towards an upgrade.

8.43 The surrounding pedestrian routes are considered to be acceptable to accommodate the increase in pedestrian footfall. Notwithstanding this the crossing on Snowdon Lane and the pedestrian routes to Begbrook Primary School would require

improvement as part of the safe routes to school programme. Consequently a contribution is sought from the applicant.

8.44 The draft Heads of Terms provided by the applicant set out proposed contributions they are willing to meet for the improvements to the Broomhill Roundabout; Sustainable Transport (bus stop upgrades), Rights of Way; and Safe Routes to School. This is considered to be acceptable to TDM.

8.45 Car parking standards indicate that the proposed development should provide for up to a maximum of 399 residential spaces off street spaces and up to 16 commercial spaces. The proposed development provides 424 parking spaces across the site with 403 allocated residential spaces, 5 spaces for visitors and 16 spaces for the commercial use. The total of 424 car parking spaces is therefore considered to be acceptable.

8.46 Cycle parking standards indicate that the proposed development should provide a minimum of 644 secure cycle spaces. The applicant has proposed a total of 635 secure cycle spaces, which will be located in sheds, gardens or garages. The apartments will be served by secure parking stores. The commercial units will provide 10 spaces. Taking into account the above information the proposed levels of cycle parking are considered to be acceptable.

8.47 The level of parking for both cars and cycles are considered to be acceptable. Furthermore the internal layout is considered to be broadly acceptable.

8.48 One of the issues raised relates to how the west side of the site will be served via a refuse vehicle. By retaining more of the existing buildings, the space required for a large refuse vehicle to manoeuvre presents difficulties. Elsewhere, for schemes in conservation areas, or incorporating historic or listed buildings, swept path analyses have been carried out based on smaller vehicles that Councils are using to collect waste where space is limited.

8.49 Bristol Waste have been consulted on the amended scheme and the option for the site to be served by two refuse vehicles (one large vehicle and one smaller vehicle) or if the bin store locations need to be revised to locations where a larger refuse vehicle can access. It is proposed that a Servicing and Management Plan aspect is to be conditioned, subject to continued consultation with Bristol Waste.

8.50 Conditions have been requested for the following aspects of the proposed development:

- Construction Management Plan
- Highway to be adopted
- Servicing and Management Plan
- Sustainable Urban Drainage System (SUDS)
- Travel Plan
- Completion of vehicular access
- Completion of pedestrians/cyclists access

- Installation of vehicle crossover
- Completion and maintenance of car/vehicle parking
- Completion and maintenance of cycle provision

8.51 Contributions (ca. £442K) have been sought and included in the draft Heads of Terms for the following items:

- Broom Hill Roundabout Contribution
- Sustainable Transport – bus stop upgrades
- Right of Way contributions
- Safe Routes to School

Summary:

8.52 Based on the conditions and obligations above, the proposed development is considered to be in accordance with BCS10 (Transport and Access Improvements) and DM23 (Transport Development Management).

F. IS THE IMPACT ON OPEN SPACE ACCEPTABLE AND HAS APPROPRIATE MITIGATION BEEN SECURED?

8.53 Policy BCS5 states that development of new homes primarily on previously developed sites across the city will also include some development on open space which does not need to be retained as part of the city's green infrastructure provision. BCS9 further states that some areas of open space may be released for development through the development plan process and is only acceptable where it is allowed for as part of an adopted Development Plan Document or is necessary to achieve the aims of the Core Strategy.

8.54 The Landscape Officer has reviewed the layout derived from the retention of the historic buildings, which is considered to provide "a successful residential scheme that preserves historic access points and makes good use of retained open spaces, creating what should be a varied and interesting living environment."

8.55 Site allocation (BSA0501) requires that: "make provision for the on-going maintenance and management of the area of open space adjoining the site known as the Laundry Field."

8.56 The application boundary includes the registered village green named the Laundry Field (VG24). In accordance with the policies stated above, the Laundry Field is retained as an open space, its future maintenance has been secured through the draft Heads of Terms and it would remain an open space in perpetuity also to be secured through the s.106 Agreement.

8.57 The Landscape Officer has requested that a condition (which is attached to this report) for a landscape and ecological management plan detailing how the various landscape elements are to be cared for.

8.58 In the context of the above, the proposed development is considered to have met the policy requirements of both the site allocation and BCS9.

G. IS THE IMPACT OF THE PROPOSED DEVELOPMENT ON TREES ACCEPTABLE AND HAS APPROPRIATE MITIGATION BEEN SET OUT?

8.59 Policy BCS9 states that:

"Individual green assets should be retained wherever possible and integrated into new development. Loss of green infrastructure will only be acceptable where it is allowed for as part of an adopted Development Plan Document or is necessary, on balance, to achieve the policy aims of the Core Strategy. Appropriate mitigation of the lost green infrastructure assets will be required."

8.60 Policy DM15 states that:

"The provision of additional and/or improved management of existing trees will be expected as part of the landscape treatment of new development."

8.61 Policy DM17 dictates that where tree loss or damage is essential to allow for appropriate development, replacement trees of an appropriate species should be provided in accordance with the tree compensation standard.

8.62 In terms of each category of trees, groups and hedgerows to be lost due to THE proposals:

- Category A, of the 6 on site, 2 to be lost due to the proposals and 2 to be affected (2 unaffected).
- Category B, of the 84 on site, 36 to be lost due to the proposals and 14 to be affected (34 unaffected).
- Category C, of the 92 on site, 58 to be lost due to the proposal and 3 to be affected (31 unaffected).

8.63 In total therefore, of the 182 trees, groups and hedgerows on site:
- 96 to be lost due to the proposals.
- 19 to be affected by the proposals.
- 67 to be unaffected.

8.64 Overall, 130 new trees are to be planted (in line with plan ref. EDP3208/55d). This will be secured by way of conditions and the s.106 Agreement. In response to the amended scheme the Landscape Officer has advised that the tree loss is compensated for throughout the scheme according to the Tree Replacement Standard and the street tree species are well considered and detailed.

8.65 In summary, the proposed development is considered to be in accordance with Policy DM17 and BCS9 and as such, the impact on trees and proposed mitigation is deemed acceptable.

H. ARE THE ECOLOGICAL IMPACTS ON THE SCHEME ACCEPTABLE?

8.66 Policy BCS9 of the Core Strategy and DM19 of the Site Allocations & Development Management Policies require development to be assessed in terms of its ecological impact. These policies seek to protect habitats, species or species or features that contribute to nature conservation.

8.67 Policy DM19 requires development proposals to be informed by ecological surveys and an assessment of impacts and be designed and site to minimise harm to identified habitats, species and features of importance.

8.68 If development results in a loss of nature conservation value, it will be expected to provide mitigation on-site, and where this is not possible, provide mitigation off-site.

8.69 The application has been accompanied by an Ecological Appraisal, Ecology Addendum and Landscape and Ecology Strategy. The ecological appraisal has included a habitat survey, extended to note any signs of or potential for protected species, and evaluation of biodiversity data records.

8.70 The City Council's Nature Conservation Officer has confirmed that the ecological mitigation which is set out in the Ecological Appraisal dated September 2016 and the landscape and ecology strategy plan is considered satisfactory subject to conditions.

8.71 A series of conditions have been attached to this report for: a scheme for the retention of the bats' roost; the provision of alternative new roosts or accesses; external lighting; a precautionary method of working method statement (PMW); an ecological method statement to include the inspection of trees with the potential to support roosting bats; clearance of vegetation or structures; and the removal of cotoneaster.

8.72 In summary, the proposed development is considered to comply with policies BCS9 and DM19.

I. DOES THE PROPOSAL HAVE AN ADVERSE IMPACT ON THE AMENITY OF SURROUNDING RESIDENTS?

8.73 Policy BCS23 of the Core Strategy states that development should be sited and designed in a way to avoid adverse impacts on environmental amenity or biodiversity by reason of pollution including: noise, vibration and air quality.

8.74 SA&DM policy DM33 provides additional elements for consideration including a recognition that development that has the potential for an unacceptable impact, but is considered desirable for reasons of wider social need will be expected to provide an appropriate scheme of mitigation.

8.75 The proposed development is contained within the existing site. As such, there are limited residential amenity issues to consider with regards to overlooking, loss of light or overbearing development to existing residential uses surrounding the site.

8.76 Following comments received on the application as submitted, an increased buffer area has been provided between the application site and the adjacent Fromeside NHS unit to increase privacy and prevent any overlooking of the facility.

8.77 In terms of the impact on air quality, the Council's Air Quality Officer considers that the proposed traffic flows, as outlined in the Transport Assessment, are not considered significant in relation to potential air quality impacts. As a result, it is considered that the proposed development is acceptable in terms of impact on air quality.

8.78 It is essential to ensure that the impact of construction on local amenity is minimised where possible. This is to be secured by condition requiring the submission of a Construction Management Plan, which will control aspects such as the parking of vehicle of site operatives and visitors; routes for construction traffic; hours of operation; and any proposed temporary traffic restrictions. Subject to the implementation of this, the proposal is not considered to have an impact on the amenity of the surrounding residents.

8.79 Overall, the development is considered to be sited and designed in a way to avoid adverse impacts on environmental amenity or biodiversity in line with Policy BCS23.

J. DOES THE PROPOSED DEVELOPMENT ADOPT AN APPROPRIATE APPROACH TO SUSTAINABLE DESIGN AND CONSTRUCTION?

8.80 Core to the NPPF is the concept of sustainable development, comprising of economic, social and environmental dimensions. It states that the purpose of the planning system is to contribute to achieving sustainable development.

8.81 Policies BCS13-15 concern climate change and sustainable design, energy and construction. The policies require development to contribute to both mitigating and adapting to climate change, and to meeting targets to reduce carbon dioxide emissions. They require development in Bristol to include measures that reduce carbon emissions from residual energy use by at least 20%. Sustainable design and construction should be integral to new development. For major development the sustainability statement should include a BREEAM assessment.

8.82 The Energy and Sustainability Statement submitted by the applicant demonstrates that through the use of PV panels across the development, a carbon dioxide saving of 20% can be achieved, which aligns with the policy requirement.

8.83 The requirements of BREEAM Communities means it is not necessary to generate a percentage score at Step 1 / Interim Assessment stage, i.e. it is only necessary to meet mandatory Step 1 criteria. A BREEAM Communities Report was submitted by the applicant, which indicates that the development can be considered to have achieved a level equivalent to a BREEAM Communities 'Pass' at the Interim Assessment stage. Overall, this is considered to align with the policy requirement.

8.84 Policy BCS16 concerns Flood Risk and Water Management and states that:

"All development will also be expected to incorporate water management measures to reduce surface run-off and ensure that it does not increase flood risks elsewhere. This should include the use of sustainable drainage systems (SUDS)."

8.85 A flood risk assessment was submitted by the applicant in support of the proposed development. The application site is located entirely within Flood Risk Zone 1. A sustainable drainage strategy involving the use of SUDS is proposed for disposing of surface water run-off. This is to be conditioned. The proposed development is therefore considered acceptable in flood risk terms.

8.86 In conclusion, the application has sufficiently addressed the range of issues covered by policies BCS 13-16.

9.0 SUMMARY AND CONCLUSION

9.1 The application site is allocated for development – housing with mixed-uses – in the Site Allocations and Development Management Policies document. The applications subject to this report seek permission for these uses. Given the support of the development plan, it is considered, that the principle of the proposed development should be supported with significant weight attached to this aspect of the assessment.

9.2 Given the scale and complexity of the site the proposed development has been assessed under a broad range of headings within this report. This has required an assessment of impacts based on evidence and against national standards and guidance.

9.3 Having carefully considered this technical information and the policy context, specifically against the Core Strategy and the as the development plan, the proposal is considered to be in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework and relevant local planning policies – specifically Policy SA1 Site Allocations.

9.4 The applications for planning permission (16/05376/F) and listed building consent (16/05398/LA) are both recommended for approval subject to conditions (attached to this report) and the terms of the Section 106 Agreement to be entered into by the applicant and Bristol City Council (as set out in the table below).

10.0 COMMUNITY INFRASTRUCTURE LEVY

10.1 How much Community Infrastructure Levy (CIL) will this development be required to pay?

10.2 The development is liable for CIL. The CIL rate for this type of development, as set out in the CIL Charging Schedule is: Community (use class D1) £0; Commercial (use class B1, B2 and B8) £0; Retail £120; and Residential £50.

10.3 The CIL payable (discounting affordable floorspace) is £1,922,630.

Application No. 16/05376/F & 16/05398/LA
Blackberry Hill Hospital, Manor Road, Fishponds, Bristol BS16 2EW

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:

Schedule of S.106 Agreement	**Draft Heads of Terms Agreed**
Affordable Housing	At least 20 Affordable Housing units:
	Affordable Housing Enabling Fee: £550 per unit
Transport	Broom Hill Roundabout Contribution: £325,020
	Sustainable Transport – Bus Stop Upgrades: £35,778
	Right of Way Contributions: £39,000
	Safe Routes to School: £20,000
	Travel Plan Monitoring: £790
	Fire Hydrant: £1,500 / fire hydrant (x7)
Tree planting	130 trees to be planted in line with plan ref. EDP3208/55d
Ecological mitigation	Bird Boxes for Integration with Dwellings (x21) Bird Boxes for Installing on Existing Trees (x8) Bat Boxes for Installing on Existing Trees (x25) Bat Access Slate (x22) Bat Access Ridge Tile (x15)
Laundry Field Village Green	To be secured in perpetuity.

Further to the above, a highways agreement, under Section 38 and 278 of the Highways Act 1980 will be required to enable delivery of the Traffic Regulation Orders and highway works to be adopted secured by condition.

Application No. 16/05376/F

RECOMMENDED GRANT subject to Planning Agreement.

On completion of the Section 106 Agreement, planning permission is 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 one year 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 Act 2004.

Pre commencement condition(s)

2. Phasing Plan

   No works shall take place until a Phasing Plan, showing the subdivision of the scheme into defined work phases has been submitted to and approved, in writing, by the Local Planning Authority. Thereafter the construction of the development hereby approved shall not proceed other than in accordance with the approved Construction Phasing Plan.

   Reason: In the interests of proper planning of the site.

3. Construction Management Plan

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

   - Parking of vehicle of site operatives and visitors
   - Routes for construction traffic
   - Hours of operation
   - Method of prevention of mud being carried onto highway
   - Pedestrian and cyclist protection
   - Proposed temporary traffic restrictions including road closures, footway closures, temporary waiting restrictions
   - Arrangements for turning vehicles

   Reason: In the interests of safe operation of the highway during the construction period.

4. Highway to be adopted

   No development shall take place until construction details of the internal access road(s) to achieve an adoptable standard have been submitted to and been approved in writing by the Local Planning Authority. The building(s) hereby permitted shall not be occupied or the use commenced until the road(s) is/are constructed in accordance with the approved plans.

   Reason: To ensure the internal access roads are to a satisfactory standard for use by the public and are completed prior to occupation.

5. To ensure implementation of a programme of archaeological works

   No development shall take place within a work phase agreed under condition 2, until the applicant/developer has secured the implementation of a programme of archaeological work to include recording the buildings undertaken on a watching brief basis, 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.

6. Scheme for the retention of bats roost and existing accesses

   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.

   Notwithstanding the provisions of Part 1 Classes A, B and C of the Town and Country Planning (General Permitted Development) Order for 1995 (or any order revoking or re-enacting that Order with or without modification) no enlargement or other alteration of the roofs of the dwelling houses shall be carried out under the planning permission granted by Article 3 of the Order.

The scheme shall include a programme for the implementation of the development which minimises any impacts on bats including the provision of suitable accesses, 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.

7. Vegetation Clearance

No clearance of vegetation or structures suitable for nesting birds, shall take place between 1st March and 30th September inclusive in any year without the prior written approval of the local planning authority. The authority will require evidence provided by a suitably qualified ecological consultant that no breeding birds would be adversely affected before giving any approval under this condition. Where checks for nesting birds by a qualified ecological consultant are required they shall be undertaken no more than 48 hours prior to the removal of vegetation or the demolition of, or works to buildings.

Reason: To ensure that wild birds, building or using their nests are protected.

8. Bats and Trees

Prior to removal of any of the three trees identified as having bat roosting potential in the Ecological Appraisal dated September 2016, an ecological method statement to include the inspection of trees with the potential to support roosting bats by an ecological consultant and the use if recommended of ‘soft felling’ techniques shall be submitted to and approved in writing to the Local Planning Authority. The development shall be carried out in accordance with the approved details or any amendment as approved in writing by the local planning authority.

Reason: To conserve legally protected bats in the event that they are found to be roosting.

9. Badgers

Prior to the commencement of the development hereby approved, details of measures to protect badgers from being trapped in open excavations and/or pipes and culverts shall be submitted to and approved in writing by the local planning authority. Measures shall include cover-plating, chain link fencing or the creation of sloping escape ramps for badgers by edge profiling of trenches/excavations or placing a plank in the bottom of open trenches at the end of each working day to allow any trapped badgers to escape. This is to prevent foraging badgers falling into trenches during the construction phase of the development. Open pipework larger than 150 mm outside diameter should be blanked off at the end of each working day. The development shall be carried out in full accordance with the approved details.

Reason: To prevent harm to legally protected badgers.

10. Precautionary Method of Working for legally protected and priority species

    Prior to the commencement of development hereby approved, including all site clearance and vegetation removal, a method statement for a Precautionary Method of Working (PMW) with respect to vegetation and site clearance and the potential presence of legally protected reptiles and any other legally protected and priority species to include hedgehogs and great crested newts shall be prepared by a suitably qualified ecological consultant and submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved method statement.

    Reason: To ensure the protection of legally protected and priority (Section 41) species which are a material planning consideration.

11. Badger update survey

    Prior to the commencement of development (including demolition and site/vegetation clearance), written confirmation by a suitably qualified ecologist shall be submitted to and approved in writing by the local planning authority confirming that they will undertake an updated badger survey immediately prior (i.e. no more than 48 hours) to the commencement of development, demolition or commencement of site/vegetation clearance.

    Reason: To protect badger setts from damage or disturbance during development operations bearing in mind that the animal and its sett are specially protected by law.

12. Cotoneaster

    Prior to commencement of development, a method statement for the control and removal of Cotoneaster, including confirmation that it will not be used in planting proposals shall be submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved details.

    Reason: It is an offence under section 14(2) of the Wildlife and Countryside Act 1981 to "plant or otherwise cause to grow in the wild" any plant listed in Schedule 9 Part 2 of the Act.

13. Hard Landscape Sample Panel

    Sample panels of all external surfacing materials including paving, kerbs, cross overs, parking bays, other nodal points, road surfacing at Manor Road and edging, showing jointing details, shall be laid at an appropriate location 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 sample before the relevant phase is occupied in accordance with the phasing plan submitted. The approved sample shall be retained until the completion of works or when written approval to remove it has been received.

Reason: To protect and enhance the character of the site and the area and to ensure that its appearance is satisfactory.

14. Design Details

Notwithstanding any notations on the approved plans, detailed drawings to an appropriate scale of the following items shall be submitted and approved by the Local Planning Authority before the relevant part of the work is begun unless otherwise agreed:

a) Stone frontages of Building A, B and E –to ensure the suitable construction and weathering of a material that can be difficult to achieve the expected quality.
b) Building B (commercial unit onto Manor Road) – shopfront details including window and entrance frames, stall riser and signage.
c) Building U – a detailed elevation including all component features (windows, doors and cladding).

Reason: To ensure that the external appearance of the buildings are satisfactory and that the character, appearance and setting of the surrounding conservation area and listed buildings would not be harmed.

15. Typical details for house types

Notwithstanding the details shown on the approved plans, prior to the commencement of any development a set of typical details for the basic house types shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:
a) brick and render
b) windows
c) lead bays
d) entrance canopies
e) eaves
f) roofs

Development shall thereafter be carried out in accordance with the approved details.

Reason: To protect and enhance the character of the site and the area and to ensure that its appearance is satisfactory.

16. Sample Panels

Notwithstanding the details shown on the approved plans, sample reference panels of all external materials to be used in new buildings and paved surfaces to demonstrate build quality including jointing and edge details will be erected on site and approved in writing by the Local Planning Authority before the relevant part of the work is begun.

Reason: To ensure that the external appearance of the buildings are satisfactory and that the character, appearance and setting of the surrounding conservation area and listed buildings would not be harmed.

17. External lighting

    Prior to commencement of development, details for any proposed external lighting shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved details. This shall include a lux level contour plan, and should seek to ensure no light spill outside of the site boundaries. The lux contour plan should show lux levels at frequent intervals (lux levels at 0, 0.2, 0.5, 1, 1.5, 2, 3, 4, 5 lux and higher are particularly useful) and extend outwards to additional levels (above the pre-existing background light level) of zero lux. The lux contour levels should be superimposed on a site plan which includes all land that is affected by raised light levels (including potentially land outside the red line planning application area).

    Reason: To conserve legally protected bats and other nocturnal wildlife.

Pre occupation condition(s)

18. Servicing and Management Plan

    No building or use hereby permitted shall be occupied or use commenced until a servicing and management plan addressing the west section of the site has been prepared, submitted to and been approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved servicing and management plan.

    Reason: To ensure that the servicing facilities for the site preserve the highway safety of the area.

19. Further details of Solar PV Panels before relevant element started

    Detailed drawings at the scale of 1:25 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) Final details of the Solar PV Panels.

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

20. Submission and Approval of Landscaping Scheme

    No building or use herby permitted shall be occupied or the use commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping including the detailed design of the key public spaces, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection, in the course of development. The approved scheme shall be implemented so that planting is 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 and 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.

Reason: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory.

21. Landscape and Nature Conservation Management Plan

    Prior to occupation of the development hereby approved, a ten year landscape and nature conservation management plan shall be produced for the application area. This shall include consideration of features of interest, objectives, management compartments and prescriptions, a work schedule including a 10 year annual work plan, resourcing including a financial budget and ecological monitoring. The development shall be carried out in accordance with the approved plan or any amendment as approved in writing by the local planning authority.

    Reason: To conserve and enhance the ecological and landscape features on the site.

22. 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.

23. 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.

24. 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

25. 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 be 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.

26. 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.

Post occupation management

27. Travel Plans – Submitted

The Approved Travel Plan shall be implemented in accordance with the timescales specified therein, to include those parts identified as being implemented prior to occupation and following occupation, unless alternative timescales are agreed in writing with the Local Planning Authority. 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.

List of Approved Plans and Drawings

28. 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:

List of plans to follow

Reason: For the avoidance of doubt.

Application No. 16/05398/LA

RECOMMENDED **GRANT** subject to the following conditions:

Time limit for commencement of development

1. Listed Building Consent

The works hereby permitted shall begin before the expiration of one year from the date of this consent.

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

Pre commencement condition(s)

2. Method statement for the demolition of the rubble stone former Workhouse buildings

   Prior to their demolition a method statement shall be submitted to and approved in writing by the Local Planning Authority for the demolition of the rubble stone former Workhouse buildings. The method statement shall describe the approach to the proposed demolition and how the stone rubble will be salvaged and set aside for re use in the construction of the new development. The demolition shall then be carried out in full accordance with the approved method statement.

   Reason: In order to ensure that the stone is salvaged and re used, in the interests of preserving the character of the site and in the interests of Sustainable Development.

3. To ensure implementation of a programme of archaeological works

   No development shall take place until the applicant/developer has secured the implementation of a programme of archaeological work to include recording the buildings undertaken on a watching brief basis, 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.

Pre occupation condition(s)

4. Further details before relevant element started on the historic buildings (7, 24, 26, 28, 37-9 and 40)

   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) Windows
b) New external doors
c) Rainwater goods
d) Vents
e) Flues
f) PV panels
g) Boundary walls fronting Manor Road
h) Terrace wall, railings, entrance steps and ramps (Building 7)
i) Ramps (Building 37-9)
j) New entrance (Building 40)
k) Replacement roof (Building 40)
l) Rear glazed openings (Building 40)

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

5. Sample Panels before specified elements started on the historic buildings (7, 24, 26, 28, 37-9 and 40)

   Sample panels of the areas of making good (including the ashlar infill on Building 28) demonstrating 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.

6. To secure the conduct of a watching brief during development works

   The applicant/developer shall ensure that all works, including geotechnical works, are monitored and recorded by an archaeologist or an archaeological organisation to be approved by the council and in accordance with the Written Scheme of Investigation approved under condition 3.

   Reason: To record remains of archaeological interest before destruction.

7. 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:

   Approved plans to follow

   Reason: For the avoidance of doubt.

ADVICES:

1. Alterations to vehicular access

There is a requirement to make alterations to vehicular access(s). Applicants should note the provisions of section 184 of the Highways Act 1980. The works should be to the specification and constructed to the satisfaction of the Highway Authority (Telephone 0117 9222100). You will be required to pay fees to cover the Councils costs in undertaking the approval and inspection of the works.

2. Works on the Public Highway

The development hereby approved includes the carrying out of work on the public highway. You are advised that before undertaking work on the highway you must enter into a formal agreement with the Council which would specify the works and the terms and conditions under which they are to be carried out. You should contact City Development, Wilder House, Wilder Street, Bristol, BS2 8PH or telephone 0117 903 6846, allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Councils cost's in undertaking the following actions:

1) Drafting the Agreement
2) A Monitoring Fee equivalent to 15% of the planning application fee
3) Approving the highway details
4) Inspecting the highway works

3. Public Right of Way

The above application site abuts a Public Right of Way (PROW) No. BCC/(SPECIFY). Whilst it may be unlikely that the [public FP/BR] will be affected by the proposed development, it should remain open and safe for public use at all times. The developer should therefore be made aware of his/her obligations not to interfere with the public right of way either whilst development is in progress or on completion, as any interference may well constitute a criminal offence.

4. Impact on the highway network during construction

The development hereby approved is likely to impact on the highway network during its construction. The applicant is required to contact Highway Network Management to discuss any temporary traffic management measures required, such as footway, Public Right of Way, or carriageway closures or temporary parking restrictions. Please call 01179031212 or email traffic@bristol.gov.uk a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

Supporting Documents

3. Blackberry Hill Hospital Manor Road

1. Revised Masterplan

Responsibility is not accepted for errors made by others in scaling from this drawing.
All construction information should be taken from figured dimensions only.

0mm 50mm 100mm

STATUS	REV	DATE	DESCRIPTION
INFO	P6	28.03.17	Updates relating to Block D & E revisions & Block F parking increase
INFO	P5	21.03.17	Eastern cul-de-sac road width adjusted
INFO	P4	20.03.17	Layout updated according to client comments. Issued for final coordination
INFO	P3	21.11.16	Layout updated to show retention of Building 28. Access to Block A car park reconfigured.
INFO	P2	28.09.16	Updated following Highways comments
INFO	P1	27.09.16	Final Coordination Issue
DRAFT	-	23.09.16	DRAFT PLANNING ISSUE

CLIENT
Galliford Try PLC, GT Homes (Blackberry Hill) LLP
and Homes & Communities Agency

REVISED BY JH
CHECKED BY BG
ORIGINATOR NO 32553

CONSULTANT
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PROJECT
Blackberry Hill Hospital
Manor Road,
Bristol,
BS16 2EW

DRAWING TITLE
Proposed Masterplan

SUITABILITY STATUS
PL : PLANNING

SCALE
1 : 500 @ A0

PROJECT | ORIGINATOR | ZONE | LEVEL | TYPE | ROLE | CLASSIFICATION | NUMBER
32553-STL-AP010

REVISION
P6

Development Control Committee B – 12 July 2017 **ITEM NO. 4**

WARD:	Avonmouth & Lawrence Weston	**CONTACT OFFICER:**	Susannah Pettit
SITE ADDRESS:	Accolade Park Kings Weston Lane Avonmouth Bristol BS11 9FG		

APPLICATION NO:	17/02240/F	Full Planning
DETERMINATION DEADLINE:	16 June 2017	

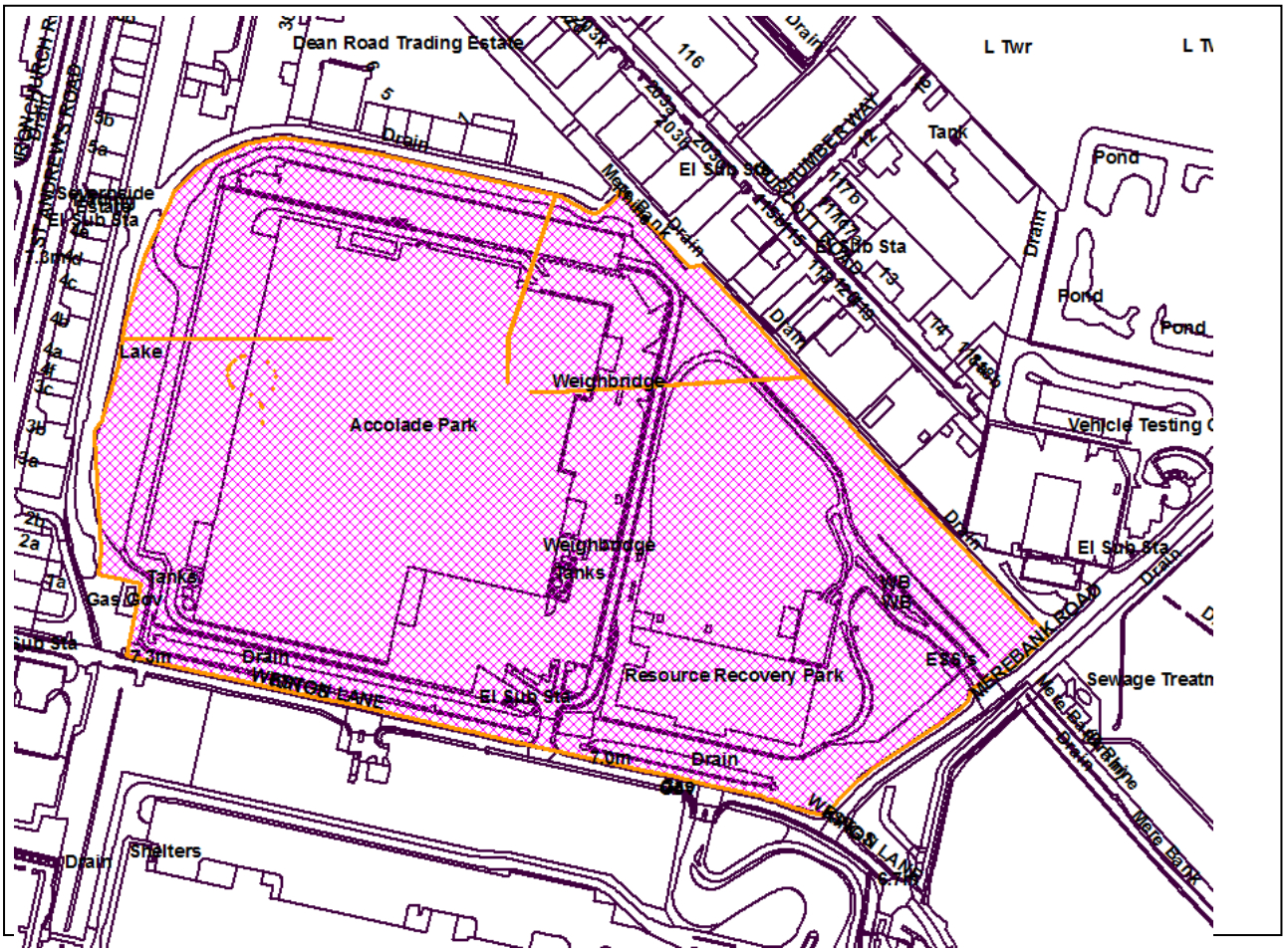
Proposed single wind turbine (130m high), along with associated infrastructure including electrical housing.

RECOMMENDATION: Grant subject to Condition(s)

APPLICANT: Clean Earth
Unit 2A Bess Park Road
Trenant Industrial Estate
Wadebridge
PL27 6HB

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

LOCATION PLAN:



SUMMARY

The application relates to Merebank (M1) which contains a recently constructed industrial unit now occupied by Accolade wines. The application is for a wind turbine 130m tall (to blade tip). The turbine would provide 90% of its energy for Accolade Wines, which would make up 40% of their requirements. Due to the existence of a Written Ministerial Statement of June 2015, LPA can only grant permission for wind turbines where they are on sites which have been specifically designated for wind farm development, AND where they have the support of the local community. Bristol has no such allocations, therefore any decision to grant approval for this development could be at risk of legal challenge.

Whilst there are no allocations, the planning impacts have been assessed and there is much local support including support from the Lawrence Weston Neighbourhood Forum. The legal and policy background to this is set out in Key Issue (A) - National and Local Land Use issues, of this report.

There is one objection from the occupier of an office to the north west of the development site raising concerns about shadow flicker. Key Issue (D) of this report sets out that these concerns can be mitigated by condition which requires the turbine to be fitted with software to enable it to shut down in the event that shadow flicker conditions occur.

Officers are therefore concluding that due to the level of local support, and the fact that the development is in accordance with policies in the local plan, (as assessed in detail below), despite the absence of a formal designation, there is no reason to withhold planning permission. In addition to this it is likely that Avonmouth could be considered an appropriate area for wind turbine development, in view of the fact that there are already a number of wind turbines in the area, as well as the relative lack of sensitive receptors. The applicant's Landscape and Visual Impact Assessment also sets out that there would be no severe impact on Kings Weston House and other areas where it might be viewed from.

SITE DESCRIPTION

The application site forms part of 'Merebank' which is located to the north of Kings Weston Lane and forms part of the wider Cabot Park development in Avonmouth. The wider Merebank site comprises approximately 31 hectares in size and has been the subject of various planning consents over recent years.

Following earlier outline and reserved matters consents, the application site (former M1 plot) received reserved matters consent in 2007 for a large industrial unit (approximately 71,071 square metres) and is currently occupied and used as a regional storage and distribution centre.

Kings Weston house is some 3km from the site, and is a Grade I listed building set within Regionally Important Geological Site, Local Historic Park and Garden, Important Open Space, Site of Nature Conservation Interest, Kings Weston and Trym Valley Conservation Area, and a Registered Park and Garden.

RELEVANT HISTORY

A series of planning permissions have been granted for the Merebank area since the early 1990s. Outline permission was granted in 2006 to regenerate the Merebank area for Industrial (B2) and Warehouse (B8) development (planning permission 05/04807/P). Three phases or plots are identified in the approved master plan. These comprise area M1, (the application site and Accolade Wine warehouse); area M2 a single large building; and area M3, a series of smaller buildings. Area M2

received reserved matter approval in October 2007 (07/03426/M) for a 25,886 square metre building for distribution/warehousing (B8). M3, a smaller building (2,210 square metres) received reserved matters approval in May 2006 (06/00077/F) and has since been constructed and occupied.

12/05132/F Extensions to the existing regional Distribution Centre (Use Class B8) to provide an additional 8390 sq.m of floorspace including the erection of 2no. storey/decked car park to reprovide existing car parking spaces. (Major Application)
Date Closed 22 March 2013 PG
The above permission has not been implemented and has expired.

16/04889/F Proposed Portakabin toilet block and relocation of existing smokers' shelter.
Date Closed 1 November 2016 PG

16/05826/F Revised landscaping and parking layout to provide 9 additional car parking spaces (retrospective).
Date Closed 19 December 2016 PG

17/00064/SCR: A screening opinion relating to the wind turbine subject of this application was issued on 24 February 2017, confirming that the development was not EIA development, but requiring an Ecological Environmental Impact Assessment to be submitted with any planning application. This has been done.

13/01881/F: St Andrews Road, Avonmouth.
Most recent decision taken in Bristol on a wind turbine. Planning permission granted on 22.04.14 for a wind turbine of 63.1m to blade tip. This site is approximately 800m from the application site.

APPLICATION

The application is for the erection of a 130m (maximum) wind turbine to the front entrance area of the Accolade Wine warehouse. This is from ground to blade-tip - the hub height would be 85m.
The applicant is Clean Earth energy and they have been appointed by Accolade Wines to deliver the wind turbine on the Accolade Wines site, and they would use a total of 90% of the energy generated by the wind turbine. This in turn would make up 40% of the building's energy requirements.

The application includes the following documentation to enable assessment of the application:

- Detailed drawings and sections showing the turbine and its mechanisms, including dimensions and colour.

- Full Views Impact Analysis from a number of plotted locations, including one from Kings Weston House.

- Planning Statement

- Airwave Network Interference Assessment

- Construction Transport Management Plan

- Ecological Impact Assessment + Habitat Regulations Assessment + Bird Vantage Point Surveys and Collision Risk Modelling

- Noise Assessment

- Shadow Flicker Assessment

The Planning Statement notes that the proposed wind turbine would be in place for a fixed term of 27 years, at the end of which the development would be removed and the land reinstated to its original condition.

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.

In this context, the applicant has included a Community Involvement Statement in their Planning Statement. This was also undertaken in the context of the Written Ministerial Statement (See Key Issue A). The CIS has been assessed, and is summarised below:

i) Process - which would be NPN's CI summary

The applicant held an open public consultation event on Wednesday 22 March between 3:30pm-6:30pm at the Avonmouth Community Centre. Seven community meetings were also attended by the applicant during February and March 2017. These are listed in the applicant's Planning Statement. The applicant also set up a website and email address for people to direct any questions to following the events. A mail-out to 1,008 residents took place, along with advertisements within the Bristol Post online and print editions.

ii) Fundamental Outcomes - CIS

The Planning Statement reports that 100% respondents supported the proposal;
50% believed that a single turbine would fit in well with the existing turbines;
37.5% cite the position of the turbine far from residential properties as their reason for supporting the proposal;
Some reasons for support included reduction of Accolade's running costs;
One was supportive but raised concern on the impact on birds.

RESPONSE TO PUBLICITY AND CONSULTATION

The application was advertised by letters sent to 112 nearby neighbours on 22.05.2017. A site notice was also posted near to the site on 31.05.2017. The final date for comment was 29.06.2017.

One objection was received from a local business (Tercon):

“Our office is located well within the 820m zone to be considered and I have shown the elevations of our property which have ground and first floor office windows. These windows are East and South facing, and well within the 130 degrees of North area of effect so are likely to have the sun behind the turbine through most of the day. Our offices are at significant risk of shadow flicker from this proposal”

Case officer note: Since this objection was made, the applicant prepared a revised Shadow Flicker report which took into account the impact on this office. This is assessed at Key Issue (D) – Amenity.

In addition to the above to comments from ward members, 24 letters of support from nearby neighbours were received, all welcoming the development due to it being sustainable, and located on a site seen to be appropriate due to the surrounding industrial uses.

There were also responses received from telecommunications operators, response to the applicant's Airwave Network Interference Assessment, confirming that this would not impact on their facilities. These responses were forwarded by the applicant rather than in response to the planning consultation. These were from BT, Vodafone, OFCOM, JRC (a company that analyses the potential to interfere with radio systems operated by utility companies) and Co-Channel (radio communication systems).

WARD MEMBERS

Councillor Donald Alexander: SUPPORT
Very pleased to see this application as it is in line with our sustainability policy.

Councillor Jo Sargent: SUPPORT
I support the building of this wind turbine. We should support local businesses in their attempts to produce sustainable and clean energy. The existing wind turbines are an interesting feature on the local landscape and a sign of a progressive enterprise area and there is no reason to object to adding a few more.

Councillor Matt Melias: SUPPORT
I fully encourage more wind turbines in the industrial part of Avonmouth.

OTHER COMMENTS

Department For Communities And Local Government has commented as follows:-

No comments received.

North Somerset District Council has commented as follows:-

No comments received.

South Gloucestershire Council has commented as follows:-

I would draw your attention to the presence of other wind turbines in the locality within the administrative area of South Gloucestershire Council but have no specific comments to make.

Landscape has commented as follows:-

In general the conclusions of the LVIA are accepted. The most significant visual harm is caused to viewpoint 5 - the historic view from Kingsweston House.

Historic England has commented as follows:-

Thank you for your letter of 11 May 2017 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Nature Conservation Officer has commented as follows:-

1. Habitats Regulations Assessment (HRA). The Conservation of Habitats and Species Regulations 2010 and the Conservation of Habitats and Species (Amendment) Regulations 2012 with respect to the Severn Estuary Special Protection Area (SPA) and Ramsar Site.

The analysis contained within the (Shadow) Habitats Regulations Assessment dated April 2017 is considered acceptable. Because the analysis of bird collision risk is based on modelling, the following planning condition is recommended.

Condition: Prior to the commencement of development, details of an ecological monitoring strategy to assess the impact of the turbine on birds in the area shall be submitted to and approved in writing by the Local Planning Authority. The monitoring shall take place in accordance with the approved strategy, during years 1, 2, 3, 5, 10, 15 and 20 of the life of the turbines, unless otherwise agreed in writing by the Local Planning Authority. The need for and scope of this ongoing programme of monitoring shall be reviewed after the second year and each subsequent year of monitoring.
Reason: In the interests of monitoring the impact of the proposed turbines on wildlife in the area.

In addition a planning condition should be applied which addresses the need to remove and decommission the turbines after their working life has expired.

2. Other ecological considerations

The proposal comprises an area of concrete hardstanding within an existing warehouse facility. Potential ecological impacts have been considered within the Preliminary Ecological Appraisal dated April 2017. In this instance I have no further ecological comments.

Natural England has commented as follows:-

No objection

Natural England notes and supports the advice of the Council's Nature Conservation Officer (email dated 22nd May 2017) regarding the need for an ecological monitoring strategy to assess the impact of the turbine on birds and the need to address the decommissioning and removal of the turbines after their working life has expired.

Contaminated Land Environmental Protection has commented as follows:-

No objections, subject to certain conditions.

Lower Severn Internal Drainage Board has commented as follows:-

No comments received.

Lawrence Weston Neighbourhood Planning Forum has commented as follows:-

Lawrence Weston Planning forum supports this application in full.

After carrying out our own community consultation for renewable energy and on shore wind turbines, and taking into account our own Neighborhood Development Plan and Design Statement, we can evidence strong local support for this development.

When we were surveying local residents from the Avonmouth area on the 11/09/2016 our findings showed overwhelming support, 96.2% of 53 residents surveyed were in favour, and 97% of 130 Lawrence Weston residents surveyed on 27/05/2016 also showed the same high level of support.

Wales & West Utilities has commented as follows:-

Wales & West Utilities has pipes in the area. Our apparatus may be affected and at risk during construction works.

Should the planning application be approved then we require the promoter of these works to contact us directly to discuss our requirements in detail before any works commence on site. Should diversion works be required these will be fully chargeable.

You must not build over any of our plant or enclose our apparatus.

Transport Development Management has commented as follows:-

We have no objection to the proposal - it is sited far back enough within the site not to affect the highway.

The construction management plan shows awareness of the requirement to have accompanied abnormal loads, which will be programmed with an escort. M5 to St Andrews Road is an abnormal loads route.

There are concerns about the turn into the Accolade site itself, though, and there may be requirements to close the road to allow for cranes to lift the structures into the site. Further details on this should be subject to a condition - the Construction Management Plan should be updated to reflect how the structures will be brought into the Accolade Wines site itself.

Sustainable Cities Team has commented as follows:-

I am pleased to support the application.

As stated in the Planning Statement much of the content of policies BCS13-15 relates to the construction or refurbishment of residential and non-residential buildings, and therefore does not apply in this case. However, if constructed the turbine will contribute to Bristol's stated commitment to reduce emissions of carbon dioxide (BCS13 Core Strategy 4.13.4), and the development of renewable energy and low carbon energy (BCS14 Core Strategy 4.14.2).

Shadow Flicker: As noted in the Shadow Flicker Assessment, at certain times of the year, under specific weather conditions shadow flicker may be experienced by some of the commercial properties in the vicinity of the turbine. As noted there are several mitigation measures which can be deployed to minimise or eliminate shadow flicker including software to turn the turbine off at the specific times and conditions when this is an issue.

Though not material to the application, I would encourage the applicant to consider the educational opportunities the turbine presents. For example publishing or streaming information on the energy generated, displaying energy output so that it is accessible to staff and visitors to the site and participating in the annual Open Doors event.

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 (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2015 and Lawrence Weston Neighbourhood Development Plan 2017.

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) NATIONAL AND LOCAL LAND-USE POLICY

(i) NPPG; and NPPF Chapter 10, footnote 17

National policy in relation to wind energy development, is written in such a manner as to guide the formulation of plan policies and site allocations, rather than for assessing individual applications for such developments that have been submitted without the benefit of such policy designations.

The NPPG calls for a criteria-based approach when creating local plan policies for renewable energy. Local topography and the need to protect the setting of heritage assets, as well as local amenity are seen as key considerations.

The NPPF at footnote 17 states:
"In assessing the likely impacts of potential wind energy development when identifying areas, and in determining planning applications for such development, planning authorities should follow the approach set out in the National Policy Statement for Renewable Energy Infrastructure (read with the relevant sections of the Overarching National Policy Statement for Energy Infrastructure, including on aviation impacts). Where plans identify areas as suitable for renewable and low-carbon energy development, they should make clear what criteria have determined their selection, including for what size of development the areas are considered suitable."

Overarching National Policy Statement for Energy (2011) (EN-1): Sets out the Government's policy for delivery of major energy infrastructure, decisions which are largely determined by the Infrastructure Planning Commission. This is within the context of its aim to cut greenhouse gas emissions by at least 80% by 2050. It also includes a list of assessment principles common to all types of infrastructure (including health, wildlife, safety, aviation, historic environment, flood risk, noise etc.)

National Policy Statement for Renewable Energy (2011) (EN-3): Contains advice on Onshore Wind, and is written in a manner which is aimed to guide LPAs in plan-making. The document also sets out that information and supporting documents for planning applications must be consistent with the instructions and guidance in the NPS and EN-1.

The application and supporting documents before Members has followed the instructions in the above guidance.

(ii) WRITTEN MINISTERIAL STATEMENT (HCWS42)

The Government issued a Written Ministerial Statement (WMS) on 18 June 2015, which sets out revised considerations to be applied to planning decisions for wind energy development. It says that in determining planning applications for wind energy development, LPAs should only grant planning permission if:

- the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and

- following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.

The WMS contains advice on what an LPA should do if a valid application for a wind energy development has already been submitted to an LPA, and the development plan does not identify suitable sites. In this situation, it states that the LPA can only find the proposal acceptable if, following consultation, they are satisfied it has addressed the planning impacts identified by affected communities and therefore has their backing. The WMS is given significant weight in this

assessment, in the following paragraph.

(ii) BRISTOL LOCAL PLAN POLICY

Whilst Bristol does not have any specific site allocations for wind energy development, either through the Local Plan or through Neighbourhood Plans, the Core Strategy includes reference to the Avonmouth and Bristol Port area being suitable for wind energy.

Policy BCS4 (Avonmouth and Bristol Port) states that;
"Avonmouth is identified by the Bristol Citywide Sustainable Energy Study as having significant potential for renewable and low carbon energy installations - for example, wind, biomass and waste to energy. Whilst this strategy encourages these types of environmental technologies, proposals will be expected to demonstrate how they protect the area's environmental assets and, specifically, comply with the Habitats Regulations to avoid significant adverse effect on the Severn Estuary."

The Council's legal advice is that this does not hold the same weight as a specific allocation. There would be no opportunity to introduce any site allocations through a review process for the local plan for a considerable period of time (until 2019).

The applicant's Planning Statement looks into the challenges that would arise for Bristol if it were to designate land for wind energy development within the local plan now. It describes the complex and difficult process of determining a suitable location for wind development, and the lengthy process it would be to designate areas within Neighbourhood Plans. It also reports that the WMS lacks any real guidance on helping a decision-maker establish what constitutes a 'suitable' area (although this is contained within the National legislation described above).

The Planning Statement advises that, for the period when there are no designated areas for wind turbines, the LPA must determine how much weight should be given to the WMS and makes reference to the NPPF's presumption in favour of sustainable development. It recommends that in the absence of site-specific allocations for wind energy in the Local Plan, planning applications should be determined in accordance with the presumption in favour of sustainable development and points to the reference in the Core Strategy on Avonmouth's potential for wind development. It concludes that sufficient weight should be applied to this part of the Core Strategy, and to the individual planning merits of the proposal.

Setting this aside, in the context of the WMS, the absence of allocated sites for wind energy means that any planning permission granted for such development would not fully align with national policy and therefore there is a risk of challenge. Because of this, it is therefore necessary to set out that the planning impacts (identified by affected communities) have been fully addressed. The proposed development does, however, have strong local support and represents a sustainable development.

As can be seen from the consultation section of this report, there was much local support for the development subject of this application, with one objection regarding concerns relating to shadow flicker. This is assessed in the Amenity paragraph at Key Issue D below. The full planning assessment is set out in the following paragraphs.

Policy BCS4 does indicate that Avonmouth is viewed as an appropriate location for wind turbines due to its open-ness and relative absence of nearby sensitive uses, and the area has seen the most significant development of these facilities for recent years. Consideration also needs to be given, however, to the impact on wildlife, as well as other material planning implications.

(B) HAS THE APPLICATION ADEQUATELY ASSSESSED THE IMPACT ON ECOLOGY?

Core Strategy policy BCS4 describes the environmental assets Avonmouth area. The Severn Estuary has internationally important habitats which support important populations of waterfowl, waders

invertebrates and fish. The site is located next to the Severn Estuary Special Protection Area (SPA); the Severn Estuary Ramsar Site; the Severn Estuary Special Area of Conservation (SAC); and the Severn Estuary Site of Special Scientific Interest (SSSI).

Due to the proximity of the proposed development to the Severn Estuary, it has potential to affect the designated national and international features of nature conservation interest. In particular the development has the potential to adversely affect populations of bird species associated with the Severn Estuary national and European protected site in terms of potential collision risk and/or displacement effects. These impacts therefore require assessment.

The Screening Opinion issued by the LPA earlier this year advised the applicant that whilst the development was not deemed to be EIA development, the impacts on ecology would need to be fully assessed within the application in the form of an Ecological Impact Assessment (EcIA). This was to enable BCC to comply with its duties under the Habitats Directive in relation to assessing the impacts on the Severn Estuary SAC, SPA and Ramsar site. The applicant has submitted an EcIA, which includes surveys taken at appropriate times of the year. This looks at the impact on birds within the construction and operational phases, and the cumulative effects combined with wind turbines in the area. The EcIA concludes that birds in the area are normalised to turbine movements due to ongoing industrial activities in the area, including movements from the existing wind turbines. No habitats would be lost due to the separation distances between the proposal and the designated sites. The risk of collision has also been assessed and found to be low. The EcIA further concludes that the erection of the wind turbine at this site will not undermine the favourable conservation objectives of the Severn Estuary SPA, SAV and Ramsar site.

The Council's Ecology officer, as well as Natural England, have both assessed the submission and have no objections. A condition to require submission of an ecological monitoring strategy to monitor the continued impact of the turbine on birds in the area, shall be included. A further condition shall be imposed requiring the turbine to be removed and decommissioned at the end of its working life. This is commensurate with aspirations within the submission - the turbine is proposed to be removed after 27 years.

The ecological impacts of the development are found to be acceptable.

(C) WOULD THE APPLICATION MAKE AN ADEQUATE DESIGN AND CONSERVATION RESPONSE, INCLUDING IMPACT ON KEY VIEWS?

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.

This is relevant here because the development would affect the setting of the nearby Grade I listed Kings Weston House and its surrounding historic landscape, including the Kingsweston and Trym Valley Conservation Area.

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. BCS22 requires developments to safeguard or enhance heritage assets.

Requiring good design is at the heart of National and Bristol planning policy, and BCS21 expects a high quality design in all developments, which contributes positively to an area's character and identity, creating or reinforcing local distinctiveness.

The application is accompanied by a comprehensive Landscape and Visual Impact Assessment (LVIA), which contains existing photos with comparison CGI images of the development in place. This was requested within the response to the Screening Opinion. The submitted LVIA considers the effect that the turbines will have on the local landscape and the people who regularly view it. The assessment is a comprehensive study that establishes a baseline for the landscape character of the area and the visual environment and projects the impact that the proposal will have on these 'receptors'. The wind turbine would be rendered a grey colour, (RAL:7035) in order to blend in appropriately with the sky, and go some way to mitigate its appearance.

Viewpoints were taken from ten different locations - 7 within 5km and 3 within 10km, including one from Avonmouth Village and one from Kings Weston House.

The views show that whilst the turbine would be visible, it would be seen within the context of the collection of wind turbines already in existence, and within the general industrial backdrop of Avonmouth. The proposed wind turbine would not excessively exceed in height of other wind turbines in the area.

The most sensitive view is No. 5, from Kings Weston House. The impact on this view has been identified as medium. The LVIA analysis informs us that, at 2.92km away, the turbine would be readily apparent and difficult not to notice, but would not dominate the field of view. This, as stated above, is against the backdrop of the industrial landscape which is tolerant to change and already influenced by the industrial landscape that dominates at Avonmouth Docks. It is therefore considered that there would be minimal harm inflicted on the setting of Kings Weston House or the Kingsweston and Trym Valley Conservation Area, but that the wider public benefits of introducing a renewable energy resource would outweigh this less than substantial harm.

The visual impact of the proposed wind turbine would be acceptable in its context.

(D) WOULD THE PROPOSAL HAVE ANY IMPACT ON AMENITY OF NEARBY OCCUPIERS - INCLUDING SHADOW FLICKER AND NOISE?

Policy BCS23 of the Core Strategy requires development to be sited and designed in a way as to avoid adversely impacting upon the amenity of areas by virtue of noise, vibration, smells and light.

The erection of a wind turbine has the potential to have a negative impact from noise and shadow flicker.

(i) Noise and vibration

Acceptable levels of noise from wind turbines are set out in the document ETSU-R-97: The Assessment and Rating of Noise from Wind Turbines. In this, it is stated that noise limits should be applied to external locations used for relaxation or where a quiet environment is highly desirable, with applicable separate daytime and night time limits. Noise limits in the daytime should be 35-40dB(A) or 5 dB(A) above the 'quiet daytime hours' prevailing background noise, whichever is the greater.

The application is supported by a noise report which considers the impact of noise at three residential receptors (McLaren Road, Moorhouse and Saltmarsh Drive), and the assessment concludes that development would comply with the standards set out in ETSU-R-97.

The conclusions are that noise from the development would be within the recommended guidelines, and the Council's Pollution Control Officers are satisfied with the information and considered that

noise from the development would not harm amenity of sensitive receptors. A condition will be attached to the decision to ensure that the noise levels stated in the report will be complied with.

(ii) Shadow Flicker

Under certain combinations of geographical position and time of day, the sun may pass behind the rotors of a wind turbine and cast a shadow over neighbouring properties. When the blades rotate, the shadow flicks on and off; the impact is known as 'shadow flicker'. Only properties within 130 degrees either side of north, relative to the turbines can be affected at these latitudes in the UK - turbines do not cast long shadows on their southern side.

Government guidance on shadow flicker (NPS- EN3) states that receptors include not just residential properties but also places of work. Where wind turbines have been proposed within 10 rotor diameters of an existing occupied building, a shadow flicker assessment should be carried out by the applicant. As identified by this application, the turbine proposed here would impact most significantly on the Severnside Trading Estate, including a company called Tercon, who have objected. Shadow Flicker is already experienced in their offices, and whilst a site visit was conducted by the case officer on a dull and cloudy day, the existing wind turbines to the south-east of this property are readily visible from first floor windows.

The applicant's shadow flicker report uses average hours of sunshine figures obtained from Met Office data. This reports that shadow flicker on offices at Severnside would only be possible in the months of January, November and December, when potential for shadow flicker would occur within office hours. The report concludes that, taking into account the consideration of business working hours and the probability of bright sunshine hours, the average hours of shadow flicker would be less than 9 hours per year.

Based on the particulars of this case, the potential impact of shadow flicker is considered to be small albeit potentially harmful, but can be mitigated against successfully with the use of a planning condition. The condition would require the wind turbine to utilise installed Shadow Flicker software to automatically shut the turbine down in periods when this would occur (ie during office hours when the sun is bright.)

To conclude subject to a condition to the above effect, the development would not compromise the amenity of sensitive receptors in the area.

(E) WOULD THERE BE ANY TRANSPORT IMPACTS?

Fundamental transport and movement objectives of the local plan include promoting means of travel other than the car, such as cycling, walking and public transport, and also reducing dependence on the private car. Policies BCS10 is particularly relevant in achieving this objective.

The application is accompanied by a Construction Transport Management Plan which identifies the most appropriate delivery routes, frequencies and types of vehicles that would be used.

Transport Development Management Officers have no objections as the construction management plan demonstrates an awareness of the requirement to have accompanied abnormal loads, which will be programmed with an escort. The M5 to St Andrews Road is an abnormal loads route.

There are, however, concerns about the turn into the Accolade site itself. There may be requirements to close the road to allow for cranes to lift the structures into the site. Further details on this should be subject to a condition - the Construction Management Plan should be updated to reflect how the structures will be brought into the Accolade Wines site itself.

With the above in place, the proposal would not compromise highway safety or conflict with transport policies.

(F) WOULD THE PROPOSAL MAKE AN ACCEPTABLE RESPONSE TO SUSTAINABILITY?

Bristol Local Plan policy BCS13 sets out the City's commitment to reducing CO2 emissions by 80% by 2050. As stated in the applicant's Planning Statement, much of the content of policies BCS13-15 relates to the construction or refurbishment of residential and non-residential buildings, and therefore does not apply in this case. However, if constructed the turbine will contribute to Bristol's stated commitment to reduce emissions of carbon dioxide (BCS13 Core Strategy 4.13.4), and the development of renewable energy and low carbon energy (BCS14 Core Strategy 4.14.2).

The existing building on site was granted permission and constructed prior to the introduction of the above Core Strategy policies. There is therefore no requirement to provide on-site renewable energy as part of their existing consent, although the applicant has indicated an intention to explore future on-site renewables, for example, through use of PV panels on the roof.

(G) DOES THE PROPOSAL ADEQUATELY ADDRESS THE ENVIRONMENTAL ISSUES RELATING TO CONTAMINATED LAND?

The applicant's contamination consultant has responded to initial comments from the Council's contamination officer. They have confirmed that they would undertake significant testing of made ground, and would propose a scope of works to be agreed.

Appropriate conditions are attached to this recommendation to take the above into account.

(i) HEALTH AND SAFETY EXECEUTIVE

The Health and Safety Executive (HSE) has confirmed that it does not wish to be consulted on wind turbines and wind farm developments in the vicinity of other major hazard sites and major hazard pipelines, as they are not a relevant development under the Town and Country Planning (Development Management Procedure) (England) Order 2015, and will not lead to a material increase in the number of people in the vicinity of the major hazard.

(H) WILL THE ERECTION OF THE PROPOSED WIND TURBINES HAVE AN IMPACT ON TELECOMMUNICATIONS AND AVIATION IN THE VICINITY OF THE SITE?

Wind turbines can block, deflect or disperse electromagnetic transmissions. Developers are required to address any potential impacts, taking account of Civil Aviation Authority, Ministry of Defence and Department of Transport Guidance in relation to radar and aviation. LPAs should satisfy themselves that such issues have been addressed before considering planning applications.

The applicant undertook the required consultations, and these have been provided with the application. The MOD made a comment relating to low flying military craft, and commented as follows: "Regardless of whether we object to your development, it is probable the MOD will request the turbine be fitted with visible or infrared MOD accredited aviation safety lighting." This requirement shall be included in the recommendation.

(I) DOES THE PROPOSAL ADEQUATELY ADDRESS FLOOD RISK?

The proposal site is located within an area at risk of flooding - Flood Risk Zone 3 - as identified by the Environment Agency.

The NPPF advises development to be directed away from areas of high flood risk. In accordance with the NPPF, the Bristol Core Strategy policy BCS16 requires a sequential, risk-based approach to the

location of development to avoid flood risk and to manage any residual risk.

The proposal involves the erection of a structure on an existing area of hardstanding and the existing distribution centre on the site provides flood attenuation measures which would be utilised by the wind turbine. The wind turbine would have no impact on the existing drainage system which would deal with surface water runoff (into existing Rhine network).

The Environment Agency has raised no objections to the proposal. The development would not create any flooding issues.

CONCLUSION

Significant weight has been given to the Written Ministerial Statement of June 2015. Whilst there are no sites allocated for wind turbine developments within the current Bristol Local Plan, the planning merits of this scheme, as well as the fact that there is significant local support, mean that there is no reason to withhold planning consent. The potential adverse impacts of the development (including shadow flicker) are able to be mitigated through use of conditions. The development would introduce renewable energy infrastructure in an area where such installations are deemed appropriate in the Local Plan, which would in turn assist Bristol in achieving an 80% reduction in CO2 emissions by 2050, as required by the Climate Change Act 2008 and the Core Strategy.

Planning permission is therefore recommended.

RECOMMENDED GRANT subject to condition(s)

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.

2. The wind turbine hereby approved shall be completely removed from the site and the site restored to its former state no later than 27 years from the grant of this permission, unless otherwise agreed with the Local Planning Authority.

   Reason: The turbine has a lifespan of 27 years. Removal at the end of its lifetime or before, would safeguard the appearance of the area.

Pre commencement condition(s)

3. Prior to the commencement of development, details of a scheme of aviation obstruction lighting to be implemented on the wind turbines shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be operational prior to the commencement of testing or operation of the wind turbines.

   Reason: In the interest of safety for air traffic in the vicinity of the wind turbines.

4. Prior to the commencement of development, details of an ecological monitoring strategy to assess the impact of the turbine on birds in the area shall be submitted to and approved in writing by the Local Planning Authority. The monitoring shall take place in accordance with the approved strategy, during years 1, 2, 3, 5, 10, 15 and 20 of the life of the turbines, unless otherwise agreed in writing by the Local Planning Authority. The need for and scope of this ongoing programme of monitoring shall be reviewed after the second year and each subsequent year of monitoring.

   Reason: In the interests of monitoring the impact of the proposed turbines on wildlife in the area.

5. Construction management plan

   Notwithstanding the submitted Construction Management Plan, no development shall take place including any works of demolition until a revised construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority to include details of how any cranes and associated structures would be brought to the site. The approved plan/statement shall be adhered to throughout the construction period.

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

Post occupation management

6. The level of any noise generated by reason of this development shall not exceed to an LA90, 10 min of 35 dB up to wind speeds of 10 m/s at 10m height at any residential premises.

   Reason: To safeguard amenity of nearby occupiers.

7. No symbols, signs, logos or other lettering shall be displayed on the wind turbines or any other buildings or structures without the prior approval of the Local Planning Authority.

   Reason: In the interests of safeguarding the appearance of the locality.

8. The wind turbine hereby approved shall utilise installed Shadow Flicker software to automatically shut the turbine down in periods when this would occur.

   Reason: To protect amenity of neighbouring uses.

List of approved plans

9. 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.

   CE6173-PR3456-BP-01 Appendix b, received 21 April 2017
   CE6173-PR3456-LP-01 Appendix b, received 21 April 2017
   PR3456-PA-EL-01 Appendix c turbine elevation, received 21 April 2017
   PR3456-PA-SH-01 Appendix c switchgear housing, received 21 April 2017
   P00248 Location plan figure 1, received 21 April 2017
   P00248 Appendix d - fig 10 ztv 10km accolade wines wind turbine, received 21 April 2017
   P0248 Appendix d - fig 11 ztv 10km blade tip accolade wines wind turbine, received 21 April

2017
P0248 APPENDIX D - FIG 12A-C VP1 ACCOLADE WINES TURBINE, received 21 April 2017
P0248(1) APPENDIX D - FIG 13A-C VP2 ACCOLADE WINES TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 14A-C VP3 ACCOLADE WINES TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 15A-C VP4 ACCOLADE WINES TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 16A-C VP5 ACCOLADE WINES TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 17A-C VP6 ACCOLADE WINES TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 18A-C VP7 ACCOLADE WINES TURBINE, received 21 April 2017
APPENDIX D - FIG 18A-C VP7 ACCOLADE WINES TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 19A-C VP8 ACCOLADE WINES TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 2 SITE VIEW ACCOLADE WINES WIND TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 20A-C VP9 ACCOLADE WINES TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 21A-C VP10 ACCOLADE WINES TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 3 CUMULATIVE ACCOLADE WINES WIND TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 4 LRD ACCOLADE WINES WIND TURBINE, received 21 April 2017
P024 APPENDIX D - FIG 5 NATIONAL LANDSCAPE CHARACTER ACCOLADE WINES WIND TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 6 LANDSCAPE CHARACTER ACCOLADE WINES WIND TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 7 PRINCIPAL VISUAL AMENITY ACCOLADE WINES WIND TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 8 ZTV 20KM HUB ACCOLADE WINES WIND TURBINE, received 21 April 2017
P0248 APPENDIX D - FIG 9 ZTV 20KM BLADE TIP ACCOLADE WINES WIND TURBINE, received 21 April 2017

Reason: For the avoidance of doubt.

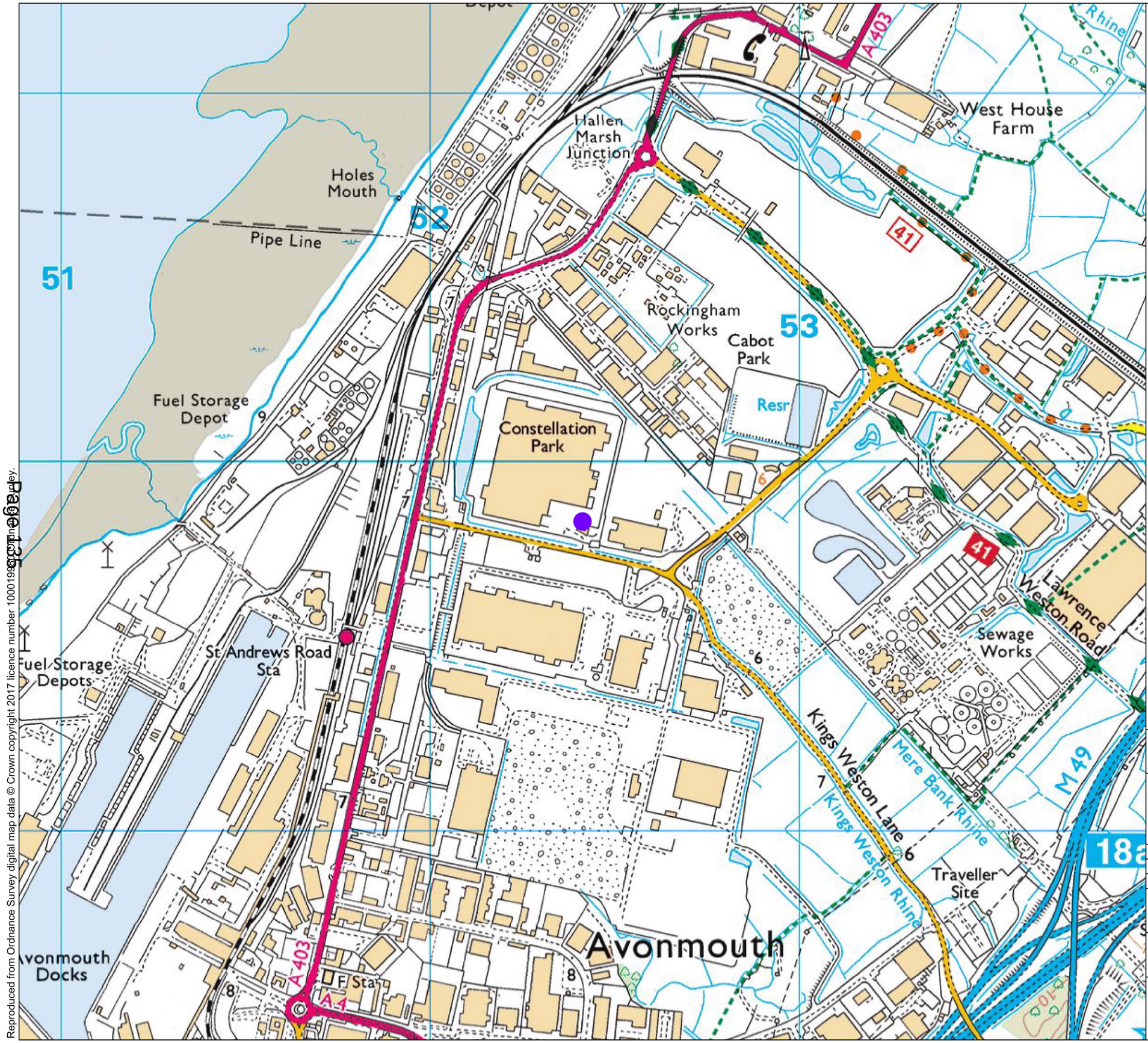
Advices

1. Measurements and assessments relating to noise shall be made in accordance with ETSU-R-97 'The assessment and rating of noise from windfarms', BS EN 61400-11:2003: Wind turbine generator systems.

Supporting Documents

4. Accolade Park, Kings Weston Lane

1. Location plan
2. Site view
3. KW view
4. Turbine elevation



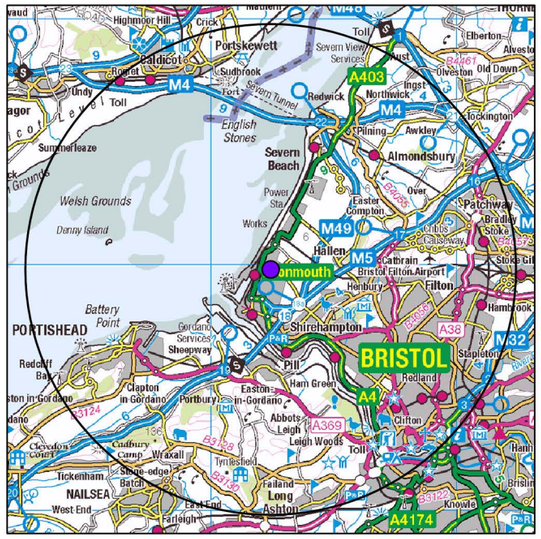
Key

Proposed Wind Turbine

Study Area (10km radius)

Proposed Wind Turbine Coordinates E 352412, N 179839

Location Plan



Scale 1:250,000 @ A3

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Scale 1:10,000 @ A3

0 100 500m

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Drawn : PS	Checked : AJW
Ref : P00248	Revision : 000
Date : 28/02/2017	

Location Plan
Figure 1

Wind Turbine at Accolade Wines, Bristol

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W. www.amalgamlandscape.co.uk

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Site View : Looking north-west from access road

Site View : Looking north-west from access road

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Site View
Figure 2

Wind Turbine at Accolade Wines, Bristol

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Existing View

From Kingsweston House, in Kingsweston House Registered Park and Garden and Conservation Area

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Photographs taken with a Nikon D610 with a Nikon AF-S Nikkor 50mm f/1.8g lens.
The panoramic photographs were taken with the aid of a tripod with the head fixed on a vertical and horizontal axis also incorporating a spirit level to ensure 'level' photographs.
GPS co-ordinates and height data (AOD), using a hand-held GPS device was taken at every photographic location. A compass bearing was also taken to ensure the direction of the view was correct.
The Landscape Institute 'Advice Note 01/11: Photography and photomontage in landscape and visual impact assessment,' was also referenced for guidance on the use of the camera and photography.
The Scottish Natural Heritage 'Visual Representation of Wind Farms: Guidance, February 2017,' was referenced for the creation and presentation of the viewpoints, including defining the angle of view and viewing distance.

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OS grid reference:	ST 54133 77485	Recommended viewing distance:		View flat at comfortable arms length	
Viewpoint altitude:	58m	Distance to proposed turbine:		2.92km	
Viewing height:	1.5m	Date and time of photo:		24/02/2017 11:17am	
Angle of view:	53.5°	Weather and lighting conditions:		Partly cloudy and very good	
Direction of view:	North-west	Date: 28/02/2017	Page size: A3	Drawn by: PS	Rev:

Viewpoint 5
Figure 16a

Wind Turbine at Accolade Wines, Bristol

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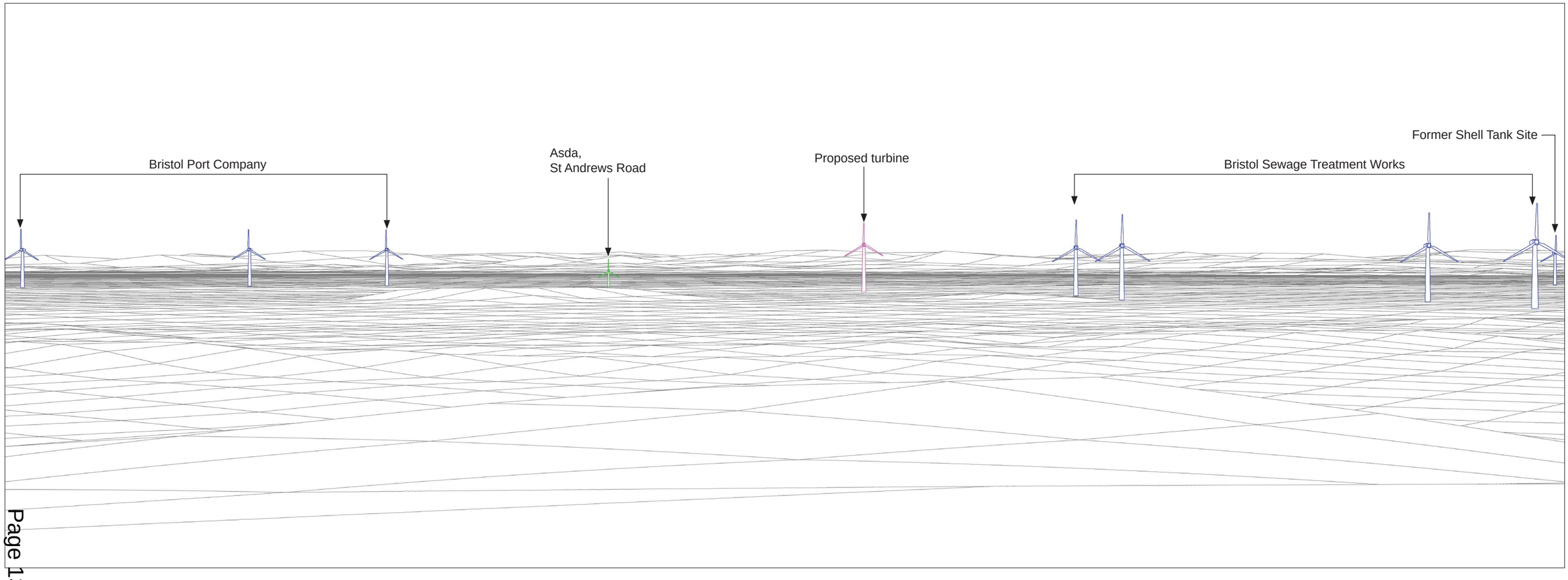

Wireframe

From Kingsweston House, in Kingsweston House Registered Park and Garden and Conservation Area

Key

Proposed Wind Turbine

Cumulative Wind Energy Schemes

Operational

Consented

The Scottish Natural Heritage 'Visual Representation of Wind Farms: Guidance, February 2017,' was referenced for the creation and presentation of the viewpoints, including defining the angle of view and viewing distance.

Note:
All distances to cumulative wind energy schemes, that consist of multiple turbines, are measured to the closest turbine in the view.

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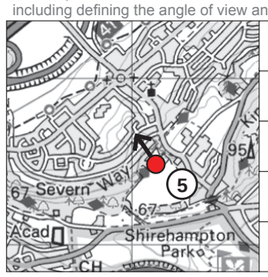

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Viewpoint altitude:	58m	Distance to proposed turbine:		2.92km		
Viewing height:	1.5m	Distance to:	Bristol Sewage Treatment Works Asda, St Andrews Road Bristol Port Company Former Shell Tank Site	2.08km 2.98km 3.74km 4.40km		
Angle of view:	53.5°					
Direction of view:	North-west	Date: 28/02/2017	Page size: A3	Drawn by: PS	Rev:	

Viewpoint 5
Figure 16b

Wind Turbine at Accolade Wines, Bristol

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Proposed view photomontage

From Kingsweston House, in Kingsweston House Registered Park and Garden and Conservation Area

Photographs taken with a Nikon D610 with a Nikon AF-S Nikkor 50mm f/1.8g lens.
The panoramic photographs were taken with the aid of a tripod with the head fixed on a vertical and horizontal axis also incorporating a spirit level to ensure 'level' photographs.
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OS grid reference:	ST 54133 77485	Recommended viewing distance:		View flat at comfortable arms length	
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Angle of view:	53.5°	Weather and lighting conditions:		Partly cloudy and very good	
Direction of view:	North-west	Date: 28/02/2017	Page size: A3	Drawn by: PS	Rev:

Viewpoint 5
Figure 16c

Wind Turbine at Accolade Wines, Bristol

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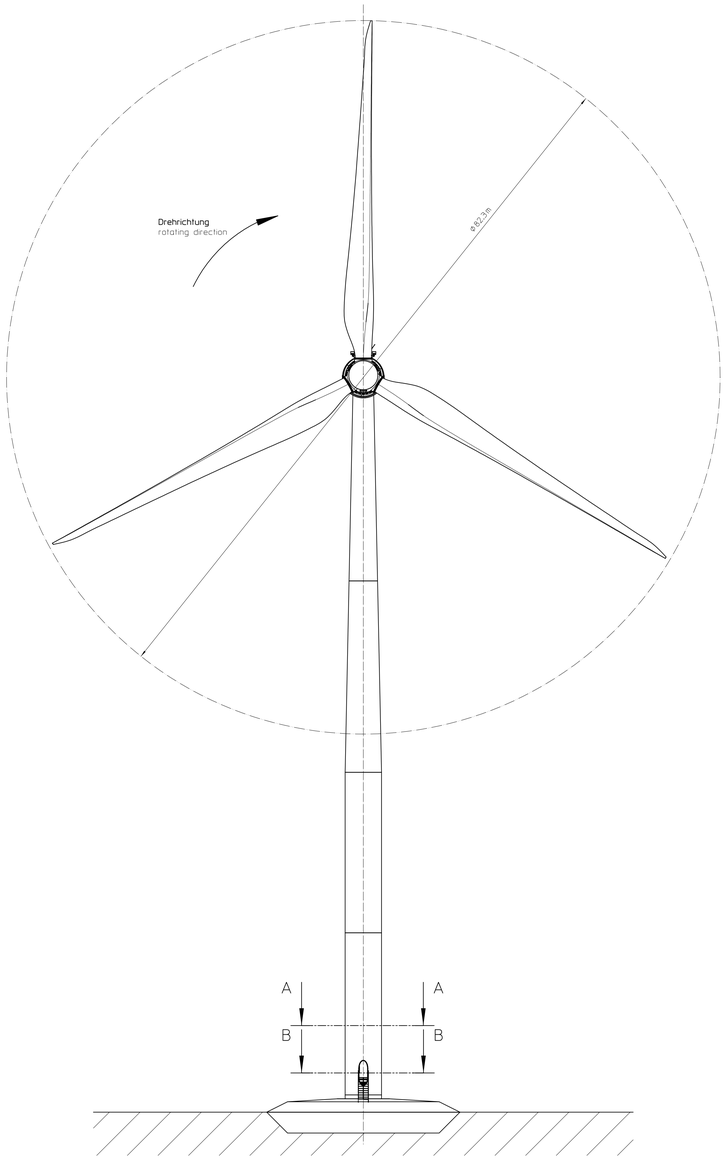

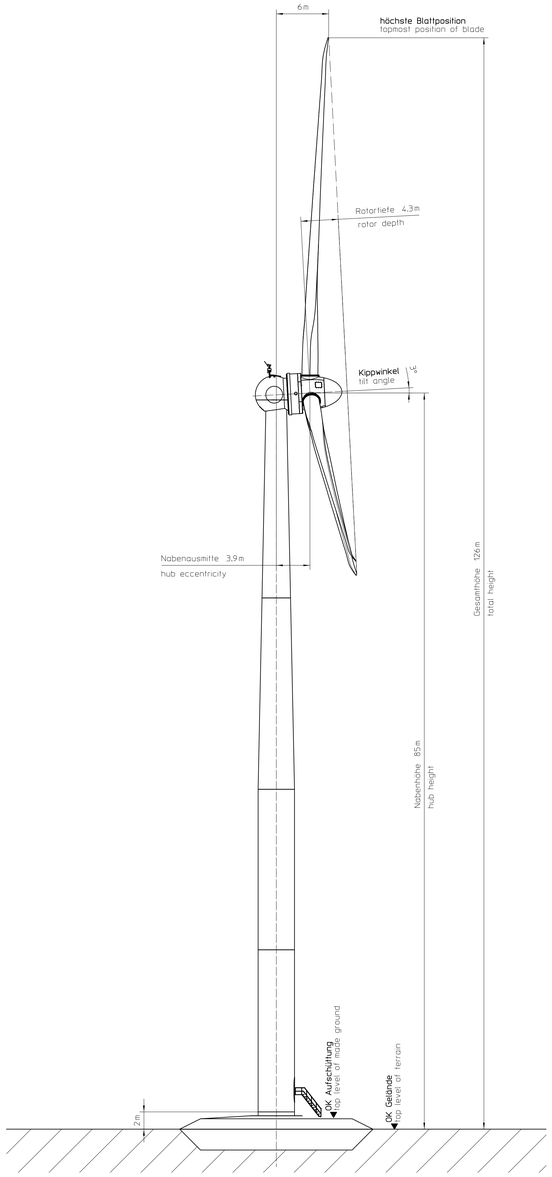

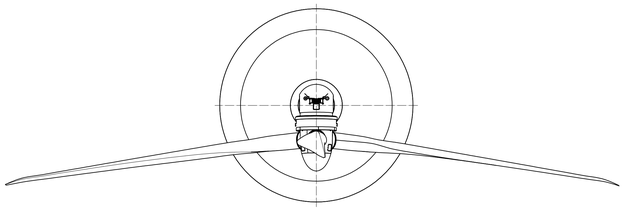

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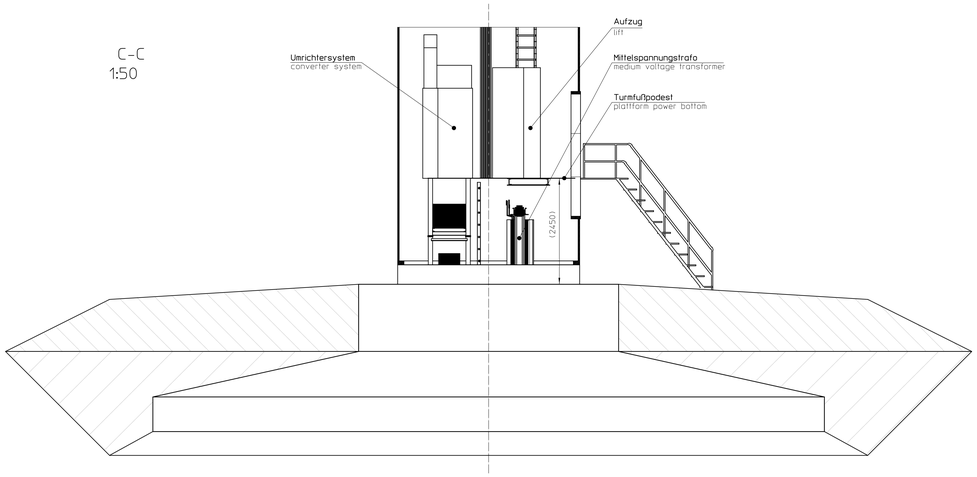

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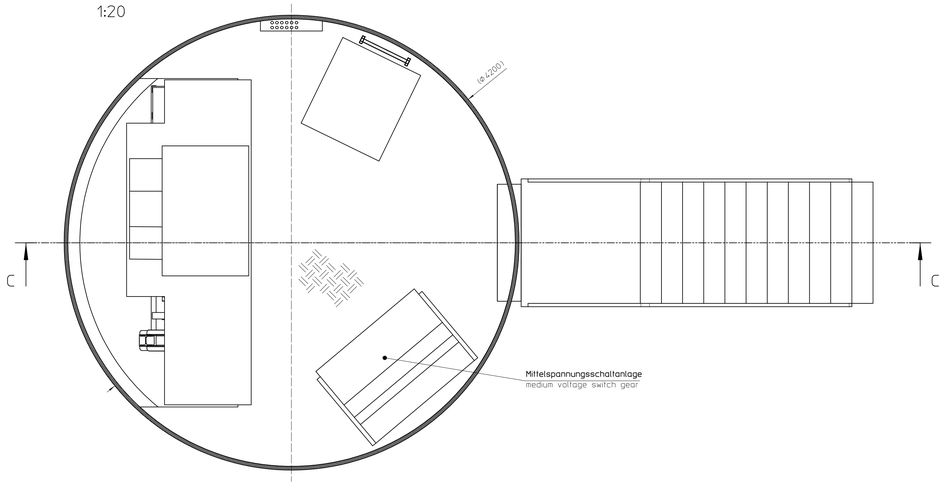

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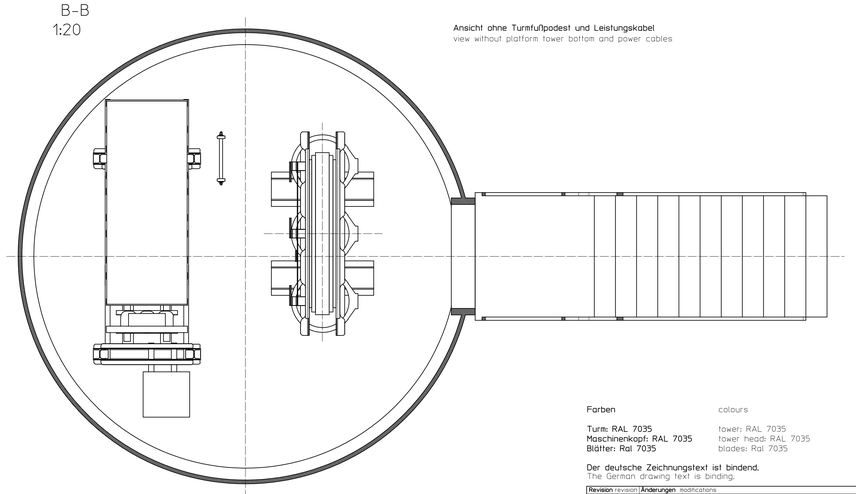

Ansicht ohne Turmfußpodest und Leistungskabel
view without platform tower bottom and power cables

Farben	colours
Turm: RAL 7035	tower: RAL 7035
Maschinenkopf: RAL 7035	tower heads: RAL 7035
Blätter: Ral 7035	blades: Ral 7035

Der deutsche Zeichnungstext ist bindend.
The German drawing text is binding.

Revision revision	Änderungen modifications
–	

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Allgemeintoleranzen general tolerances DIN ISO 2768 - mH DIN ISO 8015

	Datum date	Name name
gezeichnet drawn	02.02.16	T. Kirchen
geprüft checked	02.02.16	T. Kirchen
freigegeben released	05.02.16	C.Leven

Format format DIN A0

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Maßstab scale 1:250 (1:50 1:20)
Gewicht weight
Werkstoff material

Benennung description
Vensys 82 - NH 85m - IECIIIA - UK
Vensys 82 - hh 85m - IECIIIA - UK

Zeichnungsnummer drawing number 30.06.3609
Index index –
Blatt sheet 1
von 1

Development Control Committee B – 12 July 2017 **ITEM NO. 5**

WARD:	Windmill Hill	**CONTACT OFFICER:**	Nigel Butler
SITE ADDRESS:	3 Haverstock Road Bristol BS4 2DA		

APPLICATION NO:	17/02598/H	Full Planning (Householders)
DETERMINATION DEADLINE:	5 July 2017	

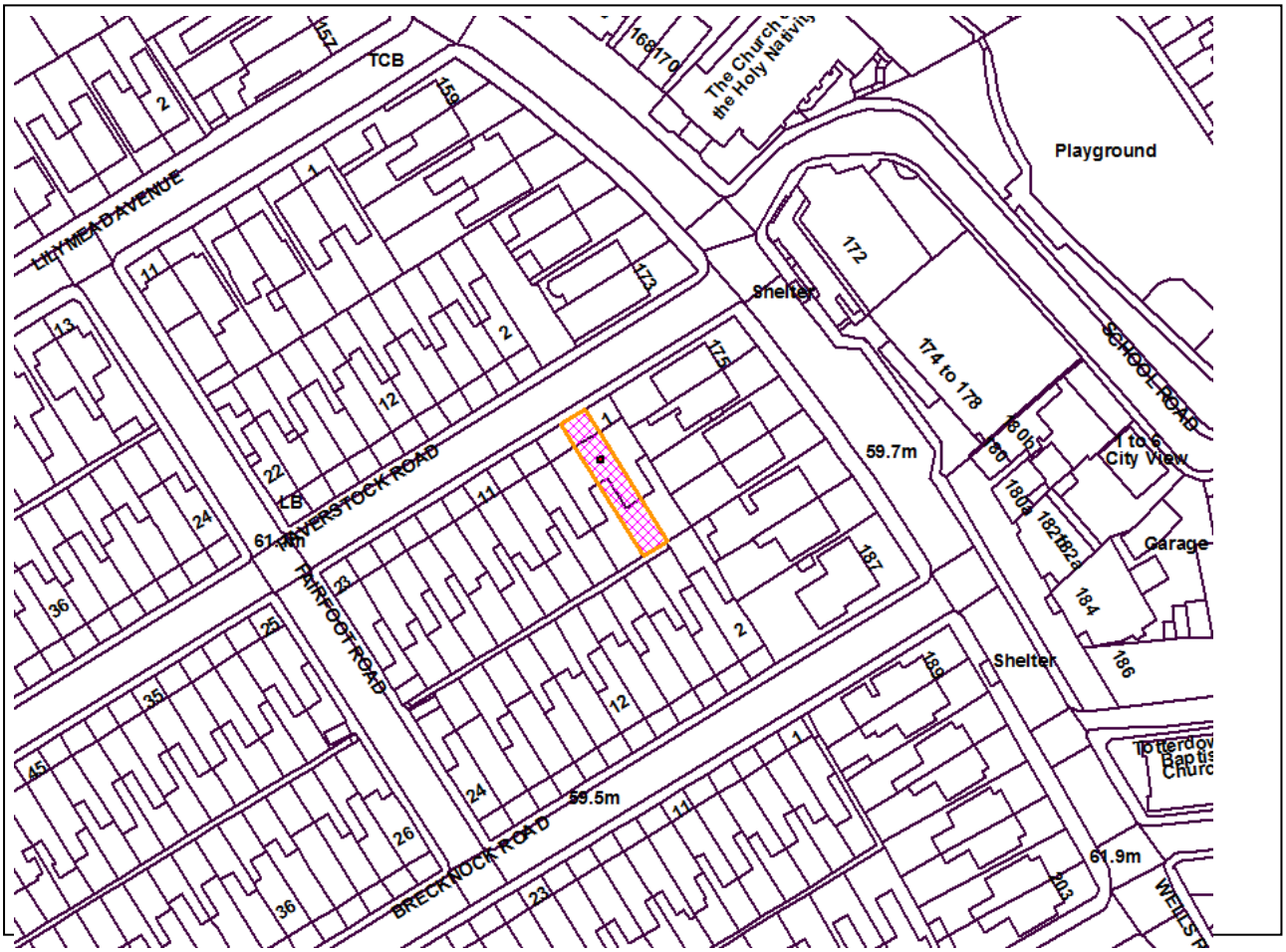
Retrospective application for rear 'dormer' roof extension.

RECOMMENDATION: Grant subject to Condition(s)

APPLICANT: Mr Richard Fear
3 Haverstock Road
Knowle
Bristol
BS4 2DA

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

LOCATION PLAN:



Development Control Committee B – 12 July 2017
Application No. 17/02598/H: 3 Haverstock Road Bristol BS4 2DA

SUMMARY

This application is being presented to committee for decision as the applicant is an employee of the City Council.

The recommendation set out in this report is to grant conditional planning permission to adapt and then retain the works to the roof (insertion of rear dormer).

The matter the subject of this current planning application has resulted from a planning enforcement investigation [16/30460/EXT refers] that commenced in August 2016 when the Council received reports of development to the roof, that case remains open pending the outcome of this current planning application.

Following contact from the planning enforcement team and discussions with the applicant, it was explained by the applicant that they believed the development constituted permitted development for which planning permission was not required.

On the realisation that the development required planning permission a planning application was submitted in September 2016, and this was refused under delegated authority, a subsequent appeal against this refusal was dismissed.

The matter was referred back to the planning enforcement team and following further discussions with the applicant this planning application was submitted for consideration.

SITE

3 Haverstock Road is a two storey terraced property located on the south western side of Haverstock Road. The application site is not located within a conservation area

RELEVANT HISTORY

16/02983/CP - Application for a lawful development certificate for a proposed roof alteration for a new dormer submitted on 26.5.2016 and withdrawn by the applicant prior to determination.

16/30460/EXT - Planning enforcement enquiry opened on 3.8.2016 when reports of works to roof received. This remains open.

16/04816/H - Retrospective planning application for dormer window in rear roof slope refused by delegated decision on 2.11.2016 for the following reason:-

"The constructed rear roof extension by virtue of its scale, siting, overall design and materials would add a discordant feature which is considered to have a detrimental impact on the host building and character and appearance of the surrounding area. This is contrary to Policy BCS21 of the Bristol Development Framework Core Strategy (June 2011); Policies DM26 and DM30 of the Bristol Local Plan - Site Allocations and Development Management Policies (July 2014), as well as guidance contained with Supplementary Planning Guidance Document 2: A Guide for Designing House Alterations and Extensions (October 2005) and the National Planning Policy Framework."

16/20094/REF - Appeal into refusal was dismissed on 30.12.16 with the Planning Inspector concluding at paragraphs 9 and 10 that;

9. As a result the extension harms both the character and appearance of the host dwelling and that of the surrounding area and is thus in conflict with policy BCS21 of the Bristol Development Framework Core Strategy (June 2011), which amongst other things seeks to deliver high quality design and development that contributes positively to an areas character and identity.

10. For the same reasons it would also be contrary to Policies DM26 and DM30 of the Bristol Local Plan - Site Allocations and Development Management Policies (July 2014), as well as guidance contained with Supplementary Planning Guidance Document 2: A Guide for Designing House Alterations and Extensions (October 2005) which collectively seek similar aims, including detailed expectations on extensions, which anticipate appropriate scale, proportions, materials and siting of such development. The design guidance also includes clear expectations on the form of roof extensions considered appropriate."

17/00091/CE Application for a lawful development certificate for an existing use or operation submitted on 6.1.17 but was not registered it was invalid it was withdrawn on 10.5.2017 and replaced by the planning application the subject of this report.

APPLICATION

This planning application proposes two adaptations to the existing dormer and then seeks permission retrospectively to retain the rear dormer.

The as built rear dormer is finished in horizontally laid timber cladding with a set of three glazed bi fold doors and a Juliet balcony and a further window. The rear dormer was not permitted development given it is not set back from the eaves by 20cm and the materials do not match the existing dwellinghouse.

The two adaptations proposed are to render and then paint the external faces of the dormer to resemble the main elevations of the dwelling and to construct a projecting eaves detail.

RESPONSE TO PUBLICITY AND CONSULTATION

The application was advertised by 42 neighbour notification letters and a site notice was posted near the site, the statutory consultation period ended on 21 June 2017.

2 representations have been received which each object to the application they set out the following points:-

1. We are sorry. We appreciate that all the to-ing and fro-ing over this matter must be making the residents 3 Haverstock Road anxious. Nonetheless as the owners of a Brecknock Road home in direct line of sight of the extension, we feel obliged to object as strongly to the new application as we did to the previous one, and ask again that it is refused. Our main grounds for this are:

- The proposed alterations fall a long way short of answering the criticisms made by the Planning Inspector when he dismissed the applicant's appeal against BCC's refusal of an earlier application for retrospective planning permission.
- A paint job and the addition of tiles to the eaves will not alter the building overall from being what the Inspector described as a "strident and bulky structure... in awkward and discordant contrast with the rear roof pitches of the adjacent terraced dwellings", nor will either reduce the distance by which the rear elevation already protrudes beyond the minimum required by planning regulations.
- From the scant visuals provided, it is impossible for us to judge whether the proposed covering of the cedar cladding with white paint will reduce what the Inspector calls a 'sense of alien

otherness". However, our feeling is that replacing one "challenging contrast with the more subtle palette" of the surroundings properties with a different at-odds colour (white) will simply result in an equally out-of-character and eye-catching interruption to the broader roof-scape.

- The applicant has ignored the Inspector's suggestion that the sense of overlooking created for Brecknock Road properties could be reduced by changing the screening of the triple width glazed doors and glazed Juliette balcony. Even with screening to reduce the glazed areas and white paint on the cedar, the extension will still stand out from its surroundings because of the black frames surrounding the triple doors/window - a colour not found at the same height on any other roof or 'dormer' within the rear field of vision.
- Allowing this application will set a risky precedent and potentially lead to similar flouting of the regulations and design guidelines, so causing more "harm to both the character and appearance of the host dwelling and that of the surrounding area".
- We'd voice this last worry, regardless of the applicant's employment status. House prices and housing shortages are encouraging more and more local home owners to undertake or consider attic conversions and we feel the regulations need enforcing to avoid the nature of this locality being changed in an unplanned way and without regard to the impact of, say, many extra bathrooms, or increased occupancy, on local services. But our sense of concern is heightened because the applicant works for BCC. If your own employees cannot be persuaded to observe BCC's planning regulations/guidelines, why should anyone?

2. Before I make any comments about the second retrospective application I would like to point out some omissions on the form;

1: Para 6 Pre-application advice was requested and given by Mr Butler However the Reference, Date and Details of the Pre-application advice have been omitted, is it possible for these omissions to be rectified?

2: Para 11 The description of the existing materials and finish of the eaves has been omitted, can this be rectified?

Only two things have been changed from the original retrospective application 16/04816/H viz the descriptor and the change of external materials.

My reasons for objection are:

- The size, siting and design of the "dormer roof" is out of keeping with the house and the surrounding houses. This creates a negative effect on the character and look of the surrounding area, this is extremely substantial and incongruous.
- The extension is a full attic storey and the rear roof pitch has been lost The extension does not meet the requirement of Class B of the Town and Country Planning 2015 as it is not set back within the plain roof pitch.
- There has been no change as regards the rear elevation apart from adaptations to materials used on the exterior, despite modifications the visual amenity of the surrounding properties is still compromised.
- To those in direct sight of the extension there is a big loss of residential amenity.
- The Application contravenes the following Planning Regs; BCMS21 JUNE 2011 BDF CORE STRATEGY, POLICIES DM26 AND DM30 JULY 2014 BRISTOL LOCAL PLAN, THE GUIDANCE DOCUMENT OCTOBER 2005 SPD2 WHICH OUTLINES A GUIDE FOR THE DESIGN OF ALTERATIONS AND EXTENSIONS AND THE NATIONAL PLANNING POLICY FRAMEWORK.

One letter supporting the as built scheme has been submitted as follows:- We live nearby on the same street and have a view of the dormer from our back garden. We were shocked to hear that it may have to be removed or changed, having read about it in the newspapers. It is a very attractive finish and the cladding looks good (It is also weathering as time goes by and has more of an

aesthetically appealing finish - there is a similar wooden-clad extension on the back of a property on Brecknock Road), we don't mind it at all and have no objections at all to it remaining as it is. It is much nicer and preferable to the two huge dormers with massive windows that have just gone up on two neighbouring properties opposite on Brecknock Road). It increases the quality and value of the house and therefore benefits the whole neighbourhood. Furthermore, it is worrying that the work might need to be done on it again with the hassle, noise and expense, let alone the environmental considerations of un-necessary building work.

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 (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2015 and Lawrence Weston Neighbourhood Development Plan 2017.

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

KEY ISSUE

(A) WOULD THE PROPOSED ALTERATIONS IMPROVE THE APPEARANCE OF THE DORMER SO FOR IT TO BE ACCEPTBALE IN PLANNING TERMS WHEN COMPARED TO WHAT COULD BE INSTALLED UTILISING PERMITTED DEVELOPMENT PROVISIONS?

Government conveys wide ranging rights to property owners to extend and alter their properties without the need to obtain planning permission.

These are called permitted development rights, for works to a roof the relevant provisions are set out in statutory instrument called The Town and Country Planning (General Permitted Development) (England) Order 2015, specifically Class B Part 1, Schedule 2 - additions to the roof of a dwellinghouse.

This sets out that it is permitted development for the enlargement of a dwellinghouse consisting of an addition or alteration to its roof unless;

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

(b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

(c) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

(d) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than;
(i) 40 cubic metres in the case of a terrace house, or
(ii) 50 cubic metres in any other case;

(e) it would consist of or include—
(i) the construction or provision of a veranda, balcony or raised platform, or
(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

(f) the dwellinghouse is on article 2(3) land.

The following conditions must also be met;

(a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

(b) the enlargement must be constructed so that;
(i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension;

(aa) the eaves of the original roof are maintained or reinstated; and
(bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and

(ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and

(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be;
(i) obscure-glazed, and
(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

The dormer as built does not satisfy all of these criteria, there is no set back up the roof plane and the materials do not match the main dwelling. As such planning permission was required and the previous application needed to be tested against policy BCS21 of the Core Strategy (2011) which states that new development should deliver high quality urban design, and policy DM26 which states that development should respond appropriately to the height, scale, massing, shape, form and proportion of existing buildings. This policy also states that development proposals should reflect the predominant materials in the area. The application was also tested against the City Council's Supplementary Planning Document 2 (SPD2) which states that; "There are many examples of inappropriate dormer window extensions that due to being too large in relation to the roof-slope have a poor relationship to the original roof form. Too many dormer windows in a roof slope may also be harmful. Large, box-like dormers are inappropriate for the majority of domestic properties. To achieve a good design it is necessary to pay particular attention to the size and form of the roof, and the arrangement and proportion of existing windows. Traditional dormer windows obey recognised design rules of scale, proportions and window hierarchy. They are also subservient to the main roof by being set comfortably within the slope of the roof."

Following the refusal of the planning application due to conflict having been found with these policies, an appeal was also unsuccessful with a Planning Inspector agreeing with the planning authority that the dormer was harmful.

The judgement that needs to be made in determining this application is whether or not the changes improve the appearance of the dormer so as to make it acceptable when tested against the above policies.

A key consideration here is what could be installed (or how the dormer could be adapted) so as to make it permitted development and thus take it out of planning control.

The rendering and painting of the dormer would meet one of the criteria of permitted development in terms of matching materials. If the front face of the dormer were to be re-positioned 20cm up the roof slope from the eaves then the dormer would be permitted development and planning permission

would not be required.

The applicant has elected to propose installing a "false eaves detail" which introduces an eaves detail so the dormer appears to site within the roofslope.

These two changes make marked improvements to the dormer.

The dormer as adapted closely resembles a dormer which could be installed without the need for planning permission which is a recognised fallback position that must be given weight and is material to the assessment of this application.

CONCLUSION

The proposed alterations do mean that the dormer would read as a more subservient addition to the roof than the current form, moreover, due to the proposed installation of the new eaves detail, it very closely resembles in overall form that which could be built without planning permission.

The purpose of permitted development is to take out of planning control extensions and alterations to dwellings which the government considers should not be harmful in planning terms.

The proposal the subject of this application is an improvement on the existing situation and represents a form of development that Government in general terms finds to be acceptable. As such the same conflict with planning policy identified with the refused application cannot be found here and the application is recommended for approval.

COMMUNITY INFRASTRUCTURE LEVY

How much Community Infrastructure Levy (CIL) will this development be required to pay?

Development of less than 100 square metres of new build that does not result in the creation of a new dwelling; development of buildings that people do not normally go into, and conversions of buildings in lawful use, are exempt from CIL. This application falls into one of these categories and therefore no CIL is payable.

RECOMMENDED GRANT subject to condition(s)

1. The adaptations to the dormer as shown on the approved plans shall be completed with 60 days of the date of this permission.

   Reason: To make the dormer acceptable in planning terms.

2. List of approved plans and drawings

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

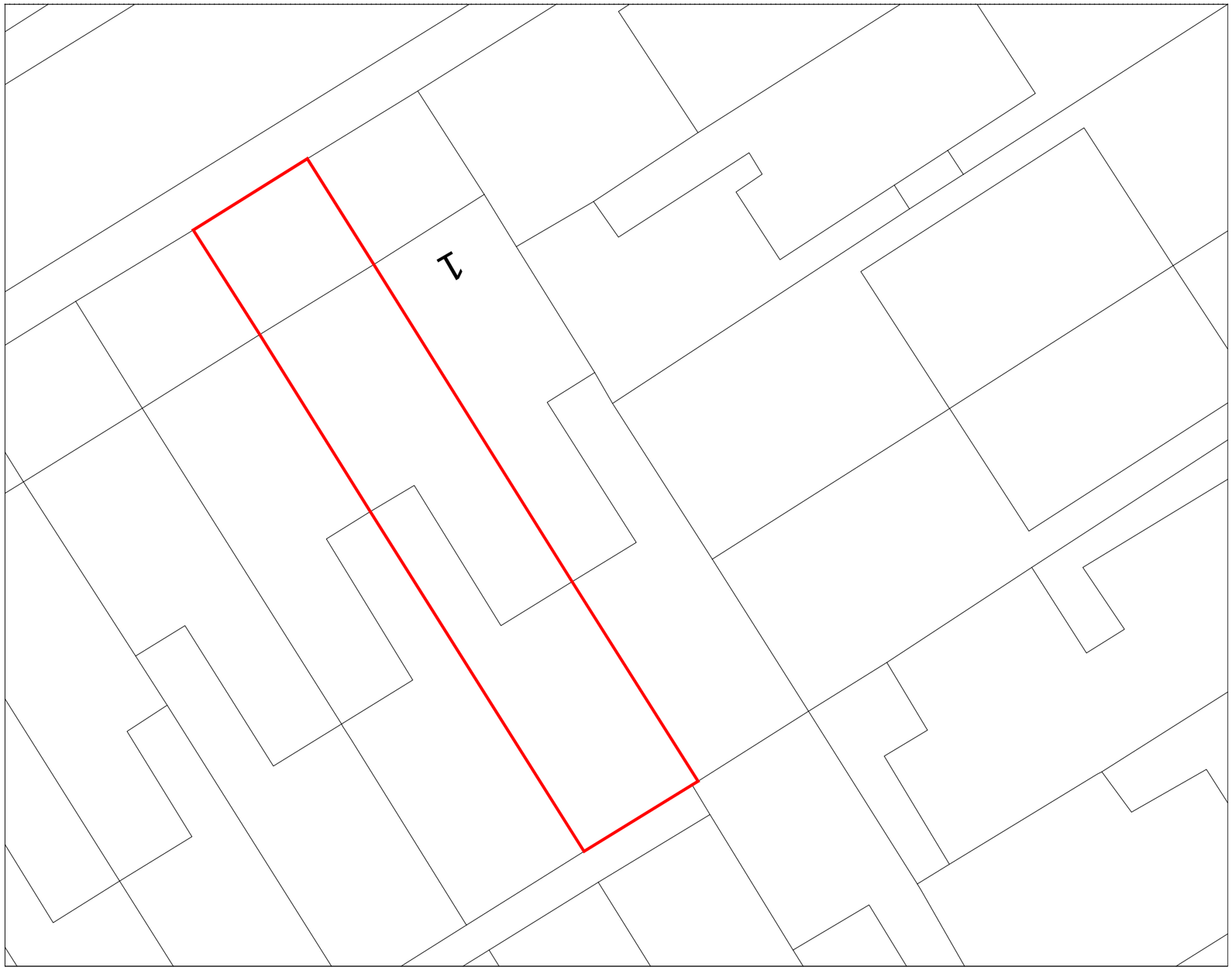
   001 Location and block plan, received 10 May 2017
   002 Rear elevations, received 10 May 2017
   003 Section and side elevation to dormer as proposed, received 10 May 2017

   Reason: For the avoidance of doubt.

Supporting Documents

5. 3 Haverstock Road

1. Site location plan



Block Plan 1:200

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Location Plan 1:1250

Rev:	-	Date	Description	Revised

dz architecture
27 Trenchard Street Bristol BS1 5AN

t: 07967 726 477
e: info@dzarchitecture.com

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Project Name:
3 Haverstock Road

Drawing Title:
Location and Block Plan

Project No:	Drawing No:			Revision:
492P	001			-
Drawing Status:	Date:	Scale:	Drawn:	Reviewed:
PLANNING	May 17	1:200@A3 1:1250@A3	sd	sd