

Development Control B Committee Agenda



Date: Wednesday, 14 March 2018

Time: 2.00 pm

Venue: Council Chamber, City Hall, College Green,
BRISTOL, BS1 5TR

Distribution:

Councillors: Martin Fodor (Chair), Richard Eddy (Vice-Chair), Donald Alexander, Harriet Bradley, Fabian Breckels, Harriet Clough, Mike Davies, Carla Denyer, Olly Mead, Kevin Quartley and Afzal Shah

Copies to: Zoe Willcox (Service Director - Planning), Gary Collins, Jonathan Dymond, Kate Cottrell, Susannah Pettit, Alison Straw, Tom Watson, Lewis Cook, Laurence Fallon, Jon Fellingham, Rachael Dando, Steve Gregory (Democratic Services Officer), Allison Taylor (Democratic Services Officer), David Fowler (Members' Office Manager (Conservative)), Stephen Fulham, Zarah Jama and Paul Shanks

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Date: Tuesday, 6 March 2018



Agenda

1. Welcome, Introduction and Safety Information

2.00 pm

(Pages 4 - 5)

2. Apologies for Absence

3. Declarations of Interest

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

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

4. Minutes of the previous meeting

2.00 pm

To agree the minutes of the last meeting held on Wednesday 31st January 2018 as a correct record.

(Pages 6 - 12)

5. Appeals

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

(Pages 13 - 21)

6. Enforcement

To note enforcement notices.

(Pages 22 - 25)

7. 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 Thursday 8th March 2018.**

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 Noon on Tuesday 13th March 2018.**

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

8. Planning and Development

To consider the following applications for Development Control Committee B - **(Pages 26 - 27)**

- a) 17/04490/X - Bristol Waste Recycling Facility, Albert Road (Pages 28 - 109)**
- b) 17/02413/F - Old BRI, Marlborough Street (Pages 110 - 164)**
- c) 17/05145/F - Woodlands, Church Road, Sneyd Park (Pages 165 - 188)**
- d) 16/06828/P & 16/06842/LA - Land At Temple Circus, Bristol (Pages 189 - 233)**

9. Date of Next Meeting

The next meeting is scheduled for 6pm on Wednesday 25th April 2018.



Public Information Sheet

Inspection of Papers - Local Government
(Access to Information) Act 1985

You can find papers for all our meetings on our website at www.bristol.gov.uk.

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

Other formats and languages and assistance
For those with hearing impairment

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

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

Public Forum

Members of the public may make a written statement ask a question or present a petition to most meetings. Your statement or question will be sent to the Committee and be available in the meeting room one hour before the meeting. Please submit it to democratic.services@bristol.gov.uk or Democratic Services Section, City Hall, College Green, Bristol BS1 5UY. The following requirements apply:

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

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

By participating in public forum business, we will assume that you have consented to your name and the details of your submission being recorded and circulated to the committee. This information will also be made available at the meeting to which it relates and placed in the official minute book as a public record (available from Democratic Services).

We will try to remove personal information such as contact details. However, because of time constraints we cannot guarantee this, and you may therefore wish to consider if your statement

contains information that you would prefer not to be in the public domain. Public Forum statements will not be posted on the council's website. Other committee papers may be placed on the council's website and information in them may be searchable on the internet.

Process during the meeting:

- Public Forum is normally one of the first items on the agenda, although statements and petitions that relate to specific items on the agenda may be taken just before the item concerned.
- There will be no debate on statements or petitions.
- The Chair will call each submission in turn. When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- Your time allocation may have to be strictly limited if there are a lot of submissions. **This may be as short as one minute.**
- If there are a large number of submissions on one matter a representative may be requested to speak on the groups behalf.
- If you do not attend or speak at the meeting at which your public forum submission is being taken your statement will be noted by Members.

Webcasting/ Recording of meetings

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



Bristol City Council Minutes of the Development Control B Committee

31 January 2018 at 6.00 pm



Members Present:-

Councillors: Martin Fodor (Chair), Richard Eddy (Vice-Chair), Donald Alexander, Harriet Bradley, Fabian Breckels, Harriet Clough, Mike Davies, Carla Denyer and Olly Mead

Officers in Attendance:-

Gary Collins and Claudette Campbell (Democratic Services Officer)

1. Welcome, Introduction and Safety Information

The Chair, Cllr Martin Fodor, welcomed those present and outlined how the committee would proceed for the benefit of the public.

2. Apologies for Absence

Apologies were received from Cllr K Quarterly and Cllr A Shah.

3. Declarations of Interest

None

4. Minutes of the previous meeting

Resolved – that the minutes of the meeting held on the 20th December 2017 be confirmed as a correct record and signed by the Chair subject to the following amendments:

- i. Members reviewed the notes in respect of the Former Central Ambulance Station Marybush Lane, Bristol 17/04267/F at section 9 as to whether they were a correct reflection of the discussion and the resolution. It was agreed after a comprehensive discussion to insert 'access to some of' in paragraph (k), last line of the last sentence, after the word and, so that it read;



- a. Officers were able to confirm that a condition could be imposed requiring the applicants to submit information regarding access to membership of the gym facilities and access to **some of** the other communal facilities for all residents.

5. Appeals

The committee considered a report of the Service Director – Planning, noting appeals lodged, imminent public inquiries and appeals waiting decision.

The Following was highlighted:-

- a. Old Bristol Royal Infirmary Building Marlborough Street – Officers were pleased to report that a request had been made for an award of cost against the developers for their unreasonable behaviour in the way they had handled the appeal. The developer withdrew their original appeal after lodging a revised second appeal. This had put the council to considerable expense and this view was supported by the Inspectorate with an award of cost, this directs them to pay the council's cost from the 25th March 2017. The sum to be paid is to cover all legal fees including those relating to the use of consultants and Barristers.

6. Enforcement

An update was provided on the notice issued against 3 Haverstock Road.

7. Public forum

Statements

Members of the Committee received public forum statements in advance of the meeting.

The Statements were heard before the application they related to and were taken fully into consideration by the Committee prior to reaching a decision. (A copy of the public forum statements are held on public record in the minute book)

8. Planning and Development

9. 17/00799/F The Glen Hospital

The representative of the Service Director – Planning made the following points by way of introduction:-

- a. There was an incorrect reference to refusing the application in the Equalities section of the report. This was an error as the application was being recommended for approval.



- b. The application is for the construction of a 3 tier (four storey) decked car parking in place of existing open air surface car park, with associated landscaping works within The Glen Hospital Complex. To provide; 263 car parking spaces; 14 disabled parking spaces; 4 electric car spaces; 68 cycle parking spaces.
- c. The construction would not be visible from street level because it will take place in the Quarry. The roof would be level with the street level, and over looked by Victoria Court.
- d. Committee were provided with a CGI imagine showing the street view, looking into the Quarry following construction, together with location & design plans.
- e. Noise Disturbance: this was considered as the application came supplied with an acoustic report. All authorities were satisfied that with the majority of parking on the lower level; parking spaces on the top level limited to 36 spaces; the possible limited use at night; that the change in noise levels will be insignificant.
- f. Air Quality: There would be an increase to cars coming on site because they will no longer be parking in the surrounding areas. An Air Quality assessment concluded that the air quality impact of the development will be negligible.
- g. The trees being removed will be replaced by 27 new ones.
- h. Committee were requested to approve the application with agreed conditions.

Councillor's points of clarification

- i. Explanation was sought on the term 'Brown Roof'; this represents a living roof; using locally sourced material to support wild life; extends to the use of other materials such as sand and rubble being used in establishing the roof area.
- j. Clarification on the Travel Plan was given. This had been conditioned. The applicants are unable to use the building until the travel plan is approved. The plan was centred on staff travel arrangements and not on service users, hospital patients travel arrangements.
- k. The CIL calculation of nil was queried. The committee members were informed that the levels of CIL applicable to all developments were set out in policy with a car park development given a nil rating.
- l. The developers had reduced the number of parking spaces from that proposed but were not given any direction as to how to redesign the spaces. This has resulted in larger parking bays. Members commented that larger bays would facilitate patients with disabling conditions get into and out of their cars.

Councillor's comments and observations

- m. Cllr Mead was in favour of the application. The applicant, the hospital, provided services to many who were driven to the hospital by a relative and taken home again following treatment therefore the application for parking should be viewed in favourable terms. The additional parking would reduce the numbers of patients cars parked in the surrounding area.
- n. Cllr Davies noted that the great strides made by the City in reducing car usage but this application was different as it relates to hospital parking. The proposal addresses issues currently being experienced by local residents and patients. Acknowledged the efforts made by the applicant to address a number of issues. Minded to support.
- o. Cllr Eddy reminded all of his time in hospital that has shaped his view on hospital service provision. The local RPZ had impacted both patients and staff. Travelling to the hospital by bus for many required taking 2 buses and when arrival was time critical often bus services were not always reliable. Minded to support.



- p. Cllr Breckels viewed hospital provision different from a shopping centre and this development was a sensible approach to mitigate issues and therefore minded to support.
- q. Cllr Breckels proposed a vote to approve and Cllr Eddy seconded.

Resolved - unanimous vote (9 for) that planning permission be granted subject to conditions as set out in the report.

10 17/05185/F & 1705186/LA Mortimer House

The representative of the Service Director – Planning made the following points by way of introduction:-

- a. The application relates to a three-storey, Grade II* Listed Building known as Mortimer House, in Clifton. The applicant seeks to reinstate the curtilage to the front of Mortimer House to the original eighteenth century landscape layout and provide 10 car parking spaces to the rear of the listed building with associated landscaping.
- b. Committee were shown the plans for the 2016 scheme that was approved. The plan detailed the parking in the front. The application approved 6 parking spaces. An image of the property from 1828 was shown together with the wall to Mortimer Road.
- c. No objections to the application were received from Historic England or the Conservation Officer. The public benefit of returning the curtilage to the front of Mortimer House was viewed favourable.
- d. Transport Development Management had no objection to the scheme as there would be no significant increase in traffic resulting from the proposals.
- e. The applications for planning permission and listed building consent are both recommended for approval subject to conditions.

Councillor's point of clarification

- f. Clarity was provided on the current layout of the site. Renovations are underway with contractors parking on site to the front of the building. The permissions granted in the 2016 application allows for parking in the front and that application had not yet expired.
- g. Public forum submission alleged that assurances were given that the rear garden would remain intact but this was not conditioned in the 2016 application.
- h. The restoration of the front garden would have a beneficial visual impact but the design appeared to allow for vehicles to enter the site and this was queried. To prevent this, condition 7 had been included to provide for 'protection of parking and servicing provision'.
- i. Concerns had been raised in respect of the residents access to the pump on site and the issues surrounding the wicker fence boundary.
 - The application provides for improved access to the pump, committee were referred to the plans.
 - The boundary to the properties at the rear, would be screened off by a low level wooden fence and addition planting to provide screening for residents.
- j. The applicants intend to use the renovated building as office space and as a training centre. Planning policy commonly allowed for similar developments to be permitted 18 car parking spaces.



Councillor's comment

- k. Cllr Davies, was minded to approve as he viewed the return of the building to the historical setting would be beneficial and this would require parking to be moved to the rear of the building so cars would not spoil the view.
- l. Cllr Mead, was unable to support this view. The building was historic in nature whether it was viewed from the front and/or rear; considered that it was situated in an area well served by public transport; the loss of a mature garden would also be a loss of amenity; minded to vote against approval.
- m. Cllr Eddy, viewed the proposed changes to the front and rear as an enhancement to the gardens and would add to the historic setting; considered public transport for those attending training and/or staff members not always adequate. Minded to support approval.
- n. Cllr Denyer, inclined to vote against. Took the view that the existing permission provided 6 parking spaces at the front of the building and that design did not negate the impact of the historic building. The garden in its existing condition was not a reason to move parking spaces to the rear as the rear garden can be restored to the benefit of existing neighbours.
- o. Cllr Breckels, would vote against. The permission granted in 2016 provided for landscaping to the front to accommodate parking for 6 vehicles which was adequate; balanced with good public transport between local train stations to the development; there were benefits to keeping the rear garden as a break-out space; improvement in the garden amenity was worth exploiting.
- p. Cllr Clough, was minded to approve. Considered improvement to the car parking spaces accessibility a benefit to those with mobility issues.
- q. Cllr Denyer in answer to her question on what construction material was provided for in the 2016 permission for the frontage was advised that it allowed for a combination of paving and loose gravel.
- r. Cllr Eddy proposed approval and Cllr Davies seconded.

The resulting vote was 4 in favour of the motion and 5 against, so the motion was lost.

Cllr Mead then proposed refusal on the grounds that the site was in a sustainable location well served by public transport, that the proposal would have a harmful impact on the character and appearance of the listed building and the conservation area, this was seconded

Resolved: (4 votes for approval and 5 against approval) that planning permission be refused for the following reason;

- The development is in a sustainable transport location well served by public transport and the proposal would have a harmful impact on the character and appearance of the listed building and the conservation area.

11 17/04057/F 171 - 178 Coronation Road

The representative of the Service Director – Planning made the following points by way of introduction:-



- a. The application was for the conversion of the ground floor office space at 171-178 Coronation Road from B1 office use to A1 retail. The applicant advised that the Co-op had expressed interest in occupying the unit.
- b. The proposal had generated a number of objections from local residents and those living in the upper floors of the building based on the possibility of noise and disturbance from the operation of a retail outlet and those relating to traffic on the highway.
- c. The applicant had explored the possibility of occupation of the unit by a B1 office occupier but the lack of parking had resulted in little interest.
- d. Negotiations had taken place and conditions proposed to accommodate the change of use and concerns arising from the use of the unit for retail. Conditions included a Delivery Management Plan to cover delivery and loading time. Adjustments to the highway was also included to accommodate delivery vehicles.
- e. Approval is recommended subject to conditions and the completion of a legal agreement for the Traffic Regulation Order.

Councillor's points of clarification

- f. Cllr Eddy requested and was advised that the application was within marketing guidelines permitting an application for change of use after 6 months,
- g. Cllr Davies sought clarity on the loading times amendment. The proposal was for 2 x 3hr slots for loading between 7am and 8pm. The loading bay would be kept clear for this purpose during that time period.
- h. Chair enquired about use of loading trolleys and clarification on conditions. Condition 14 had a number of modifications detailed on the amendment sheet including limited use of trolleys Monday to Saturday not between 7-8am and on a Sunday not between 7-10am.
- i. The loading bay outside the unit would be available for parking from 8pm.
- j. Cllr Mead asked what mitigation would be employed to manage cars being parked irresponsibly impacting this main artery road into and out of Bristol. Officers confirmed that there were pre-existing parking controls in place to manage the highway which were enforceable.
- k. Cllr Denyer explained her concerns with the actions of the developer and sought clarity on the impact of the loading bay on both the residents and an already congested highway.
 - The application was concerned with a floor space that was below the threshold that would push it to major development requiring specific actions.
 - The loading bay outside the loading time(as above) is accessible for parking therefore would keep cars off the highway. The existing traffic regulation orders that manage Coronation Road remain in force.
 - Any complaints about a breach of the Delivery Management Plan conditions would result in an investigation and situation could be monitored through the issuing of a planning contravention notice. The notice is a request for information; would give rise to monitoring of the situation; with the possibility of prosecution on failure to provide accurate information.

Councillor's comments

- l. Cllr Breckels viewed the space and design as one for retail because of the large area at the front given over for window space. Concerned that if refused, on appeal it would be granted. The conditions imposed would go some way to mitigate the issues raised by public forum.



- m. Cllr Mead acknowledged the efforts made by the retail industry to adhere to delivery management plans and that conditions had been imposed to mitigate issues so it would be difficult to vote against.
- n. Cllr Eddy considered the negative impact on the highway and local residents and was minded to vote against.
- o. Cllr Davies shared that he had been employed in the retail trade and was aware that goods deemed to have a short shelf life were delivered before 6am; that most customers would walk to the store; that the new store would result in employment for local residents.
- p. Chair enquired about the options of discussing additional conditions with the retailer to reduce delivery times and better manage impact during rush hour.
 - The amendment sheet combined condition no.4&12 in respect delivery and an option to add to the delivery plan restrictions to delivery during peak rush hour period.

Resolved – (7 for, 2 against) that planning permission be granted subject to the conditions set out in the amendment sheet and;

- i. An amendment to Conditions 4 & 12 that are combined, the delivery management plan to direct that deliveries to the unit should avoid peak rush hour period.

Meeting ended at 8.45 pm

CHAIR _____



DEVELOPMENT CONTROL COMMITTEE B

14th March 2018

REPORT OF THE SERVICE DIRECTOR - PLANNING

LIST OF CURRENT APPEALS

Householder appeal

Item	Ward	Address, description and appeal type	Date lodged
1	Frome Vale	49 Manor Road Fishponds Bristol BS16 2HX Second storey side & rear extensions over existing single storey. Appeal against refusal Delegated decision	16/01/2018
2	Westbury-on-Trym & Henleaze	8 Newcombe Road Bristol BS9 3QS Erection of a double storey, side and a single storey, rear extension after part demolition of the garage. Appeal against refusal Delegated decision	16/01/2018
3	Henbury & Brentry	161 Knole Lane Bristol BS10 6JP Two storey side extension and part single storey side and rear extension. Appeal against refusal Delegated decision	13/02/2018
4	Eastville	208A Rose Green Road Bristol BS5 7UP Erection of rear and side extension. Appeal against refusal Delegated decision	27/02/2018

Public inquiry

Item	Ward	Address, description and appeal type	Date of inquiry
5	Central	<p>Old Bristol Royal Infirmary Building Marlborough Street (South Side) City Centre Bristol BS1 3NU</p> <p>Demolition of the existing buildings and redevelopment of the site to provide a part 7, 8 and 9 storey building fronting Marlborough Street, comprising 715 student bedspaces; communal areas and central courtyard; and erection of part 4, 5 and 6 storey building to the rear to accommodate a mix of uses, including office floorspace (Use Class B1) and/or medical school (Use Class D1) equating to 6,860sqm and a small commercial unit; associated access road, landscaping, public realm improvements, undercroft car parking and cycle parking. (MAJOR).</p> <p>Appeal against non-determination Committee</p>	TBA

Written representation

Item	Ward	Address, description and appeal type	Date lodged
6	Hartcliffe & Withywood	<p>85 Fair Furlong Bristol BS13 9HY</p> <p>Proposed new dwelling on the land at the rear of 85 Fair Furlong</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	29/09/2017
7	Bishopston & Ashley Down	<p>29 Church Road Horfield Bristol BS7 8SA</p> <p>Erection of a single storey, rear extension and a rear roof extension.</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	26/10/2017
8	Ashley	<p>10 Williamson Road Bristol BS7 9BH</p> <p>Enforcement notice appeal for excavation and engineering works at the front of the property to form an off street parking area.</p> <p>Appeal against an enforcement notice</p>	28/11/2017
9	Frome Vale	<p>1 Eaton Close Fishponds Bristol BS16 3XL</p> <p>Enforcement notice appeal for the change of use of the property and its occupation as an 8 bedroom House in Multiple Occupation.</p> <p>Appeal against an enforcement notice</p>	04/12/2017

10	Redland	13 Purton Road Bristol BS7 8DB Excavation and construction of structure to create a Car Port accessed from Elton Lane. Appeal against refusal Delegated decision	14/12/2017
11	Southmead	Southmead Convenience Store 327 Southmead Road Bristol BS10 5LW Retention of an ATM installed through the shop front, two user protection bollards and alteration to existing security shutter to allow access to the ATM. Appeal against refusal Delegated decision	14/12/2017
12	Southmead	Southmead Convenience Store 327 Southmead Road Bristol BS10 5LW Illuminated polycarbonate black and green surround signage with illuminated white lettering "cash withdrawals and free balance enquiries" and "cash zone" Halo illumination to polycarbonate surround. Illuminated signage to ATM fascia. Green acrylic sign with white lettering "cashzone" and accepted card logos. Appeal against refusal Delegated decision	14/12/2017
13	Central	Outside 5-7 Bridewell Street Bristol Application for prior notification of proposed development by telecommunications code system operators - Telephone Kiosk - replacement of existing kiosk with new design. Appeal against refusal Delegated decision	14/12/2017
14	Hillfields	1A Fitzroy Road Bristol BS16 3LZ Single storey extension to rear of ground floor flat. Appeal against refusal Delegated decision	14/12/2017
15	Avonmouth & Lawrence Weston	163 Long Cross Bristol BS11 0LZ Demolition of existing outbuildings (garage and store) and erection of 1 no. dwelling. Appeal against refusal Delegated decision	19/12/2017
16	Eastville	60 Thingwall Park Bristol BS16 2AE Demolition of existing garage, conservatory and flat roof extension to side elevation. Conversion of existing dwelling into 5 x 1-bedroom flats. Erection of dormer window to side elevation and insertion of roof light to front elevation. Appeal against refusal Delegated decision	19/12/2017

17	St George West	270 Church Road St George Bristol BS5 8AH The addition of a new two-storey unit to provide new dwelling, with minor extensions and alterations to the existing unit. Appeal against refusal Committee	22/01/2018
18	Lawrence Hill	6 Claremont Street Bristol BS5 0UH Replacement of an existing 48-sheet backlit advertising display with a digital LED advertising display. Appeal against refusal Delegated decision	22/01/2018
19	Frome Vale	19 Lambrook Road Bristol BS16 2HA Erection of two, two storey dwellings. Appeal against refusal Delegated decision	22/01/2018
20	St George Central	Lane Leading To Former Wesleyan Methodist Chapel Bristol Residential development comprising of two dwelling houses with vehicle access through the approved former Wesleyan Chapel car park, together with associated landscaping. Appeal against refusal Delegated decision	22/01/2018
21	St George Central	Lane Leading To Former Wesleyan Methodist Chapel Bristol Residential development comprising of two dwelling houses with vehicle access through the approved former Wesleyan Chapel car park, together with associated landscaping Appeal against refusal Delegated decision	22/01/2018
22	Lawrence Hill	Kingsland House Kingsland Close Bristol BS2 0RJ Proposed change of use of existing industrial building from storage (B8 use class) to a day nursery and education/training facility within D1 use class. Appeal against refusal Delegated decision	23/01/2018
23	Central	O & M Sheds Welsh Back Bristol BS1 4SL Proposed retention and repair of the two historic buildings O & M sheds, including reconstruction of the northern gable wall of O Shed, provision of new roofs, and associated surrounding landscaping for the purpose of providing three restaurants (within A3 use class) and outdoor seating area to Welsh Back. Appeal against refusal Committee	23/01/2018

24	Southville	Regent House Lombard Street Bristol BS3 1AL Application to approve details pursuant to conditions 2(Highway Work), 3 (Environmental management Plan), 4(Road Condition Survey), 5(Car Club/Electric Vehicle), 6 (Unexploded Ordnance), 7 (Traffic Management Plan), 8 (Remediation Scheme), 10(Archaeological Works), 11 (Recording Fabric), 12 (Bird and Bat), 13 (Vegetation Clearance), 17 (Energy Strategy) and 25 (Travel Plan) of permission 15/04731/F (for change of use of Regent House and Consort House from offices (use class B1(a)) to residential (use class C3) (80 units) along with external alterations and retained offices (use class B1(a)) accommodation of 481sq m. Extension of commercial unit in Consort House (use classes A1, A2, A3, D1) of 36sq.m. Construction of new residential blocks (use class C3) (151 units) and associated landscaping and car parking to the rear of Regent House and Consort House. Construction of new residential accommodation (use class C3) (4 units) and ground floor commercial units (use classes A1, A2, A3, D1) of 395.sq.m on land at Lombard Street. Alterations to public realm along Bedminster Parade and Lombard Street). Major Application Appeal against refusal	07/02/2018
25	Avonmouth & Lawrence Weston	1 - 3 High Street Shirehampton Bristol BS11 0DT First and second floor extensions to provide 6 flats. Appeal against refusal Delegated decision	07/02/2018
26	St George West	387 Church Road St George Bristol BS5 8AL New build 2 bed house to the rear of the site at 387 Church Road. Appeal against refusal Delegated decision	08/02/2018
27	Cotham	Kirwin House (& Lansdowne House) Cotham Park North Bristol BS6 6BH Erection of 4no. single storey wheelchair accessible houses on land to the rear of Kirwin & Lansdowne houses. Appeal against refusal Delegated decision	08/02/2018
28	Southmead	471 Southmead Road Bristol BS10 5LZ Retention of an ATM installed through existing glazing to the right hand side of the shop entrance. Appeal against refusal Delegated decision	08/02/2018
29	Southmead	7 Lorton Road Bristol BS10 6DG Erection of two storey dwelling house and associated works. Appeal against refusal Delegated decision	08/02/2018

30	Ashley	14 Mina Road Bristol BS2 9TB Erection of an internally illuminated, digital 48-sheet advertisement measuring 6m by 3m. Appeal against refusal Delegated decision	13/02/2018
31	Hengrove & Whitchurch Park	2 Gilda Parade Bristol BS14 9HY Replacement of an existing illuminated 48-sheet advertising display with a 48-sheet digital LED display. Appeal against refusal Delegated decision	13/02/2018
32	Central	Unit 1 Maggs House 70 Queens Road Clifton Bristol BS8 1QU Proposed change of use from mixed A1/A3 to mixed A3/A4 use, facade alterations to ground floor. Appeal against refusal Committee	15/02/2018
33	Filwood	69 Hartcliffe Road Bristol BS4 1HD Proposed two storey detached single dwelling house, with associated parking. Appeal against refusal Delegated decision	15/02/2018
34	Knowle	75 Tavistock Road Bristol BS4 1DL Proposed two bedroom detached single dwelling house, with provision of car parking. Appeal against refusal Delegated decision	15/02/2018
35	Hengrove & Whitchurch Park	Land Adjoining 130 Hengrove Lane Bristol BS14 9DQ Erection of 3 storey building comprising 6 x 1-bed flats. Appeal against refusal Delegated decision	15/02/2018
36	Clifton	Flat 2, 20 Clifton Down Road Bristol BS8 4AG Alteration to external opening on rear elevation. Change a window to a door opening and provide external steps down to garden. Appeal against refusal Delegated decision	23/02/2018
37	Ashley	87 Ashley Road Bristol BS6 5NR Two storey side extension, loft conversion with partial demolitions and alterations to existing Annexe Appeal against refusal Delegated decision	23/02/2018

38	Ashley	87 Ashley Road Bristol BS6 5NR Two storey side extension, loft conversion with partial demolitions and alterations to existing Annexe. Appeal against refusal Delegated decision	23/02/2018
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List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
39	Hillfields	70 Thicket Avenue Bristol BS16 4EH Two storey extension to accommodate single dwelling. Appeal against refusal Delegated decision	Appeal allowed 02/02/2018
40	Clifton	North Villa 48 Canynge Road Bristol BS8 3LQ Erection of extension to side. Appeal against refusal Delegated decision	Appeal dismissed 26/01/2018
41	Avonmouth & Lawrence Weston	448 Portway Bristol BS11 9UA Application for retention of 1.65m high, featherboard fencing around the front boundary wall of the property (approximately 22m in length) with an additional 3.5m of fencing to run up to meet the existing fencing for the side garden. Appeal against refusal Delegated decision	Appeal dismissed 28/02/2018
42	Avonmouth & Lawrence Weston	448 Portway Bristol BS11 9UA Enforcement notice appeal for the erection of fencing in excess of 1 metre high around the boundary of the property facing the highways of Hung Road and the Portway. Appeal against an enforcement notice	Appeal dismissed 28/02/2018
43	Clifton Down	Avon Court Beaufort Road Clifton Bristol BS8 2JT Proposed replacement of external windows and doors with UPVc replacement windows with wood effect and UPVc doors to residential apartments and aluminium door to communal areas. Appeal against refusal Delegated decision	Appeal allowed 19/02/2018
44	Westbury-on-Trym & Henleaze	Red Maids School Westbury Road Bristol BS9 3AW Erection of modular classroom building to provide music and art space, shared between Senior and Junior School, together with external works to provide footpath links. Appeal against refusal Delegated decision	Appeal dismissed 22/02/2018

45	Bishopsworth	<p>Site To Rear Of United Reformed Church Church Road Bishopsworth Bristol</p> <p>Proposed construction of 6 no, 3 bedroom town houses each with an integral garage and parking place with associated external works and bin stores with removal of existing modern red brick wall building and vehicular access via fernsteed road.</p> <p>Appeal against refusal Delegated decision</p>	<p>Appeal dismissed 21/02/2018</p>
46	Stoke Bishop	<p>9 Bowerleaze Bristol BS9 2HJ</p> <p>Proposed first floor side extension.</p> <p>Appeal against refusal Delegated decision</p>	<p>Appeal dismissed 30/01/2018</p>
47	Westbury-on-Trym & Henleaze	<p>23 Eastover Close Bristol BS9 3JQ</p> <p>Re-ordering and excavation of front garden to create a single parking space.</p> <p>Appeal against refusal Delegated decision</p>	<p>Appeal allowed 30/01/2018</p>
48	Brislington East	<p>2 Newbridge Road Bristol BS4 4DH</p> <p>Replacement of a 48-sheet advertising display with an illuminated 48-sheet digital advertising display.</p> <p>Appeal against refusal Delegated decision</p>	<p>Appeal dismissed 22/01/2018</p>
49	Bishopston & Ashley Down	<p>332 Gloucester Road Horfield Bristol BS7 8TJ</p> <p>1 x fascia sign.</p> <p>Appeal against refusal Delegated decision</p>	<p>Appeal allowed 22/01/2018</p>
50	Brislington East	<p>Land At St Anne's Road St Annes Road St Annes Bristol</p> <p>Replacement of existing 1no illuminated 48 sheet advertising display with 1no illuminated 48 sheet digital LED advertisement.</p> <p>Appeal against refusal Delegated decision</p>	<p>Appeal dismissed 22/01/2018</p>
51	Central	<p>White Harte 54-58 Park Row Bristol BS1 5LH</p> <p>Installation of replacement signs to include 2no. written house name logos and 2no. pictorial projecting signs attached to existing hanging frame (externally illuminated).</p> <p>Appeal against refusal Delegated decision</p>	<p>Appeal allowed 07/02/2018</p>

52	Lawrence Hill	Land Adjacent To 90 West Street St Philips Bristol Removal of two illuminated 96-sheet advertisements and installation of a single 96-sheet digital display. Appeal against refusal Delegated decision	Appeal dismissed 07/02/2018
53	Lawrence Hill	90 West Street St Philips Bristol BS2 0BW Application to retain non-illuminated display of 48-sheet advertisement hoarding to side of the building gable. Appeal against refusal Delegated decision	Appeal dismissed 07/02/2018
54	Clifton Down	First Floor Flat 35 Upper Belgrave Road Bristol BS8 2XN Proposed balcony fitted to the rear of the property. Appeal against refusal Delegated decision	Appeal allowed 27/02/2018
55	Hengrove & Whitchurch Park	53 Loxton Square Bristol BS14 9SE Proposed two storey side extension and conversion into new 2no. bed dwelling house. Appeal against refusal Delegated decision	Appeal dismissed 27/02/2018
56	Frome Vale	12 Reedling Close Bristol BS16 1UG Two storey, side extension. Appeal against refusal Delegated decision	Appeal dismissed 15/02/2018
57	Ashley	18 St Nicholas Road Bristol BS2 9JZ Notification of prior approval for the erection of a single storey, rear extension that would extend beyond the rear wall of the original house by 5.9 metres, have a maximum height of 3.0 metres and have eaves that are 3.0 metres high (maximum). Appeal against refusal Delegated decision	Appeal withdrawn 26/02/2018

DEVELOPMENT CONTROL COMMITTEE B

14th March 2018

REPORT OF THE SERVICE DIRECTOR - PLANNING

LIST OF ENFORCEMENT NOTICES SERVED

Item	Ward	Address, description and enforcement type	Date issued
1	Bishopston & Ashley Down	91 Ashley Down Road Bristol BS7 9JT Erection of structure without planning permission. Enforcement notice	25/01/2018
2	Bishopston & Ashley Down	318 Gloucester Road Horfield Bristol BS7 8TJ Extension at rear of property. Enforcement notice	22/02/2018
3	Eastville	Aldi 670-680 Fishponds Road Bristol Breach of condition 3 (controlling deliveries) of planning permission 09/00094/F which consented new retail store. Breach of conditions notice	25/01/2018
4	Eastville	631-633 Fishponds Road Fishponds Bristol BS16 3BA Erection of structure in the rear yard used in association with the commercial ground floor unit. Enforcement notice	30/01/2018
5	Stoke Bishop	33 St Edyths Road Bristol BS9 2EP Use of detached building as a self-contained unit of residential accommodation and its use for commercial letting. Breach of conditions notice	28/02/2018

Development Control Committee B – 14 March 2018
Planning Enforcement Item – 131 Bridgwater Road – Update.

BACKGROUND AND OVERVIEW

This report updates Committee on the position with the unauthorised residential development of 14 dwellings that has been built at a site at land adjacent to 131 Bridgwater Road.

A planning enforcement case was set up in November 2016 and this established that the development had not been built as per the approved plans. The planning agent on being contacted by officers agreed to make a retrospective planning application and one was submitted in January 2017.

Committee refused to grant a retrospective planning permission to retain the 14 dwellings on 30 August 2017 and refused the application (17/00272/F) for the following reason:-

1. The development fails to make an appropriate contribution towards the provision of affordable housing and is therefore contrary to policy DM3 of the Site Allocations and Development Management Policies 2014.

Committee also resolved to delegate authority to officers to serve a Planning Enforcement Notice to stipulate that; no more than 11 of the dwellinghouses should be occupied until the affordable housing requirements of adopted planning policy had been met.

LEGAL ADVICE

Following the decision of Committee an instruction was sent to Legal Services on 26 September 2017 to serve a Planning Enforcement Notice in the terms put to and agreed by Committee.

On review of the instruction legal officers contacted planning officers and a meeting took place when the matter was discussed. Some initial advice had been obtained from Legal Services in April 2017 about the most effective form of planning enforcement should the planning application be refused. The discussions were not conclusive and no firm indication of the procedurally correct way to identify, define and enforce the breach of planning control was arrived at.

At the time of drafting the committee report and presenting the matter to Committee in August 2017 planning officers considered that the recommended Planning Enforcement Notice was technically and legislatively a good and sound approach.

The main issue for Legal Services was that a Planning Enforcement Notice should not be used to seek the remedy to the breach of planning control being the non-provision of affordable housing. They considered that a Planning Enforcement Notice should only be used to address a situation where planning harm had been identified and not just to secure a planning gain required by planning policy [affordable housing]. Legal advised that the best avenue to pursue this would be in defence of our position at appeal should the applicant appeal against the decision to refuse planning permission. An appeal decision will provide a definitive view from a Planning Inspector as to the need for the development to make a contribution towards affordable housing, this being the one remaining issue from a land use planning perspective.

Legal considered an alternative way to enforcement was to consider the harm those results from non-compliance with planning conditions. Planning officers consider that the original permission has now lapsed as pre-commencement conditions were not successfully discharged and this permission has not been implemented. Taking enforcement action against non-compliance with the conditions would give unwarranted legitimacy to the unimplemented permission. The Committee effectively endorsed and agreed the design and form of the development when considering the refused application and thus the deviations from the previously approved plans would be regularised when planning permission is granted either on appeal or in response to a dismissed appeal (where affordable housing is the remaining issue). In effect the Local Planning Authority has now formally determined that it does not have concerns with the physical form of the development as built.

A review of the other conditions established that conditions in relation to highways, contamination, sustainable drainage and archaeology need to be considered for enforcement action. A revised instruction was issued to Legal Services to serve a Breach of Condition Notice on 13 November 2017. This was not served as the Appeal was lodged soon after and for the reasons explained below these items can be considered as part of the appeal and appropriate conditions imposed on any planning permission that may be granted by a Planning Inspector.

Development Control Committee B – 14 March 2018
Planning Enforcement Item – 131 Bridgwater Road – Update.

THE CURRENT SITUATION

On 30 November 2017 the applicant lodged an Appeal against the planning refusal in respect of the Committee decision from August 2017.

In the meantime a further planning application (17/02573/P) which sought retrospective planning permission in respect of just 9 houses was refused under delegated authority on 2 January 2018 the reason for refusal being:-

“The proposal would result in a form of development that fails to maximise the use of land in an efficient way contrary to policy BCS20 of the Bristol Core Strategy 2011. There is no justification for a lower density of development to protect the character of the area and it is clear by virtue of the 14 dwellings under construction (and previous permission for 14 dwellings), that the land can accommodate more dwellings.”

In January 2018 the applicant Appealed that decision as well.

As such there are two appeals with the Planning Inspectorate seeking to have the Local Planning Authority decisions overturned and to obtain retrospective planning permission. These two Appeals have been joined together and officers were advised on 1 March 2018 that a programme for the process will be issued once a suitable Planning Inspector is identified, which is usual practice. The applicant has asked that the Public Inquiry procedure be followed. The Council is yet to make representations on this or put forward its defence in the case. This will be done once the appeal procedure formally starts and at that juncture a consultation exercise on the appeals with the public will be conducted.

Two further applications were submitted in November 2017; one is effectively a resubmission of the application referenced above [i.e. a further retrospective application for the 14 dwellings) with the applicant seeking to argue that affordable housing policy should not be applied and that the scheme would be unviable were affordable housing to be provided. The second one is for a reduced site area and a proposal to seek approval to retain 9 dwellinghouses. These two applications are to be refused under delegated authority; the first for the same reason as the previous application because officers are not convinced by the arguments in respect of affordable housing. The second because the proposal as it relates to a smaller site does not maximise the use of land in an efficient way and seeks to avoid the need for affordable housing required for the larger site. In all likelihood once refused the applicant will ask to add these two decisions to the existing appeal process.

A further planning enforcement case was registered towards the end of last year concerning the installation of street lighting - that is being held in abeyance as the matter will be considered as part of the appeal.

CONCLUSION AND NEXT STEPS

No formal planning enforcement notice has been served since the resolution of Committee in August 2017.

This is following detailed guidance from your legal officers, essentially the appeal process will now enable the issue of the affordable housing to be considered and determined. The appeals will also enable issues of planning condition compliance and therefore matters of highways, contamination, sustainable drainage and archaeology to be resolved. The two planning enforcement cases are being held in abeyance pending the outcome of the various appeals.

Officers can advise and assure Committee that the appeal process is procedurally the most effective way to have the outstanding matters considered and decided. Formal planning enforcement action can be taken following the decisions on the appeals if the Council decisions are upheld and the Planning Inspector is likely to provide some guidance on that as part of their decision. Council planning officers will robustly defend the two decisions that are currently subject to Appeal and the two further decisions if they in turn are subject to Appeal.

Officers do acknowledge and accept that this has been a relatively lengthy and complicated process that has understandably caused a great deal of concern to nearby residents. However, our overall approach to the matter and our assessment and decisions have accorded with central Government Planning Legislation and the case has been handled in line with our Local Enforcement Plan (April 2017).

**Development Control Committee B – 14 March 2018
Planning Enforcement Item – 131 Bridgwater Road – Update.**

Officers will continue to update the Chair, Vice Chair and Party Leads on the appeal process and will update the Committee once they have been decided.

RECOMMENDED

That the report is noted.

Development Control Committee B 14 March 2018

Report of the Service Director - Planning

Index

Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Lawrence Hill	Grant	<p>17/04490/X - Bristol Waste Recycling Facility Albert Road St Philips Bristol BS2 0XS</p> <p>Application to vary conditions attached to app.no.13/02100/X - Variation of condition nos.11 (hours of use restriction - Monday to Friday) and 13 (restriction on hours of use for bailer and sorting line) of permission no.11/05046/F to allow for working on Bank Holidays to be undertaken -Application seeks variation of Conditions 1 (Hours of operation), 2 (Glass tipping operations: Saturday), 3 (Glass tipping operations: Bank Holidays), 4 Glass tipping: Saturdays and Bank Holidays), 5 (Bailers and sorting line operation) and 7 (Glass container(s) filling times).</p>
2	Central	Refuse	<p>17/02413/F - Old Bristol Royal Infirmary Building Marlborough Street (South Side) City Centre Bristol BS1 3NU</p> <p>Demolition of the existing buildings and redevelopment of the site to provide a part 7, 8 and 9 storey building fronting Marlborough Street, comprising 715 student bedspaces; communal areas and central courtyard; and erection of part 4, 5 and 6 storey building to the rear to accommodate a mix of uses, including office floorspace (Use Class B1) and/or medical school (Use Class D1) equating to 6,860sqm and a small commercial unit; associated access road, landscaping, public realm improvements, undercroft car parking and cycle parking. (MAJOR).</p>
3	Stoke Bishop	Grant	<p>17/05145/F - Woodlands Church Road Sneyd Park Bristol BS9 1JT</p> <p>Construction of three storey, four bedroom house.</p>

Item	Ward	Officer Recommendation	Application No/Address/Description
4	Central	Grant subject to Legal Agreement and Grant	16/06828/P and 16/06842/LA - Land At Temple Circus Bristol Hybrid planning application and Outline application for the redevelopment of the Temple Circus site - part demolition, extension and change of use of the former Grade II Listed George and Railway Hotel, demolition of the Grosvenor, to provide 5,630 sqm (GEA) of creative office space (B1) with ancillary cafe/restaurant uses at ground floor level (A3/A4) and cycle parking. 2) Outline Consent for the refurbishment of the remainder of the site to provide up to 27,200 sqm of new office accommodation (B1), including up to 2,550 sqm of retail uses (A1-A5), public realm and landscaping works as well as site servicing and car parking (Major Application).

Development Control Committee B – 14 March 2018**Application No. 17/04490/X: Bristol Waste Recycling Facility Albert Road St Philips Bristol BS2 0XS****SUMMARY**

This application has been submitted by Bristol Waste Company for the proposed variation of conditions attached to app.no.13/02100/X and is brought to Committee for consideration having regard to the level of public interest.

It is understood that the applicant is seeking to revise these conditions to increase operational capacity and to improve their ability to manage non-planned events and peaks in material received. The application proposals have been revised following comments and concerns from Environmental Health that the submission did not demonstrate that the proposal would not make the existing noisy environment worse and further consultation has been carried out. The revised proposals are seeking the following:

Baler Operation	07:00 to 23:00hrs
External Glass Recycling	07:00 to 21:00hrs - Monday to Friday; 07:00 to 17:00hrs - Saturday; 07:00 to 17:00hrs - Bank Holiday; and, No operation on Sunday.
Bulking Up	07:00 to 21:00hrs – Monday to Friday; and, 07:00 to 17:00hrs – Saturday.

In response to the initial consultation, 23 objections to the proposals were received raising issues including noise, air quality and street cleaning in the area. Following the reconsultation, 7 objections were received. These responses include comments from Totterdown Residents Environmental and Social Action.

The application has been carefully considered and comments have been received from consultees including Air Quality, Contaminated Land Environmental Protection, Crime Reduction Unit, Transport Development Management and Environmental Health.

The application is supported by a noise assessment. Officers' assessment is that the proposed variation to the conditions would be acceptable, subject to amended Bank Holiday hours as recommended by the Council's Environmental Health Officer, the submission of an updated Operational Site Management Plan and condition regarding the future operation of the bailer line.

Having regarded to the comments received and on the basis of all of the material considerations related to this application, approval of the application is recommended to Members, subject to conditions.

SITE DESCRIPTION AND BACKGROUND

This application refers to a site on the north side of Albert Road, St Phillips, opposite Totterdown Bridge. The site has planning permission for use as a waste recycling/transfer facility and is presently occupied by Bristol Waste, who cover waste collection, street cleansing and winter maintenance across the city in partnership with Bristol City Council. The site is covered by the allocation as a Primary Industrial and Warehousing Area (PIWA) within the Site Allocations and Development Management Policies document adopted July 2014.

The application site is bounded to the north by the Bristol Fruit Market, which lies at a slightly higher level, to the east by another waste transfer station (Abacus). The site faces two industrial estates (Totterdown Bridge and Ferry Steps), together with other workshops, on the south side of Albert Road. All these sites are also within the Primary Industrial and Warehousing Area (PIWA)

Development Control Committee B – 14 March 2018**Application No. 17/04490/X: Bristol Waste Recycling Facility Albert Road St Philips Bristol BS2 0XS**

designation.

Totterdown Bridge crosses the River Avon, to the south of the site, and links the A4 Bath Road with Albert Road. The section of Bath Road nearest to the bridge and application site contains two allocated sites within the Site Allocations and Development Management Policies document adopted July 2014 (references: BSA1101- Bath Road Open Space and BSA1210 - Former Petrol Filling Station). Both sites are allocated for mixed uses including housing and business. Beyond these sites on the opposite side of Bath Road there is a mix of residential terraces and commercial units. Dense terraced housing then rises up the hillside south of Bath Road, to Wells Road.

RELEVANT PLANNING HISTORY

The application site was historically first operating as two separate planning units. Of relevance is application 99/02837/F, which referred to the eastern unit and granted permission for waste recycling and transfer.

99/02837/F - 'Demolition of redundant structures. Use of land for waste recycling and transfer. Storage and sale of building aggregates and soil. Erection of building for waste reception and to house waste recycling machinery with ancillary offices and workshop'. Planning permission granted, subject to conditions.

The two units were amalgamated into one site in approximately February 2012 and taken over by May Gurney. The waste transfer and recycling operation was extended under application 11/05046/F, which was granted by members at Development Control (Central) Planning Committee on 14 March 2012.

11/05046/F - Installation of outside storage bays, alterations to the external appearance of an existing building in the eastern portion of the site and erection of an acoustic barrier. Planning permission granted, subject to conditions.

In August 2012, May Gurney submitted planning applications (12/03611/X and 12/03599/X) to vary conditions on extant planning permissions to enable restricted working on Bank Holidays to take place and also extended hours of operation on the 3 Saturdays following Christmas (the 'exception Saturdays'). These applications were refused by the Development Control (Central) Planning Committee on 20 March 2013 for the following reason:-

'The carrying out of recyclable operations on Bank Holidays because of the typically lower background noise levels associated with these days and the noise generated from site operations, would adversely impact the amenity of the locality and nearby residential properties in Totterdown to the south of the application site. As such, the proposal is contrary to guidance set out in the National Planning Policy Framework (2012), policy BCS23 of the Core Strategy (2011) and saved policy ME4 of the Bristol Local Plan (1997).'

Following this refusal two further applications were then submitted by May Gurney (13/02100/X and 13/02103/X) to seek to address the refusal reasons. May Gurney were again seeking permission to vary conditions 11, 12 and 13 of planning permission 11/05046/F to enable restricted working on Bank Holidays to take place and also extended hours of operation on the 3 Saturdays following Christmas (the 'exception Saturdays') and to vary conditions 7 & 8 in order to enable restricted working on site on Bank Holidays and to alter condition 16, which related to noise from the site, to reflect the noise reports that have been provided through the previous planning application (11/05046/F).

The differences between these applications and the previously refused schemes were as follows:-

- The previous applications proposed glass unloading to take place within the workshop building

Development Control Committee B – 14 March 2018**Application No. 17/04490/X: Bristol Waste Recycling Facility Albert Road St Philips Bristol BS2 0XS**

between 08:00 and 19:00 on Bank Holidays. These applications proposed the same operation to take place between 08:00 and 18:00 on Bank Holidays (1 hour less).

- The previous applications proposed glass unloading to take place within the storage building between 13:00 and 19:00 on the 3 Saturdays following Christmas. This was now proposed to take place between 13:00 and 18:00 on these days (1 hour less).

- The previous applications proposed the bailer to operate between 08:00 and 18:00 on Bank Holidays and on the 3 Saturdays following Christmas. These applications increased the proposed time by 1 hour (from 08:00 to 19:00).

These applications were taken to the Development Control (Central) Committee Meeting of 25/09/13 and a decision was deferred at this meeting on the basis that the changes that had been made and the information provided in terms of the acoustic report/testing was inadequate, and also that the assessment from the Council's Pollution Control department was not sufficient to provide assurances that the proposed working operations, specifically glass tipping, on Bank Holidays would not cause harm to residential amenity of the properties on the Totterdown slopes.

In an attempt to address the concerns of Members, May Gurney carried out a glass tipping trial on the morning of Saturday 23 November 2013 to enable monitoring and observation of the proposed glass tipping from roadside collection vehicles within the workshop building, to demonstrate that the operation would have no adverse impact on residential amenity. This trial was attended by the Council's Environmental Health Officer (EHO) who carried out noise monitoring and concluded that no glass tipping from within the workshop building was perceivable at any of the monitoring positions, and that the proposed method of operation for glass tipping on Bank Holidays would not harm the residential amenity of nearby properties.

This information was then taken back to the Development Control (Central) Committee Meeting of 18/12/13 and both applications were granted permission subject to the following conditions:

Application No: 13/02100/X:

1. Hours of use restriction: Monday to Friday

Any external tipping, handling and collection of recyclables shall only take place between 07:00hrs and 19:00hrs Monday to Friday and not at all on Sundays.

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

2. Glass tipping operations: Saturdays

Any tipping, sorting and handling of glass on Saturdays shall only take place in the external storage bays between 08:00 and 13:00 on the 3 Saturdays following Christmas Day (and only following the express permission in writing of the council following any day of cancelled street collections due to adverse weather conditions).

Between 13:00 and 18:00 on these days, all glass tipping, sorting and handling shall only take place inside the vehicle workshop building and shall be carried out in accordance with the submitted operational statement.

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

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3. Glass tipping operations: Bank Holidays

All tipping, sorting and handling of glass shall only take place between 09:00 and 18:00 on Bank Holidays and shall only be carried out inside vehicle workshop building and in accordance with the submitted operational procedure.

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

4. Other operations: Saturdays and Bank Holidays

All other operations associated with tipping, handling and collection of recyclables (excluding glass referred to in conditions 2 & 3) shall only take place between 08:00hrs and 19:00 on Bank Holidays and the 3 Saturdays following Christmas Day (and only following the express permission in writing of the council following any day of cancelled street collections due to adverse weather conditions).

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

5. The bailer and sorting line shall only be operated from 07:00hrs to 19:00hrs Monday to Friday, 08:00hrs to 13:00hrs on Saturdays, 08:00 to 18:00 on 3 Saturdays following Christmas Day (and only following the express permission in writing of the council following any day of cancelled street collections due to adverse weather conditions), 08:00 to 18:00 on Bank Holidays, and not at all on Sundays.

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

6. Noise from site operations, excluding all external noise, shall not exceed dBA Leq and dBA Lmax levels approved under application (12/03458/COND).

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

7. Glass container(s) filling times

There shall be no glass bulker container filling or collections in any open part of the site on Saturdays or Bank Holidays.

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

8. Tonnage limit

The facility hereby approved shall accept no more than 80 000 tonnes of waste/recycled material per annum, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: In accordance with planning permission 99/02837/F for reasons of highway safety.

9. No open storage No storage of any waste or recycled products/goods shall take place in the open, other than within the designated (external) storage bays.

Reason: In the interests of visual and environmental amenity.

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10. Netting

The top of the bays used for the storage of paper shall be covered with netting at all times, unless otherwise agreed, in writing by the Local Planning Authority. Reason: To contain the waste paper within the storage bays in the interests of amenity.

11. The development hereby approved shall be carried out in accordance with the Operational Site Management Plan (relating to application 12/02346/COND), received 11 October 2012, at all times.

Reason: In the interests of protecting the amenity of nearby residents and businesses.

12. The development hereby approved shall be carried out in accordance with the proposed drainage system shown on drawing DS09019/209 (relating to application 12/02346/COND), received 23 May 2012, at all times.

Reason: To prevent pollution of the water environment.

13. Any vehicle maintenance, repair or valeting shall only take place inside the existing vehicle workshop building shown on drawing number DS09019-010/P2: 'Proposed Site Plan' relating to application 11/05046/F.

Reason: In the interest of protecting the amenity of nearby residents and businesses.

14. Vehicle parking bays shall be marked out as shown on drawing no.DS09019-014/P3 relating to application 11/05046/F and shall be kept free of obstruction and available only for the parking of vehicles associated with the development.

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

15. External lighting

All external lighting shall be operated, retained and maintained in accordance with the approved external lighting plan (drawing DM06040-DR-202 RevC.1 relating to application 12/02346/COND), received 23 May 2012.

Reason: In the interests of amenity and highway safety.

16. The existing acoustic barriers as shown on drawing DS09019-006 P3 relating to 11/05046/F shall be retained on site in the existing positions at all times.

Reason: In the interest of protecting the amenity of nearby residents and businesses.

17. Use Class restriction

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) the site shall only be used for the purposes specified under planning application 99/02837/F and this planning application and for no other purpose (including any other purpose in Class B2 on the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order)

Reason: This use of this site for the storage and transfer of waste only is permitted and other uses, either within the same Use Class, or permitted by the Town and Country planning (GPD) Order 1995 are not acceptable to the Local Planning Authority in this location because other such uses require

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Application No. 17/04490/X: Bristol Waste Recycling Facility Albert Road St Philips Bristol BS2 0XS

detailed consideration of their impact(s).

18. 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.

Glass unloading proposed operational procedure, received 7 May 2013

Reason: For the avoidance of doubt.

Application No: 13/02103/X

1. Use Class restriction

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) the site shall only be used for the purposes specified under planning application 99/02837/F and this planning application and for no other purpose (including any other purpose in Class B2 on the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order)

Reason: This use of this site for the storage and transfer of waste only is permitted and other uses, either within the same Use Class, or permitted by the Town and Country planning (GPD) Order 1995 are not acceptable to the Local Planning Authority in this location because other such uses require detailed consideration of their impact(s).

2. No open storage

No storage of any waste or recycled products/goods shall take place in the open, other than within the designated (external) storage bays.

Reason: In the interests of visual and environmental amenity.

3. No plant, equipment or machinery shall operate on site outside the hours of 07:00hrs to 19:00hrs Monday to Friday, 08:00hrs to 13:00hrs on Saturdays, 08:00 to 18:00 on the 3 Saturdays following Christmas Day (and only following the express permission in writing of the council following any day of cancelled street collections due to adverse weather conditions), 08:00 to 19:00 on Bank Holidays, and not at all on Sundays.

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

4. Tonnage limit

The facility hereby approved shall accept no more than 80 000 tonnes of waste/recycled material per annum, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: In accordance with planning permission 99/02837/F for reasons of highway safety.

Development Control Committee B – 14 March 2018**Application No. 17/04490/X: Bristol Waste Recycling Facility Albert Road St Philips Bristol BS2 0XS**

5. Vehicle parking bays shall be marked out as shown on drawing no.DS09019-014/P3 relating to application 11/05046/F and shall be kept free of obstruction and available only for the parking of vehicles associated with the development.

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

EQUALITIES ASSESSMENT

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

COMMUNITY INVOLVEMENT

Community consultation is not a formal requirement for non-major applications such as this; however the applicant has chosen to undertake community involvement and they have confirmed that they undertook the following consultation events prior to the submission of the application.

- Email communication sent to a range of interested parties; such as Neighbourhood Planning Network, TRESA, Dings Community Association and Up Our Street and Councillors regarding our intention to obtain permission to operate for slightly longer.
- Set up a meeting to present initial intentions in terms of changes to our permitted licencing terms - presentation and discussion
- Email update to all the interested parties regarding the status of the work as well as to as for feedback in terms of when they would be available for a tour of the site and a summary of our intentions.
- Number of monthly update emails to the local interested parties
- Email sent out to all consultee members inviting them to come to the site for a tour and to present our intended Variation request, as well as to receive feedback from our proposed changes before submission of a Full Planning Application.
- Meeting at Albert Road to introduce the consultees to the operational site, what we are requesting in terms of revised conditions. Invited parties included TRESA and the Dings Community Association as well as two local Councillors; (Cllrs Bradley and Whittle)
- TRESA and Cllr Wellington also to attended a tour and a presentation regarding the proposed changes with regards to the operating hours.

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APPLICATION DETAILS - ORIGINAL SUBMISSION

The application now before members seeks to vary conditions attached to app.no.13/02100/X - Variation of condition nos.11 (hours of use restriction - Monday to Friday) and 13 (restriction on hours of use for bailer and sorting line) of permission no.11/05046/F to allow for working on Bank Holidays to be undertaken.

It is understood that the applicant is seeking to revise these conditions to increase operational capacity and to improve their ability to manage non-planned events and peaks in material received.

The application as originally submitted sought the following specific variations to the conditions:

Condition 1 - Hours of use restriction: Monday to Friday

Current Condition:

Any external tipping, handling and collection of recyclables shall only take place between 07:00hrs and 1900hrs Monday to Friday and not at all on Sundays.

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

Requested Variation to the Condition:

External tipping from 07:00 to 23:00 Monday to Friday and between 07:00 and 19:00 Saturday and Sunday

Reason: It has been demonstrated that these activities are within the lowest observed adverse effect level (LOAEL) within the Noise assessment that was undertaken

Condition 2 - Glass tipping operations: Saturdays

Current Condition:

Any tipping, sorting and handling of glass on Saturdays shall only take place in the external storage bays between 08:00 and 13:00 on the 3 Saturdays following Christmas Day (and only following the express permission in writing of the council following any day of cancelled street collections due to adverse weather conditions). Between 13:00 and 18:00 on these days, all glass tipping, sorting and handling shall only take place inside the vehicle workshop building and shall be carried out in accordance with the submitted operational statement.

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

Requested Variation to the Condition:

All tipping, sorting and handling of glass can take place in the external storage bays between 07:00 and 19:00 on all Saturdays and Sundays

Reason: It has been demonstrated that these activities are within the lowest observed adverse effect level (LOAEL) within the Noise assessment that was undertaken.

Condition 3 - Glass tipping operations: Bank Holidays

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Current Condition:

All tipping, sorting and handling of glass shall only take place between 09:00 and 18:00 on Bank Holidays and shall only be carried out inside vehicle workshop building and in accordance with the submitted operational procedure.

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

Requested Variation to the Condition:

All tipping, sorting and handling of glass can take place in the external storage bays between 07:00 and 19:00 on all Bank Holidays.

Reason: It has been demonstrated that these activities are within the lowest observed adverse effect level (LOAEL) within the Noise assessment that was undertaken when considering a Bank Holiday to be similar to Sundays in noise conditions

Condition 4 - Other operations: Saturdays and Bank Holidays

Current Condition:

All other operations associated with tipping, handling and collection of recyclables (excluding glass referred to in conditions 2 & 3) shall only take place between 08:00hrs and 19:00 on Bank Holidays and the 3 Saturdays following Christmas Day (and only following the express permission in writing of the council following any day of cancelled street collections due to adverse weather conditions).

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

Requested Variation to the Condition:

All other operations associated with tipping, handling and collection of recyclables can take place between 07:00 and 19:00 on all Saturdays, Sundays and Bank holidays.

Reason: It has been demonstrated that these activities are within the lowest observed adverse effect level (LOAEL) within the Noise assessment that was undertaken

Condition 5 - The bailer and sorting line

Current Condition:

The bailer and sorting line shall only be operated from 07:00hrs to 19:00hrs Monday to Friday, 08:00hrs to 13:00hrs on Saturdays, 08:00 to 18:00 on 3 Saturdays following Christmas Day (and only following the express permission in writing of the council following any day of cancelled street collections due to adverse weather conditions), 08:00 to 18:00 on Bank Holidays, and not at all on Sundays.

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

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Requested Variation to the Condition:

The bailer and sorting line can be operated from 07:00 to 23:00 Monday to Friday and between 07:00 and 19:00 Saturday and Sunday and Bank Holidays

Reason: It has been demonstrated that these activities are within the lowest observed adverse effect level (LOAEL) within the Noise assessment that was undertaken.

Condition 7 - Glass container(s) filling times

Current Condition:

There shall be no glass bulker container filling or collections in any open part of the site on Saturdays or Bank Holidays.

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

Requested Variation to the Condition:

That glass container filling can be undertaken from 07:00 to 23:00 Monday to Friday and between 07:00 and 19:00 Saturday, Sunday and Bank Holidays

Reason: It has been demonstrated that these activities are within the lowest observed adverse effect level (LOAEL) within the Noise assessment that was undertaken.

PUBLICITY AND CONSULTATION

The application was originally publicised by means of a press advertisement, numerous site notices and letters to 767 adjoining/nearby premises.

23 Objections to the proposals were received and these are summarised below (full comments can be found on the website):

Noise Issues

- Don't wish to spend my weekends & Bank Holidays listening to the noise of smashing glass
- Noise created when external glass tipping is carried out at this recycling facility, is already clearly audible even on the upper reaches of Hawthorne Street, the residents nearer the site must find it intolerably loud & intrusive.
- If the Council wish to continue to process waste at this site, they might consider processing paper & cardboard rather than glass at the times specified in this application, & only process the glass externally during normal working hours during the week, rather than causing further disruption & distress at weekends & on bank holidays.
- Really noisy in garden when glass is being tipped and Bank holidays and weekends should be quieter.
- The noise generated at this site is already loud enough and disturbing enough, regardless of any other noise in the surrounding area.

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- The noise levels from the industrial area in St. Philips are on the rise. With the recycling and other industrial business working on a Saturdays now, Sundays and Bank holidays are the only break we get from the disturbances.
- The highest noise level comes from the recycling plants in Albert Road. The crashing, crushing and smashing starts at 6.30 every morning
- The noise is not simply noise levels as measured in consultants reports - it's disruption at weekends and Bank Holidays when there is a reasonable expectation by local residents that they can enjoy their homes with windows open and their gardens in peace and quiet.
- Noise from the recycling site is just about acceptable in the working week but even then can be extremely loud and intrusive.
- Already having to close windows for considerable periods of time during hot and uncomfortable weather and impacts our quality of life.
- The noise generated by recycling activity at Albert Road during weekdays already has a significant impact. The noises tend to be banging, scraping and crashing sounds (assume the latter is the glass container in operation). It is not continuous but it is loud and disturbing.
- The difference on a Sunday or bank holiday is palpable - the only sound then tends to be a distant hum of traffic. Do not to take away the one day of the week when we can wake up in peace without this noise interference.
- The business operates close to residential dwellings so there are already issues with noise and smell.
- The constant sounds could easily cause ill-health through stress.
- There are other planning applications for the area that could see more homes built close to the site which will impact or restrict existing businesses. The Mayor has been keen to see house building increase so the council needs to have clear policy on such businesses. Until that policy is in place there should be no change to existing operating restrictions
- Does not appear that the noise assessment has taken into account the new flats along Bath Road which would be impacted even more
- The noise generated from the site also disturbs the local dogs home and sets the dogs off, which can continue for several hours also affecting quality of life in the area.
- An increase in hours will become the new normal and that Bristol Waste will then operate continuously in the permitted hours (rather than just at occasions as currently suggested). Feel this would then set a precedent for several other waste management businesses in the area leading to more pollution and noise.
- This waste site has applied for licence extensions every year. As a long term resident it seems that Bristol Waste agree to conditions to then chip away at this to gradually undermine the planning system and get what they want with little regard to the families who live in the area.
- By rough calculations the increase in operating times represents the potential for the following;
 - 73% increase in external tipping
 - 43% increase in external glass tipping

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- 58% increase in baler and sorting line
 - 58% increase in glass container filling
- The noises associated with glass tipping, scraping and loading are hideous and have changed the acoustic nature of this area for the worse.
- All of the processes detailed below cause noise and air pollution and disrupt peoples' enjoyment of their homes and gardens;
- KSVs progressing through the site
 - Forklifts unload glass and tipping it into bays.
 - Large shovel loader pushing the glass further in to the bays
 - Glass being loaded into bulk haulage vehicles (the activity detailed in the report as being 'the noisiest on the site)
 - Haulage vehicles leaving the site
 - Paper being unloaded externally, which whilst not as noisy must create a significant amount of dust
 - KSVs progressing into the baler hall where other materials are tipped
 - Card plastic and metals being loaded in to the baler/ onto a conveyor belt by a shovel loader
- The baler hall is open at the east and west ends. This is clearly nothing like approaching 'a fully enclosed building' as it is described in the report
- The report states 'For the external glass tipping, pushing up and bulking up, the impact would be at the LOAEL for all periods apart from the weekend evening period. During these periods noise from the BWC site would exceed the existing background sound level and generate L_{Amax} noise events which would result in a significant observed adverse effect level (SOAEL)'.
- Noise Policy Statement for England (NPSE) states the following; Significant Observed Adverse Effect Level- Noticeable and disruptive. The noise causes a material change in behaviour and / or attitude, e.g. avoiding certain activities during periods of intrusion; where there is no alternative ventilation, having to keep windows closed for most of the time because of noise. Potential for sleep disturbance resulting in difficulty in getting to sleep. Quality of life diminished due to change in acoustic character of the area. Significant Observed Adverse Effect - Avoid. Therefore, on this basis alone, the changes to operational hours should not be granted
- The report states '...the indications are that an application to extend hours in weekday evenings and on Saturday/Sunday during the day could be acceptable'. This relates to recorded noise levels. Recorded noise 'levels' are merely one factor in this. The nature, rhythms, tones and various associations are as much a factor. I do not know anyone who would say that hearing intermittent scraping, crashing, and smashing sounds over long periods of time, potentially every single day of their life for the majority of their waking hours would add to their quality of life, physical and mental health and overall sense of wellbeing and describe such a thing as 'acceptable'.
- The report states, 'demonstrating suitable conditions on Saturday and Sunday evenings would be less certain. During weekday evenings, the assessment indicates suitability up until around 23:00 hrs, but would become less appropriate after than time'. As in the previous paragraph, I question what 'suitability' means.
- The report states 'Detailed discussions with BWC indicate that they would seek to increase the current operational hours to provide a degree of additional capacity / flexibility in terms of operating time (rather than volume of waste processed). However on the application form BWC state 'As the recycled quantities and rates increase within Bristol, we will require additional processing capacity and operational time within the site - We will have sufficient capacity on site to be able to accept materials

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from our HWRC where appropriate'. This is a direct contradiction.

- The report states 'The weather conditions during the weekend attended monitoring surveys were noted to be dry and mild with an ambient air temperature of 10oC. Wind speeds were low; during the evening monitoring period, weather conditions were again dry and bright, with light to no wind. The area that would be most affected due to its geographical nature is very often windy. It is rare that the air is completely still, and wind direction often means that both noise and air pollution travels up the bank and over the houses and towards the Wells Road. At a time when we are trying to promote healthier living and exercise, particularly in young children, this proposal will only further diminish the quality of air and overall experience of being outside, and will deter people from leaving their homes for fitness and recreational purposes.

- The report states, 'the assessment has considered the impact of each activity independently and occurring in series and has not considered a cumulative operational scenario'. It could be very likely that future operations could entail a cumulative operational scenario and therefore the report is incomplete

- Currently, waste glass is disposed of by means of a bulk HGV, once per day, in the morning. The report states, 'if the operational hours of the waste site were to increase and more glass were collected, there may be a need to increase the number of loads per day. Filling of the HGV generally takes between 12 and 14 full scoops of the shovel loader and takes between 20 and 30 minutes to load'. Given that this is detailed as the noisiest activity, residents could be looking at this increasing to several hours per day. Not acceptable.

- The application form states, 'considering a Bank Holiday to be similar to Sundays in noise conditions'. Given that the extension to operations taking place on Bank Holidays would be a significant change, and how important these days are for peoples' health and wellbeing, this represents a glaring and cavalier assumption and is a serious omission in an application that relies so heavily on data.

Other Issues

- The increase in hours would also lead to extra vehicle deliveries of waste causing more air pollution where the air quality is already poor and often exceeds the targets of the AQMA.

- The street cleaning in the area is appalling, and walking to St Phillips March is horrendous.

TRESA (Totterdown Residents Environmental and Social Action) also commented as follows:

"TRESA strongly objects to this application.

We have been in communication with Bristol Waste and discussed their points. They claim that occasional gluts of work affect their ability to process waste so they want to increase hours of operation to manage this. We believe an occasional problem requires an occasional response rather than a blanket increase.

We feel that an increase in hours will become the new normal and that Bristol Waste will then operate continuously in the permitted hours (rather than just at occasions as currently suggested).

We feel this would then set a precedent for several other waste management businesses in the area. We know of many people who have left the area due to the amount of noise coming from smashing glass. This is still an issue and allowing this to continue for longer, and for more days would have a detrimental impact on local residents.

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This waste site has applied for licence extensions every year. As residents it seems that Bristol Waste agree to conditions but then chip away at this to gradually undermine the planning system and get what they want. Previous conditions were that they would plant large, bushy hedges to reduce the noise. This has still not happened.

The increase in hours would also lead to extra vehicle deliveries of waste causing more air pollution where the air quality is already poor and often exceeds the targets of the AQMA.

The land opposite Bristol Waste (on the other side of the river) is currently subject to a planning application for residential flats, and the adjacent site is owned by the council and also subject to a large development in the very near future (in line with the recently approved spatial plan).

Therefore any change in operating hours will have a very significant impact on the newer, closer residents as well as existing residents.

In summary, we feel this is the wrong solution for Bristol Waste, would increase noise and air pollution, and would be significant detriment to local residents - both existing and newer sites being developed closer to the site."

OUTCOMES FOLLOWING CONSULTATION - REVISED PROPOSALS

On initial assessment of the application, the BCC Environmental Health Officer (EHO) raised the concerns with the information submitted and was not convinced that the submission had demonstrated that the proposal will not make an existing noisy environment worse.

As such, following a meeting with officers and following the receipt of comments from consultees and officers (all of which can be found on the BCC website) the applicant submitted revised proposals to seek to address the issues and concerns raised.

Condition 1 - Hours of use restriction: Monday to Saturday

External tipping from 07:00 to 21:00 Monday to Friday (rather than 23:00 originally applied for) and between 07:00 and 17:00 Saturday and bank holiday (rather than 19:00 originally applied for) and not at all on Sunday

Condition 2 - Glass tipping operations: Saturdays

Any tipping, sorting and handling of glass can take place in the external storage bays between 07:00 and 17:00 on all Saturdays and Bank Holidays (rather than 19:00 including Sundays originally applied for) but not at all on Sundays

Condition 3 - Glass tipping operations: Bank Holidays

All tipping, sorting and handling of glass can take place in the external storage bays between 07:00 and 17:00 on all Bank Holidays (rather than 19:00 originally applied for)

Condition 4 - Other operations: Saturdays and Bank Holidays

All other operations associated with tipping, handling and collection of recyclables can take place between 07:00 and 17:00 on all Saturdays, and Bank holidays (rather than 19:00 including Sundays originally applied for) but not on Sundays

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Condition 5 - The bailer and sorting line

No revision proposed to the originally requested variation set out above

Condition 7 - Glass container(s) filling times

Glass container filling can be undertaken from 07:00 to 21:00 Monday to Friday (rather than 23:00 originally applied for) and between 07:00 and 17:00 Saturdays (rather than 19:00 including Sunday and Bank Holidays originally applied for) and not at all on Bank Holidays and Sundays.

PUBLICITY AND CONSULTATION - REVISED PROPOSALS

These revised proposals were then subject to another full 21 day re-consultation exercise during February which again comprised of site and press notices being posted and individual letters being sent out to all those previously consulted and all those that originally commented.

7 Objections to the proposals were received and these are summarised below (full comments can be found on the website):

- This insistence on a blanket extension for glass tipping outside for 10 hours on every Saturday and bank holiday from 07.00 until 17.00 is baffling and disingenuous.
- Clearly a request to substantially change the operating parameters and not just deal with peak events.
- Just counting opening up Saturdays for the most disturbing activity glass handling/tipping is an increase in capacity of 52 days or 520 hours plus the additional tally for bank holidays. This is not occasional.
- If granted permission this blanket coverage will start a dangerous precedent for the rest of the industrial area to use this as a 'norm'. These companies will look to BWC as a council business and use BWC operating parameters as a guide for their own applications. This is all set to chip away at planning guidelines to get significant change in operating levels.
- Extending to every weekend is about extending the parameters of the industrial zone not about BWC applying to cover its needs.
- This area is subject to numerous current and anticipated development proposals all for residential units. BCC is pushing development of the river bank on the opposite side of the river to the BWC site (under 150m away) this will be for significant residential development. This will not sit alongside the applications proposed hours.
- If BWC is genuine about dealing with backlogs why do they not look for permission to operate the two extra hours on a weekday to lessen the occurrence of backlogs and then request a limited/specified number of Saturdays based on BWC's actual needs E.g.: 12 Saturdays per year to be used as needed. This would be a flexible solution maintaining the integrity of the area and preserving resident's amenity.
- BWC chose to site themselves next to existing residential areas and therefore need to accept that this comes with reasonable limitations
- Object to a blanket permission for all Saturdays. Would support a limited number of Saturdays. 12 would reflect the reasoning given by BWC.

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- Object to the earlier hours Bank Holidays, 07.00. Current Bank Holiday operation 09.00 is reasonable.
- Object to earlier hours on Saturdays, current operation starts 08.00 - any earlier is unacceptable
- Still object in full to this proposal. It looks like they have decided to refrain from working occasional Sundays to now working mon-fri from 7am to 9pm!! As well as Saturdays 7am to 5pm and bank holidays 7am-5pm.
- It is disappointing to see that the independent noise survey agrees the noise levels expected will be acceptable but don't imagine those involved live around this local area what will be affected on a massive level.
- The starting times for Saturdays and bank holidays are not acceptable they are far too early and will be heard by those who decide to lie in from working the week on their days off.
- Fail to see why they need to work the additional Saturdays and bank holidays when they are proposing to work until 9pm on week days.
- They have said themselves they may not need to work all of the hours they are asking - so why are they asking for those additional hours? Seems they are chancing their arm and trying to get as much as they can regardless of the needs of the locals who will be adversely affected.
- This proposal should be refused on the basis the company have not truly looked at what their needs are and requested the most appropriate variations that will assist their needs in providing a service to the community.
- There are proposals to build very near this site and actually onto the back of this property pretty much - have their noise levels been taken into account because they will be over the required limit
- We all need time off for some peace and quiet, weekends and Bank holidays especially. This type of business should be kept within standard working week
- The recycling plant is very noisy from our house already. This is mitigated by its current operating hours which means that it operates while at work/school. If it starts operating outside those hours, this will make it unpleasant to be outside or have windows open
- Glass tipping is very noisy when in our back garden and on Bank Holidays and Saturdays we would like to be able to enjoy our garden in peace
- Very surprised if an independent acoustic survey has found these noise levels to be acceptable so close to a residential area, which overlooks the site
- If their working hours were to be extended to 21:00 hrs and Bank Holidays, we would find this unbearable
- I am absolutely against further hours being allowed and suggest that a. someone inspects them to ensure they keep to their existing allotted hours, and b. perhaps they could be moved out of town away from built up residential areas such as ours (Totterdown Triangle. There have been many more residential properties built recently and it seems unfair to those residents to have such a noisy industrial estate adjacent to them.

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TRESA (Totterdown Residents Environmental and Social Action) also commented as follows:

"In 2017 I accepted an invitation to visit the BWC site as a TRESA director to find out what was behind their request for a change in operating hours. I found the visit useful and the argument that they wished to extend hours to deal with occasional backlogs reasonable.

They were very clear that they required flexibility only to deal with backlogs that occur a limited number of times during the year. This was a reasonable request.

Therefore this insistence on a blanket extension for glass tipping outside for two extra hours every weekday and for 10 hours on EVERY Saturday and EVERY bank holiday from 07.00 until 17.00 is baffling and disingenuous.

They state in their application BWC does not anticipate that we will require all the hours being requested but we are requesting the additional hours in order to increase operational capacity and to improve our ability to manage the non-planned events and peaks in material received.

This is very clearly a request to substantially change the operating parameters and not just deal with peak events.

Just counting opening up Saturdays for the most disturbing activity, glass handling/tipping is an increase in capacity of 52 days or 520 hours plus the additional tally for bank holidays. This is not occasional.

Context is vital in assessing this application.

If granted permission this blanket coverage will start a dangerous precedent for the rest of the industrial area to use this as a 'norm'.

As the application states the site is surrounded by a number of industrial and commercial operators including a number of other waste management companies.

These companies will look to BWC as a council business and use BWC operating parameters as a guide for their own applications. This is all set to chip away at planning guidelines to get significant change in operating levels.

Extending to every weekend is about extending the parameters of the industrial zone not about BWC applying to cover its needs.

This area is subject to numerous current and anticipated development proposals all for residential units. BCC is pushing development of the river bank on the opposite side of the river to the BWC site (under 150m away) this will be for significant residential development. This will not sit alongside the applications proposed hours.

If BWC is genuine about dealing with backlogs why do they not look for permission to operate the two extra hours on a weekday to lessen the occurrence of backlogs and then request a limited/specified number of Saturdays based on BWC's actual needs E.g.: 12 Saturdays per year to be used as needed. This would be a flexible solution maintaining the integrity of the area and preserving resident's amenity.

It is important to remember BWC chose to site themselves next to existing residential areas and therefore need to accept that this comes with reasonable limitations and not seek to place their business needs over those of residents.

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We object to a blanket permission for all Saturdays. A limited number of Saturdays. 12 would reflect the reasoning given by BWC.

We object to the earlier hours Bank Holidays, 07.00. Current Bank Holiday operation 09.00 is reasonable.

We object to earlier hours on Saturdays, current operation starts 08.00 - any earlier is un acceptable."

OTHER COMMENTS

Air Quality has commented as follows:-

I don't have any issues or concerns regarding air quality in connection with this application.

Contaminated Land Environmental Protection has commented as follows:-

The change of hours do not impact risks to land and water from contamination. These are adequately protected by The Environmental Permitting (England and Wales) Regulations 2016 and The Waste (England and Wales) (Amendment) Regulations 2012. Therefore no conditions are required.

Crime Reduction Unit has commented as follows:-

I do not have any comments regarding the above application to vary conditions.

Transport Development Management has commented as follows:-

The information submitted indicates that the proposal will have minimal impact on the highway network and that at most Bristol Waste feels the additional hours/days will result in just two additional trips per week. As a result Transport Development Management considers the proposal to be acceptable on highway safety grounds.

Environmental Health

On initial assessment of the application, the BCC Environmental Health Officer (EHO) raised the concerns with the information submitted and was not convinced that the submission had demonstrated that the proposal will not make an existing noisy environment worse.

Following the submission of revised proposals, Environmental Health has commented as follows:-

The existing area is known to be particularly noisy in the week and Saturday mornings due to various waste operations such as Abacus and McCarthy Waste along Albert Rd which are audible within housing to the South of the Bath Rd and in particular those houses which are shielded from road noise but also overlook the area from Totterdown. Bristol Waste Company contributes to the noise but its noise is not the dominant terms of noise level although the activity of glass handling is audible particularly due to the character of the noise being readily identifiable and unique. In an initial discussions with the applicants consultant the character of the noise was discussed and it was advised that any changes in the operational hours should be demonstrated not to result in a worsening of the existing noise impacts. This is supported by planning Policies.

The existing restrictions are:

External tipping, handling and operation of the baler:

- Monday to Friday 07:00 to 19:00;
- Glass tipping outside of these hours is permitted, but must be undertaken within a building and only within these hours:

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- Saturdays - 08:00 to 13:00;
- Bank Holidays - 09:00 to 18:00;
- 3 Saturdays following Christmas – 13:00 to 18:00
- Baler operations outside of these hours are permitted as follows:
- Saturday – 08:00 to 13:00;
- Bank Holidays – 08:00 to 18:00;
- 3 Saturdays following Christmas - 08:00 to 18:00;
- No operation on Sunday;

The proposed hours are:

- **Baler Operation – 07:00 to 23:00hrs**
External Glass Recycling:
- 07:00 to **21:00hrs** - Monday to Friday;
- **07:00 to 17:00hrs - Saturday;**
- **07:00 to 17:00hrs - Bank Holiday;** and,
- **No operation on Sunday.**
Bulking Up:
- 07:00 to 21:00hrs – Monday to Friday; and,
- 07:00 to 17:00hrs – **Saturday.**

This would introduce external glass handling to Saturdays 07:00 to 17:00hrs and Bank Holidays, 2hrs extra Mon to Fri to 19:00hrs and the 07:00hrs Bailer to Sat PM and every day 07:00hrs to 23:00hrs. I have considered the impact on neighbours to the processing site and not the impact of roadside collection on the wider city.

The original application would have permitted the addition of external handling hours for waste every day, including glass handling on Sundays, every week. Currently this area benefits from Sundays remaining relatively protected from industrial and waste activity noise.

The applicant's categorisation of impact based categories explained in the Noise Policy Statement England, National Planning Policy Framework and Planning Practice Guidance was reasonable acoustically but it was not felt that the impact and context of removing this period of respite on Sundays was suitably appreciated for the noise to be at or below the Lowest Observed Adverse Impact Level, the level where no specific further mitigation is needed. The application could not therefore be supported.

Following discussions and a meeting with the applicant and the acoustic consultant the application and acoustic report was resubmitted without Sundays being included. The report considered the same noise level for the categorisation of Lowest observed adverse effect (LOAEL) however in principle with Sundays glass handling removed this is now felt to be acceptable in the wider context in principle.

The practical meaning of levels below LOAEL and the other categories of effect are best described in the table below:

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Table 1: Planning Practice Guidance – Noise Hierarchy

Perception	Example Outcomes	Increasing Effect Level	Action
Not Noticeable	No Effect	No Observed Effect	No specific measures required.
Noticeable and not intrusive	Noise can be heard, but does not cause any change in behaviour or attitude. Can slightly affect the acoustic character of the area but not such that there is a perceived change in the quality of life.	No Observed Adverse Effect	No specific measures required
Lowest Observed Adverse Effect Level			
Noticeable and intrusive	Noise can be heard and causes small changes in behaviour and / or attitude, e.g. turning up volume of television, having to close windows for some of the time because of noise. Potential for some reported sleep disturbance. Affects the acoustic character of the area such that there is a perceived change in the quality of life.	Observed Adverse Effect	Mitigate and reduce to a minimum
Significant Observed Adverse Effect Level			
Noticeable and disruptive	The noise causes a material change in behaviour and / or attitude, e.g. avoiding certain activities during periods of intrusion; where there is no alternative ventilation, having to keep windows closed for most of the time because of noise. Potential for sleep disturbance resulting in difficulty in getting to sleep. Quality of life diminished due to change in acoustic character of the area.	Significant Observed Adverse Effect	Avoid
Noticeable and very disruptive	Extensive and regular changes in behaviour and / or an inability to mitigate effect of noise leading to psychological stress or physiological effects, e.g. regular sleep deprivation / awakening; loss of appetite, significant, medically definable harm, e.g. auditory and non-auditory.	Unacceptable Adverse Effect	Prevent

No noise levels for the categories above are provided in the core planning guidance mentioned (as each application and its context is different) however with the removal of Sunday I agree with the criteria used to determine the noise level for LOAEL and that the application site noise should be at or below this level (which although audible requires no further mitigation).

The existing noise environment and the noise of particular activities (the bailer line and other external waste handling such as glass off loading, pushing up and bulking) was considered individually. The two criteria for what level constituted LOAEL were used were the predicted Rating level L_{Ar} less than or equal to the existing background (50dB L_{A90}) in accordance with BS4142, and the predicted maximum events are below the existing L_{Amax} level in the area.

The level for impulsive L_{Amax} events in the proposed hours were considered to be LOAEL if the site noise L_{Amax} levels were lower than that exceeded by approximately two thirds of the current L_{Amax} events in the proposed hours 63dB. This level is lower than the existing average L_{Amax} levels and therefore I consider these to be conservative. This is helpful as impulsive noise particularly from glass handling was of most concern. There is no guidance on suitable daytime L_{Amax} levels but at night, between 23:00hrs and 07:00hrs, a level of 60dB L_{Amax} is a recommended limit therefore the existing daytime L_{Amax} levels from glass handling is only 3dBA higher than what would be a night

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time limit. Glass tips are advised to also only occur three or four times over a 15minute period during peak hours. Glass tipping into the bulking container will be more frequent but lasts approximately 25minutes however the levels are lower again and this activity is not proposed to occur on Bank Holidays and is unlikely to occur at the times applied for.

BS4142 advises that where the Rating level does not exceed the background sound level, this is an indication of the specific sound source having a **low impact**, depending on the context. The BS4142 assessment included the addition of a Rating of 6dB to account for the impulsive noise of glass tipping being clearly perceptible.

Although noise from glass handling is audible at various residential premises the report demonstrates suitable Rating Levels and impulsive levels in accordance with the levels of LOAEL as explained above and reproduced for the worst impacted monitoring locations in the table below:

Activity	LAr dB LOAEL limit at receptors	LAmx dB LOAEL Limit at receptors	BS4142 LAr at worst receiver location	Maximum level at worst receptor location
Glass tipping	50	63	NA	62.4 predicted (58 measured)
Bulking up	50	63	49	58.5 predicted (58.2 measured)
Bailer	50	63	35	NA

Levels of existing Background and impulsive noise do not significantly reduce after the proposed end times of the additional hours applied for so there is scope acoustically to extend beyond the current proposed hours but taking the context of the an hours limit is still needed if the noise is to remain LOAEL without further mitigation such as a building. Therefore, subject to conditions to ensure suitable restriction of hours, I consider the application to be acceptable and the conclusion of my comments to the original application report are now addressed as explained above and particularly with the removal of external waste handling on Sundays every week. Also specifically:

- i) There is no evidence to support that Bank Holidays have a significantly different ambient noise environment to other days of the week and these are of a limited number per year. However there is insufficient evidence in the RSK to support a 07:00hrs start for external glass handling and therefore a later Bank Holiday start than the proposed 07:00hrs is considered reasonable i.e. 09:00hrs.
- ii) There is no need for further mitigation/barriers or buildings as no mitigation is required for LOAEL noise subject to hours restrictions as recommended below being applied.
- iii) The land identified for development to the East and West of Totterdown bridge would need a level of insulation to protect from permitted noise and this would not change as a result of the extended hours.
- iv) The flats to the rear of the RSPCA, although not specifically monitored for the assessment are at a distance and suitably screened that these properties will be no worse impacted than other monitoring locations assessed as LOAEL.

There is a Working Plan and this includes noise however this needs revision to account for training staff to include noise control aspects of activities and an undertaking that any change of procedure or equipment of in the event of equipment malfunction leading to increased noise from the site.

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Therefore the following conditions are recommended:

1. Any external tipping, handling and collection of recyclables shall only take place between 07:00 to 21:00 Monday to Friday, between 07:00 and 17:00 Saturdays, 09:00 and 17:00 Bank Holidays and not at all on Sundays.

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

2. The bailer and sorting line shall only be operated from 07:00hrs to 23:00hrs Monday to Sunday including Bank Holidays.

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

3. Noise from site operations, excluding all external noise, shall not exceed dBA Leq and dBA Lmax levels approved under application reference: 12/03458/COND.

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

4. Glass bulker container filling or collections in any open part of the site shall only take place between 07:00 to 21:00 Monday to Friday and between 07:00 and 17:00 on Saturdays. No glass bulker container filling or collections in any open part of the site shall take place outside of these times or on Sundays. Any tipping, sorting and handling of glass shall only take place in the external storage bays at all times.

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

5. The development approved shall be carried out in accordance with an Operational Site Management Plan which shall be submitted and approved by the LPA within 2 months of the activity hereby approved at all times.

Reason: In the interests of protecting the amenity of nearby residents and businesses.

All other conditions shall remain.

Further comments received recommended a further condition with regard to the bailer operation:

Restriction of noise from plant and equipment

The Rating level of any noise generated by the Bailer operation shall be at least 5 dB below the pre-existing background level as determined by BS4142: 2014-"Method for rating and assessing industrial and commercial sound" at any time.

Reason: To safeguard the amenity of nearby premises and the area generally

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RELEVANT POLICIES

National Planning Policy Framework – March 2012

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocations and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2016 and Lawrence Weston Neighbourhood Development Plan 2017.

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) WOULD THE PROPOSAL HAVE AN UNACCEPTABLE IMPACT ON ENVIRONMENTAL AMENITY OR UNACCEPTABLY AFFECT THE AMENITY OF SURROUNDING PREMISES?

Noise

Policy BCS21 of the adopted Core Strategy (June 2011) sets out criteria for the assessment of design quality in new development. Development will be expected to safeguard the amenity of existing developments and create a high-quality environment for future occupiers.

The National Planning Policy Framework (NPPF) (March 2012) states that 'planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life', but also should 'mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.' Reference is made in the NPPF to the Explanatory Note to the Noise Policy Statement for England (Department for the Environment, Food and Rural Affairs).

Policy BCS23 of the adopted Core Strategy and Policies DM10 and DM35 in the Site Allocations and Development Management Policies Document (2014) require consideration to be given to noise pollution and the impact on residential amenities. Where proposed development is sited in areas of existing noise, such as commercial areas or near electricity sub-stations, sound insulation measures may be necessary.

Following the submission of revisions to the proposals, the applicant is seeking to amend the existing consent to carry out operations during the following times:

Baler Operation	07:00 to 23:00hrs
External Glass Recycling	07:00 to 21:00hrs - Monday to Friday; 07:00 to 17:00hrs - Saturday; 07:00 to 17:00hrs - Bank Holiday; and, No operation on Sunday.
Bulking Up	07:00 to 21:00hrs – Monday to Friday; and, 07:00 to 17:00hrs – Saturday.

The applicant has submitted a revised noise assessment in support of the revised proposals. This assessment considers potential noise impacts on nearby residential and proposed residential development including sites allocated in the Local Plan. The Council's Environmental Health Officer has been consulted and the comments received to the revised proposals are set out above in the 'Other Comments' section.

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Objections received have raised concerns regarding noise and disturbance and make reference to disruptive and intrusive noise. The Council's Environmental Health Officer has commented that the existing area is known to be particularly noisy in the week and Saturday mornings due to various waste operations such as Abacus and McCarthy Waste along Albert Road which are audible within housing to the South of the Bath Road and in particular those houses which are shielded from road noise but also overlook the area from Totterdown. Bristol Waste Company contributes to the noise but its noise is not the dominant terms of noise level although the activity of glass handling is audible particularly due to the character of the noise being readily identifiable and unique. It has been further commented that impulsive noise particularly from glass handling was of most concern.

The Council's Environmental Health Officer considers that although noise from glass handling is audible at various residential premises the report demonstrates suitable Rating Levels and impulsive levels in accordance with the levels of Lowest observed adverse effect (LOAEL) set out in the Planning Practice Guidance Noise Hierarchy. The two criteria for what level constituted LOAEL were used were the predicted Rating level L_A less than or equal to the existing background (50dB L_{A90}) in accordance with BS4142, and the predicted maximum events are below the existing L_{Amax} level in the area.

With regard to Bank Holidays, whilst the applicant has applied for external glass handling from 07:00, the Council's Environmental Health Officer has recommended a 09:00 start because the evidence provided is not considered to demonstrate that Background noise levels in early morning on a Bank Holiday would mask glass handling suitably. The recommendation to commence at 09:00 is therefore a judgement based on a lack of information but also on what would be more reasonable in comparison to 07:00hrs particularly on a Bank Holiday.

Turning to the bailer line, it is understood that the evidence provided by the applicant in their noise assessment doesn't indicate that this is likely to be audible between 07:00 to 23:00, however this could cause potential concern if the bailer noise were to change over time, for example as a result of maintenance issues. To address this, Environmental Health have recommended a condition restricting noise levels (which it is understood the existing operation would currently comply with).

The Council's Environmental Health Officer considers that with the further information and the change of hours since the application was originally submitted, they are now confident that the risk of adverse impact is minimised with noise likely to be at the Lowest Observed Adverse Effect Level requiring no specific (further) measures and as further explained in the Planning Practice Guidance as "*Noise can be heard, but does not cause any change in behaviour or attitude. Can slightly affect the acoustic character of the area but not such that there is a perceived change in the quality of life*".

As such, subject to the amended Bank Holiday hours as recommended by the Council's Environmental Health Officer, the submission of an updated Operational Site Management Plan and condition regarding the future operation of the bailer line, it is recommended that proposed variation to the conditions of planning permission 13/02100/X would be acceptable and would accord with the above policies.

Land Contamination

Policy BCS23 of the adopted Core Strategy requires consideration to be given to avoiding adverse impacts on environmental amenity by creating exposure to contaminated land or underground or surface water bodies. Policy DM34 of the Site Allocations and Development Management Policies Document requires development to demonstrate that proposals will not cause the land to become contaminated to the detriment of future use or restoration of the site or so that it would cause pollution in the surrounding area.

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The BCC Land Contamination Officer has confirmed that the change of hours do not impact risks to land and water from contamination. These are adequately protected by the The Environmental Permitting (England and Wales) Regulations 2016 and The Waste (England and Wales) (Amendment) Regulations 2012.

Air Quality

Policy BCS23 of the adopted Core Strategy 2011 and Policy DM33 of the Site Allocations and Development Management Policies Document requires development that has the potential for significant emissions to the detriment of air quality to include an appropriate scheme of mitigation measures. Core Strategy Policy BCS10 also expects developments to be designed and located to ensure the provision of safe streets and reduce as far as possible the negative impacts of vehicles such as excessive volumes, fumes and noise

The BCC Air Environment Team have confirmed that they do not have any issues or concerns regarding air quality in connection with this application.

(B) DO THE PROPOSALS SATISFACTORILY ADDRESS TRANSPORT AND MOVEMENT ISSUES?

As set out above, Core Strategy Policy BCS10 expects developments to be designed and located to ensure the provision of safe streets and reduce as far as possible the negative impacts of vehicles such as excessive volumes, fumes and noise. DM23 of the Site Allocations and Development Management Policies Document expects development to provide a safe secure, accessible and usable level of parking provision having a regard to parking standards, as well as secure and well-located cycle parking and facilities for cyclists.

This application does not propose to alter the current access arrangements for the site. Under this existing arrangement, vehicles enter and exit the site in a forward gear and sufficiently circulate the site without difficulty.

With regard to vehicle movements to and from the site, the submitted information states that it is not anticipated in the short term that there will be any increases in traffic to the site at this time as the extended hours are to allow for improved operational and maintenance capacity. If material from the Household Waste Recycling Centre in the future then there may be a minimal increase in vehicles entering our sites, approximately two vehicles per week. It is also stated that there could be an increase in material hauliers from the site with an increase in recycling rate, but as the material is bulked up, the increase in this type of vehicle would be minimal and mainly restricted to 'office hours' as hauliers tend to prefer to receive their material promptly enabling them to deliver to the re-processors on the same day.

The BCC Transport Development Management Team has reviewed this information and consider the proposals will have minimal impact on the highway network and are acceptable on highway safety grounds.

Furthermore, previous permissions 99/02837/F, 11/05046/F and 13/02100/X and 13/02103/X have a restriction on the tonnage limit that the site can receive annually and the local highway network was deemed sufficient to accommodate this tonnage limit. This tonnage limit remains in place and has not been applied to be varied as part of this application as the extended hours are to allow for operational and maintenance capacity on the site. The tonnage limit therefore remains as previously conditioned (please refer to Condition 7 below).

Development Control Committee B – 14 March 2018**Application No. 17/04490/X: Bristol Waste Recycling Facility Albert Road St Philips Bristol BS2 0XS****CONCLUSION**

This application has been submitted by Bristol Waste Company for the proposed variation of conditions attached to app.no.13/02100/X and is brought to Committee for consideration having regard to the level of public interest. It is understood that the applicant is seeking to revise these conditions to increase operational capacity and to improve their ability to manage non-planned events and peaks in material received.

In response to the initial consultation, 23 objections to the proposals were received raising issues including noise, air quality and street cleaning in the area. Following the reconsultation, 7 objections were received. These responses include comments from Totterdown Residents Environmental and Social Action.

Officers' assessment is that the proposed variation to the conditions would be acceptable, subject to amended Bank Holiday hours as recommended by the Council's Environmental Health Officer, the submission of an updated Operational Site Management Plan and condition regarding the future operation of the bailer line.

Having regard to the comments received and on the basis of all of the material considerations related to this application, approval of the application is recommended to Members, subject to conditions.

RECOMMENDED GRANT subject to condition(s)**Post occupation management**

1. Hours of use restriction: Monday to Saturday

Any external tipping, handling and collection of recyclables shall only take place between 07:00 to 21:00 Monday to Friday, between 07:00 and 17:00 Saturdays, 09:00 and 17:00 Bank Holidays and not at all on Sundays.

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

2. Other operations: Saturdays and Bank Holidays

All other operations associated with tipping, handling and collection of recyclables shall only take place between 07:00 and 17:00 on Saturdays and Bank Holidays but not at all on Sundays.

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

3. The bailer and sorting line

The bailer and sorting line shall only be operated from 07:00hrs to 23:00hrs Monday to Sunday including Bank Holidays.

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

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4. Noise from site operations, excluding all external noise, shall not exceed dBA Leq and dBA Lmax levels approved under application reference: 12/03458/COND.

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

5. Glass Operations External Areas

Glass bulker container filling or collections in any open part of the site shall only take place between 07:00 to 21:00 Monday to Friday and between 07:00 and 17:00 on Saturdays. No glass bulker container filling or collections in any open part of the site shall take place outside of these times or on Sundays. Any tipping, sorting and handling of glass shall only take place in the external storage bays at all times.

Reason: In the interest of protecting the amenity of nearby residents and businesses from unacceptable noise pollution.

6. Tonnage limit

The facility hereby approved shall accept no more than 80 000 tonnes of waste/recycled material per annum, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: In accordance with planning permission 99/02837/F for reasons of highway safety.

7. No open storage

No storage of any waste or recycled products/goods shall take place in the open, other than within the designated (external) storage bays.

Reason: In the interests of visual and environmental amenity.

8. Netting

The top of the bays used for the storage of paper shall be covered with netting at all times, unless otherwise agreed, in writing by the Local Planning Authority.

Reason: To contain the waste paper within the storage bays in the interests of amenity.

9. Operational Site Management Plan

The development approved shall be carried out in accordance with an Operational Site Management Plan which shall be submitted and approved by the LPA within 3 months of the date of this permission hereby approved at all times.

Reason: In the interests of protecting the amenity of nearby residents and businesses.

10. Drainage System

The development hereby approved shall be carried out in accordance with the proposed drainage system shown on drawing DS09019/209 (relating to application reference 12/02346/COND), received 23 May 2012, at all times.

Reason: To prevent pollution of the water environment.

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11. Vehicle Maintenance, Repair or Valeting

Any vehicle maintenance, repair or valeting shall only take place inside the existing vehicle workshop building shown on drawing number DS09019-010/P2: 'Proposed Site Plan' relating to permission reference: 11/05046/F.

Reason: In the interest of protecting the amenity of nearby residents and businesses.

12. Vehicle Parking Bays

Vehicle parking bays shall be marked out as shown on drawing no. DS09019-014/P3 relating to permission reference: 11/05046/F and shall be kept free of obstruction and available only for the parking of vehicles associated with the development.

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

13. External lighting

All external lighting shall be operated, retained and maintained in accordance with the approved external lighting plan (drawing DM06040-DR-202 Rev C.1 relating to application reference 12/02346/COND), received 23 May 2012.

Reason: In the interests of amenity and highway safety.

14. Acoustic Barriers

The existing acoustic barriers as shown on drawing DS09019-006 P3 relating to permission reference: 11/05046/F shall be retained on site in the existing positions at all times.

Reason: In the interest of protecting the amenity of nearby residents and businesses.

15. Use Class restriction

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) the site shall only be used for the purposes specified under planning application 99/02837/F and this planning application and for no other purpose (including any other purpose in Class B2 on the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order)

Reason: This use of this site for the storage and transfer of waste only is permitted and other uses, either within the same Use Class, or permitted by the Town and Country planning (GPD) Order 1995 are not acceptable to the Local Planning Authority in this location because other such uses require detailed consideration of their impact(s).

16. Restriction of noise from plant and equipment

The Rating level of any noise generated by the Bailer operation shall be at least 5 dB below the pre-existing background level as determined by BS4142: 2014-"Method for rating and assessing industrial and commercial sound" at any time.

Reason: To safeguard the amenity of nearby premises and the area generally

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List of approved plans

17. 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.

Acoustics Report reference A1115 Revision R02 prepared by Ion Acoustics Ltd dated 12 January 2018, received 12 January 2018

Reason: For the avoidance of doubt.

Supporting Documents

1. Bristol Waste Recycling Facility, Albert Road

1. Revised Noise Assessment



BRISTOL WASTE COMPANY, ALBERT ROAD, BRISTOL

NOISE ASSESSMENT

Acoustics Report A1115 / R02A

26th January 2018

Report for:

Bristol Waste Company
Albert Road
Bristol
BS2 0XS

Attention: Gwen Frost

Prepared by:

Mark Harrison BSc (Hons) PGDip MIOA
Senior Acoustic Consultant

Checked by:

David O'Neill BEng CEng MSc MIOA
Director

Issue/Revision number

~~A1115 R02~~
A1115 R02A

Date

~~12/01/2018~~
26/01/2018



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Appendix A: Bristol City Council Email Response

Appendix B: Time History Charts

Appendix C: Noise Source Data



1 Introduction

Ion Acoustics is appointed by Bristol Waste Company to provide advice relating to the potential noise impact associated with a proposed change to the operating hours of the existing waste transfer station on Albert Road, Bristol.

The site has accommodated a waste transfer and processing facility for a number of years. The facility has changed ownership a number of times during this period and is now operated by Bristol Waste Company (BWC). To cope with increasing demand, a planning application to increase the permitted hours of the site was submitted in 2017. Permission was sought to work beyond the current limitations if and when required, particularly at peak times of the year.

The planning application for the change of hours was made by BWC under planning application reference 17/04490/X. This was accompanied by an initial acoustic report A1180 R01A dated 30th May 2017 which documented noise surveys carried out around the site and derived appropriate noise limits. In addition, the earlier report described potential noise impacts **associated with extended hours of operation with a view to informing the operator's decision making process** as to the extent of the proposed extension hours.

Following that application, Bristol City Council's environmental health department identified some specific concerns regarding the noise impact and, following discussions, a number of areas where further assessment was required. This new report has been prepared to address the concerns raised by Bristol City Council and is intended to be submitted with a revision to the original submission for a reduced number of extended hours compared with the 2017 submission. Some parts of the original report are repeated here for ease of reading.

Ion Acoustics carried out a number of noise surveys in the area between 1st April and 8th May 2017. This included measurement of baseline noise levels at the nearest residential locations with and without the site in operation and measurements outside of the current operational hours. Attended noise measurements were made when specific noise generating activities were being undertaken as a means of quantifying noise generated by activities at the waste site. The survey findings have been used to assess the potential noise impact of extended hours working.

2 Site and Development Proposals

2.1 Location and Nearby Sensitive Receptors

The site is located on land off Albert Road in the **St Phillip's Marsh Industrial Area**. The site is surrounded by a number of industrial and commercial operators including a number of other waste management companies.

To the south of the site, across the river Avon is Bath Road (A4) and beyond this are a number of residential locations. The closest existing receptors are along the A4, but these are not necessarily the most affected as they have higher noise levels from road traffic. The monitoring and assessment locations were chosen at positions set back from the A4 as a means of minimising the effect of road traffic noise on the measured data and to move further up the hill towards Totterdown.

The Bristol Waste site, receptor and measurement locations and a number of surrounding noise generating operators are shown in Figure 1 below:

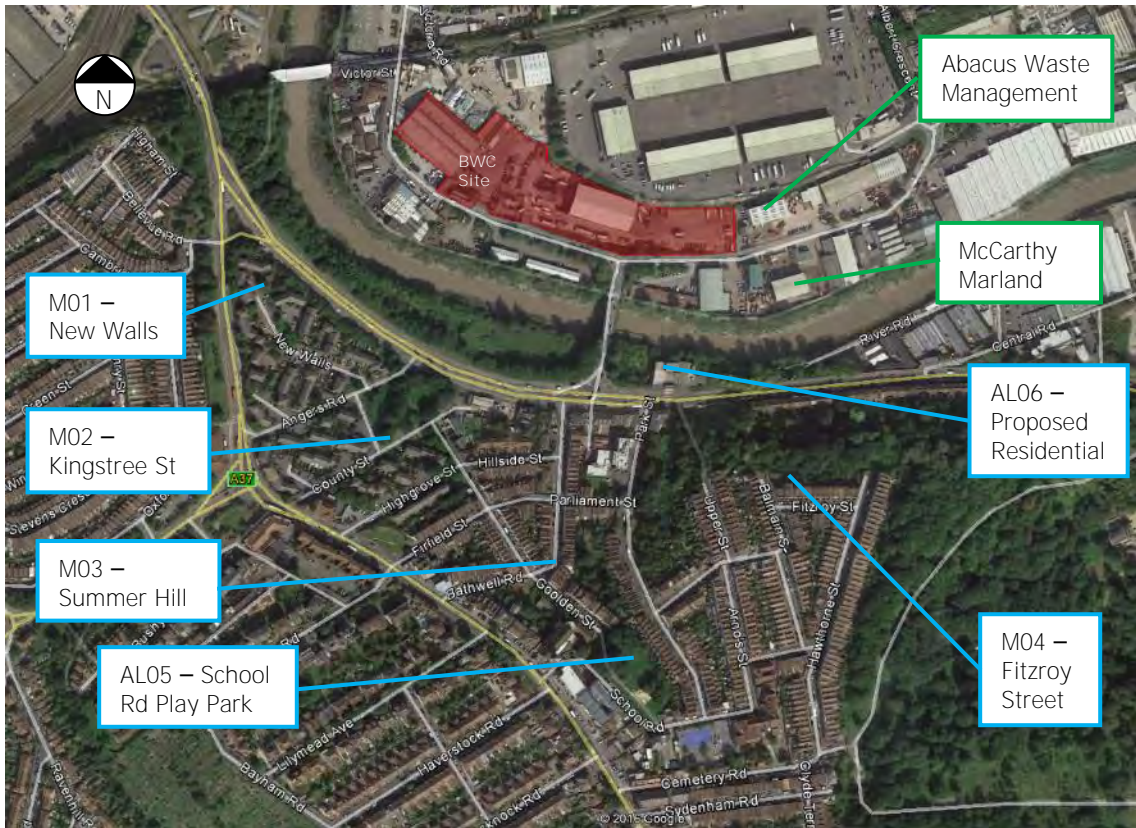


Figure 1: Site and Receptor Locations (Map Ref Google Earth)

In addition to the existing receptor locations, assessment has been undertaken to a parcel of land on the south bank of the river, adjacent to the Totterdown bridge which has historically been subject to a number of planning application for residential use. For clarity, the receptor locations are detailed below:

Table 1: Receptor Location Details

Receptor Name	Location Reference	Approximate Ordnance Survey Grid Co-ordinates (E,N)	Distance to Site Boundary, m
New Walls	M01	359927, 171781	200
Kingstree Street	M02	360044, 171629	240
Summer Hill	M03	360209, 171511	300
Fitzroy Street	M04	360419, 171594	225
School Rd Play Park	AL05	360279, 171430	365
Proposed Residential Development	AL06	3603070, 171704	125

2.2 Site Operation

The layout of the site is detailed in Figure 2 below. This identifies the existing built structures and the typical vehicle path through the site (yellow arrows).

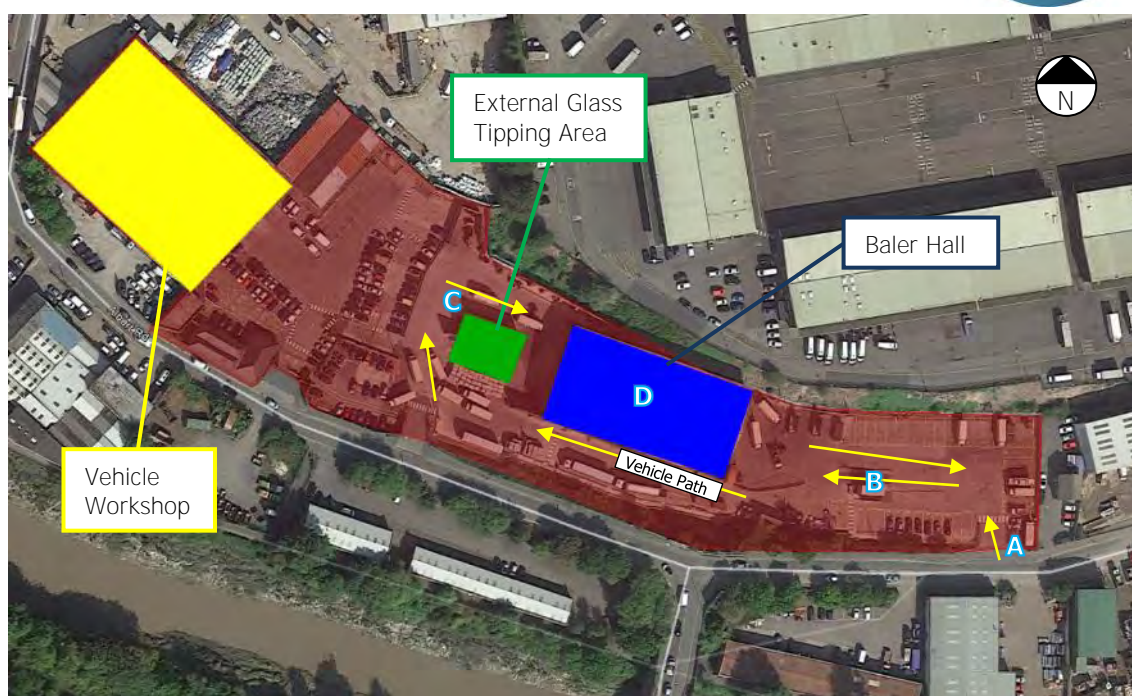


Figure 2: Site Layout Plan (Map Ref Google Earth)

Kerbside Stillage Vehicles (KSVs) return to the site from 09:00 during a typical day and enter from the east, off Albert Road (Point A). The KSVs follow a specific route through the site to unload, past the weighbridge (B) to the external tipping bays (C – shaded green). Here, forklift vehicles unload separated waste containers (stillages) and tip them in to the appropriate bays (glass and paper). A tip from a stillage in to the glass bays would typically last between 10 and 30 seconds depending on the amount of waste. The glass is then from time to time **'pushed up' within** the bays; a large shovel loader pushes the glass further in to the bays, scoops it up and tips on top of the pile, increasing the height of the pile and allowing more glass to be tipped in the bays. The glass is eventually **"bulked up"**, i.e. loaded in to a bulk haulage vehicle, for onwards transport to a waste processing facility. The glass recycling, and specifically the bulking up, is the noisiest activity on the site.

Paper is then unloaded in a similar manner, in to external storage bays though evidently, this does not generate the same level of noise as glass.

After the glass and paper are unloaded, the KSVs progress into the baler hall (D - shaded blue) where card, plastic and metals are tipped individually before being loaded in to the baler. The shovel loader will typically load the appropriate waste from the floor of the baler hall on to a conveyor for sorting before the waste is compressed in to bales. The baler is located within the building along the southern façade and operates on and off throughout the permitted hours. The baler hall is open at the east and west end, but otherwise is a fully enclosed building.

The KSVs then exit the baler hall where food waste is unloaded in to larger container/ skips (RoRo containers) before the KSVs are either parked up or sent out on another run.

The current operating hours of the facility are controlled by the planning permission. The permitted hours are:



- External tipping, handling and operation of the baler:
 - Monday to Friday 07:00 to 19:00;
- Glass tipping outside of these hours is permitted, but must be undertaken within a building and only within these hours:
 - Saturdays - 08:00 to 13:00;
 - Bank Holidays - 09:00 to 18:00;
 - 3 Saturdays following Christmas – 13:00 to 18:00
- Baler operations outside of these hours are permitted as follows:
 - Saturday – 08:00 to 13:00;
 - Bank Holidays – 08:00 to 18:00;
 - 3 Saturdays following Christmas - 08:00 to 18:00;
- No operation on Sunday;

Internal glass tipping, within the hours permitted above, takes place within the vehicle workshop space to the west of the site (shaded yellow) as indicated on Figure 2 above.

2.3 Proposed Variations in Hours

This assessment has been undertaken as a means of quantifying and assessing the noise impact associated with a potential variation in the permitted hours and has been informed by national standards and guidance and discussions with Bristol City Council. For the purposes of this assessment, the activities at the facility have been divided in to three separate elements:

- Operation of the baler for the bulking of metal, plastics and card;
- External glass recycling in the glass bays (including tipping from KSVs and pushing up); and,
- Bulking up of glass waste with a shovel loader in to a bulk haulage vehicle.

Other noise sources around the site include vehicle movements and reversing alarms and are generally considered to be in keeping with the general industrial / commercial nature of the Albert road area.

The proposed hours now sought relate to less extensive use than the previous 2017 application and the extension of hours described in this report would seek to simplify the operational hours to the following periods:

- Baler Operation – 07:00 to 23:00hrs
- External Glass Recycling:
 - 07:00 to 21:00hrs - Monday to Friday;
 - 07:00 to 17:00hrs - Saturday;
 - 07:00 to 17:00hrs - Bank Holiday; and,
 - No operation on Sunday.
- Bulking Up:
 - 07:00 to 21:00hrs – Monday to Friday; and,
 - 07:00 to 17:00hrs – Saturday.



It is noted that all glass recycling activities and bulking up are to be undertaken outside. The proposed extension of outdoor glass working is essentially for a 2-hour extension in the evening (from 19:00 to 21:00 hrs) and to permit external glass recycling on Saturdays and Bank Holidays.

There are to be no changes to the layout or other operational practices at the facility. The only changes considered within this assessment relate to the permitted operational hours. However, Section 7.6 below details a potential mitigation measure which may provide some benefit in reducing noise emissions generated by external glass tipping. This suggestion is provided for information only at this stage and has not been factored into the assessments included within this report.

3 Local Planning Authority Consultation

3.1 Initial Consultation with BCC

Prior to the assessments being undertaken, Ion Acoustics approached Bristol City Council to discuss the assessment methodology and criteria. In response, an email was received from Mr Dylan Davies, Senior Environmental Health Officer at Bristol City Council, which highlighted a number of factors which were relevant to the assessment. Mr Davies suggested a review of previous decision notices for the site, including those under application reference 11/05046/F, 12/02346/COND and the application submitted in 2013 reference 12/03611/X. Mr Davies also highlighted that his concerns related primarily to the noise generated by glass tipping and to a lesser extent, other noises at the facility i.e. vehicle movement and reversing alarms. In addition to the email, a telephone conversation was held with Mr Davies on the 6th February 2017. During the conversation, the following topics were discussed and in-principle agreements made:

Assessment Methodology: Mr Davies indicated that his main concerns, with regard to the glass tipping, relate to the character of the noise generated, rather than just the level of the noise. He indicated that measurements he had undertaken in the past, had shown that noise from glass tipping events was not prominent in measured data, in neither the L_{Aeq} or L_{Amax} noise parameters, but was nevertheless audible as specific events. To that end, he considered it unlikely that an assessment in line with BS4142, which considers the rating level of the noise against the measured background sound level, L_{A90} , would sufficiently quantify the noise impact. Instead, it was suggested by Mr Davies that it may be possible to consider the noise impact by comparison of the L_{Amax} noise levels to the background sound level (L_{A90}). In principle, it is considered that, subject to appropriate character correction in the rating noise, this approach could be useful to assess the noise impact, although it should be noted that BS 4142, specifically in the worked examples, does cover similar noises and therefore it is not accepted that BS 4142 cannot be used.

Irrespective of the assessment methodology, it was recommended that any changes to the operational hours at the waste facility should not result in a worsening of the existing noise impacts.

Noise Monitoring: The conversation relating to the proposed noise monitoring survey indicated that receptors in the vicinity of Balmain Street and Upper Street, the play area / park on School Road and the properties in the vicinity of New Walls, County Street etc. should be included. It was agreed that the noise monitoring survey be undertaken for sufficient duration so as to be representative of the proposed extension hours, including weekend and weekday periods.



Existing Operations at Albert Road: The discussions with Mr Davies indicated that other existing operations on Albert Road, notably Abacus waste management and McCarthy Marland, can lead to difficulty in isolating noise from the Bristol Waste site from the general noise climate. Both Abacus and McCarthy are waste processing and bulking facilities and generate tipping noise **and general 'bangs' and 'crashes' associated with emptying skips etc.** Some of these sources are currently more evident at the housing receptors than the BWC operations. Mr Davies indicated that the other waste operators kept similar hours to Bristol Waste, typically 07:00 to 19:00hrs, though it could not be confirmed if their permitted hours were longer.

3.2 Bristol City Council Email Response

Following submission of Ion Acoustics report reference A1115 R01A, a detailed email response was received from Mr Davies on the 18th October 2017 indicating a number of his concerns with the assessment. The email response is appended to this report in appendix A for reference. Some of the points raised by Mr Davies have been summarised below:

- The council was keen to protect the existing periods of respite from the existing commercial activities in the Albert Road area. Mr Davies indicated that these periods include weekday evenings and weekends;
- The nature of the noise generated by external glass handling would have an impact on the character of the noise climate, irrespective of absolute noise level. In addition, the significance of the change in character of the noise environment outside of the current operating hours;
- The appropriate Rating level correction, specifically in relation to glass tipping. Mr Davies indicated that +9dB may in his view **be appropriate for a 'highly' perceptible noise event** whereas a +6dB correction had been used in the initial Ion Acoustics **report for 'clearly' perceptible noise event.** Mr Davies also highlighted variation in the background sound level, in particular the background sound level at location M03, Summer Hill where the measured background sound level falls below the proposed noise limit. Mr Davies indicated that, with these factors included within the assessment, it may return an outcome of SOAEL rather than the outcome of LOAEL obtained in the earlier Ion Acoustics report;
- The frequency of occurrence of the L_{Amax} noise events associated with the glass recycling activities and their impact on the noise climate;
- The perception of noise levels in line with the noise limits. Specific reference was made to New Walls where the predicted L_{Amax} noise levels are 0.6dB below the noise limit;
- The potential noise impact over the Bank Holiday period and the weight of evidence to support the suggestion that the noise levels established over the Sunday period are comparable to the Bank Holiday period;
- Suggestions as to mitigation measures which may provide a beneficial reduction in noise levels generated by activities at the site;
- The noise impact on the potential residential developments in the vicinity of Totterdown Bridge. Mr Davies expressed concerns that the extension hours at the BWC site may prejudice any future development on the parcels of land.



Given the detail of the response, and the complexity of the points raised, a meeting was arranged with BCC to further discuss the issue.

3.3 Site Meeting with LPA and BWC – 20th November 2017

A site meeting was undertaken on the 20th November and was attended by Bristol City Council senior environmental health officer Dylan Davies, Bristol Waste Company, and Ion Acoustics. The meeting was primarily arranged to discuss the issues raised by Mr Davies in his email summarised above.

It was concluded from the meeting that the major point of concern for the Council related to the subjective perception of noise from external glass tipping rather than the absolute noise level or the noise level relative to the existing noise climate. Given that the concerns related primarily to the subjective perception of noise it was difficult to agree an appropriate means of assessing the noise impact and BCC were not willing to commit to a numerical assessment approach which they would accept. That said, a number of action points arose from the meeting. These points have been considered since the meeting and are addressed within the assessments presented within this report.

4 Planning Policy and Other Guidance on Noise

4.1 The National Planning Policy Framework (NPPF)

In March 2012 the National Planning Policy Framework (NPPF) replaced a number of Planning Policy Statements (including PPG 24) with a single document which is intended to promote sustainable development.

The NPPF sets out the Government's policies for the planning system in England. The document is generally not prescriptive and does not provide noise criteria. Instead, it places the onus on local authorities to develop their own local plans and policies. *"In preparing Local Plans, local planning authorities should: ...set out environmental criteria, in line with the policies in this Framework, against which planning applications will be assessed so as to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment or human health, including from noise..."*

The document further states that: *"Planning policies and decisions should aim to:*

- *avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;*
- *mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;*

4.2 Noise Policy Statement for England (NPSE)

The Noise Policy Statement for England (NPSE) sets out the Government's policy on environmental, neighbourhood and neighbour noise for England. The policy sets out three aims:

- *"avoid significant adverse impacts on health and quality of life;*
- *mitigate and minimise adverse impacts on health and quality of life; and,*
- *where possible, contribute to the improvement of health and quality of life."*



The NPSE introduces the following terms which are also used in the NPPF Planning Practice Guidance:

"NOEL – No Observed Effect Level

This is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise.

LOAEL – Lowest Observed Adverse Effect Level

This is the level above which adverse effects on health and quality of life can be detected.

SOAEL – Significant Observed Adverse Effect Level

This is the level above which significant adverse effects on health and quality of life occur."

However, neither the NPSE, nor the NPPF Planning Practice Guidance, define numeric criteria for the NOEL, LOAEL or SOAEL. Instead, it is recommended that the limits of each effect level should be defined for each situation and location.

4.3 Planning Practice Guidance – Noise (Web Publication)

The planning practice guidance website¹ provides advice on the application of the NPPF and NPSE. The noise page ***"Advises on how planning can manage potential noise impacts in new development"***.

The planning Practice Guidance – Noise details a noise exposure hierarchy based on average response. This is detailed below:

¹ <https://www.gov.uk/guidance/noise--2>



Table 2: Planning Practice Guidance – Noise Hierarchy

Perception	Example Outcomes	Increasing Effect Level	Action
Not Noticeable	No Effect	No Observed Effect	No specific measures required.
Noticeable and not intrusive	Noise can be heard, but does not cause any change in behaviour or attitude. Can slightly affect the acoustic character of the area but not such that there is a perceived change in the quality of life.	No Observed Adverse Effect	No specific measures required
Lowest Observed Adverse Effect Level (LOAEL)			
Noticeable and intrusive	Noise can be heard and causes small changes in behaviour and / or attitude, e.g. turning up volume of television, having to close windows for some of the time because of noise. Potential for some reported sleep disturbance. Affects the acoustic character of the area such that there is a perceived change in the quality of life.	Observed Adverse Effect	Mitigate and reduce to a minimum
Significant Observed Adverse Effect Level (SOAEL)			
Noticeable and disruptive	The noise causes a material change in behaviour and / or attitude, e.g. avoiding certain activities during periods of intrusion; where there is no alternative ventilation, having to keep windows closed for most of the time because of noise. Potential for sleep disturbance resulting in difficulty in getting to sleep. Quality of life diminished due to change in acoustic character of the area.	Significant Observed Adverse Effect	Avoid
Noticeable and very disruptive	Extensive and regular changes in behaviour and / or an inability to mitigate effect of noise leading to psychological stress or physiological effects, e.g. regular sleep deprivation / awakening: loss of appetite, significant, medically definable harm, e.g. auditory and non-auditory.	Unacceptable Adverse Effect	Prevent

The guidance details a list of 4 means by which noise impacts can be mitigated:

- *Engineering: reducing the noise generated at source and / or containing the noise generated;*
- *Layout: where possible, optimising the distance between the source and noise – sensitive receptors and / or incorporating good design to minimise noise transmission through the use of screening by natural or purpose built barrier, or other buildings;*
- *Using planning conditions / obligations to restrict activities allowed on the site at certain times and / or specifying permissible noise levels differentiating as appropriate between different times of day, such as evening and late at night, and;*
- *Mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.*

4.4 Professional Practice Guidance on Planning & Noise (ProPG)

There is recent guidance published in 2017 relating to professional practice guidelines for noise assessments in ProPG. However, that is specifically in respect of transportation noise sources and is not therefore considered further here.

4.5 BS4142:2014 Assessment Principles

The standard method for assessing plant noise affecting nearby housing is British Standard BS 4142 "Method for rating and assessing industrial and commercial sound". A BS4142 assessment is made by determining the difference between the intrusive noise under consideration and the background sound level as represented by the L_{A90} parameter, determined in the absence of the plant noise, in this case, by the noise survey. The L_{A90} parameter is defined as the level exceeded for 90% of the measurement time. Therefore, it represents the underlying noise in the absence of short-term events.

The intrusive noise under consideration is assessed in terms of the ambient level, L_{Aeq} , but a character correction penalty can be applied where the noise exhibits certain characteristics such as distinguishable tones or impulsiveness. The L_{Aeq} is defined as the notional steady-state noise level which has the same energy as the actually time-varying noise. It can be thought of as the average noise level over the stated time period.

The plant noise level (L_{Aeq}) with the character correction (if appropriate) is known as rating level, L_{Ar} , and the difference between the rating level and the background noise is determined to make the BS 4142 assessment. The standard then states:

- ***"Typically, the greater the difference, the greater the magnitude of the impact;***
- *A difference of around +10dB or more is likely to be an indication of a significant adverse impact, depending on the context;*
- *A difference of around +5dB is likely to be an indication of an adverse impact, depending on the context;*
- *The lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound will have an adverse impact or a significant adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound source **having a low impact, depending on the context.**"*

BS 4142 states that the 'typical' background noise level should be used, specifically:

"In using the background sound level ... it is important to ensure that values are reliable and suitably represent both the particular circumstances and periods of interest. For this purpose, the objective is not simply to ascertain a lowest measured background sound level, but rather to quantify what is typical during particular time periods."

The guidance document highlights the importance of considering the context in which a sound occurs. The standard indicates that factors including the absolute sound level, the character of the sound, the sensitivity of the receptor and the existing acoustic character of the area should be considered when assessing the noise impact.



4.6 Impact Significance Criteria

In the preceding Ion Acoustics assessment report the following impact significance matrix was derived in line with the NPPF, NPSE, the planning Practice Guidance – Noise and discussions with Bristol City Council.

Table 3: Proposed Impact Significance Criteria

LOAEL	LOAEL to SOAEL	SOAEL
Predicted rating level is less than or equal to the existing background (L_{A90}) and the predicted maximum events are below the existing L_{Amax} level in the area.	Predicted rating level is less than or equal to the existing background (L_{A90}) and the predicted maximum events exceed the existing L_{Amax} level in the area.	Predicted rating level exceeds the existing background (L_{A90}) and predicted maximum events exceed the existing L_{Amax} level.

It is noted that adherence to the LOAEL criteria does not necessarily render noise from BWC 'inaudible' and given the nature of the activities i.e. glass tipping, it is likely that noise would still be distinguishable at the receptor locations.

4.7 Significance of Audible Noise

During discussions with BCC prior to this application and following submission of Ion Acoustics report reference A1115 R01A, Mr Davies raised concerns relating to the subjective perception of noise from the BWC site and the related impact on the noise climate.

Mr Davies states in his email response:

The nature of noise from glass handling in particular is readily identifiable, frequent and discrete (irrespective of its actual level) in comparison to average or maximal noise from traffic which currently dominates the ambient noise on evenings and weekends. Permitting such noise, without any proposed further mitigation, will therefore significantly change the character of the noise environment currently enjoyed at evenings and weekends adversely.

During the site meeting Mr Davies went further, suggesting that the subjective perception of the noise would result in a significant impact though did not provide any guidance or engage in any discussion to help derive a level at which the noise, while being audible, would be considered acceptable.

From the text above and the discussions with Mr Davies it is concluded that he is of the opinion that glass recycling noise **from the BWC facility, 'irrespective of its actual level' will result in a significant change in the prevailing noise climate without further mitigation.** Mr Davies has not submitted any supporting information to substantiate his assertion other than referencing his subjective perception of the noise at the receptor locations. The reliance of Mr Davies on his subjective perception has resulted in ambiguities as to whether any noise from the BWC facility during the proposed extension hours would be considered acceptable.

The noise hierarchy table (Table 2 above), references the perception of noise and relates this to example outcomes, effect levels and actions. From the hierarchy it can be concluded that, noise which is audible and indeed noticeable, does not necessarily result in an adverse impact. An



adverse effect would only occur when the noise is deemed intrusive which, by its very nature, would include some consideration of noise level, either in absolute terms or relative to the existing noise climate. As such, Mr Davies' assertion that the impact would be significant 'irrespective of actual level' is not helpful nor in our view correct.

It is our understanding that no planning guidance or standard currently in use in the UK requires noise from a commercial / industrial development to be 'inaudible' therefore there must, by extension, be some level of audible and noticeable noise which is considered acceptable.

Given the above, it is concluded that, while noise from the BWC facility may be audible, it would not automatically result in a significant change in the character of the noise environment and by disregarding the level of noise in absolute terms, there is a risk of setting a precedent whereby any audible noise from a development would be considered a significant adverse impact on the prevailing noise climate.

5 Baseline Noise Climate

As part of the earlier assessment a comprehensive baseline and ambient noise monitoring survey was undertaken at a number of locations in and around Totterdown, covering the daytime and night-time for both weekday and weekend periods. The survey locations, methodology and results are detailed in Ion Acoustics Report A1180 R01A and the full assessment is not repeated again here. Following the meeting with BCC, further analysis of the measured data is presented in the subsequent sections of this report though reference should be made to the original report for the specifics of the survey.

5.1 Existing Noise Climate – Weekend

Discussions with BCC indicate that the noise impact over the weekend would be of specific concern, particularly in relation to maintaining a period of respite for the residents of nearby receptors from noise generated in the Albert Road area (not just from the BWC site but from Abacus and McCarthy Marland). To that end, the noise levels measured at location M04, over the weekend period, have been analysed in further detail to give a clearer indication of the existing 'respite period', across both the Saturday and Sunday.

Saturday 22nd April 2017

During the Saturday daytime hours noise was evident from the other waste operators in the area. Inspection of audio files recorded with the monitoring indicate this includes the general bangs and clangs associated with typical operations and continued until 12:00 hours (approximately). Figure 3 below presents the time history for the Saturday period. For reference, the proposed operational hours are shaded and the proposed noise limits have been superimposed over the data. **For clarity, the "rating limit" is the L_{Aeq} value of the activity noise including a character correction, in this case 9dB for impulsive (+6dB) and intermittent (+3dB) noise.**

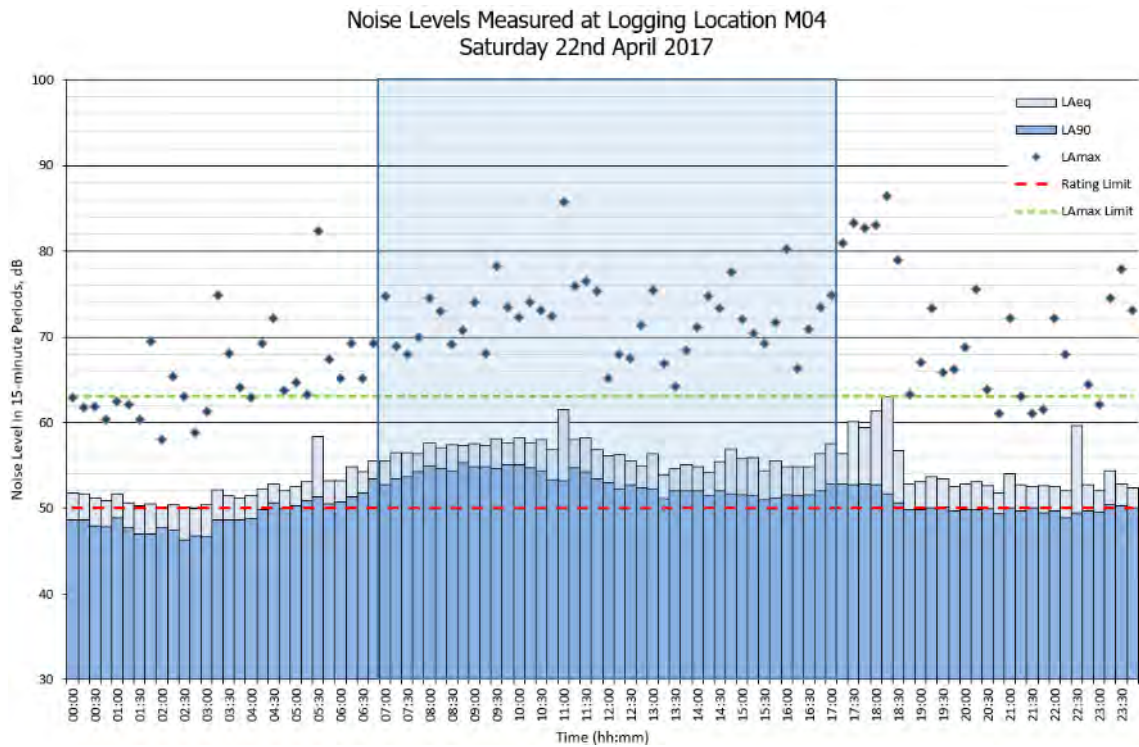


Figure 3: Time history Chart – Saturday 22nd April 2017

Overall the time history plot above indicates a moderate uplift in both the L_{Aeq} and L_{A90} parameters from 05:30 until approximately 18:30, during that period the existing background sound level exceeds the proposed 50dB L_{Ar} noise limit. Beyond 18:30 the background and ambient sound levels remain relatively stable. The highest background and ambient noise levels were recorded between 07:00 and 12:00 and are probably a function of the other existing waste management activities on Albert Rd (Abacus and McCarthy Marland). During the survey period BWC was operating in line with their current planning consent i.e. glass tipping was undertaken within the vehicle maintenance shed up to 13:00hrs.

The uplift in ambient noise levels between 17:30 and 18:30 are a result of activities in close proximity to the SLM and have been omitted from the subsequent assessments.

The existing L_{Amax} noise events are markedly above the 63dB L_{Amax} limit for the vast majority of the day.

Table 4 below presents the daytime hourly noise levels in terms of the ambient (L_{Aeq}), L_{Amax} and background sound level (L_{A90}). With regards the L_{Amax} and background sound levels, various statistical functions (average, min, max etc) are presented to give a more comprehensive overview of the noise climate during the hour periods.

Table 4: Measured Daytime Hourly Noise Levels – Saturday

Time Period	Average ^A Ambient Noise Level, L _{Aeq} , dB	Background Sound Level, L _{A90} , dB				L _{Amax} noise levels, dB			
		Minimum	Maximum	Average (Mean)	Mode (Most Common (integer)	Minimum	Maximum	Average (Mean)	Average – 1 Standard Deviation
07:00 – 08:00	56.2	52.8	54.3	53.6	54	67.9	74.7	70.4	67.4
08:00 – 09:00	57.4	54.4	55.3	54.8	55	69.1	74.5	71.9	69.5
09:00 – 10:00	57.7	54.6	55.1	54.9	55	68.1	78.2	73.5	69.3
10:00 – 11:00	57.7	53.3	55.1	54.4	55	72.3	74.1	73.0	72.1
11:00 – 12:00	59.0	53.2	54.7	53.9	54	75.3	85.8	78.4	73.4
12:00 – 13:00	55.7	52.3	53.0	52.6	53	65.2	71.3	68.0	65.5
13:00 – 14:00	55.1	51.1	52.3	51.9	52	64.2	75.5	68.8	63.9
14:00 – 15:00	55.5	51.5	52.0	51.8	52	71.1	77.5	74.2	71.5
15:00 – 16:00	55.4	51.0	51.6	51.3	51	69.2	72.0	70.8	69.5
16:00 – 17:00	55.3	51.4	52.1	51.7	52	66.3	80.2	72.7	66.9
17:00 – 18:00 ^B	58.6	52.7	52.9	52.9	53	74.9	83.3	80.5	76.6
18:00 – 19:00 ^B	60.1	49.8	52.8	51.2	-- ^C	63.3	86.4	77.9	67.7
19:00 – 20:00	53.2	49.7	50.2	50.0	50	65.9	73.3	68.1	64.6
20:00 – 21:00	52.6	49.3	49.9	49.7	50	61.1	75.6	67.4	61.0
21:00 – 22:00	53.0	49.5	50.1	49.8	50	61.1	72.2	64.5	59.3
22:00 – 23:00	55.6	48.9	49.7	49.5	50	64.4	86.9	72.9	63.0

NOTE A: The logarithmic average is used for the L_{Aeq} parameter
 NOTE B: Activities in close proximity to the SLM skewed the measured data – Excluded from the assessment
 NOTE C: No integer Mode value could be calculated

The daytime ambient noise level, between the hours of 07:00 and 23:00 hours ranges between 53dB and 59dB L_{Aeq, 1hour} with the higher ambient noise levels occurring before 12:00hrs when activities at the existing waste management facilities are evident on Albert Rd.

The background sound level (L_{A90, 1hour}) varies between 50dB and 55dB though indicates little variation between the minimum, maximum, average and mode which would indicate a relatively stable background sound level, probably governed by road traffic noise.

The L_{Amax} noise levels are relatively high throughout the day, with the minimum measured L_{Amax} level being 61dB L_{Amax}, which was measured towards the end of the daytime period, after 20:00hrs. The typical (average – 1 Standard deviation) L_{Amax} sound level only drops below 63dB L_{Amax} after 20:00hrs.

Between the hours of 13:00 and 17:00, which would be included within the periods of respite identified by BCC, the noise level in the vicinity of M04 would be as follows:

- Logarithmic Average L_{Aeq} = 55.3dB;
- Mean Background (L_{A90}) = 52dB
- Typical L_{Amax} (Average – 1stdev) = 67.4dB



Sunday 23rd April 2017

It is understood that the majority of the waste operations and other commercial activities in the Albert Road area do not operate on Sunday. As such, the measured noise levels are considered to be indicative of the respite period which BCC were keen on retaining. It is reiterated that no operations are proposed on Sundays. Figure 4 below presents the time history for the Sunday period.

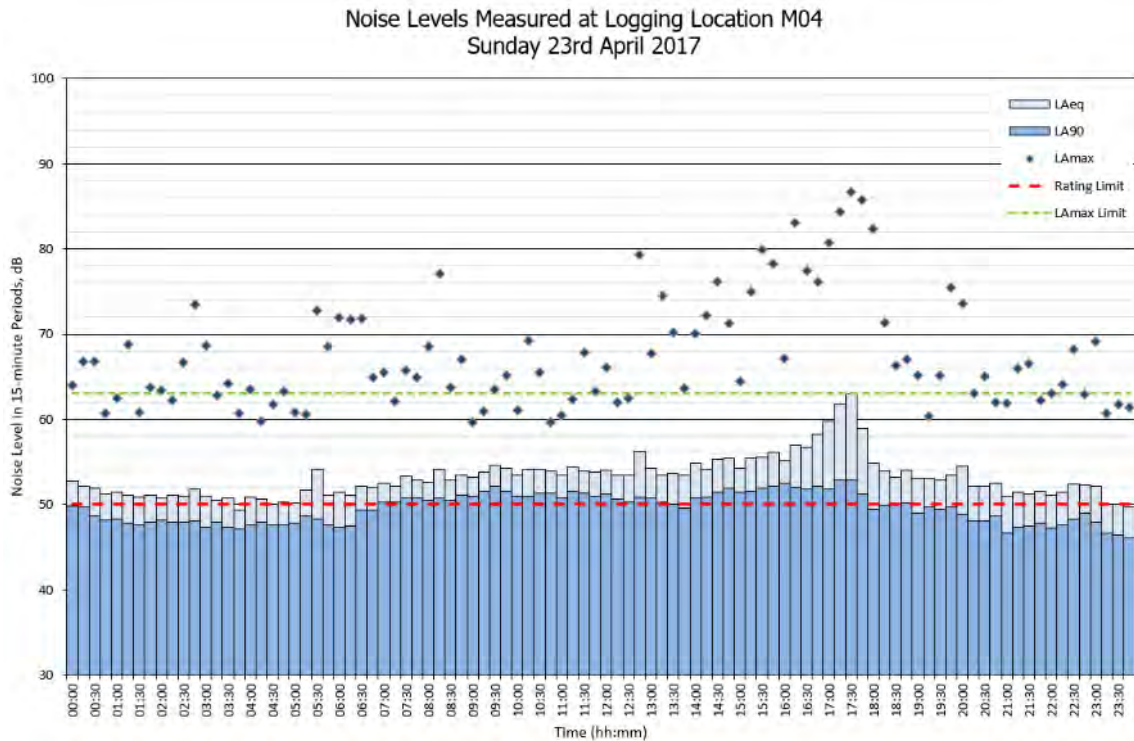


Figure 4: Time history Chart – Sunday 23rd April 2017

Overall the background and ambient noise levels are lower on the Sunday than the Saturday period. Sunday does not demonstrate the uplift in noise levels between 07:00 and 12:00hrs which was evident during the Saturday. In spite of this, between the hours of 07:30 and 16:00 noise levels are consistently above the 50dB L_{Ar} noise limit. The time history chart demonstrates a similar uplift in the ambient sound level between 16:15 and 18:00 as evident on the Saturday chart. This is again a result of activities in close proximity to the SLM and have been omitted from the subsequent assessments.

The existing L_{Amax} noise events are generally at or above the 63dB L_{Amax} limit for the majority of the daytime period. Table 5 shows the hourly noise levels over the Sunday daytime period.

Table 5: Measured Daytime Hourly Noise Levels – Sunday

Time Period	Average ^A Ambient Noise Level, L _{Aeq} , dB	Background Sound Level, L _{A90} , dB				L _{Amax} noise levels, dB			
		Minimum	Maximum	Average (Mean)	Mode (Most Common (integer)	Minimum	Maximum	Average (Mean)	Average – 1 Standard Deviation
07:00 – 08:00	52.7	50.3	50.8	50.5	50	62.1	65.7	64.6	62.9
08:00 – 09:00	53.3	50.5	51.1	50.7	51	63.8	77.1	69.1	63.4
09:00 – 10:00	54.0	51.0	52.2	51.6	52	59.6	65.2	62.3	59.8
10:00 – 11:00	53.9	51.0	51.3	51.2	51	59.7	69.2	63.9	59.5
11:00 – 12:00	53.9	50.7	51.6	51.2	51	60.5	67.8	63.5	60.4
12:00 – 13:00	54.4	50.3	51.2	50.8	51	62.0	79.3	67.5	59.3
13:00 – 14:00	53.7	49.6	50.8	50.2	50	63.6	74.5	69.0	64.4
14:00 – 15:00	54.9	50.8	51.9	51.3	51	70.1	76.1	72.4	69.8
15:00 – 16:00	55.4	51.4	52.2	51.8	52	64.4	79.9	74.4	67.4
16:00 – 17:00 ^B	56.9	51.8	52.5	52.1	52	67.1	83.1	76.0	69.3
17:00 – 18:00 ^B	61.2	51.2	52.8	52.2	53	80.7	86.7	84.4	81.7
18:00 – 19:00	54.0	49.5	50.2	49.9	50	66.3	82.4	71.8	64.3
19:00 – 20:00	53.1	49.0	49.7	49.5	50	60.3	75.4	66.5	60.2
20:00 – 21:00	52.9	48.0	48.9	48.4	49	62.0	73.6	65.9	60.6
21:00 – 22:00	51.3	46.6	47.8	47.3	47	61.9	66.5	64.2	61.7
22:00 – 23:00	51.8	47.2	49.0	48.0	48	62.9	68.2	64.6	62.1

NOTE A: The logarithmic average is used for the L_{Aeq} parameter
NOTE B: Activities in close proximity to the SLM skewed the measured data – Excluded from the assessment

The average daytime ambient noise level ranges between 51dB and 55dB L_{Aeq} with the higher noise levels being reported between 09:00 and 16:00.

The background sound level is again relatively stable, ranging between 47dB and 52dB L_{A90} with little variation between the min, max, average and mode values.

The L_{Amax} noise levels are again high, ranging between 60dB and 67dB L_{Amax}. Note these are the average minus 1 standard deviation L_{Amax} values. The typical L_{Amax} value only falls below 63dB L_{Amax} after 19:00hours.

Between the hours of 07:00 and 17:00, which would again be included within the periods of respite identified by BCC, the noise level in the vicinity of M04 would be as follows:

- Logarithmic Average L_{Aeq} = 54.1dB;
- Mean Background (L_{A90}) = 51dB
- Typical L_{Amax} (Average – 1stdev) = 61.6dB

5.2 Existing Noise Climate – Weekday

Appendix B of this report presents the time history charts for the noise monitoring survey at location M04. The graphs have been updated from the previous report to include the proposed noise limits both in terms of the rating level (L_{Ar}) and the L_{Amax} noise levels.

The graphs indicate that the daytime background noise climate during the weekday period is consistently above the 50dB L_{Ar} noise limit from very early in the morning (05:00hrs) until at least 20:00hrs. Beyond this period the background sound level is generally at or around the 50dB level until much later in the evening, around 23:00hrs.

Further to this, the graph indicates that the 63dB L_{Amax} noise limit is conservative and is already consistently exceeded during the daytime hours, only being met by existing sources during the latter part of the evening, after 21:00hrs.

The measured noise levels during the proposed extension periods are detailed in Table 6 below:

Table 6: Measured Weekday Evening Noise Levels

Parameter	Evening Periods (19:00 to 21:00hrs)					
	Friday 21 st April 2017	Monday 24 th April 2017	Tuesday 25 th April 2017	Wednesday 26 th April 2017	Thursday 27 th April 2017	
Logarithmic Average L_{Aeq} , dB	54.7	54.3	55.1	53.7	55.7	
Background Sound Level, L_{A90} , dB	Mean	51.4	51.4	51.6	50.3	52.7
	Mode (integer)	52	51	52	51	52
L_{Amax} , dB	Mean	66.6	64.4	66.7	64.0	68.6
	Mean minus 1 Stdev	62.4	62.4	62.5	61.5	64.4

It is noted that the graphs presented in Appendix B and the table presented above only use the noise data from location M04, in the vicinity of Fitzroy Street. That said, the general trend in noise levels would be broadly consistent across the area owing to changes in traffic flow on the A4, the dominant noise in the area.

5.3 Bank Holiday Noise Level

No data covering the bank holiday period was obtained in the Ion Acoustics survey however a previous baseline survey undertaken by RSK in April 2013 covered a typical bank holiday period. Some of the locations used within the RSK report are roughly comparable to locations used within the Ion acoustics report. The relevant locations are displayed on Figure 5 below. Note the RSK locations are marked in red, the Ion Acoustics locations are marked in blue.



Figure 5: RSK and Ion Monitoring Locations

It is noted that the locations used in both surveys are not directly comparable and there is a degree of variation in the specific siting. Further to this the data established during the RSK survey was exclusively measured in shorter measurement periods, between 10mins and 30mins at each location.

Notwithstanding this, the two datasets allow a broad comparison of the bank holiday noise levels reported in the RSK document and the noise data established over the weekend period during the Ion Acoustics survey. The comparison is summarised in Table 7 below:



Table 7: Bank Holiday / Weekend Comparison

RSK Location Reference	Description	* Ambient Sound Level L_{Aeq} , dB	*Background Sound Level L_{A90} , dB	Ion Acoustics Location	Average** Ambient Sound Level L_{Aeq} , dB	Average*** Background Sound Level L_{A90} , dB
RSK 2	Corner of County St and Stanley St 30mins	58.2	53.1	M02 Saturday 1hour	58.9	51
RSK 3	Opp No 14 Upper St 10mins	52.9	46.1	M04 Sunday Daytime 16hours	51 - 55	48 – 52
	Opp No 14 Upper St 30mins	51.3	47.8			
RSK 5	Corner of New Walls 10mins	55.2	51.2	M01 Saturday 1hour	55.2	51
	Corner of New Walls 20mins	54.8	52.0			
* The RSK does not specify the means of determining either the L_{Aeq} or L_{A90} parameters ** The Logarithmic average is presented for the L_{Aeq} parameter *** The arithmetic average is presented for the L_{A90} parameter						

Broadly speaking, the noise levels established over the bank holiday period are comparable to the weekend period. The variance in the ambient L_{Aeq} parameter is minor, with the greatest difference being evident at RSK 3 / M04.

The difference in the background sound level (L_{A90}) is greater, particularly at RSK 3 / M04 where the variance is between 1dB and 6dB. It is noted that the RSK location 3 was outside No14 Upper Street which was slightly further from the A4 than the Ion Acoustics location (M04) which had direct line of sight to the road.

Given the above, it is concluded that the measured weekend noise levels in the Ion Acoustics survey would be a reasonable representation of the bank holiday period. There is no evidence to suggest there would be a significant fall in background sound levels over a bank holiday.

6 Derivation of Noise Limits

The impacts significance matrix detailed in the earlier noise assessment combined two criteria; the rating level (L_{Ar}) and L_{Amax} noise levels. The proposed significant matrix is presented below:



Table 8: Proposed Impact Significance Criteria

LOAEL	LOAEL to SOAEL	SOAEL
Predicted rating level is less than or equal to the existing background (L_{A90}) and the predicted maximum events are below the existing L_{Amax} level in the area.	Predicted rating level is less than or equal to the existing background (L_{A90}) and the predicted maximum events exceed the existing L_{Amax} level in the area.	Predicted rating level exceeds the existing background (L_{A90}) and predicted maximum events exceed the existing L_{Amax} level.

Rating Level Limit

The proposed rating level limit was based on the typical background sound level in the area which, given general variations across Totterdown, is considered broadly representative of the background sound level during the daytime period. The detailed analysis presented in section 5.1 above indicates that this noise level would be consistently representative of the background sound level for both the Saturday and Sunday (respite) periods, and certainly up to 17:00hours (if not beyond). Furthermore, the new analysis in section 5.3 would suggest that the rating level limit would be appropriate for the bank holiday too as the baseline environmental noise levels are not significantly lower over the Bank Holiday periods.

The noise limit derived below is set to achieve a low impact in accordance with BS4142:2014. The rating level limit would include the appropriate corrections in accordance with BS4142:2014.

Table 9: BS4142 Rating Level Noise Limits

Period	Typical Background Sound Level, L_{A90} dB	Noise Limit, L_{Ar} dB
Weekday Evening (19:00 to 21:00) Saturday Day (07:00 to 17:00) Bank Holiday (07:00 to 17:00)	50	50

L_{Amax} Event Limit

The L_{Amax} noise limit was derived from the measured noise data and the existing L_{Amax} noise levels in the area. The limit was determined through consideration of the arithmetic average L_{Amax} noise level *minus* one standard deviation (i.e. a value below the typical existing L_{Amax} values). BCC's Dylan Davies indicated in his email response of 18/10/17 that, as the L_{Amax} limit was set below the current "average" L_{Amax} level, the criteria could be considered conservative. More specifically, Mr Davies comments were:

'These levels are lower than the average L_{Amax} levels which gives some assurance that the criteria could be conservative'

In spite of the opinion expressed by BCC in the email, Mr Davies raised concerns in the meeting relating to the subjective nature of the L_{Amax} events arising from external glass recycling activities. Mr Davis suggested that the audibility of glass tipping noise would *'significantly change the character of the noise environment currently enjoyed at evenings and weekends adversely'*. It is considered that, while the noise from glass tipping would be audible, the conservative noise limit proposed in the earlier Ion Acoustics report (63dB L_{Amax}) would result in a noise event L_{Amax} limit



much lower in level than two thirds of the existing $L_{Amax, 15min}$ noise events in the area and therefore not out of keeping with the existing noise climate.

Furthermore, the rate of noise events generated by external glass tipping is likely to be in keeping with the existing L_{Amax} events in the area. Detailed analysis of the $L_{Amax, 10second}$ noise data measured at M04 has been undertaken to establish the typical number of existing events meeting or exceeding the 63dB L_{Amax} noise limit during the proposed extension hours. The $L_{Amax, 10second}$ was chosen as a nominal event duration to give an indication of the number of discrete noise events occurring during the measured 15minute time frame:

- During the weekday evening period (19:00 to 21:00hrs), the number of $L_{Amax, 10second}$ events from baseline activity reaching or exceeding 63dB varied, ranges from 14 noise events to a minimum of 0 events per 15minutes. The overall average was 3.25 discrete noise events reaching or exceeding 63dB $L_{Amax, 10seconds}$ per 15minute period between 19:00 and 21:00hrs;
- During the weekend day period (07:00 to 17:00hrs) the maximum number of $L_{Amax, 10second}$ noise events was 55 in a 15minute. This maximum occurred before 12:00hrs and is likely to relate to the existing waste management operators on Albert Rd i.e. Abacus or McCarthy Marland. Beyond 13:00hrs, when the existing waste operators ceased working, the maximum number of 63dB $L_{Amax, 10second}$ events in any 15-minute period was 14 events, with an average of 5.5 events in each 15minute period between 13:00hrs and 17:00hrs.

As detailed in the original noise report, a typical glass tip from a stillage takes between 10 and 30 seconds depending on the volume of glass. Add to this approximately three minutes for the KSVs to pull in to position, a forklift to unload the stillage and begin a tip. A further minute for the stillage to be reloaded and the KSV to move off and it is likely that, during a peak busy period, there could be a stillage tipped every four to five minutes. This would result in between three and four stillage tips per 15minute period, giving rise to three or four events up to 63dB L_{Amax} in that period. This is well within the typical range of L_{Amax} noise events in the existing noise climate during the proposed extension hours. It is reiterated that the proposed extension hours are for **contingency and would fall outside of the 'typical' busy period at the BWC site.**

Given the above, while the noise events associated with external glass tipping would be perceived, the noise limit of 63dB L_{Amax} would ensure that they are **not likely to 'significantly change the character of the noise climate'** in terms of either the level or rate of events. It also corresponds with the assessment interpretation that the noise **would be "clearly audible", but not "highly audible"**. It is conceivable that the noise events could subjectively affect the character of the **area though it is not likely to cause a significant change. This would correlate to 'No Observed Adverse Effect' level in accordance with Table 2** above. Given this, the proposed L_{Amax} noise limit of 63dB is still considered appropriate and is retained in this assessment.

Impact Significance Matrix

Given the proposed extension hours, the impact significance criteria matrix detailed in Table 8 above has been revised as follows:

Table 10: Impact Significance Criteria

Period	LOAEL	LOAEL to SOAEL	SOAEL
Weekday Evening (19:00 to 21:00) Saturday Day (07:00 to 17:00) Bank Holiday (07:00 to 17:00)	$L_{Ar} \leq 50\text{dB}$ and $L_{Amax} \leq 63\text{dB } L_{Amax}$	$L_{Ar} \leq 50\text{dB}$ and $L_{Amax} > 63\text{dB } L_{Amax}$	$L_{Ar} > 50\text{dB}$ and $L_{Amax} > 63\text{dB } L_{Amax}$

7 Operational Noise Assessment

A number of the activities under consideration within this report are dependent to some degree on the use of the shovel loader; and the BWC only has one shovel loader in operation on the site. The result of this is that they all occur independently i.e. the shovel loader cannot be loading up the bulk hauler while glass is being tipped in the bays. Given this, the assessment has considered the impact of each activity independently and occurring in series and has not considered a cumulative operational scenario.

7.1 Baler Noise Assessment

The assessment of noise from the baler is based on the calculations presented in the earlier Ion Acoustics noise report. The noise level is calculated to include aspects such as the shovel loader moving within the baler hall and typical operation of the baler. The baler produces no audible tones, intermittency or impulsive sounds which would require a rating correction in line with the BS4142 methodology.

Table 11: BS4142 Noise Impact Assessment – Baler Noise

Receptor Name		Predicted Specific Noise Level, L_{Aeq} , dB	BS4142 Correction, dB	Rating Level, L_{Ar} , dB	Noise Limit (Ref section 6)	Difference, dB
M01	New Walls	34.4	0	34	50	-16
M02	Kingstree Street	34.7	0	35	50	-15
M03	Summer Hill	17.5	0	18	50	-32
M04	Fitzroy Street	18.9	0	19	50	-31
AL05	School Road Park	10.6	0	11	50	-39

The assessment summarised above indicates that noise generated by the baler falls significantly below the existing background sound level at all of the receptor locations during the periods considered. This would be an indication of a low noise impact in accordance with BS4142.

Indeed, in the response received from BCC indicated no objection was raised in response to the extension to the operational hours of the baler up to 23:00hrs.

The baler does not generate any L_{Amax} noise levels which would be perceptible at any of the assessment locations. As such, no assessment of L_{Amax} noise has been undertaken, but the proposed L_{Amax} criterion would be met comfortably.

7.2 External Glass Recycling

Assessment of external glass recycling is based on the close proximity measurements summarised in the earlier report. These levels have been used to calculate the specific noise level at the various receptor locations. The specific noise level has been converted to a rating level and includes the following rating level corrections:

- 6dB for a clearly perceptible impulsive sound; and,
- 3dB for an intermittent sound source.

The response from Mr Davies indicates that he considered that up to 9dB could be added to the **specific noise level to account for a 'highly perceptible' impulsive sounds**. It is not accepted that the noise generated by external glass recycling would be 'highly perceptible' **and that "clearly perceptible" adequately describes the sounds heard at the receptor positions**. Evidently noise events associated with glass tipping etc would be audible at the receptor locations however, this **does not immediately result in a 'highly perceptible' correction**, particularly as there is a **description of "clearly perceptible" which also indicates that the sound can be very clearly heard**.

It is considered that the impulsive sound would more appropriately **be considered 'clearly perceptible'** due to the character of the noise and the noise level in absolute terms when compared with existing L_{Amax} noise events and ambient L_{Aeq} noise climate in the area.

The detailed calculations are presented in Appendix C of this report.

Table 12: BS4142 Noise Impact Assessment – Glass Recycling

Receptor Name	Predicted Specific Noise Level, L_{Aeq} , dB	BS4142 Correction, dB	Rating Level, L_r , dB	Noise Limit (Ref section 6)	Difference, dB
M01 New Walls	41.3	6+3= 9	50	50	+/-0
M02 Kingstree Street	41.0	6+3= 9	50	50	+/-0
M03 Summer Hill	39.4	6+3= 9	48	50	-2
M04 Fitzroy Street	39.6	6+3=9	49	50	-1
AL05 School Road Park	37.7	6+3=9	47	50	-3

The assessment summarised above indicates that the rating noise level generated by glass recycling activities would not exceed the existing background sound level during the weekday evening, Saturday or Bank Holiday daytime periods. This would be considered to be an indication of the source having a low impact in accordance with BS4142:2014.

Table 13 below presents the predicted L_{Amax} noise levels at the receptor locations. This assessment does not follow the BS4142 standard therefore does not include any rating level corrections.



Table 13: L_{Amax} Noise Impact Assessment – Glass Recycling (Predictions)

Receptor Name		Predicted L _{Amax} Noise Level, dB	Noise Limit (Ref section 6), L _{Amax} dB	Difference, dB
M01	New Walls	62.4	63	-0.6
M02	Kingstree Street	62.1	63	-0.9
M03	Summer Hill	60.5	63	-2.5
M04	Fitzroy Street	60.7	63	-2.3
AL05	School Road Park	58.8	63	-4.2

The calculated levels would all fall below the proposed L_{Amax} noise limit during the weekday evening, weekend and Bank Holiday daytime period and as such, while audible, are not considered to result in an adverse noise impact. It is reiterated that the noise limit is considered conservative and is representative of the lower L_{Amax} noise events in the area. Furthermore, the rate of the noise events are likely to result in between three and four of the calculated noise events per 15minute period.

7.3 Measured Glass Tipping Noise at Receptors

The predictions discussed in the section above and shown in Table 13 include certain assumptions and are based on a set of source measurements close to the tipping as a reference level. During the baseline assessment a specific exercise was carried out to listen for and attempt to measure the noise of glass tipping at receptor locations M01, M02 and M03. For this exercise BWC carried out a specific demonstration exercise with glass tipping performed outside of the current permitted hours. BCC were notified in advance of these activities.

During the measurements the glass tipping was audible, but was at a much lower level than most other environmental noise sources and was not at a level which was always reliably measurable. As a result, only a limited number of events could be isolated from the prevailing ambient noise climate.

As the absolute noise level of the glass tipping was quite low compared to other activities, it was not possible to measure each tip as a discrete "event". Therefore, audio recordings were made along with short term sampling periods which permitted retrospective analysis; the chart traces of the noise levels are shown for each position in Figures 6, 7 and 8 below. These show the glass tipping period (in red) and identify other sources heard during the sample period. The noise level of the glass tipping is not far clear of the underlying background noise level and therefore the measured level would include a contribution from the other sources.

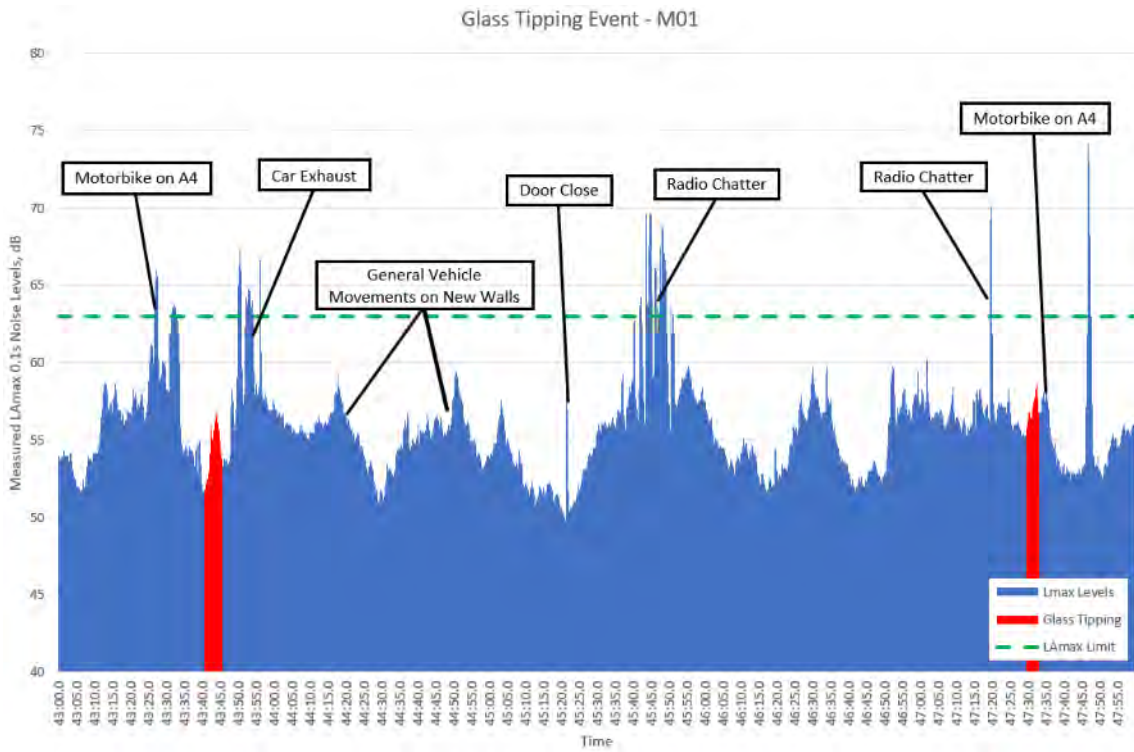


Figure 6: Measured Glass Tipping Events at M01

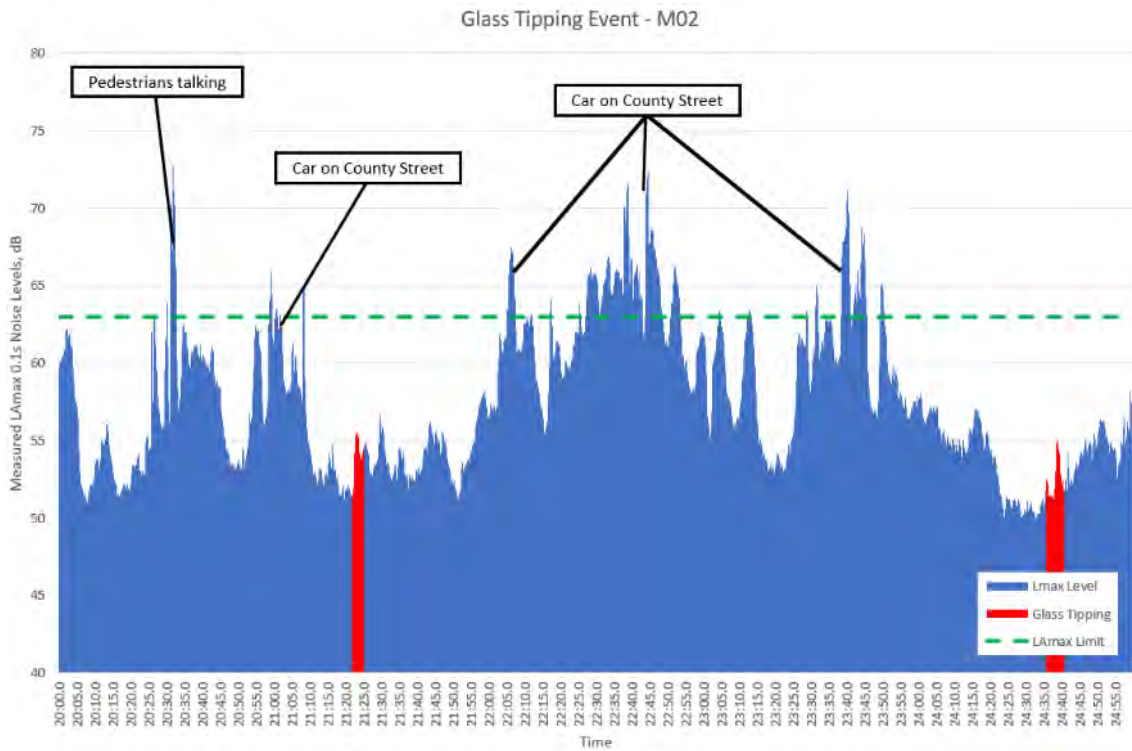


Figure 7: Measured Glass Tipping Events at M02

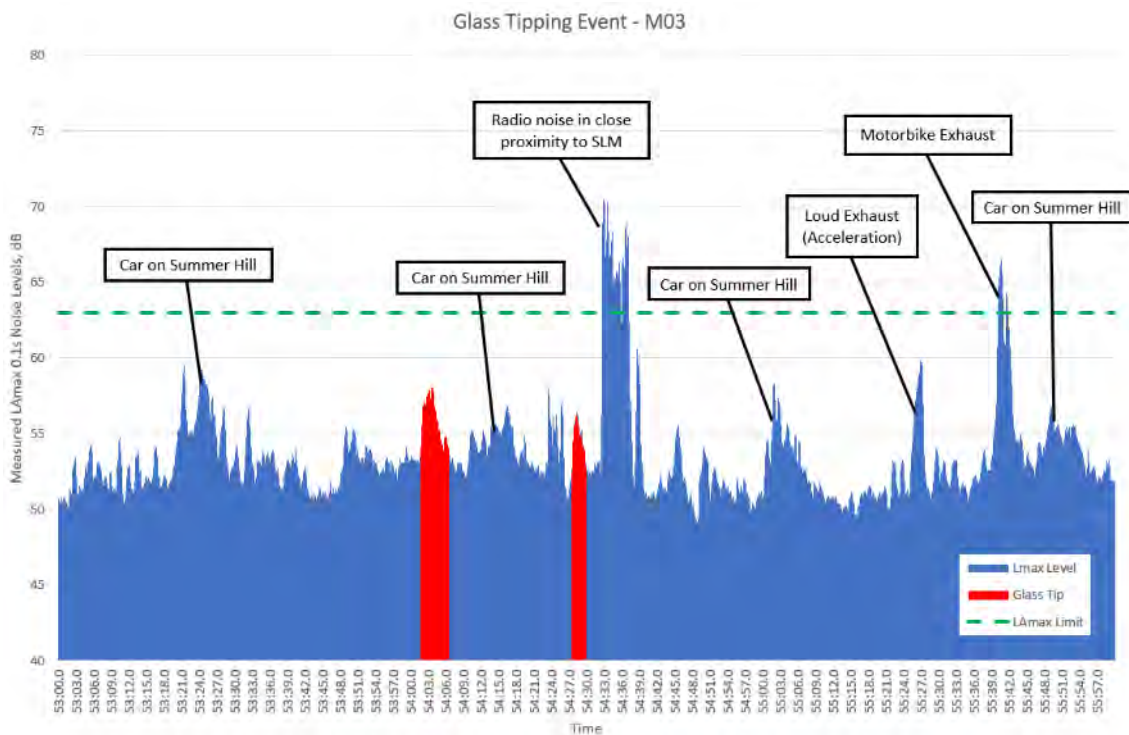


Figure 8: Measured Glass Tipping Events at M03

The graphs in Figure 6, 7 and 8 above present the instances where it was possible to isolate glass tipping events from the general noise climate. The glass tipping events are generally in keeping with the prevailing ambient noise events in the area: pedestrians talking, vehicles movements on the adjacent roads and other general activities and in most instance, falls below this level, hence the difficulty in isolating specific events.

In summary it is clear that the glass tipping when measured did not exceed the following levels at the measurement positions:

M01 – 58.6dB L_{Amax}

M02 – 55.5dB L_{Amax}

M03 – 58.0dB L_{Amax}

These levels are all lower than the predicted levels by 3.8, 6.6 and 2.5 dB respectively indicating the calculated impact presented in Table 13 is a worst-case assessment.

7.4 Bulking Up

The assessment of noise generated during the bulking up process is based on the close proximity measurements made during the initial Ion Acoustics assessment. The bulking up process generally takes between 20 to 30 minutes and occurs once per day. It is noted that the bulking up process is highly unlikely to occur during the later evening period as hauliers rarely operate during these hours.

The measurements included noise from movements of the shovel loader, scooping up of glass, and depositing it in the bulk haulage trailer. This has been calculated to the receptor locations

to give a specific noise level. The rating noise level from bulking up includes a 6dB correction from BS4142:2014 for a clearly perceptible impulsive sound.

Table 14: BS4142 Noise Impact Assessment – Bulking Up

Receptor Name		Predicted Specific Noise Level, L_{Aeq} , dB	BS4142 Correction, dB	Rating Level, L_{Ar} , dB	Noise Limit (Ref section 6)	Difference, dB
M01	New Walls	43.2	6	49	50	-1
M02	Kingstree Street	42.9	6	49	50	-1
M03	Summer Hill	41.3	6	47	50	-3
M04	Fitzroy Street	41.5	6	48	50	-2
AL05	School Road Park	39.5	6	46	50	-4

The noise from bulking up does not exceed the background sound level during the weekday evening, weekend or Bank Holiday daytime periods. This would be considered an indication of a low impact in accordance with BS4142.

Table 15 below presents the predicted L_{Amax} noise levels at the receptor locations from the bulking up process. Again, this assessment does not follow the BS4142 standard therefore does not warrant any rating level corrections.

Table 15: L_{Amax} Noise Impact Assessment – Bulking Up

Receptor Name		Predicted L_{Amax} Noise Level, dB	Noise Limit (Ref section 6.4), L_{Amax} dB	Difference, dB
M01	New Walls	58.5	63	-4.5
M02	Kingstree Street	58.2	63	-4.8
M03	Summer Hill	56.6	63	-6.4
M04	Fitzroy Street	56.8	63	-6.2
AL05	School Road Park	54.8	63	-8.2

The assessment presented in Table 15 above indicates that the L_{Amax} events generated by the bulking up process would fall well below the proposed conservative noise limit.

7.5 Measured Bulking up Noise at Receptors

As with the glass tipping, specific noise measurements were made of the noise generated during the bulking up process at receptor locations M01, M02 and M03.

During the measurements bulking up noise was occasionally audible though most often masked by other general environmental noise (vehicle movements, sirens etc).

Figures 9 and 10 represent the noise from bulking up as measured at receptor locations M01 and M03. Bulking up could not be measured at M02 as it was masked by other environmental noises at that time.

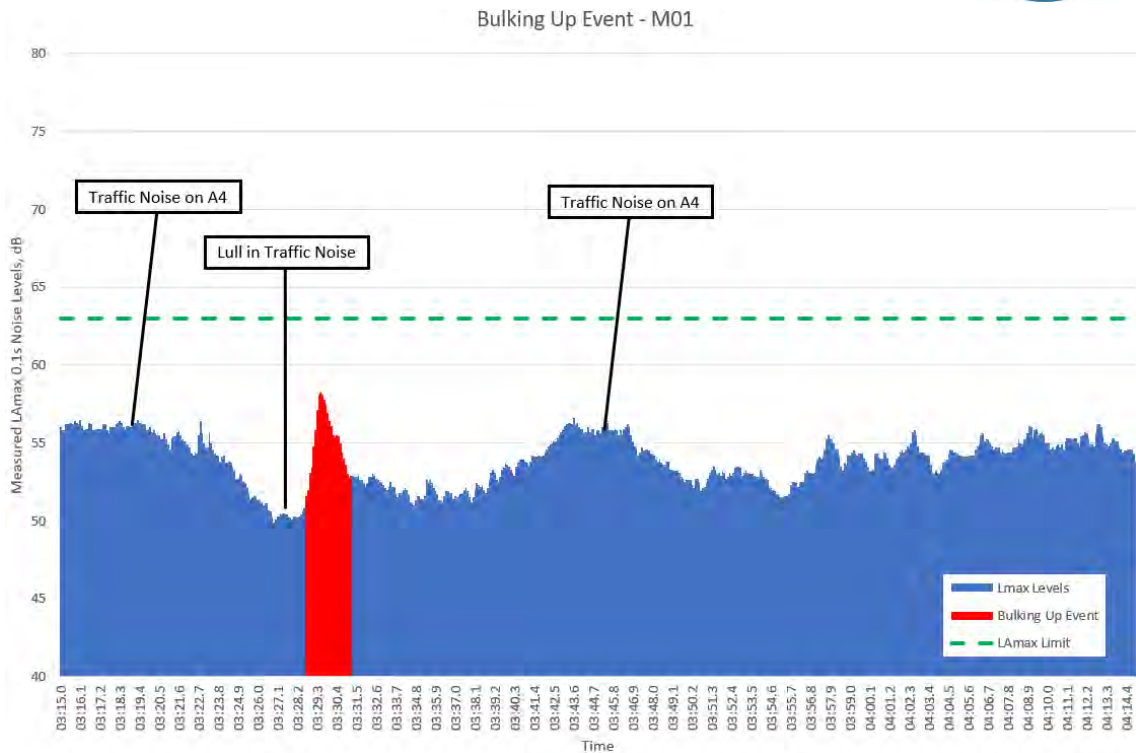


Figure 9: Measured Bulking Up Event at M01

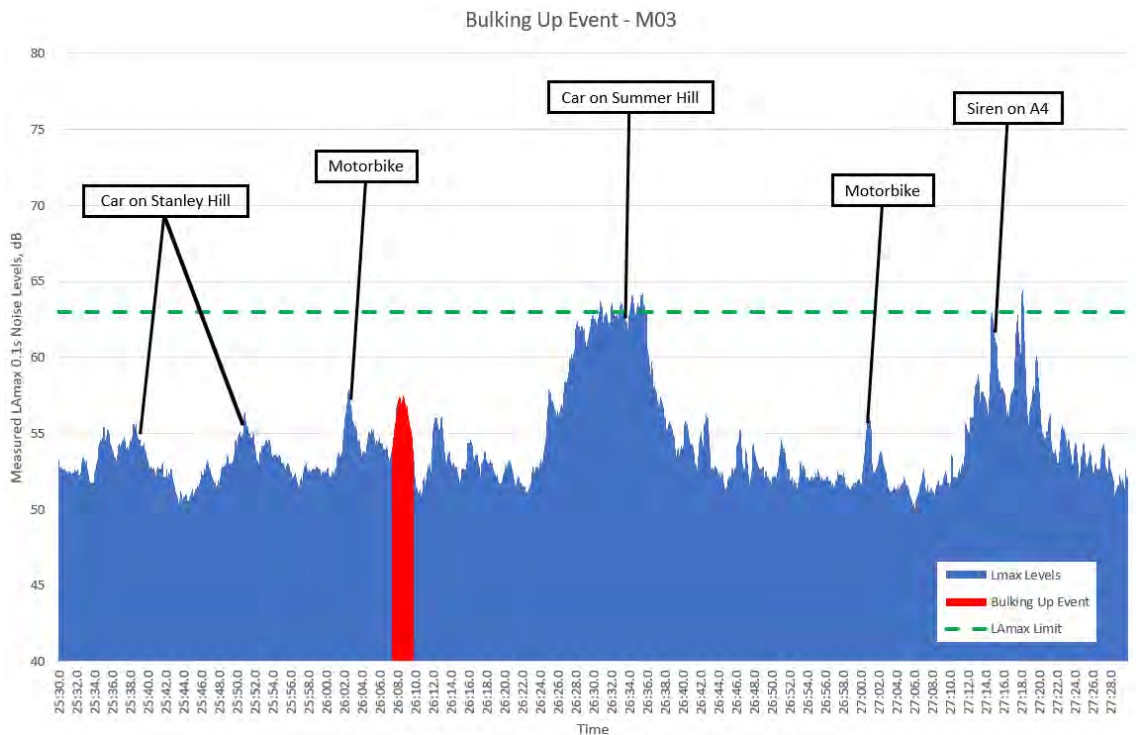


Figure 10: Measured Bulking Up Event at M03

The graphs above present the only instances during the measurement survey where it was possible to isolate noise associated with the bulking up process from the general noise climate. The noise events are generally in keeping with the prevailing ambient noise events in the area:

vehicles movements on the adjacent roads and the A4; sirens etc, and in most instance, falls below this level, hence the difficulty in isolating specific events.

In summary it is clear that the glass tipping when measured did not exceed the following levels at the measurement positions:

M01 – 58.2dB $L_{Amax, 0.1s}$

M03 – 57.5dB $L_{Amax, 0.1s}$

These levels are all slightly lower than the predicted levels by 0.3dB and 0.9dB respectively therefore the assessment presented in Table 15 is a valid representation of the likely noise impact, if not slightly conservative.

7.6 Allocated Residential Sites

Discussions with BCC highlighted concerns relating to the potential impact the proposed variation application may have on a number of allocated residential sites in the vicinity of the BWC facility. More specifically, the council raised concerns that the variation in operating hours may be prejudicial to their eventual development for residential end use.

The allocated sites identified by BCC are highlighted in **Bristol Council**' Site Allocations and Development Management Policies Document². Specific reference was made by BCC to the sites identified as BSA1101 and BSA1210; both of which are located on to the south of the river. Figure 11 below presents the allocated sites (highlighted in orange BSA1101 and BSA1210) in relation to the BWC site. It is noted that the purple shaded area, in which the BWC site sits, is identified as 'Principle Industrial and Warehousing Areas.

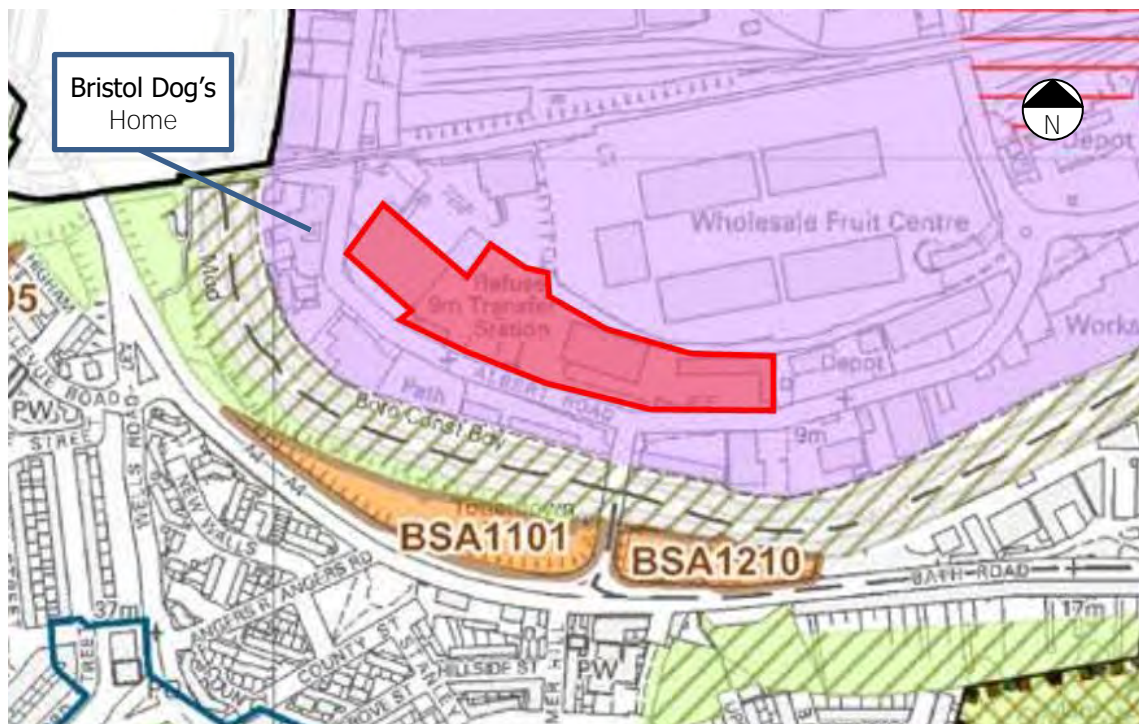


Figure 11: Allocated Site Locations

² Site Allocations and Development Management Policies. Annex: Site Allocations Information. Adopted July 2014



The development considerations attached to both sites state:

Development should:

Address noise and pollution issues from nearby industrial and waste uses and Bath Road (A4):

An additional site of interest was identified by BCC during the site meeting as being located to the west of the BWC site, over the existing **dog's** home / animal shelter (identified in on Figure 11 above). The site is not thought to be identified as an allocated site within the Bristol Local Plan nor could any existing planning application or consent for residential development be identified on BCC planning portal. In addition, discussions with Mr Davies indicated that he was not as concerned about this particular site as it was significantly screened from the BWC site by buildings and other intervening structures. As such, no detailed consideration of this site has been included below. That said, the principles discussed below would be applicable to this site should a planning application be submitted and approved in the future.

Allocated Site Reference BSA1210 – East of Totterdown Bridge

The information available indicates that this site does not currently have an extant planning consent. A planning appeal for the site was dismissed on 22nd April 2009. One of the issues considered during the appeal was noise on which Ion Acoustics advised the appellant. At the time our assessment and site measurements found that the noise levels from Abacus were far more significant than that from the BWC site (both of which were lower than noise from the A4). However, different operating procedures may have been in place at the BWC site at that time and it is understood that the site was under different ownership at the time. The predicted noise levels from Abacus were around $L_{Aeq} 60dB$ in that report. In simplistic terms, any new housing scheme would need to provide significant mitigation to control other sources and hence that would address the noise levels from the BWC site.

A further request for a scoping opinion was submitted to the council in February 2017 which concluded any application for the site would not require an Environmental Impact Assessment and stated ***'The impacts arising from the proposed development should be demonstrated within robust supporting documents submitted with the planning application.....'***

A scoping request would indicate that a further planning application for the site may be currently under consideration however, at the time of writing, no further application has been documented on the BCC planning portal. Notwithstanding this, calculations have been made to a nominal location within the site to ascertain the level of noise from the BWC site in comparison to the existing noise climate (as of the application in 2007).

The calculations to the site indicate that noise from activities within the BWC site could result in the following noise levels:



Table 16: Assessment to Proposed Residential Site

Activity	Calculated Noise level, dB	Baseline Noise Level as measured in 2007, dB	Difference over baseline noise climate, dB
Baler Operations	23 L _{Aeq}	61 dB L _{Aeq}	-38
Glass Recycling	51 L _{Aeq}	61 dB L _{Aeq}	-10
	72 L _{Amax}	75 dB L _{Amax}	-3
Bulking Up	48 L _{Aeq}	61 dB L _{Aeq}	-13
	63 L _{Amax}	75 dB L _{Amax}	-12

The baseline noise levels reported in Table 16 above are based on the measurements made at location 4 as reported in Ion Acoustics report reference A105/R01a (dated 8th May 2007). It is understood that this measurement location was somewhat screened from the surrounding road network and is representative of the northern site elevation, closest to the industrial / commercial activities on Albert Road.

If the site were to be developed for residential end use it would need to be sufficiently designed so as to ensure residential amenity for the future occupants. This would require sufficiently robust façade treatments to address the existing ambient and L_{Amax} noise levels. As the calculated noise levels from the BWC site fall significantly below the measured ambient, it is unlikely that they would affect the cumulative ambient noise climate enough to necessitate more robust façade treatments.

Indeed, if noise ingress calculations were undertaken based on the noise generated by the BWC site alone, it is calculated that, based on a nominal bedroom space of 10m² with 3.9m² window area, the façade would only require standard 4/12/4 thermal double glazing and 36dB D_{ne,w} trickle vents to achieve the appropriate internal noise criteria. Both of these façade treatments are not overly onerous and it is likely that more robust measures would be required to address the existing baseline noise levels. It is noted that the calculations undertaken assume a target internal noise criterion of 30dB L_{Aeq} in accordance with the requirements in the original noise assessment (report ref A105/R01a). As no night-time operation at the BWC site is proposed the L_{Amax} criterion has not been considered.

Allocated Site Reference BSA1101 – West of Totterdown Bridge

The information available on the Bristol City Council planning portal indicates that no planning application has ever been submitted for this site, either residential or otherwise. As such, no specific scheme or scope of development can be addressed. Furthermore, no existing baseline noise data is available for the site which would permit a quantitative assessment as presented above. That said, the principle demonstrated above, indicating that noise from BWC falls well below the existing ambient noise climate is likely to be relevant to this site.

Given the location of the site, it would already be exposed to both commercial noise from the Albert road area and significant road traffic noise from Bath Road (A4). Any residential development brought forward for the site would need to consider the existing noise climate in the area as indicated in the development conditions for the other allocated site summarised above. The proposed extension of hours would not increase noise levels from BWC, just increase the consented operating hours. Any assessment for the allocated site would have to address the existing noise levels and would also address therefore the noise from extended hours.



The noise assessment is highly likely to conclude that mitigation measures would be required to ensure an appropriate internal noise environment is achieved. This is likely to include robust glazing (double / secondary glazing) and attenuated ventilation (trickle vents / mechanical ventilation). These measures would be built in to the fabric of the building and would be designed to address the existing noise climate, including noise from the BWC site. This mitigation, assuming it is suitably designed, would protect residential amenity regardless of the time of day, attenuating against external noise whether it occurs during the current BWC operating hours or later. As such, the proposed variation in the operating hours of the BWC site are not likely to impact on the suitability of the site for residential development.

To that end, the proposed variation in operating hours are not considered to be prejudicial to the future development of the site. Indeed, the site was allocated in the Bristol local plan while the waste management site was operational (under a different operator) and, it is assumed that noise from this site was a factor in the **determination of the 'development considerations'**. Noise from the waste management activities in the area, while earning specific note in the development considerations, was not considered prejudicial to the future development at the time the plan was adopted.

Notwithstanding this, the council have already established a precedent for residential developments in close proximity to noisy premises; most notably the proposed arena and student accommodation; numerous schemes near entertainment and music venues and the Paintworks etc. To that end, it is already established that, with suitable design and consideration of factors such as noise, residential developments can be built alongside noisy developments.

Given the above, it is concluded that the proposed variation to the operating hours of the BWC site would not be prejudicial to any future development of the allocated sites.

7.7 Assessment Summary

The noise impact associated with the various activities at the BWC site have been compared to an impact significance criteria matrix derived in line with the NPPF and NPSE. The resultant noise impact is summarised in Table 17 below.



Table 17: Noise Impact Assessment Summary Table

Noise Generating Activity	Weekday Evening 19:00 to 21:00	Saturday 07:00 to 17:00	Bank Holiday 07:00 to 17:00
Baler	LOAEL	LOAEL	LOAEL
External Glass Tipping	LOAEL	LOAEL	LOAEL
External Pushing Up	LOAEL	LOAEL	LOAEL
Bulking Up	LOAEL	LOAEL	LOAEL

The assessment table presented above indicates that the noise impact associated with all the activities at the BWC site would be at the lowest observed adverse effect level (LOAEL) during all time periods considered above. The glass tipping, pushing up and bulking up are all considered to be external activities.

7.8 Potential Noise Mitigation Measures

The detailed discussions with BCC indicate that the council would like to see consideration of additional mitigation measures at the site to ensure the noise impact associated with the proposed extension hours is minimised. It is concluded in this report that the noise impact associated with the site in its current layout, without additional mitigation, would meet the proposed noise limits and result in a LOAEL noise impact however, consideration has been given to the request made by BCC.

The main source of noise is from the glass tipping within the external bays. These are three sided structures and are open at the top and front. The sides of the bays, towards the top, are clad in corrugated, profiled steel which, it is understood, were suggested in an earlier noise report as a means of dispersing reflections within the glass bays. There is the potential to slightly reduce noise levels by installing a roof above the glass recycling bays. The roof would need to be a fairly robust structure and it is recommended that it be internally lined with an absorptive material (e.g. mineral fibre faced with perforate metal, EML or a mesh) to reduce reflections within the bay.

The roof structure could assist in reducing noise emissions in the direction of the housing from glass tipping and pushing up events though would only have a moderate benefit for the bulking up process.

Detailed design would need to be undertaken to ensure that the roof does not impede the operational practices at the site and that the roof allows sufficient space for the stillages to be tipped and the shovel loader to push up and scoop up the glass for the bulking up process.

The specific benefit of a roof structure would be difficult to calculate as the propagation path between the glass bays and the receptor locations is already complex and includes a number of



screening factors. A 10dB barrier correction has already been included within the calculations for the existing screening both at the site and between the site and receptor locations.

It is reiterated that calculated noise impact presented in section 7.2 to 7.4 does not include any reduction in noise level afforded by the roof structure.

8 Conservative Assessment Practices

A number of elements within the assessment could influence the level of uncertainty within the calculations. To minimise these factors a number of conservative practices have been used in the assessment process. These include:

- The baseline noise survey was undertaken through both attended measurements and unattended logging surveys for both the weekday and weekend periods. The logging survey was undertaken over a period of approximately 7 days to establish a more comprehensive sample period on which to establish the typical noise climate in the area and give a better appreciation of the general noise trends;
- The derived noise limits, based on the measured data are considered to be conservative in nature. BCC specifically noted in their earlier email response that the L_{Amax} noise limit could be considered conservative;
- The noise source measurements were made in close proximity to the activities, during typical operations. A number of measurements of the noise generating activities were made with the average L_{Aeq} values used to inform the BS4142 assessment and the maximum L_{Amax} level used to inform the L_{Amax} calculations; and,
- The calculations undertaken are simplified in nature and only include distance attenuation and simplified screening i.e. 10dB for a completely screened noise source. The actual noise propagation path would include more complex screening, atmospheric absorption and ground effects. This is supported by the evidence of the glass tipping events where the measured levels at various residential receptors are lower than those predicted to the same positions.

The conservative practices detailed above have been used to minimise the influence of uncertainty on the impact assessment and, in real terms are likely to result in an overestimation of the specific noise level at the receptor locations.

9 Summary

A further noise assessment has been carried out to provide additional assessment of the noise impact arising from a proposed variation to the permitted hours at the Bristol Waste Company facility on Albert Road, Bristol. This assessment was prepared following a meeting with Bristol City Council to discuss the proposed changes and is supplementary to an original assessment made in May 2017 by Ion Acoustics. The assessment has considered the noise impact in terms of both the rating level, L_{Aeq} and L_{Amax} parameters, at the nearest noise sensitive receptor locations. These predicted noise levels have been compared to the existing noise levels at the identified receptor locations to gauge the noise impacts associated with a change in the permitted operational hours.



The assessment indicates that the noise impact would meet the Lowest Observed Adverse Effect Level (LOAEL) if operations were extended during specific hours of weekday evenings, Saturday daytime and Bank Holidays daytime.

Given the above, it is considered that noise impacts as assessed would be at an acceptable level associated with the proposed extension hours at the Bristol Waste facility.



From: Kate Cottrell [mailto:kate.cottrell@bristol.gov.uk]

Sent: 20 October 2017 15:38

To: Gwen Frost <Gwen.Frost@Bristolwastecompany.co.uk>; Tracey Morgan (BWCTAM) <Tracey.Morgan@Bristolwastecompany.co.uk>

Cc: Gary Collins <Gary.Collins@bristol.gov.uk>; Dylan Davies <dylan.davies@bristol.gov.uk>

Subject: 17/04490/X Bristol Waste Recycling Facility, Albert Road

Dear Tracey and Gwen

Dylan has now provided his detailed comments on the application set out above and the associated noise impacts and I have provided these in full below for you to consider. As you will note from Dylan's comments that whilst the acoustic report was thorough and well presented unfortunately there are still significant concerns with the proposed variations to the existing conditions on the site and impacts on surrounding residents. As a result at present we simply cannot support the application as submitted. It is

also our belief that were we to take this to committee as it stands, Members would not be supportive either given their reaction to the previous applications.

As such, as an initial approach I would advise that perhaps you take some time to consider comments below and investigate ways to address the concerns. Once you have had sufficient time to do this I suggest that we then set up a meeting together to discuss any proposals going forward. Whilst the determination date for this application is 9 November we are happy to extend the deadline currently to enable you to undertake the required work above and I initially suggest the deadline is extended to 9 December. If you are in agreement with this then I would be grateful if you could confirm this by email.

I am now on leave for the next week, but I am happy to discuss on my return to the office, I am also happy if you or your acoustic consultant speak to Dylan directly in the meantime as long as I am kept updated.

I look forward to hearing from you in due course

Kind regards

Kate

Kate Cottrell BA (Hons) MTP MRTPI
Team Leader (North and BCC Assets)
Development Management - Place Directorate
Bristol City Council, City Hall
Please note new address for post only: PO Box 3176 Bristol BS3 9FS

Direct Dial: 0117 9223021

Email: kate.cottrell@bristol.gov.uk

Web: www.bristol.gov.uk



From: Dylan Davies
Sent: 18 October 2017 16:29
To: Kate Cottrell
Subject: BWC 17/04490

Hi Kate please see my comments below:

The existing area is known to be particularly noisy in the week and Saturday mornings due to various waste operations along Albert Rd which are clearly audible within housing to the South of the Bath Rd and in particular those houses which are shielded from road noise but also overlook the area from Totterdown. In an initial discussion with the applicants consultant (as repeated page 5 of the report) it was advised that any changes in the operational hours should (be demonstrated) not to result in a worsening of the existing noise impacts. This reasoning is established further by current Government Planning Practice Guidance (PPG) on noise which extends advice on guidance to paragraph 123 of the National Planning Policy Framework (NPPF) <https://www.gov.uk/guidance/noise--2> and the Noise Policy Statement England (NPSE). In particular the PPG advises:

- *In cases where existing noise sensitive locations already experience high noise levels, a development that is expected to cause even a small increase in the overall noise level may result in a significant adverse effect occurring even though little to no change in behaviour would be likely to occur*

The Noise Policy Statement England sets out the Governments policy on noise in three aims:

Through the effective management and control of environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development:

1. *avoid significant adverse impacts on health and quality of life;*
2. *mitigate and minimise adverse impacts on health and quality of life; and*
3. *where possible, contribute to the improvement of health and quality of life.*

The PPG details the significance criteria introduced by the NPSE in context of the above in a table reproduced by the applicant at table 1 as below:

Table 1: Planning Practice Guidance – Noise Hierarchy

Perception	Example Outcomes	Increasing Effect Level	Action
Not Noticeable	No Effect	No Observed Effect	No specific measures required
Noticeable and not intrusive	Noise can be heard, but does not cause any change in behaviour or attitude. Can slightly affect the acoustic character of the area but not such that there is a perceived change in the quality of life.	No Observed Adverse Effect	No specific measures required
Lowest Observed Adverse Effect Level			
Noticeable and intrusive	Noise can be heard and causes small changes in behaviour and / or attitude, e.g. turning up volume of television, having to close windows for some of the time because of noise. Potential for some reported sleep disturbance. Affects the acoustic character of the area such that there is a perceived change in the quality of life.	Observed Adverse Effect	Mitigate and reduce to a minimum
Significant Observed Adverse Effect Level			
Noticeable and disruptive	The noise causes a material change in behaviour and / or attitude, e.g. avoiding certain activities during periods of intrusion; where there is no alternative ventilation, having to keep windows closed for most of the time because of noise. Potential for sleep disturbance resulting in difficulty in getting to sleep. Quality of life diminished due to change in acoustic character of the area.	Significant Observed Adverse Effect	Avoid
Noticeable and very disruptive	Extensive and regular changes in behaviour and / or an inability to mitigate effect of noise leading to psychological stress or physiological effects, e.g. regular sleep deprivation / awakening; loss of appetite, significant, medically definable harm, e.g. auditory and non-auditory.	Unacceptable Adverse Effect	Prevent

Essentially noise impact up to the Lowest Observed Adverse Effect Level (LOAEL) requires no intervention but Significant Observed Adverse Effect Levels (SOAEL) should to be avoided.

The applicants consultant, after choosing criteria/limits for LOAEL, LOAEL to SOAEL, and SOAEL, in table 2, determines each of the main noise sources as either up to LOAEL which requires no further mitigation or SOAEL which should be avoided (tipping, pushing and bulking of glass during weekend evenings). Therefore predicting that all these activities are LOAEL 07:00 to 23:00hrs weekdays without further noise reduction measures.

(The bailer is said to be LOAEL at any time 07:00 to 23:00hrs any day, to which I do not object)

No guideline noise levels for the categories are provided in the guidance. Therefore there is a consideration needed of whether the levels used to define the impact accurately reflect proposed noise in the given situation and also whether the levels monitored/calculated accurately reflects the situation.

The applicant proposed noise limits for LOAEL of:

- Predicted rating level is less than or equal to the existing background (LA90) and the predicted maximum events are below the existing L_{max} level in the area.

And SOAEL:

- Predicted rating level exceeds the existing background (LA90) and predicted maximum events exceed the existing L_{max} level.

BS4142:2014 is a standard for Rating average noise levels, to account for the character of noise, to be compared to the Background noise but there is no standard for comparing maximum noise events with existing maximum noise events.

The PPG explains why no noise levels/limits are not provided for the impact categories with the following advice:

The subjective nature of noise means that there is not a simple relationship between noise levels and the impact on those affected. This will depend on how various factors combine in any particular situation.

These factors include:

. the source and absolute level of the noise together with the time of day it occurs. Some types and level of noise will cause a greater adverse effect at night than if they occurred during the day – this is because people tend to be more sensitive to noise at night as they are trying to sleep. The adverse effect can also be greater simply because there is less background noise at night;

. for non-continuous sources of noise, the number of noise events, and the frequency and pattern of occurrence of the noise;

. the spectral content of the noise (ie whether or not the noise contains particular high or low frequency content) and the general character of the noise (ie whether or not the noise contains particular tonal characteristics or other particular features). The local topology and topography should also be taken into account along with the existing and, where appropriate, the planned character of the area.

The Noise Policy Statement England in relation to SOEAL explains further:

It is not possible to have a single objective noise-based measure that defines SOAEL that is applicable to all sources of noise in all situations. Consequently, the SOAEL is likely to be different for different noise sources, for different receptors and at different times. It is acknowledged that further research is required to increase our understanding of what may constitute a significant adverse impact on health and quality of life from noise. However, not having specific SOAEL values in the NPSE provides the necessary policy flexibility until further evidence and suitable guidance is available.

It is clear therefore that interpretation of the categories is necessary if relying on noise levels rather than the subjective nature of impact. There is need to therefore consider the applicants chosen criteria and the accuracy of the levels reported.

Subjective

The nature of the noise in the area is dominated by impulsive sounds of waste management activities during the daytime weekdays and to a lesser extent Saturday mornings. This typically coincides to when people are active and distracted by life or are at work so such noise has a lower impact on them. They are also assured that such noise will reduce in the evenings and at weekends which are typically times when they are less distracted and enjoying home life. This also gives respite and reprieve to counteract the disturbance possibly otherwise accepted in the week.

The nature of noise from glass handling in particular is readily identifiable, frequent and discrete (irrespective of its actual level) in comparison to average or maximal noise from traffic which currently dominates the ambient noise on evenings and weekends. Permitting such noise, without any proposed further mitigation, will therefore significantly change the character of the noise environment currently enjoyed at evenings and weekends adversely. The extended duration of such noise is also likely to cause increased response to the weekday noise.

BS4142 principle assessment

Rating

BS4142:2014 is used by the applicant as a guide in to inform the chosen significance criteria of the Rating level for LOAEL as equal to or not exceeding the Background level, and SOAEL exceeds the Background. This was likely to be chosen as the standard advises:

...Where the Rating Level does not exceed the Background sound level, this is an indication of the Specific sound source having a low impact, depending on the context.

This therefore can be adjusted depending on the context. I do not feel that the context (described in the above section on subjectivity) of introducing waste management noise 7 days per week and into times of respite has been suitably accounted for when considering the levels for the chosen category. The previous sentence to the quote above explains that the lower the Rating level is in relation to the Background, the less likely the specific sound will have an adverse impact. It is therefore entirely possible that a Rating Level below the Background should have been used. In particular it is now common practice for planning conditions to require a Rating level 5dB below the Background noise.

It can be seen from table 15, 16, 17 and 18 (18 less so) that site levels were predicted to be either only slightly lower than Background, equal to Background or slightly exceeding Background (exceedances agreed to be SOAEL in table

19 Weekend Evenings). Most activities would be SOAEL if there were a slight change in the criteria used to account for Context i.e. requiring the Rating level to be a certain amount below the Background as above.

A Rating is applied to the Specific noise to account for the certain acoustic features of the specific sound i.e. prominent impulses are more annoying than a steady sound. This Rating is added to the specific noise of the source before comparing to the Background noise as above. In this case 3dB has been added as the intermittency of the noise against the residual acoustic environment is readily distinctive. To which I agree.

A further 6dB (clearly perceptible considering both the rapidity and overall change in sound pressure) Rating for impulsivity is added but it is possible to add up to 9dB for highly perceptible impulses. It may be argued that more than 6dB could be added. It can be seen from table 15, 16, 17 and 18 (18 less so) that levels were predicted to be either only slightly lower than Background, equal to Background or slightly exceeding Background (exceedances agreed to be SOAEL in table 19 Weekend Evenings). Therefore if even a small increase in Rating were given more activities would be SOAEL weekday evenings and Weekend Days. Most activities would be SOAEL and need to be avoided.

Background levels reported in table 12 are typical. There will be times when Background levels are naturally lower than these therefore the specific sound of glass handling will be more disturbing and vice versa.

The levels reported in table 12 of 50dB LA90 weekday evenings and daytime weekends and 48dB LA90 Weekend evenings are then used as the significance criteria explained in table 13 and therefore used for assessing each noise sensitive location considered against tables 15-18. However it is noted that position M03 Summer Hill had lower Background noise levels than used in the assessment (see table 5). These were 3dB lower weekday evenings and 2dB lower weekend daytime. There is no reason for this location to be treated differently and in effect suffer SOAEL for certain glass recycling activities at the proposed times.

In conclusion with regard to the BS4142 principle assessment the it can be seen from the above that there is potential for inaccuracy in the assessment in determining the significance of impact by way of the i) Background, ii) Rating applied and iii) the level of LOAEL/SOAEL chosen with regard to Context, all, individually, or combined, could result in the activities at times applied for being SOAEL if using a similar methodology.

Specific Maximum level assessment

It is accepted that there is no UK standard in the daytime for LAmax other than the up to 9dB Rating that could be applied to average level assessment. The reports' assessment of impact is for LAmax from site to be below existing LAmax in the area for LOAEL and LAmax exceeding existing LAmax in the area for SOAEL.

The LAmax in the area (existing in proposed hours) are taken to be the LAmax levels exceeded by approximately two thirds in the baseline survey therefore this should be a representative figure for comparison to site levels. These are said to be:

63dB LAmax week day evening and daytime on weekends, and

60dB LAmax weekend evenings.

These levels are lower than the average LAmax levels which gives some assurance that the criteria could be conservative. However what is not considered is the nature of the current LAmax events and frequency in relation to the proposed in the proposed times. The existing LAmax are likely to be less frequent and not as conspicuous. Page 19 reports that the attended measurements were governed by traffic movements on the A4 and other noises of note were occasional vehicle movements on local roads, pedestrians and birdsong. We become easily

accustomed to such noise and will not be as disturbing as frequent, abrupt, short and sharp noises as with glass tipping.

The PPG when considering why limits are not proposed specifically mention character of the noise and frequency as reproduced above. It is unlikely that comparing L_{max} levels is not comparing like to like in this case and therefore its difficult to rely on such a criteria in this case and context. Table 16 considers predicted L_{max} against the criteria for glass recycling and only evenings at weekends are SOAEL using the proposed methodology. However site noise levels in the day on weekends and weekday evenings are only very slightly below the daytime criteria of 63 dB L_{max}. For example this is only 0.6dBA under the typical L_{max} criteria at New Walls. It is widely accepted that a 1dBA difference in noise levels for example is imperceptible and therefore in effect New Walls would be exposed to perceived noise levels weekday evenings and weekend daytime (as proposed to be acceptable at other sites in the report based on the criteria) that would be SOAEL.

Conclusion

I do not believe that it has been demonstrated in line with government policy that the proposal will not make an existing noisy environment worse at those properties considered.

There is no evidence to support Bank Holidays working (other than an assumption that Background will be similar to a Sunday).

The benefit of quiet time in an already existing environment is not accounted for.

No further mitigation is offered to further assure residents but there is a reliance on imperceptible tolerances (i.e. 0.6dB L_{max} and similar Rating level differences).

It has been demonstrated that glass recycling can be carried out successfully within the workshop building on Saturdays and Bank Holidays without disturbance but this alternative solution has not been explored further.

The combination of character, frequency and the unperceivable difference at New Walls from SOAEL for L_{max} (essentially making none of the application hours acceptable) and the observations relating the BS4142 assessment i.e. Background generally and particularly at Summer Hill, the potential additional Rating to account for the Character of the noise and the level of LOAEL/SOAEL chosen in relation to the Background (also essentially making most of the application activities/hours unacceptable other than the Baler Hall) provides suitable doubt as to the acceptability of the proposals to extend glass recycling to 7 days weekday evenings and weekend daytime.

The acoustic report was thorough and well presented however after studying the report and surrounding area further to the above comments I note that there are also two potential receivers which have not been considered and therefore addressed.

Firstly there would appear to be two flats as part of the RSPCA center at 48 Albert Rd. It is my understanding that these are approximately 30m closer than receivers at New Walls (which were assessed and have direct line of sight to the main noise source) but the Albert Rd flats benefit from screening of the glass recycling area by the workshop and other buildings and equipment. Therefore I do not consider that these receivers will be any worse effected than those at New Walls.

Secondly I have been advised that the two strips of land either side of the Totterdown bridge and between the A4 and the site are allocated for housing development. As these sites are closer than receivers considered in the report and there is no or limited screening the site noise levels will have a greater impact than those in Totterdown and be likely to be at/above SOAEL for the proposed hours using the applicants methodology. Clearly if planning application were forthcoming for these sites the level of sound insulation necessary and the design of the façade may need further consideration than present to account for the extended hours and 7 days of glass recycling. This may impact

the cost and potential viability of these sites for housing development. I would suggest that further information and consideration of this land is made before the application is determined.

At this time I cannot support the application in principle.

Regards

Dylan

Council services online: <http://www.bristol.gov.uk/service>

Keep up to date with the latest council news and sign up to our monthly email newsletter:
<http://www.bristol.gov.uk/ournews>

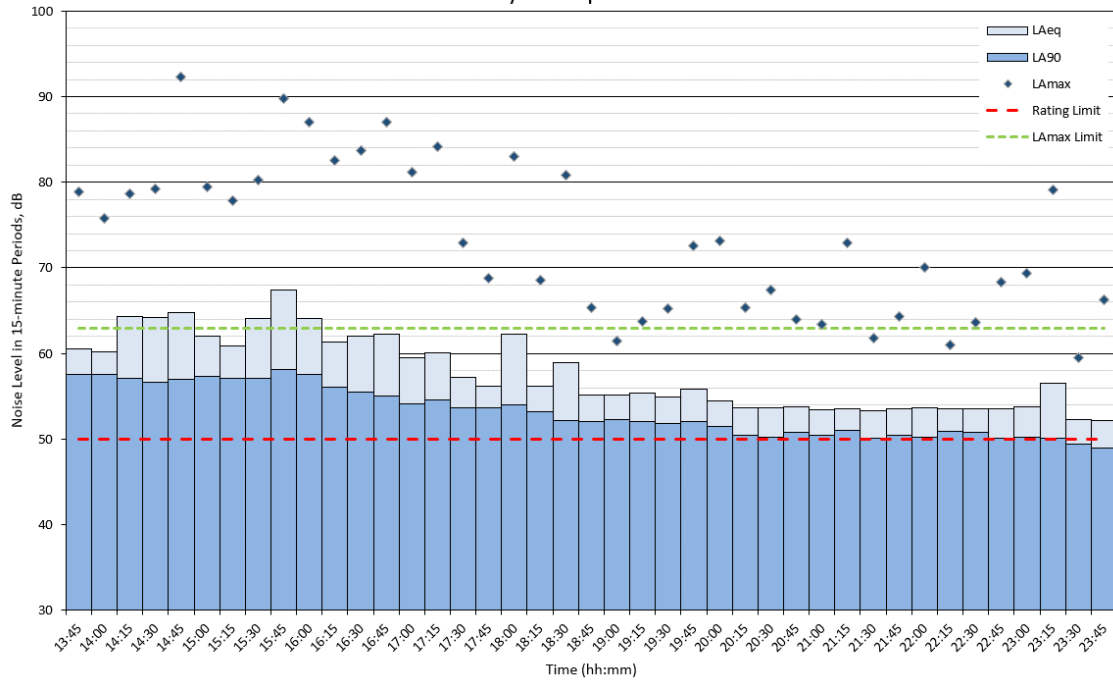
Have your say on consultations and view our webcasts: <http://www.bristol.gov.uk/consult>

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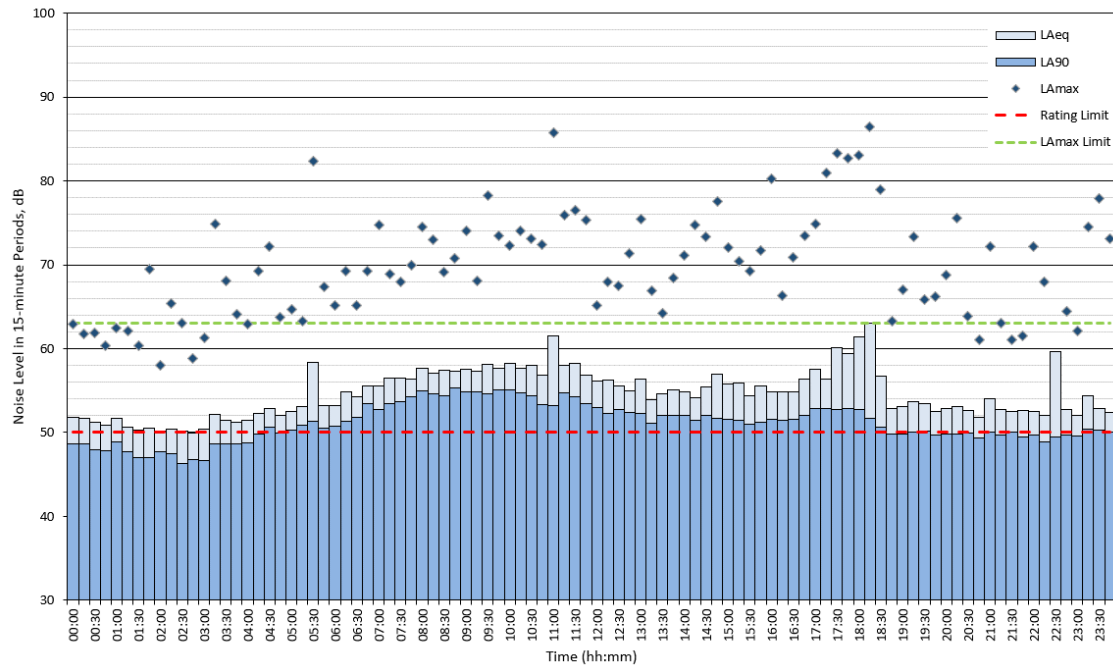


Logging Location M04

Noise Levels Measured at Logging Location M04
 Friday 21st April 2017

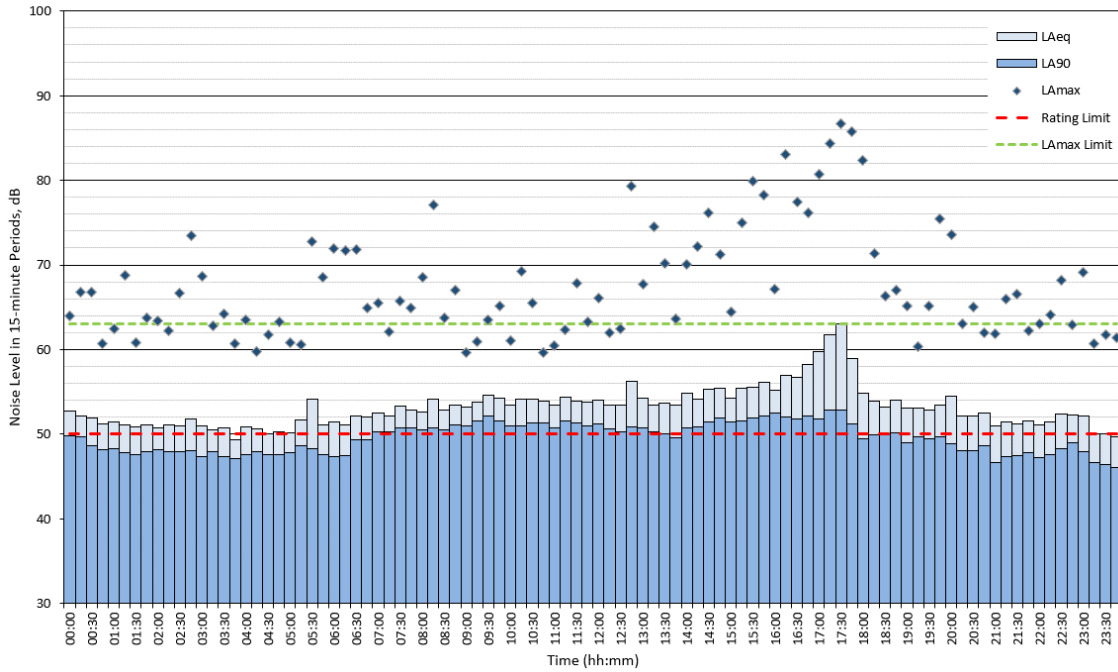


Noise Levels Measured at Logging Location M04
 Saturday 22nd April 2017

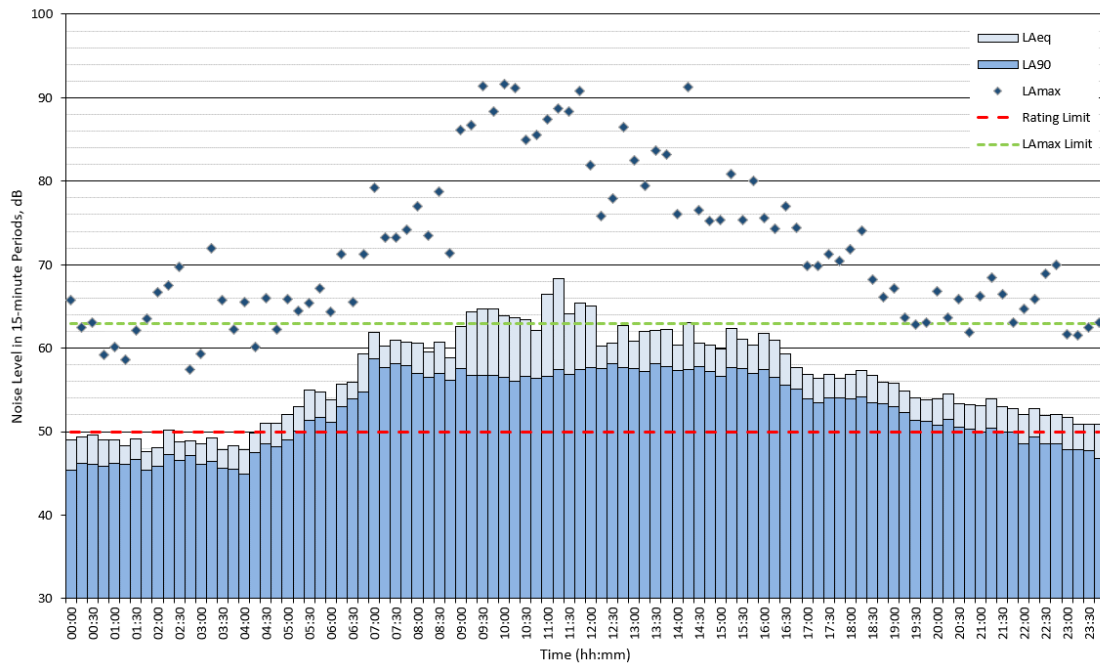




Noise Levels Measured at Logging Location M04
 Sunday 23rd April 2017

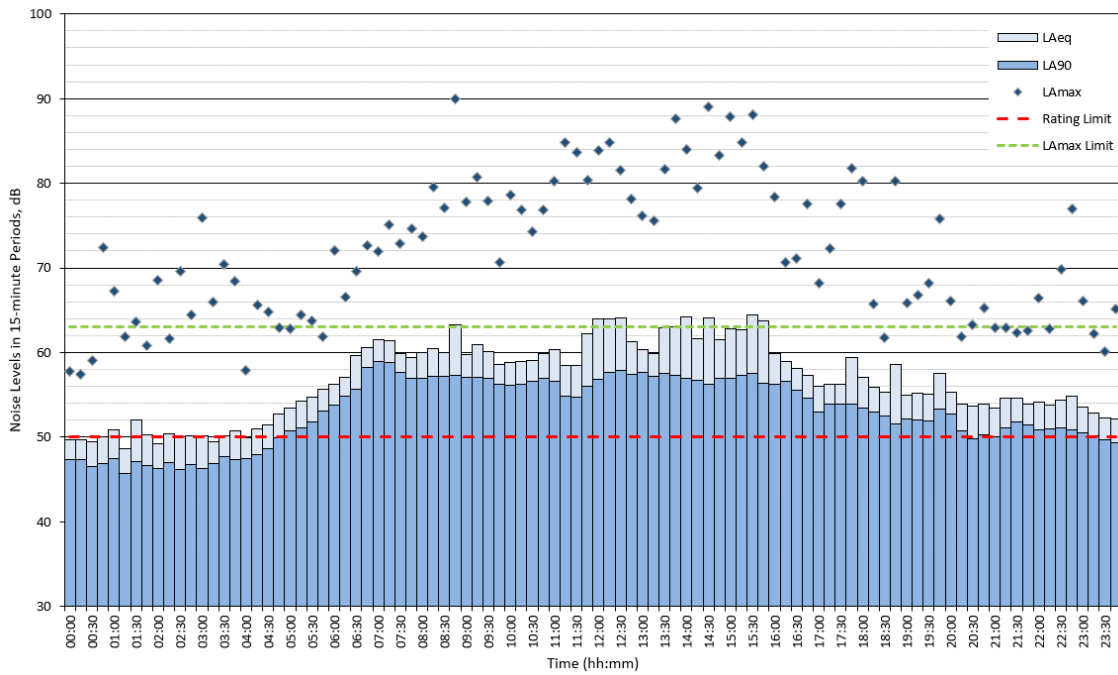


Noise Levels Measured at Logging Location M04
 Monday 24th April 2017

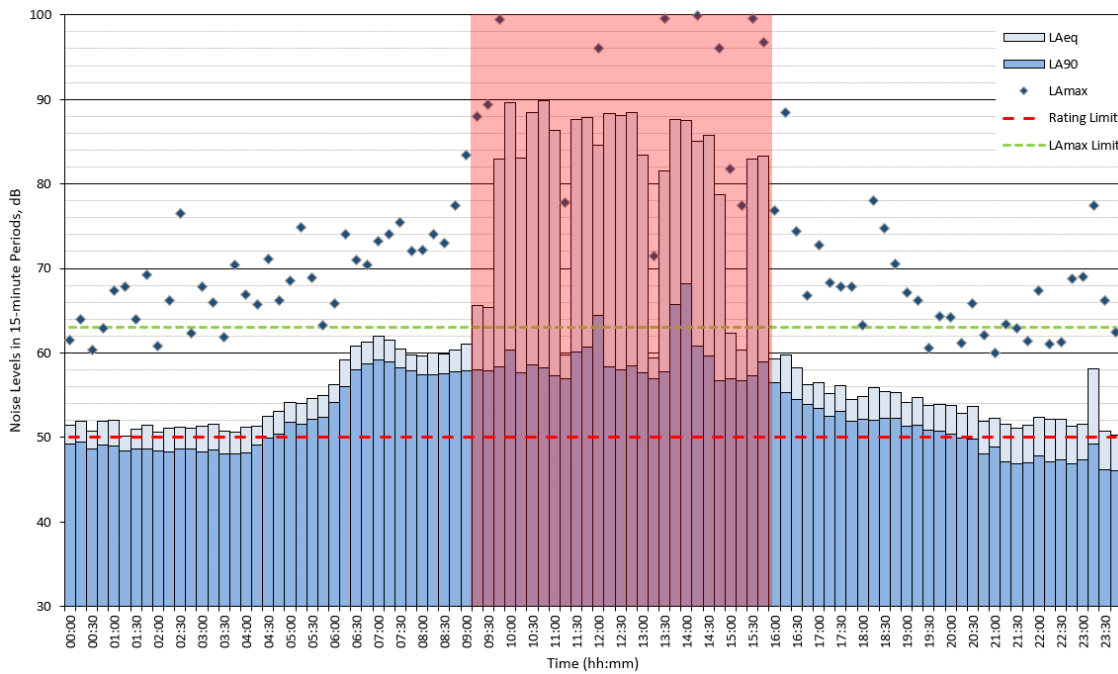




Noise Levels Measured at Logging Location M04
 Tuesday 25th April 2017

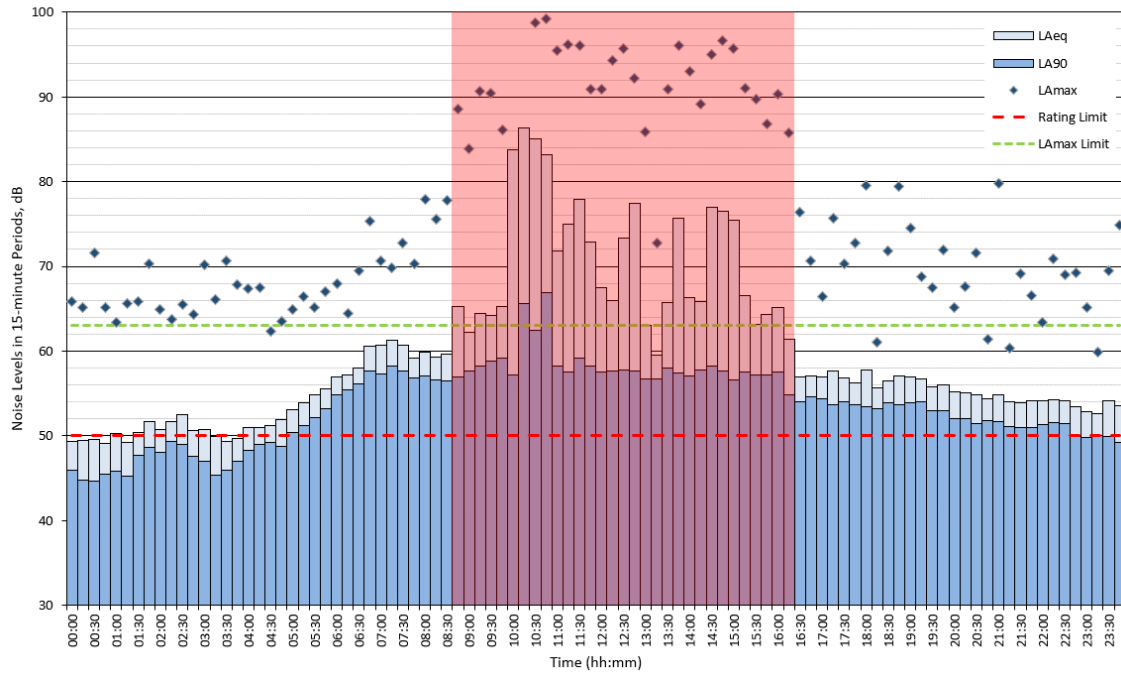


Noise Levels Measured at Logging Location M04
 Wednesday 26th April 2017

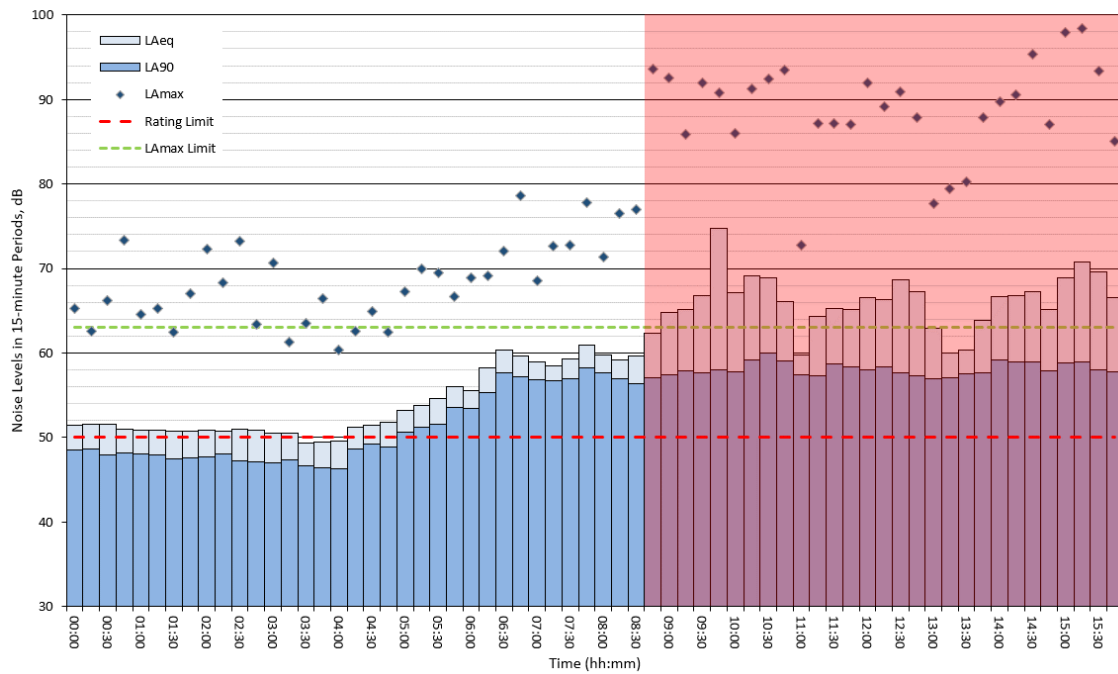




Noise Levels Measured at Logging Location M04
 Thursday 27th April 2017



Noise Levels Measured at Logging Location M04
 Friday 28th April 2017



Operational Baler Noise

Receptor	Ref	Source Level $L_{Aeq, 15mins}$		Dist to receptor, m	Screening Attenuation	Rating Noise Level L_{Ar} , dB
		L_p , dB	Distance, m			
New Walls	M01	58	34	290	5	34.4
Kingstree St	M02	58	34	290	5	34.4
Summer Hill	M03	52	11	330	5	17.5
Fitzroy St	M04	52	11	280	5	18.9
School Rd Park	AL05	52	11	410	10	10.6
Proposed Resi	AL06	52	11	170	5	23.2

External Glass Tipping Noise Calculations

Receptor	Ref	Source Level $L_{Aeq, 15mins}$		Dist to receptor, m	Screening Attenuation	Specific Noise Level L_p , dB	Rating Correction		L_{Ar} at Receptor, dB
		L_p , dB	Distance, m				Impulsive	Intermittent	
New Walls	M01	74.5	20	290	10	41.3	6	3	50.3
Kingstree St	M02	74.5	20	300	10	41.0	6	3	50.0
Summer Hill	M03	74.5	20	360	10	39.4	6	3	48.4
Fitzroy St	M04	74.5	20	350	10	39.6	6	3	48.6
School Rd Park	AL05	74.5	20	440	10	37.7	6	3	46.7
Proposed Resi	AL06	74.5	20	170	5	50.9	6	3	59.9

Receptor	Ref	Source Level L_{Amax}		Dist to receptor, m	Screening Attenuation	L_{Amax} at Receptor, dB
		Max L_{Amax} , dB	Distance, m			
New Walls	M01	95.6	20	290	10	62.4
Kingstree St	M02	95.6	20	300	10	62.1
Summer Hill	M03	95.6	20	360	10	60.5
Fitzroy St	M04	95.6	20	350	10	60.7
School Rd Park	AL05	95.6	20	440	10	58.8
Proposed Resi	AL06	95.6	20	170	5	72.0

Bulking Up Noise

Receptor	Ref	Source Level $L_{Aeq, 15mins}$		Dist to receptor, m	Screening Attenuation	Specific Noise Level L_p , dB	Rating Correction		L_{Ar} at Receptor, dB
		L_p , dB	Distance, m				Impulsive	Intermittent	
New Walls	M01	74.8	24	290	10	43.2	6		49.2
Kingstree St	M02	74.8	24	300	10	42.9	6		48.9
Summer Hill	M03	74.8	24	360	10	41.3	6		47.3
Fitzroy St	M04	74.8	24	350	10	41.5	6		47.5
School Rd Park	AL05	74.8	24	440	10	39.5	6		45.5
Proposed Resi	AL06	74.8	24	170	10	47.8	6		53.8

Receptor	Ref	Source Level L_{Amax}		Dist to receptor, m	Screening Attenuation	L_{Amax} at Receptor, dB
		Max L_{Amax} , dB	Distance, m			
New Walls	M01	90.1	24	290	10	58.5
Kingstree St	M02	90.1	24	300	10	58.2
Summer Hill	M03	90.1	24	360	10	56.6
Fitzroy St	M04	90.1	24	350	10	56.8
School Rd Park	AL05	90.1	24	440	10	54.8
Proposed Resi	AL06	90.1	24	170	10	63.1

Development Control Committee B – 14 March 2018

ITEM NO. 2

WARD: Central

CONTACT OFFICER: Alison Straw

SITE ADDRESS:

Old Bristol Royal Infirmary Building Marlborough Street (South Side) City Centre
Bristol BS1 3NU

APPLICATION NO: 17/02413/F

Full Planning

DETERMINATION DEADLINE: 28 July 2017

Demolition of the existing buildings and redevelopment of the site to provide a part 7, 8 and 9 storey building fronting Marlborough Street, comprising 715 student bedspaces; communal areas and central courtyard; and erection of part 4, 5 and 6 storey building to the rear to accommodate a mix of uses, including office floorspace (Use Class B1) and/or medical school (Use Class D1) equating to 6,860sqm and a small commercial unit; associated access road, landscaping, public realm improvements, undercroft car parking and cycle parking. (MAJOR).

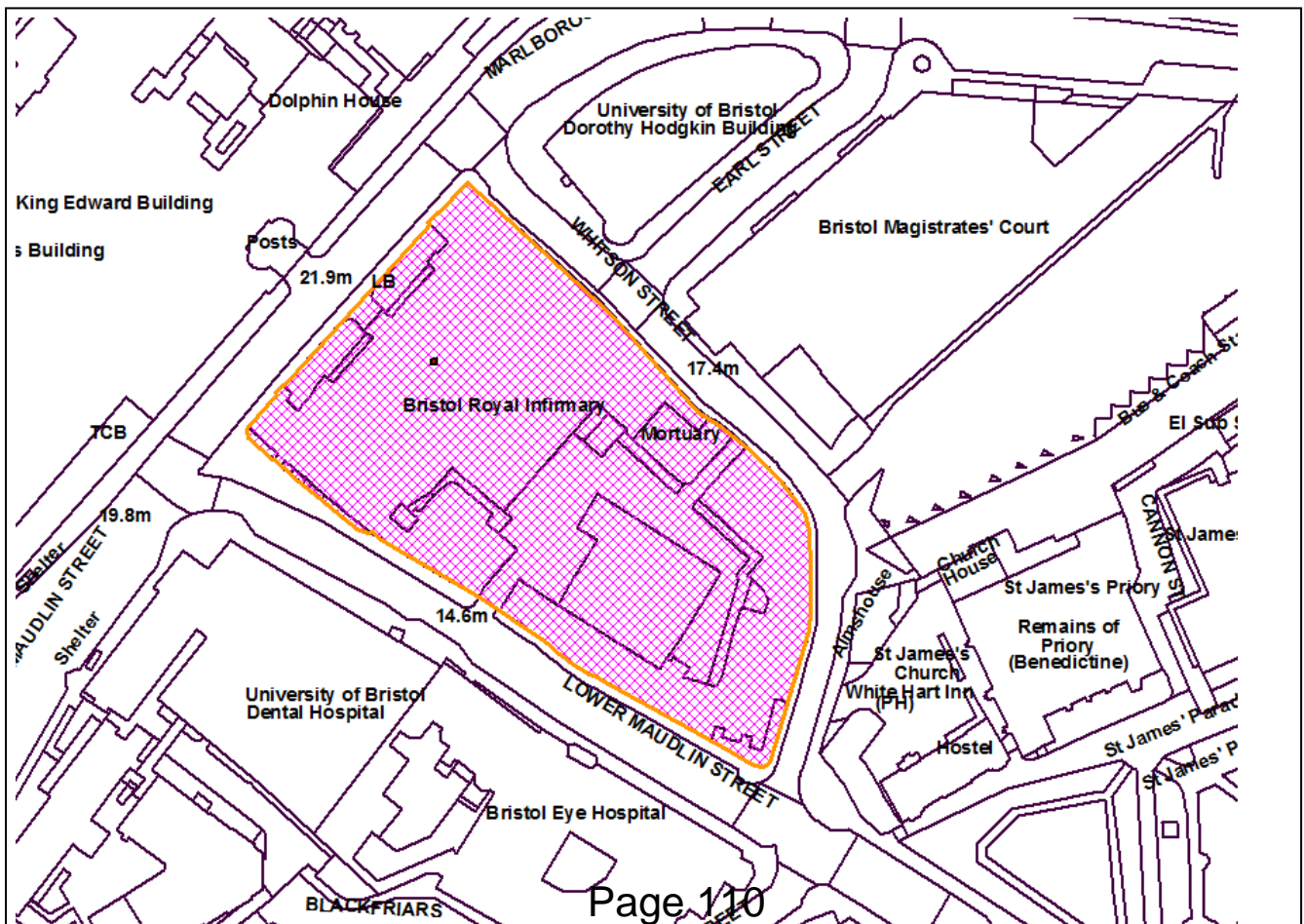
RECOMMENDATION: Refuse

AGENT: RPS CgMs
7th Floor
140 London Wall
London
EC2Y 5DN

APPLICANT: UNITE Group Plc
5th Floor
Swan House
17-19 Stratford Place
London W1C 1BQ

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

LOCATION PLAN:



Development Control Committee B – 14 March 2018

Application No. 17/02413/F: Old Bristol Royal Infirmary Building Marlborough Street (South Side) City Centre Bristol BS1 3NU

THE PROCESS

Members will be aware that the development proposals on this site were due to be considered at the Development Control Committee B held on 27th September 2017. Prior to this date, on 25th September 2017, the Hospital chapel, which sits on part of the site, was designated a Grade II listed building. As such a material change of circumstance had occurred which warranted the withdrawal of the report from that committee, given it did not reflect the recent listing and the subsequent weight that is required to be attached to it. The applicants have requested that the listing be reviewed and as such the Public Inquiry, which was due to be held in November 2017, was postponed and put into abeyance pending the outcome of this review. To date there has not been any decision but it is anticipated that Public Inquiry could be re convened either in March or April this year.

As before, the proposals are brought before members in order to ascertain what the decision of the LPA would have been should they have had the jurisdiction to determine the application and should the proposals not be supported, to determine what reasons are to be defended by Officers at the forthcoming Public Inquiry. Other than the listing of the Chapel, there has been no other material change in circumstance and no further information and / or amended plans have been submitted by the applicant since the listing.

In light of the above there are now two potential scenarios which require two separate decisions. The first, Scenario 1, reflects the previous position, before the Chapel was listed and would be relevant should it be de listed as a result of the challenge. The second, Scenario 2 reflects the current situation where the Chapel is and remains a Grade II listed building.

Members will see that the recommended reasons for refusal 1 – 5 are the same for both Scenario 1 and 2, but with regard to Scenario 2 there is an additional reason for refusal which specifically relates to the loss of the Chapel.

SCENARIO 1) THE PROPOSED DEVELOPMENT WHERE THE HOSPITAL CHAPEL IS NOT A GRADE II LISTED BUILDING

In this scenario members are asked to revert to the original report which is attached (updated to reflect the Amendment Sheet at that time).

Officers would also advise that under Section D ii) upon further consideration the impact of the proposals on the setting of the adjacent St James's Parade Conservation Area is now considered to represent a high degree of not substantial harm rather than substantial harm and with regard to Church House, a moderate degree of not substantial harm, rather than a moderate to high degree of not substantial harm. The Conclusion has also been amended to reflect this. Other than those amendments the report remains as it was written in September 2017 and the recommendation remains the same which is as follows:-

RECOMMENDED:

THAT HAD THE LOCAL PLANNING AUTHORITY BEEN IN A POSITION TO DETERMINE THE DEVELOPMENT PROPOSALS IT WOULD HAVE REFUSED THEM ON THE FOLLOWING GROUNDS: -

1) The proposed development by reason of its overall urban design and architectural quality would be unacceptable, failing to respond positively to the existing city centre context and failing to

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preserve the special interest and setting of relevant heritage assets contrary to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990; Sections 7 and 12 of the National Planning Policy Framework (March 2012); Policies BCS21 and BCS22 of the Bristol Core Strategy (June 2011); Policies DM26, DM27, DM28, DM29 and DM31 of the Site Allocations and Development Management Policies (July 2014); and Policy BCAP43 of the Bristol Central Area Plan (March 2015).

2) The proposed development, by reason of siting, fails to provide for adequate road space to make improvements to the local and wider transport network which will have adverse impacts upon the quality and safety of pedestrian and cycle routes around the site; congestion; public health; highway safety and will prejudice the delivery of wider strategic growth within the vicinity and central area. As such the proposals are contrary to advice contained within Section 4 of the National Planning Policy Framework (March 2012); Policies BCS10, BCS13 and BCS21 of the Bristol Core Strategy (June 2011); Policies DM23, DM27 and DM28 of the Site Allocations and Development Management Policies (July 2014) and Policy BCAP30 of the Bristol Central Area Plan (March 2016).

3) The proposals fail to provide adequate footway widths in order to provide for the significant increase in pedestrian movements around the site to the severe detriment of pedestrian safety and accessibility, contrary to guidance contained within Section 4 of the National Planning Policy Framework (March 2012); Policies BCS10, BCS13 and BCS21 of the Bristol Core Strategy (June 2011); Policy DM23, DM27 and DM28 of the Site Allocations and Development Management Policies and Policy BCAP29 and BCAP43 of the Bristol Central Area Plan (March 2016).

4) The proposal fails to provide adequate cycle parking and thereby adequate provision of sustainable travel facilities contrary to guidance contained within Section 4 of the National Planning Policy Framework (March 2012); Policies BCS10 and BCS 13 of the Bristol Core Strategy (June 2011); Policy DM23 of the Site Allocations and Development Management Policies (July 2014) and Policy BCAP29 of the Bristol Central Area Plan (March 2016).

5) In the absence of information to the contrary, the proposed development would result in an unacceptable substantial adverse impact upon air quality in the locality and is therefore contrary to Policy BCS23 of the Bristol Core Strategy (June 2011) and Policy DM33 of the Site Allocations and Development Management Policies (July 2014).

(SCENARIO 2) THE PROPOSED DEVELOPMENT WHERE THE HOSPITAL CHAPEL REMAINS A GRADE II LISTED BUILDING – to be read in conjunction with the original report (Scenario 1) as attached.

In light of the listing of the Hospital Chapel, officers re – consulted a number of statutory and non - statutory bodies and the following further responses, specific to this issue are set out below.

RESPONSE TO RE -CONSULTATION.

Historic England – Strongly Objects to the application, (the full response can be viewed on the website) but the following is particularly relevant:-

“In terms of consideration to be given to the wholesale demolition and loss of a designated heritage asset, this can only be considered under the requirement of paras 132 and 133 of the NPPF. The loss of the entire heritage asset would result in total loss of significance and substantial harm. Substantial harm to or loss of a grade II listed building should be exceptional. Para 133 advises that ‘Where a proposed development will lead to substantial harm to or total loss of significance of a

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designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

In the absence of any further information that demonstrates both ‘clear and convincing justification’ and that the above test has been applied, we would now strongly object to the application as it now stands”.

The Council’s City Design Group (Urban Design; Conservation; Archaeology; Public Art; Landscape)

The summary is as follows, (full details can be viewed on the website):-

The application fails to demonstrate adequate understanding of the heritage context in which it sits. The minimum requirements of the National Planning Policy Framework (NPPF) are not considered to have been met and no assessment of impact, or justification of tangible public benefits has been clearly stated.

The proposed demolition of the former Bristol Royal Infirmary (BRI) chapel represents substantial harm to a Grade II Listed building under the definitions of the NPPF. Additionally the demolition of the attached Locally Listed hospital building is not supported by national or local policy.

The scale, massing, design, and materiality of the proposed buildings on the site will have a negative impact to nationally designated heritage assets surrounding the site and harm their setting and group value. We do not consider that there is satisfactory demonstration of public benefits that can adequately outweigh the significant harm to their special interest.

We are required to place “great weight” on the conservation of heritage assets. This application should be strongly opposed by this Local Authority as failing to conform to national or local policy designed to protect the historic environment including, but not limited to NPPF paragraphs 128, 131, 132 and 137, as well as Bristol City Council policies BCS22, DM26, and DM31.

KEY ISSUE D) WOULD THE PROPOSED DEVELOPMENT PRESERVE THE SPECIAL INTEREST OF DESIGNATED AND LOCAL NON DESIGNATED HERITAGE ASSETS.

ii) The impacts

Demolition of Old BRI Building and Fripp’s Chapel – The application proposes the demolition of the C18th and C19th Old BRI building and the hospital chapel. The listing of the chapel clearly represents a material change in planning circumstance which must be fully considered in the re - assessment of the proposals. The chapel is a significant mid Nineteenth Century building and an early example of Northern – Italian revival style with attractive polychromy facades. It has national significance by virtue of its Grade II Listing designation. Not only does it have architectural and historic interest but the listing description makes clear that part of the building’s significance lies in the group value with the Grade II Listed Eye Hospital, Grade I Listed St James’ Church, and the other Grade II Listed assets to the south; further enhanced by the Locally Listed former Hospital

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building. There are clear visual connections between these buildings that cross through the site as well as other close relationship connections which provide essential context and setting value.

Para 133 of the National Planning Policy Framework (NPPF) 2012 states that “where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset local planning authorities should refuse consent, unless it can be demonstrated that substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss or all of the criteria at para 133 are met (see above in Historic England’s response).

The loss of the entire heritage asset would result in the total loss of significance and substantial harm. No further information has been submitted with the application in order to demonstrate a clear and convincing justification for the loss.

CONCLUSION

The proposals are considered to fall short of the policy aim to achieve high standards of urban design, (to include architectural quality), whilst safeguarding or enhancing the historic environment. For the reasons set out in the report it is considered that the proposals particularly fail to contribute positively to the area’s character and identity, creating or reinforcing local distinctiveness. In so doing the proposals also represent substantial harm to a number of the designated heritage assets, namely the setting of the Grade II listed White Hart Inn and the total loss of the Grade II listed Hospital Chapel and in terms of locally designated heritage assets, the total loss of the BRI old building. The proposals also represent varying degrees of not substantial harm to the setting of other designated heritage assets. There is significant level of objection from amenity groups and third parties on this issue which are well documented in the report.

It is recognised that there are a number of public or other benefits of the scheme, beyond the generic benefits of a city centre mixed use scheme on brownfield land, in that the proposals will address to a degree the undersupply of student accommodation and provide a medical school which the applicant’s state would be linked to the University of Bristol and the Bristol Royal Infirmary. It is however considered that these are not substantial and as such do not outweigh the varying levels of harm, both substantial and not substantial to both the designated and non-designated heritage assets.

In addition to the above and to be weighed in the balance of considerations are the issues raised with regard to the transport and movement, one of which is a principle issue regarding the building line along Marlborough Street and the opportunities lost in terms of the wider highway network and providing a safer environment for all highway users. With regard to the more detailed considerations of footway widths and cycle storage, ultimately this relates back to the design quality of the scheme.

A final outstanding issue is that of the matter of air quality. At the current time the proposals, through the modelling submitted within the Air Quality Assessment, indicate that the development will result in an unacceptable substantial adverse impact upon air quality in the locality. In the absence of any evidence to the contrary (through re modelling) or amendments to the scheme to address this issue, the proposals in this regard are not policy compliant.

In light of the above officers are unable to support the proposals as they stand; the opportunity to address these issues in a collaborative manner is not now available to officers. As such it is recommended that officers defend a refusal of the scheme at the forthcoming Public Inquiry for the reasons set out below.

Development Control Committee B – 14 March 2018**Application No. 17/02413/F: Old Bristol Royal Infirmary Building Marlborough Street (South Side) City Centre Bristol BS1 3NU****RECOMMENDED: THAT HAD THE LOCAL PLANNING AUTHORITY BEEN IN A POSITION TO DETERMINE THE DEVELOPMENT PROPOSALS IT WOULD HAVE REFUSED THEM ON THE FOLLOWING GROUNDS: -**

1) The proposed development by reason of its overall urban design and architectural quality would be unacceptable, failing to respond positively to the existing city centre context and failing to preserve the special interest (including group value) and setting of relevant heritage assets contrary to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990; Sections 7 and 12 of the National Planning Policy Framework (March 2012); Policies BCS21 and BCS22 of the Bristol Core Strategy (June 2011); Policies DM26, DM27, DM28, DM29 and DM31 of the Site Allocations and Development Management Policies (July 2014); and Policy BCAP43 of the Bristol Central Area Plan (March 2015).

2) The proposed development, by reason of siting, fails to provide for adequate road space to make improvements to the local and wider transport network which will have adverse impacts upon the quality and safety of pedestrian and cycle routes around the site; congestion; public health; highway safety and will prejudice the delivery of wider strategic growth within the vicinity and central area. As such the proposals are contrary to advice contained within Section 4 of the National Planning Policy Framework (March 2012); Policies BCS10, BCS13 and BCS21 of the Bristol Core Strategy (June 2011); Policies DM23, DM27 and DM28 of the Site Allocations and Development Management Policies (July 2014) and Policy BCAP30 of the Bristol Central Area Plan (March 2016).

3) The proposals fail to provide adequate footway widths in order to provide for the significant increase in pedestrian movements around the site to the severe detriment of pedestrian safety and accessibility, contrary to guidance contained within Section 4 of the National Planning Policy Framework (March 2012); Policies BCS10, BCS13 and BCS21 of the Bristol Core Strategy (June 2011); Policy DM23, DM27 and DM28 of the Site Allocations and Development Management Policies and Policy BCAP29 and BCAP43 of the Bristol Central Area Plan (March 2016).

4) The proposal fails to provide adequate cycle parking and thereby adequate provision of sustainable travel facilities contrary to guidance contained within Section 4 of the National Planning Policy Framework (March 2012); Policies BCS10 and BCS 13 of the Bristol Core Strategy (June 2011); Policy DM23 of the Site Allocations and Development Management Policies (July 2014) and Policy BCAP29 of the Bristol Central Area Plan (March 2016).

5) In the absence of information to the contrary, the proposed development would result in an unacceptable substantial adverse impact upon air quality in the locality and is therefore contrary to Policy BCS23 of the Bristol Core Strategy (June 2011) and Policy DM33 of the Site Allocations and Development Management Policies (July 2014).

6) The proposed development would result in the total loss of the Grade II Hospital Chapel resulting in substantial harm. It has not been sufficiently demonstrated that this loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Neither has it been demonstrated that the nature of the chapel prevents all reasonable uses of the site; that no viable use of the chapel can be found in the medium term; that conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible and that the harm or loss is outweighed by the benefit of bringing the site back into use. As such the proposals would be contrary to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990; Section 12, (notably paras 132, 133) of the National Planning Policy Framework (March 2012); Policy BCS22 of the Bristol Core Strategy (June 2011); and Policy DM31 of the Site Allocations and Development Management Policies (July 2014).

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THE PROCESS

This application for the redevelopment of the site is now the subject of an appeal to The Planning Inspectorate (Appeal ref: APP/Z0116/W/17/3181920). The applicants have lodged an appeal (9 August 2017) against the non – determination of the application within the 13-week statutory period, which expired on 28th July 2017 and as such the final decision now rests with the Inspectorate. This scheme was in the process of being assessed by the Local Planning Authority (LPA) and a clear position statement had been set out to the applicant; a limited response was received one day before the appeal was lodged.

The proposals are brought before members in order to ascertain what the decision of the LPA would have been should they have had the jurisdiction to determine the application and, should it be refused, to determine what reasons, if any, are to be defended by Officers at the forthcoming Public Inquiry.

Members will be aware that an earlier scheme on this site (LPA ref: 16/01888/F), which sought to retain the existing buildings and was a greater mass, was refused at the Development Control Committee (B) held on 28th September 2016; the decision was issued 5th October 2016. This was until recently, the subject of a 12 day Public Inquiry (Appeal ref: APP/Z0116/W/17/3168993) to be held in November 2017 and this newly lodged appeal was to be heard at the same time. The applicants have however now withdrawn the first appeal and as such it is only this scheme that will be heard at the Inquiry.

SUMMARY

The application site (0.7 ha) is in the City Centre within an area designated as Hospital Precinct. The site was formerly owned by the hospital Trust but has been acquired by Unite Group Plc. (student accommodation providers), in September 2015. The buildings on the application site are not listed buildings but the Old BRI Building and chapel are 'locally listed'. The site is not within a conservation area but is adjacent to the St James Parade Conservation Area.

The application proposes the demolition of both the Old BRI Building and the chapel with the redevelopment of the site for student accommodation (715 spaces); office floor space (Use Class B1) and / or a medical school (Use Class D1) equating to 6860 sqm of floorspace and a small scale commercial unit, with an associated access road, landscaping and public realm works.

Significant objection from local residents (950 + letters) on grounds which include the loss of the locally listed buildings; the poor architectural quality of the replacement scheme; its massing and scale; the level and quality of the proposed student accommodation in the locality and the need for key worker and affordable housing. Historic England has raised no objection to the proposals; they are broadly content with the impact of the proposals on the highly graded heritage assets. They do however raise real concerns with regard to the architectural quality of the scheme as others have. Significant and comprehensive objections

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from amenity groups such as the Georgian Society; Civic Society; Conservation Advisory Panel and the Christmas Steps Arts Quarter have been received, all of which are set out in full in the report.

Members will see from the report that officers concur with the issues raised by Historic England; amenity groups and third parties in respect of the quality of the replacement scheme and the consequent impact that it has upon the heritage assets of the site and the locality. Whilst it is recognised that there are a number of public benefits, ultimately these are not outweighed by the significant concerns raised. Regrettably it is concluded that the proposed development does not contribute positively towards local character and distinctiveness of the area and fails to take the opportunities available to improve the character and quality of the area and the way it functions; nor does it have due regard to the designated and non designated heritage assets.

In addition to the above, members will see that there is a fundamental objection to the scheme from the Authorities Transport Development Management Team. There is a principle issue with regard to the 'building line' on Marlborough and a number of other significant detailed matters which are key as to how the site will ultimately function. There is also an objection from the Council's Air Quality Officer as the applicant has failed to demonstrate that the air quality impact of the scheme is acceptable.

Notwithstanding the above officers remain clear, as was the case in the earlier scheme now the subject of an appeal, that the principle and amount of student accommodation, which is another key issue raised by third parties, would be acceptable on policy grounds. There is no evidence that it would result in a harmful concentration of such accommodation on grounds of reduced housing choice or harm to the residential amenity of the area.

SITE BACKGROUND

The application relates to a site situated within Bristol City Centre as defined by the Bristol Central Area Plan (BCAP). The site is designated by the BCAP as being within the Hospital Precinct area of the St Michael's neighbourhood. The site was formerly owned by the hospital Trust but has been acquired by Unite Group Plc. (student accommodation providers). The area surrounding the site is mixed in character including hospital buildings, the courts, the bus station, St James Priory, office buildings and a public house.

The application site contains buildings that are not listed- the Old BRI building and chapel are 'locally listed'. The site is not within a conservation area, but immediately adjacent to the St James Parade Conservation Area. The site is in Flood Zone 1 and a Coal Authority Low Risk Area.

Demolition of a number of buildings on the site has taken place under a separate permission and the prior approval for the demolition of the remaining Old BRI building and the chapel is imminent; likely to be granted (17/03964/N) - refer to the Relevant Planning History section below.

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16/03447/N- Prior approval for demolition of the buildings, boundary walls and ancillary structures on the lower half of the site. Approval was given on 25th July 2016. This excluded the old BRI building and the chapel.

17/02572/N – Application for prior notification of proposed demolition of all remaining buildings. Refused on 13th June 2017 given the application did not provide enough information with regard to a number of impacts upon protected species; surface water drainage; site levels and boundary treatment.

17/03964/N – Prior Notification of Proposed Demolition – all remaining buildings. Approval given on 14th September 2017.

Pre Application Enquiries and Planning Applications

15/00872/PREAPP- Pre-application enquiry by hospital Trust for the 'Redevelopment of site to provide medical school and student residential accommodation' involving demolition of the existing structures and physical features on the site and the erection of a medical school (approximately 2000 sqm) comprising teaching accommodation and ancillary accommodation; and circa 800-835 bed student residential development and associated support spaces including communal student uses.

15/04110/PREAPP- Pre-application enquiry for the "Redevelopment of site to provide purpose-built student accommodation, medical centre and offices", involving the demolition of existing buildings (partial retention of boundary walls); a medical school (in partnership with the University of Bristol) circa 2000sqm fronting Whitson Street; a 742 bed student residential development (approx. 89 cluster flats providing 673 bed spaces and 69 studios); new office accommodation (circa 3000sqm) at the junction of Whitson Street and Lower Maudlin Street; retail uses (circa 440sqm) fronting Marlborough Street. Response issued on 6th November 2015.

15/06495/PREAPP- Pre application enquiry for the "Redevelopment of site to provide purpose-built student accommodation (750 bedspaces), a medical school and offices". Responses were given on the 25th January 2016 and 19th April 2016.

16/01888/F - "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".

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Refused at Development Control Committee held on 28th September 2016 for the following two reasons:-

1. *The proposed development by reason of its height, scale, massing, overall design quality and appearance would be unacceptable in design terms and would fail to preserve the special interest and setting of relevant heritage assets contrary to Sections 66 and 72 of the Planning (Listed building and Conservation Areas) Act 1990; Sections 7 and 12 of the National Planning Policy Framework (March 2012); Policies BCS21 and BCS22 of the Bristol Core Strategy (June 2011); Policies DM26, DM27 and DM31 of the Site Allocations and Development Management Policies (July 2014); Policy BCAP43 of the Bristol Central Area Plan (March 2015) and Supplementary Planning Document 1: Tall Buildings (January 2005).*
2. *The proposed development would have a detrimental impact on the amenity of neighbouring residential properties at St James Priory by reason of its overbearing effect and noise and disturbance impact and would be contrary to Policies BCS21 and BCS23 of the Bristol Core Strategy (June 2011); and Policies DM2 (i), DM27 and DM29 of the Site Allocations and Development Management Policies (July 2014).*

The Notice of Decision was issued on 5th October 2016.

17/00251/PREAPP – Pre application enquiry for the “Redevelopment of the site to provide purpose built student accommodation, medical centre and offices”. The proposals included the demolition of the remaining buildings on the site – namely the Old Bristol Royal Infirmary and Fripp’s Chapel; the redevelopment of the front, north of the site for a new purpose built student block (option 1_G.4) for 714 + bedspaces, including 9% studio flats and a mix of cluster flats with communal areas; bin and cycle storage and 16 undercroft car parking spaces for the proposed offices and medical school; to the rear a new medical school to be utilized by the UH Bristol NHS Foundation Trust (approx. 3,000 sqm) and speculative commercial office space, (approx. 2, 000 sq m); an area of public space / realm to the south in front of the proposed Medical School and offices; the creation of a service / access road through from Lower Maudlin Street to Whitson Street; commercial units fronting Lower Maudlin Street (approx. 297 sqm) as part of the northern block and in the south western corner (135.17 sq m), in part fronting the area of public realm, as part of the southern block. Response provided on 4th April 2017 which concluded that Officers were unable to support the proposals as submitted.

COMMUNITY INVOLVEMENT

Submitted with the application was a Community Involvement Statement (April 2017).

Process: With regard to Community Involvement on this scheme it advises that, given the background the decision was made to “focus activities on key stakeholders, particularly the amenity groups as well as the BUDF and Historic England”. Briefings were also held with local ward / cabinet members and the Councils’ Strategic Director of Place. A Key Stakeholder workshop was held on 22nd February to discuss the current proposals and invite

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feedback. It goes on to explain the further briefings and meetings were held with Historic England; BUDF; Avon and Somerset Police and Central Ward councillors. A project website was also available and kept updated. The Statement provides the feedback, either in a précised version or appended in full as an Appendix.

Outcomes: The Community Involvement Statement advised that “Following the key stakeholder consultation Unite and the project team have continued to refine the proposals with input from Council officers”. Unfortunately it does not set out how the scheme has evolved in response to any of the feedback and so the real outcomes of the process are not fully understood. It is also regretted that the Community Involvement did not involve the wider public who have clearly shown an interest in this submission.

THE APPLICATION

The application proposals comprise the following:-

The demolition of the remaining existing structures on the site; the Old Bristol Royal Infirmary and Fripp’s Chapel.

A total of 715 student bedspaces (96 cluster flats and 92 studio flats within a part 7, 8 and 9 storey building fronting Marlborough Street (perimeter block with a central courtyard). Office floorspace (B1) (4,212 sqm) and / or medical school (D2) (2, 648 sq m) within a part 4, 5 and 6 storey building.

Commercial unit (A1 / A3) at ground floor fronting Whitson Street - 111 sq m.

23 car parking spaces to include 6 disabled spaces for office and medical staff.

457 cycle parking spaces, for office; medical staff, students and visitors in various locations and in various forms.

With regard to the proposed demolition of the remaining buildings on the site, members should be aware that these are not listed or within a conservation area and therefore have no statutory protection from demolition; planning permission is not required for their demolition. Prior approval has now been given for the demolition of all the buildings on the site under two permissions; the first in July 2016 under 16/03447/N and the second more recently under permission 17/03964/N. These “Prior approval” applications are required in such circumstances but may only consider method of demolition and restoration/ aftercare of the site.

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RESPONSE TO PUBLICITY AND CONSULTATION

A site notice and press notice were issued and neighbours consulted by individual letter. The following comments have been received: -

MEMBERS OF THE PUBLIC

The Authority has received a total of 980 objections to the proposals and one response in support, which are précised below: -

a) The letter of **support** relates to the principle of the demolition of the buildings, citing the view that the greying of the walls of the BRI building has created a far less attractive façade than many of the public comments would suggest. This has resulted in an area that is dark and imposing. The buildings height, the narrow road and the local traffic all further perpetuate this. Demolition is agreed.

b) The **974 letters of objection** refer to the following matters:-

(i) Process - It unacceptable for Unite Group plc, or their agent to try and pre-empt the conclusions of the forthcoming Public Inquiry by a further application, or threat (issued in the form of an ultimatum to the Council, dated 9th May) to demolish the buildings of historic and architectural value.

(ii) Loss of the old BRI and Fripps Chapel - Both buildings are fine, unique and valued heritage assets, culturally, socially and architecturally important to Bristol; they are assets of the people of Bristol and they represent an irreplaceable resource.; a heritage led redevelopment is required; there are many other sites that can provide student accommodation without the need to lose this unique piece of Georgian architecture; the destruction of Georgian and Victorian buildings is never looked back on with satisfaction; don't destroy one of the last beautiful buildings on that road to replace it with that square monstrosity; the quality of the PFI's built for them in recent years has been disgraceful, you would be demolishing a sturdy old building in need of a bit of love to replace it with a cardboard box; this fine old building is being sacrificed in such a callous way, disregarding the history and majesty of the building; it is a unique piece of Georgian architecture and should be preserved for future generations; the Old BRI building is the fourth largest hospital in England; too much of Bristol has been turned into faceless characterless monstrosities; the BRI subsequent re modelling are part of that history, the building is of good quality construction and sound structural integrity; they are Bristol landmarks which should be saved for future generations; the Old BRI could be lifted from its dark and unloved frontage into something to be proud of. Let us not repeat the mistakes of the 60's and 70's; Bristol can't keep losing its history; overlooked by important listed buildings and conservation areas, the area would be impoverished by their demolition; part of our history it should be kept for tourist and Bristolians alike to enjoy for years to come.

The proposal to demolish the Chapel is unforgiveable; an alternative viable use should be sought. It is a handsome historic landmark which if it was refurbished could rival The Sugar House or Browns Restaurant as an example of repurposing and regeneration.

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The proposed demolition of these local listed building would fly in the face of the wishes of Bristol City Council and the Conservation Department and also against the wishes of local amenity groups, historical societies and the majority of the wider Bristol residents.

This is Bristol's largest Georgian building, a rare survivor in a city where so many Georgian buildings have been demolished. We cannot afford to lose another, let alone the largest. This wanton, mindless destruction of the historic fabric of our city has been continuous since the 50s, we are in danger of having few historic buildings to hand down to the next generation.

Often historic buildings influence students' choices of university and accommodation. As a significant portion of the building will be marketed as student accommodation, it would be beneficial to the subsequent owners to maintain the original facade. Students are more likely to choose to rent accommodation in the building if it retains its original character.

The precinct from the BRI walking up Maudlin Street is already an ugly embarrassment of hospital buildings that have no design element. Please do not waste another opportunity to retain a tiny bit of architectural history for this area.

Conversion of the 18th Century Hospital Building into flats (such has recently been most successfully done at the former General Hospital) is a far preferable scheme which keeps the existing (restored?) building for us all to appreciate and enjoy.

(iii) Setting of Listed Buildings and Conservation Areas

There will be a negative impact upon the setting of the Grade I listed Church of St James (priory) and the Grade II* listed Church House as well as the setting of other Grade II listed buildings - White Hart Inn and the Eye Hospital and the St James Parade Conservation Area.

The Fripp chapel makes a positive contribution to the Whitson Street streetscape.

(iv) Extension of St James Conservation Area

The conservation area should be extended to protect these two much cherished buildings. The 900 + letters of objection demonstrate the strength of community feeling which must carry weight with Bristol City Council and Historic England.

(v) Relationship with St James Priory

The proposals will overshadow James's Priory.

(vi) Daylight and Sunlight

The proposals would cause unacceptable harm to St James Almshouses and Walsingham House.

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(vii) Scale and Massing

The proposals represent overdevelopment of the site; overpowering mass and scale, rising to 9 storeys it would overshadow the entire surrounding area; the massing results in a negative effect on neighbouring listed buildings; the upper Maudlin Street view shows has bad the impact will be; it will make a canyon of Marlborough Street blocking out daylight and increasing the noise level from the traffic as it reverberates between the buildings at this spot (especially braking and starting at the pedestrian crossing).

The nearby 19 storey premier Inn is already totally out of character and dominates the area so should not be used as a precedent, rather a warning.

(viii) Quality of Architecture / Design and Urban Design

The proposed scheme is of a poor design quality and the scheme fails to achieve the standard of expectation for a city of Bristol. It is oversized, characterless, badly designed; future generations deserve a richer environment; the proposal is a vile glass box building that all look the same; no more than vandalism masquerading as development; a scheme with creative vision and historic understanding is required; we need to preserve our beautiful historic city otherwise we will just be a facsimile of a bland city that won't attract tourists; Bristol is becoming a city of concrete boxes with no character.

The building has obviously been designed in complete isolation from its placement and with no consideration for the current building or those surrounding it. If the existing building is so wholly unsuitable for the new purpose proposed, then why cannot at least the facade be preserved? If that is not an option, then why is it that a new building, designed entirely from scratch, cannot pay at least some homage to the history of the site and the city?

(viii) Construction Disruption

The years of disruption during demolition and construction will cause traffic chaos and may delay ambulances and patients going to and from the nearby hospitals. There will also be considerable noise during this work, again in a hospital environment.

(ix) Proposed Uses

Student Accommodation

An overconcentration of students in this area is contrary to policy; the area has reached saturation point; there is a need for affordable housing; housing for the homeless; keyworker housing for medical staff; the redevelopment 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, adding another 715 student bedspaces is not a balanced community; there will be a loss of the sense of community.

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(x) Quality of Accommodation Provided

Substandard (rabbit hutch) living at its worst and an appalling advertisement for Unite student housing. The actual size and limited space provision in the student units also seems incredibly restrictive with up to 10 sharing a kitchen in some of the groupings, rooms with not much more size than a single bed and tiny work space though on the bedsit spaces the square metre space isn't provided on the drawings.

(xi) Transport Considerations

The access road for this would also seem to interfere on the exit with the adjacent bus station and taxi rank with possible detrimental public transport issues. Private vehicle bus passenger and taxi drop off and collection is important for this public transport hub, the plans will make this more difficult.

St James Priory – “In our opinion this planning application represents a significant movement away from the inappropriate and totally unacceptable previous application that was rejected. The applicant has clearly taken notice of the reasons for the refusal of their initial application. From our Heritage Protection and Vulnerable People's Housing Support perspectives this application is more acceptable but still with some concerns.

The Grade 1 heritage site of St James Priory has been recognised for what it is - a protected historic site which deserves recognition of its special status. The current plan does not overpower the Priory now. Also the movement of buildings in front the Priory and St James House (Almshouses) represents an understanding of the vulnerabilities and needs of the residents of this building who our charity supports and also those residents in Walsingham House. The plans include an open aspect area at the convergence of Whitson Street and Lower Maudlin Street which will create and allow more light and space immediately in front of the Priory and for the residents of St James House.

These changes do come at a price though. In this application - there is a proposal to demolish the locally listed historic buildings - the old BRI building and the Fripps chapel. As supporters of heritage assets these actions would be viewed as regrettable.

Furthermore, while the student accommodation has been moved away from the St James Priory site in the new application we still have concerns regarding the total number of student units required. Another 715 students concentrated in an area already crowded with student accommodation could be problematic. Key worker housing or some form of social housing mix would be more acceptable”.

Councillor Anthony Negus – “The existing building and especially the chapel should be retained and this should have been taken into account when deriving the site value. This was cited as the reason for the heights of the new buildings but these are still excessive with the original buildings demolished and it is clear that permission is being sought for a very high and intensive solution to recover the inflated price paid for the site. Further the proposal for a huge number of student bedsits, in an area where there are already many others, may

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suit the funders and the Universities who leave the provision of housing for their students to the market to provide but it is not good for Bristol that desperately needs more homes for non-students or for Bristol City Council that will have to provide more services to more people who pay no council tax for those services.”

Councillor Paul Smith – “My objection to this development is one of principle and relates to the impact of this project on the wider housing market. Student housing comes with no requirement for affordable housing, either as part of a development or through an offsite contribution. This means that this housing scheme does not contribute to dealing with Bristol's housing crisis. My preference would be for a development which provides a housing mix which assists with our housing challenge. This scheme actually creates more housing stress than it alleviates. The response of the planning officers is that specialist housing should be supported as it reduces the pressure on other housing within the city. They have failed to produce evidence to back this claim up. Clearly if student numbers were static new specialist accommodation of this nature would assist. However, student numbers are rising and the provision of this specialist housing scheme facilitates that growth: as most students only stay in specialist accommodation for their first year, with three years 715 units creates a demand in the wider housing market for 1,400 bedspaces, this would take between 280 and 350 homes out of the general housing market. I would hope that planning committee would reject this application on the basis that the city can no longer accommodate the growth in student numbers and its impact on Bristol's housing market which this application facilitates.

In my view this development contravenes the vision set out in the Core Strategy for a City with sustainable economic and housing growth. It also sits outside policies BS517 and BS518”.

Conservation Advisory Panel - The Panel strongly objects to this application. The revised proposal has reverted to an earlier ambition of the developer to completely clear the site and put up replacement buildings. The current application remains of distinctly poor quality and, once again, would involve the demolition of the two locally listed buildings, whose significance and potential has been rightly emphasised by many others.

It is ironic that now most of the boundary walls and all structures on site have been removed (apart from these two buildings) views into the site allow a better appreciation of the formerly partly concealed chapel. Neither the Old Building nor the chapel should be lost. Their survival should inform any application for this site and the failure of the current proposal to make the most of such heritage assets has emphasised the vacuous nature of the proposed replacement buildings.

The Panel is very concerned about the negative impact of the proposed new structure on adjoining listed buildings and their setting, the St James's Parade Conservation Area and, of course, St James's Priory itself. The excessive, overall height of the new buildings, especially to the southerly part of the site, would be problematic. The architectural context of neighbouring buildings and the broader cityscape would be substantially harmed by the mass and scale of the proposed development.

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Furthermore, the elevations were mere pattern making and without underlying principle. Such modish architectural detailing should be avoided.

The Panel refers to the reasons for refusal of the previous planning application ref 16/01888 which still applied:

The proposed development by reason of its height, scale, massing, overall design quality and appearance would be unacceptable in design terms and would fail to preserve the special interest and setting of relevant heritage assets contrary to Sections 66 and 72 of the Planning (Listed building and Conservation Areas) Act 1990; Sections 7 and 12 of the National Planning Policy Framework (March 2012); Policies BCS21 and BCS22 of the Bristol Core Strategy (June 2011); Policies DM26, DM27 and DM31 of the Site Allocations and Development Management Policies (July 2014); Policy BCAP43 of the Bristol Central Area Plan (March 2015) and Supplementary Planning Document 1: Tall Buildings (January 2005).

The proposed development would have a detrimental impact on the amenity of neighbouring residential properties at St James Priory by reason of its overbearing effect and noise and disturbance impact and would be contrary to Policies BCS21 and BCS23 of the Bristol Core Strategy (June 2011); and Policies DM2 (i), DM27 and DM29 of the Site Allocations and Development Management Policies (July 2014).

Kingsdown Conservation Group – 1st comments. The developer's attempt to defy the intention of the City Council's listing of both buildings is insupportable. Furthermore, it should not be overlooked that the entire site was identified in the Consultation Draft of the St James's Parade Conservation Area Character Appraisal, dated February 2011, to be included in the Conservation Area under a proposed extension of its boundaries as they were declared in October 1982. The Group is unsure why the proposed extension has not been formalised.

2nd comments - Regarding the above application site, various members of Kingsdown Conservation Group (the Group) have participated in the pre-application consultation process, attended presentations and responded to earlier applications submitted by Unite. In view of these events the Group cannot support the current application.

Further to its letter of 6th June 2017 (which is attached below), the formal opinion of Kingsdown Conservation Group remains adamantly opposed to the complete demolition of the Thomas Paty's Old Building and of Samuel Charles Fripp's Chapel.

Despite observations to the contrary (no doubt made in error) in the Officer's Report responding to 17/02572/N, both buildings were added to Bristol's Local List of Valued Buildings (ID No. 225) on 24th September 2015, which the Group understands was before Unite acquired the buildings. That listing represents the implicit wishes of the citizen of Bristol and should be honoured by all. The remarkable number of comments lodged objecting to the demolition proposed in the current application reflects the virtue of the Local List and the considerable affection in which these buildings are held.

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Furthermore, (despite observations to the contrary, no doubt made in error, as mentioned above) reading the published Consultation Draft of the St James's Parade Conservation Area Character Appraisal, dated February 2011, will confirm the proposal to extend the boundaries of the conservation area to include the entire site of the present application. It is accepted that the proposed extension has not yet taken place.

Such matters are dynamic, as are planning law and the public's increasing appreciation of Bristol's historic environment.

It is understood that the Old Building was built and funded by local subscription. It is likely the Chapel was similarly funded.

While it takes imagination to see the potential of the Old Building as it stands, certain elements are conspicuously attractive. The pedimented and gilded entrance on Marlborough Street is charming; the west front is monumental and dramatic, even to the point of being somehow reminiscent of Charles Rennie Macintosh's Glasgow School of Art. Illustrations of its handsome original appearance have been circulated.

Now that the site has been cleared of more recent buildings, the inventively elevated Chapel and its under structure can be seen as a remarkable and unusual building; its polychromatic character leans towards Bristol Byzantine.

To attempt to defy these realities by applying for planning permission to demolish the buildings would require replacement building to be of the highest standard. The current proposals do not begin to approach the standard required to contemplate their loss. Criticism of the superficial, commonplace appearance of the proposed massive building is legion; the flat roofs, which would become part of the cityscape to be seen from Kingsdown and elsewhere, are as offensive as those of any old business park in the flatlands of East Anglia.

Immediately adjacent to the proposed building stands Bristol's oldest surviving church, the Grade I listed St James's Priory, and other listed buildings: The White Hart and those on Lower Maudlin Street. Looming over them the proposed building would all but fill the available land and to a height that hovers around the limit defined by Bristol's Supplementary Planning Document 1. It is obvious that developers should not carry on pulling down Bristol's buildings, save those found on the National Register of Listed Buildings, in order to rebuild to a height determined by SPD 1.

Town planning should not be a box-ticking exercise, solely restrained by legislation; it should be an art: the most public, democratic, elegant and rewarding.

Bristol must not resuscitate the sacking of the Parish of St James undertaken in the post-war years. Kingsdown Conservation Group objects to the application.

Christmas Steps Arts Quarter Introduction - As the site's immediate neighbour, Christmas Steps Arts Quarter's community agrees with Cllr. Anthony Negus and others that the main problem all along with this site has been that that the applicant appears to have overpaid for

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it and is trying to retrieve the situation by over-developing. Bristol would be greatly damaged by the demolition of the two much cherished historic buildings, and the second main objection is to the size of the proposed massive monolithic accommodation for 700+ students which, we have consistently maintained, is about double the mass that the site can comfortably hold.

Proposed Demolition of the Georgian 1792 Old BRI and Fripp's Chapel. - Throughout, we have objected to both historic buildings being demolished because they are both fine, unique and valued heritage assets to Bristol. The Old B.R.I. is the fourth-oldest hospital in the England. The pair is on a site overlooked by important listed buildings and conservation areas which would be impoverished by their demolition. The proposed demolition of these locally listed buildings would fly in the face of the wishes of Bristol City Council and the Conservation Department and also against the wishes of the local amenity groups, historical societies and the majority of the wider Bristol residents.

Without prejudice to the widespread campaign to save two historic buildings - In the very regrettable event that the above campaign fails, then we comment on the proposed scheme to redevelop the entire site:

Building Line - The one and only benefit of losing the old BRI is the opportunity to push back the facade's existing building line to align with the neighbouring Dorothy Hodgkin Building (left) and Dental Hospital (right): (plan emailed to the planning case officer).

The benefits would be to:

1. Lessen the claustrophobic "Canyon" effect with the equally tall King Edward VII opposite.
2. Remove the narrow traffic "Pinch Point" on the highway. Either side, Marlborough Street is four lanes, but at the pinch point it squeezes down to only three lanes which interferes with smooth running of the Outer Scope Route.
3. Allow a broader pavement along the front of the new complex.
4. Allow safer traffic visibility by removing protruding mass on the inside of a busy curve.

The planning case officer has already written to us "Your comments do align with the thoughts of my highway colleagues. This needs to be broached with the applicants at an early stage". Despite this, the proposed footprint still shows a protruding facade, and the visuals still show a pinch-point with only three lanes of traffic.

Quality of Design of the new Buildings - The overall design of the proposals look bland 'Any city, anywhere' and later could appear dated and worn. We look for high quality and a distinctive inspirational (Gherkin or the Ark or the Shard) 'Timeless' quality. With others, we called for a distinctive main entrance, but this has also gone unheeded.

Distribution of Uses within the Complex - For the city's pride, we suggested that it would be better to put the Medical School prominently fronting Marlborough Street, linking it in with the

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BRI and the adjacent landmark medical buildings. Also, the connecting tunnel to the B.R.I. could then be used.

Mass, Scale and Height - Unite's previous planning application received almost 100 objections, all saying with one voice that it was far too big for the site. That Unite no longer needs to include their Headquarters in the complex reduces the proposed mass and height somewhat.

Nevertheless, our membership feels that the site can only comfortably accommodate about half of the proposed mass of student accommodation.

Student Numbers - Unite have virtually ignored the torrent of previous objections to the number of students beds. Bristol City council's own policy states "Specialist student housing schemes that contribute to the diversity of uses within the local area will be acceptable within the Bristol City Centre unless it would create or contribute to a harmful concentration of specialist student housing within any given area." The surrounding area contains about 2000 student beds and is already becoming a "Harmful concentration" of students. Growing armies of them are causing considerable nuisance and disturbance to our residents as they noisily pass through the Christmas Steps Arts Quarter on their way to and from the city's nightlife around Park Street and Whiteladies' Road.

Unite's proposed reduction from 738 to 715 is only a token gesture. These scores of objectors might be more inclined to support the *scheme* if the students were to be significantly reduced by about half.

Growing resistance to student monoculture instead of housing / mixed uses. In addition to the above objections to the demolition of the historic buildings and to the design of the proposed replacement buildings, there is another rising groundswell of opinion which does not wish for any more student accommodation around the city *centre*, preferring to see affordable housing or key workers' flats created to retain a mixed and balanced community. Two champions of this view are our Association's Dr Charles Stirling (his article and his comments emailed to the planning case officer) and our Ward Councillor Paul Smith.

Bristol has an acute housing crisis and the provision of student housing is helping the university expand its numbers and see more homes being passed over to student accommodation. As almost all students only stay in purpose built blocks for one year 715 homes will create a need for 1,400 homes around Bristol in the *following* two years. Student housing is also exempt from making a contribution to affordable housing, unlike other housing developments and student housing is also exempt from council tax. Student exemptions currently cost Bristol City Council £9.5m per year in lost income, a growing student population means more cuts to council services.

Ever rising opposition to Unite's proposals - Unite's previous planning application 16/01888/F proposing a massive 738 bedrooms was met with almost 100 objections from associations, societies and the community, and it was refused. Their current application 17/02413/F proposes a token reduction from 738 to 715 bedrooms. To date, 328 objections have already been submitted on the planners' website. This indicates that *far* from being

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appealed, the community is becoming ever more opposed to the loss of the historic buildings and to the massive over-development of this key site. We trust that the Planning authority will take full account of Bristol's overwhelming flood of objections and will steadfastly refuse this universally unpopular application.

Civic Society - Introduction - The Society regrets Unite's commercial decision to demolish and not to reuse and restore the historic hospital Old Building. The interested public will strongly regret the loss of these locally *listed* buildings of merit. The public believes that the Old Building and Frith's mortuary chapel are listed and have statutory protection. Unite's insistence on the density of development created a scheme (16/01888/F) whose height and mass the Development Management Committee rejected.

Change of use - The Society supports mixed uses. The proposed mass of new building concerns the Society. In its *pre-planning* application response to 16/01888/F the Society said:

"A multi-storey, multi-block site built to the back of the pavement would change the character of the area. The Society submits that an 830 (now 715) student bed scheme would not produce a balanced and sustainable development. The proposal conflicts with Policy BCS21 – Quality Urban Design. The inclusion of a small medical school does not compensate for the overlarge mass of student accommodation. This large and important city centre site merits uses that are more inventive. The inclusion of ordinary flatted accommodation would dilute the mass of student accommodation and be a modest improvement."

Height and mass - The Society recognises that the heights and mass of the current scheme broadly *meets* the reasons given by the Planning Committee for refusal of the 2016 planning application, which were that, *"The development's height, scale, massing, overall design quality and appearance would be unacceptable, and would fail to preserve the special interest and setting of relevant Heritage assets"*. And that the scheme *"would have a detrimental impact on the amenity of neighbouring residential properties overbearing effect and noise and disturbance impact"*. The removal of the medical school and offices on the lower part of the site attends to the concerns of Historic England about the impact on the Grade I listed St. James Priory as well as the need for a secluded sanctuary for those recovering from addiction. The Council must decide whether the introduction of 715 more students in an area with a substantial existing student density would *"Promote diversity and choice through the delivery of a balanced mix of compatible buildings and uses. And, create buildings and spaces that are adaptable to changing social, technological, economic and environmental conditions."*

Design – accommodation units - Policy requires development to create buildings and spaces that are adaptable to changing social, technological, economic and environmental conditions. It is necessary for bespoke student development to be adaptable to other uses both outside of term dates and in the event of a fall in demand for student accommodation. To ensure that purpose built student housing can be easily converted into residential accommodation in the event of a fall in the student accommodation market it necessary for the rooms in student flats to comply with the Council's residential space standards.

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Design – street elevations - If Unite demolish the Old Building planning policy requires that the architecture of the replacement building needs to be of the highest quality. This is a critical and prestigious site. Quality urban design has a key role to play in place shaping and enhancing the city's positive features. Through quality urban design, development can help to create distinctive, linked, sustainable places that support social inclusion and community cohesion, which engenders a sense of ownership and belonging. By adopting Policy BCS21 the City announced its ambition to raise design standards. The Society is particularly concerned about the Marlborough Street elevation. The development must deliver a high quality urban design that reflects the surrounding architectural context, which has a strong civic character.

Does the new building contribute positively to the area's character and identity, creating or reinforcing local distinctiveness?

The Old Building, although spoiled by removable alterations, is a dignified design that contributes to the area's strong civic character. The Old Building is articulated into a central block with recessed bays that link the projecting wings to the centre. The horizontal hierarchy of the floors completes the Old Building's visual logic. To design a replacement building that houses mass student accommodation and which achieves the same quality of design as the Old Building is a difficult commission. The nature of student accommodation tends to produce rows of standard windows set in an elevation without a horizontal hierarchy. To achieve a design that contributes positively to the area's civic character and identity requires a high degree of architectural creativeness. Unfortunately, this design fails to achieve the necessary standard, it does not satisfy the quality that policy BCS21 demands.

Among other matters, these are examples of the design's shortcomings.

(i) The new building stands forward, almost in continuous line, to the back of the pavement. This narrows Marlborough Street and loses the interest created by the recession of the shallow courtyards in front of the Old Building. The Society supports the slightly wider pavement along the Marlborough Street frontage that the scheme would deliver.

(ii) The design is a typical frame and clad solution. The design attempts to articulate the elevations with some 'facade dressing' that includes some seven materials. The student block elevations on Marlborough Street, Lower Maudlin Street and Whitsun Street have oversized superimposed elements that fail to break down the mass or relieve the monotonous rows of small windows. It is appreciated that fenestration of student accommodation has to accommodate the inevitable pairing of identical windows. There is some attempt here, but such treatment needs to be more robust and consistent.

(iii) There are too many arbitrary changes of form and material. These attempts to break down the scale are superficial. There is no relationship between the plan and these variations. They increase the visual complexity in ways that damage the overall impact, increase the feeling of bulk and do not contribute to coherent streetscapes. For example, the change of material and form on the NE corner is apparently introduced to give "emphasis" in

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the urban context, but for no clear reason. The “projected window surrounds” are extremely weak features of no architectural quality – their arbitrary nature highlighted by the random use of yellow ones.

(iv) The plan layout of the student blocks is unsatisfactory, with three parallel corridors creating a poor experience for the occupants and adding to the width of the blocks. There is no consistent grouping of rooms, or placing of kitchens.

(v) The double access doors are insignificant for the size of the proposed building. The massing and exterior articulation fails to indicate the entrances. A new building that is to be home to more than 700 should present an impressive and distinctive entrance onto Marlborough Street.

(vi) The roof form is unsatisfactory, is fashionably derived from King's Cross but in this context, contributes nothing to the city skyline.

This is one of the city's most prominent sites; thousands pass it every day. The site deserves a building that is equal to or better than the degraded but restorable Old Building. In place of a popular land mark building the applicant proposes an unambitious commercial design that fails to enhance or preserve the civic character of the area or contribute to local identity. This building would not say ‘you have arrived in Bristol’, it could be in a business park anywhere. If Unite propose to demolish the Old Building the large prominent replacement building must have true architectural merit. It should be a landmark building; a building of which Bristol can be proud.

The same remarks apply, mutatis mutandis to the contrast between Frith's Chapel and its proposed replacement in Whitsun Street.

Conclusion - The Society supports the redevelopment of the site to make more efficient use of land in a sustainable location but is disappointed that the scheme falls short of the architectural quality expected for this prominent city centre civic site. The proposed development is unacceptable because of its failure to create and reinforce local distinctiveness. The massing, shape and form as well as skyline/roofline proposed are unsympathetic and fail to present a visually organised scheme that is well-proportioned and provides visual interest. The scheme is bland and overly bulky in its architectural arrangement.

This proposal should be considered as a test of policy BCS21 that demands that new development in Bristol should deliver high quality urban design. This proposal is an example of ‘value’ architecture that produces bland uninspiring buildings. It would be inappropriate to permit standard commercial architecture to replace a much appreciated, historic building in a prominent part of the centre of the city. This proposal has attracted a massive public response to support the reuse of the historic hospital building. Unless the Council refuses this planning application because it fails to meet the new policy standards, Bristol's inner-city vernacular will become a self-fulfilling context of industrial materials and anonymous

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architecture. The quality of the design must stand the test of time. This site demands a building of greater architectural imagination and ambition.

Bristol Urban Design Forum – The applicants submitted one of the last iterations of their scheme to the BUDF in April 2017, prior to the submission of this application. The comments in relation to that submission can be viewed in full online, but the conclusions are set out below: -

“We considered that the location of the Medical School in a purpose-built structure on Whitson Street provided an opportunity to create a more sympathetic response to the scale of the adjacent buildings and provide a meaningful open space in an area with a high level of pedestrian traffic. We also supported the argument that the function will provide less disturbance to the adjacent residents.

However the orthogonal design of this element and of the adjoining blocks appeared schematic and made no concession to the existing urban grain; you provided studies showing more radical alignments, however we considered that this required a subtler response. The entrances at either end of the building also reinforced the symmetrical nature of the design, although it should be possible to address this and introduce some animation to the open space by relocating the south-western entrance to the south-east frontage. There may also be elements of the brief of this specialist building that generate a more appropriate form, expressing its function as a Medical School and create a more sensitive relationship to the existing urban grain.

In developing the design, we also urged you to look in more detail at the alignment of the access route between the two parts of the development relative to the adjacent buildings, including the entrance to the Eye Hospital. In general, although you provided an excellent model and comprehensive verified views, a proper character appraisal would not only have assisted the Panel but also helped to inform your own design development.

The designation of this route through the site was unclear; while we recognised the need to accommodate deliveries, we strongly urged that this be treated as an integral part of the public realm and exploited to increase the permeability of the site for the public. In general we suggested that there was a need to consider all open spaces in and around the site, including the highway, as an entity and encouraged you to work together with a landscape architect and the City Design Group to improve the experience of Lower Maudlin Street and Whitson Street, both of which suffered from cramped footpath, poor surfaces and inadequate provision for cyclists. Here the active use of the ground floor and the relationship to the pedestrian activities will be fundamental to the improvement of the immediate area.

We noted your intention to collaborate with an artist on the design and while we support this in principle, the proposed strategy of applying artwork to the elevations, which are already somewhat elaborate, is more appropriate to recent installations on un-loved post-war buildings in the city. You could perhaps consider integrating this with the external works and landscape design, where installations could make a more direct contribution to the experience of the users and the public.

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The review was able to touch only briefly on the sustainability strategy of your proposals and suggested that your ambitions were supported by a comprehensive approach that included the landscape design and which might include a 'greening of roofs' and exploitation of the southerly aspect of the site for passive energy. In this respect we also questioned the decision to glaze fully the south-east elevation of the Medical School and place more limited openings on the opposite side. The strategy illustrated in your precedent studies of employing vertical solar screening on a predominantly south facing aspect did not appear totally convincing. We would in any event expect any application of this nature to be fully supported by a comprehensive environmental strategy that covers all these issues and provides a rationale for the face design.

Given the time dedicated to the fundamental urban design issues, our discussion touched only briefly on the elevational treatment. If, as you propose, the main part of the historic building is to be demolished, its replacement on Upper Maudlin Street should be a building of similar 'gravitas', possibly incorporating salvaged stone at lower level and perhaps ordered with a degree of symmetry. This frontage could then be differentiated from the elevations on the side frontages. Here you also proposed a highly-patterned treatment to flank elevations of the Medical School, which appear to have little relationship to the remainder of the development or its neighbours. We suggested that a more rigorous and simpler approach be adopted to the elevational design and that greater consideration should be given to the oblique views along Lower Maudlin Street and Whitson Street, where the 'true elevation' will not be visible.

On balance the Panel concluded that significant improvements in the quality of the urban realm and the amenity of those using the buildings and their surroundings were material considerations in support of your strategy. This conclusion was arrived at only on the assumption that you are able to establish that the proposed density of development and usage are integral to the financial viability of the scheme. Our comments were also made without a more detailed response from Historic England regarding the retention of the old Royal Infirmary. We noted that you originally proposed to refurbish the Mortuary Chapel 'for communal student facility with ground floor commercial use'; and suggested that irrespective of the decision to demolish, this element of the building should be retained for such a purpose.

Any development of this size demands a sensitive response that takes account of the character and the grain of the city but in such a case, where it is proposed to demolish an historic asset, there should be a presumption of a higher standard. In such cases design cannot be driven solely by commercial imperatives; your very comprehensive presentation demonstrated that you are on a journey in your understanding of the site and its constraints and in balancing the potential conflicting demands of commerce and urban design; the Panel would be pleased to review the scheme again in its subsequent development".

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OTHER COMMENTS

Historic England – No objection to the application on heritage grounds.

“Although the loss of the locally listed buildings on site is regrettable, the impact on the setting of the highly graded assets previously listed has been greatly reduced. There will be some impact on the setting of those assets, by virtue of the greater scale of the proposals than those that previously existed on the site, but overall we are broadly content that the impacts have been greatly reduced.

Although the amendments have largely addressed our concerns, in urban design terms scale may still be an issue. Given the proposed loss of the locally listed building, we have real concerns about the architectural quality of the scheme; particularly to Marlborough Street where the proposals appear to lack the articulation, design quality and character of the existing building. Any proposal should be a positive enhancement of this important/prominent piece of streetscape”.

The Council’s City Design Group (Urban Design; Conservation; Archaeology; Public Art; Landscape) have raised serious concerns with regard to the application – refer to Key Issues C and D.

The Council’s Transport Development Management Team – raise objections to the proposals and recommend refusal - refer to Key Issue F.

Sustainability Team – No objections subject to conditions.

Pollution Control – No objections subject to conditions re sound insulation and the requirement for a construction management plan.

Land Contamination – No objections subject to conditions.

Air Quality Team - Raise objection to the proposals given that the applicant has failed to show that the air quality impact of the scheme is acceptable in relation to Core Strategy policy BCS23 – refer to Key Issue H.

Avon and Somerset Constabulary - no objections, albeit would suggest that consideration be given to applying the Secure by Design certification.

Wessex Water – No objections in principle.

First Group (Bus) - “Imperative to the flow of the bus station we would like to stress the importance of keeping Whitsun Street open as much as possible and keep any required closures to an overnight basis. As you may be aware daily closures would have a signification impact upon service delivery and passenger journeys”.

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RELEVANT POLICIES

National Planning Policy Framework – March 2012

Bristol Core Strategy (Adopted June 2011)

BCS2 Bristol City Centre
BCS5 Housing Provision
BCS7 Centres and Retailing
BCS8 Delivering a Thriving Economy
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
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
DM2 Residential sub-divisions, shared and specialist housing
DM4 Wheelchair accessible housing
DM5 Protection of community facilities
DM7 Town centre uses
DM10 Food and drink uses and the evening economy
DM14 The health impacts of development
DM15 Green infrastructure provision
DM19 Development and nature conservation
DM23 Transport development management
DM26 Local character and distinctiveness
DM27 Layout and form
DM28 Public realm
DM29 Design of new 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

Bristol Central Area Plan (Adopted March 2015)

BCAP1 Mixed-use development in Bristol City Centre
BCAP3 Family sized homes

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BCAP4 Specialist student housing in Bristol City Centre
BCAP6 Delivery of employment space
BCAP11 University and hospital development
BCAP15 Small scale retail developments and other related uses in Bristol City Centre
BCAP20 Sustainable design standards
BCAP21 Connection to heat networks
BCAP26 Old City - reducing traffic in the heart of Bristol City Centre
BCAP29 Car and cycle parking
BCAP30 Pedestrian routes
BCAP31 Active ground floor uses and active frontages in Bristol City Centre
BCAP34 Coordinating major development in Bristol City Centre
BCAP36 Bristol shopping quarter
BCAP43 The approach to St Michaels

Supplementary Planning Documents

SPD1 Tall Buildings (January 2005)
SPD5 Sustainable Design and Construction (February 2006)
SPD7 Archaeology and Development (March 2006)
Planning Obligations - Supplementary Planning Document - Adopted 27 Sept 2012

Supplementary Planning Guidance

Kingsdown Conservation Area Character Appraisal
St James Parade Conservation Area Character Appraisal
St Michaels Hill & Christmas Steps Conservation Area Character Appraisal
GPA 2- Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015)
GPA 3- The Setting of Heritage Assets (Historic England, 2015)
City Centre and Public Realm Movement Framework - emerging
City Centre Movement Strategy - draft

Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990
The Town and Country Planning Act 1990
Planning and Compulsory Purchase Act 2004

Equalities Impact 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. Overall, it is considered that the approval of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010. In this case the design and access to the development have been assessed with particular regard to disability, age and pregnancy and maternity issues.

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KEY ISSUES

(A) EXISTING AND PROPOSED LAND USES

i) Existing land use

The National Planning Policy Framework (NPPF) advises that: “Local Planning Authorities (LPAs) should work with public health leads and health organisations to understand and take account of the health status and needs of the local population (such as for sports, recreation and places of worship), including expected future changes, and any information about relevant barriers to improving health and well-being.” (paragraph 171).

The site is located within the area designated as Hospital Precinct in the Bristol Central Area Plan (BCAP), which is to “*be developed for healthcare and ancillary uses associated with the University Hospitals Bristol Trust.*” (Policy BCAP11 refers). Local Policy BCS2, provides for the continuing consolidation and expansion of the BRI site, reflecting the contribution it has to the economy and mix of uses in the city centre. It does not allow development which would impede such consolidation and expansion of the hospital facilities within the precinct.

The site was formerly owned by the University Hospitals Bristol NHS Foundation (Trust) (UHBT) but has now been acquired by Unite Students. The Old BRI site was last used by the Trust for ancillary office facilities with some non-clinical services. All services have been moved off the site into new or existing Trust accommodation as a part of a long term rationalisation of the overall UHBT estate, the site having been deemed surplus to requirements through the UHB Trust’s Estate Strategy 2015-2020 and Estate Strategic Plan 2014-2020. This forms part of the wider Bristol Health Services Plan, a major capital programme that seeks to replace old accommodation that is redundant and no longer serves adequately modern day healthcare use. The Estate Strategy focuses on removal of ancillary and non-clinical estate provisions such as the Old BRI building site, which could not support modern operational healthcare service and is no longer economically viable due to high maintenance and running costs.

In light of the above the loss of the health facility as expressed in the application is considered acceptable; the proposals will not impede the consolidation and expansion of hospital facilities. The provision of a medical school (2,648 square metres) would fall within the definition of ‘healthcare and ancillary uses’ and continues the link / relationship of this site with both the hospital and university.

ii) Proposed land uses

The proposed uses have been previously accepted on this site given the earlier scheme which was refused on design and amenity grounds only (16/01888/F). Notwithstanding this, in brief the following is advised:-

The application is for a mixed use, (predominantly residential), scheme on the site in accordance with Policy BCAP1 which seeks mixed use schemes in the City Centre, and in

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St Michael's 'neighbourhood' (as designated in the BCAP) predominantly residential development given the low flood risk.

Medical School - A medical school linked with the University of Bristol is proposed to be accommodated within the lower buildings which would fall within the definition of 'healthcare and ancillary uses' permitted by Policy BCAP11. This use ensures that part of the site continues to operate for hospital services, consolidating as the applicants state, "links to the site for both the University of Bristol +and the Bristol Royal Infirmary". Given that the application states that the proposals are for office and /or medical school, it is considered necessary that any permission has attached to it a condition which secures the medical school in order to comply with policy.

Offices - Policy BCAP6 seeks the delivery of new employment floorspace in the City Centre on all sites in the BCAP boundary unless designated for other uses. Specifically, policy (BCS2 & BCS8) seeks the provision of 150,000sqm net additional high quality office floorspace by 2026 in the city centre. Clearly this has to be balanced against the Hospital Precinct designation and thus the proportion justified. The application proposal is for 4, 212 square metres of office space, which is considered an acceptable use.

Ground floor commercial use (A3) - A small scale unit of 111sqm floorspace is proposed fronting Whitson Street. Policy BCAP15 states that new small-scale retail uses (Use Classes A2-A5) outside of *designated* shopping frontages/ areas in the City Centre would be acceptable where they would contribute to the vitality of the area. The unit would contribute to the activity and vitality of this ground floor frontage.

Food and drink uses are acceptable provided they would not harm the character, residential amenity or public *safety* of the area taking into account concentration of other similar uses, impact of noise, activity, fumes/ smells, litter; transport considerations, refuse storage and flues. The proposals are deemed acceptable in relation to these criteria, subject to appropriate conditions to control matters including opening hours, servicing, extraction equipment, plant noise levels and odour.

Purpose built student accommodation (PBSA) - Policy BCS2 states that development up to 2026 will include the provision of 7400 new homes. Student accommodation contributes towards citywide housing delivery targets in accordance with national guidance (the NPPG) on the basis of the number of cluster units and studio flats proposed, in this case 715 student bedspaces comprising 96 cluster flats and 92 studio flats.

The applicants have submitted a Student Accommodation Supply and Demand Analysis (April 2017), which clearly explains that there is currently a significant demand for and undersupply of purpose built student accommodation (PBSA) in the city. This supports the LPA's pre-existing understanding of this situation through discussions with higher education establishments.

The report indicates that there are currently over 41,000 full time students in Bristol and this is set to reach over 44,000 by 2017/18. Of these some 21,000 currently and up to 23, 000 students in the future are without access to purpose-built student accommodation which

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does not compare favourably to other regional cities. These figures are said to be on the conservative side given that the projection does not include the anticipated growth of the University of Bristol at Temple Meads. The student numbers at the University of the West of England are projected to be more stable.

The report identifies a number of other benefits that the provision of PBSA will bring. Given the majority of students who do not live in a PBSA live in Houses in Multiple Occupation (HMOs) the further provision will free up housing stock for young people and families; for every 1,000 students in HMOs this takes around 200 homes out of the local housing supply. More specifically the location is well placed to serve both Universities being adjacent to the University campus and near to the bus network up to UWE; will be a managed and safe environment and bring greater spending power to the area.

The principle of student accommodation in this location is considered by your officers to be acceptable as contributing to the housing supply and meeting a clear demand for purpose built student accommodation in the city subject to consideration of detailed policy requirements (see below). Furthermore, beyond their contribution to the city's higher education establishments, students bring considerable economic benefits to the city through support of existing services. As such the student accommodation is acceptable in principle on the basis of local policy requirements (Policies BCAP4 and DM2) and offers benefits in removing pressure on other housing stock.

(B) TYPE, MIX AND AMOUNT OF HOUSING**i) Type of housing**

Policy BCAP4 of the Bristol Central Area Plan (BCAP) is clear that specialist student housing schemes that contribute to the diversity of uses within the local area will be acceptable in Bristol City Centre unless it would create a harmful concentration of such housing in any given area. Policy DM2 of the SADMP goes on to define, amongst other things, what a 'harmful concentration' might be. It is written out in full below for ease of reference.

DM2 states that specialist student accommodation (and other forms of residential sub-divisions/ conversions/ shared/ specialist housing) "*will not be permitted where:*

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

Levels of activity that cause excessive noise and disturbance to residents; or

Levels of on-street parking that cannot be reasonably accommodated or regulated through parking control measures; or

Cumulative detrimental impact of physical alterations to buildings and structures; or Inadequate storage for recycling/refuse and cycles.

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

Exacerbating existing harmful conditions including those listed at (i) above; or

Reducing the choice of homes in the area by changing the housing mix.

Where development is permitted it must provide a good standard of accommodation by meeting relevant requirements and standards set out in other development plan policies.

Specialist Student Housing – Location Criteria

Specialist student housing schemes will be acceptable within the city centre. Other locations may be suitable subject to the general criteria set out above.”

The application site is situated within a mixed use area and is surrounded by a variety of uses including: the bus station, courts, university buildings, hospital services, offices, public house, residential flats, other PBSA developments, places of worship and temporary residential uses (both short stay and longer stay uses) at St James Priory.

The submitted Student Accommodation Supply and Demand Analysis (April 2017), includes listings of PBSA in the city either provided by both universities, leased by them or purpose-built and directly let. It is apparent that the application proposal if built would be the largest single student accommodation block in the City Centre by a significant margin. The next largest (Marketgate, Unite), accommodates 490 students. Fusion Tower close by to the site (run by Collegiate) accommodates 438 students. The recently completed Orchard Heights on Trenchard Street (also Unite) accommodates 399 students. A map is to be found at the end of the report (page 34) which shows that the nearest PBSA to the site is within 100m of the site in a cluster of 4 sites around Marlborough Street where it meets St James Barton roundabout and Dighton Street/ Cherry Lane. This comprises Blenheim Court (231 beds), Cherry Court (176 beds), King Square Studios (243 beds) and iQ Marlborough Street (361) - a total of 1011 student bedspaces. Another local cluster of units exists around Rupert Street/ Nelson Street around 150-200m away from the site- an area where planning policy has encouraged such uses in recognition of the regeneration benefits these schemes offer. The cluster includes Fusion Tower (438 beds), New Bridewell (499 beds), The Courtrooms (224), Fitzhardinge House (47), Nelson & Drake House (301) - a total of 1509 student bedspaces.

There is therefore a clear pattern of student residences located within the City Centre, as would be expected given that this is the main area of demand close to the UoB and public transport links to UWE. This is concluded to be an appropriate location for student accommodation, away from areas with a predominantly residential character, where they are surrounded by and contribute to a diverse mix of uses and in accordance with Policy BCAP4.

In light of the above the remaining question is whether or not the proposals would result in a harmful concentration of uses based on either demonstrable harm to residential amenity or harm to housing choice.

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While there is not a high residential population immediately surrounding the site, both St James Priory residential accommodation and the hospital facilities are noise sensitive uses. There would be an increase in footfall around the site due to the development, but that would not be anticipated to be a level that would cause unacceptable disturbance to neighbouring occupiers given the location in the city centre with high existing levels of background noise. It is recognised that the nature of the St James Priory site, which faces towards the application site, currently enjoys a degree of separation from the busy character of other parts of the city centre, however any development on this site beyond the previously very low level existing hospital accommodation blocks would have an impact on the relationship with this site and would be likely to result in increased footfall and activity around the site. The creation of an area of public space in this scheme has alleviated this relationship to a certain extent. In addition the site would be managed with a staff presence and security on site 24 hours a day (see submitted Housing Management Plan) to avoid any noise issues or conflict with residential uses. Free on street parking does not exist in this location, and resident/controlled parking exists in neighbouring areas thereby restricting students from bringing cars to the city. In terms of the character and visual appearance of the area, this is highly varied, not residential in character and therefore would be less sensitive to the physical change of development.

The proposals are considered to be in accordance with the other criteria of Policy DM2. The choice of homes in this area would not be reduced but increased as there would be no loss of existing housing stock. The proposal would also improve the prospects of housing stock in other parts of the city (particularly family-sized homes) remaining available for family uses.

ii) Mix of housing

Policy BCS18 of the Core Strategy expects new development to maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. While the proposal is for student housing only, the evidence above sets out how this would contribute to addressing the demand in the city for this type of accommodation and to a degree freeing up the existing housing stock for family homes within the City Centre to which policy BCAP 3 refers.

iii) Amount of housing

Policy BCS20 states that new development will maximise opportunities to re-use previously developed land. Opportunities will be sought to use land more efficiently throughout the city. Imaginative design solutions will be encouraged at all sites to ensure optimum efficiency in the land use is achieved and higher densities of development will be sought in the City Centre.

The density of housing on the site would be 268 dwellings per hectare (capacity divided by hectare - $188/0.7 = 268.6$). Given that the size of each cluster unit is between 3-10 bed spaces, (though with lower levels of communal space)- care should be taken when comparing this figure with market development. In reality it is likely that this would equate to a higher density of market housing. However even so, higher densities of up to 200

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dwelling per hectare (Wapping Wharf) and 150 dwellings per hectare (The Zone, St Phillips) are typical and expected of new development in the City Centre to ensure efficient use of land- Policy BCAP20 refers.

iv) Affordable housing/ Key Worker Housing

Student accommodation is exempt from the local policy seeking affordable housing provision from new residential development as it is recognised that such a requirement may make these schemes unviable and the LPA recognises the strong need for student housing in the City Centre to support Bristol's role as a thriving university city. Purpose built student accommodation provision also alleviates the pressure on the private housing stock elsewhere in the city for conversion to student residences- an issue that the LPA has sought to address through a planning mechanism known as an Article 4 Direction, which requires an application for planning permission for changes of use of homes to houses in multiple occupation (HMOs) in those areas of the city most under pressure.

The question has been raised whether the accommodation should be key worker housing for healthcare workers/ students. While the site is within the Hospital Precinct, this designation applies to healthcare and ancillary uses and does not seek to include healthcare worker housing. There is no policy requirement to require provision of this housing type on the site.

v) Summary

Local planning policies BCAP4 and DM2 are clear that specialist student housing schemes will be acceptable in the City Centre provided that they wouldn't result in a harmful concentration through harm to residential character or reduction in housing choice through changing the housing mix.

There is a clear and serious demand for purpose built student accommodation in the city and policy directs such specialist student housing to the City Centre, which helps to relieve the pressure on the private rental housing stock and offers a sustainable location.

While officers acknowledge the public perception that there is an excess of student housing in the city, they are satisfied that this application has demonstrated that it would:

- Help to address the serious undersupply of student accommodation in the city;
- Make efficient use of previously developed land in the City Centre;
- Be an appropriate location for student accommodation within a mixed use area that is not predominantly residential and is close to the University of Bristol (UoB) campus;
- Be a sustainable location close to local services and facilities and the UoB;
- Would not result in loss of existing housing stock that would reduce the choice of homes in the area and this site would be unlikely to have potential for family-sized housing;
- Not result in harm to residential amenity or the character of the area through noise and disturbance to residents, parking issues, inappropriate structural additions to buildings or inadequate refuse and cycle storage;
- Not result in a harmful concentration of student uses; and

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- Offer significant economic benefits to the city.

Officers are therefore satisfied that the proposals would meet all of the policy tests in this respect and strongly advise Members to support the principle of the proposed use on this basis as was previously the case on the earlier scheme – 16/01888/F.

**(C) NEW BUILDING - HEIGHT/ SCALE AND MASSING/ ARCHITECTURAL
TREATMENT / URBAN DESIGN CONSIDERATIONS**

i) Policy Context

The NPPF and NPPG identify good design as a key aspect of sustainable development and establish the importance of local distinctiveness. Development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, local man-made and natural heritage and culture, while not preventing or discouraging appropriate innovation.

The Bristol Core Strategy contains a number of policies relating to design that require development in the city centre to be of the highest standard in terms of appearance, function, conservation of heritage assets, sustainability and maintaining and enhancing green infrastructure and protecting key views (BCS2). In particular policy BCS21 'Quality Urban Design' requires development to deliver high quality urban design that contributes positively to an area's character and identity, through creating or reinforcing local distinctiveness. Policy DM26 'Local Character and Distinctiveness' further reinforces the importance of local character and distinctiveness; it lists a number of general design principles that contribute towards this.

Also material to assessing the design of the proposal are policies DM27 'Layout and Form' which requires development to have a quality urban design that results in healthy, safe and sustainable places; DM28 'Public Realm' which requires that development creates or contributes to safe, attractive, high quality, inclusive and legible public realm that contributes positively to local character and identity and DM29 'Design of New Buildings' which requires new buildings to be designed to a high standard, setting criteria to assist in achieving this. Overall both local policy and national guidance (section 7 of the NPPF) recognises the importance of good design meaning development will not be permitted where it would be harmful to the local character and distinctiveness.

Finally, the Bristol Central Area Plan (BCAP) contains specific policies relating to this area or 'neighbourhood' within the city centre. Section 8.21-8.24 outlines the importance of considering impacts on views and landmarks in the city centre, particularly in consideration of tall buildings and outlines the relevant policies. The site lies within St Michael's neighbourhood (as identified within the BCAP) where development should protect the area's historic assets and respond strongly to the area's topography through its design; preserving or enhancing local and long distance views respecting the dominance within the townscape and skyline of existing historic landmarks. A flexible approach will be taken to the redevelopment of sites within the university and hospital precincts, although higher standards of urban design will continue to be sought. Regard should be had however to the

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impact of proposed development on the skyline of the city and the historic environment. Opportunities should be taken to improve the public realm and accessibility. The design of new development should take account of the distinctive scale and character of the key historic streets with the neighbourhood.

ii) The Proposals – massing, layout and building design

The site sits on the southern edge the wider hospital precinct. The Old Hospital and associated Fripps Chapel are locally listed buildings that sit within the site. The site is adjacent to the bus station and the grade 1 listed buildings associated with St James Priory. In addition the White Hart public house and the historic building adjacent to the Bristol Eye Hospital on Lower Maudlin Street are grade II listed.

In light of the above policies officers concur with the City Design Group (CDG) comments in that “the design should aim to conform to the prevailing city scale and grain of buildings and in particular respect the setting of St James Church and Priory. The layout of buildings should aim to reinforce the alignment of the existing street frontages characteristic of the proper definition of urban blocks within the city centre.

The quality of new buildings on the site should seek to provide an appropriate response to the city centre context and the prominence of the site. Buildings frontages should establish an appropriate design quality that complement the context and provides wider visual interest within the townscape, particularly at the corners of the site and in response to views along Marlborough Street, Earl Street and lower Maudlin Street. The location of entrances, lobbies, common areas and ancillary street frontage uses should help to further establish activity at ground floor level and help to reinforce an appropriate streetscape. Consideration should be given to the creation of an attractive and varied skyline in response to a number of identified longer and middle-distant views.

The area suffers from limited and unattractive public realm that results in a poor pedestrian environment and significantly reduces the opportunity for walking and cycle movements. This is particularly problematic given the proximity of hospital uses and the bus station which generate high levels of traffic and movement, as well as the role of Marlborough Street as a corridor for through traffic. As such any scheme should seek to provide a significant improvement to the public realm and ensure an improved direct relationship between buildings and public space”.

The application proposes the demolition of all the buildings on the site. The proposed replacement scheme comprises two main elements, the student halls at the **northern end**, which comprises a substantial perimeter block of student flats around an internal courtyard, and at the **southern end** a freestanding ‘pavilion’ building containing the medical school and office arranged around a central atrium.

With regard to the **northern end** the current design for the student hall includes 11 floors of accommodation, with individual building elements rising 9 storeys above the street level taking into consideration the topography and fall of the site. Small elements fall within the

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Tall Building Assessment threshold (SPD1) and this has been assessed using the agreed viewpoints, the same that were used on the earlier scheme (16/01888/F).

The CDG comments on the proposals are as follows: -

“The scheme includes just over 700 student bedspaces, with communal spaces and reception to provide active frontages onto Marlborough Street, with potential for some commercial space fronting Lower Maudlin Street. Whilst the scheme does not currently incorporate any elements or recognition of locally listed building it is felt that there is greater scope to do so. It is noted that the Marlborough Street façade appears to be set back from the existing side wings, but brings the building line forward of the existing recessed front section containing the main entrance portico.

The scheme recognises the scale of the surrounding buildings and does seek to respond to a more desirable scale overall than the previous proposal. An attempt has been made to break up the mass of the student hall, which is treated in a way that seeks to present a group of buildings rather than a single block. The importance of maintaining uses on the ground floor that better respond to the street and seek to provide activity is welcomed, along with the introduction of main entrances into the complex from each of the street frontages i.e. Marlborough Street, Lower Maudlin Street and Whitson Street.

The pre-application comment recognised that broad approach has helped to move toward a suitable scale of buildings, however the scheme should seek to take this further and better emphasise common areas and entrances to better articulate the building and take it further away from the contemporary office or budget hotel vernacular that the current design still evokes. It was considered that this was particularly true onto Whitson Street where the ground floor treatment and entrance are less convincing with regard to creating an attractive and welcoming street frontage. The loss of the chapel on this elevation is particularly regrettable given the apparent lack of visual richness, and the less engaging treatment at the corners of what is described as the ‘central service road’.

The amendments to the pre-application scheme have made an attempt to increase the prominence of the common room areas to better articulate the architecture and relieve the inherent grid of study bedrooms. Whilst this has resulted to some improvements the broad characteristics of the student block as a large uniform building of student study bedrooms is difficult to integrate within the street without a more genuine subdivision of the accommodation into a series of buildings. The setting back of entrances and some of the common rooms e.g. onto Lower Maudlin Street, does tend to underplay these opportunities to add visual interest and articulate the facades. A more dispersed pattern of development into individual buildings would make it possible to retain existing fabric such as the Chapel and better respond to the alignment of the existing street pattern.

The pre-application comment that the Marlborough Street elevation would also benefit from greater articulation and relief to the eight storey horizontal section of building, within which the main entrance to the block is rather lost below the overriding brick treatment, has been responded to by breaking the main brick elevation and removing part of the street colonnade to reveal the entrance through to the central courtyard. The main entrance is still however

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underplayed in the oblique views along the street and the upper floor facade design does relatively little to highlight the location of the way through.

The pre-application comments relating to the plan form being overly orthogonal and should better respond to the alignment of the street, has not been addressed. Changes to the south facing elevation essentially vary and lighten the design treatment of the central block of the facade however relatively little has changed with regard to the concern that the elevation suffers from being a less important public elevation onto the 'central service road'. Whether or not the route acts as a way to service the buildings, given the potential of this space to provide an additional public route it should be designed as a public front. As such this remains a weakness of the current design.

The pre-application points referring to early discussions about responding to the use and potential life of the student hall need to come from the articulation of the distinctive arrangements of the cluster flats and common areas it still to be demonstrated. The suggested use of public art and creative design to establish a more relevant and distinct typology away from the modern office or budget hotel remains a challenge. Whilst the proposal indicates the potential for public art applied to areas of the facade this potential is far from demonstrated in the current proposal as to how this can help to deliver a more responsive design solution.

The overall design approach to the student block ultimately provides a building that aims to break down the scale and mass of the building but struggles to fully deal with the repeated monotony of standardised study bedroom windows by underplaying the potential for using common room clusters, circulation areas and entrances to ultimately break up and articulate the scheme in a way that compensates for the loss of the existing buildings. As it currently stands the Old Hospital and Fripp's Chapel contribute to a greater degree in terms of articulating the corners of the site and proving a more satisfying response to views along streets such as Earl Street.

The ongoing adjustment to this basic approach does not help to resolve a number of broader design concerns related to high density living in the city centre such as responding to the traditional grain of the area, single aspect north facing living accommodation, common areas that are restricted in terms of natural light, and the delivery of usable private amenity spaces in higher density schemes, which should for example make better use of areas such as flat roofs".

With regard to the **southern end** the medical School / offices the CDG are of the view that despite the applicants statement, the building does not positively address the south facing space created by the layout, and given the prominence of this elevation in the broader townscape as well as the sensitive relationship with adjacent listed buildings this remains a significant issue. The CDG state that "the proposed building containing the offices and medical school currently raises concerns in the way that it responds to the shape of the site, and as such potentially creates some awkward spaces onto Lower Maudlin Street and Whitson Street. The layout responds poorly to its context giving the impression that the design has been imported from a less urban setting. Whilst both the scale and layout of the

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building potentially provide a more appropriate response to the area, there is level of refinement and realignment needed, as well as a rethink in terms of the way that the building addresses the public realm. The medical school function of the building should be more explicit within the scheme adding character and distinctiveness to the site. The education use seems to currently be lost within the combined building which seems much more office than prestigious educational facility. The medical school elements should more confidently respond to the adjacent public realm and the building finishes should perhaps incorporate a more distinctive identity to the building, similar in spirit to the Eye Hospital opposite.

The space to the south is a valid approach and responds to lessening the impact of the development onto St James Priory and the White Hart public house. A slight adjustment to the angle of the building in addition to including an active edge and entrance to the medical school would help to provide a more vibrant character and animation of the space. Better incorporating the space with the building will help to provide a more memorable and positive function to the space which currently reads as space left over in the current design.

The 'central service road' to the north of the building has a relationship with the building on the opposite site of Lower Maudlin Street, although again this could be one that has a more positive and definite response by realigning the building to address the Lower Maudlin frontage and making the central space more perpendicular to the listed building, strengthening the vista. Setting back the entrances of the building on the side elevations does offer some level of interest from the street and into the central atrium, although the current design appears to underplay the contribution that the entrances potentially make to the public realm, and does not fully address the opportunity to contribute to longer views from the bus station or from Lewins Mead.

The initial palette of materials provides a mix of contemporary elements alongside reused stone to form a plinth has some merit, although the design should not seek to use the solid plinth material where the building would better serve the public realm by greater transparency and activity. The initial design facing on the 'central service road' appears as a largely blank rear façade which a concern given its likely visual prominence within the street".

iii) Public Realm and Landscape Design

"One benefit of the scheme is the potential contribution of public realm. The intensive use of the site should however seek to maximise the extent of high quality public realm including a more positive approach and consideration of the 'central service road' which can better serve the development that currently indicated. Greater generosity of the pavements onto Marlborough Street, Lower Maudlin Street and Whitson Street should aim at significantly improving the pedestrian environment with greater opportunity for tree planting that is currently indicated.

The space to the south has greater potential than the lawn and tree planting shown on the initial drawings and the general aim should be to integrate a more comprehensive landscape design alongside improved streets and the central cross space.

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Since the pre-application stage there has been a genuine attempt to respond positively to CDG's assessment of the public realm opportunities; the central road has a shared space and small courtyard sitting area that will soften the development somewhat on the Lower Maudlin Street frontage; the Whitson Street frontage displays a landscape scheme incorporating an open plaza, retained lawn, seating steps and tree planting. Street tree planting along Whitson Street and Lower Maudlin Street will soften the impact of built form on these elevations.

The degree to which these proposals successfully respond to the pre application comments, however, is less positive. With regard to the central road, leaving aside the sitting area, the quality of the walking route provided is not high as it passes through little more than a car park. With regard to the public realm on the Whitson Street / Lower Maudlin Street junction, the proposed pedestrian route involves climbing and then descending flights of steps - quite simply, this will not be used as the steps and their proximity to the building frontage will act as a deterrent to the legibility of the route as public access. It should be noted that this route is highlighted as part of primary access route 3 in the Public Realm and Movement Framework. A more simple scheme that pushed the retaining structure back towards the building and kept the public realm at a level with the highway would read better and provide greater accessibility. A more minor issue concerns the street trees. The species selected are unlikely to provide an effective foil to the building massing as they are generally small trees and short lived; larger growing trees are more typical of Bristol's city centre and responds more to the character of the neighbouring St. James Parade Conservation Area".

iv) Public Art

Policy BCS21 states that major developments should deliver high quality design including the delivery of public art. Given the scale of the proposed scheme as well as the use and location there is an expectation that public art will play a significant role in the design of the scheme, helping to articulate the buildings and animate the public realm.

The LPA would expect to see a Public Art Plan / Strategy to be submitted with the application, however the public art report submitted as part of the application is instead a tender document to develop a public art proposal rather than any firm approach at this stage. The appointment of a public art consultant is welcomed and the LPA would encourage the further development of a public art scheme to animate the site and also to help address the identity and articulation of both new buildings and public spaces.

It is preferable that the development of a public art scheme is integral to the further design considerations that are required in terms of the scheme overall, however public art can be secured via an appropriate planning condition should this become necessary.

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(D) WOULD THE PROPOSED DEVELOPMENT PRESERVE THE SPECIAL INTEREST OF DESIGNATED AND LOCAL, NON DESIGNATED HERITAGE ASSETS

i) Policy Context

A 'heritage asset' is defined in the NPPF (Annex 2: Glossary) as: "A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest." 'Significance' is defined (also in Annex 2) as "the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting."

Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (in particular sections 16, 66 and 72) as well as satisfying the relevant policies within the National Planning Policy Framework and the Local Plan.

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

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

The Setting of a heritage asset is defined within the NPPF (Annex 2) as: "The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative

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contribution to the significance of an asset, and may affect the ability to appreciate that significance or may be neutral.”

In addition, the adopted Bristol Core Strategy 2011, within Local Policy BCS22 of the Bristol Core Strategy (BCS) states that: “Development will safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including historic buildings both nationally and locally listed... and conservation areas.” Policy DM31 of the SADMP requires that “proposals affecting locally important heritage assets should insure they are conserved having regard to their significance and the degree of harm or loss of significance”. It goes on to state that: “Conserving heritage assets: Where a proposal would affect the significance of a heritage asset, including a locally listed heritage asset, or its wider historic setting, the applicant will be expected to:

- i. Demonstrate that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset; and
- ii. Demonstrate that the works proposed are the minimum required to secure the long term use of the asset; and
- iii. Demonstrate how those features of a heritage asset that contribute to its historical, archaeological, social, artistic or architectural interest will be retained; and
- iv. Demonstrate how the local character of the area will be respected.”

The NPPF divides heritage assets into two categories: designated heritage assets and non – designated heritage assets. The heritage assets relevant to this site can be summarised as follows:-

Designated Heritage Assets	Non – designated Heritage Assets
Listed Buildings	
Church of St James, Whitson Street (Grade 1)	Old BRI building and chapel (Local List ref. 225)
Church House, Whitson Street (Grade II*)	King Edward VII Memorial Wing (Local List ref:224)
Churchyard walls and gates (Grade II)	
Listed walls and railings, Whitson St (Grade II)	
The White Hart Inn, Lower Maudlin Street (Grade II)	
Bristol Eye Hospital, Lower Maudlin Street (Grade II)	
7, Bridewell Street, (Grade II)	
Former Fire and Police Stations, Silver Street (Grade II)	
Conservation Areas	
St James Barton - adjacent	
Kingsdown	
St Michaels Hill and Christmas Steps	

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The term non-designated heritage asset is explained by the National Planning Policy Guidance (NPPG) as: “...*buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets...*”

ii) The Impacts

A Heritage Assessment was submitted with the application with the aim of addressing the heritage issues relating to proposed development and its surrounding environs.

Impact Upon Setting of Adjacent Conservation Area(s)

The Church of St James Priory sits within the St James’s Parade Conservation Area, a building of exceptional interest and a focal building within the conservation area; a landmark as such. The applicants are of the view (paragraph 3.7) that the application site “has relatively little contextual connection” with the Church of St James and its attendant group of listed buildings. It is concluded that the proposed demolition and redevelopment will “cause no harm to the significance of the St James’s Conservation Area or to the Grade I listed Church of St James Priory or to the grade II* listed Church House.

Officers from the City Design Group (CDG) however disagree with this conclusion and are of the view that the “proposed building is in marked contrast to the character and scale of the St James Parade Conservation Area and fails to respond to its context and as such the proposals represent a high degree of not substantial harm to its setting. Although outside of the Conservation Area it is within its immediate setting. It is not considered to preserve that setting, and the unresponsive design is unlikely to enhance it. There is a close grouping of Listed buildings within the Conservation Area around the intimately scaled parvise (the courtyard) at the west end of Grade I Listed St James Priory church. Whilst the new structures will have only limited impact from within the enclosed area it will be visible to some extent. As part of the setting, that area within which the asset might be enjoyed, it represents an over-dominant massing with elevations immediately facing the assets that are architecturally arbitrary and of an un-contextual materiality. The formation of a new area of public space on the southern corner of the site fails to provide enclosure to the north side of Whitson Street that might better address the intimacy of the parvise and the Listed entrance gates and walls”.

St James Priory

The Grade I Listed church tower and the architecturally significant west front, are a clear landmark when viewed from Lower Maudlin Street. It is considered that the loss of this visual connection, and the consequential harm to the legibility of this asset are considered to pose a moderate to high degree of not substantial harm to its legibility within the urban landscape. New development should seek to enhance and better expose the significance of heritage assets and these proposals fail to address this aspect of policy.

Church House

Church House is a Grade II* Listed building attached to the north aisle of St James’s Church. A complex building; its special interest is mainly on extant work of the C17th. It enjoys an intimate location tucked in the north corner of the parvise. Views from the parvise northwards

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will be negatively impacted upon by the proposed development. Presently the chapel of the Old BRI building represents a backdrop to these views, and its loss, and the negative impact of the proposed redevelopment is considered to pose a moderate degree of not-substantial harm.

The White Hart Inn

The White Hart Inn is a Seventeenth Century building of two and two and a half storeys that terminates the west end of the Conservation Area. The applicants accept that the “degree of change will be noticeable, but will be entirely consistent with any city centre situation where a site is being redeveloped near a listed building”. They consider that the proposals will result in a “dramatic improvement” in terms of the surroundings of this listed building and that the “depressing effect of the rear elevation of the Old BRI will be removed and the new surroundings of the listed building will better reveal its significance”. Officers have a contrary view and consider that the proposed building and the intended open space would appear incongruous as the setting of this building and pose a high degree of not-substantial harm to it through poorly considered scale and massing and a generic architectural treatment that lacks local distinctiveness or understanding of context. This negative impact would be particularly harsh when viewed from the south-east when viewing the assets up Lower Maudlin Street with the proposed building volume looming behind it.

The chapel of the Old BRI is now a legible landmark within the setting of the White Hart Inn when viewed from Lower Maudlin Street. The loss of this character building, the design and materiality of the new structures, and the poorly considered open space adjacent to the inn pose substantial harm to its setting.

Lower Maudlin Street

Two grade II Listed buildings on the south side of Lower Maudlin Street, now the Bristol Eye hospital, are an attractive pairing of C18th dwellings with a clear design ambition and quality of materials. The adjacent unlisted C20th structures respond in both scale and materiality to these buildings in a responsive manner. The scale of the proposed dwelling in close proximity on the east side of the street is considered to be over-dominant upon the heritage assets and to pose a moderate to high degree of not-substantial harm to those assets; the applicants consider that this is a “typical juxtaposition of facades such might be found in any inner urban environment and the listed building will be no less significant as a result”. It is also considered that the setting is further harmed by the obstruction of the clear sightline between these buildings and St James’s church tower, the parish within which these houses sat. Whilst the new buildings will be significantly taller than the Listed structures; their location on the opposite side of the road and the denser urban character of this street limit the degree of negative impact. The harm posed is a moderate degree of not substantial harm.

Demolition of Old BRI Building and Fripp’s Chapel - Non – designated Heritage Assets

The application proposes the demolition of the C18th and C19th Old BRI building and chapel, 1858, which are not listed or within a Conservation Area, but are identified on the city’s Local List as being a valued building in heritage terms; of architectural/ aesthetic, historical and communal importance, and are categorised as a non-designated heritage

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asset. The NPPF states that: *“In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”* (paragraphs 135 & 136).

The Bristol Royal Infirmary is one of the earliest hospitals founded in the country outside of London (1736) though the Old Building on the site dates from a later period (1784-1814) by architect Thomas Paty. The chapel was added in 1858-60 by local architect S.C.Fripp. Two applications (one in 2010 and one in 2015) were made to Historic England (formerly English Heritage) that the buildings be listed but both were declined.

The submitted Heritage Statement considers that the Old BRI building “has a degree of local historical interest, but in architectural terms it is relatively uninspiring” the heritage significance/ value of the site as being generally of low or moderate value with the Old Building having high historical and communal value and Fripp’s Chapel as having moderate/ high aesthetic value. It describes The Fripp Chapel as “a small building of relatively little intrinsic architectural and historic interest that might not be considered for local listed if it were not attached to the Old BRI” (paragraph 3.26).

Historic England have previously advised that: “The loss of the locally listed building, including the chapel, conflicts with Bristol City’s Core Strategy Policy BSC22; and as such would entail the loss of a distinctive and locally-valued historic building which contributes to the overall street-scene and Bristol’s wider identity. It will be up to the local planning authority to consider the justification for this and to weigh up the complete loss of significance of this heritage asset.” They continue to in effect leave the issue of the demolition to the Local Planning Authority. It is clear from the high level of objections to the loss of the buildings that both buildings are highly valued within the community and wider area.

It is the view of officers that the design approach to the site involving the complete demolition of the Old Hospital and Fripps Chapel fails to recognise the importance or relevance of the locally listed buildings. The Council’s City Design Group (CDG) have previously and continue to advise that the Old Building has high community and streetscape value, and plays a key role in defining the history and sense of identity to the area, thus disagreeing with the Heritage Assessment. The independent panel considering nominations for local listing has given a good score to the building for its architectural interest and historic importance. It is important to retain the key aspects of the building i.e. original external fabric, the H-form plan, floor slabs and any other notable features that contribute to the significance of the heritage asset. The hospital chapel is a key feature in the streetscape. It is essential that the historic assets on the site are responded to in a positive way, although it is acknowledged that there are a number of ways in which this can be done involving various degrees of retention, adaption and alteration.

It is maintained that there are a number of alternative strategies to retaining the buildings in full or in part or indeed a more explicit response to the evolution and reuse of historic fabric. It is accepted that the Old Hospital building has been much altered. Some parties including

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the applicant consider it to be a relatively unattractive building which only serves to create an oppressive canyon onto Marlborough Street. CDG maintain the view that the building is of historic merit with regard to its association with the development of the hospital precinct. In design terms the building has some merit in the potential for a more restored and repaired elevation, and it is maintained that there is scope to maintain, rework or reuse the building fabric as part of the wider scheme. In particular, the formal entrance façade onto Marlborough Street, and the strong plinth and lower parts of the corner wings have great potential to further contribute to this part of the city centre.

With regard to Fripps Chapel, the recent site clearance has further exposed what is an attractive building of considerable townscape merit, and given the small footprint on the site as a whole should be retained in its entirety and incorporated fully into the development scheme. The chapel is an early example of a standalone building type and the first documented example of a locally distinctive “Bristol Byzantine” style.

Ultimately their complete loss which represents substantial harm, will have to be weighed in the balance having regard to the significance of this heritage asset and the development proposals overall.

iii) Archaeology

The site has significant below-ground archaeological potential. It lay within the precinct of the 12th century St James Priory and part of the wall abutting Lower Maudlin Street could lie on the line of the western precinct boundary wall. Part of the northern boundary wall may run through the site. Other consensual or ancillary buildings may survive on the site while there were 17th century buildings fronting on to Lower Maudlin Street, illustrated in a painting of 1826.

An evaluation trench was excavated on the site during the course of the previous application. The results of this fieldwork have not been submitted to the planning authority, but it is known from a monitoring visit that archaeological remains were identified that will warrant further investigation. Should this application receive consent and the standing buildings lost, the scope of a programme of works would significantly increase because the research agenda for the site will include the origin of the infirmary and its role in the city’s health care provision. Conditions to secure the recording of the buildings to be demolished would be required should consent be given.

E) IMPACT UPON THE AMENITIES OF EXISTING AND FUTURE OCCUPIERS

In delivering high quality urban design new development should safeguard the amenity of existing development and its occupiers and create a high-quality environment for future occupiers, which is also safe, healthy and useable (Policy BCS21 refers). Policy BCS23 of the Core Strategy addresses the issue of different forms of pollution, including noise and air pollution. Policy DM33 is clear that development will not be permitted if mitigation cannot be provided to an appropriate standard with regard to air quality amongst other things.

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The site is set within a tight urban context and typically surrounded by a mixture of uses. Given the scale of the development proposed, the following issues must be given due consideration and weighed in the balance, when assessing the development proposals: – the impact of the proposals upon daylight / sunlight; overshadowing; whether the development would be overbearing on adjoining occupiers and / or create unacceptable levels of overlooking; whether the layout provides for an environment which feels safe; the nature and space of the residential units being created; addressing any issues of noise and disturbance. Taking these factors into account the following assessment has been made, firstly with regard to existing occupiers / premises and secondly the impact upon future occupiers.

i) Existing Neighbouring Occupiers

Daylight / Sunlight – Using the published guidelines of the Building Research Establishments 'Site Layout planning for Daylight and Sunlight' 2011 this reports examines, through established methodology, the impact of the development upon the levels of daylight and sunlight that existing residents will receive. The BRE Report advises that daylight levels should be assessed for the main habitable rooms of neighbouring residential properties. Habitable rooms in residential properties are defined as kitchens, living rooms and dining rooms. Bedrooms are less important as they are mainly occupied at night time. It is important to note that the advice contained within the BRE Report is guidance only, it is not mandatory and that ultimately there is a degree of judgement to be made and consideration of neighbourliness.

The report has assessed the second floor flat within St James Church House; the upper floor of the White Hart Public House; the listed St James Almshouses and Walsingham House Hostel. Members should be advised that the earlier scheme, which was previously subject to appeal (now withdrawn), did not include an assessment of the St James Almshouse.

It concludes that “generally the scheme is considered to have a predominately negligible impact when measured against the significance criteria of the VSC (vertical sky component), no vertical sky line and the average daylight factor method for daylight assessment. With regard to sunlight “generally the scheme is considered to have a negligible impact when measured against the criteria. As such overall assessment concludes that the “proposed development will create a negligible impact on the residential amenity adjacent to the development site and is considered to be acceptable in daylight and sunlight terms on the surrounding properties”. Officers are now satisfied with this assessment.

Overshadowing / Overlooking and Overbearing - The relationship of the proposed development with St James Priory was a cause for concern for members in the earlier scheme (16/01888/F) which formed one of the reasons for refusal. The current scheme sets the southern building back from Whiston Street at the lower end and instead provides an area of public realm. It is considered that this coupled with the scale of the development at this end reduces any subsequent impacts in terms of being overlooked; overshadowed or the development being over bearing.

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With regard to the other relationships between the existing and proposed developments on Marlborough Street, Lower Maudlin Street and the upper end of Whitson Street, these are all considered acceptable given the nature of the uses (existing and proposed) and typical of a city centre relationship.

ii) Future Occupiers

Student uses are not required to meet the national space standard, given that they are regarded as temporary uses. While the outlook from some of the student bedrooms would be limited this is considered acceptable given the urban context and to an extent the temporary nature of the accommodation.

An acoustic report was submitted with the application which undertook noise monitoring at the site. Officers are satisfied that with the appropriate conditions noise can be satisfactorily mitigated.

(F) TRANSPORT AND MOVEMENT CONSIDERATIONS

i) Policy Context

The NPPF at Section 4 (paragraphs 29 – 41) addresses the issue of promoting sustainable transport measures. The site is in a sustainable location that in principle in highway terms is considered to be acceptable for an intensive mixed use development such as this, as it would concentrate development close to public transport hubs, services and facilities in accordance with Policy BCS20 of the Core Strategy. Policies BCS10, BCS13, BCS21, DM23, DM27, DM28, BCAP29 and BCAP30 are relevant and referenced below.

ii) Highway Boundary - Highway Boundary Marlborough Street

In promoting sustainable transport measures Local Planning Authorities are advised to identify and protect, where this is robust evidence, site and routes which could be critical in developing infrastructure to widen transport choice. Policy BCS10, amongst other things, requires development to be designed in such a way as to enable the delivery of improvements to the transport infrastructure; to make the best of the existing transport infrastructure through improvement and re shaping of roads and junctions where required to improve accessibility and connectivity and assist regeneration and place shaping. Corridors with potential to service future routes for walking, cycling and public transport are to be safeguarded or sought where appropriate. Policy BCS13 requires that development should mitigate climate change through measures which would include patterns of development which encourage walking, cycling and the use of public transport instead of journey by private car.

Policy BCS21 requires development to deliver high quality public realm through accessibility, and create places that are easy to move through and provide a public realm which integrates different modes of transport, parking and servicing.

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Policies DM23 echo these overall principles with regard to improvements to sustainable modes of transport and policy DM27 reiterates that proposals should not prejudice future potential for an area to achieve a coherent, interconnected and integrated built form in order to create healthy, safe and sustainable places, providing inclusive access, creating safe and attractive links to other routes. Policy DM28 requires developments to include appropriate levels of movement infrastructure for different transport modes and BCAP 30 expects development to provide appropriate and proportionate level of public realm improvements on primary and secondary routes.

The development proposals fail to consider the wider implications of the highway network. The applicants have been advised that if the building is not to be retained then there is a requirement for this frontage to be set further back than shown on the submitted plans, in line with the adjacent Dorothy Hodgkin Building, in order to create a wider transport corridor (21 metres is required). This will remove a significant bottleneck and constraint on the highway network to the benefit of all highway users. It would provide a much safer environment for existing pedestrian and cyclists and the 715 occupants and visitors to the development. The Authority's Transport team advise that looking at the wider highway network it will allow the Authority to make significant safety and reliability improvements for cyclist and buses respectively in the vicinity and would ensure that the highway network has sufficient resilience to cope with the demands of other developments including a potential new BRI car park, Callowhill Court and other future growth, and building on the aspirations of the developing City Centre Movement Strategy.

iii) General Footway widths

National policy is clear that good design goes beyond architecture and should address connections between places, integrating new development into the existing environment to create safe and accessible places for all people and improve the way that they function (Section 7, NPPF). Local Policy BCAP30 states that "Development on or adjacent to primary and secondary pedestrian routes will be expected to provide an appropriate and proportionate level of public realm improvements to the route." Policy BCS21 requires development to deliver high quality public realm through accessibility, and create places that are easy to move through and provide a public realm which integrates different modes of transport, parking and servicing. Whitson Street between the bus station and Lower Maudlin St is an existing primary pedestrian route (as designated by the BCAP) whereas all of the other streets bordering the site are existing secondary pedestrian routes. Policy DM23 requires development to provide, where appropriate, enhancements to the walking and cycling network. Policy DM27 requires development to consider, in context with future development potential and interconnecting sites a co-ordinated development approach, create quality streets and spaces allowing for a convenient access to a choice of movements, and provide for attractive links with appropriate capacity for their proposed use. Policy DM28 requires development to include appropriate levels of movement infrastructure for different transport modes.

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The proposals would introduce a significant number of employees (office and commercial) and a significant number of medical students and student residents (715) all using the site at any time. While the site was last used by the hospital trust for offices/ wards which would attract a certain footfall, the proposal would increase footfall to the site dramatically.

Concern has been raised with the applicants with regard to the footway widths around other parts of the site which fall short of adequate in some locations, particularly where there is likely to be a significant increase in concentration of pedestrians. In addition, a considerable amount of cycle storage has been shown around the footway which exacerbates the problem as does some of the tree planting, which whilst welcome appears to be in the middle of some widened footways, the advantages of which have therefore been lost.

iv) Lower Maudlin Street

The existing contraflow cycle lane appears to be lost. The remaining footway is obstructed with street furniture. Further consideration to this area is required and this matter has not been resolved.

The refurbishment of the existing zebra crossing will be required. This will be a significant desire line for the new users of the site. This does not form part of the proposals being considered.

v) Whitson Street

The applicants are unwilling to undertake improvements to the junction of Whitson Street with Marlborough Street. The application is likely to increase volumes of pedestrians to significant levels in the vicinity of this site, and measures to improve crossing facilities at this junction will be required. This has not been included within the proposals.

Further down Whitson Street, the area around the taxi rank and entrance to the bus station is problematic and the opportunity to sufficiently widen the highway and / or footway in this area has not been taken. The additional concentration of pedestrians has been focused on this area in the form of a medical school and commercial uses, the former of which will have numbers of students leaving the site in plateaus after lectures. This location is bound by a taxi rank at the carriageway edge and at the back edge of the footway a structure housing stairs and a ramp. Significant volumes of students leaving the building would have to navigate an effective width of 1.6m along with passengers boarding taxis. This is inadequate and unsafe.

vi) Access road and Servicing

Concern has been raised with regard to the proposed new access road at the Whitson Street end given the considerable cross fall and right angle; the Authority needs to be satisfied that this area is not affected by an adverse camber. Significant re – levelling of Whitson Street may be required. In addition, should the applicants be using Bristol Waste as contractors, this area would need to be accessed by refuse vehicles of 11.4 m rather than the 10m

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which has been tracked; and the swept paths demonstrating this will be satisfactory have not been provided. This is likely to have an impact on the taxi rank, and is likely to result in the overrun of the footway, to the detriment of safety and with significant maintenance implications.

vii) Servicing

Concern has been raised with regard to the provision for and location of the refuse storage facilities by both the Authorities Transport Team and Bristol Waste. A Servicing Strategy / Statement would be needed to address these issues should permission be granted, prior to the commencement (rather than occupation of) any development to ensure that these issues can be adequately resolved. This would also identify the use of smaller vehicles for refuse collection.

viii) Cycle Parking

Policies BCS10, BCS13 and DM23 requires development to provide facilities to enable and encourage safe, active travel provision including adequate cycle parking provision, and BCAP requires cycle parking provision to be designed to a high quality to meet the requirements of all cyclists using the new development.

Sufficient cycle parking is provided (181 + an additional 26 for visitors but concerns are raised with regard to their position in terms of accessibility / sufficient space to be operated. An additional 110 short stay cycle parking spaces are provided on – street, which is considered excessive and will result in the obstruction to the footways in places.

ix) Car Parking

23 car parking spaces are proposed within the central area off the proposed access road. Observations from the Authorities Transport team identify issues with their usability given 16 are tandem spaces and the lack of buffer space, protecting adjacent structures. This could be resolved by removal of some of the spaces, which are currently considered to pose a safety concern.

x) Taxi Rank

The proposals would result in the removal of a taxi bay which is likely to be problematic, but ultimately this would be subject to the TRO process.

xi) Construction Management

A Construction Management Plan is required for this site which has not been submitted with this application. This to be secured via condition should permission be granted. This is particularly pertinent considering the significant issues which have been raised during the application for demolition.

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xii) The Framework Travel Plan

A Framework Travel Plan (April 2017) was submitted with the application. Should permission be granted, within 6 months of occupation, a Full Travel Plan would be required, to be secured by condition. A Management and Audit Fee is to be secured via any S106 agreement, which equates to £10,000 given the scale of this development.

xiii) Student Drop Off

A Student Moving In / Moving Out Strategy (April 2017) was submitted with the application. In brief the strategy is to use the car parking spaces on the site at the start and end of the student term. Loading and unloading students will be booked into slots and will have to park elsewhere in public car parks until their slot is available. This approach is deemed acceptable by the TDM team and in line with other student developments in the city centre. A condition would be required to secure this strategy.

(G) SUSTAINABILITY

The Bristol Core Strategy contains specific policies relating to sustainability as follows: Policy BCS13: Climate Change, BCS14: Sustainable Energy, BCS15: Sustainable Design and Construction and BCS16: Flood Risk and Water Management. The Bristol Central Area Plan also includes further policies BCAP20 and BCAP21 relating to sustainability standards and connections to district heat networks.

In order to address the above policies an Energy Strategy (April 2017) was submitted as part of the application. This has been assessed by the Authorities Sustainable Cities team and further queries were later addressed by the applicant.

For the student accommodation the strategy proposes energy efficiency measures; a solar PV; heat pumps providing space heating/ cooling in communal areas and a gas fired CHP with back up gas fired boilers providing domestic heating. The Energy table shows a 9.9% reduction in residual emissions.

For the office / medical school the strategy proposes improvements in the fabric efficiency; aspirations with regard to air leakage; heat pumps and a roof mounted PV system; mechanical ventilation with heat recovery and the potential connection to the district heating network for the provision of domestic hot water. The building provides a 32% reduction in residual emissions from renewable energy.

Connection to a district heat network is unlikely to take place within the timeframe of the construction process, but through conditions, further consideration could be given to this matter or to providing the ability to connect to future networks.

There are elements that are not wholly satisfactory, for example the provision of electric panel heaters in the student accommodation and the level of residual emissions, but overall

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it is considered that subject to the imposition of a number of conditions, the proposals in terms of sustainable credentials are considered acceptable.

H) AIR QUALITY

The site lies with the Air Quality Management Area (AQMA). Policy BCS23 states that development should be sited and designed in a way as to avoid adversely impacting upon, amongst other things, environmental amenity of the surrounding area by reason of air pollution. Policy DM33 seeks the inclusion of mitigation measures to address air quality in any development.

An Air Quality Assessment was submitted in support of the application. The Authority's Air Quality Officer raised serious concerns with regard to the impact of the proposals on air quality. The modelling approach was discussed with the consultants and it was agreed to conduct further work to provide information on the air quality impact. As far as the Authority is aware the agreed work has not been completed; no further information on the air quality impact has been received. In the absence of the agreed technical report on the revised modelling, the objection remains.

(I) FLOOD RISK AND SUSTAINABLE URBAN DRAINAGE

There are no objections on the grounds of the above issues subject to conditions.

(J) CONTAMINATION AND COAL MINING RISK ASSESSMENT

There are no objections on the grounds of the above issues subject to conditions to secure compliance with the submitted and approved remediation scheme and contingency should any further contamination be found any time when carrying out the approved development.

(K) NATURE CONSERVATION

Officers are satisfied that nature conservation considerations such as potential for roosting bats/ nesting birds have been addressed, subject to the imposition of a number of conditions should permission be granted.

(L) PLANNING OBLIGATIONS / HEADS OF TERMS

The key planning obligations relate to the Management and Audit Fee for the Travel Plan (£10,000). These obligations could be secured by a legal agreement should permission be granted.

(M) COMMUNITY INFRASTRUCTURE LEVY (CIL)

The development will be liable for CIL, which is calculated to be £1,419,949.50, provided that none of the remaining buildings currently on site are demolished prior to any consent being granted.

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CONCLUSION

The proposals are considered to fall short of the policy aim to achieve high standards of urban design, (to include architectural quality), whilst safeguarding or enhancing the historic environment. For the reasons set out in the report it is considered that the proposals particularly fail to contribute positively to the area's character and identity, creating or reinforcing local distinctiveness. In so doing the proposals also represent substantial harm to a number of the designated heritage assets, namely the the setting of the Grade II listed White Hart Inn and in terms of locally designated heritage assets, the total loss of the BRI old building and the chapel and varying degrees of not substantial harm to the setting of other designated heritage assets. There is significant level of objection from amenity groups and third parties on this issue which are well documented in the report.

It is recognised that there are a number of public or other benefits of the scheme, beyond the generic benefits of a city centre mixed use scheme on brownfield land, in that the proposals will address to a degree the undersupply of student accommodation and provide a medical school which the applicant's state would be linked to the University of Bristol and the Bristol Royal Infirmary. It is however considered that these are not substantial and as such do not outweigh the harm to both the designated and non- designated heritage assets.

In addition to the above and to be weighed in the balance of considerations are the issues raised with regard to the transport and movement, one of which is a principle issue regarding the building line along Marlborough Street and the opportunities lost in terms of the wider highway network and providing a safer environment for all highway users. With regard to the more detailed considerations of footway widths and cycle storage, ultimately this relates back to the design quality of the scheme.

A final outstanding issue is that of the matter of air quality. At the current time the proposals, through the modelling submitted within the Air Quality Assessment, indicate that the development will result in an unacceptable substantial adverse impact upon air quality in the locality. In the absence of any evidence to the contrary (through re modelling) or amendments to the scheme to address this issue, the proposals in this regard are not policy compliant.

In light of the above officers are unable to support the proposals as they stand; the opportunity to address these issues in a collaborative manner is not now available to officers. As such it is recommended that officers defend a refusal of the scheme at the forthcoming Public Inquiry for the reasons set out below.

RECOMMENDED: THAT HAD THE LOCAL PLANNING AUTHORITY BEEN IN A POSITION TO DETERMINE THE DEVELOPMENT PROPOSALS IT WOULD HAVE REFUSED THEM ON THE FOLLOWING GROUNDS: -

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1) The proposed development by reason of its overall urban design and architectural quality would be unacceptable, failing to respond positively to the existing city centre context and failing to preserve the special interest and setting of relevant heritage assets contrary to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990; Sections 7 and 12 of the National Planning Policy Framework (March 2012); Policies BCS21 and BCS22 of the Bristol Core Strategy (June 2011); Policies DM26, DM27, DM28, DM29 and DM31 of the Site Allocations and Development Management Policies (July 2014); and Policy BCAP43 of the Bristol Central Area Plan (March 2015).

2) The proposed development, by reason of siting, fails to provide for adequate road space to make improvements to the local and wider transport network which will have adverse impacts upon the quality and safety of pedestrian and cycle routes around the site; congestion; public health; highway safety and will prejudice the delivery of wider strategic growth within the vicinity and central area. As such the proposals are contrary to advice contained within Section 4 of the National Planning Policy Framework (March 2012); Policies BCS10, BCS13 and BCS21 of the Bristol Core Strategy (June 2011); Policies DM23, DM27 and DM28 of the Site Allocations and Development Management Policies (July 2014) and Policy BCAP30 of the Bristol Central Area Plan (March 2016).

3) The proposals fail to provide adequate footway widths in order to provide for the significant increase in pedestrian movements around the site to the severe detriment of pedestrian safety and accessibility, contrary to guidance contained within Section 4 of the National Planning Policy Framework (March 2012); Policies BCS10, BCS13 and BCS21 of the Bristol Core Strategy (June 2011); Policy DM23, DM27 and DM28 of the Site Allocations and Development Management Policies and Policy BCAP29 and BCAP43 of the Bristol Central Area Plan (March 2016).

4) The proposal fails to provide adequate cycle parking and thereby adequate provision of sustainable travel facilities contrary to guidance contained within Section 4 of the National Planning Policy Framework (March 2012); Policies BCS10 and BCS 13 of the Bristol Core Strategy (June 2011); Policy DM23 of the Site Allocations and Development Management Policies (July 2014) and Policy BCAP29 of the Bristol Central Area Plan (March 2016).

5) In the absence of information to the contrary, the proposed development would result in an unacceptable substantial adverse impact upon air quality in the locality and is therefore contrary to Policy BCS23 of the Bristol Core Strategy (June 2011) and Policy DM33 of the Site Allocations and Development Management Policies (July 2014).

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ITEM NO. 3

WARD: Stoke Bishop **CONTACT OFFICER:** Tom Watson

SITE ADDRESS: Woodlands Church Road Sneyd Park Bristol BS9 1JT

APPLICATION NO: 17/05145/F Full Planning

DETERMINATION DEADLINE: 21 March 2018

Construction of three storey, four bedroom house.

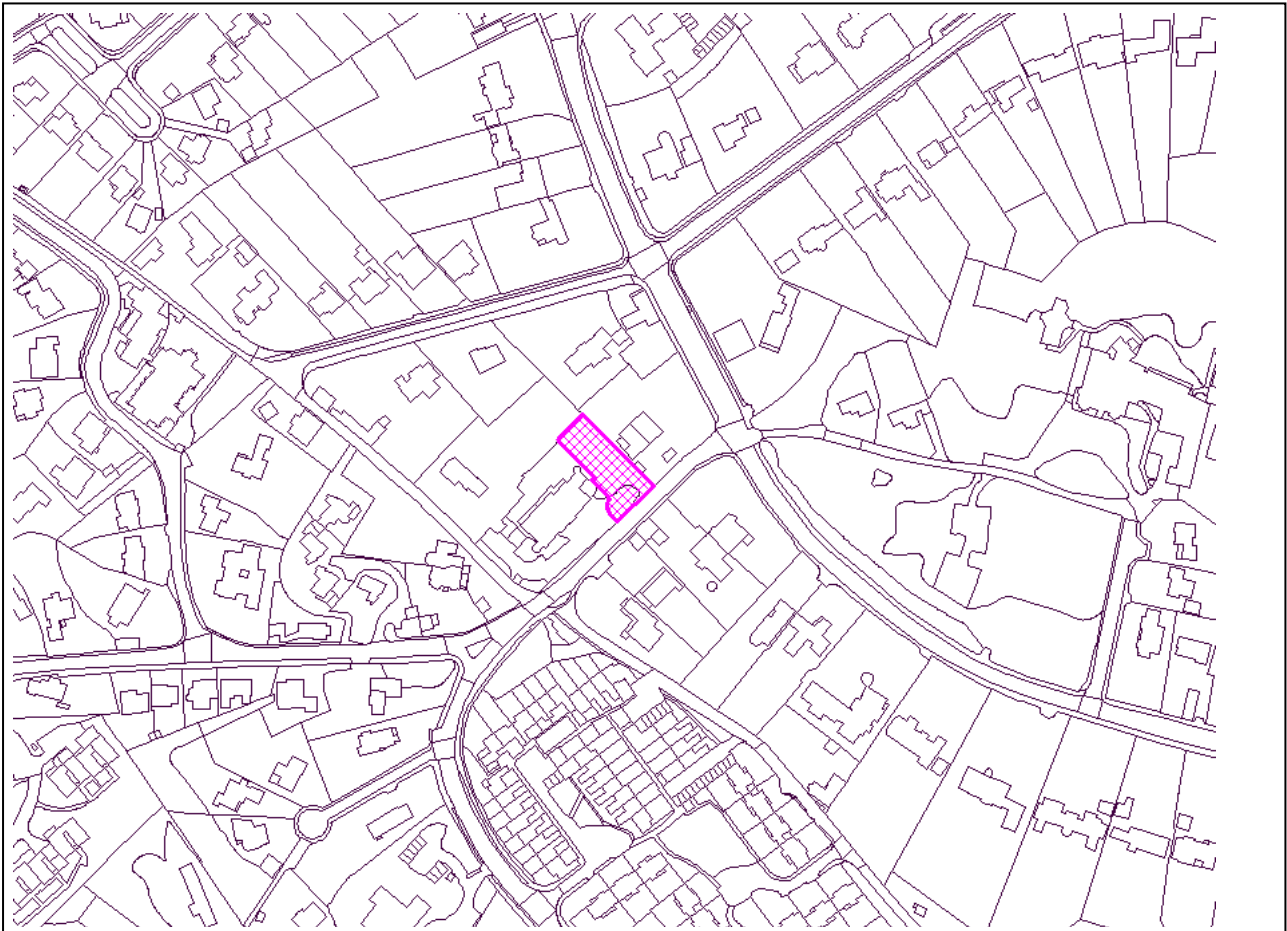
RECOMMENDATION: Grant subject to Condition(s)

AGENT: Gambles Architects
1C Colston Yard
Bristol
BS1 5BD

APPLICANT: Mr Bailey
8 Sydenham Lane

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

LOCATION PLAN:



Development Control Committee B – 14 March 2018**Application No. 17/05145/F: Woodlands Church Road Sneyd Park Bristol BS9 1JT****SUMMARY**

This application relates to the land adjacent to a Grade II Listed Building known as Woodlands, 4 Church Road, in Stoke Bishop, north west Bristol. The building, which is currently in use as 9 flats, is situated on the northern side of Church Road, to the west of the junction with Stoke Hill.

The application seeks full planning permission for the construction of a three storey, four bedroom house on a disused and overgrown plot to the north east of Woodlands.

The application has been referred to Development Control Committee by Councillor Abraham and a total of 20 public comments have made in objection to the proposed development. Comments were made relating to concerns over: the impact upon the setting of the Listed Buildings, overdevelopment of the site, the loss of trees and the impact upon residential amenity.

The key issues in relation to the scheme relate to design and heritage, residential amenity, transport and highways, nature conservation and sustainability. As a result, the Council's Conservation Officer, Transport Development Management Team, Nature Conservation Officer and Arboricultural Officer have been consulted.

It is considered that the exemplary design and careful siting of the proposed development would limit any harm to the setting of the neighbouring Listed Buildings and the Conservation Area. The Conservation Officer has concluded that bringing the site back into a sustainable use would constitute sufficient public benefit to outweigh any not-substantial harm to the setting of the Listed Buildings.

The proposed re-provision of trees on site accords with the Local Planning Authority's tree replacement policies to replace those trees lost to facilitate the development. The proposed landscaping scheme, including living roof and pond, is considered to enhance the site given that it is currently overgrown and responds poorly to the Listed Building.

Transport Development Management (TDM) has no objection to the scheme. TDM concluded that there would be no significant increase in traffic resulting from the proposals and the site is in close proximity to public transport routes. The proposed parking solutions are acceptable and there would be no detrimental impacts upon the highway.

The application for full planning permission is recommended for approval subject to conditions.

SITE DESCRIPTION

Woodlands is a Grade II Listed Building and is situated within the Sneyd Park Conservation Area. The Historic England List Entry refers to the late-Victorian converted house:

"House, now flats. 1875. Sneaked Brandon Hill Grit rubble with limestone dressings, tile-hung walls, stone gable stacks and a tile hip and gable roof. Irregular double-depth plan. Free Gothic Revival style. 2 storeys, attic and basement; 5-window range. Studiedly asymmetrical, a central full-height gabled entrance has a 2-centred arched doorway with a hood mould and side finials, a panelled door and side lights with trefoil heads. 4-light mullion window above with trefoil heads and hexfoils to the top, 4-light attic window and a gable with cornice and corner finial blocks. To the left a 3-light mullion and transom window, 3-light mullion window above, and coved eaves, with a large C20 four-light dormer; to the right is a block with a pent roof leading up to a stair tower with large mullion and transom windows to the front and right side. 2 right-hand single-storey gables have 2- and 4-light mullion and transom windows. The left return has a dormer split by a chimney buttress; at the rear is a wide balcony, and an octagonal ground-floor turret with a pyramidal roof. Irregular roof with leaded caps to the hips with iron finials, and decorative ridges. INTERIOR: hall screen with cinquefoil-headed

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side lights, a large stair well with an open-well stair with cast-iron balusters and curtail, and a coved and panelled ceiling. A well-massed and detailed composition with a mixture of Domestic Revival and Free Gothic elements.”

This application specifically relates to an area of land to the side of the existing building, to the north east. There is a fence running between the application site and the Listed Building. The site is largely covered with remnants of the original late C19th evergreen planting, including some 28 trees and shrubs, now overgrown.

The site is approximately 45 metres deep by 18 metres wide, and slopes steeply away from Church Road so that the northern end of the site is some 4 metres below the ground level at Church Road.

The site is adjacent to 2 Church Road / 27 Stoke Hill ‘St. Marys’, a Grade II Listed Building from the Victorian period, which is situated to the north east.

RELEVANT HISTORY

17/02821/PREAPP - Erection of dwelling. - CLOSED

17/01494/F - Erection of three storey, five bedroom house. – WITHDRAWN

02/01550/LA - Stripping of roof clay tiles and tile/slate hanging to the dormers and rear gables (replacement of 50% of tiles with matching). New insulation board and felting. New stonework to chimney stacks and new rainwater black aluminium fixtures. – GRANTED subject to condition(s)

APPLICATION

Full planning permission is sought for the construction of a three storey, four bedroom house on the site adjacent to Woodlands.

The proposed new dwelling would be set into the slope on site, with the lower and mid-floors situated below the ground level at Church Road. In total, the dwelling would be 9.3 metres in height, with the top floor protruding 3 metres above the existing ground level at Church Road. The Church Road elevation would be approximately 7.9 metres wide. The rear elevation would be up to 14.8 metres wide.

The top floor of the building would be timber clad, with a limestone base. The side elevations of the building would be constructed using a mixture of large limestone blocks and smaller limestone bricks. The rear elevation would consist largely of triple glazed, aluminium framed windows with limestone surrounds.

The retaining walls for the development would be constructed from limestone. The retaining walls would be reinforced with contiguous piles bored into the ground.

At top floor level, the dwelling would consist of a garage and an entrance hall, with stairs down to the living accommodation.

At mid floor level, the dwelling would consist of a living room facing out onto the garden to the north, with an open-plan kitchen / dining room situated centrally and in the southern part of this floor. The living room opens out onto a roof terrace, situated on top of the lower floor.

At lower floor level, there would be three bedrooms which look out to the garden to the north. One of these bedrooms would have an en-suite bathroom. A ‘snug’ / cinema area would be situated centrally,

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with a bathroom and utility room to the west. A bedroom and en-suite bathroom would be situated in the southern part of this floor.

The total floor area of the new dwelling would be approximately 300m², including the garage.

A paved driveway would be situated to the south of the proposed dwelling fronting onto Church Road. Bin stores and two parking spaces would be situated within this area.

The north of the site would consist of a garden area, with a pond and a paved area to the rear of the dwelling. An external path and steps would be situated along the western boundary of the site.

17 trees are proposed to be removed to facilitate development: six Cherry Laurel, one Holly, two Elder, one Yew, one Goat Willow, one Lawson's Cypress, one Bay Laurel, three Ash and one Cherry. 19 replacement trees are proposed on-site. These would be 13 Silver Birch, one Scots Pine and five Chilean Myrtle. A financial contribution for a further six trees has been agreed and would be provided off-site.

RESPONSE TO PUBLICITY AND CONSULTATION**PUBLIC COMMENTS**

20 public comments from 18 interested parties were received in objection to the application. The following planning issues were raised:

- Objection to the loss of trees on-site
- Concerns about construction impacts
- Concerns that the proposed development would be out of character with the Conservation Area
- Concerns about the impact upon the adjacent Listed Buildings
- Concerns about the impact upon outlook
- Concerns about overdevelopment of the site
- Concerns about the impact upon traffic
- Concerns about the impact upon wildlife
- Concerns about surface water drainage

The application has been referred to Development Control Committee by Councillor Abraham.

AMENITY GROUPS**Sneyd Park Resident's Association – Objection**

The Association raised objection to the proposals on the basis of the impact upon the setting of the Listed Buildings and the Conservation Area and the loss of trees on site.

Conservation Advisory Panel – Objection

"The Panel regretted the most visible feature of the new design was the garage.

The pattern of development on the North side of Church Road is of large Victorian houses set back from the road, punctuated by mature trees with a dense understory.

The proposed external material was timber cladding with 'split faced and sawn limestone' and it was considered that the character of the area was formed by buildings constructed with local materials including rubble stone and dressed Bath stone and this building should be constructed with a similar

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material. There was no need for the building to be constructed in a different material as its design was already contemporary.

The proposals involve the retention of 8 trees, but the loss of 20 trees and this would create a gap between the existing buildings, particularly with the loss of the understory vegetation. The proposals included low level planting at the front of the site; this must be increased to block the potential open space. Green roofs were proposed and it is essential that depth of growing medium be provided to ensure that this was sustainable.

There was concern that the building created a large mass, it is essential that this be broken up and spaces left for trees and other planting.

The Panel objects to this application.”

INTERNAL CONSULTTEES**City Design Group – No objection****Summary**

It is recognised that the proposed development represents a degree of not-substantial harm to the setting of the Listed Buildings and the character of the Conservation Area. However we consider there to be sufficient public benefit in the sustainable use of this site and the contribution of an exemplary design to offset the degree of harm posed.

We support this application with conditions intended to protect the special interest of the Listed Building and character of the Conservation area.

The Heritage Assets

The site sits between two Grade II Listed properties on the north side of Church Road. Both buildings are substantial late C19th dwellings that adopt aspects of the Italianate Gothic, aesthetic movement, and domestic revival styles, all current in the 1870s and 1880s.

The building on the east, St. Mary's is separated from the site by the original boundary wall and evergreen planting. Built from 1875 by the local firm of Ponton & Gough it is an attractive and well detailed design in keeping with the high quality output of their office at this time.

The site sits within the former landscape of Woodlands 4 Church Road, another house of similar date, but larger, more rambling, and to a less consistent design. The building has a great deal of high quality detailing and character. Both houses are constructed largely from the stone quarried from the steeply sloping sites. For all their stylistic variety the rough red limestone and bath stone dressings create a unity between the two properties.

The former setting of both properties once included large gardens descending the steep slope north of Church Road. Both dwellings cling to the side of the hill and the topography required their front entrances to be set some degree lower than the public highway. For all the inconvenience of the site both properties enjoyed expansive views northwards towards the Severn, a position capitalised upon by the formation of substantial viewing terraces as podiums from which the private side of the houses rise. The gardens of both properties were designed in the fashionable mode for picturesque private pleasure grounds with informal planting and extensive walks. Woodlands and St. Mary's poses deeply excavated areas either side of the dwelling which are likely to have been formed by quarrying for the stone for each property.

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Aside from the Listed Buildings the character of the Conservation Area around them is characterised by the large mature trees and vestigial planting of the C19th gardens. Whilst the grounds have been subdivided the trees of the original design have largely survived and thrived. The area is rendered particularly attractive for the colossal trees along the north edge of Church Road.

The application site has been separated from the grounds of Woodlands for some time. There is a fence running between the edge of the Listed Building and the development land. The site is largely covered with remnants of the original late C19th evergreen planting, now overgrown. Cherry Laurel, holly, and other species have grown unchecked, though the broad outline of the garden layout shown on maps of 1884 can be discerned.

The setting of both houses has been substantially altered by the sale and subdivision of their gardens for development throughout the C20th. Woodlands boundary is now formed along the line of the garden terrace and the land beyond it is in separate ownership. The houses themselves have been subdivided into numerous private flats. The front gardens have been marred by the insertion of poor quality garage structures, intensive parking courts and hard surfacing.

Proposals

This application seeks consent for the development of the site between the two Listed Buildings. The proposed dwelling will be of three storeys terraced to follow the fall on the site. It is proposed to maintain the existing building line on the Church Road side, and respond to the garden side of the Woodlands property at the rear.

The proposed building is of strongly contemporary design using flat roofs and an interlocking geometric plan and elevations. The external areas are proposed to be integrated within the eastern yard to the side of the Listed Building and around the octagonal belvedere.

On the street side of the building efforts have been made to maintain a low profile to the street by recessing the massing below street level, and maintaining the mature trees. Additional buffer planting is proposed along the south side of the building. The landscape design introduces further garden planting and belts of new trees along the boundary with St. Mary's and along the base of the terrace of Woodlands. Extensive hard landscaping is proposed in the front forecourt area and integrated within the garden.

The building material is intended to be natural limestone used in both sawn ashlar and rough split-face. The uppermost storey will be treated in a lighter fashion and clad in timber cladding, though with a more substantial framing element to the street side of the building.

The design integrates a number of ingenious architectural approaches to the issue of potential overlooking, natural lighting of deep-plan spaces, and integration within its setting.

Recommendations

The applicant has provided a detailed understanding of the landscape and heritage context of the site and the design proposals have evolved in response to the setting. It is regrettable that the original setting of both Listed Buildings has been incrementally lost over the Twentieth century and the properties subdivided; it is recognised that this has evolved over time reflecting changing socio-economic climates.

The current site has been detached from the main house at Woodlands for some time. Prior to that division it has been underused and unmaintained. The former pleasure ground landscaping has run wild and has lost its original character and structure. The east side of the main house, always the service side of the building, is now largely obscured.

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It is considered that the special interest of St. Mary's will be largely unaffected by the proposals. The proposals sit alongside the original site boundary with the property, and will not affect the architectural treatment of the west side of that property. The removal of the invasive and non-native cherry laurel from the site boundary will have the benefit of better revealing the attractive elevation it presently obscures.

The impact of the development of this site will principally be upon Woodlands and the character of the Conservation Area. There is no direct harm posed to the historic fabric, though there is a low/moderate degree of not-substantial harm posed by the building to the setting of the historic house. We consider that the applicant has sought to minimise that harm by developing a context-led design that responds to the topography and heritage assets, however the infilling of a former garden area should not be taken for granted.

The National Planning Policy Framework states that "great weight" should be given to the conservation of the special interest of heritage assets such as Listed Buildings and Conservation Areas. However poor a contribution the current overgrown area makes to the Listed Building the introduction of new built form into open space within the Conservation Area should be resisted; however there are aspects of the proposed design which must be carefully considered in relation to the potential negative impact of development.

Where harm is posed to a designated heritage asset this should be balanced against any significant public benefits. The National Planning Policy Framework states: "*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.*" Public benefits may follow from many developments and could be anything that delivers economic, social or environmental (including the heritage environment) progress as described in the National Planning Policy Framework ([paragraph 7](#)). This assessment needs to take account of the collective benefits of the scheme and consider whether, in balance, the tests under NPPF have been met.

The site is currently unused. Whilst it has historic significance as part of the former landscaped grounds of the Listed Building this setting has been incrementally lost as it has been divided up and sold off prior to, and since, the Listing of Woodlands and the formation of the Conservation Area. The quality and integrity of the current site is poor; it is overgrown and responds poorly to the Listed Building. It is considered that the re-use of this land is supportable in principle in order that the land be managed and make a positive and sustainable contribution to the heritage assets.

The development of the land for a single residential property is not considered to represent a significant public benefit, but a benefit of the landholder and occupier of the proposed residence. The economic benefit to the City of development of this site is negligible. However, we consider that there is significant environmental benefits to the scheme. The contemporary design is deeply contextual, ingenious, and clearly of a high quality. Whilst it is clearly contemporary it responds to the heritage setting in form, materiality and landscaping. We consider that the design quality is exemplary; in this fashion the development represents a strongly positive addition to the site.

The building would ensure that the site is brought back into sustainable re-use and the designs will ensure that the impact on both the Listed Buildings and the Character of the Conservation Area are minimised. On balance we are satisfied that the exemplary quality of the design is a genuine public benefit and will integrate harmoniously in a sensitive setting. It should be noted that in recommending the approval of this application this should not set the precedent for residential development on this site without the significant benefits of the exemplary design. The material and design quality represented in the application drawings must be maintained, and conditions ensuring that this quality is not diminished are considered essential in protecting these benefits.

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Conditions are requested for the provision of further details and materials of cladding, hard surfacing, bin stores and glazing. Sections are requested of windows, doors, boundary treatments and other material connections. Landscape and planting details should be secured via condition.

Arboricultural Officer – No objection

“The technical detail on drawings:

- Root protection strategy – Plan 026-P-027 (Rev 01)
- Root protection strategy – Sections 026-P-028 (Rev 01)
- Root protection strategy- Sections 026-P-029 (Rev 02)
- Tree Protection Plan – 171115-LAW-TPP-Rev D-LI&AM&BR

Provides sufficient detail with regard the tree protection fencing and permanent galvanised steel grid ‘Green Grid System’ to ensure that the retained trees on site are thoroughly protected during the course of development works. I’m satisfied that the system proposed is fit for purpose.

These details will need to be thoroughly conditioned to ensure they are implemented at the correct stage of development with arboricultural supervision that is recorded and provided to us.

The arboricultural report identifies 17 trees for removal that requires 44 replacement trees on site. The report suggests that a number of the tree species are overgrown shrubs and should therefore be exempt from BTRS calculations; I agree in part with this in that the Cherry Laurel and Elder are indeed very old shrubs should not be included. However a Bay tree has also been included and this has the potential to become a reasonable sized tree and frequently found within gardens throughout the city.

I therefore consider that BTRS calculations are required for trees T9, T11, T16, T19, T20, T21, T22, T26, T27 which equates to 25 replacement trees or a financial contribution of $25 \times \text{£}765 = \text{£}19,125$ pro rata dependant on the number of replacement trees on site.

Replacement trees have been identified with the design and access statement, however no formal landscape plan has been provided at this stage to show a robust mitigation for tree loss on site. We require:

- A high quality landscape plan containing tree locations, species, planting stock size (Minimum 12-14cm Girth) & maintenance schedule for watering and aftercare to ensure establishment of newly planted trees.
- For trees located within areas of hardstanding an engineered tree pit detail.

This needs to be provided prior to consent as a Unilateral Undertaking needs to be agreed for tree not replaced on site.”

A landscape plan and tree pit details were submitted by the applicant. Outlining that 19 replacement trees would be provided on-site.

In response to the additional information submitted, the Officer stated no objections to the proposals and requested that conditions are attached to any relating to the protection of trees during construction and arboricultural supervision.

A Unilateral Undertaking should be agreed between the Council and the applicant to ensure the offsite planting of six trees is funded and appropriately located.

Development Control Committee B – 14 March 2018**Application No. 17/05145/F: Woodlands Church Road Sneyd Park Bristol BS9 1JT****Transport Development Management – No objection**

The proposed development is considered acceptable. Conditions should be attached to any permission to provide further details of cycle storage and the proposed driveway treatments.

Nature Conservation – No objection

“According to the arboricultural report dated September 2017, a number of trees are proposed for removal. All species of wild birds, their eggs, nests and chicks are legally protected until the young have fledged. A planning condition is recommended to limit the clearance of vegetation or structures between 1st March and 30th September without prior approval of the local planning authority.

A Sedum green roof is proposed in the Design and Access Statement. Whilst the provision of a living roof is welcomed, an alternative design which does not employ Sedum would have much greater benefits for wildlife. In accordance with Policy DM29 in the Local Plan, the provision of a living (green/brown) roof is recommended to provide habitat for wildlife. Policy DM29 states that ‘proposals for new buildings will be expected to incorporate opportunities for green infrastructure such as green roofs, green walls and green decks.’

Living roofs can be integrated with photovoltaic panels and also contribute towards Sustainable Urban Drainage Systems (SuDS). Living roofs can be provided on buildings, as well as on bin stores and cycle shelters. The following guidance applies: The roof should be covered with local low-nutrient status aggregates (not topsoil) and no nutrients added. Ideally aggregates should be dominated by gravels with 10 - 20% of sands. On top of this there should be varying depths of sterilised sandy loam between 0 - 3 cm deep. An overall substrate depth of at least 10 cm of crushed demolition aggregate or pure crushed brick is desirable. The roof should include areas of bare ground and not be entirely seeded (to allow wild plants to colonise) and not employ *Sedum* (stonecrop) because this has limited benefits for wildlife.

To benefit certain invertebrates the roof should include local substrates, stones, shingle and gravel with troughs and mounds, piles of pure sand 20 – 30 cm deep for solitary bees and wasps to nest in, small logs, coils of rope and log piles of dry dead wood to provide invertebrate niches (the use of egg-sized pebbles should be avoided because gulls and crows may pick the pebbles up and drop them). Deeper areas of substrate which are at least 20 cm deep are valuable to provide refuges for animals during dry spells. An area of wildflower meadow can also be seeded on the roof for pollinating insects. Please see www.thegreenroofcentre.co.uk and <http://livingroofs.org/> for further information and the following reference: English Nature (2006). Living roofs. ISBN 1 85716 934.4

The proposed provision of a pond is welcomed for its wildlife benefits. The pond should be at least 60 cm deep in its deepest part and have shallow sloping margins to maximise its value for wildlife. The importation of non-native and invasive aquatic and marginal plants should be avoided.”

In response to the comments from the Nature Conservation Officer, the applicant submitted revised proposals for a ‘living roof’. These proposals were considered acceptable and it was recommended that a condition is added to any permission for further details of the living roof to be approved by the Local Planning Authority and carried out in accordance with that approval.

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RELEVANT POLICIES

National Planning Policy Framework – March 2012

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocations and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan

(Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2016 and Lawrence Weston Neighbourhood Development Plan 2017.

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

KEY ISSUES

(A) IS THE PRINCIPLE OF DEVELOPMENT ACCEPTABLE?

Section 6 of the NPPF sets out the approach for 'Delivering a wide choice of high quality homes'. It states that:

"Housing applications should be considered in the context of the presumption in favour of sustainable development."

Policy BCS5 sets out that the Core Strategy aims to deliver new homes within Bristol's existing built up areas. Between 2006 and 2026, 30,600 new homes will be provided in Bristol.

Policy BCS18 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.

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

Policy DM21 states that development involving the loss of gardens will not be permitted unless the proposal would represent a more efficient use of land at a location where higher densities are appropriate; or if the development would result in a significant improvement to the urban design of an area.

The site is not allocated within the Bristol Local Plan, is currently disused and overgrown, and separated from the garden of Woodlands by a boundary fence. Whilst it is not currently connected to Woodlands, it is considered that Policy DM21 is still relevant given that it was formerly part of the grounds of the Victorian house.

The proposed development would contribute to the delivery of new homes within existing built areas as set out in Policy BCS5 and would represent a more efficient use of a disused area adjacent to Woodlands in accordance with Policy BCS20.

The intensification of use on site is appropriate given the proximity of shops and services within the Druids Hill Local Centre and public transport links on Church Road and Stoke Hill. Further detail regarding this issue is set out within Key Issue D.

The proposed development would represent a significant improvement to the urban design of the area. Further detail regarding these points is set out in the Key Issue B.

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At the time of the 2011 Census, Stoke Bishop consisted of around 72% houses and 28% flats or apartments. Around 38% of dwellings had 3 bedrooms, whilst around 24% had 4 bedrooms.

The proposed development would consist of one, four bedroom dwelling. The proposed development would contribute towards the delivery of family housing in Stoke Bishop and is considered to be an appropriate mix for the area. The proposals would not result in an over prevalence of this type of housing, nor would it undermine the overall mix and balance of the community.

It is considered that the proposed development is acceptable in principle.

(B) IS THE IMPACT OF THE PROPOSED DEVELOPMENT UPON DESIGNATED HERITAGE ASSETS ACCEPTABLE?

Planning Applications should be considered in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, which states in 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.

There are three designated heritage assets (as defined by the NPPF) of relevance to the applications for full planning permission and Listed Building Consent; the Sneyd Park Conservation Area and the Grade II listed buildings adjacent to the site, no's. 2 and 4 Church Road (St. Mary's and Woodlands).

Paragraph 132 of the NPPF outlines 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification."

Paragraph 134 of the NPPF states:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."

Policy BCS22 and Policy DM31 state that development proposals will safeguard or enhance assets and the character and setting of Conservation Areas.

With regard to Listed Buildings, Policy DM31 states that:

"Alterations, extensions or changes of use to Listed Buildings, or development in their vicinity, will be expected to have no adverse impact on those elements which contribute to their special architectural or historic interest, including their settings."

The application seeks full planning permission for the construction of a three storey dwelling in the curtilage of Woodlands, a Victorian Grade II Listed Building.

The proposed new dwelling would be set into the slope on site, with the lower and mid-floors situated below the ground level at Church Road.

The dwelling would be constructed from limestone and timber cladding with aluminium windows.

In response to the application, City Design Group's Conservation Officer made the following comments:

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The proposed building is of strongly contemporary design using flat roofs and an interlocking geometric plan and elevations. The building material is intended to be natural limestone used in both sawn ashlar and rough split-face. The uppermost storey will be treated in a lighter fashion and clad in timber cladding.

The proposed dwelling would maintain a low profile to the street by recessing the massing below street level, and maintaining the mature trees. The landscape design introduces further garden planting and belts of new trees, including additional buffer planting along the south side of the building.

Impact upon the setting of the Woodlands and St. Mary's Listed Buildings:

The application site is separated from Woodlands by a boundary fence. It consists of a number of trees and shrubs which have become overgrown, and as such considered by the Conservation Officer to have lost much of its original character and structure.

The original setting of both Listed Buildings, and with it much of its historic significance, has been incrementally lost over the Twentieth century by the sale and subdivision of their gardens for development. It is considered that this reflects land-use and socio-economic change over time in which it may no longer be practical or cost effective to maintain properties with grounds the size of Woodlands or St. Mary's.

The Conservation Officer has assessed that the proposed development would have no direct impact upon the built fabric of Woodlands, however given close proximity to the building there would be some low/moderate harm to the setting of the Listed Building.

The context-led design is assessed as having sought to minimise the impact upon the setting of the building. The high quality, contemporary design ensures that where prominent, the new dwelling would limit the detrimental impact upon Woodlands.

The setting of St. Mary's will be largely unaffected by the proposals. The proposals sit alongside the original site boundary with the property, and will not affect the architectural treatment of the west side of that property. The removal of the invasive and non-native cherry laurel from the site boundary will have the benefit of better revealing the attractive elevation it presently obscures.

In the past, the front gardens have been marred by the insertion of poor quality garage structures, intensive parking courts and hard surfacing. The existing driveway would be shared with Woodlands and parking is proposed to the front of the dwelling. The level of parking is considered small enough to limit of harm to the setting of the Listed Buildings. Details of the materials for hard landscaping should be secured via condition in the interest of protecting the special character of the Conservation Area, and the setting of the Listed Buildings. Those landscaped areas around the proposed dwelling are proposed to be integrated with the curtilage of the Woodlands, demonstrated by the exemplary, context-led design.

In conclusion, it is considered that the proposed development would result low/moderate degree of not-substantial harm posed by the building to the setting of the historic house, which is outweighed by the public benefit of securing a better use for a currently overgrown, underutilised piece of land for housing. This is considered to accord with Paragraph 134 of the NPPF and the environmental benefits of the scheme represent a strongly positive addition to the site.

Impact upon the Sneyd Park Conservation Area:

This part of the Conservation Area is characterised by large Victorian dwellings and detached dwellings built in the latter half 20th Century. The more recent dwellings infill the large plots in which the Victorian mansions formerly sat. The dwellings on the northern side of Church Road, on Sharland

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Close and Church Avenue vary in character and type. Mature trees and random stonework walling line Stoke Hill and Church Road.

The impact of the proposed dwelling upon the Conservation Area would be limited by situating the lower two floors of the building into the slope on the site. This would ensure that only the top floor, which measure 3 metres in height by 8 metres wide, would be visible from Church Road. Timber cladding would further reduce the visual impact of the dwelling upon the setting of the Conservation Area.

In conclusion, it is considered that the scheme has given careful consideration to heritage assets subject to this application by conserving and enhancing the listed building and its setting.

As such, the proposals are considered to accord with Policy BCS22, Policy DM31 and Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(C) **WOULD THE PROPOSED DEVELOPMENT CAUSE ANY UNACCEPTABLE HARM TO RESIDENTIAL AMENITY?**

Policy BCS21 states that new development should safeguard the amenity of existing development.

The proposed development would be set into the existing slope of the land, and with only 3 metres of the building extending above the ground level at Church Road. It is considered that the proposed development would be set sufficiently far from adjoining occupiers so as to not cause harm to residential amenity through overshadowing or by being overbearing in its nature.

The daylight and sunlight study (Right of Light Consulting, 2017) sets out that all neighbouring windows pass the BRE daylight and sunlight tests.

A number of large floor to ceiling windows are proposed within the new dwelling, however these would all be rear facing and subsequently would not directly face any habitable windows of adjoining occupiers.

The proposed situation of the roof terrace below the height of the conservatory at St. Mary's and only slightly above the existing ground level would limit overlooking. The proposed terrace would be set back from the rear of St. Mary's and Woodlands to further limit overlooking. The new trees along the boundary would ensure that there would be no overlooking to or from the proposed roof terrace.

In conclusion, the proposed development is acceptable in terms of its impact on residential amenity.

(D) **IS THE IMPACT OF THE PROPOSED DEVELOPMENT UPON TRANSPORT AND HIGHWAYS ACCEPTABLE?**

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

Policy DM23 of the Site Allocations and Development Management Policies outlines that development should not give rise to unacceptable traffic conditions and will be expected to provide safe and adequate access onto the highway network.

The application proposes to share the existing access onto Woodlands from Church Road. Two external car parking spaces are proposed in the south east corner of the site. Part of the top floor of the building would be used as a garage.

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Bin storage for the proposed dwelling and the existing Woodlands flats would be situated adjacent to Church Road and incorporated within the proposed landscaping scheme.

Transport Development Management was consulted as part of the assessment of this application. It raised no objection to the proposals, and requested that further details of cycle storage is provided via condition. Further details of the surface treatments for the proposed driveway are to be provided via condition.

It is anticipated that there would be no significant traffic impacts given the sustainable location of the site near public transport on Stoke Hill.

The proposed access arrangements are considered acceptable and there would be sufficient visibility for users, demonstrated by the fact that this access is already in use by Woodlands.

Appendix 2: Parking Standards Schedule of the Site Allocations and Development Management Policies sets out that dwellings with four or more bedrooms can provide up to three parking spaces on site. The proposed development would include three spaces in line with the Standards.

The applicant has demonstrated that paving shall be used throughout the site, including on the proposed driveway. Further details of the paving proposed should be provided via condition to ensure that there is no unacceptable surface water discharge onto the highway.

It is considered that the proposed development is acceptable in terms of impact upon transport and highways, subject to conditions.

(E) WOULD THE PROPOSED DEVELOPMENT RESULT IN ANY UNACCEPTABLE IMPACTS UPON NATURE CONSERVATION?

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.

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."

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

Ecology

The proposed development would include provision of a 'living roof' and a pond. This is supported by the Nature Conservation Officer, who has requested that a condition requiring further detail of the living roof be submitted to the planning authority for approval.

In order to protect nesting birds, the Nature Conservation Officer has requested that any works to remove trees during spring or summer are approved by the planning authority prior to being undertaken.

The proposals would not result in unacceptable impacts upon nature conservation in accordance with Policies BCS9 and DM19.

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The proposed development would result in the removal of 17 trees; six Cherry Laurel, one Holly, two Elder, one Yew, one Goat Willow, one Lawson's Cypress, one Bay Laurel, three Ash and one Cherry.

19 replacement trees are proposed on-site. These would be 13 Silver Birch, one Scots Pine and five Chilean Myrtle. Six further trees would be provided off-site in accordance with the tree compensation standard.

The applicant has provided a detailed landscaping plan setting out the location and type of the proposed trees and locations for protective fencing around existing trees. Tree pit details have also been provided.

The re-provision of trees on site is considered acceptable given that the most established trees on site along the boundary with Church Road would be retained. The landscaping scheme would return a formal layout to the site and would help to enhance the character of the site and the surrounding area. The Conservation Officer set out that the removal of the invasive and non-native species from the site will have "the benefit of better revealing the attractive elevation it presently obscures."

In response to the above information, the Arboriculture Officer supported the provision of high quality trees such as Chilean Myrtle and raised no objections to the proposals. The Officer requested that conditions are attached to any relating to the protection of trees during construction and arboricultural supervision.

In conclusion it is considered that there would not be any unacceptable impacts upon trees and the proposals accord with Policies BCS9, DM17 and DM19.

(F) DOES THE APPLICATION GIVE SUFFICIENT CONSIDERATION TO SUSTAINABLE DESIGN AND CONSTRUCTION?

Policy BCS13 sets out that development should contribute to both mitigating and adapting to climate change, and to meeting targets to reduce carbon dioxide emissions.

Policy BCS14 sets out that development in Bristol should include measures to reduce carbon dioxide emissions from energy use by minimising energy requirements, incorporating renewable energy sources and low-energy carbon sources. Development will be expected to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%.

Policy BCS15 sets out that sustainable design and construction should be integral to new development in Bristol. Consideration of energy efficiency, recycling, flood adaption, material consumption and biodiversity should be included as part of a sustainability or energy statement.

The Energy Statement submitted with the application sets out design measures including a mechanical ventilation heat recovery (MVHR) system and solar photovoltaic panels. The MVHR system is proposed as a consequence of the high levels of insulation which form part of the exemplary design of the building and would ensure that 'fresh' air is provided to the building to improve climate control whilst promoting efficient energy use. These measures would result in a 20% reduction in CO2 emissions and as such the proposed development would accord with Policy BCS14.

A condition should be added to any permission for additional details to be provided demonstrating the specification, location, dimensions and method of fixing of the proposed photovoltaic panels.

It is considered that the proposed development gives sufficient consideration to sustainable design and construction and would accord with Policies BCS13-15 (inclusive).

Development Control Committee B – 14 March 2018**Application No. 17/05145/F: Woodlands Church Road Sneyd Park Bristol BS9 1JT****CONCLUSION**

The proposed development would not cause any unacceptable harm to the designated heritage asset and the design is considered to be exemplary. It is anticipated that there would be no unacceptable impacts upon residential amenity or upon transport and highways. The proposed re-provision of trees is considered acceptable and there would be no unacceptable impacts upon nature conservation. The proposed development would sufficiently reduce CO2 emissions.

RECOMMENDED GRANT subject to condition(s)**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

2. Further details and materials

Detailed drawings at an appropriate scale and sample materials or precedent images 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.

- Cladding / stonework
- External hard surfacing
- Windows and Doors
- Cycle storage

Reason: In the interests of visual amenity and safeguarding the special interest of designated heritage assets.

3. Protection of retained trees during the construction period

No work of any kind shall begin on the site until the galvanized grid system for ground protection and the protective fence(s) have been erected around the retained trees in the position and to the specification detailed in the Gambles Architects drawings:

- Root protection strategy – Plan 026-P-027 (Rev 01)
- Root protection strategy – Sections 026-P-028 (Rev 01)
- Root protection strategy- Sections 026-P-029 (Rev 02) and the Hillside Trees, Arboricultural method statement.
- Tree Protection Plan 171115-LAW-TPP-Rev D-LI&AM&BR.

The Local Planning Authority shall be given not less than two weeks prior written notice by the developer of the commencement of works on the site and that photographic evidence be sent of the erected tree protection in order that the Authority may verify that the approved tree protection measures are in place when the work commences.

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The approved ground protection and fence(s) shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of demolishing or development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Under no circumstances should the tree protection be moved during the period of the development and until all works are completed and all materials and machinery are removed.

Reason: To protect the retained trees from damage during construction and in recognition of the contribution which the retained tree(s) give and will continue to give to the amenity of the area.

4. Arboricultural Supervision

Prior to the commencement of demolition/development a pre-commencement site meeting shall be held and attended by the developer's arboricultural consultant and the designated site foreman and manager to discuss details of the working procedures.

Subsequently the developer's arboricultural consultant must be present to oversee the removal of the hard surfacing within the root protection areas of T1 & T2 and the installation of the 'Green Grid System' as identified within arboricultural report. Following these initial works the project arboriculturist must conduct periodic site visits to ensure tree protection measures are maintained and remain fit for purpose, 2 weekly site visits is advised however this could increase during lower periods of lower intensity site works.

The project arboriculturist must be available during the installation of the contiguous piling in case any major roots are found where remedial works are required.

Copies of written site notes and/or reports detailing the results of site supervision and any necessary remedial works undertaken or required shall be submitted to and approved in writing by the Local Planning Authority. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant immediately following that approval.

Reason: In order that the Local Planning Authority may be satisfied that the trees to be retained on-site and adjacent trees will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice.

5. Protection of nesting birds

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.

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

6. Living Roof

Prior to the commencement of relevant part of the works, further details of the proposed living roof shall be submitted to and be approved in writing by the Local Planning Authority. The detail thereby approved shall be carried out in accordance with that approval.

Reason: To promote the provision of a habitat for wildlife.

7. Photovoltaic panels

Prior to the commencement of the relevant part of the works hereby approved details relating to the photovoltaic panels (including the exact location, specification, dimensions and method of fixing) shall be submitted to and agreed in writing by the Local Planning Authority.

The approved equipment shall be installed and operational prior to the first occupation of the use which they serve and retained as operational thereafter in perpetuity.

Reason: To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions and to ensure that the external appearance of the building is satisfactory.

Pre occupation condition(s)

8. Further details – landscaping plan

No building or use hereby permitted shall be occupied or the use commenced until a detailed landscape and planting plan has been submitted to and approved by the Local Planning Authority. The landscaping and planting shall be completed in accordance with the approved plans.

Reason: In the interests of visual amenity.

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

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

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

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10. 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.

026-P-010 existing site plan, received 15 September 2017
026-P-011 existing sections, received 15 September 2017
026-P-012 existing sections, received 15 September 2017
026-P-013 proposed site plan, received 15 September 2017
026-P-014 proposed roof plan, received 15 September 2017
026-P-015 proposed floor plans, received 15 September 2017
026-P-016 proposed floor plans, received 15 September 2017
026-P-017 proposed floor plans, received 15 September 2017
026-P-018 proposed section, received 15 September 2017
026-P-019 proposed section, received 15 September 2017
026-P-020(1) proposed street elevation, received 15 September 2017
026-P-021(1) proposed elevation, received 15 September 2017
026-P-022(1) proposed elevation, received 15 September 2017
026-P-023(1) proposed elevations, received 15 September 2017
026-P-024 proposed elevations, received 15 September 2017
026-P-025 proposed site plan, received 15 September 2017
026-P-026 proposed level 1 plan, received 15 September 2017
026-P-13 Proposed Landscaping Plan, received 22 December 2017
026-P-30 Tree Planting Details 01, received 22 December 2017
026-P-31 Tree Planting Details 02, received 22 December 2017
Design and access statement, received 15 September 2017
Energy statement, received 15 September 2017
Daylight report, received 15 September 2017
Tree survey, received 15 September 2017

Reason: For the avoidance of doubt.

Supporting Documents

4. Woodlands, Church Road

1. Artists Impression
2. Rear Elevation (Facing South)
3. Street Elevation (Facing North)
4. Proposed Section



General Notes
 DO NOT SCALE. All dimensions must be checked on site, errors are to be reported.

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Contractors must ensure that cross referenced drawings and specifications noted on these drawings are checked on a regular basis to ensure that the latest revisions are used.

- Key:**
1. Triple glazed windows
 2. Glass balustrade
 3. Black steel balustrade and handrail
 4. Timber cladding
 5. Stone piers
 6. Fixed reglit glazing
 7. Steel canopy
 8. Limestone retaining wall
 9. Glazed aluminium framed door
 10. Sawn limestone
 11. Split-faced limestone



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01 Proposed north west elevation
 1:100 @ A3

Scale 1:100 @ A3
 0 1m 2m 4m

Issue Record By Chk Date

03 Planning issue BP AG 15.09.2017

Title
 Proposed elevation

Project
 Church Road

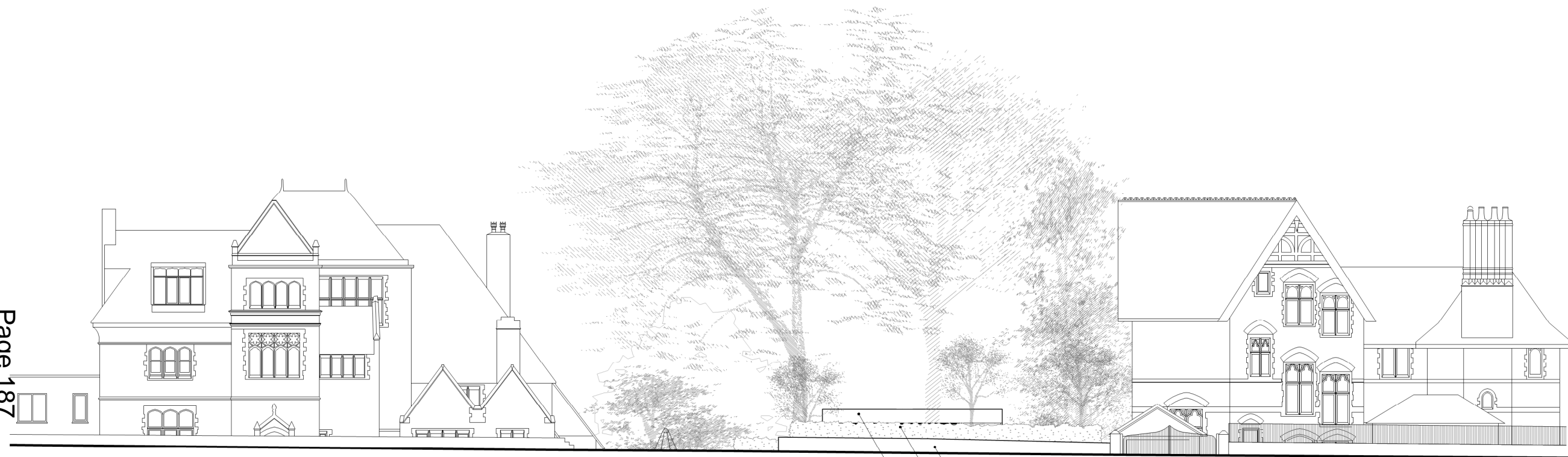
Scale
 1:50 @ A1 1:100 @ A3

Status
 Planning

Drawing Number
026-P-021 Revision
03

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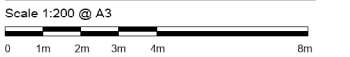
40.00m



01 Proposed street elevation
1:200 @ A3

- Existing stone wall retained
- New planting in front of timber bin store
- Outline of house behind

General Notes
 DO NOT SCALE. All dimensions must be checked on site, errors are to be reported.
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Issue Record	By	Chk	Date
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03 Planning issue BP AG 15.09.2017

Title
Proposed street elevation

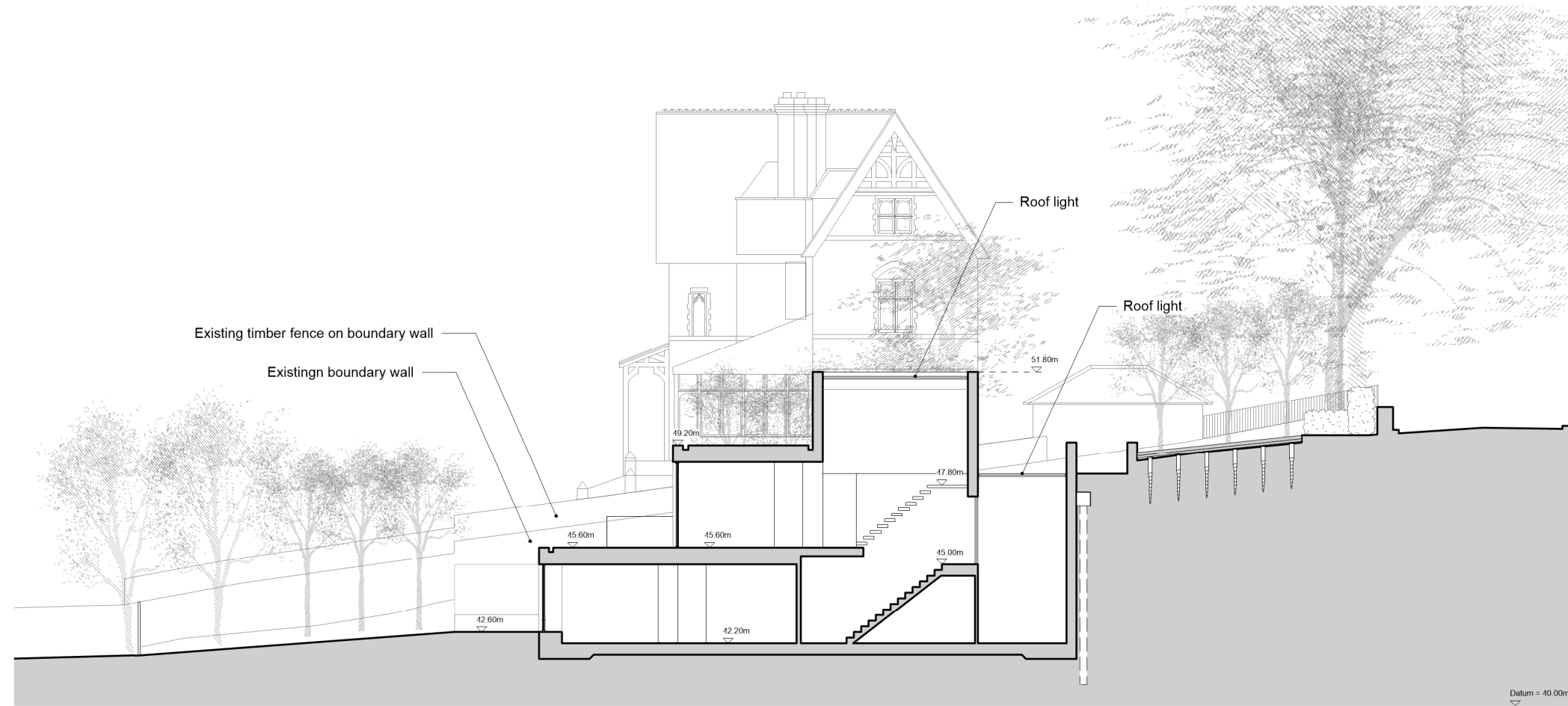
Project
Church Road

Scale
1:100@ A1 1:200@ A3

Status
Planning

Drawing Number Revision
026-P-020 03

GAMBLES ARCHITECTS
 The Orca Building
 1C Colston Yard
 Bristol BS1 5BD
 T: 0117 2800128 / 07974 262927
 www.gamblesarchitects.co.uk



01 Proposed section AA
1:200 @ A3

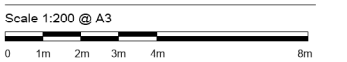


02 Proposed section BB
1:200 @ A3

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Issue Record	By	Chk	Date
03 Planning issue	BP	AG	15.09.2017

Title
Proposed sections

Project
Church Road

Scale
1:100@ A1 1:200@ A3

Status
Planning

Drawing Number Revision
026-P-018 03

GAMBLES ARCHITECTS
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WARD: Central **CONTACT OFFICER:** Lewis Cook
SITE ADDRESS: Land At Temple Circus Bristol

APPLICATION NO: 16/06828/P and 16/06842/LA **Outline Planning and Listed Building Consent (Alter/Extend)**

DETERMINATION DEADLINE: 27 September 2017

Hybrid planning application and Outline application for the redevelopment of the Temple Circus site - part demolition, extension and change of use of the former Grade II Listed George and Railway Hotel, demolition of the Grosvenor, to provide 5,630 sqm (GEA) of creative office space (B1) with ancillary cafe/restaurant uses at ground floor level (A3/A4) and cycle parking. 2) Outline Consent for the refurbishment of the remainder of the site to provide up to 27,200 sqm of new office accommodation (B1), including up to 2,550 sqm of retail uses (A1-A5), public realm and landscaping works as well as site servicing and car parking (Major Application).

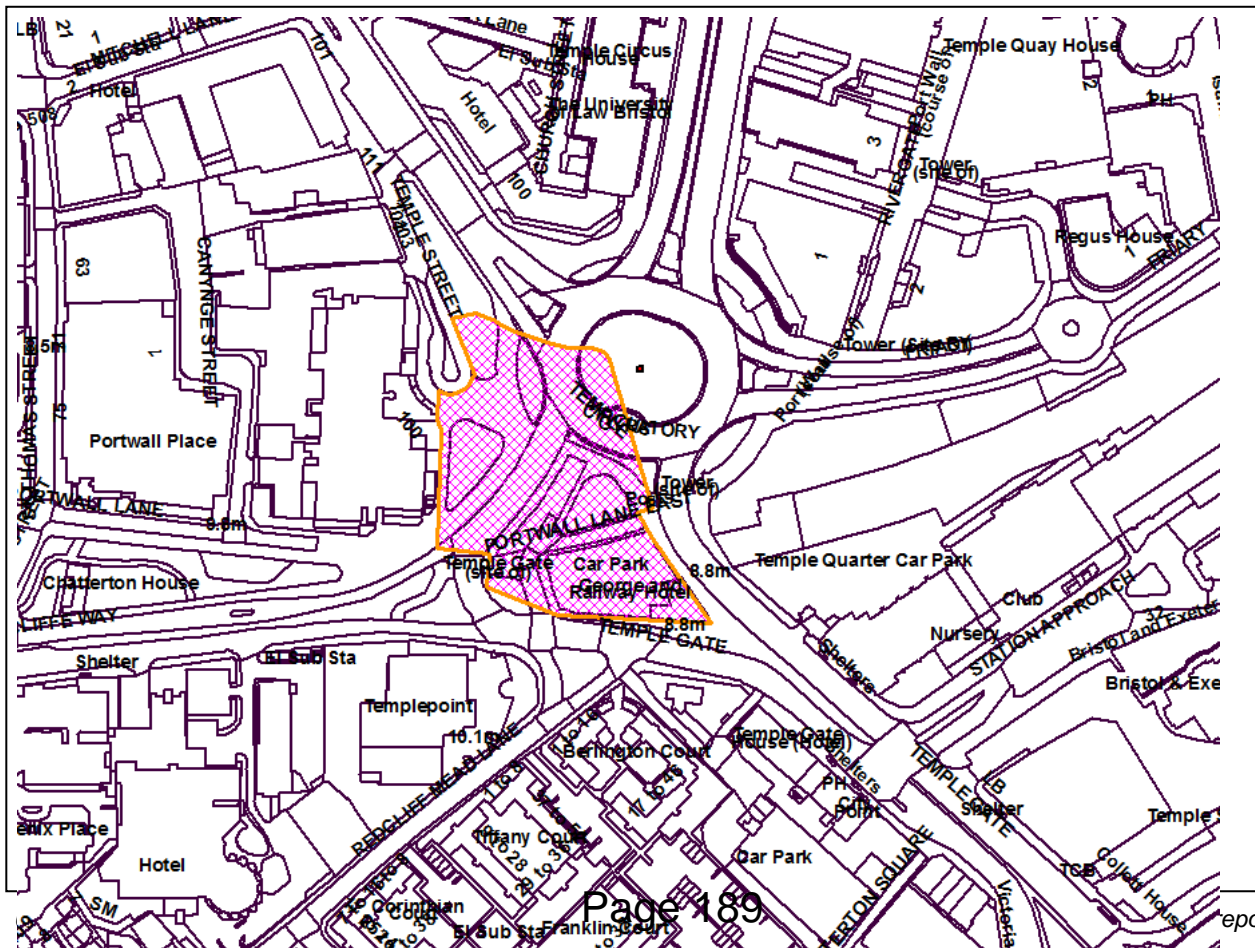
RECOMMENDATION: Grant

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

APPLICANT: SPD Temple Circus Ltd
C/o Agent

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

LOCATION PLAN:



Development Control Committee B – 14 March 2018**Application No. 16/06828/P and 16/06842/LA: Land At Temple Circus Bristol****UPDATE FOLLOWING DC COMMITTEE B – 8th NOVEMBER 2017**

Planning application no. 16/06828/P and 16/06842/LA were reported to committee on 8th November 2018. These applications related to the Grade II listed George and Railway Hotel, the local listed Grosvenor Hotel, and land recovered following the redesign of the Temple Way Gyratory System. The applications themselves included a hybrid application, including full details for the redevelopment of the George and Railway (known as Engine Shed 2), and outline details, include maximum floorspace and height parameters for the northern plot (known as Temple Square). The proposal is for an office based development (totalling over 32,000 square metres of offices), with some other commercial, town centre type uses on the lower levels. For information, the original report is appended below.

Members may recall that the report including objections from Historic England and the Victorian Society, and as a result the Committee were not in a position to resolve to grant permission, without first referring the application to the Secretary of State. As such, the resolution of the Committee was as follows:

That officers be instructed to refer both applications to the Secretary of State with the view that the Committee is minded to support them on the grounds that they feel the benefits of the schemes outweigh the harm with regards to Paragraph 133 of the NPPF. The Committee provided the following reasons in respect of their decision:

- (1) they note Historic England's concerns in respect of Heritage Assets but note that, if the building was left neglected much longer, it could fall down through lack of repair;**
- (2) delivery of Bristol Core Strategy Policy BCS8, by contributing to a sufficient and flexible supply of employment land and promoting the city as a place to invest;**
- (3) delivery of Bristol Core Strategy Policy BCS2, by creation of employment and active ground floor uses in wider mixed use development in the City Centre;**
- (4) delivery of Bristol Central Area Plan Policy BCAP6, by delivering employment space and bridging Temple Quarter with the rest of the City Centre**
- (5) delivery of Bristol Central Area Plan Policy BCAP35, by delivering employment led development, creating an exemplar for new initiatives and a hub for creative minded businesses on the site;**
- (6) the Committee believe that the proposal is a high quality design;**
- (7) there is a need for disabled access provision since the provision of accessible venues for the whole of the population is something that should be the Council's aim, as well as noting that there could be a breach of the Equalities Act;**
- (8) the Committee particularly noted the comments received from the Walking Alliance to ensure sufficient clearance to allow pedestrians and vehicles to interact and recommend that this be addressed by condition;**
- (9) there was no commercial demand for the existing old hotel building at the George and Railway;**
- (10) it was not reasonable to refuse a development to re-use a building which is almost completely beyond repair;**
- (11) the Committee also noted that a report concerning air quality would need to be provided prior to determination of the application.**

Since the original committee resolution, the application has been reported to the Secretary of State, and negotiations have been ongoing with the applicants regarding air quality and the section 106 package. As such, the purpose of this report is to update Members on the ongoing negotiations and to clarify the resolution to allow the City Council to enter into an appropriate legal agreement.

1. Firstly, Members are advised that the applications have now been reported to the Secretary of State, who has confirmed that the application will not be called in for a decision by the Secretary of State. As such, the City Council are now in a position to make a decision on these applications.

Development Control Committee B – 14 March 2018

Application No. 16/06828/P and 16/06842/LA: Land At Temple Circus Bristol

2. With regard to air quality, given outstanding concerns from the Air Quality Officer a further Air Quality Assessment has been undertaken by the applicant, and submitted. This indicates that the original submission included an error in the number of vehicle movements associated with the development, and as such the estimate of additional vehicle movements on Newfoundland Way has been reduced from 1237 to 230. However, the proposal will still be increasing traffic movements along Newfoundland Way and result in a worsening of pollution in this location, when compared to the without development baseline. Given the predicted increase in traffic on Newfoundland Way and the significance of air pollution levels in this location in the National Air Quality Action Plan, the impact of increases in traffic in this location would be considered as significant.

As a result, in order to mitigate the impact the Air Quality Officer has recommended that the following measures are included within the development:

- The applicant should demonstrate that minimum bike parking and maximum car parking standards contained within the TQEZ Sustainable Urban Movement Plan (SUMP) are achieved on the site. Bike parking should be secure and covered on-site parking with associated shower, locker and drying room facilities for employees being provided.
- The Site Allocations and Development Management Policies Local Plan requirement states that for B1 business use: *'For schemes where ten or more car parking spaces are proposed, one electric vehicle charging point should be provided for every five spaces'* must be met by the applicant.
- The development proposal includes travel plans for both sites. The travel plans need to be revised in order to commit to those measures that are suggested as possible options in section 3 of the report in Tables 4, 5, 6, 7 and 8. The applicant will need to demonstrate valid reasons why elements of the Travel Plan are not implemented once the site is operational. The travel plans should also be revised to reference the correct number of bike parking spaces being proposed for the development.

It is noted that the fully detailed element of the proposal does not include any on site car parking (although some element of temporary parking will need to be provided prior to the construction of phase 2 to meet accessibility issues for disabled users). However, whilst the cycle parking provision in this element would meet the Local Plan requirement, it would not meet the higher standards set out in the SUMP. As a result, the applicant has suggested that a further seven stands could be provided within the public realm, providing 14 spaces. Whilst this is still 15 spaces short of the SUMP standards, and officers are reviewing the submission to assess whether any further contribution can be made, it is noted that this phase of the development is likely to come forward first, and in isolation would not lead to a significant detriment to air quality. As such, the shortfall can be further mitigated in the Temple Square part of the development.

Therefore, the above issues will be picked up as part of the details for the Temple Square development secured by the Reserved Matters applications, or by conditions on the outline consent. It is noted that the applicant has agreed to this in principle, and therefore there is no objection to the development on air quality grounds.

3. It is noted that the original report makes reference to financial contributions to secure and monitor a travel plan, and for a car club. As a consequence of further negotiation, it has been concluded that the requirements relating to the car club can better be addressed by condition, and therefore the following contributions have been agreed with the applicant, to be secured by way of section 106 agreement.
 - A financial contribution of £13,500 for the administration of a travel plan.
 - £5,395 fees for a Traffic Regulation Order.

Therefore, in order for Officers to issue a decision in line with the original Committee resolution it is recommended that the resolution is amended as follows:

Development Control Committee B – 14 March 2018

Application No. 16/06828/P and 16/06842/LA: Land At Temple Circus Bristol

APPLICATION NO. 16/06828/P:

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

- i) A financial contribution of £13,500 for the administration of a travel plan**
- ii) £5,395 fees for a Traffic Regulation Order**

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

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

APPLICATION NO. 16/06842/LA:

A) Application to be granted subject to relevant conditions.

The reasons for approval indicated by Members at the previous committee (points 1 to 10 listed above), should be noted as reason for approval for both applications.

Appendix 1**Report to Development Control Committee B – 8 November 2017****Application No. 16/06828/P & 16/06842/LA: Land At Temple Circus Bristol****SUMMARY**

The application site represents an important and significant development opportunity on a central site close to Bristol Temple Meads. The site is partly formed by the Grade II listed George and Railway Hotel and the locally listed Grosvenor Hotel, and partly by land recovered following the redesign of the Temple Way Gyratory (works to which are currently ongoing). This report relates to two applications. The first of which is a hybrid application which includes full details for the redevelopment and extension of the listed George and Railway Hotel, and outline development for the northern plot, including the demolition of the Grosvenor Hotel and the new land created as a result of the highway works (ref. 16/06828/P). The second application is for listed building consent for the work to the George and Railway Hotel (16/06842/LA). The proposed development is for primarily an office based scheme, including commercial uses at ground floor level.

The site is located in the Bristol Temple Quarter Enterprise Zone, and is identified in the Spatial Framework as being a key site for generating the economic benefits associated with the Enterprise Zone. The site is also considered important in respect of delivering improvements to pedestrian and cycle links and to the public realm in what is clearly an important gateway to the city.

Notwithstanding this, the proposals have generated significant levels of objection. With respect to public comments on the application, the primary concerns relate to the proposed demolition of the locally listed Grosvenor Hotel. However, there is also a level of concern regarding the works to the listed building, and this includes an objection from Historic England.

In accordance with the relevant legislation, the Local Planning Authority are required to give 'considerable importance and weight' to the level of harm to heritage assets. Whilst officers are mindful of the level of benefits that the development will deliver, it is not considered that these benefits will outweigh the level of harm that has been identified by Historic England and the Council's Conservation Officer. As a result, the proposals are recommended for refusal.

SITE DESCRIPTION

The application site occupies a prominent position in Bristol City Centre, approximately 300m to the west of Bristol Temple Meads railway station. The site is bound by Temple Gate to the east, the Temple Circus Gyratory to the north and Redcliffe Way to the west and south. It covers 0.65 hectares and includes two buildings, both of which are currently vacant, and in a general poor state of repair. These are the George and Railway Hotel, a grade II listed former public house and hotel, and the former Grosvenor Hotel, which is not subject to any statutory protection, but is included on the Local List. The land to the north of this is essentially made up of highway land provided as part of the Temple Way gyratory. The City Council, as highway authority, are in the process of revising the layout of the Temple Way gyratory, which will release a significant area of land for development, and the northern element of the development will occupy this part of the site. Finally, there is a small element of highway land which sits between the George and Railway and the Grosvenor, which is currently used as car parking.

The application site is located within the Bristol Temple Quarter Enterprise Zone, and is thus identified in the Enterprise Zone Spatial Framework as a development opportunity, for a mixture of commercial office and business incubator space. It is also noted that the site forms a major transport node, particularly for pedestrians and cyclists, and the Spatial Framework indicates provision of a new public square, acting as a link between the main railway station and the City Centre.

The context of the site is largely commercial, which includes the Council's offices at 100 Temple Street, as well as a number of other office developments facing on to the Temple Circus gyratory. To the south of the site is the grade I listed Bristol Temple Meads Station Complex. The Station Complex

Appendix 1**Report to Development Control Committee B – 8 November 2017****Application No. 16/06828/P & 16/06842/LA: Land At Temple Circus Bristol**

currently also houses the Engine Shed, a business hub providing for flexible office space primarily aimed at business start-ups. Other uses in the area include hotels, and a small proportion of medium density residential development. The predominant building height in the area is 5 to 8 storeys, although there is an extant planning permission for a 9 storey office development neighbouring the site.

The site is within the Air Quality Management Area, and is also located with Flood Zone 2, as identified by the Environment Agency.

RELEVANT HISTORY

It is clear that both the Grosvenor and the George and Railway have been vacant for a number of years, and during that time there have been numerous attempts to redevelop the site. Most recently this includes the following planning permission:

09/03587/F: Demolition of The Grosvenor Hotel, Redundant Railway Viaduct, Arches and Vacant Taxi Office; Renovation and Change of Use of George and Railway Hotel to Cafe/Bar Uses (A3/A4) at Ground Level with Offices (B1) above; Creation of 6 storey Office (B1) Building and 26 basement car parking spaces and 6 Storey Mixed-Use Building containing Cafe/Bar (A3/A4) Use within Part of the Ground Floor, Offices (B1) above and Basement Parking for 22 cars, associated motorbike and cycle parking and works to enhance the Public Realm. (as revised on 7.1.10).

This application was also accompanied by a listed building application ref. 09/03585/LA, and was approved on 29th September 2010. This permission has never been implemented, and has since expired.

Prior to this, other unsuccessful applications for predominant office development of the site were made in 2008 and 2001. It is also noted that there have been a number of other applications at the site for smaller scale development, including for various adverts across the site. There is also a current application for the change of use of the ground floor and basement of the Grosvenor hotel to A1, A3 and A5 uses, under ref. 16/06157/F, which is pending consideration.

Finally, it is noted that a request for an EIA screening was made under reference 16/03357/SCR, where it was concluded that an Environmental Statement was not required for the current development. The decision was issued on 1st August 2016.

APPLICATION

This report refers to two applications, a hybrid application (part fully details and part outline) and a linked listed building application for redevelopment of the site for office development. With regards to the hybrid application, the fully detailed element relates to the works to the south of the Brunel Mile, which bisects the site, and relates to the works to convert and extend the listed George and Railway. The outline element of the scheme relates to the land to the north of the Brunel Mile, and seeks approval of access and maximum scale, with issues of appearance, siting and landscaping reserved for later consideration. This is on land essentially created by the rearrangement of the road layout in the area.

With regard to the outline element of the proposal the application has been submitted based on Masterplanning principles, to ensure that the elements of the scheme fit together. The outline element is designed to deliver 250,350 square foot (27,200 square metres) of office space, to be provided over three interconnected blocks. This element would see the demolition of the Grosvenor Hotel, and also provide for a new public square, in a roughly triangular format, sitting between the office buildings and

Appendix 1**Report to Development Control Committee B – 8 November 2017****Application No. 16/06828/P & 16/06842/LA: Land At Temple Circus Bristol**

100 Temple Street. This would also service as the service access for the development, via the existing service road which runs up to Victoria Street. The three proposed building elements would have a joint basement level, which would provide the main servicing area for the development, and the indicative plans also illustrate 42 parking spaces to be provided on this area. The illustrative plans also indicate these elements being linked at ground floor and first floor, with the public plazas, with retail type uses on these floors. Up to 2,550 square metres of A1-A5 uses are proposed over these floors. Above this the proposals would be more obviously split into three elements, with the plans showing these elements as being six, seven and eight storeys high. It is noted that this is a reduction from a maximum of 12 storeys in the original submission.

The fully detailed element of the proposal is designed to provide 5,630 square metres of flexible office space, partly within the existing George and Railway, and partly within a large extension to this building. This is designed with an extension to the facilities within the existing Engine Shed uses in mind (referred to as Engine Shed 2). The approach to the retention of the listed building is to demolish much of the interior of the George and Railway Hotel excepting the external walls and limited internal structural walls around the staircase (the latter removed). The exterior of the Grade II Listed building will be restored and a new facsimile roof created. The shell of the building will receive a new steel frame to support internal concrete floors and the new roof structure. This would be linked to a six storey (plus plant) extension by a two storey element, designed to provide a visual break between the extension and the original building. The lower two storeys of the building also have a different design approach, in deference to the listed building, with the upper storeys appearing as distinct glass and polycarbonate box. The lower floors are designed to have a more industrial character. These works are also covered by the linked listed building application.

The main access to the building would be from a regraded Brunel Mile which bisects the site. In order to provide level access to the building it is proposed to raise a short distance of the Brunel Mile at the point of the pedestrian access. It is not proposed to provide any car parking for this part of the development, with the servicing via the vehicle access referred to above, and across the public square.

PRE APPLICATION COMMUNITY INVOLVEMENT

The planning statement submitted with the application includes a Statement of Community Involvement, which highlights the following process:

i) Process

The principle means of pre-application public consultation on this development was through a public exhibition held on 30th November 2016. The event was advertised through a leaflet drop to over 1,000 addresses in the local area. The consultation material was also made available to Members at a later event in December. It is estimated that around 60 people attended the event, although only 13 were recorded on the attendance sheet provided. Opportunities were provided for attendees to provide feedback, and it is reported that 6 Feedback forms were submitted.

In addition to the public exhibition it is also reported that prior to the submission the developers sought feedback from Bristol Urban Design Forum, Historic England, the Environment Agency, The Engine Shed, Bristol City Council Major Projects Team, as well as a formal Pre-application being submitted to the Planning Section.

ii) Fundamental Outcomes

It is reported that the feedback forms submitted following the public exhibition all expressed support for the scheme, with the following highlighted as the key priorities for the site:

Appendix 1**Report to Development Control Committee B – 8 November 2017****Application No. 16/06828/P & 16/06842/LA: Land At Temple Circus Bristol**

- The redevelopment of the site which is an eyesore – being able to show the city region off as a dynamic centre of commerce/new technology;
- Approach to the public realm and pedestrian movement;
- Balanced approach to old and new in terms of design;
- The creation of more affordable office space.

As a result of the pre-application feedback the following amendments to the scheme have been made:

- Further work has been carried out to assess the feasibility of retaining more of the fabric of the George and Railway;
- A number of design changes to Engine Shed 2 have occurred to deliver active frontages and to ensure that the new build element would sit comfortably alongside the historic fabric;
- The building mass on the northern plot was rotated to continue views looking SE along Victoria Street, and to maximise pedestrian movements, ‘indoor’ public realm and active frontages;
- The site access has been moved from the south of the site to the north of the site (during the course of the application the access has been moved further to make use of the existing access to the site);
- The landscape and public realm strategy has been updated to take account of the BUDF comments regarding the creation of spaces which encourage ‘dwell time’;
- Further justification has been provided for the demolition of the Grosvenor.

The response to this from the Neighbourhood Planning Network is that ‘For such a large and significant site, the community involvement carried out by the applicant has been particularly poor. There has been no attempt to follow the BCC Guidelines.’

EQUALITIES ASSESSMENT

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

RESPONSE TO PUBLICITY AND CONSULTATION

The application was advertised by site notice, by advertisement in a local newspaper and by writing to 349 neighbouring properties. Following the receipt of amended plans the neighbours and contributors to the original submission were reconsulted. As a result of the consultation 76 representations were received in relation to the hybrid application, with a further 6 being submitted in relation to the listed building application. In large part these cover the same issues, and therefore are listed in their entirety here:

Of the consultation responses a total of four are in support of the application. These raise the following issues:

- The proposal will contribute to the economic growth of the area;
- The site has become an eyesore, being vacant for 20 years, and the proposal will positively showcase the city;
- The proposal will be to the benefit of traffic flow in the area;

Appendix 1

Report to Development Control Committee B – 8 November 2017

Application No. 16/06828/P & 16/06842/LA: Land At Temple Circus Bristol

- The proposal is appropriate for the Enterprise Zone.

A total of 78 objections have been received and are on the following grounds:

Principle of Use (see key issue A):

- There is substantial empty office space in the area, and there is no need for anymore;
- There are a number of empty retail units in this area;
- The proposal is unsuitable.

Impact on heritage assets (see key issue B):

- The proposal would be harmful to the setting of the Grade I listed Temple Meads Station complex;
- The proposal would dominate the retained listed building;
- The former Grosvenor Hotel should be retained;
- The replacement development is not of the same quality, and is characterless.

Highways Issues (see key issues F):

- The proposal will exacerbate transport issues around Temple Meads;
- Servicing of the site from a basement below the Grosvenor is not supported by the owner of the Grosvenor.

Other Issues:

- The pre-application public consultation was inadequate as it did not include local groups such as TRESA (Officer Comment: These concerns are noted, but are not a determining factor on the application).

For clarity, all of the objections received raise concerns about the loss of heritage assets. These are variously listed just as historic buildings, specifically as the Grosvenor, or as listed buildings. For the purposes of these comments this has been taken as referring to the Grosvenor hotel, although it should be noted that the does not benefit from national listing (albeit it is on the local list).

An objection has been received from the **Conservation Advisory Panel** on the following grounds:

The Panel is disappointed with the quality and design of this scheme. The historic research undertaken for this application is poor. The Panel suggests that further research should be undertaken particularly regarding the site of the former Augustine Friary. It must be noted that the Grosvenor Hotel is on the Local List and is worthy of retention. Insufficient consideration has been given to the prominence, location and existence of the buildings on the island site in the centre of the Temple Circus road system. Very few Victorian and early C20 buildings associated with the former railway function of the wider area remain and therefore these buildings should be retained and celebrated in situ.

It is not considered that the location of a 14 storey building is suitable in relation to the context of the Grade I listed Temple Meads.

The Panel considers the adverse impact of this scheme will cause significant harm to surrounding heritage assets. The advice contained within the NPPF paras 128, 129, 132, 135 and 141 must be taken into account in the determination of this application in conjunction with the relevant suite of Local Plan policies.

Appendix 1**Report to Development Control Committee B – 8 November 2017****Application No. 16/06828/P & 16/06842/LA: Land At Temple Circus Bristol**

Separate comments have been received from **Bristol Civic Society** on the fully detailed element of the proposal and the outline scheme – objecting in both counts (although it is noted that these comments relate to the original submission).

In relation to the conversion and extension of the listed buildings the summarised comments are as follows:

The area around Temple Meads Station has long been a widespread concern. The architectural setting of the Station Approach gives the first-time visitor leaving the station a poor impression of the city. The area cries out for imaginative redevelopment and architecture that is informed by the surviving architectural context. The Society strongly supports the site's redevelopment but regrets that it cannot support the proposed, seven-floor equivalent, height of Engine Shed 2. The Society's primary concern is the impact of the development on the setting of the Grade 1 listed Temple Meads Old Station (the Old Station), a nationally important group of buildings, and the Grade II listed George and Railway Hotel (the Hotel). Whilst the Society welcomes the inclusion of the Hotel we are distressed at the way the Hotel will be overshadowed by Engine Shed 2. The mass of new building would render the context for the listed building meaningless. The retained Hotel would be reduced to a nominal gesture to the historic context. The Hotel would appear as an afterthought next to the mass of the new building. Similarly, the relationship between the proposed building and the Grade I listed Old Station would be out of scale. The massing of Engine Shed 2 would dominate the south side of the junction of the Temple Gate highway scheme and the setting of the Old Station. The Society supports an innovative architectural approach to the new development. The design of the glass cube attracted compliments.

With regards to the outline Masterplan for the northern element the comments are as follows:

The Society welcomed the Council's plan to realign the road junction to release land for development. It is encouraged to see proposals to bring forward this outstanding development opportunity made possible by the Temple Gate highway scheme. This is a major site in the Enterprise Zone. If this development succeeds it should encourage further investment to develop other sites that would transform the appearance and business activity in the Zone.

The Society regrets that it cannot support this ambitious scheme whose height and mass substantially conflicts with current planning policy. The proposed building mass maximises the development potential of the site without considering the local context. This approach contrasts unfavourably with the careful analysis of the local character and context set out in the Council's planning advice. The planning guidance seeks to achieve an integrated planning approach to deliver a vision for the area. A scheme that responds to the Council's extensive planning advice is required to achieve a successful development. The Society is not encouraged by the proposal to demolish the Grosvenor Hotel; a building locally listed for its architectural and artistic merit.

The Society suggests an alternative development philosophy. A closer grain scheme of buildings with a larger footprint, with lower heights and a redistributed public space could achieve the same or greater lettable space, an improved sense of place and be policy compliant.

Comments have been received from the South West Transport Network objecting to the loss of the Grosvenor Hotel. This also states that additional attention is required for bus shelter adjacent to the site, and quality Urban Design required for development close to Bristol Temple Meads.

The proposal was also presented to the **Bristol Urban Design Forum** during the course of the application. It is noted that the proposal had previously been discussed at the forum at pre-application stage, and the panel expressed disappointment that more of the issues that were raised at the time have not been addressed as part of the application, although it is noted that the extension to the George and Railway has been reduced in height, and the design has recognised the importance of

Appendix 1**Report to Development Control Committee B – 8 November 2017****Application No. 16/06828/P & 16/06842/LA: Land At Temple Circus Bristol**

the line of Victoria Street in its relationship with Temple Meads and the axis to Bristol Bridge.

With regard to the southern element of the scheme, the panel recognised that it was appropriate to create a building that exemplifies the reputation for Bristol in environmentalism, growth, enterprise and tech, and as such the Victorian building morphing into a high tech workplace is appropriate. The panel therefore supported the aesthetic approach, and considered that the Grosvenor Hotel was of insufficient architectural or historic merit to justify its retention.

However, the panel had reservations about the large blank panel of polycarbonate facing Redcliffe Way, which is in danger of being perceived more as hoarding than a high-quality finish.

With regards to the outline proposals, the panel had difficulty judging such a large and transformational scheme without more detail, and were not convinced that the blocks presented had been resolved enough to justify being finalised in their current form. The proposal is a significant departure from the Spatial Framework, and therefore a careful analysis of the impacts of the additional heights should be undertaken to justify such a departure from the policy. Concerns have been raised about tree loss, and emphasise the need to minimise tree loss and make as much space as possible for trees in the new scheme.

Whilst re-establishing Victoria Street as an open-air street at ground level would be beneficial, the panel were not convinced that the upper level concourse would be – it is difficult to think of a successful precedent in the UK.

The **Bristol Walking Alliance** have made the following comments regarding the proposal:

- There should be sufficient clearance between the buildings and the cycle path on Brunel Mile such that people entering and exiting the buildings do not interfere with clear passage. A width of at least 2.5 metres for pedestrians should be maintained;
- The primary north-south pedestrian route should be at least 3m wide;
- There should be a continuous level pavement whether the primary pedestrian route crosses the vehicle entrance to the car park;
- The highway at the Victoria Street/Temple Street junction should be raised to give a wide level crossing with pedestrian priority;
- It is not clear what provision is being made for access to the first floor retail area for those that cannot make stairs;
- At the southern end of Temple Street there should be barriers to stop vehicles diving south onto the public realm.

OTHER COMMENTS

The **Council's Conservation Team** have commented as follows:

Both the George and Railway Hotel, and the Grosvenor Hotel are identified as heritage assets, are protected under planning policy, and require sensitive integration within the proposals. Consistent with our pre-app response we are concerned by the proposal to façade the George and Railway Hotel, and require a conservation-led approach to retention of fabric and planform. Following a site inspection there's considered to be insufficient grounds to warrant partial demolition or the substantial harm this would cause to the building's special interest. Furthermore we restate that there is no support for the demolition of the Locally Listed Grosvenor Hotel.

We do not consider the current application demonstrates confirmation with Policy DM31. We would request an appraisal of the survival and significance of internal fabric and features is submitted in support of this application and justification made for the significant impact and harm the proposals

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may represent.

Whilst the applicant has sought to achieve BCO guidance for new office development this is not a national requirement. We do not consider that this should be achieved at the expense of any of the heritage assets and their loss is not justified. We do not support the proposal to demolish a Locally Listed structure without confidence that what might replace it is of an equal or better quality.

Inclusion on the Local List means its [conservation](#) as a heritage asset is an objective of the [NPPF](#) and a material consideration when determining the outcome of a planning application. Paragraph 135 of the NPPF states: *“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”* We would not support the substantial harm caused by the complete demolition of this asset.

Proposals seek consent for the removal of the interior of the Grade II Listed George & Railway hotel. Whilst it is recognised that the external elevations are the highest significance elements of this building we believe that the existing fabric, planform and spaces all strongly contribute to its special interest. Specific to this is the location of the original staircase, the Ballroom with its ornate plasterwork, and the unusual shaped room at the leading corner of the building at first floor level. We would consider retention and restoration of these elements to be an essential minimum in any supportable scheme. There remains an opportunity to retain further elements of the internal fabric and ornamental features that are integral to the overall interest and significance of the asset. This can be achieved at the same time as delivering this new use for the building.

Following a site inspection, feedback from Historic England structural engineers, and the submission of further information there remains insufficient justification for the complete loss of this fabric within the new development. The applicant has been wedded to compliance with BCO guidance for modern office floor loadings without serious compromise to ensure the conservation of the building's special interest. A less harmful proposal for sensitive repair and restoration has not been considered, and there's been no demonstration that this would prove unfeasible or unviable.

Whilst the replacement of lost chimney or rooftop features in facsimile is welcomed as a way of increasing the presence of the historic building alongside the new build elements, this cannot be used as mitigation against significant harm posed to authentic and original fabric that form part of the special interest of the building. Whilst there is public benefit in bringing a building on the At-Risk register back into use it is a disproportionate response to seek demolition of the majority of that building.

We would support innovative adaptation of the existing building and fabric of both the George & Railway, and Grosvenor Hotels within future development of the site. We strongly recommend that proposals act to protect and enhance local distinctiveness and respond responsibly to the existing built form and scale of these assets.

The proposed demolition of the Grosvenor Hotel and large portions of the George and Railway Hotel represent “substantial harm” to these assets through loss of fabric, integrity, and special interest. Although not Listed the Grosvenor is a close partner to the George and Railway in both date and function. As such the Grosvenor is an essential component to the setting of the George and Railway, and, by association, the Grade I Listed Temple Meads station they both served.

The site's historic significance extends further than the designated assets above ground. The site of the former Temple Gate, alignment of pre-medieval Temple Street, the city wall defined as modern Portwall Lane, and the major C19th civic work of Victoria Street all have special significance in defining the parameters of the site. These interrelated features all contribute in a tangible way to local

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distinctiveness and legibility of this part of the city; they create an historic framework into which the proposed development should sit within and respond to. The current scheme fails to respond in a positive way to this context nor does it seek to better reveal the significance of these features.

The alignment of Victoria Street is a significant element in the setting of Temple Meads Station. The street was laid out purposefully to make a direct connection between Bristol Bridge and the station; its significance celebrated by christening of the street after the reigning monarch, and the setting-up of her statue at its beginning. The loss of the alignment of Victoria Street both damages the setting of the station and George and Railway Hotel, but also harms the umbilical relationship between the historic station and ancient core of the city it served.

Revised design proposals have been submitted that seek to reduce the massing, scale, and profile of the outline proposed offices. The impact of these upon key views has reduced the negative impact on the setting of St Mary Redcliffe church, and on the Conservation Areas. The degree of harm posed on those assets is considered to be low to moderate degree of unsubstantial harm.

The **Urban Design Team** have commented as follows:

Essentially the principle and general scale of the new building element is accepted in urban design terms. With regard to its overall concept and design, however there still remain some reservations related to the material specification, particularly on the south facing façade and related to the stair and service core. As suggested previously a more expressive design on this elevation would add a higher degree of visual interest and provide an improved backdrop to the Listed Building. An additional point that has arisen within the latest drawings is the scale of the rooftop plant which appears effectively as an additional storey. I am not sure if this is suggested as a zone within which the rooftop plant will be contained or as a detailed response, and it would be useful to clarify with the objective of ensuring that the rooftop plant is not overly, obtrusive particularly in longer views from the south. The new view from the East (view 1) also suggests that scale and detail of the roof top plant should be further scrutinised with the aim of reducing its bulk.

The conservation issues with regard to the George and Railway are included in the conservation note. I fully agree that the historic interior of the building should be retained and reflected in the final scheme.

With regard to the phase II outline part of the application. The revised LVIA suggests that the scale of the buildings proposed is more in keeping with the scale of the city centre generally. In saying that, the view from the station is the least satisfactory, and from this raised position the relationship with St Mary Redcliffe looks compromised. It is notable that there is no view from the Friary, which is from a lower vantage point and is likely to not be a favourable view of the development within its wider context and the setting of the Church. Notwithstanding this the building envelope presented as a uniform grey box is not the best way to appreciate the impact of any development on the site, and I am confident that a sensitive design of buildings within this envelope should be able to be achieved with a design that visually helps to contain the scale of the buildings and provides a finer grain of architecture. As part of this the retention of the Grovenor Hotel, certainly the original elevations, would help, and I agree with the conservation comments that the building should be retained and integrated within the development scheme. The footprint of the scheme and the response to the line of Victoria Street is also not entirely convincing at this stage raising a question about usefulness of showing this level of design development on such a prominent city centre site.

The associated public realm associated with the Phase Two (outline application) is also underplayed within this application. The aspiration to deliver a high quality public space associated with the development is not put forward, and as such the importance of this as a requirement should be reiterated and made explicit within any advice related to the follow up reserved matters application.

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The **Victorian Society** have commented as follows:

The need to redevelop this area should not be to the detriment of various designated and non-designated heritage assets, which would erode Bristol's distinctive local character. Temple Circus is an important gateway to the City. Beside the station complex it is an area devoid of any historic buildings. The grade II listed George and Railway Hotel and the locally listed Grosvenor Hotel that are subject to this application, as railway hotels, are exactly the sort of Victorian commercial buildings you would expect to find in this location. Both buildings would make a strong contribution to the streetscape, and it is therefore disappointing and short sighted that the redevelopment proposes to demolish one, and significant compromise the integrity of the other.

The Grosvenor Hotel has a very good quality façade and potentially an interior of some interest – the applicant has not supplied this information. It is by the architect Samuel Charles Fripp, whose other buildings include the Grade II* Bristol and Exeter Building at Temple Meads, and the Grade II* Church of St Peter, Bishopsworth. The Grosvenor fully merits its locally listed status, and it could be a borderline case for national listing. It is also interesting to consider the degree to which Fripp was responsible for the character of the area, given that he planned the new Victoria Street, and it would be pertinent for the only surviving building on the street, or possibly the only one that he designed, to be allowed to remain. It has great townscape value and adds much to the area's character – it is indispensable to the understanding of its historic development. We object to its loss.

The previous permission to demolish the Grosvenor Hotel has expired and was for an entirely different scheme. It is therefore not considered relevant to the current proposals, given that the building has since been locally listed. Historic England's guidance in local listing states that '*local listing can be a legitimate response to the threat of demolition*' and that '*the fact that a building or site is on a local list means that its conservation as a heritage asset is an objective of the NPPF and a material consideration when determining the outcome of a planning application*'.

With regard to the George and Railway the deteriorated condition of this building is noted, though it is suggested that this cause for the demolition of the majority of the building. It is a façade retention scheme with giant new floor plates to the office replacing the original floor levels. Such a significant loss of fabric and plan form should be considered to be substantial harm, and would need to be strongly justified. It is not an appropriate way to treat a listed building and the Society objects to this element of the proposal.

Bristol Temple Meads Station represents an outstanding group of railway buildings, each in fact deriving from what were three separate stations for different railway companies. Brunel's Great Western Railway is of course the most notable and is of immense historic importance. Brunel's surviving station building is described as '*easily the most complete survivor of the early provincial termini, and an exceptionally important one*'. The aforementioned railway hotels are very much part of the station's wider historic setting and their loss would arguably result in harm to the two grade I listed buildings.

Furthermore, we have reservations about the appropriateness of monolithic 6-12 storey buildings in the setting of these highly designated heritage assets. They are of a scale completely alien to the latter, and therefore would erode whatever sense of their historic context that remains.

The application sites are large and offer flexibility; a more interesting scheme might make the most of more evenly distributed buildings around a reinstated Victoria Street and Temple Street as the public and pedestrian highways. There is no better way to embed and integrate a new development in a historically sensitive area by rediscovering and adhering to medieval street patterns and Victorian town planning, which these respectively represent.

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Historic England have commented on the application as follows:

Whilst we recognise the benefits of bringing this important site back into active use, we are unable to support the current proposals. Based on the information submitted, the demolition of all but the facade of the Grade II George & Railway Hotel would cause substantial harm to the listed building and is contrary to both the *Planning (Listed Buildings and Conservation Areas) Act 1990* and to the *National Planning Policy Framework 2012*. The building would appear to be capable of retention and re-use, which would enhance the character of the *Temple Quarter Enterprise Zone* and provide a distinctive approach to the City from Bristol Temple Meads Station. We are concerned with the scale and detailed design of the new element next to the George & Railway, as well as the scale and outline nature of the proposals to the north of the site. The impact on the settings of the listed assets in the area, e.g. the Grade I Temple Meads Station and the Grade I St Mary Redcliffe Church, is also of concern.

We recognise the important strategic aims of the Enterprise Zone, and hope that a suitable, high-quality scheme can be brought forward; one which enhances the historic environment and meets everyone's aspirations for the area. Should the scheme be amended to retain the George & Railway, we would be happy to offer advice on the structural interventions required, in order to bring forward a scheme which we can support. However, given the impacts of the current proposals we object to the proposals on heritage grounds.

The site contains the Grade II listed George & Railway Hotel and the Locally Listed Grosvenor Hotel. It is also close to the boundary of the Redcliffe Conservation Area, and within the setting of the Grade I listed buildings at Temple Meads Railway station. The taller element of the proposals can also be seen in longer distance views, e.g. from Prince Street Bridge and proposals can potentially impact on the setting of the Grade I listed St Mary Redcliffe Church, and other designated and undesignated heritage assets.

Significance

The George & Railway is a prominent building when approaching Bristol from Temple Meads Station and along Bath Road. As the name suggests, the George & Railway Hotel was built as a hotel adjacent to the railway station. In that context it has aesthetic and historic value, and a degree of communal value. This is derived both from its external exuberant architectural expression and form (rendered detailing, statue of Queen Victoria, numerous dormer windows, etc.) and its internal features (spatial arrangement/plan-form, grand-staircase, remnants of plasterwork/skirtings/etc.).

Along with the adjacent Grosvenor Hotel, it therefore has a functional relationship with, and contributes to the setting of, the adjacent Grade I Temple Meads Station. Whilst the wider setting of the Station is varied, at 12 storeys (as originally submitted), these proposals would be taller than other buildings in the vicinity.

The site is an important “gateway”, at the confluence of Victoria Street, Temple Way Redcliffe Way and the Brunel Mile. Thus any proposal will have a significant impact on peoples’ approach to, and experience of, the setting Temple Meads Station. As noted previously, a proposal of this scale will be seen in the backdrop St Mary Redcliffe, whose setting is defined by lower scale buildings, adding to the prominence of its spectacular spire.

Impact

The reduction in height of the outline element reduces the impact of the proposals on the setting of the Grade I listed St Mary Redcliffe Church, when seen from the west. However, this element remains a potentially bulky addition in key views, such as those from Temple Meads/Friary and along Temple Gate and Victoria Street, impacting on the setting of Temple Meads Station. The proposals still

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envisage the loss of the Locally Listed Grosvenor Hotel, contrary to the Council's own policy and guidance.

The changes to the proposals to the Grade II listed George & Railway Hotel are relatively minor and **do not** address the significant concerns raised in any meaningful way. The retention of two internal walls does little to reduce the level of harm to the significance of the nationally important Grade II listed building. It is still proposed to retain only the facades of the building, removing all internal walls/partitions (now with the exception of two walls), floors, roof structure, staircase, etc. and replace them with a new internal, independent structure.

The applicant has presented no clear and convincing information to indicate that alternative less harmful approaches, to address the structural condition of the building, are not possible; nor have they sought to engage with us on exploring other options which would have a lesser impact on the significance of the listed building.

Despite its current condition the existing listed building is capable of reuse. The stated aim of reaching BCO floor loading of 3.5kN/m², assumes a 1kN/m² load for the addition of partitions in excess of the 2.5kN/m² recommended in BS EN1991-1-1. However this assumption is not required in the existing cellular plan layout.

Indeed, recent research (such as the *Institute of Structural Engineers'* paper - Conservation compendium Part 7: *Imposed load in historic buildings: assessing what is real* (2015)) typically shows that for cellular offices a floor loading of 1.5kN/m² is more than acceptable. Distribution of heavy loads can be successful planned and ideally located on ground floors.

The applicant has stated that (GVA Statement, dated 12 April 2017. Paragraph 1.16, sub-para. 8.03) "However, without draconian intervention, it is likely that the existing timber floors can only be strengthened to achieve 1.5 to 2.5kN/m² (30 to 50 lb./ft²) depending upon individual spans and weights." i.e. the applicant agrees that the building can be upgraded to reasonable office loadings.

This can be achieved by strengthening or doubling up the joists, and for longer spans (e.g. 7-8m) using engineered joists. We would not object to the re-introduction of walls previously removed on the ground floor to assist in shortening joist spans at upper level or introduction of downstand beams.

We understand from the applicant that the preferred tenant (Engine Shed II) has expressed a desire for some cellular office/meeting spaces, further undermining the case for retaining virtually only the façade of the Grade II building.

The suggestion of possibly introducing office partitions within the open plan offices (at an unspecified later date) to somehow reflect the demolished elements, is meaningless, given that the authenticity and integrity of the internals will already have been destroyed.

The application remains lacking in key information regarding the condition of the building, and as such cannot be regarded as convincing. There needs to be a structural report updating the original *Cameron Taylor* report, especially as the proposals differ from those at the time of that report.

Further ground investigation is required, as the depths of the existing foundations on all sides of the building are not understood, nor are the ground conditions around the building. Without this information the piling options and ground improvement options cannot be outlined, but it seems reasonable to assume that underpinning is a potential solution for existing walls (should existing foundations prove to be inadequate).

We recognise the need for the building to be brought back into use, and the contribution it can make to the success of the Enterprise Zone. We remain willing to work with the applicant and the Council to

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find a solution which achieves that without unjustified harm to the integrity and importance of the historic environment; a key component of sustainable development, as set out in the National Planning Policy Framework.

Historic England objects to the applications on heritage grounds.

The **Economic Development Manager** for the Enterprise Zone has commented as follows:-

Engine Shed 2, as proposed by Skanska in this planning application, will deliver directly 5630 sq m GEA of commercial floorspace. Application of Government guidelines on jobs to floorspace densities suggests this gives capacity to accommodate up to 370 jobs. Business incubation activities will directly support jobs and business growth. The building is expected to be delivered and operational within the next 2-3 years, consequently responding promptly to identified market need. This supports the delivery of policies:

- Bristol Core Strategy Policy BCS8, by contributing to a sufficient and flexible supply of employment land
- Bristol Central Area Plan Policy BCAP6, by delivering employment space
- Bristol Central Area Plan Policy BCAP35, by creating employment space in Temple Quarter
- Bristol Temple Quarter Enterprise Zone Spatial Framework's aspirations for the site, namely to create commercial office and business incubator space
- The West of England Local Enterprise Partnership's Strategic Economic Plan, by delivering an intervention specifically identified as a lever of growth and contributing to the delivery of the Temple Quarter Enterprise Zone.

Engine Shed 2 will support indirectly jobs and business growth in Bristol and the West of England, by a variety of means. Its business incubation activities will generate a stream of graduating companies needing space after they leave the building and with the strength they need to continue increasing the number of people they employ. Engine Shed 2 will also be the focus for a supportive cluster of businesses, all valuing and benefiting from being near to each other – to share ideas, gain intelligence etc. – that may increase their potential both to survive into the long term and grow. Engine Shed 2 will also provide facilities for use by businesses, including meeting room space, a café and a business lounge. All of these will offer space for “creative collisions” between business, academia and the public sector that enables the sharing of innovative ideas and thinking on how to take them forward, which itself may translate into jobs growth and the need for commercial floorspace. In addition, the effect and impact of Engine Shed 2 will be increased by striking new development in this key gateway location, with active frontages that draws people in. The aspiration is for it to make a striking contribution to the city's economic strengths, by being a clear demonstration of them and a memorable reference point for anyone interested in jobs and business development. All of these factors support the delivery of the following policies:

- Bristol Core Strategy Policy BCS8, by contributing to a sufficient and flexible supply of employment land and promoting the city as a place to invest
- Bristol Core Strategy Policy BCS2, by creation of employment and active ground floor uses in wider mixed use development in the city centre
- Bristol Central Area Plan Policy BCAP6, by delivering employment space and bridging Temple Quarter with the rest of the city centre
- Bristol Central Area Plan Policy BCAP35, by delivering employment led development, creating an exemplar for new initiatives and a hub for creative minded businesses on the site.

By generating a source of business rates and supporting business rates growth elsewhere through business development, Engine Shed 2 will further contribute indirectly to jobs growth, floorspace development and enhancements to well-being across the West of England. Business rates growth achieved in the Temple Quarter Enterprise Zone contributes to the West of England Economic Development Fund, administered by the West of England Combined Authority and Local Enterprise

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Partnership for investment in projects to support economic growth and well-being. This supports the delivery of the objectives of the West of England LEP's Strategic Economic Plan.

Engine Shed 2 will be a high profile building intended to promote economic growth and respond to identified market need. It will revitalise a historic asset that has lain vacant for some time, bringing it into use to deliver important benefits for the local community. This scheme will be developed promptly; without it, it is unclear whether or not development may come forward on this site in the medium term. This is believed to be particularly true in respect of interest in developing a hotel on the site, but it may well apply to office development too. In this context the proposals are supportive of the aspiration in the Bristol Temple Quarter Spatial Framework to refurbish the derelict George and Railway Hotel and connect it to wider development on site.

The comments of Knight Frank on both the importance of BCO floor loadings being achieved to enable flexible allocation of space and – most significantly – it being increasingly the case that occupiers seek BCO floor loading standards when looking for space are noted. Futureproofing, by ensuring its ongoing attractiveness to potential occupiers, will be important to give the Council enough confidence in the scheme's long term viability to take on the lease to enable Engine Shed 2 to locate on site. It is also important to note that current discussions on the use of grant funding to support the project suggest that its viability is tight.

Engine Shed has been developing and delivering programmes of activity to help develop in Bristol, a diverse workforce and diverse talent pool that employers can draw from both now and in the future. It is also building strong links with schools to introduce school age children both to work environments and the idea of innovation. It has also been active in stimulating the sustainable flow of private capital into small businesses to help them scale up and thus create high quality jobs for the youngsters it works with. Engine Shed 2 will provide the opportunity to both expand and develop further this strand of activity. This supports the delivery of:

- Bristol Core Strategy Policy BCS8, by helping to address barriers to employment
- The West of England LEP's Strategic Economic Plan, by helping to ensure that the Enterprise Zone is inclusive to all.

Engine Shed 2 also fits very strongly with the objectives of the Temple Quarter Enterprise Zone. It will support jobs growth that contributes to its target of 22,000 by 2043, floorspace development and business rates growth. It reflects a clear fit with the Mayor of Bristol's vision for the Zone, to "create a sustainable and flourishing new urban quarter for Bristol: a place that is welcoming to all – to live, work, enjoy leisure time and build on Bristol's strengths as a world class city". This is in line with the delivery of policies:

- Bristol Central Area Plan Policy BCAP35, by helping to create an Enterprise Zone that is employment led, acts as an exemplar for new initiatives and is a hub for creative minded businesses
- The Bristol Temple Quarter Spatial Framework
- West of England LEP's Strategic Economic Plan, by supporting the delivery of the Enterprise Zone.

Engine Shed 2 is also complimentary to emerging proposals from the University of Bristol to develop a Temple Quarter Enterprise Campus near to Temple Meads Station. Engine Shed 2 is seen by the University as a component part of the campus, which will itself contribute strongly to the delivery of EZ objectives – being likely to be a significant catalyst for future growth in the area – and all of the policies outlined in these comments.

Air Quality has commented as follows:-

Assessment has been made of the likely impacts from dust during the construction phase of the proposals. Mitigation of these impacts will be required. Section 8 of the air quality assessment outlines

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the level of mitigation required in light of the results of the dust assessment. With these mitigation measures in place, the impact from dust during construction will be acceptable.

Air quality Impacts from proposed on-site combustion plant have been screened out due to the proposed gas boiler being rated below the 300kWh assessment threshold in the IAQM/EPUK guidance.

The air quality at the development site in relation to the proposed use has been considered and found to be acceptable. It is welcomed that the applicant has however acknowledged that despite the air quality technically meeting the standards required for office use, that the building occupants would still benefit from air being drawn into the building via mechanical ventilation from locations of better air quality.

No assessment of the impacts from the predicted increase in vehicle movements has been carried out. Despite the limited on-site car parking provision, the Transport Assessment states that the development will potentially generate an additional 700 AADT which will utilise parking in locations nearby. Given the already very poor air quality in this part of the city, it will be important that the applicant assesses the effect that this significant increase in vehicle movements will have upon air quality within the Air Quality management Area. Given the level of development within this part of the city it is important that any assessment of air quality impacts from additional traffic takes into account the cumulative impacts from committed development in the area.

Contaminated Land Environmental Protection has commented as follows:-

The following conditions should be added to any planning permission.

A site specific risk assessment and intrusive investigation shall be carried out to assess the nature and extent of the site contamination and whether or not it originates from the site.

Prior to construction of each phase of development, no construction 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 has been submitted and approved.

If remediation is required, prior to occupation of the development, and following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted.

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 to the Local Planning Authority.

Nature Conservation Officer has commented as follows:-

The George and Railway was subject to a bat emergence survey on 17th August 2016, and no bats were roosting in the building. However, the Grosvenor was not surveyed at the same time. Therefore, a further survey of the Grosvenor would need to be secured by condition prior to the demolition of this building.

Trees are proposed for removal. The Ecological Survey Report highlights the potential for birds to nest within the trees, other vegetation or on buildings. All species of wild birds, their eggs, nests and chicks are legally protected and therefore a condition requiring no site clearance in the nesting season is recommended.

Foxes have previously been seen on the site, which are protected by the Wild Mammals (Protection) Act 1996. Therefore, a planning condition is recommended that a check for active fox earths shall take

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place prior to development, and if an active fox earth is located, an appropriate mitigation strategy shall be submitted and approved in writing.

It is also recommended that bird nesting opportunities (built-in bird boxes) should be secured by condition.

In accordance with Policy DM29 in the Local Plan, the provision of living (green/brown) roofs is recommended to provide habitat for wildlife on the new build elements. Policy DM29 states that 'proposals for new buildings will be expected to incorporate opportunities for green infrastructure such as green roofs, green walls and green decks.'

The applicant should be advised that all species of bats and their roosts are protected, and if encountered during construction work should cease and the Bat Conservation Trust contacted.

Flood Risk Manager has commented as follows:-

The outline drainage strategy is acceptable, we therefore have no objection to the proposal but request that the following pre commencement condition is applied:

The development hereby approved shall not commence until a detailed design, management and maintenance plan of surface water drainage for the site formed in accordance with the approved Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority. The drainage system shall be implemented in accordance with the approved design prior to the use of the building commencing and maintained thereafter for the lifetime of the development.

Reason: to prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal.

Sustainable Cities Team has commented as follows:-

Comments made on the original submission.

In order to demonstrate policy compliance it is recommended that the sustainability submission is expanded to cover the following issues:

- * Water efficiency measures;
- * How the development will minimise flooding through SUDs and blue and green infrastructure;
- * How the development will avoid climate impacts leading to increases in energy use;
- * The inclusion of a BREEAM Pre-assessment estimate would be helpful as an indication of the sustainability approach;
- * Overheating analysis to demonstrate how the building will operate under current and projected climate change scenarios;
- * The wind assessment should be expanded to include future climatic conditions;
- * The inclusion of the BREEAM Pre-assessment would be helpful as an indication of the sustainability approach;
- * Further information should be provided on the provision of space heating and cooling, and how this will be provided in future climate change scenarios, and how this will be maintained in operation;
- * Clarification on whether or not the proposal will be linked to the heat network;

It is noted that revised details have been submitted, and the proposal is now considered to comply with policy BCS14.

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Wales & West Utilities has commented as follows:-

Wales and West 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.

City Centre Projects (Public Art) has commented as follows:-

The planning submission 16/06842/LA is for a development of scale that triggers Policy BCS21 of the Bristol City Council Core Strategy which states Major Developments should deliver high quality urban design and: - enable the delivery of permanent and temporary public art, promoting a multi-disciplinary approach to commissioning artists in the design process (page 124).

Temple Circus is an important public site adjacent to Temple Meads close to Engine Shed and the Container Park and is within the Temple Quarter Enterprise Zone. The scheme comprises a series of significant buildings of scale, plus extensive landscape scheme. As such the development represents an important opportunity to develop a public art programme that will contribute to and enhance an important public space.

The material and documents provided with the planning application does not include a public art strategy or statement, however the Design and Access Statement does include a statement that public art strategy will be provided at Reserved Matters stage. Given that most of the design would be completed by submission of reserved matters and as such a public art strategy should be submitted with the current submission to inform the design that progress up to submission of reserved matters.

A public art consultant would work with the applicant and the design team to identify opportunities for artists relating to the buildings and the public realm, to identify programme and budget for the development of the public art works.

RELEVANT POLICIES

National Planning Policy Framework – March 2012

Planning (Listed Buildings and Conservation Areas) Act 1990

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocations and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2016 and Lawrence Weston Neighbourhood Development Plan 2017.

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

KEY ISSUES

(A) IS THE PROPOSAL ACCEPTABLE IN LAND USE TERMS?

The application site is located within the Temple Quarter Enterprise Zone, and as such policy BCAP35 of the Bristol Central Area plan applies. This establishes the aims for the Temple Quarter Enterprise Zone, as an employment-led mixed use regeneration area. Amongst the specific developments allowed for in the zone include:

- At least 100,000m² of net additional high quality office and flexible workspace;

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- Up to 2,200 new homes including live/work space;
- Complementary retail and leisure uses, particularly within and adjacent to Bristol Temple Meads station;
- New walking and cycle routes to connect the developments to the rest of the city centre and surrounding neighbourhoods;
- Green infrastructure and public realm enhancements including the improvement of open space to serve the new developments.

Clearly, this allows for considerable flexibility in the delivery of development across the zone, although establishes a minimum provision of office floorspace and a maximum provision for residential accommodation. Whilst historically the site has been used for hotel/leisure use there are previous permissions for office development, and this has fed in to the policy designation. The policy also requires development to reflect the Spatial Framework for the Enterprise Zone.

The Spatial Framework is designed to be a 'living' document, which sets out a strategy and framework for meeting the policy aims set out above. It does not hold the weight of adopted planning policy for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004, but it is a material consideration for the purposes of determining the application. This promotes the site for 'Business Emphasis development (B1)' use, and therefore the currently proposed office space is in accordance with the framework. Importantly, the Spatial Framework also indicates the provision of a new area of public open space on the site, as well as improvements to pedestrian and cycle routes across the site. All of these issues are accounted for within the current development proposals.

Clearly, the provision of nearly 33,000 sq. m. of office floorspace would contribute to meeting these policy aims. This proposal also includes flexible commercial floorspace at ground floor, which could at its maximum provide 2,550 sq. m. of A1, A2, A3, A4 or A5 uses. Whilst retail uses ('A' type uses) are allowed by the policy, it should also be noted that the site is within the central area, but not within the Primary or Secondary Shopping frontages. In accordance with the NPPF and policy BCS7 of the Core Strategy, whilst other town centres uses can be located anywhere within the central area, A1 retail uses should be directed to the Primary Shopping Frontages. However, policy DM7 and BCAP15 do allow for small scale retail (A1) units outside of those frontages for local needs, and this specifies that a small scale use is below 200 square metres. Larger retail units are only permitted outside of the Primary Shopping Areas where they will not be harmful to the vitality, viability and retail function of identified shopping areas. It is noted that the potential to exceed the 200 square metres relates to the outline part of the development, where the final layout is not yet known, and therefore there is potential to subdivide these units to meet the policy aims. However, for the purposes of this application it is considered reasonable to include a condition on any planning permission to ensure that no single retail (A1) unit exceeds to 200 square metres, without the permission of the Local Planning Authority.

The other potential alternative uses are food and drink uses, which need to be considered against policy DM10. This policy permits such uses, subject to the development not harming the character of the area, residential amenity or public safety, either individually or as a result of the concentration of uses. These issues are dealt with specifically in the key issues below. However, in respect of the concentration of uses, it is noted that there are currently few other A3, A4 or A5 uses in the surrounding streets. It is noted that cumulatively with other developments this proposal would result in a significant increase in the number of office workers in the area, and therefore these type of uses would be considered appropriate to support this type of working population.

It should be noted that policy BCAP31 encourages the provision of active ground floor uses, and the proposed uses would help to deliver these. Clearly the different uses proposed would result in different levels of activity, and A1 and A3 uses would be particularly beneficial in this regard. The Spatial Framework particularly identifies the Brunel Mile and the newly created public space as being a focus for these uses. In broad terms the indicative plans demonstrate that proposal would reflect the

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Spatial Framework in this regard. As such the proposed uses on the site are considered appropriate.

(B) WOULD THE PROPOSED DEVELOPMENT PRESERVE OR ENHANCE DESIGNATED AND UNDESIGNATED HERITAGE ASSETS, BOTH ON THE SITE AND NEIGHBOURING THE SITE?

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Authority is also required (under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The case of *R (Forge Field Society) v Sevenoaks DC* [2014] EWHC 1895 (Admin) (*Forge Field*) and in *Barnwell Manor Wind Energy Ltd v East Northants District Council*, English Heritage, National Trust and Secretary of State for Communities and Local Government [2014] EWCA Civ 137 it is made clear that where there is harm to a listed building or a conservation area the decision maker 'must give that harm considerable importance and weight' [48].

Section 12 of the national guidance within the National Planning Policy Framework (NPPF) 2012 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with any harm or loss requiring clear and convincing justification. Paragraph 132 of the NPPF states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Para.133 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Further, Para. 134 states that where the proposal will lead to less than substantial harm, the harm should be weighed against the public benefits. These tests are relevant here as it is considered that the proposal would be harmful to heritage assets.

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

In this case the proposals would impact on a number of heritage assets, including directly impacting the Grade II listed George and Railway Hotel, and the locally listed Grosvenor Hotel, and the setting of the Grade I listed Temple Mead Complex, and the Redcliffe and City Docks Conservation Areas, including St Mary Redcliffe Church.

- George and Railway Hotel

The George and Railway Hotel appears to be contemporary with the laying-out of Victoria Street, but retains some evidence of an earlier manifestation in its western end. The external facades retain much of the original Italianate ornamentation though the building has been vacant for a number of years. The hotel is currently protected, and kept watertight, by a temporary roof structure erected over scaffolding. Historic England structural engineers have advised that this is freestanding and has little structural support of the historic walls.

Internally much of the original planform remains, especially at first floor level. The east side of the ground floor has been impacted by the bar being opened out into adjacent rooms, but the former ballroom on the west side of the building appears to survive, with a high degree of survival of ornamental plasterwork above a C20th suspended ceiling. The stairs remain in their original location, and whilst there are some later alteration and the balustrades panelled-over, they remain a significant feature of the old building.

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At first floor level the original arrangement of hotel bedrooms survives, but the most significant space is the unusual shaped room in the apex of the triangular building, directly facing Temple Meads station. This room retains a good degree of its original ornamentation. The attic story has been significantly damaged during the erection of the scaffolding structure for the temporary roof, however this has allowed the roof structure to dry out following repairs. The roof fabric has not been entirely replaced following these essential interventions.

The planform is integral to the special interest of this building and represents both its original use and a history of adaptation to continue that use. There are significant interiors retained which stylistically complement the external facades. The clear-spanning of floors across the original parts of the building is unusual, but gave the plans a great degree of flexibility in enabling small-scale hotel rooms to be built above larger reception spaces on the ground floor.

The applicant argues in their Statement of Significance that 'with a few exceptions the features that contribute to this character and significance are external comprising Victoria Street and Redcliffe Way facades and the 18th century fabric in the westernmost elevation'. This is partly based on the listing description which provides only limited comment on the interior, and the fact that the interior has been much altered, and it is argued that what is retained is relatively insignificant. However, neither the Council's Conservation Officer nor Historic England accepts this conclusion. Whilst amended plans have been submitted, which show the retention of some internal structural walls, the conclusion reached is that the level of demolition involved would result in significant harm to the significance and character of the listed building. This conclusion has been reached following a site visit from the Conservation Officer, Historic England and Historic England's structural advisor, who consider that more of the internal fabric identified above could be reasonably retained, and therefore the site could be developed with less harm caused.

As a consequence, the Local Planning Authority in considering the application have to apply the tests as set out in paragraph 133 of the NPPF, which are as follows:

Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- *the nature of the heritage asset prevents all reasonable uses of the site; and*
- *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- *conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- *the harm or loss is outweighed by the benefit of bringing the site back into use.*

In this regard it is notable that the building has been vacant for some 20 years, and despite a number of attempts to redevelop the site it appears that there has been little success in respect of achieving a scheme which is both acceptable in planning terms and viable to the market. The applicant has sought to demonstrate that the level of harm is necessary to deliver development on this site, by comparing the proposals with a scheme that would deliver a more heritage focussed scheme, along with the development meeting the four tests above. The conclusion that the developer has reached is that the development of the heritage based scheme is unviable and undeliverable, and that the proposal would meet the relevant tests and therefore should be accepted, despite the level of harm caused.

However, the viability evidence submitted, whilst supporting the case that the retention of the historic fabric will make the development more expensive, suggests a difference in developer profit of £1,718,738. Whilst this is significant, a relatively minor increase in rental value would bring the

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development up to an acceptable level profit. Officers are concerned that the viability appraisal submitted by the applicant provides no justification for the rent level included within the statement, and this level appears to be substantially below market value for other similar accommodation (for example the rental value being achieved at 66 Queens Square – also built out by the same developers). In addition, the appraisal does not take into account the outline element of the development, which may well generate additional profits, which have the potential to subsidise the development of the George and Railway. In addition, whilst it is acknowledged that there are benefits in retaining the frontage of the George and Railway, the supporting statement also lists the benefits of the outline permission, and as such it is considered that the development should be treated in this respect as a single entity.

On the other policy tests, it is noted that the proposal would lead to the reuse of the existing building, albeit in a significant reduced form. The developer has explored grant funding, and none is available, and also there are significant benefits of the development, which are considered below. However, for the purposes of this section of the report it is not considered that the proposal meets the requirements of paragraph 133 of the NPPF.

- Grosvenor Hotel

The Grosvenor Hotel in a significant late C19th commercial hotel built contemporaneously with the nearby George and Railway Hotel and the freshly laid-out Victoria Street. This new thoroughfare was designed to give direct access between Brunel's Temple Meads Station and the city centre, by way of a direct and commodious route. In itself this alignment has significance, representing a major Victorian town planning intervention; one key to the development of the two hotels, and Temple Meads station, with which it connected. The Corporation stipulated that all new properties along the street were of brick, to ensure a uniformity of design along its length.

The importance of this as a heritage asset has been acknowledged, both in the Enterprise Zone Spatial Framework, which identifies the building for retention, and later by the inclusion of the building on the Local List. Added to this, the results of the consultation on the application highlight that the loss of this building is a significant concern. However, it is noted that neither of these documents offer statutory protection from demolition, which could be offered by national listing or through inclusion in a conservation area. Notwithstanding this, Paragraph 135 of the NPPF states that *“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”*

In this case it is difficult to fully assess the value of this as a heritage asset, as it has not been possible to fully inspect the interior of the building. Notwithstanding this, it is evident that the building has been much altered and extended. The heritage statement submitted by the applicant describes the building as a ‘mediocre example of Victorian Commercial architecture, but has some historic and evidential significance as one of only two surviving buildings south of Counterslip from the layout out of Victoria Street in 1872’. Therefore, it is acknowledged that the building does have some significance as a heritage asset, and the complete demolition of the building would result in significant harm to this asset. However, the level of significance must be tempered by the fact that the building has not statutory protection, and in regard to this point it is noted that Historic England have commented on the application, and it appears that there is not presently scope to list the building, and therefore offer it that additional level of protection.

On this basis therefore it is considered that the building as it stands can only be regarded on the lower end of the level of significance, although as the loss would be total and the level of harm would be significant. It should be noted that the as well as its individual value the building also contributes to the setting of the Temple Meads complex, and this is assessed further in the discussion below. However,

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in this case the tests referred to above (para. 135), in considering the demolition of the building must be applied, and as such the Local Planning Authority are required to consider and weigh against the loss the benefits of developing the site. With this regard the general benefits arising from the redevelopment are discussed in more detail below.

- Setting of the Grade I listed Bristol Temple Meads complex

In addition to harm to the fabric of heritage assets development can impact on the significance on those assets by impacting on their setting. It is clear, in this case, that the development site is part of the setting of one of the most significant assets within Bristol, the Temple Meads Station Complex. Both the George and Railway and the Grosvenor Hotel developed alongside, and had a functional relationship with, the station. It is considered, therefore, that a redevelopment of the site which retained the significance of both buildings would be of benefit to the setting of the station, and the loss of either building would therefore result in some harm to the setting of the station.

However, the current condition of the site does rather diminish the benefits provided by these buildings. Both buildings sit on an island surrounded by significant highway infrastructure, and are in a relatively poor state of repair. This means that the relationship is much harder to read on the ground, and little impression is retained of the historic environment around the station, or the historic street pattern. In some ways this does mean that the loss of any further historic buildings should be resisted, it also means that there is significant opportunities to improve this environment, and thus contribute positively to the setting of the listed station complex. Therefore, whilst it is acknowledged that the proposed loss of significance in relation to both the George and Railway and Grosvenor will result in some harm to the setting of the station, it is not considered that this will be significant.

With regard to the new development, both Historic England and the Council's Conservation Officers have raised a concern about the impact of this on the historic setting. It is undoubtedly the case that the proposals will result in a significant change in scale in this location, and this will undoubtedly have an impact on the setting. It should also be noted that the changes to the road layout will also impact on this setting, and whilst the Conservation Officer comments has made reference to the reinstatement of Victoria Street, the changes to the road layout are already committed, and would not deliver this.

Turning first to the proposed extension to the George and Railway, which is a substantial six storey element, and would fail to achieve the level of subservience that would normally be expected from an extension to a listed building. However, it is noted that the previous planning permission for this site included provision for a substantial and dominating extension. In this case, the approach taken is to make the extension distinct, in both style and materials, from the historic structure, and also to have this as a modern representation of the goals of the Enterprise Zone. As can be seen from the consultation responses both City Design Officers and the Urban Design Forum support this approach. The large mass of the extension is set away from the historic building, and would have a relatively simple, lightweight design, which would not challenge the very ornate appearance of the historic structure.

In relation to the southern elevation of the building, which is the view from Temple Meads, the building has been designed as largely blank, with a polycarbonate screen sat directly behind the listed building. In these views it is certainly the case that the roof top plant would be quite prominent, and add additional bulk to the proposed extension. Whilst the intention is to create a blank canvas, against which the listed buildings will be viewed, officers remain concerned that the materiality of this element is not appropriate to the context, which will be emphasised by the extent of this material, and the large extent of the roof top plan would exacerbate these concerns. As such, it is considered that this design element needs to be developed further to achieve a more successful extension to the building. However, the applicant has suggested an approach which would incorporate public art into this façade, and it is considered that conditions can be used to develop the design further, and secure an

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appropriate material treatment.

The outline element of the proposal will also impact on the setting of the station complex, and the views assessment submitted with the application does provide some indication of the impact on the context. It is noted that the impact in terms of the immediate context is address relatively poorly in the submission. Notwithstanding this, it is noted that previous permissions on the site, whilst permitted in a different policy context, did allow a development of a similar height, and the views assessment does suggest that a building of the height proposed would be consistent with the context, and an appropriate density of development for a sustainable, central site. However, as with the comments above a concern is maintained that the development is at odds with the historic development of the area, and certainly significant benefits could be achieved through closer replicating the historic street pattern. However, given this element of the scheme is in outline only, the final design and layout are not finalised. As such, there is an opportunity at the reserved matters stage to provide clearer legibility on the eastern side of the site, providing a clearer link between the station and the city centre.

Overall, there will clearly be a significant impact on the setting of the station, and whilst it is unfortunate that the development does not seek to retain and reinstate some of the historic fabric in this area, the current setting of the station is not of a particularly high quality. As such, it is considered that the proposal would be harmful to the setting of the station, largely as a result of the loss of significance from the heritage assets on the site. However, given these existing environment is considered that the harm would be less than significant, and given the further design work to the extension to the George and Railway, and the fact that the proposals for the northern plot are in outline only, there is scope to further reduce the degree of harm. As such, in accordance with paragraph 144 of the NPPF, in assessing the application the Local Planning Authority have to weigh this harm against the benefits of the development, which are set out below.

- Redcliffe and City Docks Conservation Area, and Grade I listed St. Mary Redcliffe Church

The proposals will impact upon the setting and character of both the Redcliffe and City Docks Conservation Areas. The character appraisal for these areas establishes several key views which will be impacted upon by the proposals. Most specifically, the view from Prince Street Bridge eastwards towards the spire of St. Mary Redcliffe, and the view south down Victoria Street, though proposals may impinge on other established views. In particular, St. Mary Redcliffe holds an important position in the hierarchy of buildings in this area, and the relationship between the station, the church and the floating harbour is an important axis in understanding the historic development of the city.

With regard to these elements the impact of the development will largely be as a result of the outline element of the proposal. As stated above, given the changes to the scale of the proposal, it is considered that in the relevant views the development is more in keeping with the scale of other buildings in the area. However, given the views assessment submitted the views from the station complex to St. Mary Redcliffe are the least convincing. However, the views assessment does illustrate the importance of the Brunel Mile in maintaining the visual link between the Church and the station. Notwithstanding this, the proposals for the northern plot are in outline only, and it is likely at the reserved matters stage these views can be considered further, and there is scope at the reserved matters stage to achieve a more satisfactory relationship, and a high quality design for this phase of the development could result in some improvements in that setting. Therefore, again it is considered that this element would result in less than significant harm to the setting of the heritage assets.

- Benefits of the Development

Whilst the proposal will result in harm to heritage assets, with the exception of the loss of significance from the George and Railway, the harm is considered to be less than significant. As a result, the Local Planning Authority have to consider the benefits of the development, and whether or not this will outweigh the degree of harm.

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As stated above, the application site is an important site within the Enterprise Zone, and the delivery of Engine Shed 2 is considered to be key in delivering the economic benefits associated with this. As can be seen from the comments of the Economic Development team, it is expected that the proposed Engine Shed 2 development will deliver a number of jobs, along with additional benefits associated with the incubator type space. However, it does have to be noted that the whilst the development of the George and Railway has been designed with the Engine Shed 2 in mind, the application is for general B1 floorspace, and the design of scheme allows enough flexibility in terms of layout to ensure that it would be viable for an alternative occupier.

Notwithstanding this, the policy requirement for the Enterprise Zone is the delivery of 100,000 square metres of office space, and the Spatial Framework indicates this site as an opportunity for the delivery of office space. In addition, the quantum of office space proposed is in excess of that which is shown in the spatial framework. The current proposal would also deliver a number of other aims of the Spatial Framework, including a new area of public realm, the revision to the Brunel Mile, and significant improvements to the pedestrian and cycling facilities. It also has to be noted that the proposal would result in some benefits to the environment in that area, given that it would at least reinstate the façade of the George and Railway, and given the fact that the area is currently dominated by large scale transport infrastructure, would provide a more pedestrian friendly environment and a development appropriate to the context of a central site. These benefits clearly support policy aims for the site, and are a material consideration to be weighed against the identified harm.

Officers are therefore satisfied that where the harm is considered to be less than significant, there are benefits of the scheme which would provide justification for the level of harm. However, officers are not satisfied that there is sufficient evidence to demonstrate that these benefits could not be achieved without significant harm to the internal fabric of the listed building. As a result both the hybrid application and the listed building consent application are considered to be contrary to policy BCS22 of the Core Strategy, and the contents of the NPPF, and as such the application is recommended for refusal on these grounds.

(C) WOULD THE PROPOSED DEVELOPMENT HARM THE CHARACTER OR APPEARANCE OF THIS AREA?

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

It should also be noted that comments from Historic England suggest that the proposal falls to be considered under Supplementary Planning Guidance 1 on Tall Buildings. This sets out a number of criteria that require assessment for buildings of more than 9 stories or over 27 metres. Whilst the original submission was over 9 stories, even at the reduced height the proposal would still be over 27metres and therefore the SPD still applies. This sets out a number of criteria that require assessment for buildings of more than 9 stories, including the following:

- Relationship to context, including topography built form and skyline;
- Effect on the historic environment at a city-wide and local level;
- Relationship to transport infrastructure particularly public transport;

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- Architectural excellence of the building;
- Contribution to public spaces and facilities, including the mix of uses;
- Effect on the local environment, including microclimate and general amenity;
- Contributions to permeability and legibility of the site and wider area;
- Sufficient accompanying material to enable a proper assessment including urban design study/masterplan, a 360 degree view analysis and relative height studies;
- Adoption of best practice guidance related to the sustainable design and construction of tall buildings; and
- Evaluation of providing a similar level of density in an alternative urban form.

The application site is marginally beyond that which has been identified as being appropriate for a tall building in the SPD, although these details are indicative, and many of the same conditions apply to this site as apply to the area to the east, which is considered to be appropriate. In addition, the analysis of the site shows that the proposed development is not significantly larger than the immediately surrounding development, with nearby buildings being generally five to seven storeys, and permission previously granted for an eight storey building directly to the north west. It is also material that the application site marks an important nodal point, and is particularly important for wayfinding and legibility. On this basis some marginal increase in height over and above the background buildings is considered to be justified.

In addition the Local Planning Authority do need to consider the design quality of the scheme proposed, and whether it is an appropriate response to the context. In large part this is discussed in Key Issue B above. In short, the design approach to the extension to the listed building is supported, and whilst some concerns remain regarding the materiality of the extension and the roof top plan, although there is scope to control some of these issues by condition. With regard to the outline part of the site it is accepted that the overall height of the building is appropriate for the context, although the layout shown in the indicative plans would require further design work to make this acceptable. Whilst in the terms of the tests above it is not possible to conclude that the proposal will represent architectural excellence, or to assess issues such as microclimate, given the nature of the site, and in trying to deliver a consistent approach which would deliver important connections across the site, the masterplanning approach is supported. As such, it is accepted that the outline plans provide an appropriate level of detail to direct the development. Given the importance of the site it is considered that the proposal would need to be of a high quality design which acts as a gateway to the city, although there is an opportunity to secure this at the reserved matters stage.

It is also noted that the proposal will deliver a significant element of public realm. This would meet a policy aspiration for the site. However, it is noted that because of difficulties in accessing and servicing the site, the public realm will have to provide scope to service the site, and therefore achieve a number of competing goals. As such, a great deal of care will be required with the design to ensure that it will still deliver high quality public realm. The City Design Team remain unconvinced that the current proposals would achieve this, although again it is noted that these proposals are indicative only, and a fully detailed scheme has yet to be drawn up. As such, it is not considered that the proposal warrants refusal on these grounds.

It is noted that policy BCAP31 seeks active ground floor uses on primary pedestrian routes in order to activate the public realm. The current outline proposals suggest active uses at both ground and first floor levels. Whilst officers remain to be convinced regarding the benefits of first floor active uses, the ground floor provision would meet the policy requirements, and could be secured through conditions.

Ultimately, whilst the issue regarding harm to heritage assets remain, given the issues being considered in terms of design quality, it is considered that this is appropriate, subject to a suite of conditions to ensure an appropriate level of finish. Therefore, the proposal does not warrant refusal on these grounds.

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Policy BCS21 of the Core Strategy, as well as requiring development to be of a high quality design, also requires new development to safeguard the amenities of existing residents. In addition, policy BCS23 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.

Firstly, it should be noted that the surrounding development is largely commercial in character, with the nearest residential property being 35 metres away from the nearest building. This is also in a southerly direction, so there would be no impact in terms of overshadowing as a result. Whilst the scale and density of the proposal is significant, given the level of separation and the orientation of the site it is not considered that the proposal would have a harmful impact on the amenities of the nearest residential properties.

The closer buildings to the site are largely in office use. In terms of impact from loss of daylight it is likely that only the Council Offices at 100 Temple Street would be adversely affected. Given the building is in commercial use the policy does not seek to protect the amenity of that property, however it does allow the Local Planning Authority to consider the viability of the commercial use of the site. In this respect, office uses are not considered to be especially sensitive to loss of daylight, and it is also material that the impact will only be for part of the day, for much of the year any impact will have passed by between 10am and 11am in the morning. As a consequence there is no evidence that the proposal will impact on the viability of the neighbouring use, and as such it is not considered that the proposal would merit refusal on these grounds.

It is also noted that the location of the development is to some degree a hostile environment, which is next to a busy road, which is both noisy and polluted, and the proposed tall buildings will impact on the wind environment around the site, which is likely to impact how comfortable the area is for pedestrians. The application was accompanied by appropriate surveys, and includes proposals to mitigate any potential impact. With respect to noise the site has been considered by the Council's pollution control team who have confirmed that they are satisfied that the site is an appropriate for the proposed use, and any impact can be controlled by condition.

With regard to air quality, it is noted that a revised report has been prepared, and is currently being discussed with the Council's air quality officer. The results of this will be reported to Members at the meeting.

It is also noted that the proposal includes potential for retail, and particularly food and drink type uses at ground floor level. Whilst this would contribute to the provision of active frontage, which would animate the new public square, policy DM10 also requires that consideration is given to the amenity impacts of the proposed uses. As these proposed uses are part of the outline element of proposal limited details have been provided at this stage. However, it is relevant that these proposed uses would not be directly adjacent to the nearest residential properties. Again, the pollution control team are satisfied that the appropriate mitigation can be provided, including appropriate restriction in hours, and subject to conditions to secure this mitigation it is not considered that the proposal would result in harm to amenity.

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

Development Plan policies are designed to promote schemes that reflect the list of transport user priorities outlined in the Joint Local Transport Plan, which includes pedestrian as the highest priority and private cars as the lowest (BCS10). In addition, policy DM23 requires development to provide safe and adequate access to new developments.

Appendix 1**Report to Development Control Committee B – 8 November 2017****Application No. 16/06828/P & 16/06842/LA: Land At Temple Circus Bristol**

As referred to above the site is considered to be in a sustainable location, with easy access to the city centre, and Temple Meads station. This is a focus for public transport, not only the railway, but also busses and ferries. The location of the site therefore means that the development would be accessible by multiple modes of transport, other than the private car, and this meets with the above policy aims.

However, it is noted that the highway network around the site already operates at a high intensity, and revisions to the network have been carefully designed in order to accommodate the conflicting users in this area. In particular, the area has historically catered poorly for pedestrians and cyclists. In addition, the revised highway layout needs to incorporate provision for metrobus routes and stops (as has previously been permitted). This makes accessing and servicing the site very difficult, and various options have been considered for this. As a result of this the only access that the Council's highway officers are satisfied is safe and appropriate for the intended purposes is the current access from Victoria Street to Temple Street (which provides the current access to 100 Temple). Revised plans have been submitted which show the use of this access, and the highways team are satisfied that this is acceptable. However, the consequence of this is that the development would need to be serviced from the public square. This is clearly not ideal, and there is certainly some potential for this to lead to conflict between pedestrians and vehicles. Unfortunately, it is not considered that there is scope to provide an alternative safe access, and therefore it will be necessary for this potential conflict to be carefully managed. Given the design of this element is reserved for later consideration, and the management can be secured by condition, it is considered that this approach is acceptable for the purposes of the current application.

Notwithstanding the limited car parking proposed for the development and the sustainable location, the analysis submitted with the application suggests that the highest proportion of trips will be made by private car. However, given the limited availability of parking on site those car journeys are likely to be dispersed across a range of sites. It is also noted that the highway network adjacent to the site has been remodeled, and it is argued by the applicant that this has been designed to accommodate the additional traffic flows associated with the development of the Enterprise Zone. The Council's highways team accept that the impact of the additional traffic associated with the development would not be severe. As such, there is no objection to the development in principal, on highway grounds.

It is noted that the proposed car parking, at 60 spaces, for the development is well below the maximum provision allowed for in the development plan. Given the very sustainable location of the site it is considered that the site is accessible by a number of modes of transport, and indeed the construction of the metrobus route would make the site more accessible. However, as referred to in the above paragraph, analysis of the development does suggest that a large number of trips to the site will be made by private car, and this will have an impact on the car parking capacity close to the site. It is noted that the applicant has identified a number of city centre car parks that could accommodate the additional vehicles, although it is considered that the most significant impact will be on those car parks that are close to the site, and no evidence has been provided regarding the capacity of these car parks. However, notwithstanding this the highways team have not raised an objection on this basis, and to a degree this will be self managing.

It should be noted that the impact, both in terms of vehicle movements and car parking, can be mitigated in part with the use of a travel plan for the proposed development, to encourage the use of alternative modes of transport. The submission was supported by a framework travel plan, which is broadly supported by the highway officer. In order to monitor the travel plan a fee of £13,500 has been agreed with the applicant, and this will need to be secured by a s.106 agreement. In addition, it is proposed to provide a policy compliant level of cycle parking as part of the development, and a contribution of £10,000 for a car club. These measures are therefore supported.

It is noted that the layout of the metrobus stop on Victoria Street has changed since the application was submitted, although it is not clear whether or not the design has been finalised yet. This has the

Appendix 1**Report to Development Control Committee B – 8 November 2017****Application No. 16/06828/P & 16/06842/LA: Land At Temple Circus Bristol**

potential to create a pinch point with the northern corner of the development. However, as this element of the development is in outline only the final layout can be resolved at the reserved matters stage. As such, there is no objection to the development on these grounds.

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

The application site is partly in flood zone 2 as identified by the Environment Agency. The NPPF and policy BCS16 require that a sequential approach is taken to the location of development, locating developments in areas with the lowest risk of flooding first. However, the site is also allocated for development by virtue of policy BCAP35, and that allocation in itself has been sequentially tested. Whilst there is still a need to locate developments with the allocated area in areas of lowest flood risk, it is noted that much of the Enterprise Zone is at risk of flooding, and at a higher risk than this site. Therefore, in order to meet the ambitious development targets for the Enterprise Zone, Less Vulnerable uses (such as offices) will need to be developed on site in Flood Zone 2 (and potentially on Flood Zone 3). In addition, the Strategic Flood Risk Assessment for the area indicates that the flood risk is higher to the north and west of the site, with the majority of the development to the south and east, showing that a sequential approach has been taken to locating the development on the site.

In addition, where development is to be located in areas liable to flood it does need to be designed to offer appropriate resilience and protection to the proposed occupants. The Central Area Flood Risk Assessment predicts that the appropriate flood design level, taking account of climate change, for 2060 (the likely lifespan of a commercial building of this nature) would be 9.4 metres above ordnance datum. With regards to the Engine Shed II proposals, this has been designed where the usable floor space would be at 9.4 metres above ordnance datum, and therefore would be safe from flooding. In order to provide flush access to the development at this point this requires raising the Brunel Mile where adjacent to the building, as well as the floor level in the existing building. With regard to the raising of the Brunel Mile, the Council's highways team have raised a concern that this would result in issues with this part of the site draining on to the existing highway. However, given that this part of the site is an adopted highway, a section 278 agreement would be required to carry out these works, details of the drainage would be covered by this agreement, and therefore there is no objection to the development in these grounds.

For the outline part of the site limited information has been provided at this stage. However, it is considered that the recommendations of the submitted Flood Risk Assessment do provide an appropriate basis for designing the outline element of the scheme. Full details of the flood resilience and mitigation measures would be expected at the reserved matters stage. It is noted that the Environment Agency have been consulted on the application and have confirmed that they do not wish to comment on the proposal. As such, it is considered that there are no objections to the development on flooding grounds.

With regard to the surface water drainage, for the fully detailed element of the site the proposal this is largely hardstanding currently, and the proposals would result in a 30% betterment against existing surface water flow rates. It is not clear at this stage whether or not this will require attenuation tanks within the footprint of the building, or a blue roof system on the new build element. However, this is supported by the Council's flood drainage team, and the final design can be secured by condition. Again, relatively limited information has been provided regarding the outline element of the scheme, but the Flood Risk Assessment has indicated a number of measures that could be used, and sets a target of 30 % reduction in surface water flows against the existing position. Therefore, these improvements can be secured through the reserved matters application, and therefore there is no objection to the development on these grounds.

Appendix 1**Report to Development Control Committee B – 8 November 2017****Application No. 16/06828/P & 16/06842/LA: Land At Temple Circus Bristol****(G) WILL THE PROPOSED DEVELOPMENT MAKE AN ADEQUATE CONTRIBUTION TO THE SUSTIANABILITY AND CLIMATE CHANGE GOALS OF ADOPTED PLANNING POLICIES?**

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

A detailed Sustainability Statement has been submitted in respect of Engine Shed 2, which sets out a number of measures designed to improve the performance of the building. This has resulted in a modeled reduction in CO2 emissions against the building regulations baseline of around 10%. In addition to this, it is proposed to include PV panels and air source heat pumps in the building, which will achieve a saving over and above this of 24%. It is also noted that the site is located within close proximity to the Council's emerging heat network, which should be available for a day 1 connection. The applicant is currently in discussions with the Council's Energy team in order to facilitate the connection to this network. The Sustainability Statement also commits the developer to achieving BREEAM 'Excellent' for this part of the development.

With regards to the outline elements of the proposal, as the detailed design has not been considered, it is not possible to provide a final assessment of the sustainability performance of that part of the development. However, this will need to be revisited when the detailed design emerges and this may offer the opportunity for further savings to be made. It is therefore recommended that a condition is attached to the outline element of the scheme to secure further details of the sustainability proposals.

(H) WILL THE PROPOSAL HAVE A HARMFUL IMPACT ON TREES, WILDLIFE AND ECOLOGY IN THE SURROUNDING AREA?

Policy BCS9 of the Core Strategy states that 'Individual green assets should be retained wherever possible and integrated into new development'. It also states that 'Development should incorporate new and/or enhanced green infrastructure of an appropriate type, standard and size. Where on-site provision of green infrastructure is not possible, contributions will be sought to make appropriate provision for green infrastructure off site.'

It is noted that there are currently a number of significant trees on site, however within the course of the highway works a number of these trees will need to be removed. However, within the course of the development it is indicated in the submitted documents that the developer would need to remove 16 trees, all of which are located within the outline part of the site. Some of these are relatively significant specimens, although the retention of these trees would significantly limit the development potential on this key site. It is noted that as part of the highway works it is proposed to undertake some additional street tree planting. The development of a new public square will also allow for the planting of a number of new significant trees; the current plan showing 12 new trees in this location. Overall, whilst the proposal would see the removal of trees, it is considered that the overall improvement in the environment will compensate for this. However, with regard to the requirements of policy DM17, in respect of replacement tree planting, it will only be possible to fully assess whether or not the level of replacement planting is adequate at the reserved matters stage, once the finalised plan for Temple Square has been submitted. As such, it is considered that there is no objection to the development on these grounds at this stage, although it will be necessary to undertake a tree survey and replacement planting at the reserved matters stage.

With regard to the potential impact on wildlife at the site, an ecological report was submitted in support of the application. Broadly, the Council's ecologist is satisfied with the contents of this report. It is noted that a bat emergence survey has not been carried out of the Grosvenor. Whilst it is best

Appendix 1**Report to Development Control Committee B – 8 November 2017****Application No. 16/06828/P & 16/06842/LA: Land At Temple Circus Bristol**

practice that this is carried out before a decision is made on the application, given that there is no access to this building at present, this would have to be secured by condition prior to the demolition of this building. Therefore, subject to relevant conditions there are no objections to the development on these grounds.

CONCLUSION

The application seeks planning permission for a hybrid development for an office led development on a currently vacant site. The decision on the application does need to take account of the planning balance, and whilst the proposal offers significant benefits, there is also some outstanding concerns, most significant regarding the impact on historic assets. It is noted that both the Council's conservation advisor and Historic England have concluded that the works to the grade II listed building would result in significant harm. Whilst the development would offer significant benefits, Officers are not currently satisfied that either the benefits of the development would outweigh the level of harm, or that there are no other ways of delivering the benefits of the development, without the level of harm identified.

It is considered that any outstanding concerns with the outline part of the permission can be overcome at reserved matters stage, or by condition, and as such there is no objection to this element of the development. However, this does not outweigh the harm to the listed building referred to above, and on this basis the application is recommended for refusal.

Application no. 16/06828/P**RECOMMENDED REFUSED for the Following Reason:**

1. The redevelopment of the Grade II listed George and Railway Hotel, given the limited level of retention of historic fabric proposed, would result in significant harm to the heritage asset. The application fails to present clear and convincing information to indicate that alternative less harmful approaches, to address the structural condition of the building, are not possible, or that the benefits of the scheme outweigh the level of harm. As such, the proposal is considered to be contrary to policy BCS22 of the Bristol Core Strategy, 2011, policy DM31 of the Site Allocations and Development Management Policies, 2014, and the National Planning Policy Framework.

Application no. 16/06842/LA**RECOMMENDED REFUSED for the Following Reason:**

1. The redevelopment of the Grade II listed George and Railway Hotel, given the limited level of retention of historic fabric proposed, would result in significant harm to the heritage asset. The application fails to present clear and convincing information to indicate that alternative less harmful approaches, to address the structural condition of the building, are not possible, or that the benefits of the scheme outweigh the level of harm. As such, the proposal is considered to be contrary the National Planning Policy Framework and Planning (Listed Buildings and Conservation Areas) Act 1990.

Supporting Documents

6. Land At Temple Circus

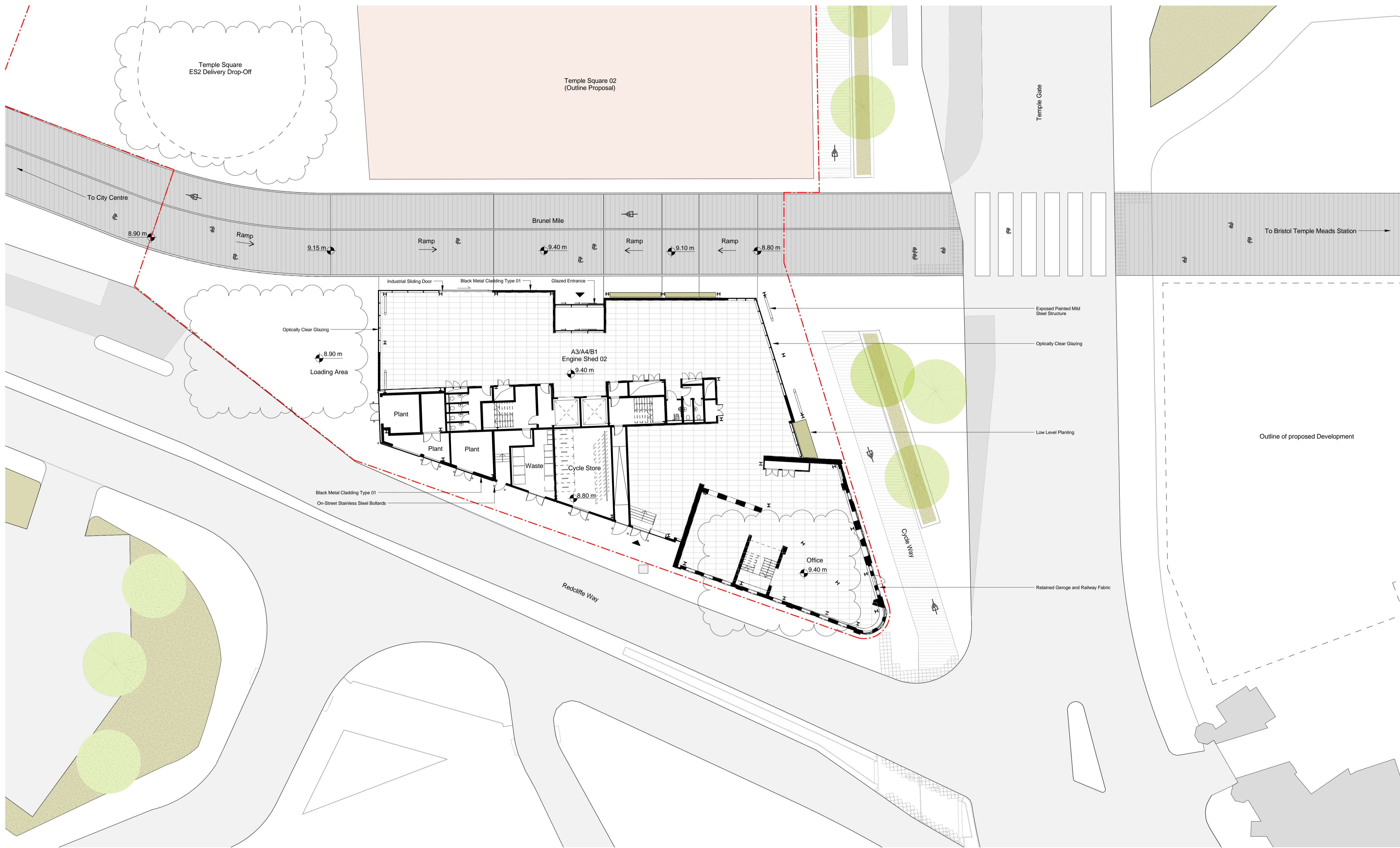
1. Photo survey – George & Railway
2. Proposed ground plan
3. Proposed site elevation east
4. Proposed masterplan
5. Maximum building height
6. Basement GF & L1 access & movement
7. Proposed parameter sections











1 Proposed Plan - Ground
1:200

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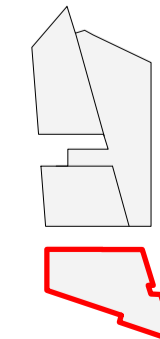
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REV	DESCRIPTION	DATE	CLIENT
A	Planning	12/12/2016	SKANSKA
B	Planning Amendment	25/08/2017	

DETAIL PLANNING APPLICATION

LOCATION KEY



PROJECT
Bristol Temple Square

ADDRESS
Temple Square, Bristol

GRIMSHAW PROJECT NO.
16008

NORTH



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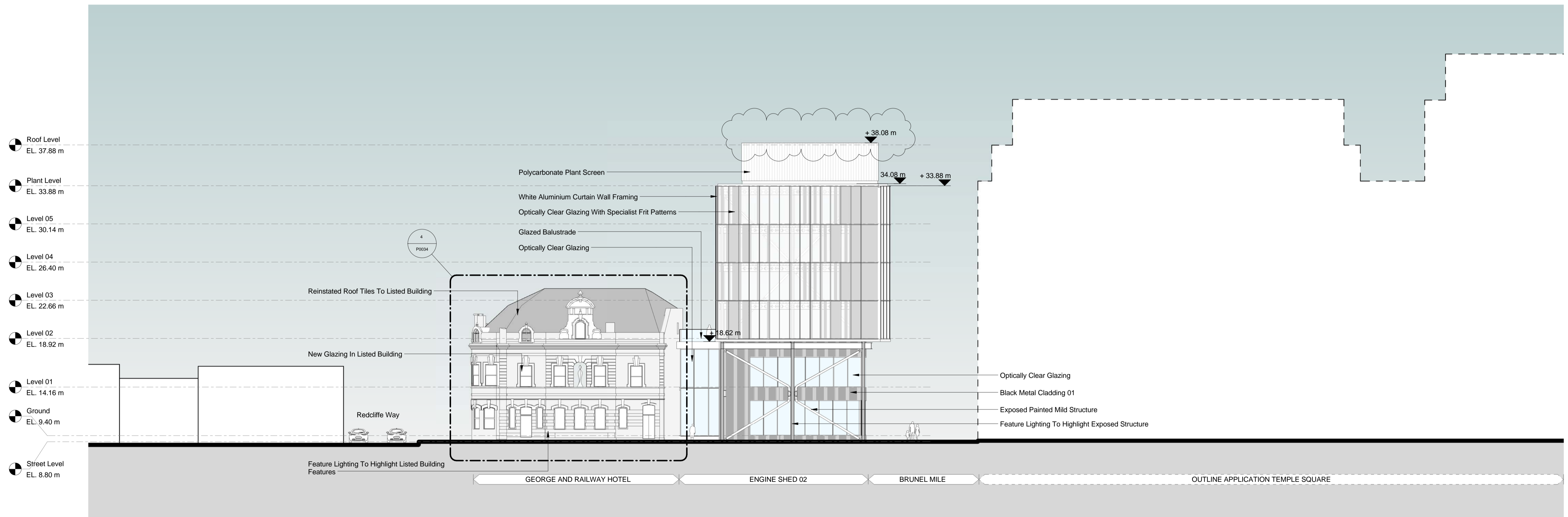
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Planning

DRAWING
Proposed Ground Plan

DRAWN	CHECKED	AUTHORISED
VV	AK	AB

DRAWING NUMBER
16008-GAL-ES02-GF-DR-AX-P0018

REVISION
B



1 PL_ELE E Proposed Elevation 1-200
1:200

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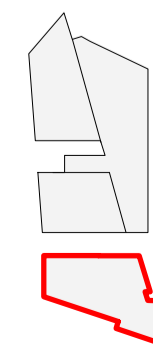
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C	Planning Amendment 02	13/10/2017	

DETAIL
 PLANNING
 APPLICATION

LOCATION KEY



PROJECT
Bristol Temple Square

ADDRESS
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16008

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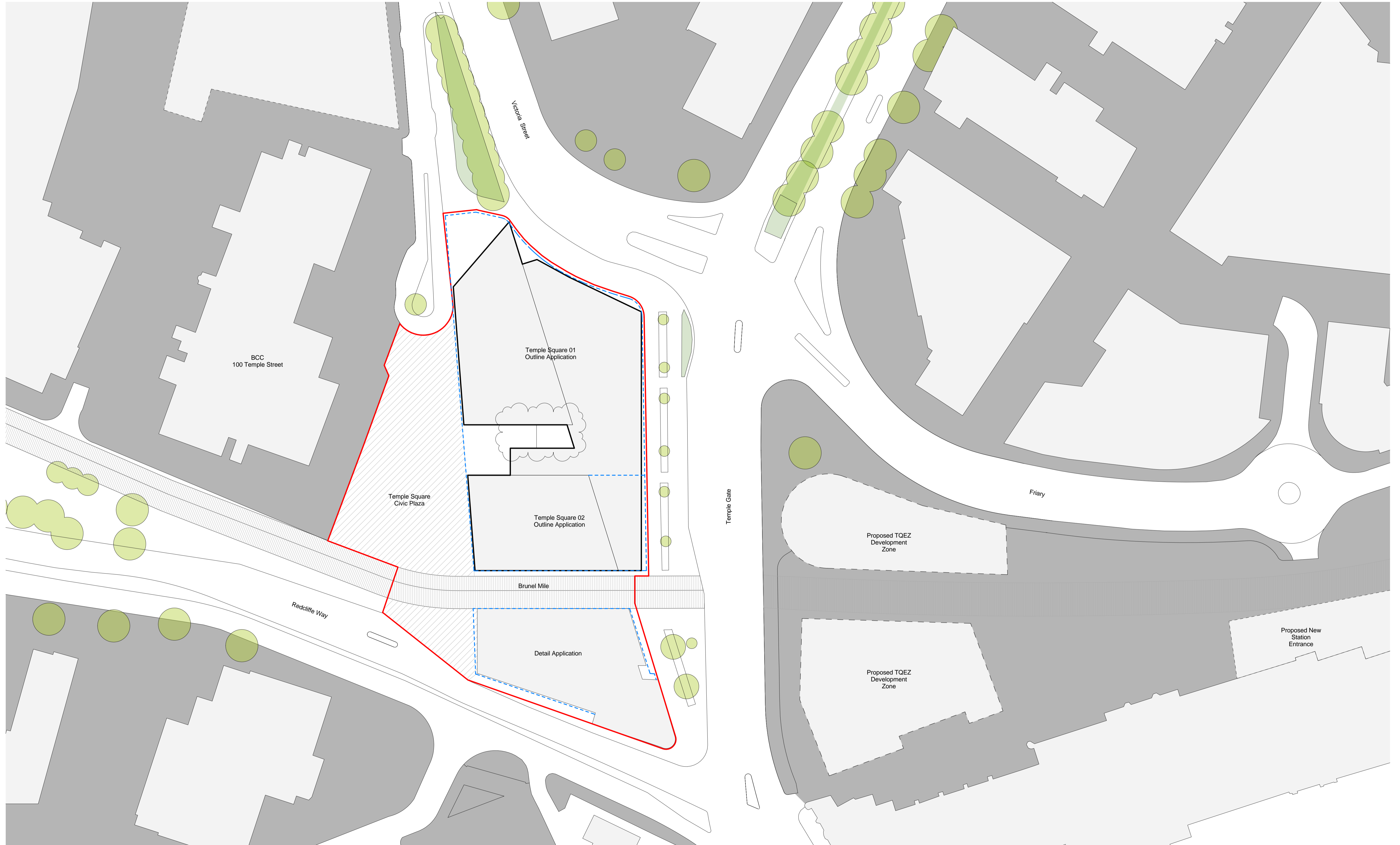
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Planning

DRAWING
Proposed Site Elevation East

DRAWN CHECKED AUTHORISED
SP AK AB

DRAWING NUMBER
16008- GAL- ES02- XX- DR- AX- P0028

REVISION
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OUTLINE PLANNING APPLICATION

DRAWING KEY

- Site Boundary
- - - Development Boundary

PROJECT
Bristol Temple Square

ADDRESS
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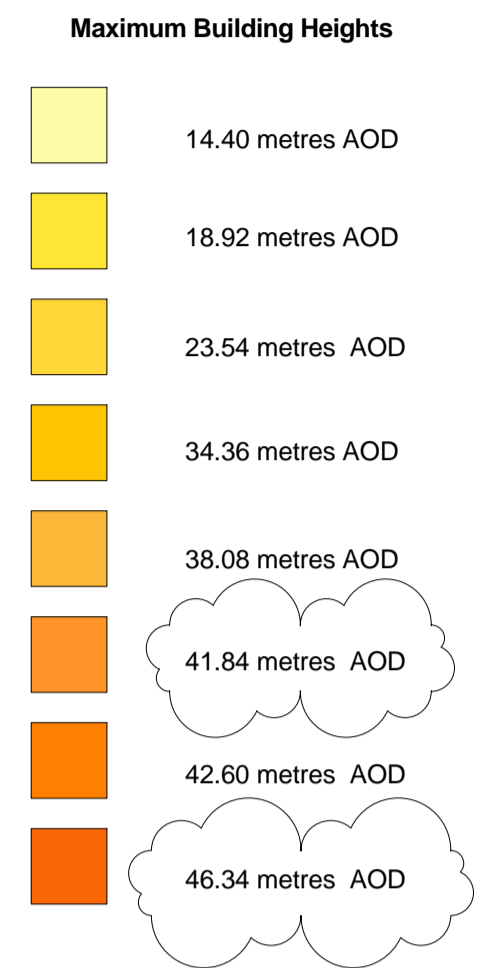
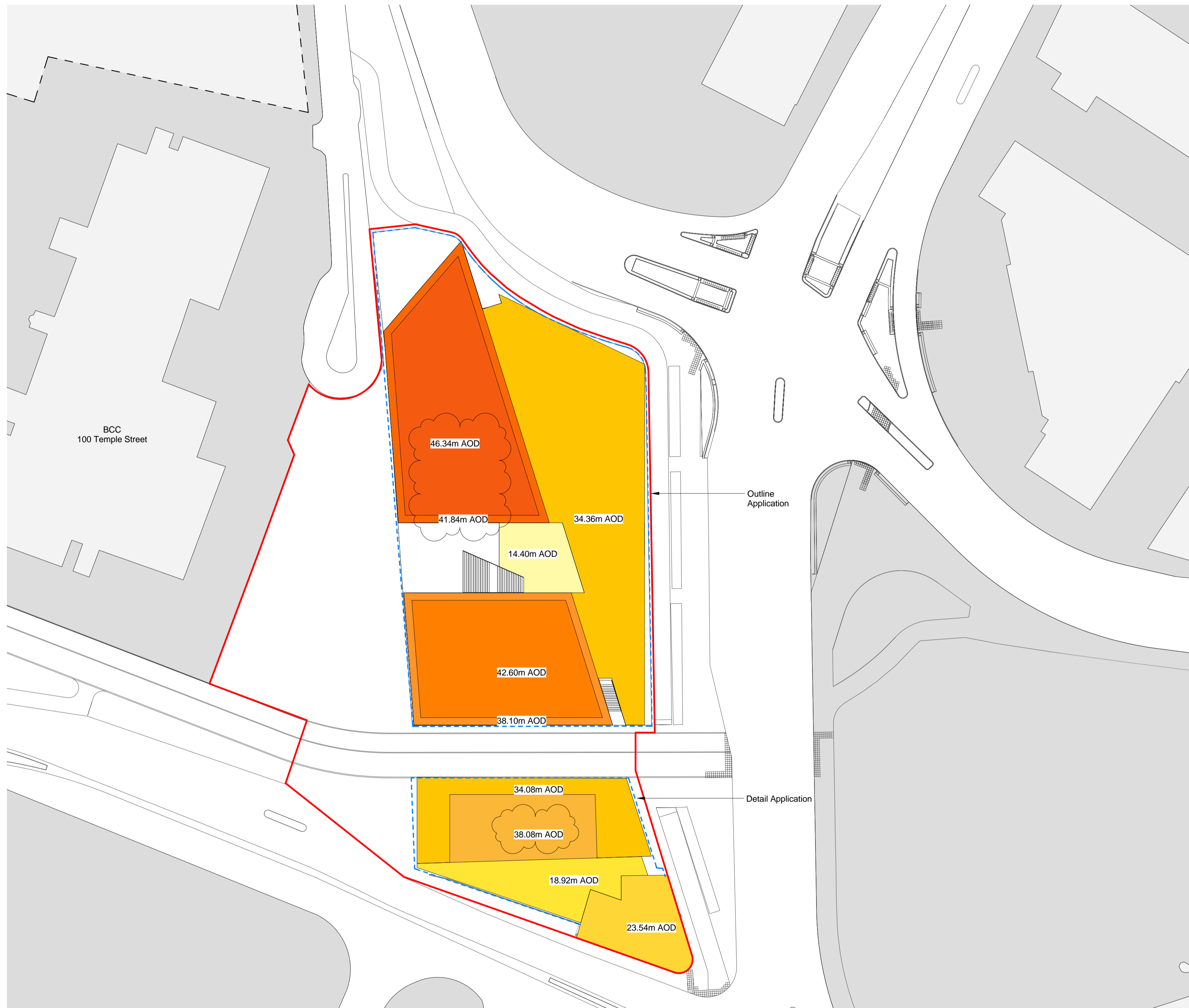
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DRAWING
Proposed Masterplan

DRAWN	CHECKED	AUTHORISED
EHP	AK	AB

DRAWING NUMBER
16008-GAL-MP-00-DR-AX-P0003

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OUTLINE PLANNING APPLICATION

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ADDRESS
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16008

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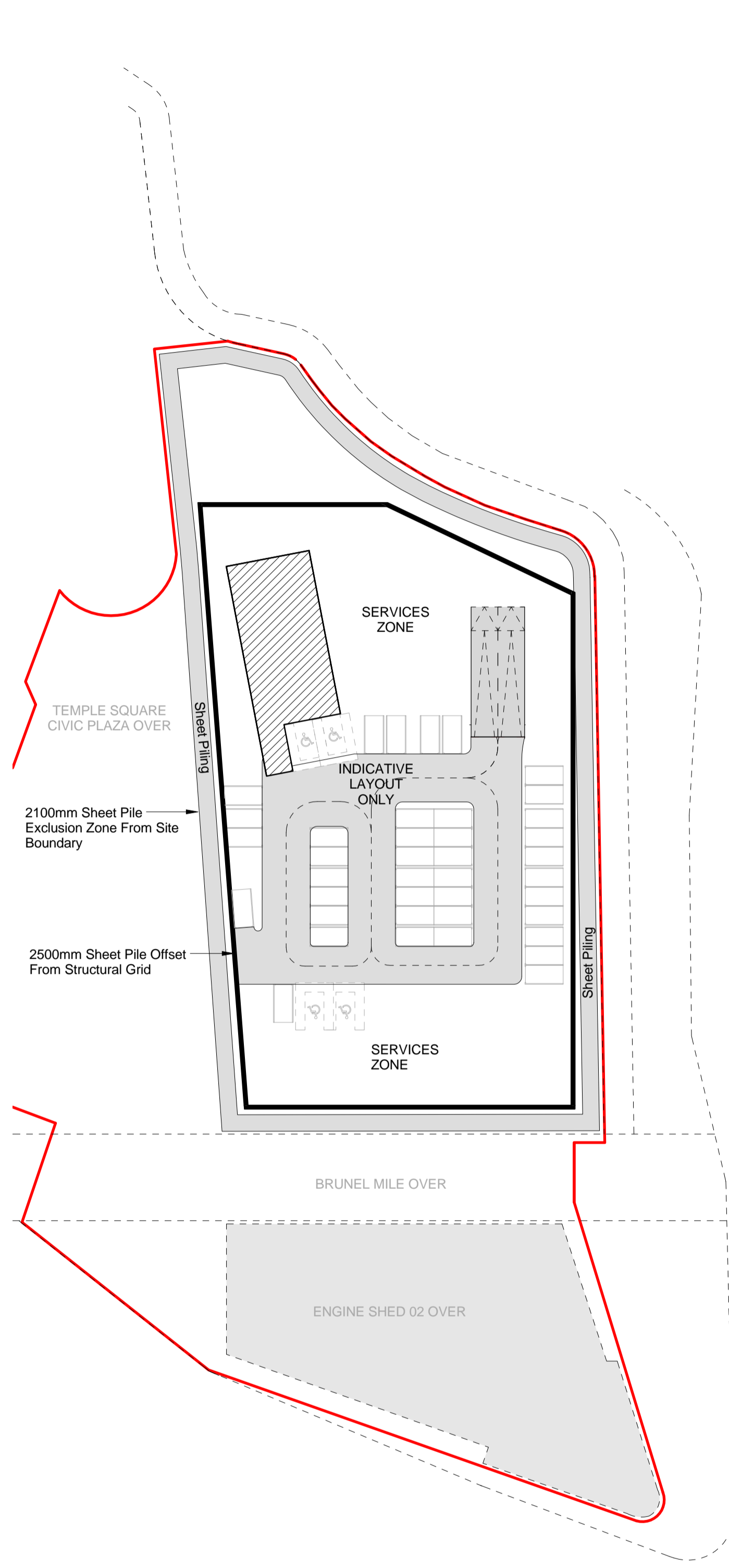
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Planning

DRAWING
Maximum Building Heights

DRAWN CHECKED AUTHORISED
EHP AK AB

DRAWING NUMBER
16008-GAL-TS-00-DR-XX-P0004

REVISION
C



1 Basement Plan
1:500



2 Ground Floor Access & Movement Plan
1:500



3 Level 01 Access & Movement Plan
1:500

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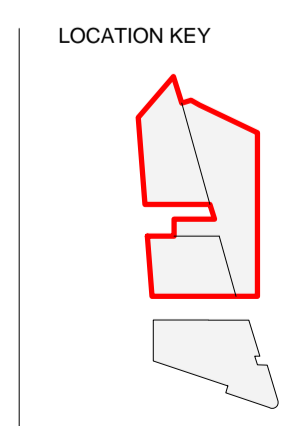
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OUTLINE PLANNING APPLICATION



DRAWING KEY

	Primary Pedestrian Route
	Secondary Pedestrian Route
	Cycle Route

PROJECT
Bristol Temple Square

ADDRESS
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NORTH

SCALE
As indicated @A1

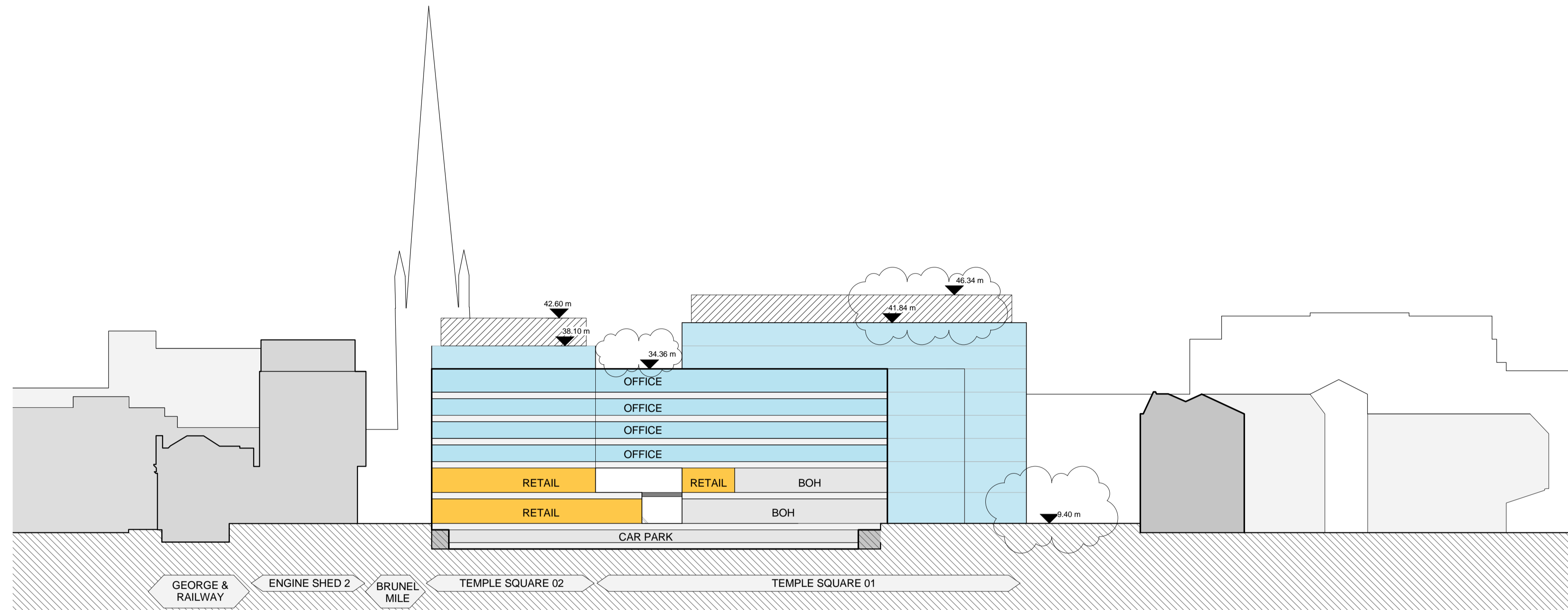
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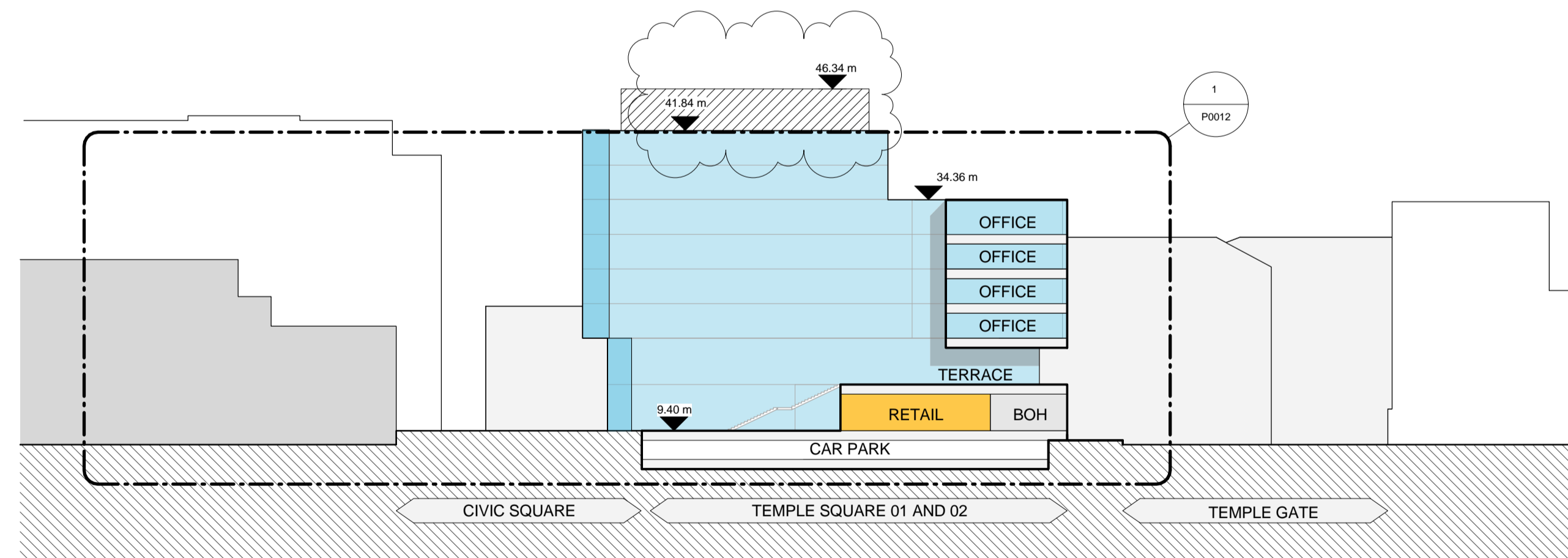
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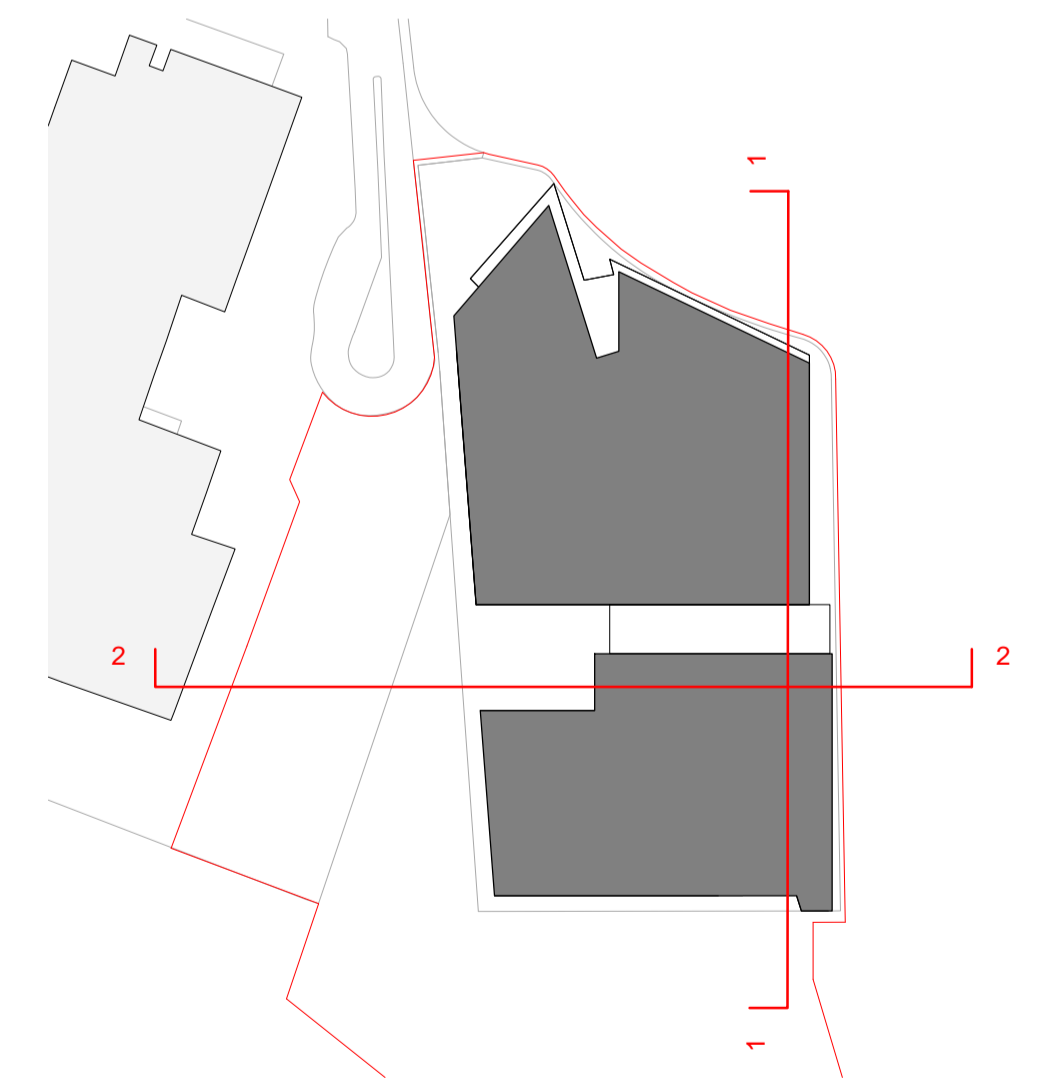
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1 Proposed Development-Long Section
1:500



2 Proposed Development-Cross Section
1:500



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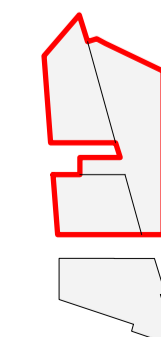
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B	Planning Amendment	25/08/2017	
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OUTLINE
PLANNING
APPLICATION

LOCATION KEY



PROJECT
Bristol Temple Square

ADDRESS
Temple Square, Bristol

GRIMSHAW PROJECT NO.
16008

SCALE
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STATUS
Planning

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Proposed Parameter Sections

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DRAWING NUMBER
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