

# Development Control B Committee Agenda



**Date:** Wednesday, 25 April 2018

**Time:** 6.00 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 (Director - Planning), Gary Collins, Laurence Fallon, Jon Fellingham, Tamsin Sealy, Angelo Calabrese, Thomas Wilkinson, Susannah Pettit, Rachael Dando, David Fowler (Members' Office Manager (Conservative)), Stephen Fulham, Zarah Jama and Paul Shanks

**Issued by:** Jeremy Livitt, Democratic Services

City Hall, PO Box 3167, Bristol, BS3 9FS

Tel: 0117 92 222373758

E-mail: [democratic.services@bristol.gov.uk](mailto:democratic.services@bristol.gov.uk)

**Date:** Monday, 16<sup>th</sup> April 2018



# Agenda

## 1. Welcome, Introduction and Safety Information

(Pages 4 - 5)

## 2. Apologies for Absence

Apologies for absence have been received from Councillor Kevin Quartley.

## 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

To agree the minutes of the last meeting held on 14<sup>th</sup> March 2018 as a correct record.

(Pages 6 - 13)

## 5. Appeals

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

(Pages 14 - 21)

## 6. Enforcement

To note enforcement notices.

(Page 22)

## 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 19<sup>th</sup> April 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 24<sup>th</sup> April 2018.**

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

**8. Planning and Development**

To consider the following applications for Development Control Committee B - **(Page 23)**

- a) **17/07088/F - St Marys Hospital, Upper Byron Place** **(Pages 24 - 73)**
- b) **17/06260/F - Land At Junction of Gooden Street and Bathwell Road** **(Pages 74 - 98)**
- c) **17/06582/F - 22a Islington Road** **(Pages 99 - 149)**
- d) **18/00472/F and 18/00473/LA - Ground Floor Flat, 19 Royal York Crescent** **(Pages 150 - 162)**

**9. Date of Next Meeting**

There are no further meetings of Development Control B Committee scheduled for the remainder of the 2017/18 Municipal Year.



# 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](http://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](mailto: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.

## Public Document Pack

### Bristol City Council Minutes of the Development Control B Committee

14 March 2018 at 2.00 pm



**Members Present:-** Donald Alexander, Harriet Bradley, Fabien Breckels, Harriet Clough, Mike Davies, Richard Eddy, Martin Fodor (Chair), Fi Hance, (substitute), Olly Mead, Azal Shah.

**Officers in Attendance:-** Gary Collins- Head of Development Management, Alison Straw, Tom Watson, Jonathan Dymond, Lewis Cook, Nigel Butler – Development Management, Dylan Davies – Environmental Health, Allison Taylor – Democratic Services.

#### 1. Welcome, Introduction and Safety Information

The Chair welcomed everyone.

#### 2. Apologies for Absence

Apologies for absence were received from Councillor Denyer with Councillor Hance substituting and Councillor Quartley.

#### 3. Declarations of Interest.

Councillor Mead declared that he was a Fellow of the Royal Society of Arts in relation to the land at Temple Circus application and the Engine Shed building, but could decide this application with an open mind.

#### 4. Minutes of the previous meeting.

These were agreed as a correct record.

**Resolved – that the minutes of the above meeting be confirmed as a correct record and signed by the Chair.**

#### 5. Appeals.

The Head of Development Management highlighted items 48 – 50, 52 and 53 as examples of a continuing stream of applications for digital advertising and noted that where refused these were largely upheld at appeal. He also referred to Ebenezer Street, St. George which was not currently listed in the appeals report. This application was granted by Committee in April 2017 and was subject to a Premises Management Plan requiring a Premises Manager on site over a 12 hour period and zero car ownership. The applicant had applied to discharge some of the conditions and after 8 weeks had lodged a request for a deemed discharge. These

had been refused and were then appealed against. Another application was then lodged minus the Premises Management Plan and this was refused under delegated powers and was also appealed. The Planning Inspector looked at both appeals together and found that the zero car ownership condition was an unreasonable restriction as the Committee had been presented with information regarding available spaces on streets nearby. The Inspector also found that requiring a Site Manager on site at a specific period of time was unreasonable and the Committee had not articulated why this was required. The officer approach to discharging the condition for obscure glazing of certain windows was found to have stretched the original requirement. These were therefore all allowed. The appeal against the Management Plan and Construction Management Plan were dismissed. The applicant had been awarded costs.

In response to questions raised, the following points arose:-

1. Proposals for advertising were dealt with by separate legislation. There were only 2 factors that could be considered with digital advertising applications which were visual amenity and public safety;
2. It was not anticipated that the costs for Ebenezer Street would be excessive as the issues under scrutiny were fairly narrow;
3. The appeals for 131, Bridgewater Road had been lodged but had not yet been allocated to a Planning Inspector so were not yet on the Appeals List.

## **6. Enforcement.**

These were noted.

### **Enforcement Update Report – 131, Bridgewater Road.**

The Head of Development Management referred to the detailed report before the Committee. This had been a frustrating situation for local residents due to particular actions from the developer and legislation not being as sharp as officers would like it to be. This retrospective application for 14 houses was refused in August 2017 due to its lack of affordable housing. However, legal colleagues advised that it was not possible to issue an enforcement notice for the lack of affordable housing. There was therefore no planning consent and no incentive to buy the houses. The applicant had lodged an appeal against refusal so the issues would be played out through the appeals process. The Inspector could either allow the appeal so that no affordable housing was required or dismiss it and require the applicant to make a payment. There could be no planning consent until the appeal process was complete. An alternative approach could be a Breach of Condition Notice but as the applicant had not implemented the earlier permission officers did not wish to give the impression that they had complied. The Inspector had the final say as to whether the process was a Public Inquiry.

The following points arose in response to questions:-

1. Councillor Eddy referred to the continuous problems faced by local residents because of this development. People on the site were leaving black bins to be collected, there was light pollution and removal of land drains. He noted that the developer had gone out of business and asked who was legally responsible and who were officers in communication with. He was informed that officers were communicating with the planning agent who represented the landowner. The landowner stated that he was the developer and officers accepted what they had been told;
2. Councillor Bradley believed that even though it was legal it was immoral to allow developers to start new companies when their previous one had gone into liquidation. She asked whether legal advice was over cautious and was informed that the legislation was not ideal, however, ultimately the developer could not escape the lack of planning permission. The Planning Inspectorate would have needed to ensure that the

developer seeking an appeal was the actual applicant in order to validate the appeal.

**Resolved – That the update report be noted.**

## **7. Public Forum**

Members of the Committee received Public Forum statements in advance of the meeting. The statements 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**

The following items were considered:

### **A. 17/04490/X – Bristol Waste Recycling Facility.**

There was no amendment Sheet.

The representative of the Head of Development Management made the following points by way of introduction:-

1. This application was brought before the Committee due to the level of public interest after the initial consultation;
2. It was for the variation of hours for the bailer and sorting line and glass tipping operations;
3. The site consisted of primarily industrial and commercial operators and faced two industrial estates. Beyond the sites were a mix of residential terraces and commercial units;
4. No community consultation was formally required but the applicant chose to undertake involvement with local stakeholders and Councillors and a meeting was held along with a tour of the site.

An Environmental Health Officer gave advice regarding noise and methodology as follows:-

5. Objections received concerned noise, air quality and detriment to amenity. Environmental Health Officers were concerned that that the applicant had not demonstrated that these concerns would not be made worse. Following a meeting with Environmental Health Officers and in light of the concerns from objectors, a revised proposal was submitted to address the issues. These included no Sunday operation and reduction in the hours for activities for the rest of the week. On re-consultation, this received 7 objections concerning noise, the level and nature of glass tipping, the blanket extension of Saturdays and Bank Holidays and the start time;
6. No objections were received from air quality or contaminated land officers. Transport Development management were satisfied that the proposals would have minimum impact on the highway network;
7. The Environmental Health Officer stated that his main concern had been the external glass tipping although not exceptionally loud it was distinct and happened once every 3/4 minutes. Sometimes vehicles queued, other times there were no vehicles. The deep bays provided a noise barrier to an extent;
8. The existing noise environment and the noise of particular activities was considered individually in accordance with BS4142 and the lowest observed adverse impact and the Committee's attention

was drawn to the table of findings as set out in the report;

9. The EHO Officer was satisfied that the removal of activities on Sunday and the reduction in hours during the week provided respite for residents and a noisy situation was not made worse and subject to conditions the revised proposals were considered acceptable.

The representative of the Head of Development Management summed up:-

10. The application was assessed in line with National Planning Policy Framework and its Noise Policy Statement and with regard to Bristol Local Plan Policy BCS23 and DM 10 and DM35 of the Site Allocations document;

11. Regard was also had to the West of England Joint Waste Core Strategy which stated that such applications should not be granted unless they could demonstrate no adverse impact on residential amenity and noise pollution;

12. All objections were taken into account and officers recommended approval subject to conditions set out in the report.

The following points arose from debate:-

1. The proposed South Bristol Recycling Plant would make no difference to these proposals. This was an allocated site for waste activities and would bring about a certain level of noise and therefore it was important that there was a sound scheme to protect residents;

2. The prevailing wind was South West so would not take noise to nearby homes. The background noise was assessed over a number of days and an average was arrived at;

3. Technically it was possible to limit the conditions for a number of days of use but this would not provide the operator with the flexibility it sought. It would also be difficult to monitor as the enforcement service was now purely reactive;

4. Councillor Shah observed that this was a significant development and questioned whether targets for recycling would continue to be achieved and was the development creating a precedent. He was informed there was no precedent in planning as all applications were considered on their merits. This application had been individually assessed with regard to its impacts;

5. Councillor Bradley had visited the site and observed that the bailer did not produce much noise but the glass tipping did. She commended the work done by the Environmental Health Officer (EHO) and was satisfied with his recommendations and moved them as set out in the report;

6. Councillor Breckels also welcomed the thorough work carried out by the EHO and asked whether there were any measures that could soundproof the bays where the glass was tipped. He was informed that Bristol Waste was asked for other mitigating measures but was unable to offer any. There was potential for a roof on the bays but this would need a detailed assessment and it was possible that this could make noise worse at other locations by funnelling noise;

7. Councillor Eddy seconded the motion to grant. On being put to the vote, it was:-

**Resolved (9 for, 1 against) – That the application be granted planning permission subject to conditions as set out in the report.**

At this point, Councillor Shah left the meeting.

**B. 17/02413/F - Old Bristol Royal Infirmary Building, Marlborough Street (South Side), City Centre.**

Supporting Documents were made available to the Committee in advance of the meeting.

The representative of the Head of Development Management made the following points by way of introduction:-

1. These proposals were due to be considered at Committee in September 2017, however two days before the Committee the Hospital chapel was listed as a Grade II listed building. This was a material change and required a withdrawal of the report as it did not reflect the listing and the necessary weight to be attached to it;
2. The applicant subsequently requested that the listing be reviewed by Central Government (DCMS) and as such the Public Inquiry arranged for November 2017 for the appeal against non-determination was put in abeyance pending the outcome of the review.
3. The application was therefore brought before the Committee to determine what its decision would have had it been able to determine the application so that officers could defend the reasons at appeal;
4. In light of the listing of the Chapel, there were two scenarios the Committee was asked to determine. The first scenario reflecting the position before the listing, which was needed should the Chapel be de-listed and the second where the Chapel was listed and remained listed;
5. There were no material changes to the proposals and therefore the only change was the listing of the Chapel which provided a further reason for refusal. The application consisted of 715 student bed spaces, office floor space, a medical school and 23 car parking spaces. Officers were satisfied that the loss of the hospital façade did not impede on the expansion of hospital facilities as the proposed medical school continued that link and the use of the land was therefore accepted. The contentious issues were the locally listed buildings, the urban and architectural design quality, air quality and the way one moved around the site;
6. Significant objections were received and there was collective concern regarding the quality of the scheme, the relationship with the street and the architectural quality and nature of the scheme;
7. There were various levels of harm on heritage assets such as St James Parade and Priory, the Coach House and White Harte. The Chapel was still locally listed (in the event that statutory listing was not confirmed) and its loss was considered harmful as it was part of Bristol's identity and the replacement scheme did not compensate for that. Air quality was not good along the road and the extra height of the development was likely to make this worse as it acted in a canyoning effect. Officers had requested air quality remodelling but this had not been forthcoming and therefore this was a reason for refusal.

The following points arose from debate:-

1. Councillor Breckels observed that it was astonishing and tragic how much of the fabric of Bristol had survived the Blitz but was subsequently redeveloped. He was pleased the Chapel had been listed and supported officers' recommendations for refusal. He asked whether it was possible to list the whole of the BRI building and was informed that there had been two previous unsuccessful attempts and was aware that there might be another attempt;
2. Councillor Bradley highlighted the poor air quality in a heavily trafficked area where there were sick people and asked whether officers could undertake the remodelling and was informed that this was the responsibility of the developer and for officers to then assess its findings;
3. Councillor Hance stated that there was very little to recommend in the proposals and moved that both scenarios be refused and this was seconded by Councillor Eddy. Both scenarios were put to the vote and it was unanimously :-

**Resolved –**

- 1. That had the Local Planning Authority been in a position to determine the development proposals prior to the Hospital Chapel being Grade II listed, it would have refused them on the grounds as set out in the report.**
- 2. That had the Local Planning Authority been in a position to determine the development proposals where the Hospital Chapel remains Grade II listed, it would have refused them on the grounds as set out in the report.**

**C. 17/05145/F – Woodlands, Church Road, Sneyd Park.**

There was no Amendment Sheet.

The representative of the Head of Development Management made the following points by way of introduction:-

1. The application was before Committee as the ward Councillor Peter Abraham had referred it;
2. The application was for the construction of a three-storey four bedroom house on a disused and overgrown plot adjacent to a Grade II listed building;
3. The proposals would require the removal of 17 trees with 19 replacement trees being planted on site and 6 off site. Tree Officers were content with this level of mitigation;
4. The new dwelling would be set into the slope on the site with the lower and mid-floors situated below the ground level at Church Road;
5. Twenty objections were received concerning the adjacent listed building, overdevelopment, loss of trees and residential amenity impact;
6. In principle the development was considered acceptable and was supported by policies BCS5, BC20 and DM21. The Conservation Officer supported the view that there was not substantial harm and the special interest of St Marys was not directly affected;
7. Officers considered that there was sufficient public benefit to offset any harm caused and the proposal was sufficiently subservient to the Victorian buildings either side. Over-looking was avoided given the distance and height from St Marys. A daylight and sunlight study conducted by a consultant on behalf of the applicant showed that the neighbouring windows passed the BRE daylight and sunlight test. Transport Development Management Officers were content that access was maintained and there was sufficient parking. The controlled ventilation system provided a 20% reduction in CO2 as set out in BSC14.

The following points arose from debate:-

1. The numbers of replacement trees was in line with policy;
2. Councillor Mead believed it was a well-designed modern building with modern buildings nearby within a Conservation Area but was hesitant in supporting it in relation to the grade II listed buildings;
3. Councillor Breckels stated that it was an exciting piece of architecture and was subservient to surrounding buildings and he would support the officer recommendation to approve;
4. Councillor Eddy appreciated the neighbours' concerns but preferred land use was not the role of the Committee. The proposal was contemporary and well-designed and he would support the officer recommendation to approve;
5. Councillor Bradley stated that the design was imaginative. She would normally be opposed to infill and was

sympathetic to concerns but moved the officer recommendation to approve and this was seconded by Councillor Eddy. On being put to the vote it was unanimously:-

**Resolved – That the application be granted planning permission subject to conditions as set out in the report.**

**D. 16/06828/P & 16/06842/LA – Land at Temple Circus.**

There was no Amendment Sheet.

The representative of the Head of Development Management made the following points by way of introduction:-

1. The applications were first brought before Committee in November 2017 where it supported them on the grounds that the benefits outweighed the harm but were unable to grant planning permission as objections were received from Historic England and the Victorian Society requiring the applications to be referred to the Secretary of State;
2. Since then the Secretary of State has confirmed that he will not be calling the application in for decision and a package of S106 measures have been negotiated;
3. Further detail on air quality has been submitted following the previous meeting. As a consequence Officer would be seeking additional control over parking, which would be picked up in Reserved Matters applications, and amendments to the travel plan which could be secured by condition;
4. The Committee was asked to confirm the previous resolution and the reasons for it as set out in the report and agree a Heads of Terms of a legal agreement.

The following points arose from debate:-

1. Councillor Eddy noted the basic planning principle that ownership did not dictate planning consent. He was reassured by the progress and moved the recommendations to grant planning permission, this was seconded by Councillor Davies;
2. Councillor Mead supported the principle but felt it was a shame to lose the building although it had been scaffolded and a problem for a long time;
3. Councillor Breckels was concerned that it was possible to submit an application on a site you did not own and was informed that land ownership was not a planning issue and the situation had not changed since the previous decision;
4. On being put to the vote it was unanimously:-

**Resolved –**

**1. That application no. 16/06828/P be granted planning permission subject to appropriate conditions and a planning agreement to secure:-**

- i) A financial contribution of £13,500 for the administration of a travel plan
- ii) £5,395 fees for a Traffic Regulation Order.

**2. That application no. 16/06842/LA be granted planning permission subject to appropriate conditions.**

**11 Date of Next Meeting**



It was noted that the next meeting was scheduled to be held at 6pm on 25 April 2018.

Meeting ended at 4.45pm

**CHAIR** \_\_\_\_\_

## DEVELOPMENT CONTROL COMMITTEE B

25th April 2018

### REPORT OF THE SERVICE DIRECTOR - PLANNING

#### LIST OF CURRENT APPEALS

##### Householder appeal

Item	Ward	Address, description and appeal type	Date lodged
1	Easton	76 Robertson Road Bristol BS5 6JT Retrospective application for the retention of a building. Appeal against refusal Delegated decision	06/03/2018

##### Informal hearing

Item	Ward	Address, description and appeal type	Date of hearing
2	Hillfields	24 Mayfield Avenue Bristol BS16 3NL Lombardy Poplars (T4 and T5) - fell to ground level (Protected by Tree Preservation Order 917). Appeal against refusal Delegated decision	24/07/2018
3	Bishopsworth	Land Adjacent 131 Bridgwater Road Bristol BS13 8AE Retrospective application for erection of 14 dwellinghouses (13 x 3/4 bed and 1 x 2/3 bed) with associated vehicular and pedestrian access and cycle and bin storage, with access from Kings Walk (revision to planning permission 13/04789/F) (Major Application). Appeal against refusal Committee	11/07/2018
4	Brislington East	Land Next To 131 Bridgwater Road Bristol Outline application for the erection of up to 9no. dwellinghouses with associated garages, parking areas and landscaping with 'Access' to be considered. Appeal against non-determination Delegated decision	11/07/2018

## 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	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
7	St George West	<p>270 Church Road St George Bristol BS5 8AH</p> <p>The addition of a new two-storey unit to provide new dwelling, with minor extensions and alterations to the existing unit.</p> <p>Appeal against refusal Committee</p>	22/01/2018
8	Central	<p>O &amp; M Sheds Welsh Back Bristol BS1 4SL</p> <p>Proposed retention and repair of the two historic buildings O &amp; 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.</p> <p>Appeal against refusal Committee</p>	23/01/2018
9	Avonmouth & Lawrence Weston	<p>1 - 3 High Street Shirehampton Bristol BS11 0DT</p> <p>First and second floor extensions to provide 6 flats.</p> <p>Appeal against refusal Delegated decision</p>	07/02/2018

10	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
11	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
12	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
13	Southmead	7 Lorton Road Bristol BS10 6DG Erection of two storey dwelling house and associated works. Appeal against refusal Delegated decision	08/02/2018
14	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
15	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
16	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
17	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

18	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
19	Ashley	87 Ashley Road Bristol BS6 5NR Two storey side extension, loft conversion with partial demolitions and alterations to existing Annex Appeal against refusal Delegated decision	23/02/2018
20	Ashley	87 Ashley Road Bristol BS6 5NR Two storey side extension, loft conversion with partial demolitions and alterations to existing Annex. Appeal against refusal Delegated decision	23/02/2018
21	Easton	76 Robertson Road Bristol BS5 6JT Enforcement notice appeal for the erection of building for habitation rather than as a garage which is larger than the building approved in 2003. Appeal against an enforcement notice	06/03/2018
22	Avonmouth & Lawrence Weston	75 Sylvan Way Bristol BS9 2NA Proposed drop kerb and creation of vehicle parking in front garden. Appeal against refusal Delegated decision	04/04/2018
23	Filwood	18 Parson Street Bristol BS3 5PT Erection of two storey dwelling. Appeal against refusal Delegated decision	04/04/2018
24	Central	Bristol International Student Centre 45 Woodland Road Bristol BS8 1UT Erection of a two storey extension to provide 2 additional, student study bedrooms and a new reception area. Appeal against refusal Delegated decision	11/04/2018

## List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
25	Hartcliffe & Withywood	85 Fair Furlong Bristol BS13 9HY Proposed new dwelling on the land at the rear of 85 Fair Furlong Appeal against refusal Delegated decision	Appeal dismissed 06/03/2018
26	Bishopston & Ashley Down	29 Church Road Horfield Bristol BS7 8SA Erection of a single storey, rear extension and a rear roof extension. Appeal against refusal Delegated decision	Split decision 29/03/2018
27	Ashley	10 Williamson Road Bristol BS7 9BH Enforcement notice appeal for excavation and engineering works at the front of the property to form an off street parking area. Appeal against an enforcement notice	Appeal allowed 06/03/2018
28	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	Appeal dismissed 22/03/2018
29	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	Appeal allowed 22/03/2018
30	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	Appeal allowed 22/03/2018

31	Central	<p>Outside 5-7 Bridewell Street Bristol</p> <p>Application for prior notification of proposed development by telecommunications code system operators - Telephone Kiosk - replacement of existing kiosk with new design.</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	<p>Appeal allowed</p> <p>22/03/2018</p>
32	Hillfields	<p>1A Fitzroy Road Bristol BS16 3LZ</p> <p>Single storey extension to rear of ground floor flat.</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	<p>Appeal dismissed</p> <p>22/03/2018</p>
33	Avonmouth & Lawrence Weston	<p>163 Long Cross Bristol BS11 0LZ</p> <p>Demolition of existing outbuildings (garage and store) and erection of 1 no. dwelling.</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	<p>Appeal dismissed</p> <p>15/03/2018</p>
34	Eastville	<p>60 Thingwall Park Bristol BS16 2AE</p> <p>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.</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	<p>Appeal allowed</p> <p>19/03/2018</p>
35	Frome Vale	<p>49 Manor Road Fishponds Bristol BS16 2HX</p> <p>Second storey side &amp; rear extensions over existing single storey.</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	<p>Appeal dismissed</p> <p>09/03/2018</p>
36	Westbury-on-Trym & Henleaze	<p>8 Newcombe Road Bristol BS9 3QS</p> <p>Erection of a double storey, side and a single storey, rear extension after part demolition of the garage.</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	<p>Appeal allowed</p> <p>27/03/2018</p>
37	St George Central	<p>Lane Leading To Former Wesleyan Methodist Chapel Bristol</p> <p>Residential development comprising of two dwelling houses with vehicle access through the approved former Wesleyan Chapel car park, together with associated landscaping</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	
38	Lawrence Hill	<p>6 Claremont Street Bristol BS5 0UH</p> <p>Replacement of an existing 48-sheet backlit advertising display with a digital LED advertising display.</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	<p>Appeal allowed</p> <p>15/03/2018</p>

39	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	Appeal allowed 26/03/2018
40	Frome Vale	19 Lambrook Road Bristol BS16 2HA Erection of two, two storey dwellings. Appeal against refusal Delegated decision	Appeal dismissed 04/04/2018
41	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	Appeal dismissed 05/04/2018
42	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	Appeal withdrawn 06/03/2018
43	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	Appeal dismissed 29/03/2018



44	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	Appeal dismissed 29/03/2018
45	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	Appeal allowed 13/04/2018
46	Eastville	208A Rose Green Road Bristol BS5 7UP Erection of rear and side extension. Appeal against refusal Delegated decision	Appeal dismissed 29/03/2018

**DEVELOPMENT CONTROL COMMITTEE B****25th April 2018****REPORT OF THE SERVICE DIRECTOR - PLANNING****LIST OF ENFORCEMENT NOTICES SERVED**

<b>Item</b>	<b>Ward</b>	<b>Address, description and enforcement type</b>	<b>Date issued</b>
1	Bishopston & Ashley Down	16 Alton Road Bristol BS7 9PS  Erection of extension without planning permission to the rear of the property. Enforcement notice	22/03/2018
2	Bishopsworth	35 Cheddar Grove Bristol BS13 7EE  Formation of balcony/roof terrace and extension not built as per planning permission 16/01954/H. Enforcement notice	27/03/2018
3	Horfield	61 Eden Grove Bristol BS7 0PQ  Erection of walling on rear boundary higher than 2m. Enforcement notice	28/03/2018
4	Windmill Hill	154 Marksbury Road Bristol BS3 5LD  Development being the erection of a detached ancillary building being larger than approved by planning permission 16/04845/H. Enforcement notice	06/03/2018

## Development Control Committee B 25 April 2018

### Report of the Service Director - Planning

#### Index

#### Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Hotwells & Harbourside	Grant subject to Legal Agreement	17/07088/F - St Marys Hospital Upper Byron Place Bristol BS8 1JU Conversion and redevelopment to provide 115 units (153 bedspaces) of student accommodation (Sui Generis) with associated landscaping works [major application].
2	Windmill Hill	Grant subject to Legal Agreement	17/06260/F - Land At Junction Of Goolden Street And Bathwell Road Bristol BS4 3AN Construction of a residential development of seven residential units, for the land at the junction of Goolden Street and Bathwell Road.
3	Southville	Grant	17/06582/F - 22A Islington Road Bristol BS3 1QB Demolition of existing buildings and erection of a single dwelling.
4	Clifton	Grant	18/00472/F & 18/00473/LA - Ground Floor Flat 19 Royal York Crescent Bristol BS8 4JY Proposed French Doors to rear of property, with access to garden & cavity wall insulation

index  
v5.0514

**Development Control Committee B – 25 April 2018**

**ITEM NO. 1**

**WARD:** Hotwells & Harbourside      **CONTACT OFFICER:** Susannah Pettit

**SITE ADDRESS:** St Marys Hospital Upper Byron Place Bristol BS8 1JU

**APPLICATION NO:** 17/07088/F      Full Planning

**DETERMINATION DEADLINE:** 23 March 2018

**Conversion and redevelopment to provide 115 units (153 bedspaces) of student accommodation (Sui Generis) with associated landscaping works [major application].**

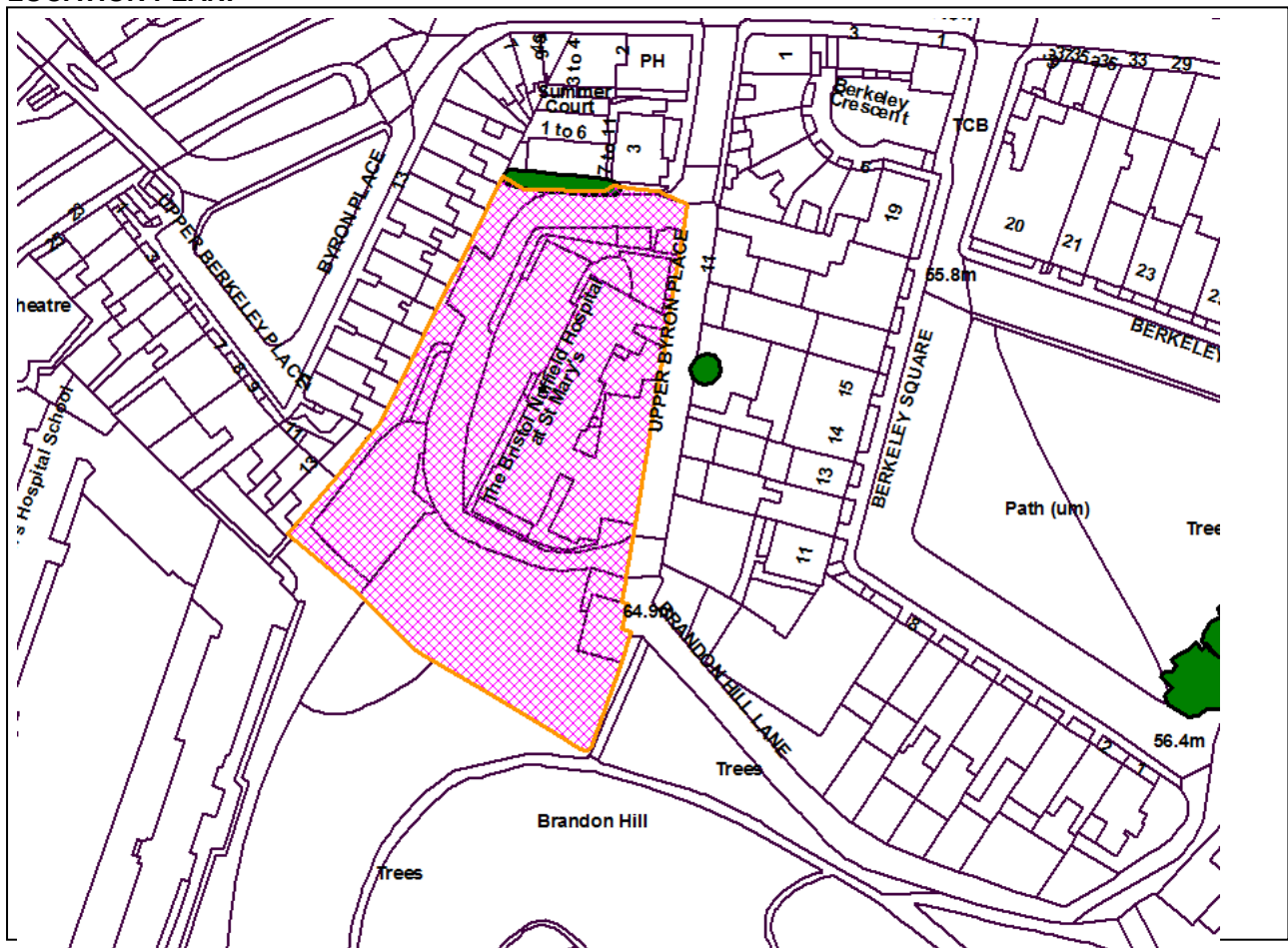
**RECOMMENDATION:** GRANT subject to Planning Agreement

**AGENT:** CSJ Planning Consultants Ltd  
1 Host Street  
Bristol  
BS1 5BU

**APPLICANT:** Empiric (Bristol St Marys) 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 – 25 April 2018**  
**Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

## SUMMARY

This application for the conversion of a vacant hospital building and refurbishment of the site to create a private student housing development is being presented to Committee due to the number of objections received (26).

There is a lengthy planning history on the site. Previous applications proposing varying degrees of demolition of the hospital building, which had been refused either by delegated powers or by the planning committee, some having been taken to Public Inquiry and dismissed by the Planning Inspector, have led to a strong aspiration to retain the building on site. Although not listed, it is subject of local designations and holds a prominent place within the conservation area, particularly in views from Queens Road/Triangle West.

The site has lain vacant for a number of years and officers welcome this proposal to retain the building and to redevelop the site. In view of the characteristics of the building, the proposed use as student housing is seen to be ideal as it does not require extensive alteration to the original form or structure of the main building. The use is also supported by Local Plan policies BCS18, DM2 and BCAP4.

Objections received have raised concerns relating to the inclusion of a proposed 2/3 storey building (The Pavilion) on the south-western part of the site, and its proximity to residential properties on Byron Place. Concerns have also been raised on the development's impact on Daylight and Sunlight, as well as the proximity of the proposed refuse and bicycle storage areas close to the boundary wall with properties on Byron Place. Parking has also been raised as an issue, although the application proposes a car-free development written into the students' tenancy agreements, which can be secured through this application. A number of design and conservation concerns have also been raised, including concerns relating to landscaping.

The proposal responds well to sustainability policies, despite its heritage restrictions, and proposes use of a decentralised system by way of a Combined Heat and Power Plant (CHP), and is set to achieve a BREEAM 'Excellent' score. A discrete array of PV panels is proposed to the new roof of the hospital building.

Officers consider that the application responds well to the main design and conservation issue, and includes supporting documents which contain a convincing response on all of the planning issues raised in consultation.

## SITE DESCRIPTION

The 0.5 hectare application site is located on the western side of Upper Byron Place, to the south of Triangle South, Clifton. The site was previously known as St Mary's Hospital (more recently Nuffield Health).

The site borders Brandon Hill Park, which is designated as a Site of Nature Conservation Interest (SNCI), and is also a Regionally Important Geological and Geomorphological (RIGS) site. Located to the east of the site is Berkeley Square and to the west of the site are the residential terraced properties of Byron Place and Upper Berkeley Place which are positioned at a significantly lower ground level than the application site and separated by a large retaining wall equating to about 3 storeys in height. The site, particularly the southern part, contains extensive landscaping including a number of mature trees as it rises up towards Brandon Hill. Whilst not part of Brandon Hill Park, this area does provide a landscaped link and is given importance in past planning decisions.

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

The site is situated within the Park Street and Brandon Hill Conservation Area and contains a four storey hospital building with a series of extensions to the rear and sides. The site includes separate buildings, including a Lodge (situated in the northern end of the site that is visible from Triangle South). This building is a small, characterful 'Chalet' style rubble stone building with a pitched roof. There is an external boiler house and timber sheds of varying sizes. None of the buildings on site are listed, but the northern half of the existing (main) hospital building is on the Local List and is designated as a 'building of merit' within the Conservation Area Character Appraisal. This northern half of the building is the oldest building on site, dating from the early to mid-19th Century, which was formally a terrace of four residential properties. The western façade of the main building (which is the front elevation, despite not fronting onto Upper Byron Place) is constructed from Bath Stone and render. Nearest listed buildings are Nos. 1-6 Berkeley Crescent (Grade II\*); Nos 11-19 Berkeley Square (Grade II\*); Cabot Tower (Grade II); and Nos 1-10 Upper Berkeley Place.

The boundary walls to the site are constructed in rubble stone, with the wall along the western boundary, forming a high retaining wall with the properties along Byron Place. The site currently has two vehicular access points, one at the northern end of the site and one at the southern end. Both provide access to a car parking area in front of the main hospital building. A large proportion of the site is covered with hard surfacing; with the west and southwest sections of the site used for car parking provision (25 spaces exist). There are no public rights of way or established routes through the site. Vehicular access onto Triangle South is relatively steep, with Upper Byron Place becoming very narrow as it rises towards the park, limiting passage by large vehicles.

Across the road from the application site is no. 11 Upper Byron Place - a residential property. Other buildings fronting this road form rear outbuildings within the gardens of properties on Berkeley Square, to the site's east, and Berkeley Square Hotel gardens. A steep pathway and steps lead up from Upper Byron Place and into Brandon Hill Park to the south. To the site's west, there is a dramatic level change as land drops steeply away from the site. The site is bounded by a retaining wall which acts as the party boundary between it and the properties on Byron Place (nos. 11-21). Due to this level change, the car park level is approximately level with the second floor levels of these properties. To the north of the site is Summer Court, a modern 3 storey building, set at a lower level to the application site and containing flats. Finally, to the site's south-west is the Queen Elizabeth Hospital School, which is a Grade II listed red brick building set into the hill, around a courtyard.

The site is within the City Centre, within the Central Area Plan boundary.

**RELEVANT HISTORY**

Pre-Application enquiries:

There have been two pre-application enquiries on this site as described below:

15/03605/PREAPP - Demolition of existing buildings and the erection of new accommodation to provide assisted living development for older people comprising apartments that would be integrated with communal and support facilities, car parking and landscape works.

Response issued on 30 September 2015

15/05767/PREAPP - Demolition of existing buildings and erection of new accommodation providing assisted living for older people. Apartments integrated with communal and support facilities, car parking and landscape works.

Response issued on 10 February 2016

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

Planning applications:

13/02357/F (and accompanying Listed Building application 13/02358/LC)

Demolition of the hospital building with retention of the North and West facades and the Lodge; demolition of the Boiler House and other ancillary buildings; re-development to provide 223 rooms of student residential accommodation (Use Class Sui generis) in three new buildings; and conversion of the Lodge; closure of the southern access point; provision of 2 on-site disabled parking spaces, 54 cycle parking spaces, plant room and communal facilities; landscaping; and a service turning area (Major Application).

Date Closed                      4 November 2013                      REF

13/02699/F (and accompanying Listed Building application 13/02813/LC)

Retention of the principal hospital building, with demolition of the rear and side extensions, retention of the lodge, demolition of the boiler house and other ancillary buildings, re-development to provide 200 rooms of student residential accommodation (use class sui generis) in retained buildings and two new buildings. Closure of the southern access point. Provision of 2 on site disabled car parking spaces, 54 cycle parking spaces, plantrooms and communal facilities, landscaping and a service and turning area.

Date Closed                      4 November 2013                      REF

Both of the above schemes were refused by Planning Committee for the same reasons, which are summarised below:

- 1) The proposed development would, due to its layout, height, scale, massing, form and overall design and appearance, result in the loss of green infrastructure and would fail to contribute positively to this areas character and identity and local distinctiveness to an extent that would cause substantial harm to identified heritage assets, which are; the Park Street and Brandon Hill Conservation Area, Brandon Hill Park, the setting of Cabot Tower and the building of merit.
- 2) Unacceptable overlooking to properties on Byron Place and Upper Berkeley Place.

Appeals:

Applications described above (13/02357/F and 13/02699/F) were subject of a combined appeal, which was dismissed by the Planning Inspectorate on 13 June 2014 (PINS references: APP/Z0116/A/14/2211330 and APP/Z0116/A/14/2211331).

The Inspector upheld the Council's first reason for refusal and placed particular importance on the scheme's harmful impact on surrounding heritage assets (including the Hospital building as an undesignated heritage asset.) This harm was found not to be outweighed by the proposed replacement buildings in either of the two schemes.

The second reason, relating to overlooking, was not upheld by the Inspector.

15/04335/SCR                      Request for a Screening Opinion as to whether an Environmental Impact Assessment is required for Assisted Living Development at former St Mary's Hospital. On 16 September 2015 a letter was issued confirming that an Environmental Impact Assessment was not required.

16/02586/F                      Demolition of existing buildings and the erection of new accommodation to provide assisted living development for older people comprising 61 no. apartments integrated with communal and support facilities, car parking and landscape works. (Sui generis)

Date Closed                      1 December 2016                      REF

The reasons for refusal associated with the above decision were as follows:

- 1) The scheme application contains a lack of contextual analysis and fails to demonstrate a thorough understanding of the key heritage features of the locality, and use these as a baseline against which to design the scheme. As such, the proposed development would be unacceptable in terms of massing and height, and would fail to respond appropriately to the context: which includes existing

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

buildings, key townscape views and contextual Conservation Area features. This in turn would also result in substantial harm to the locally listed buildings on site, would fail to preserve or enhance the special character of the conservation area, and would pose a significant degree of harm to the setting of the nearby Grade II and Grade II\* listed buildings including Cabot Tower. The application is therefore contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990; the NPPF; Policies BCS21 and BCS22 of the Core Strategy 2011; DM26, DM28, DM29 and DM31 of Site Allocations and Development Management Policies 2014; and the Park Street and Brandon Hill Character Area Appraisal.

2) Due to the scheme's failure to incorporate on-site renewable energy sources, it would contravene the requirements of Core Strategy BCS14 which requires developments to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use by at least 20%. The scheme would therefore not deliver a policy compliant scheme with regards to sustainable energy, which would be contrary to the NPPF, BCS14 of the Core Strategy 2011; and the Council's Climate Change and Sustainability Practice Note 2012.

## APPLICATION

Planning permission is sought for the redevelopment of the St Mary's Hospital site to create a student housing development. The proposal would retain the hospital building, (known in the application documents as Block A); add a 4 storey extension to its southern end, (Block B); introduce two stepped terraces of 4, 3 storey townhouses facing Upper Byron Place (Block C - 8 x 6 bed houses); and propose a 2/3 storey building in the south-western corner of the site (to be known as The Pavilion - Block D). The Lodge building would form the main entrance to the site, and the second vehicular access towards the top of the hill would be blocked off. All occupants, staff and visitors to the site would enter via the Lodge area, and either pass on foot through an enclosed courtyard, or towards the rear (west) of the hospital building into a large formal landscaped area. This would contain parking for 6 cars and the application documents set out that these would be strictly allocated to management and maintenance staff. One of these would be a disabled bay. Three refuse and recycling points as well as a refuse standpoint, are to be located around the site, and a number of cycle storage sheds with space for the secure parking of 56 bicycles. Servicing would take place outside the Lodge building. The enclosed courtyard is the location chosen for a public art piece, and a public art strategy has been provided with the application.

A new roof would be formed to the hospital building, and this would not contain rooflights or windows. Internally, this would be used as mezzanine level bedspaces for the studio flats below. Block B would be faced with a living wall on the prominent west-facing elevation, with a recessive render finish on the internal courtyard (east) elevation. Blocks C and D would be more modern in appearance, with their appearance and materials being described more fully within the key consideration sections of this report.

Accommodation would predominantly be single self-contained studio units, with shared HMO style accommodation being within the 8 town houses, which would contain 6 bedrooms each (sui generis use). A total of 153 bedspaces would be provided across the scheme.

The application also seeks permission to remove 15 trees, but proposes an extensive replanting and landscaping scheme. To further mitigate for the loss of trees, a financial contribution using the Bristol Tree Replacement Strategy is offered.

The scheme proposes a decentralised gas-fired CHP energy system, as well as an array of PV panels to the new roof of the hospital building.



**Development Control Committee B – 25 April 2018**  
**Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

Premises Management Plan

The application is supported by a Premises Management Plan which sets out that a management company would be responsible for rubbish being properly stored and placed in the refuse standpoint on collection days, that all prospective residents would have to provide a letter of acceptance onto a course in a recognised local establishment, and that Secured By Design measures (such as CCTV and secure entry systems) would be incorporated into the development. It also sets out that there would be a designated point of contact for neighbouring residents to report any issues to. Importantly, this document also sets out that three to four days per year would be allocated as move in/move out days and students would be allocated arrival or move out slots in order to avoid the build-up of traffic on local streets. This is discussed in more detail in the Key Considerations paragraphs below.

PRE APPLICATION COMMUNITY INVOLVEMENT

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

The applicant prepared a Statement of Community Involvement (dated November 2017) which has been assessed, and is summarised below:

i) Process

A consultation event was held on 4 October 2017, to which key stakeholders as well as members of the public were invited, where material was presented and a panel was available to answer questions. Invitations to the event were sent via mail or email, to and 183 parties were invited altogether. A drop-in session was also held.

The SCI reports that 14 individuals attended the stakeholder session including representatives from Avon and Somerset Constabulary, Bristol Civic Society, Bristol Disability Equality Forum, Clifton and Hotwells Improvement Society, Kingsdown Conservation Group (KCG), Queen Elizabeth Hospital School (QEH), Richmond Area Residents (RARA), Action for Balanced Communities (ABC) as well as local residents from Upper Bryon Place who are members of Byron Place Residents Group. A further 9 people attended the open public session.

The SCI reports detailed comments and questions that were taken, including those offered as follow-up written comments on the scheme.

ii) Fundamental Outcomes

The SCI reports that as a result of the consultation a number of changes to the scheme were made, as follows:

- Pavilion building reduced from 3 to 2 storeys on nearest boundary with residential properties
- Inclusion of public art on Block C entrance screens (townhouses)
- Landscaping layout amended
- New pitched roof to the principle building amended to include a central hipped gable and ventilation chimneys
- Further details provided on the green wall

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

## RESPONSE TO PUBLICITY AND CONSULTATION

The application was advertised by letter sent to 256 nearby neighbours and dated 16.01.2018. A site notice was posted at various locations near to the site on 24.01.18, and a press advert was also posted on the same day. The 21 day period given to comment ended on 14.02.18. A total of 26 Objections, 1 neutral comment and 1 suggestion for a revised scheme were submitted and the comments have been displayed in full on the council's website, and are summarised below.

- Clifton and Hotwells Improvement Society - Objection:

The design response is poor - whilst the retention of the hospital and the lodge buildings is welcomed, the modern block with the green wall is unlikely to be maintained and will end up a brown and dying mess. The townhouses are unimaginative. The development is aimed at post-graduate students who would most likely have cars, yet there is no parking provision. The scheme is an overdevelopment of the site and is ill-conceived.

- Conservation Advisory Panel - Objection:

Whilst the Panel welcomes the retention and re-use of the main building, the replacement roof should be reinstated at the same height as the existing section of the roof. The building with the green wall has a difficult relationship with the existing building in terms of scale and volume. The refurbishment and re-use of the Lodge building is welcomed, but the townhouses, (Block C) present a strident addition to the streetscene. Block D (the Pavilion) is an over-development of the site and has a poor relationship with the surrounding buildings.

- Kingsdown Conservation Group - Comment neither in support nor objecting to the development:

The four storey extension would present an unfortunate juxtaposition with the main building and would create a false symmetry.

- Richmond Area Residents' Association - Objection:

Overmassing of buildings on historic site Block D is unacceptable in height and proximity to the retaining wall. Block B is an unattractive addition but could be acceptable if reduced in height so it is subordinate to the original building. Design and materials are pedestrian and the green wall approach to covering Blocks B and D is misconceived. You cannot 'blend' utilitarian modern buildings into a historic landscape through surface covering. A more imaginative approach using contrast and diversity of form would be more successful.

Student accommodation on this scale should be professionally managed 24/7. The Clifton Triangle is a notorious hotspot for crime and anti-social behaviour, and students are vulnerable. On the other hand, large unsupervised groups of students always pose a risk of noise and nuisance to nearby residential properties, especially at night.

No provision has been made for car parking. It should be a condition of any permission for this development that no occupant is entitled to residents or visitors parking permits. However, it is almost impossible to achieve true 'car-free' occupancy when it is well known that there is a huge black market in visitor permits enabling anyone to park in nearby RPZ zones. The Clifton Village Scheme, already heavily oversubscribed, will be particularly vulnerable. The developers should be required to propose how this will be avoided.

- Byron Place Residents' Association - Objection (comments are summarised):

In retaining the original façade the applicant has overcome the objection to Pegasus Life's application,

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

but in the development of Block B and D they have re-introduced the worst aspects of the Student Castle design.

- Poor pre-application planning and consultation

The Avril Baker consultation exercise did not recognise BPRA as a stakeholder organisation. A number of key organisations made negative comments about the scheme but these haven't been taken on board.

The development is more negatively impactful on our residential amenity than previous developments

- Impact on residential amenity - Block D

Whilst reduced in height, it remains a concrete block and has been drawn forward creating an even greater impact on residential amenity. The Right for Light has been diminished by recent legislation - clearly there will be an impact on light and amenity for neighbouring properties affected by Block D

- Impact on residential amenity - Siting of Refuse and Bike Racks

The siting of the refuse and bike area above residential gardens and 3-4m from their bedrooms and eye line would lead to a source of continuous noise and disturbance. The refuse plan is not part of an integrated design plan or any ongoing management of the site. The distance between the entrance and refuse site 2 is further than the 30m<sup>2</sup> limit required and requires students to be responsible for the management of their own waste without any safeguards or suitable proposals on how to ensure effective management, transportation and recycling of waste. Similarly, the location of double decker bike racks 3-4m away from residential bedrooms and the Noise Abatement Assessment does not factor this in. The use of the metal bike racks will lead to noise pollution and behaviours that negatively impact on residential amenity.

- Impact on conservation and heritage landmarks

Blocks B and D impact on the areas that the local plan has identified as critical. The design solution is to use camouflage and mitigation against the introduction of massed towering concrete blocks is to paint them green and plant a living wall. The intention is to create a low cost and high occupancy block. This and Block D do not achieve the conservation aims.

- Not an economically sustainable development

The Empiric business model is not financially viable. A Bristol student currently pays £5,334 annually on average for self-catered accommodation (Source; Bristol University). Empiric work on a 97% occupancy rating, although their latest financial report shows their Bristol residences are operating at 92%. Based on current Empiric Bristol occupancy rates and the student average payments Empiric's annual turnover for the development is considerably less. We estimate in a range between £750k to £850k yielding close to the cost of their debt at 4%. This brings into question their ability to delivery and maintain the site and key design elements such as the Living Wall and ongoing effective management of the site.

- Management Plan

The management plan is insufficient and calls into question the effectiveness of Empiric's ability to manage the site without significant negative impact on existing neighbours

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

## - Travel Plan

The travel plan highlights that students will be encouraged not to own a car. However the expected modal split sets out that 5% are expected to be car drivers.

## - Future site usage and sustainable development

There is no provision necessary for affordable housing, there will be no council tax, the only contribution made to the council will be from CIL. Student applications are likely to decline, and the development is unlikely to be fully occupied. The lack of flexibility around future use, council tax shortfalls and the need for a broader residential mix highlights how unsustainable the proposed plans and development are.

## ISSUES RAISED BY OBJECTORS

## AMENITY CONCERNS

- The proposal will block light from the rear of properties on Byron Place, which are already in shade from the hill.
- The pavilion building is too close to Byron Place/Upper Berkeley Place
- The cross section drawing P1(20)13 is incorrect and portrays windows in our property wrongly
- The level of noise from student accommodation would result in a disturbance
- Built so close to the boundary wall, the Pavilion structure would substantially reduce our light which is already poor due to the wall. This building would also allow views and result in a loss of privacy to our properties on the boundary with the application site and Upper Berkeley Place
- Block D is too close to the boundary and properties on Byron Place/Upper Berkeley Place and should not be built at all, but instead, additional accommodation could be provided in Block C (along Upper Byron Place) instead
- To avoid blocking light, the developer should be required to keep an open mesh fence on top of the retaining wall, and there should be no planting within 2m of the wall
- Block D would substantially reduce evening light to the courtyard garden at the rear of my property
- Right to Light is protected under common law
- 24 hour lighting would be unacceptable for residents
- Rubbish, and any other part of the development, should not be kept so close to Byron Place residents. Locating it here would also mean heavy vehicles would be moving close to the site retaining wall
- The introduction of students is not good for community cohesion and the noise will disrupt residents' sleep
- Cars being parked along the boundary would lead to a loss of privacy, noise pollution and undermine the integrity of the wall. In the current arrangement, cars are further away due to landscaping
- The noise will impact on the mental wellbeing of nearby residents
- The scheme would not support the students' mental wellbeing as there is no person for them to seek support from
- Block D would not achieve appropriate levels of privacy, outlook and daylight due to its proximity to Block B within the development
- The Daylight and Sunlight report is incorrect as it refers to a different development - the loss of light would harm our neighbourhood and overshadow our home

## DESIGN AND CONSERVATION CONCERNS

- The retention of the hospital building is welcomed but the green wall to the extension would be better with a careful choice of cladding
- The development would restrict views of Cabot Tower on Brandon Hill from certain angles
- The statue of the Madonna and Child which is currently on the façade should be retained
- The design of the townhouses is not in keeping with Bristol property. It would look better with a

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

continuous frontage and one colour material for each house

- Properties on Bryon Place also contribute to the setting of the conservation area, and this is not reflected in the proposal
- Block D destroys Brandon Hill Conservation corridor. The Landmark site would be overdeveloped
- Block D is an inappropriate height, scale, massing, shape, form and proportion compared to the historic buildings it would be only 7m away from. It is a very modern building with flat roof and is totally out of keeping

**TRANSPORT CONCERNS**

- There are already issues with parking in the area for residents paying for parking permits, and having to compete with students for spaces does not appear to have been taken into account
- Refuse bins should not be located on the boundary with Byron Place, as these would result in vermin next to homes and gardens

**WILDLIFE AND BIODIVERSITY CONCERNS**

- Trees should not be cut down - this is a conservation area
- Wildlife in the area could be affected due to the proposed location of Block D on Brandon Hill

**STRUCTURAL AND DRAINAGE CONCERNS**

- Properties on Byron Place already have problems with water running through their basements. There would be an increased risk of damage to these properties caused by the disturbed pattern of water movements
- Our property would experience vibrations which could result in structural damage

**OTHER ISSUES**

- Whilst usage has not previously been an issue, a number of factors have changed to date which brings into question the economic value and sustainability of the development of more student accommodation in the area. There would be a shortfall in council tax revenue and the construction of affordable residential space relative to growth in population. This coupled with structural changes in Higher Education and forecast decline in student numbers makes a clear case that development should be focused away from student accommodation
- A neighbour on Byron Place has designed a revised scheme and presented this as a representation to the planning application. The drawings have been forwarded to the applicant

**Ward Members**

- Councillor Mark Wright - Objection:

The plans are an improvement on the previously refused plans and the intention to retain the building is welcomed. However, the pavilion building near Byron Place/Upper Berkeley Place will have a detrimental impact on properties on these roads, due to overlooking. It will also have a structural impact on the retaining wall due to its proximity.

**OTHER COMMENTS****Bristol Urban Design Forum**

The BUDF made comment on the pre-application scheme, (on 14 November 2017) and their comments are summarised below:

- The scheme seeks to retain the storey heights within the building and units have been laid out to

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

respect the rhythm of fenestration to good effect. The Panel felt that this underlined the appropriateness of this use for the conversion of the building.

- The proposed use is ideal in that it does not require extensive alteration to the original form or structure of the main building.
- The mansard-style roof would need to be carefully designed to avoid being obtrusive and any solar panels would need to be carefully integrated
- The existing conservatories on the south elevation of the main block are to be demolished and replaced with a green walled extension to provide extra accommodation. The Panel agreed that this style of extension was suitable to this unique location. However, concerns remain about the longevity and sustainability of the green wall treatment.
- Concern was expressed about the Pavilion building, and the Panel commented that if this building were to be successful, it would need to be designed as a particularly distinctive, yet well-mannered set piece.

**Arboricultural Team** has commented as follows:-

No objection.

Following initial concerns requiring further information on Root Protection Areas of given trees, I can confirm that I am satisfied with the response to my comments including the BTRS contributions.

Initial concerns:

- Confirmation that the RPA of trees 37-39 do not extend into the site and do not require consideration within the AMS or if this is not the case a revised arboricultural method statement that recommends root protection measures for the breaching of the root protection areas of trees 5, 37, 38 and 39.
- Either a revised landscape plan that details the 38 replacement trees required by BTRS or confirmation of the financial contribution for the shortfall.

**Landscape** has commented as follows:-

The retention of the main hospital - building - Block A - and former lodge are welcomed. Proposed works to Block A do not significantly increase its scale or massing. This, together with the relatively modest 3 storey height of Block D, results in the development having a neutral visual impact from key viewpoints in the surrounding townscape. Some views ' in particular Key View 7 Upper Byron Place ' are significantly improved by the proposals.

Within the site boundary the retention of important site buildings also provides the basis of a well-considered layout of linked formal gardens and terraces that, though hidden from the public realm nevertheless contribute to the general character of the conservation area and the existing site architecture. The proximity to Brandon Hill is respected both in the nature of the fairly low key treatment of the 'Hillock' and the living wall hydroponic walls to Blocks B and D, reducing their impact in long views and providing some amenity and wildlife benefit in contrast to the masonry of the rest of the built form.

There are two fairly minor points to raise: -

- a request for the retention of tree T9 ' the horse chestnut ' if at all possible on the grounds of its size and potential value for wildlife
- inclusion of a wildlife pond (perhaps in the area of the hillock/Block D)

With regard to the information provided in support of the application the following is requested as a condition to approval to be supplied before commencement of the development on site: -

- an illustrative palette of surface material treatments
- specification of the structure planting components such as trees and hedges
- a landscape management strategy

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

Given acceptance of these conditions the application is supported with regard to aspects relating to landscape design.

**Archaeology Team** has commented as follows:-

The retention of the building is welcomed. However, historic map evidence indicates the presence of landscape that may be impacted by the new build and landscape scheme.

Consequently it will be necessary to maintain an archaeological watching brief should this scheme receive consent. This can be secured through attaching the conditions B28 and C18 to any consent.

**Nature Conservation Officer** has commented as follows:-

Trees and other vegetation will be removed as part of this proposal, as confirmed in the arboricultural report. All species of wild birds, their eggs, nests and chicks are legally protected until the young have fledged.

Bird and bat boxes should be provided within the development.

The previous Preliminary Ecological Appraisal and Initial Bat Survey dated September 2015 recorded Japanese knotweed on this site, on the eastern boundary of the area marked as the 'hillock' on the landscape masterplan. A strategy for its removal should be required by condition.

The bat survey report dated December 2015 recorded bats commuting along the eastern boundary of the site and Upper Byron Place. It is also important to avoid light spill onto the adjacent site designated Site of Nature Conservation Interest (SNCI), Brandon Hill. The bat survey report dated December 2015 also recommends a bat-friendly lighting scheme to limit impacts to commuting and foraging bats at night.

Tree T9 in the arboricultural survey, a horse chestnut, is considered to have moderate and not low potential to support roosting bats. This is because the tree includes holes and fissures. It is currently proposed for removal. As a planning condition, prior to removal of this tree it should be inspected for evidence of roosting bats by a qualified ecological consultant.

Landscaping of the site should predominantly employ native species of local provenance including fruit and berry-bearing tree, hedgerow and shrub species for birds and nectar-rich flowering plants for invertebrates.

Ivy broomrape, is present on the site. This was as noted on a site visit on 15 January 2018. Ivy broomrape is a nationally scarce plant and an Avon notable species. This plant should be retained in situ as far as possible. There is an existing small pond on site, to the west, as confirmed on a site visit on 15 January 2018. A new informal wildlife-friendly pond should be created.

**Air Quality** has commented as follows:-

No Objection: In view of the fact that the applicant is proposing CHP plant, further screening information was requested. The applicant submitted the information within a screening tool. This initially showed that concentrations of NO<sub>2</sub> at the nearest receptor more than double the air quality objectives. It was therefore necessary for the applicant to undertake a detailed assessment of the CHP emissions. Officers considered whether a condition would enable this issue to be addressed, however the details were deemed to be needed prior to a decision in order to make a full assessment on the scheme's response on air quality. The further information submitted using a revised screening tool shows that concentrations from the plant are negligible, hence I have no objections relating to air quality impacts.

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

**Wales & West Utilities** has commented as follows:-

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

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

**Pollution Control** has commented as follows:-

I am happy with the recommendations made in the acoustic report with regards to the potential for noise from traffic and licensed premises on the Triangle affecting the occupants of the proposed development. The premises does overlook the Berkeley Square Hotel and its rear garden at 15 Berkeley Square. The hotel is used for weddings and other functions and the use of the garden is restricted under planning consent, 08/01788/F, so that it cannot be used by guests after 22.30. Whilst I feel that the time restriction on the use of the garden should prevent noise nuisance being caused to the occupiers of the proposed development I do feel that it would have been useful for this to have been identified in the acoustic report and taken in to account in the proposed sound insulation for the building.

The acoustic report also details noise limits for any plant associated with the development and I am happy with the Management Plan for the premises. I would therefore ask for the conditions I have recommended (emailed to the case officer) should the application be approved. (NB these conditions are included in the recommendation.)

**Historic England** has commented as follows:-

(Comments are summarised) The proposals have potential to impact upon the setting of highly graded heritage assets including Berkley Crescent, Grade II\* terraces in Berkley Square, the Civil War earthworks on Brandon Hill (Scheduled Ancient Monument). The site is also within the Park Street and Brandon Hill Conservation Area. While Historic England has no objection to the application on heritage grounds, we consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraph 132 and 137 of the NPPF.

We do wish to comment in detail of the revised application which includes the retention and conversion of the existing principal building (minus the west and rear additions) and the construction of three additional blocks of student accommodation. The previous impact of increasing the height of the former hospital building has now been significantly reduced with the reinstatement of the pitched slate roof over the central and east range.

With regard to the proposed elevation onto Upper Byron Place, this appears to deliver more of the mews-style development that we have previously advocated. We recommended at the time of the previous application that consideration should be given to the reduction in scale of this proposed aspect of the development. Although this has now been lowered to three storeys along the length of the rear service lane, the intimacy of this route would be better served by a more modest scale; two stories being more proportionate to the width of the lane and conducive to the setting of the Grade II\* terrace in Berkeley Square. The proposed use of various brick finishes has potential to confuse the simple architectural approach and will need to be carefully detailed for it to deliver the quality of design that should be expected.

When considering the current proposals, in line with Para 128 of the NPPF, the significance of the asset's setting requires consideration.



**Development Control Committee B – 25 April 2018**

**Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

**Crime Reduction Unit** has commented as follows:-

Recommendations for Secure by Design measures to be incorporated into the development.

**Avon Fire & Rescue Service** has commented as follows:-

The additional residential and commercial developments will require additional hydrants to be installed and appropriately-sized water mains to be provided for fire-fighting purposes. This additional infrastructure is required as a direct result of the developments and so the costs will need to be borne by developers either through them fitting suitable mains and fire hydrants themselves and at their cost or through developer contributions.

Avon Fire & Rescue Service has calculated the cost of installation and five years maintenance of a Fire Hydrant to be £1,500 per hydrant. Again this cost should be borne by the developer.

**Sustainable Cities Team** has commented as follows:-

BCS13

Adaptation to climate change

The energy statement says "It is also intended that the buildings will be thermally modelled for 2050 design weather data and still achieve desired thermal comfort levels." This needs to be provided to demonstrate compliance with BCS13 which requires development to be resilient to future climate change - ideally prior to a decision, or by condition if this isn't possible.

BCS14

The energy statement says they'll achieve 12.87% CO2 reduction through PV, which looks to have been maximised across the available area. The case officer will need to consider whether to seek a carbon off-set contribution in lieu of the shortfall.

The fabric proposals are good, and proposal to include CHP and be DH-ready supported.

The AQ impacts of the CHP may need to be considered.

The DH futureproofing condition should be applied. And also the standard energy condition.

BCS15

A high BREEAM excellent rating is predicted which is supported. This should be secured by standard condition wording

**Transport Development Management** has commented as follows:-

No objections - recommend approval subject to conditions. Issues that were present in the originally submitted scheme have been addressed through amendments received during the course of the application. Full transport assessment is given at Key Issue (D).

**Urban Design** has commented as follows:-

No objections. Initial design tweaks reported verbally to the case officer have been amended satisfactorily. Design is discussed at Key Issue (B).

**Bristol Waste Company** has commented as follows:-

For 153 student beds we would recommend a total of 20 receptacles (breakdown of bin types reported in the letter)(this would be significantly different than for ordinary residential flats). All stores should have at least one of each type of bin.

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

Following initial concerns that the 11.4m refuse vehicles would not be able to pull in sufficiently to make the collections, Bristol Waste have since confirmed 'Ideally a turning head would be installed at the St Mary's Hospital development. However, we do already collect from the neighbouring building (Summer Court) so it should be possible (although not ideal) for our vehicle to reverse up Upper Byron Place and then exit onto Triangle South in forward gear.'

**RELEVANT POLICIES**

Planning Obligations - Supplementary Planning Document - Adopted 27 Sept 2012

Park Street and Brandon Hill Conservation Area Character Appraisal

Planning (Listed Buildings & Conservation Areas) Act 1990

National Planning Policy Framework – March 2012

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site 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 DEVELOPMENT ACCEPTABLE IN LAND USE TERMS?

**LOSS OF HOSPITAL AS A D1 USE**

The site is not allocated for any specific use within the Bristol Local Plan. The building on the site had operated as a private hospital for many decades before the closure of Nuffield Health in 2013, and the building falls into a C2 use category. Core Strategy policy BCS12 requires community facilities (which includes health care facilities) to be retained, unless it can be demonstrated that there is no longer a need to retain the use, or where alternative provision is made.

Past decisions on this site have established that the loss of hospital use is acceptable due to the facilities having been re-provided elsewhere, and a marketing exercise having been satisfactorily completed for this site in previous applications. There is also hospital provision within the vicinity.

**ACCEPTABILITY OF STUDENT ACCOMMODATION**

Section 6 of the NPPF reflects the need to significantly boost the supply of housing and to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Policy BSC18 of the adopted Core Strategy reflects this guidance and states that "all new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities"

**SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES**

The Local Plan policy context for specialist student housing schemes is set out in policy DM2. This states that such schemes will not be permitted where:

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

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; or
- levels of on-street parking that cannot be reasonably accommodated through parking control measures; or
- cumulative detrimental impact of physical alterations to buildings or structures; or
- inadequate storage for recycling/refuse and cycles.

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

- exacerbating existing harmful conditions as listed above; or
- reducing the choice of homes in the area by reducing the housing mix.

CENTRAL AREA PLAN: BCAP4 reinforces this policy, and states that specialist student housing schemes that contribute to the diversity of uses within the local area will be acceptable within the city centre.

In response to the criteria above:

i) In the context of policy DM2, would the proposed use harm the residential amenity or character of the locality?

- It is not considered that the proposal would result in excessive noise as the site itself is relatively self-contained in terms of its characteristics, being originally designed as a hospital. Whilst the landscaped gardens around the buildings would be accessible to students, the design of the gardens is such that the areas for sitting out are located closer to the main building, with areas closer to the boundary retaining wall are purposefully designed to be used either for the storage of bicycles or kept as informal, or 'wild' gardens, to discourage gatherings in these locations.
- Parking and refuse storage issues are explored in the Transport Key Issue (D) below.
- The impact of the physical alterations on the conservation area and the appearance of the site has been carefully considered - the proposal would retain a landmark building, and this is further explored in Key Issue (B) below), but it is not considered that the alterations would result in a harmful impact to the surroundings such that would warrant a refusal.

It is not considered that the use would harm the residential amenity or character of the locality in respect of clause i) of policy DM2.

ii) In the context of policy DM2, would the development create or contribute to a harmful concentration of student housing by exacerbating existing harmful conditions or reducing the mix of homes in the area?

The background to BCS18, with reference to the evidence provided by the Strategic Housing Market Assessment, also notes that 'developments should contribute to a mix of housing types and avoid excessive concentrations of one particular type'. The policy wording states that development 'should aim to' contribute to the diversity of housing in the local area and help to redress any housing imbalance that exists.

Bristol comprises a diverse range of residential neighbourhoods with significant variations in housing type, tenure, size, character and quality. A wide range of factors influence the housing needs and demands of neighbourhoods. Such factors include demographic trends, housing supply, economic conditions and market operation. To carry out this assessment, areas are analysed by neighbourhoods equivalent to the size of a Census Lower Level Super Output Area (LSOA), which generally contain an average of 1,500 residents.

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

This site is located within the Brandon Hill LSOA, within Hotwells and Harbourside ward. Brandon Hill currently has 64% students as a percentage of the total population (which at mid-2015 was 1,580). This proposal would increase it by 10% (total population).

**APPEAL SCHEME:**

One of the conclusions reached in the consideration of 13/02357/F was that the site was suitable for student accommodation. In brief, this is because the development would contribute towards meeting an un-met demand for purpose built student accommodation in the city centre (according with BCAP4 and the NPPF), it was also deemed to relieve pressure of HMOs in the private rented sector within the suburbs of Bristol. There was also concluded to be a vibrant mix of uses in the near vicinity of the site. This view was upheld by the Planning Inspector in the accompanying appeal decision

Since this decision was made, (June 2014) there have been additional schemes for student housing granted within the Brandon Hill LSOA, most notably Brunel House on St Georges Road which is under construction for 233 bedspaces. Planning permission has also been granted for a number of small scale non-student residential schemes, (totalling 27 units) but these schemes have not all been started. It is clear therefore that the LSOA currently contains a greater proportion of student accommodation than non-student residential accommodation. Within the LSOA area, there are not many remaining sites for large scale residential development and a lot of the area is taken up by the Brandon Hill Park.

Another key factor in the appeal scheme and in the interim refusal of planning permission, is that the whole or partial demolition of the hospital building was deemed unacceptable, and that it should be retained in any future development. The building is clearly intended as an institutional use, and its layout lends itself to such a use. The proposed layout has been drawn up in such a way that it respects the original building in terms of window locations and internal corridors and the resulting effect is the narrow studio units on either side of the central corridor with a single aspect, and this was looked upon favourably by the BUDF. This type of layout would not lend itself to a regular residential layout, which would be required to be more generous with more of a mix of unit sizes.

The applicant was asked at pre-application stage to prepare a report looking at the need for additional student accommodation in Bristol, and the application is accompanied by a Market Demand and Supply Report. This confirms the constant need of additional student bedspaces in the area in view of the continued growth of the University. It must be recognised that the density of student population in the area is a direct consequence of the historic attraction of Bristol as a prestigious university city and it must also be recognised that Bristol University will continue to expand as its popularity grows. The site is well located in terms of its accessibility to the University. It is very unlikely that potential students would be attracted to peripheral parts of the city, due to the impractical nature of attending university classes, and wards such as Clifton Down, Cotham, Central and Hotwells and Harbourside, will continue to be first choice destinations for the vast majority of students entering the city.

The retention of the existing building is considered to be a significant benefit of the current scheme, and the layout shown lends itself more to a student scheme (or other institutional scheme) than a market residential scheme. Whilst the proposal would increase the concentration of student accommodation, the previous appeal scheme has not raised an objection on these grounds. Given the history of the site and its location, therefore, and the benefits of the current scheme, it is not considered that an objection on this basis is warranted.

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

- (B) WOULD THE DEVELOPMENT OFFER A SUITABLE DESIGN RESPONSE FOR THE SITE, RESPECTING THE SETTING OF THE NEARBY LISTED BUILDINGS AND CONSERVATION AREA?

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that the local planning authority is required to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The case of R (Forge Field Society) v Sevenoaks DC [2014] EWHC 1895 (Admin) ("Forge Field") has made it clear where there is harm to a listed building or a conservation area the decision maker "must give that harm considerable importance and weight." [48]. This is applicable here because there is harm to the conservation area caused by the proposals as set out below.

Section 12 of the national guidance within the National Planning Policy Framework (NPPF) 2012 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with any harm or loss requiring clear and convincing justification. When considering the current proposals, in line with Para 128 of the NPPF, the significance of the asset's setting requires consideration. Paragraph 132 of the NPPF states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Further, Para.133 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Finally, Para 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

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

Officers have undertaken the assessment required under the Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and have given special regard to the desirability of preserving the assets, their setting and features of special architectural or historic interest which they possess. This has been given considerable importance and weight.

This application relates to a site in the Park Street and Brandon Hill Conservation Area and Former St Mary's hospital building is identified as a community landmark building in the character appraisal. The northern section of the hospital building and the gatehouse are also locally listed heritage assets. The existing building sits prominently and commands a notable presence in the townscape. The site forms a part of the sensitive historic and townscape settings surrounding by highly valued and prominent heritage assets, landmarks buildings and features.

The former hospital building is a Landmark Building within the Conservation Area as well as a Locally Listed asset. The locally listed status relates only to the northern section of the main hospital building, and is not shared the southern wing and rear ancillary buildings. The building sits high on the plinth and appears as a notable feature in the views towards the Cabot tower, Brandon Hill, Wills Memorial building and the Queen Building amongst other listed buildings . The character of the building can be appreciated from Upper Byron Place where the end elevation, with its clear classical proportions, hierarchy, and details stands castle-like defending the foot of Brandon Hill. It forms part of an informal stacked composition with the lodge building immediately in front of it in this view, and both historic and

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

modern buildings below it. The building has a landmark character when viewed from Triangle West and Queens Road where the longer elevation is revealed with the later alterations made to convert the former houses to hospital use. Although formed of a single long block the building to form a prominent feature within the townscape, it is not of a scale and height to have harmed the view of Brandon Hill at the time of its extension. Furthermore, its past civic use lends the building a unique presence in the local history and memory.

The lodge building is of a diminutive, domestic, scale and enjoys an elevated position looking down towards the spectator on Triangle South and walking towards it up Upper Byron Place. It plays a key role in addressing the experience at street level and helping define the character of the 'intimate route' as confirmed in the conservation area character appraisal. This building undoubtedly makes a positive contribution to the Conservation Area and its retention is welcomed.

**DESIGN OF BLOCK A AND IMPACT ON HERITAGE ASSETS**

The most prominent elevation on the main hospital building is the west facing elevation. This is seen in long views from elsewhere in the conservation area, in particular, the Triangle. Despite this being the most prominent elevation, the building's street frontage is to the east, off Upper Byron Place. The elevation immediately fronting Upper Byron Place is less impressive as it turns its back to the street and is somewhat blighted by insensitive extensions and services such as fire escapes and drainage pipes. It is therefore welcomed that the current proposal not only retains the hospital building and its important features such as the statue of the Madonna and Child and strong roof parapet line, but seeks to enhance it by emphasising the roof treatment of central entrance element, on the west elevation, as well as re-introducing chimneys, and by removing the insensitive additions to the rear. Officers, as well as the BUDF, acknowledge that units within the building have been laid out to respect the rhythm of the fenestration, and that this in itself lent itself well to the proposed use of the building.

The main alteration proposed to this building is the addition of pitched roof to align with the existing southern part-roof. There is no objection to this extension, as would be constructed in natural slate, and in the same style as the existing roof, and it would remain behind the existing parapet. This alteration is seen to enhance the conservation area and would therefore not result in any harm in the context of Planning (Listed Buildings and Conservation Areas) Act 1990 or the NPPF. There are also minimal alterations proposed at ground level, to facilitate access from the communal areas into the landscaped area. These would not be perceived in longer views of the building and would therefore not give rise to harm.

The introduction of chimneys to this building is welcomed, and the supporting documents have been amended to show render following officer advice, instead of the initially proposed metal cladding. Inspection of material samples on site shall be secured by condition.

**DESIGN OF BLOCK B (LIVING WALL EXTENSION) AND IMPACT ON HERITAGE ASSETS**

There is no objection to the scale of the four storey extension block, which would replace the existing conservatories on the south elevation. It would match the height of the existing parapet of the hospital building and, due to the higher roof of the hospital building, Block B would therefore appear as a subservient addition, not imitating but acknowledging and respecting the hospital building.

Officers, as well as the BUDF, raised concerns about the longevity and sustainability of the green wall treatment, and to respond to this, the applicant provided details of how this would be constructed and maintained. They also amended the scheme during the course of the application to remove the living wall from the internal courtyard facing elevation and propose a recessive render finish instead. Some of the comments raised in consultation also raised questions on how this would be maintained. Part of the character of this part of the conservation area is its green infrastructure and verdant spaces, and the proposed living wall would help the proposed Block B to blend in with the backdrop of Brandon Hill, including the small hillock which forms part of the site. It would also introduce

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

biodiversity opportunities. The mechanics and function of the living wall is described in more detail in Key Issue (E) below. However, on the basis that the wall could be appropriately maintained, it is considered to be an appropriate treatment.

**DESIGN OF BLOCK C (TOWNHOUSES) AND IMPACT ON HERITAGE ASSETS**

Two stepped terraces of four, three storey town houses are proposed to be constructed at the southern end of the site, adjacent to the pedestrian route into Brandon Hill. These would contain 6-bed shared houses, with communal living areas on the ground floor. There is no objection to the height of this Block as it would be acceptable within its context, with the taller, more set back listed buildings of Berkeley Square to the east (which are down the hill) and the taller backdrop of the five storey hospital building immediately to the rear.

Nos. 11-18 Berkeley Square are Grade II listed, and the applicant has assessed their significance in their Heritage Assessment. These buildings are assessed as having medium significance, the assets' setting overlooking Berkeley Square being of importance historically and architecturally for its townscape value. Its urban setting to the rear is assessed as being of less importance. Officers agree with this assessment.

The design intention for this block is that the houses would reflect the Bristol tradition - each townhouse having a varying shade of brick, the intention being to accentuate verticality. Officers initially had concerns that the varying shade of brick would be overly complicated and would appear busy. However, the street at this point is fairly narrow, and views of Block C would only be possible from close-up. It would not therefore be possible to perceive the Block as a whole, and the varied palette is not problematic. It is considered that this element would result in an improvement in the immediate streetscene due to the removal of the insensitive additions, and as such would enhance the character and appearance of this part of the conservation area which in turn is considered to comply with the NPPF, paragraph 137, which states 'Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.'

In terms of the setting of the listed buildings on Berkeley Square, due to the townhouses being of a similar scale to the existing building it is not considered that a harmful relationship would be introduced. On the whole it is considered that a degree of less than substantial harm (as described by paragraph 133 of the NPPF) to the setting of the listed buildings on Berkeley Square that would arise from this part of the proposal, would be outweighed by the improvement to the streetscene described above.

**DESIGN OF BLOCK D (PAVILION) AND IMPACT ON HERITAGE ASSETS**

This block was amended following community engagement (prior to the submission of the planning application) to be a part two, part three modern block, and steps down a storey on the elevation closest to the site boundary retaining wall and properties on Upper Berkeley Place (no. 13 being the closest).

The significance of grade II listed buildings at nos. 1-10 Upper Berkeley Place has been assessed by the applicant as being of medium significance, their setting overlooking the triangle of gardens to their front being of importance historically, architecturally and for their townscape value. Officers concur with this assessment. The scale of this Block D is acceptable, as it would appear as a subservient annexe to the main buildings on site. The materials to be used would be recessive in colour, being predominantly light brick, with recessed areas of dark brick and metal cladding in the window reveals.

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

A living wall element to the same specifications as used in Block B would be provided on the west facing, three storey element and would wrap around the side elevations. The visual impressions that have been provided with the application show that whilst this block would be visible in longer views from Queens Road, it would result in less than substantial harm to views of Brandon Hill, Cabot Tower or of properties on Upper Berkeley Place. It would appear just above the rooftops of properties on Triangle West, and due to the light brick colour, would blend in with the Bath stone buildings on Triangle South. The less than substantial harm that would be inflicted on the conservation area and the setting of the listed buildings at nos 1-10 Upper Berkeley Place would be minimal, as set out, and would be outweighed by the benefit of bringing the site into beneficial use.

Conditions are proposed, that seek to secure the submission of large scale details of all main building elements, as well as sample panels of materials to be erected on site for inspection and approval.

**LANDSCAPING AND CIRCULATION AREAS WITHIN THE SITE**

A combination of hard and soft landscaping is proposed, including some formal spaces for sitting, and other areas to be left as 'wild' and with mature trees retained. Closer to the hospital building there would be a formal parterre with water feature, designed to reflect the formal historic character of the building. A detailed plan has been submitted showing the hillock area at the foot of Brandon Hill, which was the subject of concern in previous Inspector's decisions on this site will be left largely alone, and the applicant has provided an overlay plan showing the extent of it, compared with the level of intervention proposed by this scheme. This shows that there would be some intervention into the hillock, but that this would be minimal in area. The Ecology officer has confirmed that the area taken would not impact significantly on wildlife. This small encroachment onto the hillock would less than substantially harm the setting of the adjacent Historic Park and Garden but this harm would be outweighed by the re-provision of green infrastructure within the scheme as a whole, and by bringing the site back into managed use. The landscape officer's comments are included and whilst there are no objections to the formal gardens or the layout, additional information is to be requested through conditions which are included in the recommendation.

**PUBLIC ART**

The application includes a draft Public Art strategy and this shall form part of a condition. The locations for public art are at the main entrance to the site and on the entrances to the townhouses. The art on the townhouses would most likely take the form of fretted screens with map images to the front of the town houses. The public art strategy would add interest to this part of Upper Byron Place and would be appreciated by members of the public on the way into Brandon Hill Park. It would provide an enhancement to the retained building, and would therefore accord with policy BCS21, which requires new development to enable the delivery of permanent and temporary public art.

**(C) WOULD THE DEVELOPMENT SAFEGUARD THE AMENITY OF NEARBY RESIDENTIAL OCCUPIERS?**

Good design and protection and enhancement of the environment are critical components of central government guidance, as identified in the NPPF. Adopted Bristol Core Strategy Policy BCS18 makes specific reference to residential developments providing sufficient space for everyday activities and to enable flexibility and adaptability by meeting the appropriate space standards. In addition, Policy BCS21 expects development to safeguard the amenity of existing developments and create a high-quality environment for future occupiers.

It should be noted that the existing levels on site are such that properties to the west of the site, on Byron Place and Upper Berkeley Place, are positioned at a significantly lower level than the application site. They are separated from the site by a large retaining wall, and the car park ground level at the application site is at approximately the same height as roof level rooms in these properties.



**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

The application is accompanied by a BRE (Building Research Establishment) Daylight and Sunlight Assessment, which applies the standard BRE tests to all windows that may be affected by the development. This includes rear facing windows of nos. 5-21 Byron Place (inclusive); rear facing windows Summer Court; front facing windows of 11 Upper Byron Place; rear facing windows of nos. 11 and 16 Berkeley Square; and front facing windows of 13 Upper Berkeley Place. The Assessment was informed by a measured survey, architects drawings, site photographs, Ordnance Survey information, and a 3D computer model. Internal layouts have been estimated using the external appearance of the building, brick counts and the locations of windows. An objection raised the issue that the BRE Assessment is incorrect as it refers to a different proposal with a different use. This is a drafting error within the initial section of the report, but the models used to carry out the assessment have been based on the current scheme. The images included within the Assessment also confirm that it was based on the current scheme and use.

**Daylight and Sunlight****Vertical Sky Component (VSC)**

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

Many of the windows (particularly on Byron Place at ground floor level) were below 27% to begin with, but none of the windows was found to have the VSC reduced to less than 0.8 times its former value as a result of the development. This means that the tested windows would comply with the BRE guidelines: whilst there would be some loss of light from these windows, it would not be harmful.

**No Sky Contour (NSC)**

This test is known as the "Daylight Distribution" method and looks at how daylight is distributed within a room. When comparing the NSC for existing buildings against that proposed following development, BRE guidelines state that if the no-sky line moves so that the area of the existing room which does receive direct skylight is reduced to less than 0.8 times its former value, then this will be noticeable to the occupants, and more of the room will appear poorly lit. There is no absolute minimum identified by the BRE guidelines however. None of the windows assessed yielded a score of less than 0.8 times its former value.

**Annual probable sunlight hours (APSH)**

APSH is a measure of sunlight that a given window may expect over a year period. The BRE guidance recognises that sunlight is less important than daylight in the amenity of a room and is heavily influenced by orientation. This test calculates the statistically probable hours of sunlight received by each window in both winter and summer months and for new developments, only those properties with windows orientated within 90° of due south and which overlook the site are relevant to the assessment. BRE guidance recommends that the APSH received at a given window in the proposed case should be at least 25% of the total available, including at least 5% in winter. Where the proposed values fall short of these, and the loss is greater than 4%, then the proposed values should not be less than 0.8 times their previous value in each period. Each of the windows tested comfortably complies with this test.

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

## Conclusion on Daylight and Sunlight

The tests show that none of the windows assessed would fall below the levels recommended in the BRE guidelines. This means that whilst the proposed development would be noticeable in terms of daylight and sunlight received by certain windows in surrounding properties, there is no quantifiable reason to uphold a reason for refusal in this regard due to the positive results that have been set out in the BRE Assessment.

It must also be borne in mind that the BRE tests are guidelines only, and not planning policy, however they are a useful tool for assessing the impacts of developments on light received by neighbouring windows. They are intended to be applied flexibly, and the background sets out that in some areas (for example city centres and high density areas,) developments may not always achieve optimum levels of daylight or sunlight. Other factors affecting neighbouring amenity, such as outlook must therefore also be taken account of.

Block D Pavilion building would be visible from the residential gardens to the west of the site, and would be positioned to the south-east of these properties. A Shadow Study has been submitted by the applicant within the Design and Access statement, to support the BRE daylight and sunlight assessment. The architect has confirmed that this is based on the spring equinox and shows the typical path of the sun, and importantly, where the shadow of Block D would be cast and what time of day. The shadow would, at its longest, travel along the landscaped gardens within the site. The shadow at 1pm is shown to be immediately around Block D itself. At 3pm it moves towards the hospital building, and at 5pm the entire site and rear gardens of Byron Place are shown to be in shade due to the shadow cast by Brandon Hill. In winter therefore, the shadows would follow the same pattern and the whole area would be in shade earlier in the day. It is not therefore considered that a significant degree of harm would be inflicted on the amenity of occupiers at Byron Place. The boundary wall would to some degree block the view of Block D from the closest properties on Byron Place. For those further away, due to the distance that Block D would be visible from these properties, it would not harm outlook from these gardens or windows such that a refusal could be supported on the grounds of loss of light to gardens, or loss of outlook from windows or gardens.

## Outlook and privacy

The Pavilion building (Block D) would be the closest part of the development to be introduced to properties on Byron Place, and this would be located 6.45m away from the boundary with no 13 Upper Berkeley Place, at a height of two storeys. No. 13 is positioned with its flank elevation facing the application site, so that outlook from all windows in the property is perpendicular to the site. As such, there would be no harmful overlooking from Block D into this property.

The Queen Elizabeth Hospital School is located to the south-west of the site, and is also subject to a significant level change. Due to the position of Block D in the corner of the application site, coupled with its elevation and location of windows, it is not considered that significantly harmful overlooking would occur.

## Noise

As set out above, the site itself is relatively self-contained in terms of its characteristics, being originally designed as a hospital. The landscaped gardens have been designed so that the areas for sitting out and gathering are positioned closer to the hospital building, with areas closer to the boundary retaining wall being kept as informal, or 'wild' gardens. There are areas where the refuse and bicycle storage sheds would be up against the boundary wall, however the height of the boundary wall would be greater than that of the storage sheds therefore allowing it to act as a buffer to noise.

Furthermore, following objections relating to the use of two-tier bike racks on the boundary and the potential for noise disturbance, the applicant has amended the scheme to show Sheffield stands

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

which have significantly less potential for disturbance. The impact on amenity in terms of noise disturbance is acceptable and does not give rise to any quantifiable reason for refusal.

## Quality of Accommodation

The scheme has been amended so that units on the ground floors of Blocks C and D have additional windows inserted to obtain more natural light. In Block D, these are high-level windows which would prevent views out. The main access to the site would be ramped and suitable for wheelchairs, and Blocks A, B and D have level access and include lifts. These blocks would be fully wheelchair accessible.

**(D) WOULD THE APPLICATION SATISFACTORILY ADDRESS TRANSPORT AND MOVEMENT ISSUES?**

The NPPF sets out that applications for developments that generate significant transport movements should be supported by a Transport Statement, and states that applications should only be refused when the development would have a severe impact on the highway network. BCS10 requires proposals to create places and streets where traffic and other activities are integrated and where buildings, spaces and the needs of people shape the area. Where vehicular access is sought to a site for essential operational parking or servicing, BCAP26 states that the council will work with the applicant to identify the most appropriate access point having regard to any proposals for pedestrianisation or traffic management.

DM23 expects development to provide a safe secure, accessible and usable level of parking provision having a regard to parking standards, as well as secure and well-located cycle parking and facilities for cyclists. The same policy also expects developments to provide appropriate servicing and loading facilities which make effective and efficient use of land and be integral to the design of the development.

## Car Parking

The development is proposed to be predominantly car free, with the applicant setting out that students will not be permitted to have cars, as part of their tenancy agreement. Six parking spaces would be provided including one disabled bay, and these would strictly be for management and maintenance staff. A number of comments have been received questioning how this tenancy agreement would be enforced, amid concerns that additional cars would lead to even more pressure on street parking in the surrounding Residents Parking Scheme zone. To manage the arrival and departure of students at the start/end of each semester/academic year a moving in/out strategy has been included within the Premises Management Plan submitted. This sets out that students would not be permitted to have cars whilst living at the development, and that there would be no need for the residents to have cars due to the system being in place to stagger moving in arrivals and moving out departures. This is proposed to be staggered over approximately four days, and this is secured by the condition. A detailed Traffic Management Plan shall be required by condition, to set out how long students will be given on-site, how this would be communicated, and how the access road would be managed to prevent any conflict between pedestrians and cars. The approved document would be adhered to as a requirement of the condition.

Residents of the scheme would be prevented from obtaining car parking permits in the surrounding Residents Parking Scheme, and an advice note shall be applied to this effect.

## Cycle Parking

The Council's adopted cycle parking standards for this type of use (C2 - residential institutions) require 1 cycle space per 4 bedspaces, as well as one visitor space per 12 bed spaces. For 153 bedspaces this equates to 38 spaces plus 12 for visitors. Initially, this scheme proposed a total of 66

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

spaces (which would have exceeded the policy requirement). Cycle shelters are proposed to be spread across the scheme - mainly timber shelters towards the site's rear boundary wall. Initially these were proposed as 2-tier cycle racks, however, a number of objections were received from residents backing onto this area in Byron Place, about the level of noise and disturbance that could arise from use of the metal rack operating mechanisms. In addition to this, this type of cycle storage is rarely encouraged due to it being inconvenient to use, thereby discouraging people from cycling. The applicant was therefore advised to amend the proposal to instead show Sheffield stands in these shelters, which are more convenient to use and would not generate such noise disturbance. The breakdown of cycle spaces as a result of this change is now 28 within the external shelters, 16 internal spaces in the townhouses, and 12 visitor spaces near the entrance (56). This provision is deemed acceptable in the light of the above and would meet the policy requirements.

### Refuse and Servicing

DM32 requires the location of recycling and refuse provision to be integral to the design of the proposed development. It also states that in assessing refuse and recycling provision, regard will be had to the impact on visual amenity, and on the health and amenity of neighbouring development, as well as the security of the provision against scavenging pests, vandalism and unauthorised use. The Council has produced further guidance on waste management (Waste and Recycling booklet). This sets out that all bins must be contained within a dedicated, suitably screened, suitably ventilated and secure area which will prevent interference by any scavenging pests or any third party. It states that communal collection points must be at the front of the property nearest to where the collection vehicle is able to safely stop.

The application proposes various refuse storage points within the site, as well as a communal collection area close to the Lodge entrance. The application documents confirm that the management company will be responsible for taking the waste around to the communal collection area and that waste would be collected from this point by Bristol Waste Company once per week. A condition is attached to ensure that this takes place. A Waste Management Strategy will be conditioned, as this document is needed to set out capacity, how waste would be moved for collection, agreement with Bristol Waste over collection and details of the information given to students as to how to deal with waste.

A swept path vehicle tracking diagram has been submitted, showing that a 7.5 tonne collection vehicle can reverse up Upper Byron Place from The Triangle and into the off-street area outside the Lodge to collect the waste. Upon having performed its collections it can then emerge down Upper Byron Place in a forward gear. Bristol Waste Company have confirmed that this is an existing arrangement, and whilst it is not ideal due to a refuse vehicle having to reverse uphill from the main road, there is no suitable alternative, therefore the arrangement can be continued here.

Storage areas for refuse and recycling are shown in three separate areas within the site. Students would be responsible for taking their waste to these points. The management company would ensure it is stored correctly and would then be responsible for moving the waste to the communal storage point, (adjacent to the Lodge) on collection days. The application documents demonstrate that there would be sufficient capacity for the storage of waste within the development, in accordance with Bristol's waste guidance.

A number of objections have been received referring to the location of the refuse storage area close to the boundary retaining wall, (next to properties on Byron Place), in which problems with smells and rodents are envisaged. Comments also express concern that the scattered nature of the refuse huts more than 30m from the entrance would mean that students would not manage their own waste by transferring it to the main collection point at the Lodge. The application documents confirm that the storage facilities would be covered, secured and ventilated, and that the management company would be responsible for ensuring waste is only placed in receptacles and not left outside of containers to invite scavenging pests, and for taking waste to the communal refuse area to await collection. As

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

already noted in this report, the ground level at the application site is at the same level as the second floor levels in properties on Byron Place. The boundary wall is at a height of approximately 2m from the site's ground level, and would therefore act as a buffer to noise and smells. The location and design of the refuse and recycling stores therefore meet with policy and they are acceptable in this location. In order to secure the refuse arrangements, a Waste Management Plan shall be required as a pre-commencement condition. This document would provide additional undertaking from the applicant as to how frequently the waste would be taken to the communal waste area.

### Travel Plan

The application includes a Travel Plan, which sets out how the development would actively seek to reduce reliance on the private vehicle over the first few years of operation. The ongoing monitoring of this document will need to be secured, in order that the measures within it can be reviewed and assessed over the Travel Plan's time period.

Firstly a Travel Plan Management and Audit Fee of £3,500 is to be secured through a S106 agreement and would be payable upon commencement of development. This would ensure the provision and maintenance of supporting systems, to:

1. Set up and update the database to ensure monitoring takes place at appropriate times;
2. Attend the development Travel Plan Steering Group meetings to monitor progress and to support the delivery and success of the Travel Plan;
3. Provide training to developer Travel Plan Co-ordinators;
4. Audit and review biennial monitoring over the 5 year period of the Travel Plan;
5. Review Travel Plan progress in light of monitoring results;
6. Discuss the results and future measures with the site Travel Plan Co-ordinator.

A dedicated Travel Plan Co-ordinator will be required to manage a steering group of all the development uses, hold regular meetings with other key transport stakeholders and deliver the Action Plan. The nominated Travel Plan Co-ordinator (TPC) will arrange steering group meetings, the first one 3 months prior to occupation and then quarterly for the first year and at least once a year for years 2-5. Steering Group members would include BCC Travel Plan Officer.

A monitoring report is required to be submitted to the council in years 1, 3 and 5 of the Travel Plan.

Subject to securing the s106 contribution there are no objections on these grounds.

### (E) WOULD THE PROPOSAL PROVIDE ADEQUATE MITIGATION FOR ITS IMPACT ON TREES AND WILDLIFE?

Policy BCS9 states that individual green assets should be retained wherever possible, and that development should incorporate new or enhanced green infrastructure of an appropriate type, standard and size.

Policy DM19 seeks to protect habitat, features and species which contribute to nature conservation, and developments are expected to be informed by appropriate surveys.

### TREES

Policy DM17 seeks to protect Important Open Spaces, Unidentified Open Spaces, Urban Landscape and Trees and recognises the role these features have in providing landscape and visual amenity quality. It advises that new development should integrate important existing trees and says that where tree loss of trees is essential to allow for appropriate development, replacement trees of an appropriate species should be provided in accordance with the tree compensation standard. In accordance with this policy, the application is informed by a British Standard 5837 Tree Survey. This confirms there are no Category A trees on site. The two Category B trees are proposed to be

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

retained. Trees that are to be removed are all therefore either Category C (of which there are 12) or Category U (of which there are 3). A total of 15 trees would be removed, and, in accordance with policy, the BTRS has been used to calculate that 36 replacement trees are required to be planted. The application proposes to plant 22 new trees, and that the shortfall of 14 would be covered by a financial contribution. This is an approach which is allowable by policy, as DM17 states that important trees should be integrated. In this case, the site's best quality trees are to be retained and only the Category C and U are proposed to be removed. The Council's tree officer has accepted this approach, and a financial contribution of £10,712.94 is secured as mitigation.

**WILDLIFE**

The Council's Ecology officer has made a number of recommendations for conditions and advice notes, in order to ensure the removal and control of invasive plants (such as Japanese Knotweed and Cotoneaster) and to ensure safeguarded habitats for protected species such as bats. These recommendations have been incorporated into the recommendation.

**LIVING WALL**

The application includes details and examples of the 'Biotope' living wall system that is proposed. Plants start off in flat grids so they can develop robust root development and be established ready for installation. They are placed into the supporting structure which consists of a waterproof layer on the backing board, a series of irrigation pipes and a 'stonewool' growing medium which holds the plants into place. The irrigation system drips at 2 litres per square metre per day, and the system is able to be flushed on a regular basis. It is inspected every 28 days, and plants are able to be replaced individually rather than whole panels having to be removed.

With the maintenance system in place, the application successfully demonstrates that the living wall would be able to grow and deliver the green infrastructure which is desirable on this part of the conservation area. Conditions are proposed to require the 28-day maintenance programme to be adhered to, and for dead or dying plants to be removed and replaced.

**(F) WOULD THE SCHEME OFFER AN ACCEPTABLE RESPONSE TO SUSTAINABILITY POLICIES?**

The NPPF encourages new development to explore decentralised energy supply as much as possible, and for it to minimise its energy consumption by using landform, layout, building orientation, massing and landscaping. Bristol's Local Plan policies support this and require sustainability to be integral to all new development in Bristol. BCS13 encourages developments to respond pro-actively to climate change, by incorporating measures to mitigate and adapt to it. BCS14 requires development to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%. BCS15 requires developments to demonstrate through a Sustainability Statement how they have addressed energy efficiency; waste and recycling; conserving water; materials; facilitating future refurbishment and enhancement of biodiversity.

The application is accompanied by an Energy Statement and Sustainability Strategy. This explores measures of renewable energy systems that have been considered. The chosen energy response is that the development would be heated by Combined Heat and Power plant, and would have an array of PV panels on the flat roof area of the hospital building to contribute towards renewable energy.

The Combined Heat and Power Plant would generate on-site power and due to being decentralised, would create over 20% savings of CO2 compared with a conventional boiler system due to it being more efficient and minimising waste energy. The development would also be enabled to connect to a future heat network, due to the proposed distribution of heat using water. A condition shall be included to ensure the development is capable of connection once this becomes available.

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

The strategy also commits to achieving a BREEAM 'Excellent' score, and a condition shall be imposed requiring final certification of this to be provided.

The PV array would produce a 12.87% reduction in residual carbon emissions. This is below the policy requirement as BCS14 requires a reduction in residual carbon emissions of 20% using renewable energy. The background to policy BCS14 sets out how this policy will be delivered and states that in cases where the full policy requirements cannot be feasibly delivered, the shortfall can be provided via a contribution to a relevant city-wide low carbon energy initiative or by agreeing acceptable directly linked or near-site provision. Officers have considered whether to require the applicant to make a financial contribution to make up the shortfall, however, the application demonstrates that on-site efforts have been maximised, due to the inclusion of CHP, a projected BREEAM 'Excellent' score, and heat-network ready plant. The approach would comply with policy BCS13 which encourages the use of decentralised energy systems, and the energy hierarchy set out in policy BCS14. The Strategy also sets out how the development would incorporate measures to comply with Part L of the building regulations, including being naturally ventilated, use of LED light fittings, and including details of U-values, complying with BCS15. In addition to this, the application proposes to retain and refurbish the hospital building. The demolition or partial demolition of this building has been one of the main problems in previous applications on this site and the current application to retain it is welcomed due to the positive contribution it makes to the conservation area. It is therefore considered that the sustainability response is acceptable.

**(G) FLOOD MANAGEMENT AND SUSTAINABLE URBAN DRAINAGE (SUDS)**

The site is not located within a flood risk area identified by the Environment Agency, so is not defined as being at risk of flooding, but policy BCS16 requires all development to incorporate water management measures to reduce surface water run-off and ensure that it does not increase flood risks elsewhere, through use of SUDS. The application is accompanied by a Surface Water Management Plan, which sets out that the development proposed here would increase the amount of soft (impermeable) landscaping on the site by 1%, and that run-off is to be discharged through one outlet in the north-west corner of the site and into the existing sewer network. This strategy has been reviewed by the Council's Flood Risk Manager, and there are no objections. Conditions are imposed to secure a full SUDS strategy to be submitted for approval prior to commencement of development.

**(H) PLANNING OBLIGATIONS**

Section 106 of the Town and Country Planning Act 1990 sets out the legislative background for securing planning obligations, and the NPPF sets out that planning obligations should only be used where they are necessary, directly related to the development, and fairly and reasonably related in scale and kind to the development. BCS11 states that obligations or contributions secured by s106 may be sought from any development that has an impact requiring mitigation, and that CIL is also required in accordance with the CIL regulations. The Council adopted its own Planning Obligations SPD in 2012, which supports and provides additional guidance against the above legislation and policies.

The developer has agreed to the following heads of terms, and a Unilateral Undertaking is in the process of being completed for signing.

- Travel Plan monitoring fee £3,500
- Fire Hydrant £1,500
- Tree replacement £10,712.94

**(I) STRUCTURAL MATTERS**

Land and structural stability are not normally considered in planning applications of this size and type. However the NPPF does require planning applications to be assessed so as to ensure that permitted

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

operations do not have unacceptable adverse impacts arising from subsidence, albeit this is in a mining and quarrying context. In view of the nature of some of the objections however, it is considered a response was necessary in this regard.

A Party Wall Agreement may need to be entered into and this also falls outside of the planning remit. This would need to be entered into in the event that construction would impact on neighbouring walls, and is a civil matter between the parties involved.

**CONCLUSION**

The redevelopment of this site in a manner that retains the hospital building is welcomed, and the scheme is considered by officers to make an appropriate response to the site. The proposed new buildings would respect the scale of the original hospital building and the less than significant harm (as described by paragraph 133 of the NPPF) to the conservation area, and setting of nearby listed buildings that would arise, would be outweighed by the benefits brought about by bringing the building and site back into use. Whilst the outlook from properties on Byron Place would be altered, no significantly harmful amenity impacts are envisaged as demonstrated by the application supporting documents. The applicant has worked with officers to address a number of design and transport issues, and the response to the management of servicing and waste collection is now satisfactory, with the inclusion of conditions. The scheme, in spite of its heritage limitations, makes a fair response to sustainability policies and includes a decentralised energy system, renewable energy equipment as well as a projected BREEAM score of 'Excellent', which is welcomed. The application proposes adequate landscaping re-provision and policy compliant replanting and mitigation for the loss of trees.

The application is recommended for approval subject to the signing of the Unilateral Undertaking and the conditions attached to the recommendation.

**CIL**

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

The CIL liability for this development is £733,371.95



**Development Control Committee B – 25 April 2018**

**Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

**RECOMMENDED GRANT subject to Planning Agreement**

**Time limit for commencement of development**

1. Full Planning Permission

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

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

**Pre commencement condition(s)**

2. Unexploded Ordnance

Prior to commencement of development an unexploded ordnance survey shall be carried out at the site to establish whether there is any unexploded ordnance, the details of which shall include any necessary mitigation measures and shall be submitted to the local planning authority for approval. The development shall be undertaken in full accordance with any approved mitigation measures.

Reason: To ensure that development can take place without unacceptable risk to workers and neighbours including any unacceptable major disruption to the wider public on and off site that may arise as a result of evacuation/s associated with the mitigation of UXO

3. Approval of road works necessary

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

- Realignment of kerb adjacent to the access point to the site
- Replacement/upgrading of street lighting along Upper Byron Place from the junction with Triangle South to the uppermost pedestrian access point to the site.

Indicating proposals for:

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

These works shall be completed prior to occupation of the development to the satisfaction of the Local Highway Authority

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

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

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

## 4. Construction management plan

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

Parking of vehicle of site operatives and visitors  
 routes for construction traffic  
 hours of operation  
 method of prevention of mud being carried onto highway  
 pedestrian and cyclist protection  
 proposed temporary traffic restrictions  
 arrangements for turning vehicles

Reason: In the interests of safe operation of the highway in the lead into development both during the demolition and construction phase of the development.

## 5. Highway condition survey

Prior to the commencement of any work on site, a highway condition survey shall be undertaken of Upper Byron Place with a schedule of existing defects, submitted and approved in writing by the Local Planning Authority. This should be undertaken in the presence of a council representative. The applicant will be responsible for any damage to the highway caused as a result of the development process.

Reason: To ensure that any damage to the highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer.

## 6. Materials

Prior to commencement of the relevant element, details of external materials, including hard landscaping, shall be submitted and approved in writing by the local planning authority. An agreed sample reference panel to include external facing materials and construction details shall be erected on site and approved in writing by the Local Planning Authority. The approved reference sample panel shall be retained on site until the completion of the development. The development will be carried out in accordance with the approved materials and panel.

Notwithstanding the information shown on the approved drawings and documents, the metal cladding shown for the chimneys of the hospital building is unacceptable and shall be reviewed for full consideration alongside the materials submission.

Reason: In order to ensure that the external appearance of the buildings is satisfactory.

## 7. Design details

Prior to commencement of development, detailed part elevations and sections for each building at 1:20 scale showing all typical external treatments and building elements shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure that the external appearance of the buildings is satisfactory.

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

## 8. Land affected by contamination - Site Characterisation

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

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

(ii) an assessment of the potential risks to:

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

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

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

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

## 9. Land affected by contamination - Submission of Remediation Scheme

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

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

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

## 10. Land affected by contamination - Implementation of Approved Remediation Scheme

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

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

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

## 11. Sound Insulation

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

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

The scheme of noise insulation measures shall take into account the current noise climate at the development site and the provisions of BS 8233: 2014 "Guidance on sound insulation and noise reduction for buildings".

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

Reason: In order to safeguard the amenity of nearby occupiers.

## 12. Protection of Retained Trees During the Construction Period

No work of any kind shall take place on the site until the protective fence(s) has (have) been erected around the retained trees described in Arboricultural Impact Assessment (March 2018) in the position and to the specification shown on Drawing No. 180315-SMH-TPP-Rev C-AM. 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 in order that the council may verify in writing that the approved tree protection measures are in place when the work commences. The approved fence(s) shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the 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

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the council.

Reason: To protect the retained trees from damage during construction, including all ground works and works that may be required by other conditions, and in recognition of the contribution which the retained tree(s) give(s) and will continue to give to the amenity of the area.

13. To ensure implementation of a programme of archaeological works

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

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

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

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

14. Sustainable Drainage System (SuDS)

The development hereby approved shall not commence until a Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved Sustainable Drainage Strategy 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 is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal.

15. Heat Networks - Future proofing

Prior to commencement of relevant element, detail demonstrating proposed measures to future-proof the development for connection to a future district heat network shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed and thereafter maintained in accordance with the approved details.

Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with policies BCS13 (Climate change) and BC14 (sustainable energy), BCAP21 (connection to heat networks).

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

## 16. Artificial lighting (external)

No development shall take place until a report detailing the lighting scheme and predicted light levels at neighbouring residential properties has been submitted to and approved in writing by the Local Planning Authority.

Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E2 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

17. Prior to commencement of development, a method statement for the control and removal of Japanese knotweed (*Fallopia japonica*) and a method statement for the control and removal of Cotoneaster, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved details.

Reason: In order to safeguard the nature conservation of the site.

**Pre occupation condition(s)**

## 18. In accordance with the approved Public Art Strategy, and prior to occupation, details of the Public Art commission(s) shall be submitted and approved in writing by the Local Planning Authority. The public art works shall be implemented and completed in accordance with the approved details, prior to the occupation of development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the delivery of Public Art to complement the development in accordance with the Public Art requirements set out in the Adopted Core Strategy.

## 19. Installation of vehicle crossover - Shown on approved plans

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

Reason: In the interests of pedestrian safety and accessibility

## 20. Reinstatement of Redundant Accessways - Shown on approved plans

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

Reason: In the interests of pedestrian safety.

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

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

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

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

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

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

Reason: In the interests of highway safety.

## 23. Completion of Vehicular Access - Shown on approved plans

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

Reason: In the interests of highway safety.

## 24. Land affected by contamination - Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 8 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 9, which is to be submitted to and be approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 10.

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

## 25. Traffic Management Plan

Prior to occupation of the development hereby approved, and notwithstanding the provisions within the Premises Management Plan, a detailed Traffic Management Plan shall be submitted for approval in writing, to set out details of how long students would be given on site to move in/move out, how this would be communicated to potential residents, and how the access road would be managed to prevent any conflict between pedestrians and cars. The approved details shall be adhered to throughout the lifetime of the development.

Reason: In order to maintain the safe operation of the highway.

## 26. 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)

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

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.

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

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

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

28. Landscaping scheme

The approved landscaping scheme (shown on drawing numbers 17047\_PL(9-)01A and 17047\_PL(9-)03) shall be implemented so that planting, including installation and maintenance of the living walls as described within appendix 3 of the Design and Access statement, is carried out no later than the first planting season following the occupation of the buildings or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

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

29. BREEAM

Prior to occupation the following information shall be submitted to the local planning authority and approved in writing:

- The full BREEAM Post Construction report prepared by the registered BREEAM assessor together with confirmation that this has been submitted to the BRE (including dates/receipt confirmation email from the BRE)
- A letter of confirmation from the BREEAM assessor confirming any known reasons why the building may not be able to achieve the credits and rating indicated in the final BREEAM post construction report.

Within 3 months of first occupation the final post construction BREEAM certificate(s) indicating that a BREEAM 'Excellent' rating has been achieved shall be submitted to the local planning authority and approved in writing.

Reason: To ensure the development is built in a sustainable manner in accordance with BCS15 (Sustainable design and construction), and BCAP20 (Sustainable design standards).

30. To secure the conduct of a watching brief during development groundworks

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



**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

Reason: To record remains of archaeological interest before destruction.

## 31. Waste Management Strategy

Prior to occupation of the development hereby approved, a Waste Management Strategy shall be submitted for approval in writing by the LPA, to give details on how the refuse and recycling would be moved for collection by the management company, confirmation of agreement with Bristol Waste for collection, and details of the information given to occupiers on arrangements for dealing with refuse. Following approval, the agreed strategy shall be adhered to throughout the lifetime of the development unless otherwise agreed in writing.

Reason: In order to ensure the arrangements for dealing with waste are satisfactory, to safeguard the amenity of the surrounding area, and to maintain the safe operation of the highway.

## 32. Energy and Sustainability

The development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the Energy and Sustainability Statement (by Melin, dated 15.12.17) prior to occupation. A total 5.26% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy shall be achieved, and a 12.87% reduction in carbon dioxide emissions below residual emissions through renewable technologies shall be achieved.

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

## 33. Travel Plan - submitted

Prior to occupation or commencement of use, evidence that the pre-occupation elements of the approved Travel Plan have been put in place shall be submitted to and approved in writing by the Local Planning Authority.

The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed Travel Plan to the satisfaction of Local Planning Authority unless agreed in writing by the Local Planning Authority.

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

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

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

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

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

35. Prior to occupation of the development details provided by a qualified ecological consultant shall be submitted to and approved in writing by the Local Planning Authority providing the specification, orientation, height and location for built-in bird nesting and bat roosting opportunities. This shall include ten built-in swift and ten built-in bat boxes. Development shall be undertaken in accordance with the approved details.

Reason: In order to safeguard habitats for protected wildlife.

**Post occupation management**

36. Noise from plant & equipment affecting residential

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

Reason: In order to safeguard residential amenity

37. Use of Refuse and recycling facilities

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

Reason: To safeguard the amenities of nearby occupiers

38. Premises Management Plan

The premises shall be used in accordance with the Premises Management Plan submitted with the application. Any proposed amendments or revisions to the Plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to safeguard residential amenity

39. Protection of parking and servicing provision

The areas allocated for vehicle parking, loading and unloading, circulation and manoeuvring on the approved plans shall only be used for the said purpose and not for any other purposes. The parking spaces shown on drawing PL(9-)02 Rev A, shall only be used by management and maintenance staff associated with the development hereby approved.

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

**Development Control Committee B – 25 April 2018****Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU****List of approved plans**

## 40. 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.

17047\_PL(9-)02 REV A Refuse and Cycle plan, received 4 April 2018  
 2022 010C Landscape Masterplan, received 20 March 2017  
 SK01A Transport internal changes, received 27 March 2018  
 SK02B Swept path diagram (7.5t van), received 27 March 2018  
 SK03A Swept path - large cars passing, received 27 March 2018  
 SK04A Swept path 4 axle refuse vehicle, received 27 March 2018  
 EX(--)-01 Site location plan, received 22 December 2017  
 EX(--)-02 Existing site survey, received 22 December 2017  
 EX(--)-03 Existing site plan, received 22 December 2017  
 EX(--)-04 Down taking site plan, received 22 December 2017  
 EX(20)01 Existing elevations, received 22 December 2017  
 EX(23)01 Existing basement plan, received 22 December 2017  
 EX(23)02 Existing ground floor plan, received 22 December 2017  
 EX(23)03 Existing first, second & third floor plan, received 22 December 2017  
 PL(20)01B Proposed elevations blocks A & B, received 11 April 2018  
 PL(20)02B Proposed elevations blocks A & B, received 11 April 2018  
 PL(20)03A Proposed elevations blocks C - Town houses, received 20 March 2018  
 PL(20)04A Proposed elevations blocks D, received 20 March 2018  
 PL(20)05B Proposed street context elevations, received 11 April 2018  
 PL(20)06 Proposed site sections 1 of 4 sheets, received 22 December 2017  
 PL(20)07 Proposed site sections 2 of 4 sheets, received 22 December 2017  
 PL(20)08 Proposed site sections 3 of 4 sheets, received 22 December 2017  
 PL(20)09 Proposed site sections 4 of 4 sheets, received 22 December 2017  
 PL(20)10 Proposed section - Block A, received 22 December 2017  
 PL(20)11 Proposed section - Block A & C, received 22 December 2017  
 PL(20)12 Proposed section - Block A & C & D, received 22 December 2017  
 PL(20)13 Proposed section - Block D, received 22 December 2017  
 PL(20)14 Proposed elevations - St Marys lodge, received 22 December 2017  
 PL(23)01A Proposed basement floor plan, received 20 March 2018  
 PL(23)02A Proposed ground floor plan, received 20 March 2018  
 PL(23)03A Proposed roof plan, received 20 March 2018  
 PL(23)A1 Proposed floor plan - Block A, received 22 December 2017  
 PL(23)A2 Proposed floor plan - Block A, received 22 December 2017  
 PL(23)A3 Proposed floor plan - Block A, received 22 December 2017  
 PL(23)A4 Proposed removals - Block A, received 22 December 2017  
 PL(23)A5 Proposed removals - Block A, received 22 December 2017  
 PL(23)B1A Proposed floor plans - Block B, received 20 March 2018  
 PL(23)C1A Proposed floor plans - Block C, received 20 March 2018  
 PL(23)D1A Proposed floor plans - Block D, received 20 March 2018  
 PL(9-)01A Proposed landscape plan, received 20 March 2018  
 2022 011A Planting strategy plan, received 20 March 2018  
 Design and access statement - Appendix 3.1, received 22 December 2017  
 Design and access statement - Appendix 3.2, received 22 December 2017  
 Design and access statement - Appendix 3.3, received 22 December 2017  
 Design and access statement - Appendix 3.4, received 22 December 2017  
 Design and access statement - Appendix 3.5, received 22 December 2017  
 Premises Management Plan, received 22 December 2017

**Development Control Committee B – 25 April 2018**  
**Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

Reason: For the avoidance of doubt.

### Advices

1. Details to demonstrate how a development has been future-proofed to connect to a heat network should include:
  - Provision of a single plant room, located adjacent to the planned (or if not planned, likely) heat network route, producing all hot water via a communal heating system, including engineering measures to facilitate the connection of an interfacing heat exchanger;
  - The design of space heating and domestic hot water services systems in order to achieve consistently low return temperatures in line with the CIBSE: Heat Networks Code of Practice for the UK (or other future replacement standard)
  - Space identified for the heat exchanger;
  - Provisions made in the building fabric such as soft-points in the building walls to allow pipes to be routed through from the outside to a later date; and
  - External (where detail is available) and internal district heat pipework routes identified and safeguarded.
  - Provision for monitoring equipment as specified by the DH provider.
  - Provision of contact details of the person(s) responsible for the development's energy provision for the purpose of engagement over future connection to a network.
  
2. Note that in deciding to grant permission, the Committee/Planning Service Director also decided to recommend to the Council's Executive in its capacity as Traffic Authority in the administration of the existing Controlled Parking Zone of which the development forms part, that the development should be treated as car free / low-car and the occupiers ineligible for resident parking permits.
  
3. Sound insulation:
 

The recommended design criteria for dwellings are as follows:

Daytime (07.00 - 23.00) 35 dB LAeq 16 hours in all rooms & 50 dB in outdoor living areas.  
 Nighttime (23.00 - 07.00) 30 dB LAeq 8 hours & LAmx less than 45 dB in bedrooms.
  
4. Works on the public highway: The development hereby approved includes the carrying out of work on the public highway. You are advised that before undertaking work on the highway you must enter into a formal agreement with the council which would specify the works and the terms and conditions under which they are to be carried out. You should contact TDM - Strategic City Transport (CH), Bristol City Council, PO Box 3176, Bristol, BS3 9FS, telephone 0117 903 6846 or email TransportDM@bristol.gov.uk, allowing sufficient time for the preparation and signing of the agreement. You will be required to pay fees to cover the councils cost's in undertaking the following actions:
  - 1) Drafting the agreement
  - 2) A monitoring fee equivalent to 15% of the planning application fee
  - 3) Approving the highway details
  - 4) Inspecting the highway works.
  
5. The development hereby approved is likely to impact on the highway network during its construction. The applicant is required to contact Highway Network Management to discuss any temporary traffic management measures required, such as footway, Public Right of Way or carriageway closures, or temporary parking restrictions. Please call 0117 9036852 or email traffic@bristol.gov.uk a minimum of eight weeks prior to any activity on site to enable

**Development Control Committee B – 25 April 2018**

**Application No. 17/07088/F: St Marys Hospital Upper Byron Place Bristol BS8 1JU**

Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

6. No clearance of vegetation or structures suitable for nesting birds, should take place between 1st March and 30th September inclusive in any year. 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.
7. If built-in bird and bat boxes cannot be provided within built structures, they should be provided on trees (with no more than one bird box per tree).  
Bat boxes should face south, between south-east and south-west. Bat boxes which are being placed on buildings should be placed as close to the eaves (if present) as possible.
8. Trees scheduled for removal should be inspected for evidence of roosting bats by a qualified ecological consultant. All species of bats and their roosts are legally protected.

## Supporting Documents

### **1. St Marys Hospital, Upper Byron Place**

1. Photograph
2. Photograph
3. Planting strategy plan rev A
4. Refuse plan rev A
5. Blocks A & B proposed elevation rev B
6. Block D proposed elevation rev A
7. Townhouses





Page 68







- Trees**  
*Amelanchier Lamarckii* - Multi stemmed  
*Magnolia Grandiflora* - Standard  
*Pyrus cordata* 'Greenspire' - Standard  
*Quercus Robur* - Standard  
*Tilia Cordata* - Standard & Pleached
- Shrubs**  
 Ground cover mix:  
*Allium* varieties  
*Asarum europaeum*  
*Bergenia* 'Siberlicht'  
*Ceanothus thyrsiflorus* var *repens*  
*Epimedium x youngianum* 'Roseum'  
*Erigeron kanvirskianus*  
*Helleborus x hybridus*  
*Liriope muscari* 'Monroe White'  
*Nepeta x faassenii*  
*Ophiopogon planiscapus* 'Nigrescens'  
*Pachysandra terminalis*  
*Polypodium vulgare*  
*Rosa pimpinellifolia*  
*Salvia nemorosa* 'Caradonna'  
*Stipa* varieties  
*Thymus vulgaris*
- Boundary mix:**  
*Choisya* 'Aztec Pearl'  
*Cornus sanguinea* 'Midwinter Fire'  
*Fatsia japonica*  
*Nandina domestica*  
*Sarcococca confusa*  
*Viburnum tinus* 'Eve Price'
- Hedges**  
 Boundary hedge - *Ilex aquifolium* (maintained at 1.4m)  
 Parterre hedge - *Ilex crenata* (maintained at 0.5m)  
 Low hedge - *Lavandula angustifolia* (maintained at 0.5m)  
 Low hedge - *Lonicera nitida* 'baggesen's gold' (maintained at 0.5m)
- Trellis with climbers**  
*Akebia quinata*  
*Trachelospermum jasminoides*  
*Wisteria floribunda*
- Grasses**  
 Amenity grass mix - Emorsgate EG22 Mixture or similar approved  
 Wildflower meadow mix - Emorsgate EM2 Mixture or similar approved  
 Woodland (shade tolerant) grass mix - Emorsgate EW1 Mixture or similar approved
- Bulbs**  
*Narcissus* varieties  
*Tulipa* varieties
- Green Roof**  
 Sedum roof - *EnviroMat Sedum Matting* or similar approved
- Trailing Plants:**  
*Rosmarinus officinalis* 'Prostratus'  
*Vinca minor* 'Atropurpurea'
- Green Wall** - To be detailed and specified by Bioteecture or similar approved

**LEGEND**

- Removed trees
- Retained trees
- Proposed trees - standard - in tree grills or soft landscaping
- Proposed trees - pleached - in tree grills or shrub beds
- Proposed shrubs
- Proposed boundary hedge
- Proposed parterre hedge
- Proposed low hedge
- Green roof with trailing plants
- Proposed green wall
- Proposed grass
- Climbers with trellis system
- Extent of existing hillock

Rev	Date	Description
A	13.03.18	Updates to plan as per revised architects drawings & existing hillock location shown.

Title: Planting Strategy Plan  
 Project: St Marys, Bristol  
 Client: Empiric  
 Date: December 2017  
 Scale: 1:200 @ A1  
 Drawing No: 2022 011 Rev A PLANNING  
 Rev:

T: +44 (0)1279 647044 E: office@lize.com www.lize.com

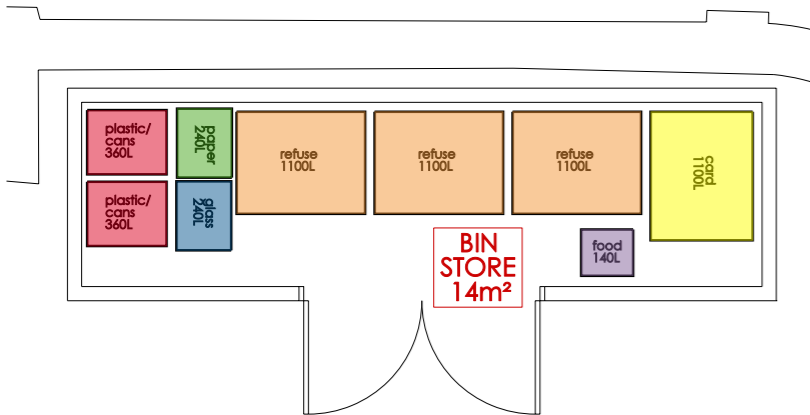
© 2018 LIZ LAKE ASSOCIATES  
 Information contained in this drawing is confidential and may not be used for any purpose other than that for which the drawing is supplied without prior written authority of LIZ LAKE ASSOCIATES. This drawing is copyright and may not be copied except within the agreed conditions of supply.

80% Mapping  
 Produced from Ordnance Survey map data by permission of Ordnance Survey. © Crown copyright 2018. Licence No. 2000071346. © LIZ LAKE ASSOCIATES 2018. Ordnance Survey Licence No. 01000316173. This drawing contains information and/or mapping from a number of sources and its accuracy should be verified on site.

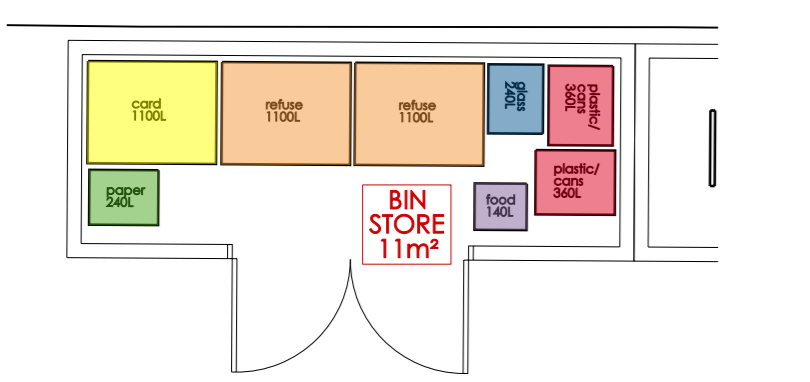
**LIZ LAKE ASSOCIATES**  
 LANDSCAPE ARCHITECTS



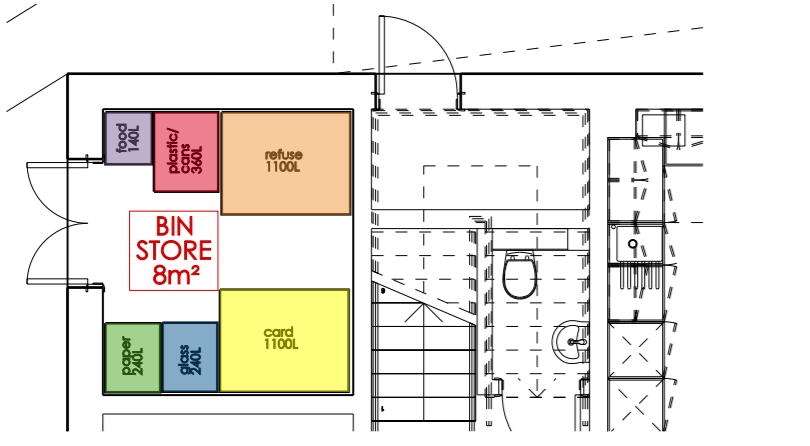




**REFUSE STORE 1**  
 3 x 1100L Refuse  
 1 x 1100L Card  
 2 x 360L Plastic/cans  
 1 x 240L Paper  
 1 x 240L Glass  
 1 x 140L Food



**REFUSE STORE 2**  
 2 x 1100L Refuse  
 1 x 1100L Card  
 2 x 360L Plastic/cans  
 1 x 240L Paper  
 1 x 240L Glass  
 1 x 140L Food

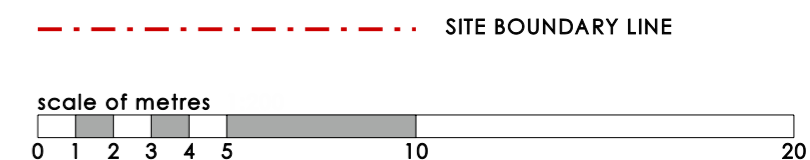


**REFUSE STORE 3**  
 1 x 1100L Refuse  
 1 x 1100L Card  
 1 x 360L Plastic/cans  
 1 x 240L Paper  
 1 x 240L Glass  
 1 x 140L Food



EXAMPLE TIMBER REFUSE/BIKE SHELTER. SHELTERS TO BE COVERED AND SECURE WITH SHEFFIELD STANDS PROVIDED FOR BIKE STORAGE.

**BICYCLE PARKING PROVISION:**  
 28no. SPACES CONTAINED WITHIN SECURE COVERED SHELTERS  
 16no. INTERNAL SPACES WITHIN TOWNHOUSES  
 12no. EXTERNAL VISITOR SPACES



A	04.04.18	JL	Bike stores revised to indicate sheffield stands as requested by SCC
rev	date	by	

**susan stephen architects**

project	17047	St Mary's, Bristol	
client	Empiric (Bristol St Mary's) Limited		
drawing	Proposed Refuse Plan		
dwg no.	pl(9)-J02	revision	A
scale	1 : 200	drawn	JL

14 Ainslie Street, Edinburgh EC2 2PP  
 0131 220 2000  
 www.susanstephenarchitects.com

Do not scale from this drawing  
 all dimensions to be checked on site.  
 This drawing and its data are copyright of  
 Susan Stephen Architects Ltd and must not  
 be used for any purpose other than that for  
 which it is intended.





PROPOSED WEST ELEVATION

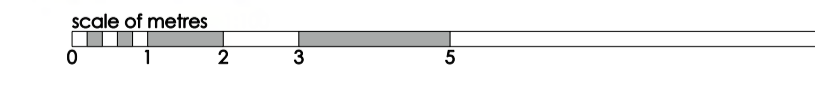


PROPOSED NORTH ELEVATION



PROPOSED SOUTH ELEVATION

- MATERIALS**
- NEW TIMBER SASH AND CASE WINDOWS TO REPLACE EXISTING PVC WINDOWS
  - NEW COMPOSITE ALUMINUM WINDOWS WITH VENT PANELS
  - "BIOTECTURE HYBRID HYDROPONIC" LIVING WALL
  - SLATE ROOF
  - METAL CLADDING
  - ZINC CLAD LIFT OVERRUN
  - PALE RENDER



B	29.03.18	JL	Chimney material updated
A	22.02.18	JL	Block B elevations updated
rev	date	by	

<b>susan stephen architects</b>			
project	17047	St Mary's, Bristol	
client	Empiric (Bristol St Mary's) Limited		
drawing	Blocks A + B - Proposed Elevations		
dwg no.	PI(20)01	revision	B
scale	1 : 100	drawn	JL

do not scale from this drawing  
all dimensions to be checked on site.  
this drawing and its data are copyright of  
Susan Stephen Architects Ltd and must not  
be used for any purpose other than that for  
which it is intended.

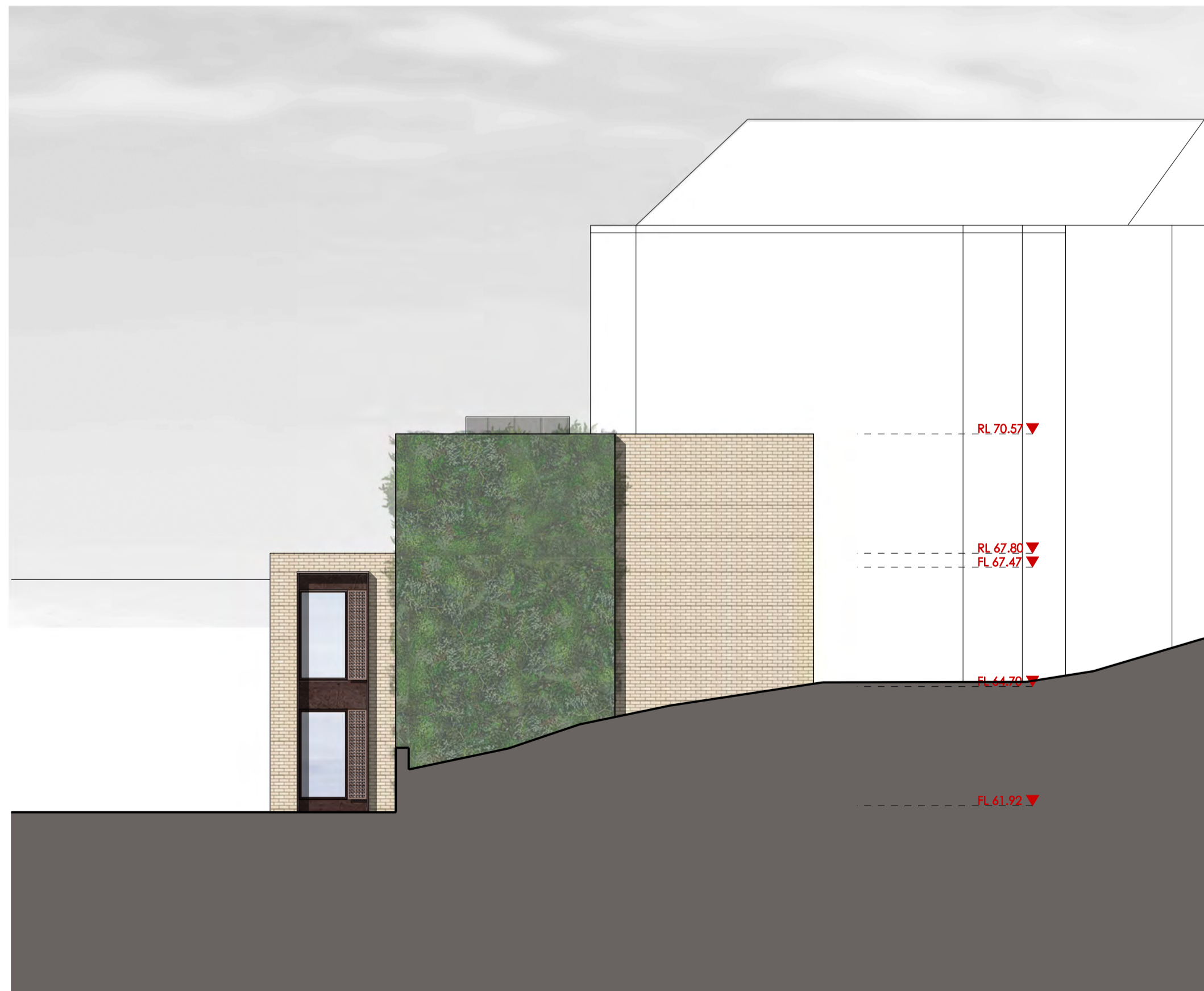




PROPOSED NORTH ELEVATION



PROPOSED WEST ELEVATION



PROPOSED SOUTH ELEVATION



PROPOSED EAST ELEVATION

- MATERIALS**
-  ALUMINIUM COMPOSITE WINDOWS WITH VENT PANELS
  -  "BIOTECTURE HYBRID HYDROPONIC" LIVING WALL
  -  LIGHT COLOURED BRICK
  -  DARK COLOURED BRICK
  -  METAL CLADDING
  -  ZINC CLAD LIFT OVERRUN



rev	date	by	description
A	28.02.18	JL	Additional window added to west elevation

<b>susan stephen architects</b>	
project	17047 St Mary's, Bristol
client	Empiric (Bristol St Mary's) Limited
drawing	Block D - Proposed Elevations
dwg no.	PI(20)04
scale	1 : 100
revision	A1
drawn	

do not scale from this drawing  
all dimensions to be checked on site.  
this drawing and its data are copyright of:  
Susan Stephen Architects Ltd and must not  
be used for any purpose other than that for  
which it is intended.





BLOCK C - TOWNHOUSES FRONT ELEVATION TO UPPER BYRON PLACE

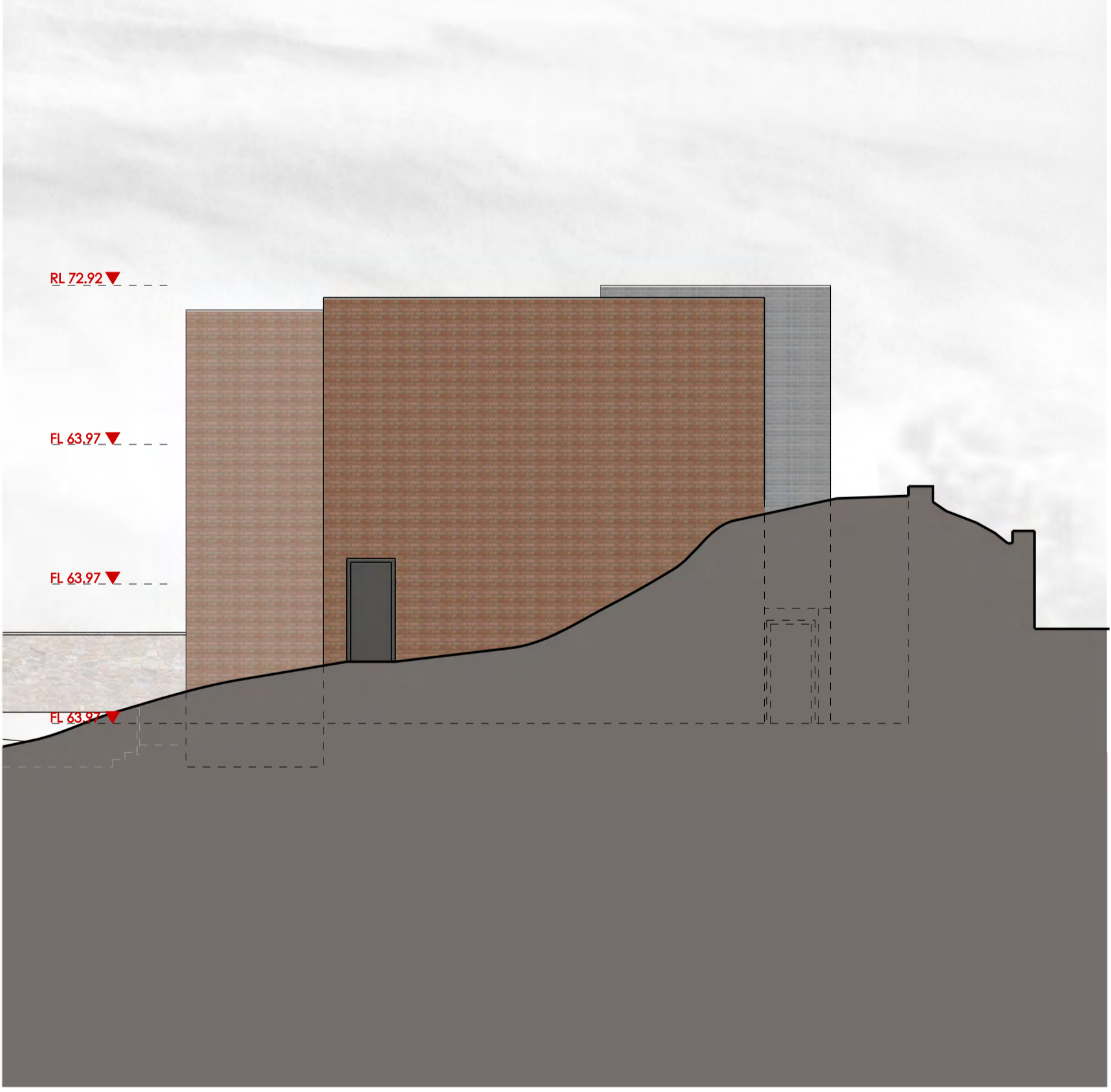


BLOCK C - TOWNHOUSES SIDE ELEVATION





Page 73



BLOCK C - TOWNHOUSES REAR ELEVATION



BLOCK C - TOWNHOUSES SIDE ELEVATION

- MATERIALS**
-  BRICK (VARIOUS TONES)
  -  ETCHED METAL ENTRANCE SCREEN
  -  RENDER
  -  COMPOSITE ALUMINUM WINDOWS WITH VENT PANELS



project		17047 St Mary's, Bristol	
client		Empiric (Bristol St Mary's) Limited	
drawing		Block C Town Houses - Proposed Elevations	
dwg no.	PI(20)03	revision	.
scale	1 : 100	drawn	ES

14 Ave Heat  
 Edinburgh EH4 6PP  
 t 011 220 3800  
 f 011 220 3822  
 e info@susanstephenarchitects.com  
 www.susanstephenarchitects.com

do not scale from this drawing  
 all dimensions to be checked on site.  
 this drawing and its data are copyright of  
 Susan Stephen Architects. Use and must not  
 be used for any purpose other than that for  
 which it is intended.



**Development Control Committee B – 25 April 2018**

**ITEM NO. 2**

**WARD:** Windmill Hill                      **CONTACT OFFICER:** Angelo Calabrese  
**SITE ADDRESS:** Land At Junction Of Goolden Street And Bathwell Road Bristol BS4 3AN

**APPLICATION NO:** 17/06260/F                      Full Planning

**DETERMINATION DEADLINE:** 5 January 2018

**Construction of a residential development of seven residential units, for the land at the junction of Goolden Street and Bathwell Road.**

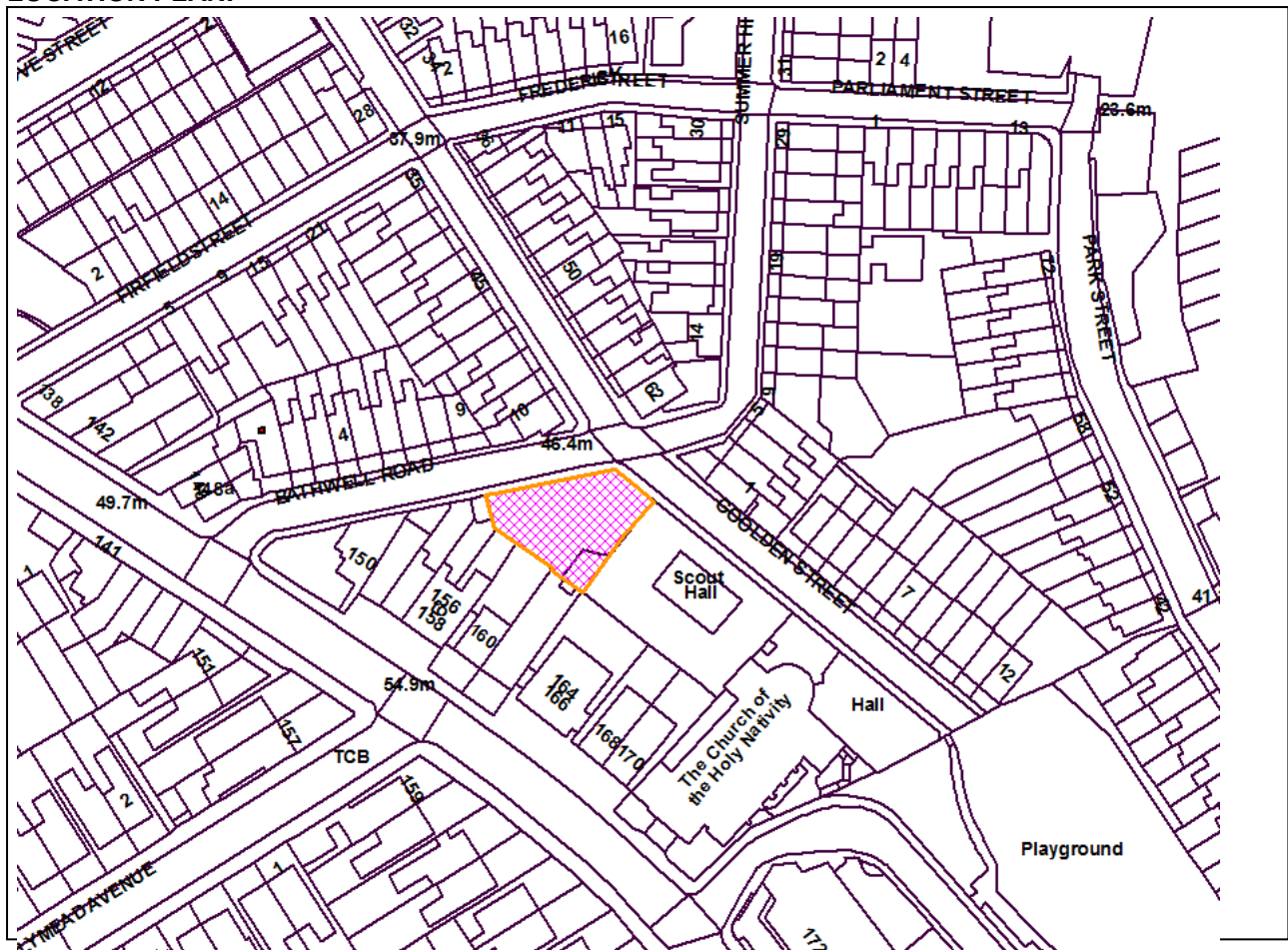
**RECOMMENDATION:** GRANT subject to Planning Agreement

**AGENT:** Oxford Architects  
 The Workshop  
 254 Southmead Road  
 Bristol  
 BS10 5EN

**APPLICANT:** Mr Simon Ellis  
 1b Mile End  
 London Road  
 Bath  
 BA1 6PT

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

**LOCATION PLAN:**



**Development Control Committee B – 25 April 2018**

**Application No. 17/06260/F: Land At Junction Of Goolden Street And Bathwell Road Bristol BS4 3AN**

**COUNCILLOR REFERRAL**

The application has been referred to Development Control Committee by Councillor Jon Wellington Ward Member.

Councillor Wellington's concerns are specifically raised in relation to the following issue:

'Residents have raised significant concerns about this development. These include concerns about

- the height of the development (3 storeys) in relations to surrounding houses is higher than other houses. It will also feel bigger due to the development being at the top of a hill.
- The use of brick instead of render to match surrounding properties
- Flats come up to front pavement with no front gardens. This is unlike other properties in the area but also the front door is on top of a hill which is a noted rat run. Lots of traffic on a very tight turn.
- Height blocks light and overlooks neighbours.
- The view of the Holy Nativity church will be blocked from Stanley Hill.'

**SUMMARY**

The application seeks consent to erect a terrace of 7 dwellings ( 5 flats and 2 houses) on a piece of land at the junction of Goolden Street and Bathwell Road which historically has had planning permission for residential development. The site is located adjacent to a designated local centre.

The proposal has had a number of objections from local residents who raised concerns with the scale of development, the impact on the character of the area and parking. Notwithstanding these issues, this proposal is considered to provide a high quality development, which will provide much needed additional housing which is of an appropriate mix and will improve highway safety in the locality.

**SITE DESCRIPTION**

The application site is located at the corner of Bathwell Road and Goolden Street next to the former scout hut site which was granted permission for redevelopment in 2017. The site is currently vacant but was formerly occupied by a large skittle alley (linked to a building on Wells Road), which was demolished circa 2008 along with two storey workshop type buildings. The site has been vacant since then and has been used by previous landowners as a dumping ground for shipping containers and fly tipping (se relevant history section).

**APPLICATION**

Permission is sought for the erection of a terrace of 7 dwellings (5 flats and 2 houses). A dedicated communal bin store and bike store is included within the plans. The building materials will be a mixture of render and brickwork.

During the assessment of the application the applicant has reduced the height of the scheme by 200mm and changed the building materials to the 3 dwellings facing Bathwell Road to render. The proposed roof terrace above the single storey bin store has also been removed from the plans.

The application includes a number of supporting documents such as a transport statement, contamination report, shadow study, and sustainability statement.

**Development Control Committee B – 25 April 2018**

**Application No. 17/06260/F: Land At Junction Of Goolden Street And Bathwell Road Bristol BS4 3AN**

**RELEVANT HISTORY****Planning applications**

**16/05428/F** Erection of 3 storey building containing 9 flats with associated landscaping. Withdrawn due to officer concerns with design, mix of units, impact on neighbouring properties, space standards, and climate change issues.

**16/00233/F** Construction of town house with linked garden room. Withdrawn

**15/04729/F** Construction of 9 no. flats with associated parking and landscaping. Withdrawn.

**04/03891/F** Construction of 8 no. self-contained flats and 2 no. maisonettes with four car parking spaces and cycle parking. Granted permission by committee on 6<sup>th</sup> April 2005

Also particularly relevant to this application is the neighbouring (adjoining) site which has planning permission for the following: **16/01311/F**- Former scout hall to be demolished and land to be excavated to road level to permit construction of six three-storey family dwellings for shared ownership. This was granted consent by committee 3<sup>rd</sup> August 2016.

**Enforcement cases**

**16/30160/MINOR**- Enforcement case relating to the commencement of building work on the site. The enforcement team advised the land owner that the 2005 planning permission was not implemented and advised the landowner to submit a Lawful Development Certificate application to establish if the permission was lawfully implemented. This case is now closed and building work is no longer taking place on site.

**12/30297/S215**- During 2012 the site was used by the landowner to store shipping containers and an Enforcement Notice was issued for their removal alongside a Section 215 notice.

**Pre-application enquiries-**

**16/02913/PREAPP** Erection 9 no. 2-bed flats with associated works. Officers considered that the scheme needs to relate to the recently approved adjacent site and local character, but would have no negative impact on neighbouring properties

**RESPONSE TO PUBLICITY AND CONSULTATION**

Site notice and press advert issued. Neighbouring properties consulted by letter on two occasions following the submission of revised plans. A total of 53 objections received over the two consultation periods. And 2 comments in support. The following points were raised-

Comments in Support -

The application compliments the scale and design of the neighbouring approved scheme.  
Provides much needed housing.  
Improvement to derelict site.  
Support for redevelopment.  
Good design.



**Development Control Committee B – 25 April 2018**

**Application No. 17/06260/F: Land At Junction Of Goolden Street And Bathwell Road Bristol BS4 3AN**

Issues of concern-

Principle (Key issue A)

Overdevelopment  
Lack of services in the area to cope with additional housing.

Impact on character of area and Listed Building (Key issue B)-

Materials and 3 storeys out of keeping with area  
Impact on views of the Church  
No set back from pavement

Impact on residential amenity (Key issue C)-

Overbearing to neighbouring properties  
Loss of sunlight to neighbouring properties  
Overshadowing  
Overlooking to neighbouring houses

Highway safety (Key issue D)

Increase demand for on street parking  
Proposal should include parking  
Yellow lines will increase parking problems.  
Increase ice hazard from size of development.

Living environment for Future occupiers (Key issue D)-

No green space for the building

Not a material consideration-

Insufficient local consultation by developer. Case officer note- No Community Involvement statement is required for this scale of development.

**Totterdown Residents Association** raised the issues identified above and are particularly concerned with the height on the corner, the choice of materials, and the lack of a setback from the road.

**Bristol Civic Society** has no objections to the principle of development but consider the scale of the building turning the corner is too ambitious for the character of the area and while it relates to the approved dwellings next door it does not reflect the local character.

**City Design Team** -It is noted that the scheme retains a 3-storey element on the corner of Bathwell Road and Goolden Street. While concern has been expressed over the use of scale to mark the corner in previous comments, it should also be noted that a fundamental challenge to previous schemes has been appropriately managing the design of the corner, in both providing an appropriate roof form and transition with the adjacent proposed scheme. Indeed a number of configurations have been attempted which explored lower (although still 3-storey) form on the corner with flat roofs, double-pitch and others, which were not considered appropriate response to context or quality of design required by the corner location.

**Development Control Committee B – 25 April 2018****Application No. 17/06260/F: Land At Junction Of Goolden Street And Bathwell Road Bristol BS4 3AN**

Therefore it is considered that the retention of a 3 storey element on the corner is, on balance, justified through its design, by allowing a proper focus to the corner and an appropriate transition between the 3storey scheme along Goolden Street and the 2-storey units going up the Bathwell Road and by focusing the height at the corner, utilising the space provided by the junction, together with the significantly reduced height otherwise.

The City Conservation officer has raised no objections to the impact on the setting of the Listed Church Tower.

**Flood Risk Engineer-** The commentary in the sustainability statement is accurate. The flood risk posed to the development site is deemed as low from all sources. It is also stated: 'a comprehensive drainage strategy will be implemented to assist with reducing rain and storm water impact'. This is will be a requirement by condition.

**Contamination officer** –No objections subject to remediation conditions.

**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.

**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

**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 of the Core Strategy concerns housing provision and states: 'The Core Strategy aims to deliver new homes within the built up area to contribute towards accommodating a growing number of people and households in the city. Provision of new homes will be in accordance with the spatial

**Development Control Committee B – 25 April 2018****Application No. 17/06260/F: Land At Junction Of Goolden Street And Bathwell Road Bristol BS4 3AN**

strategy for Bristol set out in this Core Strategy and it is envisaged that 30,600 new homes will be provided in Bristol between 2006 and 2026. Development of new homes will primarily be on previously developed sites across the city.'

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.

The application site is classed as brownfield land and has had permission for residential development in the past. The proposed development would have a density of 157dph, and a number of residents have raised concerns that this is above the examples of densities given on page 121 of the Core Strategy which has a picture of Totterdown and a density of 120 dph. The images are only for illustrative purpose and are not intended to directly inform decisions on applications. The density of this scheme is considered appropriate as it is a site that is located next to a designated centre and policy BCS20 promotes imaginative design solutions to ensure 'optimum efficiency' in the use of land. It is considered that the scheme maximise opportunities to increase densities in an appropriate location.

Regarding the mix of units, the proposal seeks to provide a mix of 1 and 2 bed flats and 3 bed houses. The latest census statistics for the lower super output area has the area consisting of 57% houses, 43% flats. The proposal would provide a total of 5 flats and 2 houses, with a good mix of 1bed (2 units), 2 beds (3units) and 3 beds (2 units) and is an improvement over the historic permission (8 flats and 2 maisonettes) and the last application which proposed just 9 flats.

The principle of development is supported.

**B) IMPACT ON CHARACTER OF THE AREA AND NEARBY HERITAGE ASSETS.**

Policies BCS21, DM26 and DM29 require development should contribute positively to an area's character and identity, creating or reinforcing local distinctiveness.

The existing site is not considered to make a positive contribution to the local street scene and surrounding area. The proposal is for a terrace of properties that links Bathwell Road and Goolden Street and consist of a mix of 3 storeys and 2 storey buildings. The houses have a contemporary appearance with the use of gable frontages. The modern design also takes characteristic from the local vernacular including the use of render coloured panels. Some objectors have commented that the houses do not match the surrounding properties. However, replication is not the only way for properties to be in keeping with an area. The expression of modern design is which tie in features with its locality is an accepted approach. This approach was supported by the Local Planning Authority on the neighbouring site.

The use of brick and render coloured panels for the 3 storey building is considered an acceptable approach as it is similar in appearance to the approved Scout Hut scheme. It will be essential to approve samples of the materials to ensure that the brick is of a suitable colour and texture.

There have also been concerns raised in terms of the scale of the buildings, particularly the 3 storey element. The proposal replicates the height which was considered acceptable by committee on the neighbouring site. While this scheme is closer to the road than the neighbouring permission the visual space around the junction would insure that the scheme would be acceptable and would not have an over dominant visual impact on the junction( particularly when viewed next to the adjoining 3 storey development). It is also considered that the 3 storey element of the scheme achieves a satisfactory transition between the adjacent development and the proposed 2 storey element of the proposal (along Bathwell Road).

**Development Control Committee B – 25 April 2018****Application No. 17/06260/F: Land At Junction Of Goolden Street And Bathwell Road Bristol BS4 3AN**

There has also been concern over the lack of setback from the road and the small front gardens along Bathwell Road. The area consists of a mix of front garden sizes with houses along Bathwell Road, Goolden Street, Stanley Hill and Summer Hill having small front gardens, a number of which are lightwells to basement levels. The scheme includes the provision of small front gardens for the terrace fronting Bathwell Road and a larger front garden to the building which adjoins the Scout Hut site (which mimics the layout of that neighbouring scheme). It is considered that the scheme takes satisfactory design cues from the general layout and positioning of existing development in the area.

Objections were also raised to the corner section of the scheme which will sit on the pavement. Again, there are examples of buildings that abut the pavement in the locality (Goolden Street, Parliament Street, Firfield Street, Stanley Hill). It is a common feature at road junctions to have buildings directly abutting the pavement. Historically it is also noted that the skittle alley and workshop buildings abutted the pavement. It is not considered that this design feature would have a significant negative impact on the street scene, particularly as officers consider that the visual space at the junction is sufficient to accommodate the scale and mass of development.

#### Impact on views of church

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.

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.

In addition, the adopted Bristol Core Strategy 2011 within Policy BCS22 and the adopted Site Allocations and Development Management Policies within Policy 31 seek to ensure that development proposals safeguard or enhance heritage assets in the city.

There have been concerns raised regarding the impact on the views of the adjacent church. Both the short and long range views need to be considered. The church is a very dominant building within the street scene and the wider area. The church tower is Grade II listed, but the rest of the building is not (this was rebuilt after WW2).

Views of the main church building would be obstructed at close range and when viewed from the junction with Bathwell Road. It is also noted that prior to its demolition the large skittle alley blocked views of the lower part of the church. The neighbouring approved 3 storey scheme would also impact on close views of the main church tower, and it is not considered that this close proximity view is of significant importance that must remain completely untouched. Views of the tower will still remain when viewed along Stanley Hill. This is because the tower sits at the front of the building towards the Wells Road.

Due to the topography of the site the consideration of far range views is also necessary. Example views have been provided by the applicant. In the views from Victor Street Bridge the neighbouring approved scheme will be prominent along the hillside, and the corner element of this scheme would be visible, the rest of the scheme will be hidden behind the Stanley Hill/Bathwell Road dwellings. The impact on views of the church and tower would not be significant and it is considered that the development, alongside the approved scheme will form part of the city scape where views of houses

**Development Control Committee B – 25 April 2018****Application No. 17/06260/F: Land At Junction Of Goolden Street And Bathwell Road Bristol BS4 3AN**

and roof tops on hillsides is a common feature. The same can also be said of the closer view from the Summer Hill/ Bath Road junction.

To conclude, the lower section of the building would be partially obscured but the church will remain a significant and prominent feature in the landscape. There would not be a significant impact on the views of the Listed tower. It is considered that the proposed development would safeguard the setting of the heritage asset.

To conclude it is considered that the proposal will respond appropriately to the local character of the area and respond to the recently approved scheme adjacent to the site.

**C) WOULD THE PROPOSAL UNACCEPTABLY AFFECT THE RESIDENTIAL AMENITY OF THE AREA?**

Policy BCS21 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. Policy DM30 in the Site Allocations and Development Management Policies (2014) also expresses that alterations to buildings should safeguard the amenity of the host premises and neighbouring occupiers.

The site is located at a road junction and has the potential to have an impact with a number of streets, the closest properties are those along Wells Road to the south west and Bathwell Road to the north west. The application includes a shadow study which considers the potential overshadowing impact during various times of the year.

*Impact Goolden Street*

The site is located approx. 14m from the front elevation of 1 Goolden Street and the shadow study shows that there will be shadowing cast to the front of this property during the autumn and spring equinox but the level of overshadowing is not considered to be significant. The development will also not be overbearing as it is not directly in front of this building and is identical in scale to the neighbouring scout hut site which faces this neighbouring property.

In terms of overlooking the relationship is no worse than the neighbouring scheme and the area is characterised by dwellings being in close relationships fronting highways.

*Corner Stanley Hill/Summer Hill*

The site is approximately 12m from the front elevation of this building which has windows onto Stanley Hill and Summer Hill. The shadow study shows that there will be some overshadowing from midday but this moves on by 3pm during the spring and autumn equinox. There will also be overshadowing during the winter months, but there will already be overshadowing from the adjoining approved. Therefore the level of shadowing is not considered significant. Again in terms of overbearing and overlooking impact the proposal is not directly in front of windows of this property and the relationship is not dissimilar to the relationship of the scout hut development and existing development in the area.

*Bathwell Road*

The development will be located 11m to the front elevation of the nearest property on this road (opposite corner). The shadow study shows that there will be some overshadowing at 9am but this clears by midday during the autumn and spring equinox. There will also be overshadowing during the winter months, but this shadowing will also be created by the neighbouring approved scheme. The impact is not considered significant and the proximity of the development to the front elevation of these building is acceptable. It is also noted that the buildings fronting onto these neighbouring

**Development Control Committee B – 25 April 2018****Application No. 17/06260/F: Land At Junction Of Goolden Street And Bathwell Road Bristol BS4 3AN**

properties are 2 storeys which further reduces any impact, but as stated above (in terms of overbearing and overlooking) the relationship of the proposal across the highway is a common characteristic of a dense urban environment.

*Wells Road*

Taking into account the previous approval on the site permitted 3 storey development which backed onto the rear gardens of 156-158 Wells Road, this proposal is considered to have a better relationship with these properties as the scheme consist of two storey buildings and a single storey structure which backs directly to the rear boundary of no. 156.

As originally submitted the proposal included the provision of a roof terrace above the bin store, but officers considered that this would introduce noise and disturbance issues at high level above neighbouring gardens, which is not typical relationship in this context. This element has been removed from the plans.

The two storey dwellings will not introduce any direct overlooking to the rear of the Wells Road properties and the overlooking created by the 3 storey element is acceptable as this part of the development is over 21m to the windows of the upper floors 162 Wells Road.

It is therefore concluded that the development would not cause a significant unacceptable amenity impact to neighbouring properties.

**D) AMENITY FOR FUTURE OCCUPIERS.**

Policy BCS18 requires residential developments should provide sufficient space for everyday activities and to enable flexibility and adaptability by meeting appropriate space standards.

Each dwelling will meet the minimum space standards for 1bed (50 sqm), 2 bed (62 sqm) and 3 bed dwellings (96sqm). There is also ample space to accommodate the necessary refuse and recycling storage within a communal bin store and a number of the properties have rear gardens were occupants can store boxes.

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

There have been no objections to the proposals from the Transport Development Management Team (TDM). One of the critical issues for the local residents is the impact that the development has on the parking situation within the area. The properties are located in what is considered to be a sustainable location with good access to local shops and bus routes.

A number of objections have also been raised to the provision of double yellow lines at the junction and the subsequent impact this will have for on street parking combined with no parking being provided by the development.

The application includes a transport statement which has been reviewed by the Highways Development Management Team. The following is their response to the proposal-

*Highway Network*

The site is located on the corner of the junction between Goolden Street, Bathwell Road, Stanley Hill and Summer Hill, all of which are within a 20mph zone. Due to the narrowness of the roads, resident's park on the footway. There are currently no parking restrictions. Visibility at the junction is compromised by on-street parking.

**Development Control Committee B – 25 April 2018****Application No. 17/06260/F: Land At Junction Of Goolden Street And Bathwell Road Bristol BS4 3AN***Highway Works / Traffic Regulation Order*

The footway that runs along both sides of the site on Goolden Street and Bathwell Road is in an extremely poor condition, offers little protection for pedestrians, varies in width from approximately 1.2m to 1.5m wide and contains a vehicle crossover that will no longer be needed by the proposed development. To ensure that residents of the development can access it safely, the applicant has agreed to reinstate, reconstruct, resurface and widen the footway to 2m for which a Section 278 Agreement and a Section 171 Licence will be required.

To enable residents and pedestrians in general to easily and safely cross the carriageway and to prevent dangerous parking which blocks vehicular visibility splays and makes it harder for residents to access the proposed building the applicant has agreed to provide uncontrolled pedestrian crossing facilities with drop kerbs incorporating tactile paving on all four arms of the junction, along with double yellow lines.

The cost of these measures and the associated Traffic Regulation Order (£5,395) would need to be met by the applicant to be delivered through a Section 278 Agreement. Whilst it is acknowledged that this may be unpopular, such measures would improve the safety of the junction for pedestrians/motorists alike and address road safety concerns in relation to rat running that takes place at both Stanley Hill and Bathwell Road that was raised by local residents via the Traffic Choices website Nov 2014 (Issue Log 507).

*Car Parking / Cycle Parking*

The application does not propose to provide any car parking other than what is available on-street. As the site is in a highly sustainable location, with excellent bus services on the nearby Wells Road and the city centre and Temple Meads Station are within an easy walk/cycle, this is acceptable. In respect of cycle storage the site plan submitted proposes an internal store with five Sheffield Stands appropriately set apart that will be able to accommodate 10 cycles for residents with a further two for visitors using secure wall mounted lock off points. In addition for the residents of Garden Flat 2 a cycle locker is proposed that will be able to accommodate two cycles. Given that this amount exceeds the minimum standard this is to be welcomed.

Based on the above assessment by Highway officers it is considered that no objections can be raised on highway grounds. While it is acknowledged that the proposal will have an impact on street parking, the proposed highway works would improve pedestrian and vehicle safety for the locality and the site is in a sustainable location where planning policy can support schemes without parking.

Local residents concerns have been carefully considered and whilst there is no argument that there will be an impact on the area the NPPF is clear that proposals should only be refused on transport grounds where the residual cumulative impacts of development are severe and that is not considered to be the case in this instance.

**F) WOULD THE PROPOSAL RAISE ANY ECOLOGICAL ISSUES?**

The City Ecologist has not raised any ecological issues with the site and has advised that the recommendations set out in the design and access statement concerning wildlife should be followed. This will include native species to landscape areas and the incorporation of bat and bird boxes.

The tree officer has advised that there are no trees on the site and therefore has no objections to the proposal.

**Development Control Committee B – 25 April 2018****Application No. 17/06260/F: Land At Junction Of Goolden Street And Bathwell Road Bristol  
BS4 3AN****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.

The proposal includes a sustainability statement which outlines the specification of low u-value materials, windows, doors and robust details to provide efficient buildings with low air permeability. In addition to the fabric first approach, high efficiency boilers, heating controls and energy efficient lighting will be used in conjunction with renewable sources (solar panels) to reduce the CO<sup>2</sup> emissions by at least 20%.

In terms of water management the statement makes reference rainwater to attenuation tanks set between the final sewer connection. The permission will be have a condition which requires a SuDs scheme to approved before commencement of work on site.

**CONCLUSION**

The issues of this case have been carefully balanced and considered against local and national planning policy. The principle of the development is accepted and the impact on the amenity of neighbouring properties is not considered to be so severe to warrant the application's refusal.

The proposals will have an impact on street parking due to the inclusion of double yellow lines along the junction, but this has significant highway safety improvements for the area. It is noted that the site is located in a highly sustainable location adjacent to a designated centre.

The design of the approved scheme, similar to the approved Scout Hut site, is considered to have an acceptable impact on the streetscene and will not have a significant impact on views of the church.

This proposal is considered to be an efficient use of land in an area where increased densities are supported and would contribute towards the supply of housing sites in the city. Approval is recommended subject to the completion of a legal agreement (Traffic Regulation Order).

**Community Infrastructure Levy (CIL)**

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

The CIL liability for this development is £31,885.27.



**Development Control Committee B – 25 April 2018****Application No. 17/06260/F: Land At Junction Of Goolden Street And Bathwell Road Bristol BS4 3AN****RECOMMENDED GRANT subject to Planning Agreement**

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 to cover the following matters:

- i. A financial contribution of £5,395 for the making of the Transport 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 the following conditions:

**Time limit for commencement of development**

1. Full Planning Permission

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

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

**Pre commencement condition(s)**

2. Implementation of Approved Remediation Scheme

No development, other than that required to be carried out as part of the approved scheme of remediation in section 5.8 of the Composite report on previous investigations prepared by Intégrale dated December 2017 (Ref 8831) refers, shall take place until the approved remediation scheme has been carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

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

3. Sustainable Drainage System (SuDS)

The development hereby approved shall not commence until a Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved Sustainable Drainage Strategy prior to the use of the building commencing and maintained thereafter for the lifetime of the development.

**Development Control Committee B – 25 April 2018**

**Application No. 17/06260/F: Land At Junction Of Goolden Street And Bathwell Road Bristol  
BS4 3AN**

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal.

4. Large Scale Details

The relevant part of the development shall not take place until detailed drawings at 1:20 scale in plan, section and elevation have been submitted to and approved in writing by the Local Planning Authority.

- Typical Windows and all external doors (including lintel, cills, surrounds, reveals, jambs, frames, glazing bars etc)
- Roof edging including parapets, eaves, verges, ridges,
- Canopies
- Dwarf garden walls of a minimum height of 750mm.
- Downpipes

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

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

5. Highway Retaining Walls

No development shall take place until structural details of the proposed excavation works have been submitted to and approved in writing by the Local Planning Authority. The excavation works shall be carried out in accordance with the approved plans.

Reason: To ensure the works safeguard the structural integrity of the highway in the lead into the development both during the demolition and construction phase of the development.

6. Submission and approval of landscaping scheme

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection, in the course of development.

The landscaping shall incorporate native species for wildlife benefit (such as flowering/fruited species), and a more species rich seed mix be used to increase species diversity.

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

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

**Development Control Committee B – 25 April 2018****Application No. 17/06260/F: Land At Junction Of Goolden Street And Bathwell Road Bristol BS4 3AN**

## 7. Construction management plan

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

Parking of vehicle of site operatives and visitors  
 routes for construction traffic  
 hours of operation  
 method of prevention of mud being carried onto highway  
 pedestrian and cyclist protection  
 proposed temporary traffic restrictions  
 arrangements for turning vehicles

Reason: In the interests of safe operation of the highway in the lead into development both during the demolition and construction phase of the development.

## 8. Approval of road works necessary

Prior to commencement general arrangement plan(s) indicating the following works to the highway shall be submitted and approved in writing by the Local Planning Authority.

- Installation of uncontrolled pedestrian crossing facilities with dropped kerbs incorporation tactile paving at all arms of the junction between Bathwell Road, Goolden Street, Stanley Hill and Summer Hill.

- Reinstatement, reconstruction, resurfacing and widening of both footways fronting the site on Bathwell Road and Goolden Street.

Indicating proposals for:

- Threshold levels of the finished highway and building levels

Alterations to waiting restrictions or other Traffic Regulation Orders to enable the works

- Locations of lighting, signing, street furniture, street trees and pits

- Structures on or adjacent to the highway

- Extents of any stopping up or dedication of new highway

These works shall be completed prior to occupation of the development to the satisfaction of the Local Highway Authority

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

## 9. Ecology mitigation

Prior to the commencement of development details of the following shall be submitted to and approved in writing by the Local Planning Authority-

Location of four 1FR Schwegler Bat Tubes and four bird nest boxes.

Details of allowing permeability of the site for hedgehogs.

The approved details shall be installed before occupation of the development and retained thereafter.

**Development Control Committee B – 25 April 2018****Application No. 17/06260/F: Land At Junction Of Goolden Street And Bathwell Road Bristol BS4 3AN**

Reason: To mitigate the loss of any potential ecological habitat.

## 10. Sample Panels before specified elements started

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

- o Reference panel of brick work to show coursing, pointing and mortar colour

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

## 11. Submission of samples before specified elements started

Samples of the brick and render shall be submitted to and be approved in writing by the Local Planning Authority before the relevant parts of the work are commenced.

The development shall be completed in accordance with the approved samples before the building is occupied.

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

**Pre occupation condition(s)**

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

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

Reason: In the interests of highway safety.

## 13. 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.

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

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

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

**Development Control Committee B – 25 April 2018****Application No. 17/06260/F: Land At Junction Of Goolden Street And Bathwell Road Bristol BS4 3AN**

## 15. Reinstatement of Redundant Accessways - Shown on approved plans

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

Reason: In the interests of pedestrian safety.

## 16. Sustainability statement

The development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the sustainability statement prior to first occupation. A total 22.6% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy shall be achieved, and a 21.2% reduction in carbon dioxide emissions below residual emissions through renewable technologies shall be achieved.

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

## 17. 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.

## 18. Renewable energy equipment

Prior to implementation, details of the solar panels, including the exact location, dimensions, design/ technical specification) together with calculation of energy generation and associated CO2 emissions to achieve a minimum of 21% reduction on residual emissions from renewable energy in line with the approved energy statement should be submitted to and be approved in writing by the Local Planning Authority. The renewable energy technology shall be installed in full accordance with the approved details prior to first occupation of the development and thereafter retained.

Reason: To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

**Development Control Committee B – 25 April 2018****Application No. 17/06260/F: Land At Junction Of Goolden Street And Bathwell Road Bristol BS4 3AN**

## 19. Artificial Lighting (external)

No building or use hereby permitted shall be occupied or use commenced until a report detailing the lighting scheme and predicted light levels at neighbouring residential properties has been submitted to and been approved in writing by the Local Planning Authority.

Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E2 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

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

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

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

## 21. Reinstatement of Redundant Accessways - Shown on approved plans

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

Reason: In the interests of pedestrian safety.

**Post occupation management**

## 22. No Further Windows

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no windows, other than those shown on the approved plans shall at any time be placed in the side elevations of the building/extension hereby permitted without the grant of a separate planning permission from the Local Planning Authority.

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

## 23. Use of roof

The roof of the bin and bike store shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific planning permission from the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises.

**Development Control Committee B – 25 April 2018**

**Application No. 17/06260/F: Land At Junction Of Goolden Street And Bathwell Road Bristol  
BS4 3AN**

24. No further extensions

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no extension or enlargement (including additions to roofs) shall be made to the dwellinghouse(s) hereby permitted, or any detached building erected, without the express permission in writing of the council.

Reason: The further extension of this (these) dwelling(s) or erection of detached building requires detailed consideration to safeguard the amenities of the surrounding area.

**List of approved plans**

25. List of approved plans and drawings

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

001 Location plan, received 10 November 2017

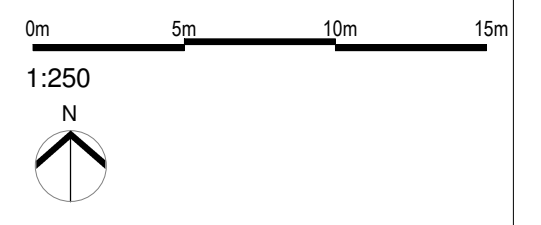
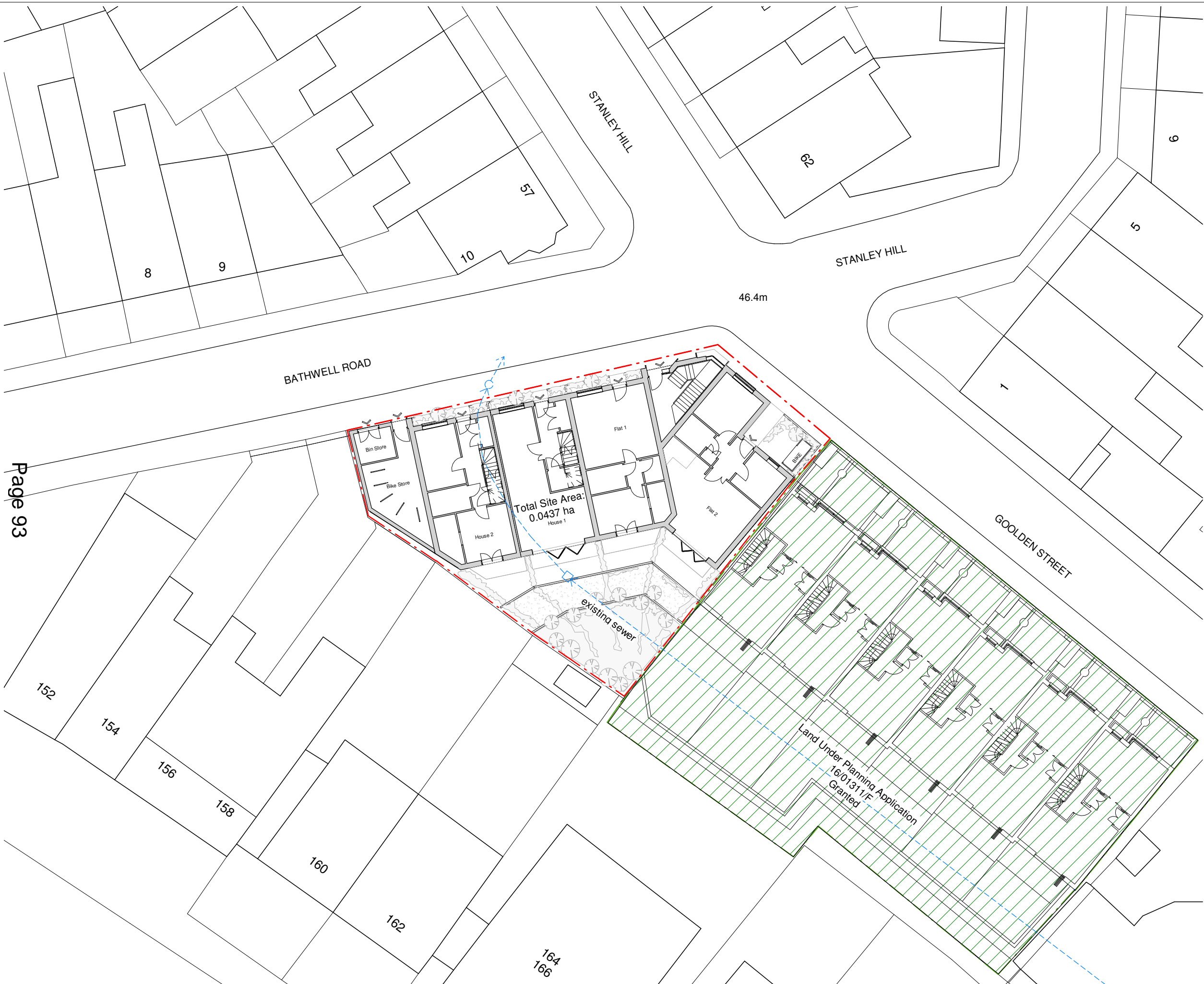
Reason: For the avoidance of doubt.

## Supporting Documents

### **2. Land at junction of Goolden Street & Bathwell Road**

1. Site plan
2. Proposed front elevation
3. Proposed side rear elevations
4. Proposed 3D views
5. Views of the site
6. Streetscene drawing





- Drawing Legend**
- - - Site Boundary
  - - - Land Under Guinness Ownership Boundary
  - - - Existing Sewer

**SCHEDULE OF ACCOMMODATION (7 UNITS)**

- FLAT 1: 1 Bed Flat / 2 people - 49.5 sqm
- FLAT 2: 2 Bed Flat / 3 people - 61.5 sqm
- FLAT 3: 1 Bed Flat / 2 people - 49.5 sqm
- FLAT 4: 2 Bed Flat / 3 people - 61.5 sqm
- FLAT 5: 2 Bed Flat / 3 people - 61.5 sqm
- HOUSE 1: 3 Bed House / 5 people - 96.1 sqm
- HOUSE 2: 3 Bed House / 5 people - 94.0 sqm

Page 93

Rev	Description	Date
Partner	Drawn	Date
TM	VK	04.10.2017

Project  
**Bathwell Road**

Title  
**Proposed Site Plan**

Drawing Reference  
**17080**

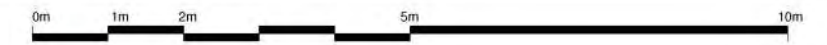
Drawing No	Revision	Status
<b>003</b>		<b>P</b>

Scale  
**1:250** @ A3

**OXFORDARCHITECTS**  
 Bagley Croft, Hinksey Hill, Oxford, OX1 5BS  
 T. 01865 329100 F. 01865 326822 oxford-architects.com  
 The Workshop, 254 Southmead Road, Bristol, BS10 5EN  
 T. 0117 9581500 F. 0117 9581501 oxford-architects.com



Elevation Under  
Planning Application  
16/01311/F  
Granted



1:50

- LEGEND**
1. Aluminium Rain Water Pipe and Gutter Box. Colour: Grey
  2. Painted Render: Colours: TBC
  3. Powder Coated Aluminium Windows. Colour: Grey
  4. Light Buff Brickwork
  5. Aluminium Painted Canopy Panel. Colours: TBC
  6. Powder Coated Aluminium Door. Colour: Grey
  7. Aluminium Painted Panels For Windows Box Frame: Colours: TBC



Page 94

**1 Proposed Elevation Golden Street**  
1:50



**2 Proposed Elevation Bathwell Road**  
1:50

Rev	Description	Date
C	General amendments	21/02/18
B	The general height of the bin and bike store has been decreased The terrace has been removed	19/02/18
A	The general height has been decreased The terrace screen wall height has been increased Bathwell Road materials have been changed to coloured render	24/01/18

Partner	Drawn	Date
TM	VK	04.10.2017

Project  
**Bathwell Road**

Title  
**Proposed Front Elevations**

Drawing Reference  
17080

Drawing No	Revision	Status
008	C	P

Scale  
1:50 @ A1      1:100 @ A3

**OXFORDARCHITECTS**  
 Bagley Cott, Hinksey Hill, Oxford, OX1 5BS  
 T: 01865 329100 F: 01865 326622 [oxford-architects.com](http://oxford-architects.com)  
 The Workshop, 254 Southmead Road, Chesham, BS10 5EN  
 T: 0117 9581500 F: 0117 9581501 [oxford-architects.com](http://oxford-architects.com)









Proposed View, Junction between Bathwell Road and Goolden Street



Proposed View, Goolden Road



Proposed View, Bathwell Road



Proposed View, Goolden Road

A Bathwell Road views updated. 05/04/18

Rev	Description	Date
Partner	Drawn	Date
TM	VK	04.10.2017

Project  
Bathwell Road

Title  
Proposed 3D Views

Drawing Reference  
17080

Drawing No	Revision	Status
012	A	P

Scale  
@ A1





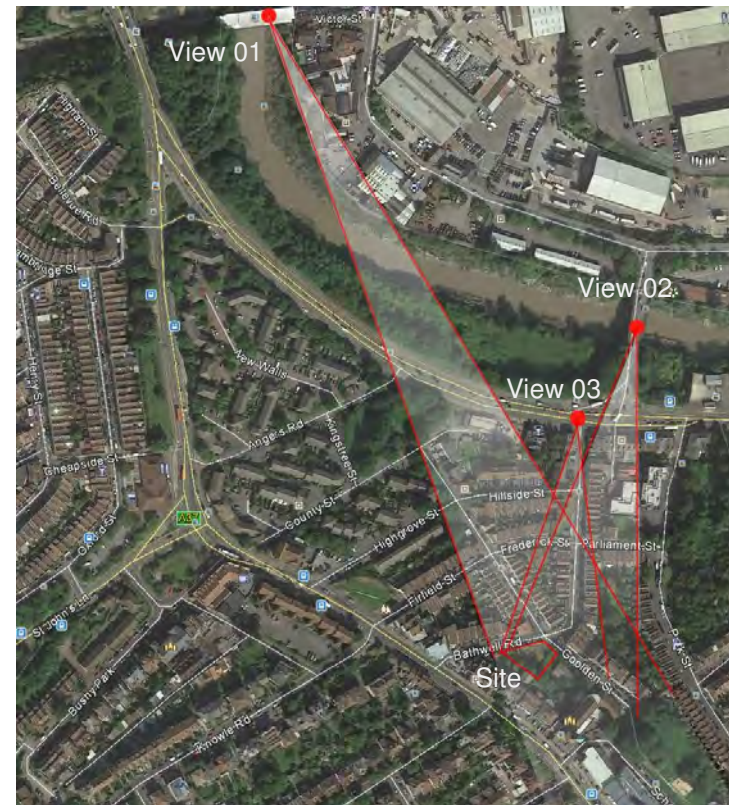
View 01 from Victor Street Bridge



View 02 from Albert Road/Bath Road Bridge



View 03 from Summer Hill



Plan

Key

- Proposed Development
- Building line hiding site from view
- Proposed Planning Application No: 16/01311/F (Granted)

Rev	Description	Date
C	View 01 amended	10.04.18
B	View 02 corrected	03.04.18
A	Name 03 changed from Stanley Hill to Summer Hill	27.03.18

Partner	Drawn	Date
TM	VK	13.03.2018

Project  
**Bathwell Road**

Title  
**Views of the site**

Drawing Reference  
**17080**

Drawing No	Revision	Status
015	C	P

Scale  
**@ A1**

**OXFORDARCHITECTS**  
 Bagley Colt, Hinksey Hill, Oxford, OX1 5BS  
 T. 01865 329100 F. 01865 326822 oxford-architects.com  
 The Workshop, 254 Southmead Road, Bristol, BS10 5EN  
 T. 0117 9581500 F. 0117 9581501 oxford-architects.com



LEGEND

1. Aluminium Rain Water Pipe and Gutter Box. Colour: Grey
2. Painted Render: Colours: TBC
3. Powder Coated Aluminium Windows. Colour: Grey
4. Light Buff Brickwork
5. Aluminium Painted Canopy Panel. Colours: TBC
6. Powder Coated Aluminium Door. Colour: Grey
7. Aluminium Painted Panels For Windows Box Frame: Colours: TBC



**1 Proposed Elevation Golden Street and Bathwell Road**  
1 : 100

Rev	Description	Date
Partner TM	Drawn ML	Date 28.02.2018

Project  
**Bathwell Road**

Title  
**Proposed Front Elevations**

Drawing Reference  
17080

Drawing No	Revision	Status
014		<b>P</b>

Scale  
1 : 100 @ A1

**OXFORDARCHITECTS**  
 Bagley Croft, Hinksey Hill, Oxford, OX1 5BS  
 T. 01865 329100 F. 01865 328822 oxford-architects.com  
 The Workshop, 254 Southmead Road, Bristol, BS10 5EN  
 T. 0117 9581500 F. 0117 9581501 oxford-architects.com





**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

## SUMMARY

The application relates to a property known as 22a Islington Road in Southville ward, south Bristol. It is a two storey building with single storey extensions located on the corner of Islington Road, opposite terraces on Allington Road. It is currently vacant, however the most recent use of the property is for employment uses (Use Class – B2 General Industrial). The site is within Bedminster Conservation Area and is on the Bristol Local List in recognition of its heritage value.

The application proposes to demolish all existing buildings on the site and construct a two storey 2no. bedroom dwelling. The dwelling would be of a contemporary, industrial style and would largely be contained within the established building lines of the street and the envelope of the existing buildings, including its height and footprint. However, the design would introduce a pitched roof and an increased overall massing.

The application was referred to DC Committee B by Cllr Charlie Bolton on the basis that it would be overbearing, out of keeping with the area and would result in overlooking and overshadowing to neighbours.

There has been considerable neighbour objection to the scheme (25 objections), relating primarily to the design, impact on heritage assets, impact on neighbouring residential amenity and transport concerns.

Officers in the City Design Group, Transport Development Management and Land Contamination have been consulted during determination of the scheme and have raised no objection, subject to securing further details via planning condition.

On balance, officers have concluded that while the proposed development would result in harm to heritage assets, this is less than substantial and does not warrant refusal of the scheme. The benefits of the scheme are believed to outweigh this harm. The benefits include bringing a vacant site into use, securing an additional unit of housing and delivering an innovative high quality design.

Impacts on neighbouring amenity have been carefully considered. Given the existing context and constraints of the site, the impact of the proposed development is concluded to result in less than significant harm to neighbouring occupiers. Sufficient mitigation measures are included in the scheme to reduce any harm.

This report also details the consideration of issues relating to: the living environment for future occupants; transport and access; sustainability and climate change; and contaminated land. The proposed development is considered acceptable with regards to these matters.

Officers recommend that planning permission is granted for the proposed development, subject to planning conditions.

## SITE DESCRIPTION

The application relates to a property known as 22a Islington Road in Southville ward, south Bristol. It is situated on the south-east corner of Islington Road on the northern side of the street. Its south and east elevations form a direct frontage onto the pavement. The building is detached, however it shares a boundary with 22 Islington Road to the west and 37, 39 and 41 Allington Road to the north.

The site is comprised of a main two storey detached building with an asymmetrical hipped roof. It has a single storey flat-roofed extension to the west which runs along the boundary with No. 22 Islington Road and which forms a main entrance from the street. To the rear of the site is a large single storey



**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

lean-to extension which meets the side extension, such that almost the entire footprint of the site is built upon, with the exception of a small section of the north-west corner.

There is vehicular access to an integral garage/store to the east elevation of the site and a corresponding dropped kerb. The main building is finished in render with a red tiled roof, though exposed brick is visible on the northern elevation. The single storey extension roof is constructed of corrugated metal sheeting. The fenestration on the site is predominantly timber casement windows, although notable are the large black painted timber garage and warehouse doors on the east elevation. There is modern uPVC (or similar) glazing to the single storey side extension.

The building is located just within the boundary of the designated Bedminster Conservation Area and is identified as an 'unlisted building of merit' within the Conservation Area Character Appraisal (adopted December 2013). The building was subsequently included within the Bristol Local List (ID: 212), added in September 2015, which identifies local heritage assets outside of formal designation (e.g. Listed Buildings). It is believed to have been built in the 1880s.

The historic use of the site is for commercial/light industrial use. The last known use of the site was as a printing press under Use Class B2 – General Industrial. The site has been vacant since 2013.

The area surrounding the site is of predominantly residential land use and is characterised by rows of Victorian two storey terraces. The typical layout of the terraces is such that the rear gardens back onto each other and the rear elevation of dwellings are opposite one another with relatively small distances in between (typically less than 15m). Within this context, the detached siting of 22a Islington Road is atypical and it does not form part of the terrace further west, which begins from 30 Islington Road.

The immediate neighbour west of the site, 22 Islington Road, is also atypical, being of three storey height and forming a semi-detached pair. The topography of the area is such that the Allington Road terrace is located at a lower level relative to the buildings on the north side of Islington Road. Due to raised foundations, the terraces on the south side and east corner of Islington Road are further elevated relative to the north of the road and the application site.

The architectural style of the area is fairly mixed, with various styles present in nearby terraces, however common features are pitched roofs, bay windows, exposed stonework and front boundary walls. There is little off street parking in the area.

Beyond the immediate residential surroundings, the site is located close to local services, facilities and bus stops located on East Street and North Street, while the city centre is also within reasonable walking or cycle distance. Public open space at Greville Smyth Park and Victoria Park are also in the proximity of the area.

#### RELEVANT HISTORY

15/02956/PREAPP - Proposed redevelopment of the site (including demolition of existing building) to provide a new dwelling. Response received November, 2015.

14/04407/F - Demolition of existing two storey building and single storey extensions, erection of a three storey dwelling and single storey garage for one vehicle. WITHDRAWN, October 2014.

03/04489/P - Outline application for demolition of existing workshops and residential development. WITHDRAWN, January 2004.

85/01197/E - Workshop for light industrial use and office accommodation ancillary to that use. REFUSED, September 1985.

**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

APPLICATION

This application seeks planning permission to demolish all existing buildings on the site and construct 1no. two bedroom dwellinghouse (Use Class C3).

The dwelling would be predominantly two storey with a pitched roof. It would also include single storey elements to the west and north east boundaries, with a flat and mono-pitched roof respectively.

The new dwelling would echo the existing layout with a south and east facing frontage onto Islington Road. The dwelling would represent an overall reduction in the footprint of buildings on the plot, with an increased area of private garden to the north-west corner of the site.

The maximum roof ridge height of the new dwelling would not exceed that of the existing building. The eaves height and overall massing of the roof would however be increased due to its pitched form. The first floor would be extended 1m west towards No.22 than the existing building.

The north elevation would feature an angled two storey protrusion of 2.2m depth with a full height window (curtain walling) facing west. The window would be set back from the northern elevation by 0.5m and the glazing would be partially obscured at first floor, where it would serve a mezzanine living area.

The dwelling would be of a modern, industrial style featuring standing seam metal roofing, aluminium fenestration and red brick walls. It is proposed to install obscure glazing to the upper rear windows and louvred ventilation panels to windows on the east and south elevations.

The new dwelling would not have off-street parking. An enclosed cycle store for 2no. bikes and a courtyard refuse store would be provided in the north-east corner of the site, accessed via a roller shutter door on the east elevation.

Photovoltaic panels would be installed on the roof of the building.

RESPONSE TO PUBLICITY AND CONSULATION

NEIGHBOUR CONSULTATION

27 neighbouring properties were notified of the application by letter issued 28 December 2017 requesting any comments to be submitted by a deadline of 18 January 2018. A site notice was posted near the site on 10 January 2018 with an expiry date of 31 January 2018. An advertisement was published on 10 January 2018 with an expiry date of 31 January 2018.

In response to consultation, 25 responses were received, all in objection to the scheme. It must be noted that some individuals submitted multiple objections; for clarity, there were responses from 18 individuals in total.

The concerns raised are summarised below:

- Scale of proposals and subsequent impact with regards to light, overbearing and privacy for neighbouring occupants.
- Impact of the hip to gable roof form on light received by properties on Allington Road.
- Visual impact on Conservation Area and street scene.
- Unjustified loss of an 'unlisted building of merit' within a Conservation Area.
- Unjustified change in land use and loss of existing employment site.
- Infilling of gap between 22a and 22 Islington Road and impact on light, views and privacy of neighbours.

**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

- Impact on privacy of neighbouring residents and their gardens.
- Design and materials out of keeping with surrounding Victorian terraces.
- Noise from garden.
- Increased pressure on parking in the area.
- Potential to create precedent for modern design in the area.
- Extent of obscure glazing reducing living environment for future occupants.
- Insufficient neighbour consultation by applicant prior to submission.
- Noise and disturbance from roof terrace [Case officer note: there is not a roof terrace proposed – please see Key Issue D for further discussion on this point].
- Construction impacts [Case officer note: impacts of construction cannot form part of the assessment of a proposed development for planning consent].
- Site notices not posted around site [Case officer note: this was checked upon receipt of the comment and it was confirmed by the BCC site notices team that the appropriate notices were placed near the site].

During the determination process, the applicant submitted revised plans in response to case officer comments. This included reducing the massing of the development to the west boundary, a set back to the curtain walling and the removal of off-street parking.

Neighbours were re-consulted for a 14-day period following the submission of the revised scheme, including any individual who previously responded to consultation.

In total, 36 neighbours were notified of the re-consultation via letter issued 19 February 2018 with a deadline of 5 March 2018 to respond.

In response to re-consultation, 20 responses were received, all in objection to the scheme. It must again be noted that some individuals submitted multiple objections; for clarity, there were responses from 15 individuals in total.

The concerns raised are summarised below:

- Scale of proposals and subsequent impact with regards to light, overbearing and privacy for neighbouring occupants.
- Visual impact on Conservation Area and street scene.
- Out of keeping modern design and materials.
- Impact on privacy of neighbouring residents and their gardens.
- Design and materials out of keeping with surrounding Victorian terraces.
- Noise from garden.
- Increased pressure on parking in the area.
- Set back of curtain walling does not address loss of privacy to rear gardens west of the site.
- Infilling of gap between 22a and 22 Islington Road and impact on light to Allington Road properties.
- Lack of case for change to residential use.
- Approval of the scheme would not be consistent with a recent refusal of planning permission on the street.
- Potential of site to be converted to flats at a later stage.
- Lack of neighbour consultation by applicants prior to submitting application.
- Inaccurate or unclear plans [Case officer note: revised plans to correct an error in the west elevation were requested and provided by the applicant].
- Noise and disturbance from roof terrace [Case officer note: please see previous comment regarding roof terrace and Key Issue D for further discussion on this point].

**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

**COUNCILLORS**

Councillor Charlie Bolton – Objection.

Cllr Bolton referred the application to the planning committee, citing the following reasons for objection:

“Adverse effect on the residential amenity of neighbours, by reason of: Overlooking neighbouring properties; Loss of privacy; Overshadowing; Visual impact of the development; Effect of the development on the character of the neighbourhood; Design (including bulk and massing).

The proposed development is over-bearing, out-of-scale or out of character in terms of its appearance compared with existing development in the vicinity. The loss of existing views from neighbouring properties would adversely affect the residential amenity of neighbouring owners. Inadequate neighbour-consultation.”

**AMENITY GROUPS**

BS3 Planning Group – Objection:

“We continue to strongly OBJECT to the continuing proposals to demolish this building in the conservation area. The conservation area exists partly as a result of the idiosyncratic buildings scattered across it. The proposals neither enhance nor preserve the CA and attempt to replace an interesting historic building with a bland, massive box fronting the pavement and with large windows to the rear with views across neighbouring gardens. The building may be in disrepair, but local demand for studio and small office space is well known and there is no apparent attempt to refurbish this building and return it to employment use, but clearly a long-term attempt to attempt to demonstrate redundancy and therefore justify destruction. This must be resisted.”

**INTERNAL CONSULTEES**

**City Design Group:** Both the Urban Design and Conservation Officers in the City Design Group were consulted during the determination of this application. CDG raised no objection subject to conditions. See Key Issues B and C for more detail.

**Transport Development Management:** No objection.

**Public Protection (Land Contamination):** No objection:

“The planning application to demolish the existing property and create a new residential dwelling has been reviewed in relation to land contamination.

The applicants are referred to the following:

Bristol Core Strategy - BCS23 Pollution Local Plan DM34 Contaminated Land National Planning Policy Framework Paragraphs 109, 120 to 122  
 Planning Practice Guidance Note

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

The proposed development is sensitive to contamination and is situated on or adjacent to land which has been subject to land uses which could be a potential source of contamination. The existing building dates from c1880 when it is believed to have been a coach house. During the twentieth century the property held a variety of uses including a liquid coffee manufacturers in the 1930's and 1940's, an electrical washing machine manufacturers in the 60's and a paint merchants in the 1970's.

**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

Whilst this is a minor application a risk assessment is required because of the potential risks identified.

A minimum of a phase 1 desk study looking into contamination must be submitted to the local planning authority and where deemed necessary a phase 2 intrusive investigation shall take place. If any information is already prepared submission prior to determination is encouraged to reduce the burden of pre-commencement conditions.

If not available it is recommended the standard conditions B11, B12, B13 and C1 are applied to any future planning consent.”

## KEY ISSUES

### (A) IS THE PRINCIPLE ACCEPTABLE IN LAND USE TERMS?

The proposed development seeks to change the use of the site from Use Class B2 – General Industrial to Use Class C3 – Residential. The last known active use of the site for B2 use ended in 2013; it has been vacant since this time.

There are two key considerations in assessing the proposed development in land use terms. First, it must be determined whether the loss of the existing employment use is acceptable. Second, the suitability of the site for residential use must be assessed. These assessments will be made in turn.

#### *i) Loss of existing employment use*

Policy BCS8 of the Core Strategy (2011) requires that employment land outside of Principle Industrial Warehousing Areas is retained where it makes a valuable contribution to the economy and employment opportunities. The policy highlights the value of employment sites close to where people live and the difficulty in replacing employment sites when lost through redevelopment for alternative uses.

Policy DM12 of the Site Allocations and Development Management Policies document (SADMP, 2014), provides detail to this approach, setting out the specific instances when loss of employment land will be permitted.

DM12 states that employment sites should be retained for employment uses unless it can be demonstrated that:

- (i) There is no demand for employment uses; or
- (ii) Continued employment use would have an unacceptable impact on the environmental quality of the surrounding area; or
- (iii) A net reduction in floorspace is necessary to improve the existing premises; or
- (iv) It is to be used for industrial or commercial training purposes.

With regards to the current application, only points (i) and (ii) of policy DM12 are relevant, as the application does not seek a reduction in floorspace to improve the existing premises nor does it propose an industrial or commercial training use.

In order to satisfy the requirements of policy DM12, the onus is on the applicant to demonstrate that either there is not demand for employment uses or that continued employment use would have an unacceptable impact on the environmental quality of the surrounding area.

**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

The applicant has not provided any evidence to support a claim that continued employment use would have an unacceptable impact on the environmental quality of the surrounding area as per criteria (ii) of policy DM12. Subsequently, the applicant is reliant on their assertion that the loss of the existing B2 use is supported through criteria (i) of policy DM12, namely that there is no demand for employment uses. It is a requirement of the policy that evidence is submitted to demonstrate that the site has been adequately marketed for employment uses.

The applicant disputes that the existing site constitutes 'valuable' employment space. They provide an assessment which cites the following reasons for the site failing to be an attractive prospect for potential occupiers in continued B2 use:

- Poor state of repair and a lack of modern features and facilities
- Isolation from other employment uses and close proximity to residential use
- Lack of off-street parking and servicing facilities
- Disjointed layout and floorspace

In accordance with the requirements of policy DM12, the applicant has submitted evidence that the site was unsuccessfully marketed for continued employment use. A statement from ETP Property Consultants demonstrates that the property was unsuccessfully marketed for continued employment use for over the minimum required period of 6 months, as set by Bristol City Council guidelines. ETP, in assessing the lack of interest in the site during this time, conclude that the poor condition and accessibility of the site, as well as availability within the market of more suitable properties, are factors in reducing demand for the site for employment use.

Following a second period of marketing from May 2017, it is stated that over 50 enquiries were received, largely relating to potential C3 use of the site, however two offers to purchase the property did not progress. Following case officer request, further detail of the offers made was provided by ETP, confirming that the majority of offers made were for proposed C3 use. It also further detailed that the two offers made to purchase the property were for B1 (business) use, however they did not progress following the failure to reach an overage agreement, which ETP conclude is an indication that the prospective buyers were intending to ultimately change the use of the building to C3 residential.

In assessing the proposed development against the requirements of policy DM12, it is considered that there is sufficient evidence to conclude that there is not demand for the continued employment use of the site. It is recognised that the site has been vacant for four years and is in a poor state of repair, as evidenced by the structural report submitted by the applicant. It is also recognised that the site is constrained for employment use given its location within a residential area with limits to accessibility and parking. It is considered that the evidence supplied by the applicant with regards to the marketing of the site is adequate in demonstrating that there is a lack of genuine demand for the site as an employment site. On balance, it is considered that the loss of the B2 use is acceptable.

An accepted loss of the B2 use does not preclude that residential use is acceptable and requires a further assessment.

*ii) Suitability of the site for residential use*

Policy BCS5 states that the development of new homes will primarily be on previously developed sites across the city, with particular focus on delivering homes within south Bristol.

Policy BCS20 encourages the efficient use of land, and sets out that higher densities of development will be sought close to centres and along or near main public transport routes.

**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

The application site is located in an area with a strong residential character. It is located 0.6 miles from Bedminster Parade to the east and 0.6 miles from North Street to the west, which are designated as a town centre and district centre respectively in the Core Strategy (2011). The city centre of Bristol is within reasonable walking or cycle distance and provides a wide range of employment, leisure and service facilities.

Bus routes from North Street and Bedminster Parade serve the city centre, while Bristol Temple Meads train station is 1.3 miles away.

It is considered that the proposed residential use would be appropriate in this location and would accord with policy objectives to locate new homes on previously developed land and close to centres and public transport routes. It is considered a sustainable location for a new dwelling which would contribute to overall targets for new homes both within south Bristol and the city as a whole.

In summary, the loss of the existing employment use is on balance considered to be acceptable and the proposed change of use to residential is concluded to be acceptable.

**(B) IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN DESIGN TERMS?**

Policy BCS21 of the Core Strategy is the overarching design policy which promotes high quality design across the city. The policy requires development to contribute positively to an area's character and safeguard the amenity of existing development and future occupiers.

The adopted development management policies reinforce this requirement, with reference to local character and distinctiveness (Policy DM26), layout and form (Policy DM27) and design of new buildings (Policy DM29). This section of the report considers how the proposed development responds to the requirements of these design policies.

Policy DM26 states that development will not be permitted where it would be harmful to local character and distinctiveness. The policy states that development should respond appropriately to the height, scale, massing, shape, form and proportion of existing buildings, including skylines and roofscapes. The policy sets out that while reproducing existing designs of development may be appropriate, there is also scope for innovative and contemporary design solutions where they would complement existing development.

Policy DM27 concerns the layout and form of development. The policy states that the height, scale and massing of development should be appropriate to the immediate context, character of adjoining streets and location within the townscape. Building lines should be consistent and coherent.

Policy DM29 sets out the expectations of the design of new buildings, which will be expected to be of a high quality and a coherent rationale. It states that they should respond appropriately to their function and role in the public realm, employ high quality materials and contribute positively to the character of the area.

In considering the design aspect of the proposed development, it must be recognised that the existing building is of a scale, siting and architectural style that is in contrast to the surrounding built environment. Features of the building that are not found in the surrounding area include its detached siting, its asymmetric hipped roof and direct frontage onto the street.

It must also be recognised that while the building is of sufficient character and historic significance to be labelled as an 'unlisted building of merit' within the Bedminster Conservation Area. It is in a poor state of repair and currently the site does not make a significantly positive visual contribution to the street scene or character of the area, particularly given its prominent corner location.

**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

The City Design Group (CDG) within Bristol City Council have been consulted with during the determination of this application, including the Conservation section. With regards specifically to the design, CDG has raised no objection subject to securing further details by condition. Their comments are reflected in the remainder of this section, while the impact of the development in conservation and heritage terms is specifically addressed in Key Issue C.

*i) Overall design approach*

It is considered that the proposed rationale of the scheme, which seeks a contemporary, industrial approach to the design, is an appropriate response to the historic use of the site for employment use. The existing site has a limited architectural relationship to the surrounding Victorian terraces, such that there does exist an opportunity for an innovative design approach to enhance the character and distinctiveness of the street, as set out in policy DM26.

Furthermore, the aspiration of the applicant to maintain unique character features of the existing site within the contemporary design is welcomed, including retaining its detached siting, direct street frontage and industrial character. The overall approach to the design of the new building is supported in accordance with policy DM29, subject to the details of the proposal being acceptable with regard to scale, massing, form, siting and materials as per the requirements of policies DM26, DM27 and DM29.

*ii) Layout*

The proposed development would be of a detached siting and a layout which broadly accords with that of the existing site, retaining the direct street frontage to the south and east elevations and an area of private open space to the north-west corner.

The proposed development would however represent a reduced footprint of built form on the site (approximately 166sqm) in comparison to existing (approximately 190sqm). The dwelling would not contravene established building lines on the street, including the angled two storey element of the design at the rear, which would align with the rear building line of No.22.

With regards to layout and siting, it is considered that the proposed new dwelling would not represent a significant departure from the existing site. It would be appropriate within the immediate context and would be contained within established building lines. This accords with policy DM27.

*iii) Scale, massing and form*

The increased massing of the proposed development in comparison to the existing site has been a primary concern raised during neighbour consultation.

While the layout of the proposed site is similar to existing, it is recognised that the proposed extent of the two-storey element in particular represents an increase in its overall massing and scale. This is due to its proposed pitched roof and an increase in the footprint of the two-storey element of the site. With regards to the roof, the ridge height of the proposed development would not exceed that of the existing site, nor the surrounding dwellings on Islington Road. However, there would be an overall increase in massing and eaves height associated with the pitched roof in comparison to the asymmetric hipped form of the existing building.

It is noted that a pitched roof form would not reflect the distinctive hipped roof of the existing building. However, the pitched roof would be in keeping with the surrounding area, where it is the dominant roof form and is characteristic of the Victorian terraces. It is considered that from a design perspective, the proposed roof form is appropriate.



**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

The proposed development would also extend the first floor to the west elevation by 1 metre beyond the existing building, reducing the gap between it and the adjacent dwelling at No.22. The gap between the proposed dwelling and No.22 would remain at just under 3 metres.

It is considered that this would be a sufficient visual gap to retain the detached character of the building and the existing relationship between No.22 and No.22a. It is considered that this extension would not result in substantial or significant harm to the character of the area or the street scene.

Finally, the angled two storey protrusion to the rear represents an increased massing to the northern elevation in comparison to existing. However, this would not extend beyond the three-storey building line as established by the adjacent dwelling at No.22 and would appear subservient to the main building, with a reduced eaves height.

While it is recognised that some aspects of the proposed design represent an increase in the scale and massing of the new dwelling, it must also be noted that the majority of the proposals would be contained within the existing envelope and footprint of the site. Furthermore, the maximum height of the building would not be increased, and would remain substantially lower (2.6m) than that of the three-storey adjacent dwelling at No.22 and the elevated terrace on the south side of Islington Road. It is considered that the proposed development would be of a scale and massing that does not represent a significant departure from the existing site and which would not result in substantial harm to the appearance and character of the area. This accords with policy DM26 and DM27.

*iv) Materials and design details*

Policies BCS21 and DM29 require that development is of a high quality. Given the location of the dwelling within a conservation area and the associated loss of an unlisted building of merit, the CDG places additional emphasis on the requirement to achieve a high-quality finish and secure the use of good quality materials and design details.

Following a request for further information, the applicant has specified the types of materials proposed for the building and has supplied precedent images. Details of the window reveals have been provided and comply with the request from CDG that this is at least 100mm to ensure an appropriately articulated elevation.

It is considered that sufficient information has been provided at this stage to provide confidence that the development would be of a satisfactory and high-quality finish to meet the objectives of policies BSC21 and DM29. It is proposed that conditions will be attached to any forthcoming consent to require the applicant to submit further details of the design and materials for approval prior to the commencement of development.

In summary, the design of the proposed development is found to be acceptable. It is considered that the applicant has demonstrated a coherent design rationale and has taken an appropriate opportunity to introduce a contemporary and innovative design which would contribute to local distinctiveness. The overall siting, scale and massing of the development is appropriate and would not amount of significant harm to the character of the surrounding area. The proposed development is in accordance with the aims of policies BCS21, DM26, DM27 and DM29.

**(C) WOULD THE PROPOSED DEVELOPMENT RESULT IN UNACCEPTABLE HARM TO HERITAGE ASSETS?**

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard 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].

**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

Section 12 of the National Planning Policy Framework (NPPF, 2012) states that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing heritage assets, and the desirability of new development to make a positive contribution to local character and distinctiveness. It also 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 137 states that local planning authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance their significance and that proposals which preserve these elements should be treated favourably.

There are two heritage assets of relevance to the proposed development. The first is the Bedminster Conservation Area, in which the site is located. This is a designated heritage asset. The site is identified as an 'unlisted building of merit' within the conservation area in the Bedminster Conservation Area Character Appraisal (adopted December 2013), however no description or reference is made to its significance within the document. It is situated on the boundary of the conservation area; much of the remainder of Islington Road is not within the conservation area, including the adjacent dwelling at No.22.

Within the conservation area, the site is located in the Stackpool Road character area, which is noted for its 'tightly packed Victorian terraces' and 'architectural uniformity'. Negative features are noted as loss of front boundaries, loss of traditional architectural details and the poor condition of some buildings.

The second heritage asset is the existing building of 22a Islington Road, which is included within the Bristol City Local List of heritage buildings. This does not constitute a designated heritage asset and subsequently, while this must be taken into account in determining the planning application (NPPF, paragraph 135), it carries less weight than a designated heritage asset such as the conservation area. Policy BCS22 states that development proposals will safeguard or enhance heritage assets and their character and setting. This includes conservation areas and historic buildings, including those locally listed.

Policy DM31 sets out that where a proposed development would impact the significance of a heritage asset (including those locally listed) the applicant will be required to justify the extent of proposed works and demonstrate how the features of the heritage asset and the local character of the area will be retained.

The application seeks permission for the demolition of the existing buildings at 22a Islington Road and subsequently, the loss of a locally listed building within a conservation area. The applicant is therefore expected to meet the requirements of policy DM31.

The submitted Structural Inspection Report identifies that the existing vacant site suffers from significant structural problems and would require extensive works to enable the re-use of the building. The required works would result in the loss of historic fabric and would have significant costs, rendering the re-use of the site unviable financially while still having substantial harmful impact on the heritage asset. The applicant subsequently states that the full demolition of the building is required to secure a viable long-term use of the site.

The Heritage Report submitted by the applicant recognises that the demolition of the existing building would have a substantial negative impact on its individual heritage significance, however asserts that the primary issue for consideration is the impact of the development on the conservation area, the designated heritage asset. The report states that the design of the new dwelling is intended to reflect the scale and massing of the existing site, while also retaining its character as an unusual and

**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

different building within the street scene. It concludes that while the proposed development would have a slight, negative impact on the Bedminster Conservation Area, this does not amount to substantial harm.

In considering the proposed harm to heritage assets, the Conservation section of the City Design Group has been consulted with. CDG has reviewed the information submitted by the applicant and accepts that there is sufficient justification for the loss of the building.

It is recognised that the building is currently in a poor state of repair and does not contribute in a significantly positive manner to the character and historic significance of the conservation area. It is considered that the structural report does sufficiently evidence that to attempt to retain the existing building would impact on the viability of development and may not present substantial benefits with regard to heritage, given the amount of historic fabric that may be required to be lost through renovation works.

Furthermore, given that the site (as an undesignated heritage asset) is ascribed less weight under national policy, it is considered that the public benefit of finding a viable use for a vacant site in a sustainable urban location would outweigh the harm caused by the loss of the building.

With regards to the conservation area, it is considered that the loss of an existing 'unlisted building of merit' does in principle constitute harm to the significance of a designated heritage asset. However, a balanced assessment also identifies several mitigating factors which it is considered result in this harm being less than substantial.

First, it is noted that the existing building is in a poor state of repair and does not share the characteristics of the conservation area which contribute to its significance. The Stackpool Road character area is identified as significant on account of its uniform Victorian terraces and architectural details associated with these. 22a Islington Road is not of this character, and its significance is not otherwise noted in the conservation area appraisal. While the loss of the building will therefore have a significant local harmful impact in terms of the immediate street scene, its impact on the overall character of the Stackpool Road character area is considered less than substantial.

The site is located on the boundary of the Bedminster Conservation Area. Subsequently its visual impact on the heritage asset is limited to views from Allington Road and the eastern end of Islington Road; it is not a highly prominent historic feature or landmark within the conservation area. As such, it is considered that the loss of the unlisted building of merit would not amount to substantial harm to the overall significance or character of the designated heritage asset.

Finally, the proposed design of the new building has been found to accord with policy objectives regarding distinctive and high-quality design. The proposed design would retain several character features of the building particularly with regard to its siting, footprint and industrial character. It is considered that the new dwelling would represent an enhancement to the existing street scene and subsequently the conservation area.

In summary, it is recognised that the proposed development requires the loss of an undesignated heritage asset (22a Islington Road) and would result in harm to a designated heritage asset (Bedminster Conservation Area). However, there is considered to be sufficient, evidenced justification for the proposed loss of the building and an associated public benefit of bringing a vacant site into use. On balance, it is concluded that the proposed development would result in less than substantial harm to the Bedminster Conservation Area which would not warrant refusal of the development.

It is concluded that the development is acceptable with regard to its impact on heritage assets and is in overall compliance with national and local policy.

**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

(D) WOULD THE PROPOSED DEVELOPMENT HAVE AN ACCEPTABLE IMPACT ON THE AMENITY OF NEIGHBOURING OCCUPIERS?

Policy BCS21 of the Core Strategy requires new development to safeguard the amenity of existing residents. Objections have been received from neighbouring residents relating to the potential impact of the proposed development on their amenity through overshadowing, loss of privacy and overbearing. The issues will be addressed individually.

i) Overshadowing

The proposed development would represent an increased massing in comparison to the existing building, although the maximum height of the building would not be increased.

A sunlight assessment study has been submitted by the applicant and subsequently updated following revisions to the scheme. The assessment demonstrates that there would be some increase in shadowing as a result of the development which would primarily impact the rear gardens of properties on Allington Road. Whilst not ideal, it must be recognised that the increase in shadow is minor within the context of rear gardens which are already substantially overshadowed by properties on Islington Road due to the topography of the area. The increased shadow is also not apparent throughout the year; the sunlight assessment demonstrates little change to existing shadow levels during the summer.

The submitted study shows that there would be limited impact on the internal living space of neighbouring dwellings, with increased shadow not extending to such an extent that windows would significantly lose access to light. Furthermore, an assessment of light impact must take into account that the adjacent dwelling at No.22 is approximately 2.5m taller than the proposed development. With this precedent building height in mind, it is considered that the proposed new dwelling would not represent a materially worse impact on shadow and light than is existing for properties already impacted by No.22.

An objection has been received relating to loss of light to the side elevation windows of No.22. It must be recognised that the existing outlook and light of these windows is poor, and at ground floor would remain the same as existing under the proposed development. It is considered that there may be minor impact to the first-floor window due to the 1 metre reduction in the gap between the two buildings at this level, however it is understood that this window serves a stairwell and not a primary living space. The impact on the occupants of No.22 is not considered significantly harmful.

In summary, the potential loss of light arising from the proposed development is considered unlikely to cause substantial harm to the amenity of neighbouring occupiers. While there may be some minor increase in overshadowing, this would not affect the living environment of residents to an extent that would justify refusal of the application or which could be considered materially worse than the existing situation.

ii) Loss of privacy

Significant neighbour objection relates to the proximity of windows in the proposed dwelling and subsequent loss of privacy.

The proposed windows to the south and east elevations fronting Islington Road are intended to echo the fenestration of the existing building, with varying sizes and inconsistent placement. Whilst it is recognised that the windows would be large, their position is not materially different than that of the existing building and the majority of windows would serve hallways and bathrooms rather than living space. It is considered that the distance between the windows and dwellings opposite (approximately 12m) would be appropriate given the urban setting and is therefore acceptable with regard to impact on privacy.

**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

The north elevation of the dwelling would have two first floor windows and a set of ground floor patio doors directly facing the rear of properties on Allington Road; this placement has received considerable objection from neighbours. These rear windows would be located approximately 6.8m from the rear boundary of No. 39 and 41 Allington Road, and approximately 14m from their nearest rear elevation.

The northern elevation would also have two windows facing westward toward No.22: a set of ground floor patio windows and a two-storey window (known as curtain walling) facing west in the angled rear two storey projection.

With regards to the rear windows directly facing north, it is appreciated that the elevated position of 22a Islington Road relative to the Allington Road properties increases a sense of being overlooked by these windows. It is also recognised that the building has been vacant for four years, with a resulting improvement in the sense of privacy. However, a balanced assessment must recognise that the proposed windows are not materially different in their outlook to that of the existing building. Such a separation difference is also typical of the area and the characteristic layout of its Victorian terraces. Finally, the applicant has proposed to obscure the first-floor north elevation windows and the future retention of this could be secured via condition. Subsequently, it is considered that there would not be a loss of privacy due to the directly facing rear windows.

The rear ground floor patio windows facing west would not have a significant impact on privacy due to the position of fencing to the north and west boundaries, preventing views into neighbouring gardens. Even without the boundary treatment, views would be equivalent to those already existing between gardens in the area and would not provide views directly into neighbouring living space.

The two-storey curtain walling would be situated such that it would not extend beyond the building line of No.22. Subsequently, direct views to the west would be semi-obstructed. In order to further mitigate the impact of the window and limit outward views, the applicant has proposed that the first-floor level would be mezzanine, and set back by 1.5m from the window. While this would reduce the extent of overlooking possible, it is noted that permanent retention of this mitigating measure cannot be conditioned and therefore following case officer comments, the applicant has proposed further mitigation measures. The window has been set 0.5m behind an overhang of the northern elevation, such that views directly north toward Allington Road properties are not possible. A section of obscure glazing has also been introduced to the first-floor level at a position to prevent near views; in particular, views down into the rear patio of No.22 would be prevented. The installation and permanent retention of the obscure glazing would be secured via condition.

It is considered that neighbours have raised valid concern over the impact of a large two storey window on their privacy and this aspect of the design has been carefully assessed from an amenity perspective. Following the introduction of additional mitigation measures, it is concluded that the window would not result in unacceptable loss of privacy to neighbours. The resulting views from the upper floor of the window would be long and indirect views; direct overlooking into the living space of neighbouring properties would not be possible. It should be noted that the neighbouring three storey dwelling has rear windows directly facing the opposite terrace at third floor level which would allow for similar if not more extensive views over neighbouring properties. As such, the impact of the proposed development is considered not to result in a loss of privacy materially worse than the existing level of overlooking between properties.

In summary, it is concluded that the proposed dwelling would not result in a significant loss of privacy to neighbouring properties.

iii) Overbearing

Some concerns have been raised over the prospect of the new development being overbearing for neighbours, with an imposing or oppressive impact. It has been established earlier in this report that the scale and massing of the new dwelling is not significantly larger than that of the existing building,

**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

that it would not represent an increase in the maximum height of the existing site, that the existing footprint is reduced and that it does not contravene the established building line.

While 22a Islington Road is a prominent building due to the topography and its corner position, it must be noted that the adjacent dwelling at No.22 is three storeys and approximately 2.5m taller than the proposed dwelling. It is considered that this contributes to an existing sense of overbearing for properties on Allington Road.

It is considered that the properties most likely to be impacted by a sense of overbearing are No.37 and 39 Allington Road, which face upwards toward the north elevation. It is recognised that the new dwelling would be located in close proximity to their rear boundary and would create a sense of enclosure and overbearing. However, this must be considered within the context of the existing site. The existing site is built up to the boundary with No. 37 and 39 and covers a larger footprint against this boundary. It is considered that the proposed dwelling would not result in an increased sense of overbearing that is substantially more harmful than the existing outlook from the opposite properties.

Assessed within the above context, it is considered that the proposed development would not give rise to an unacceptable sense of overbearing that is materially different to that of the existing site or the neighbouring dwelling, and therefore does not warrant refusal of the scheme. In the interests of future safeguarding, a condition is applied to prevent the extension of the dwelling or installation of windows without further planning permission.

iv) Noise

Objections have been received relating to increased noise from the outdoor amenity space of the proposed dwelling and subsequent impact on neighbouring dwellings.

The proposed outdoor terrace is located in the same position as the existing rear courtyard, although it is of a larger size. Given the residential nature of the area, and that the existing layout of the Allington Road and Islington Road properties is such that their rear gardens back onto one another, it is not considered that the use of the rear garden at No.22a would result in unacceptable impact to amenity through noise.

Concern has also been raised over the potential use of the flat roof single storey sections of the development as an elevated roof terrace. A condition preventing this without further planning consent has been included to this report.

(E) WOULD THE PROPOSED DEVELOPMENT PROVIDE AN ACCEPTABLE LIVING ENVIRONMENT FOR FUTURE OCCUPANTS?

BCS21 states that new development should provide a safe, attractive, usable and inclusive built environment which creates a high quality living environment for future occupants. This should include consideration of outlook, privacy, natural lighting, ventilation and indoor and outdoor space.

Policy BCS18 states that residential developments should provide sufficient space for everyday activities and to enable flexibility and adaptability by meeting appropriate space standards. The relevant minimum space standards for new housing is contained in the Department for Communities and Local Government (DCLG) Nationally Described Space Standards for new housing published in March 2015.

The minimum space standard for a two-storey 2 bedroom dwelling according to this guidance is 79sqm. The proposed dwelling would provide 225sqm of space for its occupants and therefore meets the required space standards.

**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

The new dwelling would have a varied outlook, with fenestration to three elevations. It is recognised that the two bedrooms would have a less than ideal outlook; the ground floor bedroom would be served by a roof light and internal window only, while the first floor bedroom would have an obscured window and a roof light. However, given the generous size of the bedrooms (exceeding minimum space standards) and the dwelling as a whole, it is considered that this would not constitute a poor quality living environment such to give rise to refusal of the scheme.

There would be sufficient ventilation through the use of louvred ventilation panels.

The occupants of the dwelling would have access to private outdoor space of a reasonable size.

In summary, it is considered that the proposed development would provide a high quality living environment for future occupiers.

**(F) IS THE PROPOSED DEVELOPMENT ACCEPTABLE WITH REGARD TO TRANSPORT AND HIGHWAY SAFETY?**

Policy BCS10 of the Core Strategy states that development should promote sustainable transport choices. Policy DM23 requires development to provide safe and adequate access to new developments.

Under the initial submission, the proposed development did include 1no. off-street parking space accessed via the east elevation. Bristol City Council's Transport Development Management (TDM) team objected to this proposal on the grounds of poor visibility, lack of manoeuvrability and safety concerns. The requirement to keep an integral garage unobstructed for access would also result in a reduction in available on street parking.

Following this response, the applicant has removed the off-street parking from the proposal and the development as revised would not provide any private vehicular parking. It is considered that this is appropriate given that the site is within a highly sustainable location close to main public transport routes.

Secure cycle storage for 2no. cycles would be provided in a cycle shed accessed from the east elevation. This provision meets the minimum requirements of policy DM23 and is acceptable.

Refuse storage would be provided adjacent to the cycle store with direct access to the street for collection via a garage door. This is considered acceptable by TDM.

The installation and maintenance thereafter of the cycle and refuse stores would be controlled via condition.

In summary, the proposed development is acceptable with regards to transport and highway safety.

**(G) DOES THE PROPOSED DEVELOPMENT ADEQUATELY MEET OBJECTIVES OF SUSTAINABILITY AND CLIMATE CHANGE?**

Policies BCS13 to BCS15 of the Bristol Development Framework Core Strategy forms a suite of planning policies relating to climate change and sustainability. It requires development to both mitigate and adapt to climate change. This includes new development to minimise its energy requirements, address issues of sustainable design and construction and also water management issues to reduce surface-water run-off. Policy BCS14 requires that development provides sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%.

**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

The proposed development would result in the reduction of CO2 emissions by 20% through on site renewables (PV panels) and the design of the building would incorporate energy efficiency measures. Further details relating to the installation of the PV panels would be secured via condition.

In summary, the proposed development is acceptable with regards to sustainability and climate change.

(H) IS THE PROPOSED DEVELOPMENT ACCEPTABLE WITH REGARD TO CONTAMINATED LAND?

Policy DM34 requires that new development should demonstrate that any existing contamination of land will be appropriately mitigated and that new development will not cause the land to become contaminated.

Given the industrial/commercial use of the existing site, Bristol City Council's Public Protection (Land Contamination) Officer was consulted on the proposed development.

The officer identified that the site is sensitive to contamination and subsequently, a risk assessment would be required prior to commencement of the scheme. This would be secured via condition.

#### CONCLUSION

The application proposes to demolish a vacant industrial unit and construct a two bedroom dwelling in a sustainable location. In accordance with policy requirements, the applicant has provided sufficient evidence to justify the development in land use terms, in particular the loss of an employment site.

It is recognised that the site is of heritage value as a locally listed building within Bedminster Conservation Area. Subsequently, it is accepted that the proposed development does constitute a degree of harm to heritage assets. However, on balance, it is concluded that this harm would be less than substantial and does not warrant refusal of the scheme. Furthermore, the proposed development would be of a high quality, innovative design that it is considered would contribute to local distinctiveness and retain aspects of its character.

It is considered that the proposed development would not impact neighbouring amenity through overlooking, overshadowing or overbearing in a manner that is significantly more harmful than the current building and surrounding context. Sufficient mitigation measures are included in the scheme to reduce harm.

The development would provide a high quality living environment for future occupiers that meets policy requirements regarding transport and sustainability measures.

It is concluded that the application is recommended for approval subject to conditions.

#### CIL

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

The Community Infrastructure Levy for this development is £15,167.41.



**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

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

**CONDITIONS**

**1. Full planning permission**

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

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

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

Prior to the commencement of development, including demolition, the developer shall record the building known as '22a Islington Road' and any ancillary structures and submit the record to the Local Planning Authority. The recording must to be carried out by an archaeologist or archaeological organisation approved by the Local Planning Authority and submitted to the Historic Environment Record (HER), the record should then be submitted to Bristol City Museum and a hard copy to Bristol Record Office.

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

**3. Land affected by contamination - Site Characterisation**

No development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, and has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site.

The contents of the scheme should be submitted to and be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

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

**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

**4. Land affected by contamination - Submission of Remediation Scheme**

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

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

**5. Land affected by contamination - Implementation of Approved Remediation Scheme**

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

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

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

**6. Further details – external**

No development shall take place until a detailed part elevation and section at 1:20 scale showing all typical external treatments and building elements has been submitted and approved in writing by the Local Planning Authority. The development will be carried out in accordance with the approved details.

Reason: in order to ensure that the external appearance of the building is satisfactory, in accordance with quality expectations set out within the approved plans, and appropriate to the local context.

**7. Further detail and submission of samples – materials**

No development shall take place until all details of external materials have been submitted and approved in writing by the local planning authority. An agreed sample reference panel to include external facing materials and construction details shall be erected on site and approved in writing by the Local Planning Authority. The approved reference sample panel shall be retained on site until the completion of the development. The development will be carried out in accordance with the approved materials and panel.

**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

Reason: in order to ensure that the external appearance of the building is satisfactory, in accordance with quality expectations set out within the approved plans, and appropriate to the local context.

**8. Further details – 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, dimensions, design/technical specification 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.

**9. Land affected by contamination - Reporting of Unexpected Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 2 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 3 which is to be submitted to and be approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 4.

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

**10. 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.

**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

**11. Completion and Maintenance of Cycle Provision – Shown on approved plans**

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

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

**12. No Further Extensions**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no extension or enlargement (including additions to roofs) shall be made to the dwellinghouse hereby permitted, or any detached building erected, without the express permission in writing of the council.

Reason: The further extension of this (these) dwelling(s) or erection of detached building requires detailed consideration to safeguard the amenities of the surrounding area.

**13. Obscured Glazed Windows**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the following windows shall be glazed with obscure glass in accordance with the approved plans and shall be permanently maintained thereafter as obscure glazed:

- First floor windows in the north elevation
- Two storey curtain walling in the north-west elevation

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

**14. No Further Windows**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no windows, other than those shown on the approved plans shall at any time be placed in the north elevation of the building hereby permitted without the grant of a separate planning permission from the Local Planning Authority.

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

**15. Restriction of Use of Roof**

The roof area of the development hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific planning permission from the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises.

**Development Control Committee B – 25 April 2018**  
**Application No. 17/06582/F: 22A Islington Road Bristol BS3 1QB**

**16. Demolition Linked to Redevelopment**

The demolition works hereby permitted shall not be carried out otherwise than as part of the completion of development for which planning permission was granted on XX and such demolition and development shall be carried out without interruption and in complete accordance with the plans referred to in this consent and any subsequent approval of details.

Reason: To ensure the demolition is followed by immediate rebuilding and to maintain the character and appearance of the Conservation Area.

**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:

Reason: For the avoidance of doubt.

## Supporting Documents

### **3. 22A Islington Road**

1. Existing site plan
2. Updated sunlight assessment
3. Proposed ground floor plan
4. Proposed first floor plan
5. Proposed section A-A
6. Proposed elevation East
7. Proposed elevation North
8. Proposed elevation South
9. Proposed elevation West
10. Proposed section D-D with obscure glazing

# SITE PLAN: EXISTING

1:200 @ A3

Page 123



## NOTES:

Heights shown are taken from an arbitrary datum +0.000 at the existing entrance floor level of 22A Islington Road.

## KEY:

- RWP: Existing rainwater pipe.
- - - Mains foul sewer. Existing connection shown in indicative location only.
- - - Surface water sewer: Malago Stormwater interceptor Refer to Wessex Water correspondence.
- - - Mains water supply. Existing connection shown in indicative location only.



Site photograph 01



Site photograph 02



Site photograph 03

## Revision Notes

Rev.	Date	Notes
A	5/8/2014	Issued for Planning
B	15/6/2016	Issued for Planning.

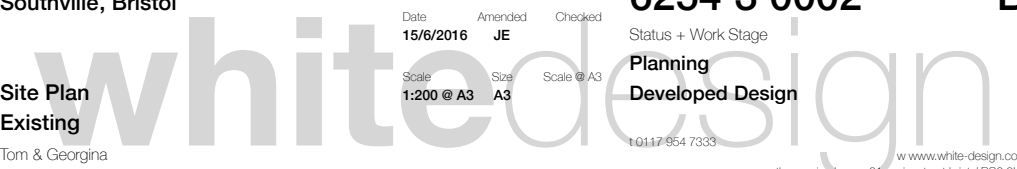
Revised by    Checked by

TF  
JE  
**Planning**

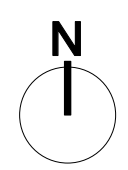
22A Islington Road  
Southville, Bristol

Date	Drawn	Checked	Drawing No	Amendment
9/4/2014	TF	KH	6254 3 0002	B
15/6/2016	JE	JE	Status + Work Stage	
1:200 @ A3	A3	A3	Planning Developed Design	

Site Plan  
Existing  
Tom & Georgina



www.white-design.com  
the proving house 21 sevier street bristol BS2 9LB  
Copyright © 2016 White Design Associates. All rights reserved.



# Daylight / Sunlight Assessment

Issue: Planning

Revision : 4

Issue Date: March 2018

for

**22A Islington Road, Southville, Bristol BS3 1QB**



Page 124

[www.white-design.co.uk](http://www.white-design.co.uk)

tel +44 (0)117 954 7333

fax +44 (0)117 954 7338

White Design Associates Limited

Registration No 3499053

VAT Registration No 709 5853 06

Hamilton House, 80 Stokes Croft, Bristol, BS1 3QY

white design



Fourth Issue	March 2018	Updated to revised design and issued for Planning	JE	
Third Issue	November 2017	Revised and issued for Planning	JE	KH
Second Issue	June 2016	Issued for Planning	JE	KH
First Issue	June 2016	Issued in draft	JE	KH
<b>Rev.</b>	<b>Date</b>	<b>Notes</b>	<b>Author</b>	<b>Checked by</b>

**Front page: OS Map extract, Application Site (red outline)**

Ordnance Survey Map © Crown Copyright 2014

Reproduction in whole or in part is prohibited without the express permission of Ordnance Survey.

[www.white-design.co.uk](http://www.white-design.co.uk)

tel +44 (0)117 954 7333

fax +44 (0)117 954 7338

White Design Associates Limited

Registration No 3499053

VAT Registration No 709 5853 06

Hamilton House, 80 Stokes Croft, Bristol, BS1 3QY

1 Introduction .....4  
2 Daylight.....5  
3 Sunlight.....7  
4 Diagrams - 21st March.....8  
5 Diagrams - 21st June.....13  
6 Conclusions.....18

# 1 Introduction

This Daylight / Sunlight Assessment is for the proposed development of 22A Islington Road, Bristol as requested following the pre-application planning submission. The document is developed having regard to the BRE's (Building Research Establishment) guidance document *Site Layout Planning for Daylight and Sunlight*.

This document assesses the impact of the proposal on adjoining properties, including associated gardens or amenity space, in respect of potential loss of daylight and sunlight.

## 2 Daylight

In relation to daylight, the BRE guidelines are intended to be used for “rooms in adjoining dwellings where daylight is required, including living rooms, kitchens and bedrooms”. The guidance states that windows to the following areas need not be analysed: “bathrooms, toilets, storerooms, circulation areas and garages”.

Two windows have been used for the purpose of this assessment. The first is the downstairs rear window / patio door to the property on the corner of Allington / Islington Road (see plan and photograph). This opening has been chosen as it is the closest, and lowest, living room window on Allington Road. The first test referred to in the guidance is as follows:

“loss of light to existing windows need not be analysed if the distance of each part of the new development from the existing window is three or more times its height above the centre of the existing window. In these cases the loss of light will be small.”

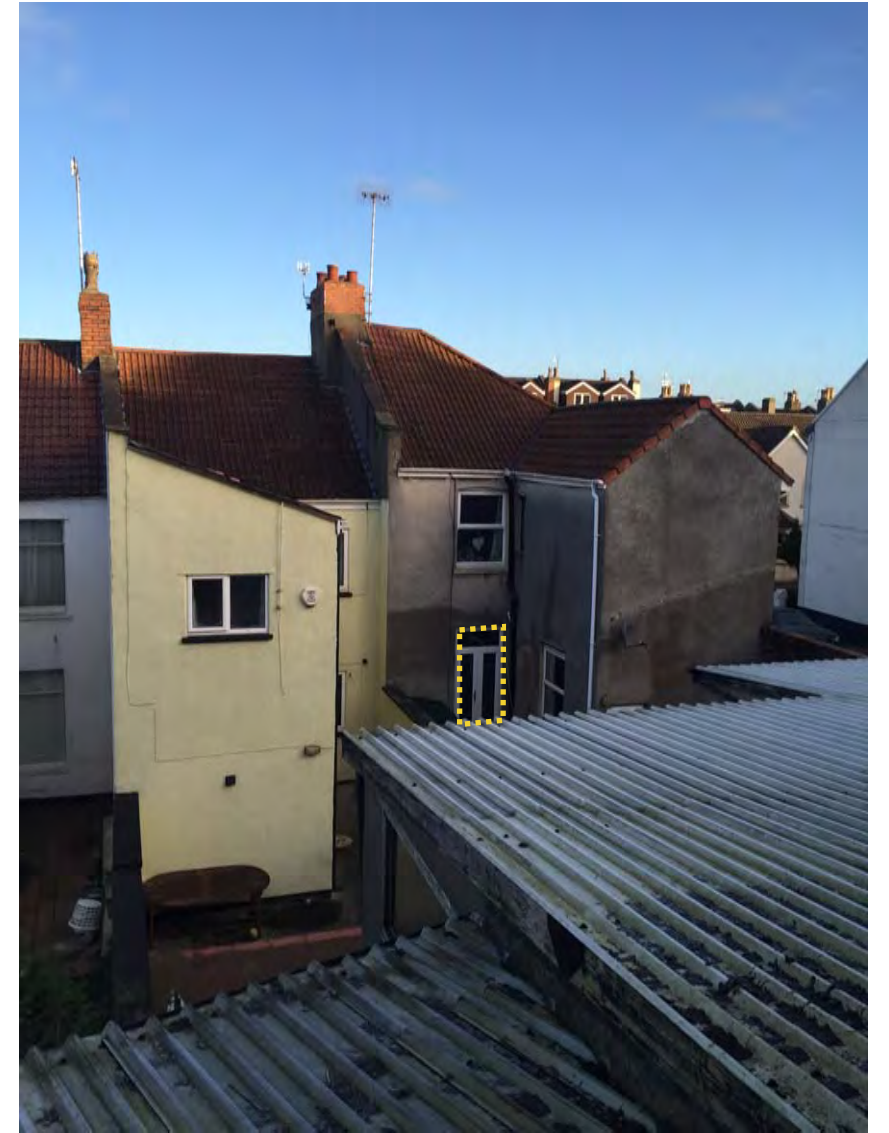
Due to the change of level from the application site to the property on Allington Road, the above test is not met. The guidance continues:

“If the proposed development is taller or closer than this, a modified form of the procedure adopted for new buildings can be used to find out whether an existing building still receives enough skylight. First, draw a section in a plane perpendicular to each affected main window wall of the existing building (Figure 14 [see diagram below]). Measure the angle to the horizontal subtended by the new development at the level of the centre of the lowest window. If this angle is less than 25° for the whole of the development then it is unlikely to have a substantial effect on the diffuse skylight enjoyed by the existing building.”

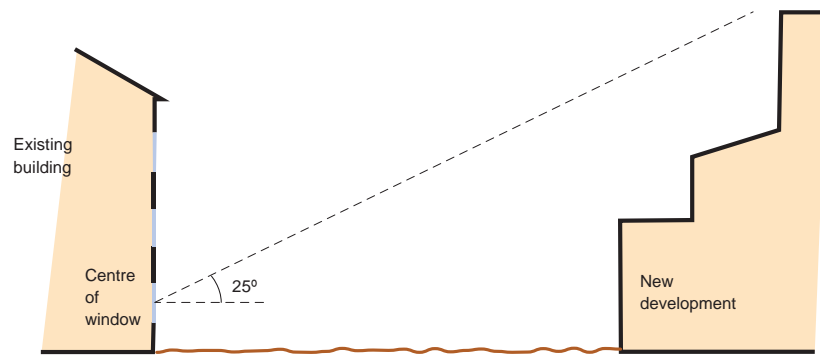


**Window location - plan**

The proposed section (below) demonstrates that the 25° test can be met for this opening; the 1600mm height from which the line is drawn in the diagram is given in the guidance document for patio doors.



**Window location - photo**



**Figure 14 from BRE guidance document**



**Proposed section showing daylight calculation**



The second window is to the adjacent property on Islington Road (no. 22). This is believed to serve a kitchen on the lowest floor. The window does not meet the tests referred to above; however, the guidance document provides specific guidance for situations where “an existing building has windows that are unusually close to the site boundary”. It states:

“Figure F3 [see diagram below] shows an example, where side windows of an existing building are close to the boundary. To ensure that new development matches the height and proportions of existing buildings, the VSC and APSH targets for these windows could be set to those for a ‘mirror-image’ building of the same height and size, an equal distance away on the other side of the boundary.”

The section below shows the proposed outline (at proposed roof ridge level) in relation to the mirror-image (at roof verge level). The area of sky visible (defined by the yellow arrow) is less for the mirror-image as would be for the proposed building (green outline). In addition, it should be noted that as the depth of the proposed building is less than its neighbour, the impact on daylight compared to the mirror-image would also be less.



Window location - plan



Window location - photo

Page 129

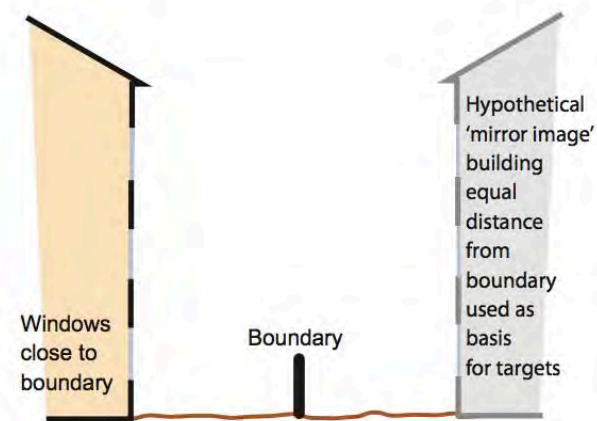
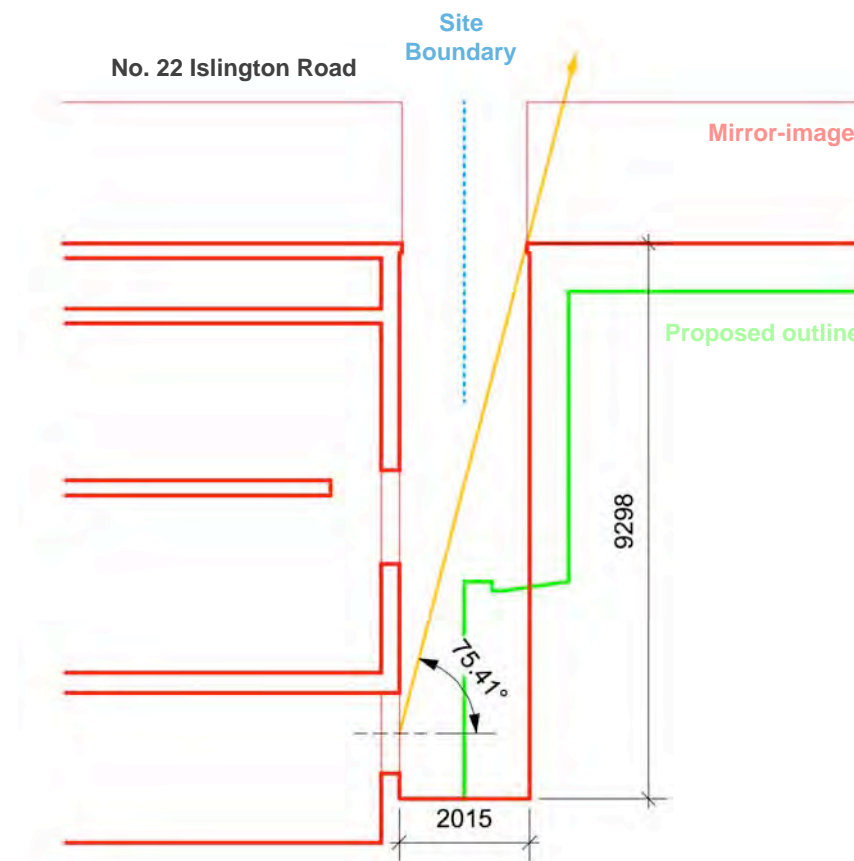


Figure F3 from BRE guidance document



Section showing mirror-image (red) and proposed outline (green)

## 3 Sunlight

The BRE guidance document identifies sunlight as a separate consideration. It states that:

“obstruction to sunlight may become an issue if: some part of a new development is situated within 90° of due south of a main window wall of an existing building; in the section drawn perpendicular to this existing window wall, the new development subtends an angle greater than 25° to the horizontal measured from the centre of the lowest window to a main living room (Figure 14 [see diagram on previous page])”.

As set out on page 5, the above test is met by the proposed development (see proposed section diagram).

In addition to consideration of the existing buildings, the BRE document recommends that sunlight in the spaces between buildings (in this case, the main back gardens to the existing houses) should also be assessed.

The guidance states:

“If an existing garden or outdoor space is already heavily obstructed then any further loss of sunlight should be kept to a minimum. In this poorly sunlit case, if as a result of new development the area which can receive two hours of direct sunlight on 21 March is reduced to less than 0.8 times its former size, this further loss of sunlight is significant. The garden or amenity area will tend to look more heavily overshadowed.”

It continues:

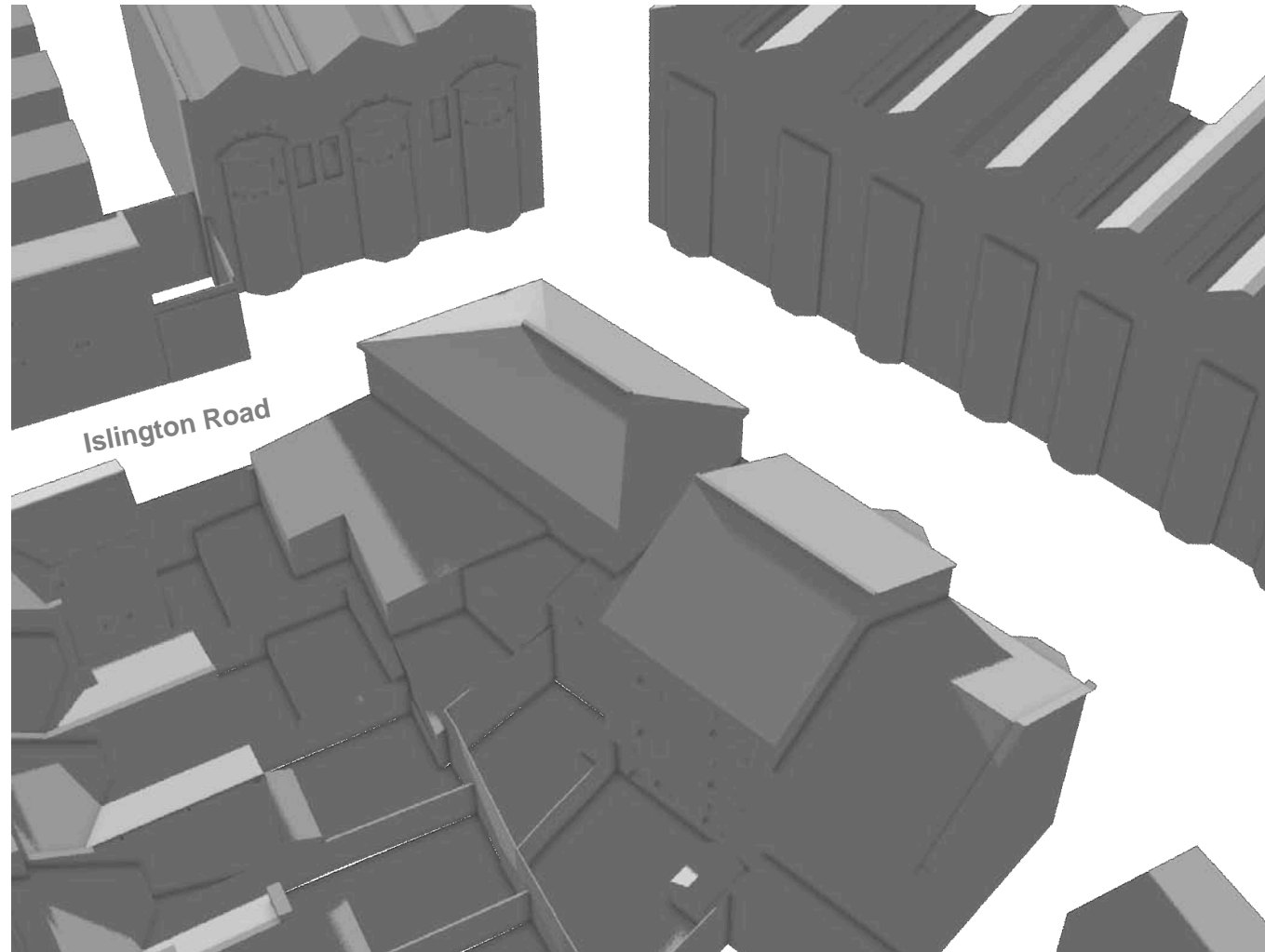
“Where there are existing buildings as well as the proposed one, ‘before’ and ‘after’ shadow plots showing the difference that the proposed building makes may be helpful. In interpreting the impact of such differences, it must be borne in mind that nearly all structures will create areas of new shadow, and some degree of transient overshadowing of a space is to be expected.

“If a space is used all year round, the equinox (21 March) is the best date for which to prepare shadow plots as it gives an average level of shadowing. Lengths of shadows at the autumn equinox (21 September) will be the same as those for 21 March, so a separate set of plots for September is not required (...).

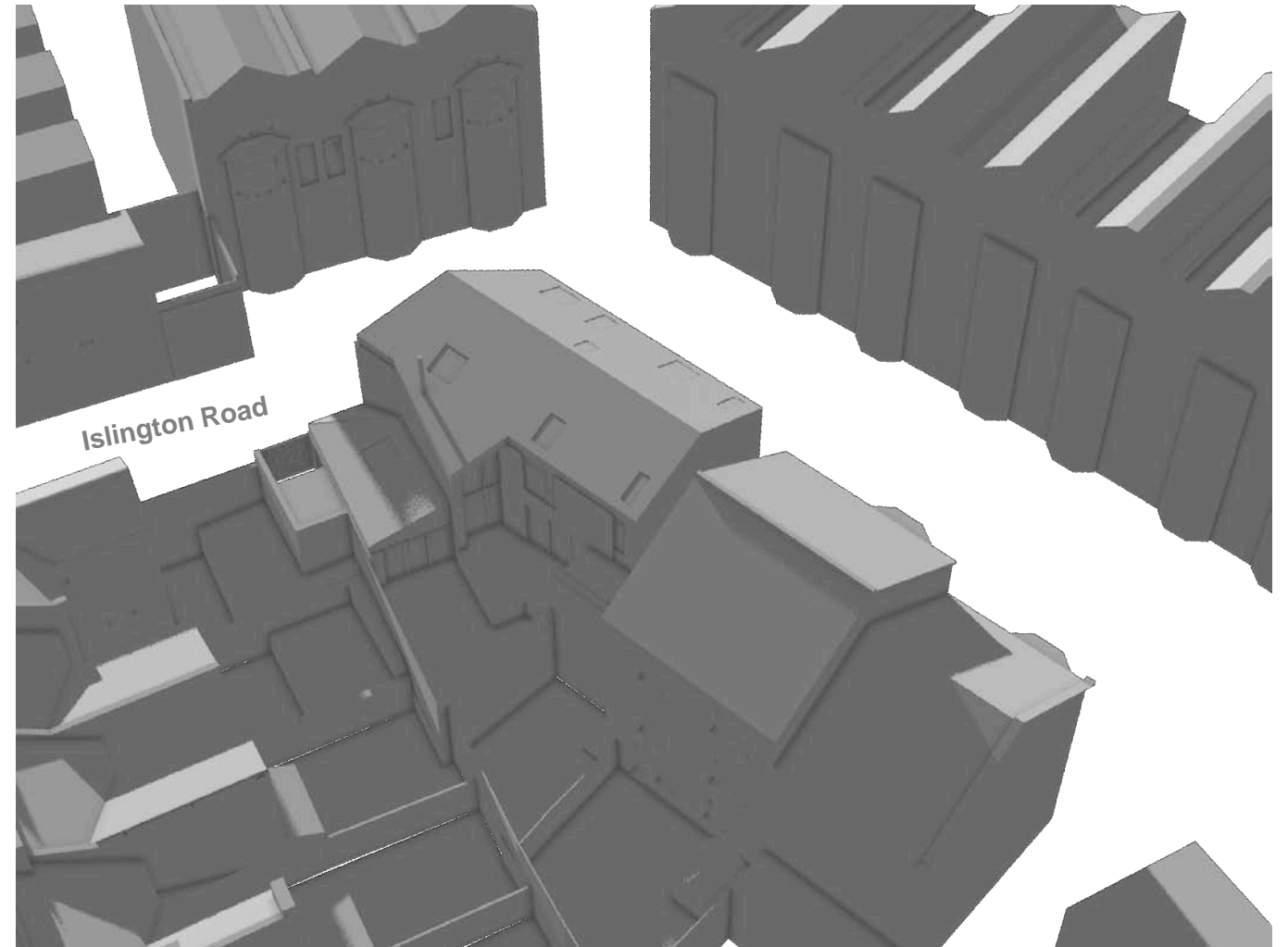
“As an optional addition, plots for summertime (eg 21 June) may be helpful as they will show the reduced shadowing then, although it should be borne in mind that 21 June represents the best case of minimum shadow, and that shadows for the rest of the year will be longer.”

The diagrams on the following pages show a before and after view of the site for the 21st of March and 21st of June. The diagrams demonstrate minimal change from the current situation and no significant additional overshadowing to the gardens of the neighbouring houses.

# 4 Diagrams - 21st March

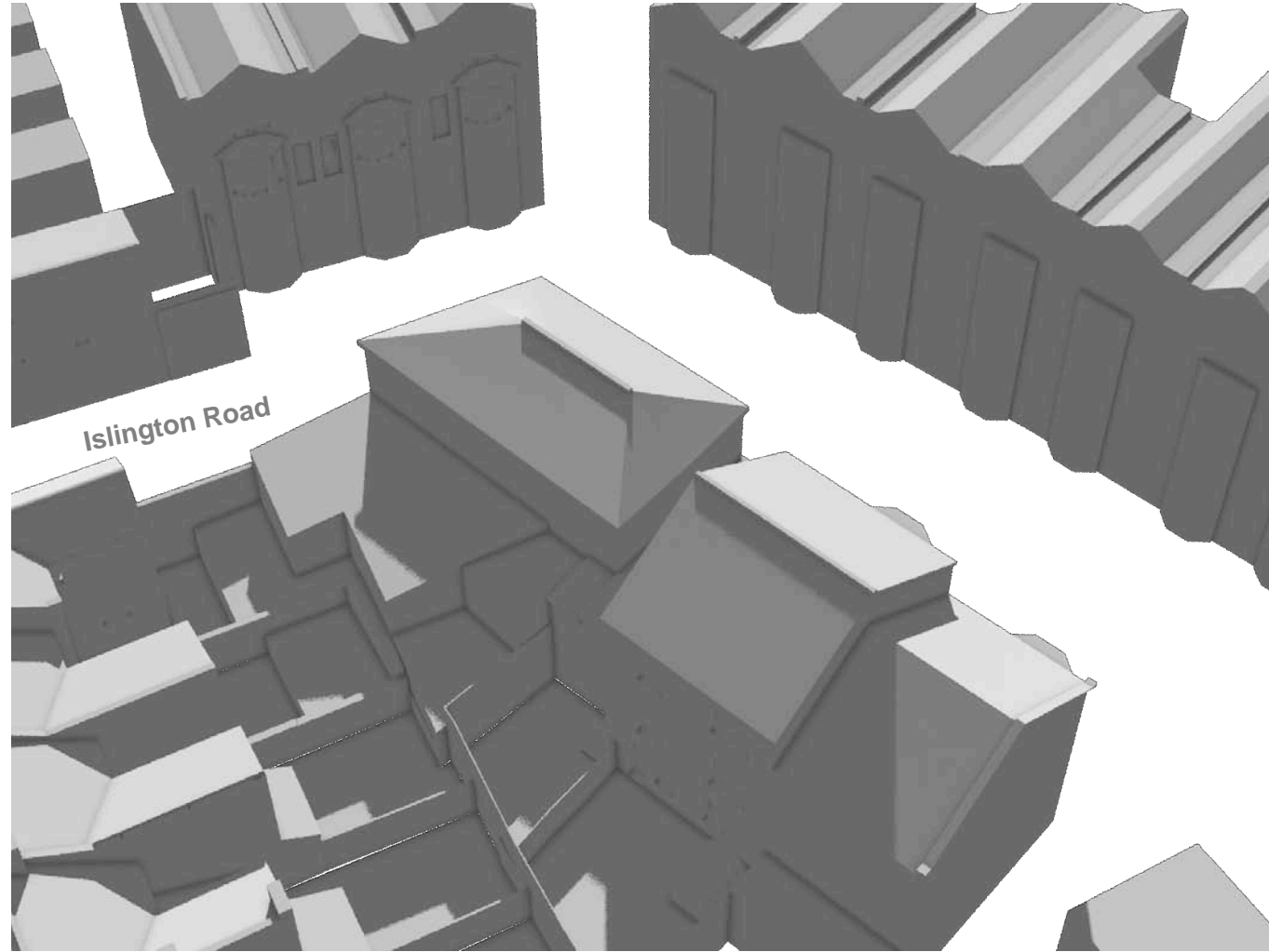


*Existing - 21st March 8am*

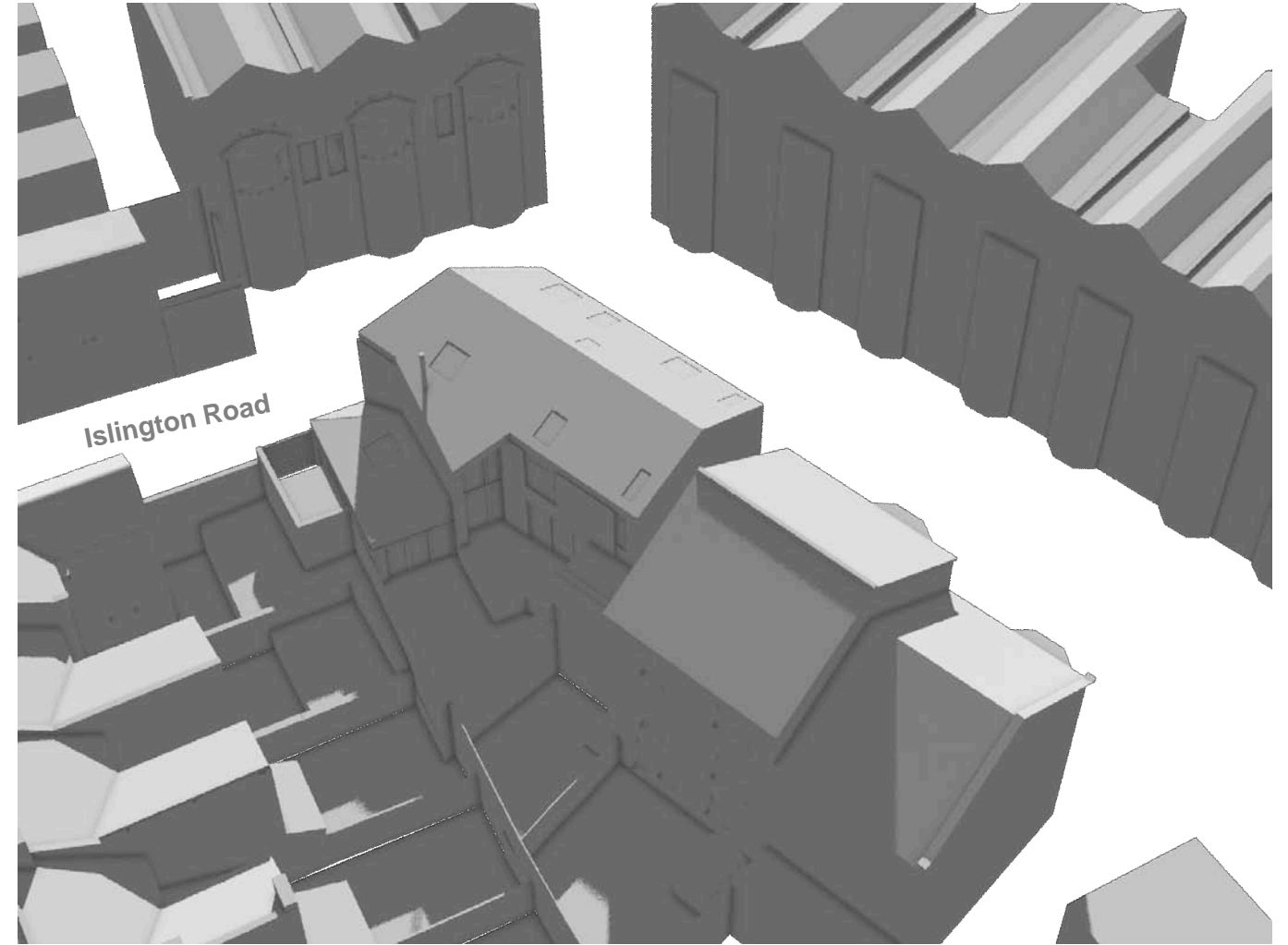


*Proposed - 21st March 8am*



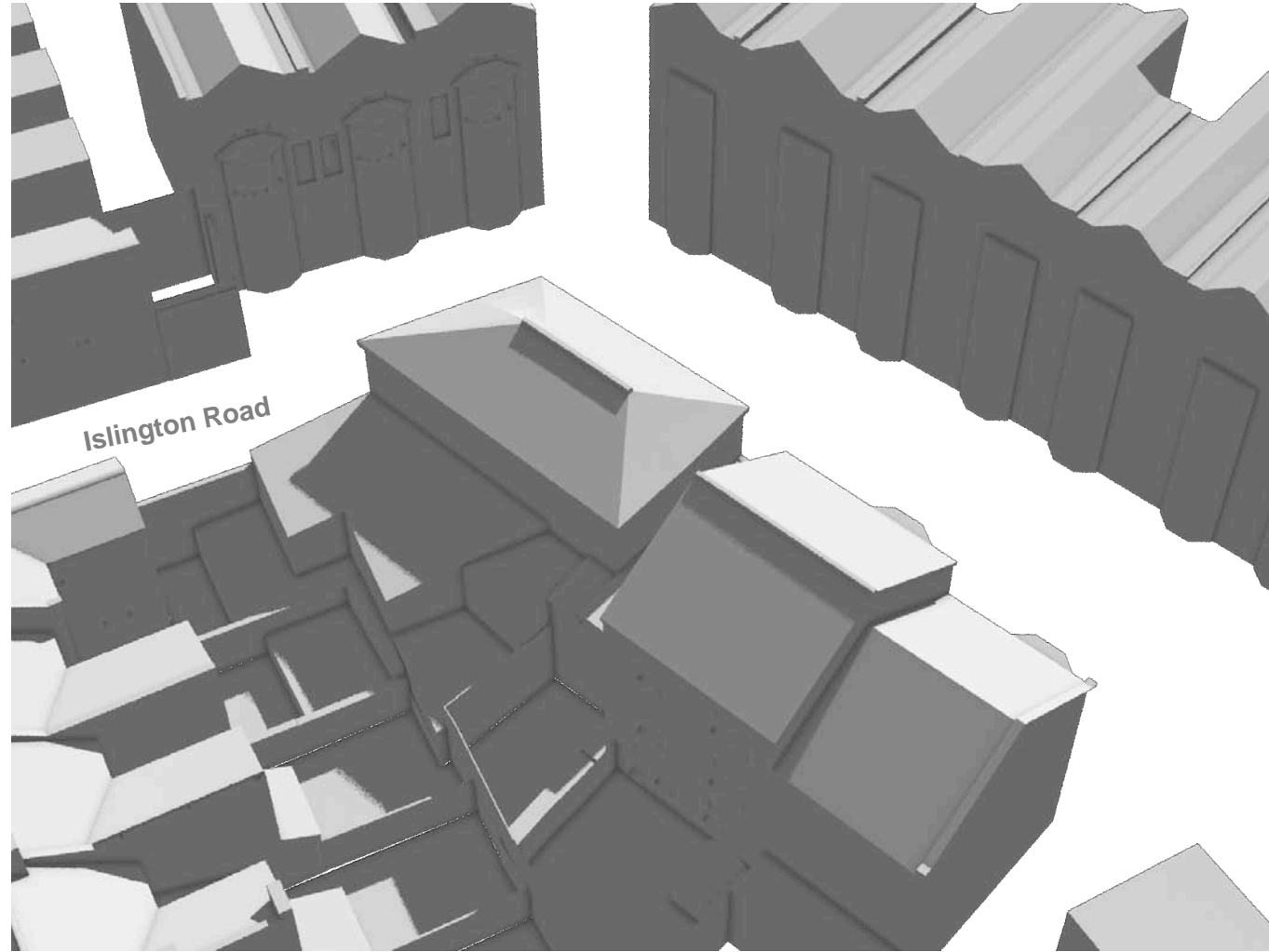


*Existing - 21st March 10am*

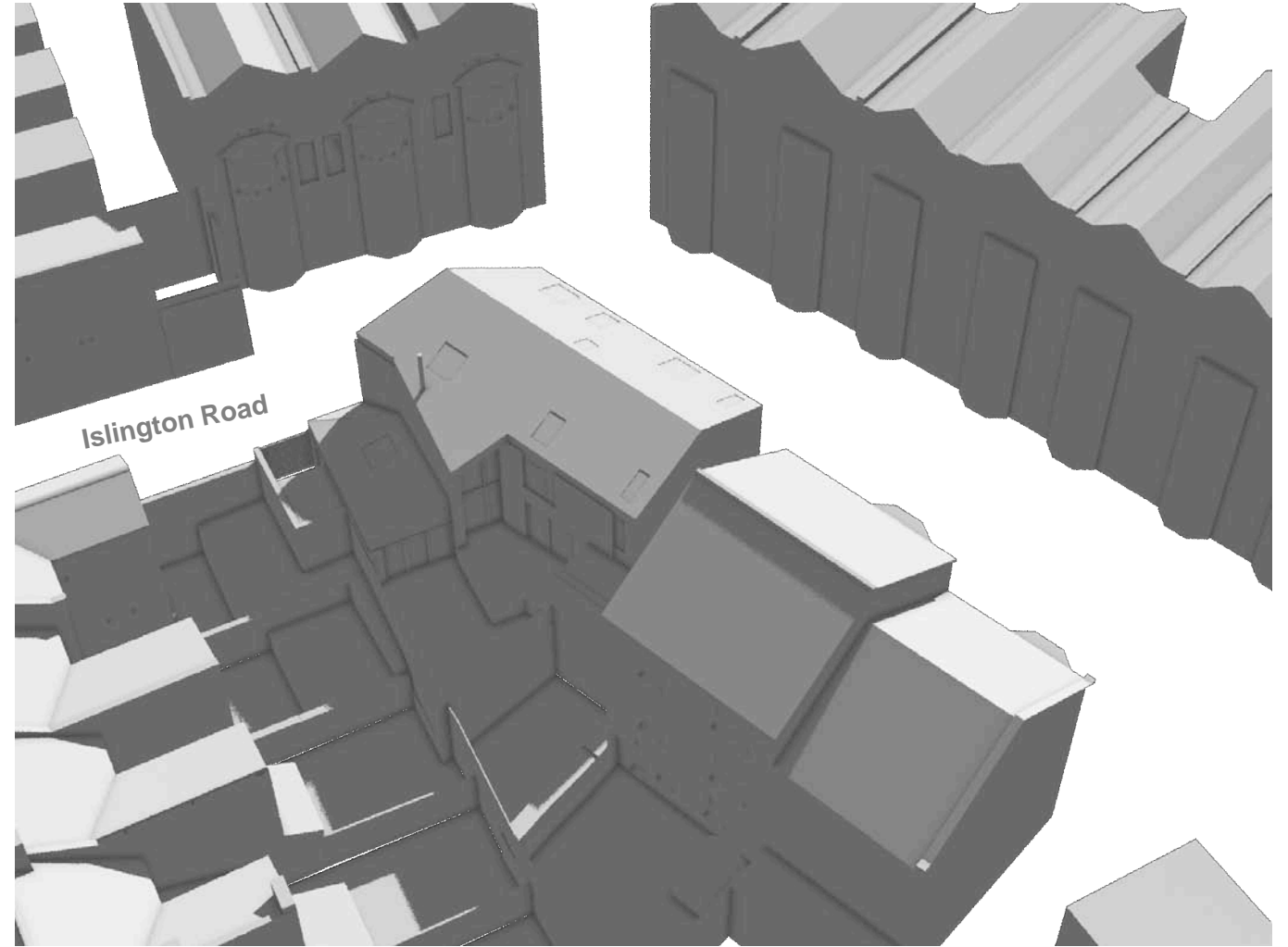


*Proposed - 21st March 10am*

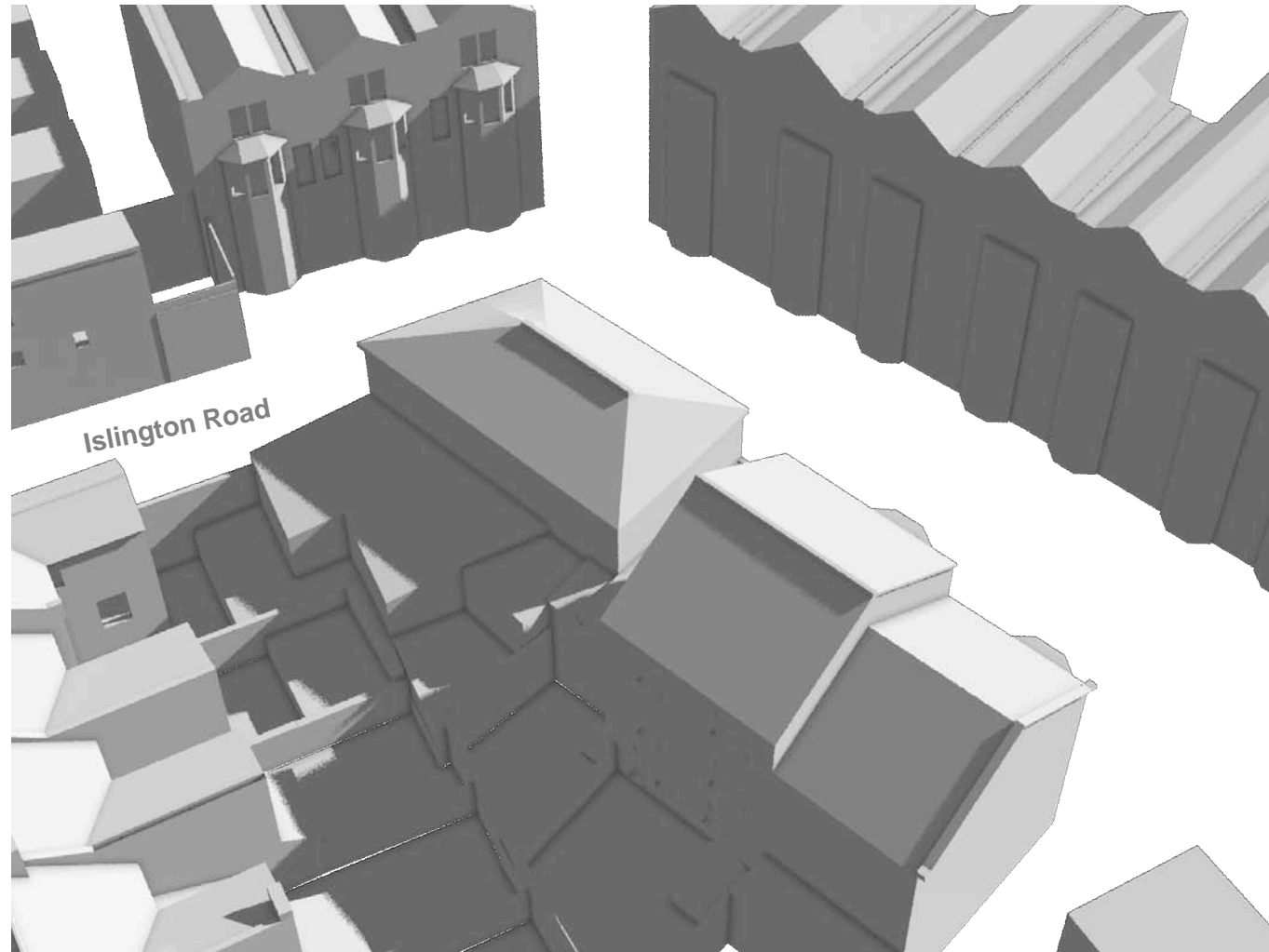




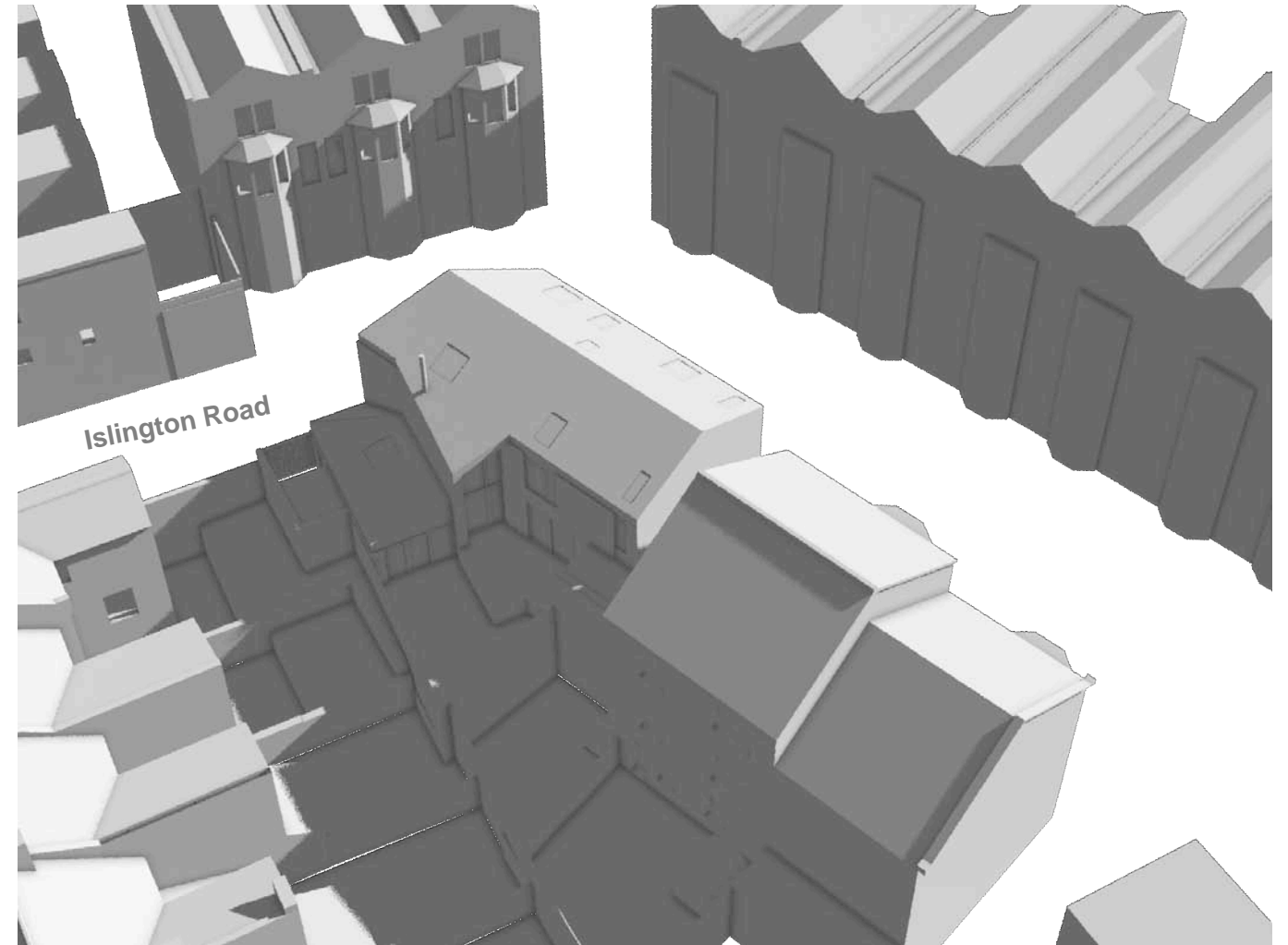
*Existing - 21st March 12noon*



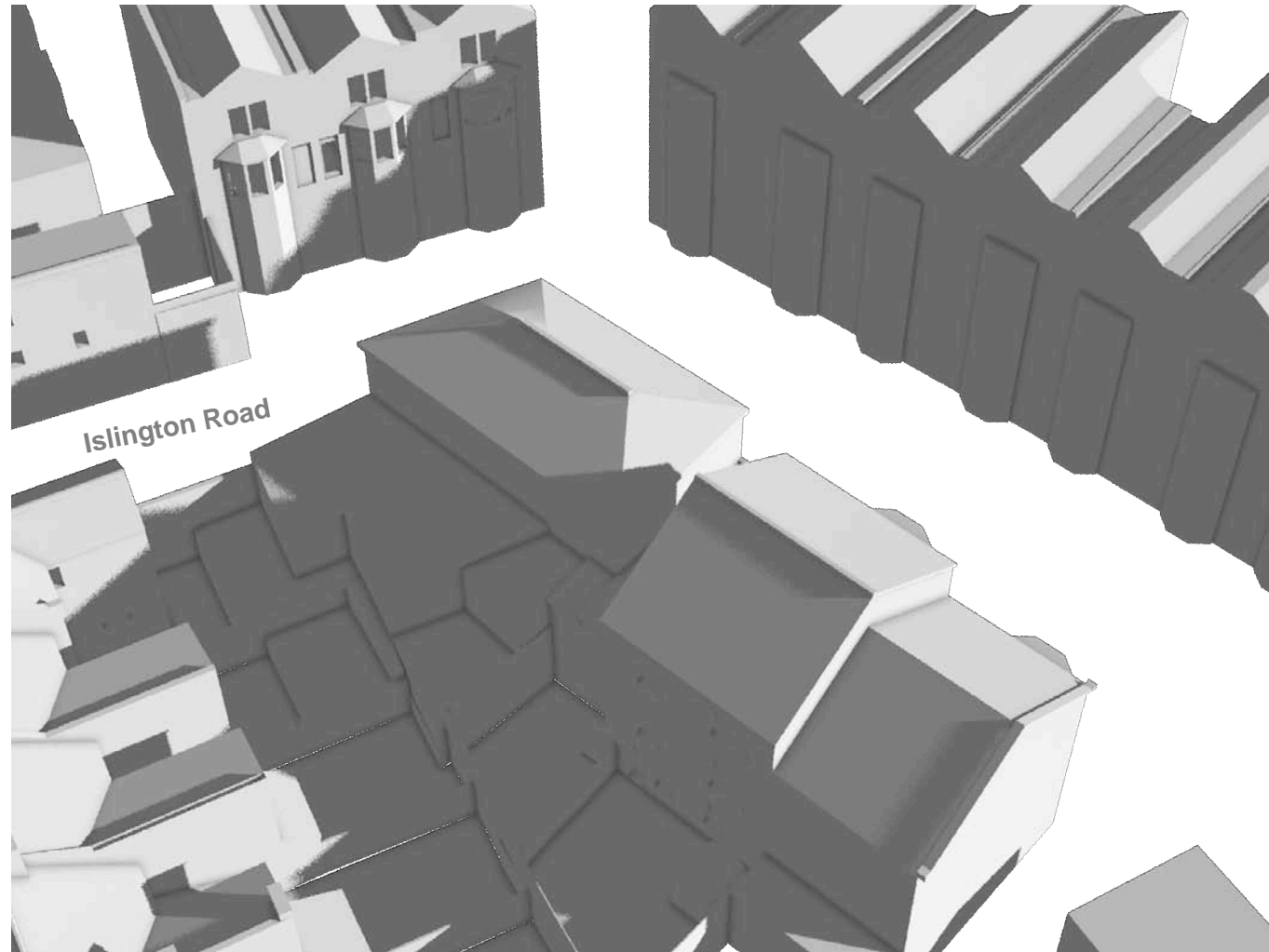
*Proposed - 21st March 12noon*



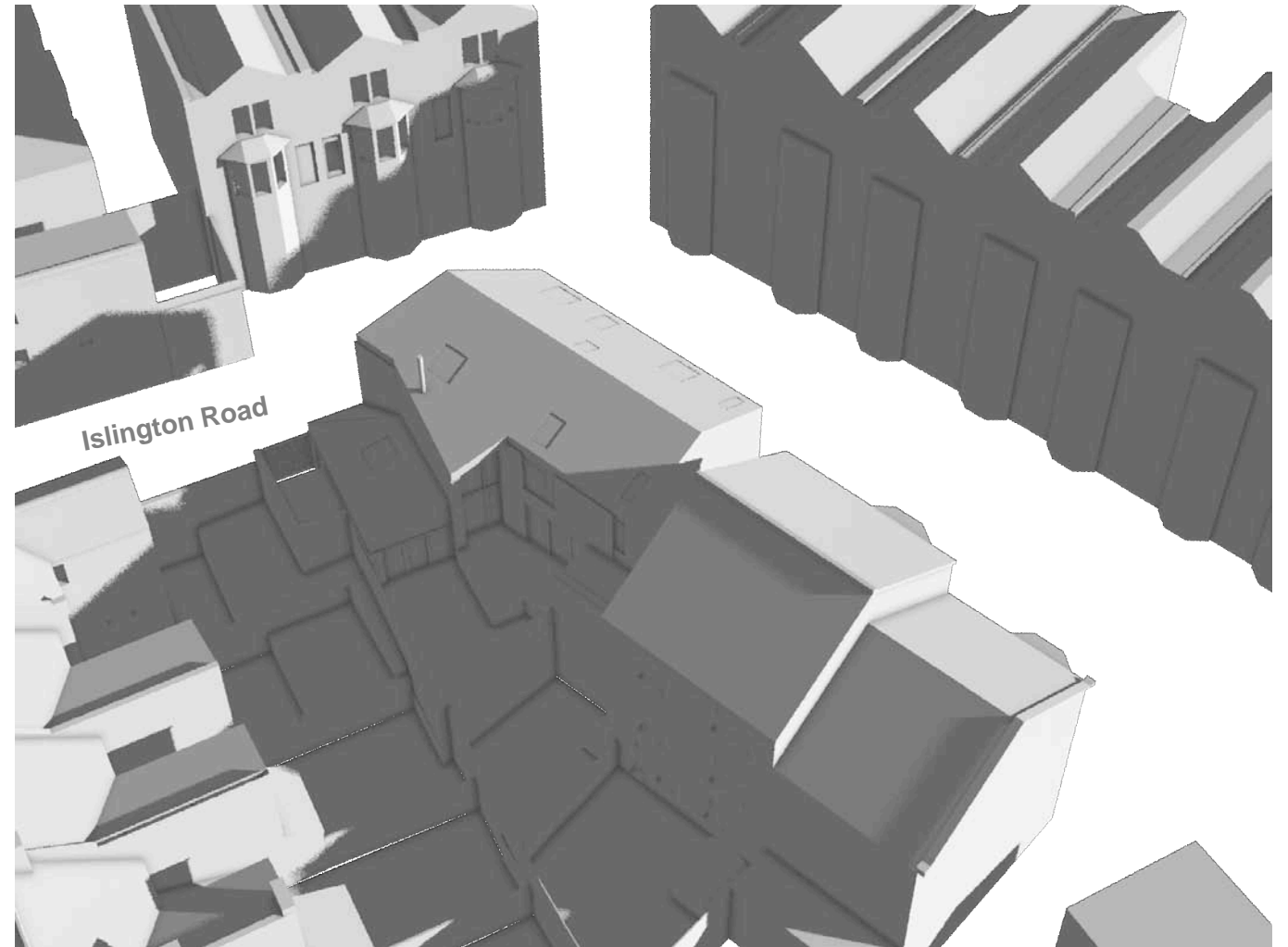
Existing - 21st March 2pm



Proposed - 21st March 2pm



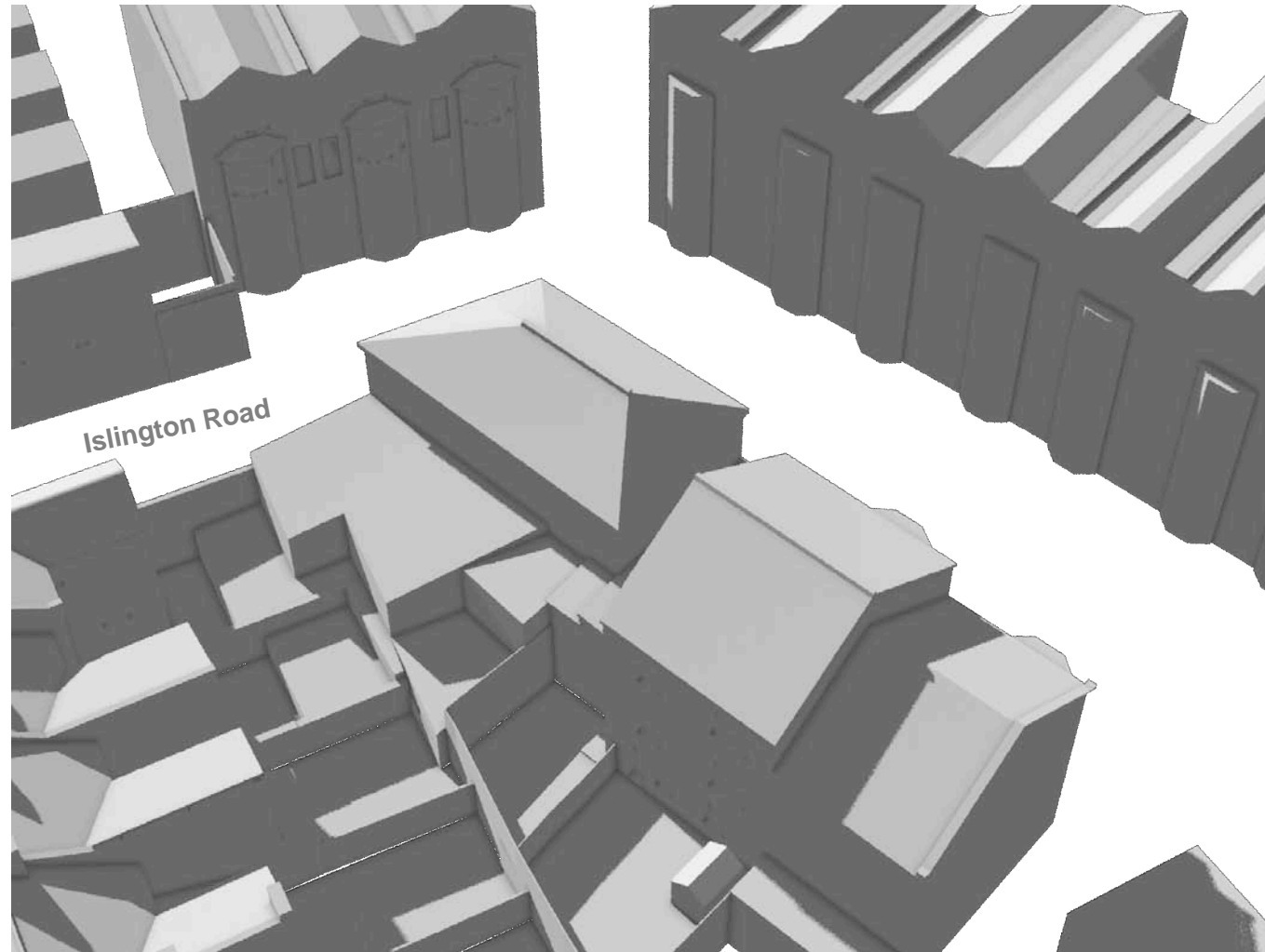
*Existing - 21st March 4pm*



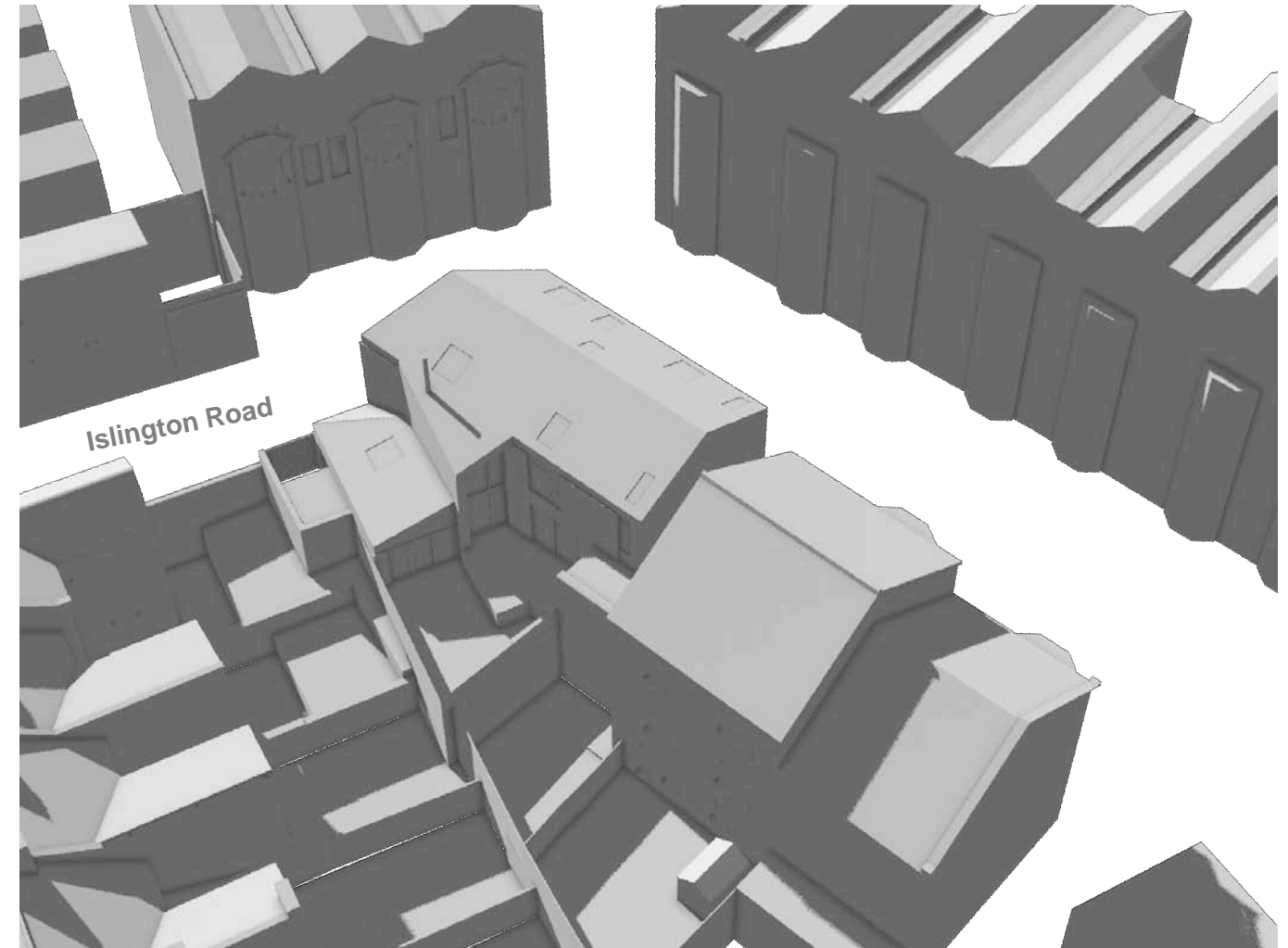
*Proposed - 21st March 4pm*

# 5 Diagrams - 21st June

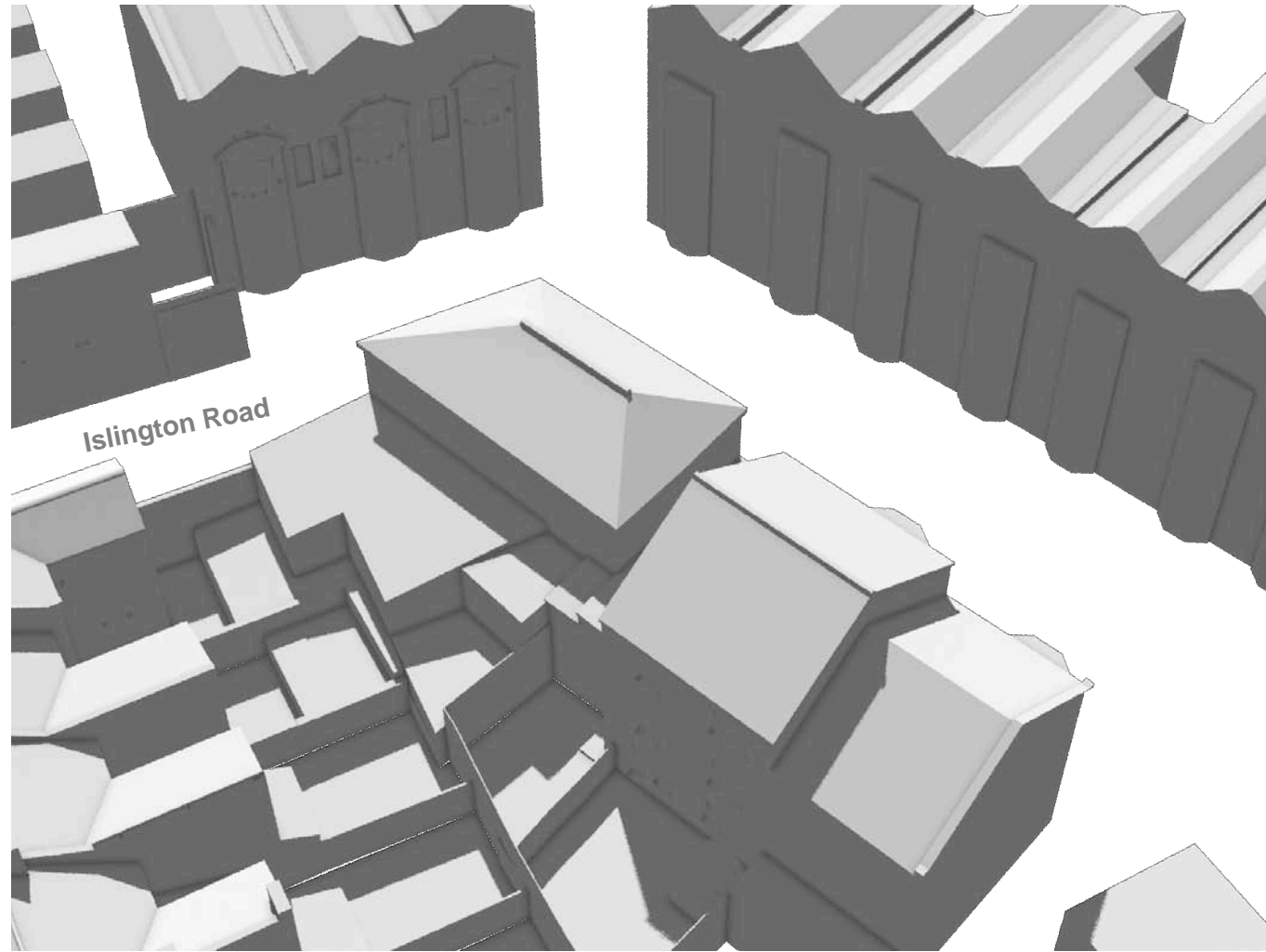
Page 136



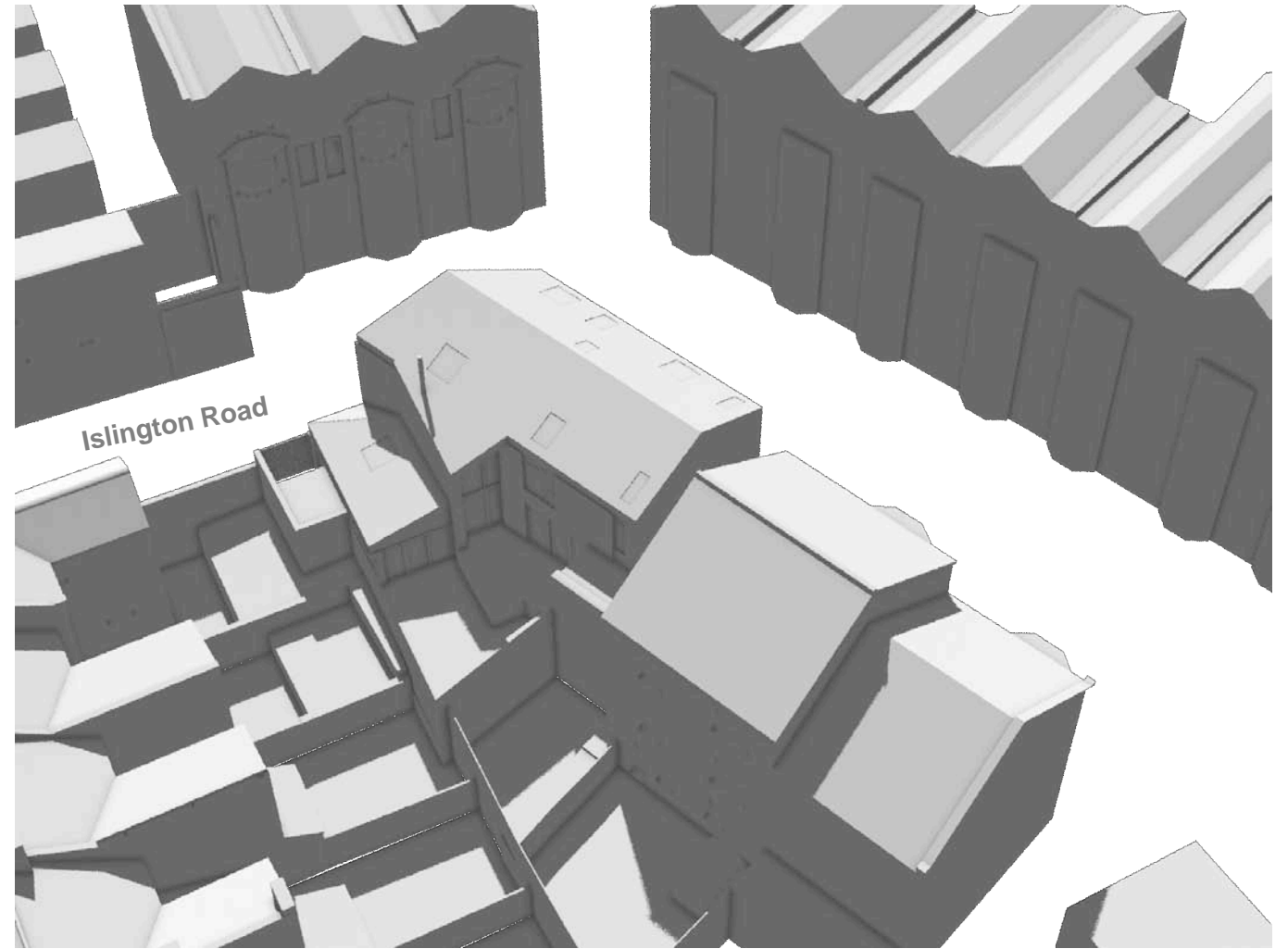
Existing - 21st June 8am



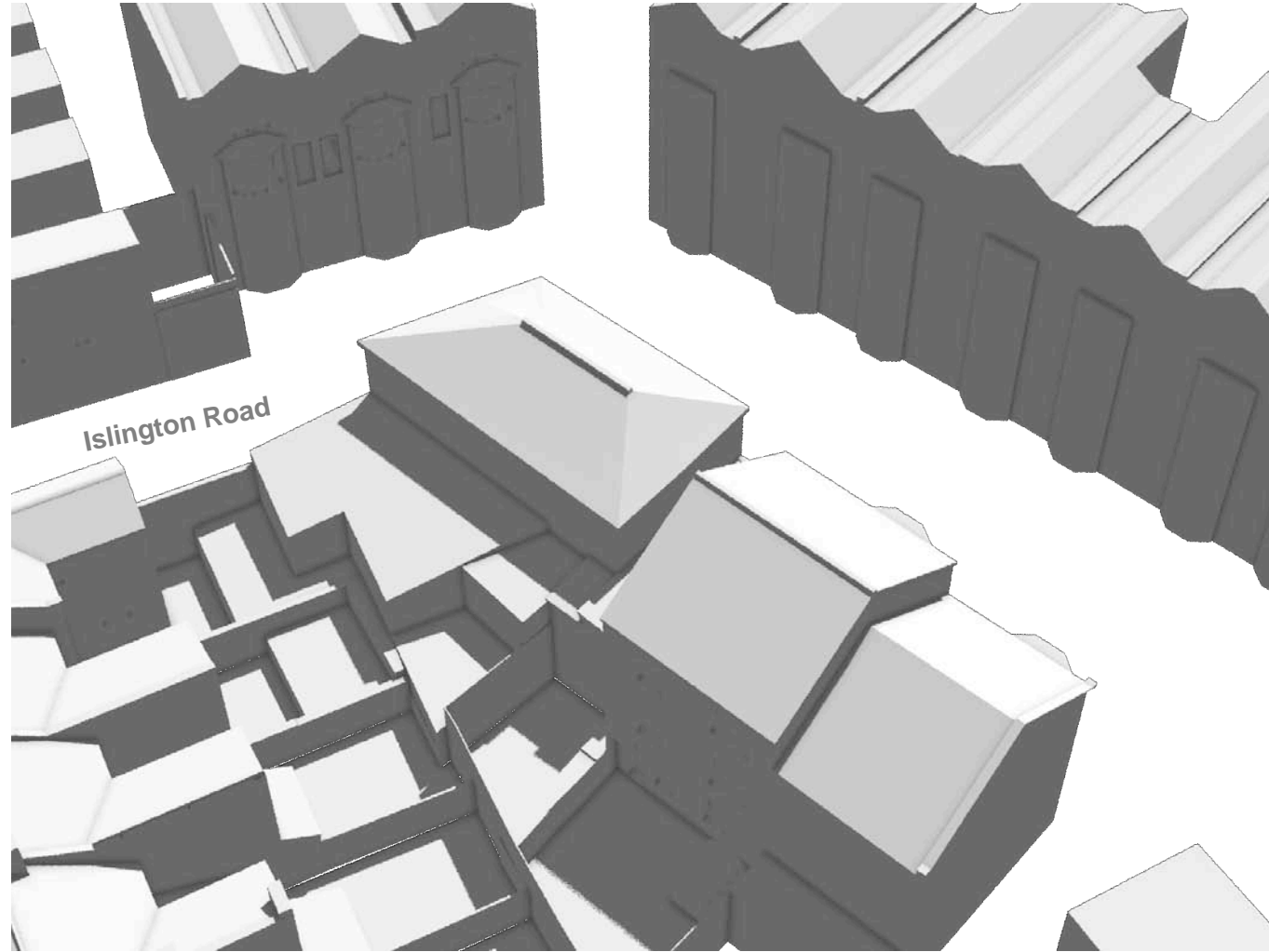
Proposed - 21st June 8am



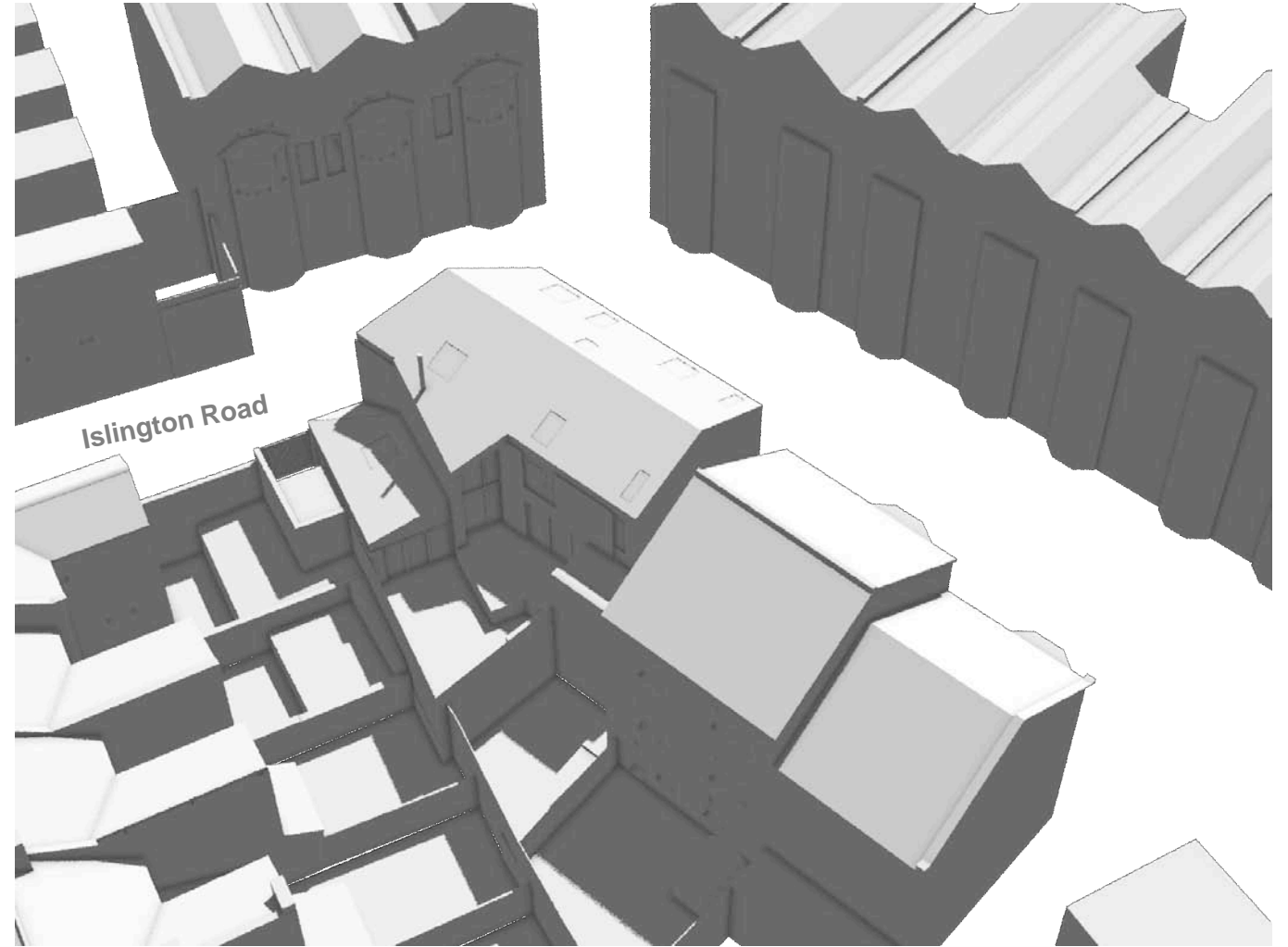
Existing - 21st June 10am



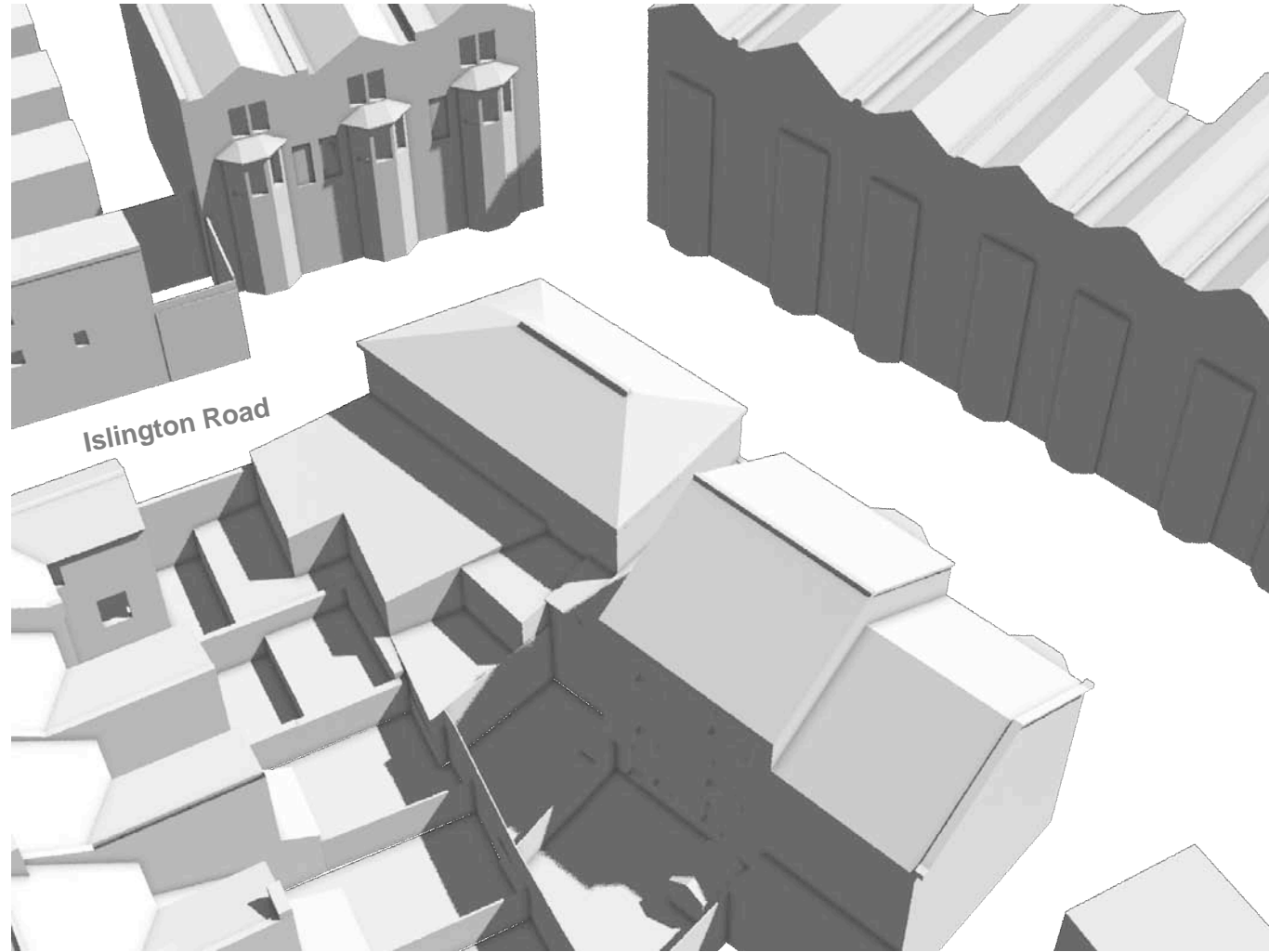
Proposed - 21st June 10am



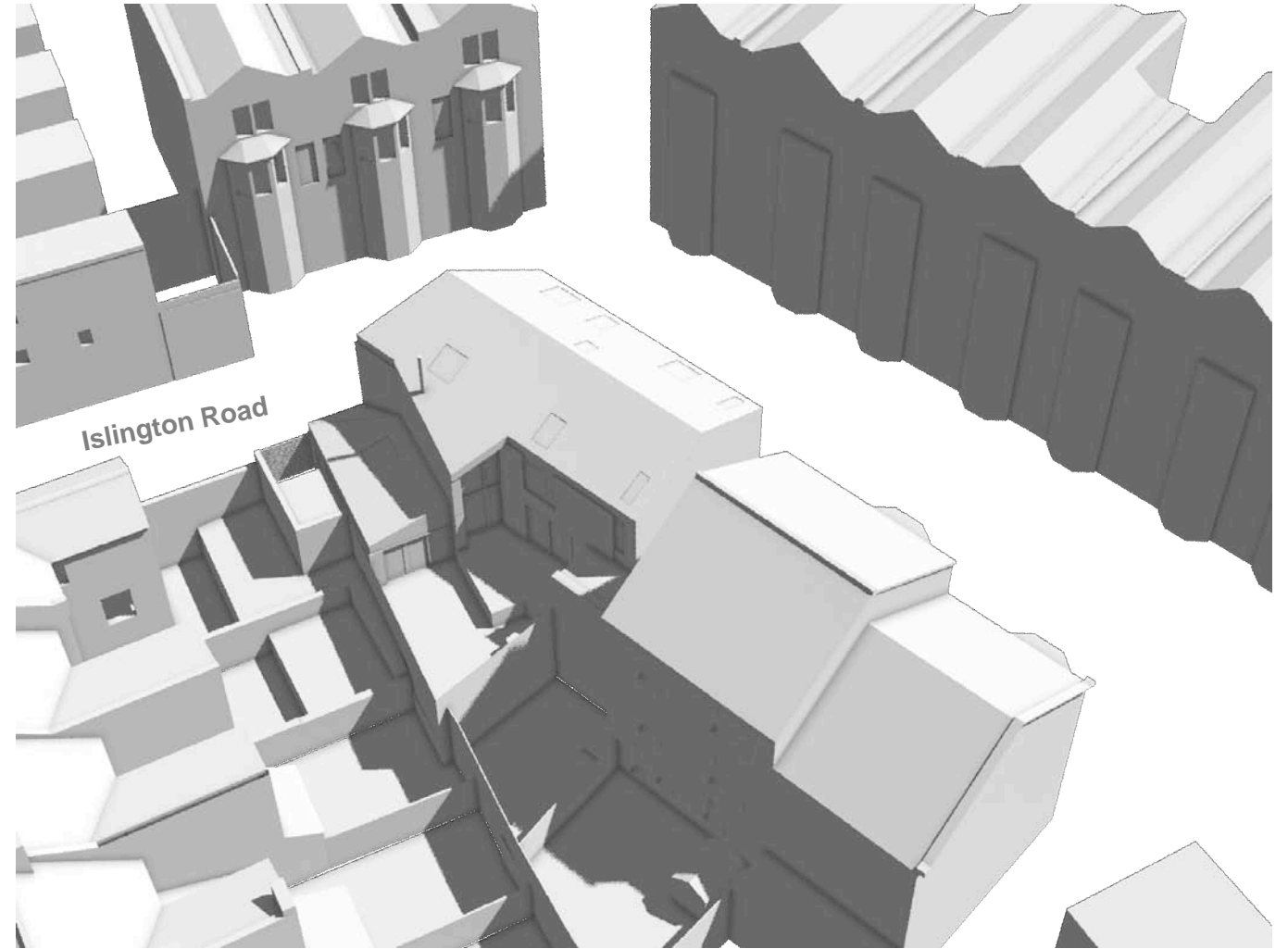
Existing - 21st June 12noon



Proposed - 21st June 12noon

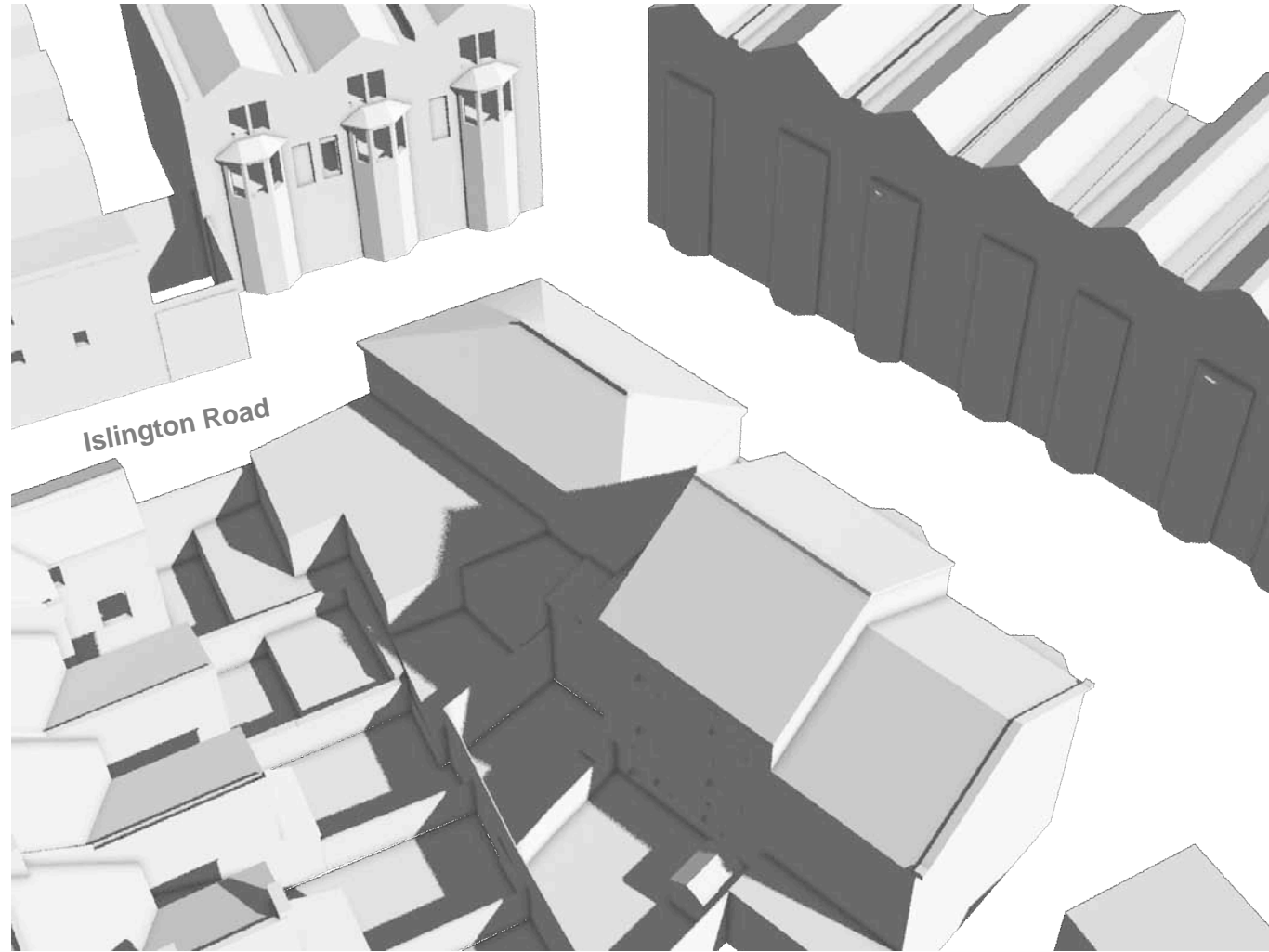


Existing - 21st June 2pm

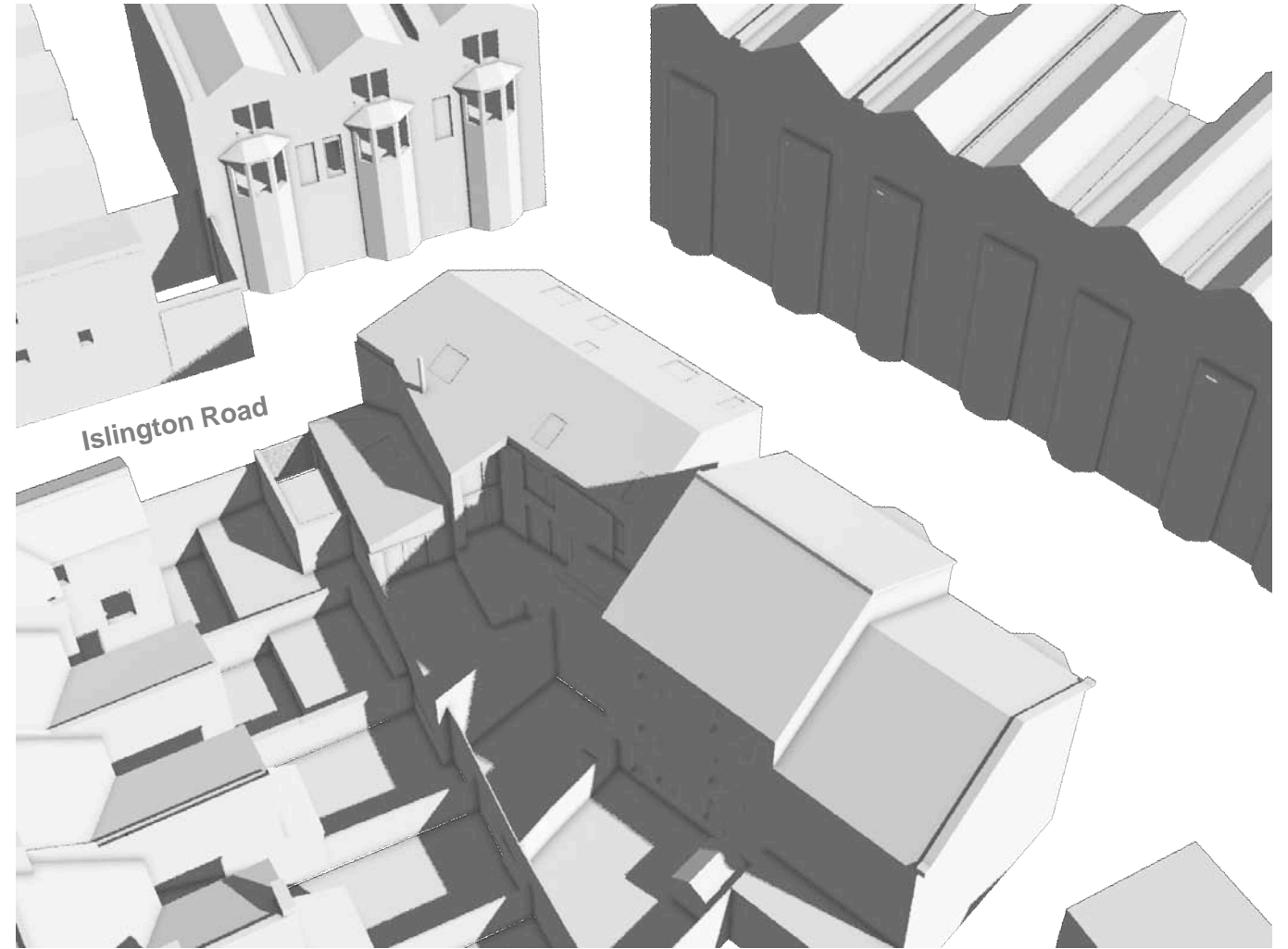


Proposed - 21st June 2pm





Existing - 21st June 4pm



Proposed - 21st June 4pm



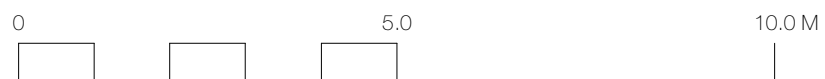
## 6 Conclusions

This Daylight / Sunlight Assessment has reviewed the impact on the existing properties on Allington Road and Islington Road and concludes that there is no adverse impact on the daylight or sunlight received within the buildings.

There will be no significant additional overshadowing to the gardens of the neighbouring houses.



Rev.	Date	Notes	Revised by	Checked by
E	14/6/2016	Notes updated. North point and scale bar added.	JE	
F	3/3/2017	Rooflight added above ambient studio; heated building envelope extended to include ambient studio. Issued to client for approval.	JE	
G	21/3/2017	Doors to terrace revised; notes updated; issued for planning.	JE	
H	18/4/2017	Minor revisions to suit survey information.	JE	
I	9/2/2018	Entrance area reconfigured; first floor wall moved to the east and first floor rooms adjusted to suit; studio repositioned to rear of the site with access via kitchen / dining area.	JE	



Ground Floor Level - FFL +0.075

22A Islington Road  
Southville, Bristol

Proposed Ground Floor Plan

Thomas Beldam & Georgina Bolton  
Check all dimensions on site. If in doubt ask.

Date: 17/12/2015  
Drawn: JE  
Checked: KH

Date: 9/2/2018  
Amended: JE  
Checked: KH

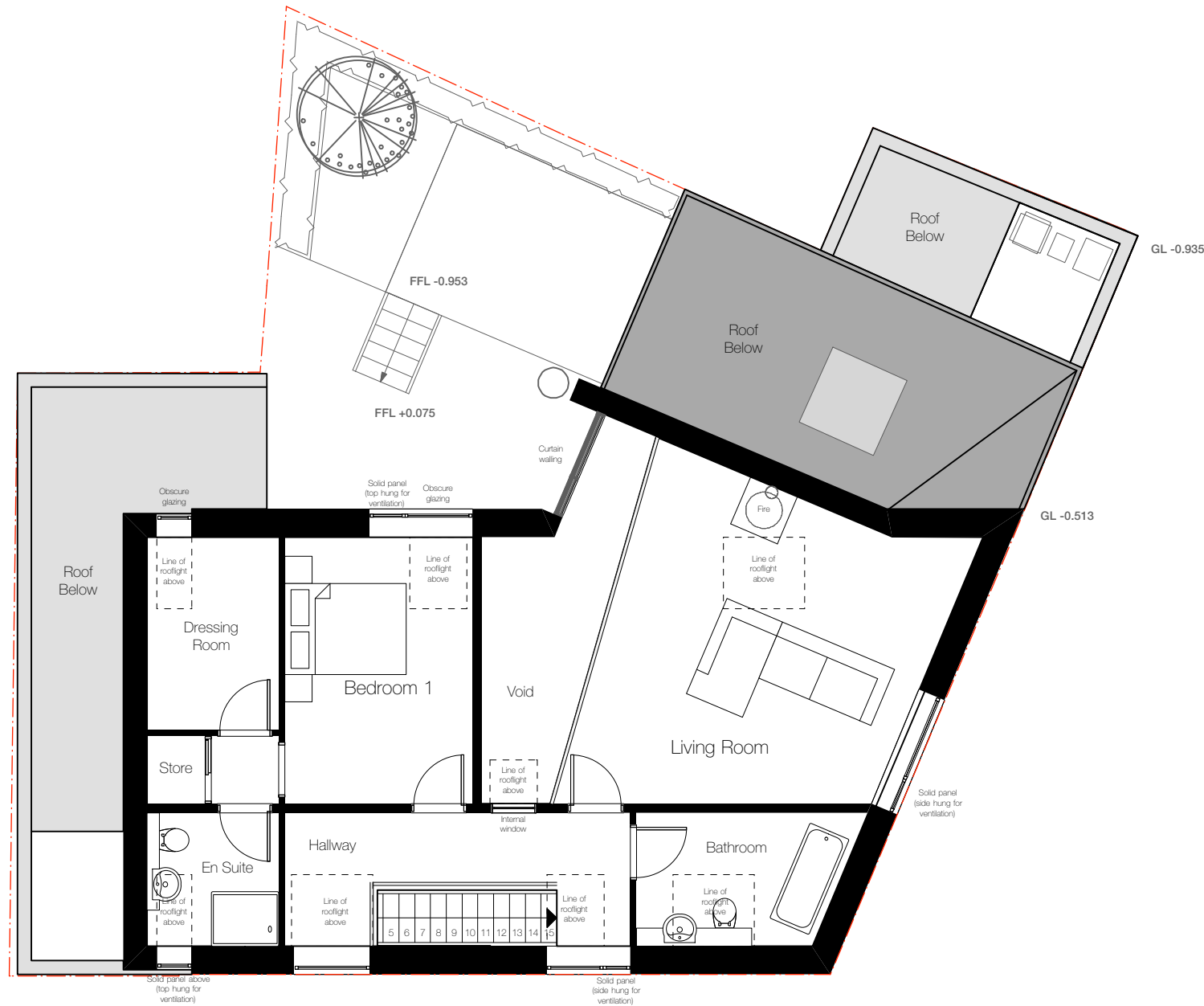
Scale: 1:100 @ A3  
Sta: A3

Drawing No: 6254 3 0101  
Amendment: I

Status + Work Stage: Planning  
Developed Design

www.white-design.com  
Copyright © 2017 White Design Associates. All rights reserved.

Planning



First Floor Level - FFL +3.275

Rev.	Date	Notes	Revised by	Checked by
E	14/6/2016	North point and scale bar added.	JE	
F	3/3/2017	Mezzanine levels and roof pop-ups omitted. Rooflight positions revised. Issued to client for approval.	JE	
G	21/3/2017	Minor changes to rooflight positions; notes added; issued for planning.	JE	
H	18/4/2017	Minor revisions to suit survey information.	JE	
I	9/2/2018	Entrance area reconfigured; first floor wall moved to the east and first floor rooms adjusted to suit; studio repositioned to rear of the site with access via kitchen / dining area.	JE	

Planning

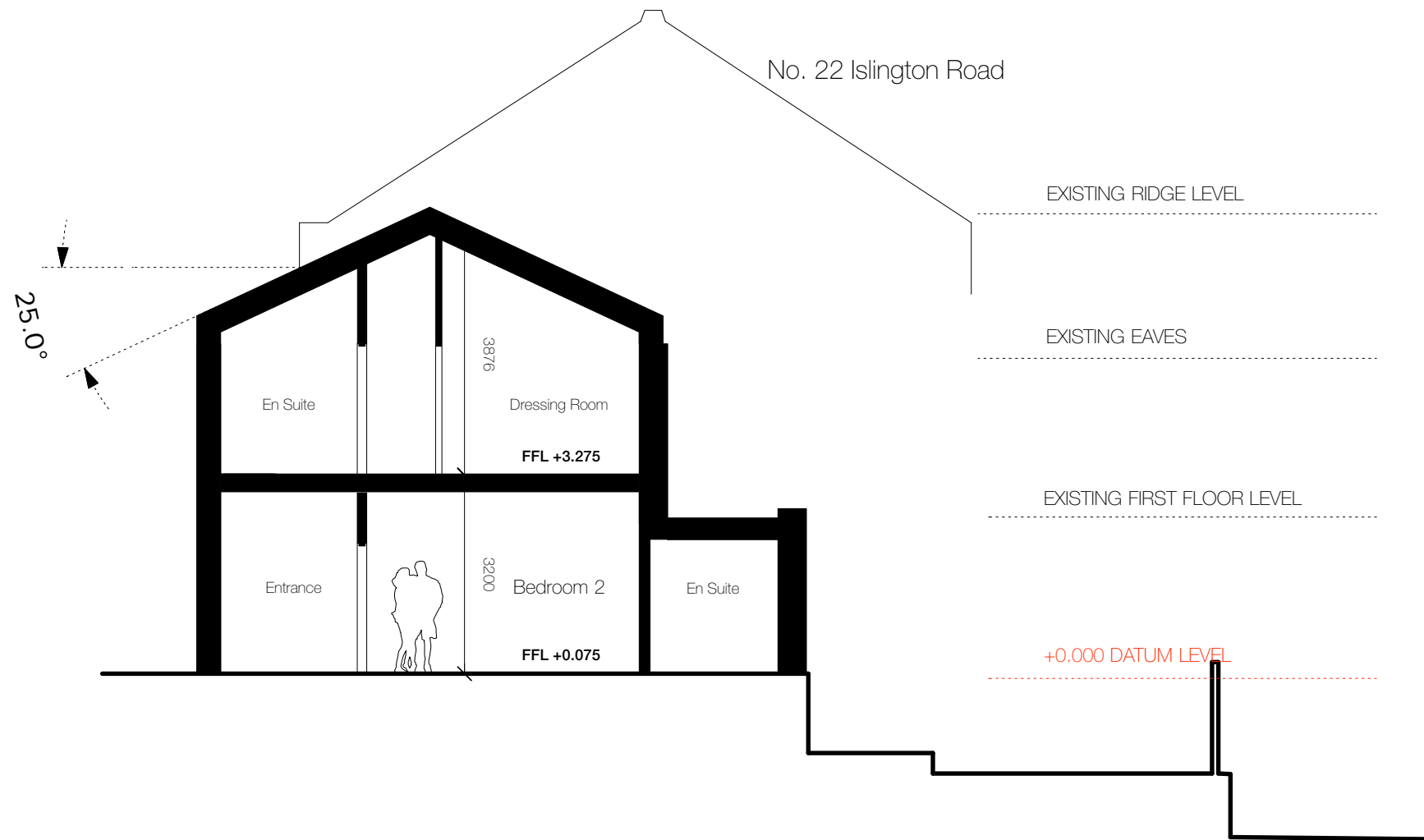
22A Islington Road  
Southville, Bristol

Proposed First Floor Plan

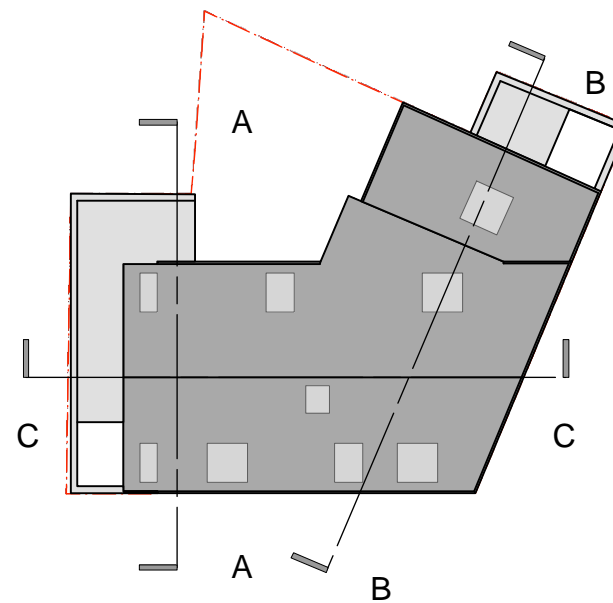
Thomas Beldam & Georgina Bolton  
Check all dimensions on site. If in doubt ask.

Date	Drawn	Checked	Drawing No	Amendment
18/12/2015	JE	KH	6254 3 0102	I
Date	Amended	Checked	Status + Work Stage	
9/2/2018	JE		Planning	
Scale	Sta	Scale @ A3	Developed Design	
1:100 @ A3	A3			

1 0119 664 7333  
www.white-design.com  
Hamilton House, 80 Stokes Croft, Bristol BS1 3QY  
Copyright © 2017 White Design Associates. All rights reserved.



Section A-A - Section through entrance and bedroom



Key Plan - 1:500 @ A3

Rev.	Date	Notes	Revised by	Checked by
D	14/6/2016	Scale bar added.	JE	
E	3/3/2017	Mezzanine and roof pop-up omitted; roof lowered; rooflights revised. Issued to client for approval.	JE	
F	21/3/2017	Issued for planning.	JE	
G	18/4/2017	Minor revisions to suit survey information.	JE	
H	9/2/2018	Entrance area reconfigured; first floor wall moved to the east and first floor rooms adjusted to suit; studio repositioned to rear of the site with access via kitchen / dining area.	JE	

Planning

22A Islington Road  
Southville, Bristol

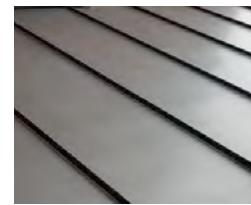
Proposed Sections

Thomas Beldam & Georgina Bolton  
Check all dimensions on site. If in doubt ask.

Date	Drawn	Checked	Drawing No	Amendment
29/9/2015	JE	KH	6254 3 0201	H
9/2/2018	JE			

Status + Work Stage  
Planning  
Developed Design

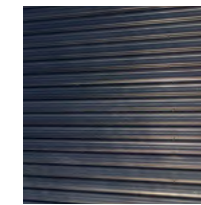
www.white-design.com  
Copyright © 2017 White Design Associates. All rights reserved.



Standing seam metal roofing / cladding



Red brick cladding to closely match existing



Metal panel finish to roller shutter door

Grey PPC aluminium window / door / rooflight frames / panels

Grey single ply roof to stores



No 37 Allington Road

+4.940 Ridge

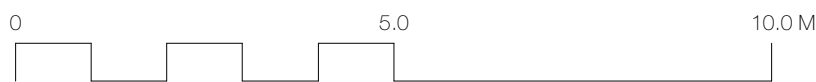
+3.076 Eaves

Dotted line indicates house behind

+0.586 Brick wall

+0.000 DATUM LEVEL

Rev.	Date	Notes	Revised by	Checked by
D	3/3/2017	Roof pop-ups omitted; roof height revised; material of stores revised to timber. Issued to client for approval.	JE	
E	21/3/2017	Minor revisions to windows; notes updated; issued for planning.	JE	
F	18/4/2017	Minor revisions to suit survey information.	JE	
G	17/11/2017	Material change to stores, doors and fence to garden.	JE	
H	9/2/2018	Entrance area reconfigured; first floor wall moved to the east and first floor rooms adjusted to suit; studio repositioned to rear of the site with access via kitchen / dining area.	JE	



East Elevation - Red brick walls with standing seam cladding / roof

Planning

22A Islington Road  
Southville, Bristol

Proposed Elevations  
East Elevation

Thomas Beldam & Georgina Bolton  
Check all dimensions on site. If in doubt ask.

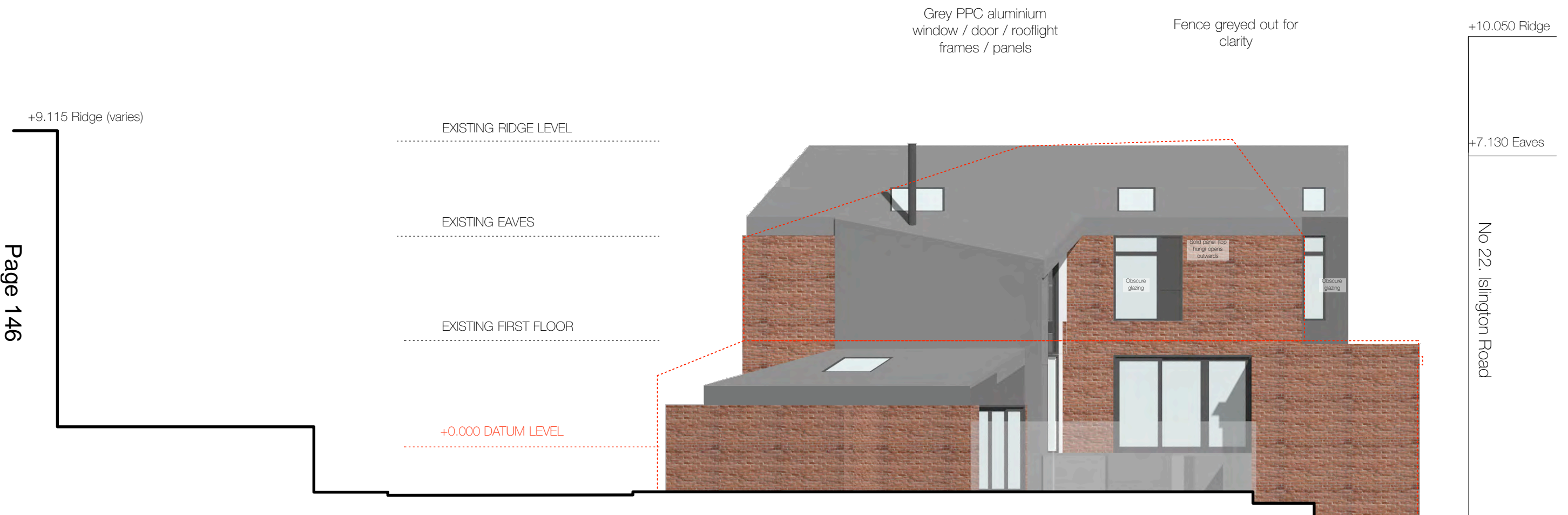
Date	Drawn	Checked	Drawing No	Amendment
8/3/2016	JE	JE	6254 3 0301	H
Date	Amended	Checked	Status + Work Stage	
9/2/2018	JE	JE	Planning	
Scale	Sta	Scale @ A3	Developed Design	
1:100 @ A3	A3			

www.white-design.com  
Hamilton House, 80 Stokes Croft Bristol BS1 3QY  
Copyright © 2017 White Design Associates. All rights reserved.





Standing seam metal roofing / cladding



North Elevation - Red brick walls with standing seam cladding / roof

Rev.	Date	Notes	Revised by	Checked by
B	3/3/2017	Roof pop-ups omitted; roof lowered; render cladding replaced with standing seam. Issued to client for approval.	JE	
C	21/3/2017	Minor changes to windows; notes updated; issued for planning.	JE	
D	18/4/2017	Minor revisions to suit survey information.	JE	
E	17/11/2017	Notes updated.	JE	
F	9/2/2018	Entrance area reconfigured; first floor wall moved to the east and first floor rooms adjusted to suit; studio repositioned to rear of the site with access via kitchen / dining area.	JE	

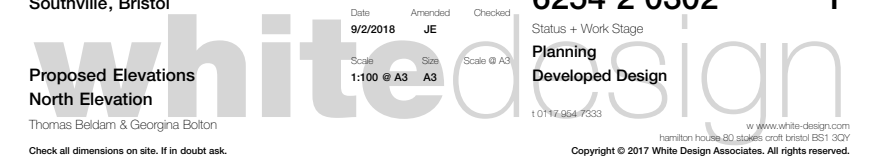
Planning

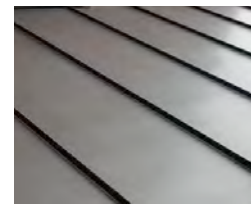
22A Islington Road  
Southville, Bristol

Proposed Elevations  
North Elevation

Thomas Beldam & Georgina Bolton  
Check all dimensions on site. If in doubt ask.

Date	Drawn	Checked	Drawing No	Amendment
29/9/2015	JE	KH	6254 2 0302	F
Date	Amended	Checked	Status + Work Stage	
9/2/2018	JE		Planning	
Scale	Sta	Scale @ A3	Developed Design	
1:100 @ A3	A3			





Standing seam metal roofing / cladding



Red brick cladding to closely match existing



Rev.	Date	Notes	Revised by	Checked by
A	15/6/2016	Scale bar added. Notes updated.	JE	
B	3/3/2017	Roof pop-ups omitted; roof lowered; notes updated. Issued to client for approval.	JE	
C	21/3/2017	Minor amendments to windows; notes updated; issued for planning.	JE	
D	18/4/2017	Minor revisions to suit survey information.	JE	
E	9/2/2018	Entrance area reconfigured; first floor wall moved to the east and first floor rooms adjusted to suit; studio repositioned to rear of the site with access via kitchen / dining area.	JE	

South Elevation - Red brick walls with standing seam cladding / roof

Planning

22A Islington Road  
Southville, Bristol

Proposed Elevations  
South Elevation

Thomas Beldam & Georgina Bolton  
Check all dimensions on site. If in doubt ask.

Date	Drawn	Checked	Drawing No	Amendment
13/6/2016	YH	JE	6254 3 0303	E
Date	Amended	Checked	Status + Work Stage	
9/2/2018	JE		Planning	
Scale	Size	Scale @ A3	Developed Design	
1:100 @ A3	A3			

1 0117 664 7333  
www.white-design.com  
Hamilton House, 80 Stokes Croft, Bristol BS1 3QY  
Copyright © 2017 White Design Associates. All rights reserved.



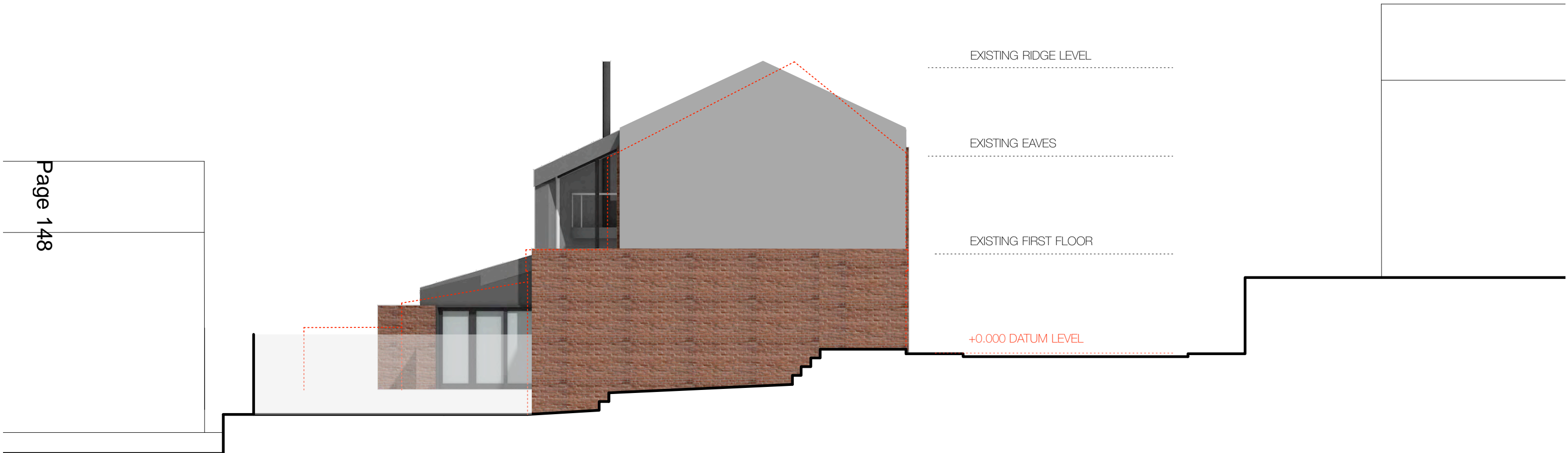
Standing seam metal roofing / cladding



Red brick cladding to closely match existing

Fence greyed out for clarity

Grey PPC aluminium window / door / rooflight frames / panels



Rev.	Date	Notes	Revised by	Checked by
B	3/3/2017	Roof pop-ups omitted; roof lowered; materials revised. Issued to client for approval.	JE	
C	21/3/2017	Minor revision to window; notes added; issued for planning.	JE	
D	18/4/2017	Minor revisions to suit survey information.	JE	
E	9/2/2018	Entrance area reconfigured; first floor wall moved to the east and first floor rooms adjusted to suit; studio repositioned to rear of the site with access via kitchen / dining area.	JE	
F	20/2/2018	Depth of elevation extended to show area at rear of proposed dwelling.	JE	

**West Elevation** - Red brick walls with standing seam cladding / roof

Planning

22A Islington Road  
Southville, Bristol

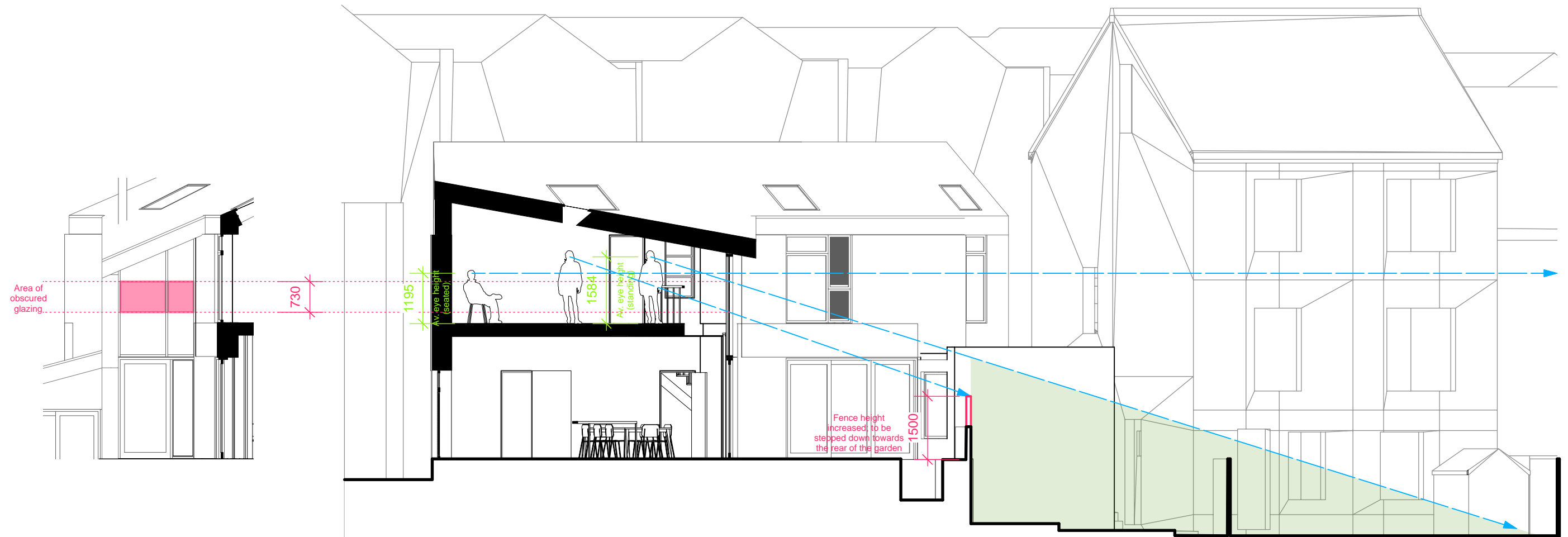
Proposed Elevations  
West Elevation

Thomas Beldam & Georgina Bolton  
Check all dimensions on site. If in doubt ask.

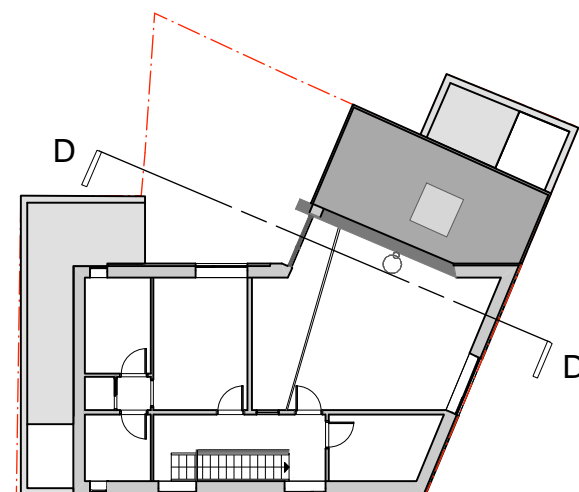
Date 13/6/2016	Drawn YH	Checked JE	Drawing No <b>6254 2 0304</b>	Amendment <b>F</b>
Date 20/2/2018	Amended JE	Checked	Status + Work Stage <b>Planning</b>	
Scale 1:100 @ A3	Size A3	Scale @ A3	<b>Developed Design</b>	

www.white-design.com  
1 0117 964 7333  
hamilton house 80 storks craft Bristol BS1 3QY  
Copyright © 2017 White Design Associates. All rights reserved.





Type of obscured glazing proposed to curtain walling at rear



Section D-D - Curtain walling showing obscured glazing

Planning

22A Islington Road  
Southville, Bristol

Date	Drawn	Checked	Drawing No	Amendment
14/3/2018	JE		6254 3 0204	
Date	Amended	Checked	Status + Work Stage	
			Planning	
			Developed Design	

Scale: 1:100 @ A3

Thomas Beldam & Georgina Bolton  
www.white-design.com  
Copyright © 2017 White Design Associates. All rights reserved.

Proposed Sections  
Section D-D

Check all dimensions on site. If in doubt ask.

**Development Control Committee B – 25 April 2018**

**ITEM NO. 4**

**WARD:** Clifton **CONTACT OFFICER:** Thomas Wilkinson

**SITE ADDRESS:** Ground Floor Flat 19 Royal York Crescent Bristol BS8 4JY

**APPLICATION NOS:** 1.18/00472/F Full Planning  
2.18/00473/LA Listed Building Consent (Alter/Extend)

**DETERMINATION DEADLINE:** 2 May 2018

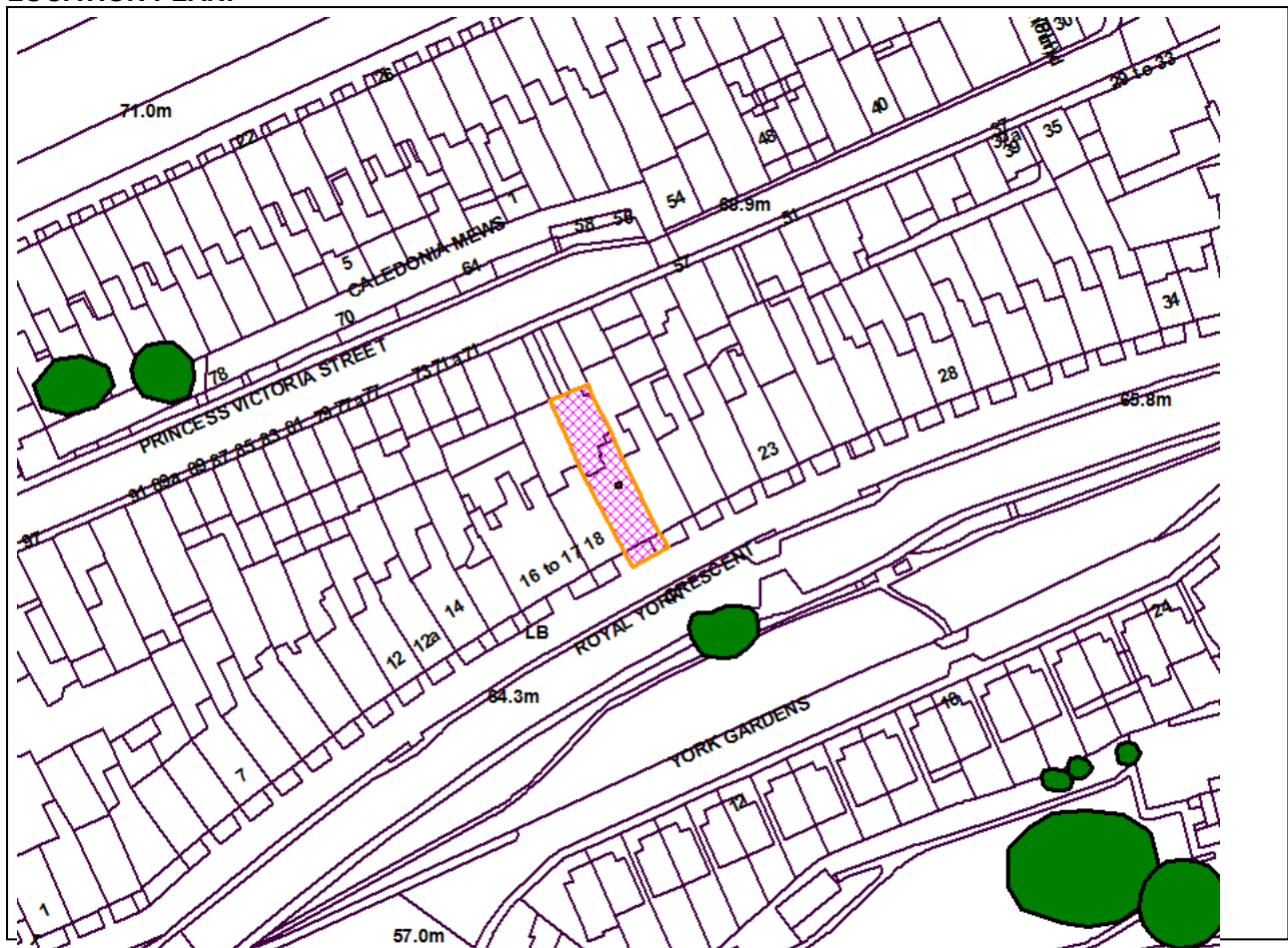
1. Proposed French Doors to rear of property, with access to garden.
2. Proposed French Doors to rear of the property and cavity wall insulation.

**RECOMMENDATION:** Grant subject to Condition(s)

**APPLICANT:** Mrs Paula O'Rourke  
19 Royal York Crescent  
Bristol  
BS8 4JY

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

**LOCATION PLAN:**



**Development Control Committee B – 25 April 2018**

**Application No. 18/00472/F and 18/00473/LA: Ground Floor Flat 19 Royal York Crescent Bristol BS8 4JY**

**BACKGROUND AND SUMMARY**

These applications are brought to committee as is required due to the applicant being a Ward Member.

These applications for Planning Permission and Listed Building Consent are for the proposed installation of French doors to the rear of property as well as cavity wall insulation to the existing, modern rear extension. The property is Grade II\* listed and located within the Clifton and Hotwells Conservation Area.

Following previous concerns regarding proposals at the property (see planning history below); the applicant has revised the proposals so that significantly less work is now proposed to the listed building. Following this amendment, it is considered that the development would preserve the special historic and architectural interest of the Grade II\* listed building and would cause no harm to the character and appearance of the Clifton and Hotwells Conservation Area.

Approval is therefore recommended, subject to conditions.

**SITE DESCRIPTION**

The applications concern the Garden Flat of No.19 Royal York Crescent, which is a Grade II\* listed property located within the Clifton and Hotwells Conservation Area set over three levels with a garden to the rear of the property and a small courtyard to the front.

**RELEVANT HISTORY**

16/00477/F and 16/00478/LA: Addition to the existing single storey extension; external wall insulation and associated works to existing eaves, sill and windows reveals, and installation of double glazed lights and doors; and associated internal structural and refurbishment works. REFUSED on 31.03.2016. APPEAL DISMISSED on 01.03.2017.

86/00819/F and 86/00820/L: Improvements to ground, first and second floor flats. Rebuilding rear extension. GRANTED on 18.06.1986

**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.

**Development Control Committee B – 25 April 2018**

**Application No. 18/00472/F and 18/00473/LA: Ground Floor Flat 19 Royal York Crescent Bristol BS8 4JY**

APPLICATION

Consent is sought for the installation of French doors to the rear of property, with access to the garden. Consent is also sought for cavity wall insulation to the existing rear extension.

A listed building consent application has also been submitted for determination, reference 18/00473/LA.

RESPONSE TO PUBLICITY AND CONSULTATION

Application advertised in press and via site notice, expiry date 21.03.2018. Neighbours were consulted via individual letters sent on 19.02.2018.

No comments/representations received.

OTHER COMMENTS

**Conservation Section** has commented as follows:-

'I have no objections to the proposed development. The proposed rear double doors would result in the loss of a small amount of non-original fabric, as the extension was constructed in 1986. The overall design and appearance of the doors will appear high quality and in keeping with the rear elevation of the building. I further have no concerns over the proposed cavity wall insulation, which is only proposed to the rear extension which, as already noted, is a modern addition. I therefore have no objections to the proposal, subject to conditions requiring further large scale detail of glazing elements of the doors.'

**Historic England** has commented as follows:-

'On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser.'

RELEVANT POLICIES

Clifton & Hotwells Conservation Area Character Appraisal  
Planning (Listed Buildings & Conservation Areas) Act 1990  
National Planning Policy Framework – March 2012  
Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site 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.

**Development Control Committee B – 25 April 2018****Application No. 18/00472/F and 18/00473/LA: Ground Floor Flat 19 Royal York Crescent Bristol BS8 4JY**

## KEY ISSUES

- (A) WOULD THE PROPOSED DEVELOPMENT BE ACCEPTABLE IN DESIGN TERMS AND WOULD IT PRESERVE THE SETTING AND FEATURES OF SPECIAL ARCHITECTURAL AND HISTORIC INTEREST OF THE GRADE II\* LISTED BUILDING OR CAUSE HARM TO THIS PART OF THE CLIFTON AND HOTWELLS CONSERVATION AREA?

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

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

In addition, Bristol Core Strategy (Adopted 2011) Policy BCS22 seeks to ensure that development proposals safeguard or enhance heritage assets in the city with Policies DM30 and DM31 in the Site Allocations and Development Management Policies (Adopted 2014) expressing that alterations to buildings should preserve or enhance historic settings. Policy BCS21 also requires new development in Bristol to deliver high quality urban design and sets out criteria to measure developments against including the need for development to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness.

The host property is Grade II\* listed and is located within the Clifton and Hotwells Conservation Area. As part of the standout architectural history of Bristol, Royal York Crescent is afforded special consideration throughout the Clifton and Hotwells Conservation Area Character Appraisal. Any development must subsequently be given careful consideration and must cause no harm to the architectural or historic significance of the host property or the wider terrace and conservation area.

Previous applications at the site for planning permission and listed building consent (reference: 16/00477/F and 16/00478/LA) sought to undertake a number of works to the property in the form of:

- The proposed enlargement of an existing single storey element
- Fabric performance upgrades to the existing extension including external wall insulation, new double glazed lights and door, and the associated works to the existing eaves, windows sills and reveals

**Development Control Committee B – 25 April 2018****Application No. 18/00472/F and 18/00473/LA: Ground Floor Flat 19 Royal York Crescent Bristol BS8 4JY**

- A new roof lantern within the existing flat roof to the upper level

These works, following consideration, were considered unacceptable, as it was concluded they would compromise the special aesthetic and architectural value of the designated heritage assets (the host Grade II\* listed building and wider Grade II\* listed terrace) and the character and appearance of this part of the Clifton and Hotwells Conservation Area. These previous applications were therefore refused by the Local Planning Authority under delegated powers. Following this decision the applicant lodged an appeal to the Planning Inspectorate, which was subsequently dismissed. The Inspector concluded that 'the proposals would fail to preserve the special architectural and historic interest of the listed building. They would also fail to preserve and therefore would not enhance the character of the conservation area.'

Following these decisions the applicant has amended the previous proposal, so that consent is now only sought for the installation of French doors to the rear of property, with access to the garden via an existing rear extension. Consent is also sought for cavity wall insulation to the existing rear extension.

Following consultation, the Council's Conservation Officer confirmed that the proposed works are acceptable. The proposed rear double doors would result in the loss of a small amount of fabric however this is not original or historic, being part of a modern extension constructed in 1986. The overall design and appearance of the doors will further appear high quality and in keeping with the rear elevation of the building and wider terrace. Further, in relation to the proposed cavity wall insulation this is also only proposed to the rear extension, which as noted above is a more modern addition. It is considered that the works will therefore preserve the overall historic interest of the listed building and conservation area. The application is subsequently recommended for approval on this basis, subject to conditions.

**(B) WOULD THE PROPOSAL HARM THE RESIDENTIAL AMENITY OF ADJOINING OCCUPIERS?**

Policy BCS21 in the Bristol Core Strategy (Adopted 2011) advocates that new development should deliver high quality urban design and safeguard the amenity of existing development. Policy DM30 in the Site Allocations and Development Management Policies (Adopted 2014) also expresses that alterations to buildings should safeguard the amenity of the host premises and neighbouring occupiers.

Care should therefore be taken to ensure that any alteration does not result in a significant loss of sunlight, daylight or overshadowing to the property or its neighbours. Furthermore, development should not be overbearing, or result in unacceptable overlooking or loss of privacy.

It is not considered that the new French doors would be located in a position which would result in any harmful overlooking of surrounding properties. The application is subsequently considered acceptable on this basis.

## CONCLUSION

The application is considered acceptable with regards to the impact on the listed building, conservation area and surrounding residential amenity. Approval, subject to conditions, is therefore recommended.

**Development Control Committee B – 25 April 2018**

**Application No. 18/00472/F and 18/00473/LA: Ground Floor Flat 19 Royal York Crescent Bristol BS8 4JY**

**APPLICATION (A) 18/00472/F:**

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

**Time limit for commencement of development**

1. Full Planning Permission

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

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

**Pre commencement condition(s)**

2. Prior to the commencement of relevant works drawings to a minimum 1:5 scale (also indicating materials, treatments, and finishes) of the following items shall be submitted to and approved in writing by the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority:

(a) Proposed French doors (showing sectional profile)

The detail thereby approved shall be carried out in accordance with that approval.

Reason: To ensure that the external appearance of the listed building is satisfactory and that the character and appearance of this part of the Clifton and Hotwells Conservation Area would not be harmed.

**Pre occupation condition(s)**

3. New works to match - Listed Building

All new external and internal works and finishes, and any works of making good, shall match the existing original fabric in respect of using materials of a matching form, composition and consistency, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved.

Reason: In order that the special architectural and historic interest of this Listed Building is safeguarded.

**List of approved plans**

4. 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.

PL06 Proposed French doors, received 21 March 2018

EX01 A Existing site location plan & photographs, received 7 February 2018

PL03 F Proposed floor plan, received 28 March 2018

PL01 A Existing floor plans, received 7 February 2018

PL02 A Existing elevations, received 7 February 2018

**Development Control Committee B – 25 April 2018**

**Application No. 18/00472/F and 18/00473/LA: Ground Floor Flat 19 Royal York Crescent Bristol BS8 4JY**

Proposed elevations, received 28 March 2018

Reason: For the avoidance of doubt.

**APPLICATION (B) 18/00473/LA:**

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

**Time limit for commencement of development**

1. Listed Building Consent or Conservation Area Consent

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

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

**Pre commencement condition(s)**

2. Prior to the commencement of relevant works drawings to a minimum 1:5 scale (also indicating materials, treatments, and finishes) of the following items shall be submitted to and approved in writing by the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority:

(a) Proposed French doors (showing sectional profile)

The detail thereby approved shall be carried out in accordance with that approval.

Reason: To ensure that the external appearance of the listed building is satisfactory and that the character and appearance of this part of the Clifton and Hotwells Conservation Area would not be harmed.

**Pre occupation condition(s)**

3. New works to match - Listed Building

All new external and internal works and finishes, and any works of making good, shall match the existing original fabric in respect of using materials of a matching form, composition and consistency, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved.

Reason: In order that the special architectural and historic interest of this Listed Building is safeguarded.

4. Internal features

All existing internal decoration features, including plaster work, ironwork, fireplaces, doors, windows, staircases, staircase balustrade and other woodwork, shall remain undisturbed in their existing position, and shall be fully protected during the course of works on site unless expressly specified in the approved drawings.

Reason: In order that the special architectural and historic interest of this Listed Building



**Development Control Committee B – 25 April 2018**

**Application No. 18/00472/F and 18/00473/LA: Ground Floor Flat 19 Royal York Crescent Bristol BS8 4JY**

is safeguarded.

5. Partitions - Listed Building

All new partitions shall be scribed around the existing ornamental plaster mouldings.

Reason: To ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving its special architectural or historic interest.

**List of approved plans**

6. 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.

PL06 Proposed French doors, received 21 March 2018

EX01 A Existing site location plan & photographs, received 7 February 2018

PL01 A Existing floor plans, received 7 February 2018

PL03 F Proposed floor plans, received 28 March 2018

PL02 A Existing elevations, received 7 February 2018

Proposed elevations, received 28 March 2018

Reason: For the avoidance of doubt.

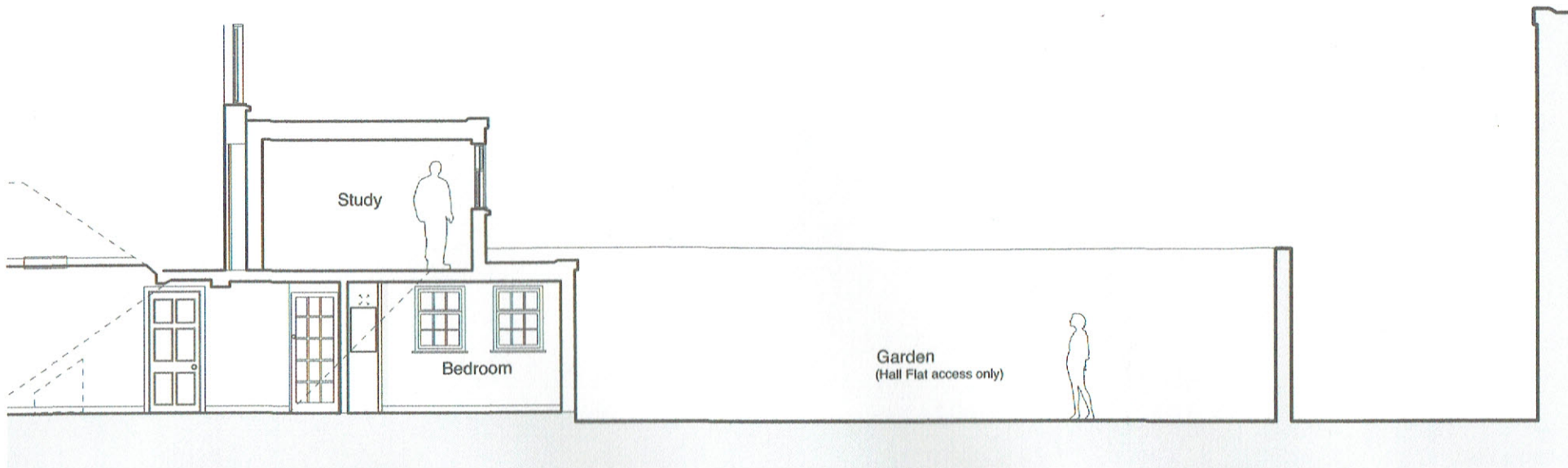
## Supporting Documents

### **4. Ground Floor Flat, 19 Royal York Crescent**

1. Existing elevations
2. Proposed elevations
3. Proposed floor plans
4. Proposed French door detail

# Existing: Elevations

General Arrangement 1:100 @ A3

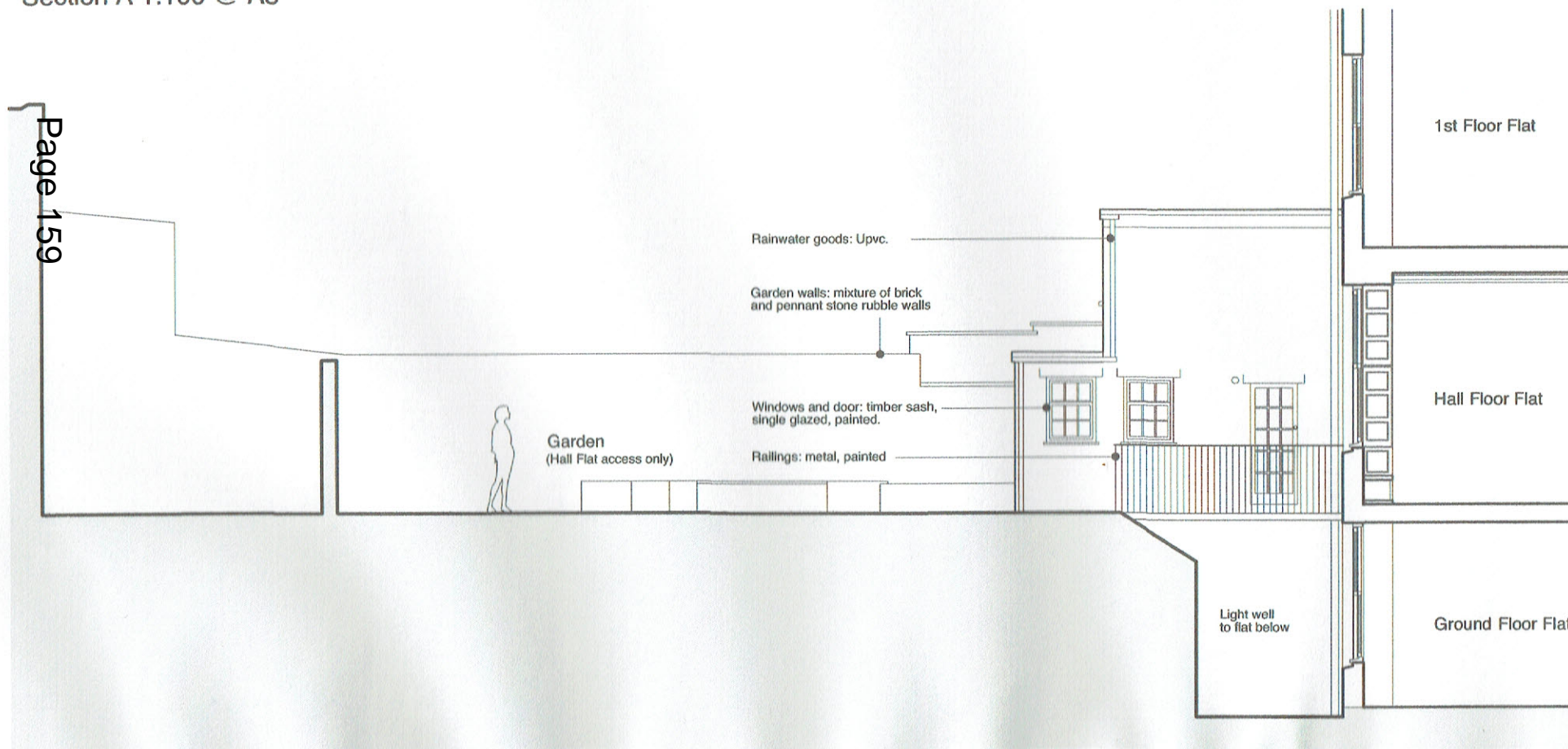


Section A 1:100 @ A3



North Elevation 1:100 @ A3

Planning



West Elevation 1:100 @ A3

Page 159

DO NOT SCALE

Clifton  
ARCHITECTS

HALL FLAT, 19 R. Y. C.

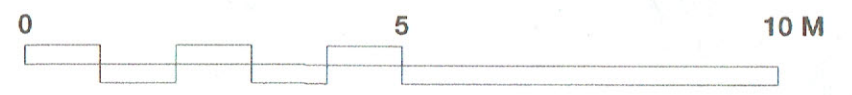
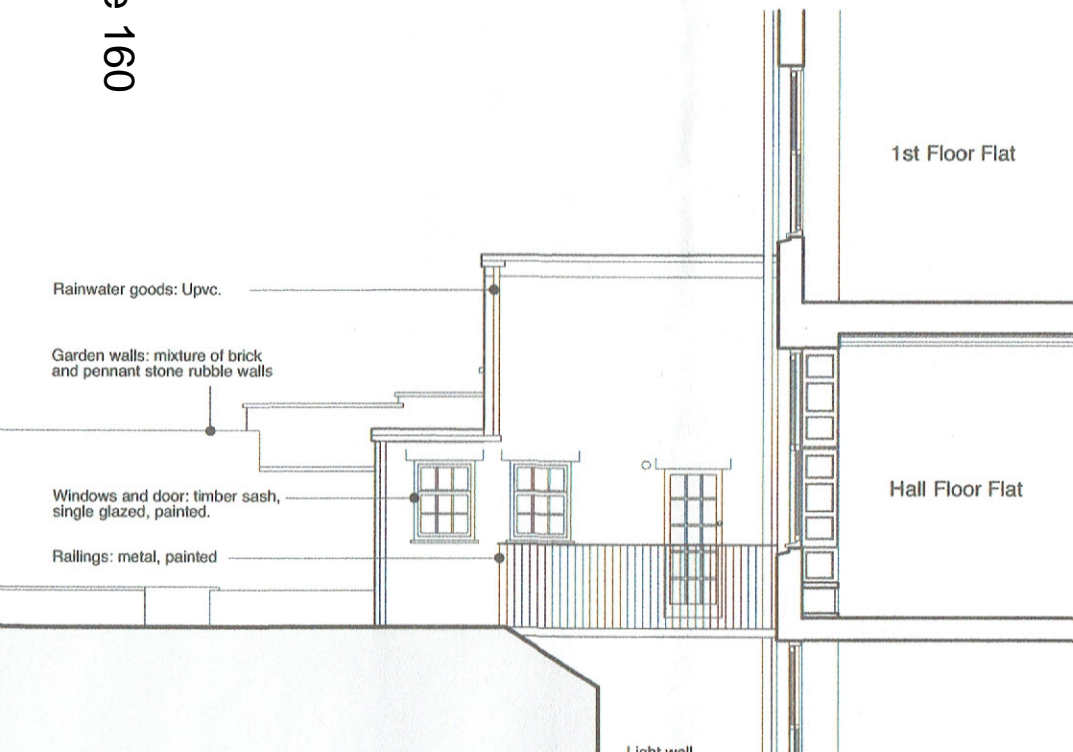
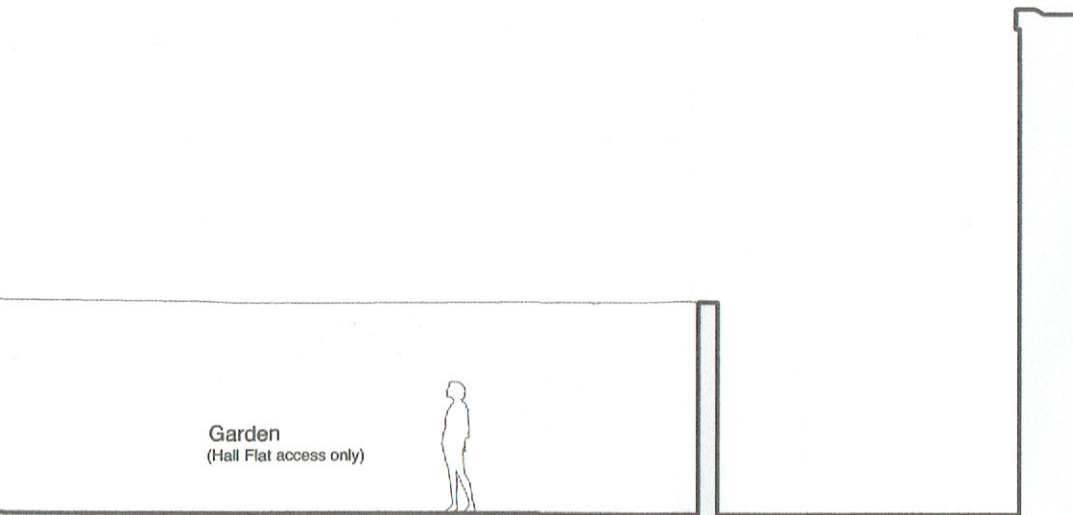
EXISTING ELEVATIONS

amanda@cliftonarchitects.com  
01175 530121

DRAWN GW	SCALE(S) 1:100	JOB No. 21.17	DWG No. PLO2	A
DATE JUNE 17	A3			

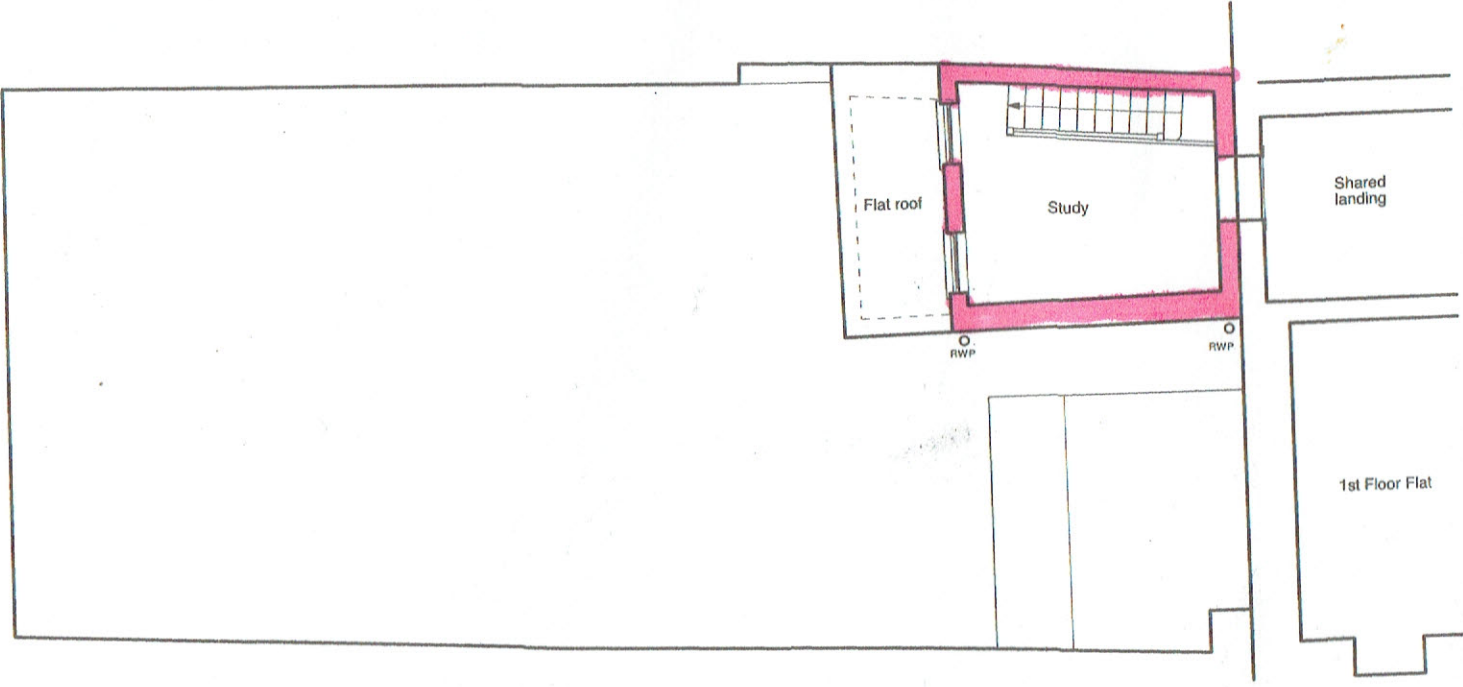
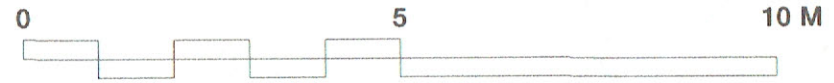






# Proposed: Floor Plans

General Arrangement 1:100 @ A3

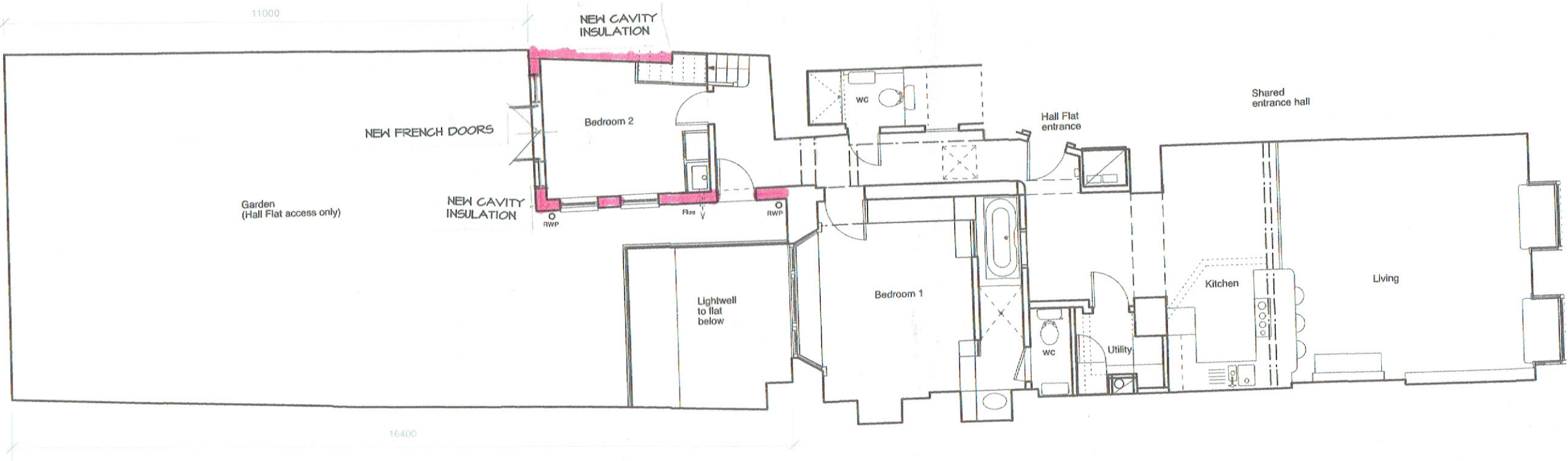


First Floor 1:100 @ A3



Roof Plan 1:100 @ A3

Page 161



Planning

B SCHEME DESIGN REVISED JUNE 2017  
 C SCHEME FURTHER REVISED JULY 2017  
 D ANNOTATION CHANGED JAN 2018  
 E CAVITY INSULATION HIGHLIGHTED MAR 2018  
 F EXTENSION OMITTED, FRENCH DOORS REVISED MAR 2018



HALL FLAT, 19 R. Y. C.

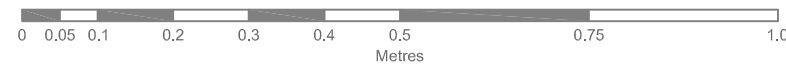
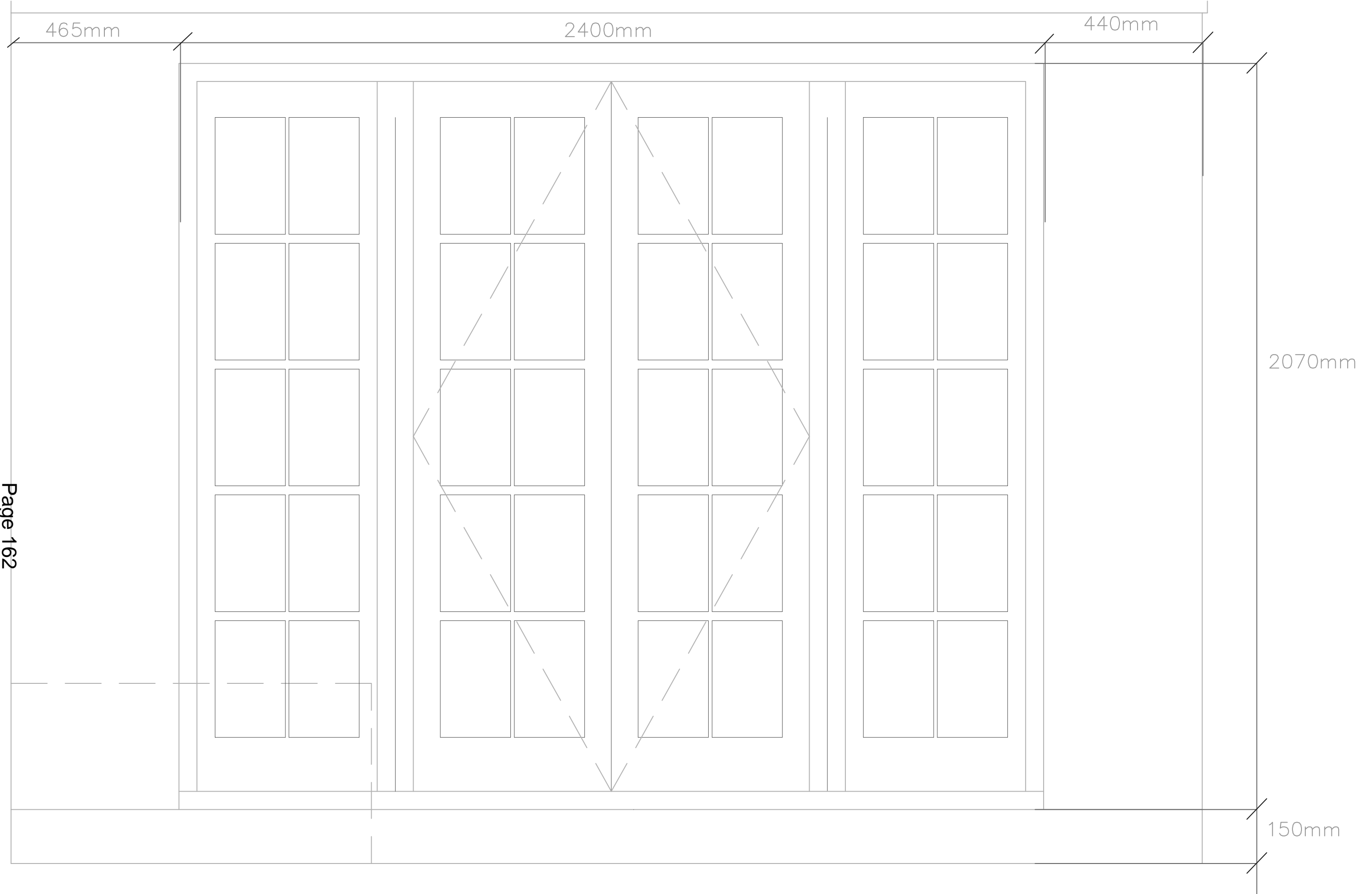
PROPOSED FLOOR PLANS

amanda@cliftonarchitects.com  
 01715 530721

DRAWN GN	SCALE(S) 1:100	JOB No. 21.17	DWG No. PLO3	B	C	D
DATE JUNE 17	A3			E	F	







1:10

Clifton  
ARCHITECTS

HALL FLAT, 19 R. Y. C.				
PROPOSED REAR ELEVATION DETAIL				
amanda@cliftonarchitects.com	DRAWN SW	SCALE(S) 1:10	JOB No. 21.17	DWG No. PLO6
07775 530721	DATE MAR 18	A3		