

Development Control A Committee Agenda



Date: Thursday, 21 June 2018

Time: 2.00 pm

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

Distribution:

Councillors: Donald Alexander, Clive Stevens, Chris Windows, Mark Wright, Fabian Breckels, Tony Carey, Stephen Clarke, Mike Davies, Margaret Hickman, Olly Mead and Celia Phipps

Copies to: Zoe Willcox (Director - Planning), Gary Collins, Alison Straw, Catherine Tyrer, Laurence Fallon, Jon Fellingham, Rachael Dando, David Fowler (Members' Office Manager (Conservative)), Stephen Fulham, Zarah Jama and Paul Shanks

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Date: Wednesday, 13 June 2018



Agenda

1. Election of Chair for 2018/19 Municipal Year

The Committee is requested to elect the Chair for the 2018/19 Municipal Year.

2. Election of Vice-Chair 2018/19

The Committee is requested to elect the Vice-Chair for 2018/19 Municipal Year.

3. Terms of Reference for Development Control Committees

The Committee is requested to note the Terms of Reference for Development Control Committees which were approved at Full Council on Tuesday 22nd May 2018.

4. Dates of Future Meetings 2018/19

The Committee is requested to consider dates for future meetings for 2018/19 Municipal Year. The following dates are proposed:

(all on Wednesdays)

2pm on 25th July 2018

6pm on 5th September 2018

10am on 17th October 2018

2pm on 28th November 2018

6pm on 9th January 2019

10am on 20th February 2019

6pm on 3rd April 2019

5. Welcome, Introductions and Safety Information

6. Apologies for Absence and Substitutions

7. Declarations of Interest

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

Please note that any declarations of interest made at the meeting which are not



on the register of interests should be notified to the Monitoring Officer for inclusion.

8. Minutes of the previous meeting

To agree the minutes of the last meeting held on Wednesday 16th May 2018 as a correct record. **(Pages 5 - 13)**

9. Appeals

To note appeals lodged, imminent public inquiries and appeals awaiting decision. **(Pages 14 - 23)**

10. Enforcement

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

11. Public Forum

Up to 30 minutes is allowed for this item.

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

Questions - Written questions must be received 3 clear working days prior to the meeting. For this meeting, this means that your question(s) must be received in this office at the latest **by 4.30pm on Friday 15th June 2018.**

Petitions and Statements - Petitions and statements must be received on the working day prior to the meeting. For this meeting this means that your submission must be received in this office at the latest **by 12 Noon on Wednesday 20th June 2018.**

Statements will not be accepted after 12.00 noon on the working day before the meeting unless they have been submitted in advance to Bristol City Council but were not received by the Democratic Services Section. Anyone submitting multiple statements for an application should note that they will only be allowed to speak once at the meeting.

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



12. Planning and Development

To consider the following Planning Applications

(Pages 25 - 26)

- a) **17/06665/F - Stoke Lodge Playing Fields Shirehampton Road Bristol BS9 1BN** **(Pages 27 - 54)**
- b) **17/07003/F - Sims Metal Management Royal Edward Dock Bristol BS11 9BT** **(Pages 55 - 84)**
- c) **17/06519/F - St John Hall 107 Wick Road Bristol, BS4 4HE** **(Pages 85 - 113)**
- d) **17/01898/F - YardArts 17 - 29 Lower Ashley, Road St Pauls Bristol BS2 9QA** **(Pages 114 - 146)**
- e) **18/00634/P - Eastgate Centre Eastgate Road, Bristol** **(Pages 147 - 188)**
- f) **17/04673/F - Site ND6 Temple Quay Land Bounded By Providence Place, Old Bread Street & Avon Street Bristol BS2 0ZZ** **(Pages 189 - 229)**



Bristol City Council
Minutes of the Development Control A
Committee



Wednesday 16 May 2018 at 2.00 pm

Members Present:-

Councillors: Chris Windows (Chair), Mike Davies (Vice-Chair), Harriet Bradley, Stephen Clarke, Richard Eddy, Fi Hance, Margaret Hickman, Olly Mead, Celia Phipps, Jo Sergeant and Mark Wright

Officers in Attendance:-

Gary Collins, Laurence Fallon, Jon Fellingham, David Grattan, Paul Chick and Kayna Tregay and Jeremy Livitt

1. Welcome, Introductions and Safety Information

The Chair welcomed all parties to the meeting.

2. Apologies for Absence and Substitutions

The Committee noted the following apologies for absence and substitutions:

- (1) Harriet Bradley (substitute for Tom Brook)
- (2) Fi Hance (substitute for Clive Stevens)
- (3) Richard Eddy (substitute for Steve Jones)

3. Declarations of Interest

There were no declarations of interest.

4. Minutes of the previous meeting

Resolved – that the minutes of the meeting held on 4th April 2018 be confirmed as a correct record and signed by the Chair subject to the word “Conservative” being replaced by “conservation” .



5. Appeals

The Service Manager (Development Management) made the following points concerning appeals: Items 21 to 39 (Refusals relating to telephone kiosks in various locations) – These applications had all been refused but there had been an appeal for each application. Officers would provide an update on the results in due course.

Item 48 – 270 Church Road, St George – This application had been refused by Committee on the grounds that it was out of kilter visually with the existing building and surroundings. There had been an appeal which had been dismissed.

Item 53 – O and M Sheds, Welsh Back, Bristol – The Committee was reminded that it had considered this application on 22nd February 2017 and had refused planning permission (against officer recommendation) on the following grounds:

1. The proposed cantilevered decking would be constructed in a way that would conceal views of the listed harbour wall, compromising the setting of this part of quayside, causing harm to the listed structure and the conservation area.
2. The proposed outdoor seating and proximity to nearby residential properties would harm amenity.
3. The proposal would impede the historic use of this part of the quayside, which is the residential mooring for large boats, detracting from the area's distinctiveness and prejudicing access onto neighbouring moorings.

The resulting appeal was dealt with in the form of written representations and the Inspector made the following points in allowing the appeal on 16th April 2018:

- (1) Cafes, pubs and restaurants added to the vibrancy of the city,
- (2) The proposed decking would cause minimum impact and was in place elsewhere. It would cause less than substantial harm
- (3) Houseboat Re-location – This would not compromise the waterside setting and would not materially harm the significance of the conservation area.
- (4) Living Conditions – Whilst this site was in a cumulative impact area, the licensing regime is separate from the planning process and the Council's licensing policy allow for flexibility when looking at "family friendly" proposals. The site was allocated for uses including leisure in the local plan and the proposals accorded with this. It was not unreasonable to expect that there would be some noise and disturbance during the evening when living in city centre locations. Permission for a similar scheme had also been granted in 2009. The harm to the amenity of the occupiers of the houseboat would not occur if the houseboat was moved.



- (5) The appeal did not fetter the houseboat's owners' rights in respect of her licence or any other agreement with the Council, as these matters sit alongside but outside of the planning process. Subject to the use of a condition, stating that development could not take place unless the boat was relocated, the proposal would not harm the living conditions of neighbouring residents. Whilst the stress and anxiety of the development was acknowledged and the location of the development would interfere with the human rights of the houseboat owner, this was outweighed by the wider public benefits
- (6) Costs – the Inspector acknowledged that local planning authorities are not bound to accept the advice of their officers, but evidence is required to justify making a decision that is contrary to professional advice. . Whilst the Council did not act irrationally, as slight adverse harm to the listed harbour wall had been identified, it had acted unreasonably by not producing evidence to demonstrate why the benefits didn't outweigh this harm. The Council had been unduly influenced by local opposition to the appeal scheme and costs were awarded against the Council.

Councillors made the following points in response to these findings:

- (7) Whilst it was acknowledged that the issue of the houseboat was not a Planning issue, the Committee had wanted to ensure the houseboat owners were treated with respect and were unhappy with the way in which this issue had been handled. It was very concerning to hear the Inspector's judgement that local opinion was not important enough.
- (8) The decision to award costs was absurd given the acknowledgment by the Inspector of the impact on the human rights of the houseboat owners. The Council's defence on this issue seemed half-hearted. As landowner, the Council could use its position to a much greater degree than it did. It was noted that the existing situation was extremely difficult as it could result in a large number of evictions. The role of property services in this application was a cause for concern.
- (9) The Inspector's comments were insulting as they failed to recognise the different role that Councillors have to officers
- (10) The Committee faced a difficult role in safeguarding the public whilst complying with Planning law
- (11) In response to a question from a Councillor, officers advised that, whilst final costs were not yet known, they were likely to be between £10,000 and £20,000.

Resolved – that the appeals be noted.

6. Enforcement

The enforcement notices set out in the report were noted.



7. Public Forum

Members of the Committee received Public Forum Statements in advance of the meeting.

The Statements were heard before the application they related to and were taken fully into consideration prior to reaching a decision.

The Chair did not accept any statements received after the 12pm deadline (the working day before) required in the Council's Standing Orders.

8. Planning and Development

The Committee considered the following Planning Applications set out below.

a. Planning Application Number 17/05939/F - Former First Bus Depot, Muller Road

The representative of the Service Manager (Development Management) made the following points in relation to this application:

- (1) The site was shown from a range of different perspectives and its proposed layout and design was indicated
- (2) There were licensing issues on site which affected the ability to market it. However, marketing information submitted by land agents state that the site is not attractive for industrial and warehousing
- (3) As the site was outside of a designated centre, it was subject to a Retail Impact Assessment, which concluded that there would be no adverse retail impact on the viability of defined centres of Gloucester Road and Lockleaze
- (4) Highways works – access arrangements to the site would be changed as well as signalisation at the Ralph Road junction, there would be contributions made for public rights of way improvements, bus shelter improvements and traffic signals/Traffic Regulation Orders. In addition, a travel plan had been agreed
- (5) Air quality - Scheme of mitigation is required to reduce the impact. The mitigation proposed to date refers to other documents and measures already secured e.g. sustainable transport. Additional measures are required, which could include additional measures to minimise the impact such as electric vehicle charging points, additional cycle parking, public transport incentives
- (6)) The loss of 21 low value trees on site would be met through the provision of 10 replacement trees on site with a financial contribution for the remaining 44 trees to be provided in accordance with the BRS and this will be secured by a Section 106 agreement.



The Committee noted that officers were proposing an amendment to part (A) of the recommendation to give the updated total amount for the contribution for replacement trees as follows:

(viii) £36,222.03 – Contribution for replacement trees in accordance with the Bristol Tree Replacement Standard.

In addition, it was noted that there was a proposed additional condition relating to air quality.

In response to Councillors' questions, officers made the following points:

- (7) Conditions were included to address air quality issues – a scheme of mitigation and for construction impacts
- (8) ALDI's consent was already factored in to the retail impact assessment for the site
- (9) In accordance with Policy DM13, non-industrial use is not permitted unless there is no demand for the site for industry or warehousing; or the proposal would not prejudice the function or viability of the rest of the Principal Industrial and Warehousing Area. The site is not currently being put forward for industrial use in the Local Plan Review, although it was noted that was still in the early stages of the consultation process. Officers were also aware that the Council as landowner were looking to do a "land swap" in order to deliver housing on the neighbouring site (where Lidl already had permission) although members should not attach too much weight to this
- (10) Following the full approval of the 2014 application, a legal agreement for this application would extinguish Lidl's existing planning permission for a supermarket on the adjacent Brunel Ford Car showroom site (application ref: 14/05539/F). This would avoid having 2 LIDL supermarkets next door to each other. In relation to possible over trading, an assessment of demand was made which would not impact on the viability of defined centres
- (11) The adopted policy for this site and the neighbouring site did not support a non-industrial warehouse on the site, rather its function as Principal Industrial and Warehousing Area.
- (12) Transport Plan – officers would not accept growth in this area without an effective and comprehensive transport plan. This was happening and the applicant was playing a key part in this through the transport proposals and contributions proposed in this application.

Councillors made the following points:

- (13) This was a good scheme which should be supported and the strengthened conditions for it were welcomed
- (14) It was good to see progress on air quality and the retail impact assessment. The site had been derelict for eight years and it would help the local economy to support it since local people would be able to travel to it on foot
- (15) The mitigation for the site was well thought through. It would provide a local retail impact on the area and jobs in Lockleaze
- (16) The improvements concerning air quality should dramatically improve it and should be supported.



Councillor Olly Mead moved, Councillor Richard Eddy seconded and, upon being put to the vote, it was

Resolved: (11 for, 0 against) – that the application be approved as per the officer recommendation including the additional recommendation (viii) as proposed in the amendment sheet and a proposed additional condition relating to air quality.

b. Planning Application Numbers 17/06678/M, 17/06679/M, 17/06683/M, 17/06684/M -and 17/06812/M - Dove Lane and Wilson Street

The representative of the Service Manager (Development Management) made the following points:

- (1) Details of the site and the 5 separate applications were shown (including 4 separate building plots and 1 site wide landscaping). The outline planning parameters were set out
- (2) The proposal included provision for 25 affordable housing units (with at least 15% of the housing mix to include family sized dwellings with 3 or more bedrooms)
- (3) The parking framework set out a requirement for: Residential – 1 space per 4.3 dwellings; and Employment – 1 space per 250 square metres
- (4) Plot B – this would include 68 residential dwellings and some ground floor retail use. There would be obscured glazing adjacent to a neighbouring welding yard with angled louvres to screen views and with noise insulation measures agreed in the design of the cladding
- (5) Plot C – There were 92 residential dwellings proposed with office and retail floor space. Details of the site were shown
- (6) Plot D – There were 60 residential dwellings proposed. Details of the site were shown
- (7) Plot E – there were 10 town houses proposed. Details of the site were shown
- (8) Car Parking – details of the parking provision for residential and employment use across all of the plots was set out

In response to Councillors' questions, officers made the following points:

- (9) It was considered that there were sufficient measures to protect against noise from adjacent industrial use designed into the cladding of the scheme (Plot B)
- (10) The average density of dwellings across the site would be 134 dwellings per hectare (on average 230 dwellings per hectare across all plots not including the road and landscaping). It was noted that the issue of density was determined at the outline stage
- (11) A condition required 15% Carbon Dioxide reduction – this parameter had been set as part of the outline permission
- (12) There is a commitment within each building plot to ensure that a future connection to a district heat network is future proofed. However, it was noted that the Committee could request an advice note to ensure the applicant consults Bristol City Council's Energy Services to ensure the space heating and hot water services plant for each plot would be of a suitable quality for a future connection to a district heating system



(13) Officers were satisfied that the window glazing would be sufficiently obscured to protect peoples' eyes and advise tenants so that they are aware of the situation. This would also form part of the condition of any lease agreement for tenants that they could not amend or remove the obscured glazing

(14) Viability testing had formed part of the previous outline planning permission, which was subject to a decision by a Development Control Committee.

Councillors made the following points:

(15) This was an impressive development

(16) This was an interesting development. Since the approval had been made in 2012, developers were urged to progress the site as soon as possible.

Councillor Richard Eddy moved, seconded by Councillor Olly Mead and, upon being put to the vote, it was **Resolved: (11 for, 0 against) – that each of the applications be approved as follows: Plot B, Plot C, Plot D, Plot E and Landscaping and including an additional advice note that the applicant consults Bristol City Council's Energy Services to ensure the plant for each plot would be of a suitable quality for a future connection to a district heating system.**

c. Planning Application Number 18/00634/P - Eastgate Centre

The representative of the Service Manager (Development Management) made the following points:

(1) Details of the site location were provided

(2) The zebra crossing would be moved further west along Eastgate Road

(3) Eastgate Centre was not a defined centre in the Core Strategy. This had been considered when the Core Strategy was prepared. Representations had been made in the current review of the Bristol Local Plan to have the Eastgate Centre designated as a centre but this would not be supported by officers.

(4) There was a long history on the site, details of which were provided

(5) Since Eastgate was not a defined centre, it needed to pass the sequential test policy. The application does not pass the sequential test and this is a reason to refuse the proposal.

(6) Officers were concerned about the loss of green infrastructure and that very little would be retained, although it was acknowledged that there would be an offsite contribution in accordance with the BTRS. However, there was no justification for the loss of the trees as the development does not achieve any policy aims in the Core Strategy and this is a further reason for refusal.

(7) Officers were concerned about highway safety because the zebra crossing would be moved away from the 'desire line' for cyclists and pedestrians who may as a result make unsafe crossings increasing the risk of pedestrian / cycle / vehicle collisions. This was a further reason to refuse the proposal.

Councillors made the following points:

(8) The district retail offer avoids congestion and pollution by providing a local amenity. There was no reason why local people should be denied the opportunity to go to a local centre. Whilst the comments



about lack of public transport were noted, these did not apply so much to the Eastgate Centre which did have public transport access

(9) It was difficult to justify the reason for the trees being destroyed. It did not feel that the applicant had taken this issue seriously. The application failed the sequential test

(10) The sequential test had been brought in by a previous conservative government. In addition, the traffic situation would be very bad and would require complete remodelling

(11) It would be difficult to get to the Eastgate Centre via bus from some parts of Bristol. This was a drive through facility and not generally the sort of place that people would travel to by public transport. The Committee should stick with the officer recommendation

(12) The loss of trees was significant, as was the failure of the sequential test

(13) The city centre should not always be seen as the main location for people to use as a shopping centre. There was a need to support small centres and to allow people to shop near where they live. However, the loss of trees was a cause for concern. It would be helpful if the applicant would consider changing the plan to avoid the destruction of trees

(14) There was no traffic mitigation which would damage air quality. The application should be opposed

(15) This facility would be an important local resource, particularly for people who did not drive.

Councillor Olly Mead moved and seconded by Councillor Mike Davies that “the application be refused in accordance with officers’ recommendations”. Upon being put to the vote, this was LOST (5 for, 5 against, 1 abstention), the Chair exercising his additional casting vote against the motion.

Councillor Richard Eddy moved, seconded by Councillor Harriet Bradley and, upon being put to the vote, it was **Resolved (5 for, 4 against, 2 abstentions) that the application is brought back to a future Committee including conditions that could form part of a planning approval.**

In responding to a Councillor’s question concerning the impact of this decision, officers confirmed that the application was undetermined. An appeal against non-determination was technically a possibility. Officers noted that the Committee had provided a clear steer on the issue of the sequential test which, whilst officers did not agree with, was a clear steer. The Committee had, however, raised concerns about the impact on the trees on the site which remained unresolved, and had not considered the highways issues that formed the third reason for refusal.

d. Planning Application Number 18/00847/F - Eagle House, Colston Avenue

The representative of the Service Manager (Development Management) made the following points:

(1) Members’ attention was drawn to recent officer advice that, since the publication of the amendment sheet, officers have received and considered Historic England’s comments in response to the consultation on the amended plans. Whilst Historic England maintained their objection, and the Council’s conservation officer could still not support the amended scheme, they did acknowledge the proposed reduction in roof height.



- (2) Officers have carefully considered Historic England's comments but believe that the proposed lowering of the roof height has tipped the balance to a point where the development can now be supported and were therefore now changing their recommendation for the application to be approved
- (3) The harm had been weighed against the public benefit and it was acknowledged that, whilst there was some harm to the setting of the Heritage Assets especially St Stephen's church, there had been an improvement proposed to the building
- (4) An aerial view of the site was shown.

In response to a Councillor's question, officers provided further details of St Stephen's Church.

Councillors made the following comments:

- (5) The application did not harm the Heritage Assets and the economic benefits outweighed any harm
- (6) Whilst the issue of heritage was a finely balanced one, it should be supported.

Councillor Olly Mead moved, seconded by Councillor Richard Eddy and, upon being put to the vote, it was **Resolved (11 for, 0 against) that the application is approved as per the officers' revised recommendation.**

9. Date of Next Meeting

It was noted that the next meeting would be the 2018/19 AGM and was scheduled for 2pm on Thursday 21st June 2018.

Meeting ended at 4.50 pm

CHAIR _____



DEVELOPMENT CONTROL COMMITTEE A

21st June 2018

REPORT OF THE SERVICE DIRECTOR - PLANNING

LIST OF CURRENT APPEALS

Householder appeal

Item	Ward	Address, description and appeal type	Date lodged
1	St George Central	208 Hillside Road Bristol BS5 7PS Erection of a two storey, side extension with a conservatory to the rear. Appeal against refusal Delegated decision	18/05/2018
2	Hillfields	6 Woodcote Road Bristol BS16 4DE Second storey side extension to form family annexe. Appeal against refusal Committee	29/05/2018
3	Ashley	79 Effingham Road Bristol BS6 5AY Retention of balcony railings on single-storey flat roof and installation of two timber screens. Appeal against refusal Delegated decision	29/05/2018

Informal hearing

Item	Ward	Address, description and appeal type	Date of hearing
4	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

5	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
6	Bishopsworth	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
7	Hartcliffe & Withywood	Merchants Academy Gatehouse Avenue Bristol BS13 9AJ Erection of a 2 form-entry Primary School with Nursery and Autistic Condition Spectrum (ASC) School to be co-located on the site, associated play areas, car parking and drop off area. Demolition of former St Johns Ambulance building to create new access and parking area from Hareclive Road. Appeal against refusal Committee	TBA

Public inquiry

Item	Ward	Address, description and appeal type	Date of inquiry
8	Central	Old Bristol Royal Infirmary Building Marlborough Street (South Side) City Centre Bristol BS1 3NU 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). Appeal against non-determination Committee	TBA
9	Avonmouth & Lawrence Weston	8 - 10 Station Road Shirehampton Bristol BS11 9TT Demolition of glasshouses and redevelopment to form 33 No. apartments for the elderly, guest apartment, communal facilities, access, car parking and landscaping. Appeal against refusal Delegated decision	TBA

Written representation

Item	Ward	Address, description and appeal type	Date lodged
10	Frome Vale	1 Eaton Close Fishponds Bristol BS16 3XL Enforcement notice appeal for the change of use of the property and its occupation as an 8 bedroom House in Multiple Occupation. Appeal against an enforcement notice	04/12/2017
11	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
12	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
13	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
14	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
15	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
16	Filwood	18 Parson Street Bristol BS3 5PT Erection of two storey dwelling. Appeal against refusal Delegated decision	04/04/2018

17	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
18	Lawrence Hill	Outside Cabot Circus Car Park Newfoundland Circus Bristol BS2 9AP Prior approval application for the installation of a telephone kiosk. Appeal against refusal Delegated decision	23/04/2018
19	Lawrence Hill	Pavement Outside Chophouse Bond Street South Bristol BS1 3EN Prior approval application for the installation of a telephone kiosk. Appeal against refusal Delegated decision	23/04/2018
20	Ashley	Phone Box Near Newfoundland Circus Bristol BS2 9AP Application for prior notification of proposed development by telecommunications code system operators: - Call Box. Appeal against refusal Delegated decision	23/04/2018
21	Central	Phone Box At Hollister Street Bristol BS1 3BH Application for prior notification of proposed development by telecommunications code system operators: - Call Box. Appeal against refusal Delegated decision	23/04/2018
22	Central	Phone Box Rear Of House Of Fraser Bond Street South Bristol BS1 3BD Application for prior notification of proposed development by telecommunications code system operators: - Call Box. Appeal against refusal Delegated decision	23/04/2018
23	Central	Outside The House Of Fraser The Circus Bristol BS1 3BD Application for prior notification of proposed development by telecommunications code system operators: - Call Box. Appeal against refusal Delegated decision	23/04/2018

24	Ashley	Phone Box Outside 12 To 20 Pritchard Street Bristol Application for prior notification of proposed development by telecommunications code system operators: - Call Box. Appeal against refusal Delegated decision	23/04/2018
25	Lawrence Hill	Cabot Circus Car Park Newfoundland Circus Bristol BS2 9AB Application for prior notification of proposed development by telecommunications code system operators: Call Box. Appeal against refusal Delegated decision	23/04/2018
26	Central	Phone Box Near 25 King Street City Centre Bristol BS1 4PB Application for prior notification of proposed development by telecommunications code system operators: - Call Box. Appeal against refusal Delegated decision	23/04/2018
27	Clifton	Phone Box Near Richmond Heights Queens Road Clifton Bristol Application for prior notification of proposed development by telecommunications code system operators: - Call Box Appeal against refusal Delegated decision	23/04/2018
28	Central	Phone Box Near Costwold Outdoor Union Street Bristol BS1 2LA Application for prior notification of proposed development by telecommunications code system operators: - Call Box Appeal against refusal Delegated decision	23/04/2018
29	Central	Phone Box Near Brewers Fayre Broad Weir Bristol BS1 2NT Application for prior notification of proposed development by telecommunications code system operators: - Call Box Appeal against refusal Delegated decision	23/04/2018
30	Central	Phone Box Near Horizon Broad Weir Bristol BS1 3DJ Application for prior notification of proposed development by telecommunications code system operators: - Call Box. Appeal against refusal Delegated decision	23/04/2018
31	Central	Phone Box Near 40-44 Bond Street Bristol Application for prior notification of proposed development by telecommunications code system operators: - Call Box Appeal against refusal Delegated decision	23/04/2018

32	Central	Pavement Outside 82-84 Queens Road Clifton Bristol Prior approval application for the installation of a telephone kiosk. Appeal against refusal Delegated decision	23/04/2018
33	Central	Pavement Outside 33-47 The Horsefair Bristol Prior approval application for the installation of a telephone kiosk. Appeal against refusal Delegated decision	23/04/2018
34	Central	Pavement Outside 78 Broadmead Bristol Prior approval application for the installation of a telephone kiosk. Appeal against refusal Delegated decision	23/04/2018
35	Central	Pavement Outside 34 The Horsefair Bristol Prior approval application for the installation of a telephone kiosk. Appeal against refusal Delegated decision	23/04/2018
36	Central	Pavement Outside 1 - 27 The Horsefair Bristol Prior approval application for the installation of a telephone kiosk. Appeal against refusal Delegated decision	23/04/2018
37	Hartcliffe & Withywood	1 Hartgill Close Bristol BS13 0BU Proposed new 2 bed dwelling on land next to 1 Hartgill Close Appeal against refusal Delegated decision	25/04/2018
38	Central	15 Small Street City Centre Bristol BS1 1DE Change of use from Bar, Offices and Residential, to 4 units of student accommodation and retained A4 unit. Appeal against refusal Committee	25/04/2018
39	Lawrence Hill	Princess House 1 Princess Street St Philips Bristol BS2 0RR Notification for prior approval for the proposed change of use of the first and second floors of Princess House from office use (Class B1(a)) to 2 residential apartments (Use Class C3). Appeal against refusal Delegated decision	25/04/2018

40	Hartcliffe & Withywood	2 Fair Furlong Bristol BS13 9HW Proposed new dwelling on land adjacent to 2 Fair Furlong. Appeal against refusal Delegated decision	26/04/2018
41	Cotham	1 - 3 Cotham Road South Bristol BS6 5TZ Change of use from a Laundrette and Office (Use Class B1) to two dwellings units (Use Class C3). Appeal against refusal Delegated decision	26/04/2018
42	Frome Vale	St Mary's Church Manor Road Fishponds Bristol BS16 2JB Yew - Fell TPO 472. Appeal against refusal Delegated decision	27/04/2018
43	St George Central	271 Two Mile Hill Road Bristol BS15 1AX Double storey side extension to provide new 1 bedroom flat. Appeal against refusal Delegated decision	08/05/2018
44	St George Central	97 Two Mile Hill Road Bristol BS15 1BL Erection of detached building containing two maisonettes, with landscaping, bin and cycle storage. Appeal against refusal Delegated decision	09/05/2018
45	Knowle	35 Kingshill Road Bristol BS4 2SJ Demolition of outbuildings and erection of a 2 storey, one bed dwelling house. Erection of single storey rear extension to existing property along with other external alterations. Appeal against refusal Delegated decision	14/05/2018
46	Central	1 Wine Street Bristol BS1 2BB Temporary scaffold shroud screen advertisement measuring 11M x 7M for a period of 6 months during works to the facade of the building. Appeal against refusal Delegated decision	25/05/2018
47	Knowle	Land At Junction With Redcatch Road St Agnes Avenue Bristol Erection of two storey, 4-bedroomed detached house together with associated parking and amenity space. 3 additional parking spaces retained for use connected with St Elizabeth's. Appeal against non-determination	29/05/2018

48	Knowle	Land At Junction With Redcatch Road St Agnes Avenue Bristol Erection of two storey, 4-bedroomed detached house together with associated parking and amenity space. 4 additional parking spaces retained for use connected with St Elizabeth's. Appeal against non-determination	29/05/2018
49	Eastville	Rockfold Bell Hill Bristol BS16 1BE Widen the vehicular access onto Bell Hill (Classified 'B' road) by removal of the front boundary wall and partial demolition of front garden walls, and creation of an additional, off-street parking space in the garden. Appeal against refusal Delegated decision	29/05/2018
50	Eastville	Rockfold Bell Hill Bristol BS16 1BE Demolition of front boundary wall and parts of front garden walls in order to widen the vehicular access onto Bell Hill and create an additional, off-street parking space in the garden. Build new wall to rear of proposed parking area. Appeal against refusal Delegated decision	29/05/2018
51	Southville	71 Stackpool Road Bristol BS3 1NL Loft extension with side dormer and rooflights to front. Appeal against refusal Delegated decision	04/06/2018

List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
52	St George West	270 Church Road St George Bristol BS5 8AH The addition of a new two-storey unit to provide new dwelling, with minor extensions and alterations to the existing unit. Appeal against refusal Committee	Appeal dismissed 02/05/2018
53	Central	O & M Sheds Welsh Back Bristol BS1 4SL Proposed retention and repair of the two historic buildings O & M sheds, including reconstruction of the northern gable wall of O Shed, provision of new roofs, and associated surrounding landscaping for the purpose of providing three restaurants (within A3 use class) and outdoor seating area to Welsh Back. Appeal against refusal Committee	Appeal allowed 16/04/2018 Costs awarded

54	Avonmouth & Lawrence Weston	1 - 3 High Street Shirehampton Bristol BS11 0DT First and second floor extensions to provide 6 flats. Appeal against refusal Delegated decision	Appeal dismissed 01/05/2018
55	Stoke Bishop	88 Shirehampton Road Bristol BS9 2DR Proposed conversion of roof space to a single bedroom, two bed space self-contained flat with a rear roof extension. Appeal against refusal Delegated decision	Appeal allowed 11/05/2018
56	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	Appeal dismissed 23/04/2018
57	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	Appeal allowed 01/05/2018
58	Southmead	7 Lorton Road Bristol BS10 6DG Erection of two storey dwelling house and associated works. Appeal against refusal Delegated decision	Appeal dismissed 01/05/2018
59	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	Appeal dismissed 11/05/2018
60	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	Appeal dismissed 18/05/2018
61	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	Appeal dismissed 18/05/2018

62	Ashley	87 Ashley Road Bristol BS6 5NR Two storey side extension, loft conversion with partial demolitions and alterations to existing Annexe Appeal against refusal Delegated decision	Appeal dismissed 22/05/2018
63	Ashley	87 Ashley Road Bristol BS6 5NR Two storey side extension, loft conversion with partial demolitions and alterations to existing Annexe. Appeal against refusal Delegated decision	Appeal dismissed 22/05/2018
64	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	Appeal dismissed 01/06/2018
65	Easton	76 Robertson Road Bristol BS5 6JT Retrospective application for the retention of a building. Appeal against refusal Delegated decision	Appeal dismissed 01/06/2018
66	Bishopsworth	19 Headley Park Road Bristol BS13 7NJ Erection of a two storey, side extension. Appeal against refusal Delegated decision	Appeal allowed 05/06/2018
67	Central	Advertising Corner Of Cannon Street Marlborough Street City Centre Bristol BS1 3NU Replacement of an existing externally illuminated 96-sheet advertising display with a 48-sheet digital LED display. Appeal against refusal Delegated decision	Appeal dismissed 11/06/2018
68	Central	43 Colston Street Bristol BS1 5AX 1 internally illuminated fascia sign. Appeal against refusal Delegated decision	Appeal dismissed 11/06/2018

DEVELOPMENT CONTROL COMMITTEE A
21st June 2018

REPORT OF THE SERVICE DIRECTOR - PLANNING

LIST OF ENFORCEMENT NOTICES SERVED

Item	Ward	Address, description and enforcement type	Date issued
1	Clifton	Clifton High School Clifton Park Bristol BS8 3JS Erection of timber structure in playground of school without planning permission. Enforcement notice	24/05/2018

Development Control Committee A 21 June 2018

Report of the Service Director - Planning

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Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Stoke Bishop	Refuse	17/06665/F - Stoke Lodge Playing Fields Shirehampton Road Bristol BS9 1BN Erection of new changing room building and associated works to replace existing building.
2	Avonmouth & Lawrence Weston	Grant subject to Legal Agreement	17/07003/F - Sims Metal Management Royal Edward Dock Bristol BS11 9BT Redevelopment of site to include amended transport layout and replacement and relocation of metal processing equipment relating to existing metal processing facility (B2 use class). (Major Application)
3	Brislington East	Grant	17/06519/F - St John Hall 107 Wick Road Bristol BS4 4HE Application for the construction of 8 dwellinghouses with associated parking and landscaping.
4	Ashley	Refuse	17/01898/F - YardArts 17 - 29 Lower Ashley Road St Pauls Bristol BS2 9QA Construction of a 4 storey block of flats to provide 37 units including appropriate level of affordable housing with associated parking and amenity space. (MAJOR)
5	Lockleaze	Other	18/00634/P - Eastgate Centre Eastgate Road Bristol Outline Planning Application for the demolition of an existing Class A3 / A5 drive-thru restaurant and erection of new Class A1 retail unit, two Class A3 / A5 pod units and a replacement Class A3 / A5 drive-thru restaurant. Access, Layout and Landscaping sought for approval. (Major Application)

Item	Ward	Officer Recommendation	Application No/Address/Description
6	Lawrence Hill	Grant subject to Legal Agreement	17/04673/F - Site ND6 Temple Quay Land Bounded By Providence Place, Old Bread Street & Avon Street Bristol BS2 0ZZ Erection of a 6- to 11-storey building comprising 120 no. (PRS - privately rented sector), residential units (1-, 2- and 3-bed), 524 sqm of flexible commercial floorspace (Use Classes A1, A2, A3, A4, B1a, D1 or D2) at ground floor level and associated development, including landscaping, public realm, bin storage, plant areas and cycle parking (Major application).

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Development Control Committee A – 21 June 2018

ITEM NO. 1

WARD: Stoke Bishop CONTACT OFFICER: Thomas Wilkinson

SITE ADDRESS: Stoke Lodge Playing Fields Shirehampton Road Bristol BS9 1BN

APPLICATION NO: 17/06665/F Full Planning

DETERMINATION DEADLINE: 27 June 2018

Erection of new changing room building and associated works to replace existing building.

RECOMMENDATION: Refuse

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

APPLICANT: Cotham School

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

LOCATION PLAN:



Development Control Committee A – 21 June 2018**Application No. 17/06665/F : Stoke Lodge Playing Fields Shirehampton Road Bristol BS9 1BN****BACKGROUND AND SUMMARY**

This application is for the demolition of an existing changing room building and brick tower and construction of a larger replacement changing room building and associated works.

In terms of the current planning application, objections have been received from 311 surrounding residential properties. 221 letters of support were also received.

Due to the level of public interest and the nature of the development including the issues arising; it is considered appropriate for this application to come before Committee.

The application has been carefully considered following advice from several internal consultees including the Council's Transport Development Management, Pollution Control, Arboriculture and Nature Conservation teams.

Overall the LPA fully supports the principle of replacement changing facilities on site and recognises that the existing building is not fit for purpose. However, whilst the provision of replacement facilities is welcomed in principle it is not considered that this should give rise to unacceptable traffic conditions in the local area.

The basis for the objection to the current proposal is that the proposed enlarged and enhanced changing room facilities would result in an increased intensity of use and thus number of people accessing the site. This would in turn lead to a significant increase in coach and vehicle traffic which is unsuited to the local highway network. Therefore, based on the information provided it is considered that the proposal would give rise to unacceptable traffic conditions in the local area.

The existing changing facility has a total floor area of approximately 210 square metres. The proposed replacement facilities will have a total floor area of approximately 317 square metres. The proposed replacement structure therefore represents approximately a 50% increase in size/floorspace. Further, the existing building comprises two changing rooms, with a central refreshment area and kitchen. The proposed replacement facilities would however consist of four changing rooms (each able to accommodate 20 persons); officials changing facilities, accessible changing facilities and a larger social area with kitchen.

Whilst the Transport Statement and Design & Access Statement submitted by the applicant set out that there is sufficient parking within neighbouring streets no parking surveys have been carried out to confirm this assertion is correct. In addition, no data has been provided by the applicant to show the predicted trip generation to and from the site, despite request. All of the documents submitted by the applicant during the course of the application state that there would be no appreciable change in impact, but again no data has been provided to support this assumption.

In relation to access to the site, there are no coach parking facilities or turning areas available in the vicinity of the site. The applicant proposes a looped access route for coaches comprising a number of narrow residential roads which are considered to be unsuitable for frequent use by coaches. The Transport Technical Note submitted by the applicant sets out that coaches using the adjacent residential streets should be discounted as this is existing practice. Whilst this may be the case, it is considered that the proposed development would result in increased trips, which would exacerbate the harmful impact caused by coaches using the surrounding residential streets.

The principle of new replacement facilities to support the ongoing use of the site as playing fields is welcomed and encouraged and the LPA have entered into extensive negotiations with the applicant in order to seek to resolve the key issues identified during the course of the application and which remain of concern.

Development Control Committee A – 21 June 2018**Application No. 17/06665/F : Stoke Lodge Playing Fields Shirehampton Road Bristol BS9 1BN**

It should also be noted that during the course of the application the LPA suggested potential solutions, such as utilising the car park at the nearby Stoke Lodge, which is owned by the Council. However, the applicant didn't wish to enter discussions to see whether this may be feasible and has requested that a decision be made on the proposal as submitted to date without a final solution being agreed.

The application is therefore recommended to Members for Refusal.

SITE DESCRIPTION

Stoke Lodge Playing Fields is located in the north of Bristol, between Sea Mills and Stoke Bishop. The site is an established playing field open space which is owned by Bristol City Council and used by Cotham School for playing facilities on a leasehold basis. The majority of the southern boundary borders the Stoke Lodge Centre, a Grade II Listed Building currently owned by Bristol City Council and used as an adult learning centre.

An existing timber clad single storey changing room pavilion and rear plant brick tower are situated adjacent the north-east boundary of the site. The changing room building is currently not in use and is in a dilapidated state of repair.

The site is also designated as Important Open Space within the Site Allocations and Development Management Policies Local Plan.

RELEVANT HISTORY

17/00864/F: Replacement changing room building and associated works (Use Class D2). REFUSED on 20.07.2017

16/06304/F: New perimeter fence to playing fields. APPLICATION WITHDRAWN.

66/03334/U_U: Erect a pavilion. GRANTED on 24.10.1966

EQUALITIES ASSESSMENT

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

STATEMENT OF COMMUNITY INVOLVEMENT

The proposed development is classed as 'minor' development; therefore there is no requirement for the applicant to demonstrate community engagement prior to submitting the application. It is evident that the applicant hasn't consulted with the local community prior to submitting this application.

Development Control Committee A – 21 June 2018**Application No. 17/06665/F : Stoke Lodge Playing Fields Shirehampton Road Bristol BS9 1BN**

APPLICATION

Planning permission is sought for the demolition of the existing changing room building and brick tower and construction of a replacement changing room building and associated works.

The existing changing facility has a total floor area of approximately 210 square metres and contains two changing rooms, with a central refreshment area and kitchen.

The proposed replacement facilities will have a total floor area of approximately 317 square metres and would include four changing rooms (each able to accommodate 20 persons); officials changing facilities, accessible changing facilities and a larger social area with kitchen.

RESPONSE TO PUBLICITY AND CONSULTATION

Application advertised in press and via site notice, expiry date 17.01.2018. Neighbours were consulted via individual letters sent 12.12.2017.

311 objections to the application received, which in summary stated that:

- The larger facilities will result in more traffic coming to and from the site
- Current parking conditions close to the site couldn't cope with the increase in activity associated with the development
- The road network (including turning space) and access lane close to the site aren't suitable coach/bus routes, which will increase following the development, to the detriment of highway safety
- The development would impact negatively on trees within and surrounding the site
- The proposed new structure is too big and would visually harm the character and appearance of the area
- The proposed opening hours are excessive
- The submitted detail to support the application is vague, incorrect and misleading
- The development would attract further anti-social behaviour
- Issues of sewage/surface run-off haven't been addressed
- The development would impact upon a Grade II listed wall and setting of the Grade II listed Stoke Lodge
- The increase in activity and potential plant/equipment would result in detrimental levels of noise and disturbance to surrounding residential properties
- The proposed would overlook and overshadow surrounding residential properties
- The development could impact on local wildlife by virtue of light pollution
- The development will encroach further into Stoke Lodge Playing Field to the detriment of the open qualities of the area
- The development would take place on a Town and Village Green (TVG) and therefore should be refused outright on this basis
- The field should not be fenced off (not relevant to this application)

221 letters of support to the application received, which in summary stated that:

- The current structure is inadequate, dilapidated and in need of repair
- The new structure would appear a higher quality and more sustainable feature
- The development would facilitate the continued use of the fields for sport and recreation purposes
- The development would be of the benefit to children of Cotham School and other local sports teams through providing modern, much needed changing facilities
- The development would promote health and wellbeing
- The current building doesn't meet disabled access or Sport England regulations

Development Control Committee A – 21 June 2018**Application No. 17/06665/F : Stoke Lodge Playing Fields Shirehampton Road Bristol BS9 1BN**

OTHER COMMENTS

Bristol City Council Transport Development Management has commented as follows:-

Initial comments:

'Principle

The application proposes to construct a new changing room block as well as improving pedestrian access to the site. Transport Development Management continues to object to the proposals.

Transport Statement

Following the refusal of the previous application - 17/00864/F a revised Transport Statement has been submitted. This however, does not adequately address the issues raised in regards to both South Dene and West Dene being unsuitable for use by coaches. The statement also makes no reference as to whether the applicant will use the site purely for PE or to play competitions against other local or regional schools. If the latter is the case it is unclear what provision if any has been made for parking and their accessing the site.

Whilst the applicant will be the primary user of the site, it will also be used by a number of sports clubs. As there is no on-site parking any visitors must park within the surrounding streets. As no parking surveys have been undertaken or any analysis of how members/supporters and officials of the clubs access the site, it is impossible to ascertain the direct impact. However, given the number of objections raised by local residents it must be assumed that there is an impact which has been ignored.

In 2016 an application was made to construct new changing facilities, upgrade and construct a number of new pitches at the nearby Coombe Dingle Sports Complex - 16/00537/F. A number of objections were made by local residents in regards to overspill parking which the applicant responded to by providing additional on-site temporary parking. Whilst it is acknowledged that these proposals are of a completely different scale, it is not unreasonable to expect that this may lead to a demand by other clubs to use the site if as intended vastly improved facilities are provided.

A possible solution to this would be to ascertain if the applicant and the sports clubs could make use of the existing carpark at nearby Stoke Lodge and a suitable footpath be provided to the proposed building or for it to be relocated to a site directly accessible from the carpark. This would then provide a suitable area for the drop off/collection of students as well as to relieve, pressure on local roads for parking for the sports clubs.

Car Parking/Cycle Parking

The application does not propose any car or cycle parking which is unacceptable, for the reasons described in the previous section. Specifically in respect of cycles, storage such as Sheffield Stands ideally with a canopy that are in a well overlooked location must be provided for the use of the sports clubs using the site. It is recommended that the applicant consult "A Guide To Cycle Parking Provision" which is available on the councils website. Should any revised plans be submitted they must clearly show the location, layout and design of any cycle storage proposed.

Waste

The Design & Access Statement sets out that any additional waste will be dealt with using existing waste facilities within the curtilage of the site which is acceptable.

Development Control Committee A – 21 June 2018**Application No. 17/06665/F : Stoke Lodge Playing Fields Shirehampton Road Bristol BS9 1BN**

Recommendations

Whilst the Transport Statement has been amended following the refusal of the first application - 17/00864/F, Transport Development Management does not consider that sufficient mitigation has been provided to remove our earlier objection. Furthermore the statement ignores the usage of the proposed building by a number of sports clubs and the impact the lack of suitable parking facilities for both cars and cycles places on the surrounding streets and the likely increase in the number of two way trips the site would generate should additional clubs use the site due to the vastly improved facilities. Transport Development Management must therefore recommend that the application be refused.'

Final comments:

Principle

The application proposes to construct a new changing room block as well as improving pedestrian access to the site. Transport Development Management continues to object to the proposals.

Impact on Highway Network

Following a meeting with the planning and transport consultants a Technical Note has been submitted. This sets out that in addition to use both during and after school hours, the facility may also be used by community groups and/or the University of Bristol. Whilst six clubs previously used the site, these have since moved to other locations and it is unclear if they would move back should the application be approved. As each of the changing rooms would be able to accommodate 20 people this could lead to at least 80 people using the building at any one time, more if you include match officials.

If you then factor in any supporters this would lead to a substantial number of people all needing to get to the site. Whilst there is the possibility that some may choose to use the bus, as the No 3 service stops on Coombe Lane, given the need to transport kit and the fact that the service is only once every 20 minutes Monday to Saturday and at least every 30 minutes on a Sunday, it is likely that a substantial number of people would choose for ease of convenience to drive to the site. Whilst the Transport and Design & Access Statements set out that there is sufficient parking within neighbouring streets no parking surveys have been carried out to back up this assertion.

If a large number of people were to park in surrounding roads parking restrictions may be required to ensure visibility splays are kept clear to reduce the risk of any collisions. However, the lack of data makes this impossible to judge. The applicant has provided examples of other sites where there is parking on street and whilst it is acknowledge that some on-street parking is likely all of the sites referenced have some off-street parking. A solution may lie in being able to use the carpark at the nearby Stoke Lodge, which is owned by the council. However, to date no discussions have taken place to see whether this may be feasible.

The Technical Note sets out that no data is available on TRICs. Whilst there is no comparably sized sites there is data for five a side football pitches, which could be used. Obviously any data would need to be amended based on the number of players per side and the number of pitches in use. Whilst it would not be entirely accurate it would give at least some approximation of what the likely impact would be on the surrounding highway network. All of the documents submitted indicate that there would no appreciable change in impact, but no data has been provided to support this assumption.

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Given the vastly improved facilities proposed it is not unreasonable to expect that the site would attract new users. When factoring in the proposed hours of operation, the number of pitches and the size of the building this could create a substantial impact on the surrounding highway network. This view is supported by the number of objections made by local residents which cite concerns over on-street parking.

The Technical Note also sets out that the coaches using the adjacent residential roads to drop off children should be discounted as this is existing practice. Whilst it may be existing this statement fails to take into consideration the safety implications and the fact that these are residential roads and that at least one of the junctions is extremely tight and would likely lead to either a significant amount of manoeuvring, or more likely, vehicles mounting the kerb. This places any pedestrians at risk and also will lead to the deterioration of the footway, neither of which is acceptable, a view shared by highways Senior Road Safety Engineer.

Car Parking/Cycle Parking

The application does not propose any car or cycle parking which is unacceptable, for the reasons described in the previous section. In respect of cycles no storage has been proposed which is also unacceptable. Given the number of people that could potentially use the building some cycle storage in form of Sheffield Stands, ideally with a canopy that are in a well overlooked location must be provided to support alternatives to single person car trips.

Waste

The Design & Access Statement sets out that any additional waste will be dealt with using existing waste facilities within the curtilage of the site which is acceptable.

Recommendations

The information as submitted to date does not provide a clear explanation of the potential impact users of the building would have on the surrounding highway network, when taking into consideration the capacity of the changing rooms, operating hours, as well as officials and any supporters coming to watch games. It is therefore impossible to judge whether there is sufficient on-street parking for the number of vehicles that may be generated and that these can be accommodated safely so that visibility splays at the junctions remain clear, especially when taking into consideration that these are residential roads.

The information submitted also sets out that the route the coaches take to drop off/collect students should not be taken into consideration as this is an existing practice. This view is not shared by Transport Development Management or highways Senior Road Safety Engineer as at least one of the junctions is extremely tight and should vehicles be parked, coaches would be required to undertake extremely tight manoeuvres or more likely mount the footway which places pedestrians at risk. Due to these factors Transport Development Management must recommend refusal on the basis the proposals are contrary to:

- National Planning Policy Framework Paragraphs 30 & 34
- Bristol Development Framework Core Strategy - Policies - Adopted June 2011: Policy BCS10: Transport and Access Improvements & Policy BSC13: Climate Change
- Bristol Local Plan - Site Allocations and Development Management Policies - Adopted July 2014: Policy DM23: Transport Development Management

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Application No. 17/06665/F : Stoke Lodge Playing Fields Shirehampton Road Bristol BS9 1BN

Sport England has commented as follows:-

Initial comments:

'It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 74) and Sport England's Playing Fields Policy, which is presented within its Planning Policy Statement titled 'A Sporting Future for the Playing Fields of England' (see link below): www.sportengland.org/playingfieldspolicy

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.

The emerging Playing Pitch Strategy (PPS) information shows that the site has poor changing provision and in need of investment. It is a multi-pitch site and well used, so again, the PPS is supportive of investment. These two factors mean it scores as a "high" priority on the draft PPS action plan. There is clearly a need to ensure community access to any new facility. Sport England advise that some showers are in cubicles.

The Football Foundation, on behalf of The FA advise that the need for improved changing facilities at this site has been identified within the Bristol Playing Pitch Strategy which was adopted in October 2017. The site has previously been used by grassroots football clubs from the local community but does not appear to be in current use. It is stated that this proposal will be a four team changing rooms, therefore we would need to understand the type of users on the site to determine if this would be enough to service the provision on site. If this was the case, then there would be a need to provide team bag storage areas or lockers and work with the local league to use staggered kick off times. In addition, the following would need to be reflected:

- The WC's are in a lobby area shared between each set of two changing rooms. There is no privacy from this shared lobby area directly into the changing rooms.
- Is the accessible WC going to double up as 2nd official changing room is both male and female match officials.

We would therefore want to ensure that the designs of the changing provision are fully compliant for grassroots football and follow the below guidance:

- General - Changing pavilion designs would need to be in line with FA recommendation and should be checked against the Football Foundation Data Sheets for Changing Accommodation.
- Catering - Catering facilities should be considered to allow for income generation on site.
- Changing room toilets - A minimum of two w.c toilets, self-contained, per changing room.
- Spectator toilets / disabled toilets - should be separate from player toilets.
- Showers - A minimum of four shower heads plus a dry-off area of 8m².
- Officials - officials' accommodation x 2 should be separate and self-contained with a shower and toilet facility of a minimum of 6m²
- Changing room size - changing rooms should be a minimum of 16 m² (for grassroots football) and 18 m² (for football in the National League System) of usable changing space (not including toilets and showers).

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According to 'pitch finder' there are three full size, six junior and one mini-soccer pitches, however within the Design and Access statement it highlights that there are nine grass pitches. There is no mention of a community use agreement and therefore we would want to ensure that a community use agreement is agreed with Sport England and Gloucestershire County FA in line with the intended usage levels for grassroots football clubs of the facility.

The Football Foundation, on behalf of The FA is supportive of this project but would like the applicant to consider these recommendations particular to ensure that the proposed pavilion is compliant for grassroots football:

- The comments as reflected on the technical specification above and the previous planning application that was submitted (LA Ref Number: 17/00864/F and PADS number: SW/BCI/2017/44956/S)
- Proposed site plan, showing how any proposed new buildings and other works are likely to impact on the existing pitch layout including any realignment of pitches. It is recommended that when re-configuring the grass pitch football pitches, all grass pitches are retained to FA recommendations as outlined above and when reconfigured the applicant must ensure that FA recommended pitch sizes is adhered to including a minimum 3m run off. This includes structures immediately outside this 3m area.
- That a community use agreement is agreed with Sport England and Gloucestershire County FA in line with the intended usage levels of the facility.

The RFU recognise that the current provision on this site is insufficient for the current sporting use. The site is recognised within the recently adopted Bristol PPS. The design layout of the space provision within the changing facilities looks to be adequate. However, to ensure the changing facilities are completely en-suite, the 2x WC's which serve each changing room should be enclosed within each changing room, without having a shared access. The RFU does not wish to object to this application.

The ECB advise that there is need for an upgraded facility has been highlighted in the Bristol PPS (page 166). As the Design and Access Statement references following SE Guideline, cricket is happy with this noting that in the main this will be used for rugby as cricket on the site is limited albeit there is a non-turf pitch. The proposed changing rooms are adequate for ECB purposes but would suggest that the showers are cubicle based. The ECB support the application.

Having assessed the application, Sport England subject to design clarifications as raised above by way of an amended plan(s) would be satisfied that the proposed development meets the following Sport England Policy exception:

E2 - The proposed development is ancillary to the principal use of the site as a playing field or playing fields, and does not affect the quantity or quality of pitches or adversely affect their use.

Sport England are keen to encourage the opening up of sports facilities to the wider community, when they are not required by the main user. On this site it is valuable to agree in a Community Use Agreement (CUA) how it is intended to operate, covering such matters as hours of availability, management arrangements, pricing policy etc. Sport England would wish to see this existing use consolidated by way of a Community Use Agreement. We have developed a template for a Community Use Agreement which provides a clear basis for drawing up agreements for individual schools, colleges and academies.

Subject to design clarification and the satisfactory establishment of a Community Use Agreement through the condition identified below, Sport England would not wish to raise an objection to this application:

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[Use of the development shall not commence/No development shall commence] [or such other timescale] until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to [describe facilities forming part of the development] and include details of pricing policy, hours of use, access by non-[educational establishment] users [/non-members], management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities.

The development shall not be used at any time other than in strict compliance with the approved agreement." Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy **. Informative: Guidance on preparing Community Use Agreements is available from Sport England www.sportengland.org.'

Final comments:-

'Sport England provide advice based on its experience and technical knowledge in sport facility design and planning. It would advise if it does not consider that the facility has a design and layout for optimum community sport use. As you note Sport England's advice in this instance is just that, advice, and is not mandatory requirement but Sport England would highlight where it considers improvements can be implemented. Ultimately it is at the discretion of the Local Planning Authority if it wishes to accept a facility that does not fully maximise its potential for community participation in sport and recreation.

We need to create a welcoming and inclusive environment:

The Football Foundation advise on behalf of the FA that their original comments still stand. They also seek confirmation on what the community use will look like (types of users) and has there been any engagement with grassroots clubs to utilise the site?

The RFU have advised that the revisions made by the applicant following our initial comments seem appropriate and adequate for the sporting use.'

Bristol City Council Public Right Of Way Team has commented as follows:-

'BCC public rights of way have been alerted to this planning application. The public footpath BCC/87 should be listed on the constraints as it is abuts the site on the north east boundary, and the public rights of way team should have been consulted (rightsofway@bristol.gov.uk).

Whilst it may be unlikely that the public footpath will be affected by the proposed development, it should remain open and safe for public use at all times. The developer should therefore be made aware of his/her obligations not to interfere with the public right of way either whilst development is in progress or on completion, as any interference may well constitute a criminal offence.

The Public Rights of Way team should be consulted on any proposals concerning the property boundary abutting PROW BCC/87 (email: rightsofway@bristol.gov.uk)

'No public vehicular rights exist along this path and it may not be driven along without the lawful authority of the landowner(s), unless a private right of way is shown on property deeds. It is the applicant's responsibility to ensure that the appropriate private right exists or has been acquired from the landowner.

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Due to the close proximity of the development site to the footpath, it may be necessary to advise as follows:-

During construction works, PROW [No.(SPECIFY)] :-

- Should remain open, unobstructed and safe for public use at all times;
- no materials are to be stored or spilled on the surface of the PROW;
- there must be no encroachment onto the width of the PROW;
- no vehicles are to use the PROW without lawful authority;

Any scaffolding and/or skips placed over or adjacent to the right of way must not obstruct public access or inconvenience the public in their use of the way and must be properly licensed (for a Permit application form, contact the Highway Asset Management Group, email: cd.highwaylicences@bristol.gov.uk);

If construction works are likely to temporarily affect the right of way, the developer may need to apply for a temporary Traffic Regulation Order to close or divert the PROW for the duration of the works on the grounds of safety of the public. For further advice, or to apply for a TTRO, contact the Highway Network Management team, email: traffic@bristol.gov.uk). N.B. Any damage caused to the surface of the right of way during development works must be made good to the satisfaction of the Highway Authority.

In addition the unresolved claim for a town and village green on Stoke Lodge Playing Fields, an applicant has requested the appropriate forms to claim public rights of way across the site. This claim has not yet been formally confirmed, but I have included maps as some of the routes are incorporated in the land for which planning is sought. The purple line in the attached pinpoint plan is the current public right of way, and the other coloured routes (on the Stoke Lodge Playing Fields) are those which are claimed.'

Bristol City Council Pollution Control has commented as follows:-

'The submitted acoustic report deals mainly with noise from the plant room but exact details of the plant to be used at the site are not yet known. I would therefore like to see, by conditions, details to show that the noise from the plant when it is known will be in compliance with the plant noise levels given in the report.

The report also briefly deals with the use of the building in general and concludes that the 'proposed development does not present any potential noise impacts to nearby residential properties'. In order to ensure that this is the case I would also like to ask, by condition, for a management plan detailing how the building will be used.

The applicant has confirmed that the new facilities (including the social area) will be used only in association with the use of the wider playing fields for sport activities. The applicant has confirmed that it will not include a bar and will not sell alcohol, will not be used for fitness activities and will not be used as a venue for social functions or events. It will be used by the school for briefing students, for teams as meeting space, and for players and spectators to use before and after sports games to enjoy light refreshments. I therefore do not envisage that any harmful noise or disturbance would arise from the use of the space.

I do have some concerns however that the opening hours and use of the building could result in noise and disturbance, say for example a student or Sunday football team holding a post-match event with alcohol till 22.00 on a weekday or 20.00 on a weekend. The required management plan must therefore include clear detail on issues such as frequency of events, non-school use, particularly in the evening and weekends; rules/conditions of use and management/checking of

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premises.'

Bristol City Council Urban Design has commented as follows:-

Verbal comments - 'Whilst not particularly high quality the proposed new structure would represent an improvement on the existing structure, and would not be of such a scale that would harm the character and appearance of the area.'

Bristol City Council Conservation Section has commented as follows:-

Verbal comments: 'The section of wall to be demolished is not listed and the new structure will be sited a suitable distance away from Stoke Lodge so that it would have no impact on the setting; subsequently no objections.'

Bristol City Council Air Quality has commented as follows:-

Verbal comments: "Whilst the proposal may result in more vehicle movement to and from the site overall I do not consider that this would result in any harmful air quality issues given the size of the changing facilities.'

Bristol City Council Arboricultural Team has commented as follows:-

'The supplied arboricultural impact assessment and arboricultural method statement produced by Bosky Trees identifies and appropriately addresses the arboricultural impacts on trees on and adjacent to the site I therefore have no objections to the proposals on arboricultural grounds. The 4 trees and 1 group of trees identified for removal do not hold high visual amenity value, being identified as category C and U trees. Should permission be granted could we include standard arboricultural conditions relating to:

Protection of Retained Trees During the Construction Period

No work of any kind shall begin on the site until the protective fence(s) have been erected around the retained trees in the position and to the specification detailed in the Arboricultural Method Statement produced by Bosky Trees 14th November 2017.

The Local Planning Authority shall be given not less than two weeks prior written notice by the developer of the commencement of works on the site and that photographic evidence be sent of the erected tree protection in order that the Authority may verify that the approved tree protection measures are in place when the work commences.

Arboricultural Supervision

The developer's arboricultural consultant must be present to oversee the removal of concrete surfaces from areas near trees in accordance with the Arboricultural Method Statement produced by Bosky Trees 14th November 2017.

Replacement tree planting

Replacement trees must be planted in accordance with the Landscape plan and planting specification produced by Bosky Trees 14.11.17.'

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'Surface water management and drainage will need to be duly considered for the new development. This should be designed in accordance with the West of England Sustainable Drainage Developers Guide, available at: <https://www.bristol.gov.uk/planning-and-building-regulations/flood-risk-drainage-and-development>.'

Bristol City Council Nature Conservation Officer has commented as follows:-

'The ecological survey dated February 2017 recommends that ivy growing on the building is cut through close to the base as soon as possible. This is designed to kill the growth of ivy, making it unattractive to nesting birds and allowing any bat using it to leave of its own accord as the vegetation gradually dies.

Measures are also recommended to protect the nearby hedge from damage during construction works. Robust fencing with warning signs on is recommended. The report also states that if tree branches are potentially vulnerable to damage during works they should be trimmed back neatly to the trunk of the tree.

These recommendations should be secured by appropriate planning conditions or advisory notes.

The ecological survey dated February 2017 has assessed that the two buildings on site have negligible potential to support roosting bats. I agree with the findings of the survey and have no reason to doubt the conclusions.

A video submitted by a local resident shows bats flying around and apparently foraging but this does not necessarily mean that they are roosting in either of the buildings.

The report that was undertaken in February included an assessment of the bat roosting potential of the two buildings on site. If the buildings had been assessed as having potential for roosting bats then further bat dusk emergence or dawn re-entry surveys would have been recommended during the period May to August/September.

Significant external lighting such as floodlighting does not appear to be included within this application.

Accordingly I consider that the application would have no harmful impact on bats or wildlife in the area.'

RELEVANT POLICIES

Planning (Listed Buildings & Conservation Areas) Act 1990

National Planning Policy Framework – March 2012

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

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

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KEY ISSUES

(A) PRINCIPLE OF DEVELOPMENT

An application to grant Stoke Lodge Playing Field Town and Village Green (TVG) status was approved by Bristol City Council Public Right of Way and Greens Committee (PROWG) on 12 December 2016. The decision to register was quashed by the High Court (Case No: CO/1208/2017) on the 3rd May 2018. The application site (Stoke Lodge Playing Field) is therefore not a registered Town and Village Green, and is not afforded protection in this respect.

The application site is however located in an area of Designated Important Open Space as defined within the Policies Map associated within the Council's Site Allocations and Development Management Policies Local Plan (2014). Policy DM17 in this document states that development on part, or all of an important open space as designated will not be permitted unless the development is ancillary to the open space use. Policy BCS9 of the Bristol Development Framework Core Strategy (2011) is also applicable, and states that the integrity and connectivity of the strategic green infrastructure network should be maintained, protected and enhanced. Open spaces which are important for recreation, leisure and community, townscape and landscape quality and visual amenity should be protected.

In this instance it is considered that the proposed new changing room's facilities structure would be of size so that it would (as per the existing structure) be ancillary to the open space use. The overall function and character of the open space would not be impacted upon by the development. Further, the proposed new facilities would fall under the same use class as the existing (Use Class D2) which in nature would provide a supporting role of benefit to the ongoing use/function of the site as playing fields. The application is subsequently considered acceptable in principle use terms.

(B) HIGHWAY SAFETY, TRANSPORT AND MOVEMENT ISSUES

Policy BCS10 in the Bristol Core Strategy (2011) states that developments should be designed and located to ensure the provision of safe streets and reduce as far as possible the negative impacts of vehicles such as excessive volumes, fumes and noise. Policy DM23 in the Site Allocations and Development Management Policies (2014) in addition states that development should not give rise to unacceptable traffic conditions. Examples of unacceptable traffic conditions referred to in the policy include the introduction of traffic of excessive volume, size or weight on to unsuitable highways/or in to residential or other environmentally sensitive areas. This could result in high levels of transport noise and disturbance, a decrease in air quality and unsafe conditions both on the highway and for pedestrians.

The application proposes to replace the existing dilapidated changing room building with a new building of a larger footprint. The building will be located to the north/east boundary of Stoke Lodge Playing Field. The playing fields are bounded by Shirehampton Road to the South; Ebenezer Lane to the North; Parry's Lane to the East and residential properties to the West. The area immediately to the north of the changing room facilities is residential in character.

The existing playing fields and changing facilities have been used in the past by a range of local community sports teams, as well as Cotham School (the applicant) for PE lessons. It is however recognised that the facilities and playing fields aren't currently used by Cotham School or any community sports teams. This is in part due to the poor quality changing facilities, which are dilapidated and not fit for purpose. The principle of replacing the changing facilities is therefore acceptable and welcomed in principle in this respect.

Following consultation however, Bristol City Council Transport Development Management Team raised concerns that the new and enhanced changing facilities would increase the intensity of

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usage of the changing rooms by the school and community sports teams and that would be associated with an increase in vehicle and coach traffic, which is unsuited to the local roads and highway network surrounding this site.

The existing changing facility has a total floor area of approximately 210 square metres. The proposed new facilities will have a total floor area of approximately 317 square metres. The proposed replacement structure therefore represents approximately a 50% increase in size/floorspace.

The existing building comprises two changing rooms, with a central refreshment area and kitchen. The proposed replacement facilities would however consist of four changing rooms (each able to accommodate 20 persons); officials changing facilities, accessible changing facilities and a larger social area with kitchen.

As each of the changing rooms would be able to accommodate 20 people this could lead to at least 80 people using the building at any one time, more if match officials are included. If supporters are then factored in this would lead to a substantial number of people requiring access to the site.

Whilst there is the possibility that some may choose to use the bus, as the No 3 service stops on Coombe Lane, given the need to transport kit and the fact that the service is only once every 20 minutes Monday to Saturday and at least every 30 minutes on a Sunday, it is likely that a substantial number of people would choose for ease of convenience to drive to the site via private car.

Whilst the submitted Transport Statement and Design & Access Statement set out that there is sufficient parking within neighbouring streets no parking surveys have been carried out to confirm this assertion is correct. If a large number of people were to park in surrounding roads parking restrictions would likely be required to ensure visibility splays are kept clear to reduce the risk of any collisions. Unfortunately no data has been provided to show the predicted trip generation to and from the site, despite request. The submitted Transport Technical Note sets out that no data is available on TRICs (Trip Rate Information Computer System) for a development such as this. Whilst it is accepted there is no comparably sized sites there is data for five a side football pitches; it is considered that this data could be used in this instance. Whilst any data would need to be amended based on the number of players per side and the number of pitches in use and would therefore not be entirely accurate it would give at least some approximation of what the likely impact would be on the surrounding highway network.

All of the documents submitted during the course of the application state that there would be no appreciable change in impact, but no data has been provided to support this assumption.

Overall it is the view of the Local Planning Authority that there would be a material increase in trip generation to and from the site following the development. Given the vastly improved facilities, which will be 50% larger than the existing facilities and will include twice as many changing rooms, it is not considered unreasonable to expect that the site would attract an increased number of users. It is recognised that Paragraph 3.3 of the Transport Statement submitted by the applicant states that 'the (existing) changing rooms themselves are too small to cater for rugby/football teams'. It is therefore considered likely that football and rugby teams would now be able to make use of the site, where previously this wasn't possible.

When factoring in the proposed extensive hours of operation (Monday to Friday 08:00 to 22:00, and from 09:00 to 20:00 on Saturdays and Sundays) it is considered that this could result in a substantial adverse impact on the surrounding highway network.

In relation to access to the site, there are no coach parking facilities or turning areas available in the

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vicinity of the site. As set out in the Transport Statement, the applicant proposes a looped access route for coaches comprising the following roads: Parry's Lane; Cross Elms Lane; South Dene; West Dene; Coombe Lane. Bristol City Council Transport Development Management team considers the narrow residential roads on the proposed route to be unsuitable for frequent use by coaches.

The location of the proposed coach drop-off/pick-up point is at the junction of South Dene and West Dene. This arrangement is also not ideal as the road would be obstructed by coaches during drop-offs/pick-ups and also during the waiting period if coaches arrive at the pick-up point before the pupils. In addition, the junction of South Dene and West Dene does not allow much space for coach movements around the corner, especially if other vehicles were parked near the junction.

The submitted Transport Technical Note sets out that coaches using the adjacent residential streets should be discounted as this is existing practice. Whilst this may be the case, as noted above it is considered that the proposed development would result in increased trips, which would exacerbate the harmful impact caused by coaches using the surrounding residential streets.

Therefore, based on the information provided, it is considered that the proposal would give rise to unacceptable traffic conditions and the application is subsequently considered unacceptable and is recommended for refusal due to conflict with Policies BCS10 and DM23 and is recommended for refusal on these grounds.

It should be noted that during the course of the application the LPA suggested potential solutions, such as utilising the car park at the nearby Stoke Lodge, which is owned by the Council. However, the applicant didn't wish to enter discussions to see whether this may be feasible.

(C) WOULD THE PROPOSED DEVELOPMENT BE ACCEPTABLE IN DESIGN TERMS AND WOULD IT PRESERVE THE HISTORIC SETTING OF NEARBY LISTED BUILDINGS?

Stoke Lodge itself is a Grade II listed building. The Authority is required (under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special regard to the desirability of preserving the setting of listed buildings. 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. Furthermore, paragraph 134 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. In addition, Bristol Core Strategy (Adopted 2011) Policy BCS22 seeks to ensure that development proposals safeguard or enhance heritage assets in the city with Policy DM31 in the Site Allocations and Development Management Policies (Adopted 2014) expressing that alterations to buildings should preserve or enhance historic settings.

Bristol Core Strategy Policy BCS21 (2011) advocates that new development should deliver high quality urban design that contributes positively to an area's character and identity, whilst safeguarding the amenity of existing development. Policy DM27 in the Site Allocations and Development Management Policies (2014) expresses that the layout, form, pattern and arrangement of streets, buildings and landscapes should contribute towards to creation of quality urban space and that the height, scale and massing of development should be appropriate to the immediate context, site constraints, character of adjoining streets and spaces and setting.

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The existing changing facility has a total floor area of approximately 210 square metres. The proposed replacement facilities will measure approximately 317 square metres. The proposed replacement structure therefore will be of a larger footprint than the existing. The overall height of the building will also increase from 3.4 metres to 6.4 metres (to incorporate the change in design from a flat roofed to pitched roof building). Whilst the replacement building will therefore be larger than the existing the Council's Urban Design Team commented that the replacement facilities would not be of such an increased size to negatively impact on the character or appearance of the local area.

The structure will be faced in timber cladding, with a metal sheet roof tile cladding and uPVC windows. The overall design is not considered particularly high quality, however it would still represent a visual improvement to the existing dilapidated facilities and their upgrade is welcomed in design terms. The new building would also be situated a suitable distance away from Stoke Lodge so that it would have no detrimental impact on the overall historic setting of the listed building.

A number of objections have been received from local residents stating that the development should not be permitted as it seeks to demolish a section of a listed wall. Following consultation with the Council's Conservation Officer it was confirmed that the section of wall to be demolished is not listed. Whilst the loss of traditional boundary walls is not ideal in itself, it is considered that the loss of boundary wall (to increase the width of access to 2 metres) would not have such a detrimental impact on the streetscene or character of the area to warrant refusal as the majority of the wall will remain unaltered.

Following the above, the application is considered acceptable on design grounds; also taking into consideration the historic setting of Grade II listed Stoke Lodge.

(D) WOULD THE PROPOSAL UNACCEPTABLY AFFECT THE RESIDENTIAL AMENITY OF NEIGHBOURING RESIDENTIAL PROPERTIES?

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.

Policy BCS23 in the Bristol Core Strategy states that the location of development should take account of the impact of the proposed development on the viability of existing surrounding uses by reason of its sensitivity to noise pollution. Policy DM35 in the Site Allocations and Development Management Policies states that any scheme which will have an unacceptable impact on environmental amenity by reason of noise will be expected to provide an appropriate scheme of mitigation.

Overbearing and Overshadowing Impact

The proposed replacement structure in this instance would be of a greater scale than the existing structure (in both footprint and height). However, the increase is not considered to be overly significant in this instance, and given the siting of the structure approximately 18 meters away from the nearest residential property (No.2 Stoke Lodge Cottage) it is considered that no detrimental overshadowing will arise, nor will an overbearing sense of enclosure be created to any surrounding residential properties.

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It is recognised that the replacement changing rooms structure would include windows to the west elevation which will directly face No.2 Stoke Lodge Cottage, however as noted above the separation distance between the development and this dwelling is considered relatively substantial meaning any overlooking would not be detrimental enough to warrant refusal, particularly as the windows are only located at ground floor level and No.2 Stoke Lodge Cottage has a relatively tall boundary fence, which will largely restrict views. Any light omitted from the replacement facilities would be similar to that of a residential unit, and would not be considered harmful enough to warrant refusal on light pollution grounds.

Noise and Disturbance

The application has also been assessed with input and advice from the Bristol City Council Pollution Control Team. In this instance it is recognised that the premises is located in a primarily residential area, with residential properties located directly to the north. A number of objections have been received from surrounding properties, which have raised concerns that the proposed application would result in increased noise and disturbance to the detriment of surrounding residential amenity given the nature of the use and proposed hours of operation (Monday to Friday 08:00 to 22:00, and from 09:00 to 20:00 on Saturdays and Sundays).

The applicant has confirmed that the replacement facilities (including the social area shown on the plans) will be used only in association with the use of the wider playing fields for sport activities. The applicant has confirmed that it will not include a bar and will not sell alcohol, will not be used as a venue for social functions or events (i.e. for fitness activities, club parties etc). It will be used by the school for briefing students, for teams as meeting space, and for players and spectators to use before and after sports games to enjoy light refreshments. The Council's Pollution Control Team therefore confirmed that they do not envisage that any harmful noise or disturbance would arise from the use of the replacement changing facilities.

However, it is still recognised that the hours of operation will be extensive and the use of the building in association with sporting activities late into the evening could still result in some noise and disturbance if not suitably managed (for example a student or Sunday football team holding a post-match event until 22.00 on a weekday or 20.00 on a weekend). Therefore to ensure that the premises will be suitably managed and operate in a manner which will cause no harm to the amenities of surrounding properties by reason of noise and disturbance the submission of a Premises Management Plan would be secured via condition if permission were to be forthcoming. The plan would need to set out clear details on issues such as frequency of events; non-school use (particularly in the evening and weekends); rules/conditions of use and management/checking of the premises. Compliance with this management plan would also be secured by condition.

It is recognised that a plant room is proposed within the building, however at present the exact details of the plant to be used at the site are not yet known. The Council's Pollution Control Officer subsequently requested that a condition be attached to any permission to secure the submission of details to show that any plant to be used in the future will be in compliance with the plant noise levels given in submitted acoustic report, and therefore not harmful to the amenities of surrounding residents.

Following the above it is considered that, subject to the imposition of relevant conditions if permission were to be forthcoming, the proposed replacement changing facilities would cause no detrimental harm to surrounding properties with regards to noise and disturbance, nor will the proposal result in any harmful overbearing, overshadowing or overlooking issues arising.

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Policy BCS9 in the Bristol Core Strategy (2011) states that the integrity and connectivity of the strategic green infrastructure network should be maintained, protected and enhanced. Individual green assets should be retained wherever possible and development should incorporate new or enhanced green infrastructure of an appropriate type, standard and size.

Policy DM17 in the Site Allocations and Development Management Policies (2014) states that all new development should integrate important existing trees. Where tree loss or damage is essential to allow for appropriate development, replacement trees of an appropriate species should be provided in accordance with the tree compensation standard. Policy DM15 in the same document states that green infrastructure provision facilitates a positive effect on people's health by providing space and opportunities for sport, play, and social interaction. The provision of additional and/or improved management of existing trees will be expected as part of the landscape treatment of new development.

The application proposes to remove four trees (3x category C, 1x category U) and one group of trees (category C) from the site. Following consultation the Council's Arboricultural Officer confirmed that the trees to be removed do not hold high visual amenity value and therefore the loss is acceptable in this instance. To mitigate the loss of these trees 3 no replacements are proposed on site, which is in accordance with the Bristol Tree Replacement Standard and is therefore acceptable. To ensure no harm is caused to any retained trees on site protection measures are proposed in the form of protective fencing and temporary trackway to protect tree roots. Following consultation the Council's Arboricultural Officer confirmed that these measures are acceptable.

Given the above, the application is considered acceptable on arboricultural grounds. If an approval was forthcoming conditions would be attached to any permission to ensure the tree protection measures are installed in accordance with the approved detail and the replacement planting is in accordance with the submitted landscape plan.

(F) WOULD THE PROPOSAL HAVE ANY ECOLOGICAL IMPLICATIONS?

Policy DM19 in the Site Allocations and Development Management Policies (2014) seeks to protect habitat, features and species which contribute to nature conservation, and developments are expected to be informed by appropriate surveys.

The application is supported by an ecology report, which has been scrutinised by the Council's Nature Conservation Officer, who raises no objection to the proposal subject to the implementation of the report's recommendations and the applicant observing the protection given during the bird nesting season, which if permission were to be forthcoming would be conditioned.

It is recognised some local residents have raised concern that the existing buildings to be demolished could provide habitat for roosting bats. The submitted ecological survey dated February 2017 has assessed that the two buildings on site have negligible potential to support roosting bats. The Council's Nature Conservation Officer has confirmed that they agree with the findings of the survey and have no reason to doubt the conclusions. A video submitted by a local resident as part of the public consultation shows bats flying around and apparently foraging but this does not necessarily mean that they are roosting in either of the buildings.

As noted above, the report that was undertaken included an assessment of the bat roosting potential of the two buildings on site. If the buildings had been assessed as having potential for roosting bats then further bat dusk emergence or dawn re-entry surveys would have been recommended during the period May to August/September. Significant external lighting such as floodlighting is not proposed as part of this application, which could have an impact on foraging bat

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activity.

Following the above, it is not considered that the proposed development would have any harmful impact on local wildlife and ecology.

(G) SUSTAINABILITY AND CLIMATE CHANGE

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

Paragraph 96 of the NPPF states that in determining planning applications, local planning authorities should expect new development to comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable.

The applicant has provided an Energy Strategy Statement which details some proposed energy saving measures such as air source heat pumps and solar panels. Whilst these measures would fail to meet the required 20% reduction in carbon dioxide emissions, the applicant has demonstrated in their submitted Energy Strategy Statement that this is unfeasible due to the hot water service load for the showers (which represents in excess of 95% of the total building energy consumption).

Following consultation given the scale and nature of development proposed the Council's Sustainability team confirmed that the measures proposed are acceptable in this instance. If permission were to be forthcoming a condition would be added securing these measures.

(H) DO THE PROPOSALS RAISE ANY SPORTS AND LEISURE PROVISION ISSUES?

As the proposal involves the use of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595) consultation with Sport England has been undertaken. Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.

Following consultation, Sport England confirmed that Playing Pitch Strategy (PPS) information shows that the site has poor changing provision and in need of investment. The principle of development is subsequently welcomed and acceptable in this respect, as the proposed development is ancillary to the principal use of the site as playing fields, and does not affect the quantity or quality of pitches or adversely affect their use.

Following initial concern raised by Sport England regarding the design and layout of the replacement facilities revised plans were provided. Whilst these have addressed most of the concerns raised Sport England have commented that the design and layout of the facility still isn't ideal with regards to offering optimum community sport use, primarily due to the lack of showers. Whilst this is not ideal, overall it is not considered reasonable to refuse the application on this basis, as the facilities overall will be much improved to the existing and will be of benefit to users.

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Sport England are keen to encourage the opening up of sports facilities to the wider community, when they are not required by the main user. On this site it would be valuable to agree in a Community Use Agreement (CUA) how the replacement facilities are intended to operate, covering such matters as hours of availability, management arrangements, pricing policy etc. It is recognised that the applicant has provided no detail or information covering these issues, however it is not considered pertinent to refuse the application in respect as such detail could be secured via condition, if an approval was forthcoming.

Following the above, the application is considered acceptable with regards to sport and leisure provision.

(I) FLOOD RISK

Bristol Core Strategy (2011) Policy BCS16 states that all development will also be expected to incorporate water management measures to reduce surface water run-off and ensure that it does not increase flood risks elsewhere. This should include the use of sustainable drainage systems (SUDS).

The Council's Flood Risk Team confirmed that the replacement building will re-use existing drainage infrastructure and will have little or no impact on surface water drainage matters. No objections are subsequently raised to the application on flood risk grounds, however it should be noted that if an approval was forthcoming a condition would be attached required further detail in relation to how the development will incorporate sustainable urban drainage methods (SUDS).

(J) AIR QUALITY

Policy BCS23 of the adopted Core Strategy (2011) and Policy DM33 of the Site Allocations and Development Management Policies (2014) requires development that has the potential for significant emissions to the detriment of air quality to include an appropriate scheme of mitigation measures.

Whilst the development will result in increased trips to and from the site the Council's Air Quality Team confirmed that this would not result in any harmful air quality impact given the scale of development in this instance.

(K) IMPACT ON PUBLIC RIGHT OF WAY

It is recognised that public footpath BCC/87 abuts the site on the north east boundary, which should remain open and safe for public use at all times. It is considered unlikely that the public footpath will be affected by the proposed development. No objections are therefore raised, however if an approval was forthcoming advice would be attached to make the developer aware of their obligations not to interfere with the public right of way whilst development is in progress or on completion, as any interference may well constitute a criminal offence.

CONCLUSION

Overall the LPA fully supports the principle of replacement changing facilities on site and recognises that the existing building is not fit for purpose. However, whilst the provision of replacement changing facilities is welcomed in principle it is not considered that this should give rise to unacceptable traffic conditions in the local area.

The basis for the objection to the current proposal is that the proposed enlarged and enhanced changing room facilities would result in an increased number of people accessing to the site. This would lead to a significant increase in coach/vehicle traffic which is unsuited to the local highway

Development Control Committee A – 21 June 2018**Application No. 17/06665/F : Stoke Lodge Playing Fields Shirehampton Road Bristol BS9 1BN**

network. Therefore, based on the information provided it is considered that the proposal would give rise to unacceptable traffic conditions in the local area.

During the course of the application the LPA suggested potential solutions, such as utilising the car park at the nearby Stoke Lodge, which is owned by the Council. However, the applicant didn't wish to enter discussions to see whether this may be feasible and has requested that a decision be made on the proposal as submitted to date without a final solution being agreed.

For these reasons the application is thus recommended to Members for refusal.

RECOMMENDED REFUSED

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

Reason(s)

1. The proposed enlarged and enhanced changing facilities would increase the intensity of usage of the facilities by Cotham School as well as community sports teams and that would in turn be associated with a significant increase in vehicle and coach traffic and parking demand unsuited to the local highway network surrounding the site. Therefore, based on the information provided, it is considered that the proposal would give rise to unacceptable traffic and highway safety conditions. The proposal is therefore in conflict with Policy BCS10 of the Bristol Core Strategy (2011) and Policy DM23 of the Site Allocations and Development Management Policies (2014) as well as guidance within the NPPF.

Advice(s)

1. Refused Applications Deposited Plans/Documents

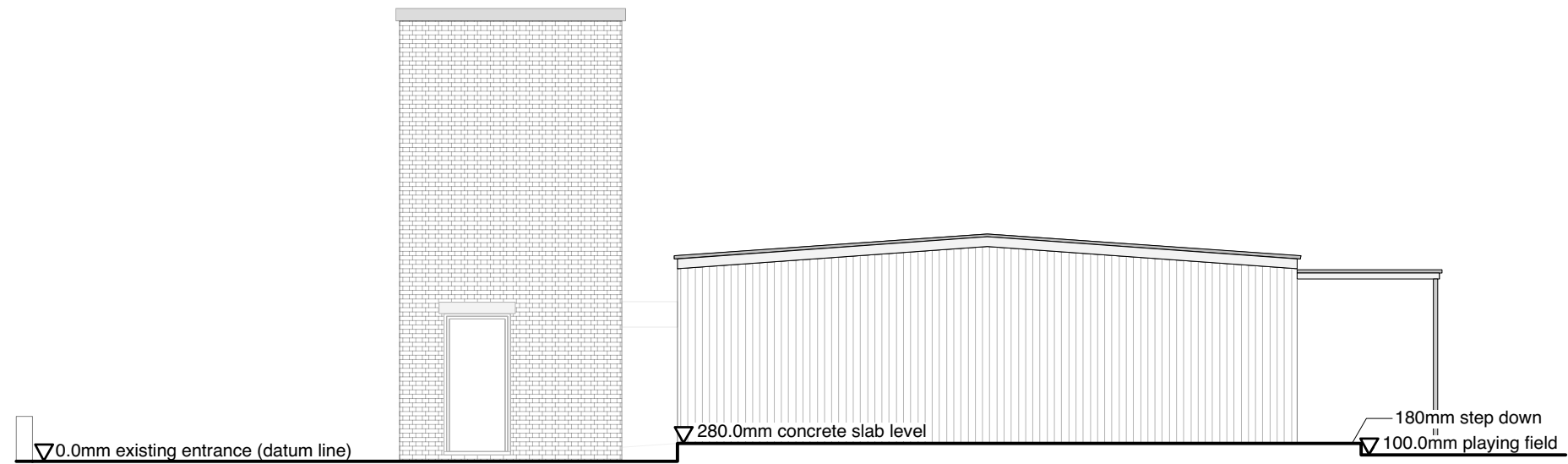
The plans that were formally considered as part of the above application are as follows:-

- DP-1 Demolition Plan, received 31 December 2017
- TPP-1 Tree Protection Plan, received 31 December 2017
- 160896 P(0)01 Location plan, received 1 December 2017
- 160896 P(0)02 Existing site plan, received 1 December 2017
- 160896 P(0)03 A Existing floor plan, received 25 April 2018
- 160896 P(0)04 Existing elevations, received 1 December 2017
- 160896 P(0)05 A Proposed site plan, received 31 December 2017
- 160896 P(0)06 B Proposed floor plan, received 31 December 2017
- 160896 P(0)07 A Proposed elevations, received 31 December 2017
- 160896 P(0)08 Existing and proposed site section, received 1 December 2017

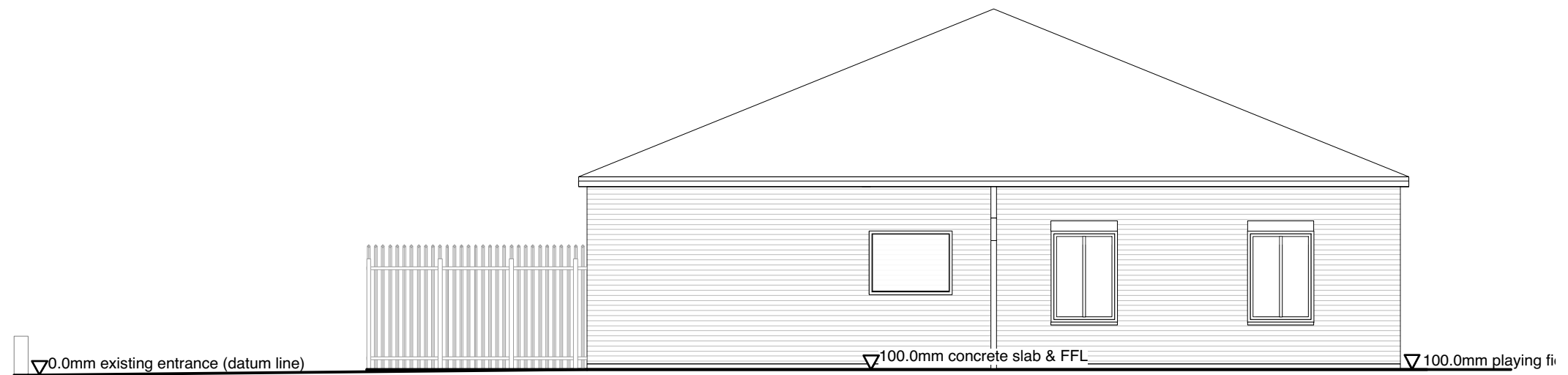
Supporting Documents

1. Stoke Lodge Playing Fields

1. Existing & proposed site section
2. Existing ground floor plan
3. Proposed elevations
4. Proposed ground floor plan
5. Proposed site plan



EXISTING SITE SECTION A



PROPOSED SITE SECTION A



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Chartered Building Surveyors
Interior Designers
CDM Services

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www.kendallkingscott.co.uk

Project
Stoke Lodge Pavilion
Client
Cotham School

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Rev Date By Ap Note

Drawing Title
Existing & Proposed Site Section

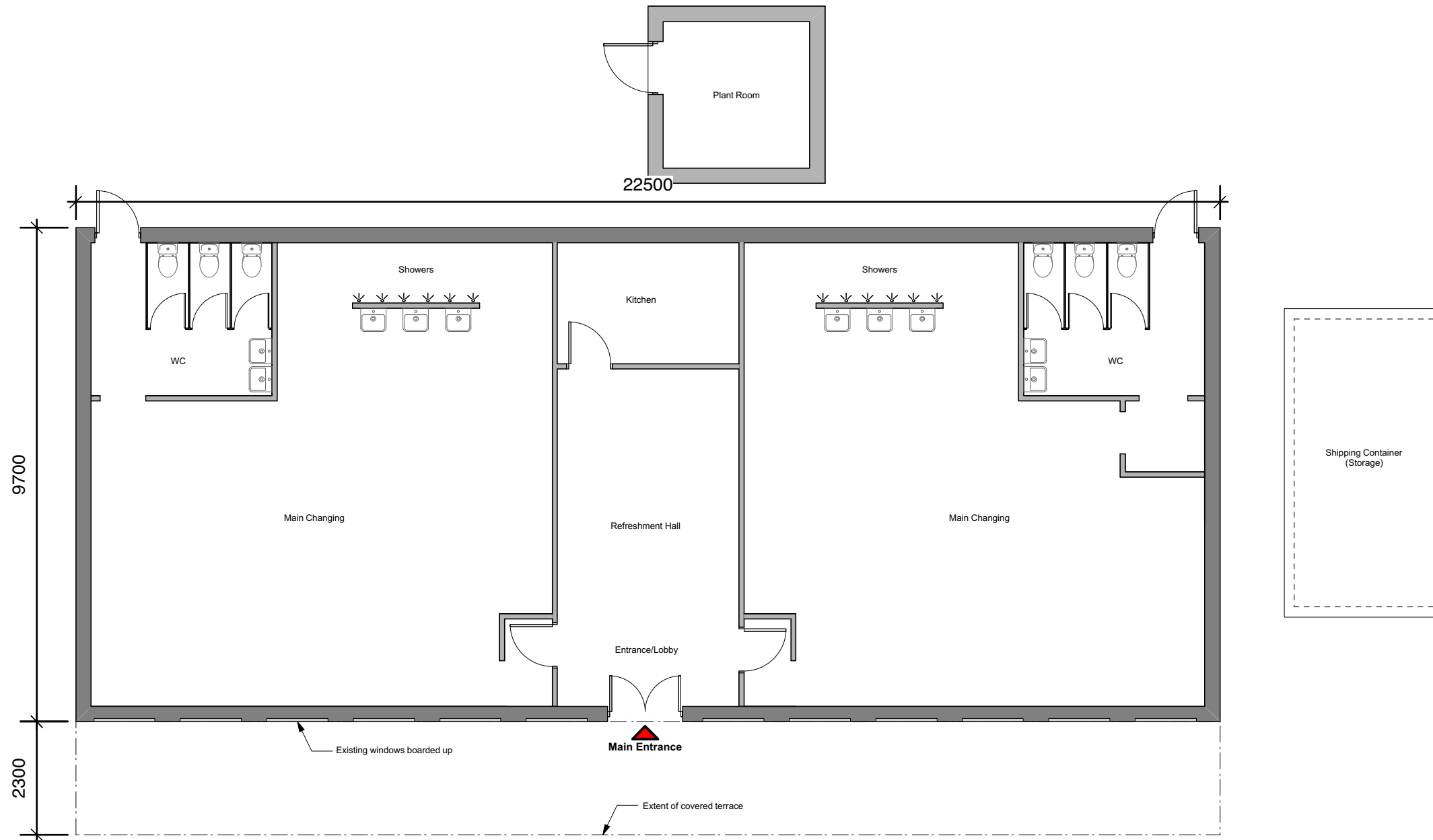
Project Number Drawing Number - Revision

160896 P(0)08

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1/2/17 GP SL PLANNING

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EXISTING GROUND FLOOR PLAN
Scale: 1:100



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Stoke Lodge - Replacement Pavillion

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A 09/04/18 GP SL Covered terrace added
Rev Date By Ap Note

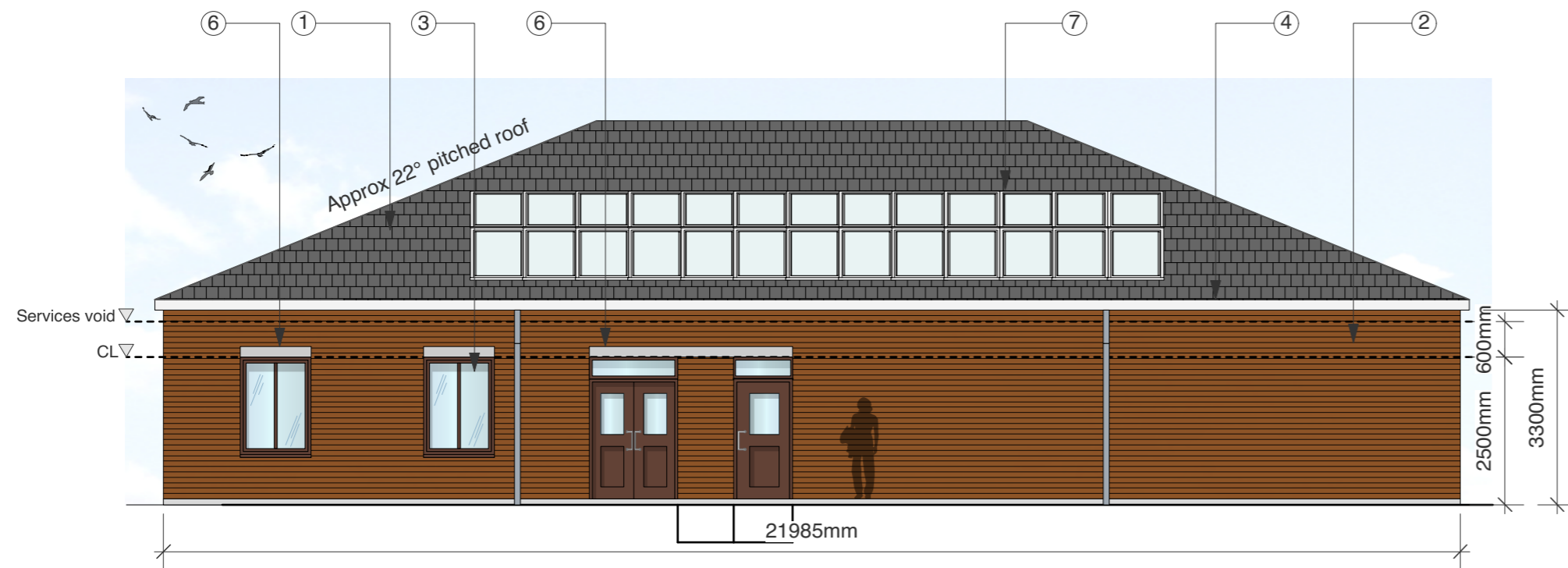
Drawing Title
Existing Floor Plan

Project Number Drawing Number Revision
160896 P(0)03 A

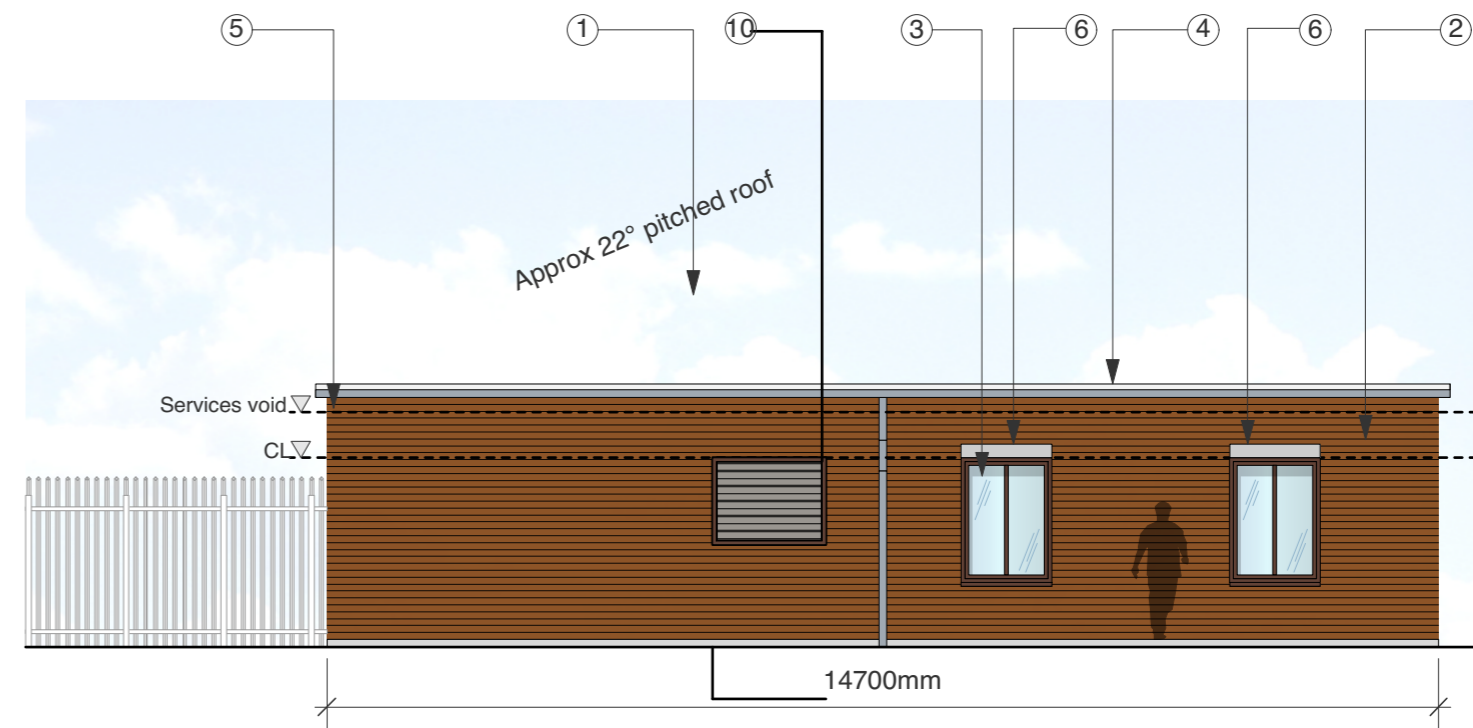
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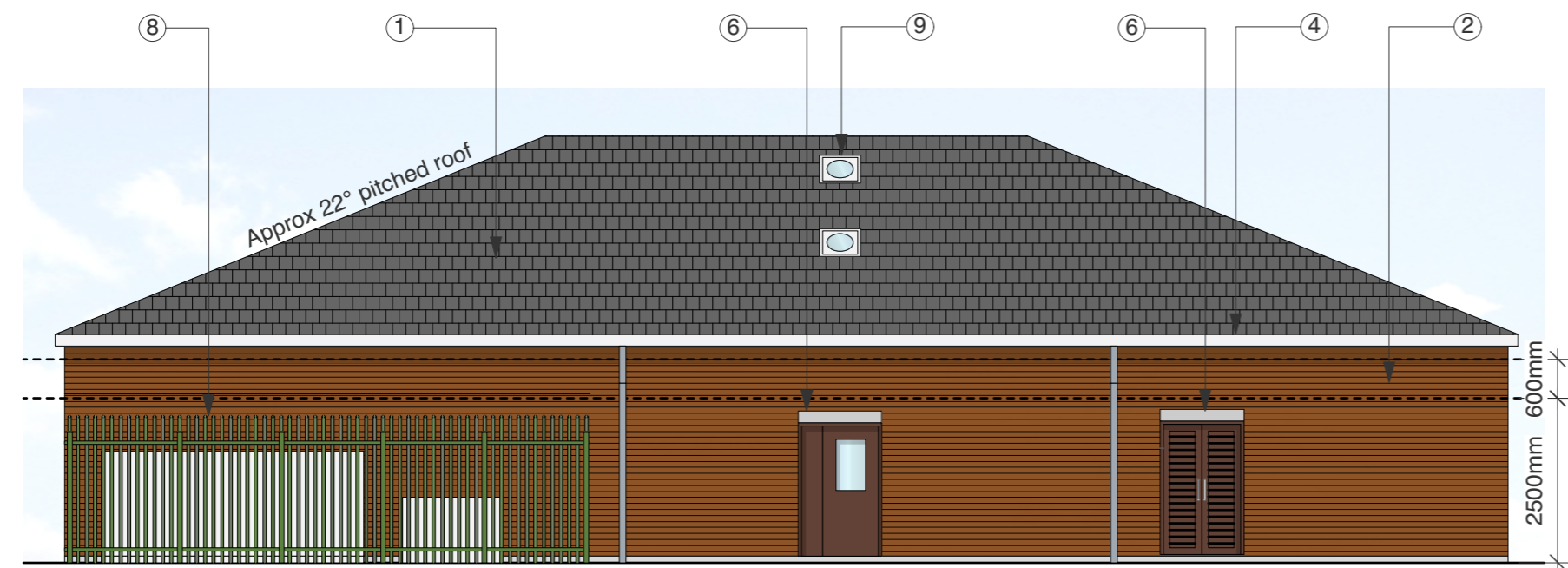
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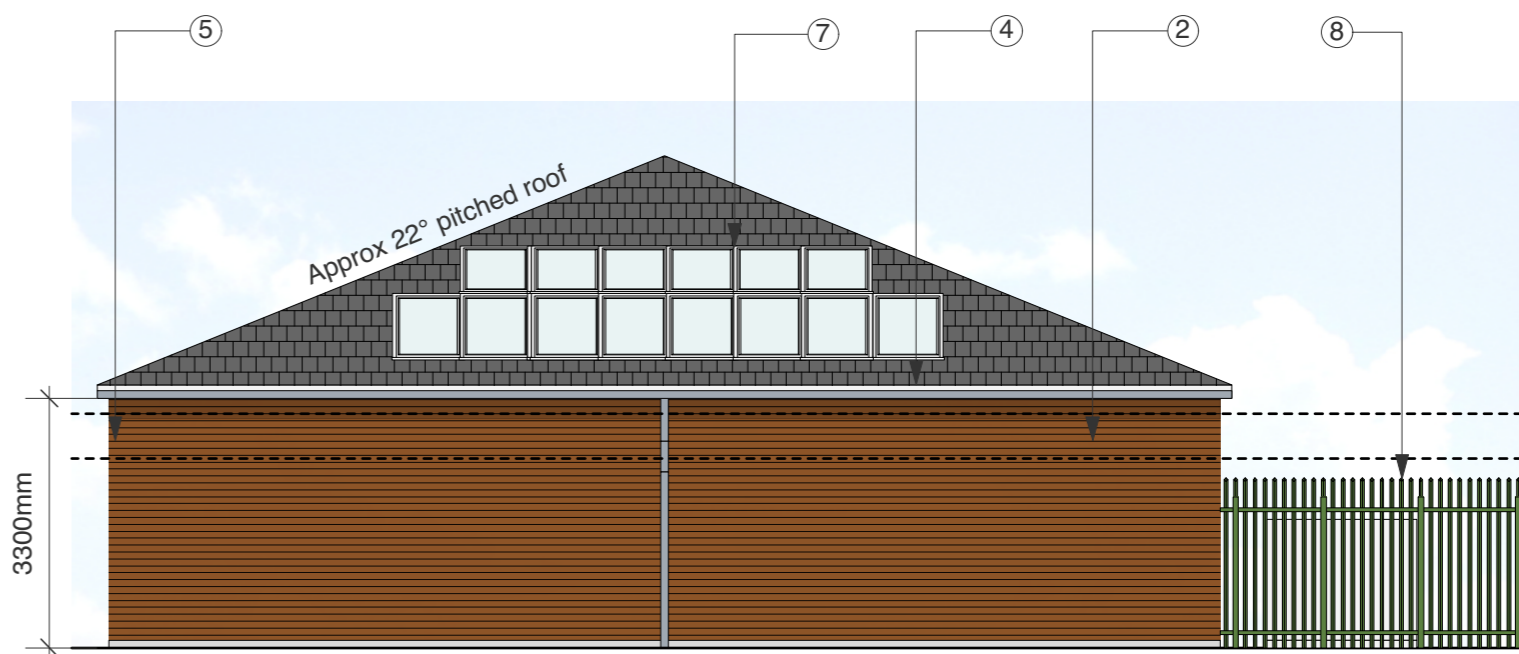
PROPOSED SOUTH WEST ELEVATION



PROPOSED NORTH WEST ELEVATION



PROPOSED NORTH EAST ELEVATION



PROPOSED SOUTH EAST ELEVATION

GENERAL NOTES

WINDOWS & DOORS

P&F New double glazed PVCu windows and doors to BS 7412, BS EN 14351:1, BS 6375

WALL CLADDING

To the tenderers wall construction design proposals, P&F new Thermowood horizontal spruce/pine timber cladding system as supplied by Metsä Wood. The cladding profile shall be either the channel or PMV profile size 118mm x 21mm or T&G shiplap planks 142mm x 21mm thick as Thermo D profile reference for external use. The cladding system shall incorporate a drained and ventilated cavity to ensure any water penetrating the cavity will drain away and any vapour within the cavity wall will be diffused away by the vertical air flow. The frame fixing method shall suit the tenderers wall construction design. To the Thermowood cladding, apply Sikken's BL opaque exterior wood stain treatment together with Sikken's Cetol BL pre-dura. All to be applied in strict accordance with the manufactures instructions and recommendations.

FASCIAS & SOFFITS

P&F new white PVCu 18mm thick fascia boards and 9mm thick soffit boards as supplied by Eurocell. The depth of both fascia and soffit dictated by the tenderers roof construction design.

RAINWATER GOODS

P&F new Alumasc AX Smooth deep run powder coated aluminum guttering and compatible downpipes. Gutter to be 125mm x 110mm deep with 75mm diameter circular downpipes. Rainwater system shall be RAL 9017M Black. Extend downpipes to connect to the new below ground drainage via new Hepworth back inlet gullies. All to be installed in strict accordance with the manufactures instructions and recommendations.

ROOF

P&F new Decra classic aluminum galvanized steel roof tile cladding in Anthracite grey. Size of cladding to suit the roof configuration. Tiles to be fixed to the contractors roof structure design using 50mm x 2.5mm coated Decra nail fixings.

P&F protimised softwood roofing battens 50mm x 25mm or 38mm x 25mm battens to suit tenderers design rafter centres. The roof covering shall incorporate the Decra dry-fix method. Include for cloaked verges, ridge and hip tiles. All to be installed in accordance with the manufactures instructions and recommendations. Roof construction and ventilation design to be submitted by the tenderer shall be fully building regs compliant.

The exact roof pitch to be confirmed by the tenderers design submission allowing for the height requirements for the M&E plant room requiring 3.4m height clearance as a minimum.

SUN TUBES

P&F new Icopal Dalite Solartubes as shown. Fit solatube kit 290 DS ref ST29UPK including extension tubes and visdion ceiling diffuser.

SECURITY SHUTTERS

P&F high security roller shutters to the windows and doors as manufactured by Samsondoors. Ref Seceuroshield 3801.

WINDOW NOTES

WINDOWS

To achieve u-Value of 1.8W/m2K, calculated according to BE EN 10077-1 or 10077-2 as defined in BS EN 14351-1 to Approved Document L2B.

GLAZING

To be hermetically sealed double glazed 28mm units, comprising inner pane of 6.4mm soft coat low emissivity laminated glass and an outer pane of 6.4mm toughened glass as size dictates. Units to be argon filled with warm edge spacer bar. The sealed units to have a centre pane u-Value no greater than 1.2W/m2K.

Insulated composite panels to be 28mm thick with internal and external Plastisol face with 4mm plywood and Styrofoam core. The panel construction should produce a 'centre pane' u-Value of 1.1W/M2K or less.

WINDOW IRONMONGERY

To be espagnolette locking mechanism with restrictor and lockable lever handle.

DOOR IRONMONGERY

Doors to be complete with anti-finger trap hinge style, low threshold, overhead DDA closers, standard DDA lever handles. Locks to comprise Adams Rite MS2200 lock with Europrofile suited cylinder (supplied by client) externally and internal thumbturn and slave doors to have flush bolts.

Contractor to provide manufacturing drawings and sizes to the client for approval.

1. Decra Classic profiled metal sheet roof tile cladding
2. Thermowood timber cladding - colour TBC
3. UPVC double glazed window - colour TBC
4. White PVC soffits and fascias
5. Powder coated aluminium rain water pipes
6. Security roller shutter doors
7. Photovoltaic panels
8. 2.0m high galvanized steel palisade fence enclosure with RAL 6005 Moss Green paint finish
9. Icopal Dalite Sun Tubes
10. 1500mm Food Hatch



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Project: Stoke Lodge - Replacement Pavillion
Drawing Title: Proposed Elevations

Client: Cotham School

Rev Date By Ap Note

Project Number: 160896
Drawing Number: P(0)07
Revision: A

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Date: 24/01/18
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INTERNAL MATERIALS SCHEDULE

CEILING

To the changing rooms, P&F Gyproc ICS plasterboard ceiling system with metal support framing system with 1 no. layer 12.5mm thick Gyproc Soundbloc board and plaster skim finish. Shower rooms to have Gyproc moisture resistant plasterboard and skim finish. Alternative PVC face plasterboard acceptable.

To all other rooms except the plant room which does not require a ceiling, P&F Armstrong Trulock Prelude TL24 exposed grid suspended ceiling system with Armstrong Dune Max 600x600x15mm thick ceiling tiles.

Finished internal ceiling height - 2500mm.

WALLS

All wall finishes shall be either 12.5mm thick plasterboard and skim finish or PVC/vinyl faced.

To the shower room perimeter walls and accessible walls, full height P&F white 2.0mm thick PVC Hygienic wall cladding manufactured by Altro or Bioclad.

FLOOR COVERINGS

To the shower rooms, accessible shower/WC and changing rooms, P&L 2mm thick Polysafe Ultima slip resistant vinyl sheet flooring.

To the social area, P&L 2mm thick Polysafe Woof FX PUR slip resistant vinyl sheet flooring.

To the entrance doors, P&L entrance barrier matting as Forbo Coral Classic roll barrier carpet.

All flooring to be laid in strict accordance with the manufactures written instructions.

SANITARYWARE

To all toilets except the accessible WC, P&F Armitage Shanks vitreous china close coupled WC pan and cistern as Sandringham 21.

To all toilet areas except the accessible WC, P&F Armitage Shanks Sandringham 21 35cm hand rinse basin.

P&F Armitage Shanks Doc M Contour Pack toilet set with grab rails etc in blue (LI).

P&L new Armitage Shanks Doc M shower room pack.

P&F Armitage Shanks Alder heavy-duty cleaners sink with bucket grate, support legs and Alterna Quadrant bib taps.

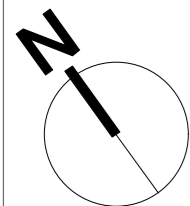
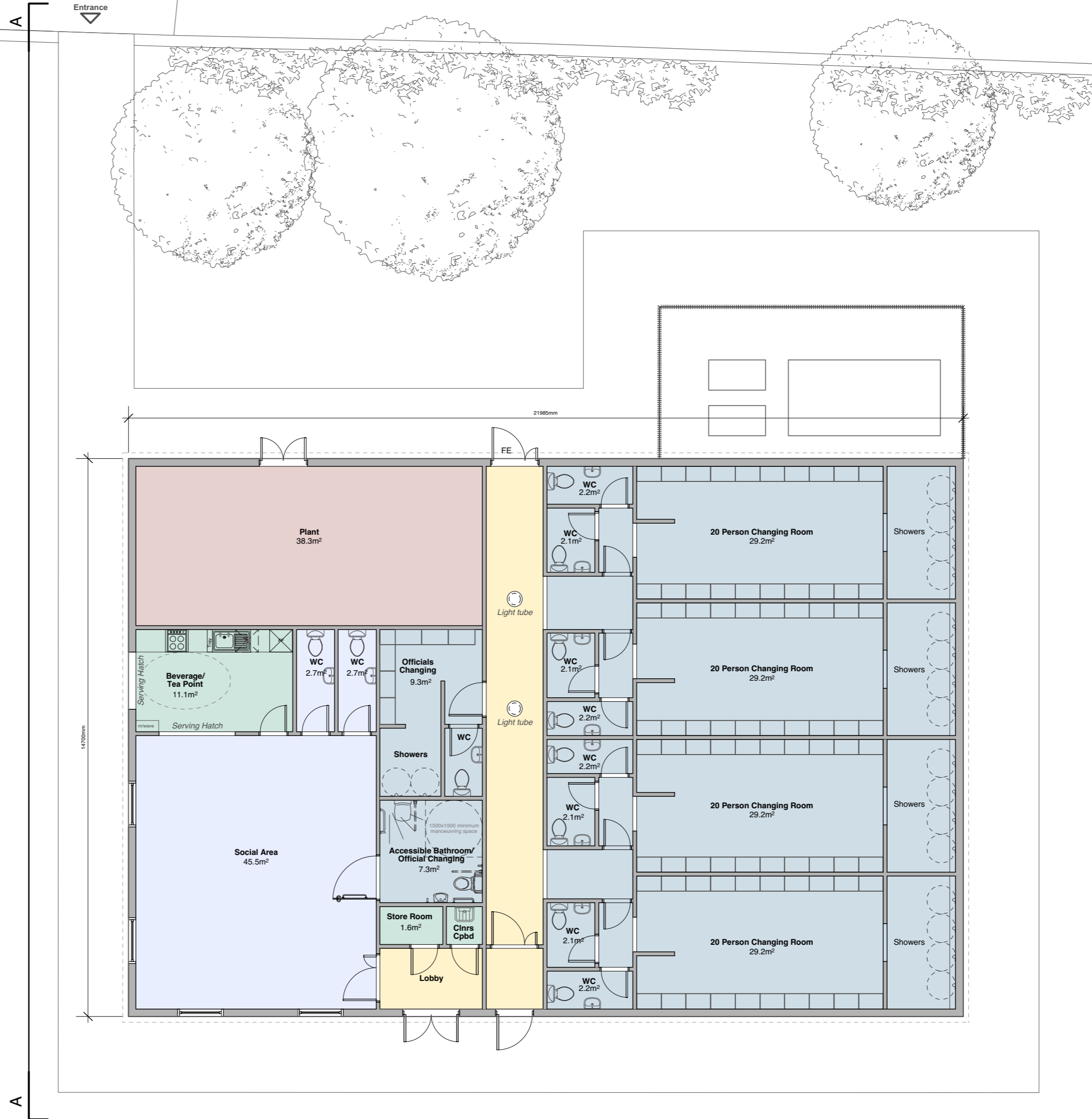
DOORS

P&F 44mm thick solid core internal doors with ash veneer flush, manufactured by Howdens Joinery Ltd. The doors to be social area and inner lobby doors shall have full height glazing. Include for FD30s as applicable.

BEVERAGE / TEA POINT

P&F new kitchen units and worktop all as supplied by Howdens Joinery Ltd. Range shall be Greenwich Gloss White with D handles and 35mm thick square edge laminated oxidized metal grey worktops.

P&F new Lamona stainless steel sink and taps. P&L new fittings including ceramic hob, re-circulating extractor hood, integrated tower fridge/freezer and dishwasher.



PROPOSED FLOOR PLAN
Scale: 1:100



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Project: Stoke Lodge - Replacement Pavilion
Drawing Title: Proposed Floor Plan

Client: Cotham School

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B 24/01/18 GP SL General layout amendments
A 12/10/17 GP SL General layout amendments
Rev Date By Ap Note

Drawing Title: Proposed Floor Plan

Project Number: 160896 P(0)06
Drawing Number: B

Date: 24/01/18
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MATERIALS SCHEDULE

FOOTPATHS

To the new footpaths as shown, excavate the ground to reduced levels and clear debris from site.

P&L new PCC 150x50mm path edging kerbs haunched in concrete. Fully compact the sub-grade and lay 200mm compacted thickness of 150mm Type 1 stone base.

P&L asphalt concrete base course in 60mm thick with 20mm size aggregate followed by 25mm thick asphalt concrete wearing course using 6mm size aggregate, all land to BS EN 13108-1.

PLANT COMPOUND

To the proposed air source heat pump and air handling unit compound enclosure, construct new reinforced concrete slab base. Excavate ground to reduced levels and clear debris from site.

P&L Geotextile membrane. P&L new reinforced concrete slab comprising 150mm thick PAV2 concrete with A142 mesh with minimum 25mm top cover.

To the new compound P&F new palisade fence enclosure. New fence to be hot dipped galvanised steel with powder coated finish with RAL 6005 moss green finish. Fence to be 2000mm high from FFL using 127x70mm universal beam at maximum 2.75mm centres, 70mm diameter, 3.9mm poles and 50x75x6mm horizontal rails.

P&F matching palisade double gates with sliding bar and heavy duty combination lock. All fencing installed in accordance with BS 1722. Fence post abutting the building shall have a minimum 50mm stand off gap.

LANDSCAPING

To the existing soft landscaping with the site area, up to the stone boundary hedge line and allowing for re-grading as shown, allow to grab up and clear all vegetation growth. Including sapling trees, slumps, brambles, ivy growth etc and clear from site. Include for digging out roots etc, clear all debris from site.

Import new sterilised grade A top soil to re-grade, bring up proposed levels. To the new soil, dress new Grade B grass seed similar to the playing field.

BOUNDARY WALL OPENING

To the stone boundary wall entrance allow to form new 2m wide opening. Retain the right hand reveal to widen the opening towards the adjacent neighbouring property to the west. Reform the new reveal to match existing.

BOUNDARY FENCE

To the existing site boundary timber fence, provisionally allow to take down the fence completely and all concrete footings and clear all debris from site. P&F new tanilised timber 1.8m high traditional close boarded fence all as specified.

Existing concrete slab and shrubbery to be removed, landscape to be returned and made good.

Increase width of existing entrance to 2m

Entrance

Existing stone boundary wall

Perimeter timber fencing

Level access approach (minimum 1:21 fall)

ASHP & AHU Compound

2.0m high galvanised steel palisade fence enclosure with RAL 6005 Moss Green paint finish.

Air handling unit (AHU)

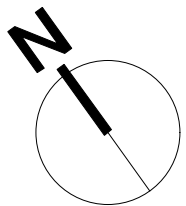
Air source heat pump (ASHP)

Sun tube

PROPOSED PAVILLION

PV Panels. Extent to be confirmed.

EXISTING SITE PLAN
Scale: 1:200



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Project
Stoke Lodge - Replacement Pavillion Proposed Site Plan

Client
Cotham School

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Drawing Title

Project Number Drawing Number Revision

160896 P(0)05 A

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Development Control Committee A – 21 June 2018

ITEM NO. 2

WARD: Avonmouth & Lawrence
Weston

CONTACT OFFICER: Susannah Pettit

SITE ADDRESS: Sims Metal Management Royal Edward Dock Bristol BS11 9BT

APPLICATION NO: 17/07003/F Full Planning

DETERMINATION DEADLINE: 11 April 2018

Redevelopment of site to include amended transport layout and replacement and relocation of metal processing equipment relating to existing metal processing facility (B2 use class). (Major Application)

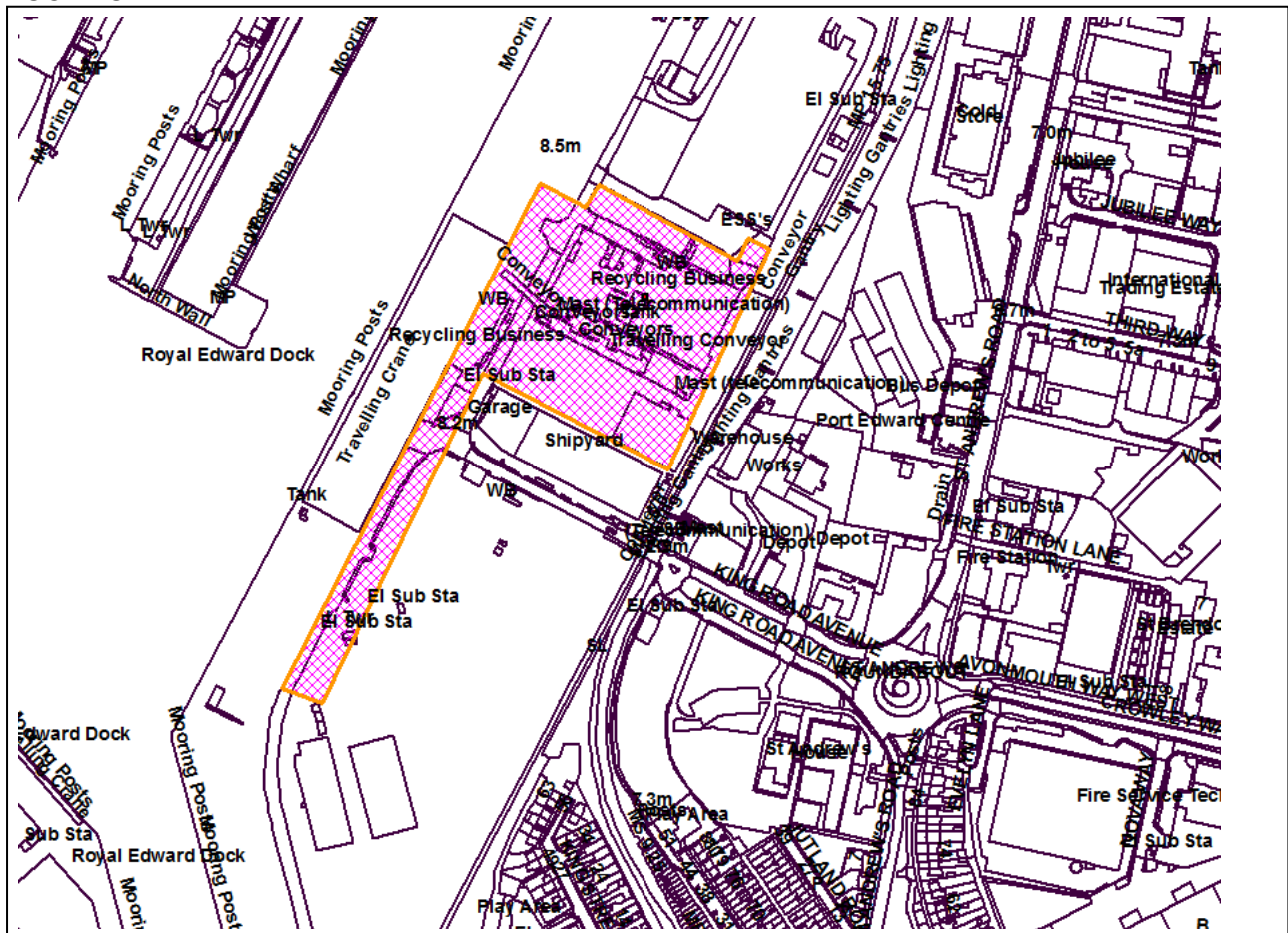
RECOMMENDATION: GRANT subject to Planning Agreement

AGENT: RPS
Sherwood House
Sherwood Avenue
Newark
NG24 1QQ

APPLICANT: Sims Group UK Limited
Long Marston Road
Stratford upon Avon
CV37 8AQ

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

LOCATION PLAN:



Development Control Committee A – 21 June 2018**Application No. 17/07003/F : Sims Metal Management Royal Edward Dock Bristol BS11 9BT****SUMMARY**

The application relates to an existing metal processing facility within the Avonmouth Principle Industrial and Warehousing Area, as designated by the Bristol Local Plan. The application land is managed by Sims Metal, and owned by the Bristol Port Company.

Planning permission is sought to expand the facility onto an adjacent piece of land, to add new plant, and to upgrade and acoustically enclose existing plant. The current machinery on site has been in place for 30 years and is dated. The proposed plant would be more efficient than the existing plant and is proposed to significantly reduce noise and dust emissions. In addition, the vehicular circulation route around the site is proposed to be altered. There would be three weighbridges instead of one, which would mean that HGVs entering the site would not need to queue as far along the access road and would have a more coherent one-way route through the site.

In terms of Permitted Development rights, it has been confirmed that the works would not benefit from permitted development under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), in particular Part 7, Classes I and J works relating to industrial processes); as the proposed works would affect the external appearance of the premises, and would exceed 15m in height. Neither would the works benefit from permitted development under Part 8, Class B, (works relating to docks) as the facility is not solely related to shipping.

The main issues in this application are whether the introduction of new plant and a new circulation system for vehicles would result in an improvement to the environmental impact of the facility. The impacts are felt by the nearby residential area of Avonmouth Village, and 14 objections have been received in relation to this application. The issues are summarised and assessed below. It should also be noted that the operations at Sims are also subject of an Environmental Permit (issued by the Environment Agency (EA)).

SITE DESCRIPTION

The applicant is Sims Metal Management, and this company owns and manages a metal processing plant close to Royal Edward Dock in Avonmouth, to which this application relates. The facility processes both 'cut grade' and scrap metal (mainly used cars) to be either exported by ship to be recycled or removed from the site via HGV trucks. The facility has been operating in this location since 1988, employs over 40 people and operates over an area of approximately 2.6 hectares. HGV lorries currently bring waste metal to the site, and queue for the single weighbridge along the northern access road.

As noted above, the site is within the Principle Industrial and Warehousing Area of Avonmouth, and therefore sits within an area of similar industrial uses. The closest parts of Avonmouth Village (King Street) lie some 230m away from the site, and residents of this area have reported disturbances in relation to noise and dust from this site.

The proposal site is located within an area at risk of flooding - part of it lying within Flood Risk Zone 3 - as identified by the Environment Agency.

The site is also in close proximity to the Severn Estuary Site of Nature Conservation Interest, and Special Area of Conservation.

RELEVANT HISTORY

Planning permission was granted on 24 October 1988 for the reposition of fragmentiser from adjoining site together with the continued use of office/canteen and parking, BCC ref: **88/02701/F**.

A Certificate of Lawfulness (BCC ref: **08/01491/F**) was granted on 21 May 2008 for the erection of a steel clad portal framed building.

Development Control Committee A – 21 June 2018**Application No. 17/07003/F : Sims Metal Management Royal Edward Dock Bristol BS11 9BT**

A section 73 (variation of condition) application was granted (BCC ref: **12/04333/X**) for the variation of condition 3 (operating hours) planning permission 88/02701/F on 10 December 2012.

A request for a Screening Opinion as to whether an Environmental Impact Assessment is required for improvements to existing metals recycling facility was responded to on 16 February 2017, BCC ref **17/00063/SCR**. It was confirmed an Environmental Impact Assessment was not required.

APPLICATION

The application seeks planning permission to extend the operating area by approximately 1.3 hectares, install additional plant to work alongside the existing plant, and provide improved plant and enclosures for existing functions. There would also be a revised vehicle circulation area within the existing site.

The main alterations would be as follows:

- New pre-shredder to reduce occurrence of deflagrations (explosions) in the Fragmentiser

- Alteration to weekday opening hours from 7am to 9pm as approved, to 6am-10pm.

AMENDMENT - THIS ASPECT HAS NOW BEEN REMOVED FROM THE APPLICATION AND THE HOURS ARE TO REMAIN AS 7AM-9PM.

- Introduction of acoustic housing around main machinery

- Introduction of new traffic flow one-way system and three weighbridges (instead of one) to reduce occurrence of lorries queuing outside the site

- Three new buildings which would separate metal, where each of the processes would be quieter and more attenuated than the existing

- Covered storage bays to protect outgoing materials (which are not currently covered) from the elements and to improve the appearance of the site

- Addition of a 3.5m acoustic fence around the dock loading area.

The application confirms that there would be no change to the throughput of materials as a result of the proposals (although this is controlled by the Environmental Permit), but envisage that the benefits brought about by the scheme would be; a reduction in noise due to acoustic housing as well as new equipment that would reduce the risk of deflagrations; and more efficient road system that would minimise vehicle movements.

EQUALITIES ASSESSMENT

During the determination of this application, due regard has been given to the impact of the schemes in relation to the Equalities Act 2010 in terms of impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs, experiences, issues and priorities in relation these particular proposed developments. Overall, it is considered that neither the approval nor refusal of this application would have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

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.

Development Control Committee A – 21 June 2018**Application No. 17/07003/F : Sims Metal Management Royal Edward Dock Bristol BS11 9BT**

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 (SCI) (dated December 2017) which has been assessed, and is summarised below:

i) Process

Sims presented plans to the Avonmouth Planning Group meeting on 27th September 2017. A public exhibition was held in November 2017 and was attended by 23 people, and one-to-one briefings were held with local elected councillors in November 2017, and a meeting was held with Councillor Jo Sergeant on 17 October 2017. A conference call with Darren Jones MP took place on 16 November 2017. A press release in the Bristol Post and Bristol 24/7 also took place. Postage paid reply slips were provided, or people could write their comments at the event. A dedicated website was also set up for people to submit their comments online and a dedicated phone line was set up for people to register their comments by the telephone. Further information was also available on request.

ii) Fundamental Outcomes

Overall, a total of four responses were received in various formats. Notes were also taken of the verbal responses made during the consultation meetings.

Issues raised were noted as follows:

- Loud bangs and noise from the site have been an issue with residents and there was concern about anything that might increase the likelihood of additional noise.

Applicant's response: The proposals include improvements to the operations on site by adding new equipment, including a pre-shredder, which would reduce the possibility of igniting anything flammable and allowing any liquids or gases to escape slowly. Acoustic housing would also enclose the downstream plant and shredder which would further reduce the potential for noise.

- Concern that the proposal should not have a detrimental impact on air, ground or water quality

Applicant's response: Sims Metal Management, as a recycling site, has to comply with stringent regulations and UK law requires a permit to be in place in order to operate.

- Concern that the new proposals would generate additional dust.

Applicant's response: Sims operates in accordance with its Environmental Permits and takes care to ensure their operations do not result in adverse effects locally, including the creation of dust. As a result of the proposed new 'Downstream' plant, improved traffic management processes through the site, as well as enclosures to the 'shredder' and covered storage bays, dust mitigation measures would be improved.

- Access and transport impacts

Applicant's response: The proposed new traffic management system would avoid long queues of HGVs waiting to enter the site and will improve the speed at which they can load and unload their cargo. Whilst the numbers of vehicles would not be reduced, the loading and unloading process would be quieter and quicker.

- Concern whether the increased hours would lead to increased operations

Applicant's response: There would be no change to the throughput of materials as a result of these proposals. The site would operate more efficiently, and this is the primary motivation for the changes. The proposal to add two additional hours on weekdays is because it would allow 2x8 hours shift within a day.

- Concern that the current operations generate lots of noise from crane operators loading the ships at dockside.

Applicant's response: These comments are noted, but the dockside area is outside the red line of this application. The applicant has already put into place a soft loading operating procedure since 2014, and will continue to consider ways of improving this in the future.

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RESPONSE TO PUBLICITY AND CONSULTATION

A total of 359 neighbours and occupiers in the area were notified about the original scheme by letter dated 26.02.18, and the amended scheme by letter dated 16.05.18. In each case they were given 21 days to comment. The site notice and press advert were posted on 07.02.18. A total of 14 objections were received (to the original scheme), and one letter of support. These are summarised below. There were no further objections in response to the second consultation.

CONSULTATION RESPONSES:

- The company gave assurances to local residents that a new improved modern plant would reduce the number of explosions and also reduce dust and noise coming from their plant, which is all good, provided they are correct. However as pointed out by the government inspector at the Day Group Public Inquiry, It would be an opportunity for the planning department to press Sims Metals to modernise the part of their operation that most concerns local residents, which is the loading of the ships and movement of metal on the dockside, This is the cause of much of the noise and dust that local people have had to put up with over the decades. It should be possible to crush the scrap into cubes making it quieter and easier to load and move around the dock and also reduce the dust. If this could be negotiated it would help redress some of the harm that BCC Planning Department have inflicted on residents over the last 40 years.
- I am not convinced the new plant would alleviate current problems of dust and noise. There should be measures taken to suppress dust and new measures to load ships and lorries.
- If cubing at the end of the process can't be done, a magnetic loading system instead of grab should be employed. In order to contain the dust, the perimeter fencing needs to be at least twice as high as in the proposed application. At recent public enquiry an Inspector commented on the level of noise being emitted from the plant causes noise for the neighbours. We have been told the new plant would be more neighbour friendly but with past experience, I am not convinced of this.
- I am concerned about the noise and other environmental impacts that will occur if this operation is allowed to operate at night. Nothing has been done about the metal crashing and reversing beepers.
- Sims seem to operate for 24 hours on a very regular basis throughout the year and do not seem to worry about the noise being generated.
- Sims do not depollute cars and associated feedstocks before accepting into the processing plant, which is in direct breach of their licence from the EA. (Officer note - this comment has been fed back to the EA) They do not use water suppression when the plant is in operation or when loading their product into ships. There are no figures available for the current usage of water on site, and this needs to be made available for public scrutiny before a decision is taken. The granting of this planning application will involve Sims being able to store even more unsafe materials at the site without a robust plan being put into place or being enforced.
- The increase in hours will harm wildlife as well as residential amenity. There have been lots of explosions observed, and these release chemicals and metal particles.

St Andrews Church, Avonmouth:

Our Church and Church Hall are quite often used in the evenings and the noise of metal being dropped into ship's holds and explosions from the machinery spoils the enjoyment of the people using our premises. Indeed I remember some time ago that a very large explosion rocked our building in the middle of a Sunday service! It was very frightening for our Congregation who thought the roof was falling in. We are, at present in the middle of a refurbishment of our Church and hall and it is likely that the premises will be used even more in the future. Some of our congregation live near to the plant and as we are being told at the moment that noise pollution is very bad for our health I cannot see that the proposed plans will help much. I also have had some of our members complaining about a metallic smell and taste at various times.

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As Church Warden, I am also concerned with the cleaning of the building and have noticed that the dust which gathers there contains a metallic element. This must also threaten our health when breathed in and may be ingested with food.

This plant is not suitable to be in the area at all and would be best situated elsewhere. It is much too near a residential area.

Bristol Port Company: SUPPORT

We welcome the proposals that include measures to significantly reduce the impact of the operation on the surrounding area, including works to stop explosions within the facility that we know are safely accommodated but nevertheless concern our residential neighbours.

OTHER COMMENTS

Air Quality has commented as follows:-

No objection.

There was a widespread public concern over dust potentially including that alleged from Sims. My team has organised a health study PM10 particulates and also a deposition study throughout Avonmouth but have found no concern or links with industry. There is potential for my team to use enforcement regarding dust from the dropping of metal into the boat (should there be a clear nuisance from that) but this activity has not changed as a result of the current application.

All potentially dusty activities on the quayside and main processing site/operations are controlled by the Environment Agency through a permit which includes the need for a dust management procedure and controls. I acknowledge the public concern but have no evidence and again the improvements may help reduce dust.

Ultimately however it is pollution control and the Environment Agency who deal with the regulation of the sites.

Contaminated Land Environmental Protection has commented as follows:-

No objection, subject to conditions.

In view of the Environment Agency conditions, they still require a quantitative DQRA of the groundwater results which to date has not been undertaken so this condition needs to remain as pre-commencement.

The ground gas risk assessment identified CS5 conditions (very high risk) at depth and estimated CS3 conditions at shallow depth. As it stands the deeper ground gas is generally prevented from rising vertically by the nature of the geology. The results are quite different to that of nearby sites recently subject to assessment but ultimately the foundation design will need to take into account these conditions. The applicants may wish to consider recent reports from elsewhere in the vicinity.

The piling risk assessment condition should remain, mainly as the latest ground conditions report concludes that there is a risk from ground gases and it can be mitigated in part by design, however none of the foundation design details are provided with the application.

I recommend imposition of conditions (worded in a different manner), the catch all condition whilst reducing the number of overall conditions can cause issues later on in the process as it encompasses everything as a pre-commencement condition.

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

Thank you for your re-consultation, received 16 May 2018.

Environment Agency Position

On the basis of the revised hours of operation, we withdraw our objection to the proposed development subject to the comments outlined in this letter and the inclusion of conditions (on flood

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risk and contamination) in any planning permission granted. (Officer note: Conditions are included in the recommendation)

Pollution Control has commented as follows:-

No objection. See full consideration at Key Issue (B)

Sustainable Cities Team has commented as follows:-

The planning application submission doesn't fully address the requests outlined in the pre-app letter (only EV charging and energy monitoring mentioned). I consider that more could be done, for example, installing additional cycle stands and some renewable energy for the office building.

Transport Development Management has commented as follows:-

No objections. See full consideration at Key Issue (C).

Flood Risk Manager has commented as follows:-

Discharging surface water directly to the adjacent watercourse, using the existing system, will be a suitable drainage arrangement.

RELEVANT POLICIES

National Planning Policy Framework – March 2012

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

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

KEY ISSUES

(A) IS THE PROPOSAL ACCEPTABLE IN LAND USE TERMS?

The operations on this site were established in 1988, and the site has been operating as a B2 use since this time. The NPPF supports sustainable economic growth, and the Core Strategy policy BCS8 secures the land within Principle Industrial and Warehousing Areas (PIWAs) - protecting it where it makes a valuable contribution to the economy and employment opportunities. Bristol Local Plan policy DM13 discusses the range of uses that will be acceptable in the PIWAs.

Specifically, BCS4 sets out the policy approach to Avonmouth, which is characterised by its juxtaposition of heavy industrial uses with environmental assets, including the Severn Estuary (which is designated a Special Protection Area, Special Area of Conservation and a Ramsar Site). There are also Sites of Special Scientific Interest, rhines (drainage ditches which are of local biodiversity importance) and the Avonmouth Levels, which constitutes the area's historic estuarine landscape which shows evidence of prehistoric and Roman land use, although none of these are located near to this site. Avonmouth Village is also in close proximity to these areas.

National and local policy therefore supports the principle of this application - being to expand and improve the efficiency of an existing business, subject to amenity and other policy considerations below.

Development Control Committee A – 21 June 2018**Application No. 17/07003/F : Sims Metal Management Royal Edward Dock Bristol BS11 9BT****(B) WOULD THE PROPOSAL RESULT IN A LOSS OF AMENITY FOR NEARBY OCCUPIERS?**

The NPPF states that planning decisions should aim to:

- Avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development;
- recognise that development will often create some noise, and that existing businesses should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established
- identify and protect areas of tranquillity

BCS23 requires development to be sited and designed in a way that avoids adversely impacting environmental amenity or biodiversity of an area in terms of fumes, dust, noise, vibration, smell, light or other forms of air, land, water or land contamination. In doing so, the same policy also requires the impact of existing sources of noise or other pollution to be considered when designing and locating new development. Finally, the impact of the new development on viability or existing uses by reason of its sensitivity to noise or other pollution is also a key consideration in the planning process.

DM33 Development that has the potential for significant emissions to the detriment of air quality, particularly in designated Air Quality Management Areas, should include an appropriate scheme of mitigation which may take the form of on-site measures or, where appropriate, a financial contribution to off-site measures.

The application site is not within the designated Air Quality Management Area, however due to the nature of the operations on this site the application is supported by an Air Quality Assessment

The application is also supported by a Noise Assessment and a Dust Report. Following officer recommendations, a Construction Environmental Management Plan, as well as lighting details have also been submitted for consideration.

Noise

The Noise Assessment establishes that, at the nearest noise sensitive receptors, sound from the proposed facility will be reduced by a predicted 6 to 8 dB during the existing hours of operation due to the improved efficiency and enclosures of plant. This is likely to be a noticeable reduction in noise levels from the activity for residents and contribute to reducing the wider impact of ambient noise in the area which residents may find significantly adverse at present. During the extended hours of operation that were originally proposed, the sound from the facility was envisaged to result in an increase in noise during extended hours period. As reported above, the applicant removed their proposal to extend operating hours in the light of this concern and have therefore provided adequate mitigation for this issue.

In response to objections suggesting that the ferrous material is baled before being loaded onto ships, in order to reduce the noise, dust and visual impact, Sims have responded:

"It is not practical to bale up this type of material. It would require approximately six balers working 24/7 to keep up with demand and the magnets required would be a lot noisier than the grabs currently used. In any case, the ship loading area is not within the site boundary and therefore not subject to this planning application."

In order to provide mitigation for this ongoing un-neighbourly issue, the applicant has proposed a 3.5m high fence to run alongside the logistics area, within the red line boundary. A plan has been submitted to show the details of the fence and shows the pedestrian walkway and lighting columns running alongside it. Additional noise modelling was carried out by the applicant, and it was found that the fence would reduce to some extent the noise and emissions arising from the HGV queuing area and the logistics dockyard (including the ship loading).

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The Council's pollution control officer has reviewed the revised scheme and has commented positively that the addition of solid 3.5m fence to the logistics area would alleviate many of the adverse impacts regarding operational noise. The additional mitigation, the pre-shredder and better logistical arrangements give assurance that operational noise will reduce compared with the current operation despite the small decrease in distance to sensitive receptors. There is the additional benefit of significantly reducing deflagration events which have given rise to previous complaints of noise and vibration. The Environment Agency will regulate waste activities and have further control should noise cause pollution. Operations outside the scope of the permit will not significantly change and therefore there are no further concerns with regard to operational noise in principle.

Dust and Air Quality

The applicant's Air Quality Assessment uses a recognised assessment methodology to determine the potential impacts of dust on surrounding sensitive receptor locations of the proposals. The magnitude of dust impacts, using some conservative assumptions show that at worst, the magnitude of dust impacts are predicted to be slightly adverse at the closest residential location. The conclusion by the report author however is that due to the conservative assumptions made that the overall impact on amenity would be negligible, and the applicant has proposed other mitigation as set out below.

The metal processing and dockside handling process currently regulated under an Environmental Permit issued by the Environment Agency with conditions controlling dust such as in relation to filters and a dust management plan. The permit will need to be varied to account for the proposed changes. When the waste is taken away from the dockside such as on the portal crane and released during loading of ships, this is alleged to give rise to dust. This process is outside the scope of the Permit and would fall to the Local Authority to enforce if nuisance were being caused. Bristol City Council officers have previously worked with Sims and the Environment Agency to consider this and the current dust management plan covers the loading process including the use of a dust suppressor in certain wind directions. The applicant advises that this process will not change and therefore the current application would not impact on the level of dust.

The Air Quality Assessment report outlines in Table 4.1 a summary of dust control measures. Dust has been seen to whip up from vehicle wheels but redesign of the flows and resurfacing will improve this particularly if subject to wider management plans for controlling dust. Although officers have no current concerns, management of dust including those not covered by the Environment Agency is an ongoing concern which is being monitored by Sims.

In response to concerns of residents (outside of this application), a detailed 6 month dust deposition study was recently undertaken throughout Avonmouth and there was no evidence of nuisance.

Following officer advice, a revised dust management plan with additional dust mitigation/control measures has been submitted. Dust is again a matter that the Environment Agency regulate through the permit controls however a condition ensuring the management plan is implemented as it covers areas outside the likely permit boundary. This condition is included in the recommendation.

A Construction Environmental Management Plan (CEMP) has been submitted which, in principle, is acceptable but there are areas where further consideration is needed before approval, such as hours of construction. Currently it is proposed that 'typical working hours during the construction process will be from 07:00 to 19:00 hours (Monday to Friday) and from 08:00 to 14:00 on Saturday. No construction activities will take place on Sundays or public holidays' but there have been previous complaints of noise from construction works at the Port and it is normally recommended, and enforced where necessary, that noise from construction activity (other than with agreement for essential reasons) should not be audible at residential premises other than between 08:00 and 18:00 Monday to Friday and 08:00 to 13:00hrs Saturday avoiding Sundays and Bank Holidays. A condition is therefore recommended to require a CEMP to be submitted which addresses these matters.

Lighting

Details and specification of lighting have been submitted with the revised version of the application, and was updated to include contour diagrams of the intensity (glare) of the lighting in line with the ILE

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Guidance Notes for the Reduction of Obtrusive Light GN01:2011 particularly for the lighting on the 12m masts. The details have been reviewed by the Council's Pollution Control officer who deemed them to be acceptable. A condition shall therefore be imposed to require the lighting within the development to be installed and maintained in accordance with the details.

To conclude the amenity section, the adverse impacts that currently arise from the facility would largely be mitigated by this proposal, and the applicant has satisfactorily addressed concerns from officers during the application process on the issues cited above. They have confirmed that the throughput of materials would not increase, and have removed the earlier proposal to extend opening hours so that hours remain as existing. It is considered that the proposals would ensure that the impacts felt by nearby sensitive uses, in particular, residential areas of Avonmouth, are minimised and to some extent, reduced by this proposal.

It is therefore considered that the application does all it can to safeguard residential amenity, as well as that of other nearby occupiers.

(C) WOULD THE PROPOSAL 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. DM23 expects development to provide a safe, secure, accessible and usable level of parking provision having a regard to parking standards, as well as secure and well-located cycle parking and facilities for cyclists. The same policy also expects developments to provide appropriate servicing and loading facilities which make effective and efficient use of land and be integral to the design of the development. DM32 requires the location of recycling and refuse provision to be integral to the design of the proposed development.

The applicant has provided a Transport Statement (TS) as part of their submission. The document details that the proposal would generate 90 two-way trips per day. This would equate to an average of 6 two way movements per hour. Transport Development Management officers have assessed the traffic impact of the proposal, and have concluded that, taking into account the site's location and the proximity of similar uses it is unlikely that the proposed level of movement would alter such that it would be considered severe. Consequently it would be unreasonable to object to this proposal on traffic impact grounds.

With regards to the proposed logistics terminal this would be constructed on land which is not designated as public highway. Consequently it will not require a legal agreement to commit the works, instead a hoarding licence must be obtained. An advice note is attached to the recommendation to reflect this. It should be noted that the junctions on the dock have been designed to accommodate large vehicles. As such there is no reason to object to the proposed works and the impact on the internal dock road.

The applicant states that there are currently 31 parking spaces, two of which are for electric cars, as well as 5 additional spaces located on the highway. No amendments are proposed to the existing parking levels but the application sets out that one disabled space will be provided as part of this development, which is considered to be acceptable.

With regards to cycle parking, the TS makes reference to 3 spaces. In the interests of encouraging sustainable transport, the applicant was advised to explore providing additional spaces and these should be safe and secure. The applicant responded to say that the site already benefits from having sufficient cycle parking for staff if required. This is in the form of a large storage container which protects cycles from the weather and is a secure enclosure for a number of bicycles (currently 3 but there would be space for up to 50 if required). If additional cycle parking were required by users, this can be explored through the travel plan.

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The revised Construction Environmental Management Plan indicates that the construction phase will take approximately 12 months with 6 months to demolish the existing site. Along with the amendment to the hours proposed for the construction process, from a transport perspective, this document should also go further and to restrict deliveries so they are outside the AM and PM traffic peaks. This should be reflected in the CEMP required by condition.

Notwithstanding the above the applicant goes on to state that there will be exceptions to the above for larger deliveries i.e. wheel wash etc. This would avoid disruption and highway safety grounds, which is acceptable.

In regards to the hoarding and fencing proposed to the perimeter of the site, this would require a licence from the Council's highways team. An Advice Note is attached to the recommendation to state that this would need to be obtained prior to the commencement of development.

In conclusion the proposal is unlikely to result in a significant increase in vehicle movements on the surrounding highway network, especially when taking into account the high level of HGV movements that already exist in the Avonmouth area. The proposed logistics terminal will be located on land that is not adopted highway and will not result in the need for a legal agreement. The internal road system and the layout of the docks have been designed to accommodate large vehicles.

TRAVEL PLAN

The applicant has submitted a workplace travel plan. This has been assessed by the Council's Travel Plan Co-ordinator. This would be monitored over a period of five years by a travel plan working group (which would include an officer from the TDM team). A monitoring fee of £5,000 has been agreed with the applicant and secured via a Unilateral Undertaking.

(D) ARE THERE ANY CONTAMINATION OR FLOOD ISSUES?

Policy DM34 relates to contaminated land. Due to the presence of a potentially polluting use on the site, the application is accompanied by a Land Contamination Assessment. This provides an assessment of any existing contamination and proposes mitigation to ensure the proposal is suitable for the proposed use.

The Environment Agency as well as the council's Contamination Officer have reviewed the ground investigation report which identifies concentrations of contaminants in groundwater, however, additional information is required to determine that the site may be protective of controlled waters. The applicant's Phase 1 Desktop Study claims that the site represents a low risk to controlled waters, however this is unsubstantiated. It is considered that perched water beneath the site could drain to the adjacent SAC. In order to ensure these issues are addressed, a series of conditions have been proposed by the Environment Agency and the Council's contamination officer (to cover site remediation, reporting of unidentified remediation, penetrative piling), and these are attached to the recommendation.

FLOOD

The NPPF states that new development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. The applicant submitted a Flood Risk Assessment (FRA), using the Avonmouth / Severnside Level 2 Strategic Flood Risk Assessment, identifying the types of flood risk, surface drainage, as well as proposed mitigation.

The FRA sets out that the proposal would not increase the vulnerability on site, as it would remain classed as Less Vulnerable and would be protected by existing flood defences. Due to the nature of the proposal it would not introduce increased flood risk. Mitigation proposed is as follows:

- Personnel on site to make use of the Environment Agency's flood warning system;
- Production of a Flood Management Plan for the site;
- Waterproofing electrical systems to ensure they are 1.5m above ground level;

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- Waterproof seals on doors;
- Use of flood resistant materials

The Environment Agency has confirmed that the FRA is acceptable, and that the mitigation measures set out within this document should be adhered to within the development. This shall form the subject of a condition.

Surface water is proposed to drain directly into the watercourse, which is acceptable.

(E) WOULD THE DEVELOPMENT RESPOND POSITIVELY TO CLIMATE CHANGE?

As embedded in the NPPF, sustainability should be integral to all new development. BCS13 encourages developments to respond pro-actively to climate change, by incorporating measures to mitigate and adapt to it. BCS14 expects development to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%. BCS15 requires developments to demonstrate through a Sustainability Statement how they have addressed energy efficiency; waste and recycling; conserving water; materials; facilitating future refurbishment and enhancement of biodiversity.

Bristol City Council's Climate Change and Sustainability Practice Note expands on these policies.

This site is primarily used for industrial processes, and the amount of built floorspace is minimal. A full BREEAM assessment is not therefore necessary.

The applicant submitted a pre-application enquiry, and the advice given advised them to explore the following ways of addressing climate change:

- Energy monitoring, reporting and staff awareness/training - i.e. measures to optimise and reduce energy use on site
- Renewable energy on the office building e.g. PV, or solar thermal (if there is a requirement for hot water), or air source heat pump to provide space heating
- Travel - cycle parking, changing facilities, lockers etc to encourage cycling to work
- EV charge points in excess of normal policy requirement to encourage use of EV's for travel to/from work.
- Measures to enhance biodiversity/ecology

The application is accompanied by a Sustainability Assessment within the Planning Statement. This sets out that the proposed materials used for the plant housing would be sustainable and would meet the Building Regulations, being designed to last a minimum of 25 years. High efficiency motors would be used, as well as LED lighting. The existing commercial waste and recycling arrangements that apply at the facility would continue to be used. Acoustic housing and more modern and efficient plant and machinery would allow the site to operate with reduced CO2 emissions compared with the existing site. Finally, 2x electric car charging points would be added to the parking area.

The applicant has also set out (in separate documents) that the large cycle storage container has the capacity to store 50 bicycles. This would encourage sustainable transport to the site. In view of the modest size of the existing office building, it is not considered proportionate in this application to require them to explore renewable energy options for this building.

The sustainability response is acceptable.

(F) WOULD THE APPEARANCE BE ACCEPTABLE?

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

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As set out above in the site description, much of the current plant and machinery on site has been operating for around 30 years, and this application presents an opportunity to improve the appearance of the site. The new plant and housing would range in height between 9m (the pre-shredder) and 26m (the ferrous processing building). The site is within an area characterised by industry and warehouses, and the proposal would be in keeping with the key urban design characteristics in terms of building heights, layout and access in and around the site. The design is therefore acceptable. Materials used would be predominantly steel frames and acoustic cladding, with concrete used for all ground and flood areas (which is also in line with Environment Agency comments). Acoustic cladding would be in a silver finish with blue trim and lettering to reflect the Sims corporate branding, and this would be appropriate for the area. An advice note shall be applied informing the applicant of the requirement to obtain Advertisement Consent for any logos or signage.

(G) ARE THERE ANY ECOLOGY ISSUES?

Policy DM19 seeks to protect habitat, features and species which contribute to nature conservation, and developments are expected to be informed by appropriate surveys. Because this site consists of hard standing and because of the existing use and likely levels of activities/disturbance on site it was not considered necessary at pre-application stage to require an extended phase one habitat survey for this proposal. Nevertheless, the applicant has submitted a Preliminary Ecological Appraisal setting out that a 1km search area had identified a number of species as well as St Andrews Rhine. No bats had been identified.

No conditions or advice notes are necessary in this regard.

CONCLUSION

The application to improve the efficiency and environmental quality of operations at an existing industrial facility is supported. The applicant has responded to requests from officers to make improvements to the proposal, in order to ensure the amenity impacts arising from the facility are minimised, and the noise, dust, air quality and transport effects are proposed to be adequately mitigated. There are no adverse design, sustainability or ecology impacts envisaged. By granting planning permission, an existing business within the Principle Industrial and Warehousing Area would become more efficient. Planning permission is therefore recommended.

COMMUNITY INFRASTRUCTURE LEVY

This development is liable for CIL, however the CIL rate for this type of development, as set out in the CIL Charging Schedule, is £nil and therefore no CIL is payable.

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. Highway Works

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

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

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

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

3. Construction management plan

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

Parking of vehicle of site operatives and visitors
 Routes for construction traffic
 Hours of operation
 Method of prevention of mud being carried onto highway
 Pedestrian and cyclist protection
 Proposed temporary traffic restrictions
 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.

4. Site Specific Construction Environmental Management Plan

No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- * Procedures for maintaining good public relations including complaint management, public consultation and liaison
- * Arrangements for liaison with the Council's Pollution Control Team
- * All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:
 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.

Development Control Committee A – 21 June 2018**Application No. 17/07003/F : Sims Metal Management Royal Edward Dock Bristol BS11 9BT**

- * Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours but avoid the AM and PM peak traffic hours of 8am-9:30am, and 4pm-6pm.
- * Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- * Procedures for emergency deviation of the agreed working hours.
- * Bristol City Council encourages all contractors to be 'Considerate Contractors' when working in the city by being aware of the needs of neighbours and the environment.
- * Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
- * Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.

5. Details of lighting as shown on drawing reference LS24200_1a shall implemented in full and permanently maintained thereafter unless agreed otherwise in writing by the LPA.

Reason: In order to protect surrounding amenity.

6. Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed development, does not harm groundwater resources in line with paragraph 109 of the National Planning Policy Framework.

7. A site specific risk assessment and intrusive investigation shall be carried out to assess the nature and extent of the site contamination and whether or not it originates from the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The results of this investigation shall be considered along with the reports submitted with the planning application. The written report of the findings shall be submitted to an approved in writing by the Local Planning Authority prior to any works (except demolition) in connection with the development, hereby approved, commencing on site. This investigation and report must be conducted and produced 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 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 off site receptors.

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;

Development Control Committee A – 21 June 2018**Application No. 17/07003/F : Sims Metal Management Royal Edward Dock Bristol BS11 9BT**

(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. Prior to commencement a 'Foundation Works Risk Assessment' must be submitted to and approved in writing by the Local Planning Authority. Works shall then be undertaken as agreed. The Risk Assessment shall demonstrate there are no unacceptable risks to ground or controlled waters and must consider the risks from ground gases. The assessment shall summarise detail of:

- i) The process of the assessment, including the pollution scenarios that may occur using these techniques;
- ii) The potential mitigation measures that may be appropriate;
- iii) Proposals for any monitoring;
- iv) Particular issues and uncertainties associated with the methods chosen.

Reason: To ensure the proposed development will not cause pollution of Controlled Waters and protect the future occupiers of the site.

Pre occupation condition(s)

10. In the event that contamination is found at any time that had not previously been identified when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and where remediation is necessary a remediation scheme must be prepared which ensures 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.

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. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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.

Development Control Committee A – 21 June 2018**Application No. 17/07003/F : Sims Metal Management Royal Edward Dock Bristol BS11 9BT**

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. 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.

13. Completion and Maintenance of Vehicular Servicing facilities - Shown on approved plans

No building or use hereby permitted shall be occupied or use commenced until the facilities for loading, unloading, circulation and manoeuvring have been completed in accordance with the approved plans. Thereafter, these areas shall be kept free of obstruction and available for these uses.

Reason: To ensure that there are adequate servicing facilities within the site in the interests of highway safety.

14. 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.

15. 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.

16. C26 Flood Evacuation Plan - Commercial Property

No building or use hereby permitted shall be occupied or the use commenced until the applicant has submitted to and had approved in writing by the Local Planning Authority a Flood Warning and Evacuation Plan (FEP). This Plan shall include the following information:

- * command & control (decision making process and communications to ensure activation of FEP);
- * training and exercising of personnel on site (H& S records of to whom and when);
- * flood warning procedures (in terms of receipt and transmission of information and to whom);
- * site evacuation procedures and routes; and
- * provision for identified safe refuges (who goes there and resources to sustain them).

Development Control Committee A – 21 June 2018**Application No. 17/07003/F : Sims Metal Management Royal Edward Dock Bristol BS11 9BT**

The FEP shall be reviewed at intervals not exceeding 3 years, and will form part of the Health & Safety at Work Register maintained by the applicant.

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

Post occupation management

17. Flood Risk Assessment

The development shall be carried out and managed in accordance with the Flood Risk Assessment by RPS, dated December 2017.

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

18. Dust management plan

The Dust management plan dated 15 May 2018 shall be implemented in full and permanently maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of surrounding occupiers

19. Travel Plan

The Approved Travel Plan Statement hereby approved shall be implemented in accordance with the measures set out in therein.

Within three months of the occupation evidence of the implementation of the measures set out in Travel Plan Statement shall be submitted to and agreed in writing with the Local Planning Authority, unless alternative timescales are agreed in writing.

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

20. Hours of operation

The operation of the fragmentiser and associated plant is to be restricted to the hours of 7am to 9pm on weekdays and 7am to 5pm on Saturdays, and there is to be no operation of the fragmentiser plant and machinery on Sundays.

Reason: In order to protect the amenity of neighbouring residential occupiers.

List of approved plans

21. 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.

SIM013-S-A0001-1 Proposed Site Layout & Sections, received 10 January 2018

Site location plan with red line boundary, received 10 January 2018

SA013-S-A0003-1-D Existing site location plan, received 10 January 2018

SA013-S-A0003-2-D Existing site layout, received 10 January 2018

SIM013-S-A0001-2-A Proposed sections, received 10 January 2018

SA013-S-0003-B Proposed boundary and GA specification, received 10 January 2018

SA013-S-A0001-A Sims AIP downstream system - 3D proposed layout, received 10 January

Development Control Committee A – 21 June 2018**Application No. 17/07003/F : Sims Metal Management Royal Edward Dock Bristol BS11 9BT**

2018

W162222/A-06C/Q Shredder egress route site eastern extent, received 10 January 2018

W162222/A/06A/Q Existing and proposed land take, received 10 January 2018

W162222/A/06B/Q Proposed weighbridge location and stacking conveyor track, received 10 January 2018

W162222/AT/S01/Q Proposed dock weighbridge access & egress 16.5m articulated vehicle analysis, received 10 January 2018

W162222/AT/S02/Q Proposed shredder weighbridge access & egress, received 10 January 2018

W162222/AT/S03/Q Proposed shredder facility & bus stop loading access & egress, received 10 January 2018

W162222/AT/S04/Q 16.5m HGV - stacking lane access egress, received 10 January 2018

W162222/AT/S05/Q Potential additional storage lane vehicle swept path analysis, received 10 January 2018

SA013-S-A0004 Logistics Area Screen., received 30 April 2018

LS24200_1 Horizontal Luminance Levels, received 30 April 2018

LS24200_1a Horizontal Luminance Levels, received 30 April 2018

Reason: For the avoidance of doubt.

Advices

- 1 Please note that this planning application has been assessed against current planning legislation only. The applicant (or any subsequent owner or developer) is therefore reminded that the onus of responsibility to ensure the proposed cladding installation meets current fire safety regulations lies fully with them and that they are legally obliged to apply for the relevant Building Regulations.
- 2 Application for advertisement consent needed: You are reminded of the need to obtain separate consent under the Town and Country Planning (Control of Advertisements) Regulations 1992 for any advertisements requiring express consent which you may wish to display on these premises.
3. A hoarding licence in respect of the proposed fence to the logistics area must be obtained from the Local Highway Authority before any works commence. (Telephone 0117 9222100).

commdelgranted
V1.0211

Supporting Documents

2. Sims Metal Management, Royal Edward Dock

1. Existing site layout
2. Proposed layout
3. Proposed new plant & layout
4. Proposed sections
5. Letter from agent responding to issues



KEY

- 1. STOCKPILE AREA
- 2. SHREDDER
- 3. FERROUS / NON-FERROUS PROCESSING PLANT AND QUALITY CONTROL.
- 4. OVER ROAD GANTRY CONVEYOR
- 5. RADIAL STACKER
- 6. WEIGHBRIDGE
- 7. LOGISTICS AREA
- 8. WEIGHBRIDGE
- 9. SITE OFFICES AND CAR PARK

DENOTES THE BOUNDARY LINE FOR THE EXISTING AVONMOUTH PLANT

CO-ORDINATES LOCATION SYMBOL

CO-ORDINATES
 X:351442 Y: 178814
 LATITUDE: LONGITUDE:
 51.506163 -2.7013240

Page 75

EXISTING WAREHOUSES

EXISTING WAREHOUSES

Consul UK Ltd
Alternative concept solutions

SIMS METAL MANAGEMENT

REVISIONS		
DESCRIPTION	DATE	APPROVED
1ST ISSUE REV A	01/08/2017	PW
2ND ISSUE REV B	08/08/2017	PW
3RD ISSUE REV C	13/08/2017	PW

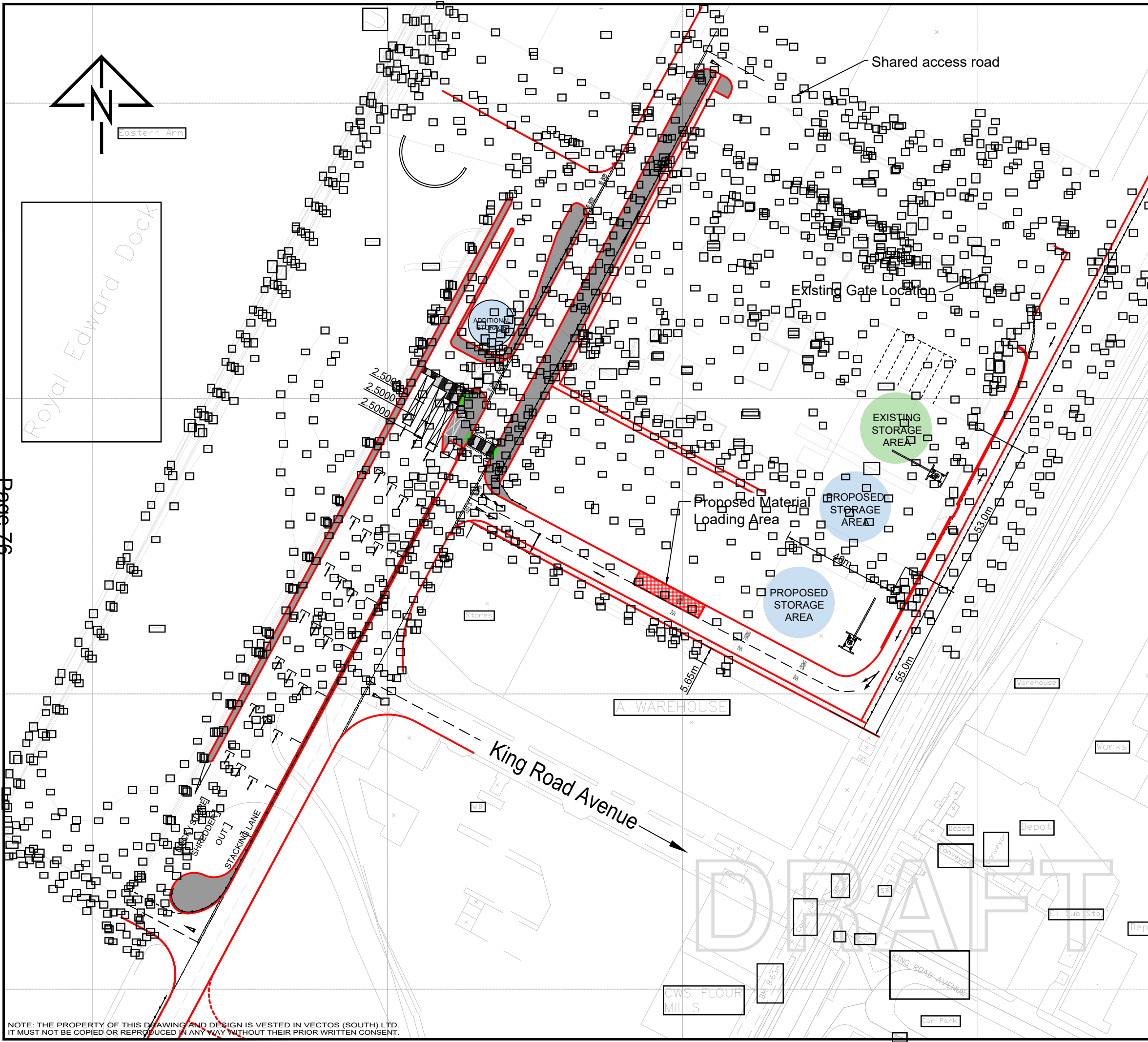
DO NOT SCALE DRAWING. IF IN DOUBT ASK ALL DIMENSIONS ARE IN MILLIMETRES DO NOT AMEND MANUALLY

PROJECT: **SIMS AIP**

TITLE: **EXISTING SITE LAYOUT**

DRAWN	NAME	SIGNATURE	DATE
CHK'D	DB		13/08/17
APPV'D	N/A		N/A
MFG	N/A		N/A

DWG NO. **SA013-S-A0003-2** A1
 SCALE: 1:500 @ A1 SHEET 1 OF 1



Notes:

- This is not a construction drawing and is intended for illustrative purposes only.
- White lining is indicative only.

Legend:

Proposed Material Loading Area

Q	Weighbridge Cabin Moved to be Flush	AP	MT	06.12.17
P	Weighbridge Cabin Moved	AP	MT	29.11.17
M	Bus Stop Loading Area Added	AP	MT	20.11.17
L	Southern operations area removed	AP	MT	23.02.17
K	Alterations to stacking lane	AP	MT	22.02.17
J	Additional Store Added	AP	MT	16.02.17
H	Areas Amended	AP	MT	14.12.16
G	Site Arrangement Amended	AP	MT	05.12.16
F	Site Layout Amended	AP	MT	28.11.16
E	Site Layout Amended	AP	MT	23.11.16
D	Footway and existing carriage4way amendments.	HE	MT	21.09.16
C	Changes to service strip, queuing lanes, northern boundary, emergency route and related modifications.	HE	MT	16.09.16
B	Ped routes and general changes.	HE	MT	09.08.16
A	Revised weighbridge and building size .	HE	MT	03.08.16

REV.	DETAILS	DRAWN	CHECKED	DATE

CLIENT:
Sims Metal Management

PROJECT:
Avonmouth Site Bristol

DRAWING TITLE:
Proposed Weighbridge Location and Stacking Option with Extended Conveyor Track

SCALES:
1:1250 at A3

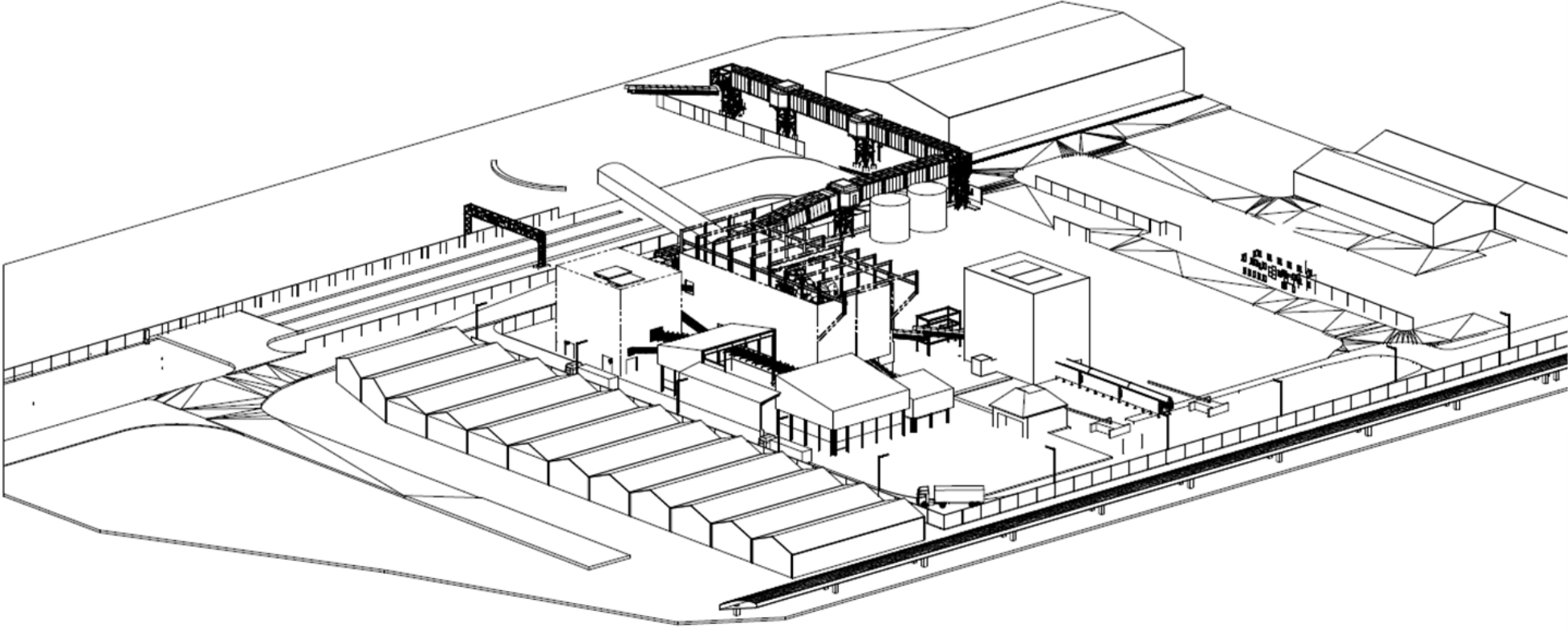
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10th Floor, Helmont House, Churchill Way, Cardiff CF10 2HE
t: 02920 720 860 e: enquiries@vectors.co.uk

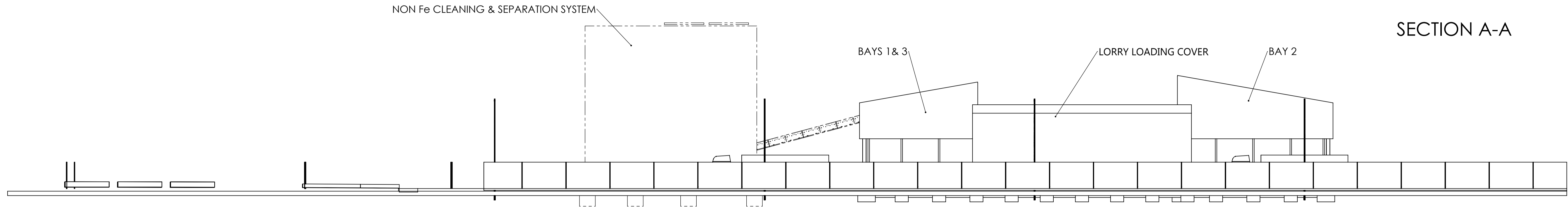
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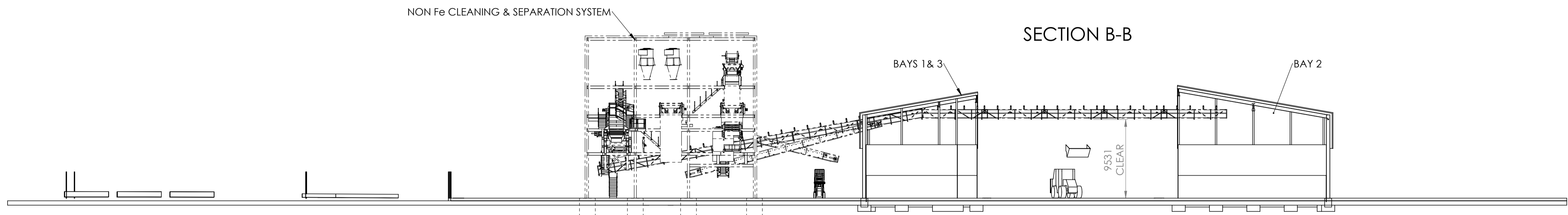
Proposed new plant and layout



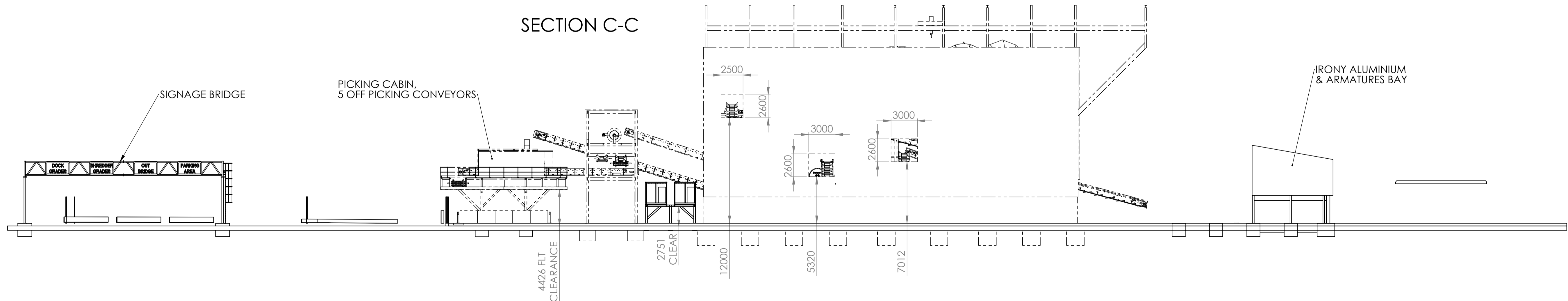
SECTION A-A



SECTION B-B



SECTION C-C



REFERENCES:

CLIENT PART NUMBER:	A
REVISION	

PROJECT: AVONMOUTH IMPROVEMENT PROJECT
 TITLE: SIMS AIP PROJECT
 SECTION

DWG NO: SIM013-S-A0001-2
 SHEET SIZE: A1

SCALE: 1:250
 SHEET 1 OF 4

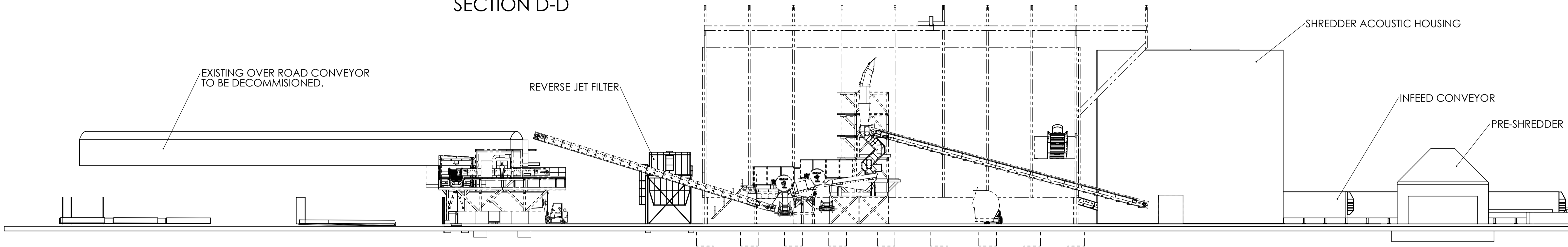
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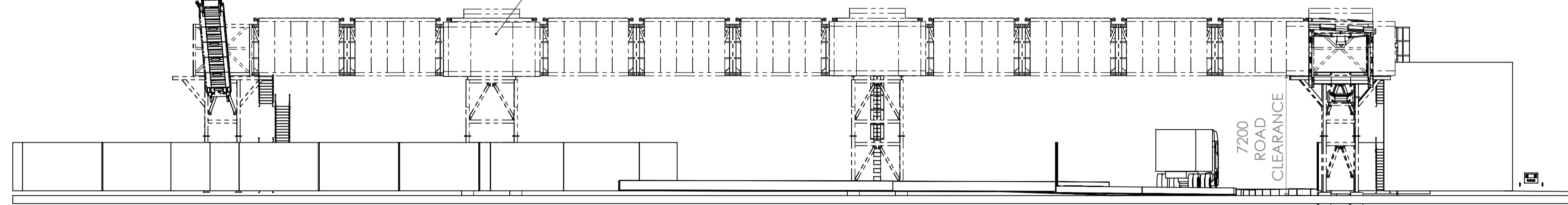
SECTION D-D



NEW STACKING CONVEYOR

NEW CROSSROAD CONVEYOR BUILDING

SECTION E-E



REFERENCES:

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PROJECT: AVONMOUTH IMPROVEMENT PROJECT

TITLE: SIMS AIP PROJECT SECTION

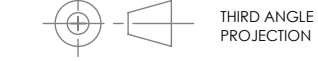
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SHEET 2 OF 4

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DEBUR AND BREAK SHARP EDGES
DO NOT SCALE DRAWING, IF IN DOUBT ASK

UNLESS OTHERWISE SPECIFIED:
DIMENSIONS ARE IN MILLIMETERS
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TOLERANCES:
LINEAR: ±0.25
ANGULAR: ±0.25



TOLERANCES

RANGE	MACHINED	FABRICATED
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7 - 30	±0.2	±1.0mm
31 - 120	±0.3	±1.0
121 - 315	±0.5	±1.5
316 - 1000	±0.8	±1.5
1001 - 2000	±1.2	±1.5
2001 - 3000	±1.5	±2.0
3001 UPWARDS	±1.5	±3.0

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TOLERANCES MUST NOT BE CUMULATIVE

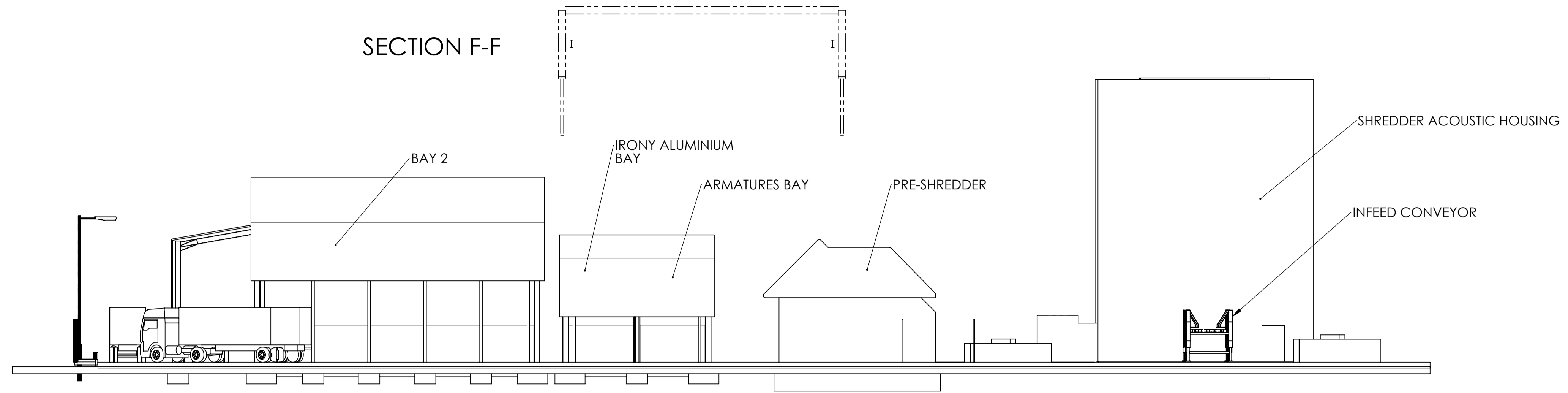
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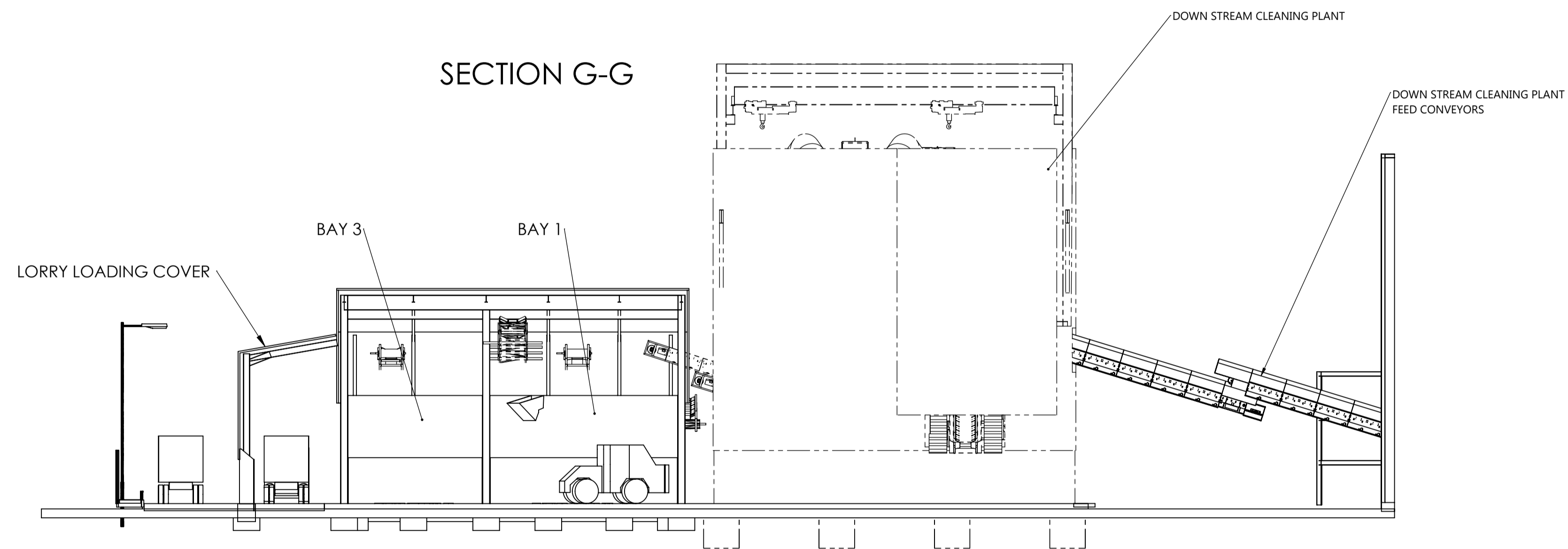
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Engineering Design Consultants

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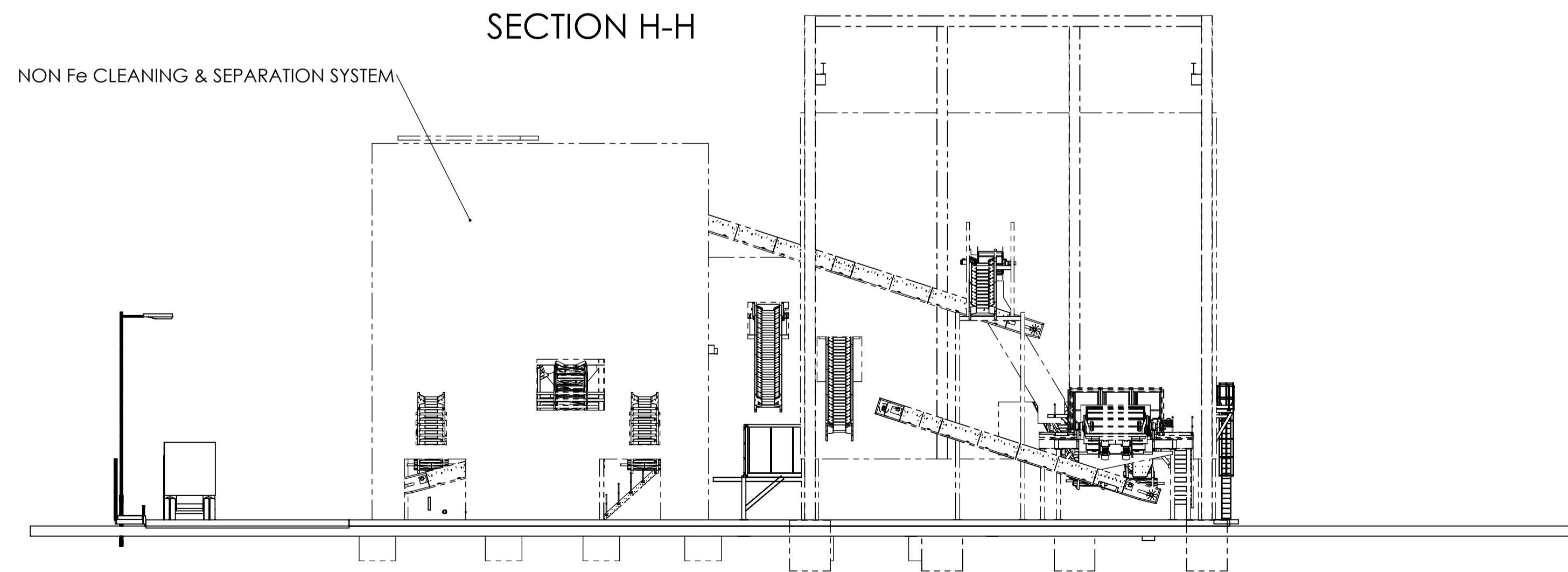
SECTION F-F



SECTION G-G



SECTION H-H



REFERENCES:

CLIENT PART NUMBER:	REVISION
	A

PROJECT: AVONMOUTH IMPROVEMENT PROJECT

TITLE: SIMS AIP PROJECT

SECTION

DWG NO: SIM013-S-A0001-2

SHEET SIZE: A1

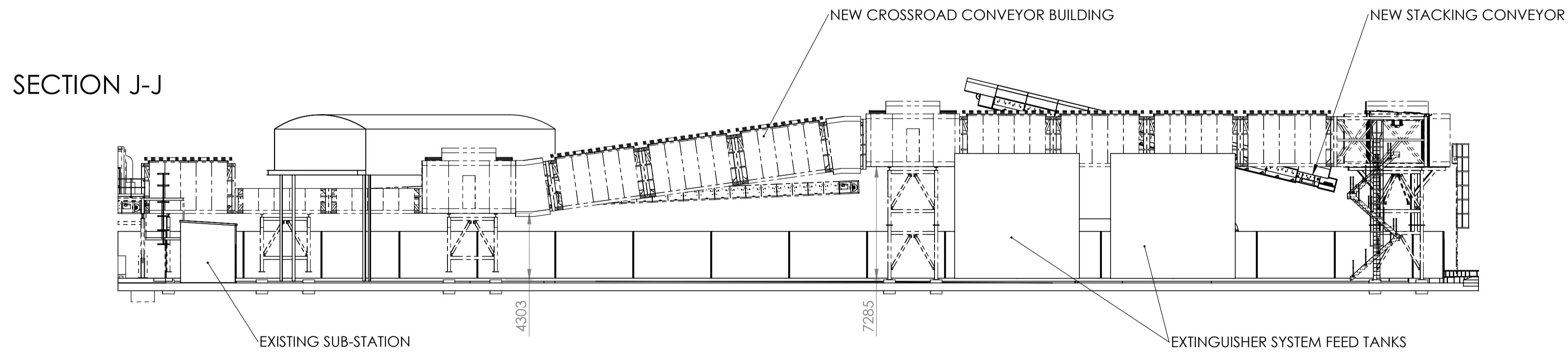
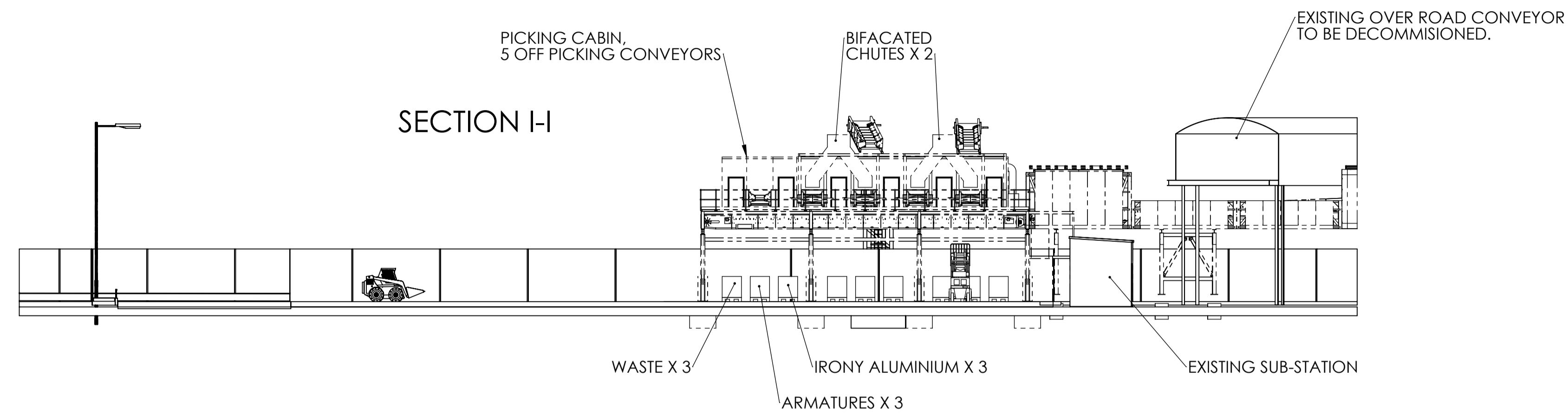
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ALL DIMENSIONS ARE IN MILLIMETRES DO NOT AMEND MANUALLY DEBUR AND BREAK SHARP EDGES DO NOT SCALE DRAWING, IF IN DOUBT ASK		UNLESS OTHERWISE SPECIFIED: DIMENSIONS ARE IN MILLIMETRES MACHINED FINISH: 32 UNLESS NOTED TOLERANCES: LINEAR: ±0.25 ANGULAR: ±0.25		TOLERANCES		
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7 - 50	±0.2	±1.0mm				
31 - 120	±0.3	±1.0				
121 - 315	±0.5	±1.5				
316 - 1000	±0.8	±1.5				
1001 - 2000	±1.2	±1.5				
2001 - 3000	±1.5	±2.0				
3001 UPWARDS	±1.5	±3.0				

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REFERENCES:

CLIENT PART NUMBER: A
REVISION

PROJECT: AVONMOUTH IMPROVEMENT PROJECT

TITLE: SIMS AIP PROJECT SECTION

DWG NO: SIM013-S-A0001-2 SHEET SIZE: A1

SCALE: 1:200 SHEET 4 OF 4

<p>ALL DIMENSIONS ARE IN MILLIMETRES DO NOT AMEND MANUALLY DEBUR AND BREAK SHARP EDGES DO NOT SCALE DRAWING, IF IN DOUBT ASK</p>	<p>UNLESS OTHERWISE SPECIFIED: DIMENSIONS ARE IN MILLIMETERS</p>	<p>TOLERANCES</p> <p>ALL UNTOLERANCED DIMENSIONS TO COMPLY WITH THE RANGE OF DEVIATIONS SHOWN -</p> <p>TOLERANCES MUST NOT BE CUMULATIVE</p>	<p>RANGE</p> <p>0.5 - 6mm 7 - 30 31 - 120 121 - 315 316 - 1000 1001 - 2000 2001 - 3000 3001 UPWARDS</p>	<p>MACHINED</p> <p>±0.1mm ±0.2 ±0.3 ±0.5 ±1.5 ±1.5 ±1.5</p>	<p>FABRICATED</p> <p>- ±1.0mm ±1.0 ±1.5 ±1.5 ±1.5 ±2.0 ±3.0</p>
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			MATERIAL:
			WEIGHT: 33976369.40 kg

Consul UK
Engineering Design Consultants



Sherwood house, Sherwood Avenue, Newark, Nottinghamshire, NG24 1QQ
T +44 (0)1636 605700 F +44 (0)1636 610696 E rpsnewark@rpsgroup.com W rpsgroup.com

Susannah Pettit
Planning Division
Bristol City Council
City Hall
PO Box 3176
Bristol
BS3 9FS

6th March 2018

Our Ref: OXF9762
Your Ref: 17/07003/F

Dear Susannah,

**SIMS METAL MANAGEMENT ROYAL EDWARD DOCK BRISTOL BS11 9BT.
REDEVELOPMENT OF SITE TO INCLUDE AMENDED TRANSPORT LAYOUT AND
REPLACEMENT AND RELOCATION OF METAL PROCESSING EQUIPMENT
RELATING TO EXISTING METAL PROCESSING FACILITY (B2 USE CLASS).
EXTENSION IN HOURS OF OPERATION TO 6AM-10PM (MAJOR APPLICATION)**

I write further to the expiry of the public consultation period and in response to the comments received by the Council and published on the Council's website. I also write in response to the comments in your e-mail of 2nd March and the comments received from the Environment Agency (EA).

In terms of the concerns raised by members of the public, while a number of comments have been received, I will not address each individual response but address the separate issues raised through the consultation exercise.

The main concerns have been summarised with our response below:

Ground Water and Land Contamination

The EA has suggested that the Phase 1 Report submitted with the application is not correct and they consider the controlled waters of the Severn Estuary to be impacted from the proposals. The EA therefore suggests further assessment and conditions.

It is our understanding that the Severn Estuary does not adjoin the site boundary. Instead, this is the Royal Edward Dock, which does not fall under the controlled waters designation. This point will be clarified with the EA. The intrusive investigation has now been done and a Ground Investigation Report underway which will address the EA's comments.

Piling

The EA has suggested a pre-commencement condition requiring details of piling to be agreed.

To ensure timely project delivery it is our aim to avoid pre-commencement conditions and we will therefore submit piling details once the Ground Investigations Report has been concluded.

Noise

The EA point out that the noise assessment does not consider vehicle movements and unloading and stacking of waste metal in the dockside area. It is suggested that additional fencing to the dockside area be needed to mitigate such noise.

Some concern has been raised by neighbouring properties in relation to noise from the site and

again, the height of the fence has been questioned.

The intention of the overall improvements at the site is to reduce the noise impact. It is acknowledged that vehicular movements may impact on noise and a Noise Management Plan is being prepared to address additional noise concerns.

Careful consideration of the operation has already led to the additional boundary fencing proposed to the material treatment area and the benefits of an additional fence adjacent to the proposed dockside logistics area is questionable. However, this will be considered further to try and reach an agreed solution.

Operating hours

The EA states that it is concerned with the increase in operating hours, particularly the hour of 6-7am.

We understand that concerns have been raised with regards to Sims operating on a 24/7 basis.

We suggest that further monitoring be carried out once the operation is up and running with mitigation in place. This will be considered further in the Noise Management Plan currently being prepared. The proposed monitoring is expected to reveal that the predicted noise levels are acceptable and that the suggested mitigation is working. We suggest a temporary condition relating to the extended hours (to enable suitable assessment to be carried out).

The Sims metal processing facility, i.e. the fragmentiser does not operate outside of the hours permitted by the most recent planning permission. However, the loading of ships in the dockside area is outside of the application area and not restricted by such hours and is therefore in wider use.

Other reducing and loading system suggestions

A number of public comments have asked whether Sims would consider a change to their operation to re-compact and bale the ferrous metal allowing it to be taken to the dockside and loaded to ships with much less noise and dust as well as reducing visual impact.

It is not practical to bale up this type of material. It would require approximately six balers working 24/7 to keep up with demand and the magnets required would be a lot noisier than the grabs currently used. In any case, the ship loading area is not within the site boundary and therefore not subject to this planning application.

Dust

Concerns have been raised about the levels of dust resulting from the operations at the site.

An Air Quality Assessment has been submitted with the application which concludes that the level of effect is considered to be "not significant" and on that basis, no additional mitigation measures are considered to be necessary over and above those already incorporated into the design. A Dust Management Plan is not therefore considered necessary.

Transport/Sustainability

Comments have been noted that more cycle parking should be provided.

This is understood and additional cycle parking will be provided. Details will follow shortly.

Dockside Activities

It is noted that a number of comments received relate to the activities carried out at the dockside and outside of the application site boundary, namely the loading of ships with scrap metal.

This is a dockside activity which does not form part of this planning application.

Whilst Sims Metal Management appreciates the concerns raised, I would emphasise that the proposals include measures to significantly reduce the impacts of the operation at the site, including improvements to noise by reducing the likelihood of explosions and improvements to lorry movements. The proposals will also allow more modern plant to improve the overall efficiency of the facility.

The continued operation of the facility helps secure significant employment and investment in the port area and it is noted that there is local support, including from the Bristol Port Company. It is hoped that Bristol City Council will also continue to support this locally important facility.

Yours sincerely

A handwritten signature in black ink that reads "K. Clifford". The signature is written in a cursive, slightly slanted style.

Kitty Clifford
Senior Planner
kitty.clifford@rpsgroup.com

Development Control Committee A – 21 June 2018

ITEM NO. 3

WARD: Brislington East **CONTACT OFFICER:** Ken Reid

SITE ADDRESS: St John Hall 107 Wick Road Bristol BS4 4HE

APPLICATION NO: 17/06519/F Full Planning

DETERMINATION DEADLINE: 25 June 2018

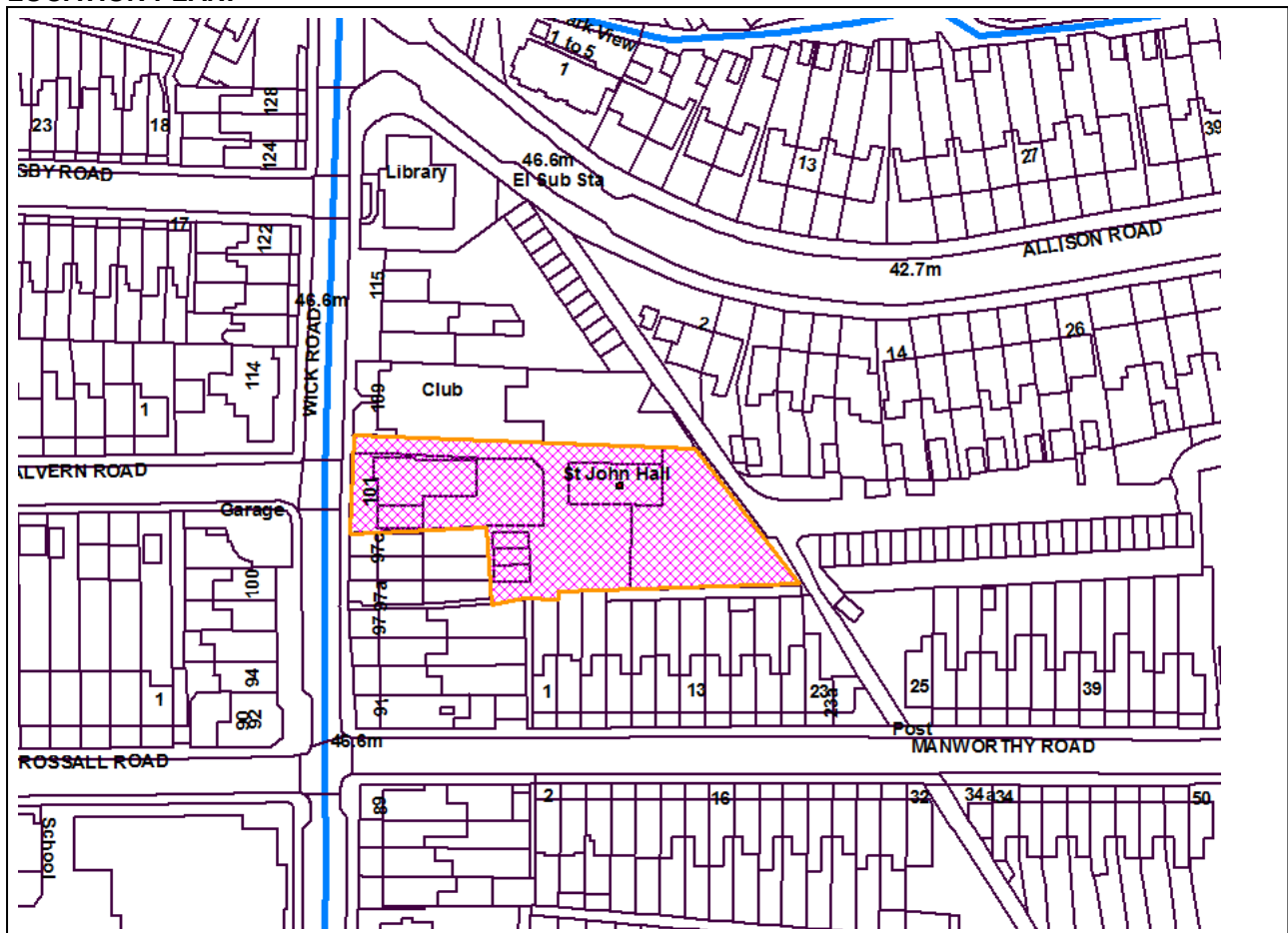
Application for the construction of 8 dwellinghouses with associated parking and landscaping.

RECOMMENDATION: Grant subject to Condition(s)

<p>AGENT: Stokes Morgan Planning Ltd Unit 20 Kestrel Court Harbour Road Portishead Bristol BS20 7AN</p>	<p>APPLICANT: Wick Road Development Ltd</p>
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The following plan is for illustrative purposes only, and cannot be guaranteed to be up to date.

LOCATION PLAN:



Development Control Committee A – 21 June 2018
Application No. 17/06519/F : St John Hall 107 Wick Road Bristol BS4 4HE

SUMMARY

The application has been referred to committee by both local ward councillors, who have raised concerns about the adoption of the lane. The application is also being reported to committee following the level of public interest the proposal has generated with concerns raised by the scale of development, the impact it could have on amenity and the surrounding highway network. Concerns have also been expressed regarding the developer and their past issues including the construction and management of the flats at City Reach.

This report concerns the proposal to demolish the former St John Hall and garage building which was previously owned by the St Johns Ambulance, and replace it with new build of 8 single dwelling houses. The dwellings would be 2-1/2 storeys in height with a second floor contained within the roofspace. The applicants for the site are also the owners of the development at City Reach (101 Wick Road) which adjoins the site. The site is considered to be backland given its location surrounded by existing developments. Notwithstanding these concerns, officers are recommending approval of the planning application.

SITE DESCRIPTION & BACKGROUND

The application concerns a parcel of land (0.16 hectares) situated behind 107 Wick Road (City Reach) and which comprises of the former St Johns Ambulance Social Club, the former ambulance garage, a large area of hardstanding that was used for parking associated with the social club, and a small area of vegetation. The site is bound and served by a private vehicular access lane to the north, a public footpath linking Allison Road and Manworthy Road to the east, a lane serving the rears of terraced Victorian properties to Manworthy Road to the south, and the 6 flats of City Reach to the west.

The area is characterised by predominately two storey domestic scale properties. The uses of the properties facing Wick Road are generally mixed. This includes the Conservative Club directly to the north of the site, the aforementioned residential development at City Reach directly in front of the site, a repairs garage to the west, on the opposite site of Wick Road, and some small scale retail type uses and a library to the north and south of site. Other than this the area is mostly characterised by residential properties. To the north of the site the properties facing Allison Road are 1930s style semi-detached properties.

RELEVANT PLANNING HISTORY

The site has been the subject of a number of planning applications since the St Johns building and elderly persons club was granted consent in 1955. However the most relevant applications to the current proposal are listed below.

55/00370/U_U - Erect Headquarters for St. John Ambulance Cadets. Renewed 2 times. Granted.

87/00319/F - St John Ambulance, Wick Road, Brislington, Bristol. Proposed building is for covered garaging for 3 no. vehicles. Granted.

06/04969/F - Demolition of existing single storey social club and erection of 3 no. storey building to accommodate 9 no. flats with 7 no. car parking spaces to the rear. Refused on grounds of the loss of a community facility and design.

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07/05548/P - Outline application with details of 'layout', 'scale' and 'access' for the demolition of the vacant club and St Johns Ambulance buildings to form 14 self-contained flats, a new St John Ambulance centre and the provision of 24 car parking spaces and associated cycle parking and refuge storage facilities. Refused on grounds of design, amenity due to the overall height length and position in relation to 97c Wick Road and properties to Allison Road. Poor layout in terms of access and parking arrangements, inadequate refuse and cycle provision, and failure to secure financial contributions towards recreational facilities.

08/02230/P - Outline proposal detailing access, appearance, layout and scale of proposed works - for 14 no. Self-contained flats and new St Johns Ambulance Centre. Refused on grounds of design, impact on residential amenity to 97c Wick Road, inadequate parking/manoeuvring area, inadequate and poorly secured cycle parking, and failure to secure financial contributions towards recreational facilities/open space and traffic/transport contributions.

09/03164/P - Outline application for the construction of a new St John Ambulance Hall and 14 no. self-contained flats with associated vehicular access, car parking and landscaping. Granted via committee.

12/05672/R - Renewal of planning permission 09/03164/P for the construction of a new St John Ambulance Hall and 14 no. self-contained flats with associated vehicular access, car parking and landscaping.

This application was submitted following the adoption of the Bristol development Framework Core Strategy. This represents a change in circumstances which consequently had implications for the renewal in terms of certain aspects of the scheme. Refused on the following grounds:

- The proposed residential development would fail to provide sufficient space for everyday activities and to enable flexibility and adaptability, and as such would not provide an appropriate standard of amenity, by virtue of the small size of many of the proposed flats, contrary to policies BCS18 and BCS21 of the Bristol Local Plan: Core Strategy 2011.

- The proposed development fails to demonstrate that the development will include suitable measures to meet the climate change and sustainability goals of the adopted development plan, particularly given the lack of renewable energy generation within the proposed development, and as such would be contrary to policies BCS14 of the Bristol Local Plan: Core Strategy 2011.

- The application fails to mitigate the impact of the development on local infrastructure, notably recreation facilities and sustainable transport facilities, by virtue of not being supported by a section 106 agreement/unilateral undertaking to secure relevant financial contributions, contrary to policy BCS11 of the Bristol Local Plan: Core Strategy 2008.

14/03284/F - Erection of 6 flats with 7 car parking spaces and associated bike and bin storage. This relates to the development at City Reach, situated to the front of the site facing Wick Road. Granted.

17/00690/P Outline application for the proposed erection of a single block to form 15no 2 bedroom dwellings (with access, layout and scale to be considered). This was withdrawn on the advice of the Local Planning Authority, following concerns raised about the over-development of the site.

17/03802/P Outline application for the proposed erection of a single block to form 10no dwellings (with access, layout and scale to be considered) - (Major). This was withdrawn following objections received from the Local Planning Authority on grounds of amenity and design.

Development Control Committee A – 21 June 2018**Application No. 17/06519/F : St John Hall 107 Wick Road Bristol BS4 4HE****APPLICATION**

Planning consent is sought for the construction of a terrace of eight 3-bedroom dwellings, along with associated parking, cycle storage and refuse/recycling. Each dwelling would have private amenity space with a rear garden and small front garden. In terms of the parking area this would be amalgamated with the existing parking area to the rear of City Reach. Vehicular access to the parking area would be via the existing lane between City Reach and the Conservative Club. The parking associated with City Reach would also be via the lane as the existing access to the undercroft will become a pedestrian access. Following concerns raised by officers, the applicant has made the following revisions and additions to the scheme including:

- Reduction in the height of the roof at ridge level
- Removal of rear dormers
- Removal of rear access path
- Individual cycle storage, replaced by communal storage for houses 2 to 8
- Communal refuse store replaced with individual refuse/recycling to each dwelling
- Brick wall and close boarded fence added to the southern and eastern boundaries of the site
- Additional tree planting to the rear gardens
- Parking space re-configured on the advice of Highway officers
- Details of buffers added to the vehicular access
- Details of vehicular tracking added
- Speed bump added to access lane
- Request to extend TRO to the junction of the access lane/Wick Road agreed
- Details of existing and proposed ground levels, including to ridge height of the dwelling added
- Sustainability statement amended to reflect the description of development

(See plans and supporting documents for further details)

PRE APPLICATION COMMUNITY INVOLVEMENT

From the information submitted there would appear to be no pre-application consultation and therefore no discussions between the developers and the local residents, including local amenity groups prior to the submission of the latest proposals. However as the proposal is for 8 residential units, it falls below the threshold of a major development. There is no requirement for the applicants to undertake pre-application consultations with the public as set out under the Council's Statement of Community Involvement.

RESPONSE TO PUBLICITY AND CONSULTATION

62 neighbour notifications were issued and 29 objections were received from 25 objectors raising the following issues:

- Overdevelopment, the density is too high for the site and is therefore unrealistic
- The proposed development would be out of keeping with the surrounding area
- The dwellings would be too small
- Overshadowing/loss of light to properties in Manworthy Road, City Reach and Brislington & St Anne's Conservative Club
- The dwellings would result in a loss of privacy to properties in Manworthy Road
- The local infrastructure cannot support an additional eight dwellings
- Inadequate and unallocated parking provision
- The increased traffic generated would add to existing highway problems
- The increased use of the access lane would create noise, pollution, disturbance and loss of privacy to the ground floor flats to City Reach
- The loss of fencing to City Reach would compromise the security of the ground floor flats
- The changes to the external layout would harm the amenity to the ground floor flats of City Reach

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(i.e. the ability to open windows to any degree).

- Access lane is too narrow for service, emergency vehicles and for two cars to pass each other, with implications for highway safety
- Who will be responsible for the upkeep of the access lane?
- The position of the communal refuse would be to the detriment of 97 Wick Road (now re-located)
- The application lacks detail
- The nearby Holymead primary school has not been notified (the neighbour consultation list includes the primary school)
- The use of the site should be retained to serve the community
- Concerns about public health and safety arising from any demolition of the existing buildings and subsequent construction
- Concerns about construction noise and disturbance
- Concerns raised about drainage and flooding from the development
- The proposed trees would allow intruders to breach the rear lane to Manworthy Road in terms of security
- It would de-value neighbouring properties (not a planning consideration)
- The developers have failed to engage with the local community over their plans
- There is no trust or confidence in the developers following other recent developments including City Reach (This is not a planning issue and therefore cannot be taking into consideration)

Following revisions to the scheme, neighbours and third-party contributors were re-consulted about the application. There were a total of 20 objections received from 16 objectors mainly re-iterating the concerns arising from the previous consultations. Additional issues raised included the following:

- The lamppost outside 2 City Reach would illuminate their bedroom
- Concern raised why TDM's request for a buffer no longer stands
- The proposal does not address refuse collection arrangements
- The applicant does not take account of existing trees adjoining the site
- The extended TRO will not address the highway problem only push it further down Wick Road
- Doubt cast over the accuracy of the swept path analysis

Councillor Tony Carey (Brislington East) wished to object to the planning application on grounds of it having a totally unacceptable access and raised the developer's previous poor record on their other sites.

Councillor Mike Langley (Brislington East) wished to object to the planning application on grounds of insufficient access and overdevelopment. Councillor Langley also wished to refer to the developer's disregard for planning regulations on their other sites (which is not a planning consideration).

The Brislington Conservation and History Society wished to object to the application on grounds of overdevelopment, harm to amenity and inadequate parking to the detriment of highway safety. They add that housing suitable for families is required and that there was an imbalance in the make-up of the local population.

OTHER COMMENTS

Contaminated Land Environmental Protection has commented as follows:-

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. A phase 1 desk study looking into contamination should be submitted to the local planning authority.

The current hall also appears to be constructed of asbestos containing materials which will need a survey prior to demolition. If any information is already prepared we welcome submission prior to determination to reduce the burden of pre- commencement conditions.

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As a consequence, presuming no risk assessment is available for review we recommend standard contamination conditions and an asbestos advisory note.

Transport Development Management has commented as follows:-

On reviewing the original submission TDM requested that further information was required. They were concerned about vehicles stopping in the highway due to the narrow nature of the proposed access, and therefore must be addressed. Issues including visibility, the ability to turn, parking spaces and their allocation, cycle and waste collection all required clarification.

Following the submission of revised plans, TDM require the existing double yellow lines be extended to ensure sufficient visibility of vehicles emerging from the access onto the adopted highway as shown on the revised plans. All costs relating to the implementation of the TRO must be met by the applicant.

A turning area is to be provided to the east of the site as required as per TDM's previous comments. Swept path analysis has been provided that demonstrates the ability of a vehicle to turn within this area. The length required for a service vehicle has also dropped to an acceptable level. Whilst this would result in the removal of two visitor spaces, TDM do not deem this to have a severe impact. If a management company are to move the bins to the highway for collection this must be confirmed or private collection must be confirmed.

TDM recommend approval of the application subject to conditions including a constructions management plan, installation of refuse/recycling as shown, vehicular access, vehicular parking and cycle parking. TRO to be secured under a Unilateral Undertaking (UU).

Sustainable Cities Team has commented as follows:-

On reviewing the application and revisions to the sustainability statement, the proposals are considered to be acceptable.

Urban Design has commented as follows:-

Following consideration of the revised plans there is no objection on design grounds.

Flood Risk Manager has commented as follows:-

Confirmation of how surface water will be managed on site is required. This should be completed in the form of a sustainable drainage strategy designed in accordance with the West of England Sustainable Drainage Developers Guide.

Community Buildings Manager has commented as follows:-

St John's Hall (SJA) was a valuable community facility in the past. Their hall was used by other community & voluntary groups and organisations when it wasn't in active use by SJA themselves. The current application does not provide community infrastructure. It removes an existing community use and increases the density of the residential community.

The former hall is exactly the type of facility the community needs. It facilitates activities that cannot easily be accommodated within the library, primary school, church premises or the adjacent Conservative Club. This conflicts with policy BCS12.

Nature Conservation Officer has commented as follows:-

This site was largely cleared recently, although piles of debris remain on the site which could shelter

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species such as hedgehogs, amphibians and reptiles. Any consent should include a condition for the submission of a method statement for a Precautionary Method of Working (PMW) with respect to vegetation and site clearance and the potential presence of legally protected and priority species. This should be prepared by a suitably qualified ecological consultant and submitted to the LPA prior to the commencement of development.

RELEVANT POLICIES

National Planning Policy Framework – March 2012

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

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

KEY ISSUES**(A) IS THE PRINCIPLE OF DEVELOPMENT ACCEPTABLE IN THIS LOCATION?**

Loss of community facilities

Policy BCS12 of the Bristol Development Framework Core Strategy states that existing community facilities should be retained, unless it can be demonstrated that there is no longer a need to retain the use or where alternative provision is made. This is set out in more detail under policy DM5 of the Site Allocations and Development Management Policies. This states that the loss of community facilities land or buildings will not be permitted unless (i) it is demonstrated that the loss would either not create or add to the shortfall in the area, or there is no longer the demand for it, or (ii) where the building is no longer suitable, or (iii) where the community use is retained as part of a mixed use, or (iv) where appropriate replacement community facilities are provided in a suitable alternative location.

The proposal would see the demolition of the former St John Hall and garage with 8 single dwellings built in its place. The Council's Community Buildings Officer has objected to the development stating that the St Johns Ambulance, owners of the former St John Hall was of significant value within the local community in the past. The site is located adjacent to other community buildings including the Conservative Club, as well as St Cuthbert's Parish Church, library and primary school in addition to other community spaces not readily available for hire. The Community Buildings Officer adds that unlike the previous consents on this site this does not offer any replacement facilities which could be hired by local groups when not used by the St John's Ambulance. Therefore making it more imperative for the former St John Hall to be retained or replaced.

On considering this issue the application must be assessed against the current position, which is that the site plot comprises of two vacant buildings, albeit that the last lawful use was a community building. The applicant has provided a Community Use Report as part of their submission which assesses the capacity of nearby alternative premises (for community activities). It was found that not only was there a good alternative provision to the hall, in terms of readily accessible premises, but there was capacity at good rates, all of which were in a better physical condition than the former hall. The view that there is evidence of easily accessible alternative facilities set out in the report, is not shared by the Council's Community Building's Officer. However the physical condition of the building is also a material consideration.

The hall is in vacant possession and is according to the applicant, in a poor condition. The information provided by the applicant states that St Johns Ambulance ceased occupying the site around June 2016. During the 4-5 years St John Ambulance worked with the applicants to secure a replacement

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building, one of the driving forces was the existing hall's poor condition. With regards to the 2009 outline consent (09/03164/P), the committee statement from St John Ambulance noted that the building was generally in a poor state of repair and was badly insulated, which made it unsuitable for cold-weather use. They also confirmed that the building was originally intended to be a temporary measure and had clearly surpassed its useful lifespan. The applicant has stated that the costs of bringing the site back into use would be excessive and have increased with each year the site has been vacant. This combined with the availability of similar facilities in the area would make such an excise unviable.

The hall's declining condition and its inability to accommodate community uses is reflected in the supporting information, which states that the hall stopped being used by local community groups several years back. It is noted that under the 2014 consent for City Reach (14/03284/F) the Council's Community Buildings Officer stated that the St John Hall is not available to the public for hire. Even when the hall was in a better condition, the building was primarily used for activities relating to St Johns Ambulance with wider community activities taking place occasionally according to the applicant. The applicant adds that the focus for St Johns Ambulance is on their activities at modern centres, rather than their smaller sites such as St Johns Hall which have become surplus to their requirements and unviable.

On considering the above it has been established that the site has not been in any active community use for at least two years (When St Johns Ambulance vacated the buildings). While it may be desirable to return to a position of a community hall located to this site, it could not be demonstrated that the loss of the vacant parcel of land would have a harmful impact upon community facilities within the area. In respect to policy DM5, the proposal would satisfy points i and ii, bearing in mind that the proposal only needs to meet one of the criterion to comply with the policy. Therefore a reason for refusal on the basis of loss of a community facility cannot be justified.

The need for housing

In respect of the proposed residential use, Policy BCS5 of the Bristol Development Framework Core Strategy sets out the need to deliver windfall housing within the plan period and the scheme would contribute to this.

The proposal would result in creation of 8 family-sized residential units on to the site in a location which is predominately residential in character. The principle of residential development has previously been established on the site under the now expired planning consent albeit for flats (09/03164/P). The dwellings would have access to convenience shopping directly outside the site, as well as bus services on Wick Road. There are also more local shops on Sandy Park Road, to the west of the site, and a large Sainsbury's supermarket less than 1km to the northwest. As such the site is considered to be reasonably sustainable and the introduction of residential development is considered to be in accordance with paragraphs 48, 49, 51 and 111 of the National Planning Policy Framework (NPPF).

(B) IS THE PROPOSED HOUSING MIX APPROPRIATE IN THIS LOCATION?

Policy BCS18 of the Core Strategy requires development to contribute to the mix of housing tenures, types and sizes in an area.

With regard to the mix of accommodation proposed, the area around the application site is dominated by larger sized residential units. As of 2016, the census data shows that over 77% of the accommodation in the area comprised of houses. The area immediately around the application site is proportionally higher at 88%. The proposal for 8 single dwelling houses will add to the proportion of houses in the area. All the dwellings would comprise of three bedrooms according to the plans. The census data for the Brislington East ward shows that as of 2016, 3 bedroom units made up 53.6% of the overall accommodation available.

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Given that family housing still makes up the majority of accommodation in the ward, it is not considered that the proposed accommodation is unreasonable, and it would both contribute to, and be in keeping with the housing type in this area.

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

Policy BCS21 of the Bristol Development Framework Core Strategy requires proposals to create a high-quality environment for future occupiers and safeguard the amenity of existing development. Policy BCS23 and DM27, DM29 of the Site Allocations and Development management Policies are also applicable.

With regard to existing development, the most sensitive aspect concerns the rear of the proposed dwellings and their proximity to properties in Manworthy Road to the south where a number of objections have been received on ground of overlooking, and overshadowing. On considering this issue, the back to back distance between the rears of the respective properties would be just over 20 metres. An analysis of the site levels shows that the proposed dwellings would be lower in height than those to Manworthy Road. It is also noted that a number of the properties to Manworthy Road do not have a first floor window. Screening in terms of new tree planting is proposed to the rear boundary which will reduce inter-visibility in the long term. These factors would ensure that there would not be any unacceptable loss of privacy to the properties. The proposed dwellings would be positioned north of Manworthy Road in terms of orientation meaning that there would be no impact in terms of overshadowing.

In relation to the buildings to the west and northwest to Wick Road, these would be over 21 metres from the most westerly proposed dwelling (unit 1), and so the proposed building would not impact on the amenities of these properties in terms of overlooking or overshadowing. The proposal does include side windows to units 1 and 8, however these would serve stairwells and face the public footpath between Manworthy Road and Allison Road to the east, and the rear of properties between 97a Wick Road and City Reach to the west where there is no issue given the distance.

Immediately north of the site boundary lies the large club garden to the Brislington & St Annes Conservative Club who have raised an objection. However as this is not a residential property it is not considered that a refusal could be justified on grounds of overlooking and loss of privacy. There are residential properties facing Allison Road immediately to the north of the Conservative Club. However the window to window distance would be in excess of 25 metres from the proposed dwellings, therefore this is considered to be an adequate separation distance to preserve the visual amenities of these properties.

Concerns have been raised that the creation of additional residential units would increase noise and disturbance especially to the ground floor flats to City Reach as a result of vehicular movements along the adjoining access lane. The primarily user of the lane had been by St Johns Ambulance and any other community activity associated with the use of the St Johns Hall.

Currently, vehicular access to the parking area to the rear of City Reach is accessed via the undercroft to Wick Road. Under the proposed plans this vehicular access would be diverted down via the access lane with the undercroft becoming a pedestrian only access. The rear of City Reach where it adjoins the access lane is screened by a boundary fence. It should be noted that the area to the rear of the ground floor flat does not have any garden and opens out onto the parking area which is currently enclosed at the rear.

The concern raised by the residents of the ground floor flats of City Reach is that both their amenity and security would be diminished by the proposed changes. Furthermore they state that the re-positioning of the safety barrier would hinder the opening of the owner's window. Whilst these

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concerns are noted, the lane is an existing access which had previously served the St Johns Ambulance (SJA). The activities associated with SJA and other community-related events would have generated vehicular movements from visitors and patrons alike. The rear of City reach will continue to open onto a rear parking area with the level of activity this brings.

The existing fence to be removed screens the parking area and would be replaced by a softer boundary in the form of landscaping. The details of this would be conditioned as part of any approval. The matter of the barrier was subject of an enforcement investigation where it was concluded that the developers as freeholders of the City Reach were able to make this adjustment which was not in breach of planning. Concerns regarding lighting are a valid consideration and details of external lighting can be conditioned to ensure it is not intrusive on neighbouring properties. As such a refusal on grounds of noise, disturbance, loss of privacy or compromised security from the residential development, a use more in character with the immediate area, could not be justified.

Given the above considerations it is concluded that the proposed development would not unacceptably harm the residential amenity of the area.

(D) WOULD THE PROPOSAL CONSTITUTE AN ACCEPTABLE LIVING ENVIRONMENT FOR ITS FUTURE OCCUPIERS?

The quality of the proposed residential accommodation has to be assessed against the Nationally Described Space Standards, which sets out minimum standards for the size of proposed flats. It is noted that policy BCS18 of the Bristol Development Core Strategy also requires residential accommodation to be flexible and adaptable, which normally discourages the provision of bed sits and single person accommodation, as this would not provide the level of flexibility that is required by the policy.

The proposed dwellings would each have a gross internal area (GIA) of 108 square metres. According to the plans the dwellings would comprise of three bedrooms and 5 bed-spaces. Even if the "study" rooms were to be used as bedrooms and therefore up to 6 bed-spaces, this would still comply with the Nationally Described Space Standards even if basing it on a three-storey property. Each property would have private amenity space to the rear and a small area of defensible space to the front.

Given the above consideration the proposal would constitute an acceptable standard of living accommodation for its future occupiers.

(E) WOULD THE PROPOSED DESIGN BE OUT OF SCALE AND/OR INCOMPATIBLE WITH THE SURROUNDING AREA?

Policy BCS21 of the Bristol Development Framework Core Strategy aims to ensure that all new development achieves high standards of design. Policies DM27 and DM29 of the Site Allocations and Development Management Policies also apply. These seek high quality design that takes account of context and does not cause harm to the character or appearance of an area.

Within the immediate vicinity of the site, the area is predominately residential, characterised by terraced, semi-detached and detached housing in a mixture of styles and comprising of a variety of materials. As such there is no distinct local vernacular. In terms of public views, the application site is enclosed and is surrounded by residential properties and the adjacent Conservative club on two of its sides to Wick Road and Manworthy Road, and partly obscured from Allison Road. The site is only visible to the east along the public footpath.

The existing buildings on the site are of no particular merit, although their low level nature and utilitarian appearance do suit the backland location of much of the site. In relation to the proposed terrace, it is noted that the previous two determined applications on the site (09/03164/P & 12/05672/R) were for a larger form of development in terms of scale, height and massing. However

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despite this, it is considered that given the changes in levels across the site the height of that building would be comparatively lower than the building on the surround street frontages.

From the Wick Road public realm, the proposal would appear as a background building, and would not dominate the surrounding street scenes. The current application takes different approach proposing 2-1/2 storey staggered terrace that works with the topography of the site. This is considered to be a smaller and less intensive form of development compared to the previous single three-storey block of 14 flats and front parking court. It would also appear innocuous compared to the previous scheme where there are glimpses from Allison Road and the public footpath to the east.

In terms of the design the proposed dwellings would comprise of a combination of cream render and brickwork, hipped roof with a flat section to the top, and gables to units 1 and 8. Each dwelling would have a small rear garden and frontage of a size comparable to the terraced properties in the immediate vicinity. Boundary treatments and planting is also proposed to help both define and soften the external layout. Given the confines of the site and mixed architectural character this is considered to be acceptable. The proposal for 8 units represents an efficient use of the land equating to 50 dwellings per hectare (dph) in accordance with the Core Strategy and a refusal on grounds of over-development could not be justified given the overall plot coverage compared to the site and the less intensive nature of the development compared to the previous schemes.

On this basis it is considered that the proposed development is acceptable in terms of design would not be incompatible or out of scale with the surrounding area.

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

Policy DM23 states that "In accordance with the standards set out in the parking schedule at Appendix 2, development proposals will be expected to:

- i. Provide an appropriate level of safe, secure, accessible and usable parking provision having regard to the parking standards, the parking management regime and the level of accessibility by walking, cycling and public transport; and
- ii. Provide appropriate servicing and loading facilities.

Policy BCS10 of the Bristol Development Framework Core Strategy is also applicable.

Proposals for parking, servicing and loading should make effective and efficient use of land and be integral to the design of the development."

The National Planning Policy Framework states that "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."

The site would be accessed from Wick Road, which is a classified C road subject to on street parking on both sides of the road with one bus service (the number 36) operating approximately every 30 minutes from Allison Road. The access into the site would use the existing lane between the Conservative Club and City Reach. The lane has become underused and is not wide with a barrier on one side.

The prospect of the lane providing the access to the 8 dwellings and parking to City Reach has generated strong objections on highway safety grounds. The concerns relate to an increased volume of traffic using the lane and doubts cast that the lane is not wide enough to accommodate passing vehicles and any large servicing/emergency vehicle such as a fire tender. Residents consider this would lead to conflicts, and pose a highway safety danger to the other pedestrians and motorists in Wick Road. Concerns have been raised that there would be insufficient parking to accommodate this

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scale of development therefore also to the detriment of highway safety. On considering the highway impacts of the proposed development the following is concluded.

Volume of traffic

The applicant has provided a technical note on the access and an appended record of traffic accidents within the vicinity. One of the key measurements referred to the level of vehicular movements associated with the St Johns Hall when it was in active use. Reference is made to up to 15 arrival and departures occurring during a short period. On considering this the Council's Transport Development Management (TDM) officers accept this would have been the case, although the likely peak movement times for the club and the proposed residential development would be different. Nonetheless, the anticipated volume of vehicular movements would be comparable to, if not lower than for the club. From a TDM perspective the issue is not with the volume of traffic but whether the lane can accommodate the vehicular movements that would be generated as a result of the development.

The accessibility of the lane

Transport Development Management had deemed the access as shown on the original plans to be insufficient as they did not include a buffer to the side of the Conservative Club. They also considered the TRO to the junction with Wick Road to be inadequate to ensure efficient visibility for any vehicles emerging from the access. Because of the width of the lane there are also concerns about highway stacking onto Wick Road as a result of one vehicle having to wait to enter the lane whilst another leaves. In response to these concerns the applicant has revised the plans to create a 500mm buffer to the Conservative Club and reducing the existing buffer to 300mm and 450mm (where there is a recess) to City Reach.

According to the plans the access would measure 8.5m where it intersects with Wick Road, 4.35m at its widest point where it adjoins the front of the Conservative Club, narrowing to 3.04m. It is accepted that no two cars would be able to pass each other except at the intersection. However the applicant has provided tracking diagrams including provision for turning that demonstrates that any vehicle would not have to reverse an excessive distance in the case of any vehicular conflicts. Likewise the proposed extension to the TRO would aid visibility and prevent any waiting vehicles entering the lane from obstructing Wick Road. Furthermore traffic calming is proposed in the form of a raised section to ensure vehicles enter and exit the lane slowly. On consideration of the plans TDM do not object to the proposal provided it is implemented in accordance with the plans.

Parking

There would be eight parking spaces available to the dwellings and 6 for City Reach. Whilst this would result in the loss of one space to City Reach this would still provide 1 off-street parking space for each flat and each dwelling respectfully. Whilst this arrangement has resulted in the removal of two visitor parking spaces TDM do not deem this to have a severe impact, however they insist that there is allocated parking. Communal cycle storage would be provided to the north of the dwellings for units 2 to 8, with unit 1 having an accessible cycle store in the rear garden. This arrangement is considered to be acceptable.

Refuse and recycling

The plans have been revised to show that each dwelling would have their own refuse storage to the front. At a distance of over 30m from the highway and as it is down a private lane, this would not be serviced by Bristol Waste and any waste would have to be moved to Wick Road without causing obstruction. The applicant has confirmed that development will be served by a private collection arranged by the Management Company using a private refuse vehicle that will come on site to collect waste and recycling. The applicant has provided a tracking diagram to show how the refuse vehicle will serve the development. In response TDM do not object to this provided the arrangements are

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retained in perpetuity.

In conclusion of this key issue, it is considered that this development is acceptable on highway safety and accessibility grounds according with the requirements of policies BCS10 of Bristol Development Framework Core Strategy and DM23 of the Site Allocations and Development Management Policies, and paragraphs 21 to 41 of the NPPF.

(G) WILL THE PROPOSED DEVELOPMENT MAKE AN ADEQUATE CONTRIBUTION TO THE CITY'S SUSTAINABILITY AND CLIMATE CHANGE OBJECTIVES?

Policies BCS13, BCS14, BCS15 and BCS16 of the Bristol Development Framework 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 application is accompanied by a sustainability statement which provides information on proposed energy efficiency measures and other carbon reductions. It also provides a summary of proposed major fabric building materials, waste management and water management. Renewable energy would be in the form of solar PV that would sit on the south-facing rear roof slope of each dwelling. These measures would yield a saving of 23% in residual energy according to the energy table. Concerns have been raised about how surface water drainage will be dealt with. This is a valid issue and the requirement for the proposal to incorporate sustainable urban drainage systems can be secured by condition.

On considering the information the Sustainable City Team are satisfied that these would be achievable on this development.

(H) WOULD THE PROPOSAL HAVE IMPLICATIONS IN TERMS OF LOCAL ECOLOGY?

The site does not contain any significant vegetation, which has largely been cleared. It should be noted that the previous applications were acceptable on the basis of ecology issues. However piles of debris remain on the site which could shelter species such as hedgehogs, amphibians and reptiles the Nature Conservation Officer has advised. As such any planning consent should be subject of method statement for the clearance of the remaining vegetation.

(I) DOES THE PROPOSED DEVELOPMENT SECURE A PACKAGE OF PLANNING OBLIGATIONS TO OFFSET THE IMPACT OF THE DEVELOPMENT ON THE LOCAL INFRASTRUCTURE?

Policy BCS11 of the Core Strategy requires that planning obligations should be secured through the planning process in order to offset the impact of the proposed development on the local infrastructure. With the exception of site specific requirements, this policy is met through the application of the Community Infrastructure Levy, and in this case the CIL requirement for this proposal is £58,242.86. 80% of the money received through CIL would be spent on those items identified in the Regulation 123 list, which includes identified public transport projects, parks and green spaces and school projects. 15% is also delegated to the Neighbourhood Partnership who can then spend it on local priorities.

The other planning obligation that is being sought in relation to the application is for the extension to the Traffic Regulation Order (TRO) at a cost of £5,395 which are referred to in the key issue E. This is being secured under a Unilateral Undertaking which is currently with the Council's Legal Services.

Development Control Committee A – 21 June 2018**Application No. 17/06519/F : St John Hall 107 Wick Road Bristol BS4 4HE****(I) DOES THE PROPOSAL GIVE RISE TO ANY CONTAMINATION ISSUES?**

The site is situated adjacent to land which has been subject to land uses which could be a potential source of contamination. Given these concerns the City's Land Contamination officer advises that a minimum of a phase 1 desk study looking into contamination must be submitted to the local planning authority. As this information has not been submitted for consideration to date, this would have to be secured via pre-commencement planning conditions.

OTHER ISSUES

Concern has been raised that the proposal could have an adverse impact on trees. There are no trees on the site and the development would be in excess of 20 metres away from the nearest trees located in the rear gardens of Manworthy Road. New tree planting is proposed to the southern and eastern boundaries. The appropriate species of which along with maintenance can be secured under condition as part of any approval of the application.

CONCLUSION

While it may be desirable to retain a community hall on this site, it could not be demonstrated that the loss of the vacant building would have a harmful impact upon community facilities within the area. Moreover, the specific nature of this building means that it is highly unlikely to be capable of sensitive adaption to another community use. In balancing these facts, it is considered that the principle of developing this site for residential dwellings is acceptable. The proposed development would make an efficient use of a brownfield site, whilst not compromising the character or identity of the surrounding area.

It is not considered that the proposed development would unacceptably harm the residential amenity of the area in terms of its design, scale and position relative to existing development. The proposed dwelling would provide an acceptable standard of living accommodation for its future occupiers. The proposed development is considered to be acceptable in design terms, and would not cause harm to the character and appearance of the area.

It is considered that this development is acceptable on highway safety and accessibility grounds therefore according with the requirements of policies of the Local Plan and NPPF. The proposed development has also demonstrated that it would accord with the City's policies on sustainability and climate change with measures secured through condition as part of any consent. The proposal does not pose any ecological concerns and would enhance the site with some green infrastructure.

In conclusion, this application is acceptable and is recommended for approval. This is subject to conditions and financial contributions towards the provision of an extended Traffic Regulation Order.

RECOMMENDED GRANTED 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.

Development Control Committee A – 21 June 2018**Application No. 17/06519/F : St John Hall 107 Wick Road Bristol BS4 4HE****Pre commencement condition(s)**

2. 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.

3. Artificial lighting (external)

Details of all external lighting to the development shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The detail thereby approved shall be carried out in accordance with that approval.

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.

4. 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;

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(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

5. 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.

6. 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.

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

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

8. Sample panels before specified elements started

Sample panels of all external finishes demonstrating the colour, texture, face bond and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.

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

9. 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.

Pre occupation condition(s)

10. 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 4 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 5, 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 6.

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.

11. Submission and approval of landscaping scheme

Prior to occupation, details shall be submitted to and approved in writing by the Local Planning Authority for a scheme of hard and soft landscaping. 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

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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.

12. Renewable energy further details of PV system

Prior to implementation, details of the proposed PV system (including the exact location, dimensions, design/ technical specification) together with calculation of energy generation and associated CO₂ emissions to achieve 20% 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 details shall also specify:

- That the Shading Factor is calculated using the MCS Standard Estimation Method, based on proposed layout, and results provided to the Local Planning Authority.
- That the annual yield of the PV system is recalculated to take account of the Shading Factor, tilt and orientation of the PV system.
- That if required the size of the PV system is increased, to take account of any loss of yield due to shading etc., to ensure that system is capable of delivering a 20% reduction in residual emissions. This should be supported by calculations which should be provided to the Local Planning Authority.

The PV system 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.

13. Energy and Sustainability in accordance with 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 (GE2 Limited, Rev A dated 13th February 2018) prior to first occupation. A total 23.44% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy shall be achieved, and a 20% reduction/or other agreed % reduction in carbon dioxide emissions below residual emissions through renewable technologies shall be achieved

Reason: To ensure the development incorporates measures to minimise the effects of, and can adapt to a changing climate in accordance with policies BCS13 (Climate Change), BCS14 (sustainable energy), BCS15 (Sustainable design and construction), DM29 (Design of new buildings).

14. 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.

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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.

15. 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.

16. 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.

17. 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.

18. 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.

19. Waste management strategy

The development hereby approved shall not be occupied until a refuse management strategy has been submitted to and approved in writing by the Local Planning Authority, and the development shall accord with the arrangements hereby approved thereafter.

Reason: To safeguard the amenity of both the adjoining occupiers and future occupiers of the premises, protect the general environment, and prevent obstruction to the public highway.

20. Servicing & Parking Management Plan

The development hereby permitted shall not be occupied or use commenced until a servicing and parking management plan has been prepared, submitted to and been approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved servicing and management plan

Reason: to prevent overspill parking and obstructions in the interests of highway safety.

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Post occupation management

21. Protection of parking and servicing provision

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

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

22. 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.

23. 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 any elevation of the dwellings hereby permitted without the grant of a separate planning permission from the Local Planning Authority.

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

List of approved plans

24. 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.

03 C Proposed access arrangements, received 1 June 2018
 TR04 C Swept path analysis - Fire tender, received 1 June 2018
 TR05 C Two cars at access, received 1 June 2018
 02 Proposed extension to existing TRO, received 15 May 2018
 TR02 D Swept path analysis of parking arrangement - Refuse collection, received 1 June 2018
 TR06 A Intervisibility along site access road for priority working, received 1 June 2018
 TR09 A Swept path analysis - various spaces, received 20 April 2018
 Unilateral Undertaking
 16.013-001 Existing site plan, received 1 June 2018
 17.013-002 Existing site sections, received 28 November 2017
 16.013-99 Site location plan, received 28 November 2017
 010 C Proposed site plans, received 1 June 2018
 011 B Proposed site section, received 1 June 2018

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012 A Proposed floor plans, received 15 May 2018
013 A Proposed elevations, received 15 May 2018
014 A Proposed materials, received 15 May 2018
Sustainability statement (Revision A), received 15 May 2018

Reason: For the avoidance of doubt.

Advices

1 All species of bats and their roosts are legally protected. If bats are encountered all demolition or construction work should cease and the Bat Conservation Trust (Tel 0845 1300 228) should be consulted for advice.

2 Asbestos Advice

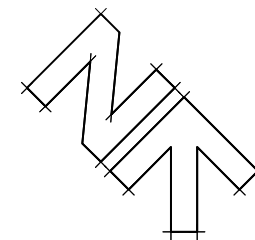
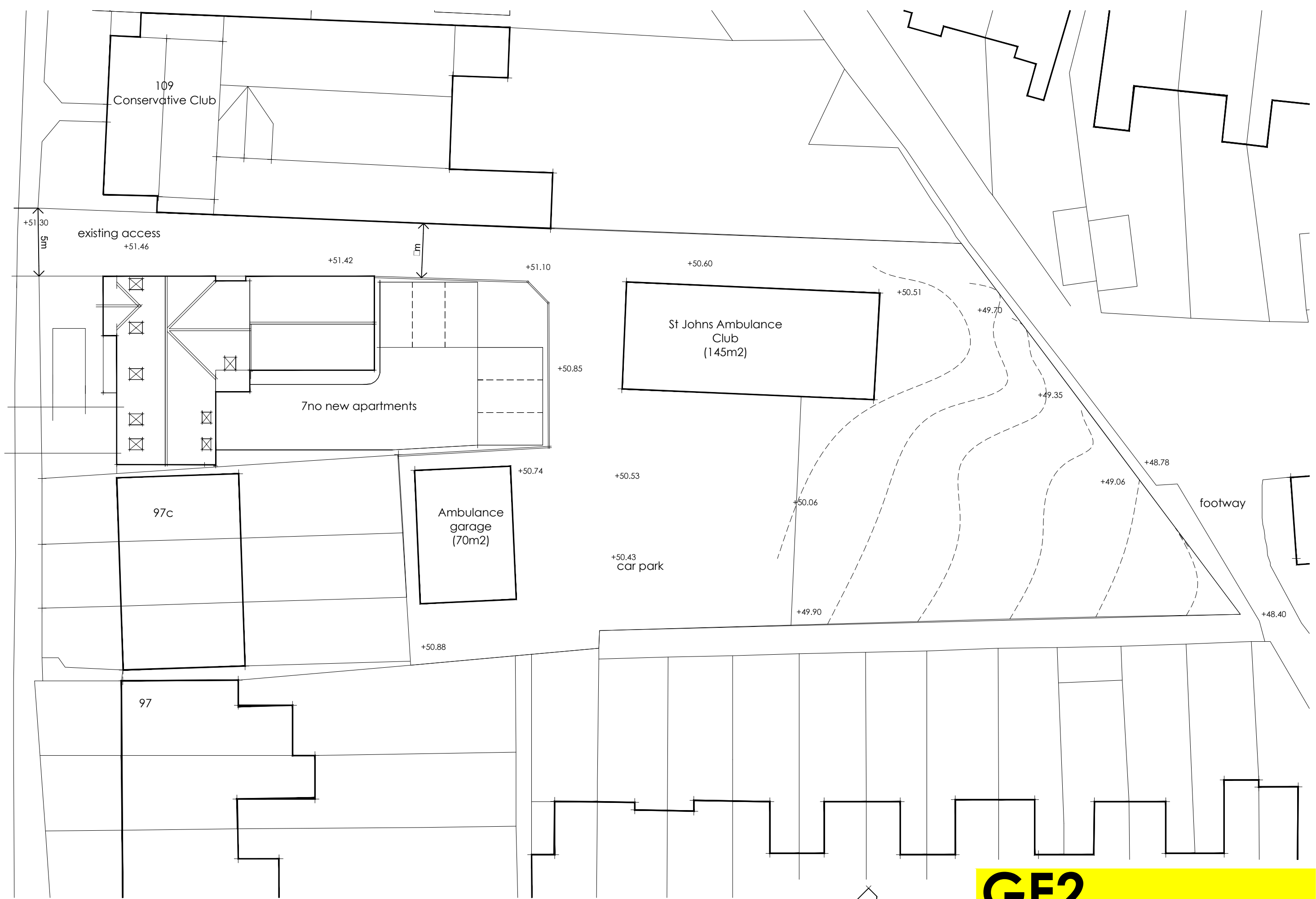
The applicant is advised to undertake an asbestos survey prior to works commencing. Any asbestos containing materials present on site must be removed in accordance with the Control of Asbestos Regulations 2012.

commdelgranted
V1.0211

Supporting Documents

3. St John Hall, Wick Road

1. Existing site plan
2. Proposed site plan
3. Proposed site sections
4. Proposed floor plans
5. Proposed elevations
6. Proposed site access arrangements
7. Swept path analysis of various spaces



GE2
URBAN DESIGN

109 Conservative Club

club garden

RAILINGS

ACO stormwater drainage channel installed to prevent rainwater discharging onto highway

BOUNDARY WALL LOWERED TO A MAXIMUM HEIGHT OF 600mm

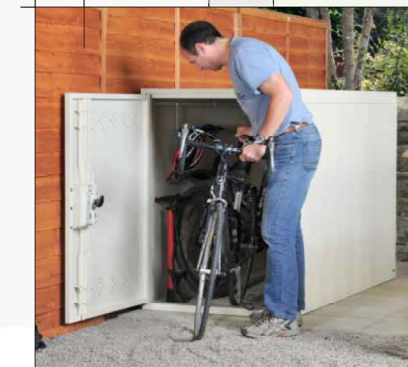
WICK ROAD Page 108

PROPOSED development
 Cycle store
 8no cycle boxes
 16 lockable spaces
 Hit and miss fence enclosure with roof (refer to detail)

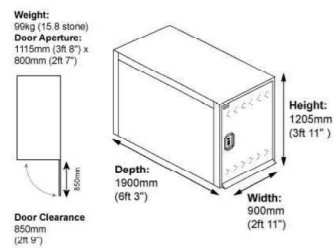
existing boundary treatment to be removed and replaced with 1.8m brick pier and railing panels

existing boundary treatment to be removed and replaced with 1.8m brick pier and close board fence panels

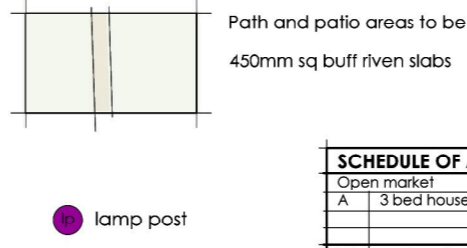
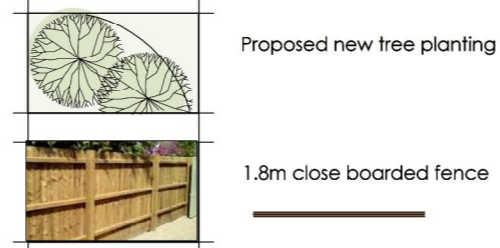
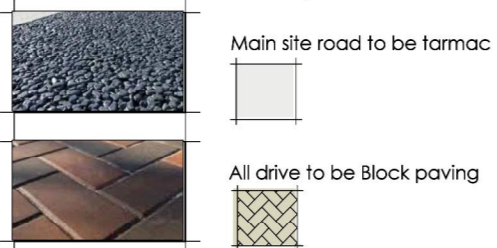
existing boundary treatment to be removed and replaced with 1.8m brick pier and close board fence panels



EXTERNAL MEASUREMENTS



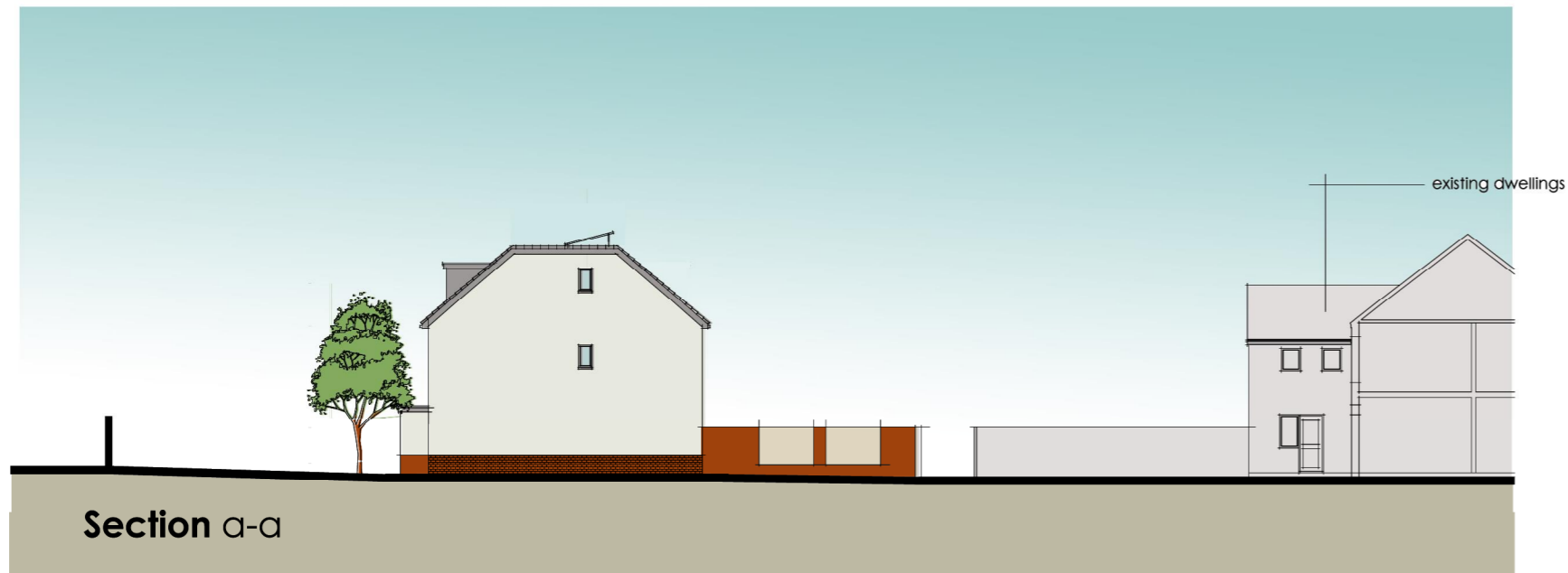
Materials key



SCHEDULE OF ACCOMMODATION		
Open market		
A	3 bed house	105m ² 8no
total number of units 8		

REV C JUNE 2018 LEVEL ADDED, AND FURTHER DETAIL CLARIFIED
 REV B APR 2018 HIGHWAY REVISIONS

GE2
 URBAN DESIGN
 20 Parsonage Road, Long Ashton, Bristol t: 01275 791846 www.ge2.co.uk
 Project : **Wick Road, Brislington, Bristol** Scale : 1:250@A3
 Title : Proposed Site Plan Date : 03.10.17
 Drawing No: 17.013 - 010 C

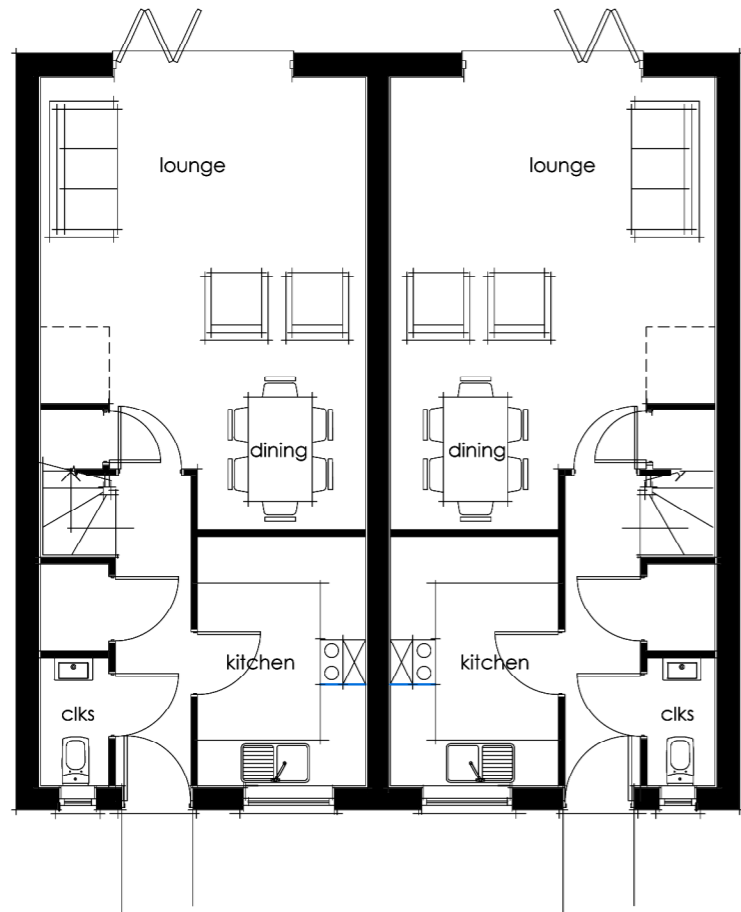


REV B JUNE 2018 LEVEL INFORMATION ADDED
 REV A JAN 2018 PLANNING COMMENTS

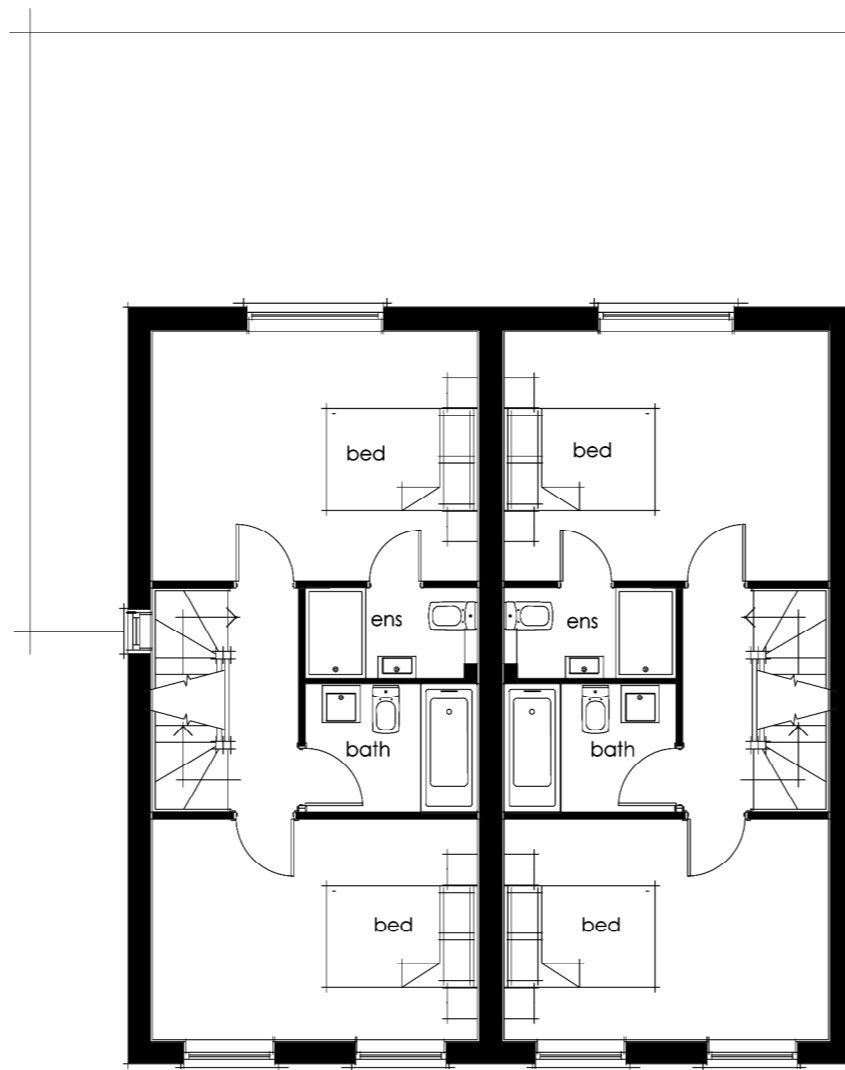


20 Parsonage Road, Long Ashton, Bristol t: 01275 791846 www.ge2.co.uk

Project : **Wick Road, Brislington, Bristol** Scale : 1:250@A3
 Date : 03.10.17
 Title : proposed Site Sections Drawing No: 17.013 - 011 B

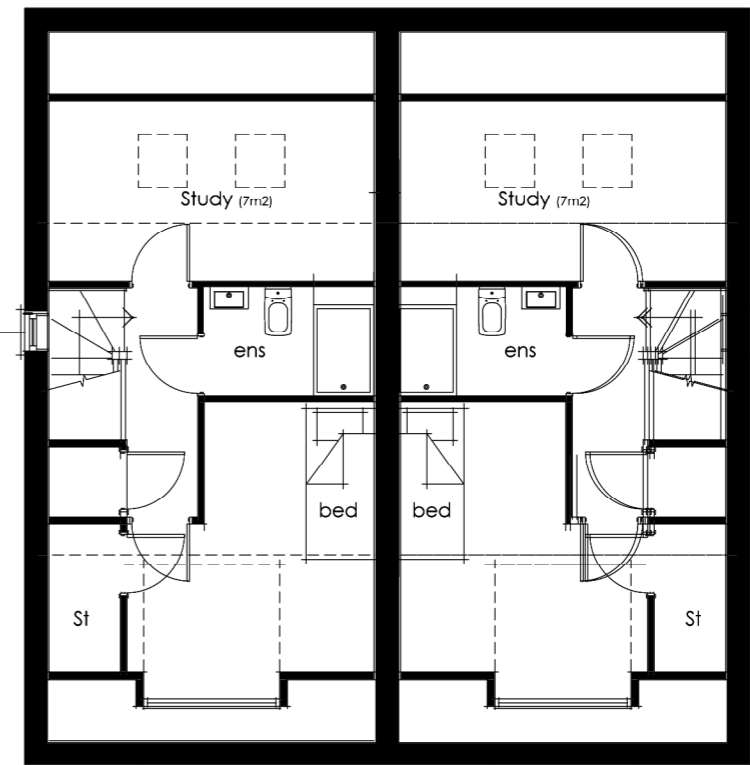


ground floor plan



first floor plan

side window on plots 1 & 8 only



attic floor plan

REV A JAN 2018 PLANNING COMMENTS

GE2

U R B A N D E S I G N

20 Parsonage Road, Long Ashton, Bristol BS41 9LL t: 01275 791846 www.ge2.co.uk

Project : **Wick Road, Brislington, Bristol**

Scale : 1:100 @A3

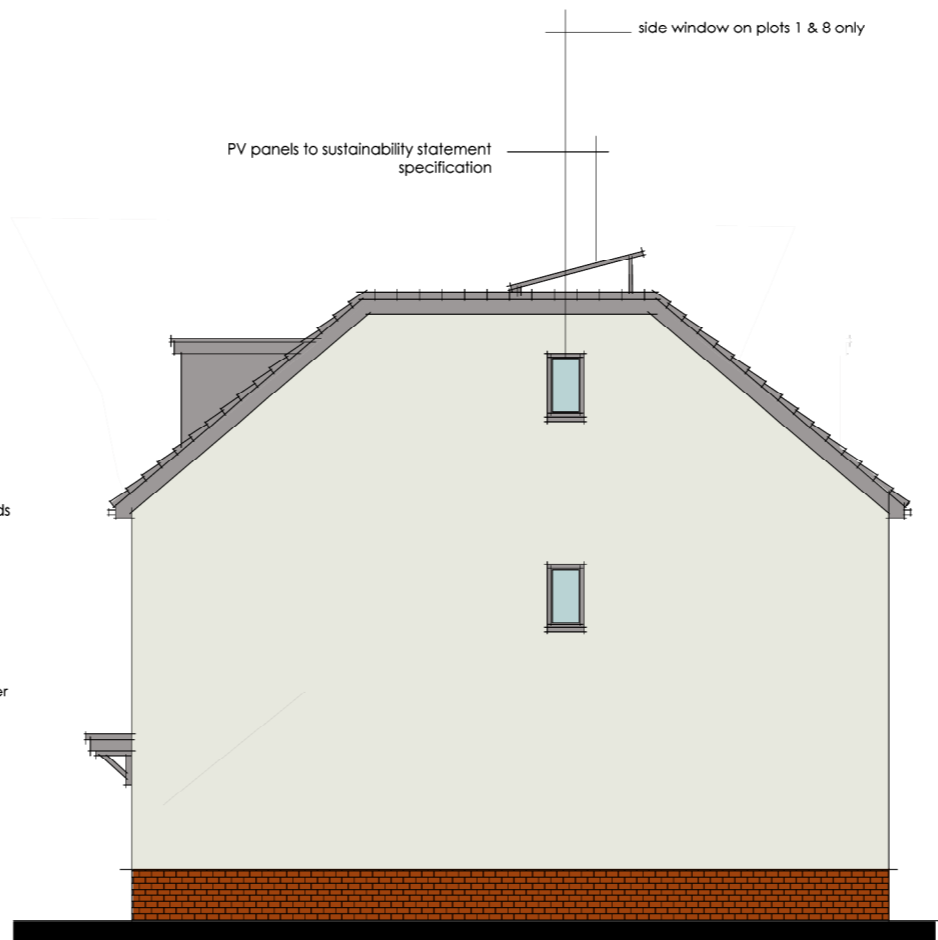
Title : Proposed floor plans

Date : 11.10.17

Drawing No: 17.016 - 012 A



Front Elevation



Side Elevation



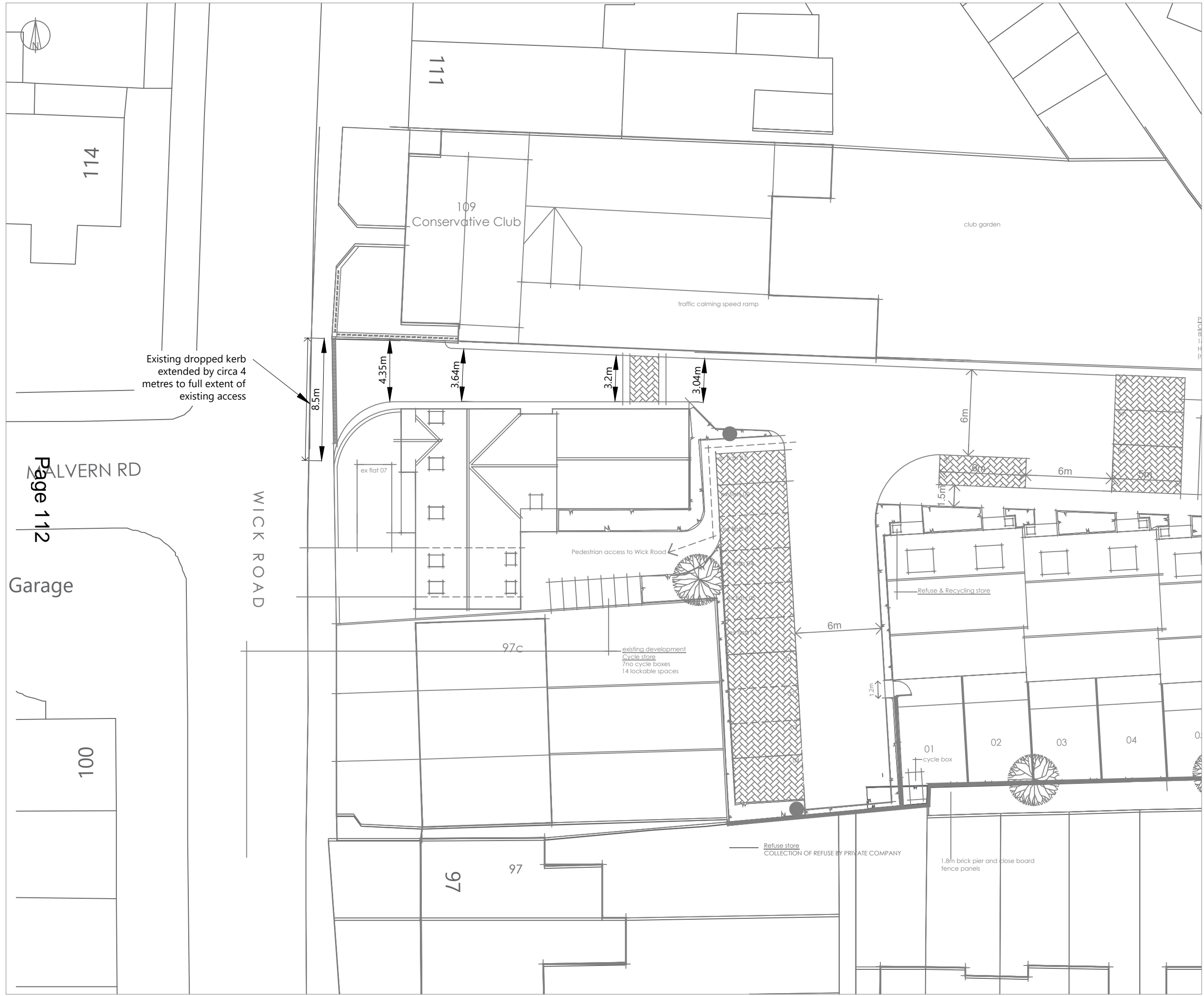
Rear Elevation

REV A JAN 2018 PLANNING COMMENTS



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Project :	Wick Road, Brislington, Bristol	Scale :	1:100 @A3
Title :	Proposed elevations	Date :	11.10.17
		Drawing No:	17.016 - 013 A



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 Drawing based on GE2 Design Consultants Proposed Site plan 17.013-010B provided 12/04/18 (8 unit scheme).

ISSUE

C	Revised architect's site layout plan	01/06/2018
B	Revised architect's site layout plan	06/02/2018
A	Revised architect's site layout plan	31/01/2018

REASON FOR REVISION

DATE

MALVERN RD
 Page 112

Garage

WICK ROAD

PROJECT:
**ST JOHN HALL,
 107 WICK ROAD**

CLIENT:
MR S LITT

PROJECT REFERENCE:	DRAWING NUMBER:	SCALE:
1776	03	1:250 @ A3

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www.highgatetransportation.co.uk
 First Floor, 43-45 Park Street
 Bristol BS1 5NL
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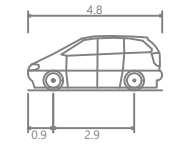
TITLE:
**PROPOSED SITE ACCESS
 ARRANGEMENTS**

DATE:	DRAWN BY:	CHECKED:
24/01/18	BL	FB



NOTES:
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Drawing based on GE2 Design Consultants Proposed Site plan 17.013-010B provided 12/04/18 (8 unit scheme).



Standard Design Vehicle (SDV)	
Overall Length	4.800m
Overall Width	2.000m
Overall Body Height	1.950m
Min Body Ground Clearance	0.100m
Track Width	2.000m
Lock to lock time	4.00s
Wall to Wall Turning Radius	6.000m

ISSUE	REASON FOR REVISION	DATE
A	Revised architect's site plan	12/04/18

Page 113

PROJECT:
**ST JOHN HALL,
 107 WICK ROAD**

CLIENT:
MR S LITT

PROJECT REFERENCE:	DRAWING NUMBER:	SCALE:
1776	TR09	1:250 @ A3

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TITLE:
SWEPT PATH ANALYSIS OF VARIOUS SPACES

DATE:	DRAWN BY:	CHECKED:
11/04/18	BL	DT

Development Control Committee A – 21 June 2018

ITEM NO. 4

WARD: Ashley **CONTACT OFFICER:** Thomas Wilkinson
SITE ADDRESS: YardArts 17 - 29 Lower Ashley Road St Pauls Bristol BS2 9QA

APPLICATION NO: 17/01898/F Full Planning

DETERMINATION DEADLINE: 15 December 2017

Construction of a 4 storey block of flats to provide 37 units including appropriate level of affordable housing with associated parking and amenity space. (MAJOR)

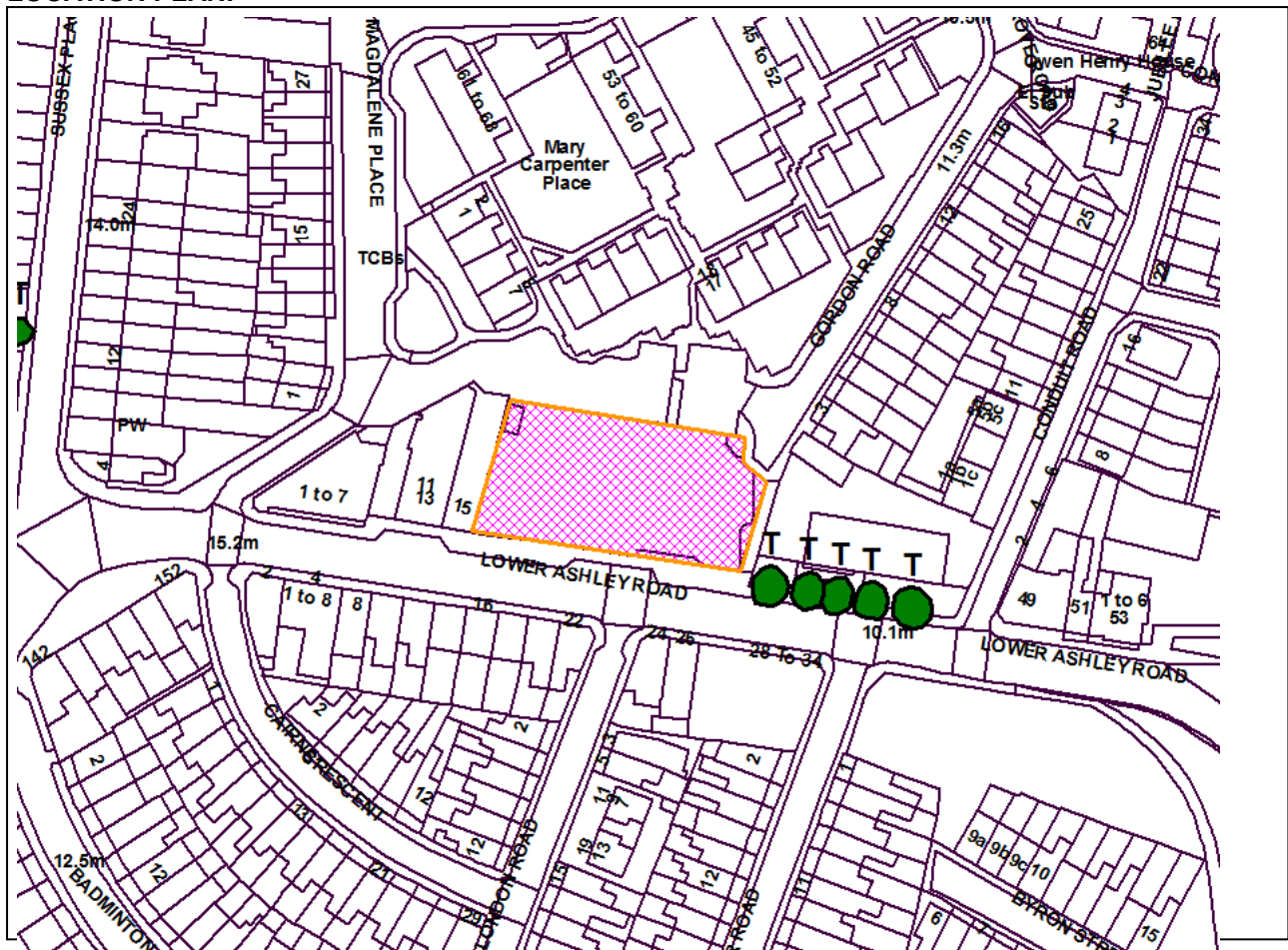
RECOMMENDATION: Refuse

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

APPLICANT: Prelon Construction Ltd

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

LOCATION PLAN:



Development Control Committee A – 21 June 2018**Application No. 17/01898/F : YardArts 17 - 29 Lower Ashley Road St Pauls Bristol BS2 9QA**

BACKGROUND AND SUMMARY

This application is for the construction of a 4 storey block of residential apartments, totalling 37.no units alongside car parking; refuse storage and amenity space to the rear.

This application is being referred to Committee on the basis that the application would deliver a policy compliant percentage of affordable housing units on site. Whilst the application hasn't been formally called in, Councillor Davies (Ward Member for Ashley) has expressed a desire for this to be a committee decision given that the proposal seeks consent for a number of residential units (including affordable units) in an area in need of housing.

The affordable housing offer is proposed at 20%, making the scheme compliant with the recent publication of the Bristol City Council Affordable Housing Practice Note (approved 6 March 2018). This equates to 7 residential units contained within Block A, all of which will be Affordable Rental tenure. Affordable Rent is subject to rent controls that require a rent of no more than 80 per cent of the local market rent (including service charges, where applicable).

Overall the LPA fully supports the principle of new residential accommodation at this site and the benefits of delivering affordable housing are fully recognised. However whilst the provision of new housing (including affordable housing) is welcomed in principle it is not considered that this should be to the detriment of existing residents, nor should the new residential accommodation be sub-standard.

The basis for the objection to the current proposal is the significant adverse impact the proposed development would have on the amenity of adjoining property No.15 Lower Ashely Road with regards to overshadowing and overbearing.

Furthermore, it is considered that the proposal as a whole represents an overdevelopment of the site, which has resulted in a significant number/percentage of single aspect units, the majority of which will be north facing (38% of the total number of units within the development will be single aspect and north facing). In addition, the blank ground floor frontage design would be harmful to the appearance of the development, the overall street scene as well as natural surveillance levels.

Given these concerns, it is also considered that the current proposal is not of sufficient merit to outweigh the harm caused by the removal of two Category B trees from the site. The Council's Arboricultural Officer confirmed that the trees are an un-common species, and advised that they provide sufficient amenity value to warrant tree preservation order (TPO) protection.

Overall, the scheme does not represent good design, and instead represents an over-intensive form of development, which would fail to provide a high-quality, adaptable and acceptable living environment for future occupants; existing neighbouring premises; or the wider area as a whole. This is considered unacceptable in principle and is especially unacceptable given this is a new build development on a vacant plot where issues should be able to be designed out.

The principle of residential development at this site is welcomed and encouraged and the LPA have entered in extensive negotiations with the applicant in order to seek to resolve the key issues identified during the course of the application and which remain of concern. However, the applicant has requested that a decision be made on the proposal as submitted to date without a final solution being agreed.

The application is therefore with regret recommended to Members for Refusal.

Development Control Committee A – 21 June 2018**Application No. 17/01898/F : YardArts 17 - 29 Lower Ashley Road St Pauls Bristol BS2 9QA****SITE DESCRIPTION**

The application site is located on the north side of Lower Ashley Road and is approximately 150 metres away from Junction 3 of the M32. The site was previously occupied by a petrol filling station, which has since been demolished. The site is currently now boarded along its perimeter and was most recently occupied by a local artist community (YardArts) on a temporary basis, however this group has recently moved to an alternative site in the city.

The site is flanked predominantly by two to three storey, principally Victorian, buildings, some of which have active ground floor frontages. Residential properties are also located on the opposite side of the road. To the rear (north) of the site lie residential properties with a large ancillary car parking court situated between the site and the residential buildings. To the east, sits former Bristol City Council offices.

RELEVANT HISTORY

06/04539/F: Redevelopment of former petrol filling station site to provide 24 no. one bedroom and 10 no. two bedroom apartments with amenity space and storage and 3 no. four bedroom affordable dwellings with gardens. GRANTED on 07.02.2007

06/01291/F: Redevelopment of former petrol filling station site to provide 24 no. one bedroom and 10 no. two bedroom apartments with amenity space and storage and 3 no. four bedroom affordable dwellings with gardens. APPLICATION WITHDRAWN

03/01094/P: Outline application for the demolition of the existing petrol filling station and re-development of site for residential use (Class C3) as fifteen (15) dwellings. GRANTED on 26.06.2003

87/03735/F: Provision of new 10,000 gallon petrol storage tank and new replacement pumps. GRANTED on 17.02.1988

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 refusal of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

STATEMENT OF COMMUNITY INVOLVEMENT**a) Process**

The applicant has provided evidence to demonstrate that the level of public consultation undertaken with the local community prior to the application being submitted included the sending of letters to 55 neighbouring properties, inviting them to a public meeting. As this meeting was unattended, no further action was taken.

b) Outcomes

It is considered that the community involvement undertaken by the developer prior to the

Development Control Committee A – 21 June 2018**Application No. 17/01898/F : YardArts 17 - 29 Lower Ashley Road St Pauls Bristol BS2 9QA**

submission of this application has been poor. There are no identifiable outcomes following the public consultation.

It is recognised that the Bristol Neighbourhood Planning Network has objected to the application on this basis, commenting that 'in spite of numerous consultations with St Paul's planning group over previous applications on this site, no contact was made with them or other planning groups before this application. The applicants did not ask NPN for the contact details of the local planning group, consequently the groups were not informed about the consultation event held in September. Such events have a role in support of Community Involvement as described in the BCC Guidelines, but they do not in themselves constitute adequate community involvement.'

APPLICATION

Planning permission is sought for the construction of a 4 storey block of residential apartments, totalling 37 units alongside car parking, refuse storage and amenity space to the rear on currently vacant land.

RESPONSE TO PUBLICITY AND CONSULTATION

Application advertised in press and via site notice, expiry date 26.06.2017. Neighbours were consulted via individual letters sent 08.05.2017.

3 objections were received which raised the following concerns;

- Likelihood of increased noise pollution for local residents
- Potential risk of flooding
- Poor provision of car parking facilities
- Increased levels emissions/pollution which is already critical due to the presence of the M32.
- The proposal represents overdevelopment and is too large in scale

OTHER COMMENTS

St Pauls Planning Group has commented as follows:-

'St Pauls planning group objects to the design of this scheme and to the lack of consultation by the applicant.'

Bristol City Council Transport Development Management has commented as follows:-

'A Transport Statement was submitted as part of the application which sets out the sites sustainable location due to its proximity to a bus route on Sussex Place/Ashley Road and the availability of on-site parking and cycle storage. To support the provision of 15 car parking spaces a parking survey was carried out. Whilst this does not confirm to the standard methodology required it does confirm that even at the busiest peak times there are parking spaces available within a moderate walk of the site, which is acceptable.

The Travel Plan Statement submitted is acceptable. The proposed Travel Welcome Pack will be provided as prospective residents move in and will comprise:

- Public transport and cycle route information.
- Information on the local Car Club scheme and contact details.
- Information on the health benefits of walking and cycling.
- Travel vouchers to the value of £500 (with option for a further £500 which would be

Development Control Committee A – 21 June 2018**Application No. 17/01898/F : YardArts 17 - 29 Lower Ashley Road St Pauls Bristol BS2 9QA**

welcomed) per dwelling to assist the purchase of sustainable travel modes such bus or train travel and/or cycle acquisition.

The pack will promote www.travelwest.info and the Travel Plan Co-ordinator when appointed plans to join the Bristol Workplace Travel Network and Cycle Champion Scheme. To do this they will need to email their contact details to city.transport@bristol.gov.uk Cycle maps can be downloaded or ordered from www.betterbybike.info/maps/cycle-maps For examples of Travel Information Packs please see www.travelwest.info/movhome/new-housing-developments. The pack should also include links to:

- National Rail Enquiries
- Falcon (Stagecoach) Service
- National Express
- Megabus
- Taxi
- Cycle repair shops
- Supermarket Deliveries

When the Travel Plan Co-ordinator has been appointed their contact details including telephone and email must be provided along with the final Travel Plan Statement and a site location map to travelplans@bristol.gov.uk For any further information please contact Gemma Stern - Travel Plan Coordinator on 0117 3576228 or email gemma.stern@bristol.gov.uk (Tuesday to Thursday).

The site plan submitted proposes to abandon the existing vehicle access points and reinstate the footway to full kerb height. Whilst this is acceptable the existing tactile paving must be removed. Instead a new access point is proposed, 4.1m wide, which will encompass a sliding entrance gate, with a vehicle crossover and dropped kerbs. The site plan includes clear, unimpeded vehicular visibility splays of 2.4m x 25m (based on a speed of 20mph) and pedestrian visibility splays of 2m x 2m all of which is acceptable. The plan also proposes three on-street parking bays, each of which has 45 degree splays. The single bay is 6m wide with the other two bays 5.5m wide. The bays will be for the use of the general public. A Section 278 Agreement will be required to undertake these works as well as a Section 171 Licence.

The site plan submitted proposes to alter the existing waiting restrictions in the form of double yellow lines by removing them in front of the proposed dual parking bays and extending them either side of the proposed access point. The cost of these measures and the associated Traffic Regulation Order (TRO) (£5395) will be met by the applicant.

The application proposes to widen the existing lane that offers a pedestrian/cycle link from Gordon Road through to Lower Ashley Road that measure's between 2.475m to 2.850m. This is acceptable providing the additional part is constructed to meet Bristol City Councils Engineering Standard Details and the route is appropriately signposted. The additional land can be dedicated for adoption and ongoing maintenance at public expense via the required Section 278 Agreement.

The site plan submitted proposes a 4.1m wide access point to enable 2 vehicles to pass each other. This will be set back 8m from the edge of the carriageway, which is sufficient to allow a vehicle to be able to fully pull clear of the adopted highway and avoid it becoming an obstruction to oncoming traffic. It will feature a gate and 45 degree visibility splays, all of which are acceptable. A small 0.3m to 0.5m buffer should be provided either side to prevent it being struck by vehicles manoeuvring in and out of the undercroft car park. Swept path analysis has been provided for the two spaces at the far end of the car park to demonstrate that vehicles can safely and easily use them. The parking spaces proposed will measure 2.4m wide x 4.8m long, separated by a 6m wide gap. The space for disabled residents/visitors features a side and rear hatched area 1.2m wide.

Development Control Committee A – 21 June 2018**Application No. 17/01898/F : YardArts 17 - 29 Lower Ashley Road St Pauls Bristol BS2 9QA**

Four access points are proposed from the undercroft car park to one of the garden spaces, the main stairs in both cores and two of the four cycle stores. The space in front of each gate/door will be delineated with hatching to prevent any incursion by vehicles. On the far left hand side of the site the site plan proposes creating a 1.25m wide footpath with gates at both ends. These gates as well as all those within the site will be access controlled which is acceptable providing they are constructed to Secured By Design standards. The footpath should be suitably illuminated.

The application proposes 15 parking spaces of which one will be for disabled people and three will include Electric Vehicle Charging Points, as well as one space for motorcycles which is acceptable. In respect of cycle storage the site plan submitted proposes four fully enclosed stores that will be able to accommodate 64 cycles. This will permit storage of 56 cycles for residents and 8 for visitors, which is acceptable.

The application proposes two internal waste stores. These must be independently ventilated with 1.5m wide doors. Whilst the stores are at the front of the building, the maximum distance that Bristol Waste operatives can manoeuvre 1,100ltr bins is 5m and for 180ltr 15m. As a result the bins will need to be left on the footway for collection and be brought in as soon as they have been emptied. An indicative location for this has been shown on the site plan submitted which is acceptable.

The Construction Management Plan submitted is acceptable. A Temporary Traffic Regulation Order (£1,860) will be required as well as a Hoarding Licence and a Section 178 Mobile Crane Licence.

Transport Development Management considers the application acceptable and does not pose any highway safety concerns.'

Bristol City Council Air Quality has commented as follows:-

Initial comments:

'The application site is located within an Air Quality Management Area (AQMA) which suffers from particularly high concentrations of air pollution. The technical note prepared by Entran (dated 12 October 2017) demonstrates that the proposed development would result in the creation of a street canyon, which would result in an increase in harmful air pollution and this impact would be of substantial adverse significance according to the IAQM/EPUK planning guidance. This impact would be felt by both future residents of flats within the proposed development and existing residents within adjoining properties along Lower Ashley Road.'

Final comments:

'I have reviewed the most recent technical note from Air Quality Consultants (AQC) which assesses the impact of the scheme in relation to its effect in terms of creating or adding to the street canyon on this road and consequent effects on dispersion of pollutants.

The report was commissioned by the developer following a previous report by Entran on 12th October 2017 which found that the development would create a substantial adverse impact on air quality (nitrogen dioxide concentrations) at the facades of nearby properties. This impact is generated because the development "infills" a gap along Lower Ashley Road and worsens a "street canyon" which impedes dispersion of atmospheric pollutants.

The Entran note states that the model they used (ADMS) over - predicts the potential impact in these situations, but Entran did not provide any evidence for this assertion. The developer subsequently commissioned AQC to examine this issue in depth. AQC have commissioned Frazer Nash Consultancy (FNC) to conduct Computational Fluid Dynamic (CFD) modelling of the

Development Control Committee A – 21 June 2018**Application No. 17/01898/F : YardArts 17 - 29 Lower Ashley Road St Pauls Bristol BS2 9QA**

development and its environs to produce a more technically robust assessment of the impact. The CFD modelling simulates a more detailed 3-dimensional representation of wind flow across a complex urban environment than is represented in the ADMS model.

The CFD modelling uses the three most frequent wind directions to predict concentrations at the façade of nearby properties. It concludes that while air quality is worsened under two of these wind directions, under the dominant wind direction it is improved. When the impact is averaged over the six years of meteorological data modelled, it is shown to be negligible.

The model does not take into account calm conditions where wind speed is less than 2 m/s for technical reasons. Under calm conditions dispersion would be poor regardless of the presence of the proposed development.

There are significant uncertainties associated with all dispersion modelling and these are referenced in the report. Nonetheless I believe the assessment is appropriate and as robust as is reasonably possible. The developer has shown that the impact on air quality is predicted to be negligible at the façade of nearby residential properties.

The developer contends that fixed shut windows are not necessary because the ventilation system will provide a positive pressure regardless of windows being open or not and therefore prevent ingress of polluted air. I am not in a position to judge whether this is possible or can be demonstrated with the proposed system, but I would suggest that the system is reviewed for efficacy by a relevant HVAC building regulation specialist and conditioned as part of the application. Subject to this being agreed I have no objection to the development on air quality grounds.'

Bristol City Council Arboricultural Team has commented as follows:-

'The line of road frontage trees on the adjacent lane of 31-45 Lower Ashley Road are protected by tree preservation order 941. The protection of these trees or those closest to the proposed access point needs to be addressed. This is likely to consist of a short section of protective fencing on the eastern boundary of the site at the drip line of the western tree in the group.

Only 2 trees have been identified on site, they are both paulownia tomentosa (Foxglove tree). This is an un-common species that provide sufficient amenity value to warrant a tree preservation order. The trees can be seen from Lower Ashley Road, Mary Carpenter Place, Gordon Road, Magdalene Place with more restricted views from London Road and Conduit Road. They are both mature specimen that contribute positively to the amenity of the area. The line of Norway maple immediately adjacent within the grounds of 31-45 Lower Ashley Road are already protected by TPO 941 and therefore the larger and less common Paulownia should be retained and a tree preservation order would be reasonable to enforce.

In light of the above I object to the proposed development given the unjustified loss of these 2 valuable trees. I have further comments/ conditions relating to the retained trees once we have concluded the best course of action regarding these trees.'

Bristol City Council Urban Design has commented as follows:-

'The principle of residential development on the site is supported and the general scale and massing of the proposals are considered generally acceptable. The setback building line, to provide some defensible space is supported.

It is unfortunate that the bulk of the ground floor street facing elevation is given over to bin stores and car parking access. Where accommodation is located along this frontage, these are primarily bed rooms which will not offer an appropriate level of natural surveillance.

Development Control Committee A – 21 June 2018**Application No. 17/01898/F : YardArts 17 - 29 Lower Ashley Road St Pauls Bristol BS2 9QA**

The widening of the lane to support pedestrian access along this route is supported. However it seems a missed opportunity to not provide any windows onto this route. From the internal layout it would appear possible to introduce windows to the main living areas, particularly along the elevation to unit B1, which benefits from a boundary treatment providing some buffer space to the lane.

The orientation of the site is somewhat of a constraint, which together with the 'double stacked' apartment layout results in a number of units with a single north facing aspect which is unacceptable.

The general approach to the elevations and material treatment is acceptable, subject to large scale details and samples of materials. Of particular concern are the proposed tile to the mansard roof and metal cladding. Clarification of these materials would be beneficial at application stage.'

Bristol City Council Contaminated Land Environmental Protection has commented as follows:-

'We have reviewed the planning application, which is sensitive to contamination and considered the report submitted since 2004.

The site was subject to remediation following the discovery of hydrocarbons leaking into the underlying bedrock below, this involved the removal of some 900 tonnes of impacted material. It is estimated approximately 90% was successfully removed with potential issues on the site boundaries remaining (although these will have degraded somewhat over the past 13 years). The report itself recommends construction specific risk assessments are undertaken to determine engineering protection measures with respect to vapour inhalation.

Since the time of the works being undertaken generic assessment criteria and testing methods have changed.

Given the historical issues, recommendations made by SLR and the design of the current application it is recommended planning conditions to facilitate a current risk assessment and further remedial works (if applicable) are afforded to any future planning consent. We recommend an amended B11 condition (as below) and standard conditions B12 B13 and C1.'

Bristol City Council Pollution Control has commented as follows:-

'The site is on Lower Ashley Road and I would want to see that the building is properly insulated against traffic noise. I would therefore ask for a condition to be attached to any approval requiring the submission of a Noise Sensitive Premises Assessment and scheme of noise insulation measures for all residential accommodation.'

I've also taken a look at the proposed ventilation system and confirm that in principle this is acceptable so that it would cause no harm to future and existing residents in the area with regards to noise and disturbance. The typical apartment plan shows that the fresh air and exhaust air ducts will have attenuators but I can't see any details of the attenuators to be used but also would not expect such full details at this stage. Further detail can be secured via condition, within the Noise Sensitive Premises Assessment.'

Bristol City Council Nature Conservation Officer has commented as follows:-

'This site consists of hard standing. The proposed flats have the potential to provide habitat for swifts; this should be secured via condition. In accordance with Policy DM29 in the Local Plan, the provision of living (green/brown) roofs is also recommended to provide habitat for wildlife.'

Development Control Committee A – 21 June 2018**Application No. 17/01898/F : YardArts 17 - 29 Lower Ashley Road St Pauls Bristol BS2 9QA**

Bristol City Council Flood Risk Manager has commented as follows:-

'The submitted SUDS strategy is quite brief for a Major development but the general approach is acceptable and deliverable so provided our standard pre commencement drainage condition is applied should planning permission be granted we have no objection'

RELEVANT POLICIES

Planning Obligations - Supplementary Planning Document - Adopted 27 Sept 2012

National Planning Policy Framework – March 2012

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

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

KEY ISSUES**(A) PRINCIPLE OF DEVELOPMENT**

The site has no designation under the provisions of the Site Allocations and Development Management Policies (2014) and its historic use as a petrol filling station does not fall into any use class (Sui Generis). It is recognised that the site has been derelict and vacant for a number of years.

Government policy in the National Planning Policy Framework (2012) promotes more sustainable patterns of development, including development on previously developed land. Bristol Core Strategy Policy BCS3 also states that new development will be encouraged in the built-up area of Bristol's Inner East, where the emphasis will be on ensuring a mix of new housing to meet the local needs. Policy BCS5 in the same document also aims to deliver new homes within the built up area of the city to contribute towards accommodating a growing number of people and households, and specifically states that the development of new homes will primarily be on previously developed sites across the city. Policy BCS20 encourages the efficient use of land, but in doing so acknowledges the need to achieve high quality well designed environments, and the need for development to be informed by local context, accessibility and the characteristics of the site. This is furthered by policy BCS21.

There is subsequently no objection to the principle of constructing new residential accommodation as the land has already been developed. The local area is also predominantly residential in character and is located in a very sustainable area close to range of services and amenities within walking distance.

The site is also located within the Ashley Road/Grosvenor Road Local Retail Centre, however is currently vacant, and therefore there will be no loss of existing retail floorspace in the local centre. Further, Policy BCS7 states that local centres should be the focus of higher density forms of residential development provided the centre is suitable for such development and has a high level of accessibility by public transport, cycling and walking. The proposal is considered to be acceptable within the local centre in this respect.

Notwithstanding the above policy background, the change of use of the site to residential has been established by previous planning applications (most recently 06/04539/F) where residential use was

Development Control Committee A – 21 June 2018**Application No. 17/01898/F : YardArts 17 - 29 Lower Ashley Road St Pauls Bristol BS2 9QA**

considered to be acceptable, bearing in mind the sustainable location of the site and the surrounding residential context.

The principle of development is subsequently considered acceptable in this instance.

(B) MIXED AND BALANCED COMMUNITY ISSUE

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

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

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

The application site is located within the St Agnes LSOA within the Ashley Ward. An up-to-date picture of the proportion of different residential accommodation types in the LSOA can be obtained by assessing the 2011 Census data. The St Agnes (LSOA) has a proportion of flats to houses at 33% flats and 67% houses.

Overall, the above census data would lead to the conclusion that in this instance, there is an imbalance between flats and houses within the LSOA and that there is more of a need for smaller accommodation as opposed to larger family units. The proposal to construct a building containing 37 flats is therefore considered acceptable in relation to the creation of a mixed and balanced community in this instance. However this is subject to the development achieving acceptable standard in terms of the living accommodation provided and overall design. These matters are set out further below.

(C) WOULD THE PROPOSAL BE ACCEPTABLE IN DESIGN TERMS?

Bristol Core Strategy Policy BCS21 (2011) advocates that new development should deliver high quality urban design that contributes positively to an area's character and identity, whilst safeguarding the amenity of existing development. The supporting text of the policy states that

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development should be arranged in a coherent manner that makes efficient use of land and infrastructure. This will be best achieved by integrating with existing streets, public spaces and development edges and by configuring buildings to create clearly defined public/active fronts and private/passive backs.

Policy DM27 in the Site Allocations and Development Management Policies (2014) expresses that the layout, form, pattern and arrangement of streets, buildings and landscapes should contribute towards to creation of quality urban space and that the height, scale and massing of development should be appropriate to the immediate context, site constraints, character of adjoining streets and spaces and setting. Policy DM26 in the Site Allocations and Development Management Policies (2014) expands upon BCS21 by outlining the criteria against which a development's response to local character and distinctiveness will be assessed. Development will not be permitted where it would be harmful to local character and distinctiveness or where it would fail to take the opportunities available to improve the character and quality of the area and the way it functions. Policy DM27 in the same document expresses that the layout, form, pattern and arrangement of streets, buildings and landscapes should contribute towards to creation of quality urban space and that the height, scale and massing of development should be appropriate to the immediate context, site constraints, character of adjoining streets and spaces and setting. This policy further states that the layout and form of development, including the size, shape, form and configuration of blocks and plots, will be expected to enable active frontages to the public realm and natural surveillance over all publicly accessible spaces.

Policy DM29 further states that new buildings should be designed to a high standard of quality, responding appropriately to their importance and reflecting their function and role in relation to the public realm. This policy further states that proposals for new buildings should incorporate active frontages and that new residential development should provide dual aspect where possible, particularly where one of the aspects is north-facing. Proposals for new buildings will also be expected to provide appropriate natural surveillance of all external spaces

The application site is currently vacant and is considered to detract from the character and appearance of the area and streetscene. The redevelopment of the site is subsequently supported in design terms in principle.

The proposed new building (which will contain 37 separate flats) will be four storeys in height. Following consultation, the Council's Urban Design team confirmed that the general scale and massing of the proposed development is acceptable given the site context, and that the setback building line to provide some defensible space is also acceptable. The general approach to the elevations (apart from the ground floor frontage as set out below) and overall material treatment is further considered to be acceptable and of a suitable quality, subject to the submission of large scale details and samples of materials which could be secured via condition if an approval was forthcoming.

However, the Council's Urban Design Team raised concerns that the 'double stacked' design and apartment layout will result in a number of units with a single north facing aspect (38% of units) which does not represent good design or an acceptable living environment for future occupants. Given the layout of the plot and site context, it is considered that a higher proportion of dual aspect units could reasonably be accommodated on site. It is considered that good design principles must be utilised and that there is no reason why a higher proportion of dual aspect units could not reasonably be delivered on this site. Ultimately it is not considered acceptable that 38% of new residential units in this development should be entirely single aspect and north facing especially given that this scheme is for the total redevelopment of the site incorporating the erection of a new, modern building rather than a conversion of an existing building.

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The applicant was advised during the course of the application process by the Case Officer to look towards amending the scheme (to reconfigure access cores and internal corridors) to provide more dual aspect units however regrettably revised plans addressing these concerns were not forthcoming.

In addition, due to the overall design and layout of the development the majority of the ground floor street facing elevation will be occupied by bin stores and car parking access, resulting in a blank unrelieved frontage at pedestrian level. This further highlights the overall poor design approach to this development as this will not represent an active frontage to the public realm or provide any natural surveillance of the street.

It is therefore concluded that the development as a whole represents an over intensive form of development and poor quality design approach which has directly manifested in a significant number of single aspect units (the majority of which will be north facing) and a poor quality street facing frontage at ground floor level. The application is therefore considered unacceptable on this basis as the applicant has chosen not to undertake the design solutions put forward by the LPA.

The above notwithstanding, following Case Officer advice, the scheme has however been amended so the access lane running down the side of the building to the east of the site will be of an increased width so to not result in an intimidating and unsafe environment for users (these concerns were also raised by the Avon and Somerset Constabulary Crime Reduction Unit).

(D) DOES THE PROPOSAL PROVIDE A SATISFACTORY LEVEL OF RESIDENTIAL ACCOMMODATION?

Policy BCS21 of the Core Strategy (2011) requires that new development safeguards the amenity of existing development and create a high-quality environment for future occupants. Policy DM27 in the Site Allocations and Development Management Policies (2014) expects that new development will enable existing and proposed development to achieve appropriate levels of privacy, outlook and daylight and enable the provision of adequate appropriate and usable private amenity space, defensible space parking and servicing where necessary. Policy DM29 in the same document further states that new development should ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight and that new residential development should be dual aspect where possible, particularly where one of the aspects is north facing.

The adopted Bristol Core Strategy Policy BCS18 makes specific reference to residential developments providing sufficient space for everyday activities and space which should be flexible and adaptable, by meeting appropriate space standards. The Core Strategy states that building to suitable space standards will ensure new homes provide sufficient space for everyday activities. Under the 2015 Housing Standards Review a new nationally described space standard was introduced and in March 2015 a written ministerial statement to parliament confirmed that from 1 October 2015 existing Local Plan policies relating to internal space should be interpreted by reference to the nearest equivalent new national technical standard.

The proposal will construct a new building containing 37 no flats of the following specification:

- A1 (3bed, 4 people) 78 square metres (single aspect, north facing)
- A2 (3bed, 4 people) 82 square metres (dual aspect)
- A3 (1bed, 2 people) 54 square metres (single aspect, south facing)
- A4 (2bed, 4 people) 75 square metres (single aspect, north facing)
- A5 (1bed, 2 people) 50 square metres (single aspect, north facing)
- A6 (2bed, 4 people) 69 square metres (dual aspect)
- A7 (1bed, 3 people) 53 square metres (single aspect, south facing)
- B1 (1bed, 2 people) 51 square metres (dual aspect)

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- B2 (2bed, 3 people) 61 square metres (dual aspect)
- B3 (2bed, 3 people) 61 square metres (single aspect, north facing)
- B4 (1bed, 2 people) 51 square metres (dual aspect)
- B5 (2bed, 3 people) 61 square metres (dual aspect)
- B6 (2bed, 3 people) 61 square metres (single aspect, north facing)
- B7 (2bed, 3 people) 64 square metres (single aspect, north facing)
- B8 (1bed, 2 people) 57 square metres (single aspect, south facing)
- B9 (1bed, 2 people) 50 square metres (single aspect, south facing)
- B10 (1bed, 2 people) 51 square metres (dual aspect)
- B11 (2bed, 3 people) 64 square metres (dual aspect)
- B12 (2bed, 3 people) 61 square metres (single aspect, north facing)
- B13 (2bed, 3 people) 64 square metres (single aspect, north facing)
- B14 (2bed, 4 people) 75 square metres (single aspect, north facing)
- B15 (1bed, 2 people) 50 square metres (single aspect, north facing)
- B16 (2bed, 4 people) 72 square metres (dual aspect)
- B17 (1bed, 2 people) 52 square metres (single aspect, south facing)
- B18 (1bed, 2 people) 50 square metres (single aspect, south facing)
- B19 (1bed, 2 people) 50 square metres (single aspect, south facing)
- B20 (1bed, 2 people) 50 square metres (single aspect, south facing)
- B21 (1bed, 2 people) 50 square metres (dual aspect)
- B22 (1bed, 2 people) 50 square metres (dual aspect)
- B23 (2bed, 3 people) 61 square metres (single aspect, north facing)
- B24 (2bed, 3 people) 61 square metres (single aspect, north facing)
- B25 (2bed, 4 people) 72 square metres (single aspect, north facing)
- B26 (1bed, 2 people) 50 square metres (single aspect, north facing)
- B27 (1bed, 2 people) 56 square metres (dual aspect)
- B28 (1bed, 2 people) 53 square metres (single aspect, south facing)
- B29 (2bed, 4 people) 70 square metres (single aspect, south facing)
- B30 (2bed, 4 people) 73 square metres (single aspect, south facing)

The majority of units (25 in total - 68% of the total number of units within the development) would be entirely single aspect, with the majority of these units (14 in total - 38% of the total number of units within the development) facing north. Given solar orientation north facing elevations in the northern hemisphere receive little sun and offer occupants limited light penetration, outlook and cross ventilation. Subsequently north facing, single aspect residential units are in principle resisted by the Local Planning Authority, as set out in Policy DM29 which states that new residential development should be dual aspect where possible, particularly where one of the aspects is north facing. This is echoed in BRE (Building Research Establishment) guidance BR209 (Site layout planning for daylight and sunlight: A guide to good practice) which states that north facing units should be minimised.

As set out in the previous key issues, given the layout of the plot and site context it is considered that good design principles must be utilised and that there is no reason why a higher proportion of dual aspect units could not reasonably be delivered on this site. Ultimately it is not considered acceptable that 38% of new residential units in this development should be entirely single aspect and north facing especially given that this is a total redevelopment of the site incorporating the erection of a new, modern building rather than a conversion of an existing building.

Following the above, it is considered that the proposal as a whole represents an overdevelopment of the site, which has resulted in such a significant number/percentage of single aspect units, the majority of which will be north facing. Consequently the application would represent an over-intensive form of development, which would fail to provide a high-quality, adaptable and acceptable living environment for future occupants. The application is subsequently recommended for refusal on this basis.

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In accordance with Core Strategy Policy BCS18 and national guidance, the required minimum gross internal floor areas for residential units is as follows:

- 1bed, 2persons = 50 square metres
- 2bed, 3persons = 61 square metres
- 2bed, 4persons = 70 square metres
- 3bed, 4persons = 74 square metres

Following the above, it is considered that every residential unit would (on balance) meet the required internal space standards to comply with national guidance. However, as a whole it is considered that the proposal represents poor quality design and an overdevelopment of the plot, which will subsequently result in the creation of sub-standard residential accommodation for future occupiers as noted above.

(E) IMPACT ON THE AMENITY OF SURROUNDING PROPERTIES

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 DM29 in the Site Allocations and Development Management Policies (2014) states that proposals for new buildings will be expected to ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight. This policy, as well as DM27, further states that new buildings will be expected to ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight. Policy BCS23 in the Bristol Core Strategy and Policy DM35 in the Site Allocations and Development Management Policy also state that new development should also not lead to any detrimental increase in noise levels.

The proposed development would be sited in close proximity to the boundary with the adjacent site No. 31-45 Lower Ashley Road to the east, which has received outline planning permission (15/05530/P) for the construction of a four storey mixed used development, comprising office areas to the ground floor and student accommodation above. The adjoining scheme hasn't yet been developed however the scheme could still be progressed with applications for the approval of reserved matters valid up to February 2019. It is evident by looking at the plans that the adjacent development proposed in this instance will be sited approximately 5 metres away. Both developments however will be of a similar size and scale, and therefore no harmful overshadowing will arise nor will an overbearing sense of enclosure be created. Further, whilst the proposed development will include windows to the side (east) elevation the approved development at No. 31-45 Lower Ashley Road contains no side facing windows to habitable residential areas, and therefore it can be concluded that no harmful overlooking will arise between properties.

The closest property to the rear of the development at Mary Carpenter Place will be sited approximately 27 metres away, which is considered a suitable distance so that no harmful overlooking, overshadowing or overbearing will occur. Similarly, the terraced properties located on the opposite side of Lower Ashley Road will be sited approximately 18 metres away which is considered a suitable distance to prevent any harmful overlooking.

However, the proposed development would be sited in very close proximity to the boundary with the adjacent property No.15 Lower Ashley Road to the west, which is a two storey end of terrace building. This property contains a hot food takeaway at ground floor level however it is evident that there is residential accommodation above. Whilst this neighbouring property contains no side facing windows it does include windows to habitable rooms to the rear elevation at first floor level which will be sited in very close proximity to the proposed development (approximately 5 metres away). These windows appear to be the only source of natural light to the rear elevation of the residential accommodation.

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Following a Case Officer request the applicant provided a solar study to demonstrate the impact of the proposed development on this residential unit. This solar study indicates that the proposed development would overshadow the rear windows of No.15 Lower Ashley Road during the spring, and autumn months for the majority of the morning. During the summer months the development would also result in some additional overshadowing during the morning. Whilst the solar study shows the No.15 is already overshadowed somewhat during the winter months it also indicates that the proposed development would result in increased overshadowing throughout the day. Further to the above overshadowing impact it is also considered that the proposed development, by virtue of the considerable scale and siting in close proximity to No.15 would result in a harmful overbearing impact on the rear habitable room windows, which when combined with the overshadowing impact would result in harm to the amenity of existing neighbouring occupiers.

Following the above, it is concluded that the proposed development as a whole represents an overdevelopment of the plot and by virtue of its significant height, bulk, massing, siting and overall design in close proximity to neighbouring property No.15 Lower Ashley Road would result in a detrimental overbearing and overshadowing impact on this property to the detriment of residential amenity. The application is considered unacceptable on this basis.

In relation to noise and disturbance, the Council's Pollution Control Team confirmed that the surrounding area experiences a high level of noise given the busy main road setting. However, subject to the submission of a detailed acoustic report and scheme of noise insulation measures for the residential accommodation (which could be secured via condition) no objections were raised. The Council's Pollution Control Team also confirmed that the increase in the number of residents in this location would not be significant enough to cause any harm to surrounding residential properties by reason of noise and disturbance, and that the proposed ventilation system would cause no harm to the amenity of future occupants on noise grounds.

(F) WOULD THE PROPOSED DEVELOPMENT RAISE ANY ARBORICULTURE ISSUES?

Policy BCS9 in the Bristol Core Strategy (2011) states that the integrity and connectivity of the strategic green infrastructure network should be maintained, protected and enhanced. BCS21 in the same document also states that new development will be expected to deliver a safe, healthy, attractive, usable, durable and well-managed built environment comprising high quality inclusive buildings and spaces that integrate green infrastructure.

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 DM17 in the Site Allocations and Development Management Policies (2014) states that all new development should integrate important existing trees into development proposals. Where tree loss of damage is essential to allow for appropriate development, replacement trees of an appropriate species should be provided in accordance with the tree compensation standard. Policy DM15 in the same document states that green infrastructure provision facilitates a positive effect on people's health by providing space and opportunities for sport, play, and social interaction. The provision of additional and/or improved management of existing trees will be expected as part of the landscape treatment of new development.

Two existing trees have been identified for removal on site, both of which are identified as Category B trees within the submitted Arboricultural Impact Assessment. Being Category B trees they are considered to be of moderate quality and are capable of making a significant contribution to the area for 20 or more years. Both trees are paulownia tomentosa (Foxglove tree). The Council's Arboricultural Officer confirmed that this is an un-common species, and advised that these trees provide sufficient amenity to warrant tree preservation order (TPO) protection. The trees can be seen from Lower Ashley Road, Mary Carpenter Place, Gordon Road, Magdalene Place with more

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restricted views from London Road and Conduit Road. They are both mature specimen that contribute positively to the amenity of the area. It is recognised that the line of Norway maple immediately adjacent within the grounds of 31-45 Lower Ashley Road are already protected by TPO 94, and therefore it would be reasonable to also seek TPO protection for the larger and less common paulownia within the application site.

Given the above, the Council's Arboricultural Officer objected to the loss of these rare and high quality trees on site. The applicant has confirmed that they would be willing to mitigate the loss of these trees via on-site replacement planting and off-site planting secured via financial contribution (6 on-site, 6 off-site). This would be in accordance with the Bristol Tree Replacement Standard. Whilst this on balance could be acceptable if a high quality development was forthcoming at the site to achieve the policy aims of the Core Strategy and appropriate mitigation was agreed, in this instance given the absence of an acceptable scheme and mitigation (either on site replacement planting or agreed financial contribution in accordance with the Bristol Tree Replacement Standard) the loss of the existing mature trees on site is unjustified. The application is subsequently considered to be unacceptable on this basis.

(G) HIGHWAY SAFETY, TRANSPORT AND MOVEMENT ISSUES

Policy BCS10 in Bristol Core Strategy (2011) advocates that new development should be designed and located to ensure the provision of safe streets. Policy DM23 in the Site Allocations and Development Management Policies (2014) states that development should not give rise to unacceptable traffic conditions and will be expected to provide safe and adequate access.

The application has been reviewed by the Council's Transport Development Management, and following the submission of revised plans and additional detail is considered to be acceptable.

A Transport Statement was submitted as part of the application which sets out the sites sustainable location due to its proximity to a bus route on Sussex Place/Ashley Road and the availability of on-site parking and cycle storage. To support the provision of 15 car parking spaces a parking survey was also carried out; whilst this does not confirm to the standard methodology required it does confirm that even at the busiest peak times there are parking spaces available within a moderate walk of the site, which is acceptable. The submitted Travel Plan Statement is also considered to be acceptable.

The proposed alterations to the highway, proposed new parking and new access arrangements are considered acceptable (A Section 278 Agreement would be required to undertake these works as well as a Section 171 Licence). The site plan submitted proposes to alter the existing waiting restrictions in the form of double yellow lines by removing them in front of the proposed dual parking bays and extending them either side of the proposed access point. Whilst this is acceptable, the cost of these measures and the associated Traffic Regulation Order would need to be met by the applicant.

The application proposes to widen the existing lane that offers a pedestrian/cycle link from Gordon Road through to Lower Ashley Road that measure's between 2.475m to 2.850m. This is acceptable providing the additional part is constructed to meet Bristol City Councils Engineering Standard Details and the route is appropriately signposted.

The site plan submitted proposes a 4.1m wide access point to enable 2 vehicles to pass each other. This will be set back 8m from the edge of the carriageway, which is sufficient to allow a vehicle to be able to fully pull clear of the adopted highway and avoid it becoming an obstruction to oncoming traffic. It will feature a gate and 45 degree visibility splays, all of which are acceptable. Swept path analysis has also been provided for the two spaces at the far end of the car park to demonstrate that vehicles can safely and easily use them.

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The application proposes 15 parking spaces of which one will be for disabled people and three will include Electric Vehicle Charging Points, as well as one space for motorcycles which is acceptable. In respect of cycle storage the site plan submitted proposes four fully enclosed stores that will be able to accommodate 64 cycles. This will permit storage of 56 cycles for residents and 8 for visitors, which is acceptable. Sufficient waste storage facilities will also be provided.

(H) SUSTAINABILITY AND CLIMATE CHANGE

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

The applicant has demonstrated that the proposed development will meet the 20% reduction in emissions through the use of solar panels on the roof of the building. The proposal also involves sustainable drainage systems, incorporating increased permeable area of site through provision garden area and permeable paving. The application is subsequently considered acceptable on this basis and if permission were forthcoming this would be secured by condition.

(I) AIR QUALITY

Policy BCS23 in the Core Strategy (2011) states that development should be sited and designed in a way as to avoid adversely impacting upon the amenity of the surrounding area by reason of fumes, dust, noise, vibration, smell, light and other forms of pollution. In locating and designing development, account should also be taken of the impact of existing sources of noise or other pollution on the new development and the impact of the new development on the viability of existing uses by reason of its sensitivity to noise or other pollution. Policy DM14 in the Site Allocations and Development Management Policies (2014) also states that developments that will have an unacceptable impact on health and wellbeing will not be permitted.

Policy DM33 in the Site Allocations and Development Management Policies (2014) further states that development that has the potential for significant emissions to the detriment of air quality, particularly in designated Air Quality Management Areas, should include an appropriate scheme of mitigation which may take the form of on-site measures or, where appropriate, a financial contribution to off-site measures. Development in designated Air Quality Management Areas should take account of existing air pollution and include measures to mitigate its impact on future occupiers where possible and consistent with other policies of the development plan such as those on climate change and urban design.

Air Quality Management Areas are defined where local concentrations of nitrogen dioxide (NO₂) and particulate matter (PM₁₀) exceed national targets. There is currently one designated Air Quality Management Area within Bristol, which covers the central area and major roads into the city centre.

Following consultation, the Council's Air Quality Team confirmed that the application site is located within an Air Quality Management Area (AQMA) which suffers from particularly high concentrations of air pollution, given the location adjacent a busy main road and motorway (M32). Initial concerns were raised by the Council's Air Quality Team that the modelling within the Air Quality Assessment (AQA) submitted by the applicant failed to take into account a number of factors and failed to address the issue of whether the proposed development would create a street canyon which would

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exacerbate pollution along Lower Ashley Road. Further detail submitted by the applicant in the form of technical note from Entran (dated 12 October 2017) then demonstrated that the proposed development would result in the creation of a street canyon, which would result in an increase in harmful air pollution and this impact would be of substantial adverse significance according to the IAQM/EPUK planning guidance. This impact would be felt by both future residents of flats within the proposed development and existing residents within adjoining properties along Lower Ashley Road. The Council's Air Quality Team subsequently objected to the proposed development based on the information provided.

Following this, the applicant provided a further technical note from Air Quality Consultants (AQC) which assesses the impact of the scheme in relation to its effect in terms of creating or adding to the street canyon on this road and consequent effects on dispersion of pollutants. The report was commissioned by the developer following the previous technical note from Entran (dated 12 October 2017) which found that the development would create a substantial adverse impact on air quality (nitrogen dioxide concentrations) at the facades of nearby properties due to the development 'infilling' a gap along Lower Ashley Road which worsens a 'street canyon' which impedes dispersion of atmospheric pollutants. The Entran note stated that the model they used (ADMS) over-predicts the potential impact in these situations, but Entran did not provide any evidence for this assertion. The developer subsequently commissioned AQC to examine this issue in depth. AQC commissioned Frazer Nash Consultancy (FNC) to conduct Computational Fluid Dynamic (CFD) modelling of the development and its environs to produce a more technically robust assessment of the impact. The CFD modelling simulates a more detailed 3-dimensional representation of wind flow across a complex urban environment than is represented in the ADMS model.

The Council's Air Quality Team confirmed that the CFD modelling uses the three most frequent wind directions to predict concentrations at the façade of nearby properties. It concludes that while air quality is worsened under two of these wind directions, under the dominant wind direction it is improved. When the impact is averaged over the six years of meteorological data modelled, it is shown to be negligible. It is recognised that the model does not take into account calm conditions where wind speed is less than 2 m/s for technical reasons, however the Council's Air Quality Team confirmed that under calm conditions dispersion would be poor regardless of the presence of the proposed development.

It is accepted that there are significant uncertainties associated with all dispersion modelling and these are referenced in the report. Nonetheless the Council's Air Quality Team concluded that the assessment is appropriate and as robust as is reasonably possible. The technical note from Air Quality Consultants (AQC) demonstrates that the impact on air quality is predicted to be negligible at the façade of nearby residential properties.

The developer contends that fixed shut windows are not necessary because the ventilation system will provide a positive pressure regardless of windows being open or not and therefore prevent ingress of polluted air. Following consultation, the Council's Building Control Team confirmed that the proposed ventilation system appears to include sufficient filters to remove outside pollutants. Any ventilation system in itself would further be designed and commissioned by a suitable qualified engineer in accordance with the domestic ventilation compliance guide and this would be secured by conditions if permission were to be forthcoming. Following the above, the application is considered acceptable in air quality terms.

(J) FLOOD RISK

Following the submission of a Sustainable Urban Drainage (SuDS) statement the Council's Flood Risk Team raised no objection to the proposal, however advised further detail would be required via condition if an approval was forthcoming.

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The application site was subject to remediation following the discovery of hydrocarbons leaking into the underlying bedrock below; this involved the removal of some 900 tonnes of impacted material. It is estimated approximately 90% was successfully removed with potential issues on the site boundaries remaining (although these will have degraded somewhat over the past 13 years). The submitted report itself recommends construction specific risk assessments are undertaken to determine engineering protection measures with respect to vapour inhalation.

Since the time of the works being undertaken generic assessment criteria and testing methods have changed. Given the historical issues, recommendations made by SLR and the design of the current application it is recommended planning conditions to facilitate a current risk assessment and further remedial works (if applicable) are afforded to any future planning permission if an approval was forthcoming.

(L) DOES THE PROPOSAL RAISE ANY ECOLOGY ISSUES?

The Council's Nature Conservation Officer raised no objections to the proposal, however advised swift boxes and living roofs should be secured via condition, should an approval be forthcoming.

(M) PLANNING OBLIGATIONS: AFFORDABLE HOUSING

The Bristol City Council Affordable Housing Practice Note (approved 6 March 2018) introduced a 'threshold' approach to provide developers with a fast track route for processing of planning applications if they are prepared to offer at least 20% on-site affordable housing on sites located in Bristol's Inner East Zone. To take advantage of this, developers must start work on schemes within 18 months of planning consent being granted, if an approval were forthcoming.

The Practice Note also states that where an applicant has agreed to meet the threshold proportion of 20% affordable housing, the Council may consider alternative forms of affordable tenure other than 77% social rent and 23% intermediate as normally required. In this instance the applicant proposes to deliver 20% Affordable Rental tenure, subject to containment within LHA levels, including service charge. This equates to 7 residential units contained within Block A.

Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80 per cent of the local market rent (including service charges, where applicable). It should be noted that this is different to Social Rent, where the guideline target rents are determined through the national rent regime.

The Council's Affordable Housing team has confirmed that the proposed affordable housing offer (20% of units will be Affordable rented housing) is acceptable in this instance as it is in accordance with the 'threshold' approach set out in the Council's revised Affordable Housing Practice Note (approved 6 March 2018).

CONCLUSION

Overall the LPA fully supports the principle of new residential accommodation at this site and the benefits of delivering affordable housing are fully recognised. However whilst the provision of new housing (including affordable housing) is welcomed in principle it is not considered that this should be to the detriment of existing residents, nor should any new residential accommodation be sub-standard.

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The basis for the objection to the current proposal is the significant adverse impact the proposed development would have on the amenity of adjoining property No.15 Lower Ashely Road with regards to overshadowing and overbearing. Furthermore, it is considered that the proposal as a whole represents an overdevelopment of the site, which has resulted in a significant number/percentage of single aspect units, the majority of which will be north facing (38% of the total number of units within the development will be single aspect and north facing). This does not represent good design, and instead represents an over-intensive form of development, which would fail to provide a high-quality, adaptable and acceptable living environment for future occupants.

As such, given these concerns, it is also considered that the current proposal is not of sufficient merit to outweigh the harm caused by the removal of two Category B trees from the site. The Council's Arboricultural Officer confirmed that the trees are an un-common species, and advised that these trees provide sufficient amenity value to warrant tree preservation order (TPO) protection.

As the proposal incorporates a virtually clear site and would be a totally new build development there is no reason why the building cannot be designed to address these important issues, however the applicant has chosen not to do this. For these reasons the application is thus recommended to Members for refusal.

RECOMMENDED REFUSED

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

Reason(s)

1. The proposed development by virtue of the scale, bulk, form, massing, siting, layout, design and overall over intensive form of development in close proximity to existing neighbouring property No.15 Lower Ashely Road will result in harm to neighbouring residential amenity by means of overbearing and overshadowing. The application is therefore considered contrary to Policy BCS21 of the Bristol Development Framework Core Strategy (2011), Policies DM27 and DM29 of the Site Allocations and Development Management Policies (2014) as well as guidance contained within the NPPF (2012).
2. The proposed development as a whole is considered to represent a poorly designed and detrimentally over intensive form of development by virtue of the creation of sub-standard living accommodation for future occupants given the significant proportion of single aspect north facing units, offering poor outlook and insufficient levels of natural daylight/sunlight and cross ventilation as well the lack of an active ground floor frontage which is harmful to the appearance of the development, the overall street scene as well as natural surveillance levels. The application is therefore considered contrary to Policies BCS18, BCS20 and BCS21 of the Bristol Development Framework Core Strategy (2011), Policies DM26, DM27 and DM29 of the Site Allocations and Development Management Policies (2014) as well as guidance contained within the NPPF (2012).
3. The development would result in the loss of two locally important, prominent and mature Category B trees (*paulownia tomentosa*) which due to their un-common nature, appearance and position contribute positively towards the character and appearance of the area and hold high visual amenity value. Insufficient mitigation (either on site replacement planting or financial contribution) in accordance with the Bristol Tree Replacement Standard has been agreed to justify and/or mitigate the loss of this existing important green infrastructure. The development is therefore contrary to Policies BCS9, BCS11 and BCS21 of the Bristol Development Framework Core Strategy (2011), Policies DM15, DM17, DM26, DM27 and DM29 of the Site Allocations and Development Management Policies (2014) as well as guidance contained within the NPPF (2012) and within the Planning Obligations SPD

Development Control Committee A – 21 June 2018

Application No. 17/01898/F : YardArts 17 - 29 Lower Ashley Road St Pauls Bristol BS2 9QA

(Adopted 2012).

4. In the absence of an appropriate agreement under s106 of the Town and Country Planning Act 1990, the proposed development fails to provision adequate affordable housing to meet the city wide need for affordable housing, contrary to Policies BCS11 and BCS17 of the Bristol Core Strategy (2011), the Planning Obligations SPD (Adopted 2012) and guidance within the NPPF.

Advice(s)

1. Refused Applications Deposited Plans/Documents

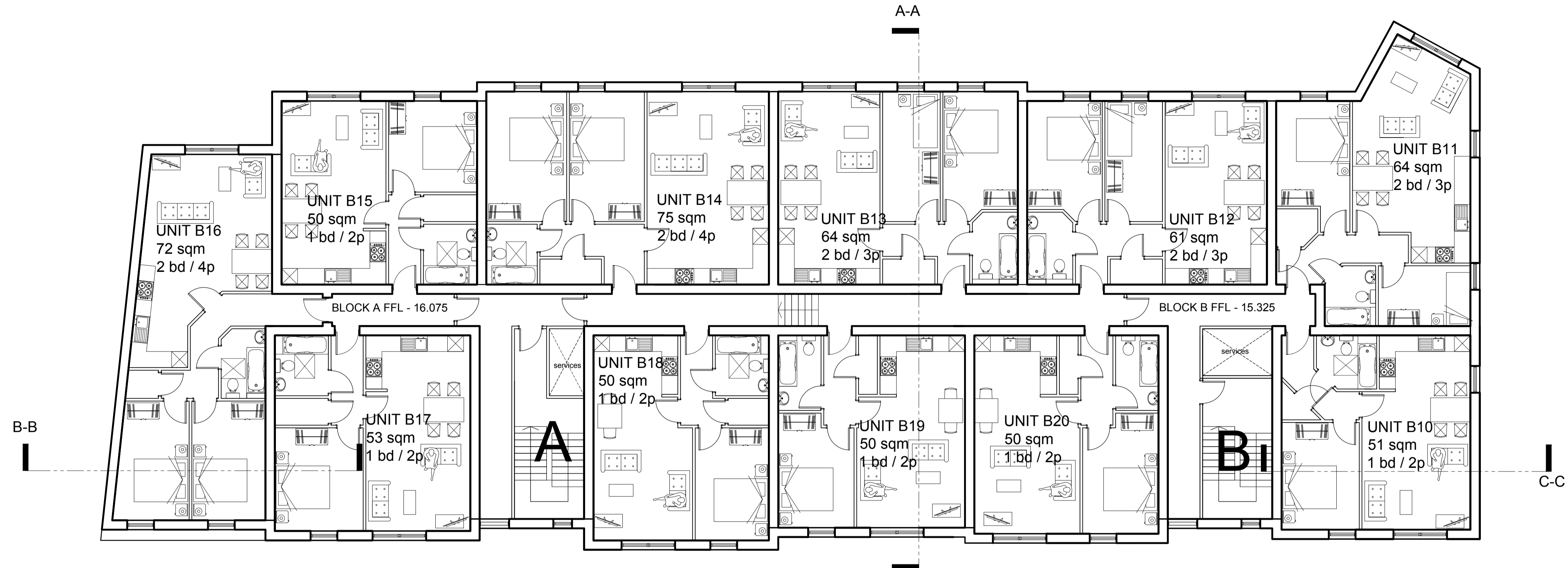
The plans that were formally considered as part of the above application are as follows:-

TR01 Swept Path Analysis of Proposed Parking Bays, received 22 June 2017
LAR Proposed Permeable Areas, received 26 June 2017
LAR Existing Permeable Areas, received 26 June 2017
1997 01 Detailed Planting Proposals, received 25 July 2017
1997 02 Landscape Specification, received 25 July 2017
P101 H Proposed Ground Floor plan, received 21 March 2018
P102 C Proposed First and Second Floor Plan, received 21 March 2018
P103 C Proposed Third Floor and Roof Plan, received 21 March 2018
P104 A Proposed Sections, received 21 March 2018
P105 D Proposed Elevations, received 21 March 2018
P106 D Proposed Elevations, received 21 March 2018
S01 Existing Location Plan, received 19 April 2017
S02 Existing Site Survey, received 19 April 2017
S03 Existing Street Elevation, received 19 April 2017

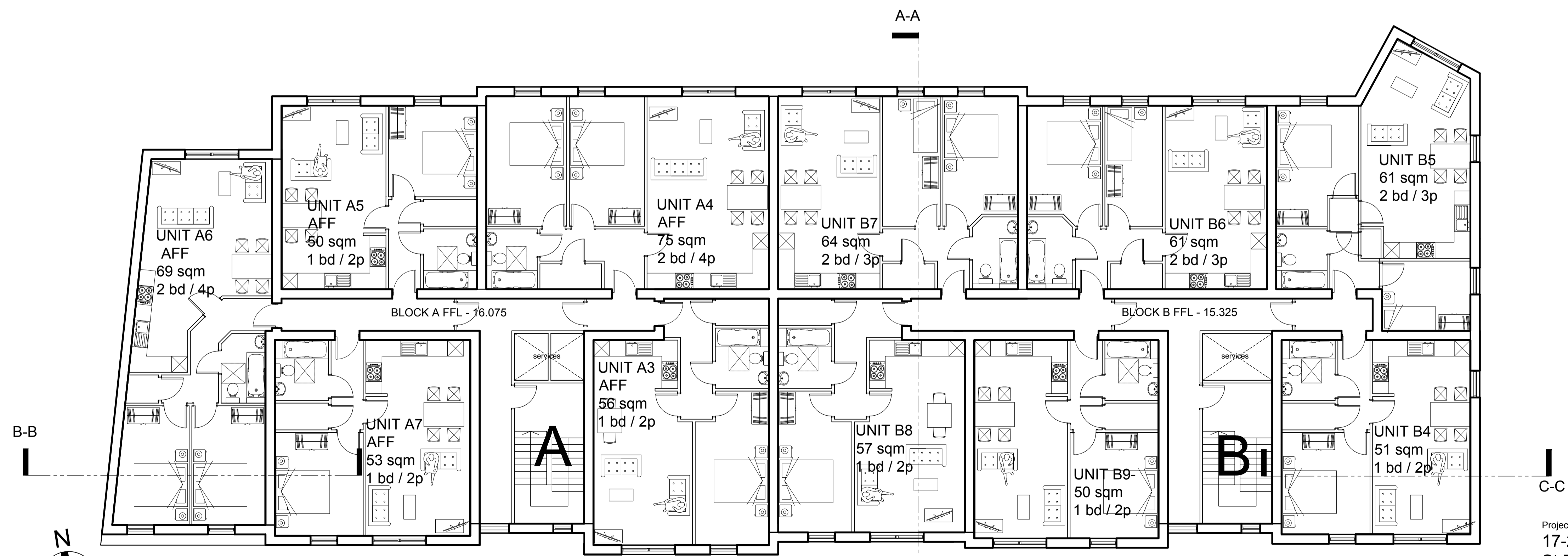
Supporting Documents

4. YardArts, 17-29 Lower Ashley Road

1. Proposed first & second floor plan
2. Proposed front & rear elevations
3. Proposed ground floor plan
4. Proposed sections
5. Proposed side elevations
6. Proposed third floor & roof plan
7. Solar study



SECOND FLOOR PLAN



FIRST FLOOR PLAN

16/03/2018	Amendment to flat numbering	LD	PCW	C
16/03/2018	Amendment to front external wall and units B14, B15, B18, B19, B20	LD	PCW	B
13/06/2017	FF and SF footprint amended to suit lane widening. Additional windows added to lane elevation	AP	PCW	A
Date	Revision	Drawn	Checked	Rev.

Project Title
 17-29 Lower Ashley Road
 St Pauls, Bristol
 Drawing Title
 First and Second Floor Plan
 Proposed

ANGUS MEEK ARCHITECTS

Date
 February 2017
 Drawn
 AB
 Checked
 PCW

Cedar Yard, 290A Gloucester Road, Bristol, BS7 8PD
 T 0117 942 82 86 E architecture@angusmeek.co.uk

Scale
 1:100@A1

Project No.	Drawing No.	Rev.
2510	P 102	C

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MATERIALS KEY:

FRONT ELEVATION

1. Feature pressed metal fascia - light grey
2. Facing brick
3. Horizontal Feature brick coursing detail
4. Off white lightly textured render
5. Dark Grey PPC aluminium windows with integral louvers where indicated
6. Galvanised railings
7. Glazed smoke extract louvres
8. Grey fibre cement panel - Eternit Equitone mid grey natural finish
9. Feature render panel
10. Pressed metal coping
11. Marley Eternit Rivendale Fibre Cement Slate

Page 137



BACK ELEVATION

Project Title
17-29 Lower Ashley Road
 St Pauls, Bristol
 Drawing Title
Proposed Elevations

16/03/2018	Amendments to external wall positions on ground floor	LD	PCW	D
17/07/2017	Amendments to materials and window positions on ground floor	LD	PCW	C
13/06/2017	building narrowed to increase proposed lane widening. Windows added to lane for surveillance. Mansard added to western end and adjacent flat over restaurant elevation detail added	AP	PCW	B
31/03/2017	materials key updated	LD	PCW	A
Date	Revision	Drawn	Checked	Rev.

ANGUS MEEK ARCHITECTS

Date	March 2017	Drawn	LD	Checked	PCW	Cedar Yard, 290A Gloucester Road, Bristol, BS7 8PD T 0117 942 82 86 E architecture@angusmeek.co.uk		
Scale	1:100@A1	Project No.	2510	Drawing No.	P 105	Rev.	D	

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MARY CARPENTER PL

SECTION A-A

GORDON ROAD

3

600mm high trellis on existing boundary wall

Block B cycles

Block A garden space

Block B garden space

UNIT A1 AFF
78 sqm
3 bd / 4p

15 cars

UNIT B2
61 sqm
2 bd / 3p

UNIT B3
61 sqm
2 bd / 3p

UNIT B2
61 sqm
2 bd / 3p

UNIT B1
51 sqm
1 bd / 2p

Block A cycles

Block A recycling / refuse

A

Block B recycling / refuse

B

Block B cycles

undercroft gate

motorcycle space

visitor cycles

visitor cycles

brick wall with piers and railings

side access for cycle store

access for refuse / cycle store

indicative temp collection point

access for refuse / cycle store

indicative temp collection point

parking bay

parking bay

parking bay

GROUND FLOOR PLAN

LOWER ASHLEY ROAD

SECTION A-A

Lower Ashley Road

16/03/2018	Amendments cycle parking and refuse updated	LD	PCW	H
16/03/2018	Amendments to external wall	LD	PCW	G
21/07/2017	GF units A1 and A2 amended landscape updated	AP	PCW	F
21/06/2017	External surfaces amended	AP	PCW	E
19/06/2017	Electric Charging Points added	AP	PCW	D
14/06/2017	Street parking arrangement updated	AP	PCW	C
13/06/2017	highway geometry and street parking updated, side lane widened, GF footprint amended to suit. External surfaces indicated	AP	PCW	B
27/04/2017	highway geometry and street parking updated, Tree positions updated	AP	PCW	A

Project Title
17-29 Lower Ashley Road
St Pauls, Bristol

Drawing Title
Ground Floor Plan
Proposed

ANGUS MEEK ARCHITECTS

Date
February 2017

Drawn
AB

Checked
PCW

Cedar Yard, 290A Gloucester Road, Bristol, BS7 8PD
T 0117 942 82 86 E architecture@angusmeek.co.uk

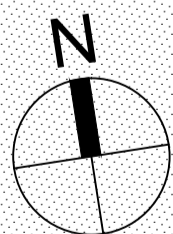
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Project No. Drawing No. Rev.
2510 P 101 H

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SECTION B-B

15



16

REFER TO LIZ LAKE LANDSCAPE LAYOUTS FOR DETAILED SOFT LANDSCAPING DESIGN AND SPECIFICATION

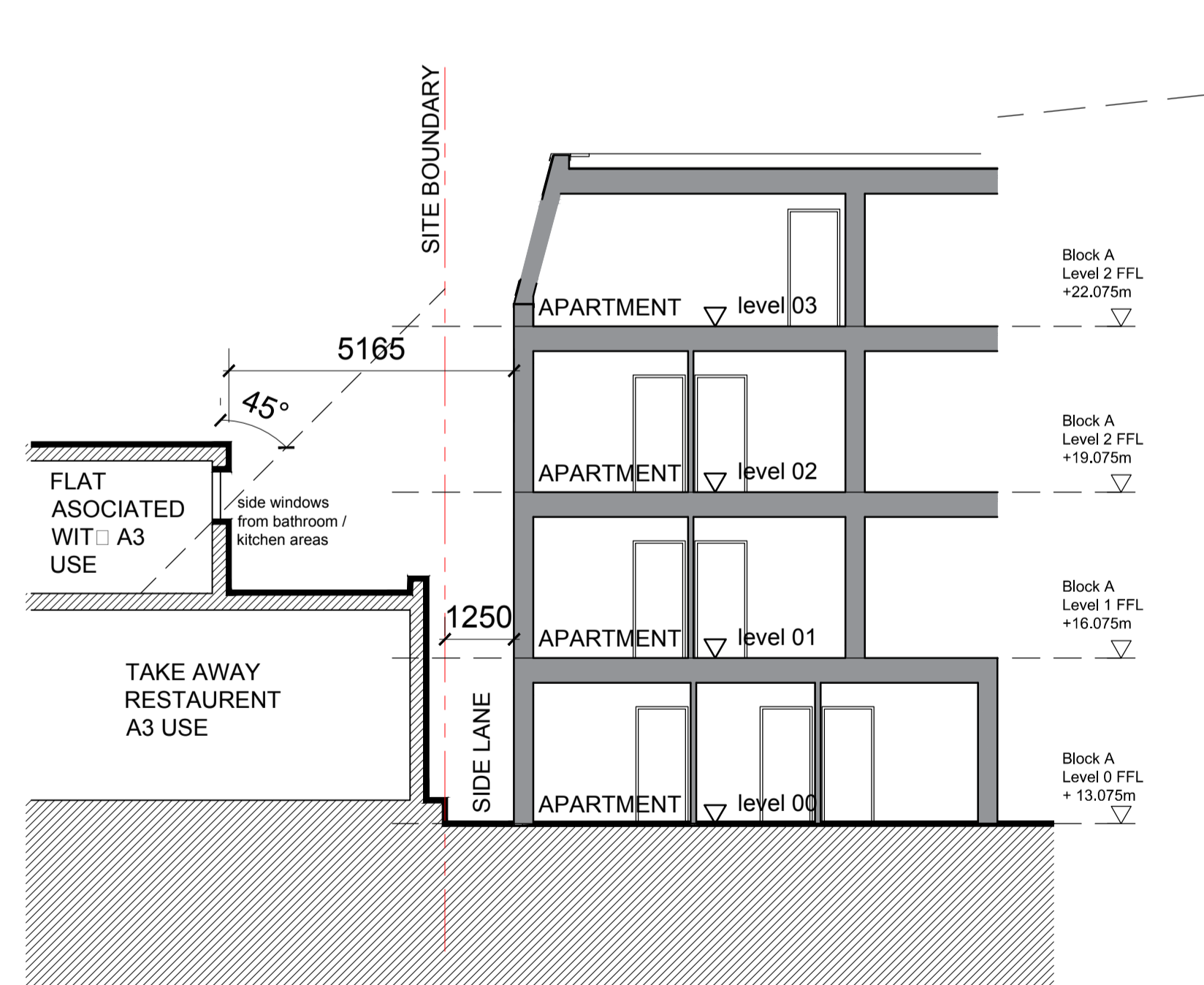
22

24

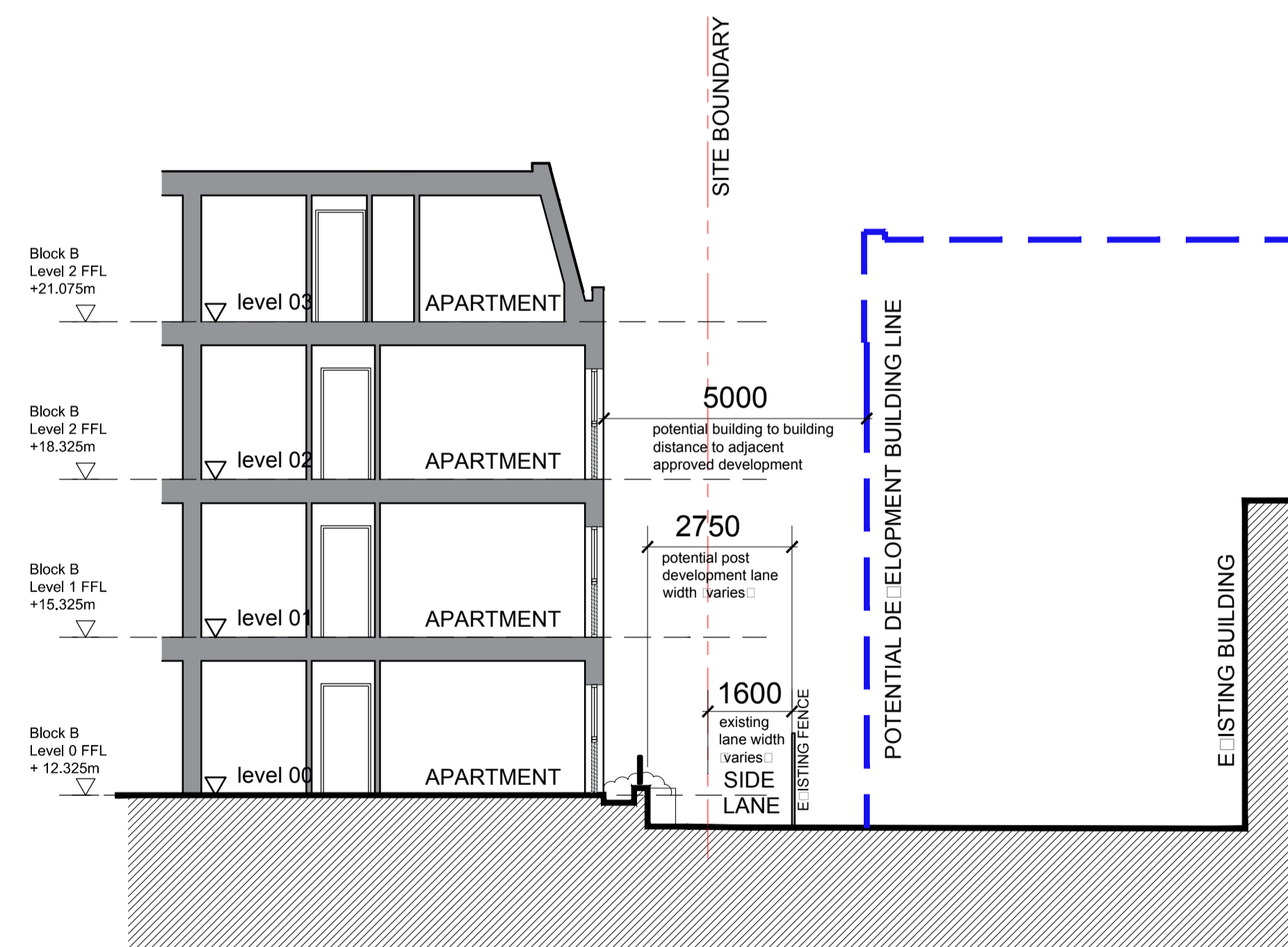
26



SECTION A - A



SECTION B - B



SECTION C - C

Project Title
 17-29 Lower Ashley Road
 St Pauls, Bristol
 Drawing Title
 Proposed Sections

Date
 March 2017
 Drawn
 LD
 Checked
 PCW
 Scale
 1:100@A1

13/06/2017 building narrowed to increase proposed AP PCW A
 lane widening. Windows added to lane for
 surveillance. Mansard added to western
 end and adjacent flat over restaurant
 section detail added
 Date Revision Drawn Checked Rev

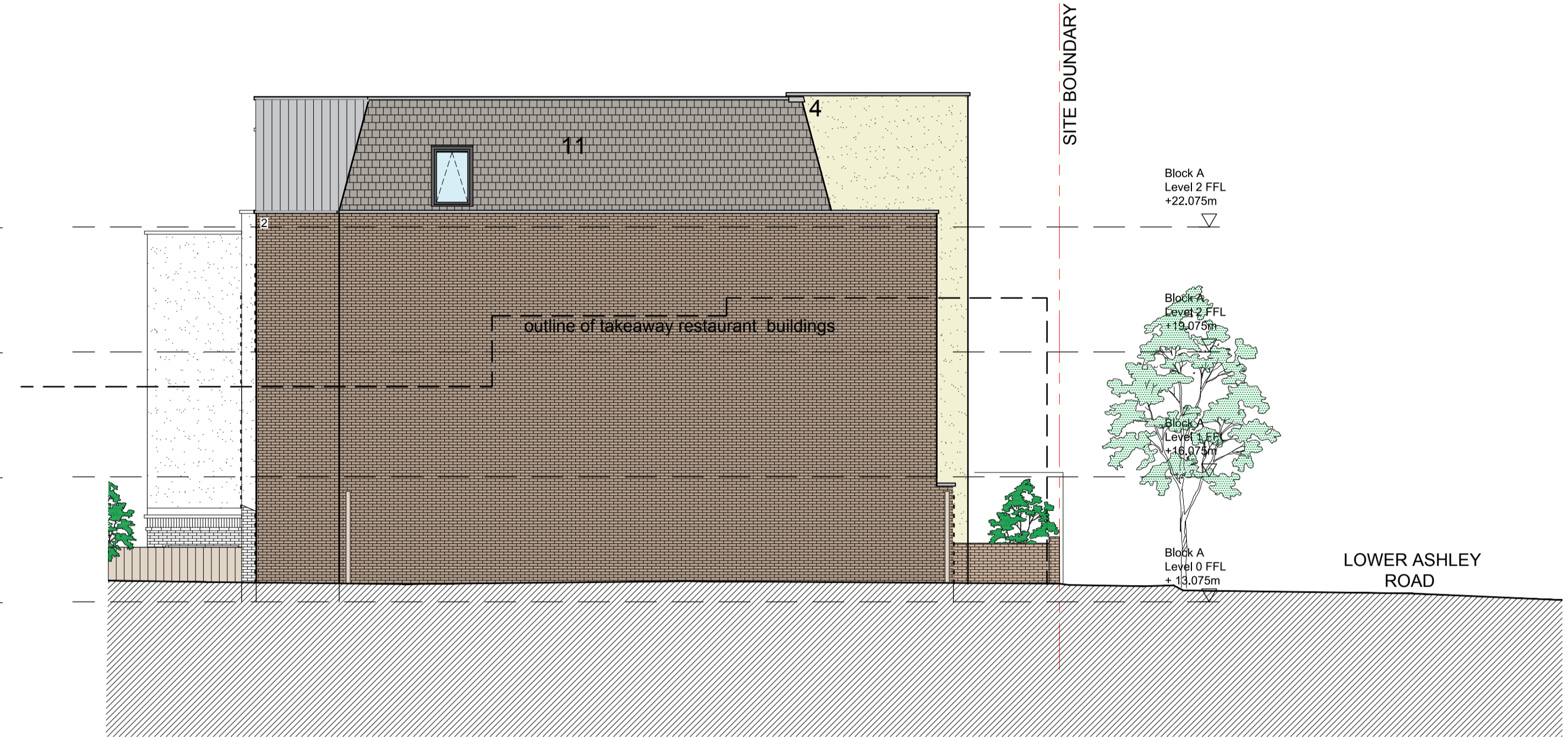
**ANGUS MEEK
 ARCHITECTS**

Cedar Yard, 290A Gloucester Road, Bristol, BS7 8PD
 T 0117 942 82 86 E architecture@angusmeek.co.uk
 Project No. Drawing No. Rev.
 2510 P 104 A

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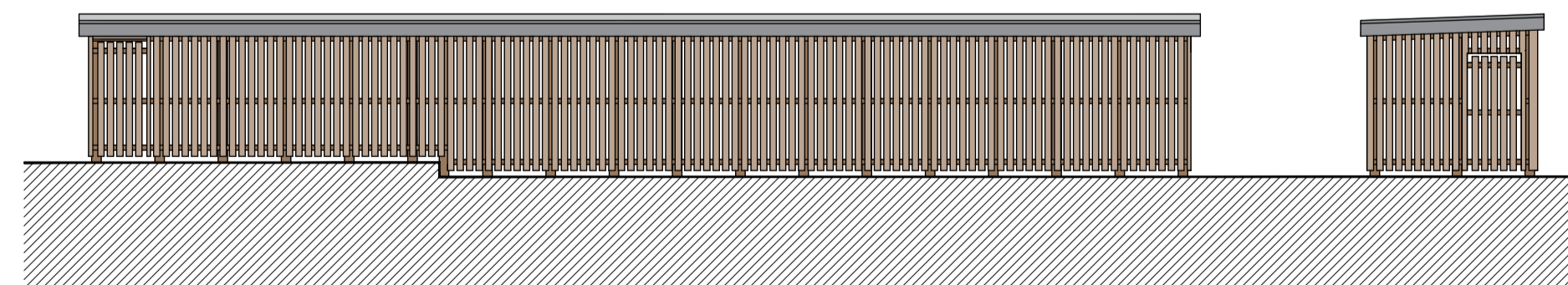
EAST ELEVATION TO SIDE LANE



WEST ELEVATION

MATERIALS KEY:

1. Feature pressed metal fascia - light grey
2. Facing brick
3. Horizontal Feature brick coursing detail
4. Off white lightly textured render
5. Dark Grey PPC aluminium windows with integral louvers where indicated
6. Galvanised railings
7. Glazed smoke extract louvres
8. Grey fibre cement panel -Eternit Equitone mid grey natural finish
9. Feature render panel
10. Pressed metal coping
11. Marley Eternit Rivendale Fibre Cement Slate



ELEVATIONS - BIKE STORE

16/03/2018	Amendments to external wall	LD	PCW	D
17/07/2017	Amendments to materials and window positions on ground floor	LD	PCW	C
13/06/2017	building narrowed to increase proposed lane widening. Windows added to lane for surveillance. Mansard added to western end and adjacent flat over restaurant elevation detail added	AP	PCW	B
31/03/2017	materials key updated	LD	PCW	A
Date	Revision	Drawn	Checked	Rev.

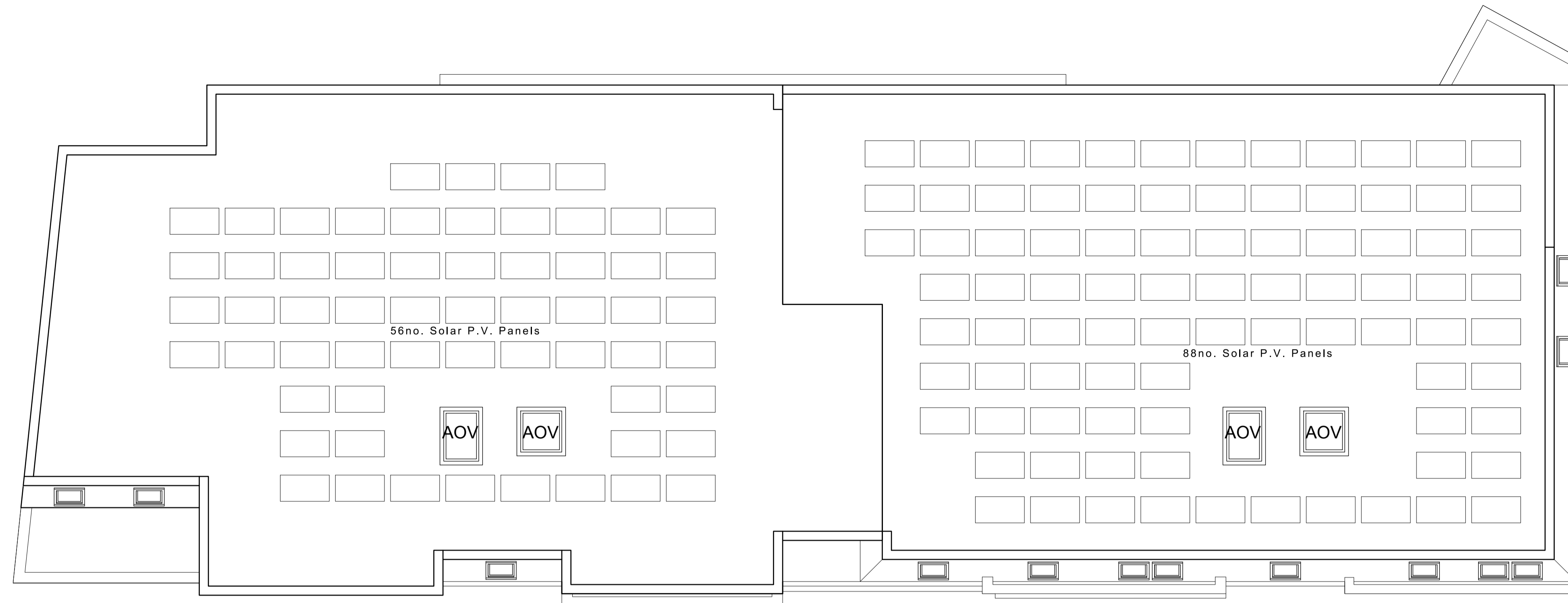
Project Title
 17-29 Lower Ashley Road
 St Pauls, Bristol
 Drawing Title
 Proposed Elevations

ANGUS MEEK ARCHITECTS

Date: March 2017
 Drawn: LD
 Checked: PCW
 Cedar Yard, 290A Gloucester Road, Bristol, BS7 8PD
 T 0117 942 82 86 E architecture@angusmeek.co.uk

Scale: 1:100@A1

Project No.	Drawing No.	Rev.
2510	P 106	D



ROOF PLAN



THIRD FLOOR PLAN

16/03/2018	Amendment to flat numbering	LD	PCW	C
16/03/2018	Amendment to front external wall and units B29 & B30	LD	PCW	B
13/06/2017	TF footprint amended to suit lane widening. Additional windows added to lane elevation, Mansard continued to perimeter and gable end of flat A14	AP	PCW	A
Date	Revision	Drawn	Checked	Rev.

Project Title
17-29 Lower Ashley Road
 St Pauls, Bristol

Drawing Title
Third Floor and Roof Plan
 Proposed

ANGUS MEEK
ARCHITECTS

Date
February 2017

Drawn
AB

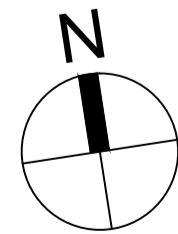
Checked
PCW

Cedar Yard, 290A Gloucester Road, Bristol, BS7 8PD
 T 0117 942 82 86 E architecture@angusmeek.co.uk

Scale
1:100@A1

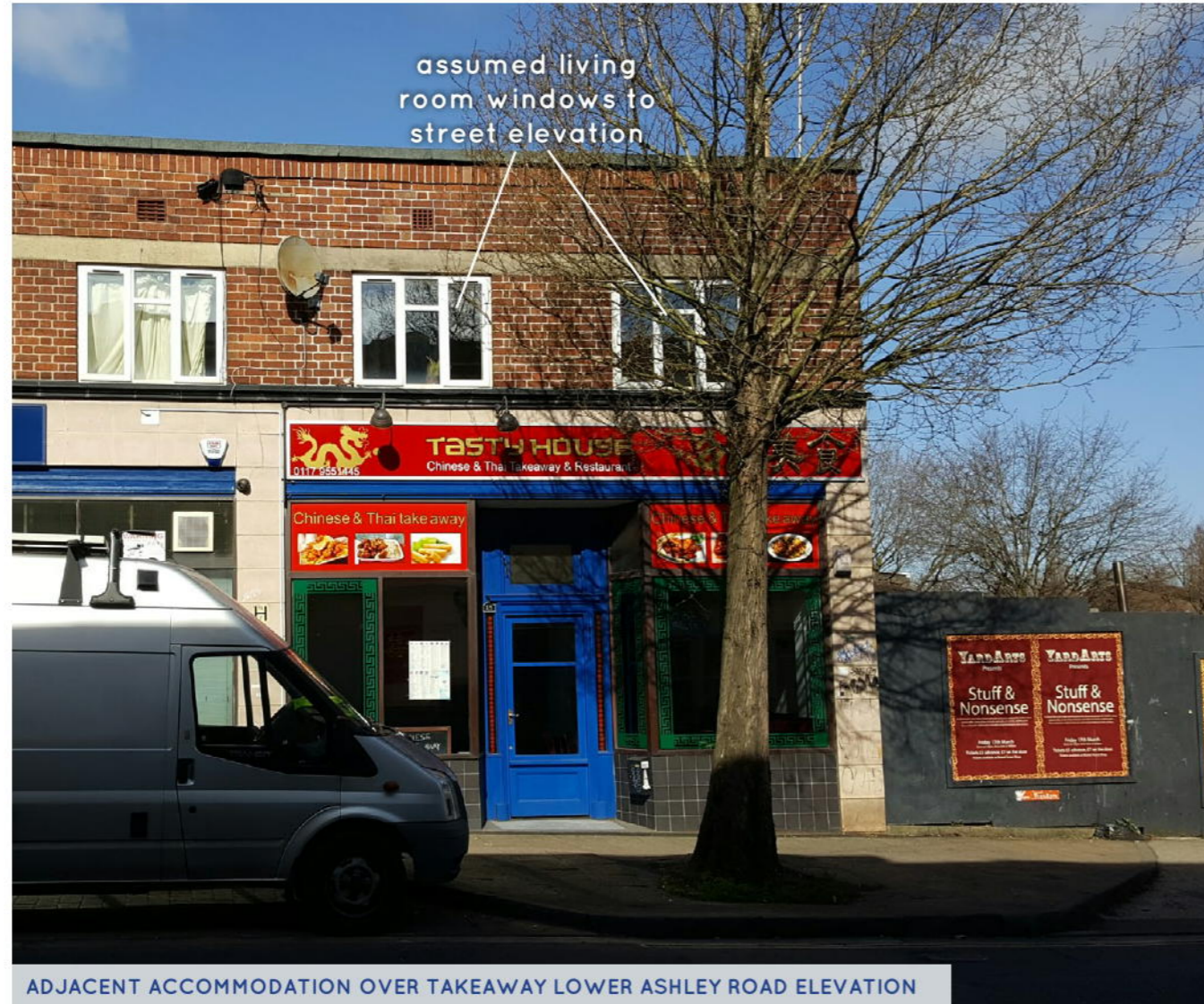
Project No. Drawing No. Rev.
2510 P 103 C

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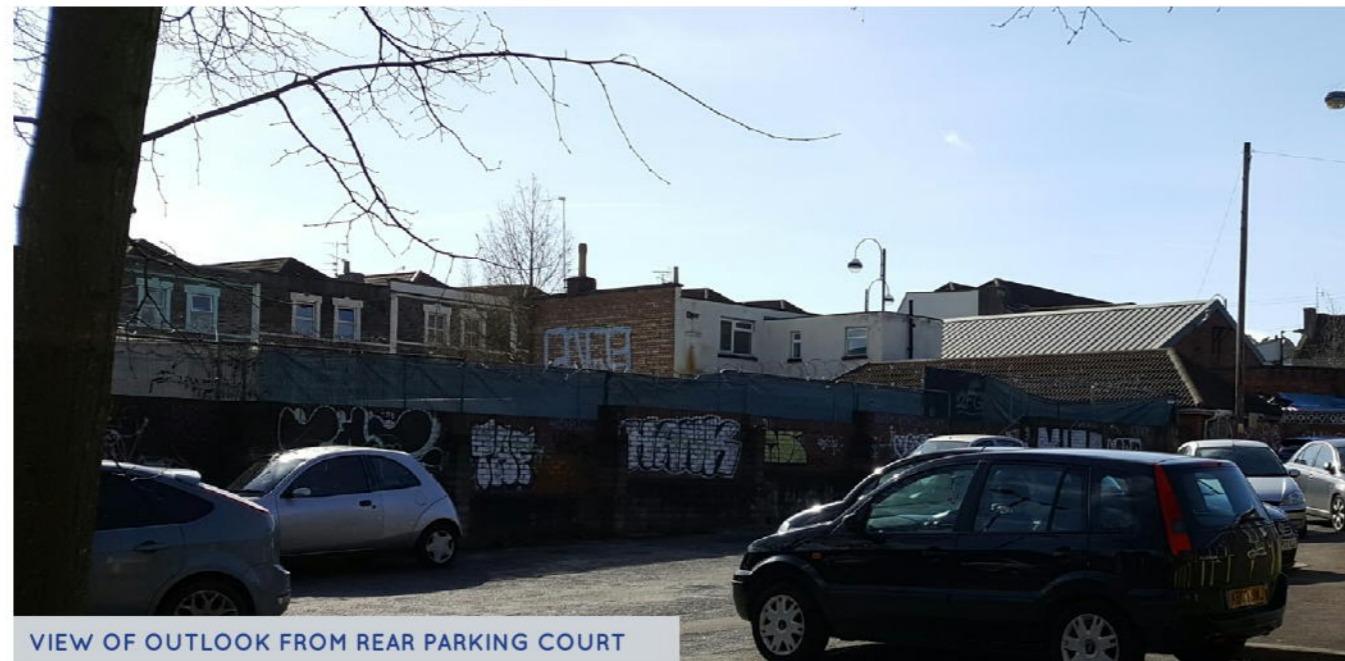
LOWER ASHLEY ROAD
BRISTOL
2510 DS 03
INDICATIVE SOLAR STUDY
14th February 2018



ADJACENT ACCOMMODATION OVER TAKEAWAY LOWER ASHLEY ROAD ELEVATION



VIEW OF REAR OF FIRST FLOOR ADJACENT ACCOMMODATION FROM WITHIN THE SITE



VIEW OF OUTLOOK FROM REAR PARKING COURT

This Additional reports is provided to illustrate the development proposals in context with the adjacent first floor accommodation above the takeaway and Overseas Chinese association premises on Lower Ashley Road.

The accommodation is believed to be a residential rented property under the management of the OCA and access has not yet been facilitated Investigation of the configuration of the property

It is believed from external inspection that living accommodation is placed to the road frontage with larger openable windows to the street, and are south facing benefiting from sun all year round

The rear accommodation comprises an I shape formed by a rear extension. A larger window facing north is assumed to serve the bedroom of the

property due to its size and larger openable lights. It should be noted that as the rear bedroom window is north facing it is already in shadow for almost the whole year.

The extension is set away from the site boundary and incorporates two smaller windows both with fixed panes and small opening top lights. This window style is typical for bathroom and kitchen accommodation which are not habitable designations. It is assumed these serve a w/c and bathroom to the property. These are east facing and currently are unshaded for the majority of the morning.

The proposals will place accommodation along this boundary and the following solar studies look to illustrate the indicative shadow path of the proposals in relation to these rear windows



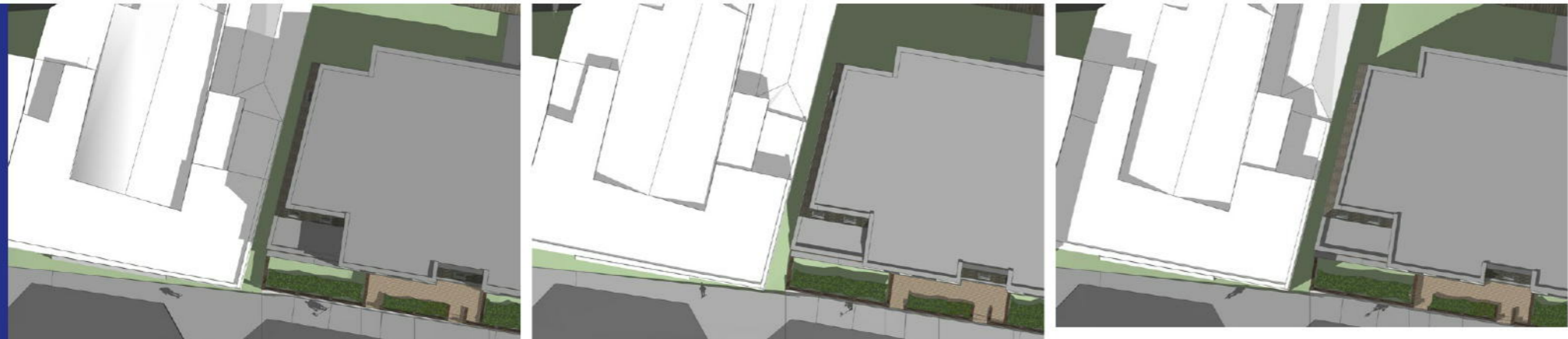
09:00

12:00

15:00

These images illustrate in plan view the indicative shadow path of proposals across the adjacent property.

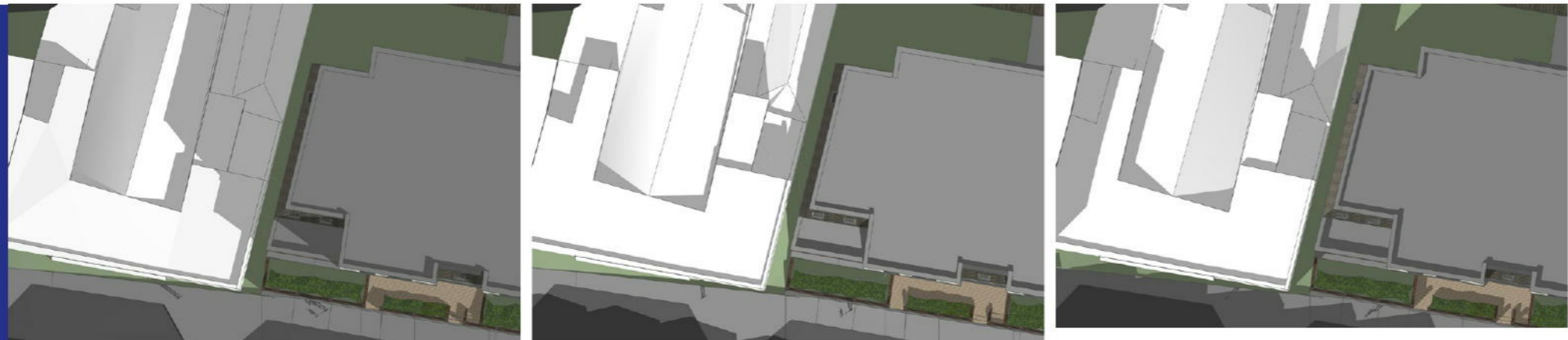
SUMMER



During the summer the proposals have no material affect on the overshadowing of the property over that that exists from around 9:30

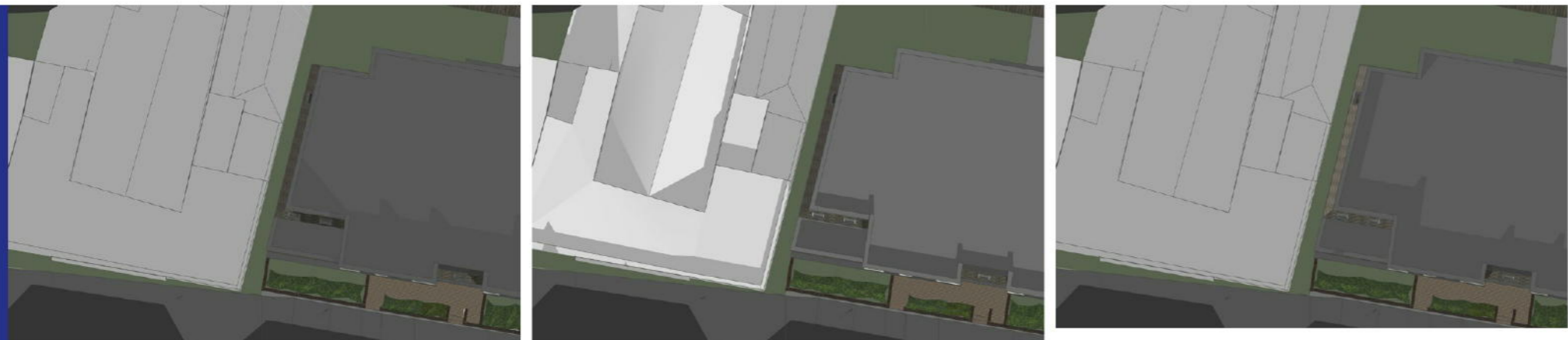
Page 144

SPRING/AUTUMN



During the autumn / Spring the proposals add some overshadowing up to mid morning with direct sun maintained then until its normal existing point at lunchtime

WINTER



During the winter additional shading is present but the low angle of the sun and reduced hours of sunlight as existing already mean that the site is already overshadowed for the majority of the day.

3D VIEW INDICATIVE SOLAR STUDY

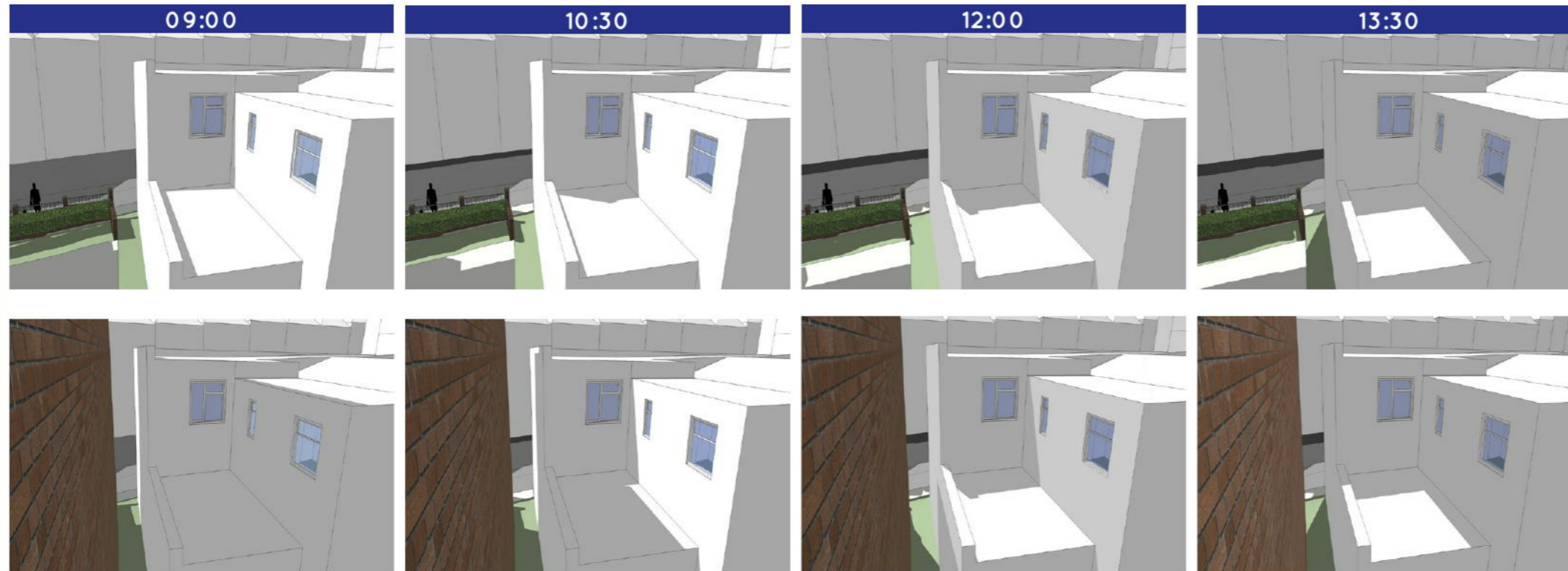
These images illustrate in close up 3d view the indicative shading at regular times through the morning in relation to the rear windows

SUMMER SOLSTICE

Page 145

EXISTING

PROPOSED

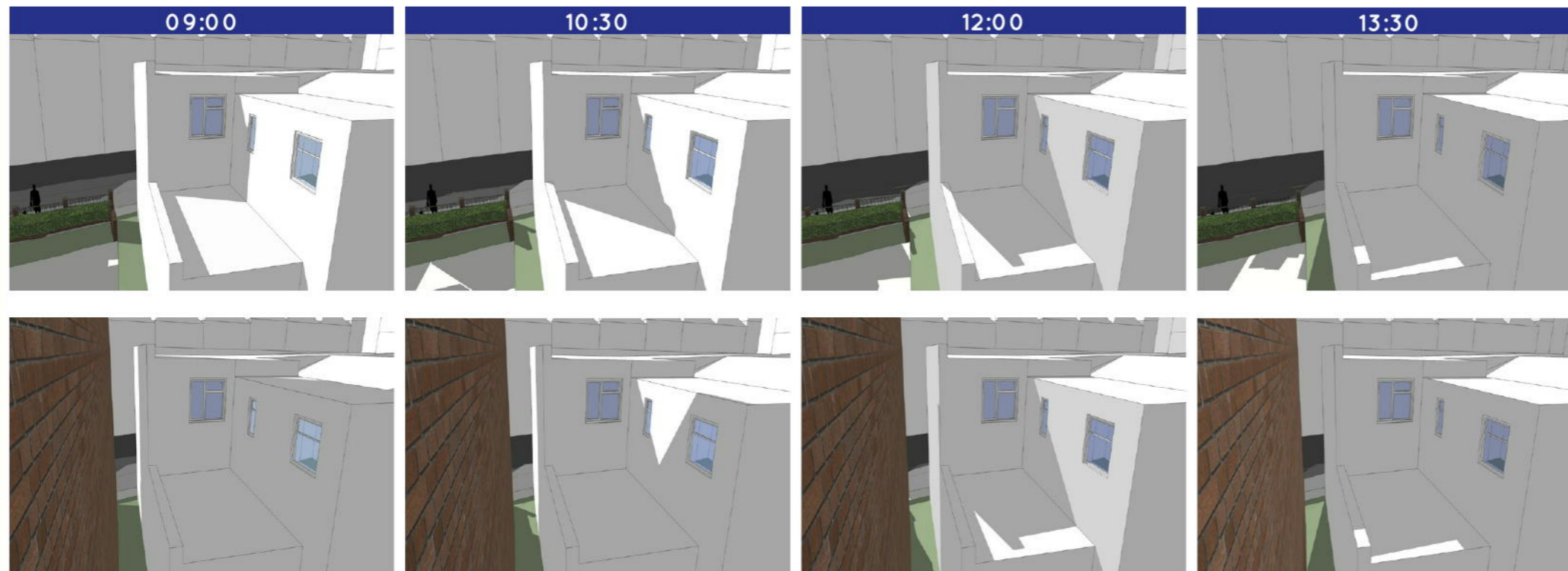


During the summer the proposals have no material affect on the overshadowing of the property over that that exists from around 9:30. The illustration shows at 10:30 as an example a situation unchanged from existing through to the point at around 1pm where the sun has passed around and placed it in shadow

AUTUMN EQUINOX

EXISTING

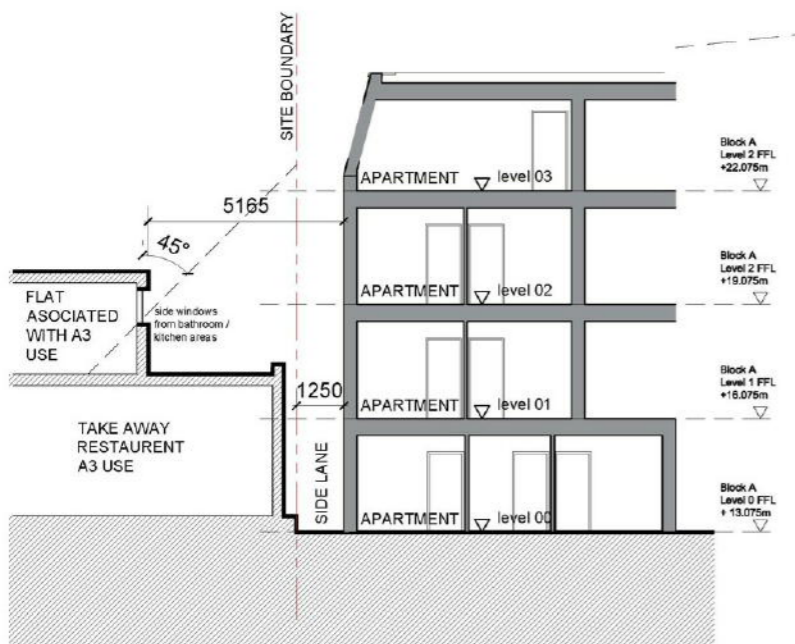
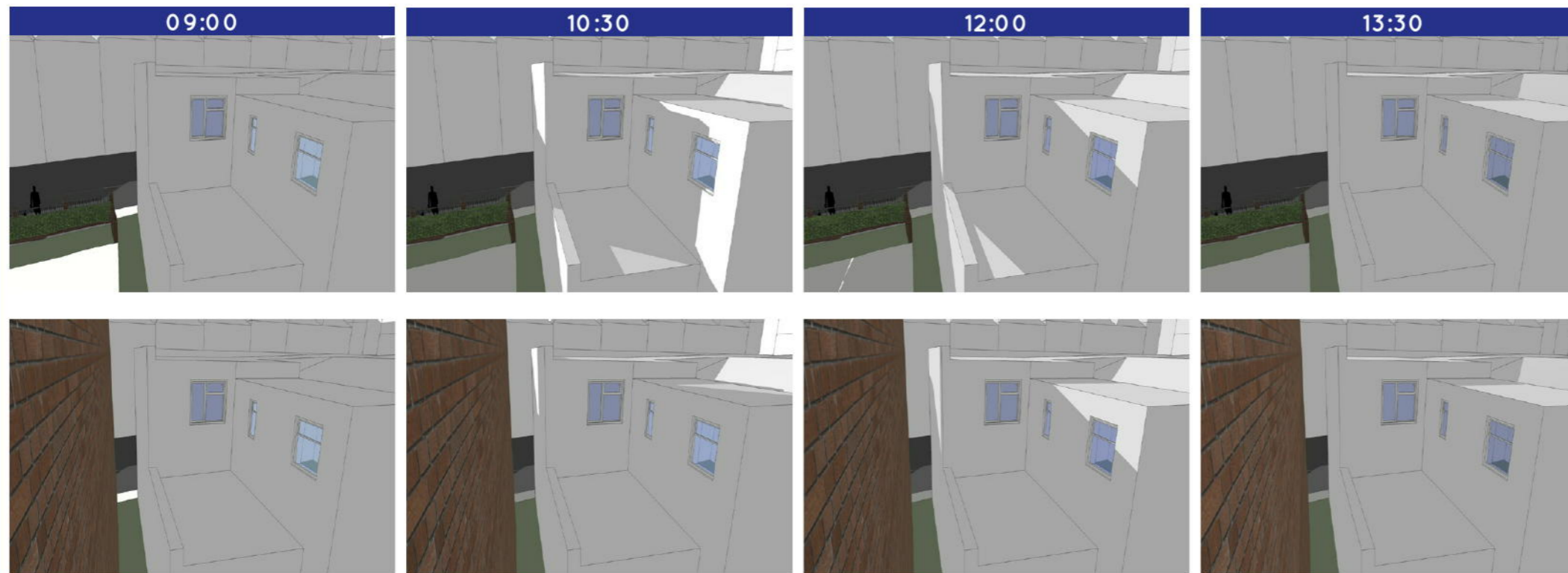
PROPOSED



During equinox with a lower sun in the morning additional shading is present in the early hours of the morning but it can be seen that from 10-10:30 the direct sunpath to the side windows is retained demonstrating nominal effect

EXISTING

PROPOSED



SECTION THROUGH ADJACENT PROPERTY

CONCLUSION

The images demonstrate a nominal impact to early morning direct sun during some periods of the year. These are however minimal in respect of the overall available direct sunlight that is currently available.

It is suggested that no impact is made in relation to the rear facing assumed bedroom window and as the apartments are dual aspect the amenity currently enjoyed from habitable accommodation will not be made worse by the proposed development

The side facing windows are assumed to serve support accommodation not normally afforded windows within new development which demonstrates the general view that this accommodation is not as sensitive to impacts in respect to view and sunlight.

The impact however is demonstrated to be low and these windows still benefit from proportion of morning sun for the majority of the year.

The massing of the proposals is set back from the site boundary and provides effective privacy screening to these existing windows and the windows maintain a northern outlook across the rear of the property to the parking court behind the site

For these reasons it is considered that the effect on the adjacent property is acceptable

Development Control Committee A – 21 June 2018

ITEM NO. 5

WARD: Lockleaze **CONTACT OFFICER:** Paul Chick
SITE ADDRESS: Eastgate Centre Eastgate Road Bristol

APPLICATION NO: 18/00634/P Outline Planning

DETERMINATION DEADLINE: 16 May 2018

Outline Planning Application for the demolition of an existing Class A3 / A5 drive-thru restaurant and erection of new Class A1 retail unit, two Class A3 / A5 pod units and a replacement Class A3 / A5 drive-thru restaurant. Access, Layout and Landscaping sought for approval. (Major Application)

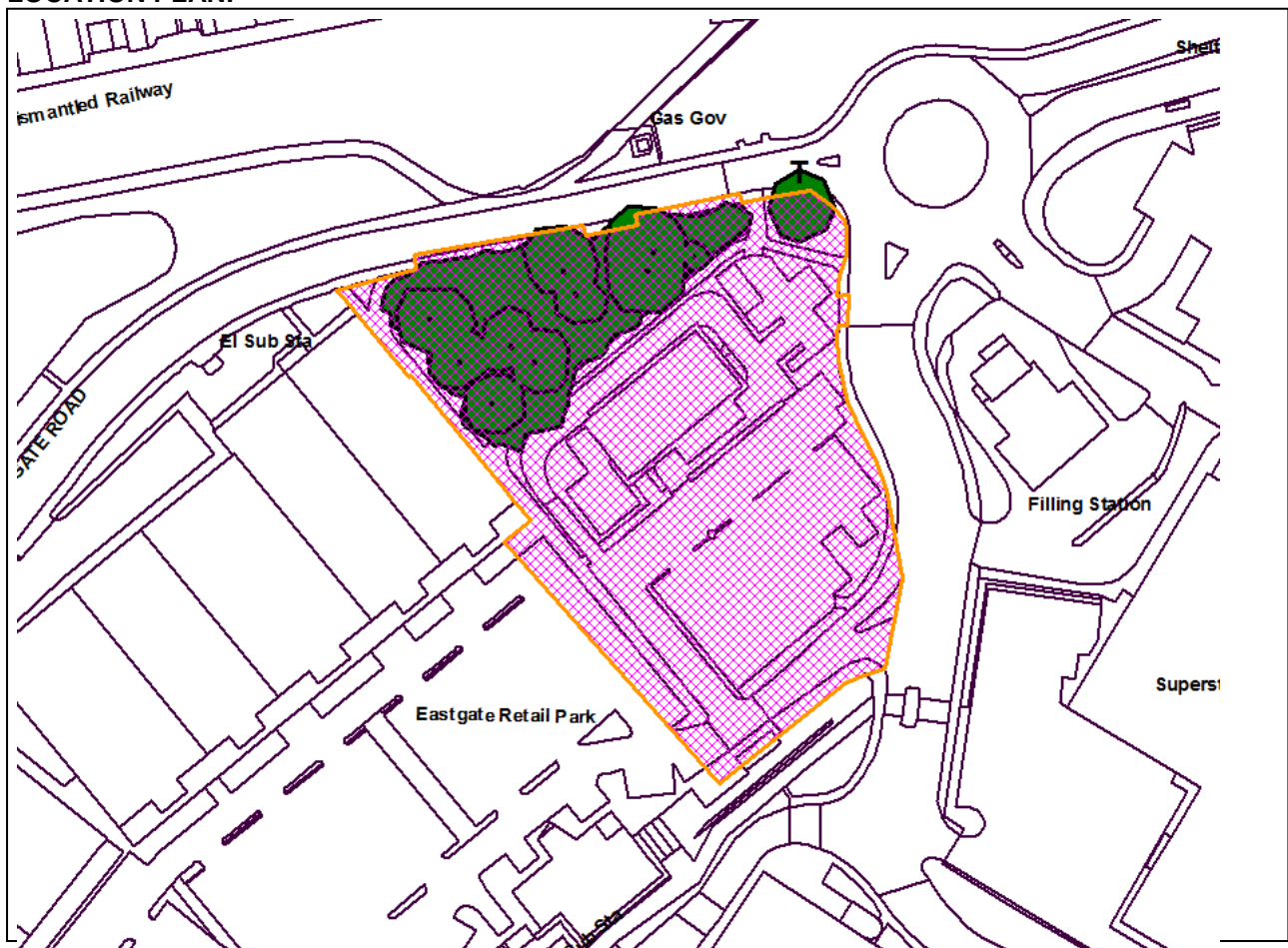
RECOMMENDATION: Other

AGENT: Savills (UK) Limited
 Belvedere
 12 Booth Street
 Manchester
 M2 4AW

APPLICANT: CPG Wilmslow Limited
 c/o Agent

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

LOCATION PLAN:



Development Control Committee A – 21 June 2018
Application No. 18/00634/P : Eastgate Centre Eastgate Road Bristol

BACKGROUND

Members will recall that this application was considered at the previous Committee meeting of 16th May 2018 when the resolution was 'that the application is brought back to a future Committee including conditions that could form part of a planning approval'. A copy of the 16th May Committee report is appended to this report.

It was confirmed at the time that the application was undetermined.

During the previous Committee meeting, the comments made by members on the application of the Sequential Test were noted in that no objection was made to the principle of extending the Eastgate Centre. However, no clear conclusion had been reached on the issue of the loss of trees or the highway safety implication in proposing to move the position of the Zebra crossing on Eastgate Road.

The Key Issues section of the appended report includes commentary on both the loss of green infrastructure and highway safety. However, following the previous meeting additional comments have been sought from consultees to expand on the points made, as well as to provide the planning conditions requested in accordance with the resolution. These conditions are also appended to this report.

Taking these issues in turn the following can be added:

TREES

The application was submitted with insufficient survey detail to cover all the trees on the site including the understorey, and how they would be impacted by the proposed development. However, it is clear that one mature poplar tree would remain (adjacent to the existing retail unit on the western end of the site) and possibly one mature ash tree within the remaining area of landscaping following implementation of the scheme. It should be noted that the chances of this ash tree surviving are slim, as more than 40% of its root area would be removed.

In the absence of an Arboricultural Implications Assessment or an Arboricultural Method Statement it is not possible to assess whether what is shown to be retained is in fact feasible. It is highly likely that much of the existing tree cover shown to be retained will be lost. The majority of the understorey would not survive the works proposed and any remaining understorey would be unprotected and more vulnerable to adverse weather.

In short, given the proposed layout the conditions suggested will only be certain of protecting one mature tree. All the remaining trees will in all likelihood be lost.

In terms of the ecological quality of the trees to be lost, the following additional comments can be added:

The area of green infrastructure contains six ash trees that have been identified in particular as locally notable trees of age and are characterised as being 'transition veterans'. This means that they provide important habitat due to their age and characteristics within a heavily built-up area where habitats are limited and they have the potential to become potentially important veteran trees for biodiversity in time.

It should also be noted that this group of trees provides a significantly greater ecological benefit than a single tree as proposed. The group of trees also provides an element of future proofing the site, as if a single tree is lost due to the natural laws and forces of nature others remain that continue to provide ecological benefit.

Development Control Committee A – 21 June 2018
Application No. 18/00634/P : Eastgate Centre Eastgate Road Bristol

HIGHWAY SAFETY

To the north of the site is an unsegregated cycle path which links Glenfrome Road to Eastgate Road via a zebra crossing. To enable vehicles to access the rear service yard, the application proposes to re-site the crossing 15m westwards. The plan of the proposed access arrangements indicates that vehicular visibility splays of 2.4m x 25m (20mph) and clear forward visibility of at least 50m can be provided. To ensure that moving the zebra crossing could be achieved safely the applicant was asked to commission a Stage One Road Safety Audit. This was undertaken and four key issues were identified:

- 1) Risk of Nose to Tail Shunt Type Collisions: Due to the close proximity of the entrance to the service yard to the exit from the roundabout onto Eastgate Road, motorists exiting the roundabout could fail to comprehend that an HGV in front is leaving the road at the proposed new access. This risk is increased due to the speed of some vehicles as they leave the roundabout and the presence of a retaining structure in the nearside verge, which restricts visibility from the roundabout.
- 2) Risk of vehicle/pedestrian and/or vehicle/cycle collisions: Whilst the crossing will be moved westwards the existing unsegregated cycle path from Glenfrome Road to Eastgate Road will be left in situ. Unless a new spur is provided on the desire line, rather than doubling back pedestrians/cyclists may choose not to use the crossing. This could place them at a greater risk of being unseen by approaching vehicles resulting in those crossing being hit and injured.
- 3) Risk of vehicle/cycle collisions: A number of cyclists were observed to use the crossing. To avoid the risk of confusion as to who has the right of way and the risk of shunt type collisions or collisions with cyclists, the crossing should be changed to one designed for both pedestrians and cyclists.
- 4) Risk of vehicle/pedestrian collisions: Drivers turning left out of the service yard may not realise they are approaching the zebra crossing, or that a pedestrian is crossing and fail to stop, thereby resulting in their being injured.

In response the applicant stated:

- 1) As the entrance to the service yard is 25m from the exit from the roundabout, vehicles travelling within the speed limit will have adequate time to avoid such a collision.

[This however, assumes that all vehicles currently using Eastgate Road travel at 20mph. Any proposals must take into consideration existing road conditions and if necessary provide appropriate mitigation. A speed survey is therefore recommended.]

- 2) As the applicant does not own the land on which the unsegregated cycle path is located, it is not possible to move it so that it will be on the desire line. Instead they have proposed installing a guard rail.

[This would be contrary to national guidance. Such a length of guard railing in this location would lead to pedestrians evading it either by climbing over or walking alongside the carriageway edge. By doing so it would see an increase in the potential conflict between them and a vehicle. In addition the railing could be a hazard to cyclists on the highway which would result in cyclists becoming trapped between it and a vehicle.

Installing railings to take pedestrians away from direct routes is now avoided, but they are considered outside places such as school entrances where large numbers of children join the footway at the same time. It is considered that railings are visually obtrusive and unnecessarily reduces footway width plus they can obscure children and can also create a 'race track' environment which would change the drivers perception that they can drive at higher speeds than normal.

This is an unresolved issue that must be addressed as any development must ensure the safety of all road users and not give rise to unacceptable traffic conditions.]

Development Control Committee A – 21 June 2018
Application No. 18/00634/P : Eastgate Centre Eastgate Road Bristol

3) The existing zebra crossing operates safely and as a result does not need to be changed, as evidenced by the lack of any road traffic accidents at this location.

[This is based solely on accident data and not observed users. Consequently a survey of the number of cyclists/pedestrians using the crossing should be undertaken to determine if a revised design is required.]

4) The zebra crossing will be moved further westwards. This would be in line with paragraph 2.1.1 Approach to a Side Road of Local Transport Note 2/95 The Design of Pedestrian Crossings.

CONCLUSION

Members should determine the application in the light of their consideration of the issue of the retail sequential test at the previous meeting (conditions have been provided as requested) and also with regard to the advice provided here and in the previous officer report on the remaining substantive issues of trees and highway safety.

Development Control Committee A – 21 June 2018
Application No. 18/00634/P : Eastgate Centre Eastgate Road Bristol

SUGGESTED CONDITIONS

1. Reserved Matters

Approval of the details of the appearance and scale of the development (hereinafter called "the reserved matters") shall be obtained from the council in writing before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

2. Outline Permission

Application for approval of the reserved matters shall be made to the council before the expiration of 3 years from the date of this permission.

The development hereby permitted shall begin no later than the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Trees:

The applicant wishes to provide an arboricultural method statement as a pre-commencement condition. As mentioned in the main report, to date the arboricultural documentation has been insufficient. In terms of a Bristol Tree Replacement Standard (BTRS) contribution if consent is granted by Committee, the understorey trees now protected by TPO 1332 have not been considered. The current proposal identifies a significant loss of these trees that have not been surveyed, stem diameters measured or BTRS calculations provided. The Unilateral Undertaking being prepared does not account of these trees.

The Proposed site layout plan identifies a significant encroachment of around 40% in to the root protection area of T7; this is unacceptable and will likely lead to the loss of this tree in the near future along with the younger trees within the undeveloped area adjacent to this tree. An arboricultural method statement needs to be undertaken to determine the full extent of the tree loss.

PRE COMMENCEMENT:

3. Submission and Approval of Detailed Arboricultural Implications Assessment & Arboricultural Method Statement

No work of any kind shall take place until there has been submitted to and approved in writing a detailed Arboricultural Implications Assessment that sets out the constraints posed by the trees on site relating to the proposed development and an Arboricultural Method Statement that provides an updated assessment of tree loss and mitigation in accordance the with the Planning Obligations SPD (Bristol Tree Replacement Standard) and an achievable methodology to be followed in the sequence of operations so that any retained trees will be adequately protected from all above and below ground development operations. The detail thereby approved shall be carried out in accordance with that approval.

The approved fences and ground protection shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of development and shall be maintained until all

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equipment, machinery and surplus materials have been removed.

The method statement will include details of any proposed works to the trees and details of the precise location and specification of tree protective fencing. Any approved tree works shall subsequently be carried out prior to works commencing.

Reason: To protect trees on or adjacent to the site from damage during development activities.

4. Protection of Retained Trees during the Construction Period

No work of any kind shall begin on the site until the protective fence(s) have been erected around the retained trees (TPO 915) in the position and to the specification to be submitted and agreed in writing with the Local Planning Authority.

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 Authority 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 demolishing or development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Under no circumstances should the tree protection be moved during the period of the development and until all works are completed and all materials and machinery are removed.

Reason: To protect the retained trees from damage during construction and in recognition of the contribution which the retained tree(s) give(s) and will continue to give to the amenity of the area.

5. Cellular Confinement

Notwithstanding the information submitted to date, prior to any works taking place on site, including demolition, full design and product details of the cellular confinement system, as identified within the arboricultural method statement, including installation methodology, shall be submitted to and approved in writing by the LPA. The cellular confinement system shall be installed in accordance with the approved detail prior to demolition and construction taking place and retained and maintained in perpetuity

Reason: In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice.

6. Arboricultural Supervision

Prior to the commencement of demolition/development a pre-commencement site meeting shall be held and attended by the developer's arboricultural consultant, the designated site foreman and a representative from the Local Authority to discuss details of the working procedures. Subsequently and until the completion of all site works, site visits should be carried out on a fortnightly basis by the developer's arboricultural consultant. Copies of written site notes and/or reports detailing the results of site supervision and any necessary remedial works undertaken or required shall be submitted to and approved in writing by the Local Planning Authority. Any approved remedial works shall subsequently

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be carried out under strict supervision by the arboricultural consultant immediately following that approval.

Reason - In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice.

HIGHWAYS

PRE COMMENCEMENT CONDITIONS

7. 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 as set out in "Proposed Access Arrangements Drawing – H807-SK01 Revision D."

- Relocation of zebra crossing westwards of its current position and construction of two vehicle crossovers to permit access to the rear service yard on Eastgate Road.
- 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."

8. 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.

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9. Highway Condition Survey

Prior to the commencement of any work on site, a highway condition survey shall be undertaken of the existing public highway adjacent to the site 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.

10. Further details of staff cycle storage

Detailed drawings at the scale of 1:50 of the proposed staff cycle storage and service yard shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The detail thereby approved shall be carried out in accordance with that approval.

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

PRE OCCUPATION CONDITIONS

11. 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.

12. 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.

13. 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.

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14. 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

15. Completion and Maintenance of Vehicular Servicing facilities - Shown on approved plans

No building or use hereby permitted shall be occupied or use commenced until the facilities for loading, unloading, circulation and manoeuvring have been completed in accordance with the approved plans. Thereafter, these areas shall be kept free of obstruction and available for these uses.

Reason: To ensure that there are adequate servicing facilities within the site in the interests of highway safety.

16. 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.

17. 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.

18. Cycle Path Spur

Prior to the occupation of the development hereby approved works to construct a new spur from the cycle path to the relocated zebra crossing shall be undertaken in accordance with drawings to be approved in writing by the Local Planning Authority and it shall subsequently be confirmed in writing by the Local Planning Authority that the completed works are acceptable prior to occupation.

Reason: In the interests of highway safety.

19. Car Park Layout

Prior to the occupation of the development hereby approved the works to construct and lay out the carpark, zebra crossings, carriageway markings and traffic signs shall be undertaken in accordance with the approved drawings and it shall subsequently be confirmed in writing by the Local Planning Authority that the works are acceptable prior to occupation.

Reason: In the interests of highway safety.

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20. Approved Visibility Splays

The access(es) hereby approved shall not be brought into use until works have been undertaken to provide the visibility splays shown on the approved plan(s) to an adoptable standard. These visibility splays shall be retained clear of all obstructions for the lifetime of the development.

Reason: In the interest of highway safety.

21. Gates to be Set Back from Adopted Highway

Any gates to the development site must be set back at least 5m from the back edge of the carriageway and only open inwards.

Reason: To ensure vehicles are able to pull clear of the adopted highway and avoid becoming an obstruction to oncoming traffic.

22. Signage (In and Out)

Prior to the occupation of the development hereby approved details (including the location and size) of proposed In and Out signage, clearly visible to motorists, shall be submitted to and been approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety.

POST OCCUPATION MANAGEMENT

23. Travel Plan Statement – Not Submitted

No building or use hereby permitted shall be occupied or the use commenced until a Travel Plan Statement comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and been approved in writing by the Local Planning Authority.

The Approved Travel Plan Statement shall be implemented in accordance with the measures set out therein.

Within three months of the occupation evidence of the implementation of the measures set out in the Travel Plan Statement shall be submitted to and agreed in writing with the Local Planning Authority unless alternative timescales are agreed in writing.

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

24. Servicing & Management Plan

No building or use hereby permitted shall be occupied or use commenced until a servicing and management plan that addresses how vehicle arrivals, departures, parking, stopping and waiting has been prepared, submitted to and been approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved servicing and management plan.

Reason: To ensure that the development has appropriate arrangements for servicing in the interests of amenity and public safety.

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25. Waste Management Plan

No building or use hereby permitted shall be occupied or use commenced until a waste management plan setting out how waste will be stored and collected is submitted to and been approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved waste management plan.

Reason: To ensure adequate waste storage facilities are provided.

26. Standard advertisement conditions

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to:-
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: These conditions are specified by the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

27. Protection of parking and servicing provision

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

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

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COUNCILLOR REFERRAL

The application has been referred to the Development Control Committee by local ward councillors Gill Kirk and Estella Tincknell on the grounds that Eastgate should be considered as an existing local/district shopping centre with associated local planning policy, and the wider implications for potential improvements along the Muller Road corridor, and knock on effects including relating to sustainable transport.

SITE DESCRIPTION

The site concerned is 0.74 hectares in size and comprises the north eastern part of the Eastgate Retail Park. The site is occupied by a mix of car parking and circulation space, a Burger King 'Drive-Thru' A3 / A5 restaurant and a triangular-shaped belt of trees which separate the Burger King from Eastgate Road to the north. The trees are protected by two Tree Preservation Orders.

The site is unallocated in the Bristol Local Plan and lies within the Lockleaze ward.

PROPOSED DEVELOPMENT

The application is submitted in outline, and proposes a new Class A1 retail unit of 929 square metres (net), two class A3/A5 pod units and a replacement A3 / A5 'drive-thru' restaurant, with the existing one demolished. All matters would be reserved with the exception of access, layout and landscaping.

It is a resubmitted application following the withdrawal of application reference 17/01580/F for the same proposal on 5th December 2017.

The majority of the trees would be removed to provide a new service entrance and exit from Eastgate Road.

COMMUNITY INVOLVEMENT

A Statement of Community Involvement has been submitted with the current application, advising that discussions were held with cabinet members of Place [Growth and Regeneration] and Highways, local ward members, the Lockleaze Network Trust, South Lockleaze and Purdown Neighbourhood Group, Easton Business Improvement District and The Lockleaze Voice. (These discussions were held before the submission of the withdrawn application reference: 17/01580/F.)

The applicant advised that all parties confirmed their full support for the proposed development at that time.

PLANNING HISTORY

The Eastgate Park has a detailed and long planning history. The Park was initially granted full planning permission in March 1987 (ref: 00207F/87/N) for non-food retail warehousing and associated car parking. The planning consent had a restrictive goods condition attached as follows (Condition 7):

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"No retail warehouse hereby permitted shall be used for the retail sale predominantly of clothing, fashion accessories, sporting goods, books or stationery or any of them and for the avoidance of doubt it is confirmed that the occupation of Unit 2 by Children's World Limited, a subsidiary of the Boots Company Plc or their successors trading in a similar manner is deemed to comply with the provisions of this Condition".

The Council's case for justifying a restriction on the range and type of goods sold from the application site and across the Eastgate retail warehouse park is driven by a need to seek to protect the vitality and viability of the hierarchy of protected retail centres across the City. Whilst not in force at the time of the 1987 decision, the objective as set out above is established by the former national policy framework PPS 6 and specifically by former Local Plan policies S1 and S2.

Further applications to increase the overall quantum and to vary the nature of the use of the floor space were considered in 1999 and 2000 either by the Council and/or at appeal and were duly dismissed. It is relevant to note that during the consideration of one of the appeals that were heard in 2000 with regards to condition 7 of the 1987 permission as set out above, an Inspector concluded that the use of the word predominant within the condition established a bench mark for enforcement purposes.

In September 2002 planning permission (ref: 02/01127/F/C) was granted for the extension of units D and H to form 3no. new retail units referred to as H, J and K and an extension to existing unit D to form a new unit E. The permission effectively allowed an increase in the amount of retail floor space by approximately 18 sq m (as reported) and 124 car parking spaces. To reflect a change in the retail trade since 1987 and to continue to ensure there was no impact on existing retail centres, the following condition (condition 3) was attached to the consent:

'None of the floor space hereby permitted shall be used for the retail sale predominantly of clothing, fashion accessories, sporting goods, books or stationery, or any of them'.

The key change arising from the wording of the condition compared to the 1987 condition is that the restriction applies to the approved floor space and not to each individual unit.

Subsequent to the 2002 approval, application 03/04902/X/C was submitted and sought to vary condition 3 as set out above to allow the sale of clothing, fashion accessories and footwear in as far as it relates to unit H. The application was refused on the grounds that no robust assessment had been undertaken including an assessment of need and available sites and that the proposed liberalisation of retail trade from the site would be detrimental to the vitality and viability of surrounding centres. Whilst the application was refused, Unit H is now occupied by Next selling a full product range. Because the unit still sells predominantly non-restricted goods in terms of the amount of floor space allocated to each product range, the LPA have not pursued enforcement action. When interpreting condition 3 the LPA has agreed that providing the restricted ranges of goods did not take up a greater proportion of retail space than the non-restricted goods, then that change of goods could not be argued to be predominant. This approach would allow up to 49% of the floor space within the 4 units covered by the 2002 permission to be used for retail restricted goods.

Planning permission 05/04078/X then varied the terms of trade to provide greater clarity for any future occupier of Unit K. (Unit K was then the only unit of the four covered by the 2002 permission which had never been occupied). Planning permission 05/04078/X established an overall limit of floor space (5331 sqm) across all the floor space in the 4 units covered by the 2002 application. Thresholds for each unit are based on the proposition that all of the floor space in unit K is used to retail goods from the restricted range. Further variations to the pattern of trade were then approved 06/01237/X (Units A, B, C, D F and G) and 06/04148/X (units E to K) to seek to clarify the terms of trade across the park as a whole. No increase in floor space was involved in either of these later proposals.

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Planning permission for an insertion of additional mezzanine floorspace into combined units J/K and alterations to the pattern of trade across the park was approved on 9th August 2007 (07/02550/F). The approval included a condition which applied a single figure of 5,331sq to the permitted floor area for the sale of restricted goods across the park.

The next application 08/01342/F granted permission for the insertion of additional mezzanine floorspace into combined Units C/D and alterations to the front and rear of Units C/D. Permission was granted subject to a condition restricting the area of floorspace which can sale comparative goods.

The applicants sought to remove the restrictive goods condition on two separate occasions in the last few years (12/00254/X and 12/05316/X). Both applications were refused under delegated powers and appeals were lodged against the decisions. On both occasions the Planning Inspectorate dismissed the appeals following an informal hearing and a public inquiry respectively. On both occasions the inspector concluded that in terms of the 'sequential test' there were suitable, viable and available premises within the City Centre to accommodate these retail units to sell unrestricted goods. Allowing the appeals could prolong their vacancy longer than would otherwise be necessary and to this extent there would be an adverse impact on the city centre's vitality and viability in the short term.

In 2015 permission was granted to sell food from Unit J (15/04749/X). Restrictive conditions were still attached to the permission to ensure that the existing terms of sale of retail goods remained unchanged across the remaining retail units in Eastgate Park.

A further planning application (15/04749/X) was submitted in 2015 to again remove the condition. This was refused permission under delegated powers for the same reasons as the previous appeals, that the proposal still fails the sequential test and would have an impact on retail investment and undermine the growth of the city centre.

Finally, in 2016 the last in a line of identical proposals was submitted by CPG South East Ltd at Eastgate Retail Park (ref: 16/01193/X), which have included two appeal dismissals (in 2013) and a refusal of permission without a subsequent appeal in 2015.

The application sought to remove the following condition:

"Unless otherwise agreed in writing by the Local Planning Authority the amount of floor space to be used for the retail sale of clothing, fashion accessories, sporting goods, books or stationery or any of them, shall not exceed 1,858 sqm in Units C/D and 3,473 sqm in the total combined floorspace of Units A, B, E, F, G, H, J and K."

Reason: To minimise any adverse impact upon designated centres.

The applicants submitted a detailed retail assessment which addressed the tests required by the NPPF and the Bristol Local Plan (sequential test and impact). The applicants considered that the circumstances had changed since the decision taken in 2015 by officers and the appeal decision and considered the application acceptable for the following reasons:

- o An appeal decision by the Secretary of State (Rushden Lakes 2014) and the fact that the Government has rescinded the practice guidance on need, impact and the sequential approach that previously required applications to consider the scope for disaggregation. Therefore the sequential test for this application should consider sequentially preferable sites for the entire retail park, and there were no suitable sites available in the city centre.

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- o Two development plan sites in the City Centre were previously identified as part of the previous appeal as being potentially capable of accommodating retail development. These were sites KS02 and KS03 identified in the Bristol Central Area Action Plan (CAP). The applicant considered that both these sites were unlikely to be available within the medium to long term, and therefore could not be considered to be available sites.
- o The proposal would not have a significant adverse impact on Bristol City Centre as concluded by the previous appeal inspector.
- o The condition is unenforceable. In order to enforce the condition, the use of the retail floorspace as a whole had to be constantly monitored.

However, the recommendation was to refuse the application in accordance with the previously refused applications referred to above. The application was however, referred to a Development Control Committee by a local ward councillor, Gillian Kirk. The Committee at its meeting on 28th September 2016 resolved to go against the Officer recommendation and granted permission to remove the restrictive goods condition.

RESPONSE TO PUBLICITY AND CONSULTATION

The application was advertised by way of a site notice and local residents and businesses were consulted.

In response, 15 objections were received including submissions from the Bristol Civic Society and the Ingmire Road Residents' Association:

The Bristol Civic Society Commented as follows:

"Although there has been some reduction in the proposed net additional floorspace, [from the original submission of the withdrawn application] the reasons for that objection are the same as the Society's reasons for objecting to this proposal and they are copied below for ease of reference.

Bristol Civic Society objects strongly to the proposal. In the Society's view it would be harmful to the successful functioning of the city centre shopping area to permit an expansion in retail floorspace of this magnitude at Eastgate. There are significant vacancies in Broadmead and Galleries and the proposal would also be inconsistent with the possible redevelopment of the Callowhill site. It is important that the City Centre shopping offer is encouraged to consolidate and improve so that it is an effective counter attraction to Cribbs Causeway. We note that the retail analyst commissioned by the Council considers that the proposal would not satisfy the Council's planning policies for retail development.

Retail development comprising 15,000 sq. ft. in addition to the replacement drive through would also generate a lot of extra road traffic. The nearby junction with the M32 is already congested at peak times and this would be exacerbated by the proposal. Inevitably, there would also be additional traffic on the neighbouring residential streets which would harm the amenity of these areas and reduce air quality."

The Ingmire Road Residents' Association commented as follows:

"I write in relation to the above planning application on behalf of the Ingmire Road Residents' Association.

I will not repeat all that has been said by the very many objectors to the previous application [Ref: 17/01580/P], but to summarize; this area already has completely unacceptable levels of traffic

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congestion, with all the horrible air and noise pollution that goes with it. The Council has a duty to be reducing this congestion and pollution, and certainly not allowing any application that is going to increase it. This proposed expansion of the number of units and activity in the area clearly will increase traffic congestion in the area very substantially."

Objections received from the public are concerned with two areas: an increase in traffic, resultant traffic congestion and increasingly poor air quality; and the loss of trees and impact on the remaining trees to be retained.

In addition, a comment was made that the Statement of Community Involvement is misleading as there is a high level of opposition to the proposals and claiming unanimity of support cannot be substantiated.

No comments were received in support of the application.

It should be noted that the above is a summary of the public comments received and that full copies of all comments received are available on the Council's online planning register.

INTERNAL CONSULTEES

Transport Development Management:

Principle:

The application proposes to demolish the existing drive thru and in its place construct a new A1 unit, two pod units one of which will have a mezzanine which is proposed as a gym, with a new drive thru with associated car/cycle parking and waste storage. As the Stage One Road Safety Audit raises concerns which have not been adequately addressed, Transport Development Management recommends that the application be refused.

Transport Statement:

The Transport Statement submitted sets out that excluding the drive thru, the proposed retail units will generate 958 two way trips on a Friday and 974 trips on Saturday and with the drive thru will result in 1,212 two way trips on a Friday and 1,210 two way trips on a Saturday. Using data set out within TRICS Research Report 95/2 – Pass-by & Diverted – A Resumé 80% of these trips are assumed to be pass by and linked trips with only 20% being new trips. Applying this assumption to the peak periods - Friday between 1pm and 2pm and Saturday between 2pm and 3pm, just 20 new two way trips would be created. Whilst many of the objections received cite concerns with an increase in traffic an analysis of the capacity of the roundabout using TRL software Junction 9 indicates that whilst the maximum RFC (Ratio To Flow Capacity) will increase on all four arms during the above periods (with the exception of Eastgate Road (E) during the Friday midday peak) the levels are below 0.85 (saturation level) and as such the roundabout will be able to safely support the additional vehicle movements the site is likely to generate.

Travel Plan:

A Framework Travel Plan has been submitted. However, based on the size of the development, only a Travel Plan Statement is required.

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Eastgate Road: Zebra Crossing:

To the north of the site is an unsegregated cycle path which links Glenfrome Road to Eastgate Road via a zebra crossing. To enable vehicles to access the rear service yard, the application proposes to re-site the crossing 15m westwards. The plan of the proposed access arrangements indicates that vehicular visibility splays of 2.4m x 25m (20mph) and clear forward visibility of at least 50m can be provided. To ensure that moving the zebra crossing could be achieved safely the applicant was asked to commission a Stage One Road Safety Audit. This was undertaken by Avon Traffic & Safety Services Ltd on Wednesday the 18th of April at 1pm. Four key issues were identified:

- 1) Risk of Nose to Tail Shunt Type Collisions: Due to the close proximity of the entrance to the service yard to the exit from the roundabout onto Eastgate Road, motorists exiting the roundabout could fail to comprehend that an HGV in front is leaving the road at the proposed new access. This risk is increased due to the speed of some vehicles as they leave the roundabout and the presence of a retaining structure in the nearside verge, which restricts visibility from the roundabout.
- 2) Risk of vehicle/pedestrian and/or vehicle/cycle collisions: Whilst the crossing will be moved westwards the existing unsegregated cycle path from Glenfrome Road to Eastgate Road will be left in situ. Unless a new spur is provided on the desire line, rather than doubling back pedestrians/cyclists may choose not to use the crossing. This could place them at a greater risk of being unseen by approaching vehicles resulting in those crossing being hit and injured.
- 3) Risk of vehicle/cycle collisions: A number of cyclists were observed to use the crossing. To avoid the risk of confusion as to who has the right of way and the risk of shunt type collisions or collisions with cyclists, the crossing should be changed to one designed for both pedestrians and cyclists.
- 4) Risk of vehicle/pedestrian collisions: Drivers turning left out of the service yard may not realise they are approaching the zebra crossing, or that a pedestrian is crossing and fail to stop, thereby resulting in their being injured.

In response the applicant stated:

- 1) As the entrance to the service yard is 25m from the exit from the roundabout, vehicles travelling within the speed limit will have adequate time to avoid such a collision. This however, assumes that all vehicles currently using Eastgate Road travel at 20mph. Any proposals must take into consideration existing road conditions and if necessary provide appropriate mitigation. A speed survey is therefore recommended.
- 2) As the applicant does not own the land on which the unsegregated cycle path is located, it is not possible to move it so that it will be on the desire line. Instead they have proposed installing a guard rail, although this would be contrary to national guidance. This must be addressed as any development must ensure the safety of all road users and not give rise to unacceptable traffic conditions as set out within Policy DM23: Transport Development Management of Bristol Local Plan – Site Allocations and Development Management Policies.
- 3) The existing zebra crossing operates safely and as a result does not need to be changed, as evidenced by the lack of any road traffic accidents at this location. This however, is based solely on accident data and not observed users. Consequently a survey of the number of cyclists/pedestrians using the crossing should be undertaken to determine if a revised design is required.
- 4) The zebra crossing will be moved further westwards. This would be in line with paragraph 2.1.1 Approach to a Side Road of Local Transport Note 2/95 The Design of Pedestrian Crossings.

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If these issues can be addressed the applicant would be required to enter into a Section 278 Agreement to undertake these works and the existing Traffic Regulation Order for the crossing will need to be amended, the cost of which (£5,395) must be met by the applicant.

Vehicular Access Points:

To enable the units to be served, a rear service yard is proposed which will have a dedicated entrance and exit both of which will be signed, feature vehicle crossovers for which a Section 171 Licence will be required and a set of gates. This is acceptable.

Layout of Car Park:

The site layout plan indicates that all of the parking spaces will be 2.4m wide x 4.8m long, with the four disabled spaces having a 1.2m side and rear hatched area. This is acceptable providing they are signed and marked accordingly. All of the spaces will be laid out communally and where they face each other a 6m gap has been provided for manoeuvring purposes. To link the drive thru to this footway and the footway that runs through the site to the adjacent Pizza Hut, four zebra crossings are proposed with pedestrian crossing facilities and dropped kerbs incorporating tactile paving. To avoid any conflict between vehicles accessing the carpark the site layout plan proposes a one way route that will be denoted by road markings and a stop and give way line as well as “No Entry” and “No Right Turn”. Swept path analysis has been submitted which demonstrates that a car can safely enter and exit the running lane.

Pedestrian Access:

The site layout plan indicates that the existing pedestrian routes will be maintained with the exception of the footway through the carpark which will be removed to enable additional parking spaces to be created. To enable pedestrians to reach Tesco and Ikea from Eastgate Road there are pedestrian crossing facilities with dropped kerbs incorporating tactile paving within the deflection island at the roundabout. Several requests have been received by Highways Area Engineering Team to provide zebra crossings and a pedestrian island within the area of white diagonal stripes that separates incoming and outgoing traffic. Whilst this is outside the site's boundary such a link would improve connectivity for pedestrians and cyclists which can only improve the accessibility of the proposed units/drive thru. To ensure pedestrians/cyclists have unrestricted access to the site the footpath between the existing retail units and the proposed units as well as the link next to unit three should be dedicated as a permissive route.

Servicing:

The site layout plan proposes that the retail units will be served from the rear by a new service yard that will have a gated entrance and exit. To prevent vehicles becoming an obstruction to oncoming traffic the gates will be left open during the day and only one delivery vehicle will be permitted to use the yard at any one time. Swept path analysis has been submitted that demonstrates a 16.5m articulated HGV can turn right out of the yard. Whilst a right turn ban could not be practically enforced to avoid becoming an obstruction to oncoming traffic drivers should be encouraged to turn left out of the site and use the roundabout between Glenfrome Road and Eastgate Road to turn around. This manoeuvre should be reinforced by no right turn signs within the curtilage of the site. In order to serve the proposed drive thru a substantial section of the carpark within the site's boundary will need to be coned off whilst an HGV undertakes deliveries. Whilst this is acceptable such manoeuvres should be undertaken early in the morning or late at night to avoid times at which the carpark will be at its busiest. A Servicing and Management Plan setting out how deliveries will be managed for both the drive thru and retail units must be submitted prior to occupation.

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Car Parking / Cycle Parking:

The application proposes to reduce the size of the overall car park from 498 to 466 spaces, representing a loss of 32 spaces. To assess what affect the proposals would have on the car park, parking surveys were conducted on Friday the 13th and Saturday the 14th. These showed that even with this reduction, when factoring in the demand for additional parking based on proposed new retail units and the gym, there would still be 168 empty spaces during the Friday peak and 22 empty spaces during the Saturday peak. Of the 63 spaces adjacent to the development four spaces will be designated for the use of disabled people, which based on the above standards is acceptable. The Stage One Road Safety Audit indicated that at least one of these should be located near to the drive thru and this therefore should be taken into consideration.

In respect of cycle storage nine Sheffield Stands are proposed for visitors which providing they are set at least 1m from the kerb edge are acceptable. Ideally all of the stands should be protected by a canopy. For staff a secure, enclosed store will be provided. This must be able to accommodate at least six cycles. Vertical or angled racks are not acceptable. Appropriate showering and changing facilities should be provided.

Waste:

The site plans submitted propose that for the drive thru there will be an external area which will be gated, where refuse will be stored. Given that there is likely to be food waste all of the bins must be fully secure. No information has been provided as to the number of bins that will be provided or how often they will be collected and in what manner. The same applies for the store for the retail units and the gym. Clear plans showing the layout and design of these stores must be submitted to ensure that they are suitable. As they are both commercial uses, a commercial contractor will be responsible for collecting the waste. Bristol Waste now offers a commercial service. A Waste Management Plan setting out how waste will be stored and collected must be submitted prior to occupation.

Construction Management:

Due to the impact the demolition and construction works will have on the surrounding highway network a Construction Management Plan must be produced and submitted. This would need to be adhered to throughout the construction period.

Recommendations:

Whilst Transport Development Management is not adverse to the commercial usage of the site the applicant must adequately address the issues raised by the Stage One Road Safety Audit and in particular the relocation of the zebra crossing vis a vis the unsegregated cycle path. Whilst Transport Development Management appreciate that the applicant does not own the land on which it is located the cycle path must be re-sited so that it links directly to the relocated crossing. If it is not on the desire line pedestrians/cyclists may choose not to use it, thereby placing themselves at risk of being hit by approaching vehicles that may not see them. Moving the crossing without altering the cycle path would introduce an unacceptable risk, which presently does not exist, as demonstrated by the fact that there have been no recorded accidents. Whilst the applicant cannot be held responsible for individual's behaviour, any proposals must not give rise to unacceptable traffic conditions. As such in its current form the proposal would be contrary to National Planning Policy Framework paragraphs 32 and 35, Policy BCS10: Transport and Access Improvements of Bristol Development Framework Core Strategy – Policies and Policy DM23: Transport Development Management of Bristol Local Plan – Site Allocations and Development Management Policies. Consequently Transport Development Management recommends that the application be refused.

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Landscape Design:

As the application is a resubmission of the previous scheme (ref: 17/01580/F) the comments submitted are the same, as set out in full below.

The application seeks approval for the redevelopment of a retail site located within an area of significant green infrastructure surrounding the complex of large retail developments in Eastville. Considered as a whole this infrastructure mitigates to some extent the effects of intense traffic activity both in terms of visual amenity and urban air quality.

Approval of this outline application will result in the felling of a number of TPO'd mature trees and the removal of a substantial amount of existing green infrastructure. The application covering letter mentions the inclusion of a tree survey, but a full arboriculture assessment was not submitted. The Design and Access Statement provides little evidence of appreciation of the value of the existing landscape particularly the mature oak on the visually significant apex of the site between Eastgate Road and the access road to the Ikea. The loss of the existing landscape arises through the location of a new service road off Eastgate Road to the rear of the proposed units. There is no consideration of alternative layout arrangements - building lines, building size, parking arrangements - to facilitate retention of important site vegetation. Further, the trees schedule for retention will have suffered canopy suppression due to having developed alongside other trees and will not make good specimens when surrounding vegetation is removed.

The applicant claims that the landscape scheme provided justifies the development proposal in relation to a raft of design and green infrastructure policies; in the absence of proper site analysis this is merely a statement rather than a considered conclusion and the proposals will not mitigate for the deleterious effects - loss of green infrastructure, TPO'd trees and visual amenity arising from the proposal. For this reason I recommend that the application is refused.

Further Landscape Design Comments (following amendments):

The revised Tree Survey supplied by Alan Engley and Associates provides a higher rating for a number of trees lost to the development on Eastgate Road than as was previously assessed. While the proposals to ensure the retention of the important oak are welcomed, it clear that the other grade B trees make a contribution to the quality of the townscape on this frontage. The loss of important trees that further impoverishes townscape quality (aesthetic, wildlife interest, mitigation of climate change, air quality) is clearly counter to the aspirations of the Local Plan Core Strategy policy BCS9 which requires individual green assets (including trees) to be retained wherever possible. The revised Design and Access Statement provides no evidence that alternative layout arrangements have been considered that might avoid or reduce tree loss, so from the perspective of BCS9 the proposals cannot be supported.

Tree Officer Comments:

The arboricultural report provided is dated July 2017 and is the same report that was provided for application 17/01580/P (withdrawn). This is a preliminary inspection of the trees on site which provides an opinion on the condition of each tree more akin to a tree health & safety survey rather than a development site survey. A Tree Constraints Plan (July 2017) has been provided to aid the design but no further arboricultural documentation has been provided to support this application. The report provides insufficient detail to support this application.

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The following is required:

- An arboricultural report in line with BS5837: 2012: Trees in relation to design, demolition and construction – Recommendations.
- Tree survey detailing trees on and off site that have an influence on the proposed development
- A tree protection plan to identify trees to be retained or removed
- Arboricultural implications assessment and method statement for the protection of trees to be retained

The proposed site layout (10195-P-103-H) seeks to remove all but 3 trees on site, this is completely unacceptable and I most strongly object to this proposal.

The mature trees on site are protected by TPO 282 due to the significant amenity contribution they provide, During the previous application it appeared that some of the under storey vegetation had been removed and therefore woodland TPO 1321 was applied to ensure all of the young and mature trees on site were protected.

The mature trees ash and oak are a historic remnant of a landscaped garden (Circa 1900) from the former gas works that occupied the site, the ash appear to have been managed as old pollards which have now grown out. They are historic trees with potential veteran tree characteristics that warrant the TPO status and must be retained. Due to poor management or lack of management the trees have a number of less than satisfactory defects associated with them that have in part been identified within the supporting arboricultural report from July 2017.

I have aged the trees using the stem diameters provided within the arboricultural report and the Alan Mitchell methodology of estimating the age of trees. The average estimated age of the ash trees (T4,5,7,9 & 10) is 90 years (the ash have been historically pollarded which will have reduced their growth rate and therefore their actual age is likely to be greater than this estimate); the estimated age of the oak T12 is 108 years. These are trees of considerable age, that present a number of veteran and ancient tree characteristics.

The National Planning Policy Framework (NPPF)

Conserving and enhancing the natural environment

Para 118: When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that locations clearly outweigh the loss.

The proposal takes no account of the Bristol Core Strategy Policy (BCS9) which requires an appropriate type and amount of new or enhanced green infrastructure to be incorporated into new development.

The proposed does not identify any new or enhanced green infrastructure assets.

DM15: Green Infrastructure Provision

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Trees:

The provision of additional and/or improved management of existing trees will be expected as part of the landscape treatment of new development. The design, size, species and placement of trees provided as part of the landscape treatment will be expected to take practicable opportunities to:

- I. Connect the development site to the strategic green infrastructure network, and/or Bristol Wildlife Network.
- II. Assist in reducing or mitigating run-off and flood risk on the development site.
- III. Assist in providing shade and shelter to address urban cooling.
- IV. Create a strong framework of street trees to enclose or mitigate the visual impact of the development.

The trees protected by Tree Preservation Order (TPO) 282 on site (T1, 2, 3, 4, 5, 7, 9, 10, 11 & 12) are valuable amenity assets that warrant the protection of this order and have not been considered during the design process. Poor quality mitigation has been suggested; outlined within the Planting Plan 17-01- PL-201-Rev A. This has not considered any of the requirements set out in the Planning Obligations, Supplementary Planning Document 2013 (Bristol Tree Replacement Standard).

This proposal seeks to remove 16 of the 19 trees on site, 8 of which are protected by TPO 282. 3 trees have been classified as category R and therefore would not require mitigation. However the 13 trees that have been identified for removal would require 50 replacements or a financial contribution. 6 replacement trees have been identified within the Planting Plan (17-01-PL-201-Rev F) although one is unlikely to survive in the location proposed. In excess of 40 further replacement trees are required or a financial contribution of £38,269. These figures show the dramatic change suggested within the locality and the deficiency in mitigation proposed. Insufficient justification has been provided to remove all but 3 of these trees.

If consent is granted T7 has been isolated to such an extent with a significant encroachment into its root protection area (RPA) of approximately 40%, that its loss is highly likely within a few years of the completion of the proposed development along with the younger trees within the undeveloped area adjacent to this tree.

The loss of these trees would directly conflict with DM15. Rather than improving or enhancing the visual amenity and natural environment, the proposed development would fragment, degrade and remove a key green infrastructure asset located within the heavily developed retail park. This verdant area is the only natural area of any significance within the whole of the Eastgate retail park and must be retained.

DM17: Development Involving Existing Green Infrastructure

Trees

- All new development should integrate important existing trees
- Development which would result in the loss of ancient woodland, aged trees or veteran trees will not be permitted.
- Where tree loss or damage is essential to allow for appropriate development, replacement trees of an appropriate species should be provided, in accordance with the tree compensation standard.

“Due to their characteristics and value, Aged and veteran trees are considered to be of relatively greater importance than other trees and even trees of a similar species. Aged trees, by definition, have developed characteristics associated with great age and often have particular landscape and townscape value. Veteran trees are considered to have particularly important nature conservation value. Both will often have significant visual amenity, and potentially historic and cultural

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importance. As such their loss or harm will not be permitted, and design and layout of development will be expected to integrate them into development.”

Conclusion:

The proposed has not provided sufficient arboricultural documentation to assess the application with regard to tree protection and working methodology around the small number of tree identified for retention.

The proposed mitigation measures are poor and have not been presented to show due consideration to the Bristol Tree Replacement Standard within the Planning obligations SPD.

The trees are protected by TPOs 282 and 1321; and this has been given no consideration regarding design layout or retention of these important amenity features.

OTHER CONSULTEES

Air Quality Officer: Raise no objection as the additional traffic generated by the proposal is below the threshold at which air quality effects are considered significant.

Pollution Control: There are no issues with the current Burger King premises. Raise no objections. Recommend conditions.

Nature Conservation: Raise no objections. Recommend conditions.

Sustainable City Team: Raise no objections. Recommend conditions.

Flood Risk Team: Raise no objections. A detailed Sustainable Drainage Strategy for management of surface water would be required through the reserved matters application in the event of an approval.

Land Contamination: Raise no objection. Recommend conditions.

Urban Design: No comments received.

EXTERNAL CONSULTEES

The Coal Authority: Raise no objection. Recommend condition.

The Bristol Waste Company: Raise no objection.

Wales and West Utilities: Raise no objection.

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KEY ISSUES

(A) IS THE PRINCIPLE OF RETAIL DEVELOPMENT ACCEPTABLE IN THIS LOCATION?

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the Development Plan, unless other material considerations indicate otherwise.

Eastgate Retail Park is one of four retail parks found in the city which are not identified within the hierarchy of retail centres set out under Policy BCS7 of the Bristol Core Strategy. It is therefore defined as an 'out of centre' location and there are no specific policies which protect and promote retail provision in such locations.

The application therefore proposes a number of 'main town centre uses' (in this case retail and food and drink uses) in an out of centre location. Policy BCS7 requires designated centres to be the focus for retail, office, leisure and entertainment uses. Policy DM7 requires that "*Retail and other main town centre uses should be located within the centres identified on the Policies Map*". It states that out of centre development of main town centre uses will only be permitted where:

- i. No centre or edge of centre sites are available and the proposal would be in a location readily accessible on foot, by cycle and by public transport, or*
- ii. The proposal is of a small scale and aimed at providing for local needs.*
- iii. In assessing the availability of centre and edge of centre sites, alternative formats for the proposed uses should be considered."*

This policy requirement is known as the 'Sequential Approach' or 'Sequential Test' and is also set out in the NPPF (Paragraph 24 and 27).

The policy also states that retail development in out of centre locations will not be permitted if it would be liable to have a significant adverse impact on the vitality, viability and diversity of existing centres.

The Sequential Test

The applicant has undertaken the relevant assessments and concluded in a 'Planning, Retail and Economic Statement' (PRES) that the proposal complies with the 'sequential test' stating that there are no sequentially preferable sites either within or adjacent to any existing defined centres. A further conclusion is reached that the development would not have a harmful impact on any existing designated centres.

Section 6 of the PRES assesses alternative sites and premises based on the scale and form of the whole proposed development. The approach adopted is that there is no policy requirement to disaggregate the proposals so that a range of sites can be considered as suitable to accommodate different parts of the proposal in applying the sequential test. For clarity, this also includes the requirement to accommodate the replacement Class A3/5 retail unit, in terms of its physical design to accommodate a drive-through element.

In response to this, the Council's retail consultant has advised that this is an incorrect approach to the sequential test. The advice received is that whilst it had been assumed that the requirement for consideration of disaggregation had been dropped from national retail planning policy, recent decisions by the Planning Inspectorate suggest that the picture is mixed, depending on the circumstances of the case.

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In this case the application is in outline with no named retailers or confirmed type/style of comparison goods retailer. The applicant has put forward a suggested condition to restrict the range of goods sold to 'bulky goods'. The proposed wording would state that the retail floorspace would not be used for the sale of the following goods, unless any individual category of the following goods is sold from no more than 10% of the retail sales area.

- a) Food and Drink
- b) Adult and children clothing, shoes and accessories
- c) Jewellery and watches
- d) Pharmaceutical goods, toiletries and perfumes
- e) Books, magazines and stationary
- f) Toys and games

However, this proposed wording would allow for a significant range of non-bulky items. In so doing, the proposed unit would be attractive to a range of retail operators.

This suggests that there is no reason why separate sites and/or premises in sequentially preferable locations could not be suitable alternatives for individual units within the proposed development.

The Council's retail consultant considers that the PRES does not demonstrate flexibility in format and scale when assessing the suitability of alternative sites, and considers that there are suitable and available vacant premises within Bristol City Centre, such as within Broadmead and Cabot Circus. In addition the Horsefair/Callowhill Court redevelopment area should be considered as a suitable and available sequentially preferable alternative to the application site.

Outside the city centre, the consultant also disagrees with the findings of the PRES in respect of other vacant premises in the Fishponds town centre that in his view should not be discounted.

Accordingly, it is concluded that the applicant has failed to demonstrate that the proposed development complies with the sequential test.

It should be noted that the above is a summary and that detailed arguments have been submitted in relation to the sequential test including two legal opinions referring to various appeal decisions. The legal opinion that the Council has received states that as a matter of law the flexibility required under Paragraph 24 of the NPPF to consider format and scale is a matter of planning judgement and cannot be prescribed or limited as suggested by the applicant's QC. This includes the question of disaggregation. Further advice received was that issues of availability and the appropriate timescale for the sequential test were also questions of judgement for the Council.

Retail Impact

There is agreement that the proposed development is unlikely to have a significant adverse impact upon the health of, or investment within, defined 'town centres' in the catchment of the proposal.

(B) IS THE LOSS OF GREEN INFRASTRUCTURE ACCEPTABLE?

The proposal would result in the loss of 16 of the 19 trees on the application site and one of the three trees shown to be retained is unlikely to survive. This loss of green infrastructure has to be considered against Core Strategy Policy BCS9, which aims to protect, provide, enhance and expand the green infrastructure assets which contribute to the quality of life within and around Bristol. BCS9 states that individual green assets should be retained wherever possible and integrated into new development. Loss of green infrastructure will only be acceptable where it is allowed for as part of an adopted Development Plan Document or is necessary, on balance, to achieve the policy aims of the Core Strategy. When this is considered to apply, appropriate mitigation of the lost green infrastructure assets will be required. BCS9 further adds that open

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spaces which are important for recreation, leisure and community use, townscape and landscape quality and visual amenity will be protected and sets out criteria whereby some areas of open space may be released, through the development plan process.

DM17 provides further detail regarding development involving existing green infrastructure. The policy states that development which would result in the loss of unidentified open space (other than Important Open Space designated on the accompanying SA and DM Policies Map) which is locally important for recreation, leisure and community use, townscape and visual amenity will not be permitted.

In respect of trees, DM17 states:

“All new development should integrate important existing trees.

Development which would result in the loss of Ancient Woodland, Aged trees or Veteran trees will not be permitted.

Where tree loss or damage is essential to allow for appropriate development, replacement trees of an appropriate species should be provided.”

The area of the application site with the trees is a historic remnant of a landscaped garden (Circa 1900) from the former gas works that occupied the site. It is protected by two TPOs and contains several trees with potential veteran characteristics. This green infrastructure would effectively be lost through implementation of the development proposed. It is an important landscaped area of open space that provides significant visual amenity and relief from what is otherwise an intensely built up area on this side of Eastgate Road. Its loss would impoverish the townscape quality in all senses (aesthetic, wildlife interest, mitigation of climate change and air quality). There has been no consideration of alternative layout arrangements that might avoid or reduce the loss of trees, and indeed the applicant has advised that no suitable alternative configurations exist.

In terms of achieving the policy aims of the Core Strategy (see BCS9 above), it should again be noted that the Eastgate Centre is not a defined retail centre within the Core Strategy. It is an out-of-centre retail destination and as such is unallocated in the Local Plan.

The Core Strategy retail policy aim is to support a network of defined accessible centres in Bristol as key focuses for development and as the principal locations for shopping and community facilities as well as local entertainment, art and cultural facilities. As Eastgate is not a defined centre, its expansion does not meet this policy aim.

In view of the above, the loss of green infrastructure is unacceptable as it fails to comply with the requirements of BCS9 and DM17.

In support of the proposal, the applicant's agent has argued the following points (in response to which comments are added in brackets):

In terms of mitigation for the loss of green infrastructure, the proposal would deliver green infrastructure through:

- The delivery of sustainable buildings that meet Core Strategy policy requirements
- The delivery of a green wall
- The delivery of new landscaping within the car parking
- Assisting the Council in delivering environmental realm improvements for the proposed links to the Frome Greenway [However no detail has been provided on this point]
- Assisting the delivery of a Charging Hub for electrically powered vehicle modes by providing land within Eastgate Centre for the facility [Discussions had commenced on this possibility,

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however, due to funding issues charging hubs cannot be located on private land such as Eastgate Centre]

- Works to the oak tree on the Eastgate roundabout to ensure its protection and enhancement

The applicant contends that the loss of the trees is ... *“de minimus in the context of the overall landscaped areas that surround the Eastgate Centre”*, but has agreed to provide a payment of £38,269 in accordance with the Bristol Tree Replacement Standard.

In addition the agent notes that the proposal would deliver £192,000 in the form of a Community Infrastructure Levy payment, 15% of which would be provided to the Lockleaze Neighbourhood Partnership (£28,000). The agent suggests that some of this payment could be used to provide replacement green infrastructure in the vicinity.

Further points raised in support are as follows:

- The application accords with the relevant policies in the Local Plan [As set out above it does not comply with the relevant policies in the Local Plan]
- The new facilities will support Eastgate Centre as a key retail destination in the hierarchy of Bristol’s retail offer [Eastgate Centre is not a defined retail centre and is unallocated in the Local Plan. Notwithstanding this point, the Eastgate Centre has consistently traded well and currently has no vacancies. Following the removal of restrictions on the range of goods that can be sold (reference: 16/01193/X), it is now attractive to a wider range of retail operators further securing its vitality]
- Food and Drink facilities will increase the dwell time at the Eastgate Centre and provide employment [This would equally apply if the development was located in a defined centre in accordance with the sequential test]
- Retention of the existing employment and service facilities through relocation of the existing Burger King facility
- Delivery of development that promotes sustainable retail trips through the co-location with existing facilities [This would apply equally if not more so if the development was located in an existing defined centre in accordance with the sequential test]
- The delivery of retail facilities that would not harm existing town centre vitality and viability [If located in a defined centre, the facilities would improve that centre’s vitality and viability]
- The creation of additional employment [The additional employment would occur if the development was located in a defined centre]
- Support by CPG (applicant) of the Easton Business Improvement District (‘BID’) application

(Please refer to the agent’s letter of 26th April 2018 appended to this report for full details of the above.)

To conclude, it is considered that the points raised do not provide justification to outweigh the provisions of the relevant policies of the Local Plan as outlined above. Accordingly, the removal of this important area of green infrastructure is unacceptable.

(C) IS THE PROPOSAL ACCEPTABLE IN TERMS OF TRANSPORT AND MOVEMENT ISSUES?

The detailed comments submitted by Transport Development Management are set out above.

In summary, there is an issue over the proposed relocation of the zebra crossing on Eastgate Road as the cycle path should be re-sited so that it links directly to the relocated crossing. As proposed it is not on the desire line for pedestrians and cyclists who may choose not to use it, thereby placing themselves at risk of being hit by approaching vehicles. Moving the crossing without altering the cycle path would introduce an unacceptable risk. As a principle, highway proposals must not give rise to unacceptable traffic conditions that would occur if this scheme was implemented.

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In response to this the applicant refers to Paragraph 32 of the NPPF and the consideration of whether a proposal would have a severe impact on the highway network. However, the word 'severe' refers not just to traffic impact but considers the scheme as a whole. As such, although it is appreciated in terms of actual movements the proposal is unlikely to have a significant impact on the highway network, the re-location of the crossing and the adverse impacts on the risk of vehicle/pedestrian/cycle collisions as set out in the submitted Road Safety Audit is considered unacceptable. Therefore the proposal can be considered 'severe' and as such is contrary to the NPPF and Local Plan policies BCS10 and DM23.

In all other respects the proposals are considered acceptable in terms of transport and movement issues.

(D) ANY OTHER ISSUES:

Air Quality: Many of the objections received refer to deterioration in air quality as a result of the proposals. However, the advice received from the Air Quality Team is that the additional traffic generated by the scheme is below the threshold at which air quality effects are considered significant.

In terms of all other relevant issues such as flood risk, nature conservation, pollution control and sustainability the proposals are considered acceptable.

CONCLUSION

It is considered that the proposal fails to satisfy the sequential test required under long established retail policy and should be refused, as stated at Paragraph 27 of the National Planning Policy Framework and in accordance with Local Plan policy DM7.

The proposal would result in the loss of green infrastructure protected by two Tree Preservation Orders. This is an important landscaped area providing significant visual amenity in an intensely built-up area on the south side of Eastgate Road. There is no justification to allow for the loss of trees proposed and the proposals should be refused in accordance with Local Plan policies BCS9 and DM17.

The proposals would result in a highway safety issue through the proposed relocation of the zebra crossing on Eastgate Road and should be refused in accordance with Local Plan policies BCS10 and DM23.

RECOMMENDED REFUSE

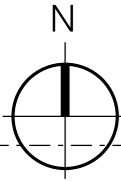
The following reason(s) for refusal are associated with this decision:

1. The Planning, Retail and Economic Assessment submitted with the application fails to satisfy the requirements of the sequential test as set out in the National Planning Policy Framework and DM7 of the Bristol Local Plan, as there are sequentially preferable, suitable and available alternatives within Bristol City Centre and Fishponds Town Centre.
2. The proposal would result in the unjustified loss of green infrastructure and as such is contrary to the provisions of policies BCS9 and DM17 of the Bristol Local Plan.
3. The proposed re-location of the zebra crossing on Eastgate Road would result in adverse impacts on the risk of vehicle/pedestrian/cycle collisions and is considered unacceptable. As such the proposal is contrary to policies BCS10 and DM23 of the Bristol Local Plan.

Supporting Documents

5. Eastgate Centre

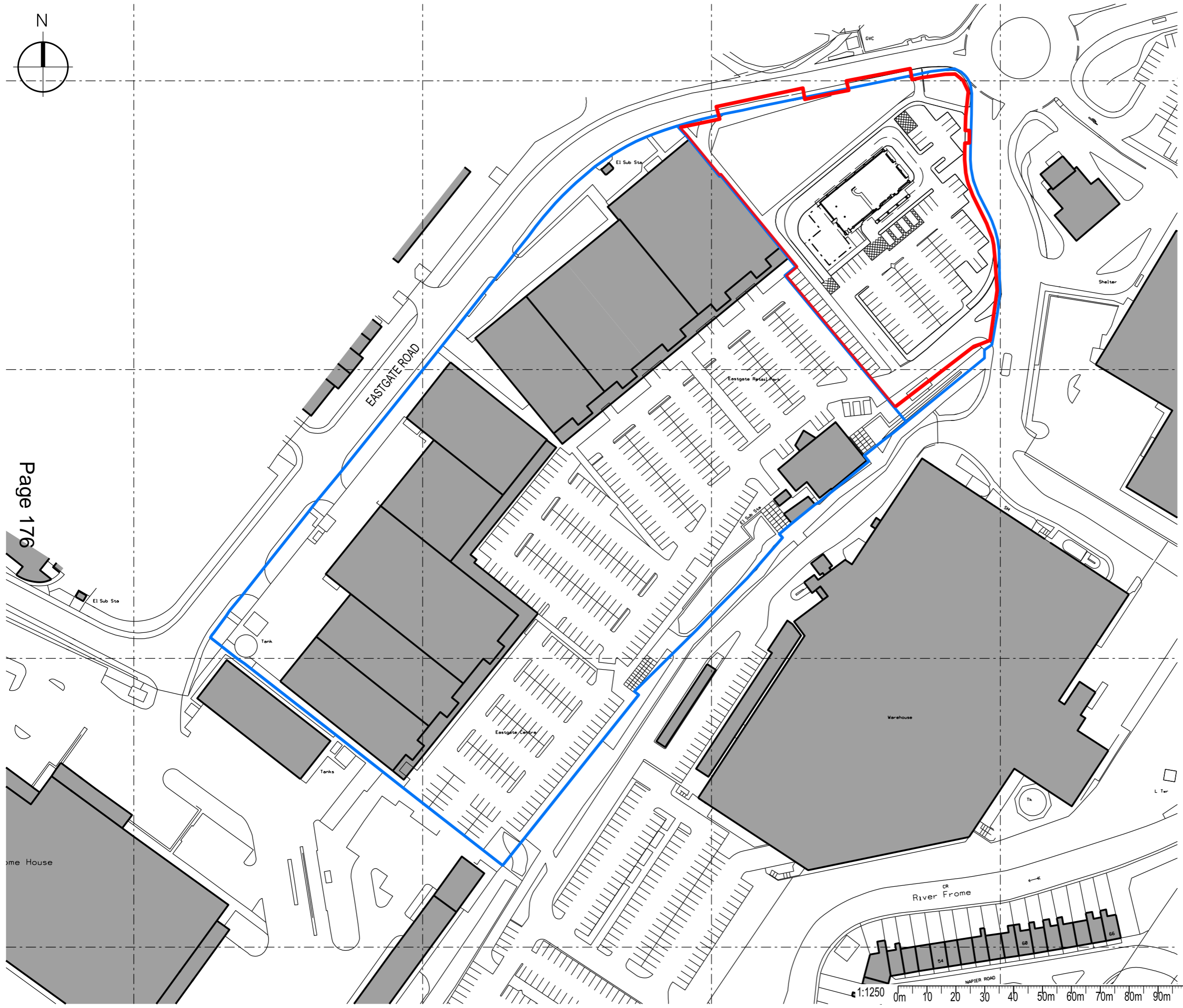
1. Site location plan
2. Proposed site layout
3. Indicative proposed elevations
4. Indicative elevations Burger King
5. Letter from agent 26th April



— OWNERSHIP BOUNDARY
 — APPLICATION BOUNDARY
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REV. DATE NOTES INIT.

CLIENT / PROJECT
 CONSOLIDATED PROPERTY GROUP
eastgate
 RETAIL CENTRE

DRAWING TITLE
 SITE LOCATION PLAN

STATUS
PLANNING

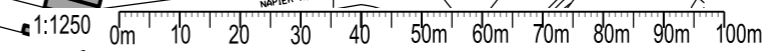
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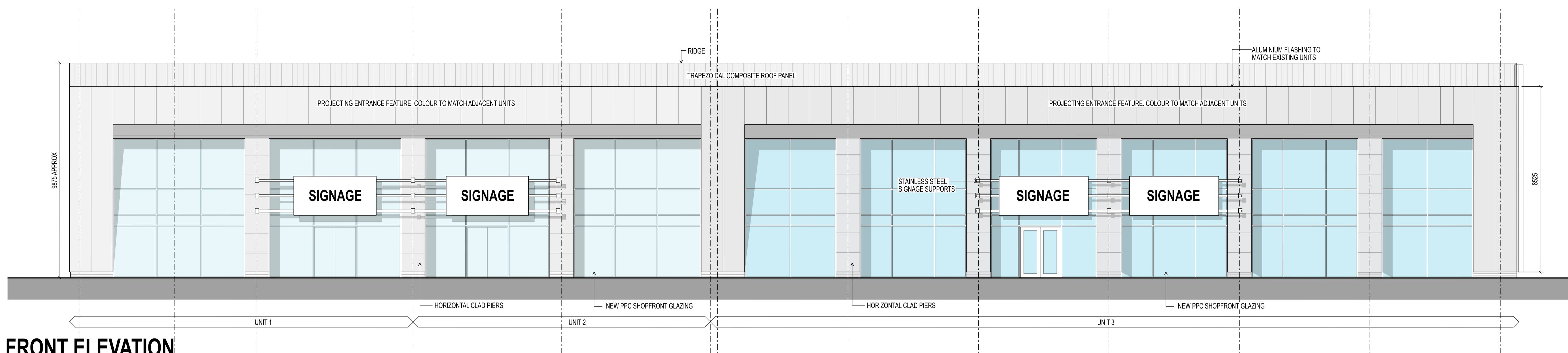
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10195	P		100	

Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Prefix Colour	C

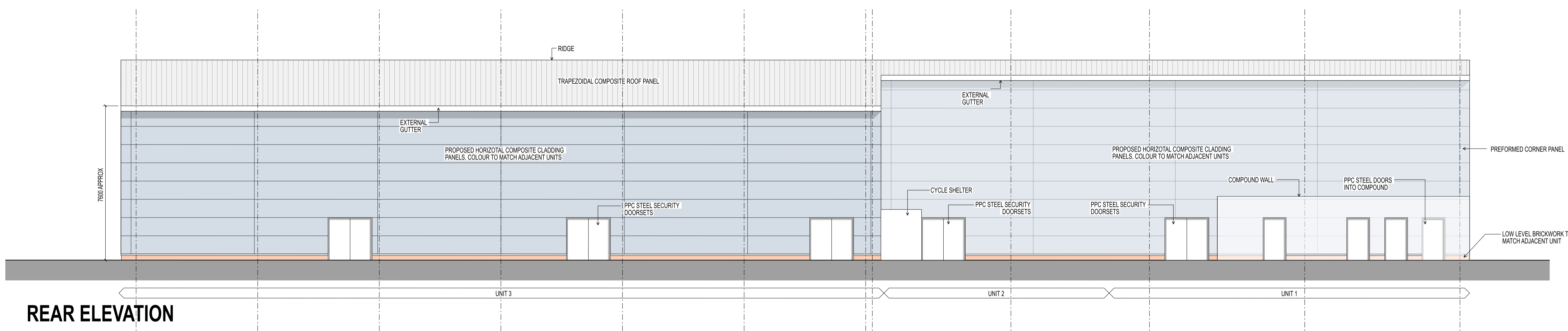
THE RATCLIFFE GROVES PARTNERSHIP
 MANCHESTER
 105 MANCHESTER ROAD
 BURY LANCASHIRE BL9 0TD
 T. 0161 797 6000 E. manchester@rgp.uk.com
 www.rgp.uk.com

LONDON
 19 BEDFORD ROW
 LONDON WC1R 4EB
 T. 020 7600 6666 E. london@rgp.uk.com

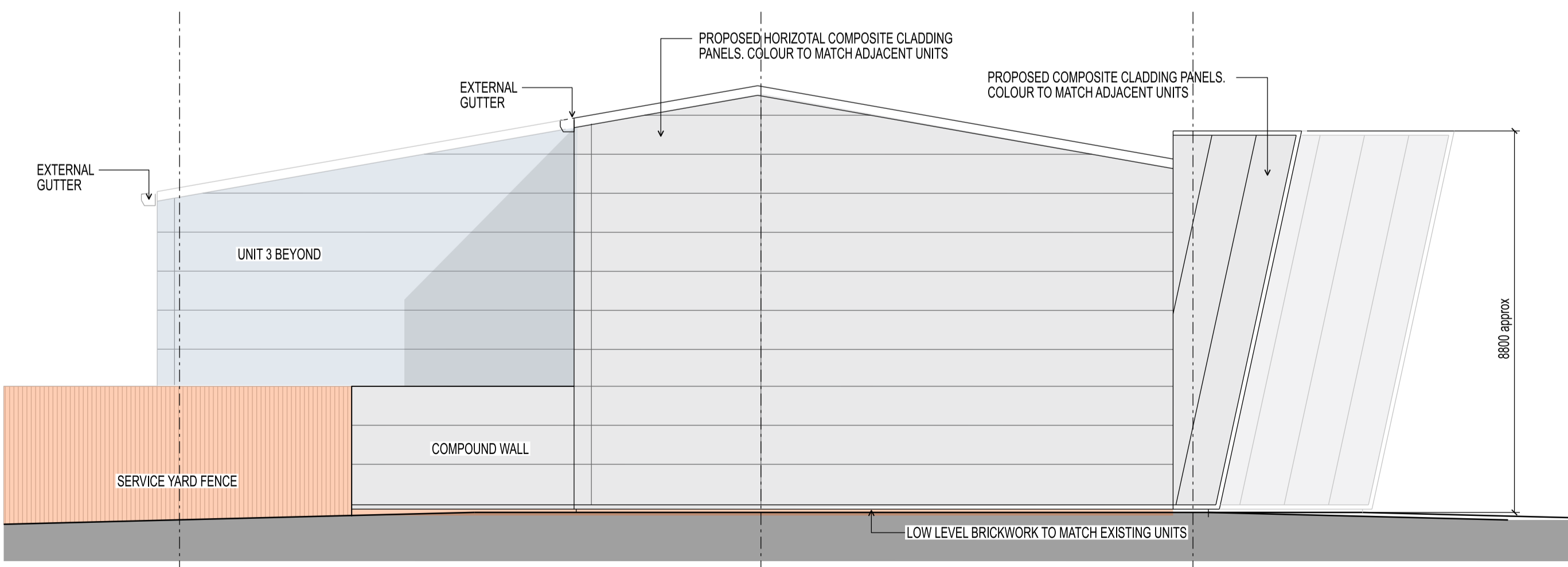




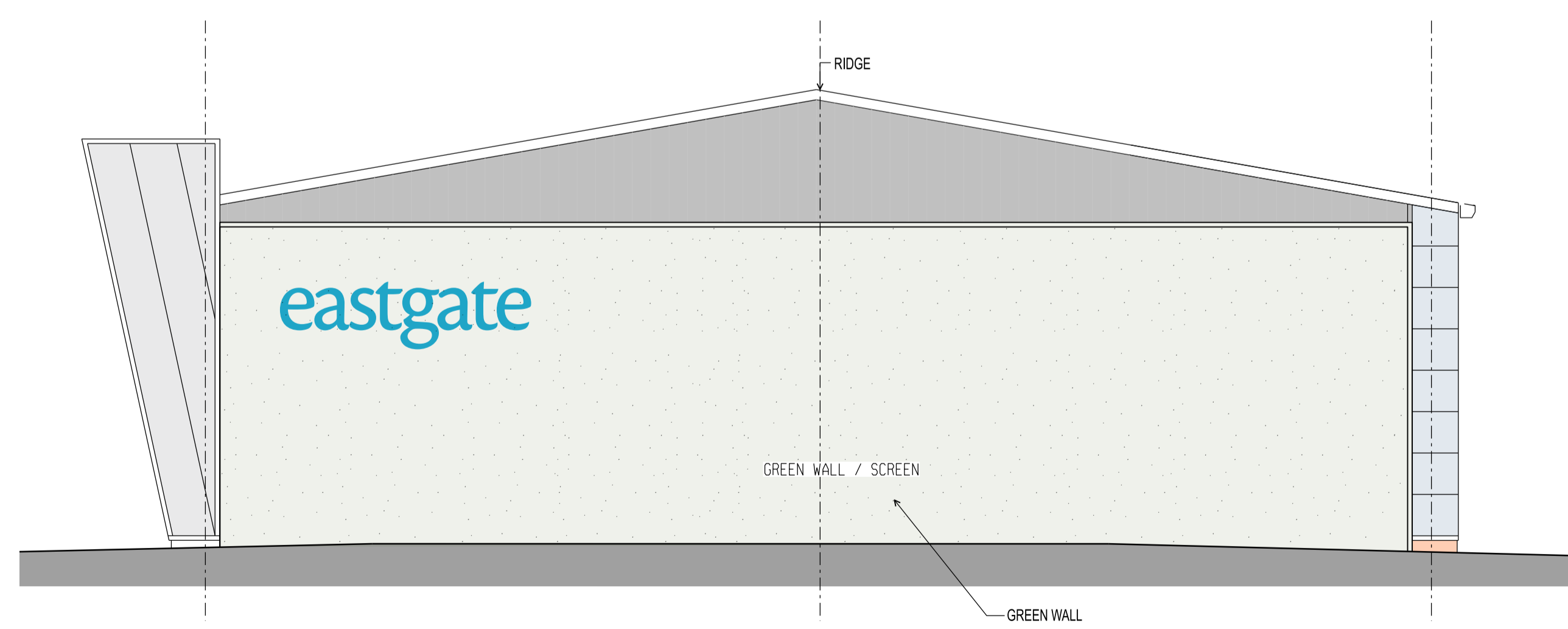
FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION (UNIT 1)



SIDE ELEVATION (UNIT 3)

Page 178

F	05.02.18	TOTEM REMOVED & GREEN WALL ADDED TO UNIT 3 SIDE ELEV. BOUNDARY WALL CHANGED TO FENCE	A/P
E	17.08.17	TERRACE UPDATED	SW
D	16.08.17	TERRACE UPDATED	SW
C	26.06.17	ELEVATIONS AMENDED	M/S
B	17.03.17	ELEVATIONS AMENDED	SW
A	27.02.17	COLORS ADDED TO ELEVATIONS	SW
REV.	DATE	NOTES	INT.

CLIENT / PROJECT
CONSOLIDATED PROPERTY GROUP
eastgate
 RETAIL CENTRE

DRAWING TITLE
 INDICATIVE PROPOSED ELEVATIONS

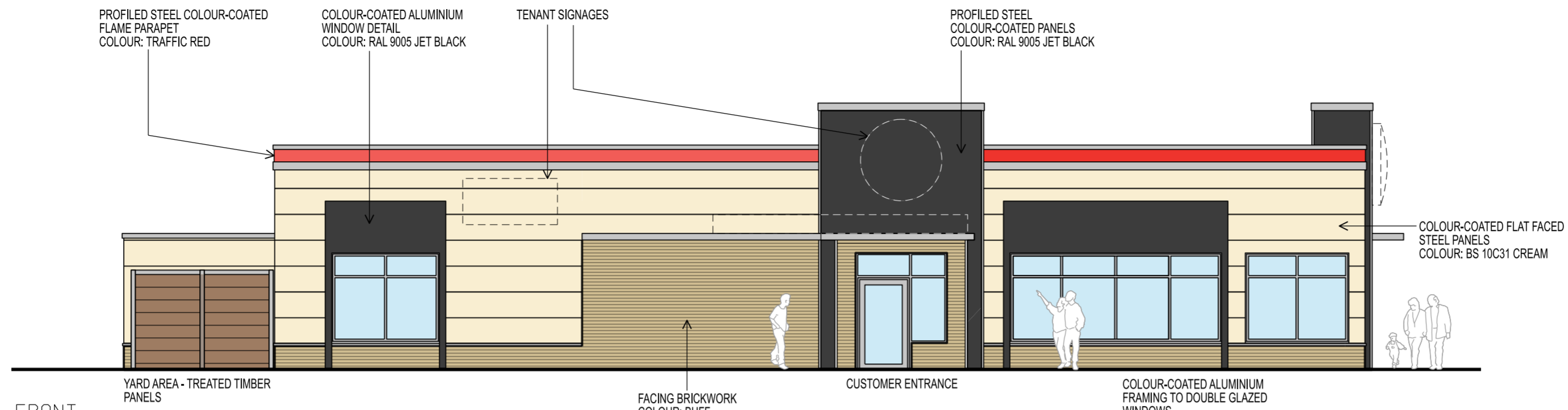
STATUS
PLANNING

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DRAWING NO.	10195	FL/COOL	S	DETAILS	REVISION LETTER

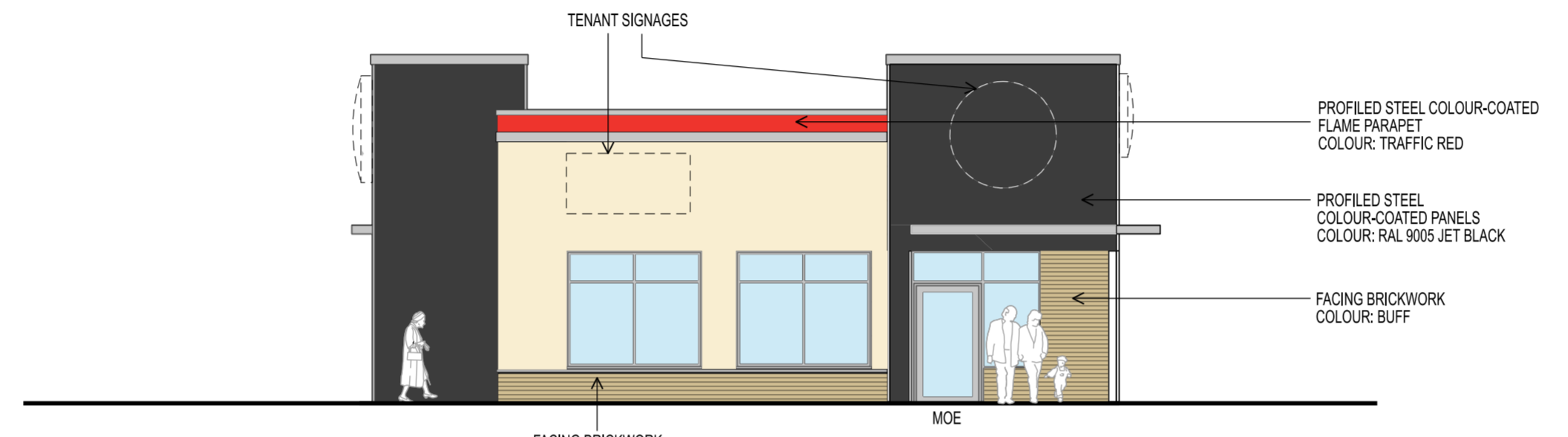
THE RATCLIFFE GROVES PARTNERSHIP
 MANCHESTER
 105 MANCHESTER ROAD
 SPOFF LANCASHIRE, BL5 6TD
 T: 0161 797 6000 E: manchester@rpg.co.uk
 www.rpg.co.uk

LONDON
 19 BEDFORD ROAD
 LONDON WC1R 4ES
 T: 020 7600 6666 E: london@rpg.co.uk

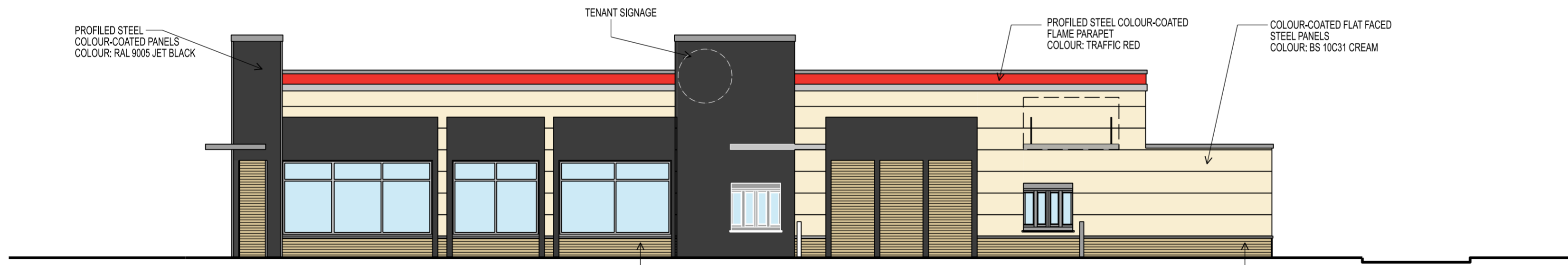




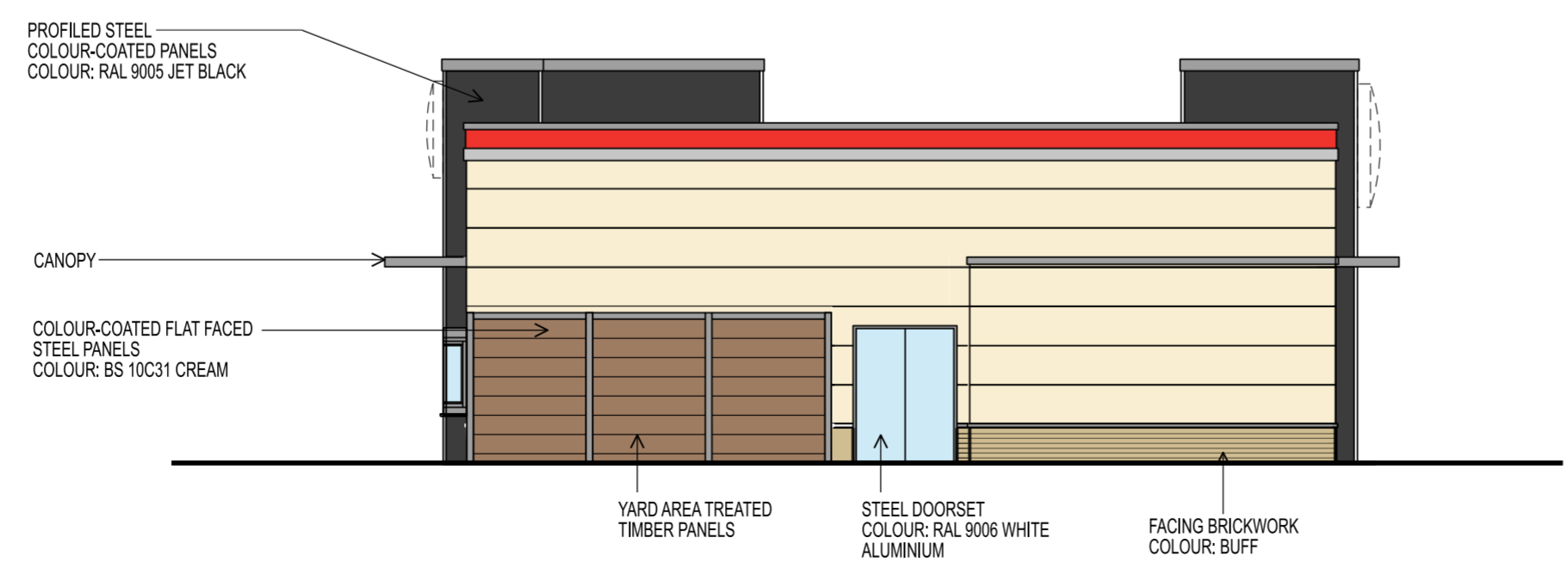
ELEVATION AA - FRONT



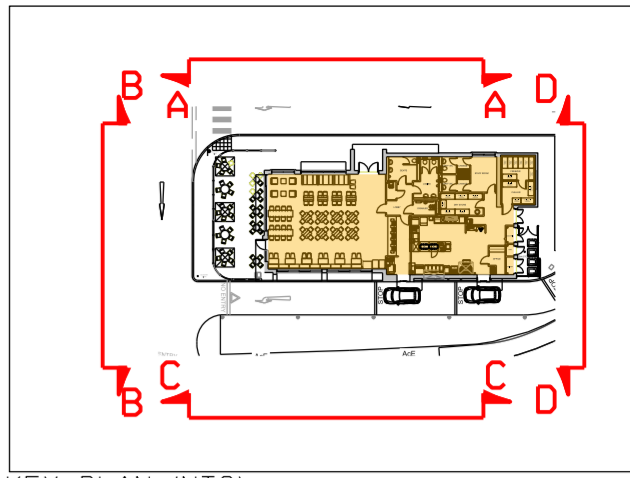
ELEVATION BB - SIDE



ELEVATION CC - REAR



ELEVATION DD - SIDE



KEY PLAN (NTS)

TENANT SIGNS SHOWN INDICATIVE AND ARE SUBJECT TO A SEPARATE PLANNING APPLICATION

REV.	DATE	NOTES	INIT.
A	22.02.17	BK LAYOUT UPDATED	SW

CLIENT / PROJECT
CONSOLIDATED PROPERTY GROUP
eastgate
 RETAIL CENTRE

DRAWING TITLE
 INDICATIVE PROPOSED ELEVATIONS
 BURGER KING

STATUS
PLANNING

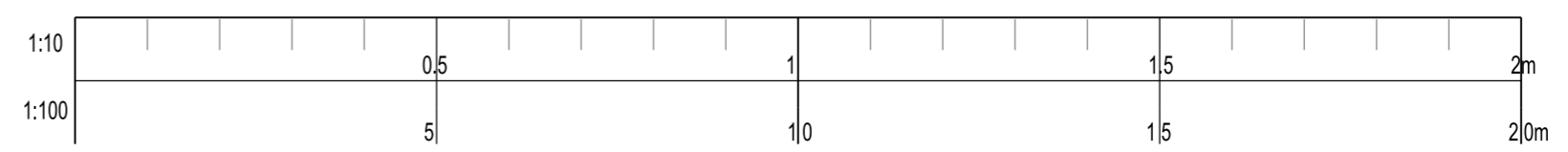
DATE	DRAWN	SCALE @ A2
AUG.17	SW	1:100

PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
10195	P	111	A	

THE RATCLIFFE GROVES PARTNERSHIP

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26 April 2018
L180426 - Benefits of the Proposal



Paul Chick
Team Leader – City Centre
Planning Services
Bristol City Council
Brunel House
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BS1 5UY

Savills
DL: +44 (0) 161 277 7274

Belvedere
12 Booth Street
Manchester M2 4AW
T: +44 (0) 161 236 8644
savills.com

Dear Paul,

**The Town and Country Planning Act 1990 (as amended)
Eastgate Retail Park, Eastgate Road, Bristol, BS5 6XX
Application Reference 18/00634/P**

**Outline Planning Application for the demolition of an existing Class A3 / A5 drive-thru restaurant and erection of new Class A1 retail unit, two Class A3 / A5 pod units and a replacement Class A3 / A5 drive-thru restaurant. Access, Layout and Landscaping sought for approval
Application by CPG Wilmslow Limited**

Introduction

We write further to our telephone conversation on 19 April 2018, and your e-mail dated 12 April. The e-mail set out matters in relation to the following points:

1. Retail policy
2. Landscaping
3. Ecological matters
4. Highways

We discussed and agreed that ecological matters and highways would be addressed imminently and that they would not result in a reason to refuse the planning application.

On retail policy matters, we have provided substantial evidence that demonstrates the proposal is acceptable in retail policy grounds both as part of the application submission and subsequently both in the form of comments to address the matters raised in your e-mail of 12 April and a Legal Opinion from Leading Counsel, David Elvin QC.

It is agreed that the proposed development will not have a significant adverse impact on defined retail centres and our evidence demonstrates that the proposal satisfies the sequential test. Our approach to the sequential test is endorsed by a number of parties including those advising the Council and development partners and we would be hopeful that the Local Planning Authority confirms that this matter is addressed prior to taking the application to planning committee. We don't propose to reiterate in detail the case on the sequential test, other than to state that there is no policy that requires retail proposals to be disaggregated. The whole proposal needs to be considered as that is what is proposed. There are no available sites that are suitable for the proposed development, which comprises a replacement drive-thru, two small pod units and a bulky goods retail warehouse. The sequential test is satisfied.



As the proposed retail development will be restricted to the sale of bulky goods, it will not compete with the City Centre in terms of existing trade, nor will it compete with the City Centre for occupiers. Occupiers that would operate under the proposed condition will be large format bulky goods retail warehouse occupiers.

Our view therefore is that there is only one matter between the parties, which relates to landscaping matters. This letter sets out details of the material considerations that weight heavily in favour of the grant of permission and should outweigh any concerns over the landscaping that is removed as a result of the planning application.

Policy Background

The Local Planning Authority's position is that the removal of the landscaping conflicts with Policies BCS9, DM15 and DM17 of the development plan. For ease of reference, we set out the policy text below. It is firstly however important to note that the landscaped area that is affected by the proposal is not 'Important Open Space' as defined on the Council's Local Plan Policy Map. There are areas around the wider Eastgate Centre that benefit from this designation. That is not the case here and so it follows that the Council itself does not consider the landscaped area to be Important Open Space in the development plan that requires protecting. The approach to have substantial concerns over its removal when there are substantial benefits realised by the proposed development conflicts with relevant planning policies.

The policy text referred to above is:

Policy BCS9

'The integrity and connectivity of the strategic green infrastructure network will be maintained, protected and enhanced. Opportunities to extend the coverage and connectivity of the existing strategic green infrastructure network should be taken.'

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

Development should incorporate new and/or enhanced green infrastructure of an appropriate type, standard and size. Where on-site provision of green infrastructure is not possible, contributions will be sought to make appropriate provision for green infrastructure off site.'

Policy DM15

'...Trees

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

The design, size, species and placement of trees provided as part of the landscape treatment will be expected to take practicable opportunities to:

- i. Connect the development site to the Strategic Green Infrastructure Network, and/or Bristol Wildlife Network; and*
- ii. Assist in reducing or mitigating run-off and flood risk on the development site; and*
- iii. Assist in providing shade and shelter to address urban cooling; and*
- iv. Create a strong framework of street trees to enclose or mitigate the visual impact of a development.'*

Policy DM17

'All new development should integrate important existing trees.'

Development which would result in the loss of Ancient Woodland, Aged trees or Veteran trees will not be permitted.

Where tree loss or damage is essential to allow for appropriate development, replacement trees of an appropriate species should be provided, in accordance with the tree compensation standard below:...

Policy DM15 requires additional management of existing trees and new landscape opportunities to meet certain criteria. The existing trees are not managed, but the grant of permission provides the Local Planning Authority with an opportunity to ensure that existing trees are managed appropriately. It is common-place for a landscape management condition to be imposed on the grant of permission and it would be appropriate to include in this instance. We understand that there are no concerns over the landscaping proposed as part of the application, but the removal of existing trees is resisted. Accordingly, the proposal doesn't conflict with Policy DM15.

Policy BCS9 does not provide a bar to the removal of trees, and enables the Local Planning Authority to take a balanced judgement to considering proposals. Likewise none of the trees are characterised as 'Aged trees or Veteran trees' and there is no policy bar under Policy DM17 to the removal of the trees. In any event, the National Planning Policy Framework ('The Framework') is clear at Paragraph 118 that the grant of permission can be forthcoming where Aged trees or Veteran trees are proposed to be removed, if the benefits of the development clearly outweigh the removal of the trees.

It follows that there is no policy bar to the removal of the trees and the matter is a planning judgement which should be weighed against the benefits of the proposed development in accordance with the requirements of relevant policies in the development plan.

Likewise the provision for planning judgement is encapsulated in Policy DM1 of the development plan and Paragraph 14 of The Framework, which sets out the presumption in favour of sustainable development and confirms that permission should be granted unless any adverse impacts of granting permission would significant and demonstrably outweigh the benefits of the proposal¹.

Paragraph 21 of The Framework provides clear policy support for proposals that secure sustainable economic growth and confirms that:

'Investment in business should not be over-burdened by the combined requirements of planning policy expectations.'

Paragraph 70 of The Framework also confirms that planning decisions should: *'ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community.'*

In the light of the above, it is clear in relation to landscaping matters that:

1. The trees at the site are not Aged trees or Veteran trees and so their removal is not expressly prevented by Policy DM17 – we comment that The Framework does not prevent the removal of such trees in any event.
2. The development plan policies provide a requirement to consider all matters when weighing up the balance of whether a proposal that results in the removal of trees is acceptable.
3. Investment in business that secures sustainable economic growth should not be over-burdened by the requirements of planning policy.

¹ Savills notes that this is where there are no policies relevant to the application or relevant policies are out of date, but consider the emphasis of planning judgement is encapsulated in this requirement.

It follows that a planning judgement on the removal of trees in accordance with the requirements of planning policy must be taken in full view of all other planning matters before concluding whether their removal is acceptable or not. We do not consider that the Local Planning Authority has approached the removal of the trees in this way and accordingly, has not applied the policies of either the development plan, or The Framework in the way that they are required. We set out as follows that when assessed in the round, the conclusion on the proposal is that:

1. There are overwhelming benefits delivered by the application proposal
2. There is an urgent requirement for the proposal
3. The proposal is positive investment in Bristol
4. The proposal has substantial community benefits
5. The benefits of the proposal far outweigh the loss of trees
6. Accordingly, the proposal accords with the development plan

We therefore conclude that the balancing judgement applied to the proposal tilts the balance firmly toward the grant of permission.

Background: The Proposal

The Local Planning Authority is aware that the Eastgate Centre is an important retail facility in the City and that there is a strong level of support for its ongoing vitality and viability from Councillors and residents. There is specific support from Councillors for this application.

Not only is the Eastgate Centre an important retail facility, it is a valuable economic location providing substantial levels of employment for local residents, with at least 630 people employed at the Centre.

The Centre is therefore of strategic importance as a retail facility and employment location to local residents.

CPG acquired the Eastgate Centre in 2011 and have sought to proactively promote its importance and devise strategies that ensure its future vitality and viability. The initial phase of the strategy was to ensure that conditions preventing the sale of certain goods were removed to ensure that any vacant retail space that arose could quickly be occupied to ensure continuity of retail and employment provision in the local area. Whilst that application was either refused or recommended to be refused by officers on a number of occasions, Members of the Planning Committee provided officers with a clear position in granting permission to remove those restrictions against officer recommendation to refuse in 2016² that the Eastgate Centre is an important and vital retail destination in the retail hierarchy of Bristol that meets the shopping needs of the local community and fulfils a district centre role. Accordingly, Councillors requested that officers designate the Eastgate Centre as a district centre in the Local Plan Review. A representation to request that appropriate designation for the Centre in the Local Plan Review was submitted on the 21 February 2017.

Subsequently, CPG has continued to proactively promote the Eastgate Centre to ensure its future vitality and viability including through applications to enhance the branding and signage at the Centre, and this current application that will deliver buildings that meet modern occupier requirements, increase the retail offer and dwell time at the Centre and create enhanced employment opportunities. The proposal therefore assists in future-proofing the Eastgate Centre as an important retail destination in the City and assists CPG in being able to maintain current retail provision at the site, and in turn local employment.

² Application Reference 16/01193/X

The Council will be alert to uncertainty in the retail occupier market at present and the Eastgate Centre is not immune to this uncertainty. The uncertainty surrounding the Cribbs Causeway proposal and the prospect of its delivery is also impacting on tenant discussions at the Eastgate Centre. Ensuring that the Eastgate Centre can fulfil its role as an important retail facility and employment generator in Bristol should therefore be considered an important economic objective of the Council. The proposal is positive investment in Bristol that assists in securing the sustainable economic growth of the City through the delivery of positive economic development that will assist with the vitality of the existing retail destination and ensure that it can contribute to meeting existing and future retail and economic needs in the City.

We note that the Council has been supportive of initiatives at Imperial Retail Park in the south of the City to ensure that it can evolve and contribute vitally and viably to the retail offer of the City. These proposals include the removal of Tree Preservation Order (TPO) trees³. The Eastgate Centre fulfils a similar role to Imperial Retail Park, but in the north of the City. We consider that efforts that identify its important contribution to the retail offer of the City and proposals that promote its vitality and viability should be supported for the same reasons that proposals at Imperial Retail Park are supported. Ensuring this important retail destination in Bristol can contribute vitally and viably to meeting local residents' retail needs is a material consideration for that weighs in favour of the grant of permission.

Consideration: The Proposal

The above frames the context for the urgent requirement and the positive benefits that it will deliver. The substantial benefits that the proposal delivers, means that when all matters are weighed in the planning balance, the proposal does not conflict with either Policy BCS9 or DM17, namely:

1. The proposal is necessary as demonstrated above and meets other policy aims in the development plan
2. The removal of the trees is essential to the delivery of the proposal to support the vitality of the Eastgate Centre as an important retail and employment location in Bristol

It is critical to the retention of Burger King at the site that a new drive-thru facility is delivered for this occupier. The Council will be aware that the economics of development mean that it is not as simple as demolishing the existing Burger King and delivering a new drive-thru restaurant in its place. That would not be viable. Funding is required to deliver the new facility which only arises through the delivery of the remainder of the development. The proposal is a composite proposal that will be delivered in a single construction phase.

There are no other locations at the site that the proposal can be delivered on. The remaining land at the wider site is car parking land to the front of existing units and is not suitable to accommodate the proposal. A new drive-thru could not be placed on the site of the existing drive-thru with the remainder of the development in the location of the proposed drive-thru. There is not sufficient space to accommodate the remainder of the development on the location of the proposed drive-thru and nor would any suitable configurations exist that would deliver the necessary infrastructure required to deliver the development including servicing provision. Commercially no retailer would take a retail unit on that corner. The commercial requirement is for a unit to front face onto the car park in a consistent manner to the existing retail terrace.

There is no alternative configuration or location on the site that could deliver the proposed development. The development proposed is the only appropriate configuration that can be delivered at the site.

The removal of trees is necessary to accommodate the development. Against that background, there is no conflict with Policies BCS9 or DM17 providing:

1. Appropriate mitigation is provided

³ Permission Reference 17/00996/F

2. Replacement trees are provided

We set out below how appropriate mitigation is provided, and provision is made for replacement trees. Therefore, the proposal accords with Policies BCS9 and DM17. The landscaping scheme submitted with the application demonstrates the maximum amount of landscaping that can be retained as part of the proposal and having reviewed matters further with our Arboriculturalist and Landscape Consultant, it is appropriate that a Arboricultural Method Statement is required as a pre-commencement of development condition to avoid conflicts with construction.

In terms of mitigation to address the removal of landscaping, the proposal delivers a substantial amount of green infrastructure, namely:

1. The delivery of sustainable buildings that meet:
 - a. The Council's energy efficiency requirements;
 - b. On-site renewable energy generation; and
 - c. Drainage and flooding requirements.
2. The delivery of a Green Wall on the north east elevation of the proposed Class A1 retail building to deliver amenity value and an architectural focal point to the development.
3. The delivery of new landscaping within the car parking and around the site boundary.
4. Assisting Bristol City Council in delivering environmental realm improvements for the proposed links to the Frome Greenway (which runs alongside the M32) from the Stapleton Road area and connecting to the Eastgate Centre under the M32. The applicant is in discussions with Lucy Empson, the Council's Landscape Architect over possibilities for this scheme, which is of strategic importance to the Council.
5. Assisting the delivery of a Charging Hub for electrically powered vehicle modes by providing land to the Council at the Centre to enable the delivery of this facility. This is a specific strategic objective of the Council that my client will facilitate and can only be delivered if permission is granted as part of the development. The applicant is currently working up plans for this facility with Gill Galloway, the Council's Project Manager. The Hub will improve the environmental credentials of the Centre as a whole and is a substantial environmental benefit, reducing the reliance on the use of carbon producing fossil fuels.
6. Works to the oak tree on the Eastgate Road roundabout to ensure the protection and enhancement of this tree.

In terms of replacement trees, the applicant accepts that there is limited scope for replacement trees on site, although it is important to note that there is substantial landscaping that exists around the Eastgate Centre and the removal of trees at the application site is *de minimus* in the context of the overall landscaped areas that surround the Eastgate Centre. Accordingly, the applicant has acknowledged as part of this application and that previously withdrawn that there will be a requirement for a contribution to off-set the removal of trees in accordance with the Council's Planning Obligations Supplementary Planning Document adopted 27 September 2012.

We note from the response from the Council's Arboricultural Officer, Matthew Bennett, dated 23 April 2018, that a contribution of £33,660 is required. The applicant is committed to this contribution.

The contribution can be put towards delivering environmental realm improvements for the proposed links to the Frome Greenway and so the landscape mitigation can be in the immediate vicinity of the site and meet strategic landscape objectives of the Council. In addition, the proposal will deliver £192,000 in the form of a Community Infrastructure Levy ('CIL') payment. 15% of the CIL payment will be provided to the Lockleaze Neighbourhood Partnership (i.e. £28,800). The remainder of the CIL payment can be put towards infrastructure schemes to

support the regeneration of Lockleaze under the terms of the Council's Regulation 123 List, meaning further green infrastructure can be provided in the immediate vicinity of the site. These are all important material considerations that tilt the balance firmly toward the grant of permission.

The wider benefits of the proposal in addition to the green infrastructure benefits are set out in Section 4 of the Planning, Retail and Economic Statement provided with the application and replicated as follows for ease of reference:

1. The application accords with relevant policies in the development plan and material considerations. The proposal is therefore sustainable development that benefits from the presumption in favour set out at Paragraph 14 of The Framework.
2. The introduction of new retail facilities that will support the offer of the application site as a key retail destination in the hierarchy of Bristol's retail offer, particularly serving its local residents.
3. Food and drink facilities that will increase the dwell time at the Retail Park and increase its attraction that will have positive economic benefits in terms of on-site employment and supporting the retail offer of the existing Centre. This will assist in future-proofing the Retail Park to ensure that it can continue to be a viable important retail and economic location serving residential areas in the immediate surrounds and to the north of Bristol.
4. The retention of existing employment and service facilities through the relocation of the existing Burger King facility.
5. The delivery of development that promotes sustainable retail trips through the co-location with existing facilities where there will be high cross-visitation.
6. The delivery of retail facilities that will not harm existing town centre vitality and viability.
7. The creation of an additional 40 employment positions. The employment is provided in areas where long-term unemployment is higher than the City-wide area. It follows that there is an acute need to promote economic growth within the area where the site is located. In addition, the proposal supports existing jobs at a substantial employment location in the City. Considerable weight should therefore be given to supporting proposals for economic development that provide new employment and support existing employment.
8. Support by CPG of the Easton Business Improvement District ('BID') application.

Summary and Conclusion

All of the above benefits are directly related to the proposal and will only be realised through the grant of permission. Under the requirement to consider all material considerations as part of the planning balance to appraising an application, the benefits of the proposed development overwhelmingly tilt the balance firmly in favour of granting permission. In our discussions you confirmed that little weight is being given to either the proposed green infrastructure benefits set out above, including those measure proposed that meet strategic aims of the Council, nor the wider benefits of the proposal. We consider therefore that a full view on planning judgement is not being taken as is required by policy. When weighed into the planning balance the environmental, social and economic benefits all tilt the balance firmly toward the grant of permission.

Taking into account all of the evidence before the Council, the proposal accords with all relevant policy considerations⁴ as set out below.

⁴ Savills notes that highway and ecological matters are being addressed, but that it is agreed between the Local Planning Authority and the applicant that these matters will be addressed. We also note that the Local Planning Authority has not provided a final position on

Policy Consideration	Addressed
Highways	✓
Accessibility	✓
Flooding	✓
Sustainable Building Design	✓
Renewable energy generation	✓
Sustainable Construction	✓
Drainage	✓
Ecological	✓
Amenity	✓
Retail Policy Considerations: The Impact Assessment	✓
Retail Policy Considerations: Sequential Test	✓
Sustainable Economic Growth	✓
Landscape	✓
Sustainable Transport	✓
Environmental	✓
Ecology	✓
Coal Mining Matters	✓
Conservation	✓
Access	✓
Layout	✓

Accordingly, the proposal complies with the following policies in the development plan:

- BCS3 – Northern Arc and Inner East Bristol – Regeneration Areas
- BCS7 – Centres and Retailing
- BCS8 – Delivering a Thriving Economy
- BCS9 – Green Infrastructure
- BCS11 – Infrastructure and Developer Contributions
- BCS13 – Climate Change
- BCS14 – Sustainable Energy
- BCS15 – Sustainable Design and Construction
- BCS16 – Flood Risk and Water Management
- BCS20 – Effective and Efficient Use of Land
- BCS21 – Quality Urban Design
- BCS23 – Pollution
- DM1 – Presumption in Favour of Sustainable Development
- DM7 – Town Centre Uses
- DM10 – Food and Drink Use and the Evening Economy
- DM15 – Green Infrastructure Provision
- DM17 – Development Involving the Loss of Existing Green Infrastructure

retail policy considerations in relation to the sequential test, but as set out above, the substantial evidence before the Council demonstrates that the sequential test is satisfied.

- DM19 – Development and Nature Conservation
- DM23 – Transport Development Management
- DM26 – Local Character and Distinctiveness
- DM27 – Layout and Form
- DM28 – Public Realm⁵
- DM29 – Design of New Buildings
- DM32 – Recycling and Refuse Provision in New Development
- DM33 – Pollution Control, Air Quality and Water Quality

We would be grateful if you could confirm all of the policies that the proposal accords with as part of any committee report on the application.

If you have any questions, please contact either Matthew Sobic or Brad Wiseman.

Yours sincerely



Savills (UK) Limited
Planning

cc. Zoe Willcox – Bristol City Council Head of Planning
Garry Collins – Bristol City Council Head of Development Management

⁵ This will be secured through the contribution that can be used for the Froome Gateway proposals.

Development Control Committee A – 21 June 2018

ITEM NO. 6

WARD: Lawrence Hill

CONTACT OFFICER: David Grattan

SITE ADDRESS:

Site ND6 Temple Quay Land Bounded By Providence Place, Old Bread Street & Avon Street Bristol BS2 0ZZ

APPLICATION NO: 17/04673/F

Full Planning

DETERMINATION DEADLINE: 25 March 2018

Erection of a 6- to 11-storey building comprising 120 no. (PRS - privately rented sector), residential units (1-, 2- and 3-bed), 524 sqm of flexible commercial floorspace (Use Classes A1, A2, A3, A4, B1a, D1 or D2) at ground floor level and associated development, including landscaping, public realm, bin storage, plant areas and cycle parking (Major application).

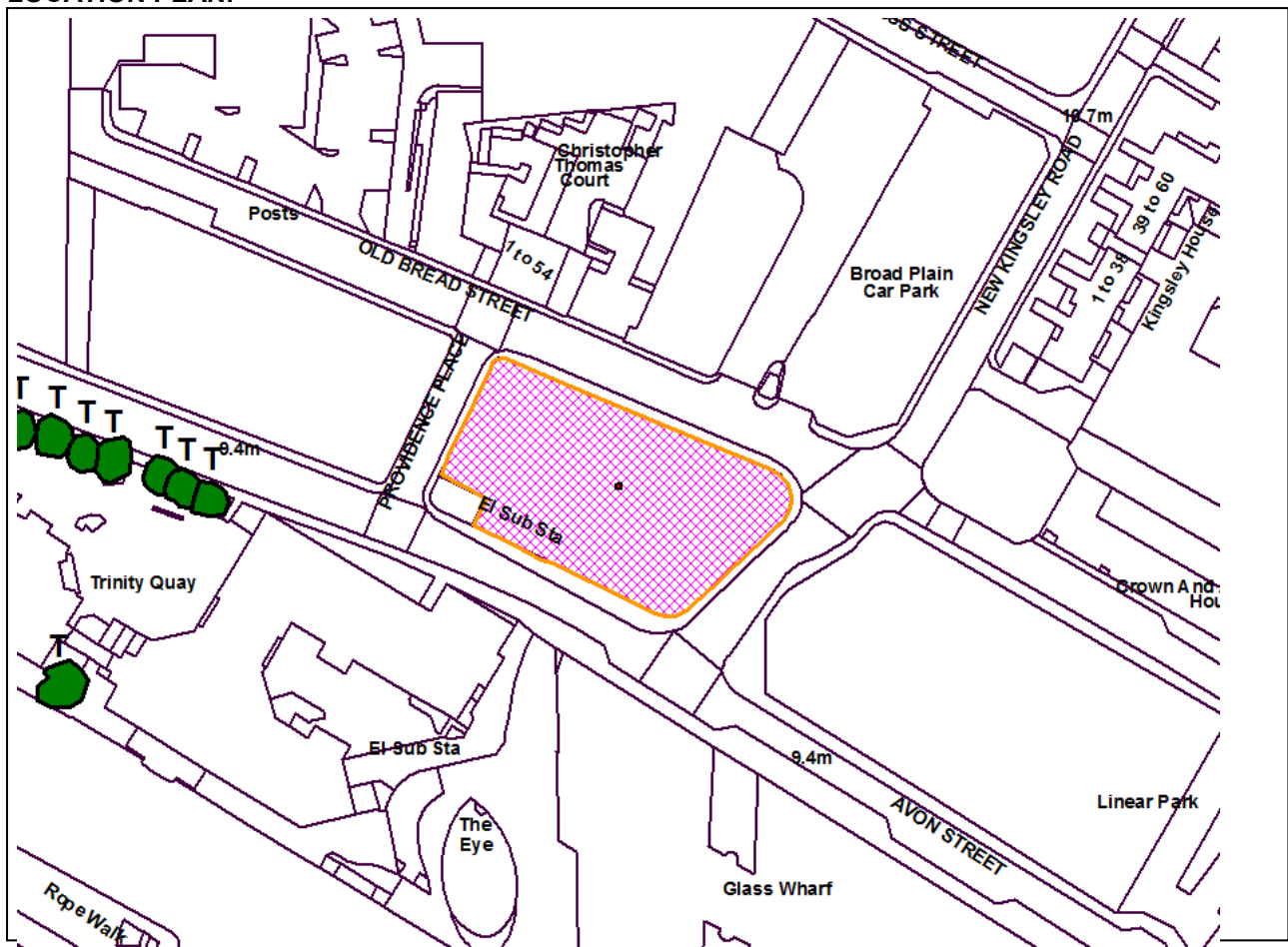
RECOMMENDATION: GRANT subject to Planning Agreement

AGENT: GVA
St Catherines Court
Berkeley Place
Bristol
BS8 1BQ

APPLICANT: Legal and General Property Ltd
c/o agent

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

LOCATION PLAN:



Development Control Committee A – 21 June 2018**Application No. 17/04673/F****Site ND6 Temple Quay Land Bounded By Providence Place, Old Bread Street & Avon Street, Bristol BS2 0ZZ****SITE DESCRIPTION**

The application site (known as 'ND6') is located within the Temple Quarter Enterprise Zone (TQEZ), to the east of Bristol City Centre, in the ward of Lawrence Hill. The site is bound by Old Bread Street to the north, New Kingsley Road to the east, Avon Street to the south and Providence Place to the west.

The site currently comprises an undeveloped plot of brownfield land, surrounded by hoardings.

Recent development within the surrounding area has comprised of modern mixed use development, including residential, offices and retail as part of the regeneration of the TQEZ. Land adjacent to the east of the site was granted planning permission for a residential led development in 2017 (ref: 16/04561/F) and construction work relating to this scheme has recently commenced (known as 'ND7').

The area to the north of Old Bread Street is comprised of existing residential development. The site is not within a Conservation Area. The nearest Listed Building is the Grade II Gardiner's Warehouse, former soap works, which is approximately 60m to the north west of the site.

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

RELEVANT HISTORY

17/02171/PREAPP – pre-application enquiry for a mixed-use residential-led scheme and new public realm along New Kingsley Road.

Pre-application advice issued: 04/08/2017

16/01122/P – Outline planning application for development of a single building consisting of up to 9,800 sqm of gross internal office (Use Class B1 (a)) floor space across up to seven storeys, plus a basement level car park. 'Scale' and 'Layout' to be considered only with other matters (access, appearance and landscaping) reserved. (Major Application)

GRANTED – 29/09/2016

13/02010/M – Reserved matters approval in respect of Application No. 01/01606/P as varied by App No. 12/02482/C – a 5/7 storey building comprising 78 flats (12 No. three bedroom, 34 No. two bedrooms and 32 No. one bedroom), retail unit (440 sqm), cycle parking, plant room and associated public realm (Major Application)

GRANTED – 21/04/2016

Applications on the adjacent 'ND7' site:

16/04561/F - Erection of an 8-11 storey building comprising 255 no. residential units, 536 sqm of flexible commercial / community floor space (Use Classes A1, A2, A3, A4, B1a, D1 or D2) at ground floor level, basement car park and associated development, including access,

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landscaping, bin storage and cycle parking. (Amendment to planning permission 14/03133/F) (Major Application)
GRANTED – 01/02/2018

APPLICATION

The application submitted by Legal and General Property Ltd seeks full planning permission for the erection of 6-11 storey building comprised 120 no. Private Rented Sector (PRS) residential units (1, 2 and 3 bedroom units), 524 sqm of flexible commercial floor space at ground floor level and associated development, including landscaping, public realm, bin storage, plant area and cycle parking.

The scheme proposes the delivery of 4 affordable residential dwellings.

Storey 2 – 6 of the building would provide 15no. apartments per floor, and storeys 7 – 11 would provide 9no. apartments per floor.

The façade of the building is proposed to appear as three separate buildings (known as 'Building A', 'Building B' and 'Building C') each demarked by a different height, form and material palette.

Building A would be the tallest component of the scheme (11-storeys), located on the eastern boundary of the site and fronting New Kingsley Road and the ND7 site. The material palette would comprise of red brick, red concrete with deep red metal balconies.

Building B would be 10-storeys, comprising the centre of the scheme with frontages onto Old Bread Street and Avon Street. The material palette would comprise of light grey brick, grey feature bricks and grey metal balconies.

Building C would be 6-storeys in height, located on the western boundary of the site fronting onto Providence Place. The material palette would comprise of dark grey brick, grey concrete and grey metal balconies.

The primary access to the building would be from the 'front of house' area on the south-east corner of the building, fronting onto New Kingsley Road and Avon Street.

The majority of other internal space at ground floor level would comprise a 524 sqm commercial space, for which a flexible permission is sought (Uses A1, A2, A3, A4, B1a D1 or D2).

A dedicated residents cycle storage area would front the western elevation of the building fronting onto New Kingsley Road, to be accessed from New Kingsley Road or from inside the building.

The scheme proposes an area of hard and soft landscaped public realm fronting Avon Street and New Kingsley Road. A café terrace space is proposed to spill out from the commercial use fronting onto Avon Street. Amenity space would also be provided for future occupiers of

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the proposed development on the roof of Building A / Building B (11-storey) and Building C (6-storey).

It is proposed that the building would connect to the district heating network currently under construction in the TQEZ area. It is proposed that the building would achieve a BREEAM 'Excellent' rating. Renewable energy solar PV panels are proposed on the roof of the building.

RESPONSE TO PUBLICITY AND CONSULTATION

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

GENERAL RESPONSE FROM THE PUBLIC

A total of 8 replies from neighbours have been received, all of which were in objection to the planning application.

IN OBJECTION

Comments were made in objection on the following grounds:

- Objection to residential use rather than office use.
- Proposed building would be too tall and impact upon surrounding development.
- No parking provision would create parking congestion around the site.
- Dislike for the design of the building and proposed public realm.
- Impact upon Glassfields development including: queries regarding provision for cycling and cycle parking, concern that refuse and deliveries will take place on Old Bread Street.

The Bristol Walking Alliance submitted an objection to the proposed development on the following grounds:

- Insufficient walking widths proposed for footways around the building.
- Impact upon desire line for pedestrians from Avon Street to Providence Place.
- Request for highway improvements at Old Bread Street / Providence Place / Avon Street.

COMMENTS FROM CONSULTEES

Transport Development Management – No objection

Further to previous observations dated 13th October 2017 TDM raised a number of points that would need to be addressed. These are set out below for your information:

- Further clarification on the proposed multimodal trips;
- Provision of disabled parking; and

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- Additional information required in regards to the proposed loading and servicing bay on Old Bread Street.

Since TDM submitted our initial comments we have been in discussions with the applicant about overcoming the points set out above.

With regards to multimodal trips we have been in dialogue with the applicant over this point. They have stated that the figures proposed in the originally submitted Transport Assessment were based on the assumption the development would generate zero car trips. We are of the opinion that other travel modes would be higher but we do accept that these would be lower than the previously consented scheme from 2016. As a consequence, we are satisfied that this point has been addressed.

Turning to the provision of disabled parking this issue has been discussed with the applicant whereby an interim solution was agreed. This would result in disabled parking being located on Old Bread Street. However, this was subject to agreement with Parking Services. This is still to be formally agreed with Parking Services whilst it would also require a Temporary Traffic Regulation Order (TRO) to be put in place.

Finally, in regards to the proposed loading bay located on Old Bread Street TDM has worked with the applicant to find a solution which has culminated with the layby being incorporated into the proposed works on New Kingsley Road.

It is noted that in TDM's previous response we were awaiting comments from the Travel Plan Coordinator these are set out below for your information.

A Framework Travel Plan (TPF) has been submitted for the above planning application for 120 residential dwellings Use Class C3 and 524sqm of flexible commercial floor space.

The TPF will be required to become a Full Travel Plan which must be submitted to the council within 3 months of occupation once the owners/occupiers are known with an Action Plan and a Travel Plan Co-ordinator identified.

There are two options available to account for the costs of travel plan management, audit and implementation.

A Travel Plan Management and Audit Fee in the sum of £3,500 is required on commencement of development. The fees are to be secured through a Section 106 Agreement (s.106 Agreement) or Unilateral Undertaking and condition payable on commencement of the development.

The Travel Plan Management and Audit Fee has been calculated on the basis of the Council officer time required, together with 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.

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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 to include:

1. TPC
2. Developer (if not the TPC)
3. Management Company (if not the TPC)
4. Occupiers
5. Social Housing representative (if one)
6. Community Group representative (once established)
7. BCC Travel Plan Officer

All the measures outlined within the TPF, should be included in the Action Plan for review at Full Travel Plan stage. The Action Plan should be tabulated to include all measures and monitoring together with budgets and implementation dates with details of who is responsible for delivery.

Travel patterns will need to be monitored through regular travel surveys and reported to the Council, with targets and measures amended based upon actual travel behaviour, as the development progresses.

Alternatively, Bristol City Council will undertake the implementation of the Travel Plan on the applicant's behalf for an Implementation Fee of £16,200 (£135 per dwelling). The sum is to be paid prior to commencement of development by s.106 Agreement or through a Unilateral Undertaking/condition. By paying the Travel Plan Implementation Fee the developer will be released from travel planning obligations over a 5-year period.

In reference to specific points of the Travel Plan

Regarding specific measures on the Travel Plan, the following measures should be included in this TPF regardless of the eventual occupier and should be included in a revised version of this Travel Plan if the developer decides to implement it themselves:

A budget must be allocated for each of the measures indicated in the action plan. The minimum budget to be allocated to the Travel Plan Co-ordinator to deliver the Action Plan and to fully implement the Travel Plan measures should be detailed.

In the Targets section of the travel plan, there are no target modal share percentages identified. This should be rectified, targets identified, and the travel plan updated. These targets should be based on trip generation analysis consistent with the transport impact assessment.

The Initiatives, Measures and Marketing section should include bike maintenance sessions for residents and staff, to be held on a regular basis.

The targets, monitoring and review process will need to be agreed once occupiers are known.

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The Travel Plan should account for the impact of visitors to the development, including visitor cycle parking.

All changes to the document should be track changed or highlighted.

Therefore, to conclude although TDM does not agree with assumptions with the multimodal trips it is accepted that these would be lower than the previously submitted scheme. As a consequence, this point has been addressed. The location on the interim disable parking solution has been agreed in principle but will need to be formally agreed with my colleagues in Parking Services. Finally, in terms of the loading bay TDM are satisfied with the loading bay being relocated onto New Kingsley Road.

Consequently, taking the above information into account TDM are satisfied that the outstanding points have now been addressed and therefore we raise no objection to this proposal and if permission were to be granted we would require the following to be secured by a s.106 Agreement:

- Travel Plan fee of £3,500 (if applicant to implement) or £16,500 (if BCC are to implement).
- TRO fees of £5,395 for proposed loading bay and temporary parking restrictions on Old Bread Street.
- Public transport contributions of £32,214 to upgrade stops plus a commuted sum of £500 per annum for the next three years for their on-going maintenance.
- Plus, a further contribution of £10,000 for the installation of 12 line Real Time Information displays.

City Design Group – No objection

City Design Group has commented as follows:

Essentially this is a scheme where there has been some movement towards our concerns that have improved the scheme, notably the brick detailing and public realm. The natural light to the common internal areas has been improved but perhaps not to the extent that I would have like to have seen, however I think that refusal on this matter given the changes that have been made would only frustrate what is on balance a good scheme.

Likewise, the use of the roof terraces is a balance. The proposed amendments focus on biodiversity and renewables, but do not take the advantage of the potential to create private outdoor space. Again this is part of a balance and it is clear that all of the desired objectives cannot be achieved in all cases particularly on taller building proposals where roof space is limited.

The calming of the public realm design and use of materials is welcomed.

To summarise I feel that the scheme has progressed to a position where we do not have any fundamental design objections.

Pollution Control – No objection

The Council's Environmental Health Officer has commented as follows:

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I would confirm that I am happy with the acoustic reports submitted with the application and the recommendations made in order to ensure that future residents are suitably protected against existing noise in the area.

As the report makes recommendations with regards to sound insulation to existing noise, I would need to ensure by condition that these recommendations are carried out.

The development also includes a commercial use, possibly A3, A4, D1 or D2 on the ground floor and I would also need to ensure by condition that noise or cooking odours from this A3 or A4 use does not affect the residential uses of this development along with further acoustic information regarding any A3, A4, D1 or D2 use.

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

- Construction Management Plan
- Sound insulation of residential properties from external noise
- Noise from A3, A4, D1 or D2 uses.
- Details of Extraction/Ventilation System (A3/A4 Use).
- Odour Management Plan (A3/A4 Use)
- Noise from plant & equipment affecting residential use
- Use of refuse and Recycling facilities (ground floor commercial use only)
- Delivery hours (ground floor commercial use only)
- Opening hours (A3 use only).

Air Quality – No objection

The Air Quality Officer has commented as follows:

In the air quality assessment reference is made to the IAQM/EPUK significance of impact criteria in Table 3, however, results of the dispersion modelling at receptor locations are not reported against these criteria. An update to the air quality assessment is therefore required, with a table showing the predicted pollutant increases at relevant receptor locations which includes the impact descriptors in accordance with EPUK/AQQM guidance.

Relevant receptor locations are identified as offices to the South of the Development site and a school to the north, however, no reference is made to the residential receptor locations directly to the north of the development site. Predicted impacts should be reported for those residential locations closest to the development site.

Can the applicant confirm that the statement on page 22 of the air quality assessment has been made in error:

“This together with an assumed background concentration 28 µg/m³ suggests that the annual mean objective is likely to be exceeded at all the floors of the ND6 development”

Following these comments, the Applicant submitted a revised Air Quality Assessment to address the points above.

The Air Quality Officer has made no objection to the revised Air Quality Assessment, on the basis that the scheme would connect to the District Heat Network (and no longer proposes an internal combustion plant as an option that was previously considered).

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Sustainable Cities

Sustainable Cities has commented as follows:

Good energy efficiency measures are proposed in accordance with BCS14 (requirement to follow the energy hierarchy), which is welcomed by Sustainable Cities.

Proposal to connect to DH network in accordance with BCS14 (heat hierarchy requirement) is supported. It is suggested that this is secured by standard condition. The Applicant would need to engage with the Energy Services Team to ensure correct provisions are made for connection in line with their requirements.

On the basis of the proposals originally submitted:

Renewable energy in the form of PV is proposed. This would reduce CO2 emissions on the proposed building by 10% below residual emissions, which is short of the 20% requirement. At present PV is not proposed over plant enclosures or on the biodiverse roof. The Energy Statement suggests that the biodiverse roof is reserved for amenity, however the Design and Access Statement states that this area is not accessible. It is not clear why PV cannot be installed over plant enclosures or combined with the biodiverse roof. In order to satisfy the requirements of BCS14 (20% reduction in CO2 emissions below residual emissions using renewable energy wherever feasible), the Applicant should submit a revised PV proposal demonstrating that PV will be installed in these areas.

In response to the comment above, the applicant has revised the proposals. PV is proposed on more sections of the roof. This will achieve a 12% reduction in CO2 emissions.

Please see Key Issue F.

BREEAM excellent will be achieved, this will be secured by planning condition.

Nature Conservation – No objection

The Council's Ecologist has commented as follows:

Nature Conservation make no objection to the planning application, subject to agreement of the planning conditions contained in this response to consultation and a consideration of matters raised relating to up-lighting of trees.

There were Buddleia shrubs on site which were cleared some time ago. The ecological appraisal dated January 2016 assessed these shrubs as having potential to support nesting birds. As at a site visit September 2017, the Buddleia shrubs have now re-grown. All species of wild birds, their eggs, nests and chicks are legally protected until the young have fledged.

The following planning condition is therefore recommended.

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

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qualified ecological consultant are required they shall be undertaken no more than 48 hours prior to the removal of vegetation or the demolition of, or works to buildings.

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

The proposed building has the potential to provide habitat for swifts, the following condition is recommended:

Condition: 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 eight swift boxes.

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

Reason: To help conserve legally protected birds.

It is recommended that a landscaping condition is applied. Opportunities to provide green infrastructure such as trees, green walls, rain gardens and shrub planting beds should be explored for their biodiversity benefits as well as living roofs which have already been highlighted in my comments above. A green wall is shown on the Ground Floor General Arrangements Plan.

The Ground Floor General Arrangements Plan shows the proposed up-lighting of trees and the green wall. The up-lighting of trees and green walls is not recommended because of its potential impact on nocturnal wildlife, particularly bats. According to paragraph 125 (page 29) of the National Planning Policy Framework (2012), 'By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'

The Ground Floor General Arrangements Plan also shows the use of 4 metre high column lighting. The use of this external lighting should be minimised for similar reasons as those given above.

Contaminated Land Environmental Protection – No objection

The Council's Contaminated Land Officer has commented as follows:

We have reviewed the following report submitted with the application: AECOM. 21 July 2016. Preliminary Ground Conditions Risk Assessment. Plot ND6, Bristol. 60539303. Revision 0

Overall we concur with the findings of the Risk Assessment. We have tried to ascertain the land use of the site between 1918 and 1945 but have not been able to identify any entries in the Kelly's Trade Directories.

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The report concludes that intrusive investigation is required and to that end we recommend standard conditions B12 B13 and C1 are applied to any future planning consent. An amended version of the B11 condition is also recommended as follows:

Site Characterisation Intrusive Site Investigation

A site specific risk assessment and intrusive investigation shall be carried out to assess the nature and extent of the site contamination and whether or not it originates from the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The results of this investigation shall be considered along with the following report submitted with the application, AECOM. 21 July 2016. Preliminary Ground Conditions Risk Assessment. Plot ND6, Bristol. 60539303. Revision 0.

The written report of the findings shall be submitted to an approved in writing by the Local Planning Authority prior to any works (except demolition) in connection with the development, hereby approved, commencing on site. This investigation and report must be conducted and produced 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 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 off site receptors.

Flood Risk Manager – No objection

The Council's Flood Risk Manager has commented as follows:

The outline drainage strategy provided is based on a surface water discharge to the existing surface water sewer limited to 39l/s, which is a reduction on existing rates in accordance with minimum requirements. While we would normally expect a development of this scale to provide a significantly larger reduction, given the site's proximity to the floating harbour which is a water body capable of accepting high flows we have no objection to the proposals in this instance. However, this is conditional on Wessex Water providing confirmation that the existing sewer connecting the site to the harbour has capacity to accept the proposed flow.

We have no further comment at this stage, but should planning permission be granted we request that our standard pre-commencement condition is applied to require approval of the detailed drainage design prior to commencement of the development.

Wessex Water – No objection

Wessex Water can confirm that capacity is available for the proposed flow rates with a connection to 375mm diameter SW sewer located in Anvil Street at MH 5972-7810.

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Planning Practice Guidance****Bristol Core Strategy (Adopted June 2011)**

BCS2	Bristol City Centre
BCS5	Housing Provision
BCS7	Centres and Retailing
BCS9	Green Infrastructure
BCS10	Transport and Access Improvements
BCS11	Infrastructure and Developer Contributions
BCS13	Climate Change
BCS14	Sustainable Energy
BCS15	Sustainable Design and Construction
BCS16	Flood Risk and Water Management
BCS17	Affordable Housing
BCS18	Housing Type
BCS20	Effective and Efficient Use of Land
BCS21	Quality Urban Design
BCS22	Conservation and the Historic Environment
BCS23	Pollution

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

DM1	Presumption in favour of sustainable development
DM4	Wheelchair Accessible Housing
DM15	Green Infrastructure Provision
DM16	Open Space for Recreation
DM19	Development and Nature Conservation
DM23	Transport Development Management
DM26	Local Character and Distinctiveness
DM27	Layout and Form
DM28	Public Realm
DM29	Design of New Buildings
DM31	Heritage Assets
DM32	Recycling and Refuse Provision in New Development
DM33	Pollution Control, Air Quality and Water Quality
DM34	Contaminated Land
DM35	Noise Mitigation

Bristol Central Area Plan (2015)

BCAP1	Mixed-use development in Bristol City Centre
BCAP3	Family sized homes
BCAP5	Development and flood risk
BCAP13	Strategy for retail development in Bristol City Centre
BCAP14	Location of larger retail development in Bristol City Centre
BCAP20	Sustainable design standards
BCAP21	Connection to heat networks
BCAP25	Green infrastructure in city centre developments
BCAP29	Car and cycle parking
BCAP30	Pedestrian routes
BCAP33	Key city spaces

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BCAP34 Coordinating major development in Bristol City Centre
 BCAP35 Bristol Temple Quarter

Bristol City Council Planning Obligations SPD (2012)

KEY ISSUES**A) IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN PRINCIPLE?**

The application site is allocated for development by Policy BCAP35 (Bristol Temple Quarter) of the Bristol Central Area Plan. The policy establishes that sites within Bristol Temple Quarter will be developed for a wide range of uses as part of the growth and regeneration of the area as an employment-led, mixed-use quarter of the city centre.

Policy BCAP35 sets out that the specific developments allowed for in TQEZ will include:

- A major indoor arena and complementary leisure uses;
- At least 10,000 sqm of net additional high quality office and flexible workspace;
- Up to 2,200 new homes including live/work space;
- Hotel and conference facilities;
- Complementary retail and leisure uses, particular within and adjacent to Bristol Temple Meads station;
- New walking and cycle routes to connect the development to the rest of the city centre and surrounding neighbourhoods; and
- Green infrastructure and public realm enhancements, including a continuous and accessible Quayside Walkway and the improvement of open space to serve new development.

The application site currently benefits from an existing planning permission (13/02010/M – Reserved matters approval in respect of Application No. 01/01606/P) for a residential led, mixed-use development with ground floor retail space (440 sqm). The application site also benefits from an outline planning permission (16/01122/P) for the development of a single building consisting of office floor space (9,800 sqm of gross internal floor space).

The Spatial Framework states that the site should be a mixed use plot, with residential accounting for up to 60% of the floor space. The proposed development would exceed 60% residential floor space. However, the Spatial Framework is intended to be a 'living' document which provides guidance and direction for development. Whilst the scheme would provide a greater proportion of residential development, it is considered that the proportion of residential development is supported. This is evidenced in comments received from the City Design Group.

The 120 residential units proposed would contribute to meeting the total residential units proposed for TQEZ. Whilst the scheme proposes solely rented apartments, this would still fall within Use Class C3 and would be acceptable.

The ground floor use of the proposed development includes for commercial / retail development for which a flexible consent is sought. Policy BCAP13 and BCAP35 in combination, support the principle of retail development in the TQEZ where such development would complement other types of new development (e.g. residential development).

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The proposed development therefore comprises residential led mixed-use scheme and all of the proposed uses fall within the list of development set out in BCAP35 above. Therefore, the principle of the land use proposed in the proposed development is acceptable.

Housing mix:

Policy BCS18 requires development to contribute to a mix of housing tenures, types and sizes in the area.

The scheme proposes a mix of: 20 studio apartments (17%); 65 one bed apartments (54%); 30 two bed apartments (25%) and 5 three bed apartments (4%). The size of each apartment is in accordance with the Government's Technical housing standards – nationally described space standards (2015).

The Central Area Plan recognises that there are specific issues with delivering family sized accommodation within the City Centre, and Policy BCAP3 specifically requires new development within the area to include a significant proportion of family sized homes (defined as houses with two or more bedrooms, or flats with three or more bedrooms).

Whilst the site provides mainly one and two bed apartments there is a small proportion of three bed apartments which provides some family sized homes and is deemed to meet the requirements of BCS18 and BCAP3.

Summary:

The Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the Development Plan unless material considerations indicated otherwise. The principle of the scheme and the uses proposed are firmly supported by the Development Plan, specifically Bristol Central Area Plan Policy BCAP35. The planning application therefore reflects up to date policy.

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

The proposed development falls within Use Class C3 of the Use Classes Order, meaning that it is required to address the Council's Affordable Housing Policies. It comprises 120 dwellings and therefore it is required to comply with Core Strategy Policy BCS17, which requires the provision of up to 40% affordable housing (48 affordable dwellings) subject to scheme viability.

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

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

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

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

As the proposed development is a Private Rental Sector (PRS) scheme, the viability is assessed in a different way to an open market residential scheme, where the dwellings would be for sale. In general, PRS schemes would be expected to be slightly less viable than open market schemes as the values would be lower and the management costs higher. This would be somewhat offset by the fact that the profit would be lower as the development carries less risk.

The viability process relating to this application has been unique, in that during the process, the applicant dispensed with the services of their original viability consultant (Alder King), and appointed a new viability consultant (GVA).

Alder King had originally submitted a Viability Report claiming that the proposed scheme was unable to provide any affordable housing whilst remaining viable. Officers appointed DVS (the viability arm of the Valuation Office Agency) to assess the Alder King Report. DVS reported that they disagreed with a number of the Alder King inputs and that they considered that the scheme could provide 20% affordable housing (25 affordable dwellings).

At this point the applicant appointed GVA to produce a new Viability Report, which was received in March 2018. Like the Alder King Report, GVA also concluded that the scheme was not viable. In fact, in their assessment of the GVA Viability Report, DVS considered that GVA had shown that the scheme was not only unviable, but it was actually undeliverable. This was on the basis that the scheme resulted in such a significant deficit that no prudent developer would proceed with it. However, although the appraisal showed a significant deficit, the applicant was offering to provide 10% affordable housing (12 affordable dwellings) provided that this was set at 80% of open market rent.

Neither officers nor DVS were able to reconcile this, and following discussions between DVS and GVA, it was anticipated that the applicant would reconsider their Viability Report. However, in April 2018, a virtually identical Viability Report was submitted, which repeated the 10% affordable housing offer.

There followed a meeting between officers and the applicant, at which the applicant was informed that the application could not be progressed on the basis of a Viability Report that showed the scheme to be undeliverable, whilst at the same time the applicant was making a 10% affordable housing offer.

Finally, in May 2018, GVA submitted a further Viability Report, which claimed that the scheme was viable with 10% affordable housing (provided that the affordable housing was based on a level of 80% of open market rent).

It should be noted that the Affordable Housing Team do not consider that affordable housing at 80% of open market rent assists with meeting the Council's affordable housing need. They would require that the rents were capped at Local Housing Allowance (LHA) levels and that service charges were included within this figure. The GVA Report claimed that at LHA rates, only 3% (4 affordable dwellings) could be provided.

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It should also be noted that all the Viability Reports submitted on behalf of the applicant would have been approved by the applicant. It is therefore somewhat concerning that inputs that would have been expected to have been clarified and justified up front, with no need for amendment, have been changed significantly during the viability process (see table below).

Input	Alder King Report	GVA March Report	GVA May Report
Profit Margin	18% of Value	15% of Value	12% of Value
Management Costs	10% of Rental	24% of Rental	21% of Rental

DVS are now at a point where the inputs of the GVA May 2018 Viability are broadly agreed, although DVS conclude that the scheme is slightly less viable than GVA. DVS conclude that when the applicant's offer of 10% affordable housing (12 affordable dwellings) set at 80% of open market rent or 3% affordable housing (4 affordable dwellings) set at LHA maximum rent, is factored into the appraisal, the proposed scheme is only marginally viable.

There is one area of the appraisals that provides officers with significant concern, and this is the input relating to Stamp Duty Land Tax (SDLT) on the residential element of the scheme. This concern was also initially identified by DVS.

Given that the applicant has stated that they have no intention of selling the scheme and that it is being built as a long term investment, it does not seem appropriate that SDLT should be included.

However, emerging RICS Guidance titled "Valuing residential property purposefully built for renting" states the following:

A further deduction should be made within the valuation for purchaser's costs, reflecting an investor's true net position, comprising acquisition fees -agent's and legal fees plus VAT- and stamp duty

Officers are concerned that this does not necessarily reflect the reality of most PRS developments, which is that the developers are not going to sell the scheme and that they are going to retain it as a long term investment. In the case of ND6, the Residential SDLT amounts to £1,784,961 (80% Market Rent scheme) or £1,896,301 (LHA scheme), which is a cost that is highly unlikely to be incurred. If SDLT costs were not included in the Viability Report, it would significantly increase the sum available for affordable housing and result in a much higher affordable percentage being achieved.

Because of the emerging RICS Guidance, Officers reluctantly consider that an affordable housing provision of 3% (4 affordable dwellings) rented at no more than LHA maximum rents which is to include service charges, is an acceptable level of affordable provision.

Consequently, officers recommend that the provision of 4 affordable dwellings rented at no more than LHA maximum rents which is to include service charges is secured through a s. 106 Agreement, along with the requirement for a viability review undertaken on completion of the development using the same principles as that agreed for the neighbouring plot (ND7).

C) IS THE PROPOSAL ACCEPTABLE ON HIGHWAY SAFETY GROUNDS?

Policy BCS10 and Policy DM23 require that development does not give rise to unacceptable traffic conditions. These policies support the delivery of improvements to transport

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infrastructure to provide an integrated transport system, which improves accessibility within Bristol and supports the proposed levels of development. With regards to parking and servicing, it requires that development proposals provide an appropriate level of safe, secure, accessible and usable provision having regard to the Council's adopted parking standards.

The Applicant submitted a Transport Assessment with the application. Following the review of the Transport Assessment by Transport Development Management, this matter has been the subject of a number of meetings between the Applicant and Officers to agree an acceptable suite of measures which would make the development acceptable on highway safety grounds.

The requirements for cycle parking would be

- Studio or 1 bedroom dwellings: 1 space per dwelling
- 2 or 3 bedroom dwellings: 2 spaces per dwelling

The requirements for visitor cycle parking would be:

- 1 space per 10 units

This mix of residential units would generate the need for

- 85 cycle parking spaces for the 85 studios / one bedroom apartments
- 70 cycle parking spaces for the 35 two / three bedroom apartments
- 12 cycle parking spaces for visitor

In addition, the commercial floor space would require a minimum of 2 spaces.

The proposed development is providing 170 cycle parking spaces, which would meet the minimum requirement of 169 spaces as outlined above. In terms of cycle parking, the proposed development includes a policy compliant amount of secure spaces for both residents and visitors in line with the requirements of BCS10 and DM23.

The applicant has proposed that this application will be predominately car free. This proposal has taken into account the proximity of the site to Temple Meads and also high frequency bus services and the cycle network. As it has been established that the site is a 'highly accessible' site, this will therefore place additional pressure on the use of the public transport modes.

The applicant will be making a number of contributions to transport improvements:

- Public transport contributions of £32,214 to upgrade bus stops on New Kingsley Road and Avon Street plus a commuted sum of £500 per annum for the next three years for their on-going maintenance.
- A contribution of £10,000 for the installation of 12 line Real Time Information displays.
- A Travel Plan Management and Audit Fee in the sum of £3,500 or Bristol City Council to undertake the implementation of the Travel Plan on the applicant's behalf for an Implementation Fee of £16,200 (£135 per dwelling).
- TRO fees of £5,395 for proposed loading bay and temporary parking restrictions on Old Bread Street.

These measures will be secured within the s.106 agreement and the contributions will be made prior to the start of construction.

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In addition to the above, a number of highways works are being proposed:

- Resurfacing of Providence Place carriageway immediately adjacent to the application site.
- Resurfacing of Old Bread Street carriageway immediately adjacent to the application site.
- Installation of a raised table with bitumen finish on Old Bread Street/ New Kingsley Road junction and Anvil Street/ New Kingsley Road junction with new tactile paving on each arm of the crossroad on the footway.
- Provision of a loading bay on New Kingsley Road.
- Resurfacing of the footways immediately surrounding the application site with paving slabs.

The measures above have been provided in a plan '1703-46 SK07 Rev B Layout drawing'. A condition has been added to ensure that the road works associated with the proposed development are planned and are undertaken to a standard approved by the Local Planning Authority and before occupation of the building.

Based on the obligations for the s.106 Agreement and the planning conditions, Officers have concluded that the proposed development is considered to be in accordance with Policy BCS10 and DM23.

D) IS THE DESIGN OF THE PROPOSED DEVELOPMENT ACCEPTABLE?

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

Policies DM26 – DM29 of the Site Allocations & Development Management Policies document require development to contribute to the character of an area through layout, form, public realm and building design.

Massing:

The massing of the scheme has been carefully considered by City Design Group and it has been concluded by Officers that an 11-storey building, which steps down to 6-storeys, is appropriate to the context of the site. This preserves the key viewpoints towards the Grade II Listed Gardiner building to the north of the site and acknowledges existing site lines from this building to surrounding development across Valentine's Bridge towards the clock tower on Temple Meads (Grade 1 listed).

Issues relating to daylight and sunlight resulting from the massing of the building are considered under Key Issue E of this report.

Elevation Design

From the proposals originally submitted there has been improvements to the proposed elevational treatments, notably the brick detailing. A brick palette has been chosen to respond to the Bristol red and grey brick vernacular, common in buildings like the Gardner

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Haskins building to the north and Temple Meads to the south. The natural light provided to the internal common areas has also been improved.

Street level relationship / public realm

Active frontages are proposed onto New Kingsley Road and Avon Street, set within an area of high quality soft and hard landscaping. The landscaping area fronting onto New Kingsley Road has been designed to create a linking space between the ND6 site and ND7 site, and a form of new public realm destination.

This aspect of the scheme is considered high quality and is supported, providing outdoor spaces for residents of the building as well as potential spill out space from the commercial use. Street trees are proposed (21 new trees) within the landscaping space which are supported as a means to soften the landscape of the surrounding public realm.

In conclusion, it is considered that the proposed development is a high quality design, in accordance with Policy BCS21 and Policies DM26-DM29.

E) WOULD THE PROPOSED DEVELOPMENT HAVE AN ADVERSE IMPACT ON THE AMENITY OF RESIDENTS SURROUNDING THE SITE AND FOR FUTURE OCCUPIERS OF THE DEVELOPMENT?

Policy BCS21 of the Core Strategy states that high quality design should consider the amenity of both existing and future development including privacy and availability of natural light. Policy BCS23 states that development should be sited and designed in a way to avoid adverse impacts on environmental amenity by reason of pollution including: noise, vibration and air quality. Policy DM27 seeks development that enables existing and proposed development to achieve appropriate levels of privacy and daylight.

Daylight / Sunlight / Privacy

As referred to above (Key Issue D), amongst the criteria referred to in policy BCS21 of the Core Strategy is that development should safeguard the amenity of existing development and future occupiers. In this case, the neighbouring land uses are predominantly commercial and residential.

A Daylight & Sunlight Amenity Assessment was prepared and submitted with the application to consider effects of the proposed development on the surroundings.

The analysis shows that the daylight effect of the proposed development is very similar to that of the previously approved scheme. Where any changes in daylight potential occur to primary windows, these are typically within a margin (of less than 2.5% VSC), but in the vast majority of cases the changes are smaller than this margin. The analysis also shows there are generally only small changes in the areas of working plane in each room receiving sky view. Therefore, the daylight effect of the proposed development is considered to be minor and commensurate with this city centre location.

The sunlight analysis shows that the vast majority of rooms relevant for assessment around the site will retain annual levels in excess of the recommended thresholds in the BRE guidelines. The very few exceptions still retain reasonably high sunlight potential for this centre location. Winter sunlight penetration is more limited in respect of Christopher Thomas Court, but this is quite a common effect in dense urban locations of this type. Given the

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strong levels of annual sunlight retention the sunlight effect is considered to be minor and commensurate.

Noise

This aspect of the scheme has been considered by the Council's Environmental Health Officer, given perceptions that residential development can lead to noise nuisance.

The planning application is accompanied by an Acoustic Report which assesses noise nuisance arising from the proposed development. The Environmental Health Officer has the Acoustic Report is satisfactory and the measures recommended with regards to protecting the amenity of surrounding development and future residents of the scheme. Conditions are included to ensure that amenity is protected as per the recommendations of the Acoustic Report.

Hours for deliveries to the building would be controlled by planning condition to ensure no adverse impact upon amenity.

In terms of construction processes, the Environmental Health Officer has requested a planning condition for a site specific Construction Environmental Management Plan (CEMP). The CEMP would include measures to minimise noise nuisance arising from construction including construction hours, and the requirement to adhere to established guidance. Construction of the proposed development would be required to be undertaken in accordance with the approved CEMP and other legislation prescribed by the Environmental Protection Act.

Air Quality / Odour

The site is located within an Air Quality Management Area (AQMA). The Council's Air Quality Officer has reviewed the application and provided comments to the Applicant.

The Air Quality Officer has made no objection to the revised Air Quality Assessment, on the basis that the scheme would connect to the District Heat Network (and no longer proposes an internal combustion plant as an option that was previously considered). A condition to secure a connection to the district heat network has been added.

The Environmental Health Officer has requested that if planning permission is granted, a planning condition is included to prevent commencement of the ground floor commercial space for the cooking of food until details of a ventilation system for the extraction of cooking odours has been submitted to and approved by the Local Planning Authority. An Odour Management Plan would also be required to propose mitigation measures should an odour nuisance be established.

In terms of construction processes, the Applicant would be required to set out measures in the CEMP to minimise dust / air quality issues arising.

Summary

Overall the proposed development is considered to be designed in a way to avoid adverse impacts of residential and environmental amenity in line with Policy BCS21, BCS23 and DM27. On the basis of the above, and given the imposition of relevant planning conditions

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and controls within other legislation, the proposed development is considered acceptable in terms of amenity.

F) DOES THE PROPOSED DEVELOPMENT ADOPT AN APPROPRIATE APPROACH TO SUSTAINABLE DESIGN AND CONSTRUCTION?

Policies BCS13, BCS14, BCS15 and BCS16 of the adopted Core Strategy give guidance on sustainability standards to be achieved in any development, and what measures to be included to ensure that development meets the climate change goals of the development plan. The policies require development in Bristol to include measures that reduce carbon emissions from residual energy use by at least 20%.

In combination with Policy BCS14, Policy BCAP21 states that proposals for development that would require heating will be expected to demonstrate that account has been taken of potential opportunities to source heat from adjoining development or nearby heating networks.

The Applicant has submitted an Energy Strategy and Sustainability - BREEAM Report with the planning application and this has been discussed in detail with the Council's Sustainable Cities team.

A Pre-assessment of the proposed development under the BREEAM New Construction 2014 scheme has been undertaken. This has found that an 'Excellent' rating would be achievable. This is in accordance with adopted policy within the Core Strategy. A planning condition would be used to ensure that the building meets an 'Excellent' rating.

In accordance with Policy BCS14 and Policy BCAP21, the proposed development would be designed to utilise the local district heat network for heating and hot water requirements which is supported. Renewable energy solar PV panels are proposed on the roof of the proposed development.

In response to comments from the Sustainable Cities Team, the applicant has revised the proposals. PV is proposed on both sections of the roof. This will achieve 12% reduction in CO2 emissions.

Whilst this is less than the 20% policy requirement. There are a number of considerations in this matter. The energy strategy has been developed to prioritise passive design and energy efficiency measures in the first instance prior to the consideration of renewable energy technologies.

The area of biodiverse roof identified on the top roof level provides an ecological benefit to the scheme. The applicant has preserved it for this use rather than use for siting additional PV panels. Providing PV over the plant to the north of the building 'core' on the top roof level would likely to require a structural frame to position any PV above the plant enclosures, that could lead to the PV panels protruding above the parapet which has been designed to shield the plant enclosures. PV in this location may therefore be detrimental to the visual amenity of the which has been carefully considered in relation to sightlines to the north and south.

In relation to Policy BCS16, the Applicant's strategy for sustainable drainage has been assessed by the Council's Flood Risk Manager. No objection has been raised by the Flood Risk Manager and the submitted information is considered to be acceptable A planning

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condition would be required if planning permission is granted, requiring the Applicant to provide a detailed scheme of sustainable urban drainage for the site.

The design of the building has worked hard to balance efficient fabric / services and a connection to the district heat network with the provision of renewable energy technologies. And whilst this is less than the 20% requirement, the other ecological benefits of the biodiverse roof, the connection to the district heat network and commitment to BREEAM excellent, it is considered that on balance, the combination of sustainability measures relating to climate change, construction and renewable energy which on balance is considered to be in accordance with adopted policy.

CONCLUSION

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

The site is allocated by policy in the Development Plan for uses including residential development and commercial / retail space.

The scheme is considered to be a quality design, and includes a material palette which would enhance the appearance of this part of the Enterprise Zone. Whilst a large scale is proposed for the site, higher densities in the City Centre are supported where considered appropriate. In this instance, City Design Group have raised no objection to the height of the building with similar scales of development being approved on adjoining plots. The scheme has been designed to step down so to retain sight lines to the Gardiner Grade 2 Listed Building and other views within the area.

Having carefully considered the information submitted with the application and consideration of the policy context, weighed against comments received from members of the public and other groups, it is concluded by Officers that the proposed development is acceptable.

The application is recommended for approval subject to conditions attached to this report, and a s.106 Agreement to secure the following:

- The provision of 4 affordable dwellings rented at no more than LHA maximum rents which is to include service charges.
- The requirement for a viability review undertaken on completion of the development using the same principles as that agreed for the neighbouring plot (ND7).
- Public transport contributions of £32,214 to upgrade bus stops on New Kingsley Road and Avon Street plus a commuted sum of £500 per annum for the next three years for their on-going maintenance.
- A contribution of £10,000 for the installation of 12 line Real Time Information displays.
- A Travel Plan Management and Audit Fee in the sum of £3,500 or Bristol City Council to undertake the implementation of the Travel Plan on the applicant's behalf for an Implementation Fee of £16,200 (£135 per dwelling).
- Traffic Regulation Order fees of £5,395 for proposed loading bay and temporary parking restrictions on Old Bread Street.

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

The CIL payable for the residential element (discounting affordable floor space) is £880,896.25. The CIL payable for the retail element of the proposal is £99,336.43. The total CIL payable is £980,232.68.

RECOMMENDED GRANTED subject to Planning Agreement

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

2. Construction environmental management plan

No development shall take place until a construction environmental 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 of 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
- Arrangements to receive abnormal loads or unusually large vehicles
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and at no time on Sundays and Bank Holidays.
- Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.

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- Procedures for emergency deviation of the agreed working hours.
- Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

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.

3. Highway works

No development shall take place until a general arrangement plan showing the following works to the highway have been submitted to and been approved in writing by the Local Planning Authority:

- Resurfacing of Providence Place Carriageway immediately adjacent to the application site.
- Resurfacing of Old Bread Street carriageway immediately adjacent to the application site.
- Installation of a raised table with bitumen finish on Old Bread Street/ New Kingsley Road junction and Anvil Street/ New Kingsley Road junction with new tactile paving on each arm of the X-road on the footway.
- New build outs on Old Bread Street/New Kingsley Road junction and Anvil Street/New Kingsley Road junction the kerbing will have a 25mm upstand transition between the footway and raised carriageway.
- Provision of a loading bay on New Kingsley Road.
- Resurfacing of the footways immediately surrounding the application site with paving slabs.

The provision of these is to be in general accordance with plan 1703-46 SK07 Rev B 'Layout drawing' unless varied by subsequent approval of details under section 278 of the Highways Act 1980 or otherwise agreed in writing by the local planning authority.

The development hereby permitted shall not be occupied nor use commenced until the highway works have been completed in accordance with technically agreed engineering details.

Reason: 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 Undertaking works in the highway will require a legal agreement with the Highway Authority and contact should be made with the Local Highway Authority at least 6 months in advance of commencing the works so that an agreement is completed prior to starting any works on the highway.

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4. Highway Condition Survey

No development shall take place until a survey of the condition of the existing public highway has been carried out and approved in writing by the Local Planning Authority.

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.

5. Cycle and waste storage

Prior to the commencement of the development hereby approved details of the cycle stores and the recycling and waste store will be submitted to and approved in writing by the local planning authority.

The approved details shall be implemented within the development and maintained thereafter. The stores will be kept free of obstruction and used solely for their designed purposes for the lifetime of the development.

Reason: to ensure adequate facilities are provided for these elements of the scheme

6. 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 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.

7. Site Characterisation Intrusive Site Investigation

A site specific risk assessment and intrusive investigation shall be carried out to assess the nature and extent of the site contamination and whether or not it originates from the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The results of this investigation shall be considered along with the following report submitted with the application, AECOM. 21 July 2016. Preliminary Ground Conditions Risk Assessment. Plot ND6, Bristol. 60539303. Revision 0.

The written report of the findings shall be submitted to an approved in writing by the Local Planning Authority prior to any works (except demolition) in connection with the

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development, hereby approved, commencing on site. This investigation and report must be conducted and produced 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 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 off site receptors.

8. Sample Panels before specified elements started

Sample panels of the all external materials to the building demonstrating the colour, texture, face bond and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.

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

9. BREEAM

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

Reason: To ensure that the development achieves BREEAM rating level Excellent (or any such equivalent national measure of sustainability for building design which replaces that scheme) and that this is done early enough in the process to allow adaptations to designs and assessment and certification shall be carried out by a licensed BREEAM assessor and to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

10. Heat Networks - connection prior to occupation

Prior to commencement of development, full details demonstrating how the development will connect to the district heat network for the provision of all space heating and hot water shall be submitted to and approved in writing by the Local Planning Authority.

Prior to occupation, the development shall connect to the district heat network in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The connection shall thereafter be retained and maintained unless otherwise agreed in writing by the Local Planning Authority.

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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), BCS14 (Sustainable energy) and BCAP21 (Connection to heat networks).

11. Public Art Plan

Prior to the commencement of development, or as otherwise agreed in writing by the Local Planning Authority, a Public Art Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall set out the specific commissions developed and programme illustrating how the public art commission for the development would accord with the City Council's Public Art Policy and Strategy. The Public Art Plan shall also contain a timetable for delivery and details of future maintenance responsibilities and requirements. The delivery of public art shall then be carried out in full accordance with the agreed Public Art Plan.

Reason: In order to secure public art as part of the development in the interests of the amenity of the area.

12. Vegetation clearance

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

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

Pre occupation

13. Submission and Approval of Landscaping Scheme

No building or use hereby permitted shall be occupied or the use commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, 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 plans protection, in the course of development. The approved scheme shall be implemented so that planting is carried out no later than the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

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

14. Swift boxes

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 eight swift boxes.

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

See below for some websites with examples of swift boxes:

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

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

Further guidance is available at:

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

Reason: To help conserve legally protected birds.

15. Sound insulation of residential properties from external noise

All recommendation detailed in the Noise Assessment submitted with the application with regards to sound insulation and ventilation of residential properties shall be implemented in full prior to the commencement of the use permitted and be permanently maintained.

Reason: In order to safeguard the amenities of future occupiers.

16. Noise from A3, A4, D1 or D2 uses

No commencement of each use of any commercial use within Use Classes A3, A4, D1 or D2 shall take place until an assessment on the potential for noise from the development affecting residential properties as part of this development and existing residential properties in the area has been submitted to and approved in writing by the Local Planning Authority.

The assessment shall include noise from:

- (a) Music;
- (b) Customers (including customers in any outside area);
- (c) Ventilation, refrigeration and air conditioning plant or equipment;

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(d) Servicing (deliveries and refuse collections).

If the assessment indicates that noise from the development is likely to affect neighbouring residential or commercial properties then a detailed scheme of noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the first commencement of each unit within Use Classes A3, A4, D1 or D2

The noise mitigation measures shall be designed so that nuisance will not be caused to the occupiers of neighbouring noise sensitive premises by noise from the development. The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer. The approved scheme shall be implemented prior to the commencement of the use and be permanently maintained thereafter.

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

17. Details of Extraction/Ventilation System (A3/A4 use)

No commencement of the A3 use shall take place until details of ventilation system for the extraction and dispersal of cooking odours including details of the flue, method of odour control, noise levels and noise attenuation measures has been submitted to and approved in writing by the Council. The details provided shall be in accordance with Annexe B of the 'Guidance on the Control of Odour & Noise from Commercial Kitchen Exhaust System'. Published electronically by Department for Environment, Food and Rural Affairs.

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

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

18. Odour Management Plan (A3/A4 use)

No use of the development shall take place until there has been submitted to and approved in writing, by the Council, an Odour Management Plan. The plan shall set out odour monitoring, extraction system cleaning and maintenance, filter replacement policies and mitigation measures to be taken should an odour nuisance be established.

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

Post occupation

19. Travel Plans – submitted

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

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

20. Noise from plant & equipment affecting residential

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

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

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

21. Use of Refuse and Recycling facilities (ground floor commercial uses only)

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.

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

22. Deliveries (ground floor commercial uses only)

Activities relating to deliveries shall only take place between 08.00 and 20.00.

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

23. Opening hours (A3 use only)

No customer shall remain on any A3 Use premises outside the hours of 08.00 to 23.00.

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

List of approved plans and drawings

24. 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.

A2796 102 R1 Proposed Site Plan

A2796 200 R3 Proposed Ground Floor Plan

A2796 201 R3 Proposed First Floor Plan

A2796 202 R3 Proposed Second Floor Plan

Development Control Committee A – 21 June 2018

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A2796 203 R3 Proposed Third Floor Plan
A2796 204 R3 Proposed Fourth Floor Plan
A2796 205 R3 Proposed Fifth Floor Plan
A2796 206 R3 Proposed Sixth Floor Plan
A2796 207 R3 Proposed Seventh Floor Plan
A2796 208 R3 Proposed Eighth Floor Plan
A2796 209 R3 Proposed Ninth Floor Plan
A2796 210 R3 Proposed Tenth Floor Plan
A2796 211 R3 Proposed Eleventh Floor Plan
A2796 300 R3 Section AA
A2796 301 R3 Section BB
A2796 350 R1 Ladder Section 1
A2796 351 R1 Ladder Section 2
A2796 352 R1 Ladder Section 3
A2796 400 R3 Proposed South & East Elevation
A2796 401 R3 Proposed North & West Elevation
A2796 402 R3 Proposed Long East Elevation
A2796 501 P1 Type 1
A2796 502 P1 Type 2
A2796 503 P1 Type 3
A2796 504 P1 Type 4
A2796 505 P1 Type 5
A2796 506 P1 Type 6
A2796 507 P1 Type 7
A2796 508 P1 Type 8
A2796 509 P1 Type 9
A2796 510 P1 Type 10
A2796 511 P1 Type 11
A2796 512 P1 Type 12
A2796 513-A P1 Type 13 (Adapted)

Reason: For the avoidance of doubt.

Advices:

1. Traffic Regulation Order (TRO) Advice

In order to comply with the requirements of the highway works you are advised that the implementation of a Traffic Regulation Order is required. The Traffic Regulation Order process is a lengthy legal process involving statutory public consultation and you should allow an average of 6 months from instruction to implementation. You are advised that the Traffic Regulation Order process cannot commence until payment of the TRO fees are received and the highway design has been technically approved by the Highway Authority.

Highway Works Advice for Section 278

Development Control Committee A – 21 June 2018**Application No. 17/04673/F****Site ND6 Temple Quay Land Bounded By Providence Place, Old Bread Street & Avon Street, Bristol BS2 0ZZ**

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 Transport Development Management: TransportDM@bristol.gov.uk or telephone 0117 903 6846, allowing sufficient time for the preparation and signing of the Agreement which can take several months to complete. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

- i. Drafting the Agreement
- ii. A Monitoring Fee
- iii. Approving the highway details
- iv. Inspecting the highway works

All or part of the highway to be constructed in accordance with planning approval hereby granted is to be constructed to an adoptable standard and subsequently maintained at public expense. It is necessary for the developer to comply with the Highway Engineer's specification and terms for the phasing of the development, in accordance with section 38 (Adoption of highway by agreement) or section 219 (the Advance Payments code) of the Highways Act 1980. You must also contact the Engineering Design and Main Drainage Design section of City Transport to discuss the requirements for adopted roads or sewers and in due course submit a separate application in respect of these works. You are reminded of the need for early discussions with statutory undertakers to co-ordinate the laying of services under highways to be adopted by the Highway Authority. Telephone 0117 9222100.

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

Supporting Documents

6. Site ND6 Temple Quay

1. CFI views & layouts



CGI view along Avon Street looking up Providence Place and towards the new piazza space. Existing sub-station is shown ghosted in foreground.

4.1 Introduction

The key aim for this site is to design a contextually sensitive, high quality, sustainable development. This will be achieved with a mix of innovative new rental homes and expansive retail space at ground. A variety of public realm improvements will also be provided for public and residents to enjoy.

The proposal is:

Erection of an 11 storey building comprising of 120 residential units (Use Class C3), 524 sqm of ground floor flexible commercial space and 129sqm of residents entrance foyer. Ground floor will also accommodate dedicated secure cycle storage, refuse and plant areas.

Total residential units: 120

Studios	20 (17%)
1 Beds	65 (54%)
2 beds	30 (25%)
3 Beds	5 (4%)

Total habitable rooms: 260

Density: 1313 (habitable rooms per hectare)
606 (dwellings per hectare)

Cycle parking spaces: 170

Internal:

Residential long stay: 155
(67 bikes allocated within ND7)

External:

Residential short stay:	11
Commercial short stay:	2
Commercial staff:	2



CGI view from Avon Street looking up New Kingsley Road at the new colonnade and entrance to ND6.

4.2 Use

4.2.1 Ground floor

The ground floor is occupied by a large flexible commercial unit, Build to Rent front of house entrance lobby, secure cycle storage and back of house plant and refuse spaces. It is important to maximise the amount of active frontage at ground floor, to achieve the highest quality environment at street level. It is also essential in Build to Rent schemes, to provide easily accessible front of house and back of house areas.

All refuse and plant space will be located towards the north part of the ground floor, with external frontage to provide adequate ventilation and direct service access. Service lay-bys are incorporated into the highway design along Old Bread Street and Providence Place, to further assist the service strategy for the building and offer drop-off points for new residents.



4.3 Amount

4.3.1 Mix

In total, 120 Build to Rent homes are provided within the proposed ND6 development and this includes a mix of studios, one, two and three bedroom apartments. The range and mix of dwellings is considered appropriate for the location of the site. The residential apartments are all single level, and spread across levels 1 to 11. There are no residential apartments at ground.

Residential Summary

Units		Mix				HR
Floor	Unit Type	Studio	1B2P	2B4P	3B6P	Hab Room
TOTALS	120	20	65	30	5	260
		17%	54%	25%	4%	



CGI view down New Kingsley Road and Old Bread Street to the west.

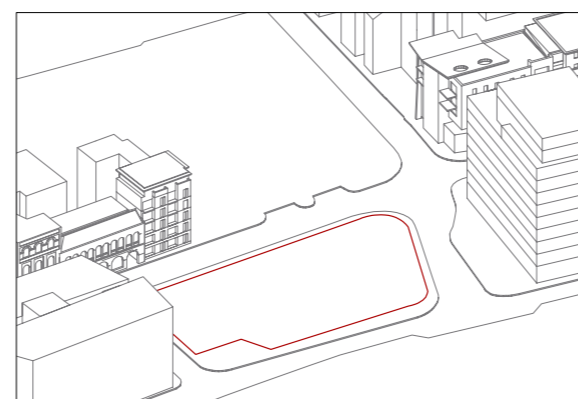
4.6 Scale and massing

The scale and massing of ND6 has been informed by sensitivities of surrounding buildings and key sightlines within the city, to ensure it positively contributes to the local urban grain.

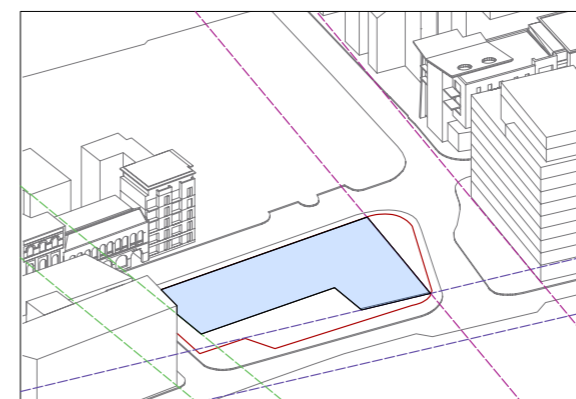
The east portion of building mass is 10 storeys above ground, which relates to the consented ND7 scheme adjacent. This mass has been considerably cut-away at its north-east corner, to respond to a key sightline towards the Gardiner Haskins building to the north. This helps to reduce dominance of the massing and improve the architecture, which will work to create a legible landmark as you approach south down New Kingsley Road. The west portion of building mass is 5 storeys above ground, which relates to the Christopher Thomas Court buildings to the north. It was the of the utmost importance to safeguard a view of the Gardiner Haskins turret, when looking north from Valentine Bridge to the south. These proposed heights allow the scheme to be of a density that achieves the 'net operating efficiencies', which is required by the Build to Rent operator.

The building mass covers only 61% of the site area, which allows for generous public realm space around all perimeters. This 'breathing space' in front of the building at ground floor, is vitally important to create quality street level environments for pedestrians, cyclists and everyone who uses or passes by the scheme. A covered colonnade walkway along the south-east portion of massing, also helps to achieve a quality user experience at street level and promote permeability through the site and create a visual connection to the ND7 scheme opposite. The massing at ground floor will be carved and sculpted, to create a more human scale architectural response.

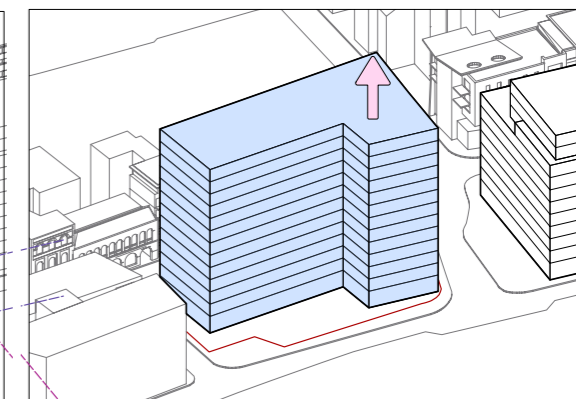
High quality, robust and resilient materials will be used to clad the massing. Details of such will follow in section 4.8 of this document.



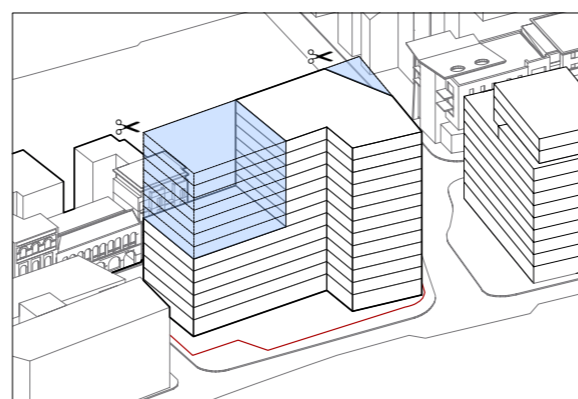
1. Existing Site



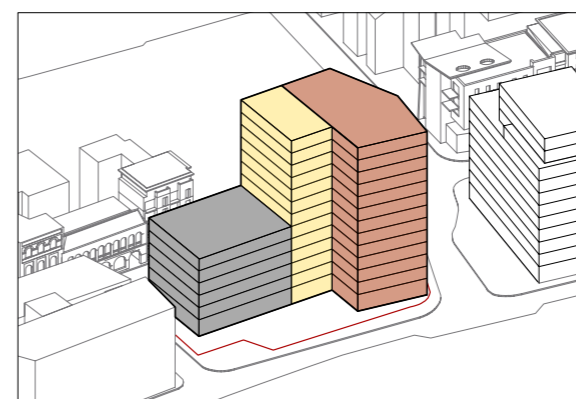
2. Respond to Existing Geometries



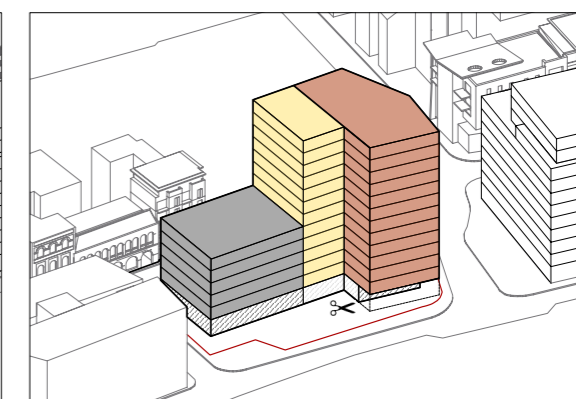
3. Respond to ND7



4. Retain Protected Views



5. Respond to the Vernacular



6. Activate Frontage/Create Feature Entrance



Context Elevation

4.8 Appearance

4.8.1 Introduction

The appearance of the proposed development has been designed to be sympathetic to its context. A brick palette has been chosen to respond to the Bristol red and grey brick vernacular, common in buildings like the Gardner Haskins building to the north and Temple Meads to the south. The design of the ground floor has also been developed to pick up surrounding influences, such as the arches of Christopher Thomas court on Old Bread Street, which have been interpreted along the new Betterfood shop fronts on the proposed scheme.

Issues of buildability, maintenance, functionality and resilience have also been considered when choosing the façade material palette, as we want to create a building that will stand the test of time and continue to serve its intended use long into the future. All materials will be of the highest quality in order to achieve this.

The following pages set out the façade strategies and explain how the elevations have been articulated and designed.



CGI view towards the new piazza space on Avon Street. Existing sub-station is shown ghosted in foreground.



ND6 and ND7 link

The residents and visitors of ND6 and ND7 developments share facilities – below ground car parking, gymnasium, eateries and commercial units. It is critical to the two schemes for the public realm treatment to acknowledge this relationship. All of New Kingsley Road adjacent to the ND6 is to be a shared surface, extending to the public landscaped areas of ND7

A formal pedestrian link cuts across the New Kingsley Road, connecting the two entrances along a single axis. A continuation of the high quality surface treatment of Avon Street Terrace forms a strong visual connection to adjacent key areas



Roof - Levels 6, and 11

The two separate roof areas are not proposed to be accessible to residents and will act as a safe haven for wildlife to increase biodiversity. The principles of Objective 2 of Chapter 5 Bristol Habitat Action Plan 'Open Mosaic Habitats on Previously Developed Land' is adopted for the non-accessible roof terraces using extensive brown and green roof systems to balance removal of existing open mosaic habitat in the future construction of this development.

For Brown Roof systems, substrate are to be of crushed local substrate (rubble/gravel/ spoils from existing site) which will include fauna and flora from existing site, re-establishing the existing plant and animal communities, enhancing them where possible.

For the green roof systems, a wide variety of species will be planted to mimic a range of habitats. Final details of these roof areas can be developed further in consultation with the LPA and the ecologist through development of the BREEAM assessment for the scheme.

Circulation and access: 1350mm wide maintenance access to perimeter behind parapet and up to access doors.
Material: recycled interlocking plastic grid with lightweight gravel infill of sufficient aggregate size to prevent removal by seagulls or other birds who may seek to use gravel to open shells when feeding.

