

Development Control A Committee Agenda



Date: Wednesday, 27 February 2019

Time: 2.00 pm

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

Distribution:

Councillors: Donald Alexander (Chair), Chris Windows (Vice-Chair), Clive Stevens, Mark Wright, Fabian Breckels, Tony Carey, Stephen Clarke, Mike Davies, Margaret Hickman, Olly Mead and Afzal Shah

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Date: Tuesday, 19 February 2019

www.bristol.gov.uk



Agenda

1. Welcome, Introductions and Safety Information

(Pages 5 - 6)

2. Apologies for Absence and Substitutions

3. 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.

4. Minutes of the previous meeting

To agree the minutes of the last meeting as a correct record.

(Pages 7 - 15)

5. Appeals

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

(Pages 16 - 24)

6. Enforcement

To note recent enforcement notices.

(Page 25)



7. 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 5 pm on Thursday 21st February 2019.

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 12.00 noon on Tuesday 26th February 2019.

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.

8. Planning and Development

To consider the following items:

(Pages 26 - 27)

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|--|--------------------------|
| a) Reference No. 18/03537/PB - Hengrove Park, Hengrove Way; Outline Planning | (Pages 28 - 123) |
| b) Reference No. 18/04367/F - 1 to 3 Ashton Road (The Old Brewery) | (Pages 124 - 165) |
| c) Reference No. 18/03496/F - 125 to 131 Raleigh Road | (Pages 166 - 188) |
| d) Reference No. 18/04795/F - 18C Merton Road | (Pages 189 - 196) |
| e) Reference No. 18/04705/F - Unit 3D and 3G Merton Road | (Pages 197 - 203) |
| f) Reference No. 18/04627/CAAD - Ashton Vale Club for Young People, Silbury Road | (Pages 204 - 216) |

9. Date of Next Meeting

Wednesday 3rd April 2019 at 6.00 pm.





Public Information Sheet

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

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

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

Other formats and languages and assistance
For those with hearing impairment

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

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

Public Forum

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

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

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.

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

By participating in public forum business, we will assume that you have consented to your name and the details of your submission being recorded and circulated to the committee. This information will



also be made available at the meeting to which it relates and placed in the official minute book as a public record (available from Democratic Services).

We will try to remove personal information such as contact details. However, because of time constraints we cannot guarantee this, and you may therefore wish to consider if your statement contains information that you would prefer not to be in the public domain. Public Forum statements will not be posted on the council's website. Other committee papers may be placed on the council's website and information in them may be searchable on the internet.

Process during the meeting:

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

Webcasting/ Recording of meetings

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

Bristol City Council Minutes of the Development Control A Committee



9 January 2019 at 6.00 pm

Members Present:-

Councillors: Donald Alexander (Chair), Clive Stevens, Mark Wright, Fabian Breckels, Tony Carey, Stephen Clarke, Mike Davies, Margaret Hickman, Olly Mead, Afzal Shah and Richard Eddy

Officers in Attendance:-

Claudette Campbell (Democratic Services Officer), Gary Collins, Natalie Queffurus, Ken Reid and Charlotte Sangway

1. Welcome, Introductions and Safety Information

The Chair welcome those present and explained the process to be followed on hearing of each application.

2. Apologies for Absence and Substitutions

Apologies for absence were received from Cllr Windows who was substituted by Cllr Eddy.

3. Declarations of Interest

Cllr Clive Stevens advised that he would step down from Committee at the start of the debate on 18.02902.F Land North Side of Belgrave Hill

4. Minutes of the previous meeting

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



5. Appeals

The Head of Development Management referred to the following items on the Appeal schedule;

1. Item 10 – Old Bristol Royal Infirmary Building: The current position was that the appeal had been withdrawn; the Council had applied for costs against Unite, the Inspectorate felt that Unite had behaved unreasonably so agreed that a formal claim for costs could be made.
2. Item 11 – 8-10 Station Road Shirehampton: Appeal against refusal; The Inspectorate supported the Council's position and dismissed the appeal.
 - a. Members asked whether costs were recoverable: the principle of appealing is that both parties cover their own cost but an award of cost can be made if a party is deemed to have acted unreasonably.

6. Enforcement

The Head of Development Management referred committee to the Enforcement notices drawing attention to:

- A noticed served to remove an advert that had been on display far beyond the designated time.

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 by the Committee prior to reaching a decision.

8. Planning and Development

The Committee considered the following Planning Applications

a. 18.02902.F - Land north side of Belgrave Hill

Prior to the commencement of public forum Cllr Clive Stevens stepped down from Committee in order to present his statement in opposition.

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

- a. The application had been deferred from 17th October 2018 committee and Officers were recommending that the application is granted subject to conditions.
- b. Committee were reminded of the proposal details and were shown the site photographs and plans



- c. The revised report addressed the issue of; the space requirements for the development; provides an extend view on the land stability in line with policy
- d. The previous application was granted in 2014 subject to conditions
- e. The Local Planning Authority instructed a specialist engineering geologist consultant (Arup) to review the information submitted by the developer. They found that the developers had addressed the risk relating to land instability.
- f. Drainage issue: it is proposed to construct a new drain between the properties within its design using specialist mesh to prevent blockage from leaf fall.
- g. Rock fall: the development included a concrete roof in mitigation
- h. Emergency vehicle access: Committee raised concerns about how an emergency vehicle, fire engine, would access the site along a narrow road, further restricted by park cars.
- i. Highways service sent a case officer to visit the road and consider whether it met the standards outlined in the Manual for Streets Guidance on the key requirements for the fire service access.
- j. The Officer considered the 3.7m kerb to kerb; the allowable reduction to 2.m for an appliance to reach a dwelling; fire pump appliance within 45m of single houses.
- k. The findings are detailed in full in the report that the road met the requirements but that the road was impacted by the vehicles parked along it. Removing on street parking along Belgrave Hill under a Traffic Regulation Order(TRO) to provide double yellow lines would resolve the issue. This would allow unimpeded access to the site by Emergency vehicles but would result in the loss of approximately 9 -parking spaces; the Resident Parking Zones would need to be re-evaluated as part of the process.

Member questions for Clarification

- l. Clarification was sought on the issue of the TRO and impact on parking spaces; Officers were unable to state with certainty the exact numbers of spaces that would be lost; neither could they say that the RPZ would be implemented because it must be agreed by those living along Belgrave road.
- m. Officers advised that as Members raised the issue of the access to the development for emergency vehicles, if they were not satisfied that guidance had been met it would be reasonable grounds to refuse the application. Advised that the impact of the re-evaluation of the RPZ could be considered by members. The planning inspectorate accept that any mitigation by the developer would have to be done in partnership with the Council.
- n. When asked whether the Fire Service could have access if the application was granted, Officers confirmed that they would as the development fell within the within 45 – 90 m requirement.
- o. Members also queried the size of the dwelling and the policy on space standards and how the previous application was granted with such small rooms. The previous design was based on Bristol Space Standards Practice Note(2011) and met those requirements. In 2015 national space standards changed increasing the requirement from the Council's minimum of 57-67 to 70(sqm).
- p. Members queried how the building would be situated in relation to the quarry rock face and the flow of rain water and sewage. The proposal was to shear up the rock face; the design included a gap between the rear of the building and the rock face; a buttress effect would be included in the construction to connect the building to the rock face at certain points; new drainage and sewage pipes would be linked to existing; Wessex water had agreed to take responsibility for repair.



- q. Members asked whether the construction over looked and/or over shadowed existing buildings. Officers advised that the design incorporated the need to avoid overlooking. The proposed window design incorporated slot windows and the proposal incorporated a good standard of amenity to avoid overlooking.
- r. Gary Collins advised members that they should give the previous application that was granted some weight as it had be granted within recent times.

Member Debate

- s. Cllr Eddy: accepted the work proposed to mitigate the instability of the rock wall but considered the following; the development triggering a RPZ review leading to a possible loss of parking; the design space standards below national guidelines; negative impact so would vote against.
- t. Cllr M Davies: Noted that since the granting of permission for this site in 2014 there had been a changed to minimum space standards that avoids development of small living spaces; concerns around the potential of the re-evaluation of the RPZ to accommodate the need for emergency vehicle access; views these two issues as a strong defendable case to consider refusing the application.
- u. Cllr Breckels: Considered the site to be 'unique'; that with the two issues of the need for access for emergency vehicles with the potential loss of parking spaces; the unique aspects of the quarry site that if developed will be lost to Bristol; therefore would be voting against.
- v. Cllr Mead: Reminded all that since permission was granted in 2014 the City had introduced RPZ and the revision upwards of the space standards has impacted how the development must be viewed; the initial attempt to build was abandoned for various reasons; would not be supporting the application because of these issues.
- w. Cllr Hickman: Shared her concern about the space standards, minimum that is proposed in the application particularly concerns on the impact this would have on residents maintaining good mental wellbeing and overall quality of life.
- x. Cllr Clarke: Appreciated that there is a need for housing but considered this development did not work on many levels when considering it against the changes in guidelines since the plans were first drawn.
- y. Gary Collins: Committee were reminded of the likely grounds that would be considered by the planning inspectorate on hearing an application of appeal against refusal. That the revisions of the national space standards would probably be considered valid grounds for refusal but the issue around the possibly impact of TRO could not be considered as it does not exist.
- z. Chair reminded committee to note the advice given by the Officer that is to limit the grounds for refusal to a single issue.
- aa. Cllr Eddy proposed that Committee refuse the application on the grounds of the application to meet the national space standards and the loss of on-street parking. Seconded by Cllr M Davies.
- bb. When put to the vote

Resolved: (8 for refusal and 2 against) that the application be refused on the grounds of the application failing to meet the national space standards; That the application would result in the loss of on-street parking.

b. 18.02302.F - Land bounded Winterstoke Road



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

- a. That the application is for the creation of a mixed development of 67 residential dwellings, with landscaping and parking and associated works; on the former site of Kellaway Building Suppliers and Winterstoke garage land.
- b. The development will deliver 100% affordable Housing managed by United Communities Housing Association.
- c. The site is accessed from Luckwell Road and Winterstoke Road via a private access lane to the Winterstoke Centre, also Lynwood Road which is a no through road providing access to site and current Winterstoke Centre loading bay.
- d. The public consultation has resulted in a number of issues but the prominent issue concerned the shared access & loading bay area between the residential development and the Winterstoke Centre.
- e. The report addresses the issues brought to the attention of planning but clarification was provided by Transport Development Management, that the Winterstoke Centre has a right of access; a unrestricted right to wait to load and unload but this does not include a right to park. This right of access will be retained as part of the application and the existing Winterstoke Centre loading bay improved and extended. The land however will not be adopted by the Council as a consequence the two parties, that is the Developer and the Winterstoke Centre will need to negotiate a way forward as the issues are deemed to be a private law matter.
- f. Officers were recommending approval with the Conditions outlined and the section 106 settlement.

Members questions for Clarification

- g. Clarification was sought on the bus stop on Marsh lane; the bus stop because of its location could not facilitate the installation of a shelter because of the potential loss of land on the development and therefore would not have real time information displayed. Members queried this, citing a number of bus stops without shelters throughout the City that did have real time information with a new bus shelter. Officers confirmed that they would look into this.
- h. Question was asked on whether committee could condition the way a large lorry accessed the loading bay at the Winterstoke Centre. The Highways Officer confirmed that there is a right of access and a right to load and unload but no conditions were possible.
- i. Members queried the use of private contractors to collect the waste; the on cost to residents of the affordable housing development; Committee were advised that Bristol Waste did not collect refuse and recycling from an unadopted highway.

Member Debate

- j. Cllr Stevens: noted that unload and loading at the Winterstoke Centre may require a vehicle to be on the access road for up to 3 hours.
- k. Cllr Eddy: Considered the development positively as it delivered 100% affordable housing which was unique as some development failed to deliver the required 20%. The development was in a sustainable location; good bus and cycle route; no negative impact on existing residential properties; only one issue to cause concern was that of the loading bay access for



the Winterstoke Centre and noted that it was civil issue and not a matter for planning committee to address.

- l. Cllr M Davies: Considered the development a good one delivering 100% affordable housing and having heard the public forum noted there were no reasons not to vote in support.
- m. Cllr Mead: Considered the application good; noted the legal advice and the differing position taken by the opposing sides; the issues could have been resolved over the preceding months; supported the application.
- n. Cllr Breckels: Liked the scheme and considered the 100% delivery of affordable housing a jackpot win; that he supported the right of the tenants of the Winterstoke Centre to continue in business; wondered if anything could be done to the pavement area along the access road to satisfy all parties.
- o. Chair advised that it was not possible to condition any such work.
- p. Cllr Eddy: sought to add to his view, the need for investigations to be done on implementing a real-time option for the bus stop.
- q. Officer advised that this could be explored further via the section 106 agreement.
- r. Cllr Stevens: Considered that with consent of the application the parties involved would need to negotiate to resolve any outstanding issues.
- s. Cllr Stevens proposed that committee agree the Officers recommendation, seconded by Cllr Eddy.
- t. On being put to the vote

Resolved (11 for and 0 against, unanimous) that the application be granted subject to the conditions

c. 18.03064.F - The Old Sports Centre West Town Road

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

- a. The application is for the creation of containerised self-storage facility with ancillary office, with altered access and associated car parking. The application had been revised following comments made by the Local Planning Authority.
- b. Plans with photos and 3-D imagery of the proposed development was shown allowing committee to view the boundary wall, formation of the stacked containers and impact on neighbouring properties.
- c. Following local consultation concerns were raised over noise from the site and increase traffic flow along local residential roads into the site.
- d. The previous consent granted for the site, was for office and associated warehousing.
- e. The self-storage would run along the lines of similar business in that users must sign a contract to use the site, agreeing to the terms & conditions for use; in addition users would be requested to confirm that the containers would not be used to store any hazardous combustible material or substances and/or explosives substances.
- f. Officers were recommending approval as the current application was similar in nature to the previous permission granted.

Members questions for Clarification



- g. Concerns were raised about lighting the facility at night and the nuisance this could cause residents. Officers advised that the scheme could not commence until a report detailing the lighting scheme and predicted illuminance levels at neighbouring residential properties had been submitted and approved.
- h. Members asked whether the types of vehicles entering the site could be conditioned and were advised that this was not possible.
- i. Concerns were raised about the impact on residents during the construction period and Officers provided reassurance that such matters would be outlined in the Management Plan required by a condition.
- j. Questions arose relating to the previous application that was granted and Members sought to know the reason why it was not implemented.
- k. Concerns was raised over the public realm and amenity and many saw no benefit of the application to local residents wondering if any alternative was possible.
- l. Officers advised that the previous application was a material consideration for determining the current application. The previous application was granted in 2011 for the site to be used as offices and commercial storage. The site has remained vacant following a fire in March 2013.
- m. Chair reminded members that the applicants is seeking to use the site for storage that is similar to previous warehousing application granted and were unable to consider any alternatives as that was not before committee for consideration.
- n. Officers confirmed that no developer, to date, have submitted a housing scheme for the site and no application for use had been refused.

Members Debate

- o. Cllr Carey: noted that the site had been sold for a specific purpose and that the applicants were within their rights to make this application.
- p. Cllr M Davies: Commented that there was a rise in the number of self-storage units across the City and that he believed that housing could be built on challenging sites; did not consider the proposal good therefore would be voting against.
- q. Cllr Hickman: noted that there were no plausible planning grounds on which to refuse the application but viewed the development as one that would affect local residents.
- r. Cllr Wright: Noted that such proposals often caused opposition about perceived nuisances but following his experience of such a site in his locality, such concerns were unnecessary because following construction they go unnoticed. The site in question is located under the M5 motorway bridge and also power cable therefore not suitable for family housing. Many dwellings are too small to house family items, this has given rise to the need for storage facilities. Minded to vote for.
- s. Cllr Breckels: expressed concern about the impact of metal containers on residents; security lights switching on and off; the possibility of 24hr access; aware that existing permission granted for industrial use but considered the business would have a negative impact on existing residents; unable to support because of the loss of amenity to local residents.
- t. Cllr Eddy: viewed the application as impacting resident's amenity and would be voting against.
- u. Cllr Clarke: noted all comments but was aware that the site had been empty since 2013; not suitable for housing for a number of valid reasons; there were no grounds on which an appeal could be defended; minded to vote for approval.



- v. Cllr Mead: shared his concerns that a refusal would not stand up in an appeal; sympathetic to local residents right to pleasant amenity; and to the loss of wildlife species on site;
- w. Chair: Reminded committee that the land had been considered appropriate for Warehousing by the previous decision and if it was not for that there would be room to manoeuvre; would like to vote for refusal but aware that the decision would be reversed on appeal.
- x. Officers confirmed that the objection from Sports England who had concerns about the neighbouring sports field boundary, was not strong enough on its own merit to support refusal.
- y. Members discussed a number of conditions that they hoped could be imposed to assist residents with light and noise nuisance but officers advised that none could be conditioned.
- z. Cllr M Davies proposed granting subject to conditions outlined in the report, seconded by Cllr Mead.
- aa. On being put to the vote

Resolved (7 for and 4 against) that the application be granted subject to conditions detailed in the report.

d. 18.05778.H - 7 Beryl Road

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

- a. The application was for the proposed demolition of existing extension and erection of replacement single storey rear extension.
- b. The application had been brought to committee because the applicant was a Bristol City Council Planning Officer and to avoid any question of bias the process outlined in the Member and Officer Code of Conduct had been implemented.
- c. The plans and photograph of the site and re-design was shared with committee.
- d. There were no objections.
- e. The matter had been considered by an independent consultant to prevent interaction between the applicant and any other Officer.
- f. Officers recommend approval subject to conditions.

Members question of Clarification

- g. There were none

Member Debate

- h. There was none
- i. Cllr M Davies proposed that the application be granted subject to officer conditions. Seconded by Cllr Eddy.
- j. On being put to the vote

Resolved (11 for and 0 against) unanimous decision that the application be granted subject to conditions.

9. Date of Next Meeting

The next meeting: 27th February 2019.



Meeting ended at 8.35 pm

CHAIR _____



DEVELOPMENT CONTROL COMMITTEE A

27th February 2019

REPORT OF THE SERVICE DIRECTOR - PLANNING

LIST OF CURRENT APPEALS

Householder appeal

Item	Ward	Address, description and appeal type	Date lodged
1	Lockleaze	16 Baily Place Cheswick Village Bristol BS16 1BG Erection of a first floor, side extension. Appeal against refusal Delegated decision	10/12/2018
2	Lawrence Hill	30 Eve Road Bristol BS5 0JX Proposed roof extension and single storey rear extension. Appeal against refusal Delegated decision	24/01/2019
3	Easton	76 Robertson Road Bristol BS5 6JT Adaptation and retention of garage. Appeal against refusal Delegated decision	28/01/2019
4	Redland	13 Kingsley Road Cotham Bristol BS6 6AF New rear dormer, new roof windows, one and two storey rear extensions, external insulation to side and rear elevations, replacement windows, alterations to front garden to incorporate car parking. Appeal against refusal Delegated decision	11/02/2019
5	Hartcliffe & Withywood	23 Hollisters Drive Bristol BS13 0EY Raise roof and add dormers roof extensions front and rear , remove chimney. Appeal against refusal Delegated decision	11/02/2019
6	Lawrence Hill	100 Goodhind Street Bristol BS5 0TB Part double/Part single storey rear extension. Appeal against refusal Delegated decision	11/02/2019

7	Stockwood	100 Stockwood Road Stockwood Bristol BS14 8JF Proposed two storey side extension and single storey front extension. Appeal against refusal Delegated decision	12/02/2019
8	Lockleaze	635 Muller Road Bristol BS5 6XP Proposed two/single storey extension to side and single storey infill extension to rear. Appeal against refusal Delegated decision	13/02/2019

Informal hearing

Item	Ward	Address, description and appeal type	Date of hearing
9	Filwood	PX Centre Bedminster Road Bristol BS3 5NR Outline planning application (with access, layout, scale and appearance to be considered) for redevelopment of the site to provide 32no. self-contained flats (Use Class C3) with associated access, parking, drainage and hard/soft landscape works. Appeal against refusal Delegated decision	TBA

Public inquiry

Item	Ward	Address, description and appeal type	Date of inquiry
10	Ashley	15-16 Brunswick Square Bristol BS2 8NX Proposed change of use from Private Members' Club (Sui Generis) at ground floor and lower ground floor with ancillary office use on the upper floors to office floorspace (B1a) on all floors with associated provision of waste storage and bicycle parking facilities and external alterations. Appeal against refusal Delegated decision	19/03/2019
11	Ashley	15-16 Brunswick Square Bristol BS2 8NX Internal and external works associated with the proposed change of use from Private Members' Club (Sui Generis) at ground floor and lower ground floor with ancillary office use on the upper floors to office floorspace (B1a) on all floors with associated provision of waste storage and bicycle parking facilities. Appeal against refusal Delegated decision	19/03/2019

Written representation

Item	Ward	Address, description and appeal type	Date lodged
12	Hillfields	16 Woodcote Road Bristol BS16 4DE Proposed new 1no. bedroom house, on land adjacent to 16 Woodcote road and a 2 storey extension to the existing house. Appeal against refusal Delegated decision	17/10/2018
13	Southmead	21 Shetland Road Bristol BS10 5JT Erection of a detached dwellinghouse. Appeal against refusal Delegated decision	18/10/2018
14	Avonmouth & Lawrence Weston	16 Grove Leaze Bristol BS11 9QN Erection of a single storey rear extension. Appeal against conditions imposed Delegated decision	26/10/2018
15	Stoke Bishop	19 Druid Hill Bristol BS9 1EW Single storey side extension to extend existing hair salon. Appeal against refusal Delegated decision	12/11/2018
16	Easton	28 York Road Easton Bristol BS5 6BJ Application for a Certificate of Proposed Development - proposed porch. Appeal against refusal Delegated decision	15/11/2018
17	Clifton Down	40 - 44 St Pauls Road Clifton Bristol BS8 1LR Retrospective application for the erection of a timber structures over the rear patio area. Appeal against refusal Delegated decision	27/11/2018
18	Clifton Down	40 - 44 St Pauls Road Clifton Bristol BS8 1LR Retrospective application for the erection of a timber structure over the rear patio area. Appeal against refusal Delegated decision	27/11/2018

19	Clifton Down	40 - 44 St Pauls Road Clifton Bristol BS8 1LR Enforcement notice appeal for the erection of timber structures to rear without planning permission. Appeal against an enforcement notice	27/11/2018
20	Eastville	Land And Buildings On The South Side Sandy Lane Bristol BS5 6SP Enforcement notice appeal for use of garage/store for commercial car repairs (COU). Appeal against an enforcement notice	10/12/2018
21	Cotham	12E Alfred Place Kingsdown Bristol BS2 8HD Enforcement notice appeal for the erection of dormer without planning permission. Appeal against an enforcement notice	10/12/2018
22	Lawrence Hill	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). Appeal against non-determination Committee	10/12/2018
23	Ashley	The Full Moon Backpacker Hotel And Attic Bar North Street City Centre Bristol BS1 3PR The retention of an automated teller machine and associated signage. Appeal against refusal Delegated decision	10/12/2018
24	Ashley	The Full Moon Backpacker Hotel And Attic Bar North Street City Centre Bristol BS1 3PR The retention of an automated teller machine and associated signage. Appeal against refusal Delegated decision	10/12/2018
25	Ashley	The Full Moon Backpacker Hotel And Attic Bar North Street City Centre Bristol BS1 3PR The retention of 1no illuminated top sign and 1no illuminated logo panel. Appeal against refusal Delegated decision	10/12/2018

26	Hengrove & Whitchurch Park	12 Valentine Close Bristol BS14 9NB Enforcement appeal for use of detached garage as self-contained unit of residential accommodation including sub-division of garden area. Appeal against an enforcement notice	10/12/2018
27	Brislington West	239 Bloomfield Road Bristol BS4 3QT Two storey side extension to create new dwelling, with raised rear terrace and associated works. Appeal against refusal Delegated decision	11/12/2018
28	Hillfields	Land At Dominion Road And To Rear Of 135 Ridgeway Road Bristol BS16 3EF Proposed demolition of the garage building and the development of a new single storey 1 bedroom bungalow with associated parking and garden space. Appeal against refusal Delegated decision	02/01/2019
29	Knowle	41 Imperial Walk Bristol BS14 9AD Erection of a new dwelling with access, screening, parking, landscaping and associated works. Appeal against refusal Delegated decision	21/01/2019
30	Hartcliffe & Withywood	30 Honey Garston Road Bristol BS13 9LT Erection of 2 no 2 bedroomed flats to side of existing house Appeal against refusal Delegated decision	21/01/2019
31	Horfield	1 Bishopthorpe Road Bristol BS10 5AA Proposed two storey single dwelling. Appeal against refusal Delegated decision	24/01/2019
32	Stoke Bishop	Stoke Lodge Playing Fields Shirehampton Road Bristol BS9 1BN Erection of new changing room building and associated works to replace existing building. Appeal against refusal Committee	24/01/2019
33	Bishopston & Ashley Down	91 Ashley Down Road Bristol BS7 9JT Retention of outbuilding. Appeal against refusal Delegated decision	04/02/2019

34	Bedminster	Bridge And Land To The North Of South Liberty Lane Bristol Demolition of existing bridge and construction of 17 no. houses and 3 no. flats (Use Class C3) with associated new access road, car parking, landscaping and ground works. Major Application Appeal against refusal Delegated decision	05/02/2019
35	Eastville	1 Park Road Stapleton Bristol BS16 1AZ Application for variation of condition No. 5 following grant of planning permission 15/06140/F - proposed change to hours of operation condition to allow opening from 18:30 until 22:30 on two Friday evenings of every month. Appeal against refusal Delegated decision	06/02/2019
36	Avonmouth & Lawrence Weston	Land Adjoining 104 Avonmouth Road Bristol BS11 9ND One 48-Sheet digital advertisement display. Appeal against refusal Delegated decision	12/02/2019

List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
37	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	Appeal withdrawn 03/01/2019
38	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	Appeal dismissed 08/01/2019

39	Lawrence Hill	199 Avonvale Road Bristol BS5 9SR Enforcement Appeal against notice served for works to roof including front dormer without planning permission. Appeal against an enforcement notice	Appeal dismissed 09/01/2019
40	Bishopston & Ashley Down	318 Gloucester Road Horfield Bristol BS7 8TJ Enforcement notice appeal for extension at rear of property. Appeal against an enforcement notice	Appeal dismissed 20/12/2018
41	Cotham	16 Clyde Road Redland Bristol BS6 6RP Partial demolition of existing garage/store structure and erection of a single storey, 1 bedroom dwelling with revised access. Appeal against refusal Delegated decision	Appeal allowed 31/01/2019
42	Clifton Down	36 Hampton Park Bristol BS6 6LH Construction of a one bed house, sunken into existing rear garden. Appeal against refusal Delegated decision	Appeal dismissed 05/02/2019
43	Bishopston & Ashley Down	126 Downend Road Horfield Bristol BS7 9PW Application for a Lawful Development Certificate for a Proposed use or development - Existing garage converted to annex to main house. Appeal against refusal Delegated decision	Appeal allowed 16/01/2019
44	Central	City Point Temple Gate Bristol BS1 6PL LED Digital Smartscreen. Appeal against refusal Delegated decision	Appeal dismissed 23/01/2019
45	Lawrence Hill	Public Footpath West Side Of Bond Street South Bristol BS1 3EN This application seeks consent for the erection and display of a single sided advertising structure to be used to show illuminated advertisements capable of automatic change of image. Appeal against refusal Committee	Appeal allowed 21/12/2018
46	Filwood	13 Leinster Avenue Bristol BS4 1NH Erection of a two storey, 3-bed detached dwelling. Appeal against refusal Delegated decision	Appeal dismissed 27/12/2018

47	Clifton	85 Queens Road Clifton Bristol BS8 1QS 1 x internally illuminated Fascia Sign. 1x Internally illuminated Hanging Sign. Appeal against refusal Delegated decision	Appeal allowed 11/01/2019
48	Redland	22B Gloucester Road Bishopston Bristol BS7 8AE Removal of existing dormer for proposed enlarged dormer extension with external access onto roof as a result of alteration to existing lean to roof to flat roof. Appeal against refusal Delegated decision	Appeal dismissed 04/01/2019
49	Ashley	Land Next To 75 City Road Bristol BS2 8UQ New three storey end of terrace building containing 2no. residential units. Appeal against refusal Delegated decision	Appeal allowed 29/01/2019
50	Ashley	Wadham Mansions Balmoral Road Bristol BS7 9AU Erection of a 4 storey building comprising 2 No (1 bed-space) studio apartments and 1 No (4 bed-space) 2 bedroom duplex, with cycle store, attached to existing 4 storey block of apartments. Appeal against refusal Delegated decision	Appeal dismissed 06/02/2019
51	Ashley	16 Kathdene Gardens Bristol BS7 9BN Two storey extension to the rear of the property and new dormer loft conversion with roof balcony and raised deck. Appeal against refusal Delegated decision	Appeal dismissed 08/01/2019
52	Westbury-on-Trym & Henleaze	14 Southfield Road Westbury Bristol BS9 3BH Replacement of existing wooden single glazed sash windows with uPVC double glazed units (3no. at the front of the house facing the street, 3no. at the rear). Appeal against refusal Delegated decision	Appeal dismissed 07/02/2019
53	Stockwood	18 Burfoote Gardens Bristol BS14 8TE Conversion of existing garage and erection of a first floor extension to provide a two storey dwelling house. Appeal against refusal Delegated decision	Appeal allowed 13/02/2019

54	Bedminster	Advertising Next To 267 West Street Bedminster Bristol BS3 3PZ Replacement of existing internally illuminated 48-sheet backlight advertising display with an internally illuminated 48-sheet digital advertising display. Appeal against refusal Delegated decision	Appeal dismissed 30/01/2019
55	Ashley	62 North Road Bishopston Bristol BS6 5AF Excavation and construction of a new driveway. Appeal against refusal Delegated decision	Appeal allowed 30/01/2019 Costs not awarded
56	Hillfields	62 Hillfields Avenue Bristol BS16 4JP New dwelling. Appeal against refusal Delegated decision	Appeal dismissed 13/02/2019
57	Stoke Bishop	Home Farm Barn Parrys Lane Bristol BS9 1AF Rebuild the existing part of the house in the rear garden with a lower floor level and to make it wider than at present and create annex accommodation.To lower the level of a part of the rear garden. Appeal against refusal Delegated decision	Appeal allowed 05/02/2019
58	Stoke Bishop	49 The Crescent Sea Mills Bristol BS9 2JT Proposed first floor rear extension. Appeal against refusal Delegated decision	Appeal dismissed 05/02/2019
59	Hengrove & Whitchurch Park	2 Arrowfield Close Bristol BS14 0UQ Proposed two storey side extension. Appeal against refusal Delegated decision	Appeal dismissed 05/02/2019

DEVELOPMENT CONTROL COMMITTEE A

27th February 2019

REPORT OF THE SERVICE DIRECTOR - PLANNING

LIST OF ENFORCEMENT NOTICES SERVED

Item	Ward	Address, description and enforcement type	Date issued
1	Bedminster	Land Adj 5 Winterstoke Road Bristol BS3 2NN To take discontinuance action in respect of advertisement hoarding. Discontinuance notice	06/02/2019
2	Bedminster	Advertising Next To 267 West Street Bedminster Bristol BS3 3PZ To take discontinuance action in respect of advertisement hoarding. Discontinuance notice	12/02/2019
3	Brislington West	77 Talbot Road Bristol BS4 2NP Erection of fencing/structure/enclosure over front garden area Enforcement notice	30/01/2019
4	Central	35 - 37 Stokes Croft Bristol BS1 3PY Installation of security shutters. Enforcement notice	30/01/2019

Development Control Committee A 27 February 2019

Report of the Service Director - Planning

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Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Hengrove & Whitchurch Park	Grant subject to Legal Agreement	18/03537/PB - Hengrove Park Hengrove Way Bristol Outline application for the demolition of existing buildings on site and regeneration of 49ha of land comprising residential development of up to 1500 dwellings (Class C3); up to 4515sqm of office accommodation (Class B1a); up to 4500sqm of education floor space to enable the expansion of City of Bristol College Skills Academy (Class D1); up to 790sqm community building (Class D1/D2); up to 2440sqm of flexible commercial floor space (Classes A1, A2, A3, A4, A5 and D1). Provision of new park of approximately 19ha, and areas of formal and informal open space. Transport infrastructure comprising connections to Hengrove Way, Bamfield, Hengrove Promenade and The Boulevard, and creation of new footways and cycleways. Access and strategic landscaping to be determined with all other matters reserved. Development to be built in phases.
2	Southville	Grant subject to Legal Agreement	18/04367/F - 1 - 3 Ashton Road (The Old Brewery) Bristol BS3 2EA Partial demolition of existing buildings and structures to provide a mixed-use development comprising 94 residential units, office workspace and flexible commercial space (Use Classes C3, B1, B1/A1/A3/A4/C1) with associated car parking, servicing, landscaping works and infrastructure. (Major Application).
3	Southville	Grant	18/03496/F - 125 - 131 Raleigh Road Bristol BS3 1QU Demolition of existing buildings and erection of a block comprising Use Class B1(a) offices and 4 storey block containing 6 apartments (Use class C3) with access from the Cigar Factory.
4	Bishopston & Ashley Down	Grant	18/04795/F - 18C Merton Road Bristol BS7 8TL Construction of 1no. store and 2no. single storey B1 or B8 business units.

Item	Ward	Officer Recommendation	Application No/Address/Description
5	Bishopston & Ashley Down	Grant	18/04705/F - Unit 3D And 3G Merton Road Bristol BS7 8TL Demolition of existing business unit and construction of new larger building consisting of three B1 or B8 units.
6	Bedminster	Negative Certificate issued	18/04627/CAAD - Ashton Vale Club For Young People Silbury Road Bristol BS3 2QE Application for certificate of appropriate alternative development - residential development.

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v5.0514

Development Control Committee A – 27 February 2019

ITEM NO. 1

WARD: Hengrove & Whitchurch Park
CONTACT OFFICER: Jess Leigh
SITE ADDRESS: Hengrove Park Hengrove Way Bristol

APPLICATION NO: 18/03537/PB Outline Planning (Regulation 3)

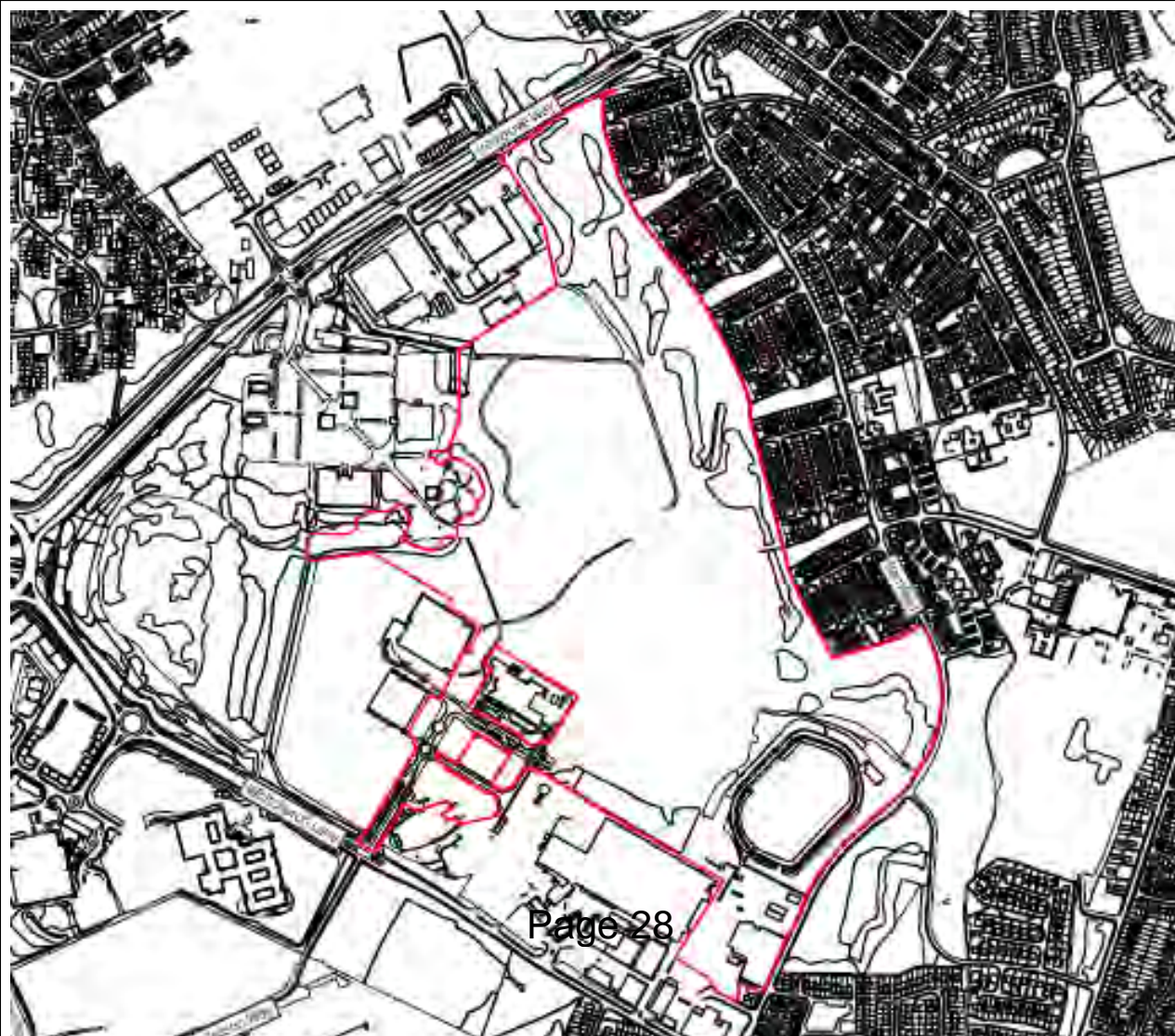
DETERMINATION DEADLINE: 27 February 2019

Outline application for the demolition of existing buildings on site and regeneration of 49ha of land comprising residential development of up to 1500 dwellings (Class C3); up to 4515sqm of office accommodation (Class B1a); up to 4500sqm of education floor space to enable the expansion of City of Bristol College Skills Academy (Class D1); up to 790sqm community building (Class D1/D2); up to 2440sqm of flexible commercial floor space (Classes A1, A2, A3, A4, A5 and D1). Provision of new park of approximately 19ha, and areas of formal and informal open space. Transport infrastructure comprising connections to Hengrove Way, Bamfield, Hengrove Promenade and The Boulevard, and creation of new footways and cycleways. Access and strategic landscaping to be determined with all other matters reserved. Development to be built in phases.

RECOMMENDATION: GRANT subject to Planning Agreement

AGENT: CSJ Planning Consultants Ltd
 1 Host Street
 Bristol
 BS1 5BU
APPLICANT: Bristol City Council
 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 – 27 February 2019
Application No. 18/03537/PB : Hengrove Park Hengrove Way Bristol

Contents

1.0 Application site and background

The application site is predominantly an area of open space but includes a former athletics track, rugby club house, scout hut, the former Whitchurch Sports Centre and Bamfield House.

The site lies to the north east of Hengrove Leisure Centre, South Bristol Hospital and the Bottleyard Studios. It is bounded by the St Giles Estate to the east, Western Drive Industrial Estate to the north with Hengrove Play Park and Hengrove Leisure Park to the northwest.

Also included in the application site are three 'bookends' located adjacent to the multi storey car parks to the south of the leisure centre and hospital plus an area of land to the north of the Skills Academy.

The site is approximately 49 hectares in area.

From 1930 the land as a whole was used as the Whitchurch Airport with air travel related development. Recreational facilities opened in the south east of the site in 1936. It ceased to be used as an airport in 1957 when Bristol International Airport opened.

The open space is dominated by a flat area of grass, across which runs the former runway, it includes two rugby pitches to the north of the runway. Along the eastern edge of the space is a mounded area containing a number of mature trees, to the north is a triangular area of woodland abutting the industrial estate and to the south a linear area of woodland backs onto the Bottleyard Studios.

The former athletics track is currently operated by the Family Cycle Centre as a family cycle training facility and the former Whitchurch Sports Centre is occupied by Action Indoor Sports, a facility hosting a range of indoor sports. Bamfield House, a former warehouse, is let to a coach owner and auto company. The rugby club house is in use by St Bernadette's Rugby Football Club who use the pitches on site, they also have an area that they use for training to the north of the Bottleyard.

The central part of the site is used for car boot sales at weekends.

In March 2000 the City Council in conjunction with the South West Regional Development Agency commissioned an Urban Framework Plan for the South Bristol major sites of Hengrove Park, Hartcliffe Campus and Imperial Park.

In 2005 outline planning consent was granted for a mixed use development on a larger area to include the application site. The description of development was;

'Redevelopment of informal open space to provide a mixed-use scheme, comprising a new public park and managed habitat area (48 hectares), health facility (C2), pool & dry sports facility (D2) residential (C3, up to 690 dwellings), offices and light industry (B1 30,000 sqm), storage and distribution (B8, 10,000 sqm), retail (A1, 1,000 sqm), food & drink (A3 and A5 1,000 sqm). The proposal also includes means of access from Hengrove Way, Whitchurch Lane & Bamfield and other associated infrastructure and landscaping works'

This was not implemented and was superseded by separate planning applications for Hengrove Leisure Centre, South Bristol Community Hospital, South Bristol Skills Academy and road infrastructure.

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Planning permission was granted in October 2017 for an area of land in the south west of that application site, (often known as Hengrove Phase One), for 261 dwellings,(ref.17/03943/F),and work has now commenced on site.

Hartcliffe Campus was granted outline consent for up to 350 dwellings, ref. 18/02055/P in September 2018 subject to a planning agreement.

Imperial Park has been developed as a retail park but also includes a housing development, which is currently on site.

2.0 Relevant Planning Policy

2.1 The Development Plan

Section 38 (6) of the Planning and Compulsory Purchase Act requires Local Planning Authorities to make decisions on planning applications in accordance with the Development Plan unless material considerations indicate otherwise. National level policy contained in the National Planning Policy Framework (NPPF) is also of significance.

1) Core Strategy

Policy BCS1 of the adopted Bristol Core Strategy states that;

‘South Bristol will be a priority focus for development and comprehensive regeneration. Development will be for a mix of uses to include:

Around 60,000m² of net additional office floorspace focused on centres and the major regeneration areas;

Up to 10 hectares of new industrial and warehousing land focused on the major regeneration areas;

The provision of around 8,000 new homes of a mix of type, size and tenure.

Development will occur across South Bristol with major regeneration particularly focused on the area at Knowle West and Hengrove Park. Regeneration in this area will require redevelopment of poor quality urban form in some locations to support the creation of higher quality environments.’

2) Site Allocation ref. BSA1401- Site Allocation and Development Local Plan- See Appendix A

The application site is the majority of this allocation, which is for a mix of ‘Housing, Offices and open space in the form of a large high quality park’

Development considerations are as follows;

Development should:

Take a coordinated approach to the delivery of this allocation and be guided by community involvement;

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Secure a large park, sufficient in size to accommodate areas of formal open space, sports pitches and the option of a large events space;

Provide 0.175 hectares of allotments (the equivalent of 7 allotment plots) on the site;

Provide improved pedestrian links to the area of open space to the west of the site known locally as 'the Mounds' by connecting with established footpaths and provided new links;

Include small scale retail facilities;

Integrate with the new community hospital, South Bristol Skills Academy and Leisure Centre development as part of Hengrove Park Phase 1 as well as the existing Leisure Park and Play/Wheels Park area;

Ensure that any scheme provides for the necessary improvements to the surrounding highway/transport network;

Be informed by an ecological survey of the site and, where appropriate, make provision for mitigation measures;

Be informed by a site specific flood risk assessment as the area of the site is greater than 1 hectare. This is a requirement of the Governments National Planning Policy Framework. The flood risk assessment should also consider impacts on the wider Brislington and Malago catchments to ensure that proposed and existing properties are not subject to flood risk;

Incorporate appropriate Sustainable Drainage Systems to minimise surface water run-off and risk of flooding;

Explore opportunities to open-up culverted sections of Brislington Brook;

Be informed by a Health Impact Assessment. This should include how the proposals have been discussed with local primary health care providers regarding impacts on primary care services.

The estimated number of homes for the site is 1,000.

A number of other policies within the Bristol Core Strategy and Site Allocation and Development Management Local Plan are relevant to the consideration of the proposal;

Core Strategy

BCS5 - Housing Provision
BCS7- Centres and Retailing
BCS8- Delivering a Thriving Economy
BCS9- Green Infrastructure
BCS11- Infrastructure and Developer Contributions
BCS12- Community Facilities
BCS13- Climate Change
BCS14- Sustainable Energy

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BCS15- Sustainable Design and Construction
 BCS16- Flood Risk and Water Management
 BCS17- Affordable Housing Provision
 BCS18- Housing Types
 BCS20- Effective and Efficient Use of Land
 BCS21- Quality Urban Design

Site Allocation and Development Management Policies

DM1- Presumption in Favour of Sustainable Development
 DM4- Wheelchair Accessible Housing
 DM5- Protection of Community Facilities
 DM7- Town Centre Uses
 DM10- Food and Drink Uses
 DM11- Markets
 DM14- Health Impact of Development
 DM15- Green Infrastructure Provision
 DM16- Open Space for Recreation
 DM17- Development Involving Existing Green Infrastructure
 DM19- Development and Nature Conservation
 DM23- Transport Policies
 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

2.2 Hengrove and Whitchurch Neighbourhood Plan, (HWNP)

The site falls within an area that was designated a Neighbourhood Planning Area in 2017. The Neighbourhood Plan was subject to a referendum on 14th February 2019 and with over 50% of voters in favour of the plan it is now part of the adopted development plan.

The plan includes 'Masterplan Moves' which are features that should be taken into account when designing for the site and includes an illustrative masterplan that resulted from that guidance and was produced for the Neighbourhood Planning Forum for the application site, (plus an area within the Leisure Park to the north).

The plan advises that development should take account of these moves, where feasible and viable.

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The text refers to 1,400 dwellings within the site being considered, a residential density of about 78dph, the retention of the runway space, the creation of a new hub close to the existing buildings with a height up of no more than five storeys and within the central hub.

The Moves are included as Appendix B

Objectives for the new park are as follows:

Increase the protection of valued open space and raise more open space to a 'Good' standard.

Develop the existing Hengrove Park site with quality new homes that interact well with the new Park and existing residential areas.

Create a high quality more formal Hengrove Park in line with the Bristol Local Plan.

Increase and improve the range of community facilities in the neighbourhood area to accommodate new and existing residents.

Get more people participating in outdoor sports and activities, including active travel and make connections with new and existing routes in the wider South Bristol area.

Develop a new hub in the Park development and tie in existing commercial and leisure provision to create an urban form that connects around and across the Park.

Provide a range of affordable housing types interspersed throughout the site.

Work with existing businesses and community groups to strengthen the community and creative potential within it.

Ensure the new Hengrove Park links to existing wildlife corridors in all directions to strengthen the ecological value of the area and provide clear recreational links between the new park and neighbouring areas.

Provide formal sports pitches and changing facilities to encourage a more active population to set up and support local sports clubs.

The plan includes a number of policies that are specifically relevant to the development of the site;

HWP1, which sets out aspirations for the park on the site as follows;

'Development Proposals for the Hengrove Park Site should include a large high quality park of 'destination' quality, as development guidance in the Local Plan indicates (appendix 4). The remodelled Hengrove Park should ideally include the following facilities and design and layout features:

Sports pitches for public use;

Indoor changing facilities with showers and toilets as a minimum to replace existing facilities;

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A new scout hut with secure area around to replace the existing facility;

Historic references to, and information on, the former airport and it's history;

The runway space retained but imaginatively recreated with physical reference to the historic hard surface surrounded by a grass sward setting retained at least in part;

An expanded Children's Play Area with facilities for a wide range of ages, linking well into the rest of the Park;

Extensive well-surfaced cycle and walking facilities for travel and recreational purposes, fully accessible and linking safely and directly to active travel facilities beyond the Park;

Formal Park attractions and planting as agreed;

Tree-planting to improve areas of open woodland and replace loss of trees on site;

Potential for an events space;

Outdoor gym facilities;

Better green links between the Mounds and remodelled Hengrove Park'.

Policy HWP8: Residential development at Hengrove Park states that;

'Development on the Hengrove Park site should follow the five Masterplan Moves of the Hengrove Park Masterplan where this is feasible and viable in order that a high quality large park is created out of the existing Hengrove Park and ensure that the new residential development interacts well with the new park and greatly increases the level of informal surveillance of the Park.

Residential development should be of a density of 70 dph where this is feasible and viable so that the Park footprint can be maximised with approximately 1,400 dwellings to be provided on the site, of varying type, size and tenure. The Park footprint should where possible be broadly as shown on the Masterplan, reproduced as Figure 5 in this Plan and available via the Appendix 1 link.

Good Design will be required throughout the development, with legibility created through the use of design features, height and massing of buildings as well as public art. Maximum interaction with the Park and new residents is to be encouraged with soft boundaries and the use of green fingers into new residential development.

In line with Local Plan policy a minimum of 30% Affordable housing is to be provided on site, to include some shared ownership scheme dwellings, and to be interspersed throughout the site'

HWP10 supports the development of a Community Hub and Local Centre on the site to include small shop units and a new community centre, to include a range of facilities.

Other policies of particular relevance include;

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HWP2- Linking Hengrove Park to wider Wildlife and Recreational Corridors

HWP3- Public Art, Creative Industry and Heritage Promotion- this refers to the safeguarding of the Bottleyard Studios during construction and support for public art projects,

HWP7 – Allotments- this requires 100m2 new allotments per 25 new dwellings,

HWP9 – Provision of Housing for the Elderly which requires 3% wheelchair accessible housing on developments of more than 40 dwellings

HWP11- Extending GP Surgery Provision- this supports the extension of GP provision at Whitchurch Health Centre.

HWP12- Promoting Sustainable and Active Travel- this supports charging points for electric vehicles and cycle parking

2.3 Urban Living Supplementary Planning Document

This was adopted in November 2018 and supports high density, good quality residential development, it specifically refers to Hengrove Park as a location where there is potential for a dense scheme.

2.4 The Bristol Local List February 2019

Whitchurch Airport runway is now included.

2.5 West of England Joint Spatial Plan (JSP)

This has been consulted, is currently subject to examination with hearings anticipated in May 2019.

The JSP recommends an increase in the housing from the 30,600 new homes for Bristol envisaged in the Bristol Core Strategy between 2006 and 2016 to a target of 33,500 between 2016 and 2036.

2.6 Revisions to the Bristol Local Plan

Key new policies and changes to existing policies in the adopted local plan were consulted upon in Spring 2018. This included a policy that recommended existing site allocations be reviewed with a view to increasing proposed number of dwellings. This policy did not attract significant objection.

Paragraph 48 of the NPPF states that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies in the emerging plan to the NPPF.

Therefore it is concluded that significant weight can be given to the JSP less so the draft revised Local Plan.

3.0 The Application proposal- See Appendix C

The proposal is in outline form and seeks consent for the following;

- i) The amount of, and general distribution of, uses and dwelling types across the site,
- ii) The maximum heights of buildings,
- iii) Street structure and street types.
- iv) Character areas
- v) Design Codes

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These are based on the detailed illustrative masterplan, which accompanies the application.

The character areas link into the Design Codes, which include some mandatory design guidance, primarily relating to highway layouts, but also advisory guidance on building design.

The mix of uses proposed is as follows;

- a) Park and ancillary areas of open space- the park is 19 hectares in area with ancillary spaces being the Runway Park, The Avenue and The Village Green
- b) Residential – a maximum of 1,500 dwellings- an indicative breakdown shows this to be approximately 60% apartments, 30% will be affordable broken down into 23% Intermediate and 77% social rent.
- c) Office- up to 4,515m² floor space.
- d) Community space- up to 790m²
- e) Educational- up to 4,500m² floor space to enable the expansion of the Skills Academy
- f) Flexible commercial floor space to be up to 2,440m² floor space to be either A1, A2, A3, A4, A5 or D1.
- g) Ancillary - Energy Centre, pumping station and substation

The submitted drawings show the proposed residential element sited to the west and south of the site with the main park towards the east of the site. The non- residential element is primarily focused south of the leisure centre and hospital on the bookends and land to the north of the skills academy. A power plant, pumping station and community building are included.

A new primary road is proposed as an extension off The Boulevard to the south and running north to connect with Airport Road, nominally 'The Avenue'. This will contain a bus gate at mid point and will be designed so it can accommodate Metro Bus should a decision be made to redirect it along this route. A secondary key route is proposed off Bamfield. Both roads are to be accompanied by dedicated cycle paths.

Secondary roads connect the parcels of development to this road and also to Bamfield.

The main park is shown as containing a range of features to include a new MUGA, two sports pitches, a Belvedere Tower,(which is indicated as being in the form of a high earth mound with paths around) , community orchard, allotments and a network of paths with informal play and a fitness trail.

In addition to the main park, other focal landscaped areas are proposed to include Runway Park, a linear green space alongside The Avenue and a village green, which is centred on the middle of the former athletics track.

The Design Codes include principles for the design of the landscape character for all the proposed open spaces but does not explicitly include mandatory elements.

A tree removal and tree principles planting plan is included, an Affordable Housing Statement, Arboricultural Impact Assessment, BREEAM communities statement, Cultural Public Art Strategy, Economic Statement, Health Impact Assessment and Retail Impact Assessment.

4.0 Environmental Impact Assessment

Because of the proposed development is an urban development including more than 150 dwellings and the area exceeds 5 hectares, it falls within Schedule 2 of the Appendix to the 2017 Environmental Impact Assessment Regulations, where an Environmental Statement may be required. Taking

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account the overall size of the development and the mix of uses it was concluded at the pre-application stage that the potential impact is such that a statement should be provided and a scoping opinion on the contents of the statement was issued subsequently issued in February 2018.

As set out in the regulations, the Environmental Statement submitted includes an assessment of the following; Air Quality, Noise and Vibration, Ecology, Flood Risk, Water and Drainage, Ground Conditions, Landscape and Visual, Transport and Access, Cultural Heritage, Socio Economics,(to include Health and Education) and Climate Change.

The respective chapters look at the existing situation, model the impact of the proposed development, during construction and when complete, and where relevant, consider the cumulative impact with other developments in the vicinity of the site. The latter includes the consented scheme at Hartcliffe Campus, the works underway at Filwood Park and Imperial Park and also the permitted residential use at Park View and potential development within it's curtilage.

Where appropriate, mitigation measures are recommended.

The statement is based on the number of proposed dwellings and non-residential uses listed in the application.

In accordance with the EIA regulations the Secretary of State has been notified of the application and documentation made available locally for inspection, in this case at Whitchurch Library.

5.0 Equalities Act 2010

The public sector equalities duty is a material planning consideration as the duty is engaged through the public body decision making process.

"S149 of the Equalities Act 2010 provides that a public authority must in the exercise of its functions have due regard to:-

- (a) eliminate discrimination, harassment ,victimisation and any other conduct prohibited under the Act
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) foster good relationships between persons who share a relevant characteristic and those who do not share it.

During the determination of this application due regard has been given to the impact of the scheme upon people who share the protected characteristics of age, disability, gender reassignment ,marriage and civil partnership, pregnancy and maternity , race, religion or belief, sex and sexual orientation.

The proposal will be required to include wheelchair accessible units and provide fully accessible paths through the development, to include the main park, to the benefit of the disabled.

A mix of housing size and tenure will be provided that could accommodate a number of different household sizes and family types.

The cycle path and footpaths will provide links within the site and to surrounding existing development and accordingly between incoming and existing population.

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The impact on air quality in the vicinity of the site during construction and the operational phase will potentially have an impact on the hospital and greater affect on older, more vulnerable residents in the area, of which there are more than the city average in the ward.

Measures will be in place to minimise this.

Overall it is not considered that there will be any adverse impact on equalities and an opportunity to advance equality of opportunity through the development.

6.0 Community Involvement Process

An extensive period of consultation was undertaken prior to the submission of the application, which complied fully with the guidelines the council's adopted Statement of Community Involvement.

The engagement strategy for this work included the establishment of a Community Focus Group to guide the process of consultation and link to the wider community. Membership of the group included ward members, Hartcliffe and Withywood Community Partnership, operators of businesses at Hengrove plus Bristol Civic Society.

Four potential options for the development of the site were put forward for consideration- set out in full in the Design and Access Statement.

These included a range of layouts for, and amounts of, the proposed housing and siting of the new north/south road link. One showed the housing adjacent to St Giles Estate with the main park in the centre of the site while the others kept this area undeveloped with differing layouts of housing particularly in the area to the north of the Bottleyard.

At this time, the Neighbourhood Planning Forum (NPF) for the Hengrove and Whitchurch Park area was actively promoting possible uses and ideas for Hengrove Park and were consequently invited to participate in the focus group. As an NPF they introduced their own master plan for the development of the park for consideration – Option 5 though this was outside of the scope of the formal consultation.

It is this masterplan that is referred to in the adopted Neighbourhood Plan.

There were a range of public engagement and consultation activities conducted in two key phases with one in November 2017 and a second running from December 2017 to early January 2018. The latter was to show how the project team had responded to the previous consultation.

Both exercises looked both at the Hengrove Park proposals but also the Hartcliffe Campus development. Subsequently work on the individual proposals were progressed and with meetings in February and March 2018 focusing on Hengrove Park alone.

These events were advertised through the distribution of 15,000 post cards to addresses in the area plus stalls were erected in nearby supermarkets.

A project website was created which disseminated information on events and feedback.

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Key areas of concern that came through early events included the loss of the park, quantum of development, impact on local services, flooding and traffic plus the issue of employment use. Suggestions with regard to the development of the park included the need for safe walking routes, open areas for sport, a children's play area, retention of the airfield and issues about the future of the car boot.

Of the options that were included in the formal consultation, Option 4, which retained the largest park area, received most support. An amended version of this option formed the basis for the second phase of consultation.

A number of detailed comments on the proposals for the park were made though matters such as lack of employment provided and impact on local services were again raised.

Full details of the numerous responses received during this process are included in the Statement of Community Involvement.

Bristol Urban Design Forum

The forum considered the proposals on the 27th November 2017. In their response they broadly supported the overall planning and design approach but made a number of suggestions regarding the detailed design, management and the possibility of a social programme linked with phasing. It was considered again on 27th February 2018 when they supported the approaches to strengthen the northern end of the proposed Avenue but were not convinced that the opportunity to create a real south Bristol central focus had been grasped. Again a number of suggestions were made.

Outcome

The masterplan was amended in response to the comments received from the second phase of consultation to become the version that is the subject of the current application including the provision of the runway park, a network of walking/cycling routes and an open sports pitches within the main park area.

7.0 Response to publicity and consultation on the planning application

Five hundred and eighty seven letters of consultation were issued with a closing date for comment of the 31st July 2018. The application was advertised on site and in the press with a closing date for comment of the 8th August 2018.

In recognition of the large nature and complexity of the proposal and of the holiday period, when the dates were queried by some interested parties it was advised that consultations received after this period would be acknowledged and taken into account.

Following submission of the Design Codes all contributors to date were notified that these were available to view and for comment.

The Whitchurch and Hengrove Neighbourhood Forum

The forum responded initially to the effect that they considered the application to be a departure from the development plan primarily because the size of the park and lack of detail of the park meant it failed to demonstrate that a high quality park was to be achieved as set out in the site allocation.

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A response was provided to this by officers to the effect that at 19 hectares it is considered that this is a large park, consistent with the description of the intended open space set out in the 'development considerations' in BSA1401.

With regard to the issue of detail, it must be acknowledged that the current application only seeks permission for the 'strategic open space', notwithstanding more consideration of the illustrative layout and contents of the proposed park is considered further under the relevant key issue.

It is recognised that the proposed number of dwellings exceeds the estimated number of homes referred to in BSA1401. However, the allocation itself does not specify an amount of new homes and it does not set out a cap.

It is therefore concluded that the proposals are consistent in principle with the development plan and do not represent a departure from it.

The Forum subsequently submitted a formal comment on the application, comments can be summarised as follows;

The site allocation refers to a high quality park and it is made clear that it should be sufficient in size to accommodate areas of formal open space, sports pitches and the option of a large event space.

The Parks and Green Space Strategy identified a lack of formal open space and destination parks in South Bristol. Hengrove provides this opportunity. The figure of just over 2 ha of formal space does not address the shortfall.

There is no overall plan showing clearly how the remodelled park will be laid out or landscaped. Proposals for the remodelled runway are not presented in a form that can be responded to properly. At present proposals show buildings coming hard to the boundary.

The Open Space Assessment has not properly considered the lack of a high quality park. The Quality of Life surveys show a low amount of satisfaction in Hengrove, open space is dominated by informal open space and area is generally under provided with play equipment.

Allotments are not a suitable part of the park that is open to everyone. The woodland belts that are retained are assessed as category C and the village green takes space away from the park and will be semi-private.

Public comments

In addition to the above comments, 78 responses have been received which can be summarised as follows;

1. Housing- the amount of housing is too great, there is a need for one and two bed bungalows accessible to the disabled, there should be more 3 bed units with gardens for families and some of this should be affordable, there is concern that housing over 4 storeys is being proposed, the number is excessive being 1,750 in total and not the 1,000 in the local plan, the area is already overcrowded having a negative impact on quality of live, what measures would be in place to prevent the affordable housing being available for rent
2. Impact on neighbours- high buildings will impact on neighbours
3. Park- a large amount of park is being lost, which is needed as green space and for exercise, if the previous allocation of 1,000 houses was retained more park would be left, the proposed

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allotments, football pitches and village green is not something for the whole community. There is insufficient detail of the park, it is not a high quality park as promised, will not deliver a high quality destination park, there is no option of a large events arena and large areas are to be used for SUDS drainage areas – more detailed information on this is needed, these proposals will devastate the landscape

There looks to be minimal provision for outdoor sport, less green space will lead to increased obesity

4. Trees- mature trees will be felled but the new trees planted will take a long time to reach maturity
5. Ecology- a full environmental study should be provided, the bat activity and reptile surveys are still outstanding these must be included in an assessment of the impact of the proposal

Officer Response- These were provided

6. Local History- the historical site is rare in this area, local history should be protected and celebrated
7. Traffic- it is disagreed with the statement that there is capacity in the road network to accommodate the yet unspecified amount of traffic, the bus gate is retained which will mean that the bulk of the housing will be accessed by Bamfield and Whitchurch Lane, which will load the pollution and traffic on the residents of these roads, Bamfield is already over used, it is in poor condition, the South Link Road is un-useable at peak times and the metro link will make little difference, there will be a cumulative impact with other development, access to the city centre and from the south to the motorways needs improving

The design of the access within the site is not the most safe option, it does not provide safe and suitable access for all users, a through route with no bus gate should be provided, there are queries about the capacity assessment submitted and conclude that the impact on existing highways will be severe and should be refused accordingly. Car parking should be based on an Optimum approach not a Maximum approach, there is insufficient parking

8. Design- the outline height of the buildings are too high and will be out of context
9. Pedestrian/cycling access- there does not appear to be any proposals to improve pedestrian and cycling links outside of the site
10. Air Quality- the additional traffic will reduce air quality
11. Education and Health Care Facilities- there are no plans to improve doctors and schools are nearly full, the proposed development should include allocation of additional space for primary health care unless provided off site, the infrastructure should be provided, all other developments in the area will have an impact, there is no strategy for education or health.
12. Scout Hut- no provision has been made for the relocation of the Scout Group Headquarters- this should be included in a legal agreement
13. Non residential uses- it is hard to believe there is a need for more offices and shops, Hawkfield Business Park has never been fully let, the demise of Park View and the expansion of the college is unlikely when the existing building is undersubscribed- this planned development and destruction of open space is not viable.

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14. Drainage- the park is very swampy in the winter, there have been problems with surface water experienced by houses next to the park, the develop will mean more run off and flooding

15. Impact on nearby business-need to understand all proposed new power and cabling during construction and completion, this could affect business, are there any proposals to use Western Drive or the commercial site at the end of Western Drive during construction? There would be concerns about safety and crime.

Bristol Civic Society

The society commented on their involvement in the development of the scheme and support the high density approach to the scheme which will make best use of the land and help support local services. They comment that the Design Codes will hopefully ensure a high quality of design. With regard to the public realm element, they welcome the clear reference to the former runway and that the village green is attractive. Attention should be given to the detailed design to encourage a community feeling. It is suggested that the built area could have a less definite boundary with the park by incorporating narrow extensions of park into the eastern boundary. The north south transport route is supported.

Following consideration of the Design Codes they commented that much attention should be given to the detailed design of the public realm reiterating many comments, it is suggested that the low rise is either terraces or linked buildings, taller buildings should create interesting roof scapes. Reference is made to the SPD on Urban Living and the opportunity to put that guidance into practice.

South Bristol Business

This group of South Bristol businesses, has commented as follows;

Support for housing and extension of the Skills Academy. Concern that the development lacks any real business creation, business expansion/employment dimension. Homes and jobs are of equal importance in planning large developments. The Economic Statement does not reflect ongoing demand for business premises in south Bristol. It is hoped that the results of the Citywide Employment Land Study will be available before a decision is made on the application. Land should be allocated for employment floor space.

Bristol Walking Alliance

The alliance commented that the design codes show how the road layout will be dominated by the provision of car parking, that a greater emphasis should be placed on sustainable transport, local facilities should be within 10 minutes walking time of residents , capacity for more space for home delivery drop offs and shared taxi and minibus services. Walking routes should be fully segregated, raised tables at junctions – Comments made by Transport Development Management and Crime Prevention Officer are supported

Bristol Cycling Campaign

The campaign commented that aspects of the scheme are supported, they comment on the need to segregate footway and cycle tracks through levels and kerbs, which are more effective than a change in levels, the need to have continuous cycle tracks at junctions , the need for cycle storage close to entrances and recommend that there are upgrades to existing shared use paths.

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8.1 Is the principle of development acceptable in policy terms?

i) Proposed Uses

The site is the large part of a site allocated in the local plan for a mixed development of 'Housing, Offices and open space in the form of a large high quality park', development considerations listed refer to the provision of allotments, small scale retail with an estimated number of 1,000 homes.

a) Housing

The number of dwellings has been referred by the majority of objectors who are concerned that this will result in too small a park, have an unacceptable impact on traffic using the surrounding road network, on the availability of doctors and on educational provision.

Para 118 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses and para 122 refers to the efficient use of land and that plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible.

The principle of residential development is clearly established in the adopted site allocation document and the approximate number of 1,000 dwellings is not a cap.

The site allocation includes Hengrove Phase 1, which has planning permission for 261 dwellings hence the overall number of dwellings on the allocated site in total is now 1,761, which represents a 76% increase.

This increase is a reflection of the urgent need for housing within Bristol.

HWP8 refers to approximately 1400 dwellings on the application site, (plus some land adjacent to the north), which is just over 6% less than the proposal.

Supplementary Planning Guidance on Urban Living, adopted in November 2018, focuses on making successful places at higher densities. The document refers to the lack of strong town scape character and contextual constraints at Hengrove which allows significant potential for intensification.

The draft Joint Spatial Plan, currently under examination, proposes an increase target for housing for Bristol from the current figure of 30,600 to 33,500.

The emerging revised Bristol Local Plan includes a proposal which amongst other things refers to 'Making the best use of existing local plan site allocations by adding a new policy which seeks a higher number of new homes on each existing allocated site.' The text underlines the fact that the existing estimates for housing on allocated sites is not a cap and recommends that the estimated number should be increased by an even greater amount where a site is capable of better meeting the need for new homes and specifically refers to Hengrove Park.

This was amongst the recommended changes consulted upon in Spring 2018 and received overall support.

In accordance with paragraph 48 of the NPPF, the JSP and revised draft Bristol Local Plan, to a lesser extent, can be afforded some weight in the decision making process.

It is of note that the Corporate Strategy has adopted a target of building 2,000 houses per year of which 800 to be affordable in recognition of the need for housing within the city.

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The increase in the number of dwellings proposed on the site is fully in accordance with existing and emerging planning policy and the divergence with the approximate number of 1,400 referred to in the Neighbourhood Plan is not considered to be of a magnitude to justify objection.

Policy BCS20 of the Adopted Bristol Core Strategy stipulates a minimum density of 50 dwellings per hectare,(dph), and the draft revisions to the local plan increase this to 60 dph.

Based on the projected number and size of units indicated on the parameter plan showing the mix of development type, the estimated dwellings per hectare is 59. This complies with BCS18 which sets a minimum of 50 though is less than the aspiration of HWP8 which refers to 70 dph where feasible or viable.

The detailed layout work undertaken on the Design Codes included with the submission has provided a good basis for this calculation with the density being a product of a number of factors but in particular the need for parking provision and the inclusion of green spaces. This is therefore demonstrated as feasible and significant weight is given to this estimate.

An indicative breakdown of the mix of dwelling size and type is included, which in turn links back to the parameter plan, this is 36% houses, to include some four bed, and the remainder a mix of one and two bed apartments. The design and access statement refers to this having been derived from a balance of providing a good and viable mix based on need and market intelligence.

The text to the Neighbourhood Plan refers to an aspiration for a 50/50 split between apartments and houses but acknowledges that it is not possible to be precise.

In accordance with BCS17, 30% of the dwellings will be affordable in a mix of 23% intermediate tenure, (eg. shared ownership) and 77% social rent.

HWP8 supports this percentage of affordable housing provision.

The Housing Enabling Team have specified the mix of dwellings they will be seeking as affordable which breaks down as approximately two thirds houses as intermediate but an approximately 50/50 split for apartments and houses for social rent.

As the total proportion of affordable housing across the site will be at least 30%, which will allow some phases to include more than 30% to balance out phases which provide between 15% and 30%. To ensure that there is a mix of tenure across the site no phase shall deliver less than 15%.

The developers of the site are at present unknown and may include the council itself, any land sale will be conditional on providing affordable housing. Given this situation, a legal agreement may not be feasible and the unusual measure of securing the affordable housing by condition is recommended.

The absence of a legal agreement also has the benefit of enabling the council to bring forward infrastructure works ahead of any building but it must be recognised that a condition cannot address financial matters that would normally be included in a legal agreement and can only be acceptable when there are strong control possible through landownership.

This provision will be monitored closely on a phase by phase basis and a running total be included with each reserved matters application.

This approach was taken at the Harbourside development.

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HWP9 requires 3% of dwellings to be wheelchair accessible. This is a reflection of the older than average population profile in the ward and there is no objection to complying with this by condition.

In conclusion, the housing offer complies with existing and emerging planning policy.

b) Offices

The potential of the site to contribute to the target of providing 60,000m² new office floor space in south Bristol is referred to in the site allocation but does not state the quantum required or the location. The explanatory text refers to the provision of new employment opportunities. The reference to the amount of office floor space in the application will depend on the achievement of a six storey building in the location highlighted on the parameter plan, which is one of the bookend sites. The suitability of a building of this height will be assessed at Reserved Matters stage.

If achievable, in principle the development complies with the reference in the site allocation to the site having potential to contribute to the core strategy target of 60,000m² office floor space in South Bristol.

Notwithstanding, comments received during the consultation exercise raised concerns about the lack of employment floor space being provided within the development and the lack of support for the south Bristol economy. This is also an issue that has been raised by Economic Development who comment on the demand for good quality office/workspace in the area as illustrated by the speed at which the Filwood Green Business Park was let. This demand is for flexible floor area, not all office, of differing sizes to include small units. They anticipate that the profile of the area and its attractiveness to business will increase with the development planned and the metro bus connection.

The Economic Statement submitted with the application includes a letter from a firm of Property Agents, which states that it is not considered that Hengrove Park is an employment location of significant scale and, as such, any planning application on the site should be primarily for residential development. It opines that there is very limited demand for office space in this location and that the main demand for offices is in business parks and the city centre and that there is no evidence of recent successful office developments contained within a new build residential scheme. The lack of interest in Parkview is referred to. They support the inclusion of up to 4,515m² of office floor space on the basis that this is a similar size to Filwood Green Business Park – (5,601m²). However they refer to the unlikely hood of a residential developer building an office building speculatively and that rents are low and incentives would be required to attract tenants and overall it would be unviable.

These comments are apparently based on the market situation for large office floor areas and do not necessarily reflect the type of demand referred to by Economic Development.

Economic Development have made some preliminary enquiries with developers who would provide the type of employment floor space there is a demand for and advise that there is interest

In order to secure a situation with maximum flexibility that could attract the type of businesses looking for accommodation in the area, it is proposed that a condition be imposed restricting the use to B1a,b and c, hence more than simply offices, and providing flexible floor space down to a minimum of 50m² so allowing more than just offices but in so doing removing the permitted development right to change to residential. A condition is also recommended that will require the provision of this element before completion of the 1,000th dwelling on the site.

Additional support for the local economy will be achieved through a local employment strategy, which will be required by condition to include the provision of apprenticeships.

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c) Education

The area of land allocated for education is adjacent to the existing Skills Academy and lies outside of the allocated site and therefore that education is not referred to in the allocation is not specifically relevant.

It is intended to provide an extension to the academy on this land.

In planning policy terms, education is considered to be a community use and BSC12 states that community facilities should be in locations where amongst other things, there is a choice of travel options and it is accessible to all. The existing facility is very well served by public transport and within walking distance to a large catchment area. It is therefore considered that this element complies with policy.

d) Community

The provision of community facilities is not included in the site allocation but is specifically referred to in HWP10.

This type of use is considered to be a mix of D1 and D2 as it has potential to accommodate a broad range of uses from adult education to exercise, dance and functions. It is therefore a sui generis use in planning terms.

In addition to the support through the Neighbourhood Plan, the provision of this space is of relevance as community use space is to be lost as part of the development in the form of the scout hut and DM5 refers, amongst other things, to the provision of replacement community facilities when existing are to be lost. A condition is recommended that requires this building to be provided ahead of the demolition of the scout hut.

It must be noted that HWP1 refers to the inclusion of a new scout hut in the park and the community building will provide floor space for the scouts but not a separate building.

e) Commercial A1- A5

The planning supporting statement to the application expands on the proposed commercial uses to state that no more than 1,500m² will be in use as A1-A5 and of that floor space, the A1 floor space will be no more than 825m².

That the floor area being proposed is over the 200m² suggested in DM7 as being 'small scale' for town centre uses, and therefore not having an impact on designated centres is given as being based on the premise that the site allocation specifically refers to 'small scale retail development'.

(NB part of the application site where commercial is proposed falls outside of the allocated site so not affected by this reference but the Neighbourhood Plan does include the area as a whole and HWP10 supports a local centre containing small shop units)

Reference is made to the 2005 consent which included up to 1,000m² A1 and up to 1,000m² A3 and A5 though this pre-dates the current development plan and national planning policy guidance.

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As the site is not a designated centre in the current local plan policy proposals map and the application allows for more than 500m² of retail space, in accordance with DM7, a Retail Impact Statement has been included with the application.

The impact assessment assumes that the retail element will be of 'top up' nature for residents and accordingly employs a figure that is 20% of the predicted spending power of the estimated number of residents to calculate that this can support a food retail store of 412m². A larger store would attract a greater percentage of spending power and could start to impact on the activity at the nearby designated centres.

The statement also considers non-retail though as this type of use generally takes up larger floor areas and locates in areas where there is comparison shopping, it is considered unlikely that this type of retail would be attracted to the location.

This is considered a reasonable approach and accordingly a condition is recommended that restricts the overall amount of retail floor space to 825m² in total and limits individual store size to 412m².

In addition to the retail element, use classes A2-A5 all fall into the planning policy definition of 'town centre uses' and in theory they could take up the total 1,500m² allocation, in which case they too should be subject to an impact assessment in accordance with DM7.

This however is considered very unlikely though notwithstanding, these should be subject to a sequential test.

The applicant has stated that these uses are aimed at catering for the development and therefore providing for a local need. The floor area will equate to a small parade of shop units but it is asserted that it constitutes a marginal amount of the floor space being proposed in total and should be considered small scale.

In the absence of any explicit consideration of this matter, using the guidance of what is small scale in DM7 it is considered reasonable to control the size of the individual units to 200m² which will provide units of a size that could accommodate the mix of anticipated uses such as hair dressers and cafes.

When considering this issue it is relevant to take into account the reduction in traffic movements that may result from having a range of local facilities within reasonable walking distance and HWP10 of the Neighbourhood Plan.

d) Energy Centre, pumping station and substation

These are all ancillary to the principle uses and acceptable in principle.

ii) Policy implications of the loss of existing uses

Open Space-

The loss of the open space as a whole and the amount of park have been the subject of significant objection.

Paragraph 97 of the NPPF refers to existing open space not being built on unless an assessment has been undertaken which has clearly shown the open space to be surplus to requirements.

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Through the adopted site allocation the principle of the loss of a proportion of the open space has been examined and supported. Given this there can be no grounds to revisit the principle of development on the site though it is important to consider the size and design of the park.

It is also to be noted that HWP4 expressly omits Hengrove Park from the list of designated open space sites and specifically refers to the residential development proposals for the Hengrove Park Regeneration Site, it is also excluded from Local Green Space designation under Policy HWP5.

Reference has been made to the 2005 resolution to grant outline consent, which referred to the provision of 48 hectares of open space but on the basis of only 690 dwellings. The policy background to the need to increase the number of dwellings is outlined earlier in the report.

Policy HWP8 of the Neighbourhood Plan states that development of the site should follow the five Masterplan Moves where this is feasible and viable to ensure that a high quality large park is created. The masterplan undertaken for the Neighbourhood Planning Forum shows a larger area of park than currently proposed, but this is not specified by policy.

The design of the layout for the site currently proposed was park lead and includes 19 hectares of main park. While it is acknowledged that is significantly less than in 2005, it is contended that it remains a large area of open space in its own right. In comparison St Georges Park is approximately 15 hectares and Victoria Park approximately 21.5 hectares.

It is therefore considered to be of a size that has capacity to provide a main local park.

It is relevant to assess the amount against the standards contained in the council's Parks and Green Space Strategy. Information gathered in connection with the strategy included an analysis of the type of park provision identified in that strategy across the city namely; formal, informal, natural and play.

Work was undertaken using the quantity and distance standards in the strategy on the basis of the then Neighbourhood Partnership Areas in 2008. This showed that there was a large amount open space per capita vis a vis the citywide standard in the two former Neighbourhood Partnership Areas, (NPA), into which the Hengrove and Whitchurch Park Wards now fall, (having been created in 2016), being 72m² for Hengrove and Stockwood and 44m² for Dundry View with the city wide standard being 18m².

Projected increases in population were built into these calculations to include the sites allocated for development with the result that the amount per capita in Hengrove and Stockwood was estimated to reduce to 48m², the estimate for Dundry View was 40m².

It is recognised that these figures will be altered by a larger than predicted increase in population, and do not directly relate to the Hengrove and Whitchurch Park Ward, but they do indicate that the overall amount of open space in the area remains comparatively high. It also being relevant to take into account the new public open space that will be created as part of the Hartcliffe Campus development.

However in both NPAs the open space was largely 'informal' and 'natural' with a significant shortfall in formal open space and Hengrove Park was identified as an opportunity to provide a formal park and help make up this short fall.

The quality of a park is a product of the design and proposed facilities, not simply the amount of park and detailed consideration of the proposed design of the park is set out below.

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Taking the above into account, it is considered that the amount of park proposed is appropriate and there can be planning policy grounds to object.

Car Boot sale - It is known that a central part of the site has been regularly used as a car boot at weekends and the development as proposed will mean that there is no longer such a large flat area that continue to accommodate this use. Policy DM11 specifically refers to new street or open markets being encouraged where they would be beneficial to shopping provision and support existing centres.

This policy makes no reference to car boot sales and taking into account that it is not close to any designated centre it is not considered that the loss of this facility could be grounds to object to the application.

Scout Hut-The development will mean the loss of the scout hut, which is a community use and in principle against DM5 and BCS12. However in accordance with DM5 a new community building is included in the proposal which could be used by the scouts.

Bamfield House- this former warehouse is used for the storage of coaches plus an auto repair business and while these are considered to be sui-generis uses they provide local employment and therefore in principle their loss is contrary to DM12. However it must be taken into account that new employment floor space is included in the proposal, albeit of a different nature. Taking this into account and giving significant weight to the provision of a large amount of new housing, it would not be wished to object to the application on the basis of their loss.

The issue of the sporting provision on site is considered below.

8.2 Is the loss of sports pitches and sporting pitches and sporting facilities acceptable?

Paragraph 97 of the NPPF states that:

‘Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.’

The area proposed for development currently contains two full sized rugby pitches, an area used for rugby training, which is lit when in use, a rugby club house, a former athletics track used by the Family Cycling Centre and the former Whitchurch Sports Centre currently used by Active Indoor Sports, all of which will be lost as a result of the scheme.

As the pitches are currently in use, (by St Bernadettes Rugby Club), the site would be considered a playing field.

In these circumstances Sport England are a statutory consultee. Consequently if they formally object to the proposal, the application will fall to be referred to the Secretary of State, who could subsequently call it in and determine the application.

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The importance of playing fields is specifically referred to in para 97 of the NPPF in that they should not be built on unless criteria are met in the form of an assessment having been undertaken to show the land surplus, it is replaced by equivalent or better with regard to quantity and quality.

Policy DM16, states that development will be expected to ensure that open space for recreation, to meet the minimum quality, access and quantity standards as set out in the city council's adopted Parks and Green Space Strategy.

The Playing Pitch Strategy for Bristol, approved in 2017 and to last to 2022, comments on the overall provision of pitch types in the city and identified an undersupply in senior rugby union pitches due to their overuse with many being in poor quality and the pitches on site are so classified. The changing room facilities on site are also identified as being in poor condition.

A Sport and Recreation Statement accompanies the application.

In the first instance Sport England objected to the application on the grounds of the loss of the playing fields and had also commented about the loss of the cycle centre and sports hall, the demand that projected number of residents will generate for sporting provision and the need to design the site to allow for active use.

The statement was subsequently revised and correspondence undertaken with Sport England clarifying the position regarding sports provision setting out the following.

i) Rugby provision

It is proposed that rather than relocate the rugby pitches on the undeveloped part of the site, that new pitches and ancillary facilities will be provided on the site of the former Whitehouse School on Fulford Road in Hartcliffe. At present this city council owned site is comprised of a playing field, most recently in use for football, former school buildings, play and parking areas.

The land available will enable two full sized rugby pitches, a training area, sports pavilion with changing rooms and car parking area to be provided. The pitches will cover a larger area than the existing playing field.

Discussions have taken place between the applicants and the rugby club and it is understood that this option is fully supported by the rugby club and it is anticipated that a planning application for these facilities will be submitted in Summer 2019. Funding for the works will come from the Central Government's Land Release Fund because it will enable the Hengrove development to take place. The funding will need Cabinet approval due Summer 2019. Once consent were granted it is anticipated that works would commence shortly thereafter.

It would be possible to require the completion of these works prior to any development on the application site that would result in the loss of the existing pitches, and access to those pitches, and include this in a legal agreement.

ii) New Pitches

One of the key features shown on the illustrative drawings for the proposed park is an area of new playing pitches, which could accommodate a number of other sports to include football. Drawings show a cricket oval overlaid on the area and land adjacent, on the opposite side of a footpath, being made available for training purposes.

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The provision of new sporting facilities was one feature that had support through the community consultation.

Notwithstanding the illustrative nature of the drawings, as with a number of the features of the park, these are considered to be an important element of the open space and will be required by condition as will details of their construction, and so form part of the Reserved Matters. The statement refers them being constructed in compliance with Sport England guidance, to and include pipe and mole drains, they have potential therefore to be a significant improvement on the existing pitches.

iii) Changing facilities

The proposed community building is sited adjacent to the proposed park and while a detailed layout of the building is not part of the application, it is given that it will include changing facilities in accordance with Sport England's Clubhouse Design Guidance Notes'.

This and timing of its provision could be conditioned.

iv) Family Cycle Centre

The loss of the Family Cycle Centre is regretted however it was always intended that this be a temporary, 'meanwhile use' and the use of portacabins to accommodate office/cycle storage etc on site was a deliberate choice on that basis. At present British Cycling wish to build a closed loop racing circuit in the city and the centre could be tenants, there is monies available for this but would need to be matched. The centre is actively working with the council's property team to find a site for this city wide facility but this falls outside the scope of the current application.

The temporary consent for the use has been extended to 2021 in the meantime.

v) Action Indoor Sports

With regard to use of the former Whitchurch Sports Centre by Action Indoor Sports,(AIS), this is again another meanwhile use. The provision of the Hengrove Leisure Centre, which was part of the overall sports strategy for the city, replaced a number of the facilities that were accommodated in that building to include sports halls.

The building is in poor condition and was on the verge of closure when it was taken up by AIS and their lease has always been on the understanding that the site was allocated for development and at some point the use would have to cease. The uses taking place in the building are restricted to those that do not directly compete with those in the leisure centre and include five a side and boxing but also soft play and a cafe. A MUGA is proposed on the new park which could accommodate the five a side but it is recognised that the boxing may not be replaced. The MUGA will be required by condition. There are also sports halls available in local schools.

vi) Active design

The overall design of the park includes paths that can provide a running route and provision for cyclists and pedestrians. A fitness trail is proposed. Full details will be required by condition.

vii) Increase in demand for sporting provision

With regard to the projected demand arising from the development, it is not possible to accurately predict the number of future residents as the exact number and size of dwellings will be determined through the reserved matters process, however assuming the maximum number of dwellings is achieved, i.e.1,500, based on average number of residents per dwellings in Bristol this is 3,950. This

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will generate additional demand but much can be accommodated within the existing Leisure Centre and as above, there are a number of features within the park which will allow for sporting related use.

Further discussion has taken place with Sport England, to include what conditions could be imposed to guarantee the provision, and quality of new sporting provision on site. At the time of writing they have not confirmed whether they wish to retain their objection on the basis that their exception policy E4 has been complied with;

‘The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

of equivalent or better quality, and

of equivalent or greater quantity, and

in a suitable location, and

subject to equivalent or better accessibility and management arrangements.’

An update on this will be provided formally at committee.

With regard to the replacement pitches at Fulford Road, Sport England consider that there is still an element of uncertainty regarding this as there is no planning consent in place for this development. It is observed that this site contains an existing playing field, most recently used for football, which is identified in the council’s Playing Pitch Strategy but recognised that the proposals represent a substantial improvement on the quality and quantity of pitch and ancillary accommodation.

It is acknowledged that the rugby club are fully in favour of this option, notwithstanding, in isolation, it would be possible for the club to use the new pitches and changing facilities on the application site. Accordingly the provision of the Fulford Scheme is not essential to the consideration of the proposal by Sport England.

It is however taken into account that when completed, the scheme will be a significant addition to the sporting provision in South Bristol and will mean that the new pitches on the application site will be available to serve existing and future residents so forming an important part of the open space.

8.3 Does the proposal have an acceptable impact on the amenity of the surrounding area in terms of its impact on air quality?

Bristol is currently in breach of the European Air Quality Directive in respect of annual objective for nitrogen dioxide and probably the hourly objective. It is possible that objectives for particulates are also exceeded. In locations where pollution is highest it is largely attributed to motor vehicles. Air Quality Management Areas, (AQMA) have been declared where objectives are not met. Most of the city centre and the main roads radiating out are within an AQMA, to include the whole of the Parson Street Gyratory.

A recent High Court judgement has resulted in local authorities having to improve air quality in the shortest time possible where it falls below objectives.

The construction phase has potential to impact on air quality through dust from development and emissions from construction vehicles.

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DM23 requires any scheme that has the potential for significant emissions to the detriment of air quality should include mitigation measures.

Detailed measures are recommended to offset the potential problems of dust in the vicinity of the site and reference to these will be included in the recommended condition requiring a Construction Environmental Management Plan, (CEMP). Of particular concern is the impact on the operation of the hospital and Bottleyard studio the need for regular communication is highlighted along with the need to monitor the dust situation. This is fully concurred with and will be specifically referred to in the condition.

However the situation regarding the potential impact of emissions from construction vehicles on air quality over the projected 10 year development period on the Parson Street gyratory is a matter of concern and also the impact of the operational traffic generated by the development when occupied.

Modelling of the impact on air quality from both has been undertaken, taking into account cumulative impacts from other committed developments in the base traffic data and on the basis that 25% of the projected construction traffic generated by the development will use the gyratory route as follows;

2021 (Full construction traffic only)

2026 (Half the operation traffic + Full construction traffic)

2031 (Full operational traffic only)

2031 (Full operational traffic and cumulative traffic from Parkview- not counted previously)

The amount of operational traffic predicted is the same as used in connection with the transport impact assessment and assumes a reduction in diesel vehicles, a greater uptake of electric vehicles and a modal switch to more sustainable modes of transport.

The result is a range of slight to substantial adverse impacts at Parson Street gyratory with moderate to slight adverse in 2021, substantial adverse, moderate and slight in 2026 and a moderate to slight in 2031.

To help address the impact of construction traffic the applicant has offered to instruct drivers to access the site from an alternative direction to avoid the Parson Street Gyratory. In principle this could be included as a requirement in relevant orders and contracts as part of the CEMP. However this will displace vehicles onto alternative routes and where they could also have a negative impact on air quality, for example the A37 within BANES where air quality is already below standards.

Taking into account that the modelling of emissions already takes into account measures to reduce vehicular traffic generated by the site the applicant has commented that there has been a significant reduction in the sales of diesel cars and should this trend continue then true emissions may be less than predicted. To support this they propose an additional 87 electrical vehicle charging points beyond what would be required to comply with adopted standards, which is 5%. The impact of this has not been modelled.

Internal to the site a 20 mph limit is to be introduced and this will contribute to a reduction in CO2 emissions in the immediate locality of the site.

In conclusion, it is acknowledged that air quality targets within the AQMA which includes the Parson Street gyratory are likely to be detrimentally affected by the traffic predicted to be generated by the

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development and there is an outstanding objection from the Air Quality Officer. It must be anticipated that a similar cumulative impact from other large development sites that are identified in South Bristol will also have a negative impact.

This underlines the need to address air quality on a city wide basis employing other more measures if the development of new houses is to be progressed particularly in south Bristol. It is not considered that it would be appropriate to resist the current proposal on this basis.

This however remains a material consideration in the determination of the application and this must be considered in the determination of the application.

8.4 Does the application proposal acceptably mitigate its impact on climate change?

Given the size of the proposed development, in accordance with Policy BCS15 there is a requirement that a BREEAM for Communities Assessment be undertaken and submitted with the application. This type of assessment considers how a range of sustainable design and construction approaches have been adopted during three key stages in the design process; i) establishing principles, ii) determining layout and iii) designing the details.

Each key subject area includes mandatory and discretionary targets, with matters such as Governance and Innovation. The assessments are independently assessed by a qualified assessor.

The BREEAM Communities Assessment that is included with the application is appropriate to the stage reached in the design of the development and looks at the issues and opportunities that affect sustainability at the early stages of the design process. It looks at key environmental, social and economic sustainability objectives in a holistic way at a site wide level.

The full independent assessment has yet to be completed however based on the design intent and commitments made to date, the development is expected to achieve a BREEAM 'Good' rating with the possibility of reaching 'Very Good'.

Other documentation that is relevant to this issue is the section on Climate in the ES, which has informed this assessment and the Sustainability Statement, which has been submitted with the application.

The statement sets out a strategy to inform future detailed applications on how to accord with adopted local policy requirements with regard to sustainability and energy reduction in design at reserved matters stage.

The construction process, transport generated and energy use of the development are all areas where there is greatest potential to generate greenhouse gases and impact on climate change.

This links into the management of construction, measures to reduce levels of vehicle use and detailed design of the proposed development. Accordingly there are clear crossovers with the issue of air quality as above and any measures to reduce the amount of traffic generated at all stages of the development will have benefit from a sustainability perspective.

At a more site specific level, the CEMP can include a number of targets that will aim to reduce the impact of the construction process such as measures to reduce the car journeys undertaken by workers and the appropriate management of waste to minimise it in the first instance and maximise recycling.

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Submitted information states that materials will be sourced to reduce transportation pollution and the aim is to select those that achieve a Green Guide A+ to B rating. This is important as a large percentage of the impact on greenhouse gases is connected to the embodied carbon in construction materials.

In respect of the detailed design of the development, the land use plan includes an area of land where a power plant could be sited and an illustrative plan that shows how this could serve the development as a whole via a network of piping. This would in principle address the energy hierarchy by minimising energy requirements as set out in BCS14 though there is reference to the use of biomass to fuel the plant and increasing evidence regarding the impact of biomass on air quality does mean that this may not be acceptable.

There are also other potential approaches to the heat hierarchy to minimise CO2 emissions and comply with the hierarchy to include grounds source heat pumps. A condition is recommended that would enable an alternative approach to a power plant but should this come forward, requires detailed information to include noise and air quality assessments as relevant.

On top of this there will be a need to achieve 20% reduction in emissions through the use of renewable energy. Full details will be required by condition.

An overheating assessment of proposed buildings will be required as part of Reserved Matters submission and it will be a requirement that any cooling deemed to be necessary can take place without any mechanical means.

A broadband connectivity statement will also be required as part of Reserved Matters.

Overall, there is a great potential to achieve an exemplar low carbon development incorporating the most up to date technology.

8.5 Does the application proposal have an acceptable impact on the amenity of the surrounding area in terms mitigating the impact of flooding?

BCS16 addresses the issues of Flood Risk and Water Management.

The site as a whole falls within Flood Zone 1 but as it is over 1 hectare in area, a Flood Risk Assessment was included with the submission. This identified that although the proposed development would be classified as 'more vulnerable' due to the residential element, the risks from fluvial, groundwater and sewer flooding is low as is the risk of flooding from artificial sources and there is no risk of tidal flooding.

The risk of surface water flooding on site is low but residential areas to the east of the site are at high risk of surface water flooding with historical flooding on Bamfield and the main roundabout to the west of The Mounds. It is important that development of the site does not increase the risk of flooding in these areas and where possible opportunities to reduce risk to these areas should be considered.

A Surface Water Drainage strategy is included which shows the area towards the eastern boundary within the main park selected for the strategic SUDS infrastructure, in the form of retention basins and swales, designed to accommodate runoff and discharge it into the drainage system at greenfield runoff rate using hydrobrakes. The capacity of the infrastructure takes account of climate change and predicted increases in rainfall.

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Sediment in runoff, leaks and spills of contaminants during the construction phase and potential disturbance to existing drainage and ground water will be managed to minimise impact.

Full detail of the design and subsequent management of this can be required by condition.

8.6 Does the application proposal acceptably address the issue of land contamination?

Residential being a sensitive end use, it is essential that a satisfactory knowledge of the ground conditions is obtained to inform what remediation methods are required to make the site safe.

Policies BCS23 and DM34 being relevant to this issue.

The Environmental Statement includes a section on Ground Conditions and notes that this is interrelated with effects on surface water, there being an onsite drainage ditch to the east.

Because the underlying rock has some properties as an aquifer, this falls under the control of the Environment Agency and they have been consulted accordingly.

There is potential for contamination to be found on site from the former airport on site following the demolition of the buildings but also connected to the use, which included storage of fuels. In addition The Mounds SNCI is a former tip which gives rise to the risk of ground gases and testing here in connection with the 2017 application for the development of 'Hengrove Phase 1' revealed comparatively high levels of gases.

Initially a desk based assessment was submitted with the application, which was followed up by intrusive investigations which did not show such high levels of gases as in 2017. To ensure this issue is fully assessed, it is recommended that more testing closer to the mounds is undertaken.

Over all the report does recommend that more testing is undertaken for each phase of development and because of the elevated level of some contaminants found from the testing to date some consideration of appropriate remediation methods is included.

As there is a risk of ground waters being polluted through the development of contaminated land the Environment Agency have been consulted on both reports. They have responded to the effect that from findings to date, there will be a need for a further sampling and analysis as some of the highest levels of pollutants were found close to areas of surface water and this could link into ground water beneath the site.

Conditions are recommended setting out the additional work that will be required in connection with each phase to ensure that the potential contamination of land is fully investigated and remediation is approved to provide a satisfactory living environment and prevent pollution of ground waters.

In addition to the above, due to the airport use, there is also some risk of UXO and a UXO risk assessment has been undertaken. This concludes that there is no evidence to suggest the site was subject to bombing nor did it sustain bomb damage either directly or within its immediate vicinity. A programme of measures are recommended to include awareness briefing and methods of works to include window sampling and trenching in previously undeveloped areas.

8.7 Does the application proposal successfully mitigate its impact on the ecology of the site?

Policy DM16 requires that any development which may have an impact on nature conservation be informed by survey work and avoid where possible harm to nature conservation interests and take opportunities to connect habitats to wildlife corridors.

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The Environmental Statement contains a chapter on Ecology.

The application site is close to a number of Sites of Nature Conservation Interest,(SNCI's), to include The Mounds to the west. A large part of the site is a designated Wildlife Corridor, therefore Policy DM19 applies. This states that development which would have a harmful impact on the connectivity and function of sites in Wildlife Corridors will only be permitted where the loss in connectivity, or function, of an existing Wildlife Corridor is mitigated. Development should integrate existing wildlife corridors. Where this is not practicable it should provide suitable mitigation in the form of on-site, functional Wildlife Corridor(s). Development should also provide mitigation for any habitats, species or features of value associated with the Wildlife Corridors, where they are harmed or lost. This should take place on the development site wherever possible.

An ecological survey has been undertaken. From this a range of habitats were recorded across the site and while it is dominated by amenity grass land, semi-improved grass land and hardstanding, there are some more species rich areas of neutral grass land on site and an area of dense scrub. A large number of birds were recorded, which were considered to have come from surrounding SNCI's and housing with the site itself considered unlikely to support any bird species or numbers of note. Three trees, scheduled for removal, were assessed as having low potential for bats. Bat surveys using a detector were undertaken and revealed a low amount of bat activity. It was considered very unlikely that badgers were on the site but likely that there was a small populations of toads.

Consequent to this work additional bat and reptile surveys were undertaken by specialist ecologists. The results of these indicate that there are no further surveys needed of bats and no reptiles recorded.

Based on the sites designation and the survey results it is concluded that mitigation is required to address the impact of the development and the loss of habitats.

This will be in the form of the planting of native species of types that will provide for additional foraging opportunities for a range of species, provision of bird and bat boxes. These measures should be included in the detailed landscaping schemes for each phase that will be part of Reserved Matters.

During construction an Ecological Method Statement will be required by condition and adhered to. The felling of the trees with low potential for bat roosts must be undertaken using the soft fell method.

In addition to the impact on the application site itself, there will be an increased use of the surrounding open spaces for recreational purposes by incoming residents and in particular The Mounds SNCI. This will bring with it the potential for paths and the landscape of that area to be degraded with an associated detrimental impact on its nature conservation value. To help mitigate this impact work is needed to manage access into this area, to undertake ongoing habitat management and provide wildlife interpretation.

The city is currently working with Avon Wildlife Trust on their My Wild City project with the capacity to undertake some work on SNIC's, and possibly the Mounds,within the next three years, after this it will fall to the city council to manage the site.

This issue was also raised in connection with the approved development at Hartcliffe Campus, which is close to the Hawkfield Meadows SNCI, and a contribution of £40k agreed enable this ongoing management.

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In this instance, to reflect the larger number of new residents and the larger size of the SNCI, a sum of £80k is sought.

This will be addressed through a legal agreement and it is recommended that the contribution be linked to the occupation of 50% of the residential element of the development.

8. 8 Does the application proposal successfully mitigate its impact on the trees on the site?

The site includes a number of woodland groups and more openly grown ornamental swathes of trees bordering the site towards the east. These are mostly towards the boundaries of the site with the two principle areas of woodland either backing onto the Western Drive Industrial Estate or alongside the boundary to the Bottleyard Studios.

BCS9 concerns existing green infrastructure and the need for it to be retained or mitigated, while DM17 specifies that new development should integrate important existing trees and includes the Bristol Tree Replacement Standard, (BTRS) to calculate the number of trees that are needed to mitigate the loss of existing- which can translate into a financial contribution if this cannot be accommodated on site.

An Arboricultural Survey and Impact Assessment is included in the application. This takes into account the physical impact of development on trees but also the interrelationship between trees and proposed development.

The comments in the AIA that the conifers around the former athletics track need not be included for the purposes of the Bristol Tree Replacement Standard calculations as it is essentially an overgrown hedge are agreed with but pending this, as proposed 913 individual trees will be lost, 5 full tree groups, 6 part tree groups and 2 hedges. No trees classed as category A are to be lost but 68 are classed as category B. A programme of tree works to some of the retained trees is included.

Of the trees proposed to be removed the main concern is the row of mature poplar trees that abut the area of woodland backing onto the Western Drive industrial estate, which arguably have the greatest landscape value within the site given their size and visual prominence.

The importance of these trees was raised during the design process.

There is a divergence of opinion regarding which category these should be classed at with the council's arboricultural officer of the view that they are Category A and should be kept and objects to the proposal on the grounds of BCS9 and DM17. The arboriculturist acting on behalf of the applicant asserts that because it cannot be guaranteed that these trees will live another 40 years, they cannot be given an A status.

The development has been designed on the basis that these trees are to be lost given that there is insufficient space between them and the row of houses facing them, as shown on the master plan, for the trees to have a harmonious relationship with the development. A distance of approximately 20m is estimated to be necessary for the two to satisfactorily co-exist.

The retention of the trees would therefore require a redesign of this part of the proposal and the loss of approximately 26 units.

The city council's arboricultural officer asserts that notwithstanding the value of the poplars, if they were removed the woodland behind it would be significantly destabilised. This woodland is made up of a number of poorly formed trees and scrub and has hitherto been protected to some extent by the

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poplars, their loss will result in it being opened up to prevailing wind and rain and suffering significant damage. In any event the eastern edge of this woodland area will be lost as a result of the construction of the proposed north south road through the site.

To mitigate this risk and to create a woodland that will have amenity value in the long term a programme of woodland management, to include felling and new tree planting over twenty-five years, will be required.

A similar situation pertains to the area of woodland to the south.

It is accepted that the retention of the poplars would have a significant impact on the amount of housing possible on the site and if their loss is to be reluctantly accepted this can only be on the basis of a condition that requires details of a woodland management plan for the area to their rear and that this should commence along with the first phase of development to the north of the existing buildings, i.e. exempting the education site and bookends.

There is no major objection to the loss of other trees on the site and those to be retained are away from residential properties and therefore problems of shade and leaf fall are unlikely to arise.

There will be a need to address the Bristol Tree Replacement Standard to mitigate loss including the wood land trees.

A BTRS calculation has been provided which states that to compensate the loss of the 913 trees, taking account their condition and size, 1,486 trees would be required as compensation.

The Tree Planting Principles Plan,(TPPP) which includes extra heavy standards to native trees and feathered whips, proposes a total of 1,100 trees across the development site hence there is a short fall of 386. To address this a financial contribution of £295,371.06 (£765.21 x 386 trees) is proposed to allow suitable tree planting in the wider area. It is recommended that this payment will be divided up with a contribution forthcoming from each phase based on the number of trees lost and the number planted.

The detailed landscaping for each phase of development that will be required as part of the Reserved Matters submission will show the number and size of trees proposed, based on the TPPP and details of tree pits and after care with specific reference to watering. All new trees will need to be well watered as they become established for 2-3 years post planting and this is a significant undertaking.

Some incursion into the Root Protection Zone of retained trees may result from the need to relevel the site though it is concluded that this will be limited and details of recommended best practise is included. An Arboricultural Method Statement will be required by condition to address all works for each phase that may have an impact on retained trees and their root protection zones.

A tree protection plan is included which will protect the two woodland areas and the trees along the corridor of open space adjacent to St Giles Estate. It is recognised that the development will be phased and not all the protective fencing will be required all the time.

In addition to retained trees, it is also recommended that areas where new trees are to be planted are protected from damage such as compaction by construction vehicles and spillage of oil or other chemicals.

Details and phasing of all fencing will be required by condition.

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This will link to the matter of enabling continued public access to the undeveloped part of the site.

8.9 Does the application proposal successfully mitigate any impact on archaeology on the site?

The Environmental Statement includes a Chapter on Cultural Heritage.

BCS22 and DM31 are relevant to the consideration of heritage assets.

This refers to records of roman activity in close proximity of the site to include a roman coin hoard on the banks of a stream to the south of Hengrove Way but nothing has been recorded within the site boundary. Likewise there is record of Medieval and Post Medieval assets in the vicinity of the site but not on the site. However there are assets of modern date associated with the former Whitchurch Airport to include the runway and a likely barrage balloon tether.

An archaeological watching brief was undertaken in connection with the development of the Skills Academy and an archaeological evaluation in 2005.

In connection with the current application mechanically excavated trial pits and soakaway pits were monitored archaeologically and no features of interest found. Aerial photograph and LiDAR analysis has been undertaken which show the airport and land to the north having been in agricultural use.

It is considered likely that the more recent construction works in connection with the airport and running track and sports centre will have damaged any older archaeological assets in this part of the site but there is a low possibility that they may exist in land to the north.

An archaeological watching brief is recommended and the recording of all extant features connected to the airport.

This conclusion is supported by the council's archaeological officer who has commented on the national significance of the airfield during the Second World War as one of, and possibly the only, wholly civil airfields in the country and the desirability of preserving landscape remains of the use and where possible using them to inform the design of the scheme.

This importance is reflected in the fact that the revised Local List of valued buildings published on 4th February 2019, now includes Whitchurch Airfield runway.

Accordingly the proposals as they affect the runway must be assessed against the relevant sections of the National Planning Policy Framework. This advises that weight be given to the retention of the asset proportional to its importance.

The master plan with the application does involve the loss of the actual surfacing of the runway but the line of the runway is clearly retained in the proposed layout though not the width.

Para 192 of the NPPF advises that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

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c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 197 advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The loss of the surfacing and a reduction in width of the line of the runway is considered to amount to substantial harm however it has not been a runway since the closure of the airport and there is no option of it being reused.

Taking account the public benefit that will arise from creation of new housing, to include 30% affordable plus a new high quality park, it is concluded that the approach to the layout is sufficient and outweighs the harm.

The condition requiring a scheme of archaeological work specifically includes reference to a landscape survey of all airport related development being required before works that affect them take place.

In addition there is an option of the programme of public art reflecting the aeronautical history of the site and this is specifically referred to in the recommended public art condition- see below.

8.9 Can an acceptable design solution be found for the site?

The design of the proposals must be considered against the Masterplan Moves contained in the Hengrove and Whitchurch Neighbourhood Plan, which are included as guidance for the masterplanning of the site. HWP8 recommends that the development should follow the five Masterplan Moves where feasible and viable.

- Housing provision –

i) Siting

The layout of the housing shown on the parameter plans with the application is concentrated to the west and to the south of the site and the illustrative masterplan shows all housing along the edge facing the main park. The Runway Park and the open space alongside the Avenue will provide key links into the park and connections to the The Mounds. The result will be high levels of casual surveillance of the park and a good quality residential environment.

The layout differs from the indicative layout shown on the Masterplan Moves in that it does not immediately abut Western Drive Industrial Estate and includes more development within the central part of the site but less to the north of the boundary with the Bottleyard.

However it does comply with the Move 'consider the edge condition' that encourages overlooking of the park and the section of HWP8 that requires 'new residential development interacts well with the park and greatly increases the level of informal surveillance'.

ii) Building heights

The parameter plans include one that shows a range of maximum building heights, which range from six to two storeys. The height of anticipated buildings is greatest along the main roads, where the plan

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of proposed uses shows apartment blocks being concentrated and decreases away from them where single housing is proposed on side streets.

The parameter plan showing character areas links into the Design Codes, which will reinforce the variety across the site.

The proposed heights shown on the parameter plan formed the basis of the Landscape Impact Assessment which highlights the visual impact the development will have from view points at higher levels and in particular the public right of way along Maesknoll to the south. There is potential for this impact to be softened through the use of a well designed roof scape for the higher buildings in particular. This detail will form part of the reserved matters.

There is some concern that high buildings immediately adjacent to the hospital will have an adverse impact on staff and patients. Accordingly an area is shown on the parameter plan where a maximum of six storeys is still stated but it is clear that a suitable height will be determined through Reserved Matters.

The Masterplan Move ‘establish residential character and density difference’ refers to a variety of building types, heights and locations to be used to create distinct residential areas and the text to the plan refers to a maximum height of five storeys.

HWP8 refers to good design throughout the development, through the use of design features, height and massing.

The information included with the application for approval will ensure a development that fully complies with at this guidance in principle with full details being considered at Reserved Matters.

- Park provision

The issue of the amount of park has been considered above but the design and facilities proposed are essential to the creation of a high quality park as referred to in the site allocation.

As stated, the shortfall in formal open space was identified through the analyses undertaken to inform the Parks and Green Space Strategy.

The definition of formal open space being one that is consciously organised with a planting structure and hierarchy of paths, such spaces commonly include a range of facilities and have high recreational value accordingly.

The layout for the site was developed on a park first principle and retains the mounds and mature trees alongside the eastern boundary of the site, which are a focal landscape feature and builds on these with adjacent land to the west to form a park that is central to existing and proposed development.

The detailed illustrative masterplan for the park with the application shows a mix of features and their location, which was informed by the community consultation that was undertaken prior to the submission of the application.

The proposed features of the main park include; new sports pitches, MUGA, allotments, community orchard, Belvedere tower,(in this instance a grass mound with paths to the top), fitness trail, informal children’s play and a mix of pathways adapted to all users. These features along with boundary

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treatment and park furniture, all yet to be designed in detail, have the potential to convert much of the open space, all of which is currently classified as informal, to formal.

As discussed under the section on sporting facilities, the provision of new pitches and MUGA are an important part of the package of facilities to redress the loss of the existing rugby pitches on site and along with features such as the fitness trail and network of pathways adapted to running and cycling will provide an active space for existing and proposed residents. These paths will also provide better links to the rest of the park surrounding residential areas and The Mounds.

The community orchard and Belvedere tower will provide a central focal point. There is scope for the intended programme of public art to work with the design of the park overall which can engage existing and future residents.

The area of the park closest to the St Giles estate, will be planted up to increase its nature conservation value and enhance the wildlife corridor function of this area. The basins and swales, which are proposed alongside this area, that will form part of the SUDS for the development will have landscape and nature conservation value. There is potential to manage them in a way that retains a level of water at all times so enabling the planting of aquatic species.

The proposed community building is sited adjacent to the park and will provide changing facilities to serve users of the proposed playing pitches.

In addition to the main park area, the runway park and village green will also provide amenity space, with the former including some informal children's play and acting as a connection from The Mounds SNCI. It is anticipated that these areas will largely be used by the new residents but there will be no barriers of any sort to prevent public use.

The Masterplan Move, 'open space quality and character' of the Neighbourhood Plan refers to the need to make significant improvements to the quality and quantity of park spaces with greater contrast to be created to ensure that a variety of open space types are established allowing for a range of activities and uses.

HWP1 lists a number of features that should ideally be included in the park and many of these are shown on the masterplan, aside from a new scout hut and expanded children's play area. However there is potential for the scouts to use the new community building and as above, informal children's play is indicated for the runway park and within the park.

The proposals are therefore considered to broadly comply with the Neighbourhood Plan and there can be no grounds for resisting the application on this basis.

Taking into account that there are some unknowns and a need for flexibility to allow for proposals that may come out of say, the public art programme, conditions are recommended that require a phasing plan for the development of the main open space, further details of all key features and information on the detailed design of the street furniture, lighting, paths- to be fully accessible, informal play and planting proposals.

Policy HWP7 requires 100m² new allotments per 25 new dwellings. This is based on the Allotments Strategy which would require 7 plots,(250m²) per 1,000 residents and notes that current practise is for smaller allotments of some 100m². The site allocation refers to 0.175 hectares of allotments to serve the site but it is recognised that there has been an increase in the number of proposed residents on the site. This policy requirement would equate to 6,000 m² of allotments to serve the development,

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the amount currently proposed is 3,580m² though it is relevant to also take into account the proposed community orchard which will provide local food provision for residents. Therefore while the scheme is not fully compliant with this policy, the area of allotments is a substantial area and there could be scope to increase this area through the detailed design of the park.

Notwithstanding design issues, it is essential that the future management of the park is secured. It is anticipated that this will fall to a specialist management company but this is not finally agreed and will be influenced by the future developers. A condition is recommended to require the submission of a long term management and maintenance plan.

- Office provision

As proposed this is sited to the south of the leisure centre and if all the quoted floor space is to be provided will require a six storey building as shown on the parameter plan as the maximum height. Only at reserved matters, when full design details are, to include access arrangements, will it be possible to assess whether a building of this height is acceptable in this location. There is no indicative information in the Design Codes regarding this element of the scheme.

-A1-A5- D1 uses

These uses are proposed south of the leisure centre, adjacent to the car parks and also to the north of the Skills Centre. They are proposed on the ground floors of multi-storey blocks, the upper floors of which are either proposed as residential use or offices.

The amount of retail and other town centre uses floor space and the potential to impact on designated centres in the vicinity of the site is considered above in the context of the submitted retail impact assessment. The proposed location of these uses is considered to be appropriate given that they are in an area of existing high levels of activity, close to existing bus stops and car parks. They will be within reasonable walking distance for a large part of the development.

The Masterplan Move, 'create a centre' in the Neighbourhood Plan shows a new local centre comprising some additional retail/business and residential in this location.

HWP10 specifically states that a community hub and local centre should be developed on the site to include small shop units suitable for retail use.

The proposal complies with this part of the Neighbourhood Plan accordingly.

It is recognised that some of these uses bring with them potential for noise and odour nuisance to residents /occupiers of upper floors, particularly in respect of bars and takeaways, and conditions are recommended to restrict hours, use of external areas and require odour control details should they be required. When detailed designs are submitted for the blocks in question consideration will have to be given to the size and location of refuse storage, provision for servicing and deliveries and cycle parking for staff and visitors. The amount of car parking for these uses will be very limited though the existing car parks will remain.

Notwithstanding, should the floor area be put to a D1 use, there can be an associated need to provide drop off areas, for example if a crèche were proposed, and also disabled parking if a public use such as a library were proposed. Reference has been made to the potential for the D1 space to accommodate a new doctors surgery and this too would require drop off and disabled parking.

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As in the case of the office block, the design codes have not considered these blocks in any detail and it will fall to Reserved Matters to assess proposals.

Community Use -

HWP10 refers to the need for a new community centre, to be in the local centre, to include meeting and small event rooms, café, one stop shop for council facilities, and a library if possible.

As considered earlier in the report, a community use usually considered to be a mix of D1 and D2 and by definition sui generis.

The proposed community building is not in the centre but shown as being sited on the edge of the residential development adjacent to the main park where it accessible by a number of pathways and equidistant to much of the proposed development as well as being well placed to be used by existing residents.

There will be a requirement that it includes the changing facilities to support the sporting facilities being provided, this and the timing of its provision will be conditioned. A single storey building is shown on the parameter plans.

- Public Art

The public art strategy submitted with the application sets out an approach to working with artists and the community. It refers to focusing on the central area of the proposed new open space and working with local community groups alongside commissioned artists looking at embedding the culture and heritage of the Hengrove Area, to include the airport heritage, and developing play opportunities. It is also proposed to undertake commissions associated with the natural environment based on nearby areas of nature conservation value such as The Mounds and Hawkfield Meadows.

The work will start at the early stages of development and a delivery mechanism is included in the strategy.

HWP3 states that 'public art projects for the park and new built environment are encouraged in order that the profile of the new development is raised and its distinctiveness and local character established', there is reference to the incorporation of airport heritage in public art.

A condition will be recommended to require a delivery programme, delivery mechanism, a phasing plan and approval of details.

The development complies with this part of the Neighbourhood Plan accordingly.

- Fire Safety

The proposal has been considered by Avon Fire and Rescue who advise that a total of 51 new hydrants will be required to serve the site and have indicated them on the illustrative master plan. A financial contribution will be sought from each phase of development to enable these to be installed as required.

- SUDs

The issue of flooding and the strategic elements of the SUDS scheme for the site, that are proposed within the main open space have been considered earlier in the report. A condition is recommended to required full details of these and proposals for their maintenance.

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Within the development itself, the Runway Park, the Village Green and the open space alongside The Avenue have been designed to incorporate drainage in the form of swales and bioretention features. Information in the Design Codes show drainage areas alongside most road types.

The overall approach is acceptable but more detailed information regarding all aspects of the SUDS, to include maintenance, will need to be submitted for approval as Reserved Matter in connection with each phase.

- Noise

The Environmental Statement includes a Chapter on Noise and Vibration. DM35 requires assessment and mitigation where proposed noise sensitive development such as residential may be affected by noise generating uses.

Key existing noise generators which have potential to impact on the living environment of future residents include the Leisure Centre, Hospital and Bottleyard Studios, with regard to plant and deliveries, the Play Park, commercial properties within the Western Drive Industrial Estate and surrounding roads.

Noise readings have been made on site and the future noise environment following construction modelled. From this sound insulation measures are recommended for some identified parts of the development.

However there is some concern that the noise readings and assessment have not adequately addressed all sources of noise generation and a condition is recommended that requires some additional work to inform a comprehensive approach to sound insulation and so offset the potential for noise complaints.

- Power plant

It is proposed that the plant would be under apartments, and examples of similar arrangements have been provided which show the power plant accommodated in a semi basement to allow main entrances to apartments to be at ground floor level. The location of the flue would have to be carefully considered. This is not addressed through the design codes.

- Education provision adjacent to the Skills Centre

This development is intended to serve as an extension to the Skills Centre. This is fully supported and it is understood that there is now funding available for this, which was not the case when the application was being prepared and the possibility of a mixed use development on this part of the site was contemplated. There is an option of submitting a separate full planning application for this element in due course. Full details of the building and its relationship to the existing will either come through this process or Reserved Matters.

8.11 Can an acceptable transport and movement solution be found to accommodate the proposed development?

A Transport Impact Assessment has been submitted which models the impact of the projected number of vehicles at all the junctions that may be affected by the development in combination with that generated by other developments in the vicinity to include Hartcliffe Campus. The impact of natural growth has also been modelled without the development to provide comparison. It is accepted

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that the latter two factors will be the cause of some impact on junctions but it is clear that at some junctions the development will have an impact in its own right.

This impact includes some additional queuing at junctions and in particular the Wells Road/Airport Road junction, the Hengrove Way/Roman Farm Road/Filwood Park Lane junction and the Hengrove Way/Whitchurch Road/Cater Road junction.

The Hawkfield Road/Bishport Avenue/Hareclive Road junction is to be upgraded to a single signalised junction. Even with this there will be some queuing but not such to be significant.

The Whitchurch Lane/Bamfield junction is shown as improving due to the traffic that will divert through the site. This is recognised but there are concerns regarding rat running through the site. A scheme of traffic calming is required to deter such usage.

There is predicted to be a significant increase in queuing at the Bamfield/Hengrove Way/Airport Road and Creswick Road junction, a redesign of this junction is recognised as being needed to prevent queuing and improve highway safety. The applicant has provided an option for this but Traffic Management consider that an alternative could be preferred in the form of two signalised T junctions on to Hengrove Way/Airport Road. This would accommodate the predicted increase in traffic but also help address the historic accident issue at this junction with vehicles crossing between Bamfield and Creswick Road. This will require further detailed design work and a contribution towards this work which will be led by the city council has been agreed.

Along with physical works, it is important that personal travel plans are developed to enable and encourage the use of sustainable modes of transport. The applicant has opted to pay a contribution per dwelling for the council to draft up and manage travel plans.

There will be a need for the applicant to draft the travel plans for the non-residential uses though the council will audit and manage them and a financial contribution of a total of £12,000 will be required based on the amount and type of non-residential floor space proposed. It is recommended that this be provided pro-rata to ensure that the cumulative impact of these uses is mitigated with regard to the generation of vehicular trips.

The scheme is designed so it could accommodate the Metrobus should a decision be made to re-route it through the site. There will be a need to consider bus priority measures to address potential impact on the existing bus network to include bus lanes and intelligent traffic signal priority to ensure bus gains over the private car. These measures will contribute towards the use of bus as an alternative to the car.

Some improvements to cycle way provision will be required to include the upgrade the connections to Whitchurch Lane on the Boulevard, upgrade the delineation of the route on the north side of Hengrove and either upgrade or provide the cycle link between the site and Filwood Broadway. These are to be addressed by condition.

A zebra crossing and table on Bamfield to provide a safer route to Perry Court School is recommended.

HWP12 refers to the need to promote sustainable and active travel and the need to include electrical vehicle charging points, cycle parking, car club, to strengthen cycle routes and improve pedestrian routes.

It is considered that the proposals comply with this part of the Neighbourhood Plan.

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Pending these measures listed, the impact of the development on the existing highway network is considered acceptable and there is no objection from the highways team.

- Road Layout

A parameter plan is submitted that shows the hierarchy of streets proposed to include a main north south route, with a bus gate approximately halfway and a key link to Bamfield.

Masterplan Move; 'link north and south' show similar key routes and refers to the provision of 'legible and direct routes which link Hengrove Way, Whitchurch and Bamfield are necessary if this is to become an integrated part of the overall area'.

Where the streets join existing highways detailed design of new junctions to ensure highway safety will be required.

The internal layout and junctions are considered to be acceptable in principle, greater detail will be required at Reserved Matters stage and also through the subsequent Section 38 Agreements that will be required for those roads that are to be adopted.

The network of walking and cycling paths that is proposed are an intrinsic part of the highway layout of the site and full details will be required to include provision for a fully accessible route through the site.

The proposal complies with this part of the Neighbourhood Plan accordingly.

8.12 Does the application proposal have an acceptable impact on health and education provision in the area?

Numerous objectors have referred to the impact on the availability of doctors and education arising from the increase in the number of residents in the area.

The National Planning Policy Framework states that planning of sustainable should, amongst other things, take into account social objectives and provide accessible services. It states that strategic policies should make sufficient provision for community facilities such as health, education and cultural infrastructure.

It advises that Local Strategies to improve health, social and cultural wellbeing should be taken into account.

There is reference to the need for local authorities to take a pro-active, positive and collaborative approach to providing sufficient choice of school places but expands on this to the effect that this refers to giving weight to this in decisions on planning applications and being involved in pre-application work.

Policy BCS11 refers to the need to ensure growth is supported by the provision of infrastructure, services and facilities needed but that this will be secured through Community Infrastructure Levy.

The Environmental Statement analyses existing provision of both health care and education facilities in the area and the impact of the projected number of residents.

a) Health Care

With regard to health care, figures for the Whitchurch Health Centre do show a higher than average number of patients per GP though they are still accepting new patients.

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The North Somerset and South Gloucester Clinical Commissioning Group and NHS England South, South West Team have provided a joint comment on the application. They underline the importance of primary care in the overall objective of reducing reliance on hospital care and comment that health provision in the future will work at scale as larger practises have more capacity to provide increased services and the necessary infrastructure to provided quality service.

Although General Practices operate as individual businesses they are contracted to the NHS and are publically funded. They can borrow funds for new development and occasionally seek public money for revenue purposes.

They comment that the projected number of residents on the development is too small for a sustainable individual GP Practice and that it is likely that most residents will seek to join the Amada Family Practise at Whitchurch Health Centre. At present the amount of space available for registered patients is 90% of what the NHS premises guidance suggests, with the projected increase this would fall to 79%. The building has capacity to provide the additional space but at the moment that space is only suitable for office use and a contribution of £90,000 is requested for the internal alterations that would be required to enable this to happen.

This is considered a reasonable and proportional request.

HWP11 supports the extension of GP surgery provision at the Whitchurch Health Centre and this proposed contribution will comply with this.

It is outside of the remit of the planning system to provide and pay for new GP's.

There is also a comment that pharmacy provision is reviewed on a three year basis and if a need is identified due to the development a new contract could be issued. Similar applies to the possibility that optometrists may seek to apply for new contracts to be located in the development. Both uses could be accommodated in the non-residential floor space proposed if this transpired.

There is a request that floor area be provided for these uses at reduced rent pro rata to the number of dwellings complete. However at present it is not known when the non-residential floor space will be built out and who will own or manage it, it could be built at a stage when a large number of dwellings are already on site. It is also not possible to know at this stage what the rent will be. Given this number of unknowns, while there may be justification to allow a reduced rent to enable provision of these uses, there can be no mechanism through the planning process to secure this.

There is no observed need for dental services.

It is commented that public transport, walking and cycling routes should be provided within the development to include routes to the Whitchurch Health Centre, which are included in the scheme.

When considering health issues it is relevant to take into account broader matters, which contribute to a healthy life and on which the Health Impact Assessment comments, including the provision of decent and adequate housing, access to open space, air quality, noise, accessible and active travel opportunities, local food growing opportunities and the provision of community facilities.

The scheme as proposed will incorporate all these features.

b) Education

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With regard to education, the statement refers to an existing surplus of spaces at Bridge Campus at the secondary level but a scarcity of places at primary level. A similar situation applies to other schools in the vicinity.

The projected demand from the development at Hartcliffe Campus as well as the application site is estimated to be just under 2 additional forms of entry at both secondary and primary levels.

Funding has been approved for a new free School in Knowle West to serve south Bristol that will meet the projected need at secondary level but there will be a requirement for additional primary school places to meet the projected need. It is anticipated that decisions regarding the siting of this will be made by Cabinet in the near future.

In respect of primary provision, based on likely development timeframes it is not anticipated that need for this will manifest before approximately 2021/23. Of the primary schools close to the site, Perry Court E-ACTAcademy has a small capacity but also a large open site that could allow for expansion but as an academy this would have to be subject to the agreement of the academy sponsor.

Discussions have taken place with the Multi Academy Trust and they are supportive of the proposals for Perry Court. Detailed feasibility work is currently underway

As School Schemes set out in the Schools Organisation Strategy are specifically on the Regulation 123 list of infrastructure that the council may apply CIL revenues to. This strategy includes action that will be needed to provide sufficient schools to meet projected demand and includes provision for partnerships with academy/free school providers but excludes the independent sector. This strategy is partly funded by the council but also receives funding from the DoE.

Because it appears on the 123 list, it is not possible to secure any additional funding beyond CIL towards this schools provision through the planning process.

Notwithstanding the applicant has agreed in principle to a financial contribution, outside of the planning process, to enable the works at Perry Court to take place in recognition of the need and desirability of providing additional primary provision in a good location to serve the development. It is however emphasized that this cannot be taken into account when assessing the planning balance.

8.15 Does the application proposal have an acceptable impact on the existing neighbours of the site?

The distance between the new development and existing residential development at St Giles Estate is significant and as a result of the existing mounds alongside the boundary to the estate, the development will be largely screened from many existing houses. Where it will be seen, the intervening distance will off set any loss of privacy or light.

The potential impact on the hospital from high buildings close to its curtilage has been considered above.

The new roads will generate noise, significantly the larger, main north south link and this has resulted in some sound insulation being proposed for the new houses but this will have little impact on existing neighbours.

There can be no objection on these grounds.

9.0 **Overall conclusions and reasons for approval**

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The application must be determined in line with s38(6) of the 2004 Act, to determine the application in accordance with the Local Plan, unless material considerations indicate otherwise.

The new housing will contribute to the Core Strategy Target in BCS1 of around 8,000 in South Bristol, focused at Knowle West and Hengrove Park. The housing will support the economy of South Bristol and enable a good quality park to be created in lieu of the existing green space, which lacks facilities. It will include a policy compliant amount of affordable housing spread across the site.

The proposed road and path network will ensure a fully permeable development with good links to existing development and an emphasis on pedestrian, cycling and public transport facilities.

A redesign junction to the north of the site will address existing highway safety issues and enable safe access to the site at this point.

The Design Codes will guide a good quality scheme as it is worked up through the Reserved Matters process.

Current proposals for school provision for south Bristol will cater for demand from incoming residents and a contribution will facilitate extended primary health care facilities.

Therefore the proposed development is in accord with the Bristol Core Strategy.

It accords with the site allocation, most of the relevant policies within the existing Bristol Local Plan, it complies with the guidance in the Urban Living SPD.

Those areas where there is not full compliance with the Local Plan are those of trees and air quality.

The proposals include the loss of a significant row of poplars that form a key landscape feature though their retention would require the loss of approximately 26 dwellings. Their loss is therefore reluctantly accepted.

In respect of air quality, there is a predicted decrease arising from a mix of construction and operational traffic from the development at small number of receptors at the Parson Street gyratory. A balanced decision must be made regarding this and the desirability of a comprehensive redevelopment of the application site.

The proposal has been fully considered against the policies within the newly adopted Hengrove and Whitchurch Park Neighbourhood Plan and is broadly compliant with most of the policies.

Key differences are as follows;

- i) the amount of open space indicated on the master plan included in the plan that came out of the consideration of the 'Masterplan Moves',
- ii) the omission of a bespoke scout hut and formal children's play on the illustrative plans for the park
- iii) the anticipated density of housing being 70 dph as opposed to 60dph,
- iv) the amount of allotments shown being approximately 3,700m² as opposed to a requirement of 6,000m².
- v) The siting of the community building away from the proposed centre

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When considering these differences it must be taken into account that there is no specific amount of park included in any planning policy and the proposal is for a park of a significant size with a number of facilities that will achieve a good quality park.

Informal children's play and a community building that could accommodate the scouts are included.

The amount and density of housing currently being proposed is a result of a thorough analysis of the sites capacity, based on detailed draft road layouts that include the recommended amount of car parking and ancillary open space. The number and type of dwellings is based on known local needs as well as market information, it will enable the provision of 450 new affordable dwellings. It is therefore shown to be feasible and viable.

It is not therefore considered that an objection could be substantiated on the grounds of non-compliance with the Neighbourhood Plan.

The proposal accords with emerging policies in the draft revised Bristol Local Plan and the housing targets in the Joint Spatial Plan, both of which can be afforded some weight as a result of the stage they have reached with regard to public consultation and examination.

A number of conditions are recommended to ensure that key features are included at Reserved Matters taking account of the likely phasing of development, details of which are at present unknown.

10.00 Method of Securing Contributions

As well as the Affordable Housing, there are a number of financial contributions that will be required from the development and triggers, based on the submitted development plots, have been agreed for those contributions.

The land is owned by the City Council and therefore it is not possible to enter into an agreement under Section 106 of the Town and Country Planning Act to address these requirements with ourselves, this will only be possible when a developer has secured sufficient interest in all/part of the site. Multiple developers could enter into individual agreements.

Who will develop the site is not yet known and one possibility is that the council will act as a developer for part of the site and retain land ownership accordingly.

At present there are monies available for infrastructure works to enable housing in the form of Housing Infrastructure Investment funding and pending agreement from Cabinet, it is proposed that this be used to implement some of the infrastructure to serve the development site, which would otherwise require developer funding through a legal agreement.

The funding of these works will make the development of the site more viable for developers.

Any land developed by the council will be at minimum planning policy compliant with regard to affordable housing and any that is disposed of will be on basis that a policy compliant amount of affordable housing be achieved.

There is therefore considered to be a negligible risk that affordable housing will not be secured and it has been agreed that on this basis it be the subject of a condition.

With regard to the financial contributions, if these could only be secured through legal agreements signed with developers it would not be possible for the council to use the funds available through grants to pay for infrastructure works at an early stage and influence viability.

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Accordingly it is agreed that the contributions can be subject to an internal Memo of Understanding, (MoU), or an alternative informal agreement. Whilst this is not legally binding, the City Council will continue to have accountability for these matters and therefore the risks of not securing the contributions is extremely low. Where funds are site specific, for example in the case of Fire Hydrants and in line with the Bristol Tree Replacement Standard, these costs will be transferred to developers through the disposal mechanism. The risk attached to this approach of not securing the necessary contributions is again considered negligible.

In conclusion, the very special circumstances pertaining to this site and the urgent need to get development of housing and affordable housing underway on the site mean that a legal agreement, which would normally be needed, can be replaced by a condition and a MOU/ alternative agreement.

The MoU/alternative agreement shall cover the following;

- i) A Contribution of £80,000 towards the management and maintenance of The Mounds Site of Nature Conservation Interest to be payable upon, or before, occupation of 750 no. dwellings.
- ii) A contribution of 51 X £1,500 for the fire hydrants as shown on Plan A attached, payment to be made for those hydrants falling within any plot within which they fall prior to the commencement of development of that plot.
- iii) A contribution of £135 per dwelling for the city council to undertake a Residential Travel Plan to be payable prior to the commencement of development of each phase of development for the residential units within that phase.
- iv) A contribution of a total of £12,000 for the management and auditing of a Travel Plan for the non-residential floor space; A1: £3,500, B1: £3,500 and D1 £5,000, - amount to be upon the commencement of use of the first floor area falling into that Use Class.
- v) Traffic Regulation Orders as follows;
 - a) £5,540 for the introduction of the bus gate - to be payable prior the commencement of the development of either Plots B, D, F, G1, G2, H1, H2, I and J or prior to the commencement of works on the road connection to Airport Road), whichever comes first.
 - b) £5,540 for each phase for the introduction of waiting restrictions to be payable prior to the commencement of that phase - excluded plots E1,E2,E4 and E5
 - c) £5,540 per phase for the imposition of a 20 mph speed restriction - to be payable prior to the commencement of development.
- vi) £35,766 to provide new bus shelters to stops on Airport Road payable upon or before commencement.
- vii) £656,000 towards x4 new bus stops within the development; £379,400 (stops 7 and 8) to be payable prior to the commencement of development of plots Plots B, F, G1 and G2 and £276,600, (stops 9 and 10) to be payable before the development of plots H1,H2, I and J.
- viii) £1.1m towards the construction of a redesigned junction arrangement to the north of the site between A4174 and Bamfield to be payable prior to the commencement of the development of plot B, D, F, G1, G2, H1, H2, I or J, whichever is developed first.

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ix) £295,371.06 to mitigate the loss of trees on site in accordance with the Bristol Replacement Standard to be payable pro rata pending on the trees to be lost through the development of each phase. Notice to be given of the commencement of removal of trees within each phase, the number of trees to be removed and the sum payable. The agreed sum shall be payable within one month of the loss of the last tree in that phase.

x) £90,000 towards the upgrade of the Whitchurch Health Centre to provide new surgery floor space, to be payable upon or before the commencement of any phase of development that includes residential accommodation.

11.0 Is the application CIL liable?

This is an outline application. The CIL regulations require that CIL liabilities are calculated when reserved matters applications are submitted as until the reserved matters stage it is not necessarily clear as to the exact level of CIL liable floor space.

Hengrove Conditions

1. RESERVED MATTERS

Approval of the details of the appearance, landscaping, layout and scale (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

Application for approval of the first 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 not 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.

Pre commencement condition(s)

3. PHASING

The development may be carried out on a phased basis, based on the plots shown on drawing no. 1062 P1130 C, phases must include the Runway Park, Village Green and The Avenue. Applications for approval of reserved matters may be submitted in respect of any of the phases of development within the site. Details of any proposed phasing of the development shall be submitted to, and improved in writing by, the Local Planning Authority prior to the commencement of development.

Reason: To secure the satisfactory and comprehensive development of the site.

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4. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

No development shall take place on any phase until a site specific Construction Management Plan for that phase has been submitted to and approved in writing by the Council.

The approved plan/statement shall be adhered to throughout the construction period.

The Construction Environmental Management Plan should have regard to the recommendations for mitigation during construction contained in the Chapters on Air Quality, Noise and Vibration, Flood Risk, Water and Drainage and Ground Conditions in Volume I of the Environmental Statement and include, but is not limited to reference, to the following:

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

All works and ancillary operations which are audible at the site boundary shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and at no time on Sundays and Bank Holidays.

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above

Procedures for emergency or any other deviation of the agreed working hours

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.

Control measures for dust and other air-borne pollutants. Dust monitoring in the vicinity of the Site shall be undertaken throughout the construction phase to monitor the effectiveness of mitigation measures, details of the level of monitoring to be undertaken to be agreed with the Local Planning Authority.

Measures for controlling the use of site lighting whether required for safe working or for security purposes, particularly near to retained habitats to reduce disturbance to bats and other nocturnal wildlife.

Strategy for minimising operational waste during construction phases.

Procedures for maintaining good public relations including complaint management, public consultation and liaison with neighbouring sensitive uses such as residents, the Hospital and Bottleyard Studios

Arrangements for liaison with the council's Pollution Control Team.

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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, amenity and public health.

5. PMW

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 nesting birds and any other legally protected and priority species to include badgers, hedgehogs and common toads shall be prepared by a suitably qualified ecological consultant and submitted to and approved in writing by the Local Planning Authority. The PMW shall include measures to protect badgers during construction to prevent them from becoming trapped in excavations or open pipework. Open pipework larger than 150 mm outside diameter shall be blanked off at the end of each working day. The development shall be carried out in full accordance with the approved method statement.

The method statement shall have regard to the recommendations for mitigation contained in the Chapter on Ecology contained in Volume I of the Environmental Statement.

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

6. ECOLOGICAL ENHANCEMENT

Prior to the commencement of development of plots B,C,D, F, G1,G2, H1,H2, I and J,(as shown on drawing no. 1062 P1130 C), including all site clearance and vegetation removal, an ecological mitigation and enhancement strategy, to incorporate the recommendations in the Preliminary Ecological Appraisal survey report dated 12 September 2017 shall be submitted to and approved in writing by the Local Planning Authority. This shall also include:

Ecological mitigation to include the provision of bird and bat boxes which are built-in to new buildings on site with details of their height, orientation, location and type to be shown on a site plan; details to be included in each Reserved Matters Submission

A ‘tool box talk’ shall be given to site operatives by an ecological consultant prior to the commencement of any demolition and site clearance works;

An ecological consultant shall operate as an Ecological Clerk of Works during site clearance works to supervise all relevant works.

The development shall be carried out in full accordance with the approved strategy.

Reason: To conserve legally protected and priority species.

7. NEW ACCESS HENGROVE WAY

Prior to the commencement of development of plots J, H1, H2 and I , (as shown on drawing no. 1062 P1130C), general arrangement plans of the new access onto Hengrove Way showing the following to the highway shall be submitted to and approved in writing by the Local Planning Authority:

Formation of new right hand turn lane constructed in the existing central island;

Creation of new signalised controlled arm access road onto Hengrove Way;

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Extent of existing island on Hengrove Way to be amended;

Traffic lane markings from Filwood Park Lane to be amended for straight ahead movement;

Kerbing along Hengrove Way to be amended;

Provision of footway and cycleway access; and

All other ancillary works

The relevant works shall be completed prior to the first occupation of the plots and be to the satisfaction of the Local Highway Authority and as approved in writing by the Local Planning Authority.

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.

8. NEW ACCESS ONTO BAMFIELD

Prior to the commencement of development of plots B, C, D, G1, G2 and F, (as shown on drawing 1062 P1130C), general arrangement drawings showing the following to the highway shall be submitted to and approved in writing by the Local Planning Authority:

Provision of road widening on Bamfield and the formation of a new right hand turn land;

Proposed pedestrian refuge island;

Widening of existing junction onto Bamfield;

Creation of three new accesses onto Bamfield;

Creation of parking bays on Bamfield;

New raised table and zebra crossing on Bamfield; and

All other ancillary works.

The relevant works shall be completed prior to the first occupation of the plots and be to the satisfaction of the Local Highway Authority and as approved in writing by the Local Planning Authority.

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.

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.

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. Formal technical approval is necessary prior to any works being permitted.

9. HIGHWAY CONDITION SURVEY

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No development of any phase shall take place until a survey of the condition of the existing public highway, extent to be agreed for each phase, has been carried out and approved in writing by the Local Planning Authority. This shall include;

A plan to a scale of 1:1000 showing the location of all defects identified;

A written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey.

Any, and all, damage to the adopted highway so identified shall be made good to the satisfaction of the Highway Authority prior to last occupation of the dwellings/non residential floor included in hat Phase.

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

10. INTERNAL ROADS

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

Reason: To ensure the internal access roads are planned and approved in good time to include any Highway's Orders and to a satisfactory standard for use by the public and are completed prior to occupation.

11. LOCAL EMPLOYMENT STRATEGY

Prior to the commencement of development a local employment strategy, to include timescales, shall be submitted to, and approved in writing by, the Local Planning Authority. The strategy shall be implemented as approved.

Reason- to ensure that the development has regard to the inclusion of local residents in the labour force.

12. UXO

Prior to commencement of development of each phase, further specialist advice must be sought for that phase, taking into account the findings and recommendation of the Unexploded Ordnance (UXO) report included within the Detailed Unexploded Ordnance (UXO) Threat & Risk Assessment prepared by Alpha Associates, reference P6160 Version 1.0 . The development shall be undertaken in full accordance with the mitigation measures proposed within this report.

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

13. SUDS

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No development of plots B,C,D, F, G1,G2, H1,H2, I and J,(as shown on Drawing no. 1062 P1130 C), shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed design, management and maintenance plan and phasing plan for implementation for the proposed SUDS swales and retention basins within the strategic area of open space hereby approved.

The SUDs shall be implemented in accordance with the approved details and phasing plan and maintained thereafter for the lifetime of the subsequent development on the site.

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 life of the development.

14. ARBORICULTURAL METHOD STATEMENT & TREE PROTECTION PLAN

Prior to the commencement of each phase of development (including demolition and all preparatory work), a scheme for the protection of retained trees in accordance with BS5837:2012, including a tree protection plan (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. Subject to agreement this information can be phase specific.

Specific issues to be dealt with in the TPP and AMS:

- a) Location and installation of services/ utilities/ drainage.
- b) Methods of demolition within the root protection area (RPA as defined in BS5837: 2012) of the retained trees.
- c) Details of construction within the RPA or that may impact on the retained trees.
- d) A full specification for the installation of boundary treatment works.
- e) A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the road, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant cross sections through them.
- f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of a no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
- g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- h) A specification for scaffolding and ground protection within tree protection zones.
- i) Tree protection during construction on a TPP and construction activities clearly identified as a prohibited in this area.
- j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well as concrete mixing and use of fires.

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- k) Boundary treatments within the RPA.
- l) Methodology and detailed assessment of root pruning.
- m) Arboricultural supervision and inspection by a suitably qualified tree specialist.
- n) Reporting of inspection and supervision.
- o) Methods to improve the rooting environment for retained and proposed trees and landscaping.
- p) Veteran and ancient tree protection and management.

The development thereafter shall be implemented in strict accordance with approved details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with Bristol City Council Policy DM17 and pursuant to section 197 of the Town and country planning Act

15. TREE PLANTING SCHEDULE

Prior to the commencement of each phase of development there shall be submitted to and approved in writing by the Local Planning Authority a detailed tree planting schedule based on the Tree Planting Principles Plan and in line with the Bristol Tree Replacement Standard (Policy DM17), which includes:

- a. a scaled plan showing vegetation to be retained
- c. a schedule detailing sizes and numbers of all proposed trees/plants- see Advice 2
- d. a maintenance schedule to ensure successful establishment and survival of new planting.
- e. Water volumes and frequency of watering visits.

The Reserved Matters submission for each phase / or details of each phase of park development, shall include details of all trees and plants to be planted, tree pit details, proposed hardstanding and boundary treatment and measures to protect land where tree planting is proposed from compaction where appropriate.

The planting shall be carried out no later than during the first planting season following the date when the development of the plot is ready for occupation or the phase of the park development is complete.

All planted materials shall be maintained for 5 years and any trees removed, dying, being severely damaged or become seriously diseased within 5 years of planting shall be replaced with others of a similar size and species to those originally required to be planted.

For the discharge of condition a chlorophyll fluorescence test for each newly planted tree has to be provided to demonstrate the successful establishment. Any trees showing significant stress or decline will be replaced within 5 years of planting.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with DM15 and DM17.

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16. LANDSCAPING

Each Reserved Matters submission shall include a detailed scheme of all hard and soft landscaping as appropriate, to include the Runway Park, Village Green and The Avenue.

The scheme shall include the trees as approved in principle under condition 15 and SUDS measures as approved under condition 13 and details of proposed play.

The landscaping shall be undertaken in accordance with this approval and all planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

Reason- to ensure the protection of protected species, the establishment of a landscape to serve the development and key elements of the SUDS scheme to act as receptors for drainage from future development.

17. WOODLAND MANAGEMENT PLAN

Prior to the commencement of any work on site of plots B,C,D, F, G1,G2, H1,H2, I and J of the development hereby approved, (as shown on drawing no.1062 P1130 C), a woodland management plan shall be submitted to, and approved in writing, by the Local Planning Authority a detailed twenty-five year woodland management plan, with the aim of creating a highquality amenity woodland, with greater species diversity, nature conservation improvements and connectivity for those retained areas of woodland to the south of Western Drive Industrial Estate and to the north of the Bottleyard Studios. The plan shall include bird and bat boxes where practicable, details of the maintenance schedule of new features, replacements planting of tree failures and 5 yearly review of the woodland management plan to evaluate the progress and identify specific management operations to meet the original aims and objectives of the long term management plan- See advice note no.1

It should specifically include;

- a) A Statement of the overall design vision for the woodland and for individual trees retained as part of the development – including amenity classification, nature conservation and accessibility.
- b) Type and frequency of management operations to achieve and sustain canopy, understorey and ground cover, and to provide reinstatement including planting where tree loss or vandalism occurs.
- c) Frequency of safety inspections, which should be at least three yearly in areas of high risk, less often in lower risk areas.
- d) Confirmation that the tree pruning work is carried out by a suitably qualified and insured tree contractor to British Standard 3998 (2010).
- e) Special measures relating to Protected species or habitats, e.g. intensive operations to avoid March – June nesting season or flowering period.
- f) Inspection for pests, vermin and diseases and proposed remedial measures.

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g) Recommendations relating to how trees within the immediate vicinity of properties or within private areas are to be protected, such that these are retained areas are to be protected such that these are retained without the loss of their canopy or value as habitat.

h) Confirmation of cyclical management plan assessments and revisions to evaluate the plan's success and identification of any proposed actions.

Reason: Required to ensure that woodland areas are satisfactorily safeguarded, managed and maintained in the long term/ in perpetuity in the interest of nature conservation and the visual amenity of the area and to accord with policies DM15, DM 19 of the Bristol Core Strategy BCS9 and the NPPF.

18. BREEAM Communities

Prior to the commencement of development there shall be submitted and approved in writing by the Local Planning Authority a phasing plan for the submission of the outstanding elements of the BREEAM Communities Assessment. The elements shall be submitted to the Local Planning Authority for written approval by the registered BREEAM assessor in accordance with the approved phasing and a score of Good shall be achieved.

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

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

19. ENERGY STRATEGY

Prior to the commencement of each phase of development an Energy Statement shall be submitted to the Local Planning Authority to be approved in writing. The Energy Statement shall demonstrate how the energy hierarchy as set out in BCS14, has been followed, how the heat hierarchy has been applied and how a 20% reduction in carbon dioxide emissions beyond residual emissions through renewable technologies will be achieved including full technology specifications, locations and phasing of implementation to ensure that the energy to all dwellings is served by the technology. This shall include consideration of a micro-heat network.

Should an Energy Centre be proposed as part of the sustainable energy strategy, the relevant Reserved Matters submission shall include full details of its appearance, scale, layout, a Noise Assessment and Air Quality Assessment, to take full account of all nearby proposed residential accommodation and the hospital.

As part of the Reserved Matters submission for each phase of development, there shall be submitted and approved in writing by the Local Planning Authority a Sustainability Statement which will include confirmation that, and further information on, the energy strategy hereby approved is incorporated. Prior to occupation, evidence will be required demonstrating that the approved measures have been implemented, together with detail of ongoing management and maintenance to ensure the measures continue to achieve the predicted CO2 emissions reduction shall be submitted and approved in writing by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with policies BCS13 (Climate change) and BC14 Sustainable

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energy), DM29 (Design of new buildings), BCAP20 (Sustainable design standards), BCAP21 (Connection to heat networks)

20. AFFORDABLE HOUSING

The development as a whole shall provide a total of a minimum of 30% affordable housing to be 77% social rent and 23% intermediate.

The Reserved Matters submission for each phase of development that includes residential accommodation shall include details of tenure, dwelling size and location of the affordable housing for the phase and the affordable housing so approved shall be completed before the occupation of 60% of the dwellings in that phase. Each phase of development shall include no less than 15% affordable housing.

Reason- to ensure a policy compliant provision of affordable housing ref,BCS17

21. TO ENSURE IMPLEMENTATION OF A PROGRAMME OF ARCHAEOLOGICAL WORKS

No development shall take place within plots B,C,D, F, G1,G2, H1,H2, I and J, (as shown on drawing no.1062 P1130 C), until the applicant/developer has secured the implementation of a programme of archaeological work, to include a landscape survey and record of all elements of airport heritage,in accordance with a Written Scheme of Investigation which has been submitted by the developer and approved in writing by the Local Planning Authority.

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

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

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

22. Residential sound insulation (specific – neighbouring commercial/other noise sources)

No development shall take place until an assessment on noise from existing commercial, leisure and hospital uses on the perimeter of the site has been submitted to and approved in writing by the Council.

If the assessment indicates that noise from the above sources is likely to affect residential properties as part of this application then a detailed scheme of noise mitigation measures shall be submitted to and approved in writing by the Council as part of the relevant Reserved Matters submission.

The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS4142: 2014 Methods for rating and assessing industrial

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and commercial sound and BS 8233: 2014 Guidance on sound insulation and noise reduction for buildings.

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

Reason- to ensure a satisfactory living environment

23. PHASING OF PARKS WORKS

Prior to commencement of development of Plots B, C, D, F, G1, G2, H1, H2, I, J, (as shown on drawing no.1062 P1130 C), a phasing plan for the development of the park, as shown on the masterplan, shall be submitted and approved in writing by the Local Planning Authority. This phasing plan shall include the following key elements; i) Belvedere Tower, ii) Community Orchard, iii) Allotments, iv) MUGA, v) Playing Pitches and iv) Fitness Trail.

The phasing shall include provision for the playing pitches to be constructed prior to any development that involves the loss of the existing playing pitches and/or access to those playing pitches from the public highway.

The park will be developed in accordance with the approved detail and the approved phasing.

Reason- to ensure the satisfactory delivery of the open space and replacement playing pitches.

24. PARK- KEY ELEMENTS

Prior to the implementation of key each element as listed above, full details shall be submitted to the Local Planning Authority and approved in writing, include drainage proposals, detailed landscaping scheme, full details of any lighting – in accordance with the guidance in condition 23, elevations, plans, samples of materials as appropriate and any other relevant items of information.

The playing pitches shall be constructed in accordance with Sport England guidance.

These elements shall be constructed in accordance with the approved details and the phasing of the parks works approved under condition no.21.

Reason – To ensure a satisfactory park development, replacement sports pitches and to conserve legally protected bats and other nocturnal wildlife.

25 PARK FURTHER DETAILS

Prior to the commencement of development of any phase of the park, the following detail shall be submitted to, and approved in writing by the Local Planning Authority .

- i) Path network- materials, width and construction – this shall include information on the intended users for each section of path and identify a wheelchair accessible route throughout.
- ii) Detailed landscape proposals to include species, size and density at planting, bed preparation, tree pit details, after care and watering regime. The approved scheme shall be implemented so that planting is carried out within the phase in question. 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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iii) Scheme of lighting to include information on all supports, fittings, luminaires, details shall include a lux level contour plan, and should seek to ensure no light spill outside of the site boundaries. The lux contour plan should show lux levels at frequent intervals (lux levels at 0, 0.2, 0.5, 1, 1.5, 2, 3, 4, 5 lux and higher are particularly useful) and extend outwards to additional levels (above the pre-existing background light level) of zero lux. The lux contour levels should be superimposed on a site plan which shows the location of all the areas of ecological interest which are to be retained on site and all land that is affected by raised light levels (including potentially land outside the red line planning application area).

Guidance: 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.' and lux contour diagram- this shall be designed to comply with the guidance from the Bat Conservation Trust.

iv) Park furnishing to include seating, bins and signage.

v) All boundary treatments to include ball fencing

Reason- to achieve a satisfactory park and to conserve legally protected bats and other nocturnal wildlife.

26. PARK – PUBLIC ACCESS

Prior to the commencement of development of plots B,C,D, F, G1,G2, H1,H2, I and J,(ref.drawing no.1062 P113 C) details of proposals to allow continued public access to the parts of the site not to be developed, during the construction phase, shall be submitted and approved in writing by the Local Planning Authority. The proposals shall take into account the approved protection for retained trees, protection for land where trees are to be planted, and the phases of park works to be approved as set out in conditions no.21. Following completion of the works to the park, it will open for public access in perpetuity.

Reason- To enable ongoing recreational use of the site.

27. PARK- MANAGEMENT

Prior to the commencement of development of the park there shall be submitted and approved in writing by the Local Planning Authority a ten year landscape and nature conservation management plan to include input from a qualified ecological consultant. The plan shall include; consideration of features of interest, objectives, management compartments and prescriptions, a work schedule including a ten year annual work plan, resourcing including a financial budget and ecological monitoring, proposed management and maintenance of all lighting and park furniture.

The development shall be carried out in accordance with the approved plan or any amendment as approved in writing by the local planning authority.

Reason: To conserve and enhance the nature conservation and landscape features on the site and ensure the satisfactory maintenance of the park

28. NOISE FROM FLOODLIT SPORTS PITCHES/MUGAS

No commencement of use of the sports pitches/MUGAs shall take place until an assessment on the potential for noise from the development affecting residential properties as part of this development

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and existing residential properties in the area has been submitted to and approved in writing by the Council.

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

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

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

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

29. SPORTS PITCHES MANAGEMENT

Prior to the commencement of the use of the sports pitches, details of a proposed management/maintenance plan for the sports pitches shall be submitted to and approved in writing by the Local Planning Authority. The plan shall cover proposals for pitch maintenance, booking mechanism and make provision for community use.

Reason- to ensure the provision of good quality sports provision to serve existing and future residents.

30. COMMUNITY BUILDING

Prior to the demolition of the scout hut or rugby club pavilion or completion of the construction of the sports pitches and/or MUGA, whichever is sooner, full details of the proposed community building , (to include plans, elevations, curtilage, boundary treatment, external lighting, materials and any other relevant items), shall be submitted and approved in writing by the Local Planning Authority. The building shall include changing room facilities designed to Spot England standards and be served by secure and weather proof cycle parking.

The building shall be constructed in accordance with the approved details and be provided and available for use prior to the demolition of the scout hut, rugby club pavilion completion of the sports pitches or MUGA, whichever is the sooner, in accordance with the approved detail.

Reason- to ensure satisfactory accommodation for community uses, replacement floor space for the scouts and replacement changing facilities to serve the sports pitches and MUGA.

31. BROADBAND

Each Reserved Matters submission shall include evidence that full fibre broadband will be provided to each dwelling and all non-residential floor space- as appropriate.

Reason- To ensure that the development benefits from full fibre connectivity for high-speed broadband in accordance with BCS15

32. DESIGN CODES

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Each Reserved Matters submission shall include detailed Statement setting out how each element of the Design Codes, hereby approved, has been taken into account in the final design of the development.

Reason- In order to secure a good quality development in the interests of visual amenity and highway safety.

33. OVERHEATING ANALYSIS

Each Reserved Matters submission shall include an overheating risk analysis. This should be based on a recognised methodology such as CIBSE TM52 or appropriate equivalent (using the most up-to-date version, and climate projections available at the time of the assessment/application).

Where an overheating risk is identified appropriate mitigation measures which avoid the need for mechanical cooling, should be incorporated into the design.

Reason - In the interest of health.

34. RESIDENTIAL SOUND INSULATION (GENERAL)

All recommendation detailed in the Noise Assessments submitted with the application with regards to sound insulation taking account of existing and predicted road noise, to take into account and ventilation of residential properties shall be implemented in full prior to the commencement of the use permitted and be permanently maintained. Each Reserved Matters submission shall include details of the relevant sound insulation and ventilation measures.

Reason- to ensure a satisfactory living environment

35. PUBLIC ART

Prior to the commencement of development a phasing plan for the submission of, and delivery of, public art for the development shall be submitted and approved in writing. This shall include a Public Art plan which will provide information on the commissioning, integration of public art within the development, and environs, timetable for those works and details of the future maintenance responsibilities and requirements. The delivery of public art shall then be carried out in full accordance with the agreed Public Art Plan unless otherwise agreed in writing by the Local Planning Authority. The proposals should be informed by the airport heritage of the site.

Reason: to ensure the provision of public art in the landscape design and buildings and in pursuance of BCC's public art policy

36. WAYFINDING SIGNAGE

Prior to first occupation of the residential element of the development hereby permitted, a scheme of Wayfinding signage, a phasing plan for its implementation and maintenance schedule for the signage, shall be submitted and approved in writing by the Local Planning Authority. The signage shall be implemented in accordance and maintained in accordance with this approval.

37. CONTAMINATION

No individual phase of development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the relevant phase of

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development has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:

all previous uses;

potential contaminants associated with those uses;

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

potentially unacceptable risks arising from contamination at the site.

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

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

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

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

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. This is in line with paragraph 170 of the National Planning Policy Framework.

38. UNEXPECTED CONTAMINATION

If, during development, contamination not previously identified is found to be present at the site then no further development of that phase shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reasons

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 170 of the National Planning Policy Framework.

39. VERIFICATION

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Prior to any phase of the permitted development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reasons

To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework.

40. TO ENSURE COMPLETION OF A PROGRAMME OF ARCHAEOLOGICAL WORKS

No building in any phase shall be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 20 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

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

41. SUDS

Each Reserved Matters submission shall include a detailed Sustainable Drainage Strategy in accordance with the submitted Outline Drainage Strategy. The Strategy shall include a detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods. The approved drainage system shall be implemented in accordance with the approved Sustainable Drainage Strategy prior to the occupation of development 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 development.

42. EMPLOYMENT FLOOR SPACE

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the plot shown on the Regulatory Plan showing uses for B1 Office use on upper floors, shall only be used for B1a), B1 b) and B1 c) and for no other purpose.

Reason: This use only is permitted and other uses, permitted by the Town and Country Planning (GPD) Order 2015 are not acceptable to the Local Planning Authority in this location because of the need to provide employment floor space in accordance with the development plan.

43 .The employment floor space hereby permitted shall be designed to enable a minimum sized unit of 50m2 to be accommodated.

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Reason- In order to allow maximum flexibility for potential occupiers

44. EVCG

Each Reserved Matters submission will include detailed proposals for the provision of Electrical Vehicle Charging Points at 5% of the parking provision.

Reason- to enable the use of electrical vehicles in the interests of air quality

45. WHEELCHAIR UNITS

Each Reserved Matters submission for residential development shall include 3% units either to wheelchair standards or adaptable to wheelchair standards- Building Regulations Part M4(2) or M4(3).A plan showing where these are to be located across the site as a whole should be submitted and approved in writing prior to the commencement of development with full details included in the submission for each relevant Reserved Matters.

Reason- In order to provide accessible development in the interests of equalities.

46. RETAIL FLOORSPACE

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the amount of retail floor space- Use Class A1- shall not exceed a total of 825m² gross and no individual unit in A1 use shall exceed 414m² gross.

Reason: In accordance with the Retail Impact Assessment to prevent an impact on the vitality and viability of designated centres in accordance with DM7.

Advice – In accordance with Class V of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order), where a flexible use for the ground floors, indicated on the Regulatory Plan covering uses, is permitted, the use of that ground floor ten years after the grant of consent shall be the permanent permitted use and no other change is permitted (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) .

47. OTHER NON RESIDENTIAL FLOOR SPACE

The combined floor area of the ground floor areas, as shown on the Parameter Plan showing uses, as being in either an A Use Class or D1 Use Class, in use for the purposes of Use Classes A2, A3, A4 or A5 shall not exceed 1,499m²gross and no individual unit should exceed 200m²gross in area.

Reason- In the interests of the vitality and viability of designated centres in accordance with DM7.

48. NOISE FROM COMMERCIAL PREMISES

Each Reserved Matters application for a phase containing non-residential uses shall include 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.

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The assessment shall include noise from:

Ventilation, refrigeration and air conditioning plant or equipment

Servicing (deliveries and refuse collections)

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

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

The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS4142: 2014 Methods for rating and assessing industrial and commercial sound and of BS 8233: 2014 " Guidance on sound insulation and noise reduction for buildings". See Advice note 3.

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

Reason- in order to achieve a satisfactory living environment

49. ODOUR (A3 AND A4 USES)

In the event that A3 and A4 uses occupy the non-residential floor space, no equipment for the extraction and dispersal of cooking smells/fumes shall be installed until details including method of construction, odour control measures, noise levels, its appearance, finish and odour management plan have been submitted to and been approved in writing by the Local Planning Authority.

The odour management 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.

The approved scheme shall be installed before the installation of any such equipment and thereafter shall be managed as approved.

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

<http://www.defra.gov.uk/environment/noise/research/kitchenexhaust/pdf/kitchenreport.pdf>

Reason- to achieve a satisfactory living environment

50. OPENING HOURS (COMMERCIAL USES) HOURS OF USE

No customers shall remain on the premises of the non- residential uses hereby permitted outside of the hours of 23.00 to 8.00 Monday to Sundays.

Reason: To safeguard the amenities of nearby occupiers

51. OUTDOOR DINING/EATING AREAS (COMMERCIAL USES)

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There shall be no use of any outdoor eating or drinking areas associated with any A3, A4 or A5 use after 22.00 on any day.

Reason- In order to achieve a satisfactory living environment

52. SERVICING AND REFUSE STORAGE – ALL USES

Each Reserved Matters submission shall include a Waste and Recycling Management Strategy that complies with the City Council's Waste and Recycling, Collection and Storage Facilities, Guidance for developers, owners and occupiers, February 2017. Stores for refuse and recycling should be designed to be integral to the front of dwellings in a location which complies with collection guidelines.

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

53. USE OF REFUSE AND RECYCLING FACILITIES (NON-RESIDENTIAL USES)

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

54. DELIVERIES (NON-RESIDENTIAL USES)

Activities relating to deliveries in connection with the non- residential uses hereby permitted shall only take place between 08.00 and 20.00 Monday to Saturday and not at all on Sundays or Bank Holidays.

55. 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.

56. ARTIFICIAL LIGHT (EXTERNAL)

The Reserved Matters application for each phase of development shall include a report detailing the lighting scheme and predicted light levels at neighbouring residential properties.

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 – to achieve a satisfactory living environment

57. TRAVEL PLAN- Non Residential floor space

Prior to the commencement of use of the non-residential floor area hereby permitted (Use Classes A1, A2, A3, A4, A5, B1 and D1), there shall be submitted to, and approved in writing by the Local Planning Authority, a Travel Plan which is in accordance with the immediate, continuing and long-term measures set out in the Framework Travel Plan and will promote and encourage alternatives to

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single-occupancy car use. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets to the satisfaction of the council.

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

57. Cycle Parking Provision

Each Reserved Matters application shall include full details of cycle parking, to comply with adopted standards and the council's adopted guidance on Cycle Parking.

Reason- to support sustainable forms of transport

APPROVED PLANS AND DOCUMENTS

To follow.

Supporting Documents

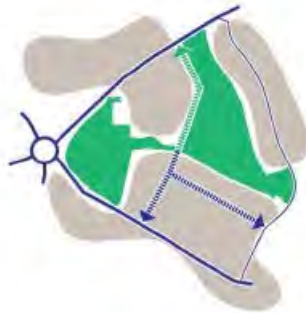
1. Hengrove Park, Hengrove Way, Bristol

1. Appendix B
2. Appendix C
3. Site Allocations and Development Policies

APPENDIX B

Hengrove and Whitchurch Neighbourhood Plan- Adopted 14th February 2019

Masterplan Moves



1. Link North to South:

Addressing the impermeability of the site currently by connecting it with its surroundings. Routes through the site are not necessarily all vehicular and in fact should avoid disrupting the continuity of the park.

However, legible and direct routes which link Hengrove Way, Whitchurch and Bamfield are necessary if this is to become an integrated part of the overall area.



2. Create a Centre:

Existing facilities at the Hospital and the Leisure Centre set a precedent for the location and scale of public and active buildings. Combined with good access to the park and some additional retail/business and residential development, a new local centre can provide easy access to facilities for existing and new residents.



3. Open Space Quality & Character:

While the existing park offers a large amount of space, there are significant improvements that can be made to the quality and variety of park spaces.

Greater contrast should be created between different parts of the park ensuring that a variety of open space types are established allowing for a range of activities and uses.



4. Establish residential character & density difference:

A variety of building types, heights and locations can be used to create distinct residential areas in the masterplan and avoid a development which looks the same everywhere.

Since different people need or prefer different types and sizes of houses or apartments, this range of building types in different locations will also help attract and provide for a diverse mix of people, helping create a balanced and interesting community.



5. Consider the edge conditions:

The variety of development and locations around the park offers the opportunity to create different relationships with the park ranging from formal, plazas and streets which overlook the park to very close relationships with nature where existing buildings sit adjacent to wild areas.

Hengrove Park

summary of outline planning application

www.bristol.gov.uk/plansforhengrove

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LDS REF: 1062 _ DOC041



site location

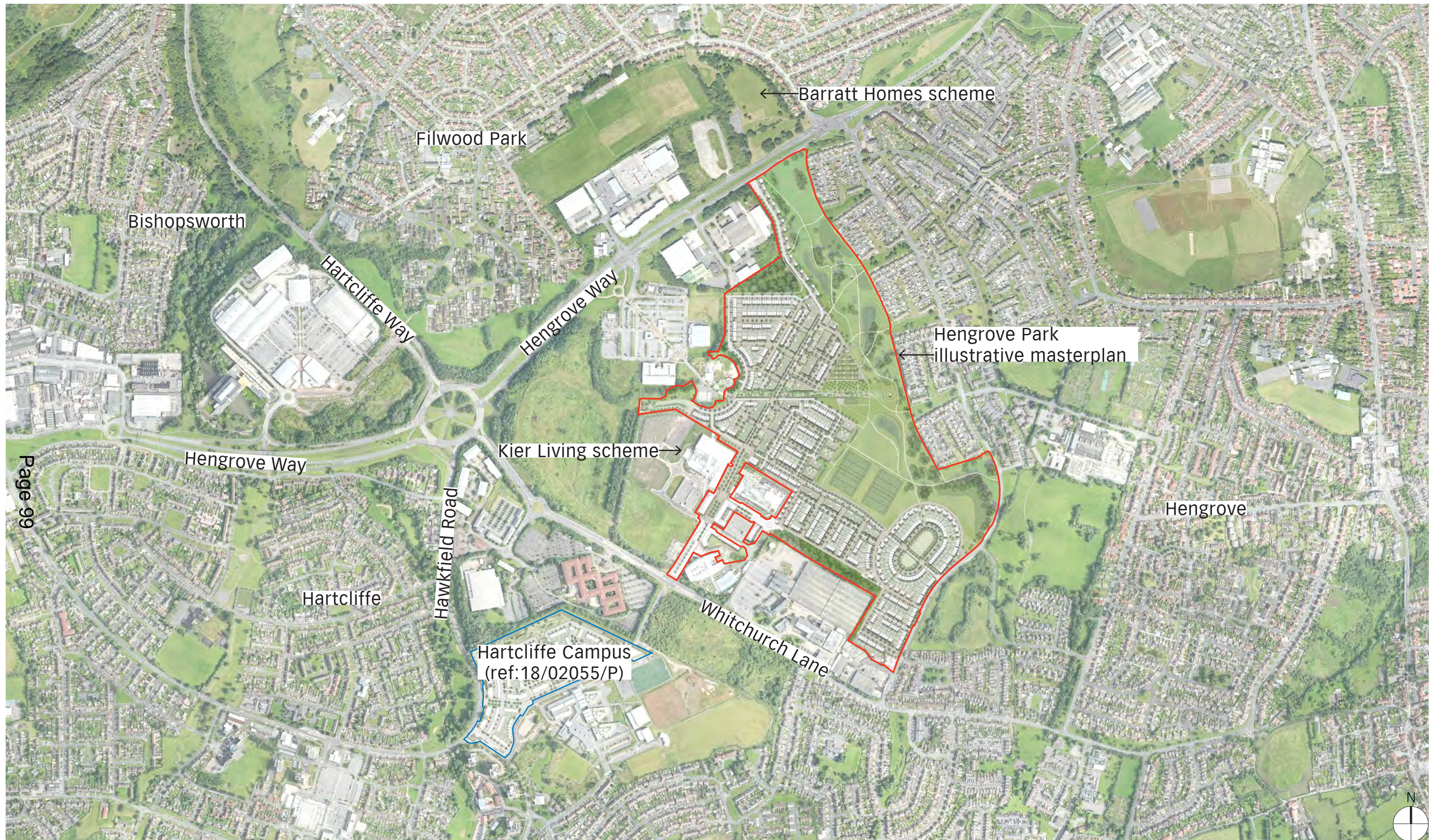
The scope of this project is to secure Outline Planning Permission with access and strategic landscaping detailed, and all other matters reserved

1062 : Hengrove Park



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Page 99

site location

The site application area is ~49 ha.



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Page 100

01 aerial view of the site, looking south



02 aerial view of the site, looking north

Hengrove Park

key:
 — site boundary



A view towards the Hengrove Park Leisure Centre and the South Bristol Community Hospital



B panoramic view looking north-east



E view along the existing runway looking east



F existing running track



C panoramic view looking east towards the Hengrove Park Leisure Centre



D panoramic view looking south west towards the South Bristol Community Hospital



G mature trees along eastern edge of the site



H view looking over the site

existing site photos



overview of the illustrative masterplan



Page 105

early sketch of Hengrove Park looking west



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This planning application seeks to secure an outline planning application with access and strategic landscape detailed for a policy-compliant housing led scheme with the following approximate mix of units and tenures:

type of housing unit	overall number of housing units to be provided (all tenures)	number of affordable housing units to be provided (30%)	of which, number which will be Social Rented (77%)	of which, number which will be Shared Ownership (23%)
1 bed flat	466	140	108	32
2 bed flat	464	139	107	32
2 bed house	81	24	18	6
3 bed house	401	120	93	27
4 bed house	56	17	13	4
FOG unit	32	10	8	2
Total	1500	450	347	103

The proposal also provides for the provision of a 19.3ha high quality park (plus 4.6ha of other open space), up to 4,515m2 of office accommodation, up to 2,440m2 of retail accommodation, up to 4,500m2 of education floorspace for the expansion of City of Bristol Skills Academy, transport infrastructure and areas of formal and informal public open space.

Design codes accompany the Outline Planning Application to promote high quality development whilst providing an appropriate level of flexibility to allow the design to be tailored at Reserved Matters Application stage.

overview of the scheme

FIXED:

(i.e. to be secured at Outline Planning Application stage)

Uses

- Education use – up to 4,500 sqm
- Community use (D1) within the park – up to 790sqm
- Retail and community facilities (A-uses or D1) up to 2,440 sqm on bookend sites
- Employment (B1) – up to 4,515sqm
- Residential – up to 1,500 units including 30% affordable housing

Energy Centre

- The Outline Energy Strategy will respond to current policy, promoting a heat network if technically and financially viable.

Strategic Landscape (incl. Sustainable Drainage)

- The design principles of the strategic landscaping will be clearly defined. The Park along with other areas of Public Open Space will have an area of 23.9 ha with the total site area being 49 ha.

Access

- This will be off Hengrove Way, Bamfield, Hengrove Promenade and The Boulevard. All access to the site will be detailed in the planning application. New footways and cycleways will be incorporated.

Design Codes and Parameter Plans

A series of Design Codes and Parameter Plans will be approved as part of the Outline Application consent. Conditions will be attached to the Outline consent stating that the principles set out in Design Codes and Parameter Plans will be adhered to at Reserved Matters unless otherwise agreed with the Planning Authority.

Parameter Plans include:

- Regulatory Plan
- Site Structure
- Building Heights
- Land Use
- Access and Movement
- Tree Removal and Retention Plan
- Tree Planting Principles
- Character Areas
- Illustrative Site Plots

Outline Planning Application Approach

What we are proposing to fix at this stage vs.
what will be treated as Reserved Matters

Design Codes:

(What the Design Code will cover)

Street design codes:

The design codes will guide the following:

- site access
- public realm design
- soft landscaping within the public realm and streetscape
- parking strategies
- refuse/recycling/cycle storage
- SUDS integration
- building frontage line (front threshold and boundary)

Building design codes:

The design codes will guide the principles of the building performance. Examples of which are:

- building form/massing – showing heights, where there should be apartment buildings v housing
- entrance location and boundary treatments – clarifying threshold treatments and location of front doors.
- building material types
- floor to floor heights
- location of primary living spaces overlooking streets
- window sizes – setting rules for sizes to ensure quality visual appearance and encourage standardisation
- amenity provision for apartments – setting standard as per the Consultation draft of the Urban Living SPD
- Secured by Design
- inclusive access considerations
- building typologies: townhouses, mews, apartment blocks, self-build units, podium blocks, lateral-houses (side garden), vertical houses (roof gardens), substations, energy centre and pumping station

Outline Planning Application Approach

What we are proposing to fix at this stage vs. what will be treated as Reserved Matters



RESERVED MATTERS:

(I.e. to be determined at Reserved Matters Planning Application Stage)

Layout

- final layout and detailed hard and soft landscape design
- final unit numbers and mix of unit sizes

Scale

- Scale of buildings to be specified within Design Codes to be adapted by way of Condition with reference to minimum and maximum dimensions for height, width and length for different building typologies.

Appearance

- Appearance and materials

Parking (quantity and format of provision)

- Quantity and location of parking has been included within the Design Codes based upon adopted Local Plan standards (circa 1.25-1.5 spaces/dwelling dependent upon housing mix). Final quantity and location will be dealt with in the Reserved Matters application.

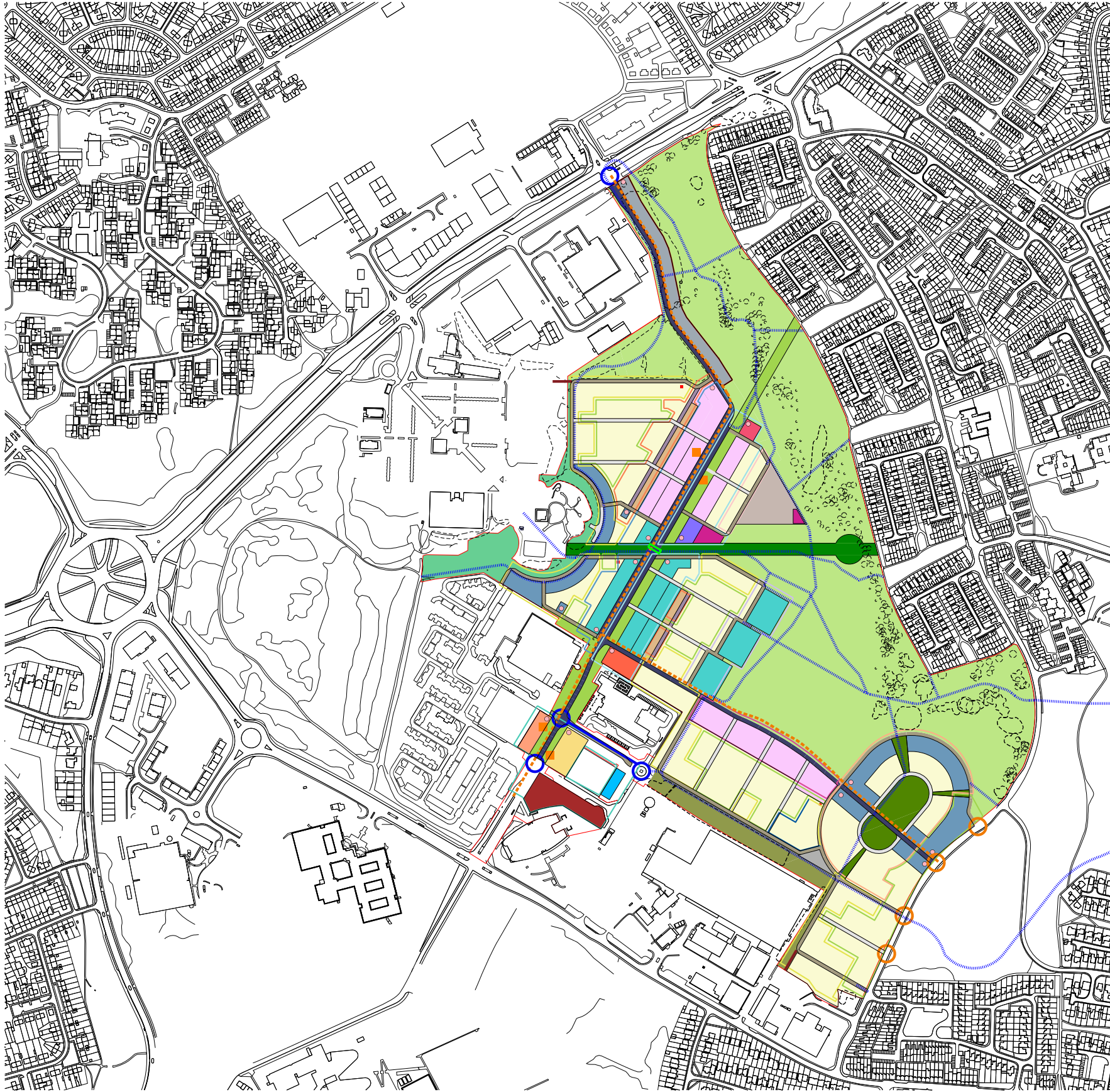
Drainage strategy

- Final drainage strategy

Outline Planning Application Approach

What we are proposing to fix at this stage vs.
what will be treated as Reserved Matters





rev	date	by	revisions
A	03.09.18	DM	substation added to key
B	08.10.18	DM	office use removed from educational facility use, building heights updated, route of pedestrian path updated.
C	03.12.18	DM	site boundary updated

notes

refer to topographic survey for G.L.

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key plan

project

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drawing title

Hengrove Park regulatory plan

scale at A1

scale at A3

drawn

date

1:3000

1:6000

AMS

08.06.18

job no.

drawing

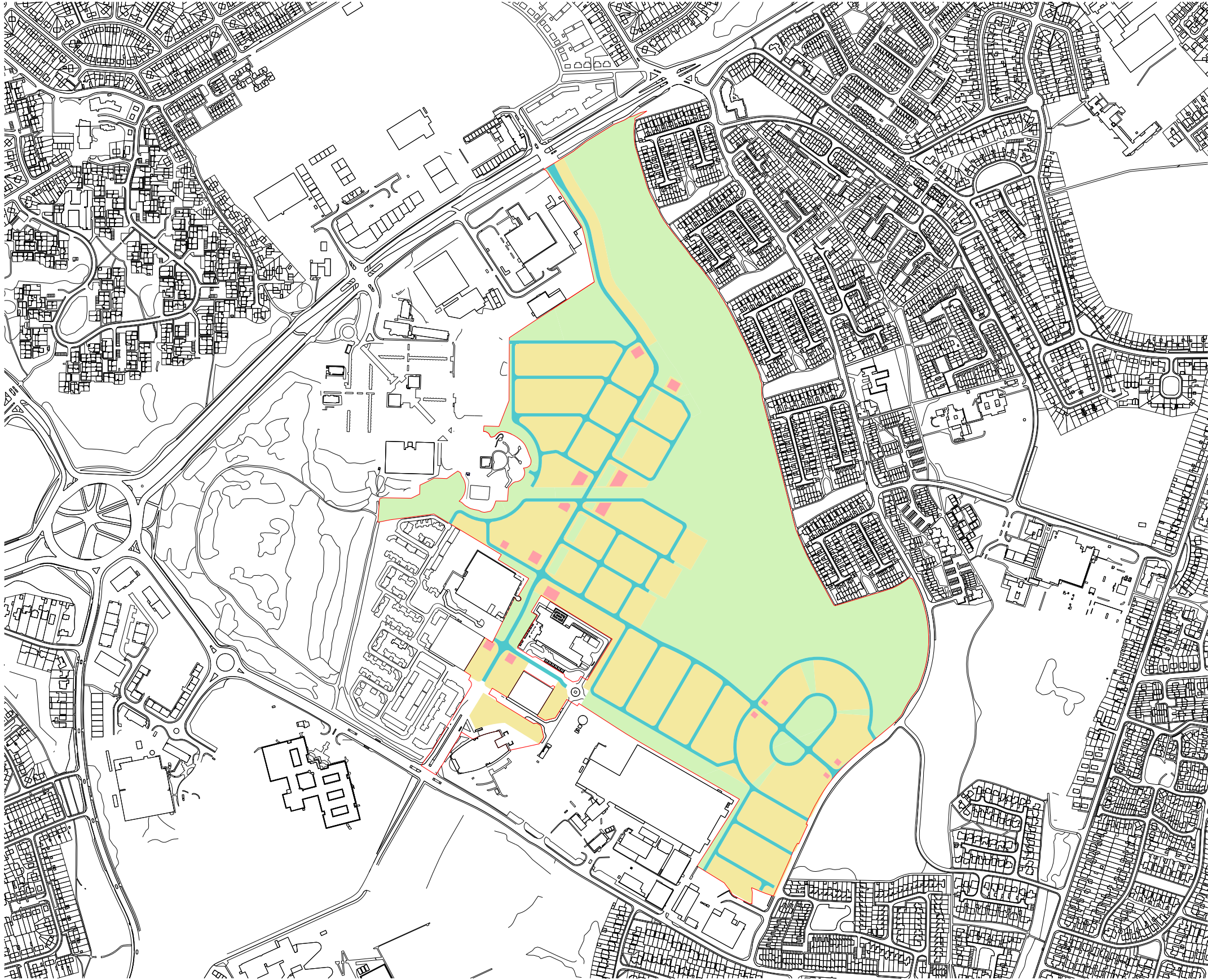
rev.

1062

P1140

C

parameter plans - regulatory plan



rev	date	by	revisions
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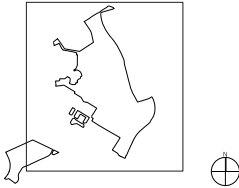
A	03.12.18	DM	site boundary updated
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- key
- site boundary
 - development block (buildings/private space)
 - public realm (green open space)
 - public realm (street)
 - focal building

notes

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key plan



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drawing title
Hengrove Park
site structure

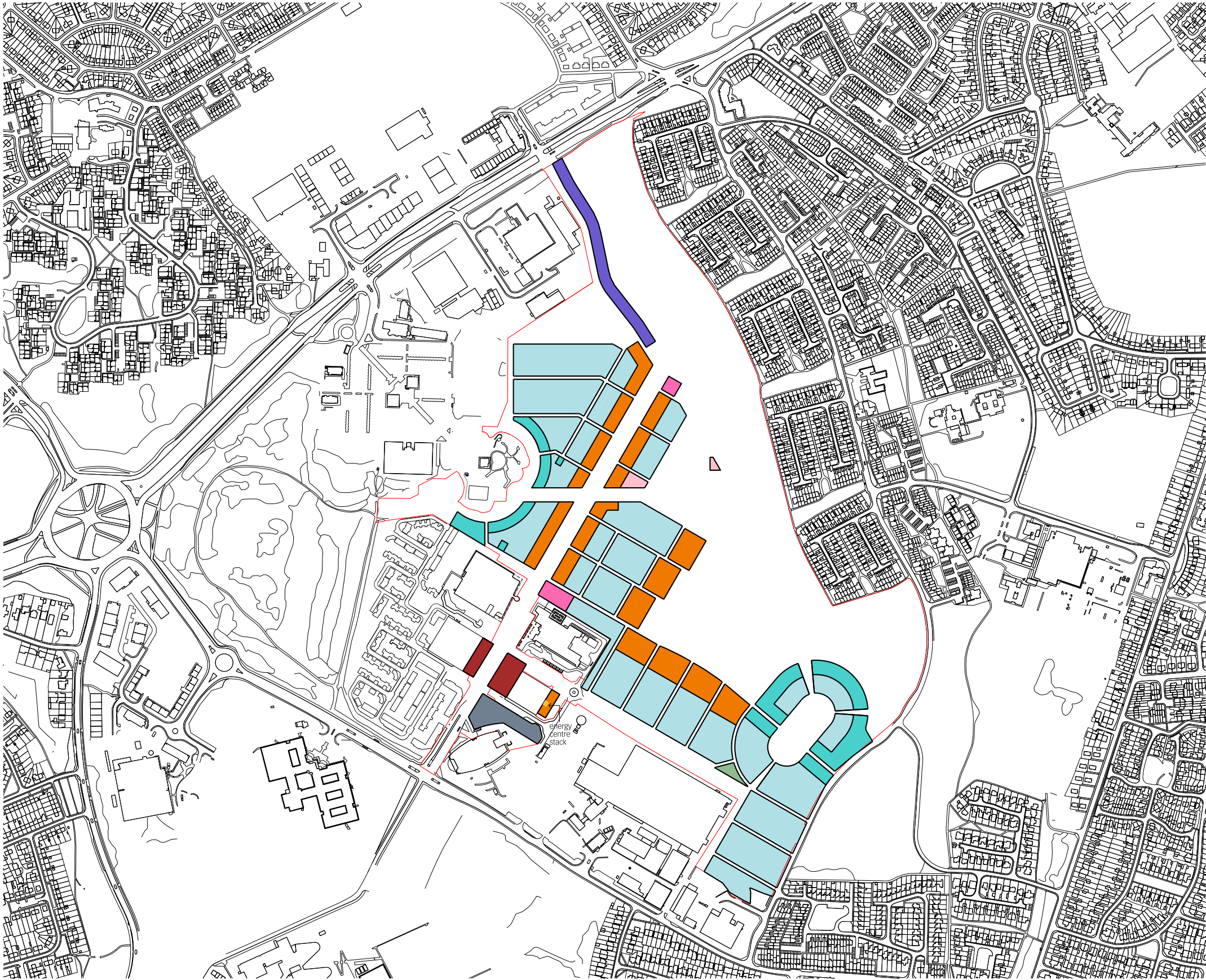
scale at A1	scale at A3	drawn	date
1:3000	1:6000	DM	15.05.18

job no.	drawing	rev.
1062	P1127	A

parameter plans - site structure



Lifschutz Davidson Sandilands



rev	date	by	revisions
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A	08.10.18	DM	building heights updated.
B	03.12.18	DM	site boundary updated

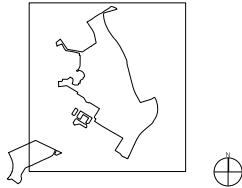
- key:
- site boundary
 - pumping station, up to 7,00 m from G.L.
 - energy centre stack, 27,00 m (min.) above G.L.
 - up to one storey, 6,00 m from G.L.
 - up to two storeys, 8,00 m from G.L.
 - up to three storeys, 13,00 m from G.L.
 - up to three storeys, 15,00 m from G.L.
 - minimum three storeys 12 m from G.L.
 - up to five storeys (min. three storeys), 20,00 m from G.L.
 - up to five storeys (min three storeys), 25,00 m from G.L.
 - up to six storeys (minimum five storeys), 24,00 m from G.L.

notes

refer to topographic survey for G.L.

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key plan



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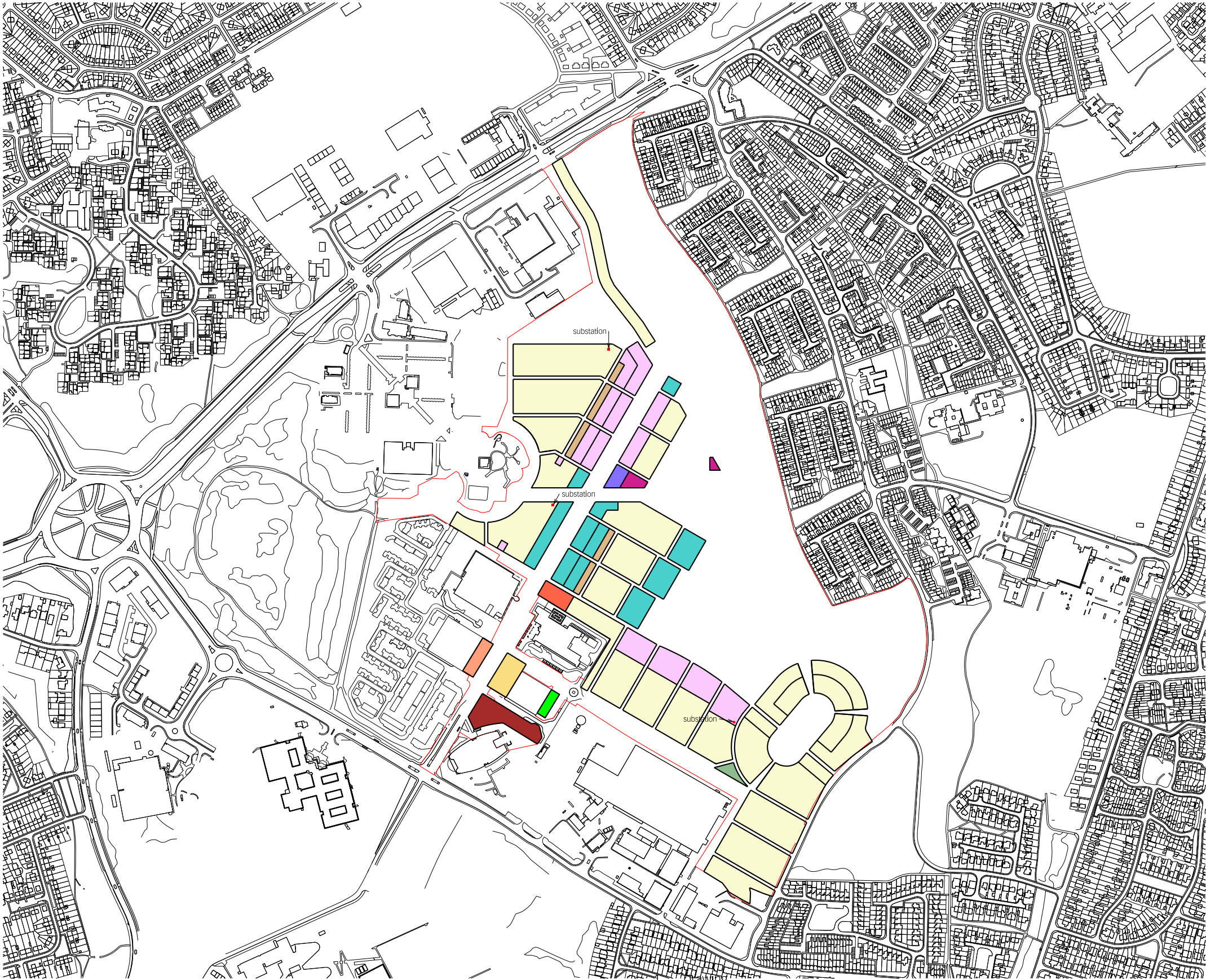
drawing title

Hengrove Park
building heights

scale at A1	scale at A3	drawn	date
1:3000	1:6000	DM	08.06.18

job no.	drawing	rev.
1062	P1122	B

parameter plans - building heights



rev	date	by	revisions
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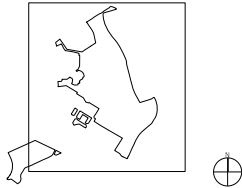
A	03.09.18	DM	key colours updated
B	08.10.18	DM	office use removed from educational facility use.
C	03.12.18	DM	site boundary updated

- key:
- site boundary
 - townhouses, Use class C3(a)
 - apartments, Use class C3(a)
 - townhouses or apartments, Use class C3(a)
 - FOG units or townhouses, Use class C3(a)
 - apartments + GF energy centre, Use class C3(a) + Sui Generis
 - pumping station, Use class Sui Generis
 - apartments + GF retail, Use class C3(a) + A
 - apartments + GF community use, Use class C3(a) + D1
 - community use, Use class D1
 - office + GF retail or GF community use, Use class A + B1 + D1
 - apartments + GF retail or GF community use, Use class A + C3(a) + D1
 - educational facility, Use class D1
 - substation, Use class Sui Generis

notes

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key plan



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drawing title
Hengrove Park
land use

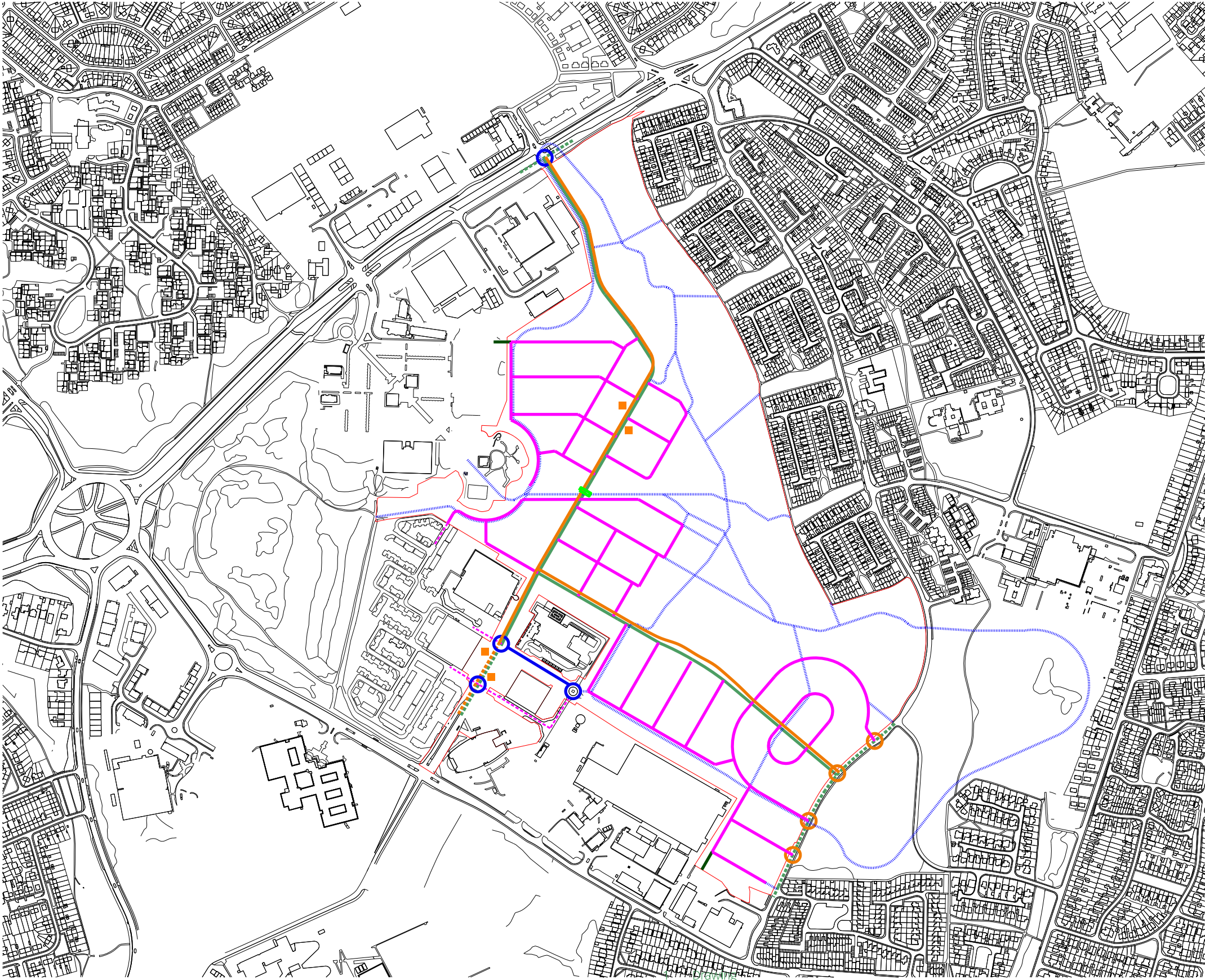
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job no.	drawing	rev.
1062	P1121	C

parameter plans - land use



Lifschutz Davidson Sandilands



rev

date

by

revisions

A

08.06.18

AMS

added pedestrian links and tertiary street to kler development

B

19.06.18

DM

bus stop locations updated

C

08.10.18

DM

route of pedestrian path updated

D

03.12.18

DM

site boundary updated

key

site boundary

existing primary street

proposed primary street

existing tertiary street

proposed tertiary street

reconfigured street

reconfigured existing junction

new junction with existing network

existing dedicated cycle path

proposed dedicated cycle path

bus gate

illustrative bus stop location

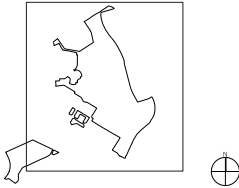
potential future connection

pedestrian path

notes

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key plan



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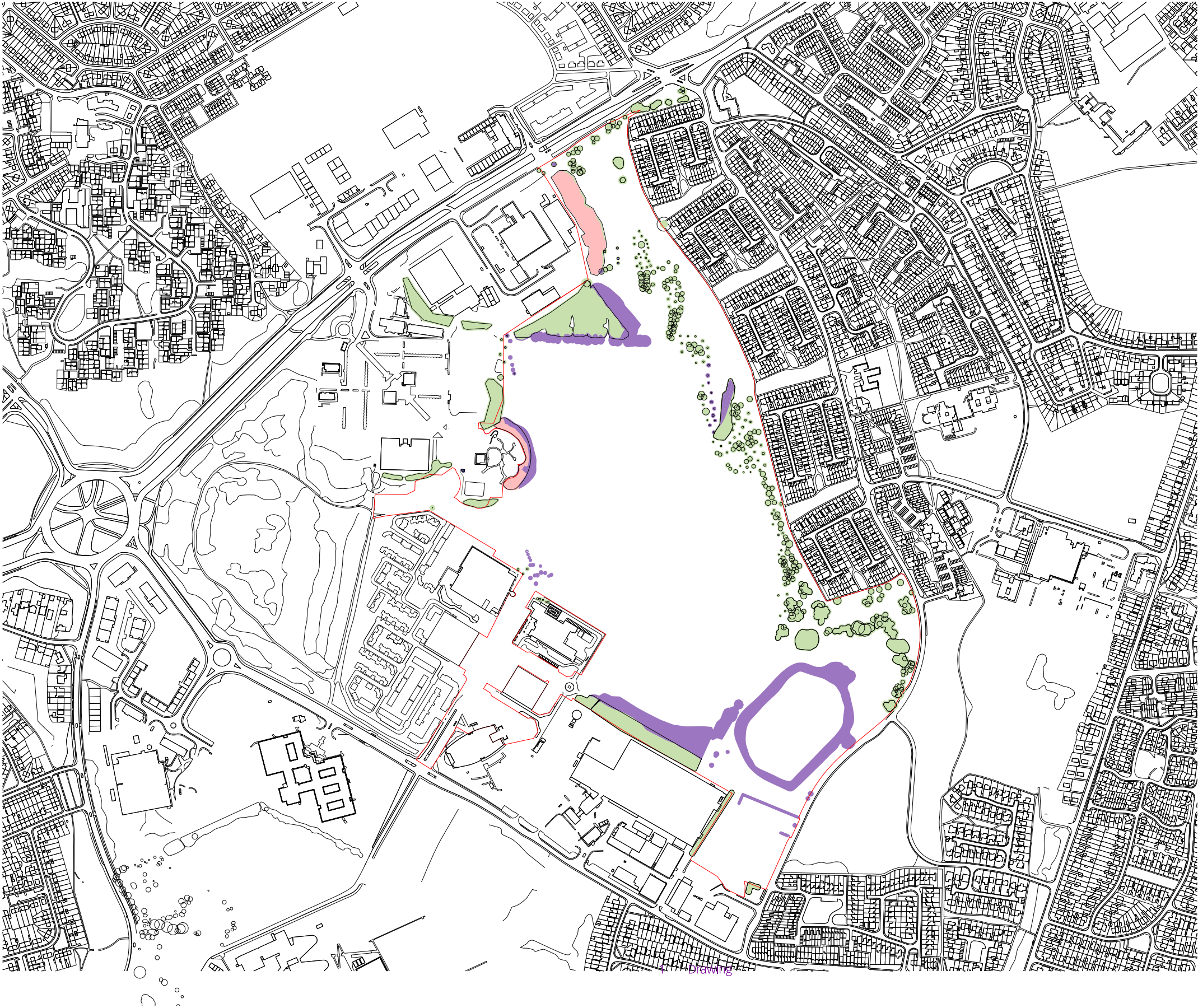
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drawing title
Hengrove Park
access and movement

scale at A1	scale at A3	drawn	date
1:3000	1:6000	DM	08.06.18

job no.	drawing	rev.
1062	P1123	D

parameter plans - access and movement



rev	date	by	revisions
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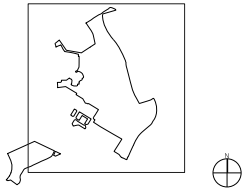
A 03.12.18 DM site boundary updated

notes

- key
- site boundary
 - trees to be removed
 - trees to be retained
 - tree clusters to be thinned out
 - root protection zone

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LDS Standard Frame v1 - 11.10

key plan



project
Hengrove Park & Hartcliffe Campus

client
AECOM

architect
Lifschutz Davidson Sandilands
Island Studios
22 St. Peter's Square
London W6 9NW
United Kingdom
T +44 (0)20 8600 4800
mail@lds-uk.com

drawing title
Hengrove Park
tree removal and retention plan

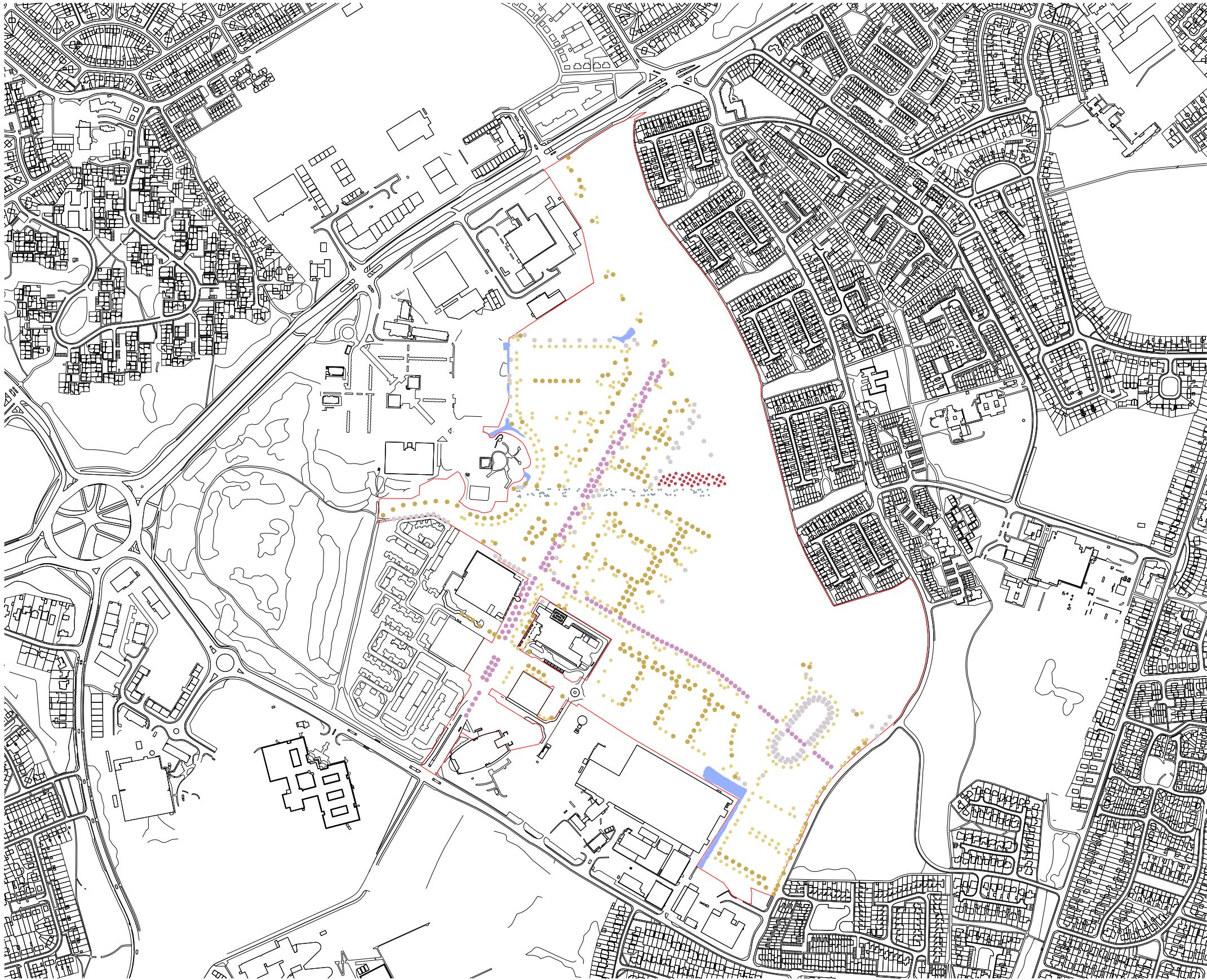
scale at A1	scale at A3	drawn	date
1:3000	1:6000	DM	08.06.18

job no.	drawing	rev.
1062	P1124	A

parameter plans - tree removal and retention plan
approx. 1526 trees to be removed



Lifschutz Davidson Sandilands



rev	date	by	revisions
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A	04.09.18	DM	drawing title updated
B	29.11.18	DM	tree layout and site boundary updated

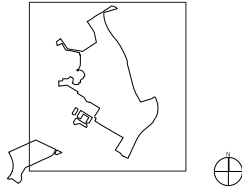
- key:
- Orchard trees: 20cm circumference, 3-4m height, 1-2m spread
 - Coppice trees: multi-stem trees, 2-3m height, 1-2m spread
 - Small trees: 25-30cm circumference, 4-5m height, 2-3m spread
 - Medium trees: 25-30cm circumference, 4-5m height, 2-3m spread
 - Climax trees: 25-30cm circumference, 4-5m height, 2-3m spread
 - Climax trees: 30-35cm circumference, 7-9m height, 2-3m spread
 - Woodland areas: a mixture of native trees, feathered whips
- Tree sizes are indicative and subject to conditions

notes

- key
- site boundary

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LSD Standard Frame v1 - 11.10

key plan



project
Hengrove Park & Hartcliffe Campus

client
AECOM

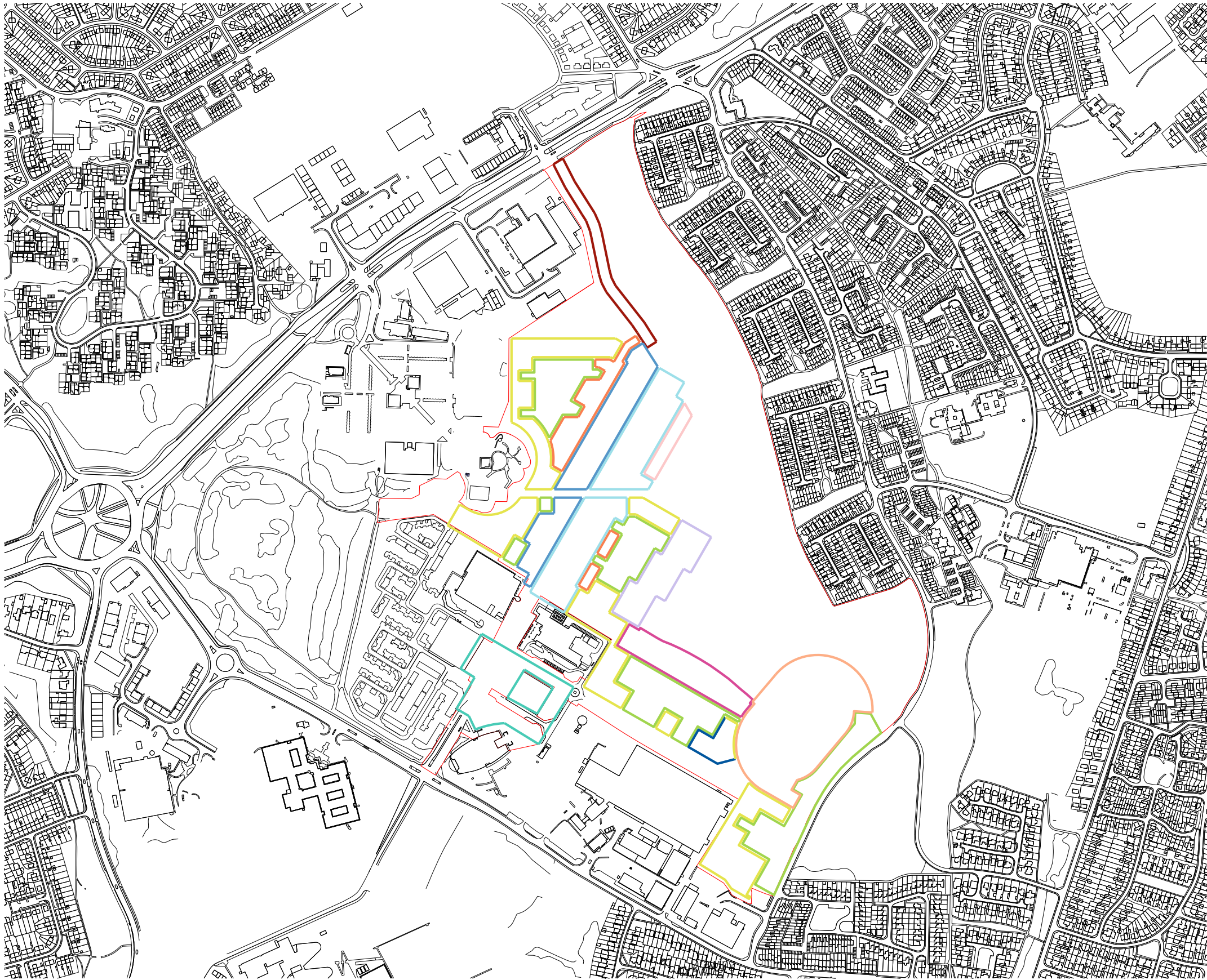
architect
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drawing title
Hengrove Park
tree planting principles

scale at A1	scale at A3	drawn	date
1:3000	1:6000	DM	08.06.18

job no.	drawing	rev.
1062	P1125	B

parameter plans - tree planting principles
approx. 1076 new trees to be planted plus 3,900 sqm of new woodland



rev	date	by	revisions
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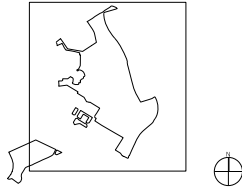
A	03.09.18	DM	road structure added for reference
B	03.12.18	DM	site boundary updated

- key:
- site boundary
 - Park Road
 - Perimeter Street
 - Mews Street
 - Living Street
 - The Avenue (east)
 - The Avenue (west)
 - Parkside
 - Park Edge (west)
 - Park Edge (south)
 - Village Green
 - Hengrove Community Hub
 - Street Crescent
 - Barnfield

notes

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LSD Standard Frame v1 - 11.10

key plan



project
Hengrove Park & Hartcliffe Campus

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drawing title
Hengrove Park
character areas

scale at A1	scale at A3	drawn	date
1:3000	1:6000	AMS	08.06.18

job no.	drawing	rev.
1062	P1141	B

parameter plans - character areas



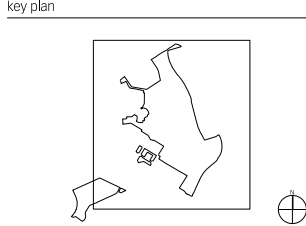
rev	date	by	revisions
A	03.12.18	DM	site boundary updated

notes

plot A1 and A2 are located on Hartcliffe Campus (separate site)

plot E3 does not exist

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project

Hengrove Park & Hartcliffe Campus

client

AECOM

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drawing title

Hengrove Park
illustrative site plots

scale at A1	scale at A3	drawn	date
1:3000	1:6000	AMS	08.06.18

job no.	drawing	rev.
1062	P1130	A

parameter plans - illustrative site plots



The Avenue - eastern apartment block



The Avenue - western apartment block



design codes - creating living streets



Park Edge West



Park Edge South



design codes - creating living streets



Perimeter Street



Village Green



design codes - creating living streets



key:
— site boundary

illustrative masterplan



AECOM

Lifschutz
Davidson
Sandilands

Site reference:

BSA1401

Site address/location:

Hengrove Park

Site area: 49.7 hectares

Ward: Hengrove



Allocation: Housing, offices and open space in the form of a large high quality park

Development considerations

Development should:

- take a coordinated approach to the delivery of this allocation and be guided by community involvement;
- secure a large park, sufficient in size to accommodate areas of formal open space, sport pitches and the option of a large events space;
- provide 0.175 hectares of allotments (the equivalent of 7 allotment plots) on the site;
- provide improved pedestrian links to the area of open space to the west of the site known locally as 'the Mounds' by connecting with established footpaths and providing new links;
- include small-scale retail facilities;

Development considerations *continued...*

- integrate with the new community hospital, South Bristol Skills Academy and Leisure Centre developed as part of Hengrove Park Phase 1 as well as the existing Leisure Park and Play / Wheels Park area;
- ensure that any scheme provides for necessary improvements to the surrounding highway / transport network;
- be designed to provide natural surveillance over open spaces and streets;
- maintain or strengthen the integrity and connectivity of the Wildlife Network;
- be informed by an ecological survey of the site and, where appropriate, make provision for mitigation measures;
- be informed by a site-specific flood risk assessment as the area of the site is greater than 1 hectare. This is a requirement of the Government's National Planning Policy Framework. The flood risk assessment should also consider impacts on the wider Brislington and Malago catchments to ensure that proposed and existing properties are not subject to increased flood risk;
- incorporate appropriate Sustainable Drainage Systems to minimise surface water run-off and risk of flooding;
- explore opportunities to open-up culverted sections of Brislington Brook;
- be informed by a Health Impact Assessment. This should include how the proposals have been discussed with local primary health care providers regarding impacts on primary health care services.

The estimated number of homes for this site is 1,000.

Explanation

A housing, offices and open space allocation is appropriate as:

- Hengrove Park is the largest regeneration site in the city with long-identified potential to be the centrepiece of a transformed South Bristol. It provides the opportunity to reinforce the success of Phase 1 of the Park's regeneration. As well as a mix of new homes and businesses, the allocation will provide a large high quality park. This park will be in addition to the 15 hectares of open space safeguarded at 'The Mounds' adjacent to the west of the site and the 13 hectares of open space to be retained either side of Briery Leaze Road adjoining the east of the site.
- It reflects the priority given in the Core Strategy to the regeneration of South Bristol through additional mixed-use development and the provision of new employment opportunities.
- It will significantly contribute to meeting the Core Strategy minimum target of providing 26,400 new homes in the period 2006-2026.
- The site is in a sustainable location close to community facilities, employment areas and public transport infrastructure.
- It reflects the Core Strategy approach to the location of new housing by developing new homes on land which does not need to be retained as part of the city's green infrastructure / open space provision.
- Its potential to provide new office floorspace will help meet the Core Strategy target of delivering 60,000m² of new office floorspace in South Bristol.

BSA1401

Development considerations *continued...*

- integrate with the new community hospital, South Bristol Skills Academy and Leisure Centre developed as part of Hengrove Park Phase 1 as well as the existing Leisure Park and Play / Wheels Park area;
- ensure that any scheme provides for necessary improvements to the surrounding highway / transport network;
- be designed to provide natural surveillance over open spaces and streets;
- maintain or strengthen the integrity and connectivity of the Wildlife Network;
- be informed by an ecological survey of the site and, where appropriate, make provision for mitigation measures;
- be informed by a site-specific flood risk assessment as the area of the site is greater than 1 hectare. This is a requirement of the Government's National Planning Policy Framework. The flood risk assessment should also consider impacts on the wider Brislington and Malago catchments to ensure that proposed and existing properties are not subject to increased flood risk;
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- Its potential to provide new office floorspace will help meet the Core Strategy target of delivering 60,000m² of new office floorspace in South Bristol.

BSA1401

Development Control Committee A – 27 February 2019

ITEM NO. 2

WARD: Southville

CONTACT OFFICER: David Grattan

SITE ADDRESS: 1 - 3 Ashton Road (The Old Brewery) Bristol BS3 2EA

APPLICATION NO: 18/04367/F

Full Planning

DETERMINATION DEADLINE: 28 February 2018

DETERMINATION DEADLINE:

Partial demolition of existing buildings and structures to provide a mixed-use development comprising 94 residential units, office workspace and flexible commercial space (Use Classes C3, B1, B1/A1/A3/A4/C1) with associated car parking, servicing, landscaping works and infrastructure. (Major Application).

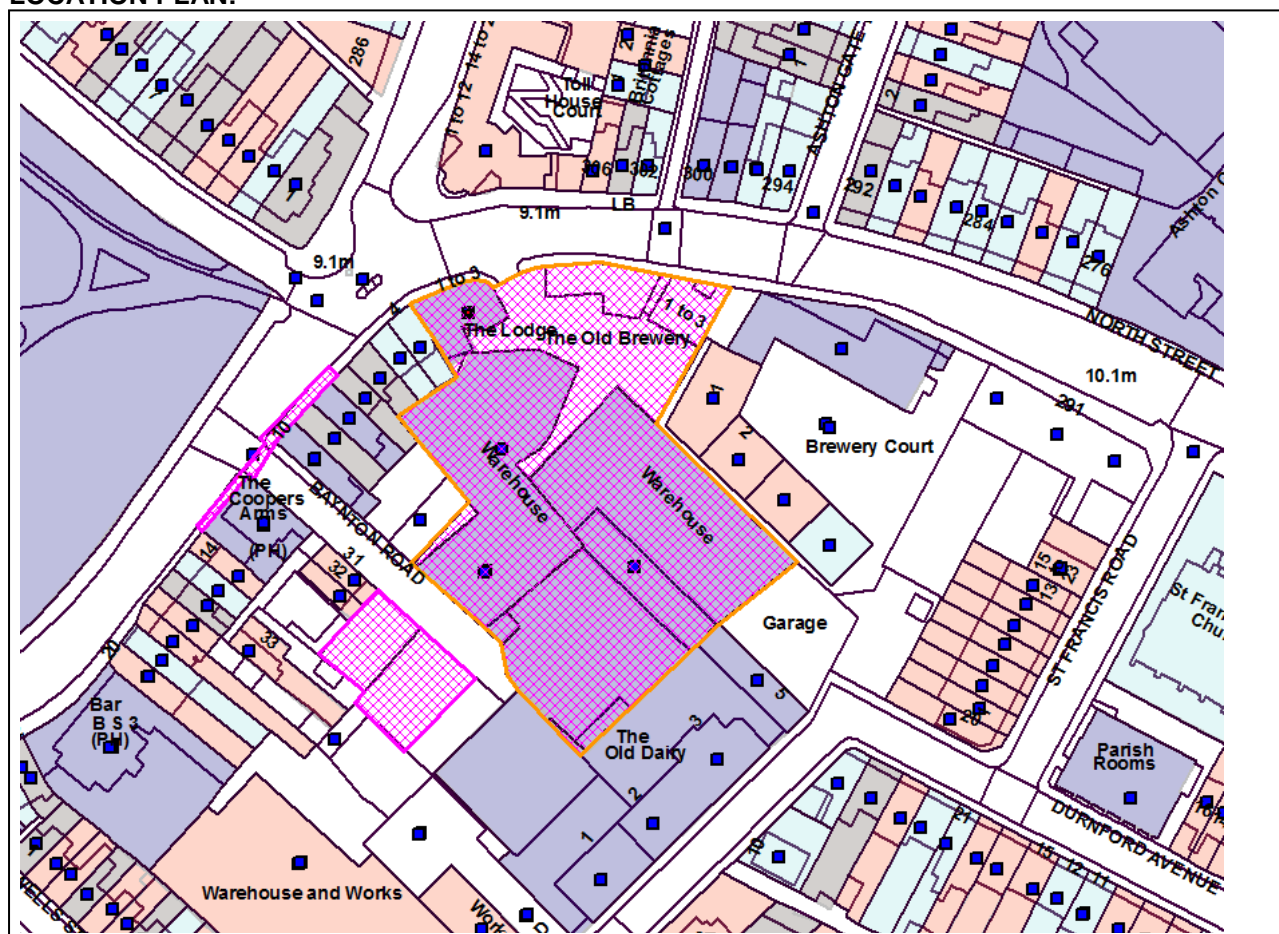
RECOMMENDATION: GRANT subject to Planning Agreement

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

APPLICANT: Old Brewery MCC LLP
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 – 27 February 2019**Application No. 18/04367/F : 1 - 3 Ashton Road (The Old Brewery) Bristol BS3 2EA****SITE DESCRIPTION**

This application relates to the land and buildings known as 1-3 Ashton Road and the Old Brewery, in Southville, south Bristol. The site bounded by a rubblestone wall on North Street to the north, the Old Dairy on Durnford Street to the east, residential / industrial development to the south, and 4-10 Ashton Road to the west.

The buildings on site consist of a collection of one and two storey commercial and industrial units. These include the Foreman's House, Weighbridge House and Southern Buildings, which are non-designated heritage assets. The application site is not located within a Conservation Area. The site is unallocated in the Local Plan; however, it is in active employment use.

The Toll House is a Grade II Listed Building, located to the north of the site on the opposite side of North Street. The Coopers Arms and St. Francis Church are locally listed buildings, situated on Ashton Road and St Francis Road respectively.

The area immediately surrounding the site is largely commercial in character, with residential properties located on Ashton Road.

Vehicular access is currently gained directly via North Street and Baynton Road.

RELEVANT HISTORY

17/02172/PREAPP – 148 Residential units up to 6 storeys, commercial floor space class B1, A1, A3 and A4 with associated landscaping.

17/02172/PREAPP – 113 Residential units up to 6 storeys, commercial floor space class B1, A1, A3 and A4 with associated landscaping.

17/02687/SCR – Request for a Screening Opinion as to whether an Environmental Impact Assessment is required for mixed-use redevelopment of the site to provide c.1,050 sq.m of high-quality commercial floorspace (Use Classes A1/A3/A4/B1) and 113 residential units with associated landscaping – EIA not required.

17/06271/SCR – Request for a Screening Opinion as to whether an Environmental Impact Assessment is required for a mixed-use development at the Old Brewery and Brewery Court, North Street, Southville – EIA not required.

97/02276/F – Change of use to auction rooms with storage and ancillary offices. Extra toilet and two offices within existing unit. – GRANTED subject to condition(s).

APPLICATION

Full planning permission is sought for the partial demolition of existing buildings and structures to provide a mixed-use development comprising of 94 residential units, co-working workspace and flexible commercial space (Use classes B1 and B1/A1/A3/A4/C1), with associated car parking, servicing, landscaping works and infrastructure.

The buildings onsite would consist of commercial buildings of one to two storeys to the northern portion of the site, with a nine-storey apartment block, an eight-storey apartment block and a four-storey building containing residential accommodation located centrally and in the southern part of the site. There would be a further two and a half storey residential block, located adjacent to Baynton Road.

Development Control Committee A – 27 February 2019**Application No. 18/04367/F : 1 - 3 Ashton Road (The Old Brewery) Bristol BS3 2EA**

The proposed housing mix would consist of:

- 51 one-bedroom, two-person units
- 16 two-bedroom, three-person units
- 20 two-bedroom, four-person units
- 7 three-bedroom, five-person units

There would be circa 2010sqm of commercial floorspace onsite. Commercial uses are proposed in a combination of retained and new buildings. The former Brewery Manager's House would be rebuilt, whilst the buildings fronting onto North Street would be demolished and replaced. 1-2 Ashton Road would be retained, whilst 3 Ashton Road would be replaced.

A total of 41 car parking spaces are proposed, with a total of 172 cycle spaces proposed for residents and staff, with a further 30 cycle spaces proposed for visitors.

Private outdoor amenity space would be provided for the residential element of the scheme on a podium above the car parking area.

PRE-APPLICATION COMMUNITY CONSULTATION

The Applicant has carried out pre-application community consultation, as detailed in the Statement of Community Involvement (SCI) report submitted with the planning application. This includes details of public and stakeholder engagement undertaken prior to the submission of the planning application and how key stakeholders and the public were notified of the proposals.

Five events are detailed within the SCI: a presentation to Bristol Urban Design Forum (BUDF), meeting with Local Ward Members, Bristol Civic Society, BS3 Planning Group, and a public consultation event. The SCI report sets out how responses were considered and how, if appropriate, they were integrated into the design of the proposals.

RESPONSE TO PUBLICITY AND CONSULTATION

GENERAL RESPONSE FROM THE PUBLIC

The application was submitted and validated in August 2018. In response to the proposals as submitted from interested parties, 109 comments were received from 107 respondents to the application.

Of the 109 comments on the application as submitted, 102 of these comments were in objection to the scheme.

The following issues were raised:

- Concerns about parking (insufficient allocated to scheme) and increased congestion;
- Concerns about the scale/massing of development and its impact on the townscape of the area;
- Concerns about the design, appearance and materials of the proposed tower blocks, including the lack of amenity and/or green space included in proposal;
- Concerns about highways safety and site access;
- Concerns that the scheme would represent overdevelopment of the site when considering its local context as an inner city residential area;
- Concerns about loss of light/overshadowing and privacy of adjacent properties, including Ashton Gate Primary School;
- Concerns about the lack of affordable housing proposed for the scheme.

Development Control Committee A – 27 February 2019**Application No. 18/04367/F : 1 - 3 Ashton Road (The Old Brewery) Bristol BS3 2EA**

In addition to the above, other non-material planning considerations that were raised within public consultation related to impacts on party walls and the potential negative impact on the value of adjacent properties.

Of the 109 comments on the application as submitted, 2 comments were neutral, however, the following issues were raised:

- Concerns about disabled persons' access;
- Concerns about highway safety for cyclists;
- Concerns about insufficient parking allocated for the scheme.

Of the 109 comments on the application as submitted, 2 of these comments were in support of the scheme citing the redevelopment and regeneration of the area.

Revised plans were submitted on the 5 February 2019. In response to the revised plans, at the time of writing this report, 70 comments were submitted from interested parties (a number of whom had responded to the previously submitted plans, restating their previous concerns/points of objection).

All 70 of these comments are in objection to the scheme. The following issues were raised:

- Concerns about parking (insufficient allocated to scheme) and increased congestion as a result of the scheme;
- Concerns about the scale/massing of development and its impact on the townscape of the area;
- Concerns about the design, appearance and materials of the proposed tower blocks, including the lack of amenity and/or green space included in proposal;
- Concerns that key issues raised via the previous round of public consultation had not been addressed adequately;
- Concerns about the impact of the proposed towers on important views of the skyline;
- Concerns that the revised level of affordable housing was still too low for the scheme.

RESPONSE FROM INTEREST GROUPS AND ORGANISATIONS**BS3 PLANNING GROUP**

A comment in objection was received from the BS3 Planning Group. Key issues raised included:

- Concern that the proposed tower blocks are excessive in height considering the prevailing number of storeys in the local area;
- Concerns that the design fails to include onsite amenity space;
- Concerns that the scheme provides insufficient affordable housing at 14%;
- Concerns about the lack of housing typologies proposed within the scheme.

ASHTON GATE TRIANGLE NEIGHBOURHOOD IMPROVEMENT GROUP

A comment in objection was received from the Ashton Gate Triangle Neighbourhood Improvement Group. Key issues raised included:

- Concerns that the scale/massing of towers is excessive and without suitable local precedent;
- Concerns that the scheme proposes insufficient parking for the level of development;
- Concerns about the lack of family housing proposed as part of the housing typology;
- Concerns that the site access is poorly considered, with the only route being Baynton Rd, which is a subsequent threat to pedestrian safety;
- Concerns that the scheme is overdevelopment with respect to the site size;
- Concerns about the impact of the scheme on adjacent historic buildings, including Ashton Toll House.

Development Control Committee A – 27 February 2019

Application No. 18/04367/F : 1 - 3 Ashton Road (The Old Brewery) Bristol BS3 2EA

WHAM PLANNING GROUP

WHAM Planning Group agreed with the BS3 Planning Group's comments on the scheme. Key issues raised included:

- Concern about the lack of provision of affordable housing;
- Suggestion that the development should improve on the number of 3-bedroom apartments and include more family housing;
- Suggestion raised that more amenity space is provided on the basis that it is vital for maintaining healthy lifestyles within urban areas.

BRISTOL CIVIC SOCIETY

The Bristol Civic Society raised the following key issues:

- Support for the redevelopment of the site, including the principle of mixed-uses development;
- Support for the sense of character/placemaking created through proposed designs;
- Concerns about the impact of the scheme on historic/listed buildings and the nearby Conservation Area;
- Concern that the scale/massing of the tower blocks will harm North Street's character, and that the visual impact ought to be assessed at a 'human-scale';
- Concerns that the design lacks amenity space or PV-panels;
- Concerns about the loss of pedestrian link between Baynton Rd to Durnford St;
- Concerns about loss of light/overshadowing and overlooking of adjacent properties.

RESPONSE FROM EXTERNAL CONSULTTEES

THE COAL AUTHORITY

The Ground Conditions Desk Study which accompanies the planning application correctly identifies that the application site may have been subject to past coal mining activity and has been informed by an appropriate range of sources of information; including a Coal Authority Mining Report.

The Study concludes that no significant ground stability issues are envisaged, which corresponds with The Coal Authority information in that the specific parts of the site where built development is proposed fall outside the defined Development High Risk Area. The Coal Authority therefore has no objection to this planning application.

BRISTOL WASTE

For the two individual houses on Baynton Road we would provide the standard kerbside collection service.

If operatives are to collect bins directly from the store we would request that access is via a coded entrance rather than with a key.

However, we will not be able to collect bins directly from the bin store in Block A as this exceeds the maximum distance of 5m over which operatives will transport bulk bins. Bins from Block A will need to be moved by a site/building manager to the Block B bin store (if space is available) or to another suitable presentation point adjacent to Baynton Road.

RESPONSE FROM INTERNAL CONSULTTEES

CITY DESIGN GROUP – No objection

Development Control Committee A – 27 February 2019**Application No. 18/04367/F : 1 - 3 Ashton Road (The Old Brewery) Bristol BS3 2EA****Conservation**

The revised proposals recognise and respond to the non-designated heritage assets scattered across the site. An improved understanding of the development of the former Brewery and the relative significance of the different elements has been provided. This identifies the Georgian Foreman's house, the Weighbridge House, and the gate piers as of greatest interest, and the remaining structures of lower, but moderate significance. We support this assessment.

The revised proposals seek to integrate the heritage assets into a boldly contemporary scheme with substantial intervention into the historic structures. We are delighted at the high-quality and imaginative design approach taken to the site. The important structures will be conserved and adapted, and there are substantial benefits in ensuring a continued use for them. The introduction of high-quality contemporary additions will positively reintegrate the former brewery yards into the wider urban area and allow greater access and appreciation of the historic elements, is a strongly positive aspect of the scheme.

The re-use of the larger structures to the southern side of the site also looks to retain those elements which contribute positively to the area; specifically, the general materiality and building profiles. We accept the proposal for substantial loss of large parts of these structures to enable well-justified and high-quality proposals for redevelopment to come forward.

The assessment of incidence of tall buildings in the surrounding area is clear and fair, and the current proposals suggest that the site could handle the proposed height in relation to the setting of the historic buildings and nearby Conservation Area.

The proposed design aesthetic of the two residential blocks adopts the strong rhythms and proportions of historic warehouses and industrial buildings in a strongly contemporary idiom. We consider that, whilst of far more ambitious scale, that this fits in with the character of the existing brewery buildings.

Overall, we consider that the proposals represent an exciting, imaginative, and potentially positive proposal that will complement and conserve the heritage assets. We broadly support the design direction the proposals are taking, though we are clear that the high-quality design aspirations and materiality should be maintained.

Urban Design

There is much to be commended with regard to this application and the ambition to create a high quality architectural solution for commercial and residential uses, creating new public realm whilst retaining/reworking and integrating the existing historic assets on the site. There is therefore general agreement on the broad support expressed by the Senior Conservation Officer.

In terms of responding to the urban living debate it is noted that the scheme strives to include a deal with a number of key issues which are supported by the City Design Team. These include the intensification of the site with the southern residential elements, the inclusion of a majority of dual aspect dwellings, avoiding north facing single aspect units, linked focal shared outside courtyard area to a communal green, private courtyard area which benefit from natural light.

After detailed assessment of the Design and Access Statement document submitted for the full application dated July 2018, the structure of comments below follows the main urban design issues referred during the pre-application process.

Development Control Committee A – 27 February 2019**Application No. 18/04367/F : 1 - 3 Ashton Road (The Old Brewery) Bristol BS3 2EA****Design Policy**

The policy DM27, regarding the arrangements and form of buildings, structures and spaces, states, “Proposal should not prejudice the existing and future development potential of adjoining sites or the potential for the area to achieve a coherent, interconnected and integrated built form.” There is a specific reference to the potential for future routes and physical regeneration with the site in the document, pages 40 and 41.

Including neighbouring sites, the 3D masterplanning diagrams demonstrate what the policy requests. “Where such potential may reasonably exist, including in sites with different use or ownership, development will be expected to either progress with a comprehensive scheme or, by means of its layout and form, enable a coordinated approach to be adopted towards the development of those sites in the future.”

The potential mechanisms for achieving the proposed extended linkages are not detailed in the submission. However, there is a degree of comfort when looking at the urban design concept of replacing the current industrial stock to the south with residential accommodation around an extended network of new public and private courtyards. The configuration and scale of the indicative volumetric proposal show integrity, coherence and an urban intensity where the potential for development is evident.

Layout and Form

The conservation and adaptation of the historic structures around the former brewery yard to the north of the site are welcome. We consider these a positive approach towards its re-integration to the existing urban layout. Having raised some concerns during the pre-application process about the taller elements to the south, it is satisfactory to see the analysis and studies (pages 36 to 39) carried out looking at the scale, form and impact of these in relation to the existing buildings within the local area.

The separation distance of the proposed northern residential block to the relevant boundary has improved compared to initial proposals. Although some concerns still remain when located at 4.0m off it, we consider that the adjoining site, due to its area and configuration, will still have an option for intensification and gain when the regeneration of the area is unleashed.

Height, Scale and Massing

As mentioned above, the current proposal suggests that the site could handle the proposed height in relation to the setting of the historic buildings and nearby conservation Area. Expressed concerns about the outlook of single aspect flats, sunlight and daylight, enclosure and attractiveness of the private courtyard have been satisfied by the increased dimension of the courtyard and changes to provide dual aspect apartments (page 42). Potential persistent shortcomings produced by, for instance, the 3-storey linking residential block between the two taller residential buildings, are considered counterbalanced by the increased separation distance to the boundary to the south and the quality of the courtyard’s landscape proposal to the north. Paired with the above, the well-justified and high-quality proposed design aesthetics of the two residential blocks are accepted.

Echoing comments from our Senior Conservation officer: *‘The assessment of incidence of tall buildings in the surrounding area is clear and fair’ ... ‘(tall elements) adopt the strong rhythms and proportions of historic warehouses and industrial buildings in a strongly contemporary idiom. We consider that, whilst of far more ambitious scale, that this fits in with the character of the existing brewery buildings.’*

Development Control Committee A – 27 February 2019**Application No. 18/04367/F : 1 - 3 Ashton Road (The Old Brewery) Bristol BS3 2EA****Access and Movement**

Revision of the pedestrian movement environment is required along a more detailed study of access arrangements, as these raise a serious concern: Clearly defined main entrances to the different cores should face the public realm. This is still not the case. In its current form, access to the residential blocks is totally unacceptable. No amount of well-designed landscape courtyard in a podium will overcome this failing. We strongly recommend the revision of this key aspect of the scheme.

[Case Officer Note: The entrances to the residential blocks have been revised with a different treatment for each entrance. See Key Issue C.]

The visualisation provided on page 78 of the existing converted building into a B1 co-working space allows suggesting that a reconfiguration of this converted building could also accommodate an inviting and more positive entrance from the main courtyard to the northern block, instead of the non-descriptive railing gate to the car parking. Likewise, the visualisation on page 79 bears the question of how to improve the access to the southern block. Although there is a clear understanding of the intention to design in such a way that encourages/facilitates future development in adjacent sites, a rethinking of the configuration of the access to the core is imperative.

Landscape

Other than changes to layout that may arise following above comments regarding access arrangements, I'm satisfied with the layout and appearance of the ground floor courtyards and podium open space.

With regard to the LVIA, there were issues with the technical methodology and some of the images provided:

- The technical appendix cites GLVIA 3 2013 and SNH 2002. LI Advice Note Update 2018, Photography and Photomontage in LVIA has evolved to assist and standardise the production of visually accurate representations in an urban context.
- Recommendations arising from the new guidelines relevant to the current application include:
 - o Photographs to be taken to include the whole development site. Images to be stitched together and cylindrically corrected
 - o Images to be presented at between 60-75mm effective focal length on an A3 or A2 sheet. Wider context panoramas to be presented at 50mm focal length on pages up to 840mm wide and 297mm high
 - o A 50mm focal length black and white image to be presented on acetate at 36 x 24cm
 - o Planar perspective rather than cylindrical.
 - o All work to be accompanied by a written technical methodology

Specific to the submitted images are the following comments:

- Viewpoint 1. The viewpoint does not include the whole development site. Consider moving the viewpoint further south along Frayne Road provide a more complete visual of the site area. The viewing frame for the site development image should be presented separately on an A3 sheet.
- Viewpoint 2. The parkland tree canopies obscure the view. A viewpoint further east just beyond the trees would give clearer views of the development. Similar issue of image presentation as above.
- Viewpoint 3. Image of the developed site not presented.
- Viewpoint 4. The whole site is not shown in the image. Presentation issue as above
- Viewpoint 5. The image of the developed site is not presented.
- Viewpoint 6. The viewpoint location does not indicate the impact of the taller buildings on St. Francis Church – position further west along North Street would clarify this relationship. Presentation issue as above.

Generally, views closer to the site are more significant in terms of development impact. For clarity in relation to assessing the impact of the development on the townscape of this part of Bedminster the

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above viewpoints discussed should be reviewed in the light of the latest LI advice note and accurate visual representations submitted for viewpoint 3 and 5.”

[Case Officer Note: An addendum to the TVIA was submitted to address the comments from the Landscape Officer.]

TRANSPORT DEVELOPMENT MANAGEMENT – No objection

See Key Issue D. Detailed transport comments are available online.

FLOOD RISK MANAGEMENT – No objection

The drainage strategy is suitable in principle however, as the site lies within a high-risk surface water area a condition is requested for further details of the Sustainable Drainage Systems, including:

- Detailed design of attenuation/SuDS features
- BRE 365 Infiltration testing to prove that the conditions are suitable/unsuitable for infiltration-based SuDS
- Approval that the scheme is acceptable from Wessex Water

THE PUBLIC PROTECTION TEAM (LAND CONTAMINATION) – No objection

The proposed development is sensitive to contamination and is situated on or adjacent to land which has been subject to land uses which could be a potential source of contamination.

The submitted desk study is acceptable and recommends further intrusive investigation. A detailed UXO risk assessment is also recommended. If this information is available prior to determination, then we recommend it is submitted to reduce the burden of pre-commencement conditions.

If no such information is available, conditions are requested for the following; a report of unexpected contamination, site characterisation, submission of remediation scheme, submission of verification scheme and an unexploded ordnance survey.

POLLUTION CONTROL – No objection

I am happy with the acoustic report with regards to the insulation of the residential and non-residential parts of the development against existing noise sources in the area and the proposed limits for any plant noise associated with the development. The acoustic report doesn't however deal with the potential for noise from the non-residential uses, particularly the A3 and A4 uses, affecting existing residential properties in the area and residential properties as part of this development.

The planning statement says that the development has 2010 sqm commercial floor space and of this 1426 sqm will be office workspace. The statement only mentions K1 and K2 being complete flexible use, and these have floor spaces of 250 sqm and 220 sqm respectively. I would therefore propose in accordance with the planning statement that within the 2010 sqm of commercial floor space that 1426 sqm should be B1 use and that of the remaining 584 sqm no more than 250 sqm should be used as A4 at any time.

In addition to the above and in order to offer protection to existing residents in the area and residents of this development from noise and odour from the development and operation of the site I would ask for the following conditions should the application be approved: Construction Management Plan; Sound insulation of residential properties from external noise; Noise from plant & equipment; Details of Extraction/Ventilation System (A3/A4 use); Artificial light (external); Odour Management Plan; Noise from plant & equipment affecting residential; Use of Refuse and Recycling facilities (commercial uses only); Deliveries (commercial uses only); Artificial Lighting (external); Outside

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customer seating areas (C1, A3 and A4 uses only); and Opening hours (B1, B1/A1/A3/A4/C1 uses only).

NATURE CONSERVATION – No objection

Two bat roosts used by individual common pipistrelles were recorded during the combined phase one and bat survey dated October 2017 in the external stonework and fascia boarding on the north-eastern and north-western aspects of Building 2 in the report. Bats are a highly protected European Protected Species, a legally protected species and a material planning consideration. Accordingly, work must not commence until a Natural England licence has been obtained for the works, an ecological mitigation scheme must be conditioned for bats and the planning case officer must apply the three derogation tests under the Conservation of Habitats and Species Regulations 2017 prior to the determination of this planning application (please see the attached form).

A planning condition is required to meet the statutory requirements of the Conservation of Habitats and Species Regulations 2017.

Japanese knotweed (*Fallopia japonica*) is present on this site. A planning condition is recommended to address this.

SUSTAINABLE CITIES – Further information requested

BCS13 requires that development contributes to adapting to climate change through measures including:

- Site layouts and approaches to design and construction which provide resilience to climate change.
- Measures to conserve water supplies and minimise the risk and impact of flooding.
- The use of green infrastructure to minimise and mitigate the heating of the urban environment.
- Avoiding responses to climate impacts which lead to increases in energy use and carbon dioxide emissions.
- It requires that these measures are integrated into the design of development, and demonstrated in the sustainability statement.

Increasing temperatures are an impact of climate change. Projections for future climate including temperatures are available from UKCP18.

Site layouts and approaches to design and construction which provide resilience to climate change.

The energy statement notes that windows will have a low g-value to limit solar heat gains, which is supported, though it may not be required on northerly elevations which are less at risk of overheating. I also note from the elevations that the apartment windows are set back allowing for a terrace with an overhang on the SE façades which will also help to limit solar gains to rooms on this elevation.

However, there are some design measures included which are known to increase the risk of overheating, such as:

- large glazing areas on elevations more at risk of overheating (S, SW and W facing)
- some single aspect apartments

Further evidence is required to demonstrate that the design will provide resilience to increased temperatures and not overheat as a result of climate change, to ensure a comfortable internal environment is provided without the need for energy consuming cooling equipment. A good way of demonstrating this, is to undertake overheating risk analysis (e.g. following CIBSE TM59/ TM52 guidance/other as appropriate) based on dynamic thermal modelling to understand the implications of future projected temperatures (e.g. in 2030, and 2050) on the development.

Measures to conserve water supplies.

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The specification of water efficient fixtures and fittings is supported.

Use of Green infrastructure to minimise and mitigate the heating of the urban environment

Some green infrastructure is proposed however the proposed site is predominantly hard landscaping/roof areas. There is scope to include a green roof to the apartment blocks. Green roofs can be successfully combined with PV and will provide further benefits to biodiversity and surface water run-off. A living roof with deeper substrate depth should be specified as opposed to a sedum blanket system in order to maximise the benefits provided.

The applicant should confirm whether a green roof can be included within the proposals as a means to meeting this policy requirement

Avoiding responses which lead to increases in energy use and carbon dioxide emissions

The energy statement suggests that cooling is utilised for the new and existing commercial units. This is not supported in line with this policy, particularly for those existing buildings where the high thermal mass coupled with sufficient ventilation may well provide a comfortable environment without the need for active cooling.

The proposals and energy statement should be updated to demonstrate how cooling demands have been minimised and wherever possible, designed out.

BCS14 has 3 parts: Energy efficiency, heat hierarchy, & a 20% reduction in CO2 emissions through renewable energy.

Calculations: At present the baseline calculations for the existing buildings to be retained and refurbished on are based on existing fabric. As set out within the climate change and sustainability practice note, the baseline emissions should be based on a building modelled to comply with Part L – in this case, Part L2B (taking into account paragraph 3.7 of Part L2B which makes allowances for buildings within conservation areas if upgrades to meet the building regulations requirements would unacceptably alter the character or appearance of the building). Further improvements to energy efficiency beyond building regulations should then be made where feasible.

The calculations should be revised to address the above comments. The % reduction through the use of energy efficiency measures, and then renewable energy measures should be set out from the Part L compliant baseline.

Energy efficiency: The measures proposed are acceptable.

Heating Systems: The principle of a communal heating system proposed for the residential area is supported. The current proposed residential plant room location is in the middle of the site, which could make future connection to a heat network challenging. BCS14 heat hierarchy requires that site-wide systems are utilised, so in this case a communal system served from a single energy centre connected to all buildings on the site – residential and commercial - is required unless it can be demonstrated that doing so would make the development unviable. A preferable location for a plant room would be to locate it on one of the site boundaries adjacent to a road to minimise future disruption across the site when laying the DH pipework.

BCS14 requires that development includes infrastructure to connect to district heating. The future indicative routes across the site for district heating pipework should be identified on a plan to demonstrate that all buildings can be connected.

The applicant should note that BCCs energy infrastructure team is in the early stages of considering feasibility of a new DH network to serve this area.

The proposals should be amended to address the comments above.

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Renewable Energy: The energy statement assumes that the 20% CO2 reduction requirement only applies to new buildings. This is not the case, it is a requirement of all development. There appears to be additional roof space available across the site where additional PV could be incorporated.

A revised energy statement should be submitted demonstrating how CO2 reduction through the use of renewable technologies has also been optimised on the existing buildings, aiming for a 20% reduction.

Assuming a satisfactory response to the points above is received, implementation of the proposals should be conditioned in accordance with the updated energy and sustainability statement.

A BREEAM pre-assessment has been submitted. This has been completed using the old BREEAM methodology (2014) and indicates an 'excellent' rating for the restaurant and new build office, and a 'very good' rating for the refurbished office, however it is noted that an 'excellent' rating could be achieved for the refurbished office, at the fit out stage subject to the materials specification.

The policy requirement is for an 'excellent' rating, and this should therefore be conditioned. The assessment will need to be carried out using the 2018 scheme.

In response to the comments from Sustainable Cities, the following additional information was provided:

- A thermal comfort report.
- An updated Sustainability and Energy Report.
- A response to the points raised by the Sustainable Cities Team.

This is still in the process of queried and clarified with the Applicant. See Key Issue F.

RELEVANT POLICIES

National Planning Policy Framework – July 2018

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 PROPOSED DEVELOPMENT ACCEPTABLE IN PRINCIPLE?**

The application site is located in the south Bristol development area defined by Policy BCS1. Policy BCS1 outlines the priority for south Bristol to deliver development including the provision of around 8,000 new homes of a mix of type, size and tenure and around 60,000sqm of net additional office floor space focused on centres and major regeneration areas.

Likewise, Policy BCS5 sets out that the Core Strategy aims to deliver new homes within Bristol's existing built up areas to contribute towards accommodating a growing number of people and households in the city. Between 2006 and 2026, 30,600 new homes will be provided in Bristol.

Policy BCS8 sets out that employment land outside of Principle Industrial and Warehousing areas (PIWAs) will be retained where it makes a valuable contribution to the economy and employment

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opportunities. New employment floorspace suitable for smaller businesses will be encouraged as part of mixed-use development.

Policy BCS18 of the Core Strategy 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. Whilst, Policy BCS20 states that development should maximise opportunities to re-use previously developed land.

Employment use:

The application proposes to provide 2,010sqm of commercial space on the site, consisting of office workspaces, meeting spaces and office spaces.

The site is in existing employment use. The site at present provides floorspace for a variety of uses on site in a number of warehouses and offices. BCS8 states that employment sites, premises and floorspace will be retained where they make a valuable contribution to the economy and employment opportunities. Policy DM12 resists the loss of sites in employment use unless it can be demonstrated, amongst other things, that there is no demand for employment space on those sites or that a net reduction in floorspace is necessary to improve the existing premises.

The proposed development seeks to incorporate improved employment space through the provision of quality, flexible and sustainable working spaces including office workspace for a mix of small businesses and start-ups in 'incubator' premises. Overall, it is considered that a reduction in employment floorspace on the site is justified, given the quality of employment space that is re-provided on site and that the net reduction in employment floorspace would improve the existing premises in line with adopted policy.

Retail use:

The application site is located in Southville, South Bristol, just outside Southville District Centre as defined by BCS7 (Centres and Retailing). The units proposed for flexible commercial uses (including retail) within the site are not located within a primary or secondary shopping frontage or defined retail centre. The units are proposed at the eastern edge of the application site, located approximately 100m from the edge of the defined Southville District Centre boundary.

DM7 requires impact assessments for developments in Use Classes A2-A5 of 1,500sqm or more in all locations outside of centres. As such, the applicant has undertaken a Retail Impact Assessment. This assessment is therefore required in relation to the retail (A1) element of the proposals.

The proposed units designated for flexible commercial use (Class B1/A1/A3/A4/C1) are small in size (250sqm and 220sqm). The intended purpose will also be to primarily serve residents of, and visitors to, the new development and passing trade. The assessment concludes that these units would only generate a small turnover. Therefore, given their size and location it is considered unlikely that the proposals would draw any trade away from the existing units located within the nearest primary shopping area or defined district centre boundary.

On this basis, it is considered that the two small units proposed would have a negligible effect on the vitality, viability and retail function of the identified shopping frontages and designated Southville District Centre.

Residential use:

The site is situated just outside of the North Street (Southville) Local Centre. Existing centres should be the focus of higher forms of residential development, and mixed-use development at accessible centres will be particularly promoted where development takes advantage of underused land.

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The proposed development would contribute positively to the targets set for the delivery of new homes in South Bristol as set out within Policies BCS1 and BCS5.

In comparison with the housing statistics for the two Lower Super Output Areas (LSOAs) in which the site is located within (namely Bower Ashton and Coronation Road West), this demonstrates that the proposed development would provide a higher concentration of 1-bedroom properties (54%) than in the local area (27%). In terms of 2-bedroom properties, a broadly similar amount proportion is proposed (38%) compared with the local area (36%). A lower amount of 3-bedroom properties (8%) is proposed than the average in the local area (25%).

It is considered that the proposed development would help to diversify the housing mix within the area, whilst contributing to the number of family-sized dwellings (three-bedrooms and above), in accordance with BCS1 and BCS5.

The application proposals also maximise opportunities to re-use previously developed land in accordance with Policy BCS20. Policy BCS20 encourages opportunities to use land more efficiently across the city. Imaginative design solutions will be encouraged at all sites to ensure optimum efficiency in the use of land is achieved. For residential development, a minimum indicative net density of 50 dwellings per hectare is sought by this policy.

Diagram 4.20.1 in the Core Strategy supports Policy BCS20 and indicates the approach to where 'increasing densities' could be supported. The diagram identifies that the application site (located on the edge of the Southville District Centre) could support an 'increasing density'. Diagram 4.20.2 in the Core Strategy provides examples of residential densities, with the nearby Wapping Wharf shown as an example of an approved scheme with a density of 200 dwellings per hectare.

On review of the information submitted with the application, the proposed development would achieve a density of approximately 180 dwellings per hectare, with it noted that the site is located close to the Southville District Centre; along a main public transport route; providing a mix of uses; and a mix of housing. The appropriateness of the proposals, in relation to the characteristics of the site, the local context and the need for a high quality, well designed environments is detailed in Key Issue C.

Conclusion:

The principle of a mixed-use redevelopment of the Old Brewery site is supported in land use terms. The planning application submitted has considered the net reduction in the employment use on the site; as well as the impact of the proposed commercial elements of the scheme on existing centres / centre catchment areas.

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

Policy BCS17 of the Core Strategy sets out the requirement for affordable housing in the city. For the area in which the application site is located, the policy requires that any development of 15 dwellings or more should provide 30% of residential units as affordable housing.

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 94 dwellings and therefore it is required to comply with Core Strategy Policy BCS17, which seeks the provision of up to 30% affordable housing (28.2 affordable dwellings) subject to scheme viability.

The National Planning Policy Framework (NPPF) and the associated Planning Practice Guidance (PPG) were revised in July 2018, and these revisions are pertinent to the viability assessment of the Old Brewery scheme.

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

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

The revised PPG includes the following statements about BLV:

To define land value for any viability assessment, a benchmark land value should be established on the basis of the existing use value (EUV) of the land, plus a premium for the landowner.

The Applicant had originally claimed that to remain viable in planning terms, the proposed scheme was able to provide the following affordable housing percentages:

- 15% (14 affordable dwellings) all of which were to be shared ownership flats; or
- 10% (nine affordable dwellings) of which seven were to be flats for social rent and two were to be flats for shared ownership

The Applicant had also stated that they did not consider that a Housing Association would be interested in taking nine affordable dwellings of mixed tenure, and therefore their offer was to provide the 15 shared ownership flats. A detailed viability appraisal and supporting commentary was submitted by JLL on behalf of the Applicant in support of the claimed viability position.

Officers commissioned Cushman & Wakefield to assess the viability information and advise the Council as to whether the Applicant's claim was reasonable. Cushman & Wakefield have assessed the values and costs associated with the development and have reported their conclusions to officers accordingly.

Cushman & Wakefield agreed with many of the inputs into the JLL Report, including the Benchmark Land Value, which is so often an area of contention. Following discussion between the consultants, the only areas of disagreement related to the inclusion of Ground Rent (which is addressed further below) and the sum that a Housing Association would be prepared to pay for the affordable properties.

Based on Cushman & Wakefield's analysis, the scheme would be able to provide 20% affordable housing (19 affordable dwellings) all of which would be flats.

The disagreement over Ground Rent is caused by the government having stated that it intends to legislate to remove the ability of developers to charge Ground Rent. However, it is yet to do so and there is no definitive timetable for legislation coming forward. On that basis the Council remains of the view that Ground Rent should be included. This is because viability appraisals are undertaken as a "snapshot in time", and at this time there is nothing preventing the charging of Ground Rent. However, it is possible that by the time the applicant comes to develop the site, legislation will have been enacted preventing them from charging Ground Rent. The impact of including Ground Rent is an additional £300,000+ of income.

It is also relevant that neither the JLL nor the Cushman & Wakefield Report made any allowance for Section 106 Contributions. However it is now understood that the development will need to make Section 106 Contributions towards transport improvements, which will also impact on the viability of the scheme.

Notwithstanding the above, the Applicant has been prepared to engage proactively with the Council's Affordable Housing Team to investigate how an improved affordable housing offer and tenure mix could be provided.

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One of the outcomes of these discussions was that the two large three bedroom houses located on Baynton Road have been included in the affordable housing mix. This is a significant benefit to the Council as there is a real need for this type of property to be made available for Social Rent, and the opportunity to secure it rarely occurs due to the predominantly flatted nature of most schemes that come forward in the City Centre and inner suburbs.

The final outcome of the discussions between the Applicant and the Affordable Housing Team is that the Applicant has offered, and the Affordable Housing Team is prepared to accept, the following affordable housing mix.

Housing Type	Number	Tenure
3 Bedroom Houses	2	Social Rent
2 Bedroom Flats	4	Social Rent
1 Bedroom Flats	1	Social Rent
2 Bedroom Flats	2	Shared Ownership
1 Bedroom Flats	7	Shared Ownership

This gives a total of 16 affordable dwellings (17% affordable housing) of which 9 are Shared Ownership and 7 are Social Rent. The Affordable Housing Team is prepared to take the view that each of the houses is the equivalent in floorspace to two flats. Had flats been taken as affordable housing instead of the houses then 18 affordable dwellings (19% affordable housing would have been secured). However, given the need for three bedroom houses it was considered that the benefit of having the two houses for social rent was greater than the benefit of an additional two affordable flats.

Given the uncertainty about the future of Ground Rent and the requirement for Section 106 Contributions, it is considered that the affordable housing offer as set out in the above table represents an appropriate level and mix of affordable housing.

Based on the Cushman & Wakefield advice and the productive and constructive discussions between the Applicant and the Affordable Housing Team, officers therefore recommend that the scheme be approved on the basis of the provision of 16 affordable dwellings (17% affordable housing) as set out in the above table. These would be secured via a Section 106 Agreement.

To incentivise delivery of the scheme, it is also recommended that provided the development commences within 18 months of a planning consent being granted, the need for a viability review is waived. However, if development does not commence within 18 months of a planning consent being granted then it is recommended that an upward only viability review (in accordance with Planning Practice Guidance) be required upon commencement of the development.

It is recommended that a Section 106 Agreement is agreed to cover the following:

- Provision of 16 affordable dwellings as per the table contained in the Affordable Housing Key Issue.
- Upwards only viability review if the development has not commenced within 18 months of the issue of planning consent.

In conclusion, it is considered that the proposed housing type and mix is considered acceptable and the level of Affordable Housing proposed is acceptable.

C) IS THE DESIGN OF THE PROPOSED DEVELOPMENT ACCEPTABLE?

Policy BCS21 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.

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

The proposed development would consist of a 94-unit residential scheme, varying in height from two to nine-storeys, and a collection of one and two-storey buildings located in the northern part of the site proposed for retail and commercial use. The residential buildings create a perimeter block surrounding a central amenity courtyard on three sides.

City Design Group (CDG) was consulted as part of this application. CDG has assessed the proposals and commends the high-quality, design-led approach taken to the site.

The proposed development would include retention and refurbishment of several historic structures including the Georgian Foreman's House, the Weighbridge House, and the gate piers fronting onto North Street. This approach to conservation and adaptation would retain the historic layout and form of the site and would accord with the local context in accordance with Policies BCS21 and DM26.

The design approach has included the consideration of the wider Old Brewery area, stretching to Durnford Street, and whilst the redevelopment has not been included within this application, the layout and form would not prejudice the future development potential of any adjoining sites. This would be in accordance with Policy DM27.

The tall building assessment undertaken for the surrounding area provides sufficient justification for the height proposed and suggests that the site could handle buildings of the scale and massing proposed. There are several larger structures within the Bedminster, Southville and Ashton, including the nine-storey former Tobacco Warehouse, the six-storey Bristol Beer Factory and 13-storey Little Cross House.

As noted by the Conservation Officer, the assessment of incidence of tall buildings in the surrounding area is clear and fair, and the current proposals suggest that the site could handle the proposed height in relation to the setting of the historic buildings and nearby Conservation Area.

The proposed design aesthetic of the two residential blocks adopts the strong rhythms and proportions of historic warehouses and industrial buildings in a strongly contemporary way. The Conservation Officer concludes that, whilst of far more ambitious scale, that the application proposals fit in with the character of the existing brewery buildings.

The proposed development would employ a strong material strategy, using brick and metal to reflect the character of the immediate industrial buildings, whilst taking precedents from nearby Victorian character buildings in terms of elevational rhythm, treatments and window hierarchies.

In response to points raised in the Urban Design Officers comments, the following changes were made to the scheme.

The Southern residential block facing onto Baynton Road:

- A new projecting glazed communal entrance lobby with signage from Baynton Road that leads direct into the communal staircore / lift lobby area.
- The pedestrian entrance / route into the Cycle Street / car park located at the end of Baynton Road has been improved via new proposed signage together with vertical sculptural panels / entrance gate.
- The cladding material to the first and second floor accommodation above this entrance has also been changed from brick to zinc to bring additional 'focus' and pedestrian awareness of the two main residential pedestrian entrances leading into the development from Baynton Road.

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Northern residential block facing towards North Street:

- A new projecting glazed communal entrance lobby with signage from the pedestrian route that leads from the northern courtyard and car park area direct into the communal staircore / lift lobby area.
- This entrance has been created by continuing the theme of using vertical sculptural screens and entrance gate that are proposed for the first floor podium external space (between the public and private open spaces) plus the Cycle Street / car park entrance for the Southern Block from Baynton Road.

In addition to the sculptural screen / entrance gate from the northern courtyard, the applicant has proposed to install a series of horizontal sculptural panels above the Cycle Street route that defines and leads pedestrians to the above new glazed entrance lobby noted above. The design of the sculptural screens (which are to be linked to the branding of the development) will be conditioned.

In conclusion, it is considered that the proposed development would be acceptable in terms of its design.

D) IS THE IMPACT OF THE PROPOSED DEVELOPMENT UPON TRANSPORT AND HIGHWAYS ACCEPTABLE?

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 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 and a Framework Travel Plan with the application. Following the review of the Transport Assessment by Transport Development Management (TDM), this matter has been the subject of a detailed exchanges of information between the Applicant and Officers to agree an acceptable suite of measures which would make the development acceptable in highway safety grounds.

The parking standards set out in Site Allocations and Development Management Policies set out a minimum provision for cycle parking and parking for disabled people. Car parking standards are maximum provision.

A total of 202 cycle spaces would be provided. There are 172 cycle spaces to be provided in the form of Sheffield stands and two-tier stacking stands for residential users, whilst a further 30 Sheffield stand spaces would be provided for visitors. The quantum of cycle parking proposed meets the standards set out in Appendix 2: Parking Standards Schedule of the Development Management Policies.

BCC standards outline a maximum provision of 107 car parking spaces for the proposed residential development, with up to an additional 69 spaces for the commercial uses. A total of 41 car parking spaces have been proposed. There would be electric vehicle charging points within the development to encourage the use of hybrid/electric vehicles. Each of the proposed car parking spaces will be allocated to a specific residential dwelling. The site is situated adjacent to the Southville RPS. Future residents would not be eligible for parking permits. TDM notes there is limited unrestricted parking in the vicinity.

The application site is considered to be in a highly sustainable location, adjacent to public transport in the form of bus stops both adjacent to the site and adjacent to the Jessop Underpass, Parson Street Railway Station, the MetroBus stop outside the Create Centre, and with local and national cycle routes connecting to the wider city.

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The applicant has proposed a number of transport improvements, which would be covered by condition, s.278 Agreement and s.106 contributions as appropriate. In summary, the following transport improvements are proposed:

- Resurfacing of the footways immediately surrounding the application site.
- Reconfiguration of the bus stop adjacent to the site.
- Reconfiguration of the junction at Baynton Road to 2.4m visibility splays.
- Provision of a new footway on Baynton Road.
- Upgrades the two bus stops closest to the site.
- A zebra crossing.

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.

A Framework Travel Plan has been submitted, reviewed by TDM and updated as part of the planning application. The objective of the Framework Travel Plan is to reduce private car mileage in favour of more sustainable modes of travel; increase awareness of the advantages and potential for travel by more sustainable modes; and to introduce a package of physical and management measures that will assist travel by other modes. A condition has been attached to this report, requiring Detailed Travel Plans to be prepared for the various land uses once each end user is known.

In line with BCC guidance, a Travel Plan and Management and Audit Fee in the sum of £3,500 for the residential and £3,500 for the combined commercial is required. Alternatively, for BCC to implement the residential travel plan the cost would be £135 per dwelling (with no management fee required). The fees would be secured through the s.106 Agreement.

Based on the planning conditions, obligations and matters to be secured via s.278 agreement, Officers have concluded that the proposed development is considered to be in accordance with Policy BCS10 and DM23.

E) WOULD THE PROPOSED DEVELOPMENT CAUSE ANY UNACCEPTABLE HARM TO RESIDENTIAL AMENITY?

Policy BCS21 outlines that development in Bristol is expected to safeguard the amenity of existing development and create a high-quality environment for future occupiers.

Policy DM29 sets out that new buildings will be designed to ensure that the existing and proposed development achieves appropriate levels of privacy, outlook and daylight.

Supplementary Planning Document 2 “A Guide for Designing House Alterations and Extensions” (SPD2) whilst providing guidance for house alterations, is relevant in this case given the existing context. SPD2 states that the best way of ensuring privacy between houses is to avoid windows to habitable rooms directly facing one another. Where this cannot be achieved, and habitable rooms face each other, as a ‘rule of thumb’ a gap of 21 metres should generally be provided. In more densely developed, inner urban locations this distance may be less.

SPD2 sets out that where windows to habitable rooms face the end wall of a house, the distance should be not less than 12 metres. Where the distance between windows and walls is less than this, there is potential for the proposed development to be overbearing.

BRE Report 209, “Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice” sets out that when a development is opposite existing neighbouring windows and a line drawn at 25 degrees from the lowest habitable window intersects the proposed development, further information is required

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to determine impact upon residential amenity. Where a development sits below this line, there would be limited impact upon residential amenity through overshadowing and no overbearing.

The BRE Report 209 states that new development should not reduce daylight or sunlight to existing residential windows to less than 0.8 times their former value.

The application site is located on a commercial/industrial site within a wider area characterised by residential uses. The tallest parts of the proposed development would include a nine-storey apartment building and an eight-storey apartment building connected by a four-storey building, located centrally within the site. The eight and nine-storey buildings would be circa 25 metres and circa 28 metres in height respectively.

Amenity for existing residents

The proposed eight and nine-storey buildings would marginally intersect a 25 degree line drawn from neighbouring windows on Ashton Road and Durnford Street. These properties are located between 40 and 50 metres from the proposed development. As such, it is unlikely that the proposed development would be overbearing, however there would be a risk of some overshadowing to habitable windows.

To properly assess the potential impact upon these neighbouring properties, a daylight and sunlight study was submitted as part of the application. The daylight and sunlight study originally submitted with the application was requested to be updated by the Case Officer to reflect comments provided on the report by members of the public and specifically to address concerns expressed by the occupiers 4 Ashton Road.

The daylight and sunlight study assessed the potential impact of the proposed development upon 30 residential properties in the surrounding area:

- 294 -306 North Street (odd No. only) (including the El Rincon bar)
- Toll House Court
- 1 Frayne Road
- 4 – 15 Ashton Road (including Coopers Arms)
- Property referred to as 'Long House' (mixed commercial and residential)
- 30 & 32 Ashville Road
- 10 Durnford Street
- 20 & 29 Durnford Avenue
- 1, 3, 5, 7 and 9 St Francis Road

Of the 30 properties assessed, three had windows which would fail the BRE guidance. These include:

- Toll House Court; daylight to two ground floor windows would be reduced (to 0.72 and 0.7 times their former value).
- Long House; daylight to one window would be reduced (to 0.71 times its former value).
- 29 Durnford Avenue; daylight to one window would be reduced (to 0.68 times its former value).

On review of each property above:

- The room at Toll House Court affected by the proposed development already has poor lighting and the reduction in daylight to the room is considered minor, despite the loss of light failing to meet the BRE Guidance.
- The affected window at the Long House is one of three windows to a bedroom in the property. The other two windows would be largely unaffected by the proposals. As such, it is considered that there would be sufficient light to this room and there would not be any unacceptable overshadowing.
- The affected window at 29 Durnford Avenue is in use as a utility room. The need for natural light within these rooms is typically less than other habitable rooms, and as such, the proposed development is not considered to unacceptably affect residential amenity.

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In addition to the above, changes have been made to the proposed two storey commercial building that adjoins No. 4 Ashton Road:

- The location of the ground to first floor staircase has been amended in order to omit the staircase overrun projection located on the single storey commercial flat roof area.
- The rear external wall of the first floor commercial accommodation has also been pushed back towards Ashton Road so that the external wall now aligns with the brick retaining wall to the side external wall of No.4 Ashton Road.

The design changes above ensure that the first floor bedroom windows will receive no loss of daylight plus the owner of No.4 Ashton Road can access the property's external soil vent pipe and external wall finishes that currently adjoin the application site.

Overall, it is considered that the proposed development would be situated sufficiently far from neighbouring occupiers to minimise overlooking. There would be no unacceptable harm to existing residential amenity through overshadowing, overbearing or overlooking.

Amenity for future occupiers

The proposed residential dwellings would all meet the minimum standards for total floorspace set out in the Nationally Described Space Standards, and by providing a minimum of two bedspaces, would provide sufficient space for flexibility for future occupiers.

The separation distance between the two residential blocks is circa 19 metres. Whilst this is less than the 21 metre 'rule of thumb' gap, the distance is considered sufficient given the nature of the surrounding area, in which there are a number of 'tight-knit' terraces where distances between buildings are frequently half this distance.

The open nature of the residential blocks would allow for sufficient daylight between them into the flats and the courtyard amenity space. Many of the flats provided in the residential blocks would be dual aspect and as such, there would be a high-quality living environment for future occupiers in accordance with the Urban Living SPD.

It is concluded that the proposals protect existing residential amenity and would provide a high-quality living environment for future occupiers.

Conclusion

Overall it is considered that the proposed development would not cause any unacceptable impacts in relation to residential amenity for existing or future residents. In addition, the Pollution Control Officer has requested a number of conditions to offer protection to existing residents in the area and residents of this development from noise, odour and the operation of the site.

F) DOES THE PROPOSED DEVELOPMENT GIVE SUFFICIENT CONSIDERATION OF SUSTAINABLE DESIGN AND CONSTRUCTION?

Policy BCS13 sets out that development should contribute to both mitigating and adapting to climate change, and to meeting targets to reduce carbon dioxide emissions.

Policy BCS14 sets out that development in Bristol should include measures to reduce carbon dioxide emissions from energy use by minimising energy requirements, incorporating renewable energy sources and low-energy carbon sources. Development will be expected to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%.

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Policy BCS15 sets out that sustainable design and construction should be integral to new development in Bristol. Consideration of energy efficiency, recycling, flood adaption, material consumption and biodiversity should be included as part of a sustainability or energy statement.

The applicant has provided an Energy and Sustainability Report as part of this application. This sets out the use of solar PV panels on the proposed new residential buildings only. The use of solar PV on new buildings would meet the 20% reduction in carbon dioxide emissions sought as part of BCS14 when assessed individually. The retained commercial units would not include PV panels. Whilst this has raised concerns from Sustainable Cities, this type of intervention is considered inappropriate given the historic nature of these buildings and the approach is supported by the local planning authority.

Concerns have been raised by Sustainable Cities Team that there would be limited building performance improvements made to the existing historic buildings to be retained, and as such would be unable to secure a reduction in CO2 emissions of 20% when assessed individually.

Additional information was requested in response to consultation on the application, in relation to overheating risk associated with the new build elements, cooling systems for the commercial units and heating systems for the retained buildings.

It is concluded that whilst the proposed development has provided a detailed consideration of sustainable design and construction, clarification on certain aspects of the proposed sustainability and energy strategy have been requested and an update will be provided to Members by way of the Amendment Sheet.

CONCLUSION

The proposed development would contribute to the delivery of market and affordable homes on previously developed land as per the requirements of Policies BCS1, BCS5 and BCS20.

The proposed development would provide employment space in accordance with Policy BCS8 as well as retaining existing buildings and structures on the site that contribute positively to local character and distinctiveness. The design of the proposed development is considered acceptable and the site could accommodate the proposed height of the new residential buildings in relation to the setting of the historic buildings and the nearby conservation area.

The application demonstrates that there would be no unacceptable impacts upon existing residential properties, and there would be sufficient amenity for future occupiers. Conditions are proposed to safeguard the amenities of adjoining residential occupiers.

Subject to conditions and the agreement of planning obligations, the proposed development would be acceptable in terms of transport and highways.

On balance, the proposed development is considered acceptable in planning terms and as such, this application is recommended for approval subject to conditions attached to this report, and a s.106 Agreement.

COMMUNITY INFRASTRUCTURE LEVY

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 total CIL payable (discounting affordable housing floor space) is £636,988.67.

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CONDITIONS

RECOMMENDED GRANT subject to planning agreement

Time limits for commencement of development

1. Full planning permission

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

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

Pre-commencement condition(s)

2. Sustainable Drainage System (SuDS)

The development hereby approved shall not commence until further details of a Sustainable Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall contain:

- Detailed design of attenuation/SuDS features
- BRE 365 Infiltration testing to prove that the conditions are suitable/unsuitable for infiltration-based SuDS
- Approval that the scheme is acceptable from Wessex Water

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.

3. Land affected by contamination - Site Characterisation

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

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

(ii) an assessment of the potential risks to:

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

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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.

4. Land affected by contamination - Submission of Remediation Scheme

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

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

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

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

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

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

6. Unexploded Ordnance Survey (UXO)

No development shall commence until an on-site UXO survey is completed in accordance with the recommendations in the approved (UXO) Threat & Risk Assessment.

If, during development, any suspected historic ordnance is found to be present, no further development shall be undertaken until the object has been assessed by an appropriately qualified person, appropriate actions taken to remove or make safe the object, have been undertaken, and the Local Planning Authority notified.

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

7. Protected Species

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

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

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

8. Method statement for the control and removal of Japanese knotweed

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

Guidance: Under section 14(2) of the Wildlife and Countryside Act (1981) it is illegal to "plant or otherwise cause to grow in the wild" (i.e. spread) Japanese knotweed (*Fallopia japonica*). The Environmental Protection Act (1990) covers aspects such as disposal of contaminated soil and the plant material. It is the landowner's responsibility to control the plant. Any soil from the site should be removed in a controlled way and only taken to sealed landfill.

Reason: To comply with section 14(2) of the Wildlife and Countryside Act (1981).

9. 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.

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- 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.
- 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.

10. 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 the footways immediately surrounding the application site.
- Reconfiguration of the bus stop adjacent to the site.
- Reconfigure the junction visibility at Baynton Road to 2.4m.
- Provision of a footway on Baynton Road.
- A zebra crossing.
- Upgrades the two bus stops closest to the site.

The provision of these is to be in general accordance with plan 062970-HYD-XX-XX-DR-TP-0101 Revision TBC (GENERAL ARRANGEMENT & VISIBILITY SPLAYS) 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.

11. 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.

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Further details (including detailed drawings at the scale of no less than 1:10 where relevant) of the following shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The detail thereby approved shall be carried out in accordance with that approval.

a) The design of the sculptural screens (which are to be linked to the branding of the development).

13. 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.

14. BREEAM

Prior to implementation evidence that the development is registered with a BREEAM certification body and 3no. BREEAM 2018 pre-assessments demonstrating a strategy by which a BREEAM 'Excellent' rating will be achieved for the restaurant, new build office, and existing commercial units shall be submitted to the local planning authority and approved in writing. Prior to occupation, final post construction BREEAM 2018 certificates indicating that the BREEAM 'Excellent' rating has been achieved shall be submitted to the local planning authority and approved in writing.

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 in accordance with BCS15 (Sustainable design and construction).

15. Sustainability

The development shall be constructed in accordance with the Energy & Sustainability Planning Report (Rev TBC) submitted by Services Design Solution Ltd in support of the application. All measures included in the statement, including the provision of Photovoltaic panels, shall be provided and be operational, prior to the occupation of the development hereby approved.

Reason: To ensure that the development complies with the sustainability aims of the development plan.

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Pre occupation

16. Artificial light (external)

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

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

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

17. 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: In order to ensure adequate facilities are provided for these elements of the scheme

18. 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.

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

19. 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 3 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 4, which is to be submitted to and be approved in writing by the Local Planning Authority.

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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 5.

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.

20. Sound insulation of residential properties from external noise

All recommendation detailed in the Noise Assessments 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 adjoining residential occupiers.

21. Noise from plant & equipment

No commencement of use shall take place until an assessment to show that the rating level of any plant & equipment, as part of this development, will be at least 5 dB below the background level has been submitted to and approved in writing by the Council.

The assessment must be carried out by a suitably qualified acoustic consultant/engineer and be in accordance with BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

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

22. 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. <https://www.gov.uk/government/publications/guidance-on-the-control-of-odour-and-noise-from-commercial-kitchen-exhaust>

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 adjoining residential occupiers.

23. Odour Management Plan

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 adjoining residential occupiers.

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

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

25. Refuse and Recycling Servicing and Management Plan

No building or use hereby permitted shall be occupied until a management plan for refuse and recycling must be submitted to and been approved in writing by the Local Planning Authority. The approved plan shall be implemented upon occupation of the development and permanently retained thereafter. The statement shall provide for:

- Locations for collection and presentation
- Method of collection, inc. provision for recycling
- Days and times 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

Post occupation**26. 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 adjoining residential occupiers.

27. Use of Refuse and Recycling facilities (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 and not at all on Sundays or Bank Holidays.

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

28. Deliveries (commercial uses only)

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

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

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29. Artificial Lighting (external)

Any light created by reason of the development shall meet the Obtrusive Light Limitations for Exterior Lighting Installations in table 2 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01:2011.

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

30. Outside customer seating areas (C1, A3 and A4 uses only)

Any outdoor dining areas shall not be used by customers after 22.00.

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

31. Opening hours (B1, B1/A1/A3/A4/C1 uses 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 adjoining residential occupiers.

List of approved plans and drawings

32. 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.

Proposed Site Plan: 16106_L010

Proposed Ground Floor Plan: 16106_L011

Proposed First Floor Plan: 16106_L012

Proposed Second Floor Plan: 16106_L013

Proposed Third Floor Plan: 16106_L014

Proposed Fourth Floor Plan: 16106_L015

Proposed Fifth Floor Plan: 16106_L016

Proposed Sixth Floor Plan: 16106_L017

Proposed Seventh Floor Plan: 16106_L018

Proposed Eighth Floor Plan: 16106_L019

Residential and Commercial Accommodation Schedule: ACH001-P12

Proposed Section AA, BB and CC: 16106_L030

Proposed Section DD, EE and FF: 16106_L031

Proposed Section GG, HH, II and JJ: 16106_L032

Proposed Sections - Conversion of Existing Buildings: 16106_L033

Proposed Elevation - North Street: 16106_L040

Proposed Elevation - North West: 16106_L041

Proposed Elevation - North East: 16106_L042

Proposed Elevation - Baynton Road: 16106_L043

Proposed Elevation - Durnford Street: 16106_L044

Proposed Adopted Highways Strategy: 16106_L022

Proposed Demolition Plan: 16106_L050

2020 11 C Landscape Masterplan

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2020 13 D Planting Strategy Plan
 2020 11 C Landscape Masterplan
 2020 12 D Hard Landscape Strategy Plan

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.

2. Highway Works Advice for Section 278

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 compete. You will be required to pay fees to cover the Councils cost's 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

Development Control Committee A – 27 February 2019

Application No. 18/04367/F : 1 - 3 Ashton Road (The Old Brewery) Bristol BS3 2EA

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

3. Demolition, site clearance or vegetation removal

All species of wild birds, their eggs, nests and chicks are legally protected until the young have fledged. If demolition, site clearance or vegetation removal is undertaken on site whilst birds are nesting, which is typically between 1st March and 30th September inclusive, then a check is recommended beforehand by a qualified ecological consultant. Where checks for nesting birds are required they should be undertaken by a qualified ecological consultant no more than 48 hours prior to the removal of vegetation or the demolition of, or works to buildings.

4. Guidance on flues

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

<https://www.gov.uk/government/publications/guidance-on-the-control-of-odour-and-noise-from-commercial-kitchen-exhaust>

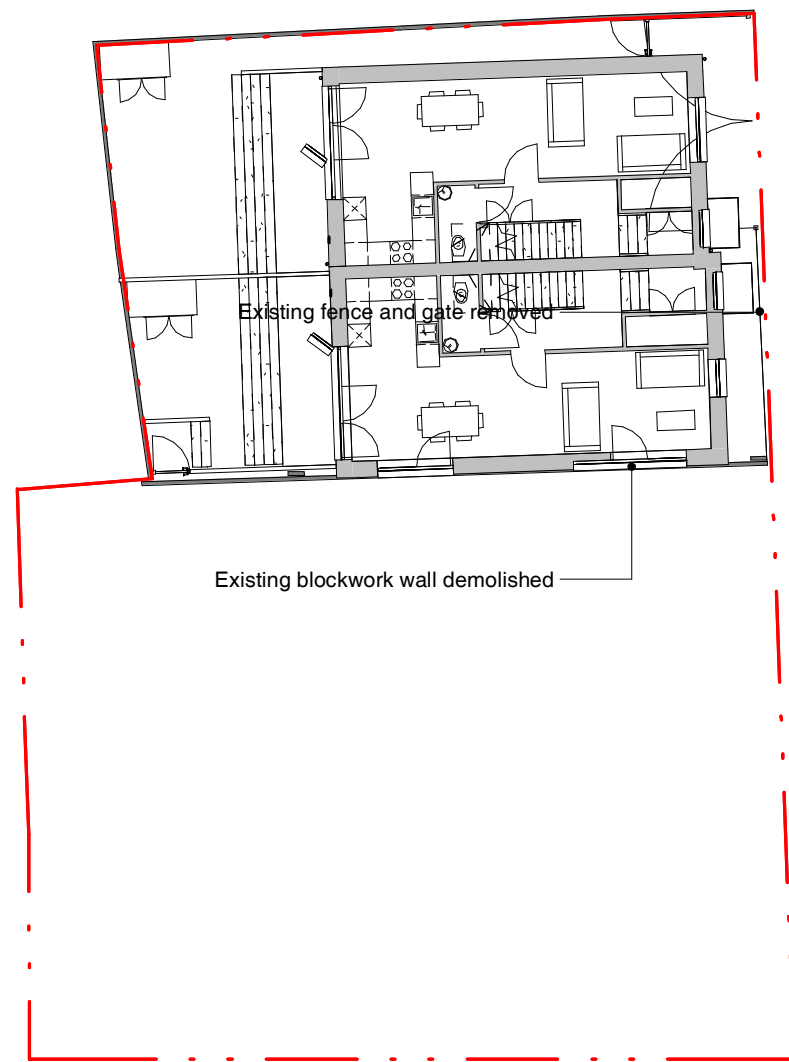
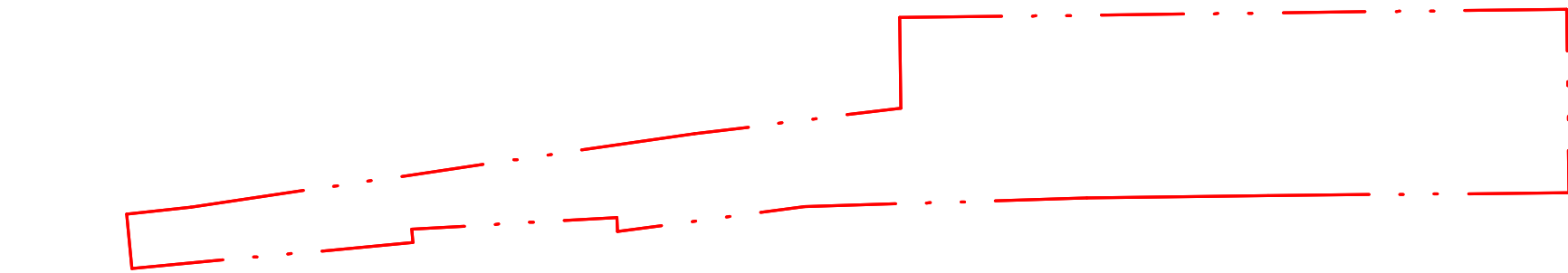
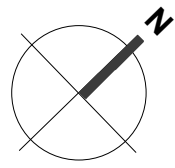
5. Party Wall

The applicant's attention is drawn to the requirements of the Party Wall etc. Act 1996 in relation to work close to a neighbour's building/boundary.



Supporting Documents

2. 1 – 3 Ashton Road (The Old Brewery), Bristol, BS3 2EA

1. Proposed demolition plan
2. Proposed site plan
3. Proposed elevation North Street
4. Proposed site section AA & BB
5. Proposed ground floor plan
6. Photomontages

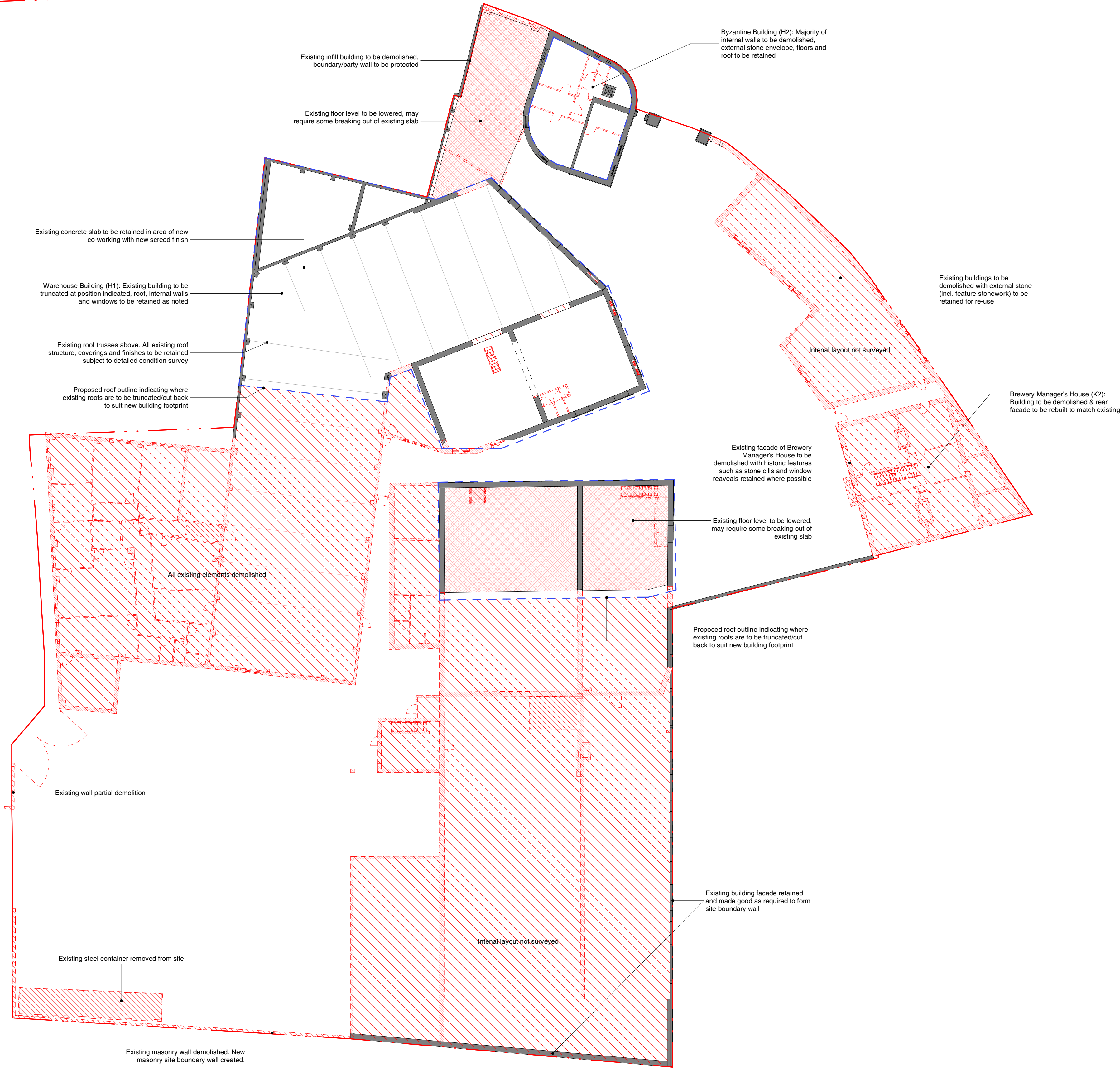


Key:

-  Elements to be demolished
-  Area of existing roofs to be retained

Notes:

- 1: Extent of demolition and retention of existing elements within partially demolished structures to be confirmed following detailed site survey
- 2: Accurate opening dimensions to be confirmed following site measurement.
- 3: Demolition and refurbishment asbestos survey to be undertaken prior to any works being undertaken on site. Asbestos survey will then form the basis of the appointment of a registered asbestos removal company.
- 4: Ensure that workers are asbestos aware and have regular toolbox talks to ensure that they are aware of all hazards.
- 5: Demolition/scaffold method statement required as part of tender submission.
- 6: Please ensure that provisions are made to redirect rainwater to appropriate drains for the duration of the works.
- 7: Party wall agreements will be required to work on all existing structures on site boundaries, refer to Watts Party Wall Survey Phase 1 Report for additional information.



A1

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Rev.	Date	Notes	Initials
P1	05.06.18	Demo. plan issued for info.	CB
P2	04.02.19	For Planning	CB

CDM Regulations

File Name: 16106 - NASH - XX - 00 - DR - A - L050 - P2

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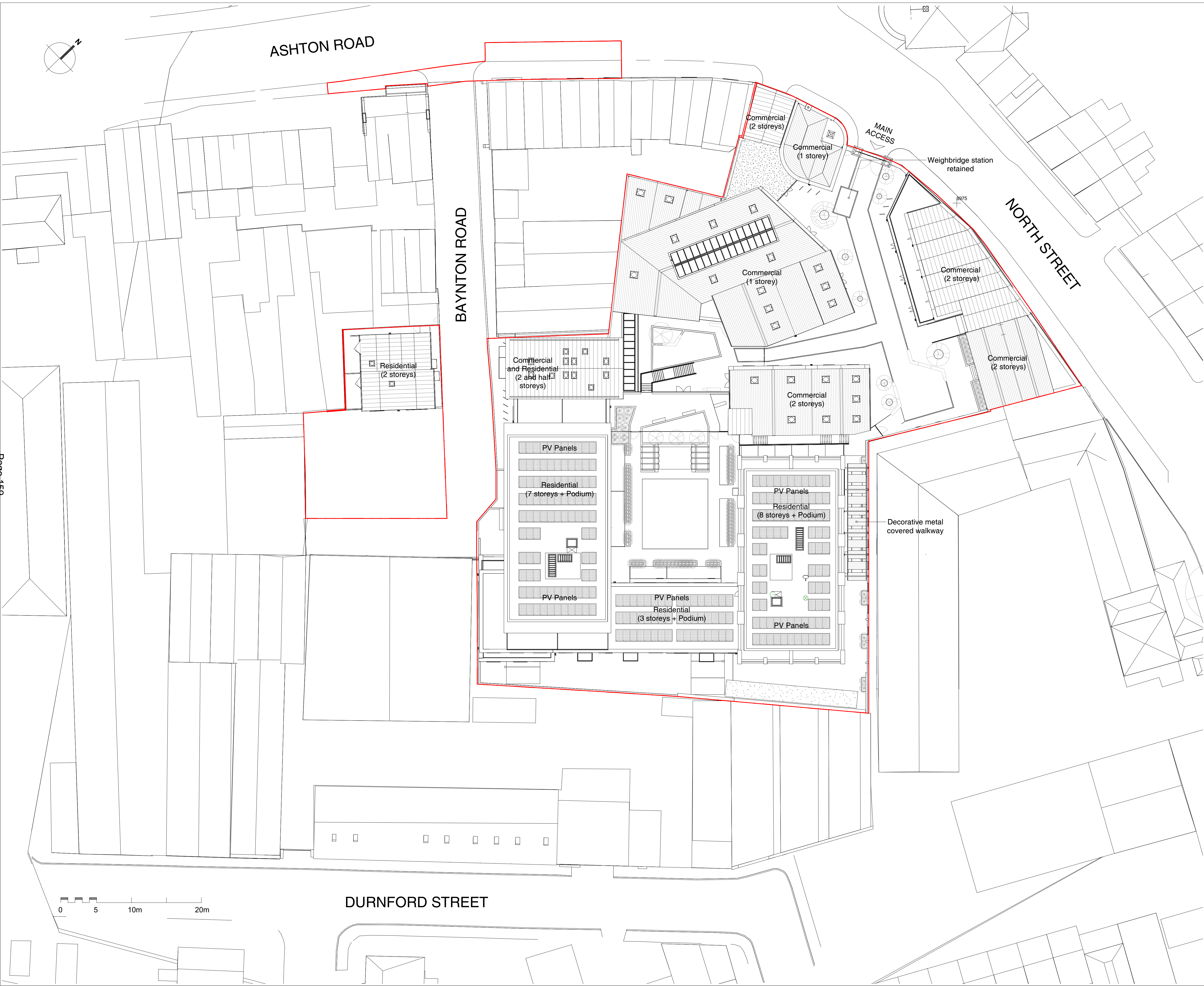
PLANNING

Project	Originator	Zone	Level
16106	NASH	XX	00
Type	Role	Drawing Number	Revision
DR	A	L050	P2

Project
The Old Brewery, Bristol

Title
Proposed Demolition Plan

Drawn by	Project Manager	Scale
CB	CB	1 : 200 @A1



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Rev.	Date	Notes	Initials
P1	19.12.17	For Information	CB
P2	06.03.18	Issued to Landscape Designer	NS
P3	08.05.18	Apartment Configuration Option C	CB
P4	09.07.18	For Information	BG
P5	30.07.18	For Planning	KC
P6	04.02.19	For Planning	CB

CDM Regulations

File Name: 16106 - NASH - XX - XX - DR - A - L010 - P6

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PLANNING

Project 16106		Originator NASH	Zone XX	Level XX
Type DR	Role A	Drawing Number L010		Revision P6

Project

The Old Brewery, Bristol

Title
Proposed Site Plan

Drawn by	Project Manager	Scale
BG	JE	1 : 250 @A1



3D View North Street



Proposed Elevation - North Street
1 : 200

A1

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Rev.	Date	Notes	Initials
P1	24.11.17	For Information	NS
P2	19.12.17	For Information	CB
P3	01.02.18	For Information	NS
P4	19.02.18	Issued to Watts	CB
P5	09.05.18	For Information	BG
P6	09.07.18	For Information	CB
P7	27.07.18	For Information	KC
P8	30.07.18	For Planning	KC
P9	04.02.19	For Planning	CB

CDM Regulations

File Name: 16106 - NASH - XX - XX - DR - A - L040 - P9

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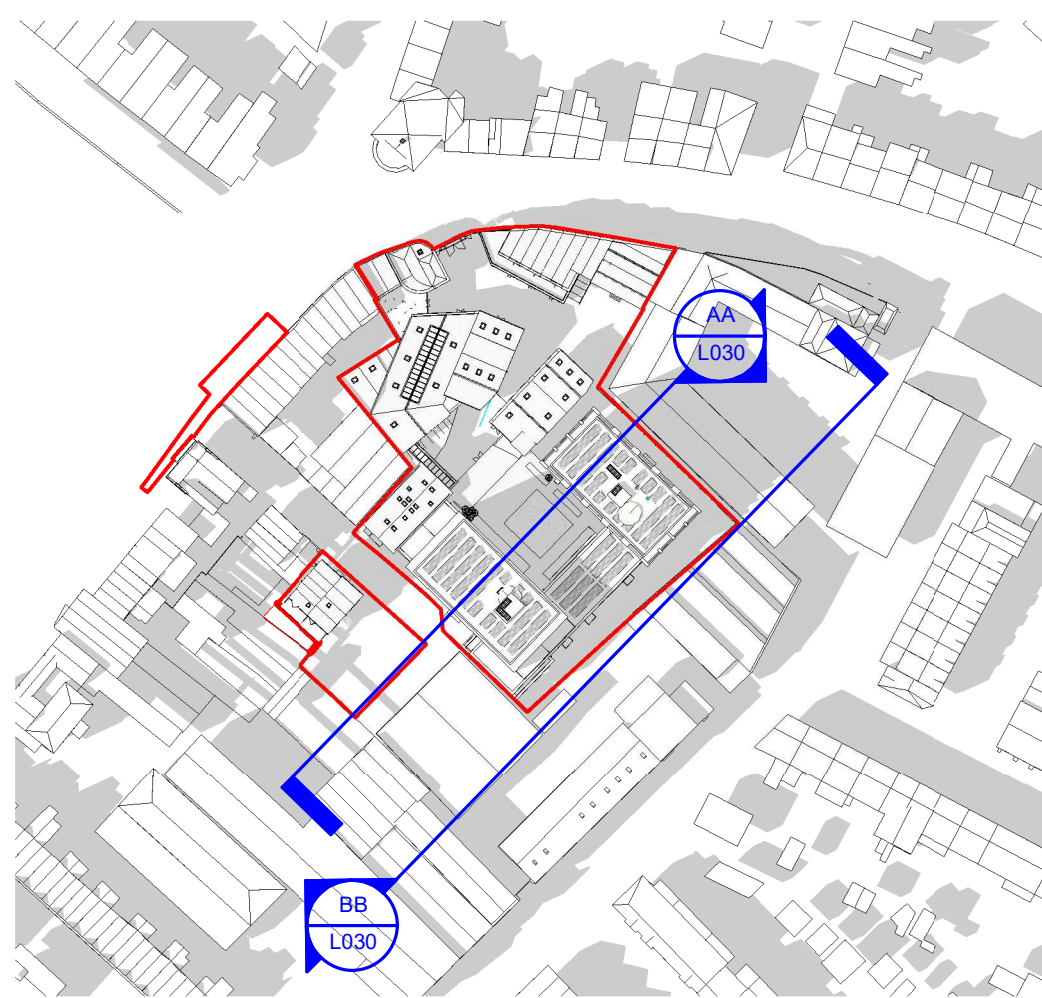
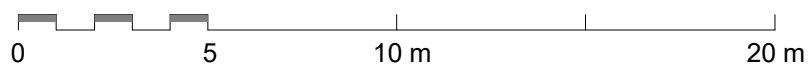
PLANNING

Project	Originator	Zone	Level
16106	NASH	XX	XX
Type	Role	Drawing Number	Revision
DR	A	L040	P9

Project
The Old Brewery, Bristol

Title
Proposed Elevation North Street

Drawn by	Project Manager	Scale
BG	JE	1 : 200 @A1



Site Plan With Section Markers
1:1500

A1

Original Sheet Size

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Rev.	Date	Notes	Initials
P1	29.09.17	For Information	CB
P2	24.11.17	For Information	NS
P3	19.12.17	For Information	CB
P4	01.02.18	For Information	NS
P5	19.02.18	Issued to Watts	CB
P6	09.05.18	For Information	BG
P7	15.05.18	Courtyard Facade Update	BG
P8	09.07.18	For Information	CB
P9	27.07.18	For Information	KC
P10	30.07.18	For Planning	KC
P11	04.02.19	For Planning	CB

CDM Regulations

File Name: 16106 - NASH - XX - XX - DR - A - L030 - P11

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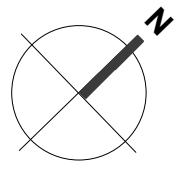
PLANNING

Project	Originator	Zone	Level
16106	NASH	XX	XX
Type	Role	Drawing Number	Revision
DR	A	L030	P11

Project
The Old Brewery, Bristol

Title
Proposed Site Section AA BB

Drawn by	Project Manager	Scale
BG	JE	As indicated @A1



ASHTON ROAD

BAYNTON ROAD

NORTH STREET

DURNFORD STREET

A1

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Rev.	Date	Notes	Initials
P1	26.10.17	For Information	CA
P2	26.10.17	Issued to Landscape Designer	BG
P3	24.11.17	For Information	NS
P4	30.11.17	For EA Discussions	CB
P5	19.12.17	For Information	CB
P6	01.02.18	For Information	NS
P7	14.02.18	Issued to Landscape Designer	NS
P8	19.02.18	Issued to Watts	CB
P9	19.03.18	Additional levels added	NS
P10	26.03.18	Issued to Watts	CB
P11	23.04.18	Alteration to site boundary	CB
P12	08.05.18	Car parking/plant alterations	CB
P13	11.05.18	For information	BG
P14	04.06.18	Updated car park, structure, plant & co-working layout	CB
P15	09.07.18	For Information	CB
P16	27.07.18	For Information	KC
P17	30.07.18	For Planning	KC
P18	04.02.19	For Planning	CB

CDM Regulations

File Name: 16106 - NASH - XX - 00 - DR - A - L011 - P18

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PLANNING

Project	Originator	Zone	Level
16106	NASH	XX	00
Type	Role	Drawing Number	Revision
DR	A	L011	P18

Project
The Old Brewery, Bristol

Title
Proposed Ground Floor Plan

Drawn by	Project Manager	Scale
BG	JE	1 : 250 @A1

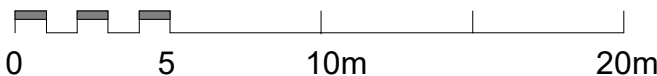




Figure 7.16: North Street Entrance



Figure 7.17: Northern courtyard & re-built Brewery Manager's House looking north.



Figure 7.18: Northern Courtyard looking down 'street' towards new commercial (BI) courtyard, looking south.

Development Control Committee A – 27 February 2019

ITEM NO. 3

WARD: Southville **CONTACT OFFICER:** Alex Hawtin

SITE ADDRESS: 125 - 131 Raleigh Road Bristol BS3 1QU

APPLICATION NO: 18/03496/F Full Planning

DETERMINATION DEADLINE: 1 March 2019

Demolition of existing buildings and erection of a block comprising Use Class B1(a) offices and 4 storey block containing 6 apartments (Use class C3) with access from the Cigar Factory.

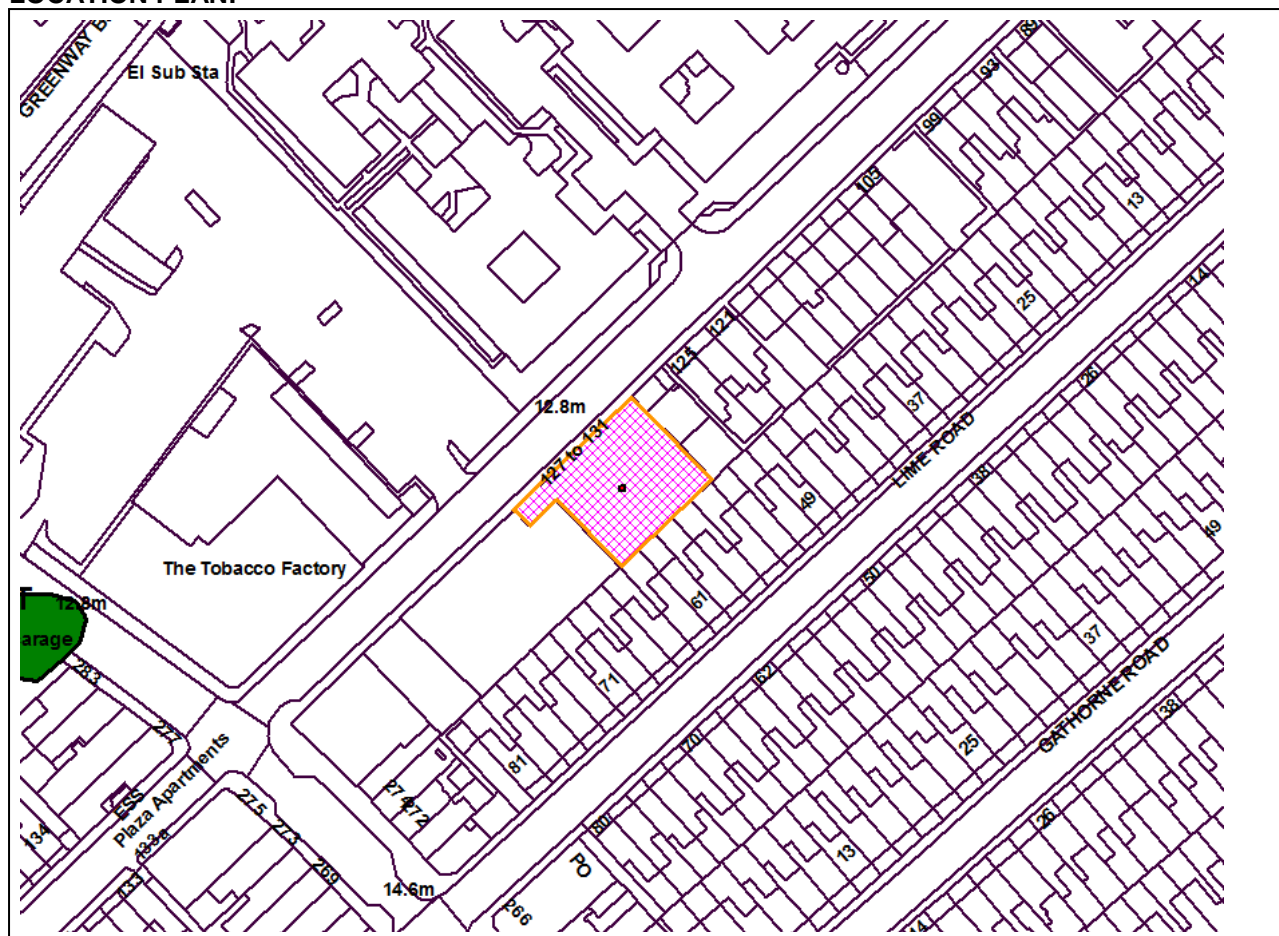
RECOMMENDATION: Grant subject to Condition(s)

AGENT: Aspect360 Ltd
45 Oakfield Road
Clifton
Bristol
BS8 2AX

APPLICANT: Ellson Homes 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 – 27 February 2019
Application No. 18/03496/F : 125 - 131 Raleigh Road Bristol BS3 1QU

SITE DESCRIPTION

The application relates to the old fire station between 125 Raleigh Road and 127-131 Raleigh Road, Southville. The site consists of a two storey brick building fronting the street with a large under-croft leading to an area of paved courtyard and single storey brick built building at the rear of the site.

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

The site is currently vacant, with the yard used as storage for the adjacent development site. The single storey building to the rear of the site was most recently in use as an office, whilst the two storey building to the front of the site was in residential use.

The site is surrounded by residential properties to either side and to the rear.

To the north west of the site is a row of three terraced brick built dwellings; no's 121 and 125 Raleigh Road. The end of terrace house has been divided up into two separate self-contained flats, no's 125a and 125b Raleigh Road.

Immediately to the south east of the site no's 51 and 53 Lime Road, two terraced dwellings. The gardens of both properties adjoin the single storey brick built building at the rear of the application site.

The Amerind Grove Care Home is situated opposite the site to the north west of Raleigh Road.

APPLICATION

This application seeks full planning permission for the demolition of the existing two storey and single storey buildings on site, and the construction of a part single storey, part four storey building containing 6 no. flats and 150m² of office space.

The single storey part of the building would extend across the full extent of the site, measuring circa 8.2 metres wide and 23.4 metres deep.

The four storey part of the building would front onto Raleigh Road and would be circa 8.2 metres wide and 16 metres deep. The third floor of the building would consist of a mansard roof and would be set back from the front elevation and set in from the side elevation by 0.8 metres and 0.5 metres respectively.

The front elevation of the building would consist of brickwork at ground floor level with glazed doors. At first and second floor level, the building would be clad in red/brown blocks. At third floor level, the building would be clad in grey metal. The windows throughout would be aluminium framed.

The proposed housing mix consists of 4 no. one bedroom flats and 2 no. two bedroom flats. These would be located as follows:

First Floor: 1 no. one bedroom flat and 1 no. two bedroom flat.

Second Floor: 1 no. one bedroom flat and 1 no. two bedroom flat.

Third Floor: 2 no. one bedroom flats

The ground floor of the building would consist of the proposed office space, with internal bike store and refuse/recycling store.

Development Control Committee A – 27 February 2019
Application No. 18/03496/F : 125 - 131 Raleigh Road Bristol BS3 1QU

RELEVANT HISTORY

There is an extant permission on site, approved by DC Committee in August 2017 for a self-contained dwelling:

17/01836/F - Proposed change of use of an existing office building (Building A) to the mixed use of cafe and bookshop (Use Classes A1 and A3), to include a single storey extension. Extension of an existing, two storey entrance building (Building B) to create a self-contained dwelling (Use Class C3). – GRANTED subject to condition(s)

16/06799/COU: Notification for Prior Approval for a Proposed Change of Use of a building from Office Use (Class B1(a)) to a Dwellinghouse (Class C3).
 Prior Approval GIVEN

13/02678/F: Retention of residential use and extension of frontage building to create first floor 2-bed self-contained flat. - GRANTED subject to condition(s)

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

04/00132/F: Retention of conversion of single dwelling house to 2 no. self-contained flats.
 GRANTED subject to condition(s)

03/04832/F: Erection of 1 no. self-contained flat at first floor level over existing office, and external staircase. – REFUSED for the following reasons:
 - The proposed development of a self-contained flat above the existing ground floor office would result in a cramped overdevelopment of the site.
 - The proposed development because of its height and position in relation to adjoining properties, particularly Nos. 51 and 53 Lime Road, would have an overbearing and adverse impact on the amenities of the occupiers of these properties.

The adjacent site, 127-131 Raleigh Road has approval for residential conversion:

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

16/00013/F Conversion of existing second floor from Use Class B1(c) to form 9 apartments (Use Class C3) with associated third floor roof extension, external alterations, refuse and cycle storage. - GRANTED subject to condition(s)

15/05097/COU: Prior approval for the change of use from office floor space within Use Class B1(a) to residential accommodation falling within Class C3 (dwelling houses). -
 Prior Approval GIVEN

RESPONSE TO PUBLICITY AND CONSULTATION

32 comments were received in response to the plans as originally submitted. 30 of these raised an objection to the proposals, whilst two comments were neutral in nature.

The following planning issues were raised as part of the consultation:
 - Objection to the proposed scale and massing of the development

Development Control Committee A – 27 February 2019**Application No. 18/03496/F : 125 - 131 Raleigh Road Bristol BS3 1QU**

- Concerns that the proposed development would not be in keeping with the adjoining buildings and the surrounding area
- Concerns about overlooking and loss of privacy of future and present occupiers
- Concerns about creating a sense of overbearing
- Concerns that the proposed development would cause a sense of overshadowing and loss of sun/daylight to adjacent dwellings
- Concerns about the proximity of the proposed development to 125 Raleigh Road
- Concerns to the potential noise, vibration and air quality issues which would arise during the construction phase
- Concerns that the proposals would be overdevelopment of the application site
- Concerns about the impact upon parking and the resident's parking scheme
- Objection to housing mix proposed
- Concerns about the impact upon access to adjoining properties

The following non-planning issues were raised:

- Concerns about the impact of the proposals upon property prices.
- Concerns about subsidence / structural stability.

Revised plans were submitted, and a reconsultation was undertaken. A total of 22 comments were submitted, all in objection to the revised proposed development. The consultation responses reiterated the issues set out above.

PUBLIC COMMENTS**RESPONSE FROM INTERNAL CONSULTEES****City Design Group (CDG) – No objection**

In response to the scheme as originally submitted:

“The application has been assessed against local planning policies; BCS21, DM26, DM27, DM29, DM30; and the Draft Urban Living SPD.

- Reconstruction of the existing fire station façade in reclaimed brick and stonework.
- There are concerns about scale, form and massing of the proposed development. A five (G+4) storey development is excessive in the given context.
- The appearance of the proposed development in the street scene. The proposed development is of excessive scale and does not respond to hierarchy of elevations design and proportions.
- The proposal presents an overbearing relation with neighbouring properties which is not acceptable.
- The quality of living environment of proposed units does not comply with guidance set out in draft Urban Living SPD.
- It is not acceptable to use Trespa panels for the proposed development. While not part of current application, it should be noted the quality of some of the material and workmanship on the adjoining Cigar Factory site is of poor quality.”

In response to the comments above, revised plans were submitted for consideration. In response, CDG sets out the following comments:

“The proposed reduction in height to G+3 storeys is considered acceptable, providing an appropriate transition stepping down in height from the adjacent Cigar Factory to 125 Raleigh Road.

The windows have been altered to match the fenestration detail of the adjacent Cigar Factory and the windows are of an appropriate design and proportions.

Development Control Committee A – 27 February 2019
Application No. 18/03496/F : 125 - 131 Raleigh Road Bristol BS3 1QU

Whilst the proposed materials strategy moves in the right direction towards one that is appropriate in the Conservation Area and the existing context, we would seek to secure further details of materials and samples via condition.”

Transport Development Management (TDM) – No objection

“Transport Development Management considers the proposals acceptable in terms of transport and highways, subject to the applicant addressing the following points.

Footway

The footway currently has a vehicle crossover. As this will no longer be required the applicant must reinstate the footway to full kerb height for which a Section 171 Licence will be required.

The application does not propose to provide any parking. As the site is within Southville Residents Parking Scheme the site must be treated as no car and advice I044 applied. This will prevent residents from obtaining residents parking permits. A number of the objections submitted raise concerns that should residents wish to own a car they will instead park them in Ashton, which is currently not part of the residents parking scheme. Based on the councils current parking survey methodology residents can be expected to walk up to 150m from a site to find parking. As most of the adjacent streets would be beyond this distance Transport Development Management considers that the proposed lack of parking is acceptable. In respect of cycle storage the site plan submitted shows a store containing six Sheffield Stands able to accommodate 12 cycles. Whilst accessing the store will involve walking through the waste store, given the limitations on space, this is considered acceptable.

Waste

The site plan proposes an internal store that will be large enough to contain seven refuse bins, 14 recycling boxes and seven kitchen waste bins which will open directly onto the footway, thereby providing easy access for collection purposes. Suitable ventilation should be provided.”

Should the application be approved, a condition for the provision of a Construction Management Plan is recommended for inclusion.

Contaminated Land Environmental Protection – No objection

The planning application for a mixed use development has been reviewed in relation to land contamination.

The applicants are referred to the following

- Bristol Core Strategy - BCS23 Pollution
- Local Plan ' DM34 Contaminated Land
- National Planning Policy Framework (2018) Paragraphs 118, 120, 170, 178, 180
- Planning Practice Guidance Note <https://www.gov.uk/guidance/land-affected-by-contamination>
- <https://www.bristol.gov.uk/planning-and-building-regulations-for-business/land-contamination-for-developers>

Development Control Committee A – 27 February 2019
Application No. 18/03496/F : 125 - 131 Raleigh Road Bristol BS3 1QU

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. Historically the site formed an old fire station and was adjacent to "box factory number 9" and near to the main garage for the Wills company.

Whilst this is a minor application a risk assessment is required because of the potential risks identified. A minimum of a phase 1 desk study looking into contamination must be submitted to the local planning authority and where deemed necessary (or instead of) a phase 2 intrusive investigation shall take place. If any information is already prepared submission prior to determination is encouraged to reduce the burden of pre-commencement conditions.

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

RELEVANT POLICIES

National Planning Policy Framework – July 2018
 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 PROPOSED DEVELOPMENT ACCEPTABLE IN PRINCIPLE?

Policy BCS5 sets out that the Core Strategy aims to deliver new homes within Bristol's existing built up areas to contribute towards accommodating a growing number of people and households in the city. Between 2006 and 2026, 30,600 new homes will be provided in Bristol.

Policy BCS8 sets out that the economic performance of the city will be strengthened by providing a sufficient and flexible supply of employment land. The Policy states that new employment floorspace suitable for smaller businesses will be encouraged as part of mixed-use development.

Policy BCS18 supports a neighbourhood with a mix of housing tenures, types and sizes to meet the changing needs and aspirations of its residents.

Policy BCS20 states that development should maximise opportunities to re-use previously developed land.

The proposed development would consist of 150m² of office space at ground floor level and 6 no. one and two bedroom flats.

The proposed office space would increase the amount of floorspace available for B1 use on-site, and by providing floorspace suitable for smaller businesses, would be supported by Policy BCS8. The location for office space is considered acceptable given the close proximity to the North Street Shopping Area.

The proposed development would contribute positively to the delivery of houses in built up areas, as set out within Policy BCS5 and the principle of residential development has been established within

Development Control Committee A – 27 February 2019
Application No. 18/03496/F : 125 - 131 Raleigh Road Bristol BS3 1QU

the grant of permission 17/01836/F. The proposed development would be located on previously developed land and would intensify the use of the site in accordance with Policy BCS20.

The site is within the Southville Ward. At the time of the 2011 Census, the Ward consisted of 47% flats. One bedroom dwellings made up 27% of housing stock, whilst 31% of dwellings had two bedrooms.

It is considered that the proposed development, by providing 4 no. one bedroom dwellings and 2 no. two bedroom dwellings would contribute positively to the housing mix of the area and would not lead to a high prevalence of one housing type.

The proposed development is considered acceptable in principle.

B. WOULD THE PROPOSED DEVELOPMENT BE OUT OF SCALE OR CONTEXT WITH THE SURROUNDING AREA?

Policy BCS21 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.

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

The proposed development would consist of a four storey building fronting Raleigh Road, with a single storey building to the rear. The building would be constructed in red brick and red block cladding, whilst the fourth storey would form a recessed mansard roof.

City Design Group was consulted as part of the application process and as a result, a number of changes were made to the scheme including:

- A reduction in the scale and massing of the building from five to four storeys
- Alteration of the proposed materials
- Alterations to the front elevations, including the window proportions and fenestration detail

CDG is satisfied that the proposed development would be appropriate in terms of scale and massing and the front elevation would be in keeping with the character of the streetscene and the surrounding area.

The proposed front elevation is considered to respond to the hierarchy of elevations and effectively links between the Cigar Factory and 125 Raleigh Road in urban design terms. The proposed fenestration details respond to the elevations of the adjoining Cigar Factory and would be in keeping with the adjoining converted building.

The proposed roof form has also been carefully designed to reflect the character of the roof of the adjoining former Cigar Factory (127-131 Raleigh Road) and is considered acceptable.

The proposed development sits appropriately within the adjoining context and would accord with Policy DM26, which sets out that development should respond appropriately to the height, scale, massing, shape, form and proportion of existing buildings and building lines.

The buildings on Raleigh Road, including the Tobacco Factory, the Cigar Factory and the terraced dwellings on the southern side of the road are all characterised by the use of red brick. The proposed development would reclaim and re-use red brick from the existing building at ground floor level. Above ground floor level, the use of red block is proposed. Some concerns have been raised about the

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quality of certain types of this material, and as such, CDG has requested that a condition is attached to any permission to secure the further details of the type of block.

It is considered that the proposed development responds appropriately to the existing context in terms of form and proportions and the materials would be in keeping with character of the street and the surrounding area. This would be in accordance with Policies BCS21, DM26 and DM29.

C. WOULD THE PROPOSED DEVELOPMENT CAUSE ANY UNACCEPTABLE HARM TO RESIDENTIAL AMENITY?

Policy BCS21 outlines that development in Bristol is expected to safeguard the amenity of existing development and create a high-quality environment for future occupiers.

Policy DM29 sets out that new buildings will be designed to ensure that the existing and proposed development achieves appropriate levels of privacy, outlook and daylight.

BRE Guidance sets out that where development is opposite existing neighbouring windows, a line drawn at 25 degrees from the lowest habitable window should not intersect the proposed development.

Supplementary Planning Document 2 “A Guide for Designing House Alterations and Extensions” (SPD2) whilst providing guidance for house alterations, is relevant in this case given the existing context. SPD2 states that the best way of ensuring privacy between houses is to avoid windows to habitable rooms directly facing one another. Where this cannot be achieved and habitable rooms face each other, as a ‘rule of thumb’, a gap of 21 metres should generally be provided. In more densely developed, inner urban locations this distance may be less.

SPD2 sets out that where windows to habitable rooms face the end wall of a house, the distance should be not less than 12 metres.

The application site is located between the Cigar Factory, a converted former industrial building circa 14 metres in height, and 125 Raleigh Road, a two storey end of terrace dwelling, circa 8 metres in height.

The proposed development would result in the demolition of the existing two storey and single storey buildings on the site, and construction of a part four, part single storey building. The building would be up to 11.3 metres in height.

The proposed development would sit below a 25 degree line drawn from the windows of adjoining dwellings to the rear on Lime Road. It is concluded that there would be no unacceptable harm to the amenity of properties along Lime Road as a result of overshadowing.

A sunlight and shadow analysis has been undertaken by the applicant as part of the application. This shows a series of scenarios for overshadowing at certain times of day on the 21st March and 21st September. These months have been selected as they demonstrate the average position of the sun and provide an accurate guide to typical overshadowing scenarios.

The analysis demonstrates that the sun moves directly across the southern half of the site, and as such nearly all overshadowing as a result of the proposed development would occur to the north of the building towards Raleigh Road. As such, it is considered that there would be no overshadowing of properties on Lime Road.

The March shadow analysis shows that to the rear of the building there would be no impact upon adjacent buildings at 9am and only minor additional shadowing to the roof of 125 Raleigh Road in the afternoon and evening. No windows or amenity spaces would be affected.

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The March shadow analysis shows that to the front of the building, there would be no change in terms of overshadowing apart from at 3pm and 6pm; however this would not affect any windows. The shadow study demonstrates that the upper floor window of 125 Raleigh Road would remain in shadow at 3pm, and at 6pm in both the existing and proposed situations, this window would remain shadow-free.

The windows and amenity spaces of surrounding dwellings would remain unchanged in terms of shadowing in September in comparison to the existing situation due to shadowing caused by the Cigar Factory.

The proposed development has been carefully designed so as to not overlook the dwellings directly to the rear of the application site along Lime Road. The proposed first and second floor windows on the rear elevation would be angled so as to not directly face neighbouring windows. The proposed third floor windows would be positioned in such a way that they could not offer any direct overlooking and would be partly obscure glazed. The proposed side facing ground floor windows would be obscure glazed, replacing the existing clear glazed windows. This would be secured by condition. It is considered that the proposed development would not result in harm to residential amenity through overlooking.

The proposed residential building would be located a minimum of 15 metres from first floor windows of dwellings on Lime Road. This is in excess of the minimum 12 metre recommended gap between windows when they face a wall and is considered acceptable in terms of overbearing. The building would remain unaltered at ground floor level and would remain 7.2 metres from the buildings on Lime Road. This is comparable to the previously approved scheme to the southwest of the Cigar Factory (16/05040/F) which is located 5.9 metres from properties on Lime Road at ground floor level and 16 metres away at first floor level.

The proposed development would meet the nationally described space standards for new single bedroom and two bedroom dwellings.

Whilst it is understood that there is a close relationship between the existing and proposed dwellings, and this has been raised in a number of consultation responses, the proposed development would meet the tests set out within BRE guidance and SPD2. The shadow study demonstrates a minor increase in shadowing to non-habitable and as such, there would be no unacceptable impacts upon residential amenity.

In conclusion, it is considered that the proposed development is acceptable in terms of the impact upon residential amenity.

D. IS THE IMPACT OF THE PROPOSED DEVELOPMENT UPON TRANSPORT AND HIGHWAYS ACCEPTABLE?

Policy BCS10 states that developments should be designed and located to ensure the provision of safe streets. Development should create places and streets where traffic and other activities are integrated and where buildings, spaces and the needs of people shape the area.

Policy DM23 of the Site Allocations and Development Management Policies outlines that development should not give rise to unacceptable traffic conditions and will be expected to provide safe and adequate access onto the highway network.

Policy DM32 states that all new residential development will be expected to provide sufficient space for the storage of individual recycling and refuse containers.

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Transport Development Management was consulted as part of the application process. No objections were raised.

The proposed development would consist of six flats with ground floor office accommodation. There are no proposals for car parking and Transport Development Management considers that a 'car-free' development in this location would be acceptable. Residents would not be eligible for parking permits within the Southville Residents Parking Scheme.

12 cycle spaces would be provided at ground floor level. Waste storage would be provided to the front of the building, adjacent to Raleigh Road. TDM considers that the proposed solutions for cycle storage and waste store are considered acceptable.

Conditions were requested for a Construction Management Plan to be submitted following any approval, for the footway to be reinstated, and for the cycling and bin storage to be completed in accordance with the approved plans.

The proposed development would be acceptable in terms of impact upon transport and highways.

E. DOES THE PROPOSED DEVELOPMENT GIVE SUFFICIENT CONSIDERATION OF SUSTAINABLE DESIGN AND CONSTRUCTION?

Policy BCS13 sets out that development should contribute to both mitigating and adapting to climate change, and to meeting targets to reduce carbon dioxide emissions.

Policy BCS14 sets out that development in Bristol should include measures to reduce carbon dioxide emissions from energy use by minimising energy requirements, incorporating renewable energy sources and low-energy carbon sources. Development will be expected to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%.

Policy BCS15 sets out that sustainable design and construction should be integral to new development in Bristol. Consideration of energy efficiency, recycling, flood adaption, material consumption and biodiversity should be included as part of a sustainability or energy statement.

The Energy Statement submitted with the application demonstrates that a 20.5% reduction of CO2 emissions would be achieved through the inclusion of photo-voltaic panels and by meeting Part-L of the Building Regulations. This is considered to be in accordance with Policy BCS14.

It is considered that the proposed development gives sufficient consideration of sustainable design and construction.

CONCLUSION

The proposed development would contribute to the delivery of new housing on previously developed land as per the requirements of Policies BCS5 and Policy BCS20. There would be no detrimental impacts upon residential amenity and there would be sufficient space for future occupiers. The design of the proposed development is considered acceptable and there would be not be any unacceptable impacts upon transport and highways. The proposed development has given sufficient consideration to sustainable design and construction.

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RECOMMENDED GRANT subject to condition(s)

Time limits for commencement of development

1. Full planning permission

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

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

Pre-commencement 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. Further details – materials

Prior to the commencement of the relevant part of the works, samples or precedent images showing the following shall be submitted and approved in writing by the Local Planning Authority:

- Proposed block cladding,
- Proposed windows and doors
- Proposed roofing materials

The development shall be completed in accordance with the approved details.

Reason: In the interests of safeguarding the character of the surrounding area.

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;

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(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

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.

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Pre occupation condition(s)

7. 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 (SPECIFY) 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.

8. 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.

9. 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.

10. Reinstatement of Redundant Accessways

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

Reason: In the interests of pedestrian safety.

Post occupation management

11. Non Opening and Obscured Glazed Window

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the proposed side facing,

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ground floor windows shall be non-opening and glazed with obscure glass to a specification to be agreed with the Local Planning Authority and shall be permanently maintained thereafter as non-opening and obscure glazed.

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

12. No Further Windows

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

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

13. External Works to Match

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

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

List of Approved Plans and Drawings

10. 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.

Existing and proposed shadow analysis plan, received 6 December 2018
 1107W17/1000 Existing site plan, received 13 July 2018
 1107W17/1100 Existing plans, received 13 July 2018
 1107W17/1110 Existing roof plan, received 13 July 2018
 1107W17/1200 Existing front elevation, received 13 July 2018
 1107W17/1201 Existing side elevation, received 13 July 2018
 1107W17/3000 Rev C Proposed site plan, received 24 September 2018
 1107W17/3100 Rev B Proposed ground first and second floor plans, received 18 December 2019
 1107W17/3101 Rev B Proposed third and fourth floor plans, received 24 September 2018
 1107W17/3102 Rev B Proposed roof plan, received 24 September 2018
 1107W17/3203 Rev D Proposed rear elevation, received 18 December 2019
 1107W17/3204 Rev B Proposed contextual elevation, received 18 December 2019
 1107W17/3201 Rev E Proposed side elevation, received 18 December 2019
 1107W17/3202 Rev E Proposed side elevation, received 18 December 2019
 Energy sustainability statement, received 13 July 2018
 Design and access statement, received 13 July 2018
 Suds report, received 13 July 2018

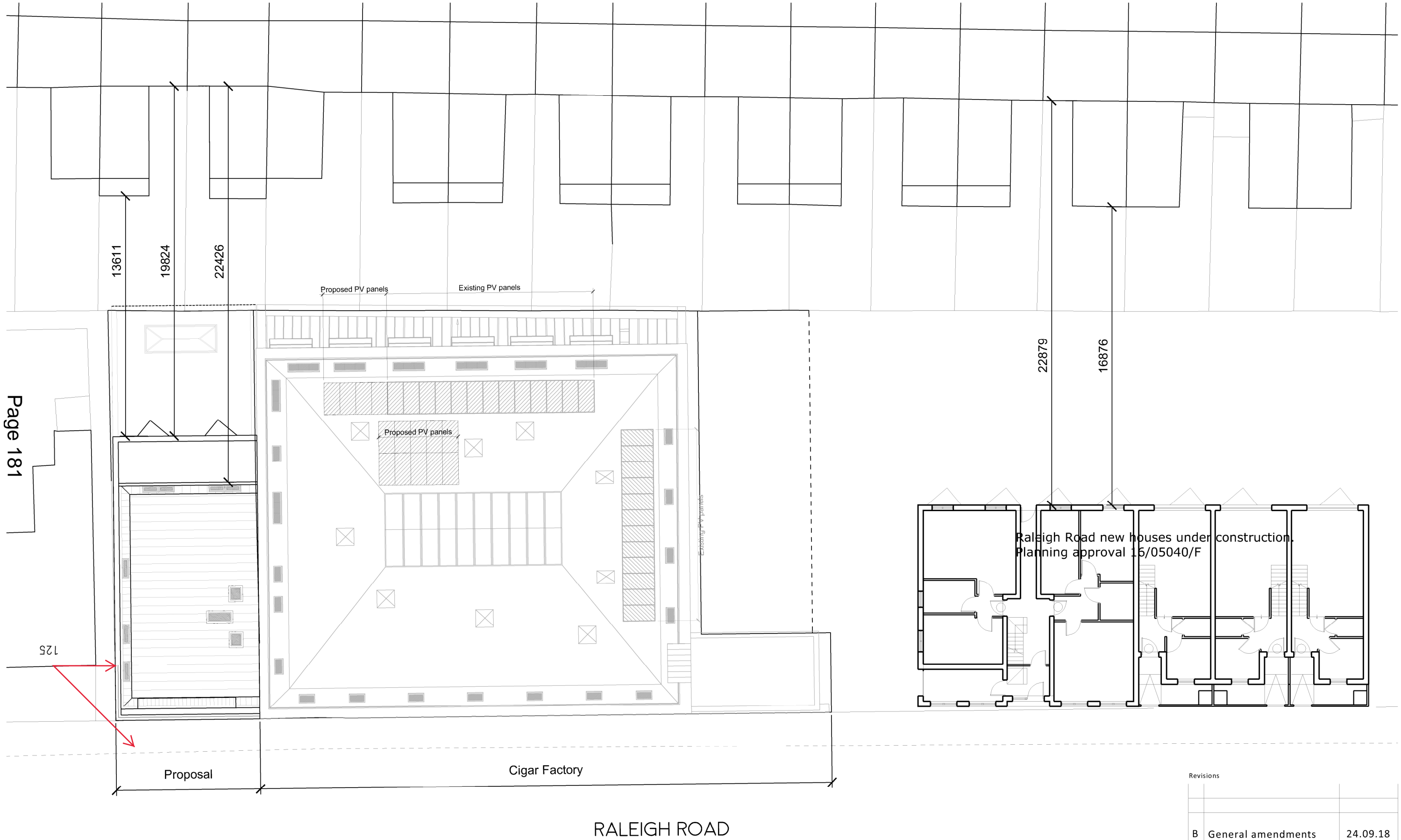
Reason: For the avoidance of doubt.

Supporting Documents

3. 125 – 131 Raleigh Road, Bristol, BS3 1QU

1. Site Plans
2. Side elevation – comparison
3. Proposed front elevation
4. Sun and shadow analysis

Copyright reserved to Woodward Hambley Webb.
Figured dimensions only are to be used. Contractor must verify all
dimensions on site before commencing any work. Any discrepancies
must be brought to the attention of the architect.



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WOODWARD
HAMBLEY
WEBB
Tel : 0117 973 5690 Fax : 0117 923 8060

date
drawn
June '18

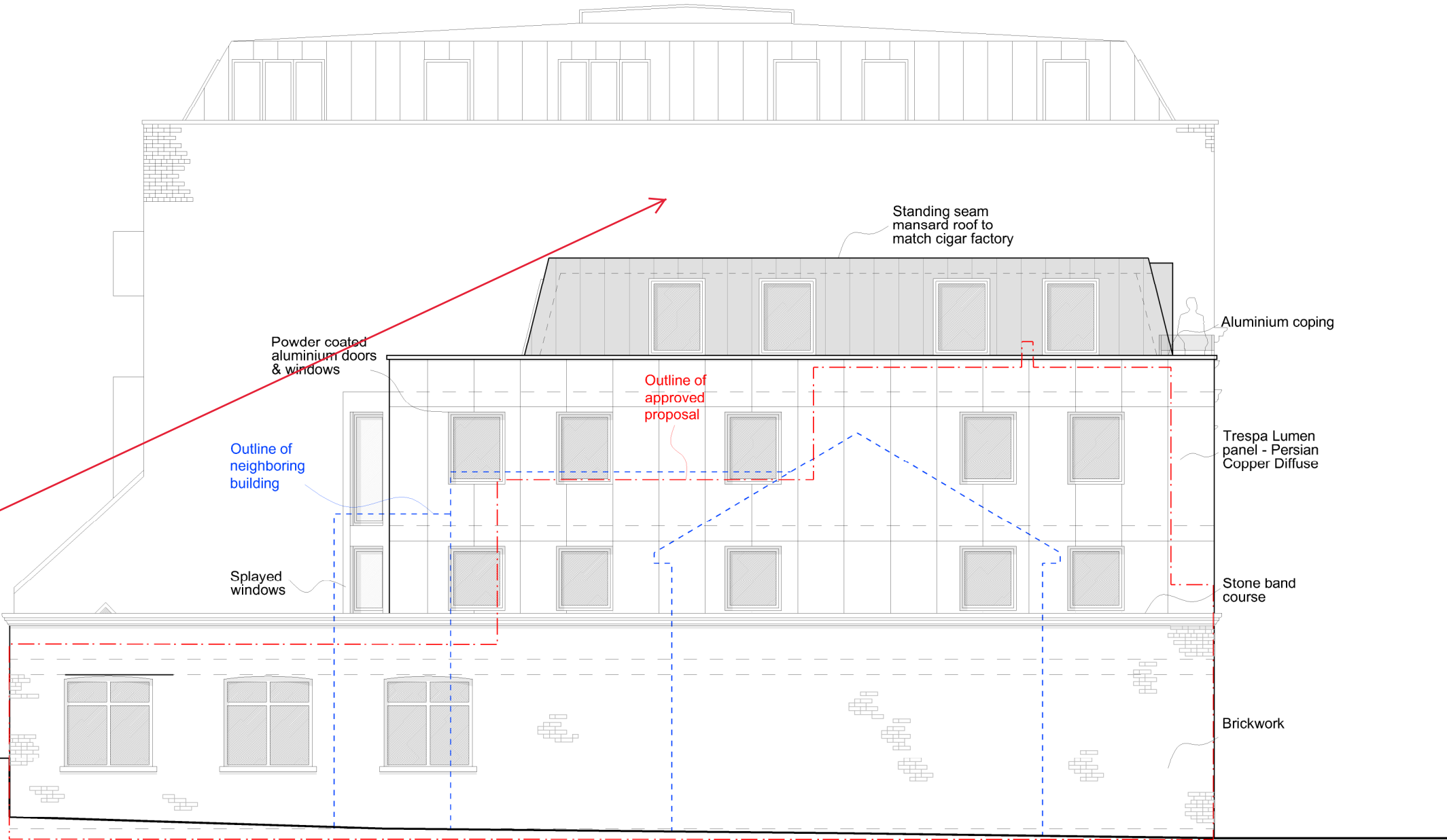
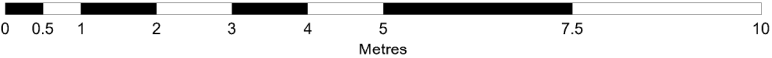
project
The Old Fire Station

drg
Comparison Site Plan
Proposed

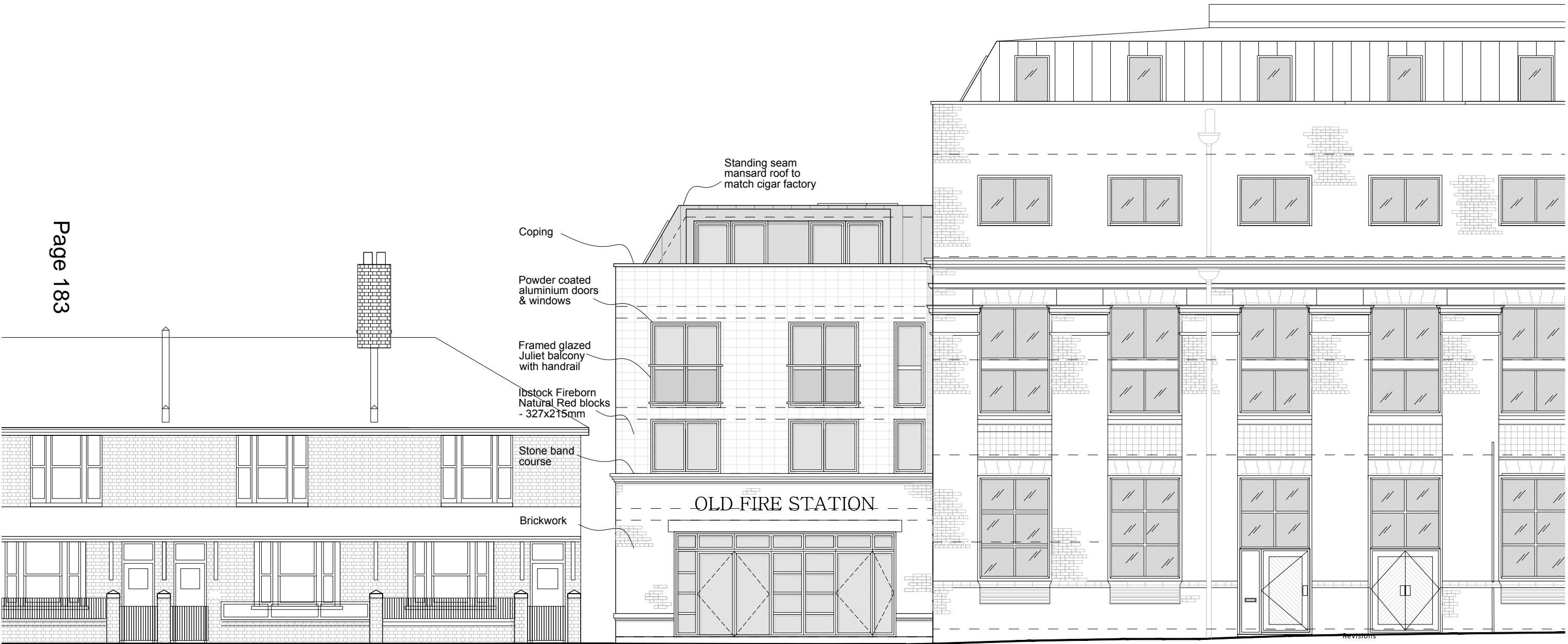
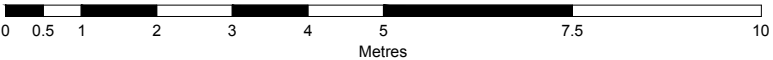
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Revisions		
B	General amendments	24.09.18
A	General amendments	21.09.18

1107w17/3001B



Revisions		
C	General amendments	24.09.18
B	General amendments	21.09.18
A	Building volume reduced, fenestration amended	14.09.18



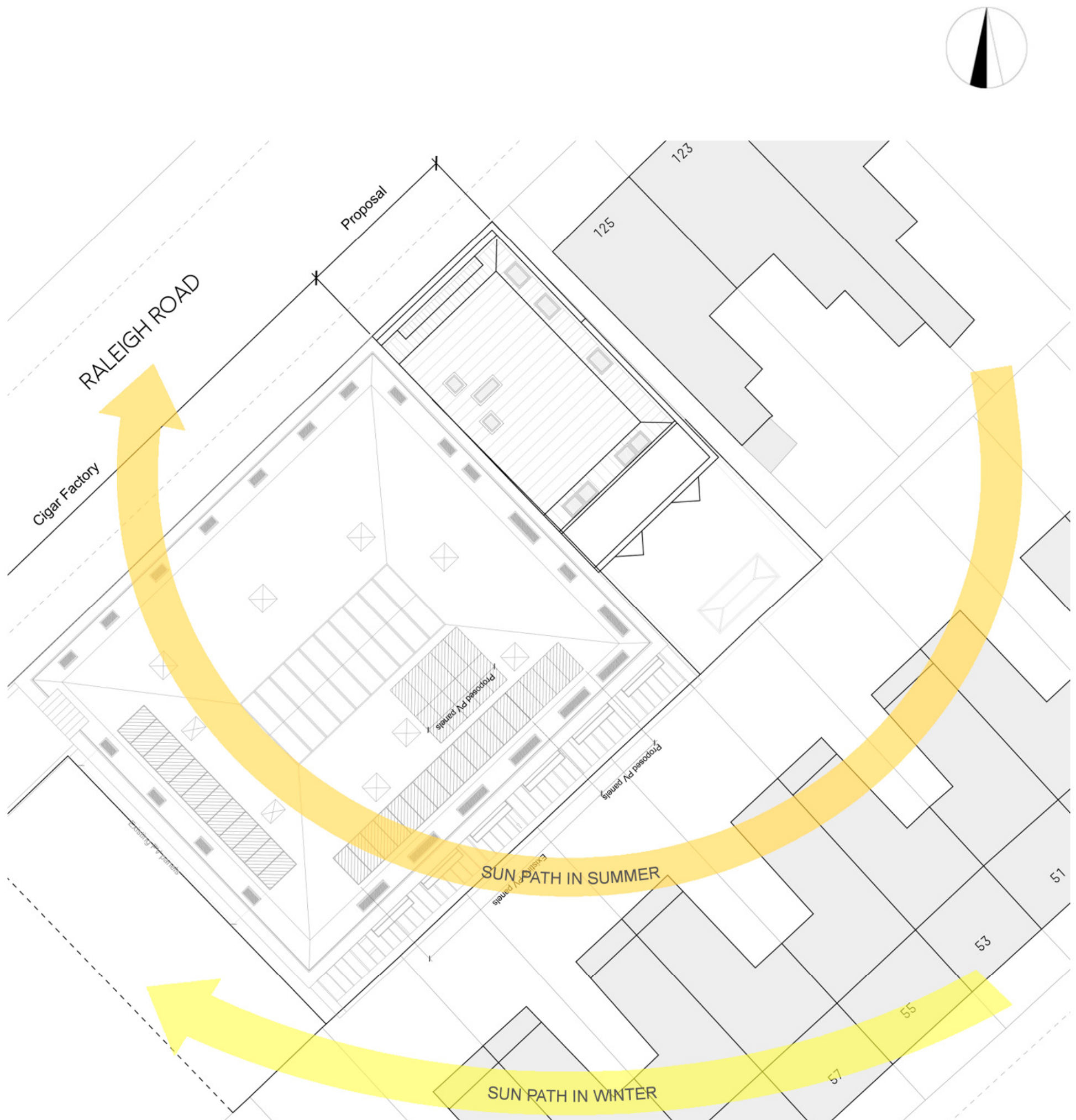
Revisions

E	Cladding	07.12.18
D	Fenestration & juliets	06.12.18
C	Parapet & roof amended	27.11.18
B	General amendments	24.09.18
A	Building volume reduced, fenestration amended	14.09.18



Methodology

A scaled 3d model of the site plus the neighbouring dwellings was inserted into accurate light visualisation software. Ground and building levels have been set according to an accurate topographical survey. The buildings have been correctly orientated and the software has been calibrated to display the correct sun azimuth for Raleigh Rd, Southville, Bristol at selected times of year. For each date, four times of day have been included – 9:00, 12:00, 15:00 and 18:00. The following visualisations have been extracted from the software to display the predicted overshadowing for both the existing site and the proposed new development. The light simulation accounts for daylight saving time. Each date sheet also indicates the corresponding times of sunrise and sunset.

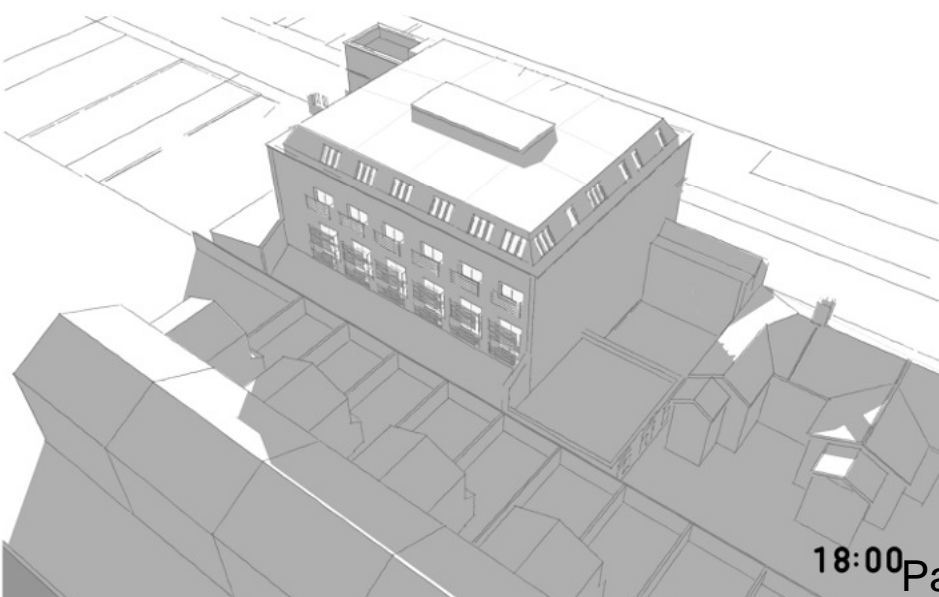
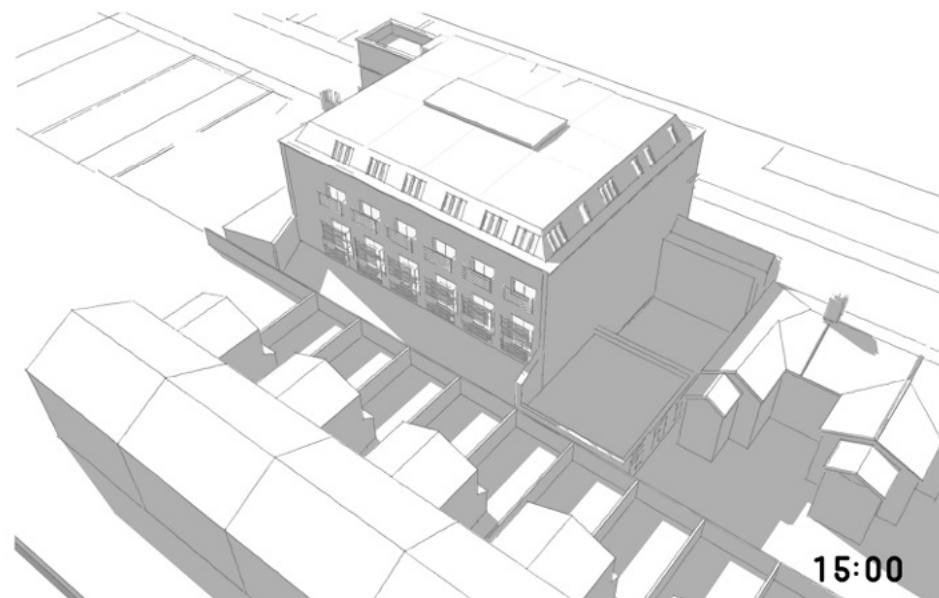
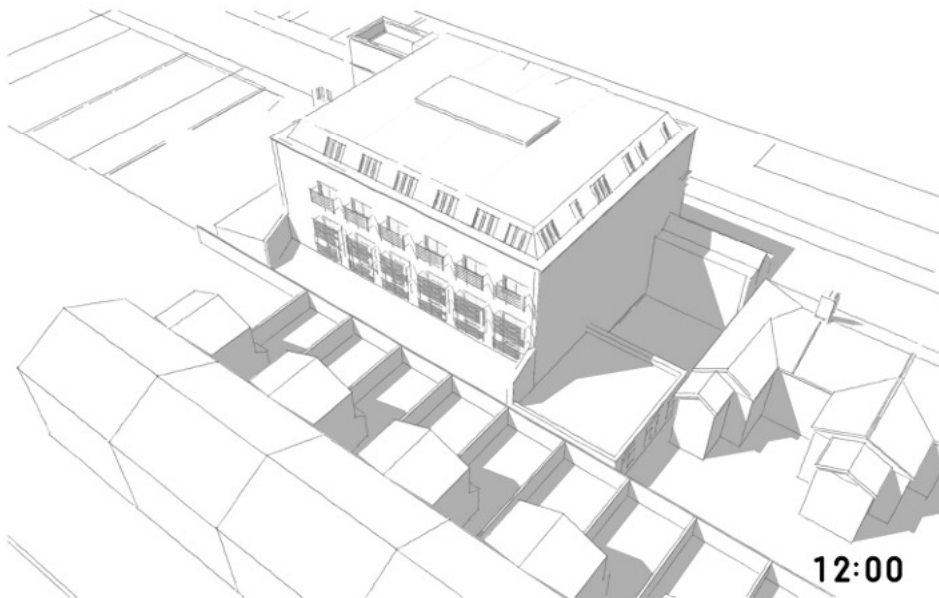
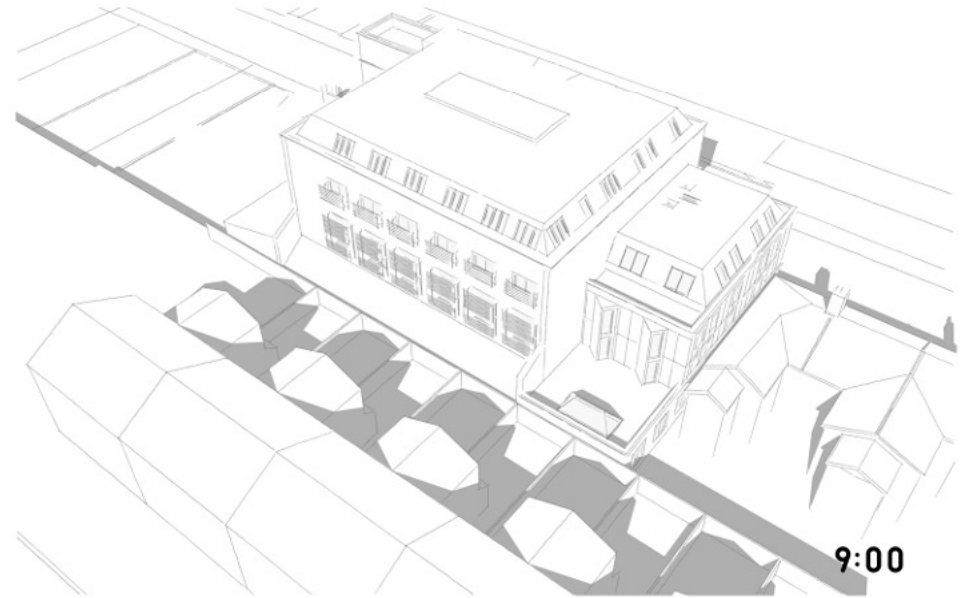
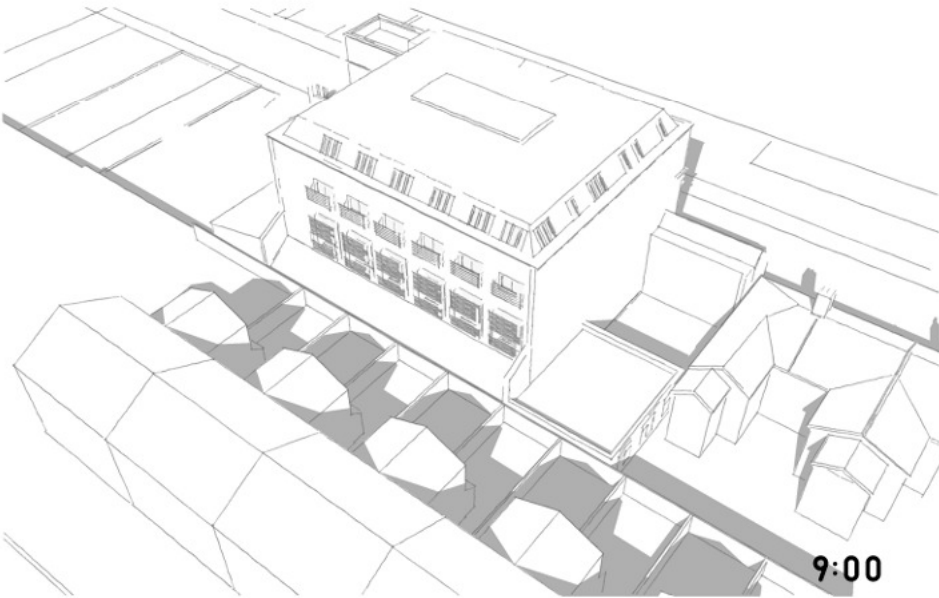




21ST MARCH GMT - SUNRISE 6:12 - SUNSET 18:25

EXISTING

PROPOSED

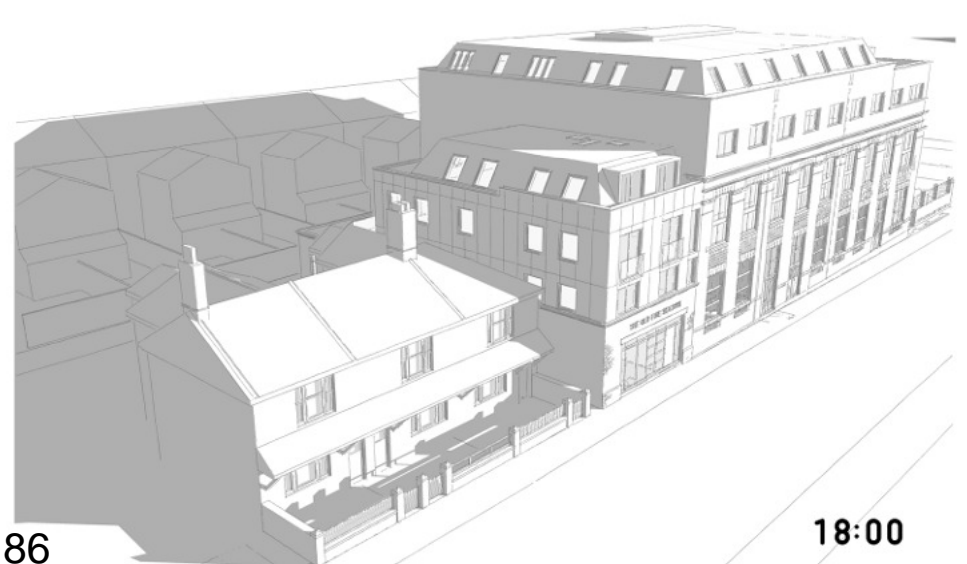
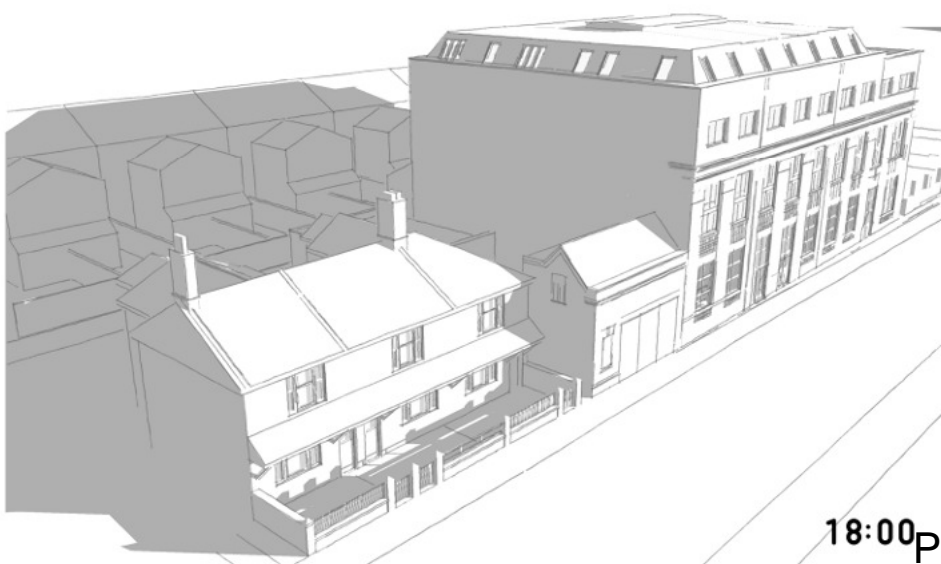
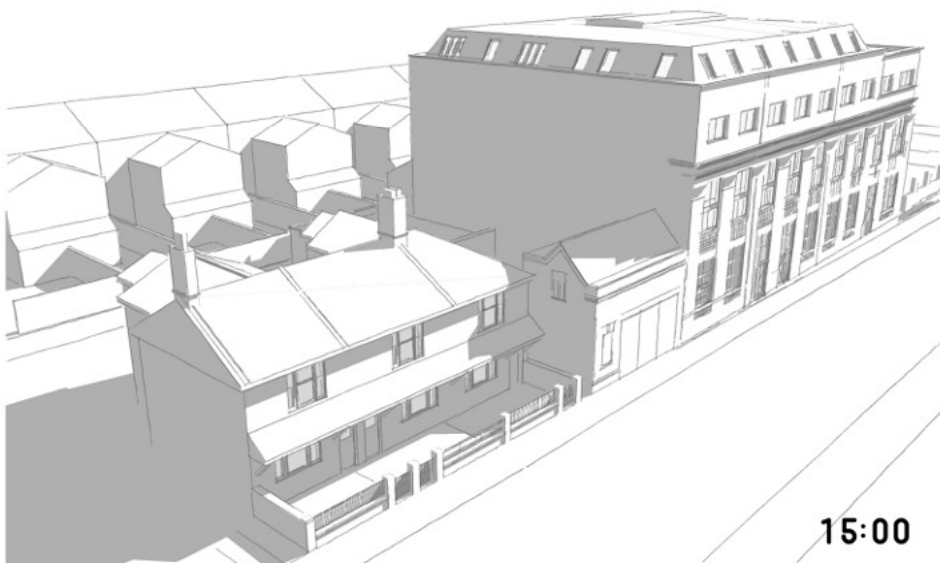
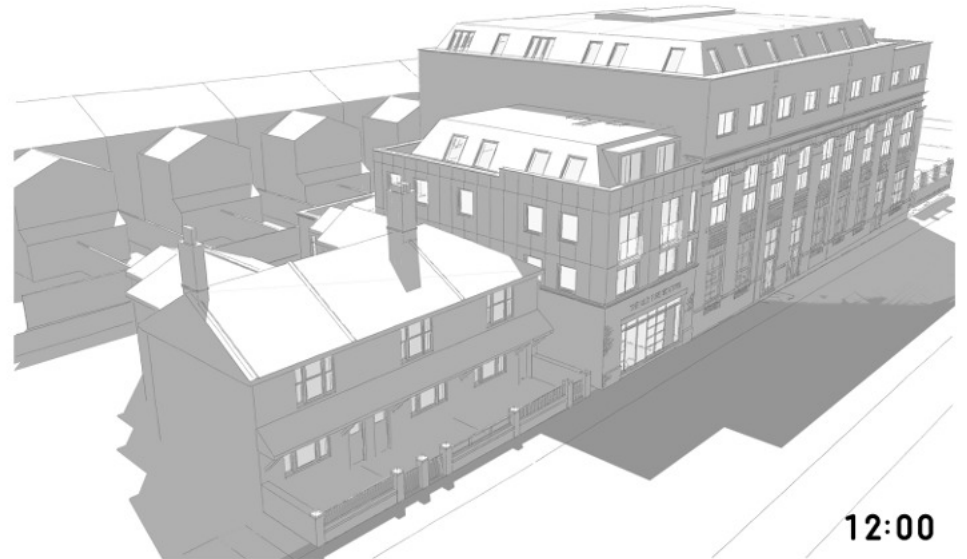
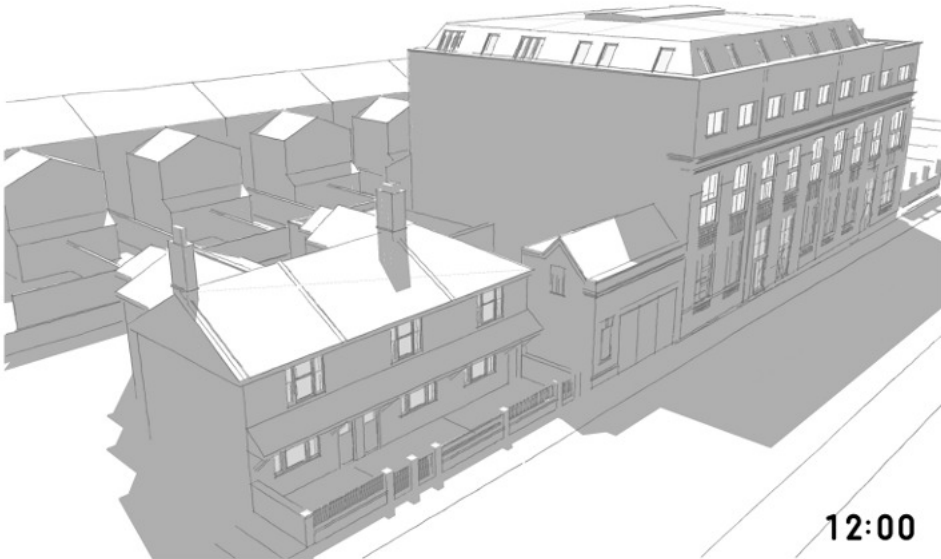
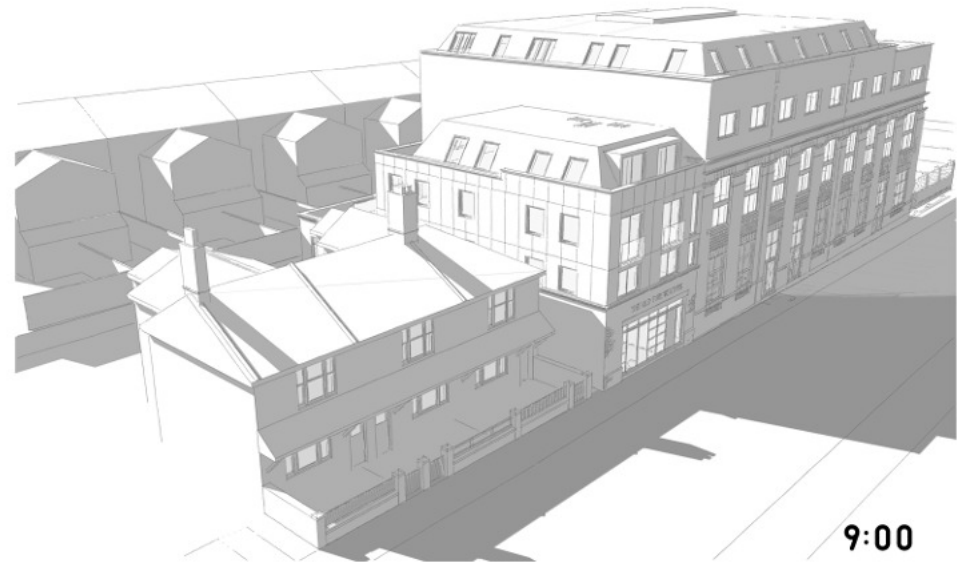
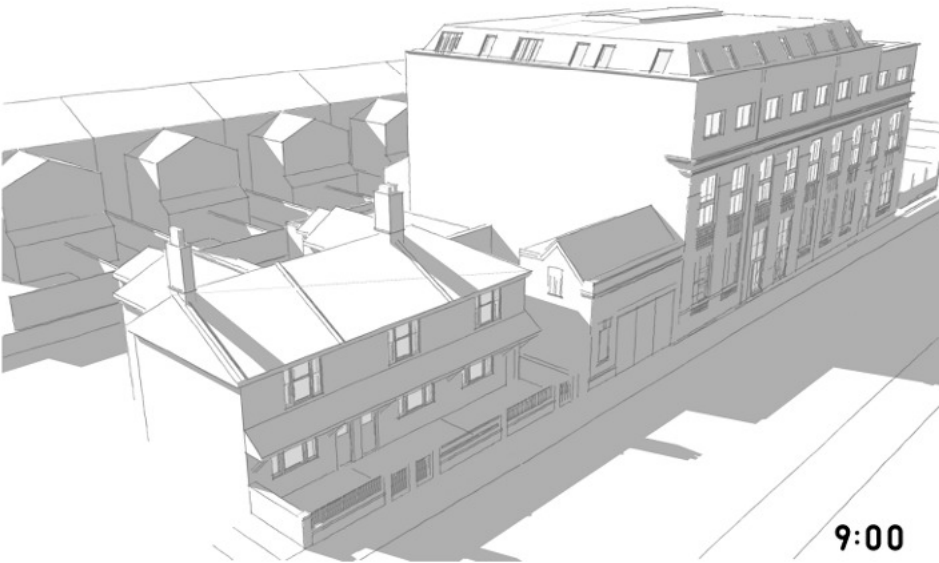




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EXISTING

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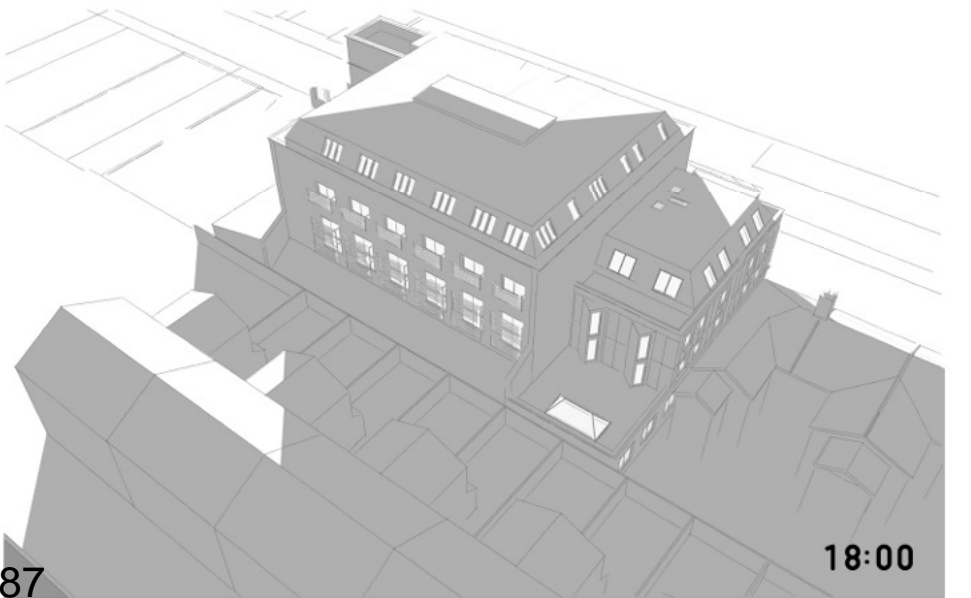
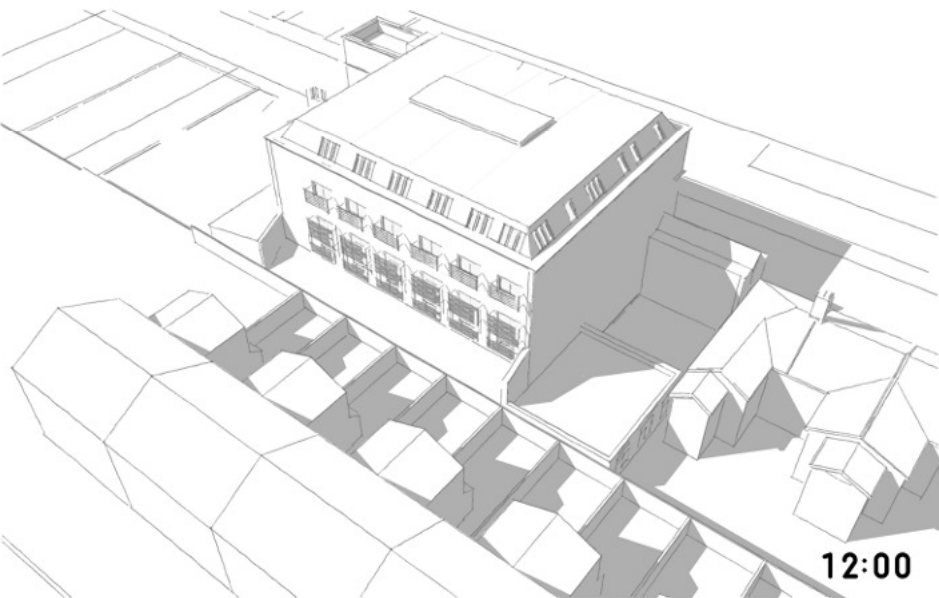
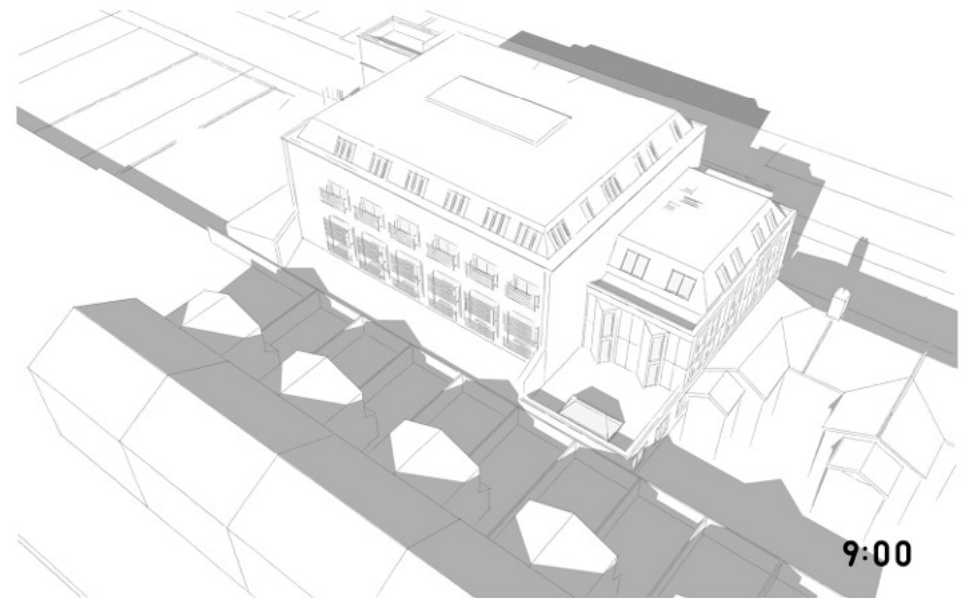
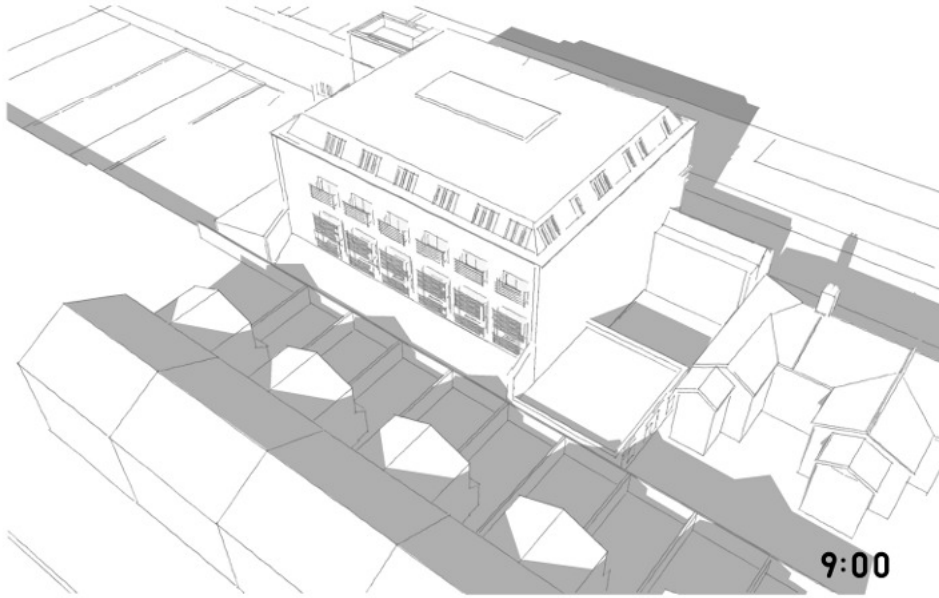




21ST SEPTEMBER BST(+1HR) - SUNRISE 6:55 - SUNSET 19:11

EXISTING

PROPOSED

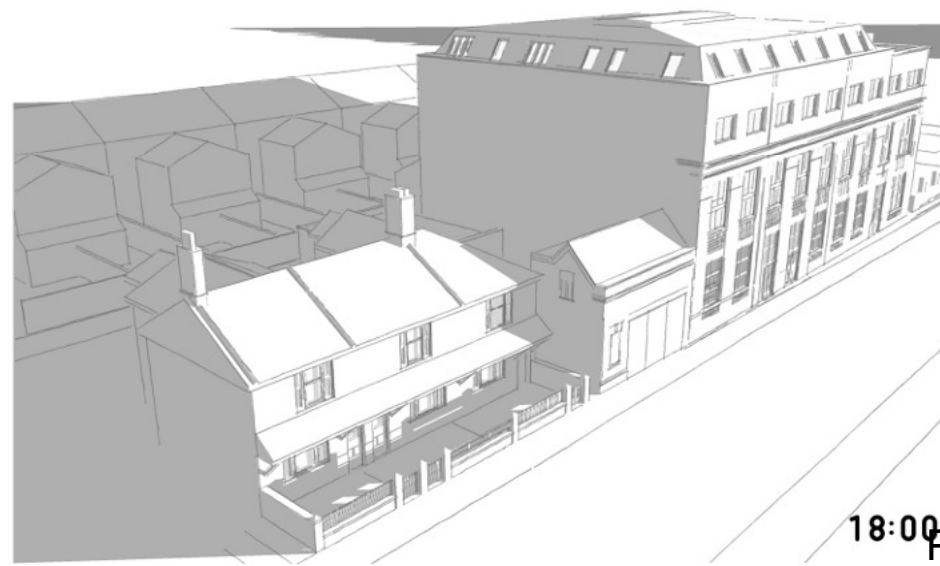
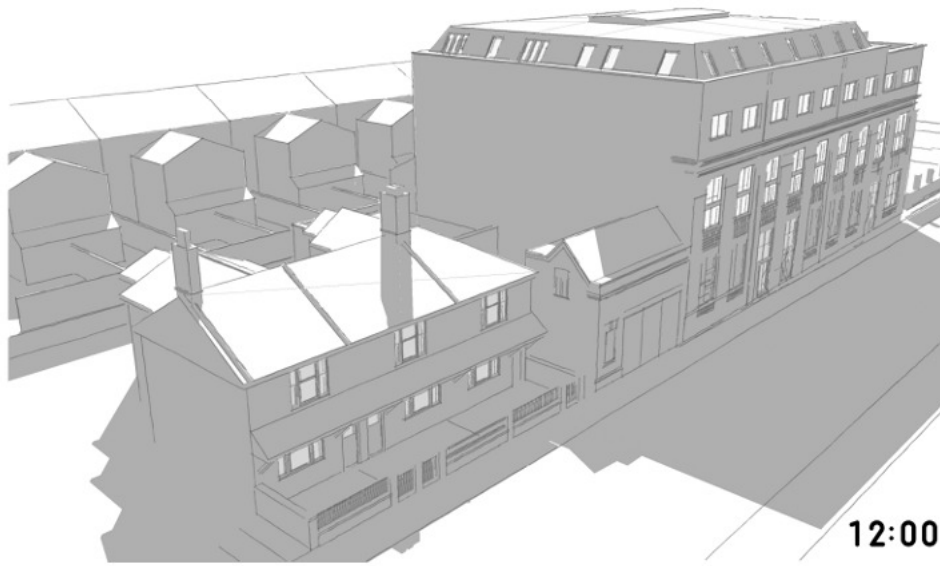
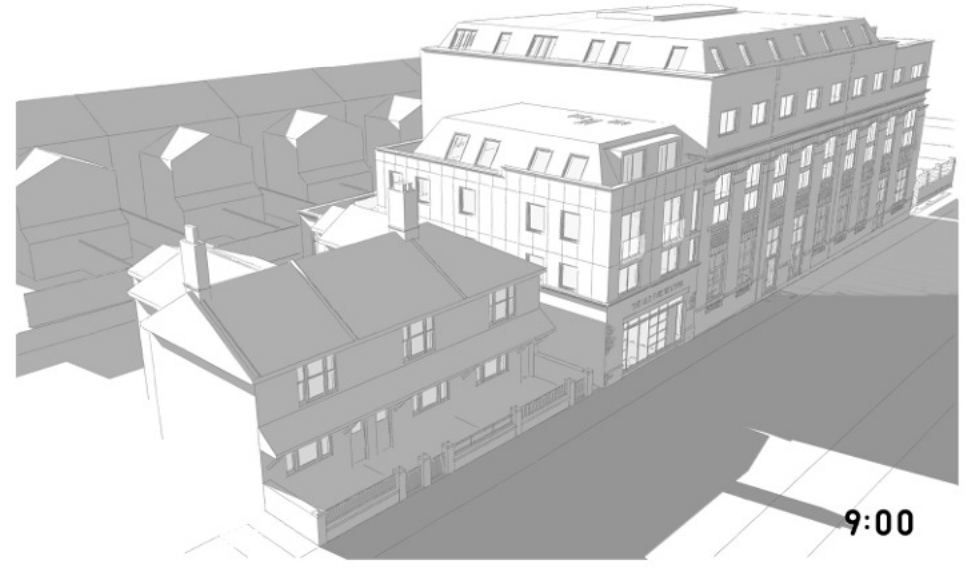
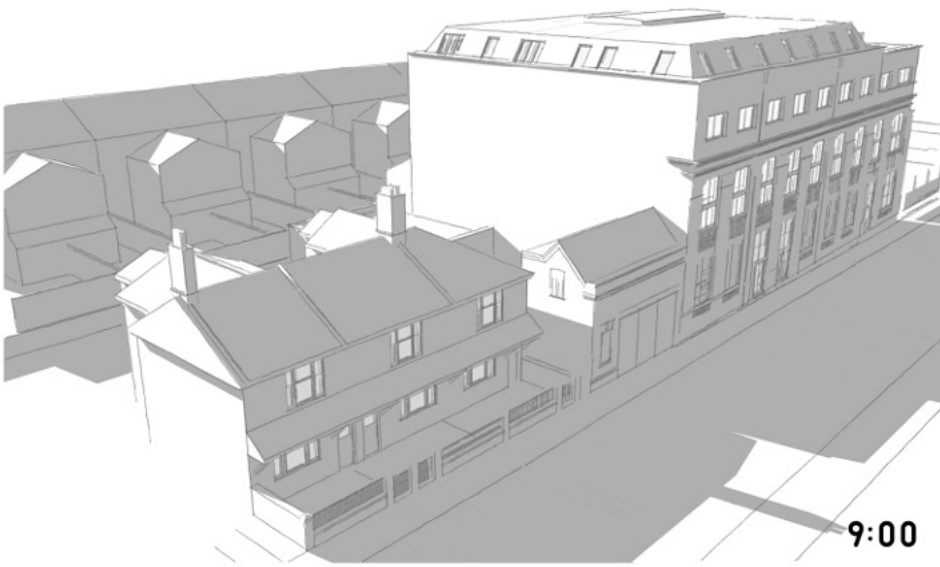




21ST SEPTEMBER BST (+1HR) - SUNRISE 6:55 - SUNSET 19:11

EXISTING

PROPOSED



Development Control Committee A – 27 February 2019

ITEM NO. 4

WARD: Bishopston & Ashley Down
CONTACT OFFICER: Tessa Connolly
SITE ADDRESS: 18C Merton Road Bristol BS7 8TL

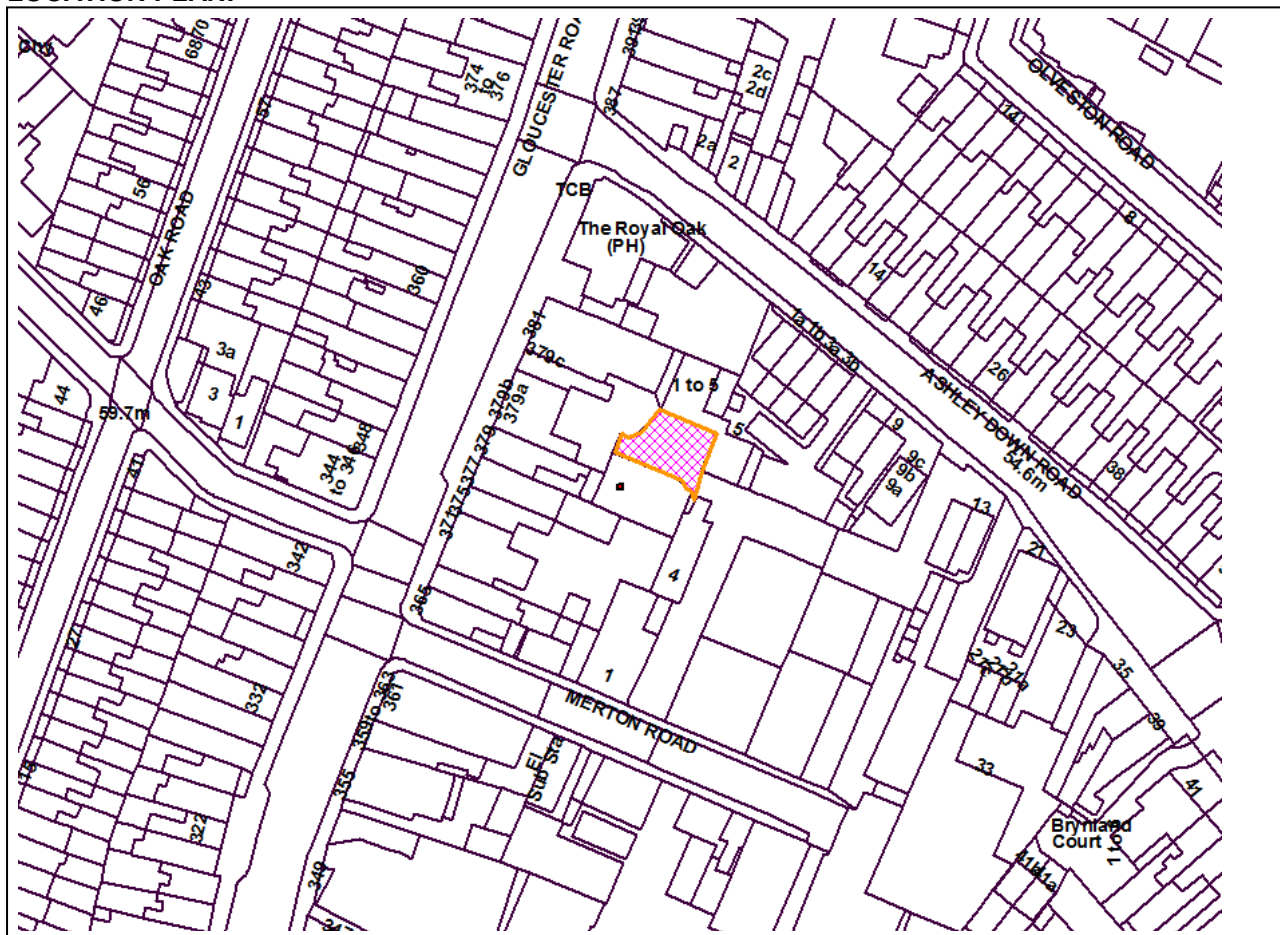
APPLICATION NO: 18/04795/F Full Planning
DETERMINATION DEADLINE: 22 November 2018
Construction of 1no. store and 2no. single storey B1/B8 business units.

RECOMMENDATION: Grant subject to Condition(s)

AGENT: Alexander & Thomas Architects
 8 Willway Street
 Bristol
 BS3 4BG
APPLICANT: Mr R Blessitt
 Pool House
 Dryers Lane
 Iron Acton
 BS37 9XU

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

LOCATION PLAN:



Development Control Committee A – 27 February 2019
Application No. 18/04795/F : 18C Merton Road Bristol BS7 8TL

BACKGROUND

This application is being brought to committee following the referral from Councillor Eleanor Combley. The application was submitted following a planning enforcement investigation and after assessment as explained below the officer recommendation is that conditional retrospective planning permission is granted

SITE DESCRIPTION

This site is within the Merton Road industrial estate in Horfield. This is a long established area of small business units which are of varying size and appearance situated on land behind Gloucester Road, Ashley Down Road and Brynland Avenue.

RELEVANT HISTORY

18/30213/EXT - A planning enforcement complaint was received in June 2018 concerning a store room which was built. As the building was within 5 metres of the boundary with residential properties, the owner was advised that planning permission was required.

APPLICATION

This is a part retrospective application to retain the small single store room which was constructed in June 2018 and also includes proposal to erect of two single storey units to form one building for B1 or B8 use. The total floor area is 86.8 square metres.

RESPONSE TO PUBLICITY AND CONSULTATION

10 objections have been received:

No demonstration of how proposals seek to mitigate against the impact of noise, vibrations, smell, fumes, dust or smoke

No storage of waste proposed

No reduction in CO2 emission proposed

No sustainability measures proposed

Loss of light to hall windows of adjoining flats

Fire and rescue service unable to access as private driveway and no turning

OTHER COMMENTS

Bishopston Society - We object to this application on the basis that it is too close to residential property and will impact on residential amenity, especially extreme loss of natural daylight to flats on the ground and first floor of 5 Ashley Down Road. The proposed industrial business units are only 35 cm from the rear wall and windows of the flats. We are also concerned about the potential noise and pollution from the business units and the impact on emergency escape and access for ongoing building maintenance.

This objection follows our earlier objection to the storage facility built alongside without planning permission or building regulation approval. We strongly recommend refusal.

Development Control Committee A – 27 February 2019
Application No. 18/04795/F : 18C Merton Road Bristol BS7 8TL

Pollution Control

A minimum amount of information has been submitted with the application as to the use of these premises the application form and design and access statement state that they are business and industrial units respectively. No hours of opening have been given for the premises either and therefore I can only conclude that the buildings could potentially be used for a multitude of different uses at any time of the day or night. Whilst a number commercial uses could be carried out at the premises without causing harm to nearby residents there is considerable for any uses involving the use of machinery, ventilation or refrigeration equipment and deliveries or collections at unsociable times to cause disturbance to local residents.

Without further information as to the uses of the premises, I would have to object to this application. I would however recommend planning conditions if the planning committee is minded to grant the application to include sound insulation, details of extraction/ventilation, noise from plant and equipment rating level, refuse and recycling collection, deliveries, hours of operation.

RELEVANT POLICIES

National Planning Policy Framework – July 2018

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

IS THE PRINCIPLE OF DEVELOPMENT ACCEPTABLE?

The application site is within the Merton Road industrial estate and is therefore acceptable in principle. The proposal is for B1/B8 industrial use and the uses which fall within this business use should be able to operate within a residential area. The industrial estate has been in lawful use for many years and operates without any planning conditions by virtue of the length of time it has been operational. In the case of this application given the objections from residents, the owner is prepared to accept planning conditions to control matters such as hours of operation.

WOULD THE PROPOSAL UNACCEPTABLY AFFECT THE RESIDENTIAL AMENITY OF THE AREA?

The proposed business units are proposed very close to the boundary with newly erected flats at 5 Ashley Down Road. The two storey block of flats was granted planning permission in 2015 and the footprint is right on the boundary with the industrial estate. There are two windows on the rear elevation of the flats which is right on the boundary to the site. They serve the hallway of each of the ground and first floor flats. These windows are fitted with obscure glass and are fixed shut. As these are not principal windows and do not serve habitable rooms they cannot be protected from other development proposals. There are no planning policies which prevent buildings being constructed close to or on a property boundary. The Party Wall Act 1996 deals with this issue of building on or close to property boundaries and notices should be served on the adjoining owners however this is outside the remit of planning.

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Following consultation with Pollution Control concern was raised over the lack of information as to the intended occupiers. However in planning terms, as long as the proposed occupiers operate a business which falls under the B1 or B8 Use Class then no further consent is required. The applicant is willing to accept planning conditions to control matters such as sound insulation, details of extraction/ventilation, noise from plant and equipment rating level, refuse and recycling collection, deliveries, hours of operation.

WOULD THE PROPOSED DEVELOPMENT SATISFACTORILY ADDRESS TRANSPORT AND MOVEMENT ISSUES?

The industrial estate is characterised by a warren of narrow access routes so it is considered that there will be a negligible change to the movements of vehicles through the site. There is no parking provision for the units. As this is a long established situation it is considered that emergency access to this part of the site is unchanged.

ARE THERE ANY SUSTAINABILITY CLIMATE CHANGE MEASURES PROPOSED?

In the submitted sustainability statement, the agent states that the buildings are classified as non-exempt buildings with low energy demand. The basic industrial accommodation will have no fixed heating/cooling proposed and as there will be very low energy use. The energy efficiencies can be saved on lighting.

Policy BCS13 of the Core Strategy states that sustainability statements should be "proportionate to the scale of development proposed". The statement therefore complies with policy.

CONCLUSION

The application is recommended for approval subject to the proposed planning conditions.

COMMUNITY INFRASTRUCTURE LEVY

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

Development of less than 100 square metres of new build that does not result in the creation of a new dwelling; development of buildings that people do not normally go into, and conversions of buildings in lawful use, are exempt from CIL. This application falls into one of these categories and therefore no CIL is payable.

RECOMMENDED GRANT subject to condition(s)

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.

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Application No. 18/04795/F : 18C Merton Road Bristol BS7 8TL

Pre occupation condition(s)

2. Sound Insulation

No Further development shall take place until a scheme of noise insulation measures for the proposed building has been submitted to and approved in writing by the Council.

The scheme of noise insulation measures shall be prepared by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS 8233: 2014 " Guidance on sound insulation and noise reduction for buildings" and should show that noise from any plant or equipment installed at the premises or activities carried out within the premises will not be disturbing to neighbouring residents.

Reason: In the interests of amenity

3. Details of Plant and Equipment

No plant or equipment shall be installed until details including method of construction, noise levels, its appearance and finish have been submitted to and been approved in writing by the Local Planning Authority. The approved scheme shall be installed before the installation of any such equipment and thereafter shall be permanently retained.

Reason: In the interests of amenity

Post occupation management

4. Use of Refuse and Recycling facilities

Activities relating to the collection of refuse and recyclables and the tipping of empty bottles into external receptacles shall only take place between 08.00 and 18.00 Monday to Friday only.

Reason: In the interests of amenity

5. Deliveries

Activities relating to deliveries shall only take place between 08.00 and 18.00 Monday to Friday only

Reason: In the interests of amenity

6. Hours of operation

The units hereby approved shall on be used between 08.00 to 18.00 Monday to Saturday and not at all on Sundays or Bank Holidays.

Reason: In the interests of amenity

Development Control Committee A – 27 February 2019
Application No. 18/04795/F : 18C Merton Road Bristol BS7 8TL

List of approved plans

7. List of approved plans and drawings

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

639-10 Location Plan, received 27 September 2018
639-11 Site Plan, received 27 September 2018
639-12 Plans and elevations, received 27 September 2018
639-13 Units 18E and 18F, received 27 September 2018

Reason: For the avoidance of doubt.

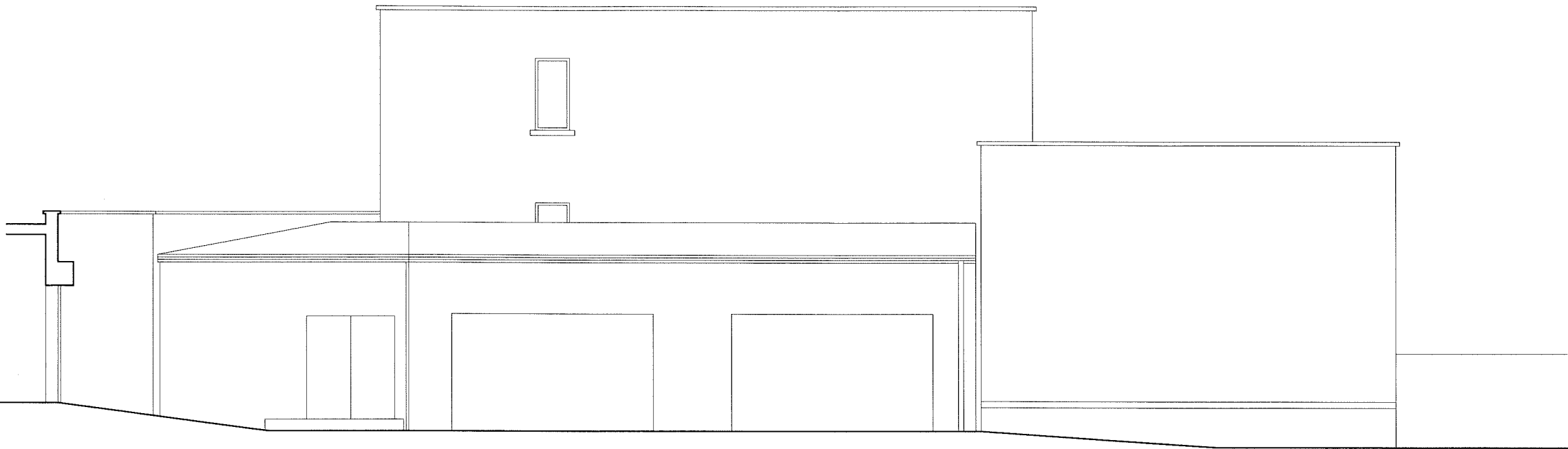
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Supporting Documents

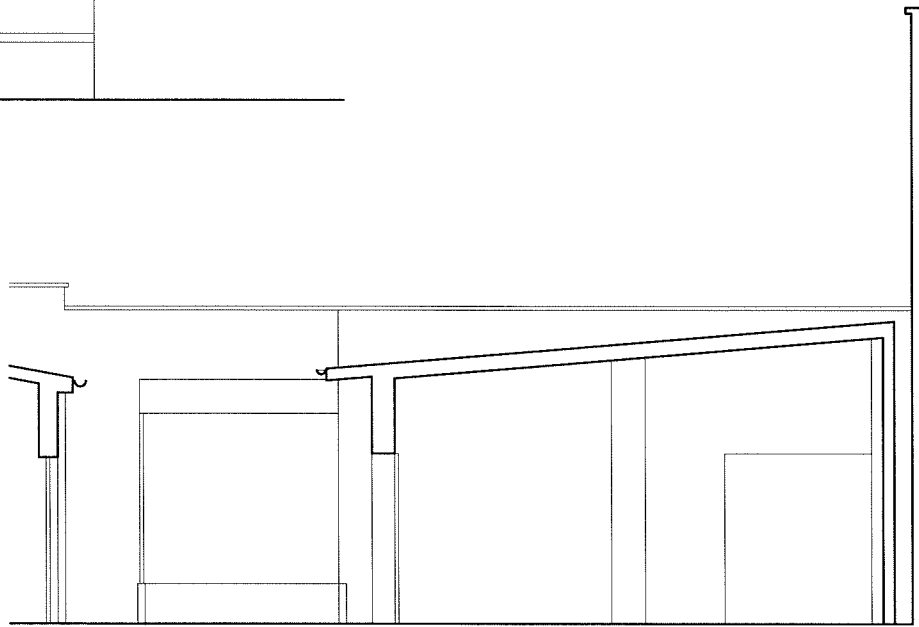
- 4. 18C Merton Road, Bristol, BS7 8TL**
 1. 1899930 - Plan – Units 18E & 18F

AREAS OF UNITS (GROSS INTERNAL)

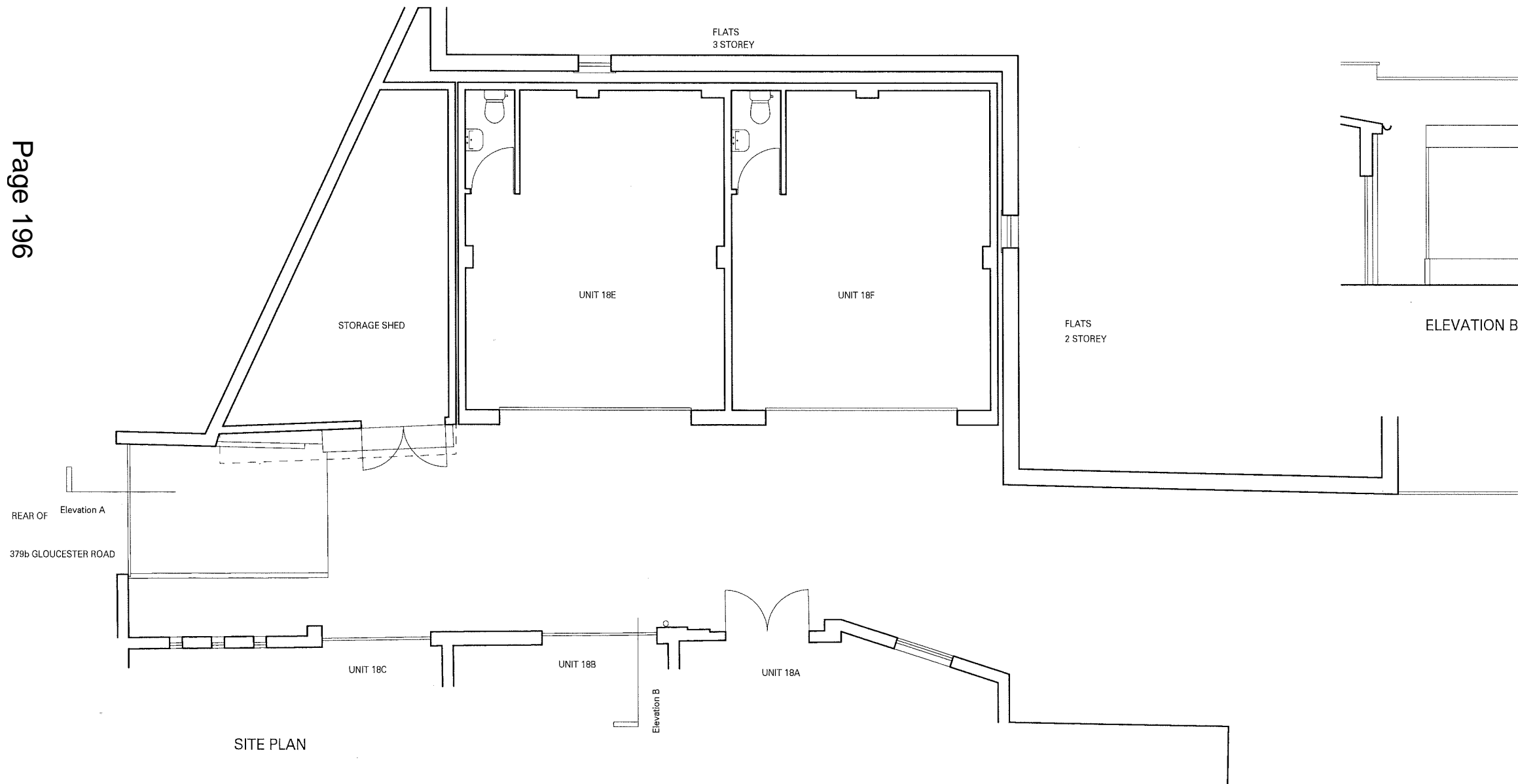
STORE	19.7 m ²
UNIT 18E	33.5m ²
UNIT 18F	33.6m ²
TOTAL NEW BUILDING	86.8 m ²
TOTAL ADDITIONAL AREA	86.8 m ²



ELEVATION A - TO SOUTH



ELEVATION B - TO EAST (Section through proposed building)



SITE PLAN



SCALE AT 1:100 A3 SIZE
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Development Control Committee A – 27 February 2019

ITEM NO. 5

WARD: Bishopston & Ashley Down
CONTACT OFFICER: Tessa Connolly
SITE ADDRESS: Unit 3D And 3G Merton Road Bristol BS7 8TL

APPLICATION NO: 18/04705/F Full Planning

DETERMINATION DEADLINE: 5 December 2018

Demolition of existing business unit and construction of new larger building consisting of three B1/B8 units.

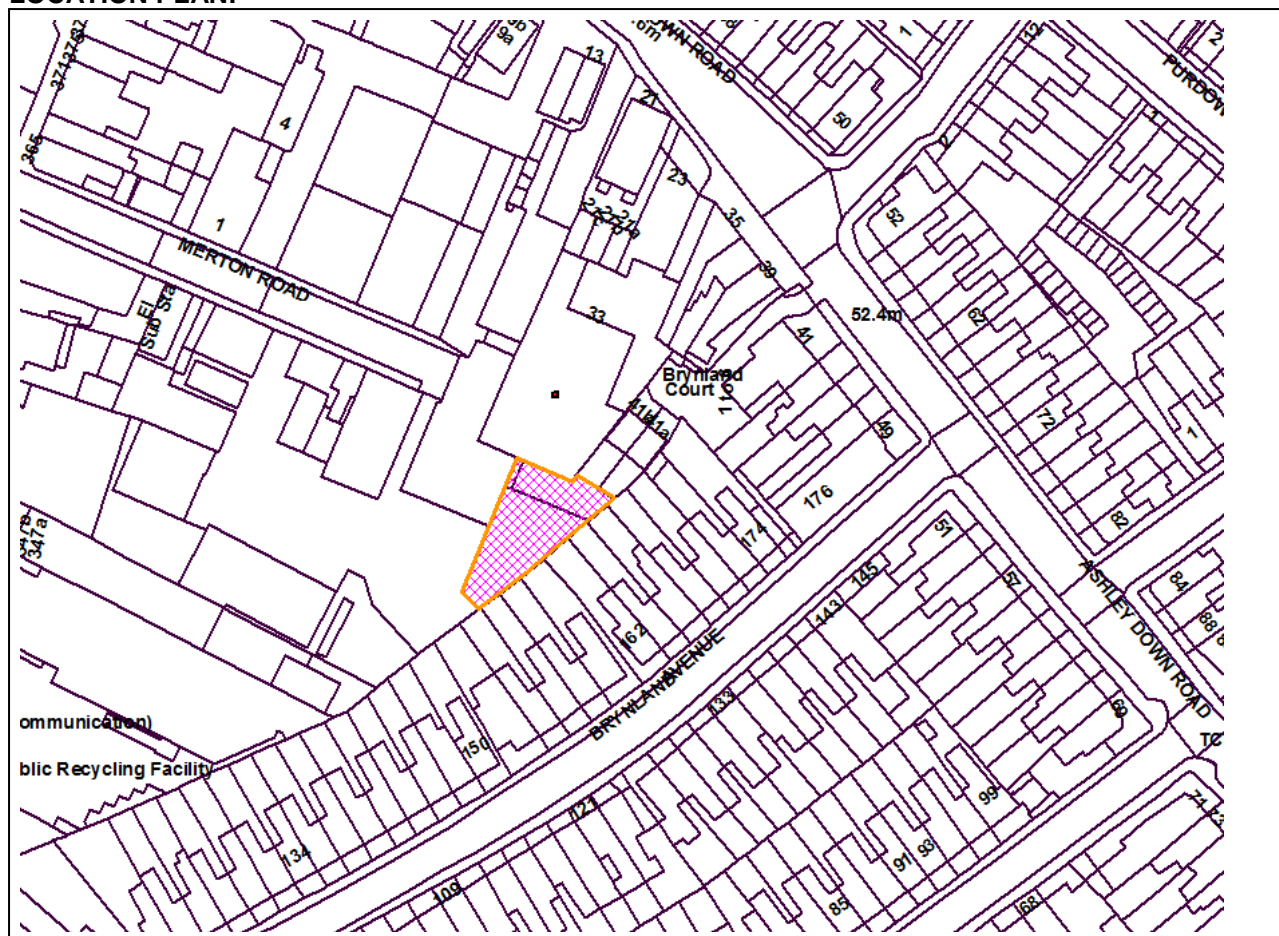
RECOMMENDATION: Grant subject to Condition(s)

AGENT: Mr Hugh Alexander
 8 Willway Street
 Bristol
 BS3 4BG

APPLICANT: Mr R Blessitt
 Pool House
 Dryers Lane
 Iron Acton
 BS37 9XU

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

LOCATION PLAN:



Development Control Committee A – 27 February 2019
Application No. 18/04705/F : Unit 3D And 3G Merton Road Bristol BS7 8TL

BACKGROUND

This application is being brought to committee following the referral from Councillor Tom Brook. The application was submitted following a planning enforcement investigation and after assessment as explained below the officer recommendation is that conditional retrospective planning permission is granted

SITE DESCRIPTION

This site is within the Merton Road industrial estate in Horfield. This is a long established area of small business units which are of varying size and appearance situated on land behind Gloucester Road, Ashley Down Road and Brynland Avenue.

RELEVANT HISTORY

18/30221/MINOR- A planning enforcement complaint was received in June 2018 concerning the demolition of a derelict industrial building on the site and construction of a larger single storey building. As the building was within 5 metres of the boundary with residential properties, the owner was advised that planning permission was required.

APPLICATION

This is a retrospective application to retain the single storey building which was constructed in the summer of 2018. It comprises one building and is subdivided internally to three units. The total floor area is 191 square metres.

RESPONSE TO PUBLICITY AND CONSULTATION

14 objections have been received:
Gardens overlooked by an overbearing building
Roller door will be noisy and always be open
No waste disposal shown
No mention of how noise will be abated
Disingenuous concerning sustainability

OTHER COMMENTS

Pollution Control - A minimum amount of information has been submitted with the application as to the use of these premises the application form and design and access statement state that they are business and industrial units respectively. No hours of opening have been given for the premises either and therefore I can only conclude that the buildings could potentially be used for a multitude of different uses at any time of the day or night. Whilst a number commercial uses could be carried out at the premises without causing harm to nearby residents there is considerable chance for any uses involving the use of machinery, ventilation or refrigeration equipment and deliveries or collections at unsociable times to cause disturbance to local residents.

Without further information as to the uses of the premises, I would have to object to this application. I would however recommend planning conditions if the planning committee is minded to grant the application to include sound insulation, details of extraction/ventilation, noise from plant and equipment rating level, refuse and recycling collection, deliveries, hours of operation.

Development Control Committee A – 27 February 2019
Application No. 18/04705/F : Unit 3D And 3G Merton Road Bristol BS7 8TL

RELEVANT POLICIES

National Planning Policy Framework – July 2018

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

IS THE PRINCIPLE OF DEVELOPMENT ACCEPTABLE?

The application site is within the Merton Road industrial estate and is therefore acceptable in principle. The proposal is for B1/B8 industrial use and the uses which fall within this business use should be able to operate within a residential area. The industrial estate has been in lawful use for many years and operates without any planning conditions by virtue of the length of time it has been operational. In the case of this application given the objections from residents, the owner is prepared to accept planning conditions to control matters such as hours of operation.

WOULD THE PROPOSAL UNACCEPTABLY AFFECT THE RESIDENTIAL AMENITY OF THE AREA?

The single storey industrial units are 2.7m away from the boundary of the industrial estate with gardens of residential properties on Brynland Avenue. There are two high level windows on the rear elevation of the smallest unit which faces the boundary to the site. These windows are high level so there is no overlooking of the adjoining gardens. The height of the new building is 1.25m higher than the building which previously occupied this part of the site. It is considered that due to its height and distance from the residential properties, there is no overbearing impact. Following consultation with Pollution Control concern were raised over the lack of information as to the intended occupiers. However in planning terms, as long as the proposed occupiers operate a business which falls under the B1 or B8 Use Class then no further consent is required. The applicant is willing to accept planning conditions to control matters such as sound insulation, details of extraction/ventilation, noise from plant and equipment rating level, refuse and recycling collection, deliveries, hours of operation.

WOULD THE PROPOSED DEVELOPMENT SATISFACTORILY ADDRESS TRANSPORT AND MOVEMENT ISSUES?

The application indicates 4 parking spaces for the users of the industrial estate. There is adequate turning area for users of these spaces and no objection. The site is in a highly sustainable location and is well served by public transport.

ARE THERE ANY SUSTAINABILITY CLIMATE CHANGE MEASURES PROPOSED?

In the submitted sustainability statement, the agent states that the buildings are classified as non-exempt buildings with low energy demand. The basic industrial accommodation has no fixed heating/cooling proposed and as there will be very low energy use. The energy efficiencies can be saved on lighting. There is natural daylight from the high level windows.

Policy BCS13 of the Core Strategy states that sustainability statements should be "proportionate to the scale of development proposed". The development therefore complies with policy.

Development Control Committee A – 27 February 2019
Application No. 18/04705/F : Unit 3D And 3G Merton Road Bristol BS7 8TL

CONCLUSION

The application is recommended for approval subject to the proposed planning conditions.

COMMUNITY INFRASTRUCTURE LEVY

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

RECOMMENDED GRANT subject to condition(s)

Post occupation management

1. Details of Plant and Equipment

No equipment or plant shall be installed until details including method of construction, noise levels, its appearance and finish have been submitted to and been approved in writing by the Local Planning Authority. The approved scheme shall be installed before the installation of any such equipment and thereafter shall be permanently retained

Reason: To protect amenity.

2. Noise from plant & equipment affecting residential

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

Reason: To protect amenity.

3. Use of Refuse and Recycling facilities

Activities relating to the collection of refuse and recyclables and the tipping of empty bottles into external receptacles shall only take place between 08.00 and 18.00 Monday to Friday only.

Reason: To protect amenity.

4. Hours of operation

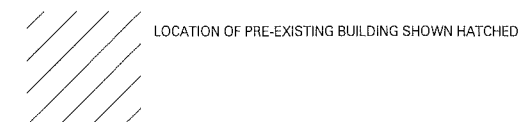
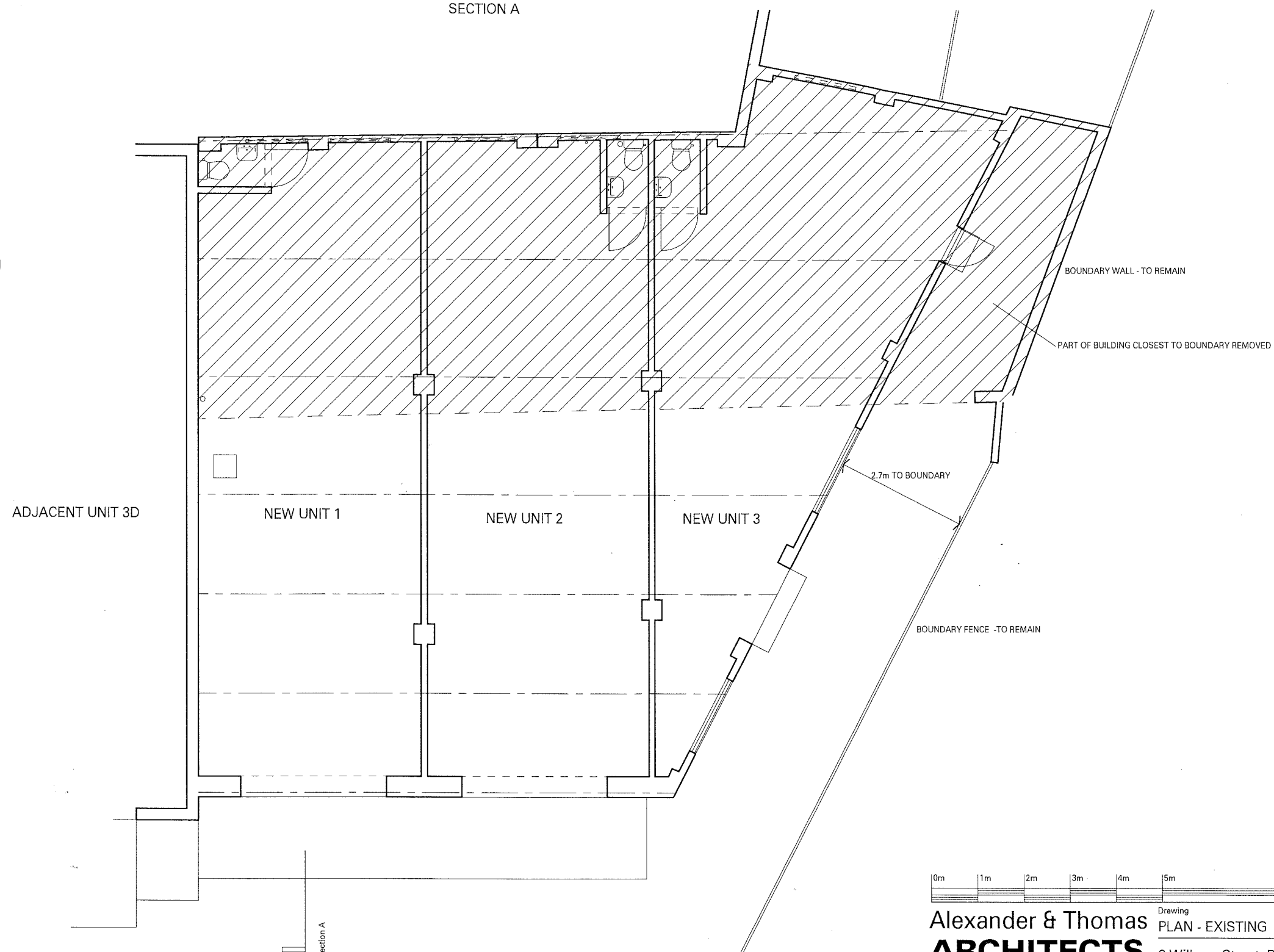
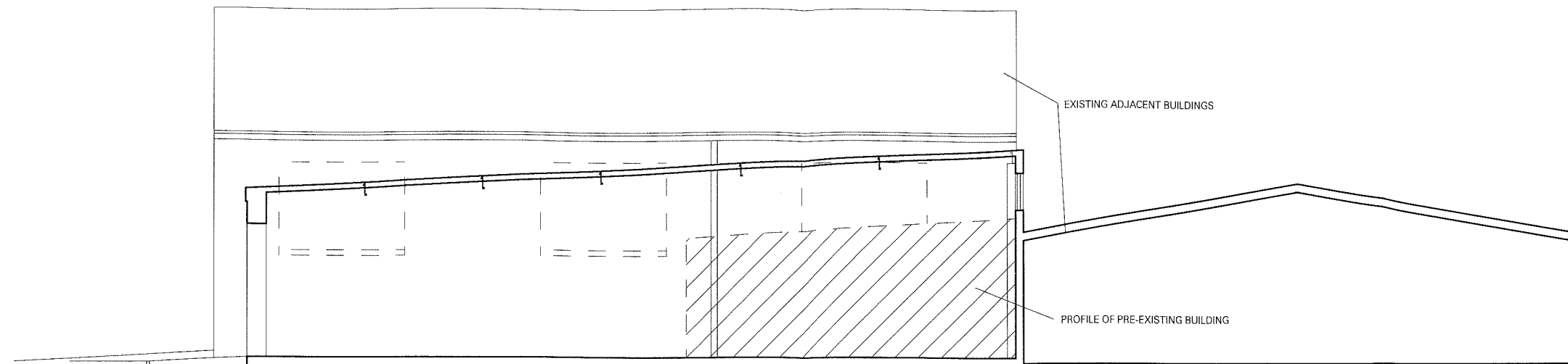
The 3 units hereby approved shall not be used other than between 08.00 to 18.00 Monday to Saturday and not at all on Sundays or Bank Holidays.

Reason: To protect amenity.

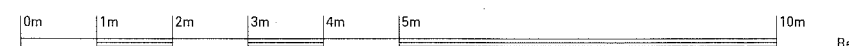
Supporting Documents

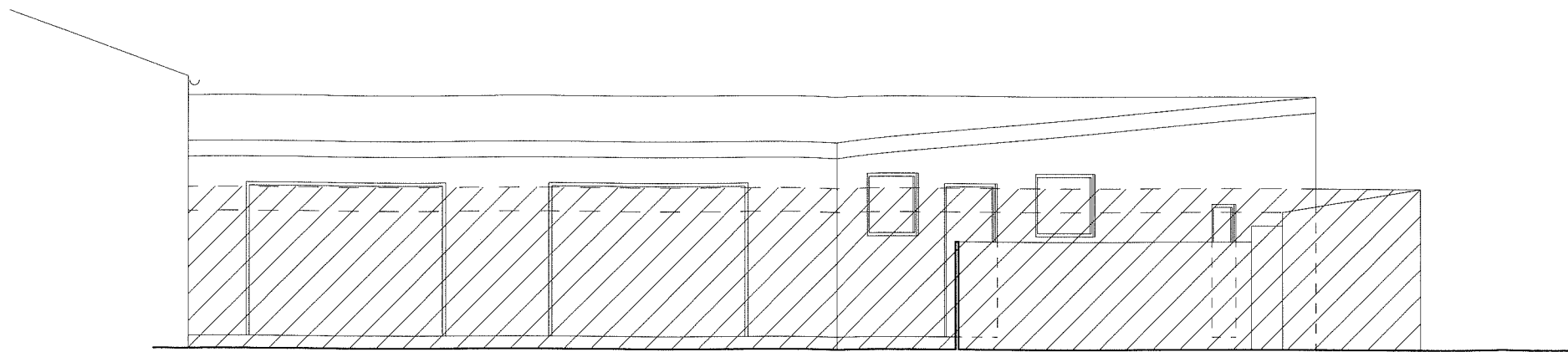
5. Unit 3D & 3G Merton Road, Bristol, BS7 8TL

1. 1897273 – Existing plan
2. 1897274 – Proposed elevations

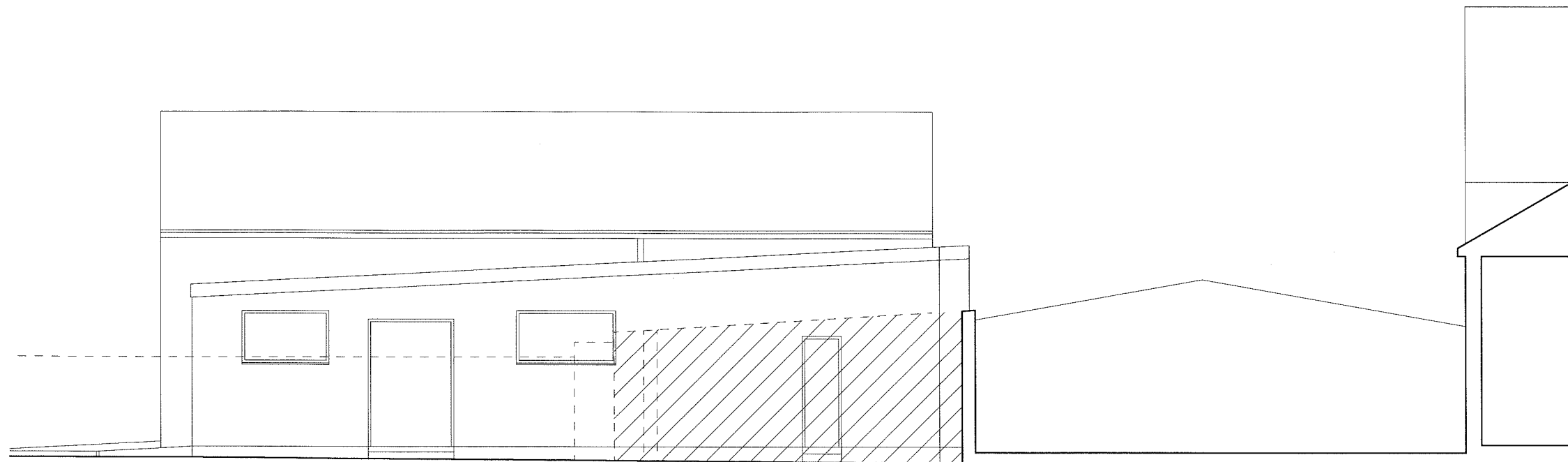


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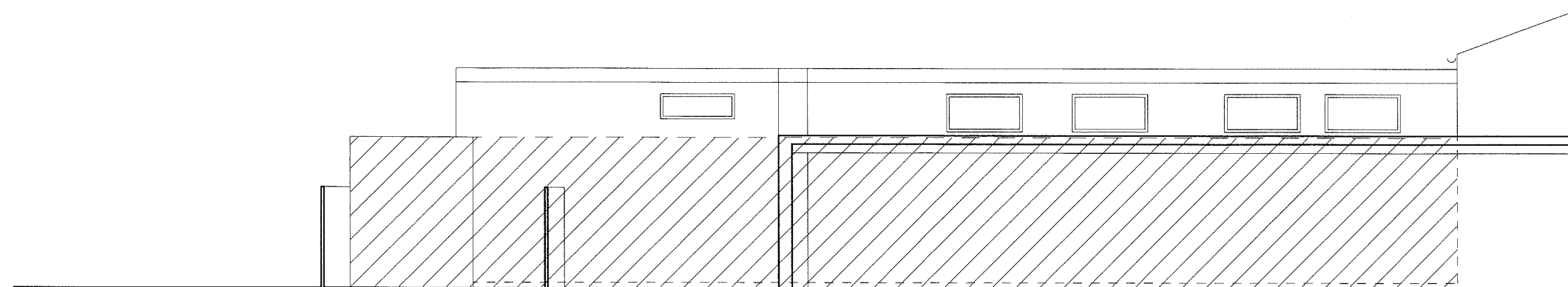




SOUTH ELEVATION

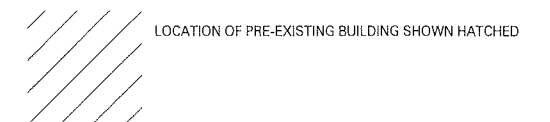
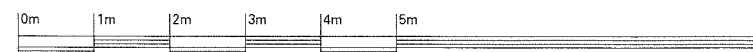


EAST ELEVATION



NORTH ELEVATION

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Development Control Committee A – 27 February 2019**ITEM NO. 6**

WARD: Bedminster**CONTACT OFFICER:** Alex Hawtin**SITE ADDRESS:** Ashton Vale Club For Young People Silbury Road Bristol BS3 2QE

APPLICATION NO: 18/04627/CAAD

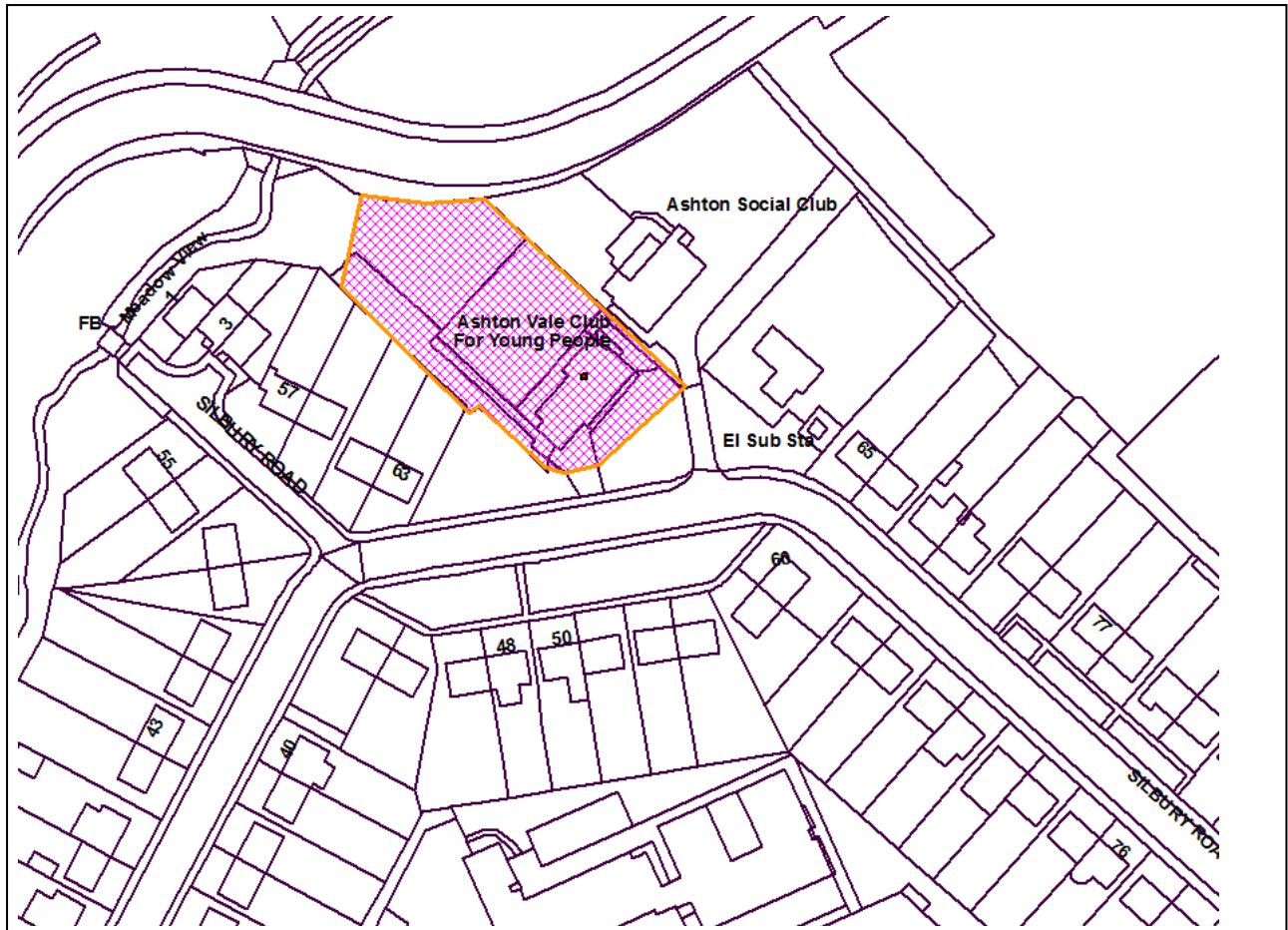
Cert of Appropriate Alternative Dev

DETERMINATION DEADLINE: 23 November 2018**Application for certificate of appropriate alternative development - residential development.**

RECOMMENDATION: Negative certificate issued

APPLICANT: Duries Chartered Surveyors
Leigh Court Business Centre
Abbots Leigh
Bristol
BS8 3RA

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

LOCATION PLAN:

Development Control Committee A – 27 February 2019

Application No. 18/04627/CAAD : Ashton Vale Club For Young People Silbury Road Bristol BS3 2QE

SITE DESCRIPTION

This application relates to the site occupied by the Ashton Vale Club for Young People, Silbury Road, Ashton Vale, in south west Bristol.

The site consists of a part two storey, part single storey building, in use as a youth club. A sports court is located within the northern part of the site. An area of curtilage green space is situated to the south of the site adjacent to Silbury Road.

The MetroBus guided busway, linking the Long Ashton Park & Ride to Winterstoke Road intersects the northern part of the site.

APPLICATION

The application seeks confirmation that residential development would be appropriate on the youth club site, via a “certificate of appropriate alternative development”.

The application tests solely whether the principle of a residential use of the site would be acceptable against adopted planning policy. There are no further details of the proposed development.

RELEVANT HISTORY

13/05921/K - Ashton Vale to Temple Meads and city centre rapid transit. (Transport and Works Act Order) – ORDER MADE.

RESPONSE TO CONSULTATION

There is no requirement to consult with neighbours under s.17 of the Land Compensation Act 1961; however one representation was received from a member of the public:

“I object to the application for certificate of appropriate alternative development. It shouldn't be allowed to be used for housing, it should be kept for community use. A youth club will be needed even more when the new houses are built.”

RELEVANT POLICIES

National Planning Policy Framework – March 2012

Bristol Local Plan, Comprising:

- Core Strategy (Adopted June 2011)
- Site Allocation and Development Management Policies (Adopted July 2014)

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

Development Control Committee A – 27 February 2019**Application No. 18/04627/CAAD : Ashton Vale Club For Young People Silbury Road Bristol BS3 2QE****KEY ISSUES****A. WOULD THE ALTERNATIVE DEVELOPMENT BE APPROPRIATE IN PRINCIPLE?**

Section 14 of the Land Compensation Act 1961 (the Act) sets out that when assessing the value of land for compulsory acquisition, account may be taken:

“(a) of planning permission, whether for development on the relevant land or other land, if it is in force at the relevant valuation date, and

(b) of the prospect, on the assumptions set out in subsection (5) but otherwise in the circumstances known to the market at the relevant valuation date, of planning permission being granted on or after that date for development, on the relevant land or other land, other than—

(i) development for which planning permission is in force at the relevant valuation date, and

(ii) appropriate alternative development.

The certificate of appropriate alternative development has been applied for to establish land value for alternative uses in accordance with s.14 (a)(ii) of the Act.

Section 17 of the Act sets out that:

“Where an interest in land is proposed to be acquired by an authority possessing compulsory purchase powers, either of the parties directly concerned may (subject to subsection (2)) apply to the local planning authority for a certificate containing whichever of the following statements is the applicable statement—

(a) that in the local planning authority's opinion there is development that, for the purposes of section 14, is appropriate alternative development in relation to the acquisition;

(b) that in the local planning authority's opinion there is no development that, for the purposes of section 14, is appropriate alternative development in relation to the acquisition.”

The Ministry of Housing, Communities & Local Government “Guidance on Compulsory purchase process and The Criche Down Rules” sets out the process for assessing Certificates of appropriate alternative development:

“The authority should seek to come to a view, based on its assessment of the information contained within the application and of the policy context applicable at the relevant valuation date, the character of the site and its surroundings, as to whether such a development would have been acceptable to the Authority. As the development included in the certificate is not intended to be built the local planning authority does not need to concern itself with whether or not the granting of a certificate would create any precedent for the determination of future planning applications.”

Policy BCS1 sets out that South Bristol will be a focus for development, including the provision of around 8,000 new homes.

Policy BCS5 sets out that the Core Strategy aims to deliver new homes within Bristol's existing built up areas. Between 2006 and 2026, 30,600 new homes will be provided in Bristol.

Policy BCS12 sets out 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.

Policy DM5 sets out that proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that:

i. The loss of the existing community use would not create, or add to, a shortfall in the provision or quality of such uses within the locality or, where the use has ceased, that there is no need or demand for any other suitable community facility that is willing or able to make use of the building(s) or land; or

Development Control Committee A – 27 February 2019**Application No. 18/04627/CAAD : Ashton Vale Club For Young People Silbury Road Bristol BS3 2QE**

- ii. The building or land is no longer suitable to accommodate the current community use and cannot be retained or sensitively adapted to accommodate other community facilities; or
- iii. The community facility can be fully retained, enhanced or reinstated as part of any redevelopment of the building or land; or
- iv. Appropriate replacement community facilities are provided in a suitable alternative location.

The existing site consists of land occupied by a youth club and an associated sports pitch. The application seeks confirmation that the land is appropriate for residential development.

Whilst the northern portion of the site has been intersected by the MetroBus route, the youth club building remains intact as a community facility and there is a sports court to the rear of the building.

Policies BCS1 and BCS5 set out a need deliver new homes within existing built areas both across South Bristol, however community facilities, such as the youth club, are protected by Policies BCS12 and DM5.

As no information has been provided to set out that there is no longer a need for the community use, nor has any information been provided to show that the loss of the youth club would not result in a shortfall of this type of facility in this location, it can be concluded that the proposal would not accord with Policies BCS12 and DM5.

Policies BCS12 and DM5 set out that proposals could be acceptable if alternative reprovision of community uses is made. However, as this application seeks confirmation of the appropriateness of solely residential development, the application can does not accord with Policy BCS12 and DM5 part iv.

In conclusion, the alternative residential development would result in an unacceptable loss of a community facility. As such, under s.17 (b) of the Land Compensation Act 1961, in the local authority's opinion, residential development is not appropriate in relation to the acquisition.

CONCLUSION

The proposed residential use would result in an unacceptable loss of a community facility and would be contrary to Policies BCS12 and DM5. It is local planning authority's opinion that no residential use, for the purposes of section 14, is appropriate alternative development in relation to the acquisition.

RECOMMENDED NEGATIVE DECISION

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

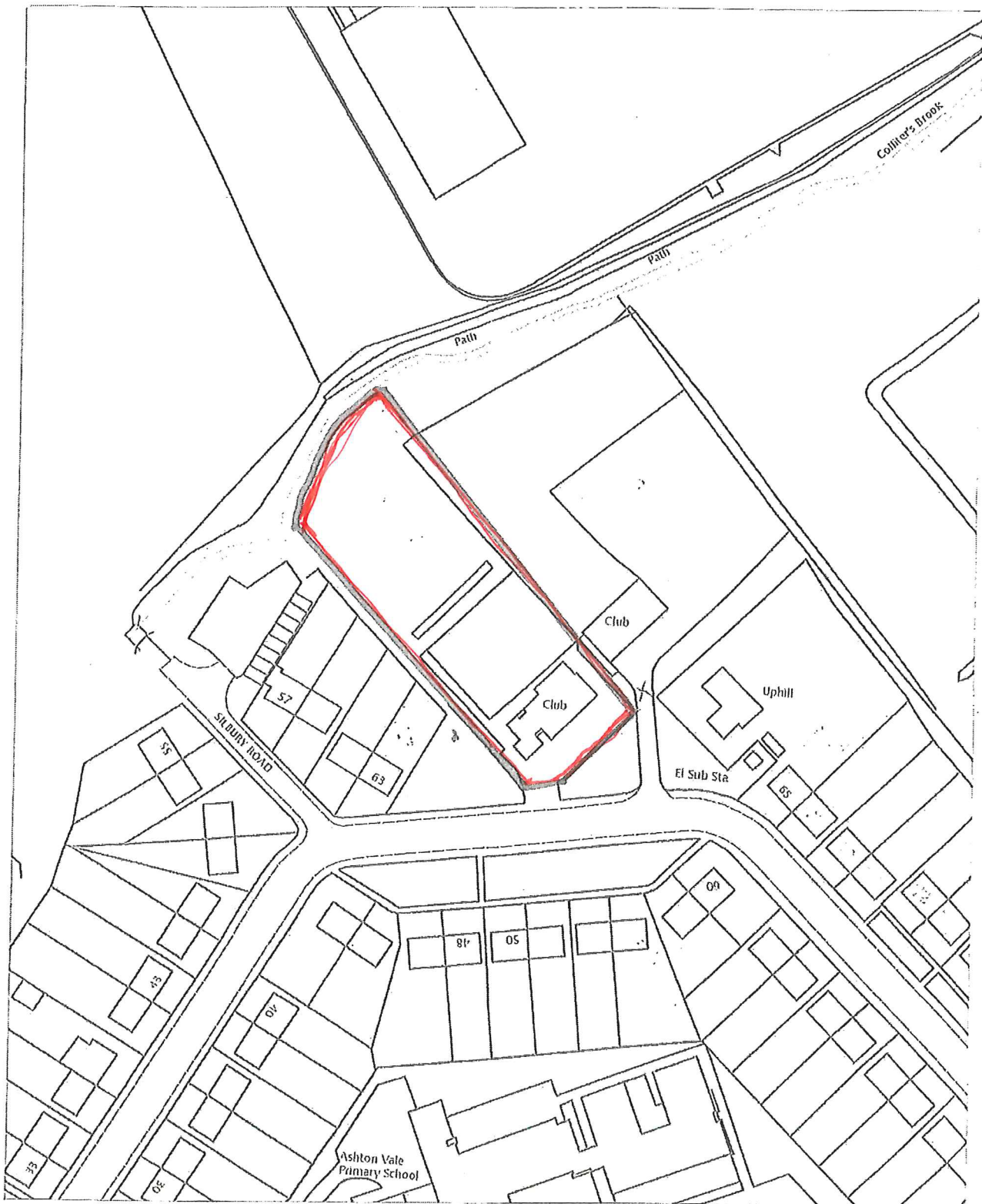
Reason(s):

1. The proposed residential use would result in an unacceptable loss of a community facility, as protected by Policies BCS12 (Community Facilities) and DM5 (Protection of Community Facilities), and no alternative facilities would be provided contrary to the aforementioned policies.

Supporting Documents

6. Ashton Vale Club For Young People, Silbury Road, Bristol, BS3 2QE

1. Site location plan
2. Govt guidance on CAAD (extracts)



Yong Bristol Silbury Road 8/2018
Plan Attached to ~~Local~~ Application for
Certificate of - Appropriate Alternative Development

20/8/18

Section 20: certificates of appropriate alternative development

254. What are the planning assumptions?

[Part 2 of the Land Compensation Act 1961](#) as amended by Part 9 of the Localism Act 2011 provides that compensation for the compulsory purchase of land is on a market value basis. In addition to existing planning permissions, section 14 of the 1961 act provides for certain assumptions as to what planning permissions might be granted to be taken into account in determining market value.

Section 14 is about assessing compensation for compulsory purchase in accordance with rule (2) of section 5 of the 1961 act (open market value). The planning assumptions are as follows:

- subsection (2): account may be taken of (a) any planning permission in force for the development of the relevant land or other land at the relevant valuation date; and (b) the prospect (on the assumptions in subsection (5)) in the circumstances known to the market on the relevant valuation date of planning permission being granted, other than for development for which planning permission is already in force or appropriate alternative development
- subsection (3): it may also be assumed that planning permission for appropriate alternative development (as described in subsection (4)) is either in force at the relevant valuation date or it is certain that planning permission would have been granted at a later date
- subsection (4): defines appropriate alternative development as development, other than that for which planning permission is in force, that would, on the assumptions in subsection (5) but otherwise in the circumstances known to the market at the relevant valuation date, reasonably have been expected to receive planning permission on that date or a later date. Appropriate alternative development may be on the relevant land alone or on the relevant land together with other land.
- subsection (5): contains the basic assumptions that (a) the scheme underlying the acquisition had been cancelled on the launch date; (b) that no action has been taken by the acquiring authority for the purposes of the scheme; (c) that there is no prospect of the same or similar scheme being taken forward by the exercise of a statutory power or by compulsory purchase; and (d) that if the scheme is for a highway, no other highway would be constructed to meet the same need as the scheme
- subsection (6): defines the 'launch date' as (a) for a compulsory purchase order, the publication date of the notice required under [section 11](#) of or paragraph 2 of [schedule 1](#) to the Acquisition of Land Act 1981; (b) for any other order (such as under the [Transport and Works Act 1992](#) or a development consent order under the [Planning Act 2008](#)) the date of first publication or service of the relevant notice; or (c) for a special enactment, the date of first publication of the first notice required in connection with the acquisition under section 15, planning permission is also to be

assumed for the acquiring authority's proposals

255. On what date are the planning assumptions assessed?

The main feature of the arrangements is that the planning assumptions are assessed on the relevant valuation date (as defined in [section 5A of the Land Compensation Act 1961](#)) rather than the launch date (even though the scheme is still assumed to have been cancelled on the launch date). This will avoid the need to reconstruct the planning regime that existed on the launch date, including old development plans, national planning policy and guidance. Also that the planning assumptions are based on 'the circumstances known to the market at the relevant valuation date', which would include the provisions of the development plan. This removes the need for the specific references to the development plan which were contained in the previous section 16 that had become out of date.

256. What is a certificate of appropriate alternative development?

Where existing permissions and assumptions are not sufficient to indicate properly the development value which would have existed were it not for the scheme underlying the compulsory purchase, [Part 3 of the Land Compensation Act 1961 as amended by Part 9 of the Localism Act](#) provides a mechanism for indicating the descriptions of development (if any) for which planning permission can be assumed by means of a 'certificate of appropriate alternative development'. The permissions indicated in a certificate can briefly be described as those with which an owner might reasonably have expected to sell his land in the open market if it had not been publicly acquired.

257. Who can apply for a certificate of appropriate alternative development?

[Section 17\(1\) of the Land Compensation Act 1961](#) provides that either the owner of the interest to be acquired or the acquiring authority may apply to the local planning authority for a certificate. Where an application is made for development of the relevant land together with other land it is important that the certificate sought relates only to the land in which the applicant is a directly interested party. The description(s) of development specified in the application (and where appropriate the certificate issued in response) should clearly identify where other land is included and the location and extent of such other land.

258. In what circumstances might a certificate be helpful?

Circumstances in which certificates may be helpful include where:

- a) there is no adopted development plan covering the land to be acquired
- b) the adopted development plan indicates a 'green belt' or leaves the site without specific allocation; and
- c) the site is allocated in the adopted development plan specifically for some public purpose, eg a new school or open space
- d) the amount of development which would be allowed is uncertain
- e) the extent and nature of planning obligations and conditions is uncertain

259. When does the right to apply for a certificate arise?

The right to apply for a certificate arises at the date when the interest in land is proposed to be acquired by the acquiring authority. [Section 22\(2\) of the Land Compensation Act 1961](#) describes the circumstances where this is the position. These include the launch date as defined in section 14(6) for acquisitions by compulsory purchase order, other orders or by private or hybrid Bill. For acquisition by blight notice or a purchase notice it will be the date on which 'notice to treat' is deemed to have been served; or for acquisition by agreement it will be the date of the written offer by the acquiring authority to negotiate for the purchase of the land.

Once a compulsory purchase order comes into operation the acquiring authority should be prepared to indicate the date of entry so that a certificate can sensibly be applied for.

Thereafter application may be made at any time, except that after a notice to treat has been served or agreement has been reached for the sale of the interest and a case has been referred to the Upper Tribunal, an application may not be made unless both parties agree in writing, or the Tribunal gives leave. It will assist compensation negotiations if an application is made as soon as possible.

Acquiring authorities should ensure, when serving notice to treat in cases where a certificate could be applied for, that owners are made aware of their rights in the matter. In some cases, acquiring authorities may find it convenient themselves to apply for a certificate as soon as they make a compulsory purchase order or make an offer to negotiate so that the position is clarified quickly.

It may sometimes happen that, when proceedings are begun for acquisition of the land, the owner has already applied for planning permission for some development. If the local planning authority refuse planning permission or grant it subject to restrictive conditions and are aware of the proposal for acquisition, they should draw the attention of the owner to his right to apply for a certificate, as a refusal or restrictive conditions in response to an actual application (ie in the 'scheme world') do not prevent a positive certificate being granted (which would relate to the 'no scheme world').

260. How should applications for a certificate be made and dealt with?

The manner in which applications for a certificate are to be made and dealt with has been prescribed in articles 3, 4, 5 and 6 of [the Land Compensation Development \(England\) Order 2012](#).

Article 3(3) of the order requires that if a certificate is issued otherwise than for the development applied for, or contrary to representations made by the party directly concerned, it must include a statement of the authority's reasons and of the right of appeal under section 18 of the 1961 act. From 6 April 2012, this has been to the [Upper Tribunal](#). Article 4 requires the local planning authority (unless a unitary authority) to send a copy of any certificate to the county planning authority concerned if it specifies development related to a county matter or, if the case is one which has been referred to the county planning authority, to the relevant district planning authority. Where the certificate is issued by a London borough or the Common Council of the City of London, they must send a copy of the certificate to the Mayor of London if a planning application for such development would have to be referred to him.

Article 4 should be read with paragraph 55 of [schedule 16 to the Local Government Act 1972](#), which provides that all applications for certificates must be made to the district planning authority in the first instance: if the application is for development that is a county matter, then the district must send it to the county for determination. This paragraph also deals with consultation between district and county authorities where the application contains some elements relating to matters normally dealt with by the other authority. Where this occurs, the authority issuing the certificate must notify the other of the terms of the certificate.

Article 5 of the order requires the local planning authority, if requested to do so by the owner of an interest in the land, to inform him whether an application for a certificate has been made, and if so by whom, and to supply a copy of any certificate that has been issued. Article 6 provides for applications and requests for information to be made electronically.

261. What information should be contained in an application for a certificate?

In an application under section 17, the applicant may seek a certificate to the effect that there either is any development that is appropriate alternative development for the purposes of section 14 (a positive certificate) or that there is no such development (a nil certificate).

If the application is for a positive certificate the applicant must specify each description of development that he considers that permission would have been granted for and his reasons for holding that opinion. The onus is therefore on the applicant to substantiate the reasons why he considers that there is development that is appropriate alternative development.

Acquiring authorities applying for a 'nil' certificate must set out the full reasons why they consider that there is no appropriate alternative development in respect of the subject land or property.

The phrase 'description of development' is intended to include the type and form of development. Section 17(3)(b) requires the descriptions of development to be 'specified', which requires a degree of precision in the description of development.

The purpose of a certificate is to assist in the assessment of the open market value of the land. Applicants should therefore consider carefully for what descriptions of development they wish to apply for certificates. There is no practical benefit to be gained from making applications in respect of descriptions of development which do not maximise the value of the land. Applicants should focus on the description or descriptions of development which will most assist in determining the open market value of the land.

An application under section 17 is not a planning application and applicants do not need to provide the kind of detailed information which would normally be submitted with a planning application. However, it is in applicants' interests to give as specific a description of development as possible in the circumstances, in order to ensure that any certificate granted is of practical assistance in the valuation exercise.

Applicants should normally set out a clear explanation of the type and scale of development that is sought in the certificate and a clear justification for this. This could be set out in a form of planning statement which might usefully cover the following matters:

- confirmation of the valuation date at which the prospects of securing planning permission need to be assessed
- the type or range of uses that it considers should be included in the certificate including uses to be included in any mixed use development which is envisaged as being included in the certificate
- where appropriate, an indication of the quantum and/or density of development envisaged with each category of land
- where appropriate an indication of the extent of built envelope of the development which would be required to accommodate the quantum of development envisaged
- a description of the main constraints on development which could be influenced by a planning permission and affect the value of the land, including matters on site such as ecological resources or contamination, and matters off site such as the existing character of the surrounding area and development
- an indication of what planning conditions or planning obligations the applicant considers would have been attached to any planning permission granted for such a development had a planning application been made at the valuation date
- a clear justification for its view that such a permission would have been forthcoming having regard to the planning policies and guidance in place at the relevant date; the location, setting and character of the site or property concerned; the planning history of the site and any other matters it considers relevant

Detailed plans are not required in connection with a section 17 application but drawings or other illustrative material may be of assistance in indicating assumed access arrangements and site layout and in indicating the scale and massing of the assumed built envelope. An indication of building heights and assumed method of construction may also assist the local planning authority in considering whether planning permission would have been granted at the relevant date.

262. Is there a fee for submitting an application for a certificate of appropriate development?

A fee is payable for an application for a certificate of appropriate alternative development. Details are set out in [Regulation 18 of the The Town and Country Planning \(Fees for Applications, Deemed Applications, Requests and Site Visits\) \(England\) Regulations 2012](#) (as amended).

263. What should a certificate contain?

The local planning authority is required to respond to an application by issuing a certificate of appropriate alternative development, saying what planning permissions would have been granted if the land were not to be compulsorily acquired. [Section 17\(1\)](#) requires the certificate to state either that:

- a) there is appropriate alternative development for the purposes of section 14 (a

‘positive’ certificate); or

- b) there is no development that is appropriate alternative development for the purposes of section 14 (a ‘nil’ or ‘negative’ certificate)

Section 17(4) of the Land Compensation Act 1961 requires the local planning authority to issue a certificate, but not before the end of 22 days from the date that the applicant has, or has stated that he or she will, serve a copy of his or her application on the other party directly concerned (unless otherwise agreed).

Section 17(5) requires (a) that a positive certificate must specify all the development that (in the local planning authority’s opinion) is appropriate alternative development, even if it is not specified in the application and (b) give a general indication of any reasonable conditions; when permission would reasonably have been granted (if after the relevant valuation date); and any reasonable pre-condition, such as a planning obligation, that could reasonably have been expected.

Section 17(6) provides that for positive certificates, only that development specified in the certificate can be assumed to be appropriate alternative development for the purposes of section 14 and that the conditions etc apply to the planning permission assumed to be in force under section 14(3).

Local planning authorities should note that an application made under s17 is not a planning application. The authority should seek to come to a view, based on its assessment of the information contained within the application and of the policy context applicable at the relevant valuation date, the character of the site and its surroundings, as to whether such a development would have been acceptable to the Authority. As the development included in the certificate is not intended to be built the local planning authority does not need to concern itself with whether or not the granting of a certificate would create any precedent for the determination of future planning applications.

If giving a positive certificate, the local planning authority must give a general indication of the conditions and obligations to which planning permission would have been subject. As such the general indication of conditions and obligations to which the planning permission could reasonably be expected to be granted should focus on those matters which affect the value of the land. Conditions relating to detailed matters such approval of external materials or landscaping would not normally need to be indicated. However, clear indications should be given for matters which do affect the value of the land, wherever the authority is able to do so.

Such matters would include, for example, the proportion and type of affordable housing required within a development, limitations on height or density of development, requirements for the remediation of contamination or compensation for ecological impacts, and significant restrictions on use, as well as financial contributions and site-related works such as the construction of accesses and the provision of community facilities. The clearer the indication of such conditions and obligations can be, the more helpful the certificate will be in the valuation process.

264. Should a certificate be taken into account in assessing compensation?

A certificate once issued must be taken into account in assessing compensation for the

compulsory acquisition of an interest in land, even though it may have been issued on the application of the owner of a different interest in the land. But it cannot be applied for by a person (other than the acquiring authority) who has no interest in the land.

265. Should informal advice be given on open market value?

Applicants seeking a section 17 certificate should seek their own planning advice if this is felt to be required in framing their application.

In order that the valuers acting on either side may be able to assess the open market value of the land to be acquired they will often need information from the local planning authority about such matters as existing permissions; the development plan and proposals to alter or review the plan. The provision of factual information when requested should present no problems to the authority or their officers. But sometimes officers will in addition be asked for informal opinions by one side or the other to the negotiations. It is for authorities to decide how far informal expressions of opinion should be permitted with a view to assisting the parties to an acquisition to reach agreement. Where they do give it, the Secretary of State suggests that the authority should:

- a) give any such advice to both parties to the negotiation
- b) make clear that the advice is informal and does not commit them if a formal certificate or planning permission is sought

It is important that authorities do not do anything which prejudices their subsequent consideration of an application.

266. How are appeals against certificates made?

The right of appeal against a certificate under [section 18 of the Land Compensation Act 1961](#), exercisable by both the acquiring authority and the person having an interest in the land who has applied for the certificate, is to the Upper Tribunal (Lands Chamber). It may confirm, vary or cancel it and issue a different certificate in its place, as it considers appropriate.

[Rule 28\(7\) of the Upper Tribunal Rules, as amended](#), requires that written notice of an appeal (in the form of a reference to the Upper Tribunal) must be given within one month of receipt of the certificate by the planning authority. If the local planning authority fail to issue a certificate, notice of appeal must be given within one month of the date when the authority should have issued it (that date is either two months from receipt of the application by the planning authority, or two months from the expiry of any extended period agreed between the parties to the transaction and the authority) and the appeal proceeds on the assumption that a 'nil' or 'negative' certificate had been issued.

The reference to the Tribunal must include (in particular) a copy of the application to the planning authority, a copy of the certificate issued (if any) and a summary of the reasons for seeking the determination of the Tribunal and whether he or she wants the reference to be determined without a hearing. The Upper Tribunal does have the power to extend this period (under [Rule 5](#)), even if it receives the request to do so after it expires. Appeals against the Upper Tribunal's decision on a point of law may be made to the Court of Appeal in the normal way.