

Development Control A Committee Agenda



Date: Wednesday, 3 April 2019

Time: 6.00 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

Copies to: Gary Collins, David Grattan, Amy Prendergast, Natalie Queffurus, Anna Schroeder and Kayna Tregay

Issued by: Norman Cornthwaite, Democratic Services
City Hall, PO Box 3167, Bristol BS3 9FS
Tel: 0117 9222390

E-mail: democratic.services@bristol.gov.uk

Date: Tuesday, 26 March 2019



Agenda

1. Welcome, Introductions and Safety Information

(Pages 4 - 5)

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 6 - 11)

5. Appeals

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

(Pages 12 - 18)

6. Enforcement

To note recent enforcement notices.

(Page 19)



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 28th March 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 2nd April 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

- | | |
|---|--------------------------|
| | (Page 20) |
| a) 18/04367/F - 1 - 3 Ashton Road (The Old Brewery) | (Pages 21 - 71) |
| b) 18/05390/F - Mooring North Of Peros Bridge Narrow Quay | (Pages 72 - 95) |
| c) 18/05051/F - 7 High Street Clifton | (Pages 96 - 126) |
| d) 18/04272/F & 18/04273/A - Wm Morrison Supermarkets Plc Peterson Avenue | (Pages 127 - 140) |
| e) 18/01818/F & 18/05805/LA - The Pineapple 37 St Georges Road | (Pages 141 - 177) |

9. Date of Next Meeting

Wednesday 15th May 2019 at 1.00 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.

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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



27 February 2019 at 2.00 pm

Members Present:-

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

Officers in Attendance:-

Gary Collins, Norman Cornthwaite, Tessa Connolly, Alex Hawtin and Jess Leigh

1. Welcome, Introductions and Safety Information

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

2. Apologies for Absence and Substitutions

No apologies were received.

3. Declarations of Interest

Cllr Stephen Clarke stated that Application No, 18/03496/F – 125 to 131 Raleigh Road is in his Ward. He has spoken to the developer but has not offered any opinion on the application.

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 introduced the report and summarised it for everyone.



6. Enforcement

The Head of Development Management introduced the report and summarised it for everyone. He stated that 4 Notices have been served.

The Head of Development Management then advised everyone that two items had been withdrawn from the Agenda – 18/04367/F 1 to 3 Ashton Road (The Old Brewery) and 18/04627/CAAD Ashton Vale Club for Young People.

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

9. Reference No. 18/03537/PB - Hengrove Park, Hengrove Way; Outline Planning

The Head of Development Management explained the situation concerning the Neighbourhood Development Plan and the recently held Referendum. The Independent Examiner at the Planning Inspectorate had agreed the Plan and therefore the Committee must give significant weight to it. The Plan would be put before Council at its next Meeting. The Full Council decision is really only an administrative process to ratify the Referendum result and in line with general principle of local government law, development plan documents need to be formally adopted by Full Council.

The Head of Development Management and his representative presented this item highlighting the following:

- This is an Outline Application for the demolition of existing buildings and a development including residential dwellings, office accommodation, education floor space, community building, commercial floor space, a new park and areas of formal and informal space
- A full description of the site and the application
- Responses to the consultation
- The reasons for recommending approval of the application



Answers to questions

- The strategic landscaping areas are the main park and runway park and although some trees are being lost there will be replanting; the issue of trees is regarded as being important
- The proposed density has been calculated for outline purposes and will be known in detail at the reserved matters stage The Committee has to decide the application on the present Policies
- Some drainage information is included in the application and detailed proposals will not add to existing flooding and if possible will seek to improve the situation Development Management meets regularly with the Schools Places Team to assist with the planning of school provision based on projected changes in population; there are no specific plans for nursery provision included in this scheme
- The Joint Spatial Plan increases the number of houses to be provided in Bristol and should be given weight
- The Neighbourhood Development Plan includes what should be provided on the Park
- There is a Condition recommended concerning further site investigations
- A Condition is recommended regarding the the provision of recreation and sporting facilities prior to the loss of the existing ones

Debate

- This is an important development for the area and although some aspects of the proposals are attractive, others are less so; concerns about the low density and the problems this could cause as well as the loss of Category A trees and more employment being needed
- The trees being lost should be considered as Category A trees as this was the opinion of the Council's own arboricultural officer
- Concerns about compliance with the Neighbourhood Development Plan particularly regarding density
- Concerns about the residents' disquiet and about some of the facilities
- Concerns about some of the existing facilities being lost
- The development would be very car dependent and wouldn't be sustainable
- Development on Council land should be an exemplar
- The City has a pressing need for housing which this development would deliver

Councillor Windows moved that the application be refused on the grounds that it does not comply with the Neighbourhood Development Plan as it proposes a low density of residential dwellings; the loss of trees; the proposed park is not large enough; a lack of employment space; a lack of community facilities; and the development being too car-dependent and not sustainable.

Councillor Wright seconded this motion. On being put to the Vote it was

RESOLVED – (8 for, 3 against) that the application be refused on the grounds that it does not comply with the Neighbourhood Development Plan as it proposes a low density of residential dwellings the



loss of trees; the proposed park is not large enough; a lack of employment space; a lack of community facilities; and the development being too car-dependent and not sustainable.

(Councillors Clarke and Shah left the Meeting.)

10 Reference No. 18/04367/F - 1 to 3 Ashton Road (The Old Brewery)

This Item was withdrawn from the Agenda.

11 Reference No. 18/03496/F - 125 to 131 Raleigh Road

The Head of Development Management and his representative presented this item highlighting the following:

- This is an Application for the demolition of existing buildings and a development of offices and apartments
- A full description of the site and the application
- Responses to the consultation
- The reasons for recommending approval of the application

Answers to questions

- The Construction Management Plan Condition safeguarding the adjoining gardens would have be signed off
- The rear facing windows were installed under permitted development; they would not looking on to any properties

Councillor Breckels moved that the application be granted.

Councillor Mead seconded this motion and suggested that the Construction Management Plan Condition safeguarding the adjoining gardens be included. This was agreed.

On being put to the Vote it was

Resolved – (9 for, 0 against) that the application be granted subject to Conditions including one relating to the Construction Management Plan Condition safeguarding the adjoining gardens.

12 Reference No. 18/04795/F - 18C Merton Road

The Head of Development Management and his representative presented this item highlighting the following:



- This is an Application for the construction B1/B8 business units
- A full description of the site and the application
- Responses to the consultation
- The reasons for recommending approval of the application

Answers to questions

- . The flats at 5 Ashley Down Road were granted planning permission in 2015. They had originally been approved as offices in a previous consent in 2010. The access/maintenance issue of the rear elevation of the flats is a private issue to be agreed with the owner of the industrial estate. The application is being recommended for approval with conditions in order to impose some control to mitigate concerns from the neighbours
- The applicants could build a wall up to 2 metres in height on the boundary without requiring planning permission
- Conditions would control noise, smell, dust and hours of use

Debate

- The windows should not have been installed in the flats so close to the boundary
- Concerns about the owners of the flats not being able to maintain their property

Councillor Wright moved that the application be granted. Councillor Davies seconded this motion.

On being put to the Vote it was Lost (3 for, 4 against, 2 abstentions).

Councillor Mead moved that the application be refused on the grounds of poor design and the inability of the owners of the adjacent premises to maintain their property. Councillor Stevens seconded this motion.

On being put to the Vote it was

Resolved – (5 for, 2 against, 2 abstentions) that the application be refused on the grounds of poor design and the inability of the owners of the adjacent premises to maintain their property.

13 Reference No. 18/04705/F - Unit 3D and 3G Merton Road

The Head of Development Management and his representative presented this item highlighting the following:

- This is an Application for the demolition of existing buildings and the construction B1/B8 business units
- A full description of the site and the application
- Responses to the consultation



- The reasons for recommending approval of the application

Answers to questions

- Planning permission is required as the premises are within 5 metres of the boundary on an industrial estate
- The windows will be at a high level and therefore obscure glazing is not considered to be required
- Given the distance from adjoining residential properties and the height of the unit overbearing cannot be substantiated as a reason for refusal

Debate

- It cannot be refused but obscuring the windows should be included
- External wall facing Brynland Avenue properties should be painted white
- Obscure glazing should be required but not white paint

Councillor Wright moved that the application be granted subject to Conditions including one requiring obscure glazing.

This was seconded and on being put to the Vote it was

Resolved – (5 for, 4 abstentions) that the application be granted subject to Conditions including one requiring obscure glazing.

14 Reference No. 18/04627/CAAD - Ashton Vale Club for Young People, Silbury Road

This Item was withdrawn from the Agenda.

15 Date of Next Meeting

The next meeting - 3rd April 2019 at 6.00 pm.

Meeting ended at 5.45 pm

CHAIR _____



DEVELOPMENT CONTROL COMMITTEE A**3rd April 2019****REPORT OF THE SERVICE DIRECTOR - PLANNING****LIST OF CURRENT APPEALS****Householder appeal**

Item	Ward	Address, description and appeal type	Date lodged
1	Lawrence Hill	30 Eve Road Bristol BS5 0JX Proposed roof extension and single storey rear extension. Appeal against refusal Delegated decision	24/01/2019
2	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
3	Hartcliffe & Witherwood	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
4	Lawrence Hill	100 Goodhind Street Bristol BS5 0TB Part double/Part single storey rear extension. Appeal against refusal Delegated decision	11/02/2019
5	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

6	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
7	Easton	90 Avonvale Road Bristol BS5 9RU Single storey extension to the side of the property, excavation works to create basement. Vehicle access. Appeal against refusal Delegated decision	18/02/2019
8	Ashley	1 Trentham Close Bristol BS2 9XF Revision to planning permission 18/03714/H, (Demolition of two, single storey extensions and construction of 1 no. two storey, side extension) by the addition of a Juliet balcony to the new, first floor bedroom. Appeal against refusal Delegated decision	18/03/2019
9	Lawrence Hill	30 Clark Street Bristol BS5 0TA Proposed alteration to roof, to create mansard roof. Appeal against refusal Delegated decision	19/03/2019
10	Ashley	24 Stafford Road Bristol BS2 9UN Rear dormer roof extension and elevational changes. Appeal against refusal Delegated decision	19/03/2019

Informal hearing

Item	Ward	Address, description and appeal type	Date of hearing
11	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
12	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
13	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
14	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
15	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
16	Hartcliffe & Witherwood	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

17	Horfield	1 Bishopthorpe Road Bristol BS10 5AA Proposed two storey single dwelling. Appeal against refusal Delegated decision	24/01/2019
18	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
19	Bishopston & Ashley Down	91 Ashley Down Road Bristol BS7 9JT Retention of outbuilding. Appeal against refusal Delegated decision	04/02/2019
20	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
21	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
22	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
23	Westbury-on-Trym & Henleaze	29 Hobhouse Close Bristol BS9 4LZ Erection of new 2 storey dwelling attached to side of 29 Hobhouse Close and associated structures. Appeal against refusal Delegated decision	18/02/2019
24	Bedminster	Units 3 To 4 Charnwood House Marsh Road Bristol BS3 2NA Notification of Prior Approval for a proposed change of use of a building from office use (Class B1(a)) to 8 flats (Class C3). Appeal against refusal Delegated decision	20/02/2019

25	Central	Unit 4, 12 Broad Quay Bristol BS1 4DH Change of use of the highway to an external seating area consisting of loose furniture and barrier screening and alterations to the shop front including retractable awnings with heating and signage. Appeal against refusal Delegated decision	20/02/2019
26	Central	26 Baldwin Street Bristol BS1 1SE Erection of two additional storeys above the existing building to accommodate 4no. flats. Appeal against refusal Delegated decision	22/02/2019
27	Hartcliffe & Witherwood	2 Honey Garston Road Bristol BS13 9LY Construction of a new 2 storey 2 bedroom dwelling (end of terrace) on land adjacent 2 Honey Garston Road. Appeal against refusal Delegated decision	22/02/2019
28	Central	Land Adjacent To The Quays Cumberland Road Bristol Proposed 6 storey building (plus a basement), to accommodate 13 units operated as serviced apartments (Use Class C1), (major application). Appeal against refusal Committee	25/02/2019
29	Stoke Bishop	88 Shirehampton Road Bristol BS9 2DR Installation fencing on perimeter of flat roof and formation of roof terrace [outdoor amenity space]. Appeal against refusal Delegated decision	25/02/2019
30	Stoke Bishop	Second Floor Flat 88 Shirehampton Road Bristol BS9 2DR Installation of a dormer window to side of main roof. Appeal against conditions imposed Delegated decision	25/02/2019
31	Horfield	Land At Inn On The Green 2 Filton Road Bristol BS7 0BH Discontinuance notice appeal in respect of advertisement hoarding on the land.	25/02/2019
32	Brislington East	Land At St Anne's Road St Annes Road St Annes Bristol Discontinuance notice appeal in respect of advertisement hoarding.	25/02/2019

33	Redland	2A Clare Avenue Bristol BS7 8JF Change in roof pitch, with roof extension to front, side, and rear, to facilitate loft conversion to 2a Clare Avenue. Appeal against refusal Delegated decision	07/03/2019
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List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
34	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	Appeal allowed 07/03/2019
35	Southmead	21 Shetland Road Bristol BS10 5JT Erection of a detached dwellinghouse. Appeal against refusal Delegated decision	Appeal allowed 20/03/2019
36	Avonmouth & Lawrence Weston	16 Grove Leaze Bristol BS11 9QN Erection of a single storey rear extension. Appeal against conditions imposed Delegated decision	Appeal allowed 06/03/2019
37	Stoke Bishop	19 Druid Hill Bristol BS9 1EW Single storey side extension to extend existing hair salon. Appeal against refusal Delegated decision	Appeal dismissed 27/02/2019
38	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	Appeal dismissed 19/03/2019
39	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	Appeal dismissed 19/03/2019

40	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	Appeal dismissed 19/03/2019
41	Cotham	12E Alfred Place Kingsdown Bristol BS2 8HD Enforcement notice appeal for the erection of dormer without planning permission. Appeal against an enforcement notice	Appeal dismissed 18/03/2019
42	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	Appeal dismissed 20/03/2019
43	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	Appeal dismissed 20/03/2019
44	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	Appeal dismissed 27/02/2019
45	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	Appeal dismissed 27/02/2019
46	Easton	76 Robertson Road Bristol BS5 6JT Adaptation and retention of garage. Appeal against refusal Delegated decision	Appeal dismissed 27/02/2019

DEVELOPMENT CONTROL COMMITTEE A
3rd April 2019

REPORT OF THE SERVICE DIRECTOR - PLANNING

LIST OF ENFORCEMENT NOTICES SERVED

Item	Ward	Address, description and enforcement type	Date issued
1	Ashley	101 North Road Bishopston Bristol BS6 5AQ Change of use of the land to storage of a shipping container Enforcement notice	13/03/2019
2	Clifton Down	8 Auburn Road Bristol BS6 6LS Breach of planning conditions (which restrict the amount of hard landscaping to the front and which lists approved plans) of planning permission 18/00370/H. Breach of conditions notice	04/03/2019
3	Stoke Bishop	88 Shirehampton Road Bristol BS9 2DR Erection of fencing on roof of single storey rear element without planning permission. Enforcement notice	18/02/2019

Development Control Committee A 3 April 2019

Report of the Service Director - Planning

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Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	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).
2	Central	Refuse	18/05390/F - Mooring North Of Peros Bridge Narrow Quay Bristol Proposed permanent mooring of 57 metre boat, to use as office, storage and workshop for minor repairs (sui generis).
3	Clifton Down	Grant	18/05051/F - 7 High Street Clifton Bristol BS8 2YF Erection of a new single storey two bedroom house.(C3 - Self Build).
4	Hartcliffe & Withywood	Grant	18/04272/F & 18/04273/A - Wm Morrison Supermarkets Plc Peterson Avenue Bristol BS13 0BE Proposed installation of canopy and portakabin within area of existing car park, to create car park valeting franchise.
5	Hotwells & Harbourside	Grant	18/01818/F & 18/05805/LA - The Pineapple 37 St Georges Road Bristol BS1 5UU Change of use and conversion of the Pineapple Public House to 6no. flats including the demolition and rebuilding of an existing side extension.

Development Control Committee A – 3 April 2019

ITEM NO. 1

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

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).

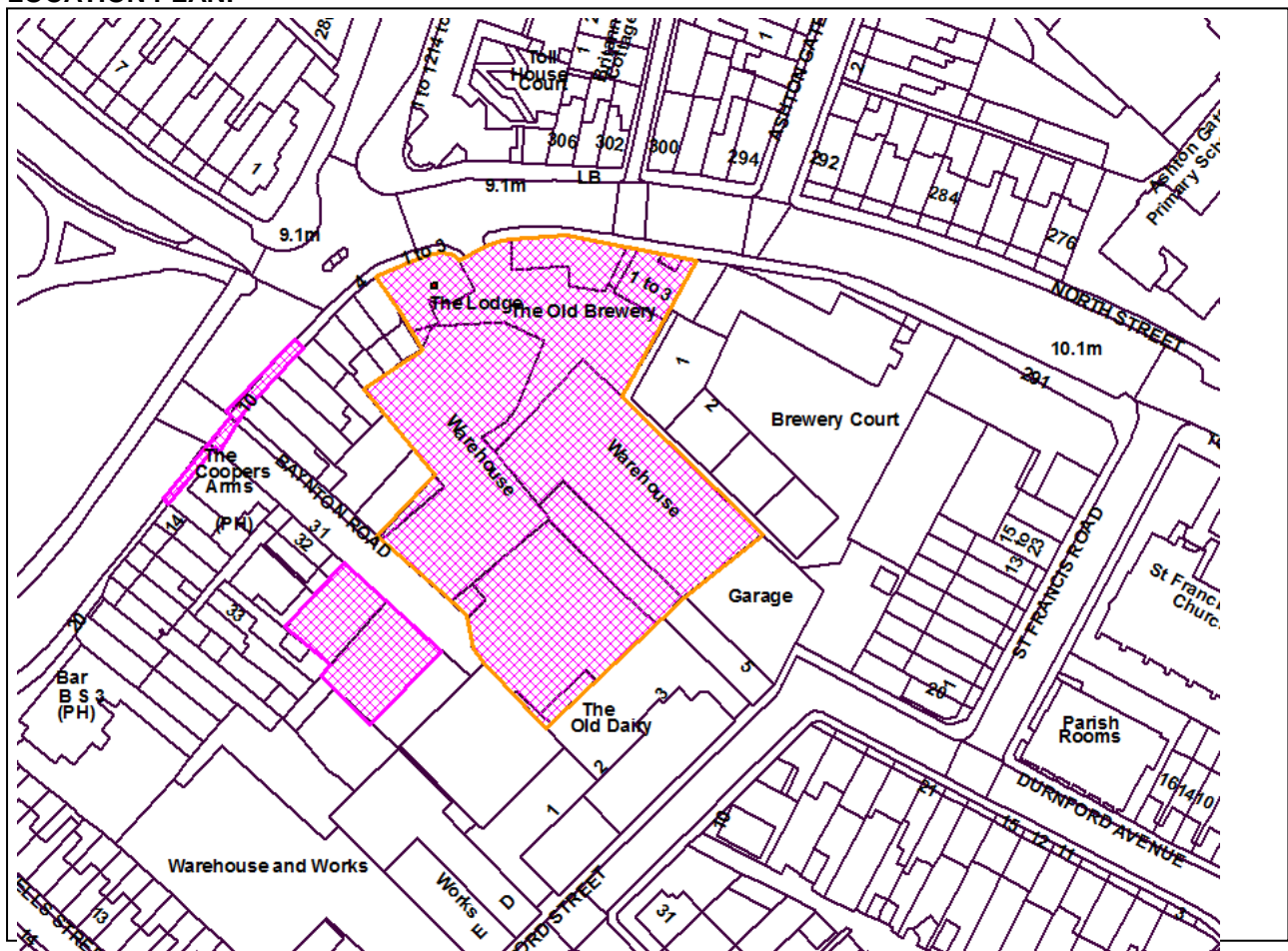
RECOMMENDATION: GRANT subject to Planning Agreement

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 – 3 April 2019

Application No. 18/04367/F: 1 - 3 Ashton Road (The Old Brewery) Bristol BS3 2EA

UPDATE

This application was due to be presented to Development Control Committee A on the 27 February 2019.

The application was withdrawn from that Committee Meeting as a Certificate B – Shared Ownership (to be completed if the applicant is not the sole owner) was issued the day before the Committee Meeting on 26 February 2019. Previously a Certificate A – Sole Ownership (to be completed if the applicant is the sole owner) had been completed.

An application cannot be determined by the local planning authority, unless the relevant certificate has been completed. This certificate has now been completed and issued for the statutory 21-day period in accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

Amended plans have been submitted to provide clarity over the land within the application red line boundary and to address some points received in objection to the scheme:

- Revised plans, elevations and visuals to reflect the correct red line boundary.
- Updated Design and Access Statement to reflect the correct red line boundary.
- Updated Daylight and Sunlight Assessment.
- Plan and report with clarifications over works adjacent to 4 Ashton Road.

Further information has been provided to address outstanding comments from Transport Development Management and the Sustainable Cities Team. Further details are provided within the relevant consultation responses.

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

Application site:

17/02172/PREAPP – 148 Residential units up to 6 storeys, commercial floor space class B1, A1, A3 and A4 with associated landscaping.

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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 sqm 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).

Adjacent site(s):

Unit 1, The Old Dairy Durnford Street

18/05294/COU - Notification for Prior Approval for a proposed change of use of Unit 1 from Storage or Distribution unit (Use Class B8) to a 6 no. dwellinghouses (Use Class C3). – Prior approval GIVEN

Unit 2, The Old Dairy Durnford Street

18/05295/COU - Notification for Prior Approval for a proposed change of use of Unit 2 from Storage or Distribution unit (Use Class B8) to a 3 no. dwellinghouses (Use Class C3) - Prior approval GIVEN

Unit 3, The Old Dairy Durnford Street

18/05296/COU - Notification for Prior Approval for a proposed change of use of Unit 3 from Storage or Distribution unit (Use Class B8) to a 2 no. dwellinghouses (Use Class C3). - Prior approval GIVEN

Unit 4, The Old Dairy Durnford Street

18/05293/COU | Notification for Prior Approval for a proposed change of use of Unit 4 from office use (Class B1(a)) to a dwellinghouse (Class C3). - Prior Approval GIVEN

Unit 5, The Old Dairy Durnford Street

18/05289/COU | Notification for Prior Approval for a proposed change of use of Unit 5 from office use (Class B1(a)) to 4 no. dwellinghouses (Class C3). - Prior Approval GIVEN

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.

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The buildings onsite would consist of commercial buildings of one to two storeys to the northern portion of the site (Buildings K, J and H on drawing SCH001 Rev P14), with a nine-storey apartment block, an eight-storey apartment block and a four-storey building containing residential accommodation located centrally (Buildings A, B and G) 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 (Building F).

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. This would include 1,425 sqm of co-working workspace and 585 sqm flexible commercial space (Use classes B1 and B1/A1/A3/A4/C1. 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;

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- 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.

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, 71 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 71 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.

Two letters were received from the adjoining land interests on the Old Dairy Site, located between the application site and Durnford Street.

In summary, these letters set out the following objections to the proposals:

- Incorrect ownership boundaries and contradictions in submitted documents.
- Failure to issue correct Notice upon landowners and issue correct Certificate with the application.
- Failure to consider the impact of the proposals on 5 No. Prior Approvals granted for residential use on the Old Dairy site for residential use.

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- Failure to consider third party ownership and lack of a right of way over vehicular access from Baynton Road, and the impacts this may have on highway works / legal agreements.
- Concerns that the proposed development would prejudice the future development potential of the adjacent site in Durnford Street.
- Concerns that the proposed affordable housing provision would not be policy compliant.
- Concerns that the previous Committee date set was premature in light of consultation period.
- Concerns that the Committee Report was pre-determined, and that conclusions did not sufficiently consider technical consultees and public objections.
- Concerns that key consultation responses were not uploaded to Bristol City Council's website.

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.

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.

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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

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.

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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 and 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.

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

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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.’*

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

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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.

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.

Comments on revised details provided for the application.

The changes made to the scheme are welcomed, particularly the improvements made to the pedestrian entrance / route through Cycle Street and the use of sculptural panels. The new projected glazed entrance lobbies to both the southern and northern residential blocks provide more inviting and positive entrances. For the Southern residential block facing onto Baynton Road, the change in cladding from brick to zinc brings additional 'focus' and awareness of the two main residential pedestrian entrances leading into the development from Baynton Road. For the Northern residential block facing towards North Street the theme of using vertical sculptural screens and entrance gate is welcomed. The details of the design of the sculptural screens should be conditioned.

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:

- Photographs to be taken to include the whole development site. Images to be stitched together and cylindrically corrected
- 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
- A 50mm focal length black and white image to be presented on acetate at 36 x 24cm
- Planar perspective rather than cylindrical.
- 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.

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- 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 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.

An addendum to the Townscape and Visual Impact Appraisal was submitted for six viewpoints.

Landscape Officer commented:

Impact on viewpoints 1, 2 and 5 are in my opinion understated. All are significant adverse. The other viewpoints have been assessed fairly and conclusions reached on the significance of effects are reasonable.

Despite the consideration of impact for certain viewpoints to be significant adverse – this consideration has been balanced against urban design and conservation comments which indicate support for the scheme and the pre-application advice which has led to a high-density development, to retain more historic buildings on the site.

TRANSPORT DEVELOPMENT MANAGEMENT – Further information requested

The following comments were made in response to the application as originally submitted:

Principle / Property History

The application proposal seeks approval for the development of the old brewery site into 51 one-bedroom flats, 36 two-bedroom flats, five three-bedroom flats and two three-bedroom houses. The site will also consist of 585sqm GIA of commercial floor space, under a mixed-use class of B1/A1/A3/A4. The commercial uses will front onto North Street and internally onto a public space/courtyard area. Additionally, 1,426sqm GIA of 'co-working' B1 office floor space will be provided.

Access Points

Section 2.5.2 of the technical notes states it is likely there will be a significant reduction in use of the North Street access however section 2.2.1 shows there will only be an additional 10 two-way movements in both the AM and PM peak hours. This does not correlate with the impact analysis as submitted within Section 6.1.2 of the Transport Assessment. This shows an additional 32 two-way movements in the AM peak and 38 additional two-way movements in the PM peak. The impact analysis also shows an additional 340 two-way movements daily. It is unclear how the figures within the Technical Note have been calculated and allocated to each access.

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Notwithstanding this TDM reiterate the need to close the North Street access to commercial vehicles given the pedestrian nature of the proposed courtyard and access. The use of the internal courtyard for the movement of commercial vehicles is unacceptable and does not constitute a safe layout. Limited safe space has been afforded when a commercial vehicle is utilising this space and given the number of residential units and the retail/café use it can be expected this space has a large pedestrian presence. The addition of two pedestrian doors does not change this. Section 2.5.4 states there may be an increase in pedestrian and cyclist movement although given the level of development it can be reasonably expected there WILL be an increase. In addition to this, pedestrians utilising the existing site will be aware/ expectant of commercial vehicle use of the site whereas residents may not necessarily be. Again, TDM reiterates the submitted swept path analysis demonstrates there is insufficient space within the site to accommodate a turning vehicle.

In response to section 2.2.4 of the Technical Note whilst it is accepted visibility is an existing issue the intensification of the Baynton Road/ Ashton Road junction intensifies this highway safety issue. Having conducted a site visit TDM have examined the visibility splay and disregarding when the bus stop is in use the visibility to the right is 2.4m x 10m. Paragraph 2.2.5 ignores the fact the bus stop is situated on the inside of a bend which further inhibits forward visibility.

[Case Officer Note: A General Arrangement plan has been submitted by the applicant which demonstrates that there is a sufficient visibility splay of 2.4m from the Baynton Road / Ashton Road junction as a result of realigning the bus stop].

Pedestrian Crossing

The crossings are situated a considerable length away from the site and are not considered to be of high quality, as stated within section 2.7.2. Section 2.7.3 ignores the desire line towards the City Centre and the Frayne Road (E-Bound) bus stop in which the Greenway Bush Lane/ St Francis Road crossing does not sufficiently cater for. The level of traffic utilising North Street, as demonstrated within the TA, demonstrates the requirement for a formal crossing as this would provide safe and convenient access to/from the development and the subsequent desire lines.

[Case Officer Note: The applicant has agreed to a package of transport improvements to provide a zebra crossing to/from the application site].

Bus stop contributions are required to facilitate the increase in patronage as a direct result of the development as well as encourage modal shift away from the private car. Given the need to encourage modal shift and meet the travel plan targets a bus stop contribution is reasonably justified.

[Case Officer Note: The applicant has agreed to a package of transport improvements including a contribution to travel plan monitoring and bus stop upgrades.]

Baynton Road

Whilst it is accepted Baynton Road may not be the main pedestrian/ cyclist access a level of pedestrians will utilise this route. Additionally, given the proposed commercial use of the internal courtyard it can be reasonably suggested that pedestrians may be more inclined to utilise this route given the perceived safety implications. The footways must be extended, and footways provided on the opposing side of the carriageway.

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[Case Officer Note: The applicant has agreed to extend the footways on Baynton Road and make improvements to the footways adjacent to the application site.]

Undeveloped Parcel of Land

Having conducted a site visit TDM's concerns remain that this area is utilised for the parking of commercial vehicles thus blocking the ability for larger vehicles to perform a turning manoeuvre.

The applicant has right of access over the land, but it is not stated this land is owned thus any parking within this area would become a civil matter. In addition to this Bristol Waste will not manoeuvre over private land as per the Bristol Waste guidance.

Travel Planning

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 has been agreed.

Alternatively, for BCC to implement the residential travel plan the cost would be £135 per dwelling with no management fee required. The fees are to be secured through a S106 agreement payable on commencement of the development.

Subject to the provision of a final General Arrangement showing: the footway improvements adjacent to the application site and the zebra crossing – Transport Development Management has no objection to the proposed development. Final TDM comments will be provided by way of the Amendment Sheet.

FLOOD RSK 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.

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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 customer seating areas (C1, A3 and A4 uses only); Opening hours (B1, B1/A1/A3/A4/C1 uses only) and limit on quantum of drinking establishments (A4).

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 – No objection*Comments on Application as submitted.*

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.

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- 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.

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.

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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.

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

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‘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.

Comments on revised details provided for the application.

Following the submission of responses to the issues raised in the comments on the application as submitted, the following further comments have been provided:

District Heat ready – residential

A s.106 obligation should be added to secure the new residential development as ‘District Heat (DH) ready’. As part of this, prior to commencement, evidence that it will be possible to connect the building to the DH network in the future should be submitted and agreed in writing by the LPA, including the proposed DH pipe route into the plant room.

District Heat ready – commercial

The applicant suggests that it is not practical/viable to make the existing commercial units ‘DH ready’ due to the heritage nature of the building– no evidence of this has been submitted, so this is difficult to verify.

A condition should be applied to these units to secure evidence that a BCS14 policy compliant-heating system in line with the heat hierarchy is proposed in these units prior to fit-out, and its subsequent installation in line with the approved details.

Renewable energy

The applicant is proposing this is met through fabric measures alone for existing commercial buildings – this is not compliant with policy - fabric improvements to existing buildings are a policy expectation in addition to the 20% CO2 reduction through Renewable Energy. The 20% reduction must be met through renewable energy, or where this is unfeasible on site, this can also be met via a carbon offset contribution secured by S106, charged at £60/tonne over a 30-year period. In this case there is a 7 tonne CO2 shortfall, so the payment would be £12,600.

The following has been agreed/submitted to address the concerns of Sustainable Cities Team:

- District Heating future-proofing (secured via s.106 agreement and condition)
- Carbon offset contribution (secured via s.106 agreement)
- Thermal comfort report setting out use of solar control glass to reduce overheating risk
- Measures to enhance natural ventilation and minimise cooling requirements
- BREEAM Excellent (secured via condition)

EQUALITIES ASSESSMENT

Section 149 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

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(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.

RELEVANT POLICIES

National Planning Policy Framework – February 2019

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 National Planning Policy Framework (NPPF), paras. 86 and 87 sets out that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre. Only if suitable sites are not available should out of centre sites be considered. Edge of centre sites are preferred where they are accessible and well-connected to the town centre.

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 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.

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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 (including a Sequential Test) in Section 6 of the Planning Statement submitted in support of the application. 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 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.

The site is considered to be 'edge of centre' as identified within the NPPF. It is suitably accessible and well-connected to the town centre, within a short walking distance and on a high-frequency bus route.

The Sequential Test has been undertaken by the applicant in accordance with paragraphs 86 and 87 of the NPPF. This assessment is used to determine whether there are any

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sequentially preferable sites (to the application site) that are suitable and available to accommodate the proposed development within centre locations.

The Sequential Test provided within the Planning Statement sets out that three alternative sites were identified with development potential.

These sites were each assessed in turn and discounted for the following reasons:

Hayleigh Elderly Persons' Home and adjacent Club, Myrtle Street Site Allocation Ref: BSA1006

- Discounted as the site was allocated for a community use and has been developed as Southville Primary School.

Former Granada/Gala Bingo Club, North Street: Site Allocation Ref: BSA1010

- Discounted as the site has been developed for residential uses with office/retail spaces occupied.

Vacant Unit (ex Haart Estate Agents), 204 North Street

- Discounted as the site is of insufficient size to accommodate the office/retail space.

It is concluded that although the site is an edge of centre location, there are no sequentially preferable sites within the Southville District Centre that could accommodate the quantum of retail and commercial uses proposed, and as such, the proposed development is in accordance with the NPPF.

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.

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.

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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.

The Urban Living SPD does not set a maximum residential threshold, instead it promotes an optimum density on all sites, in all locations. It acknowledges that in some cases a site (such as the application site) might have an optimum density that is much higher than the prevailing density. The Urban Living SPD identifies the Old Brewery as an Inner Urban Area, and states that optimising density focuses on areas of underused land with good access to services and facilities.

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 in accordance with Policy BCS20 and the Urban Living SPD.

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 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. 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 and assessed sequentially preferable sites.

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.

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).

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The RLV is calculated by ascertaining the value of the completed development, and subtracting from this all the costs involved in bringing the development forward (e.g. build costs, professional fees, legal costs, financing costs etc) and the developers profit. All inputs are 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 and a carbon offset, which will also impact on the viability of the scheme.

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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.

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.

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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.

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. Windows and balconies on the side elevation of Building F have been removed to address the concerns of objectors from the Old Dairy and to remove the potential to prejudice the future development of this adjoining site. 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

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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.

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.

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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.

Transport Development Management has requested that improvements are made to the Baynton Road access to the site. It has been agreed that a footway is to be provided on Baynton Road to enhance pedestrian access and that the bus stop on North Street and the kerbs at the Baynton Road/Ashton Road junction would be realigned to ensure that there is sufficient visibility for road users. These works would be secured by s.278 agreement.

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 application 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 Management and Audit Fee in the sum of £3,500 for the residential and £3,500 for the combined commercial is required. Alternatively, for

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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 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 existing residential 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

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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.

As noted in the Relevant History section of the report, Prior Approval was given for the change of use for Units 1 – 5 of the Old Dairy in January 2019. This site, subject to the discharge of conditions, now benefits from the ability to change use to residential use (Use Class C3 dwellinghouses).

In the applications for Prior Approval, there are no elevations submitted, therefore a detailed review has been undertaken of the plans and supporting information. The BRE Report for Daylight & Sunlight outlines that the importance in receiving good levels of natural light is less for bedrooms than other habitable rooms and staircases / corridors / circulation space / bathrooms 'need not be assessed'.

An Updated Daylight and Sunlight Assessment was requested to assess the impact of the proposals on the five units at the Old Dairy as residential receptors. This assesses each Prior Approval application as follows:

- 18/05289/COU: The elevation closest to the development would have rooms proposed for bedrooms and circulation space. The impact of this application on the

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theoretical levels of Daylight & Sunlight received to this neighbouring property is considered to be de minimis.

- 18/05293/COU: The elevation closest to the development would have rooms proposed for bedrooms, circulation space and a bathroom. The impact of this application on the theoretical levels of Daylight & Sunlight received to this neighbouring property is considered to be small and acceptable in accordance with the BRE Report.
- 18/05294/COU: The elevation closest to the development would have rooms for bedrooms and circulation space. They would not directly overlook the application site. The impact of this application on the theoretical levels of Daylight & Sunlight received to this neighbouring property is considered to be de minimis.
- 18/05295/COU: The elevation closest to the development would have rooms proposed for bedrooms and circulation space. The impact of this application on the theoretical levels of Daylight & Sunlight received to this neighbouring property is considered to be small and acceptable in accordance with the BRE Report.
- 18/05296/COU: The elevation closest to the development would have rooms proposed for bedrooms, circulation space and a bathroom. The impact of this application on the theoretical levels of Daylight & Sunlight received to this neighbouring property is considered to be small and acceptable in accordance with the BRE Report.

To further address concerns of overlooking and to ensure the application would not prejudice the development of the adjoining site (in the ownership of the Old Dairy), the Juliette balconies and windows on the southeast-facing side elevation of Building F on Baynton Road have been removed.

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.

Further clarifications on the Existing and Proposed works Adjacent to No. 4 Ashton Road have been provided on a plan and in a report, which shows how the proposals for the new roof of the adjoining Building H would be lower than all of the existing rear garden walls to No. 4 Ashton Road.

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.

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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%.

Policy BCS15 sets out that sustainable design and construction should be integral to new development in Bristol. Consideration of energy efficiency, recycling, flood adaptation, 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. Such an intervention is considered inappropriate given the historic nature of these buildings, however it has been agreed that the applicant will pay a carbon offset contribution secured by s.106 agreement, charged at £60/tonne over a 30-year period. In this case there is a 7 tonne CO₂ shortfall, so the payment would be £12,600.

The proposed development would be 'district heat-ready' and provide sufficient infrastructure for a future connection when available. This is to be secured via s.106 agreement. Further details are to be provided to understand whether it is practical / viable to prepare the existing commercial units, this would be secured by way of a condition.

Following agreement of the offset contribution and the preparedness for district heating to be secured, the proposed development is supported by the Sustainable Cities Team.

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It is concluded that the combination of sustainability measures relating to climate change, construction and renewable energy subject to the conditions and obligations as outlined above, is in accordance with adopted policy.

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 amenity 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.

PLANNING AGREEMENT

- 16 no. Affordable Housing units.
- Connection to District Heating - residential element.
- £12,600 carbon offset contribution.
- £12,500 contribution to relocate North Street (Frayne Road) bus stop.
- £3,500 residential, and £3,500 commercial, Travel Plan Management and Audit Fee or £135 per dwelling for BCC to implement a residential Travel Plan.

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RECOMMENDED GRANT subject to planning agreement

CONDITIONS

Time limits for commencement of development

1. Full planning permission

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

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

Pre-commencement 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,

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- 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.

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.

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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.

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

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- Arrangements to receive abnormal loads or unusually large vehicles
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and at no time on Sundays and Bank Holidays.
- Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- 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 P3 (PROPOSED ACCESS IMPROVEMENTS AT BAYNTON ROAD JUNCTION) and GENERAL ARRANGEMENT PLAN (TBC) unless varied by subsequent approval of details under section 278 of the Highways Act 1980 or otherwise agreed in writing by the local planning authority.

The development hereby permitted shall not be occupied nor use commenced until the highway works have been completed in accordance with technically agreed engineering details.

Reason: To ensure that all road works associated with the proposed development are planned and approved in good time to include any statutory processes, are undertaken to a standard approved by the Local Planning Authority and are completed before occupation. NB Undertaking works in the highway will require a legal agreement with the Highway Authority and contact should be made with the Local Highway Authority at least 6 months in advance of commencing the works so that an agreement is completed prior to starting any works on the highway.

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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.

12. Further details before relevant element started - design

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).

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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.

Prior to the commencement of development (excluding demolition), details shall be provided to and approved by the Local Planning Authority to ascertain whether district heating is a practical and viable solution within the retained commercial buildings.

Reason: To ensure that the development complies with the sustainability aims of the development plan.

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

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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.

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>

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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.

24. Travel Plans

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.

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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.

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.

32. Drinking establishments

No more than 250sqm of floorspace shall be within use class A4 'Drinking Establishments' at any one time.

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

List of approved plans and drawings

33. 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

Development Control Committee A – 3 April 2019

Application No. 18/04367/F: 1 - 3 Ashton Road (The Old Brewery) Bristol BS3 2EA

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
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 complete. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

- i. Drafting the Agreement
- ii. A Monitoring Fee
- iii. Approving the highway details
- iv. Inspecting the highway works

All or part of the highway to be constructed in accordance with planning approval hereby granted is to be constructed to an adoptable standard and subsequently maintained at public

Development Control Committee A – 3 April 2019**Application No. 18/04367/F: 1 - 3 Ashton Road (The Old Brewery) Bristol BS3 2EA**

expense. It is necessary for the developer to comply with the Highway Engineer's specification and terms for the phasing of the development, in accordance with section 38 (Adoption of highway by agreement) or section 219 (the Advance Payments code) of the Highways Act 1980. You must also contact the Engineering Design and Main Drainage Design section of City Transport to discuss the requirements for adopted roads or sewers and in due course submit a separate application in respect of these works. You are reminded of the need for early discussions with statutory undertakers to co-ordinate the laying of services under highways to be adopted by the Highway Authority. Telephone 0117 9222100.

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

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>

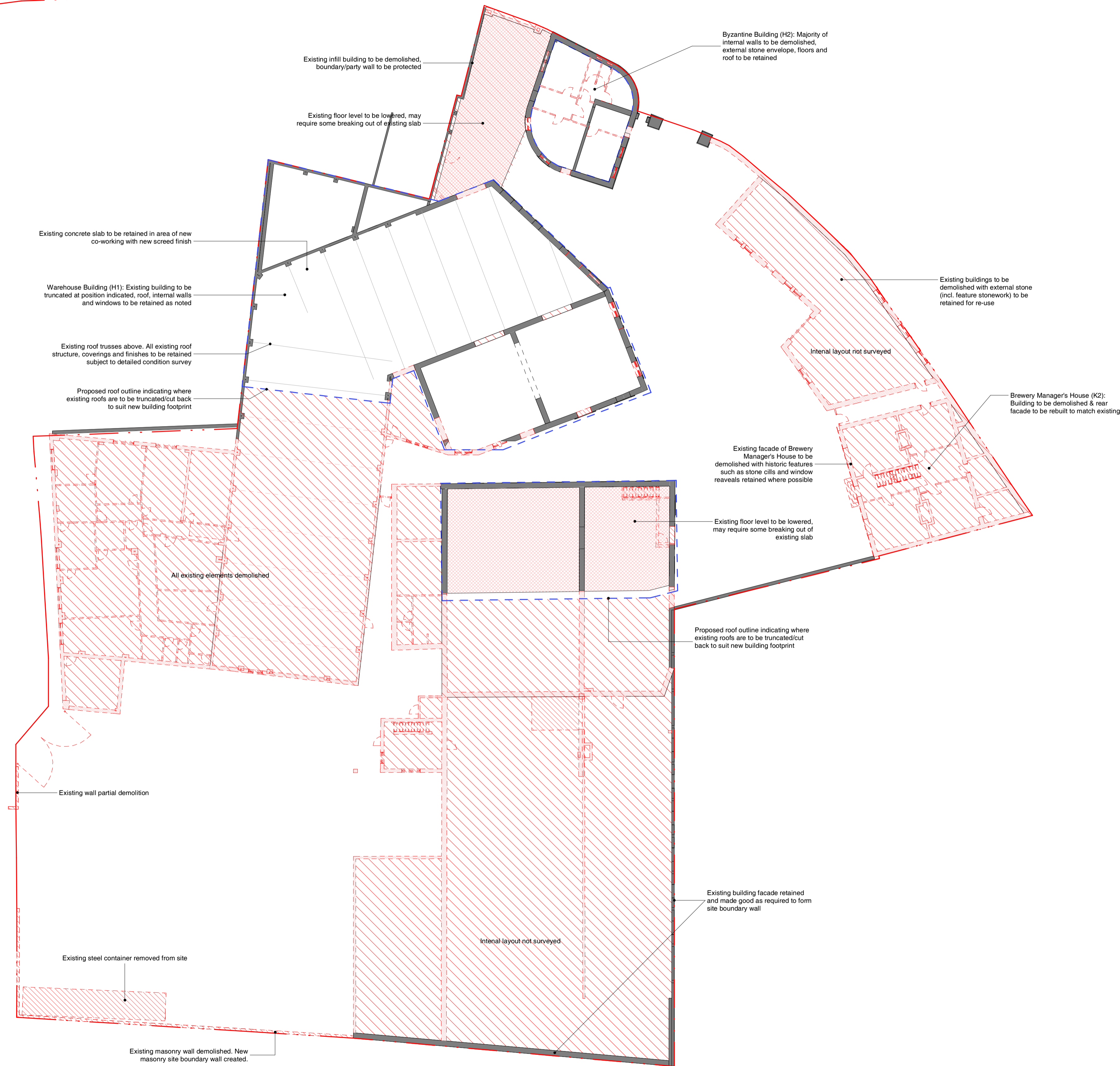
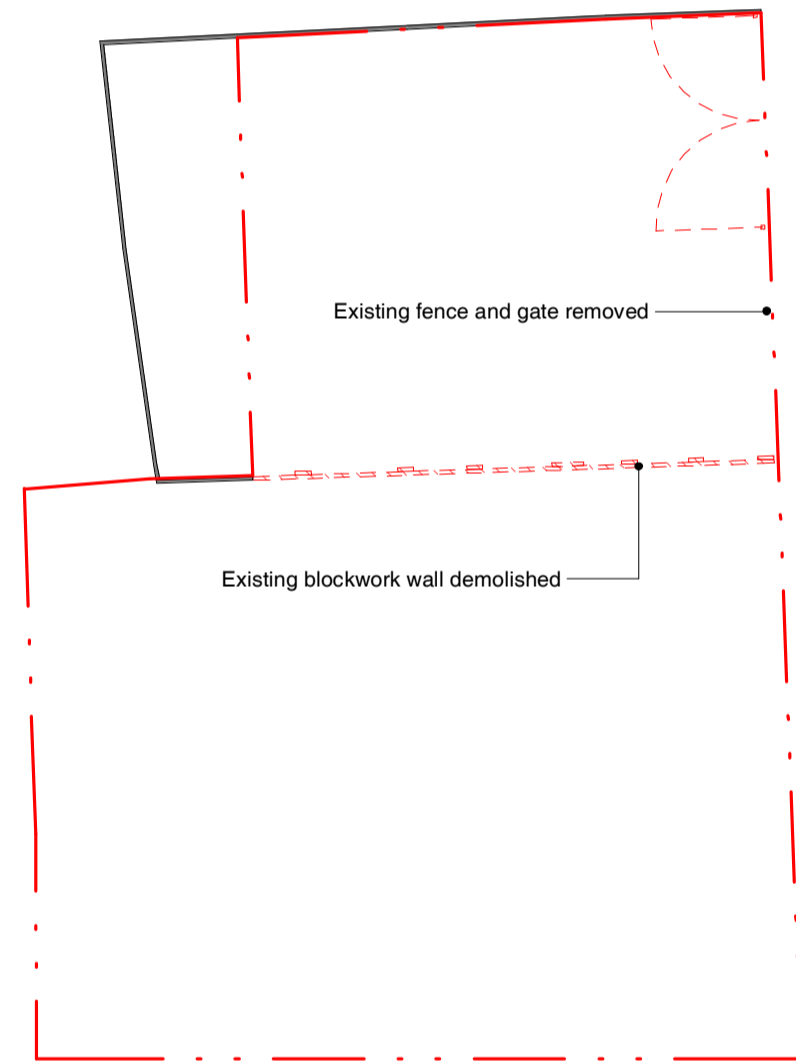
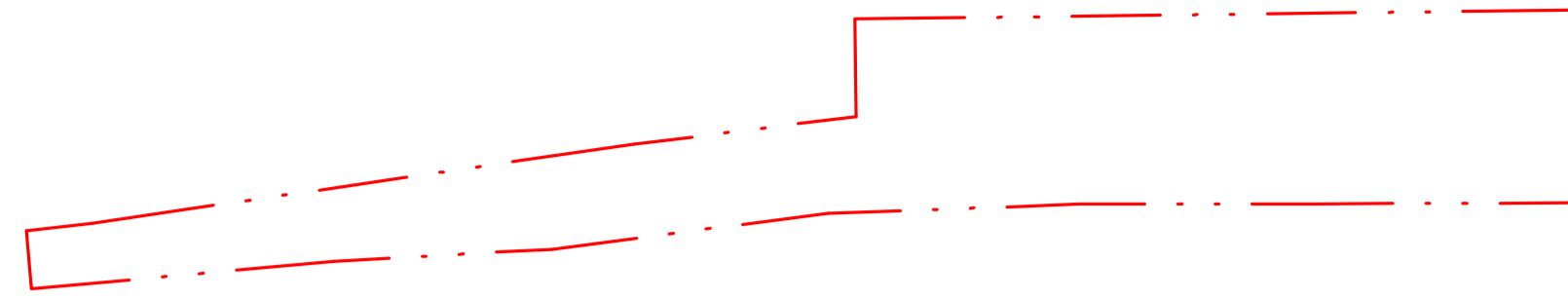
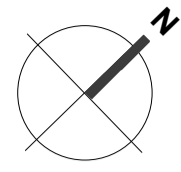
5. Party Wall

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

1. 1-3 Ashton Road (The Old Brewery)

1. Proposed demolition plan
2. Proposed site plan
3. Proposed ground floor plan
4. Proposed elevation North Street
5. Proposed site section AA BB
6. Visual from Baynton Road
7. Visual from North Street entrance
8. Visual from Northern Courtyard



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
P3	06.03.19	For Planning	BG

CDM Regulations

File Name: 16106 - NASH - XX - 00 - DR - A - L050 - P3



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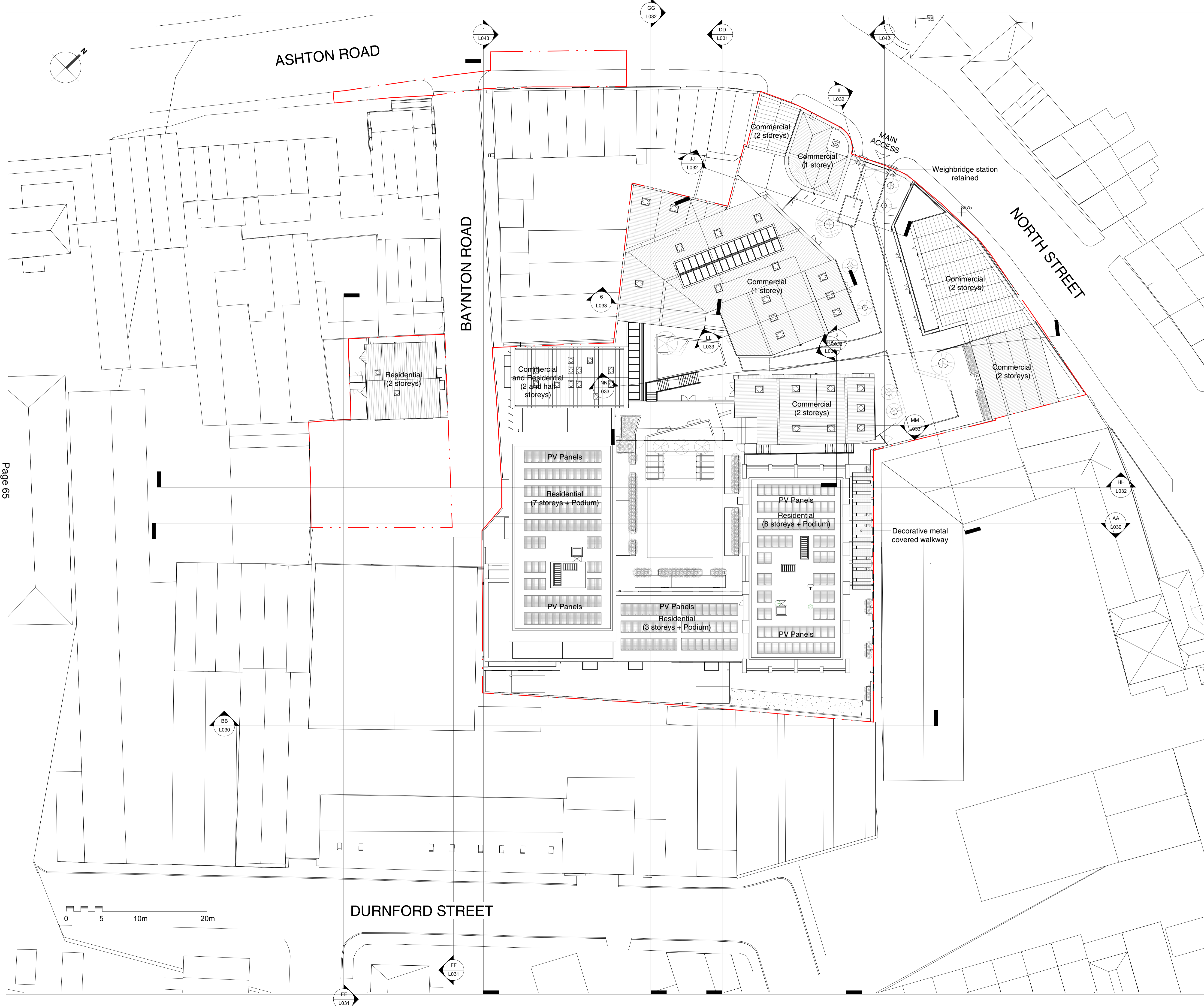
PLANNING

Project	Originator	Zone	Level
16106	NASH	XX	00
Type	Role	Drawing Number	Revision
DR	A	L050	P3

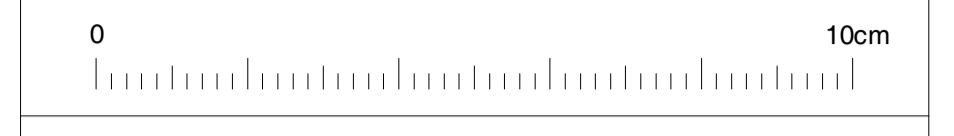
Project
The Old Brewery, Bristol

Title
Proposed Demolition Plan

Drawn by	Project Manager	Scale
CB	CB	1 : 200 @ A1



A1
Original Sheet Size



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	BG
P4	09.07.18	For Information	CB
P5	30.07.18	For Planning	KC
P6	04.02.19	For Planning	CB
P7	06.03.19	For Planning	BG

CDM Regulations

File Name: 16106 - NASH - XX - XX - DR - A - L010 - P7



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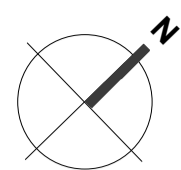
PLANNING

Project	Originator	Zone	Level
16106	NASH	XX	XX
Type	Role	Drawing Number	Revision
DR	A	L010	P7

Project
The Old Brewery, Bristol

Title
Proposed Site Plan

Drawn by	Project Manager	Scale
BG	JE	1 : 250 @A1



A1

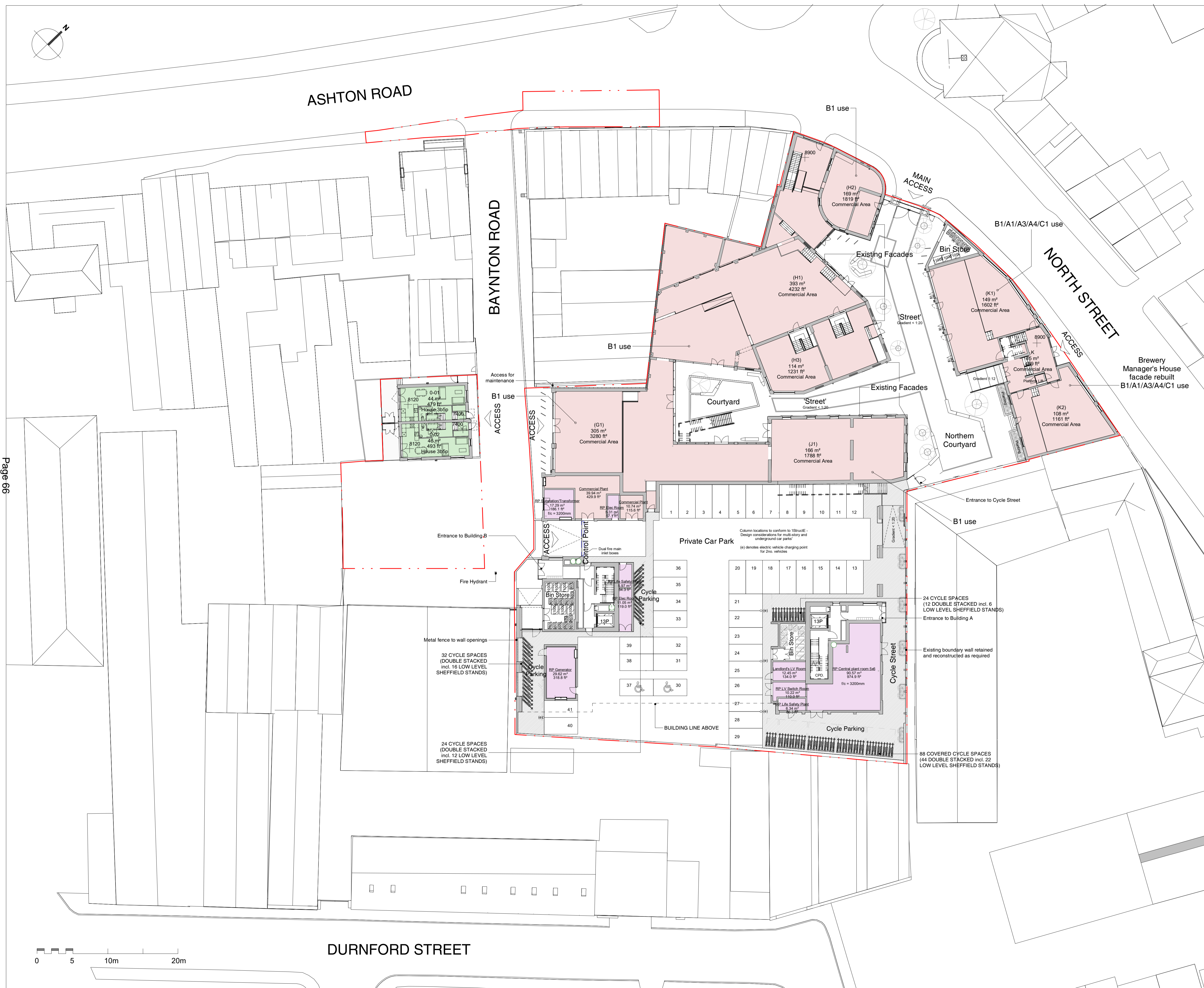
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Rev.	Date	Notes	Initials
P1	26.10.17	For Information	CA
P2	26.10.17	Issued to Landscape Designer	BG
P3	24.11.17	For Information	NS
P4	30.11.17	For EA Discussions	CB
P5	19.12.17	For Information	CB
P6	01.02.18	For Information	NS
P7	14.02.18	Issued to 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
P19	06.03.19	For Planning	BG

Page 66



CDM Regulations

File Name: 16106 - NASH - XX - 00 - DR - A - L011 - P19



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Project	Originator	Zone	Level
16106	NASH	XX	00
Type	Role	Drawing Number	Revision
DR	A	L011	P19

Project
The Old Brewery, Bristol

Title
Proposed Ground Floor Plan

Drawn by	Project Manager	Scale
CB	JE	1 : 250 @A1

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
P10	06.03.19	For Planning	BG



3D View North Street

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Project	Originator	Zone	Level
16106	NASH	XX	XX
Type	Role	Drawing Number	Revision
DR	A	L040	P10

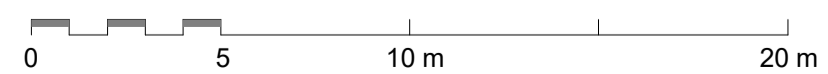
Project
The Old Brewery, Bristol

Title
Proposed Elevation North Street

Drawn by	Project Manager	Scale
BG	JE	1 : 200 @A1



Proposed Elevation - North Street
1 : 200



A1

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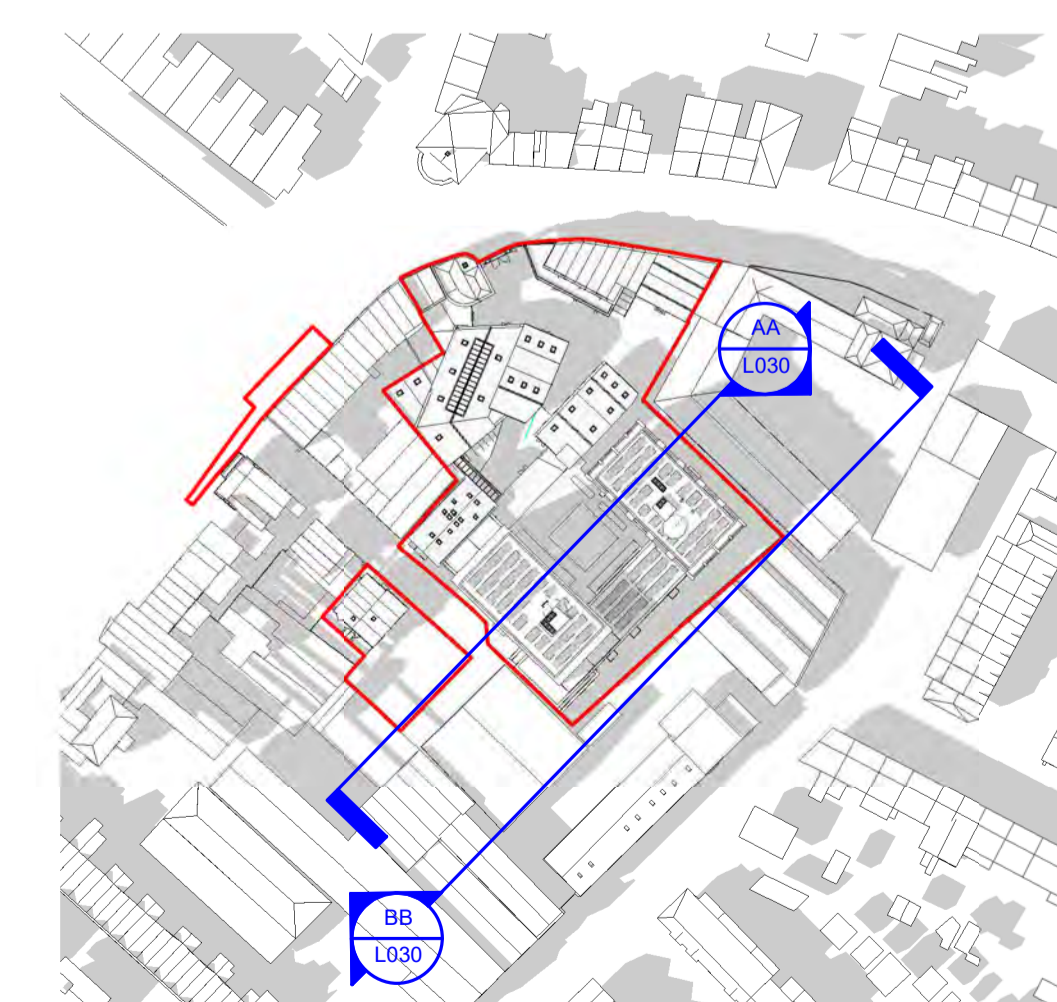
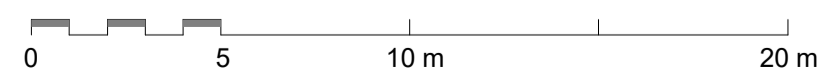
Rev.	Date	Notes	Initials
P1	29.09.17	For Information	CB
P2	24.11.17	For Information	NS
P3	19.12.17	For Information	CB
P4	01.02.18	For Information	NS
P5	19.02.18	Issued to Watts	CB
P6	09.05.18	For Information	BG
P7	15.05.18	Courtyard Facade Update	BG
P8	09.07.18	For Information	CB
P9	27.07.18	For Information	KC
P10	30.07.18	For Planning	KC
P11	04.02.19	For Planning	CB
P12	06.03.19	For Planning	BG



Site Section A-A
1:200



Site Section B-B
1:200



Site Plan With Section Markers
1:1500

CDM Regulations

File Name: 16106 - NASH - XX - XX - DR - A - L030 - P12

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Project	Originator	Zone	Level
16106	NASH	XX	XX
Type	Role	Drawing Number	Revision
DR	A	L030	P12

Project
The Old Brewery, Bristol

Title
Proposed Site Section AA BB

Drawn by	Project Manager	Scale
BG	JE	As indicated @ A1



A1

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Rev.	Date	Notes	Initials
P1	09.07.18	For Information	CB
P2	30.07.18	For Planning	KC
P3	04.02.19	For Planning	CB
P4	06.03.19	For Planning	BG

CDM Regulations

File Name: 16106 - NASH - XX - XX - VS - A - IM007 - P4

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Project	Originator	Zone	Level
16106	NASH	XX	XX
Type	Role	Drawing Number	Revision
VS	A	IM007	P4

Project
The Old Brewery, Bristol

Title
Visual from Baynton Road

Drawn by	Project Manager	Scale
NS	JE	@A1



A1

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P3	06.03.19	For Planning	BG

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File Name: 16106 - NASH - XX - XX - VS - A - IM002 - P3

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PLANNING

Project	Originator	Zone	Level
16106	NASH	XX	XX
Type	Role	Drawing Number	Revision
VS	A	IM002	P3

Project
The Old Brewery, Bristol

Title
Visual from North St. Entrance

Drawn by	Project Manager	Scale
NS	JE	@A1



A1

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Rev.	Date	Notes	Initials
P1	09.07.18	For information	CB
P2	30.07.18	For Planning	KC
P3	06.03.19	For Planning	BG

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File Name: 16106 - NASH - XX - XX - VS - A - IM003 - P3

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PLANNING

Project	Originator	Zone	Level
16106	NASH	XX	XX
Type	Role	Drawing Number	Revision
VS	A	IM003	P3

Project
 The Old Brewery, Bristol

Title
 Visual from Northern Courtyard

Drawn by	Project Manager	Scale
NS	JE	@A1

Development Control Committee A – 3 April 2019

ITEM NO. 2

WARD: Central **CONTACT OFFICER:** Kayna Tregay
SITE ADDRESS: Mooring North Of Peros Bridge Narrow Quay Bristol

APPLICATION NO: 18/05390/F Full Planning

DETERMINATION DEADLINE: 14 December 2018

Proposed permanent mooring of 57 metre boat, to use as office, storage and workshop for minor repairs (sui generis).

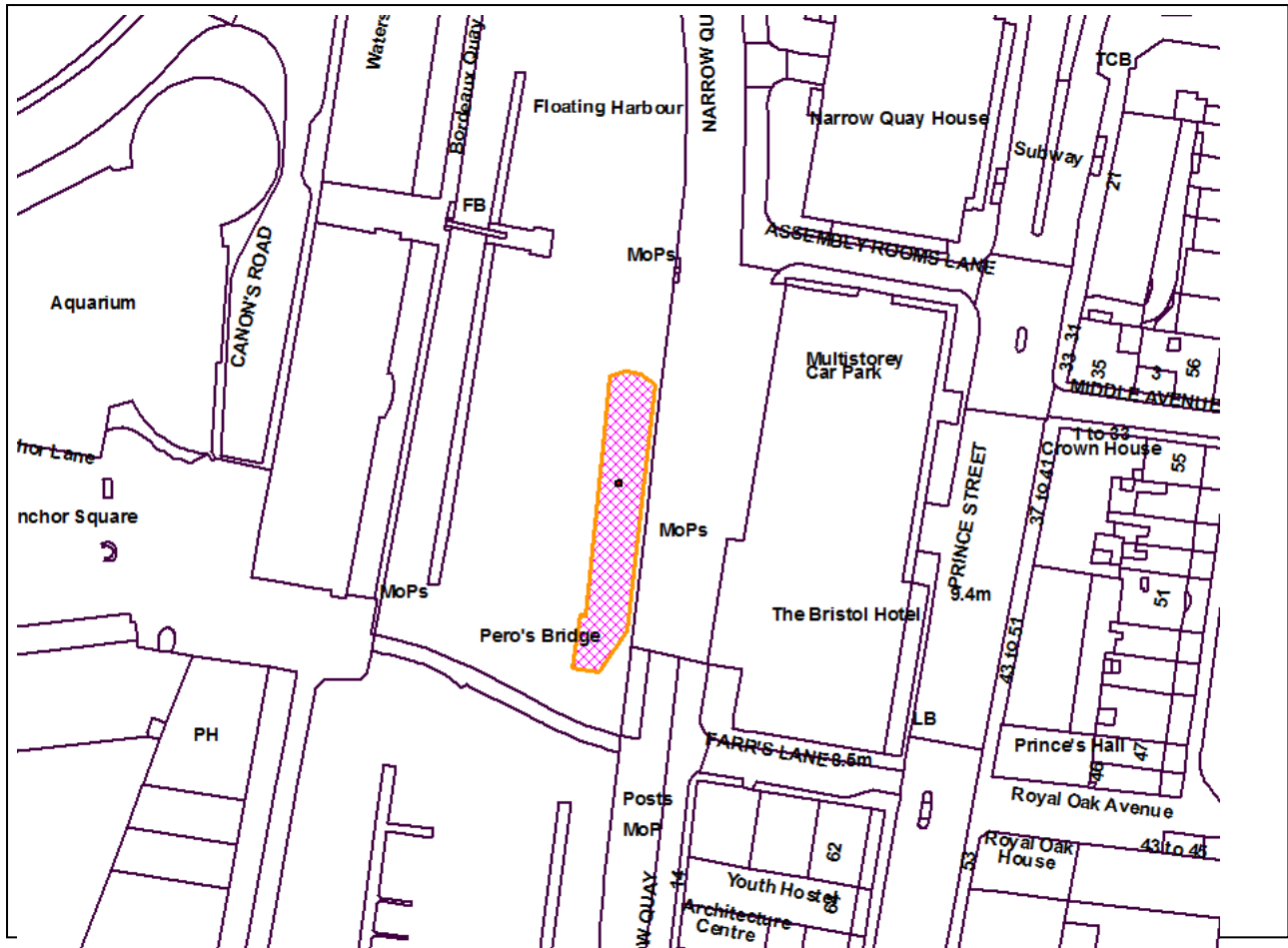
RECOMMENDATION: Refuse

AGENT: Mr Michael Fowler
 5 Lydia Court
 Station Road
 Bristol
 BS7 9LD

APPLICANT: Bristol Community Ferry Boats Ltd
 44 The Grove
 Bristol
 BS1 4RB

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

LOCATION PLAN:



Development Control Committee A – 3 April 2019**Application No. 18/05390/F : Mooring North Of Peros Bridge Narrow Quay Bristol****SUMMARY**

This application has been brought to committee because it is recommended for refusal, but has a high number of supporting comments (67 supporting comments at the time of writing). The applicant proposes to moor the 'Ellen' a Dutch barge to the north of Pero's Bridge. The proposal would provide a permanent base for the Bristol Community Ferry Boat Company (BCFC), and independent and community-owned organisation which operates 5 ferryboats providing commuter and leisure services around the Floating Harbour. The BCFC has currently outgrown its base on Grove Road. The proposals would result in very clear benefits in supporting an enterprise that delivers sustainable transport, tourism and water-based recreation within the City Docks. However, officers have serious concerns about the visual impact on heritage assets that would result from a 57 metre-long barge being moored within this part of the conservation area. The officer recommendation is very on-balance. All other issues are resolved, or could be conditioned. A Mooring Licence would also be required, but this is a separate issue to the planning process.

Committee members are asked to carefully consider the size and appearance of the 'Ellen' and to balance impacts on heritage assets with the benefits of the proposal. Finally, members may wish to view the 'Ellen' prior to the committee meeting. The barge is currently moored to the west of the SS Great Britain, on the opposite side of the Floating Harbour to Hotwell Road. The barge can be easily seen from the pavement of Hotwell Road looking towards the Albion Dockyard.

EQUALITIES ASSESSMENT

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

SITE DESCRIPTION

The application site is an area of water known as St Augustine's Reach within Bristol's Floating Harbour. It is located to the north of Pero's Bridge. The site lies within the City Docks Conservation Area and within the setting of a number of listed assets, including the Floating Harbour Quay Walls and bollards (on St Augustines Quay and Narrow Quay) and the Watershed (all Grade II listed). During the lifetime of the application, the Bristol Hotel (formerly Jurys Hotel) to the east of the application site became Locally Listed.

The site lies within the Harbourside neighbourhood and adjacent to a Quayside Walkway, as defined in the Central Area Plan (2015).

The site lies within Flood Zone 2 and 3, but is considered to be "water compatible development", as defined by the National Planning Policy Framework (2019) (NPPF).

PROPOSED DEVELOPMENT

The applicant proposes to moor the 'Ellen' alongside the quayside wall, within the water of the Floating Harbour. The 'Ellen' is a 57m long Dutch barge. There would be no permanent fixing to any structures on land, although ropes would be attached to existing bollards and gangway would be laid onto the quayside. There would be no alteration to quayside structures.

Development Control Committee A – 3 April 2019**Application No. 18/05390/F : Mooring North Of Peros Bridge Narrow Quay Bristol**

Officers have taken legal advice and consider that the proposals do need planning permission, particularly due to the proposed permanence of the 'Ellen' in this location.

The applicant initially applied for use class B1(a) (office). The use class of the application was considered to be sui generis (for reasons set out below) and the description of development has been amended to reflect this. The applicant has explained that the 'Ellen' would form a base for the BCFC. This company currently operates five ferryboats within Bristol's Floating Harbour, providing public transport and private party cruises. Currently the company's base is located on Grove Road within Bristol's city centre. This is where the administration of the company currently takes place. The ferryboats are currently moored at the nearby Mud Dock. The applicant has explained that the company has expanded and outgrown their base at Grove Road.

The 'Ellen' would be used as the company's administrative base, There would also be the following uses taking place on the site:

- Some light repairs and maintenance of elements of the ferryboats. These would all be undertaken inside the interior of the 'Ellen' in a workshop area. No refuelling or major repairs would take place on the site.
- Ferry Boats crew base. Crew members would come to take their breaks onboard the barge.
- Storage area for consumable supplies (for ferry boat private cruises)
- The five ferryboats would moor alongside the Ellen overnight. A pontoon is provided for this purpose (on the other side to the harbour wall). This would be 1m wide, as shown on the applicant's drawings.

The applicant has set out how there would be some deliveries to the site, including the following:

- 3-4 times a month: delivery of catering equipment for a private party, plus return to collect plates and leftovers.
- Once a week: delivery of drinks for private parties and others.
- Once a month: a panel van collects 4no x 25l oil containers.
- 1-2 times a month: a lorry would delivery diesel fuel (to be stored in a separate storage tank on board the 'Ellen').
- Weekly: a licensed commercial waste disposal firm would collect refuse.
- 1-3 times a week: delivery of office supplies.

RELEVANT PLANNING HISTORY

19/00490/F: Mooring of boat to be used for a Little Pirates Café: Land on the East Side of Narrow Quay. (resubmission) (Pending consideration).

18/00136/F: Mooring of boat to be used for a Little Pirates Café: Land on the East Side of Narrow Quay. Refused 23.03.2018.

13/05441/F: Proposed use of moored barge for servicing ferryboat business including ancillary works to quay. Refused following a committee decision 19.06.2014. [Refused for four reasons, including: impacts on residential amenity arising from noise; highways safety issues arising from poor access; harm to the conservation area arising from the proliferations of refuse/recycling bins adjacent to Hotwell Road and the Grain Barge; and harm to a wildlife feature (swan nest)].

13/05446/LA: Minor alterations to quayside railings and installation of mooring bollards in association with application for proposed use of moored barge for servicing ferryboat business. Approved following a committee decision 19.06.2014. [This application related to small-scale proposed works to the quayside. There were no officer concerns subject to the agreement of specific details. A condition was added to require detailed drawings to be submitted. This

Development Control Committee A – 3 April 2019**Application No. 18/05390/F : Mooring North Of Peros Bridge Narrow Quay Bristol**

application was thus different to 13/05441/F which related to the whole barge, as opposed to the minor quayside alterations].

RESPONSE TO PUBLICITY AND CONSULTATION

a) Councillor interest

Councillor Mark Wright has made the following comments:

"This application is an attempt to bring final closure to a problem of the Council's own making, that has been dragging on for 4 years now. A commitment made by a long-since departed Director of Harbour Estates was never honoured - which was to find a suitable mooring location for the Ellen so that it could be used as a base for the Bristol Ferry Boat HQ. That was very disappointing and has caused considerable business problems for the ferry company in the years since.

The proposed location is not the best spot...but is the only plausible location now left in the Harbour. Several years of searching have proved that there is no other viable spot of sufficient length. As councillor for the harbour area for 14 years now (though the boundary change now puts the ward boundary up the middle of the harbour at this point) I have always been of the opinion that anywhere in the harbour is a suitable location for maritime use - including whatever maritime noise and activity might be generated by that use.

The maritime uses of the harbour water long preceded any of the modern surrounding uses, and should never be compromised for the convenience of more modern uses. Indeed, most of the Harbourside business benefit greatly from the huge footfall that is generated by precisely the living, breathing maritime uses that still live on in Bristol's Harbour. Therefore I have no hesitation in giving this application my fullest support."

b) External responses

67 representations of support were received. 7 of these acknowledged that they were shareholders in the BCFC. 4 objections were received. Except where otherwise indicated, these are addressed in the Key Issues set out below.

Issues raised in the supporting representations are summarised as follows:

i) Rationale for development

- The Bristol Community Ferry Boat Company needs a new permanent base from which to operate.
- The proposals will be convenient for the applicant, since the site is close to the ferry route terminal by the Watershed.
- The proposals will enable the BCFC to operate more effectively and efficiently. It will be a more secure base with all the company's operations in one place. It would enable sufficient storage and office space, since the company has outgrown its current office. Without a suitable base, there would be a risk to the service and the jobs in the ferry company.
- The Ellen has been the maintenance base for the ferries for four years since the loss of the facility at the Underfall Yard due to redevelopment. The office at The Grove is overcrowded. Without this proposal, it will be virtually impossible to continue what the ferries do for Bristol.
- This part of Narrow Quay is currently a 'dead space' where nothing happens - there are no thriving cafes, shops or markets. It would be a good place for the proposals.

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ii) Transport and tourism

- The BCFC operates a good public transport service (including for commuters) which is an alternative to the private car. The application therefore supports sustainable transport.
- The ferries support tourism, since they run routes to the harbour's attractions such as the SS Great Britain and the Underfall Yard.
- The ferries are a tourist attraction in themselves.

iii) Benefits of the Bristol Ferry Boat Company

- The BCFC is a not-for-profit community organisation. It is not reliant on grant income or contracts from the council. This type of organisation should be supported.
- The Company operates 364 days a year and has been operating for 40 years.
- The BCFC offers outreach initiatives and offers volunteer opportunities.
- The Company offers a unique cultural and creative programme on board some of the ferries.
- The proposals will benefit local businesses and local people.
- The ferries offer a family activity as an alternative to the drinking and eating offers in this part of the Harbourside.
- The BCFC staff are ambassadors for Bristol and an iconic local community enterprise.

iv) Visual impact and heritage issues

- The proposals will be appropriate in the setting, since the 'Ellen' is a boat and appropriate to this dockside location. The ferry company is part of the landscape of the harbour and is in keeping with the maritime traditions of the city.
- The 'Ellen' is a working boat and this would serve as a reminder of the harbour's history. Part of the interest of the harbour is working boats, not just pleasure craft.
- Boats belong on the harbour.
- The proposals will be more appropriate to this part of the harbour than the pleasure craft currently moored in this part of the Floating Harbour.
- The 'Ellen' will enhance this part of the Floating Harbour.
- The 'Ellen's is an impressive and iconic boat with vibrant colours.
- The smaller ferry boats with their blue and yellow vibrant colours will provide visual interest for people visiting and passing through this area.
- The proposals would add interest to an otherwise long stretch of empty quayside wall.
- The views of the bridge would not be obstructed by the proposed pontoon.
- According to the applicant's plans, the 'Ellen' would be low in the water and would not be obtrusive about the level of the water.
- Pero's Bridge will remain a prominent landmark, even with the 'Ellen' sited in the proposed location.
- The proposals would reduce the impression of the site being part of a backwater.
- The 'Ellen' is a similar size to 'Under the Stars' which has been moored by the Quayside for many years.
- There are already numerous pontoons in the area, so an additional one will not cause harm.
- There will be no impacts on listed assets, since there will be no alteration or removal of these structures.

v) Mooring issues

- There have been previous difficulties in finding a mooring for the 'Ellen'.
- Bristol City Council should support this application and help secure a mooring for the 'Ellen'.
- The location should be moved to be further up the Floating Harbour, closer to the hotel car park [officer note: officers must assess the proposals before them].
- Five years ago, the application to moor the 'Ellen' opposite the SS Great Britain was refused

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at planning committee. In turning this down, Members noted that an alternative mooring surely must be found elsewhere in the Docks. The Harbourmaster's office has put forward the current location.

vi) Noise

- There will be no problems with noise.
- On rare occasions staff will be on board during the late evening, but any impacts from this will be no worse than the impact of neighbouring hospitality businesses.

vii) Other issues

- A temporary permission would not be useful, as a permanent base is required.
- The objections for CBRE are largely technical and could be overcome.

c) Objections to the proposals

Public objections are summarised as follows:

- There should not be refuelling taking place on board the barge [office note: it has been clarified that no refuelling of ferryboats would take place on the 'Ellen'].
- The potential risk of fuel spill into the Harbour is of concern.

The Conservation Advisory Panel commented as follows:

"The Panel considered that the 57m long boat would be very large and have a significant impact on this section of the quay. The stretch of water north of Pero's Bridge had effectively become a backwater and this boat would exacerbate matters even further. The pontoon on the outside of the boat would create an even greater visual obstacle and undermine views of Pero's Bridge which were an important new landmark in the docks. If permission to moor is to be considered the boat should be located much further away from Pero's Bridge and only on a temporary basis."

CBRE (a real estate investment organisation) on behalf of the Doyle Collection (which owns the Bristol Hotel adjacent to the application site) objected to the proposals in an initial response dated 20 November 2018. Their comments can be read online on Bristol City Council's website and are summarised as follows:

- The Bristol Hotel has recently submitted an application for new external seating areas (planning reference 18/06450/F - approved subject to conditions -). The proposals to moor the 'Ellen' would compromise these new proposed areas.
- The proposals would impact on heritage assets including the conservation area. Paragraphs 189-190 of the NPPF need to be considered. The proposals would detract from the conservation area and not be a positive contribution to it. The proposals would impact on views towards the application site, as set out in the conservation area character appraisal.
- The description of development should be revised to include the pontoon and drawings of the pontoon should be submitted [officer note: the pontoon is shown on the plans and elevations BCF8 A.1 dated 26.02.2019].
- The workshop and store issues cannot be considered ancillary to the proposed office use [officer note: this is discussed in the Key Issues section below].
- Plans are insufficient [officer note: plans submitted at the time of the application, plus those subsequently are considered sufficient to assess the application].
- No signage proposals have been submitted [officer note: this would be dealt with via the necessary advertisement consents].
- It is unclear whether listed building consent would be required [officer note: nothing will be

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- permanently attached to the listed harbour wall. Listed building consent is not required].
- The Environment Agency has requested a flood risk assessment. This should meet the requirements of the NPPF.
- Public safety: it is unclear how public safety would be maintained.
- If the council is minded to approve the application, strict conditions should be placed on its use, hours of operation, noise levels, safety, security and general upkeep [officer note: the application is recommended for refusal, but if committee were minded to overturn the officer recommendation, conditions would be attached to any consent granted].

CBRE then submitted a second letter dated 8 March 2019, again on behalf of the Doyle Collection. Comments within their second letter are summarised as follows:

- The Doyle Collection is supportive of the Bristol Community Ferry Boats' service.
- However the principle concerns set out in the initial letter still stand. In particular, the mixed use is not appropriate to this location.
- There are other areas which could be explored by the applicant.
- The administrative and repair elements could be split into separate locations.
- The proposed development is located in an area which is required on occasion for major events. The nature of the proposals (including repairs) could adversely affect the application of this policy.

The Environment Agency (EA) initially objected to the proposals on the basis of a lack of Flood Risk Assessment. The EA removed its objection following the applicant's submission of a Flood Risk Assessment and noted that "The submitted Flood Emergency Report and Plan Document BCF 12 section 12.6 confirms that gangways and mooring ropes will be adjusted or removed if high flows are expected." The EA also advised that the LPA may wish to secure a flood warning and evacuation plan.

d) Internal comments

The **Harbourmaster** has commented as follows:

"In order to moor the Ellen in the proposed location by Pero's Bridge, the applicant will require both a commercial mooring licence and planning permission. The applicant has previously had informal discussions with the Harbour Authority about mooring the Ellen in this location. In principle the location could be acceptable to the Harbour Authority, but this would be subject to a formal application for a commercial mooring licence and agreement on the commercial mooring fees and length of period of licence. The applicant would need to pay for a mooring licence and this charge has not yet been set."

The **Civil Protection officer** made the following written comments:

"I think the Flood Emergency Report and Plan is confusing and over long, the introduction and all the attachments are not needed in the plan. The "FEP" itself should be separated out."

The **Pollution Control officer** made written comments which are as follows:

"I would be happy with [the proposals] from a noise point of view.

If approved I would however like to see the hours of operation restricted as per the application along with the following condition:

1. Noise from plant & equipment

The rating level of any noise generated by plant & equipment as part of the development shall be at

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least 5 dB below the background level at any noise sensitive premises as determined by BS4142: 2014 Methods for rating and assessing industrial and commercial sound."

The **Land Contamination Officer** made written comments as follows:

"The proposed scheme has the potential to cause contamination of the harbour, through either the operation itself or sewage. However as the boat will be moored in the harbour the operators have to abide by the Bristol City Docks Bye-Laws 2009.

Advice: The boat must abide by the Bristol City Docks Bye-Laws 2009. In the event of a pollution incident the following procedure must be adopted - EMS Harbour Operational Procedures, ISO14001:2015. September 2017, Version 1 (or most subsequent updated versions)."

The **Transport Development Management Officer** had no objection to the proposals (verbal comments).

The **City Design Team** advised that the proposals could not be supported for the following reasons:

- The proposed barge is too large and its character is unsuitable for this part of the floating harbour.
- There would be harm to the character and appearance of the conservation area and the setting of listed and locally-listed assets.

These points are further discussed within the Key Issues section of this report.

Air Quality has commented as follows:-

I have no concerns about air quality for this development. Emissions will be limited to the transient operation of the boat's engine and generator which should not significantly affect air quality in the vicinity.

RELEVANT POLICIES

City and Queen Square Conservation Area Character Appraisal
City Docks Character Appraisal

Planning (Listed Buildings & Conservation Areas) Act 1990

National Planning Policy Framework – February 2019
Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocation and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2015.

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

KEY ISSUES

1. Principle of Development

The application is for a sui generis use. As set out above, the application includes office, storage, repairs and maintenance. The intention would be for the 'Ellen' to be the main administrative base of the Bristol Ferry Boat Company (the applicant), so it would support a tourism, leisure and

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transport function. Repairs would be minor in nature and duration. At present, the BCFC does not own the 'Ellen'. The 'Ellen' is owned by a third party.

It must be considered whether the proposed use is appropriate in this part of the floating harbour. The relevant policies are as follows:

BCS2 supports mixed use development in Bristol's City Centre. It also states that the Floating Harbour will be maintained as a location for maritime industries and water related recreation activities. BCS8 and BCAP6 support the delivery of new office space.

BCAP9 refers to cultural and tourist facilities and water-based recreation. It states that proposals for new cultural facilities, tourist attractions and water-based recreation uses in the city centre boundary will be encouraged. It is considered that the five ferryboats would fall under this definition of "water-based recreation". DM22 states that development adjacent to or containing waterways should enhance the recreation and leisure role of the on-site waterway.

The site lies within the Harbourside neighbourhood as defined in the Central Area Plan. Para 9.7.1 states "The area's attractive and lively nature has resulted in a growing number of residential and commercial moorings which provide further interest and activity. A number of ferry services also provide important connections across the Harbourside Neighbourhood and add to the area's many attractions." Policy BCAP41 sets out the Approach to Harbourside. It states "development will be expected to enhance Harbourside's role as an informal leisure destination and a focus for maritime industries, creative industries and water-based recreation, preserving and enhancing the setting of the neighbourhood's major attractions including the Floating Harbour itself."

The proposed use would support the ferryboats which would contribute to tourism, leisure, sustainable transport and water-based recreation within the City Docks. The policies set out above are supportive of the proposed development and overall, the principle of development is considered acceptable. As set out below, there are a number of other key issues relevant to the proposed development.

It is worth noting that should the proposal be refused, The Bristol Ferryboat Company would have to find another solution to their overcrowded office and seek new premises elsewhere. It is understood that the five ferryboats could continue to be moored at the Mud Dock. So the continued operation of the Company is not exclusively dependent on the approval of the current planning permission. However, the proposal would undoubtedly be very convenient for the Bristol Ferryboat Company. It would bring a new premises to move to from their overcrowded office on Grove Road. It would provide a base for crews and administrative staff on one of the key routes of the ferryboats. It would enable minor repairs to be conveniently carried out onsite in an internal pre-existing workshop. Overall, it would centralise all the operations of the Company to one convenient location.

2. Design and heritage

As set out above, the development lies within: a conservation area; the setting of a conservation area; the setting of listed assets; and the setting of a locally-listed building. Impacts on heritage assets must therefore be considered.

a) Legislation and policy context

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Authority is also required (under Section 72 of the Planning (Listed Buildings and Conservation

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Areas) Act 1990) to pay special regard to the desirability of preserving or enhancing the character or appearance of the conservation area.

Section 16 of the national guidance within the National Planning Policy Framework (NPPF) (2019) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with any harm or loss requiring clear and convincing justification. Paragraph 189 of the NPPF requires LPAs to identify and assess the particular significance of any heritage asset that may be affected by a proposal and take this into account when considering the impact of a proposal on a heritage asset. Paragraph 196 of the NPPF states that any less-than-substantial harm to the significance of designated heritage assets should be weighed against the public benefits of the proposal, including securing the optimum viable use.

In addition, the adopted Bristol Core Strategy 2011 within Policy BCS22 and the adopted Site Allocations and Development Management Policies within Policy DM31 seeking to ensure that development proposals safeguard or enhance heritage assets in the city. Heritage assets include Conservation Areas, their settings, listed assets and their settings and Locally Listed Buildings (and their settings). Policy DM26 states that new development should contribute positively towards local character and distinctiveness and reflect locally characteristic architectural styles, rhythms, patterns, features and themes, as well as predominant materials and textures.

BCS2 states that within the City Centre "Design of development will be expected to be of the highest standard in terms of appearance, function, conservation of heritage assets [...]"

BCAP41 of the Central Area plan states: "Development adjacent to the Floating Harbour will be expected to be of a scale and design appropriate to its setting, reflecting the special interest and visual prominence of quayside areas and character and setting of the surviving historic buildings and fabric and preserving and enhancing views to and from the Floating Harbour".

The application site lies within the City Docks Conservation Area and immediately adjacent to the City and Queen Square Conservation Area. The City Docks CA Character Appraisal states: "The Floating Harbour is now one of the most well-used stretches of urban water in Britain. Tourism has increased and it is now an exciting cultural and leisure destination, especially celebrated for its maritime heritage."

The conservation area character appraisals (City Docks and City and Queen Square) identify Pero's Bridge as a "landmark building". These character area appraisals also identify some key views, impacts on which are discussed below.

Policy BCAP32 states "Development that would be harmful to the amenity or accessibility of an existing or proposed Quayside Walkway will not be permitted." The application site is located adjacent to a Quayside Walkway.

b) Significance of heritage assets

As set out above, the NPPF requires the significance of heritage assets to be understood, including any contribution made by their setting. Concern has been raised about the impact on the character of the conservation area and the impact on the Bristol Hotel (now a locally-listed building).

This part of the Floating Harbour is medieval. Its significance is derived in part from its narrow size and scale, as a reflection of its history. Paragraph 5.5 of the City Docks CA Character Appraisal sets out how "in the 13th Century the River Frome was re-coursed through the marshlands belonging to the Abbey of St Augustine's and joined the River Avon at Canon's Marsh." It goes on to describe a "diversionary channel" and the quays that were created. These remain at the application site at St Augustine's Reach. They were a major piece of civil engineering for their time

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and reflected the size of the boats that would have moored there; large for their time, but much smaller than modern boats. Hence, the narrowness of St Augustine's Reach, compared to wider parts of the Floating Harbour, helps to tell the story of its heritage.

The significance of this part of the conservation area is also derived from the views to and from the site. Section 6 of the City Docks CA Character Appraisal identifies some of the most significant and panoramic views from the Conservation Area. Panoramic view 39 from Pero's Bridge is described as having views in all directions. This is particularly sensitive to change, due to the bridge's pivotal location within the Docks and the large footfall that crosses it. Map 3 of the City and Queen Square Conservation Area Character Appraisal identifies long views into and out of the City and Queen Square Conservation area from the north of St Augustine's Reach towards Pero's Bridge and also from the southwest of St Augustine's Reach towards the Bristol Hotel.

The materials palette is also important and contributes to the significance of the conservation area. The waterside areas of this Conservation Area also have an industrial character, with high quality historic materials, such as cobbled surfaces and quayside features.

The significance of the listed harbour walls is derived from their industrial character and high quality historic materials. Although not medieval fabric, the Grade II listed walls are a legible and tangible reminder of the maritime importance of Bristol throughout its history.

The significance of the Watershed buildings is derived from its historic and architectural connections with the operation of the docks in the early 20th century.

The significance of the Bristol Hotel (locally-listed) is derived from its bold geometrical pattern-making across all facades and the large concrete 'V' columns and spaces around facades at ground floor level. The Local Listing states that the carpark is of particular architectural interest in predating the similar, and more famous, Welbeck Street car park, Westminster, designed by Michael Blomfield and for Debenhams in 1971; the Bristol equivalent (the Bristol Hotel) is earlier, and therefore pioneering. The building makes a strong contribution to the surrounding streetscape and is a good example of Brutalism in Bristol. It survives in a good state of preservation.

Pero's Bridge is identified as a Landmark Building within Section 6.3 of the City Docks CA Character Appraisal. Pero's Bridge has social historic value through its dedication as a memorial to the 18th Century black servant of the Pinney family who was brought to Bristol from the family's plantations in the Caribbean.

The CA character appraisal goes on to set out some of the strengths of the Floating Harbour Character Area (in which the proposed development is located). Strengths relevant to the proposed development include:

- Diversity of cultural, leisure and heritage activity [...].
- Surviving dockside features along the water's edge.
- Quality and range of views from the waterfront to specific features and the wider city context.

These strengths also contribute to the significance of the Floating Harbour within the CA.

c) Impact of the proposed development

First, as can be seen on the proposed plans, the 'Ellen' is a large barge at 57m long. She would sit low in the water, but would still project above the top of the Narrow Quay walls. The Narrow Quay harbour walls are amongst some of the lowest (that is, closest to the water level) in the Floating Harbour. Due to the length and overall size and bulk of the 'Ellen' she would appear as a very large addition to this part of St Augustine's Reach, which, as set out above, is one of the narrowest

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channels of the Floating Harbour, reflecting its medieval heritage. The narrowness of St Augustine's Reach makes it more sensitive to large additions. Whilst a smaller boat may have been less visually-obtrusive in this location, it is considered that the Ellen is overly large for this location.

Second, the character of the 'Ellen' is that of a functional, utilitarian, working barge. Numerous supporters of the scheme have stated that a working barge is appropriate to this part of the harbour and reflects the maritime heritage of the area. However, as set out above, this part of the floating harbour is medieval, so a Dutch Barge does not reflect the character of ocean-going vessels that would have plied this port. The palette of materials that make up the Quayside walkway also are indicative of an older period of history than that which the 'Ellen' hails from.

The Conservation Area Character Appraisal identifies threats to the Conservation Area. These include "unsympathetic developments that result in loss of key views of panoramas or fail to respect the industrial character, scale and material palette of the area." Due to the size and character of the 'Ellen' it is considered that the development would interrupt those views identified above, including views north and northwest from Pero's Bridge and across Pero's Bridge looking towards the Bristol Hotel and up St Augustine's reach, many of which are located on Quayside Walkways. Views can be affected not only by an object physically obscuring a landmark or line of sight, but also by an object appearing as an incongruous feature within a field of vision, detracting from a view. Thus, people standing in the northeast area of this part of St Augustine's reach (including on the Quayside Walkway) would also have their views to the southwest interrupted by the proposed development. The views referred to above would take in the listed harbour walls, locally listed Bristol Hotel and adjacent City and Queen Square CA and these views would be harmed. The setting of those assets would be harmed, since "setting" is defined in the NPPF as "the surroundings in which a heritage asset is experienced". The loss of prominence of Pero's Bridge would result in harm to the significance of Pero's Bridge as a landmark structure.

It is not considered that the Watershed buildings (Grade II listed assets) would be harmed by the proposals. This is due to their distance from the proposed development.

Overall, by virtue of its size, bulk, scale and functional appearance, it is considered that the proposed development would appear as an overly large and incongruous addition to this part of the Floating Harbour. This would cause harm to the City Docks Conservation Area and the setting of: The City and Queen Square Conservation Area; the listed harbour walls; and the Locally Listed Bristol Hotel. The harm is considered to be less-than-substantial, as referred to in the NPPF. The NPPF requires great weight to be placed in the conservation of heritage assets, regardless of whether any potential harm would result in less-than-substantial harm, substantial harm or total loss (para. 193).

d) Is the impact of the proposed works (harm/loss of significance) justified or outweighed by public benefit as defined by the NPPF?

With reference to paragraph 196 of the NPPF, it must be considered whether the less-than-substantial harm is justified and outweighed by public benefits. The provisions of policy DM31 also must be considered (bullet points i-iv of the policy under the heading "conserving heritage assets").

Supporters of the scheme have set out a number of benefits of the proposals, including: the provision of sustainable transport; tourism benefits; enhancement of the area in visual terms; and the benefit of the proposals for the applicant who seeks to find new premises. It is acknowledged that the Bristol Ferryboat Company does provide sustainable transport and a tourism offer, which are considered public benefits. However, officers understand that should the proposals to use the 'Ellen' not be possible (due to failure to obtain planning permission or a mooring licence) then the applicant would need to seek alternative premises elsewhere, as an alternative to their officers on Grove Road. However, it is also acknowledged that alternative premises (of a sufficient size and

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located close to the ferryboats moored at the Mud Dock) would not necessarily be easy to find. As set out above, the visual appearance of the Ellen is considered to cause harm to heritage assets, so this is not considered to be public benefit in this case. Overall, whilst the benefits of the scheme, including the public benefits, are acknowledged, it is not considered that these are considered to outweigh the harm posted to heritage assets and their settings. The public benefit is not necessarily dependent on the development of this site, although potential difficulties in finding an alternative site are acknowledged.

e) **Conclusions**

The proposed development would appear as an overly-large and incongruous addition within the conservation area and within the setting of listed assets identified above. For these reasons, the proposals are contrary to policies BCS21 and BCS22 of the Bristol Local Plan Core Strategy (2011), policies DM26 and DM31 of the Bristol Local Plan - Site Allocations and Development management Policies (2014), policy BCAP41 of the Central Area Plan and Section 16 of the National Planning Policy Framework.

3. Noise

It must be considered whether the proposals would result in any unacceptable noise that would harm the amenity of neighbours, including paying guests and patrons of the Bristol Hotel and residential uses on Farr's Lane and Narrow Quay. The applicant has stated that all machinery would be used inside the lower deck Workshop of the 'Ellen'. Normal working hours would be 09:00 to 18:30 hours. The workshop would be open to staff during these hours, but 90% of the time it would not be in use. The applicant has set out the types of repairs that would be undertaken in the workshop area: for example the replacement of a faulty timber seat slat. No welding, brazing or needle-gun work would be undertaken. All annual maintenance, serious repairs and any metalwork (eg damage to a hull) would be carried out elsewhere in a licenced Boatyard.

The applicant has submitted a noise assessment. This sets out that minor repairs to elements of ferryboats would include tools such as a table saw, planer, crosscut saw, band saw and handheld circular saw, although power tools would be used very rarely (maximum of ten minutes per week). According to the noise report, noise levels generated by these tools would only be a maximum of 1dB above background noise levels. Overall, the noise report concludes that noise impacts on neighbours would be acceptable.

General other activity relating to the proposed use would include: access and egress of staff, deliveries and the leaving and arriving of the five ferryboats that would moor by the proposed pontoon overnight. These are not considered to be excessively noisy activities, considering the context of the site.

Should all other matters be resolved, hours of operation and noise levels would be conditioned.

There are no concerns relating to noise that would warrant refusal of the application.

4. Transport and highways

With reference to the comments from the Transport Development Management Officer, there are no concerns relating to transport and highways (including refuse storage). The nature and frequency of deliveries proposed (and set out above) would not be such that it would cause any concerns regarding access, obstruction to pedestrian flows or parking. Vehicles could access the site via Farris Lane and Narrow Quay in the same way as is currently the case for vehicles serving the cafés and businesses located on Narrow Quay. No permanent parking would need to be associated with the proposed development.

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Refuse would be stored on board the 'Ellen' and would be collected by licenced commercial waste collection. No bins would be stored on the quayside. Again, refuse collection vehicles would access the site via Narrow Quay.

No bespoke cycle parking is proposed as part of the use, but there would be space internally within the proposed barge to store bicycles, should staff wish to. Given the nature of the proposed development, this is considered acceptable. In any case, the site is located within a sustainable location, close to public transport links.

Furthermore, the proposed development itself, would support a use which would support sustainable transport in the form of the ferryboats.

In summary, there are no highways concerns that would warrant refusal of the application.

5. Air quality

With reference to the comments from the Air Quality officer, there are no concerns in this regard.

6. Water quality

Concern has been raised about impacts on water quality, particularly via the potential spillage of fuels or other liquids into the water. The application initially stated that refuelling of the ferryboats would take place at the site. The applicant has clarified that this was stated in error. No refuelling of the ferryboats would take place onsite. No ferryboat fuel would be stored on the 'Ellen'. The refuelling of the ferryboats would instead take place at the Albion Dockyard, as and when required, as is currently the case.

The 'Ellen' would be refuelled approximately once a month with diesel fuel. This would be for use her own engines, heating system and independent internal power supply generator. Foul and grey water is flushed and sealed into an in-board storage tank of approximately 2000l. This taken away by a licensed commercial operator at regular intervals for disposal. There is currently no proposal to connect to mains drainage.

As set out by the Land Contamination Officer (who also has a remit to comment on pollution of groundwaters and controlled waters), the proposed development has the potential to cause pollution of the harbour, for example, should accidental spillage occur. However, as the barge would be moored within the Floating Harbour, the operators would need to abide by the Bristol City Docks By-Laws 2009. These by-laws control pollution and the steps that need to be undertaken in the event of a pollution incident. Since these by-laws control the issue, it is not considered necessary for the planning process to impose any further controls. However, should all other matters be resolved, then an informative would be added to any decision notice issued to draw the applicant's attention to the by-laws.

For the above reasons, matters relating to water quality are considered acceptable.

7. Flood risk

With reference to the comments from the Environment Agency, there were initially concerns about flood risk. Whilst the proposed development is a barge to be moored on water, it is important to ensure that in the event of a flood that the 'Ellen' would be appropriately tethered (especially given her size) and that there would be a flood evacuation plan in place. The applicant submitted a Flood Risk Assessment and evacuation plan. This confirmed that gangways and mooring ropes would be adjusted or removed if high flows were expected. The Environment Agency removed their objection, but advised consultation with Bristol City Council's Emergency Planner. The Council's Civil Protection Officer advised that the evacuation plan submitted by the applicant should be

Development Control Committee A – 3 April 2019**Application No. 18/05390/F : Mooring North Of Peros Bridge Narrow Quay Bristol**

separated out into a separate, more concise document. Should all other matters be resolved, this could be conditioned.

There are no issues relating to flood risk that would warrant refusal of the application.

8. Public safety

Concern has been raised about how public safety would be maintained by the development, given the location as an area of the harbourside with late-night bars and clubs. Access to the 'Ellen' would be via gangways, which would be removed at the end of the working day, as confirmed by the applicant. The 'Ellen' would also be moored 1.5m from the quayside edge, which would be sufficient to prevent unauthorised access. It is not considered that the proposals would thus attract any more antisocial behaviour than the current numerous vessels currently moored within the Floating Harbour. A condition could be added to secure the removal of the gangways at the end of the working day.

There are no concerns relating to public safety that would warrant refusal of the application.

Conclusion: recommended for refusal.

RECOMMENDED REFUSE

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

Reason(s)

1. By virtue of its size, bulk, scale and functional appearance, it is considered that the proposed development would appear as an overly large and incongruous addition to this part of the Floating Harbour. This would cause harm to the City Docks Conservation Area and the setting of: The City and Queen Square Conservation Area; the Grade II listed harbour walls; the Landmark structure of Pero's Bridge; and the Locally Listed Bristol Hotel. For these reasons, the proposals are contrary to policies BCS21 and BCS22 of the Bristol Local Plan Core Strategy (2011), policies DM26 and DM31 of the Bristol Local Plan - Site Allocations and Development Management Policies (2014), policy BCAP41 of the Central Area Plan (2015) and Section 16 of the National Planning Policy Framework (2019).

Advice(s)

1. Refused Applications Deposited Plans/Documents

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

BCF6 Location plan, received 19 October 2018

BCF7 Proposed plan showing 'Ellen' with Pontoon in place alongside, received 19 October 2018

BCF8 A.1 Proposed elevations, dated 26.02.2019, received 1 March 2019

BCF10 Proposed plan - showing pontoon in place and 3 Ferry Boats alongside, received 19 October 2018

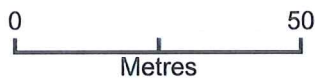
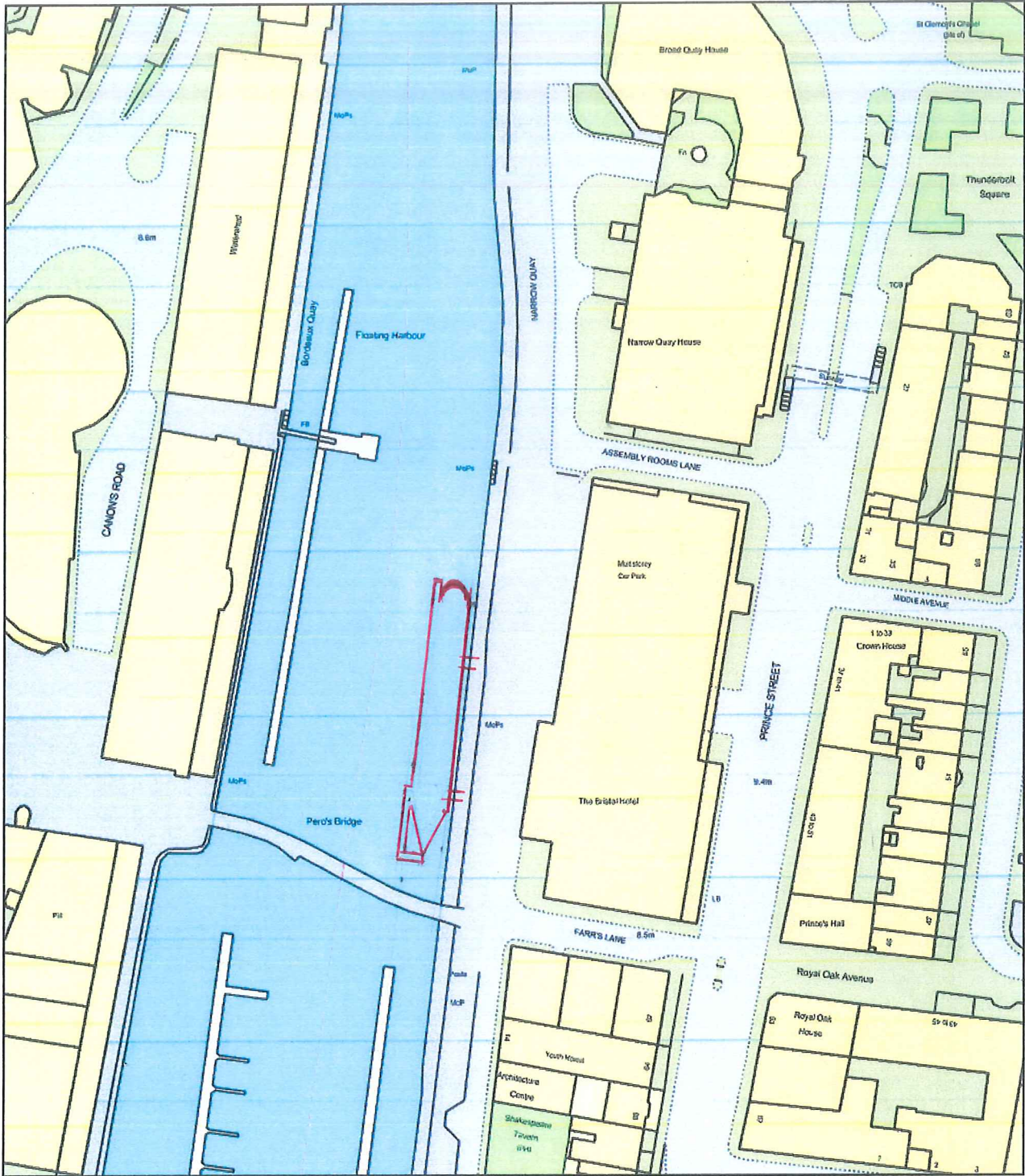
BCF9 Photomontage, received 19.10.2018

Supporting Documents

2. Mooring North of Peros Bridge, Narrow Quay

1. Location plan
2. Proposed plan with pontoon
3. Proposed elevations
4. Proposed plan with pontoon and 3 ferry boats
5. Photomontage
6. Case Officers photos

PROPOSED MOORING OF " ELLEN ":- Extent Of Proposed Development, Showing External Outline of " Ellen " and Pontoon fixed together.



Planning Portal Ref. No. PP-07215693

Plan Produced for: Bristol Community Ferry Boats.

Date Produced: 06 Sep 2018

Plan Reference Number: TQRQM18249120450386

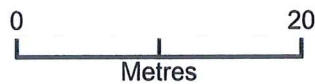
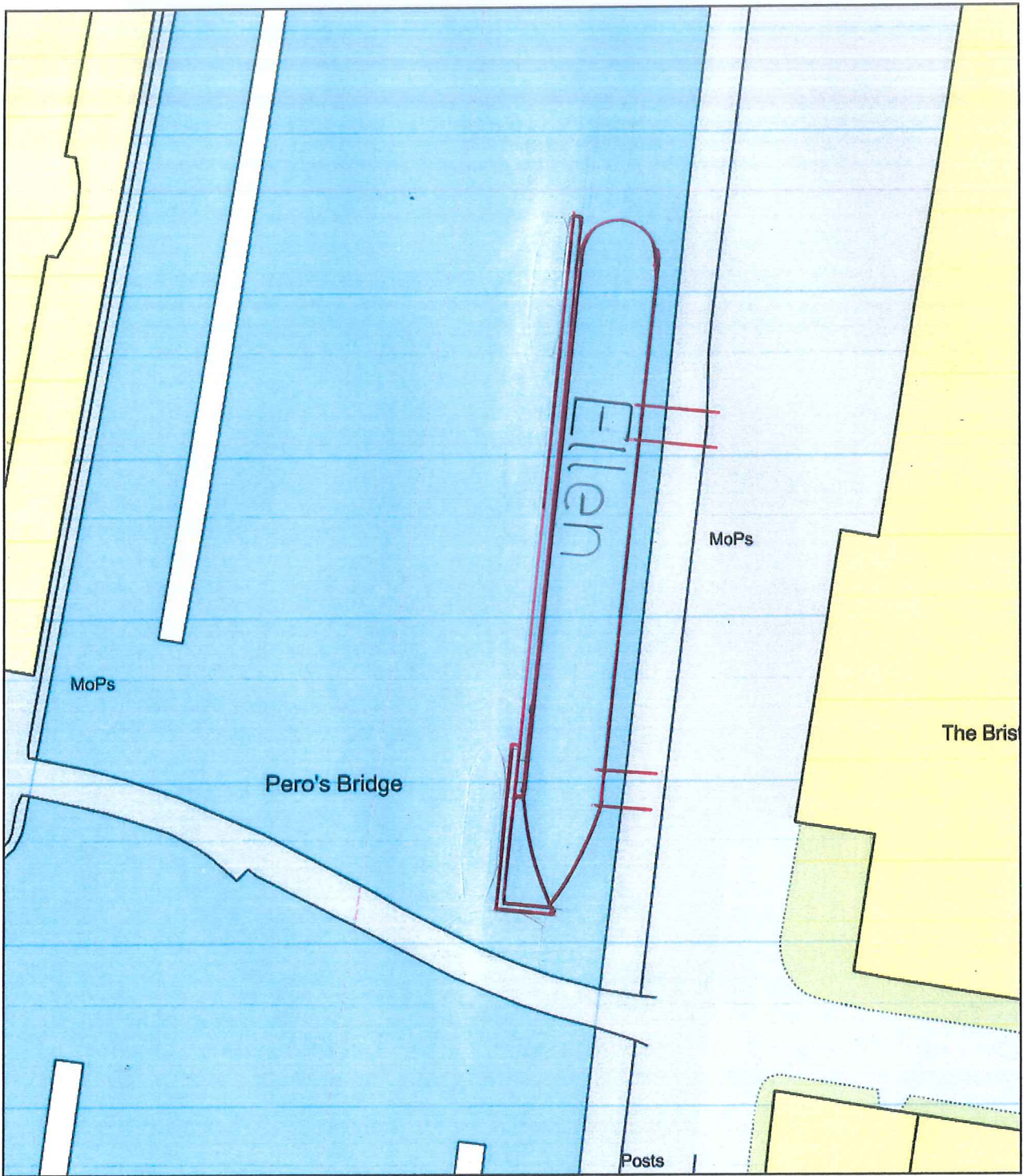
Site At: **Narrow Quay Bristol BS1 4QA**

Scale 1:1250. 8th Oct 2018

Plan No. BCF 6

Page 88

PROPOSED MOORING OF "ELLEN":- Red Line Outlines Planning Proposal, showing " Ellen ", with Pontoon in place alongside



Planning Portal Ref No. PP-07215693.

Plan Produced for: Bristol Community Ferry Boats.

Date Produced: 06 Sep 2018

Plan Reference Number: TQRQM18249112405526

Site At: **Narrow Quay Bristol BS1 4QA** 1:500 @ A4

Scale 1:500. 8th Oct 2018

Plan No. BCF 7

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Planning Application 18/05390/F.

Mooring North of Pero's Bridge.

Document No. BCF8 A.1. dated 26/02/2019.

(This Replaces the earlier, now superseded, version No. BCF8 A.)

Key to BCF8 A.1.

A No. 1. Access gangway point to door to upper deck office area.

B No. 2. Access gangway point to Fore-Deck.

C Access point to Fore-Deck, on opposite side to B No. 2.

D Exterior Stairway, from Fore-Deck to Pontoon.

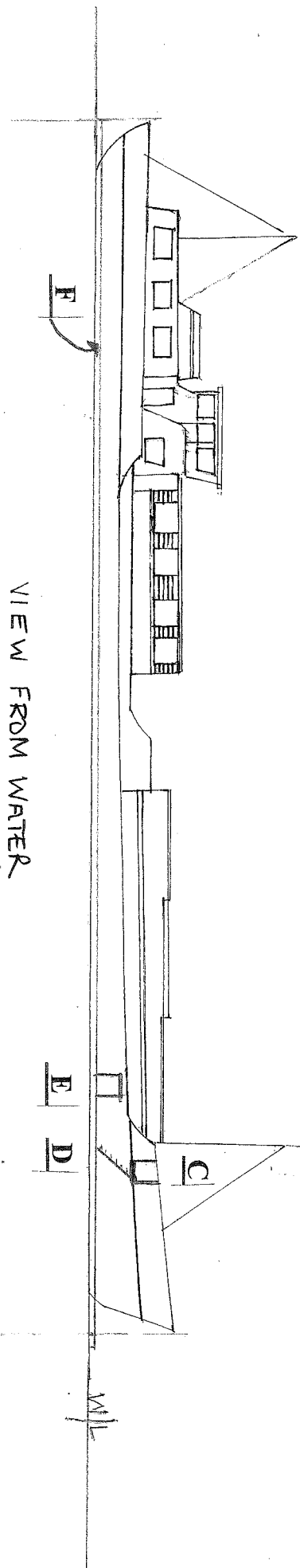
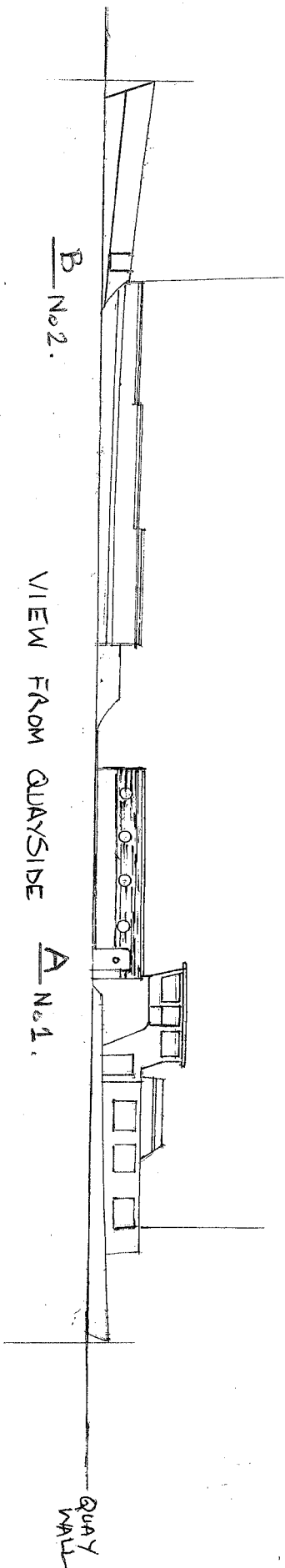
E Watertight Bow Door.

F Ferry Boat mooring Pontoon, alongside "Ellen"

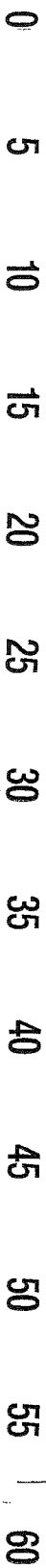
Profile Views Of "Ellen" From Narrow Quay, And From Waterside.

DUTCH BARQUE 'ELLEN'

Scale is 1:200, when shown at A3



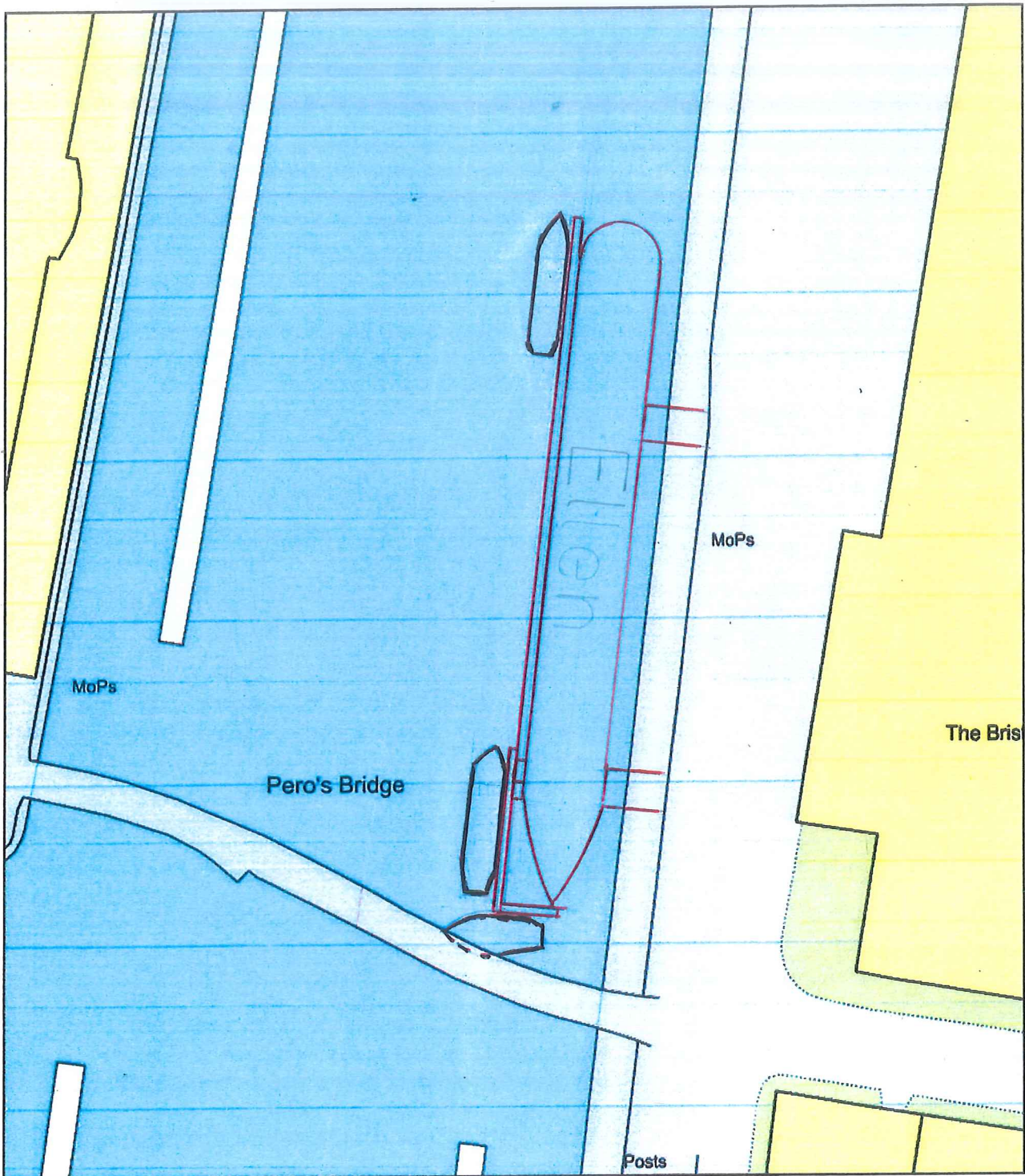
Meters



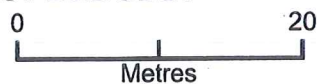
Meters

SCALE 1:200

Proposed Mooring - " Ellen "
Showing Pontoon in place, and 3 Ferry Boats alongside



Planning Portal Ref No. PP-07215693.



Plan Produced for: Bristol Community Ferry Boats.

Date Produced: 06 Sep 2018

Plan Reference Number: TQRQM18249112405526

Site At: Narrow Quay Bristol BS14QA. Scale: 1:500 @ A4

Scale 1:500. 8th Oct 2018

Plan No. BCF10

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Planning Portal Ref No. PP-07215693.

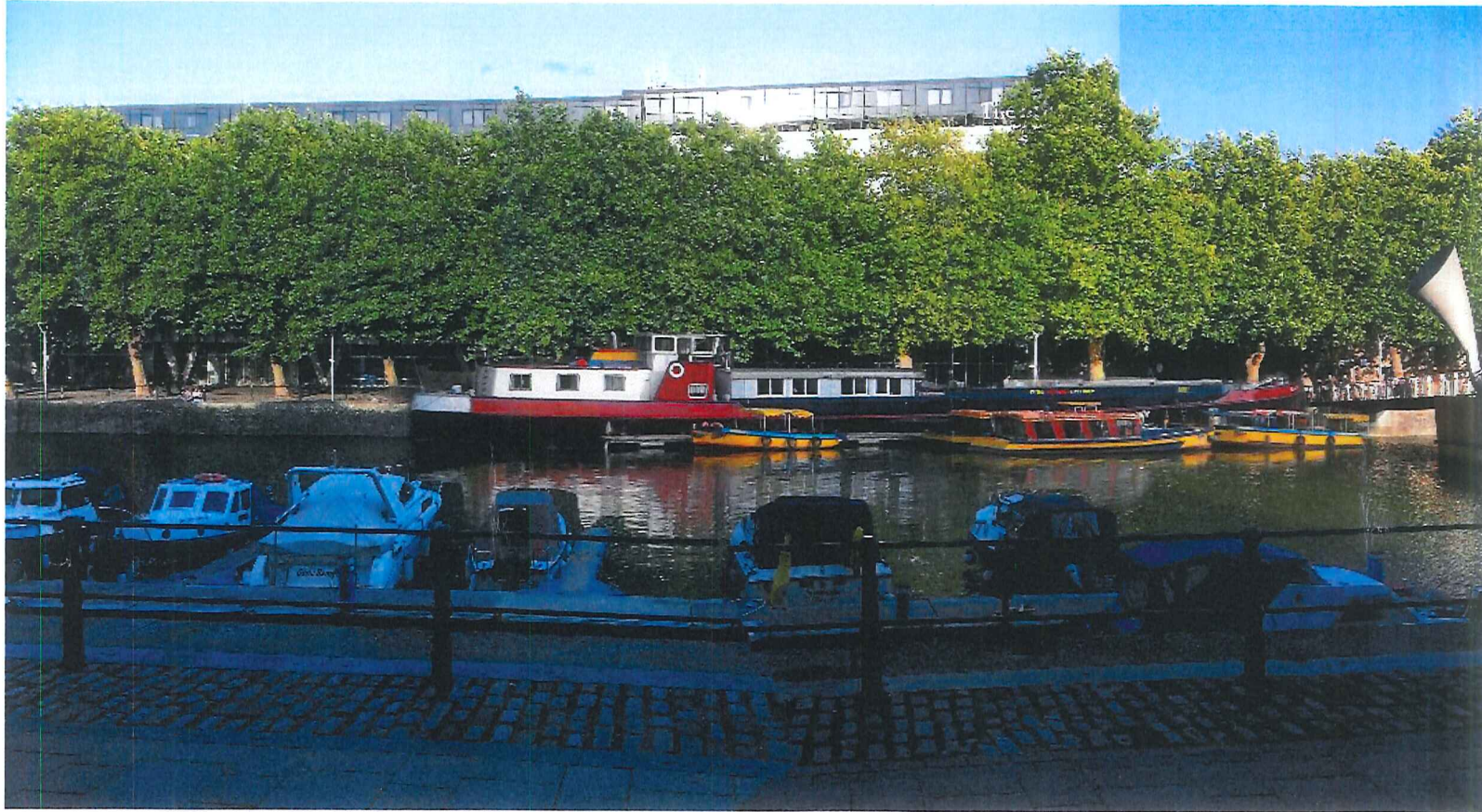


Photo-Shop assembly of separate images to create a fair impression of "Ellen " moored in the proposed location. This shows " Ellen " with her pontoon and 3 Ferry Boats moored alongside, and a 4th Ferry Boat in the foreground sailing away.

Please Note - in fact " Ellen " has never been Moored in this location.

Case Officer Site Photographs

Application No: 18/05390/F Site Address: Mooring North Of Peros Bridge
Narrow Quay
Bristol

Date of photo: 31 January 2019

These photographs of the 'Ellen' were taken as the barge was undergoing maintenance at the Albion Dockyard. The 'Ellen' is currently moored adjacent to the Albion Dockyard, on the other side of Hotwell Road.





Above – existing workshop area inside the ‘Ellen’

Development Control Committee A – 3 April 2019

ITEM NO. 3

WARD: Clifton Down **CONTACT OFFICER:** Anna Schroeder
SITE ADDRESS: 7 High Street Clifton Bristol BS8 2YF

APPLICATION NO: 18/05051/F Full Planning

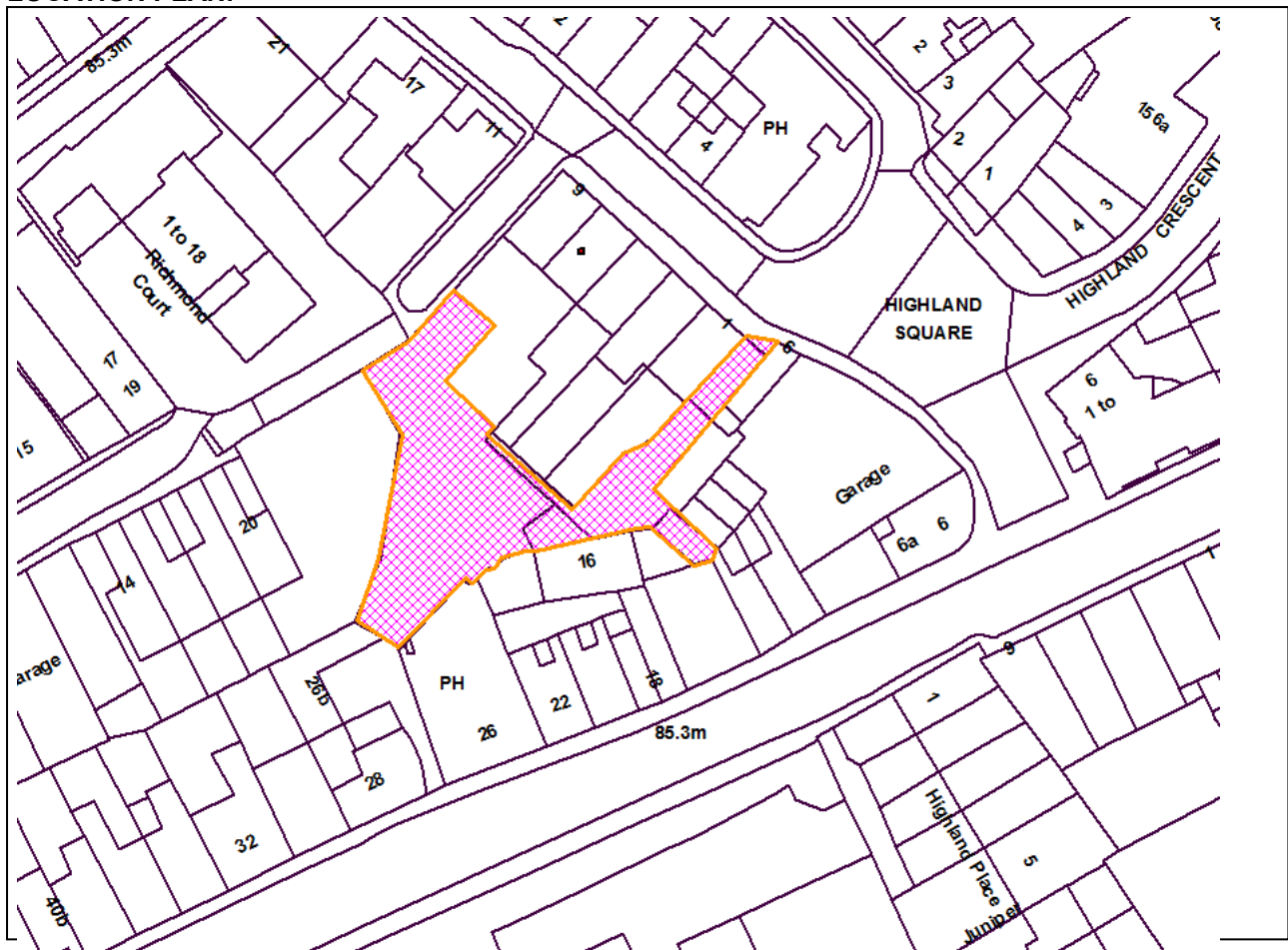
DETERMINATION DEADLINE: 19 November 2018
Erection of a new single storey two bedroom house.(C3 - Self Build).

RECOMMENDATION: Grant subject to Condition(s)

<p>AGENT: Moon Architect & Builder The Coach House 18 Sutherland Place Clifton Bristol BS8 2TZ</p>	<p>APPLICANT: Mr Tim Stagg 7 High Street Clifton Bristol BS8 2YF</p>
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The following plan is for illustrative purposes only, and cannot be guaranteed to be up to date.

LOCATION PLAN:



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Application No. 18/05051/F : 7 High Street Clifton Bristol BS8 2YF

SUMMARY

The application seeks planning permission for a single storey two bedroom dwelling, on a site that is currently used as private garden, in the Quarry Steps area of Clifton. The site is located within the Whiteladies Road Conservation Area. Pedestrian access to the site would be via an existing gate at the top of Quarry Steps. Vehicular access to the site would be provided via an undercroft under 6 Highland Square. A parking space is provided in a garage within a shared parking courtyard area.

The application is before members due to significant local interest in the scheme, with 33 objections and 11 comments in support received. Objections are mainly focused on the impact of the scheme on the character and appearance of the Conservation Area, design, amenity, land stability, nature conservation and parking issues.

No objections have been raised from the Conservation Officer, the City Design Team, the Arboriculture Officer, Transport Development Management, or Pollution Control. Arup consultants have reviewed the supporting geotechnical information and recommended the further information to be sought via condition to ensure that land stability issues are suitably addressed.

Key issues in the report concern the principle of development, Conservation Area and design impacts, impact on residential amenity, transport and movement, land stability, nature conservation and sustainability. Having carefully considered the detailed supporting information, policy context and consultee responses, the application is, on balance, considered suitable for the site.

The scale, form, siting, design and appearance of the building are considered acceptable, given the character and appearance of other buildings nearby and limited impact of the building on the public realm. The Quarry Steps and green hillside below the site would be preserved and mitigation tree planting within the site would help to assimilate the development within its context. Access into the site is considered acceptable and the development would not significantly worsen parking issues in the area. Amenity issues are suitably addressed, taking into account the existing situation and scale of the proposed building. Land stability, contamination risks and sustainability are considered addressed, subject to further detail secured via condition.

Officers have concluded that on balance, and subject to conditions, the development is acceptable and in accordance with the development plan. Approval is therefore recommended subject to conditions.

SITE DESCRIPTION

The site comprises an irregular shaped area of land to the rear of 7 and 9 High St, covering an area of approximately 350m². Most of the land lies within the curtilage of 7 High Street and has been used as garden for some 70 years. The site also incorporates a smaller selfcontained area of land to the rear of 9 High Street, that is separated from the main courtyard to the rear of that property. The site also includes a shared undercroft accessway that passes under 6 Highland Square, and a garage.

The land is mainly level, and includes historic walling and planted terraces. The Tree Survey identifies 12 trees on the site, five of which are proposed removed (one B-grade and four C-grade trees). 3 new trees are proposed as mitigation, in line with the BTRS (Bristol tree replacement standard.) Access into the site is currently from a gate into the site from Quarry Steps, 7 High St or via the shared access under 6 Highland Square.

The site is surrounded by historic terraced housing, with a public house to the south. The public house (26 Worrall Road) is Grade II Listed, along with 22-18 Worrall Road. The housing below the site, along Quarry Steps is modern infill development, of traditional design and appearance. The four storey apartment block of Richmond Court lies to the north west of the site, on the other side of

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Quarry Steps. The ground falls sharply away to the north-west, with a heavily vegetated slope dropping to the lower reaches of Quarry Steps. The site is situated within the Whiteladies Road Conservation Area.

A Site of Special Scientific Interest lies some 8m from the site across Quarry Steps. (Cited for Geological reasons as part of the last remnant of an extensively quarried area (Durdham Down) where the first reptile-bearing fissure deposits were discovered early in the 19th Century. Two species of the saurischian dinosaur Thecodontosaurus, a phytosaur and two species of sphenodontid lizards have been found in fissure fillings of presumed Rhaetian age. This SSSI is noted as a key site in studies of reptilian history and environments during the early Mesozoic of Britain. (Information from Natural England records.))

RELEVANT PLANNING HISTORY

The application follows two previous applications for similar development at the site from the applicant.

18/03117/F Erection of a new single storey two bedroom house. WITHDRAWN

16/04535/F Erection of a new single storey two bedroom house with study and turntable car parking. WITHDRAWN

APPLICATION

Planning permission is sought for the erection of a single storey two bedroom dwelling of modern design, designed on a 'L' shaped footprint. The dwelling would face west over the sloping hillside and would incorporate an external terrace and landscaped areas within its plot as shown on plans.

The dwelling would stand some 3m high, with flat roof form incorporating a sloping upstand feature (to a maximum height of some 3.7m). The main entrance to the house is proposed located to the north corner, with back door to the south east facilitating access to the shared drive and garage. Materials are proposed as Western red cedar cladding, rendered finish with aluminium windows, metal coping and darkgrey GRP/pebble roof. The proposal would include mitigation tree and hedgerow planting to compensate for the removal of 5 trees. A separate garage is proposed allocated as part of the development. Cycle and refuse storage is proposed within the site.

Pedestrian access into the site would be possible either from Quarry Steps via an existing gate or via the shared undercroft passage under 6 Highland Square. Vehicular access into the site and garage would be as existing, via the shared undercroft.

The dwelling is described as a 'selfbuild' house for occupation by the applicant's elderly father.

RESPONSE TO PUBLICITY AND CONSULTATION

The application has been advertised by site and press notice and neighbours have been consulted by letter. 41 representations have been received from third parties, comprising 33 objections and 11 comments in support, as summarised below.

Objections

Objection comments include representations from Bristol Civic Society, Industrial Archaeological Society and

Civic Society

-Site is too small for the dwelling. Dwelling would have an adverse impact on neighbouring amenity. Site has poor access. Unbuilt character of the site and trees provide welcome relief; development of

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the site would adversely change this and harm the Conservation Area.

Bristol Industrial Archaeological Society

- Design and materials are harmful to the Conservation Area
- Visible green space in the area should be preserved.
- Hardly any garden would be left around the new dwelling
- Access would be awkward , roads in the area are narrow, unclear where disabled parking would be available. Emergency access onto the site is poor.
- Nothing to stop the building being used by students.
- Application is contrary to national and local policy.
- The application must be refused.

Other objections summarised as follows -

Visual Impact

- The dwelling would harm the character and appearance of the Quarry Steps area /Whiteladies Road Conservation Area;
- The dwelling would appear unsympathetic and incongruous in design within the surrounding context.
- The supporting structure would be unsightly.
- The iconic Quarry Steps would be harmed and overshadowed by the development.

Parking and access

- The dwelling is not a modest house for one but a building designed for multiple occupation.
- Parking in the shared area is unsafe in terms of impact on pedestrians.
- Parking demand in the area is already high; the dwelling would unacceptably increase demand for on street parking.
- Removing the garage from No 9 and reallocating it to the house will leave No 9 without a garage, creating more pressure on the oversubscribed parking spaces available locally.
- Access for emergency vehicles is already problematic; the development would be tucked behind existing buildings and access would be extremely difficult in event of an emergency.
- Access issues - any attempted access to the rear of the property would be unlawful - garages attached to 6 Highland Square and 1,3,5,7,9 High St all have right of access from High Street but the right does not extend beyond the shaded are shown on Site Plan. Any attempted access to the rear of the proposed property would be unlawful. (Officer note - this is a private civil matter not a planning issue.)
- Parking arrangements in the shared area are already contested; the development would increase potential for an additional parking space to be used by the new house and further problems that could - not be resolved without going to court. (Officer note - this is a private civil matter not a planning issue.)

Amenity issues

- The house would overbear and over-enclose neighbouring properties, lead to loss of vista and light.
- The development would lead to overlooking of 20 Quarry Steps and Richmond Court properties
- Parking area would cause problems for neighbours due to loss of light from parked vehicle
- Terrace would cause noise disturbance when in use.
- Concerns with glare from water on the roof.
- Glare from solar panels would be obtrusive.
- Privacy concerns with location of door in relation to 16 Worrall Road.

Nature Conservation Issues

- Loss of the garden and impact on wildlife habitat in the area
- Loss of green space from the area

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Other issues

- Discrepancies across the documents
- The changes will negatively affect the value of 5 High Street. (Case Officer note - not a planning issue)
- Access issues for maintenance of the building, as the path to the rear is in separate ownership.
- Disruption during construction
- Construction could create damage to rock/ destroy valuable geological remains during construction.
- Construction could cause damage to neighbouring properties as drilled piling will cause vibrations.
- Contamination and UXO issues are unresolved.
- Height of steel supporting posts are unclear.
- Land stability concerns remain.
- The building would impact upon rain water drainage.
- No merit in the development to the neighbourhood, only the developers.
- Concerns about the impact on the retaining wall to 16 Worrall Road from construction and potential excavation.
- Approval of the application would set a precedent for back garden development; successful applicants could move on and profit from sale of both houses. (Case Officer note -Not a planning issue).

Support

Clifton and Hotwells Improvement Society lends its support on the following grounds -

- This is a brownfield site where there have been buildings in the past. The design is aesthetically pleasing, sympathetic and size proportionate to neighbours.
- It will provide purpose built disabled accommodation

Other support comments-

- There is benefit in providing family housing on the site.
- Single storey design is well positioned and considerate of nearby neighbours.
- The existing garden space seems large for the area and looks like it could accommodate a relatively small two bedroom house.
- The modern design approach provides a welcome departure from the conventional.
- The development offers disabled access accommodation and enables an elderly relative to live close to family.
- Nothing objectionable about the application; Clifton needs more houses as does the rest of Bristol.
- I am in a wheelchair with advanced M.S; the proposed new house would enable me to spend time with my children and grand children. I am currently unable to access any of my childrens homes and this proposal would significantly enhance my life.
- As full time carer to my husband, I am unable to see my children and grandchildren without arranging for care. This new home would mean that we could see family and spend quality time together. (Case Officer note - the personal circumstances of the applicant and his family have been considered but are not determinative in the application as there would be nothing to prevent the site changing ownership in the future.)

Neutral

Conservation Advisory Panel have commented -

Specification of materials and architectural details are unclear and very important; if granted further details should be sought via condition.

INTERNAL CONSULTEES (summarised by case officer)

Transport Development Management (TDM) have been consulted and commented as follows:-
No objections raised. See relevant key issue for detailed comments.

BCC City Design Team and the Conservation Officer have been consulted and commented as follows:-

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No objections raised. See relevant key issue for detailed comments.

BCC Pollution Control (Noise) have been consulted and commented as follows:-
No objections raised. See relevant key issue for detailed comments.

BCC Contaminated Land Environmental Protection have been consulted and commented as follows:-
No objections raised. See relevant key issue for detailed comments.

BCC Nature Conservation Officer have been consulted and commented as follows:
No objections raised. See relevant key issue for detailed comments.

BCC Archaeology Team have been consulted and commented as follows:
No objections raised. See relevant key issue for detailed comments.

EXTERNAL CONSULTTEES (summarised by case officer)

Avon Fire Brigade have been consulted and commented as follows: No objections raised. See relevant key issue for detailed comments.

Structural Consultant (Arup) have been consulted and commented as follows:
Arup have reviewed the geotechnical reports and confirmed that land stability issues have been identified and addressed at the site, with further information recommended to be further sought via condition. See relevant key issue for further details.

Natural England have been consulted and commented as follows:
No objections raised. See relevant key issue for detailed comments.

RELEVANT POLICIES

National Planning Policy Framework – February 2019
Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocations and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2016 and Lawrence Weston Neighbourhood Development Plan 2017.

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

KEY ISSUES

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

Loss of garden space.

The application site includes a self-contained garden area to the rear of 9 High Street and part of the garden of 7 High Street. These two areas of garden are currently separated from one another.

In policy terms, development of these garden areas to form a new residential planning unit has been assessed against Site Allocations and Development Management policy DM21, relating to development of private gardens. DM21 confirms that development involving the loss of gardens will not be permitted unless the proposals conform to one of following -

- I. The proposal would represent a more efficient use of land at a location where higher densities are appropriate; or
- II. The development would result in a significant improvement to the urban design of an area; or

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III. The proposal is an extension to an existing single dwelling and would retain an adequate area of functional garden.

In all cases, any development of garden land should not result in harm to the character and appearance of an area.

Officers have assessed the proposals and consider that the development is compatible with policy DM21(I). The site is in a sustainable location, within walking distance of the amenities of Whiteladies Road town centre. The Core Strategy seeks higher densities of development in and around the city centre and other local centres, subject to acceptability against other local plan policies. Compared with the existing use of the land as enclosed gardens, the proposals would represent a more efficient use of land in a sustainable location. Whiteladies Road centre is an appropriate location for higher densities under policy BCS20 and the proposals are considered an appropriate density, taking into account the sensitivities of the site.

The small self-contained garden to the rear of 9 High Street already lies outside the curtilage of that property, which would retain its existing courtyard amenity space. The development would result in a reduced garden area for 7 High Street, however the retained area would not be dissimilar to existing adjacent gardens at 9-11 High Street. As such, the development would allow for 9 and 7 High Street to both retain an adequate area of functional garden.

The development has been designed to retain an appropriate green setting for the new building, incorporating green infrastructure as required under policy DM21, with tree planting and landscaped areas surrounding the dwelling providing a garden setting for future residents.

Full conformity with DM21 is necessarily subject to assessment of the impact of the proposals on the character and appearance of the area; these issues are addressed in detail under Key Issue B.

Residential use of the site.

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 BCS20 states that development should maximise opportunities to re-use previously developed land.

Paragraph 118 of the National Planning Policy Framework (NPPF) sets out that substantial weight should be given "to the value of using suitable brownfield land within settlements for homes and other identified needs" and that planning decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing.

Historic maps of the area demonstrate that the site has been previously developed, and as such, no objections are raised against the above policies.

MIX, BALANCE AND AMOUNT OF HOUSING

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.

Census housing statistics for Clifton Down ward indicate that roughly one third of all dwellings are two bedroom properties; a single additional dwelling of this size would not create or contribute to any local imbalance. Given the nature of the site, there is limited scope for a mix of housing within the development itself and the proposal is concluded to be acceptable in this respect and to contribute to objectives to achieve mixed and balanced communities.

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Overall, it is considered that the principle of new residential development on the land would be acceptable in land use terms, subject to other relevant key issues.

(B) WOULD THE PROPOSALS SAFEGUARD OR ENHANCE AFFECTED HERITAGE ASSETS AND IS THE DESIGN ACCEPTABLE IN THIS CONTEXT?

Heritage impacts.

The site lies within the Whiteladies Road Conservation area, a designated heritage asset as defined within the NPPF. The properties of 18-26 Worrall Road to the south are the closest listed buildings within the immediate vicinity and are all Grade II listed. The boundary wall between the site and 26 Worrall Road is a curtilage listed structure. The historic Quarry Steps lies to the immediate north east of the site.

Policy BCS22 of the Bristol Core Strategy requires development to safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including Conservation Areas. Policy DM31 of the Bristol Local Plan- Site Allocations and Development Management Policies (SADMP) document states that proposals affecting locally important heritage assets should ensure that they are conserved having regard to their significance and the degree of harm or any loss of significance and sets out the criteria to be addressed in terms of conserving heritage assets.

The pattern of built development surrounding the site is varied, but generally follows historic plots that date back to the mid 1880s. Historic maps indicate that the site has been previously developed; however, it has functioned as open green space and garden for many years. The area is distinctive for its topography and historic quality, with the historic Quarry Steps and the adjoining open green hillside terrace setting making a positive contribution to the character and appearance of this part of the Whiteladies Road Conservation Area. The site itself is partially fenced along the boundary with Quarry Steps and public views towards the site are affected by topography, trees and vegetation on the hillside immediately below the site. Moving through Quarry Steps, the site is experienced as part of the varied and dense townscape in the immediate area, that includes garages, two and three storey buildings and a four storey apartment block. Given its elevated position and orientation, the site is visible in private views from surrounding properties.

The Conservation Officer and City Design team have reviewed the application and raised no objections on the grounds of adverse heritage or design impacts. The new single storey building would be located some 8m to the east of Quarry Steps and would be of 'L' shaped contemporary form, with sloped upstand roof feature. The main building would stand some 3m in height, with maximum height of the building some 3.7m to the roof upstand. The building would be of timber and render construction supported on steel posts, with projecting external terrace to the southwest. The building would appear set apart from surrounding development but would address the open aspect to the west and would be orientated overlooking the vegetated slope and surrounding roofscape of the lower Quarry Steps developments. New tree planting is proposed and relandscaping of the site, with retention of existing garden walls and steps.

On balance, whilst the proposed dwelling would stand in isolation some distance from the surrounding terraced housing, given the modest scale of the dwelling and varied architecture in the immediate area, officers consider that the development would not result in undue adverse impact on the character and appearance of the area. The overall height of the building would relate sympathetically to the single storey element of 16 Worrall Road and would be subservient to the terraced properties of 1-9 High Street. The new building would not mask or alter the distinctive topography of the Quarry Steps area and would leave the vegetated slope to the south west boundary untouched. Additional tree planting, landscaping and fencing would help screen and assimilate the building within the site. The building would be visible from the Quarry Steps at close quarters, but due to its scale, restrained design detailing and with the use of high quality materials it is considered that the building would make a strong contribution to the varied and distinctive character of this part of the Conservation

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Area. The harm to the significance of this part of the Conservation Area as a result of the proposal would be limited, taking into account the available public views and contribution of the existing private garden to the wider character of the area. Overall, it is considered that the proposals would enhance the significance of the area, in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, local plan policies BCC22 and DM31 and the NPPF. The proposals would preserve the setting and special interest of the Listed buildings of 18-26 Worrall Road, in accordance with the requirements of the NPPF, Policy BCS22 of the Core Strategy, Policy DM31 of the SADMP document and Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990.

Design.

Policy BCS21 of the Bristol Core Strategy states that development should deliver high quality urban design, and sets out the ways in which development should achieve this. Policies DM26, DM27, DM28, DM29 and DM31 of the Bristol Local Plan- Site Allocations and Development Management Policies document (SADMP) set out more specific design criteria by which developments will be judged. The key principles being that the design of development will be expected to contribute towards local character and distinctiveness and result in the creation of quality urban design, making efficient use of land and resulting in healthy, safe and sustainable places.

As outlined above, it is considered that the new dwelling would respond effectively to the surrounding context and site topography. The massing, scale and form of the development is not excessive and the distinctive character of the building would suitably enhance the site. The proposed materials (render and timber cladding) would provide a sympathetic response to the immediate context and are appropriate given the garden character of the site. Conditions are recommended to ensure that the detailed design of the development would be of a high quality finish.

(C) WOULD THE PROPOSED DEVELOPMENT SAFEGUARD THE RESIDENTIAL AMENITY OF NEIGHBOURING OCCUPIERS AND MAKE A HIGH QUALITY PROVISION FOR THE AMENITY OF FUTURE OCCUPIERS?

Neighbouring occupiers

Policy BCS21 of the Core Strategy states that new buildings should be designed so that the amenity of the existing and future occupiers of residential properties are not adversely affected. This has been assessed with respect to the relationship between the new dwelling and the existing surrounding properties. The key issues raised by local residents objecting to the proposals include issues of loss of privacy from overlooking, loss of outlook and noise from use of the external terrace. Objections have been received on these grounds from 20 Quarry Steps, residents in Richmond Court, High Street and 16 Worrall Road.

The objections have been carefully considered by officers however, on balance it is considered that the amenity impacts arising from the development would not warrant refusal of the scheme. The site is already in use as domestic garden with an open aspect to the southwest. The elevation and orientation of the site and relationship with adjoining properties already allow for a degree of intervisibility between users of the site and surrounding properties and the proposed dwelling would not introduce new overlooking relationships in this respect.

Concerns about the height of the new building have been expressed by residents at 1 -5 High Street. The overall height and scale of the new building would not result in unacceptable overbearing impacts, taking into account the separation distance between the rear elevation of the new building and the garden areas and dwellings of 5 and 3 High Street. At 3m in height to the flat roof, the new building would stand only .5m taller than the height of an ancillary outbuilding that could be currently erected on the site under permitted development rights and as such, given the relationships and proximities involved, sustained objection on these grounds is considered unreasonable. The modest scale of the building would result in no overshadowing impacts and would not result in a loss of daylight or sunlight or unacceptable sense of enclosure.

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Noise levels

Concerns about noise outbreak from the site have been raised by objectors. BCC pollution control have considered the potential for adverse noise impacts but have raised no objections, given the current use of the site as a family garden; occupation of the dwelling and use of the external terrace would not be expected to result in excessive noise levels compared to the existing situation. Increased activity from comings and goings into the site via the undercroft beneath 6 Highland Square have been taken into account but are not considered so disruptive as to warrant refusal of the scheme, given the scale of the dwelling, existing arrangements and character of this dense neighbourhood.

Future occupiers

The proposed development is for a single dwelling with two double bedrooms (i.e. four bedspaces). At 86sq.m internal floorspace, the dwelling would exceed minimum space standards required by Policy BCS18 of the Core Strategy for dwellings of this size. The dwelling would provide good outlook, daylight and sunlight levels and would provide adequate amenity space around the building for future occupiers.

Overall, the development would safeguard the residential amenity of existing development surrounding the site and provide a high quality living environment for future occupiers and is therefore considered compliant with local plan policy in these respects.

(D) WOULD THE PROPOSALS BE ACCEPTABLE IN TERMS OF TRANSPORT AND MOVEMENT ISSUES INCLUDING EMERGENCY VEHICLE ACCESS?

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. With regard to parking, Policy DM23 states that this must be safe, secure, accessible and usable.

Third parties have objected to the proposals on the grounds that there is significant parking stress in the area and the development could lead to an unacceptable demand of on street parking spaces. Transport Development Management (TDM) has been consulted on this application and no objections were raised on these grounds. The site is located within an existing residential area and is in a sustainable location in terms of access to public transport, shops, services and designated cycle routes. Whilst residents could reasonably be expected to live in this location without the need for a private vehicle, the development includes allocation of a garage within the garage block to serve future residents of the new dwelling. Third party concerns have been raised that the allocation of this garage for the development results in the loss of an off street parking space for No 9 High Street. If this were the case, and without any certainty that No 9 High Street is or would be occupied by car owners, it is considered the displacement would not significantly increase traffic in this area such that would warrant refusal of the application. Pedestrian safety and access into the site is also considered acceptable, taking into account the existing arrangements which would largely remain.

Emergency Access and fire safety.

Significant concern has also been expressed by third parties about emergency access to the site as a result of the proposal. The highway network surrounding the site is characterised by narrow streets with narrow pavements and it is understood the parking capacity of surrounding streets has hampered emergency access in the area on a number of occasions.

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The NPPF (paragraph 110) requires Local Planning Authorities (LPAs) to assess provisions for emergency vehicle access as a material planning consideration. Emergency fire service access is also covered by the Building Regulations and Government has emphasised that consenting regimes (such as planning and building control) should avoid overlap.

Avon Fire Service have been consulted and confirmed that there are already fire service access issues in the area. The Fire Service have not objected to the development and it is not considered that the development would significantly worsen the existing parking situation surrounding the site in terms of obstruction such that would warrant refusal of the scheme. Parking restrictions are in place on Quarry Steps and road is wide enough to accommodate an engine in event of an emergency at the site. Installation of an automatic fire suppressant sprinkler system to the building is recommended to help ensure optimal fire safety and is secured via condition.

Responsibility for ensuring the future fire safety of the development would be covered by the Building Control regime. The developer would choose to commission either local authority building control, or 'approved inspectors'. These bodies will first advise on whether plans meet fire safety legislation and guidance and signify approval of the plans if appropriate. They would then make statutory and routine inspections to check that development is completed in line with the requirements of the Building Regulations. Should material changes to the plans be required to comply with Building Regulations a further planning permission may be required.

Bin storage would be included in the curtilage close to the main entrance of the property and accessed from Quarry Steps. Cycle storage is provided within the site; changes are sought via condition to ensure it is covered and policy compliant. Officers are satisfied that the dwelling would be serviced satisfactorily.

It is recommended that the details of the construction be agreed via a Construction Management Plan, to be secured by condition.

(E) HAVE LAND STABILITY AND GROUND CONTAMINATION ISSUES BEEN ADDRESSED?

National policy (Paragraphs 178 and 179 of the NPPF, 2018) and local policy (Site Allocations and Development Management Policy DM37) require planning decisions to take account of risks arising from land instability and to ensure that adequate site investigation information is available to inform these assessments.

The application includes a Geotechnical Report by Integrale Ltd and a Foundation Options review carried out by Ground Investigation (South West) Ltd. The report details the preliminary ground investigations have been carried out by Integrale Ltd, including trial pitting and soil testing. The investigations have identified Weathered Clifton Down Limestone within the site at a depth capable of supporting strip or pad foundations for the new building. The Geotechnical report confirms that the presence of the former quarry edge needs careful consideration in the foundation/substructure design.

Due to the proximity of the former quarry face, the western portion of the building will require upgraded formations and piles. Suspended ground slabs are also required given the thickness of the underlying non-engineered made ground. The report includes review and rating of potential hazards in terms of the sites geology, with rating of 'negligible against landslide hazard and very low collapsible deposits.

The application documents have been reviewed by a specialist engineering geologist consultant (Arup) and advice provided. Arup have advised that given the approach taken in the supporting information submitted to date is considered appropriate and proportionate. Further details are required prior to commencement of the development. The package of information sought via condition relating to land stability includes the following to be submitted and approved by the LPA;

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- o Construction Methodology Report
- o Supervision of works by a structural engineer/geologist during enabling works and construction of foundations
- o Condition survey of boundary structures within 25m of the proposed development and timetable for submission of a post-work condition survey to demonstrate there has been no damage during the construction phase.
- o Details of an appropriate insurance policy taken out by the developer, in respect of any adverse effect the works may have on the stability of the site and adjoining land. The insurance policy shall be sufficient to cover any potential problems that may arise during the course of construction and consequently as a result of the development.
- o Construction Environmental Management Plan

If the results of the further ground investigations show that the level of the land stability hazard is greater than expected then the proposal would be subject to change in the light of findings; if the changes were material in planning terms this could necessitate further planning applications.

In summary, the proposal to follow further site investigation works with stabilization and remediation works is concluded to be acceptable and subject to further detail to be sought via condition, officers are satisfied that the development would comply with the requirements of the NPPF. Provided that satisfactory insurance is in place to cover any potential problems as a consequence of the proposed works and that the other points above are covered by condition, it has been advised that development could be carried out safely.

Officers advise that the proposals would comply with the policy requirements of the National Planning Policy Framework, Policy DM37 of the Site Allocations and Development Management Policies document and the guidance of the NPPG in this respect.

Risk assessment of ground contamination and unexploded ordnance on the site are recommended addressed via appropriate condition.

(F) HAVE ARBORICULTURAL ISSUES BEEN ADDRESSED?

The proposal would result in the removal of 5 trees from the site and the application has been accompanied by an Arboricultural Impact Assessment; Method Statement and a Tree Protection Plan. Core Strategy BCS9 and 11 requires an appropriate type and amount of new or enhanced green infrastructure to be incorporated into new development. Policy DM15 Green Infrastructure Provision sets out the criteria for such provision and in respect of trees emphasises the importance of design, size, species and placement as part of overall landscape treatment. Policy DM17 requires that valuable existing trees to be incorporated into new developments or adequately compensated for if they are to be removed.

The applicants have identified that 3 trees will be re-planted and this accords with the Bristol Tree Replacement Scheme. These will be planted during the first planting season following practical completion. The submitted Assessment identifies the replacement trees and shrub species, which is considered acceptable; to be conditioned should permission be granted. Remaining trees will require both above and below ground protection during the required works and a protection plan details how this will be achieved. The Arboriculture Officer has reviewed the application details and raised no objections given the mitigation and protection measures identified and the proposal is considered acceptable against local plan policy in these respects.

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(G) HAVE SUSTAINABILITY OBJECTIVES BEEN ADDRESSED AND ARE THERE ANY FLOOD RISK ISSUES?

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 adaptation, material consumption and biodiversity should be included as part of a sustainability or energy statement.

An Energy Strategy has been submitted to demonstrate the energy efficiency and renewable energy generation measures proposed for the development. The application proposes the installation of solar photovoltaic panels and the completed Energy Strategy table indicates that this would achieve a reduction in carbon dioxide emissions of 21% from the residual level in line with local sustainability policy objectives. Conditions are recommended to ensure that the sustainability measures would be provided as proposed.

The site is within Flood Zone 1 and there are no flood risk issues. A sustainable drainage scheme is sought via condition.

(H) HAVE NATURE CONSERVATION ISSUES BEEN ADDRESSED?

Policy DM 19 of the Site Allocations and Development Management Policies provides detailed criteria for the consideration of proposals affecting nature conservation sites and builds upon policy BCS9 of the adopted Core Strategy. Ecological surveys have been carried out in respect of the site and the Council's Nature Conservation Officer has advised -

The Quarry Steps, Durdham Down geological Site of Special Scientific Interest (SSSI) and Regionally Important Geological and Geomorphological Site called Quarry Steps (Durdham Down Bone Fissure) (RIGS) is located about 8 metres away from this proposal. Accordingly Natural England should be consulted by the planning case officer about this proposal.

The extended phase one ecological survey dated September 2018 states that this site potential to support reptiles, particularly slow-worms and nesting birds. It is also possible that badgers and hedgehogs use the site. A suitably worded condition is attached and recommended to ensure the protection of legally protected and priority (Section 41) species which are a material planning consideration.

Natural England have been consulted on the application and advised no objections and that based on the plans submitted, the proposed development will not have significant adverse impacts on statutorily protected sites or landscapes. It is acknowledged that there is potential for other undiscovered geological features in the local area and the detailed supervision of the enabling and foundation works by a suitably qualified geologist/ secured by condition would ensure that a precautionary approach to development at the site is taken as works progress.

(I) ARE THERE ANY OTHER MATERIAL CONSIDERATIONS?

During the determination of the application due regard has been given to the impact of this scheme in relation to the Equalities Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

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There is no indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs, experiences, issues and priorities in relation to this particular proposed development other than those considered above. Overall it is considered that the approval of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

Access rights over the shared parking courtyard and access lane to the rear have been raised by third parties. It is acknowledged that there are private rights over the shared access but any issue regarding those rights and their enforcement is a private law matter that would need to be resolved between the landowners and outside the planning system.

CONCLUSION

The development will clearly alter the current appearance of the site and its open character, but officers consider that on balance, given the scale and siting of the building, the development can be recommended for approval. Officers have taken into account the open space qualities of the Quarry Steps hillside and visibility of the site as part of the wider townscape of the Whiteladies Road Conservation Area. The height and scale of the building, new treeplanting, landscaping and existing vegetation on the hillside would help to integrate the development within its wider setting. The proposal would add to the mix of buildings within the Conservation Area and would not be harmful to local character or distinctiveness. Conditions are recommended to ensure a high quality finish. There would be public benefit in the provision of additional housing that has also been taken into account and given weight in the overall planning balance.

The development has been found acceptable in respect of impacts on neighbouring amenity and highways and access issues. Land stability, contamination, Uxo risk, nature conservation and sustainability issues have been suitably addressed, with further details sought via conditions.

The proposal is concluded to be acceptable in all important respects and is considered compliant with national and local planning policy. Approval of the application is therefore recommended subject to conditions.

COMMUNITY INFRASTRUCTURE LEVY -

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

The CIL liability for this development has been calculated as £8456.

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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Pre commencement condition(s)

2. Construction Methodology Report

No development shall take place on site until a Construction Methodology Report (compiled by a suitably qualified person), including details of the following -

- Construction methodology and sequence of work, based on further ground investigations as required,
- Temporary works assessment, including assessment of the integrity of the slope or existing structures from the surcharge of construction plant and vibration induced slope instability and/or structural damage.
- Drainage strategy during construction

has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction and stability works shall only take place in accordance with the agreed details for the duration of the construction period. The details submitted must take account of the proximity of the site to The Quarry Steps, Durdham Down geological Site of Special Scientific Interest (SSSI) and Regionally Important Geological and Geomorphological Site called Quarry Steps (Durdham Down Bone Fissure) (RIGS). Should unexpected conditions arise, which are not foreseen in the approved reports, no further work shall be carried out (except those required to secure the site), without a working method agreed in writing by the Local Planning Authority.

Reason: In the interests of land stability and nature conservation and in accordance with Site Allocations and Development Management Policy DM37 and DM19.

3. Supervision by a structural engineer/geologist during enabling works and construction of foundations

No development shall take place on site until details have been submitted to and agreed in writing by the Local Planning Authority of the (suitably qualified) structural engineer/ geologist who will undertake the supervision of all enabling works (including all site investigation, stabilisation works and foundation works). Thereafter the enabling works shall only take place under the supervision of the agreed structural engineer/ geologist for the duration of these works and in accordance with the agreed details. The details submitted must take account of the proximity of the site to The Quarry Steps, Durdham Down geological Site of Special Scientific Interest (SSSI) and Regionally Important Geological and Geomorphological Site called Quarry Steps (Durdham Down Bone Fissure) (RIGS).

Reason: To ensure proper supervision during works in the interest of land stability and nature conservation and in accordance with Site Allocations and Development Management Policies DM37 and DM19.

4. Condition survey

No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority.

- i) Submission of a pre- works condition survey of boundary structures within 25m of the proposed development and timetable for submission of a post-work condition survey to demonstrate there has been no damage during the construction phase. The development shall be undertaken in accordance with the approved details and timetable.

Reason: For the avoidance of doubt and in accordance with Site Allocations and Development Management Policy DM37.

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5. Insurance policy

No development shall take place until the developer has provided evidence that an appropriate insurance policy has been taken out, to be approved in writing by the Local Planning Authority, in respect of any adverse effect the works may have on the stability of the site and adjoining land. The insurance policy shall be sufficient to cover any potential problems that may arise during the course of construction and consequently as a result of the development.

Reason: To ensure that the ground stability risks of the development are adequately insured and in accordance with Site Allocations and Development Management Policy DM37.

6. Construction Environmental Management Plan

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

- a) Management of vehicle movements including parking, routes for construction traffic, proposed temporary traffic restrictions;
- b) Details of siting and form of the site compound/ office;
- c) Pedestrian and cyclist protection;
- d) Method of prevention of mud being carried onto highway;
- e) Hours of operation;
- f) Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- g) Arrangements for liaison with the Council's Pollution Control Team;
- h) Procedures for emergency deviation of the agreed working hours;
- i) 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;
- j) Measures for controlling the use of site lighting whether required for safe working or for security purposes;

Reason: In the interests of the amenities of surrounding occupiers and in the interests of highways safety.

7. Protection of Retained Trees during the Construction Period

No work of any kind shall take place on the site until the protective fences have been erected around the retained trees in the position and to the specification shown on the Bosky Trees - Tree Protection Plan Drawing No TPP- 1. Once installed 10 photos should be electronically sent to the Local Authority Case Officer, to be verified by the Tree Officer. The Local Planning Authority shall be given not less than two weeks prior written notice by the developer of the commencement of works on the site in order that the council may verify in writing that the approved tree protection measures are in place when the work commences. The approved fence(s) shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of

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

Under no circumstances should the tree protection be moved during the period of the development and until all works are completed and all materials and machinery are removed. Landscaping works within protected areas is to be agreed with the Local Planning Authority and carried out when all other construction and landscaping works are complete.

Reason: To protect the retained trees from damage during construction, including all ground works and works that may be required by other conditions, and in recognition of the contribution which the retained tree(s) give(s) and will continue to give to the amenity of the area in line with Policy DM17.

8. Highway condition survey

No development shall commence until a condition survey of the road network surrounding the site has been carried out to an extent to be agreed with the Highway Authority and has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be brought into use until remedial works to any part of this highway damaged as a result of the development have been agreed with and undertaken to the satisfaction of the Highway Authority and details of these works submitted to and approved in writing by the Local Planning Authority.

The developers shall contact Highways Asset Management on 0117 9222100 to agree the extent of the condition survey and any remedial works required.

Reason: In the interests of safe operation of the highway.

9. Sustainable Drainage System (SuDS)

The development hereby approved shall not commence until a Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be designed to restrict water from entering the downward slope. The system should 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.

10. No works above slab level shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:
- a) proposed window details, including profiles, reveals and external finishes;
 - b) proposed timber cladding, edge finish, panel joints,
 - c) proposed coping detail to parapets;
 - d) proposed external door details;
 - e) all exposed soffits;
 - f) proposed new fences;
 - 6) a sample panel (no smaller than 2m x 2m) of the proposed cladding panels, including the external colours, texture and edge finishes;
 - i) full specifications including colour, section details, fixings and model technical specifications of the proposed PV solar panels;

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j) the external hard surface, steps and outdoor terrace materials;

The development shall be undertaken in accordance with the approved details and completed prior to occupation of the development.

Reason: In order that the external appearance of the building is satisfactory and that the character and appearance of the Conservation Area would be safeguarded.

11. Prior to installation of the relevant item, details of the security and external lighting measures to be installed shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:
- a) typical gate, door and window security credentials;
 - b) evidence to demonstrate that any external artificial lighting shall conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting contained within Table 2 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01:2011, or any superseding document(s).
- The approved details shall be implemented prior to occupation of the building.

Reason: In order that the external appearance of the building is satisfactory and that the character and appearance of the Conservation Area would be safeguarded.

12. Land affected by contamination - Implementation of Approved Remediation Scheme

The remediation strategy to ensure a clean cover system is required in areas of soft landscaping across the site. 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.

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

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

14. Further details of policy compliant cycle storage before relevant element started

Detailed drawings and specifications 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 prior to occupation of

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the dwelling and thereafter, be kept free of obstruction and available for the parking of cycles only.

- a) policy compliant covered cycle storage

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

Pre occupation condition(s)

15. Tree planting plan

Replacement planting identified as P1-P3 on the Bosky Trees - Tree Protection Plan Dwg TPP-1 & described within section 4.2 Species Choice for the proposed planting of the Borsky Trees - Arboricultural Impact Assessment & Tree Protection Plan (13th December 2019).

The planting shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a program, details of which shall be submitted to and agreed in writing by the local planning authority.

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.

Reason: To ensure that the appearance of the development is satisfactory and in line with Bristol City Council Policy DM17.

16. If, at any time during the construction phase contamination not previously identified is found to be present at the site then no further development, unless otherwise agreed in writing with the Local Planning Authority (LPA), shall be carried out until a remediation strategy detailing how this contamination will be ameliorated and the timetable for this has been submitted to and approved in writing by the LPA. The remediation strategy shall be implemented as approved in accordance with the approved timetable.

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.

17. Implementation/Installation of Refuse Storage and Recycling Facilities - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.

Reason: To safeguard the amenity of the occupiers of adjoining premises, protect the general environment, and prevent obstruction to pedestrian movement, and to ensure that there are adequate facilities for the storage and recycling of recoverable materials.

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18. Completion of Vehicular Access - Shown on approved plans

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

Reason: In the interests of highway safety.

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

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

Reason: In the interests of highway safety.

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

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

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

21. The development shall be undertaken in accordance with the Sustainability Statements that were submitted in support of the proposal.

Reason: To ensure that the development would meet sustainability and climate change policy objectives.

22. Site clearance

No clearance of vegetation on the site or demolition of any structures suitable for nesting birds shall take place between 1st March and 30th September inclusive in any year without checking of the vegetation or structure by a suitably qualified ecologist no more than 48 hours before the clearance or demolition. Should any nesting birds or other protected species be encountered within the relevant element during the checks, then work to this element should stop immediately and the Council's Nature Conservation Officer should be contacted on 0117 922 3403 to advise further on the scope of works possible to the relevant element.

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

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

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

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

Development Control Committee A – 3 April 2019
Application No. 18/05051/F : 7 High Street Clifton Bristol BS8 2YF

Post occupation management

24. Retention of garage/car parking space(s)

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 garage/car parking space(s) hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with the residential occupation of the property and ancillary domestic storage without the grant of further specific planning permission from the Local Planning Authority.

Reason: To retain garage/car space for parking purposes.

25. The roof area of the building hereby permitted shall not be used as a balcony, garden or similar amenity area.

Reason: To safeguard the amenities of surrounding residents.

26. No extensions

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) no extension or enlargement (including additions to roofs) shall be made to the dwellinghouse hereby permitted, without the express permission in writing of the council.

Reason: The extension of this dwelling requires detailed consideration to safeguard the amenities of the surrounding area.

27. No further windows/ enlargement of windows

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) no windows, other than those shown on the approved plans shall at any time be placed in any elevation of the dwelling hereby permitted and none of the windows hereby permitted shall be enlarged or altered (other than like for like replacement of the window frames) without the grant of a separate planning permission from the Local Planning Authority.

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

List of approved plans

28. List of approved plans and drawings

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

7-9HS.P00/ Location plan, received 24 September 2018
 7-9HS.P01/P1 Existing site plan, received 20 December 2018
 7-9HS.P02/P2 Existing boundary treatments, received 20 December 2018
 7-9HS.P10/P2 Proposed site plan, received 20 December 2018
 7-9HS.P11/P1 Proposed floor and roof plan, received 20 December 2018
 7-9HS.P12/P1 Proposed elevations, received 24 September 2018
 7-9HS.P13/P2 Proposed foundations, received 20 December 2018

Development Control Committee A – 3 April 2019
Application No. 18/05051/F : 7 High Street Clifton Bristol BS8 2YF

Reason: For the avoidance of doubt.

Advices

1 Construction site noise:

Due to the proximity of existing noise sensitive development and the potential for disturbance arising from contractors' operations, the developers' attention is drawn to Section 60 and 61 of the Control of Pollution Act 1974, to BS 5228: Part 1: 1997 - "Noise and Vibration Control on Construction and Open Sites Code of practice for basic information and procedures for noise and vibration control" and the code of practice adopted by Bristol City Council with regard to "Construction Noise Control". Information in this respect can be obtained from Pollution Control, Brunel House, St. George's Road, Bristol BS1 5UY.

Bristol City Council encourages all contractors to be 'Considerate Contractors' when working in the city by being aware of the needs of neighbours and the environment.

2 Contaminated land: It is suggested that the certificate of remediation referred to in Condition No. x; should be along the lines of:-
 "This is to certify that the scheme of decontamination and reclamation at the site known as **** in relation to Planning Application No. **** was carried out between the dates of **** and **** and was completed in accordance with the specification detailed in the document reference **** and titled ****, which were designed to afford protection from contamination on the site to all known receptors (in this context contamination and receptor have the same definition as in part 2(a) of the Environment and Protection Act 1990)".

The certificate should be signed and dated.

3 Nesting birds: Anyone who takes, damages or destroys the nest of any wild bird whilst that nest is in use or being built is guilty of an offence under the Wildlife and Countryside Act 1981 and prior to commencing work you should ensure that no nesting birds will be affected.

4 Bats and bat roosts: Anyone who kills, injures or disturbs bats, obstructs access to bat roosts or damages or disturbs bat roosts, even when unoccupied by bats, is guilty of an offence under the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 and the Conservation (Natural Habitats, &c.) Regulations Act. Prior to commencing work you should ensure that no bats or bat roosts would be affected. If it is suspected that a bat or bat roost is likely to be affected by the proposed works, you should consult English Nature (Taunton office 01823 283211).

5 Wessex Water requirements: It will be necessary to comply with Wessex Water's main drainage requirements and advice and further information can be obtained from <http://www.wessexwater.co.uk>.

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

Development Control Committee A – 3 April 2019

Application No. 18/05051/F : 7 High Street Clifton Bristol BS8 2YF

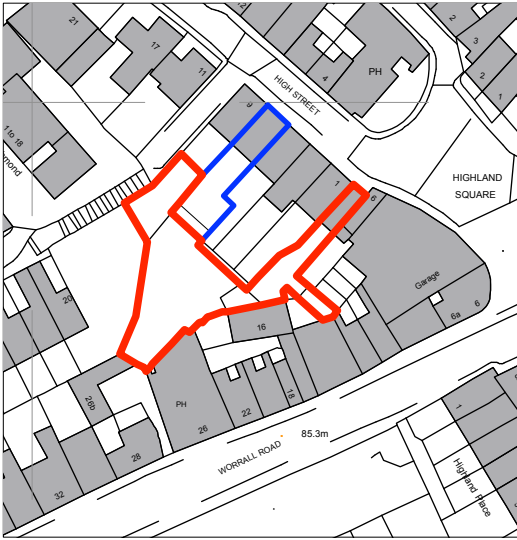
- 7 Party Wall Act
Please be advised that this planning consent does not act in any way as Party Wall consent and the developer/ applicant should be satisfied that they have undertaken all necessary measures and actions in respect of this matter prior to the commencement of the development.
- 8 Tree Protection: You are advised to refer to BS5837 : 2012 Trees in relation to construction for detailed information on types of tree protection, protection zones and other relevant matters.
- 9 Please note that this planning application has been assessed against current planning legislation only. The applicant (or any subsequent owner or developer) is therefore reminded that the onus of responsibility to ensure the proposed cladding installation meets current fire safety regulations lies fully with them and that they are legally obliged to apply for the relevant Building Regulations.
- 10 Note that in deciding to grant permission, the Committee/Planning Service Director also decided to recommend to the Council's Executive in its capacity as Traffic Authority in the administration of the existing Controlled Parking Zone of which the development forms part, that the development should be treated as car free / low-car and the occupiers ineligible for resident parking permits.

commdelgranted
V1.0211

Supporting Documents

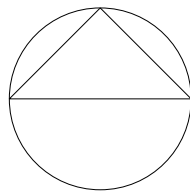
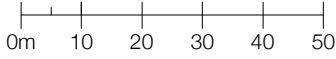
3. 7 High Street

1. Location plan
2. Existing site plan
3. Existing boundary treatments
4. Proposed elevations
5. Proposed site plan
6. Proposed floor & roof plan
7. Proposed foundations



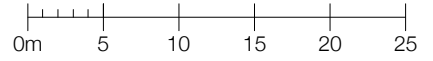
LOCATION PLAN

Scale @ 1:1250



SITE PLAN

Scale @ 1:500



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moon

rev - 10.09.18 Issued for planning

The Coach House
18 Sutherland Place
Clifton
Bristol BS8 2TZ

t 0117 9733284
e info@moonarchitectandbuilder.co.uk
w www.moonarchitectandbuilder.co.uk

project
New house at rear of 7-9 High
Street, Clifton, Bristol

client
Mr & Mrs Stagg

date
Aug 2016

scales
1:500
1:1250 @ A4

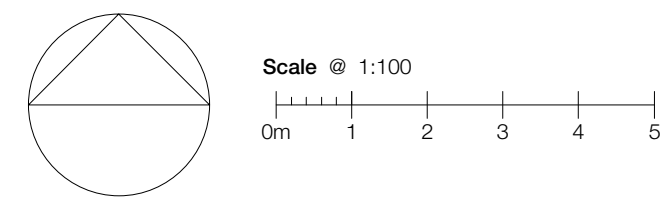
drawing
LOCATION PLAN

job / drawing no.
7-9HS.P00/

Page 120



SITE PLAN
1:100



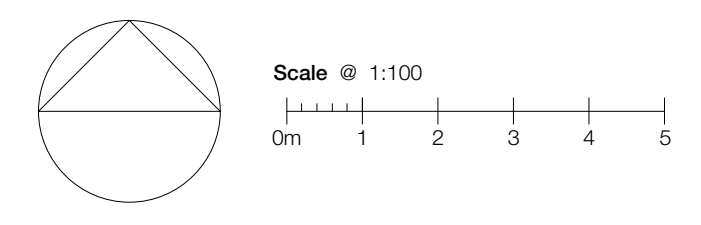
moon

The Coach House 18 Sutherland Place Clifton Bristol BS8 2TZ t 0117 6733284 e info@moonarchitectandbuilder.co.uk www.moonarchitectandbuilder.co.uk	project New house at rear of 7-9 High Street, Clifton, Bristol	date Mar 2018	drawing EXISTING SITE PLAN
client Mr & Mrs Stagg	scales 1:100 @ A1	job / drawing no. 7-9HS.P01/P1	P1 13.12.18 Trees confirmed within boundary of no.7 rev 05.03.18 submitted for planning

drawn checked PH AB TN pricing comment planning regulations construction



SITE PLAN
1:100



moon

The Coach House
18 Sutherland Place
Clifton
Bristol BS8 2TZ
t 0117 6735284
e info@moonarchitectandbuilder.co.uk
www.moonarchitectandbuilder.co.uk

project
New house at rear of 7-9 High Street, Clifton, Bristol

client
Mr & Mrs Stagg

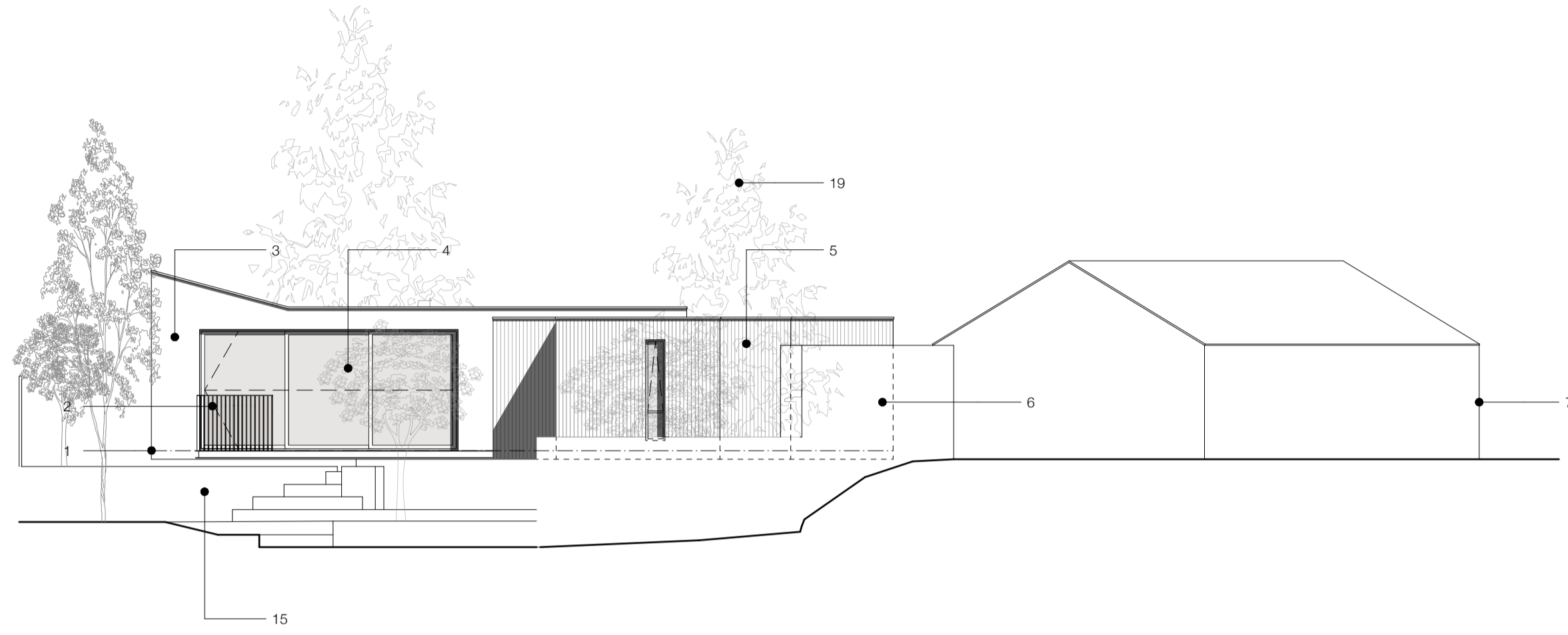
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Nov 2017

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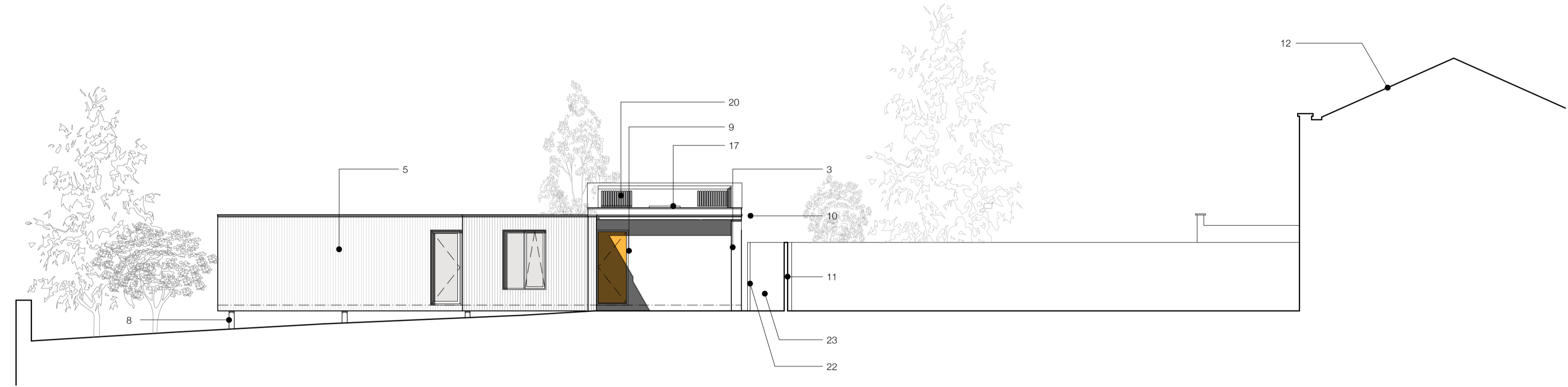
drawing
EXISTING BOUNDARY TREATMENTS
job / drawing no.
7-9HS.P02/P2

P2 13.12.18 Trees confirmed within boundary of no.7
 P1 10.10.18 for planning
 rev - 01.11.17 for planning

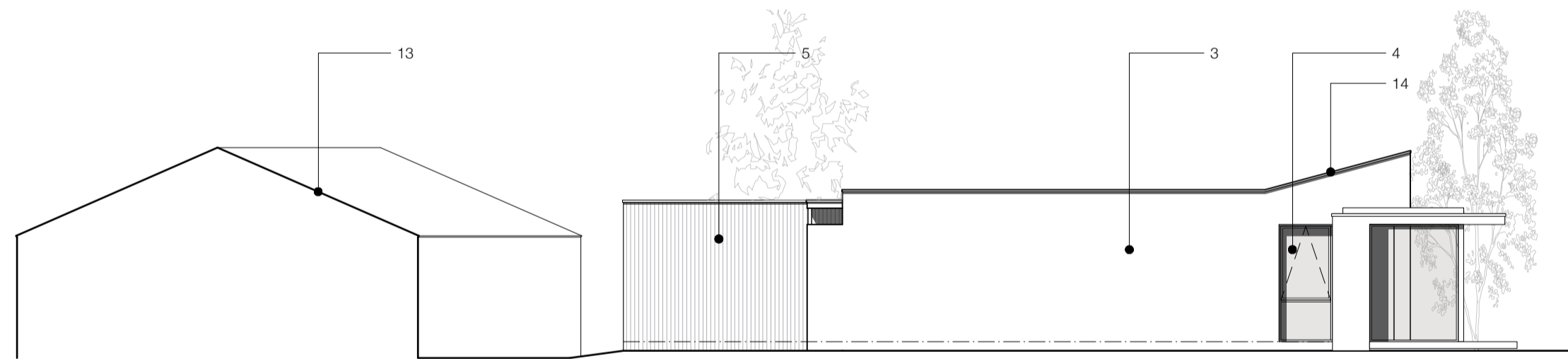
drawn PH checked PH AB TN pricing comment planning regulations construction



South West Elevation



South East Elevation



North East Elevation



North West Elevation

Notes

1. finished floor level
2. galvanised steel guarding
3. thin coat textured render, Parex or similar
4. PFC aluminium windows
5. western red cedar vertical timber cladding
6. dashed denotes new building behind existing boundary walls
7. adjacent house (access via Worrall Road)
8. steel posts supporting house out of the ground
9. back door and fire escape
10. small porch roof over back door
11. existing garden wall to houses on High Street
12. outline of houses on High Street
13. adjacent houses (access via Worrall Road)
14. sloped section of roof to hide renewables on roof
15. existing garden walls and steps
16. outline of 7 High Street
17. rooflight into bathroom
18. existing boundary and garden walls remain intact
19. trees shown are as existing
20. solar thermal panels on pitched section of roof
21. N/A
22. new close boarded fence in line of

Scale: 1:100
 2m
 0m 1 2 3 4 5

moon

The Coach House
 18 Sutherland Place
 Clifton
 Bristol BS8 2TZ
 t 0117 375224
 e info@moonarchitectandbuilder.co.uk
 www.moonarchitectandbuilder.co.uk

project
 New house at rear of 7-9 High Street, Clifton, Bristol

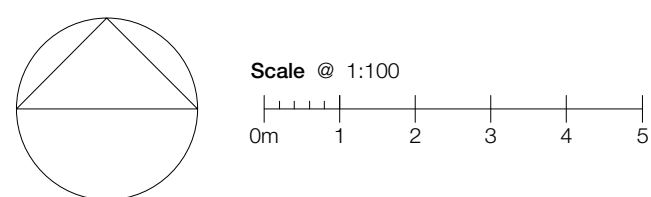
P1 10.09.18 clarified materials for timber cladding and render
 rev - 05.03.18 submitted for planning

date
 Mar 2018

drawing
PROPOSED ELEVATIONS
 job / drawing no.
7-9HS.P12/P1



SITE PLAN
1:100



- P2** 13.12.18 Trees confirmed within boundary of no.7
- P1** 10.09.18 amended drainage connection, added terrace
- rev - 05.03.18 submitted for planning

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The Coach House
18 Sutherland Place
Clifton
Bristol BS8 2TZ
t 0117 6733284
e info@moonarchitectandbuilder.co.uk
www.moonarchitectandbuilder.co.uk

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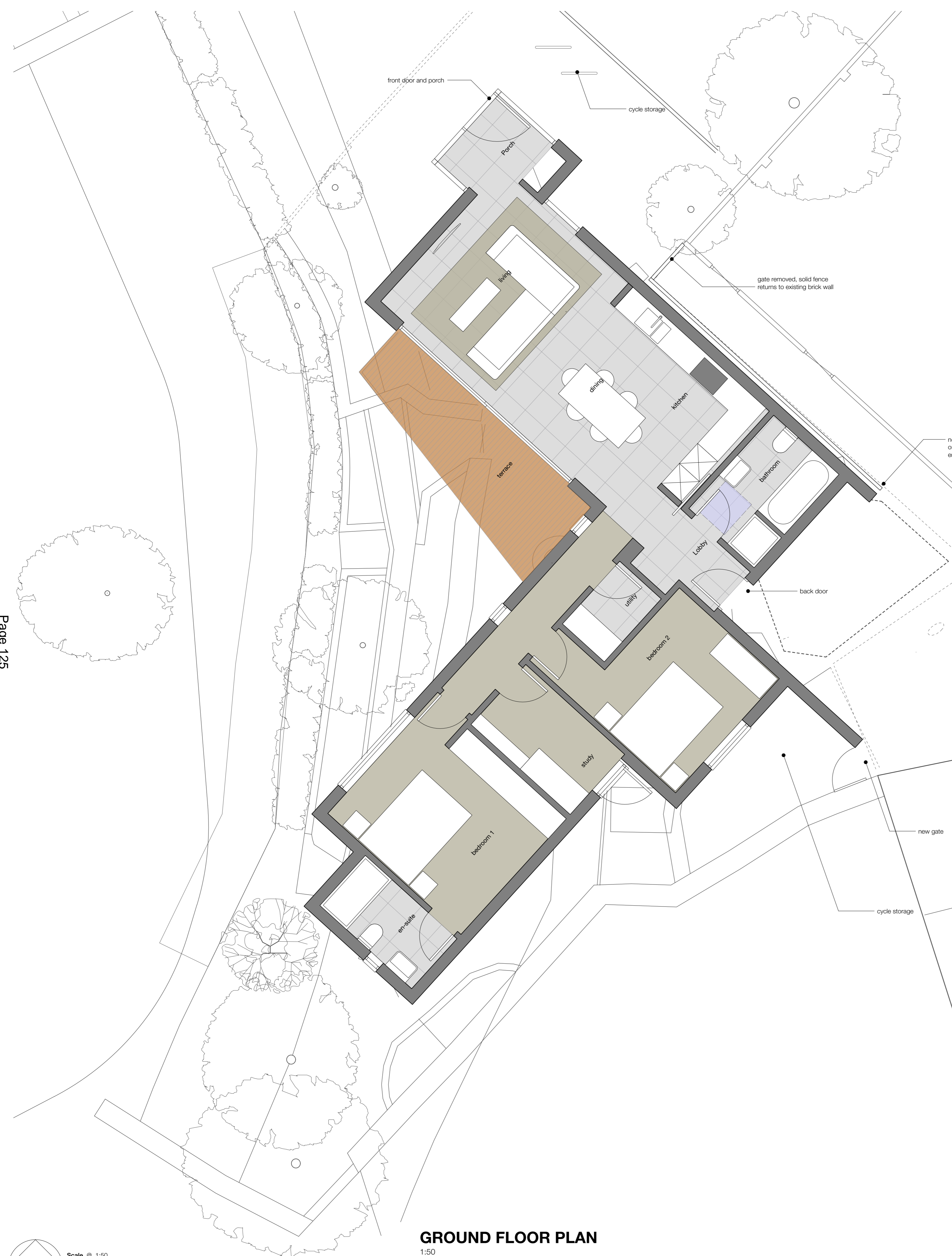
client
Mr & Mrs Stagg

date
Mar 2018

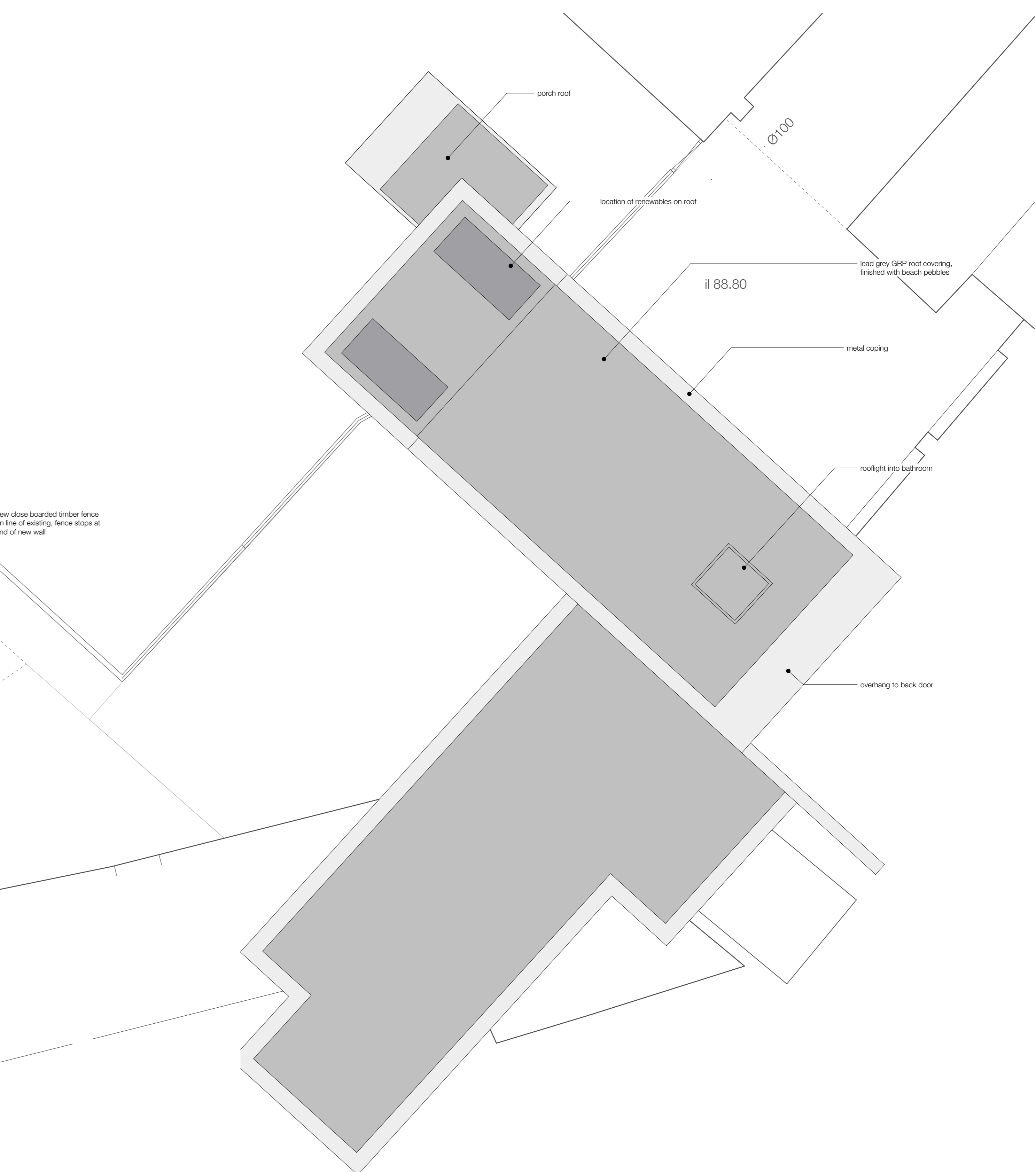
scales
1:100 @ A1

drawing
PROPOSED SITE PLAN

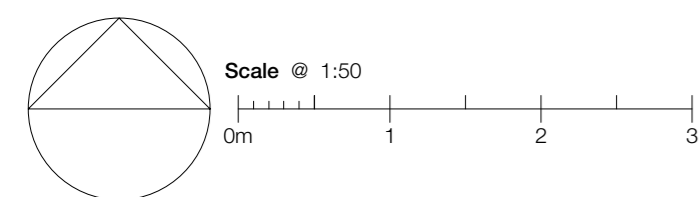
job / drawing no.
7-9HS.P10/P2



GROUND FLOOR PLAN
1:50



ROOF PLAN
1:50



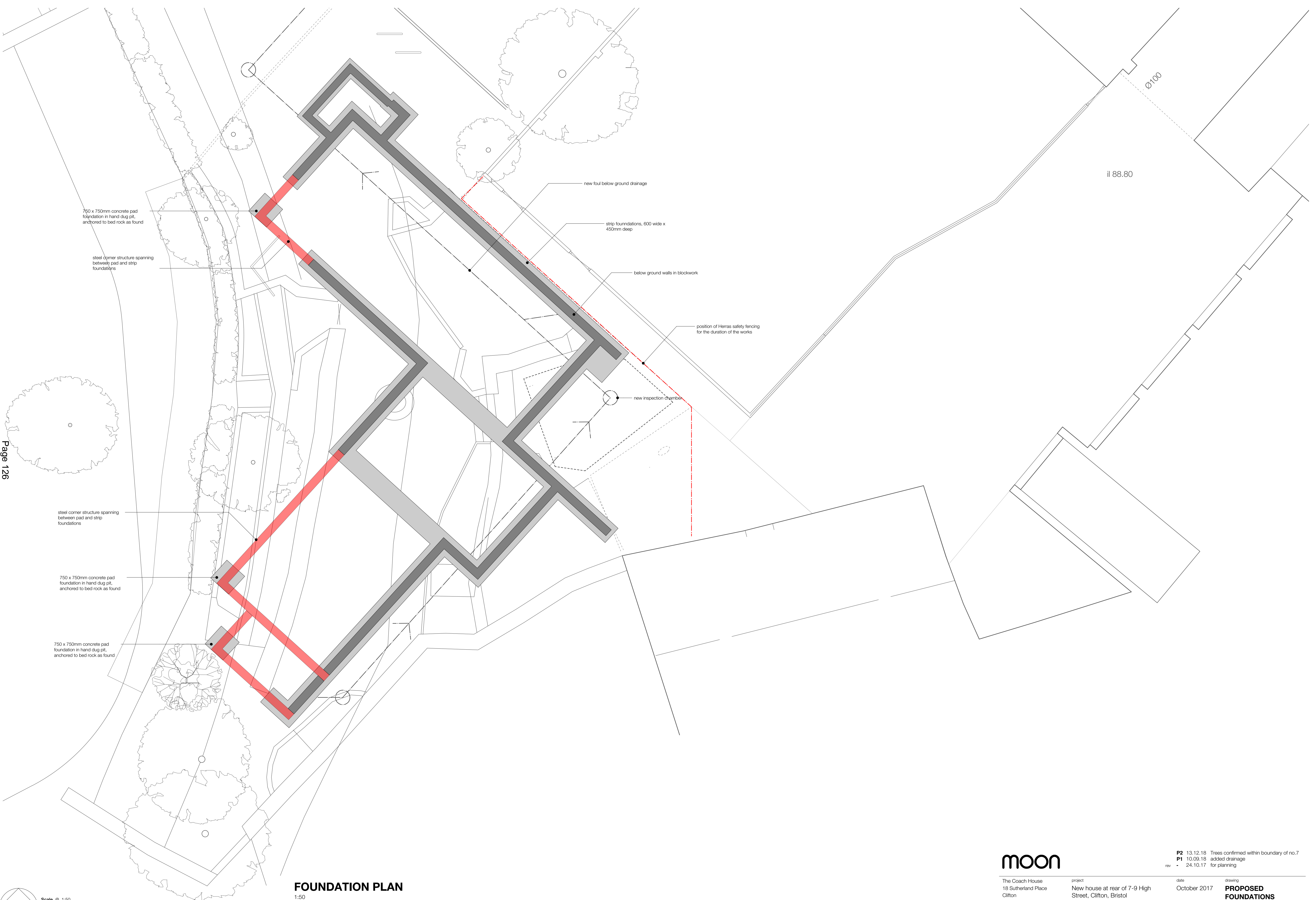
moon

The Coach House
18 Sutherland Place
Clifton
Bristol BS8 2TZ
t 0117 9733294
e info@moonarchitectandbuilder.co.uk
www.moonarchitectandbuilder.co.uk

project
New house at rear of 7-9 High
Street, Clifton, Bristol
client
Mr & Mrs Stagg

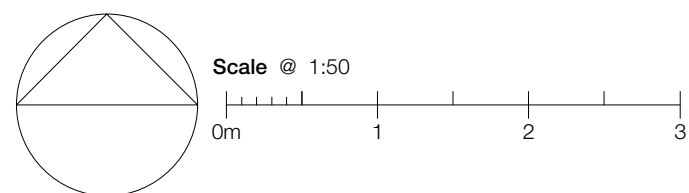
date
Mar 2018
drawing
**PROPOSED FLOOR AND
ROOF PLAN**
job / drawing no.
7-9HS.P11/P1

date
13.12.18
rev
05.03.18
scales
1:50 @ A1



Page 126

FOUNDATION PLAN
1:50



P2 13.12.18 Trees confirmed within boundary of no.7
 P1 10.09.18 added drainage
 rev - 24.10.17 for planning

moon

The Coach House
 18 Sutherland Place
 Clifton
 Bristol BS8 2TZ
 t 0117 6733284
 e info@moonarchitectandbuilder.co.uk
 www.moonarchitectandbuilder.co.uk

project
 New house at rear of 7-9 High Street, Clifton, Bristol

client
 Mr & Mrs Stagg

date
 October 2017

scales
 1:50 @ A1

drawing
PROPOSED FOUNDATIONS

job / drawing no.
7-9HS.P13/P2

drawn PH checked PH AB TN pricing comment planning regulations construction

Development Control Committee A – 3 April 2019

ITEM NO. 4

WARD: Hartcliffe & Withywood **CONTACT OFFICER:** Natalie Queffurus
SITE ADDRESS: Wm Morrison Supermarkets Plc Peterson Avenue Bristol BS13 0BE

APPLICATION NO: 1. 18/04272/F Full Planning
 2. 18/04273/A Advertisement

DETERMINATION DEADLINE: 5 April 2019

- 1. Proposed installation of canopy and portakabin within area of existing car park, to create car park valeting franchise.**
&
2. Proposed signage on car park valeting concession unit, to be applied to the external cabin elevations, perimeter fence and in between canopy columns as a banner.

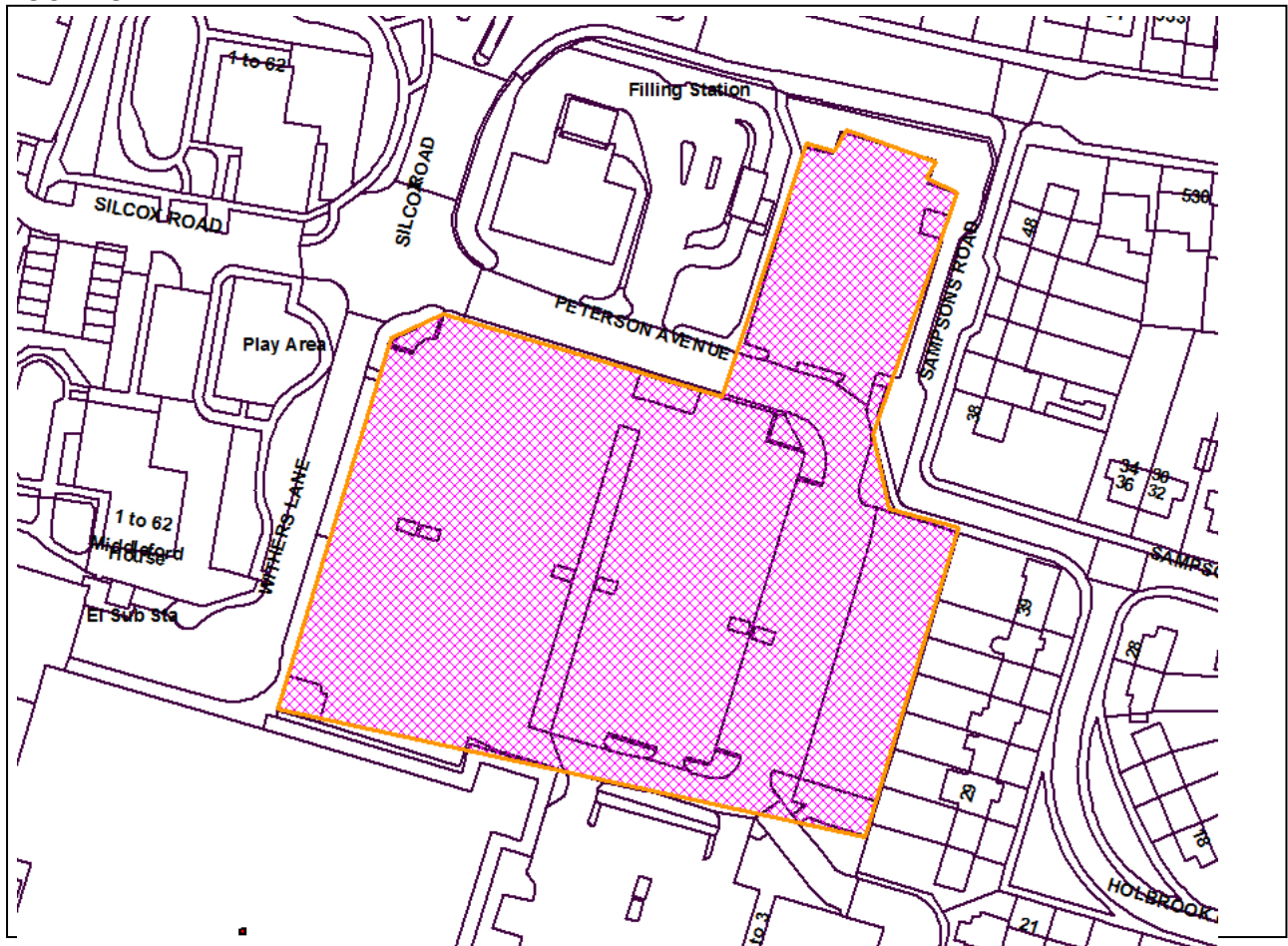
RECOMMENDATION: Grant subject to Condition(s)

AGENT: CHQ Architects
 44 Whitehorse Street
 Baldock
 SG7 6QQ

APPLICANT: Car Park Valeting Limited
 Manor Farm Business Park
 Shingay-cum-Wendy
 Cambridgeshire
 SG8 0HW

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

LOCATION PLAN:



Development Control Committee A – 3 April 2019**Application No. 18/04272/F & 18.04273.A : Wm Morrison Supermarkets Plc Peterson Avenue
Bristol BS13 0BE****SUMMARY**

This application has been referred to committee by Councillor Holland due to concerns of noise and nuisance to neighbouring properties and proximity to neighbouring flats.

The application site relates to 9no. car parking bays in the existing 492no. car park of a supermarket in Hartcliffe operated by Morrisons, Peterson Avenue in the Hartcliffe and Withywood ward.

The application seeks full planning permission and advertising consent for a new Morrisons hand car valet including the installation of a canopy, valeting bays, jet wash area and office/porta cabin.

The application proposes to utilise 9no. bays, 4 of which would be used as a valeting area and the remaining 4 as a jet wash area. 1 bay would be used for the concession pod/porta cabin. All bays would be covered by a canopy and enclosed by 2.8m perimeter fencing, raised to meet the canopy and leaving no gaps to the north, east and south. Non-illuminated digitally printed signage and posters would be located on the cabin elevations and where necessary on the perimeter fencing. The proposed hours of operation would be 08.30-19.00 Monday to Saturday and 10.00-16.00 Sundays and Bank Holidays.

The application has received 7 objections from members of the public.

Key issues in the Committee Report concern the principle of development, residential amenity and transport.

The principle of development is considered acceptable given the site's location within the Symes (Hartcliffe) District Centre and the existing Morrisons car park. It is considered that the development would complement the existing uses at the site.

A Noise Impact Assessment was submitted in support of the application, which determined the existing level of background noise and assessed this against the predicted noise levels from the proposed development. The findings and recommendations of the Assessment contain a number of noise mitigation measures to ensure that the proposed development would not have a detrimental impact on the existing noise environment. These measures have been reviewed by the Environmental Health Team who have confirmed that they are now happy with the development from an acoustic perspective and the mitigation measures, governed by conditions would ensure that the residential amenity would be safeguarded.

The proposals have also been discussed with Transport Development Management who have raised no concerns given the valet would utilise the existing access arrangements for the Morrisons car park.

Having carefully considered the technical information submitted in support of the application and the policy context, the application is recommended for approval subject to the conditions attached to this report.

SITE DESCRIPTION

The application site relates to 9no. car parking bays in the existing 492no. car park of a supermarket in Hartcliffe operated by Morrison's, Peterson Avenue in the Hartcliffe and Withywood ward.

The car parking bays are located within the far south western corner of the car park adjacent to Withers Lane. Vehicular access to the site is gained off Peterson Avenue and via the Morrisons car park.

Development Control Committee A – 3 April 2019**Application No. 18/04272/F & 18.04273.A : Wm Morrison Supermarkets Plc Peterson Avenue Bristol BS13 0BE**

The application site is located within the Morrisons car park, which forms part of the Symes (Hartcliffe) District Centre and adjacent to the Symes (Hartcliffe) Primary Shopping Area. The surrounding area comprises a mix of uses including retail, residential and community uses.

RELEVANT PLANNING HISTORY

The site has a varied planning history but those applications of most relevance are outlined below:

07/02372/A - Installation of new fascia signs, totem signs and flag poles. GRANTED subject to condition(s), 21 August 2007

07/05221/A - Proposed two Morrison logo (internally illuminated) signs, located on rear elevation of the Petrol Filling Station building facing Hareclive Road and on Supermarket elevation (above the clock). GRANTED subject to condition(s), 28 December 2007

16/00899/X - Application for removal or variation of Condition 1 following grant of planning permission. 07/00182/X - to allow deliveries to be able to arrive at store from 05.00 hours to 23.00 hours everyday. GRANTED subject to condition(s), 14 June 2016

19/00415/A - Rebranding external signage, with new illuminated and non- illuminated fascia signs and free standing signs. PENDING CONSIDERATION

APPLICATION

The application seeks full planning permission and advertising consent for a new Morrisons hand car valet including the installation of a canopy, valeting bays, jet wash area and office/porta cabin.

The application proposes to utilise 9no. existing car parking spaces within the Morrisons car park, 4 of which would be used as a valeting area and the remaining 4 as a jet wash area. 1 bay would be used for the concession pod/porta cabin. All bays would be covered by a canopy and enclosed by 2.8m perimeter fencing, raised to meet the canopy and leaving no gaps to the north, east and south.

The pod/cabin would consist of a two roomed porta cabin with associated windows and doors and would be finished in a traffic blue finish. The canopy would entail a steel framed structure and tensile polyester fabric cover finished in the same traffic blue as the cabin and cover all 8 external bays. The canopy would be fixed to the ground using reinforced concrete foundations sunk under ground level. Directly underneath the canopy would be a 2.8m high composite grey fence located to the bays north, east and south.

The jet wash area would be graded to allow run off to flow into a centralised silt trap and then a CPV drain and channel would connect to the existing foul sewer. All car wash chemicals to be used would be biodegradable and diluted in a ratio of up to 1:500 resulting in low chemical content in water run off.

Non-illuminated digitally printed signs and posters would be located on the cabin elevations and where necessary on the perimeter fencing including details such as opening hours, price list and health & safety posters.

Exterior lighting for the unit would be achieved through a series of 500 watt LED spotlights directly bolted onto the canopy cross bracing. These would illuminate underneath the canopy each with an output of 1500lm. The lights would only be used when the unit is operational.

The unit would be accessed from the existing Morrisons car park via Peterson Avenue. The proposed hours of operation would be 08.30-19.00 Monday to Saturday and 10.00-16.00 Sundays and Bank Holidays.

Development Control Committee A – 3 April 2019

**Application No. 18/04272/F & 18.04273.A : Wm Morrison Supermarkets Plc Peterson Avenue
Bristol BS13 0BE**

EQUALITIES ASSESSMENT

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 these applications 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. There is no indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs, experiences, issues and priorities in relation this particular proposed development. Overall, it is considered that the approval of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

RESPONSE TO PUBLICITY AND CONSULTATION

Letters were sent to neighbouring properties and 7 replies were received, all in objection.

IN OBJECTION

Comments were made in objection on the following grounds:

- Impact on residential amenity;
- Concerns of noise pollution, air pollution and light pollution; and
- Increased traffic movements.

A number of concerns were also raised about Morrisons current operations at the site and management of noise from deliveries and anti-social access to the car park at night.

COUNCILLORS

Councillor Holland – Committee referral

The application has been referred to committee by Councillor Holland due to concerns of noise and nuisance to neighbouring properties and proximity to neighbouring flats.

INTERNAL CONSULTEES

Environmental Health – No objection

Officers in the Council’s Environmental Health Team have confirmed that they are happy with this application. They have reviewed the submitted information and have confirmed that they are happy with this now from an acoustic point of view but do still have some concerns as to whether it is viable for the applicant to operate with setting the jet washers to 75 Bar pressure. As well as restricting the pressure of the jet washers the acoustic report makes a number of recommendations as to the design and operation of the car was as follows:

Development Control Committee A – 3 April 2019**Application No. 18/04272/F & 18.04273.A : Wm Morrison Supermarkets Plc Peterson Avenue Bristol BS13 0BE**

- In order to minimise any impact caused by the facility at NSR1 and NSR2 the jet wash section needs to be located towards the south of the facility (nearest Morrisons) and the valeting bay needs to be orientated towards the north.
- The acoustic barrier must be installed as per the site plan along the northern, eastern and southern borders of the proposed car wash. It must be a minimum of 2.8m high and must extend up to the same height as the canopy to fully enclose the sources of noise.
- A canopy should be installed over the valeting and jet wash bays fully shielding the processes from the surrounding NSRs. This is as per the layout is shown in Figure 2.0.
- All external plant such as jet wash pumps/compressors should be located within the cabin on site and not be located externally.
- While stationary all vehicles using the car wash should be turned off and not left idling
- No radios should be used on site.
- A maximum jet wash pressure of 75 Bar should be used on site.

I understand that as well as noise there is also concern regarding spray from car washes. I do however feel that here due to the location of the car wash, the barrier and canopy to be used and the restriction of pressure to the jet washes that spray from the car wash should not cause any issue to neighbouring residents.

Therefore in order to ensure that the above recommendations are carried out and the noise level predicted in the acoustic report is achieved I would ask that the following conditions be placed on any approval:

1. Scheme of noise insulation measures

All noise mitigation measures detailed in 4.5 of the Nova Acoustics Noise Impact Assessment of a Hand Car Wash Facility 3113CP – V2 dated 05/03/2019 shall be implemented in full prior to the commencement of the use permitted and be permanently maintained.

Prior to commencement of use, an assessment shall be undertaken to demonstrate the effectiveness the noise mitigation measures and compliance with predicted noise levels. A report based on this assessment shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby permitted.

2. Car Wash Noise Management Plan

No use of development shall take place until there has been submitted to and approved in writing, by the Council, an Car Wash Noise Management Plan, setting out details of how the car wash will operate in accordance with the operational measures detailed in 4.5 of the Nova Acoustics Noise Impact Assessment of a Hand Car Wash Facility 3113CP – V2 dated 05/03/2019.

3. 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 4 dB below the background level as determined by BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

4. 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.

Development Control Committee A – 3 April 2019

**Application No. 18/04272/F & 18.04273.A : Wm Morrison Supermarkets Plc Peterson Avenue
Bristol BS13 0BE**

5. Hours of operation

The car wash shall only operate between 08:30 – 19:00 Monday to Saturday, and 10:00 – 16:00 on Sundays and bank holidays

Transport Development Management – No objection

The application was taken to the Transport Development Management (TDM) surgery and TDM confirmed they had no concerns about the proposed development given its location within an existing car park and minimal loss of existing car parking spaces.

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).

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 BCS7 of the Bristol Core Strategy states that retail development, offices, leisure and entertainment uses, arts, culture and tourism uses will be primarily located within or, where appropriate, adjoining the centres in the identified network and hierarchy serving Bristol. It further states that development will be of a scale and intensity appropriate to the position of the centre in the hierarchy and to the character of the centre. Mixed-use development at accessible centres will be particularly promoted where it takes advantage of under-used land. Uses which contribute to maintaining the vitality, viability and diversity of centres will be encouraged.

Policy DM7 of the Bristol Site Allocations and Development Management Policies states that retail and other main town uses should be located within centres identified on the Policies Map.

The site is located within the Symes (Hartcliffe) District Centre where development of a scale and intensity appropriate to the position of the centre in the hierarchy and to the character of the centre will be acceptable. It is considered that the proposed car valet would be of a scale and intensity appropriate to the centre. The valet unit will be small in scale and is expected to be used by existing Morrisons customers. It is considered that the unit would complement the existing uses at the site and would contribute to maintaining the vitality, viability and diversity of the District Centre.

It is therefore considered that the principle of development of the car valet in this location is acceptable.

B) WOULD THE PROPOSED DEVELOPMENT CAUSE ANY UNACCEPTABLE HARM TO RESIDENTIAL AMENITY?

Policy BCS21 sets out that new development should safeguard the amenity of existing development.

Policy BCS23 states that development should be sited and designed in a way as to avoid adversely impacting upon – environmental amenity or biodiversity of the surrounding area by reason of fumes, dust, noise, vibration, smell, light or other forms of air, land, water pollution, or creating exposure to contaminated land.

Development Control Committee A – 3 April 2019**Application No. 18/04272/F & 18.04273.A : Wm Morrison Supermarkets Plc Peterson Avenue Bristol BS13 0BE**

Policy DM35 outlines that development which would have an unacceptable impact on environmental amenity or biodiversity by reason of noise will be expected to provide an appropriate scheme of mitigation.

In assessing such a scheme of mitigation, account will be taken of:

- i. The location, design and layout of the proposed development; and
- ii. Existing levels of background noise; and
- iii. Measures to reduce or contain generated noise; and
- iv. Hours of operation and servicing.

Development will not be permitted if mitigation cannot be provided to an appropriate standard with an acceptable design, particularly in proximity to sensitive existing uses or sites.

A number of objections have been received from members of the public relating to the impact of the proposed development on their residential amenity, particularly in terms of noise. The application has also been referred to committee by Councillor Holland on noise and nuisance grounds to surrounding residents.

Given the level of objection received and the site's close proximity to residential dwellings in Middleford House, in depth consultation with the Council's Environmental Health Officer (EHO) has been undertaken to determine whether the noise associated with the proposed development would be acceptable.

The Applicant submitted a Noise Impact Assessment in support of the application, which determined the existing level of background noise and assessed this against the predicted noise levels from the proposed development. The findings and recommendations of the Assessment contain a number of noise mitigation measures to ensure that the proposed development would not have a detrimental impact on the existing noise environment. These measures include enclosing the bays with a canopy and 2.8m fence with no gaps, locating all external plant such as jet wash pumps/compressors in the porta cabin and setting the maximum jet washer pressure at 75 Bar. The recommendations also require no radios to be used at the site and all stationary vehicles to be turned off and not left idling.

The Noise Impact Assessment has been reviewed by the Council's EHO who confirmed that they are now happy with the development from an acoustic perspective and the submitted plans have been updated to reflect the required measures of control. The EHO has also recommended a number of pre-commencement conditions including an assessment to ensure that the mitigation measures proposed are effectively implemented and comply with the predicted noise levels and a Car Wash Management Plan setting out details of how the car wash will operate in accordance with the operational measures in the Noise Impact Assessment.

The EHO has also recommended a condition to control external lighting to ensure that the lighting proposed meets 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.

In addition to assessing the impacts of the proposed valet unit on residential amenity, in accordance with Part 1, Section 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 consideration has been given to the proposed non-illuminated advertising in the interests of amenity.

It is concluded that given the non-illuminated nature of the signs and their location within an existing District Centre, adjacent to the Morrisons superstore, the proposed signs would have no impact on amenity.

It is therefore considered that with the proposed mitigation governed by conditions, the proposed development would not create an unacceptable impact on residential amenity in accordance with Policies BCS21, BCS23 and DM35.

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

Policy DM23 states that development should not give rise to unacceptable traffic condition and proposals for parking, servicing and loading should make effective and efficient use of land.

The proposed valet would utilise the existing access arrangements for the Morrisons car park. TDM were consulted on the proposals and raised no concerns given the sites location within the existing car park and the minimal loss of overall parking spaces.

The proposed signage has also been considered from a public safety perspective and it is considered that given the size, type and location of the signs, the signs would have no impact on public safety. None of the signs would hinder the ready interpretation of traffic signage nor would they contain any changing images or parts that could distract road users.

It is therefore considered that the proposed development is acceptable on highways and transport grounds in accordance with Policies BCS10 and DM23.

CONCLUSION

The proposed development is considered to be in accordance with all the relevant policies within the Core Strategy and Site Allocations and Development Management Policies document.

The application is considered acceptable in principle given its location within the existing Morrisons car park and the Symes (Hartcliffe) District Centre. The development is also considered to be acceptable from a noise perspective and the mitigation measures, governed by condition would ensure that residential amenity would be safeguarded. The site's location within the existing Morrisons car park also means that no transport and movement issues have been raised. It is therefore recommended that planning permission is granted for this development subject to specific conditions.

COMMUNITY INFRASTRUCTURE LEVY

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

Development of less than 100 square metres of new build that does not result in the creation of a new dwelling; development of buildings that people do not normally go into, and conversions of buildings in lawful use, are exempt from CIL. This application falls into one of these categories and therefore no CIL is payable.

RECOMMENDED GRANT subject to planning condition(s)

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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Pre-commencement conditions

2. Scheme of noise insulation measures

All noise mitigation measures detailed in 4.5 of the Nova Acoustics Noise Impact Assessment of a Hand Car Wash Facility 3113CP – V2 dated 05/03/2019 shall be implemented in full prior to the commencement of the use permitted and be permanently maintained.

Prior to commencement of use, an assessment shall be undertaken to demonstrate the effectiveness the noise mitigation measures and compliance with predicted noise levels. A report based on this assessment shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby permitted.

Reason: To safeguard the amenity of nearby occupiers.

3. Car Wash Noise Management Plan

No use of development shall take place until there has been submitted to and approved in writing, by the Council, an Car Wash Noise Management Plan, setting out details of how the car wash will operate in accordance with the operational measures detailed in 4.5 of the Nova Acoustics Noise Impact Assessment of a Hand Car Wash Facility 3113CP – V2 dated 05/03/2019.

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

4. 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 4 dB below the background level as determined by BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

Reason: To safeguard the amenity of nearby occupiers.

5. 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: To safeguard the amenity of nearby occupiers.

6. Hours of operation

The car wash shall only operate between 08:30 – 19:00 Monday to Saturday, and 10:00 – 16:00 on Sundays and bank holidays

Reason: To safeguard the amenity of nearby occupiers.

Standard Advertisement Conditions

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to:-

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**Application No. 18/04272/F & 18.04273.A : Wm Morrison Supermarkets Plc Peterson Avenue
Bristol BS13 0BE**

- a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - b) obscure, or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air; or
 - c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
 4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
 5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: These conditions are specified by the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

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:

15376-PL01 Site Location Plan, received 8 August 2018
15376-PL03A Proposed Site Plan, received 15 March 2019
15376-PL04A Existing and Proposed Detailed Plans, received 15 March 2019
15376-PL05B Proposed Unit Details & Visuals, received 15 March 2019
Noise Impact Assessment, received 6 March 2019

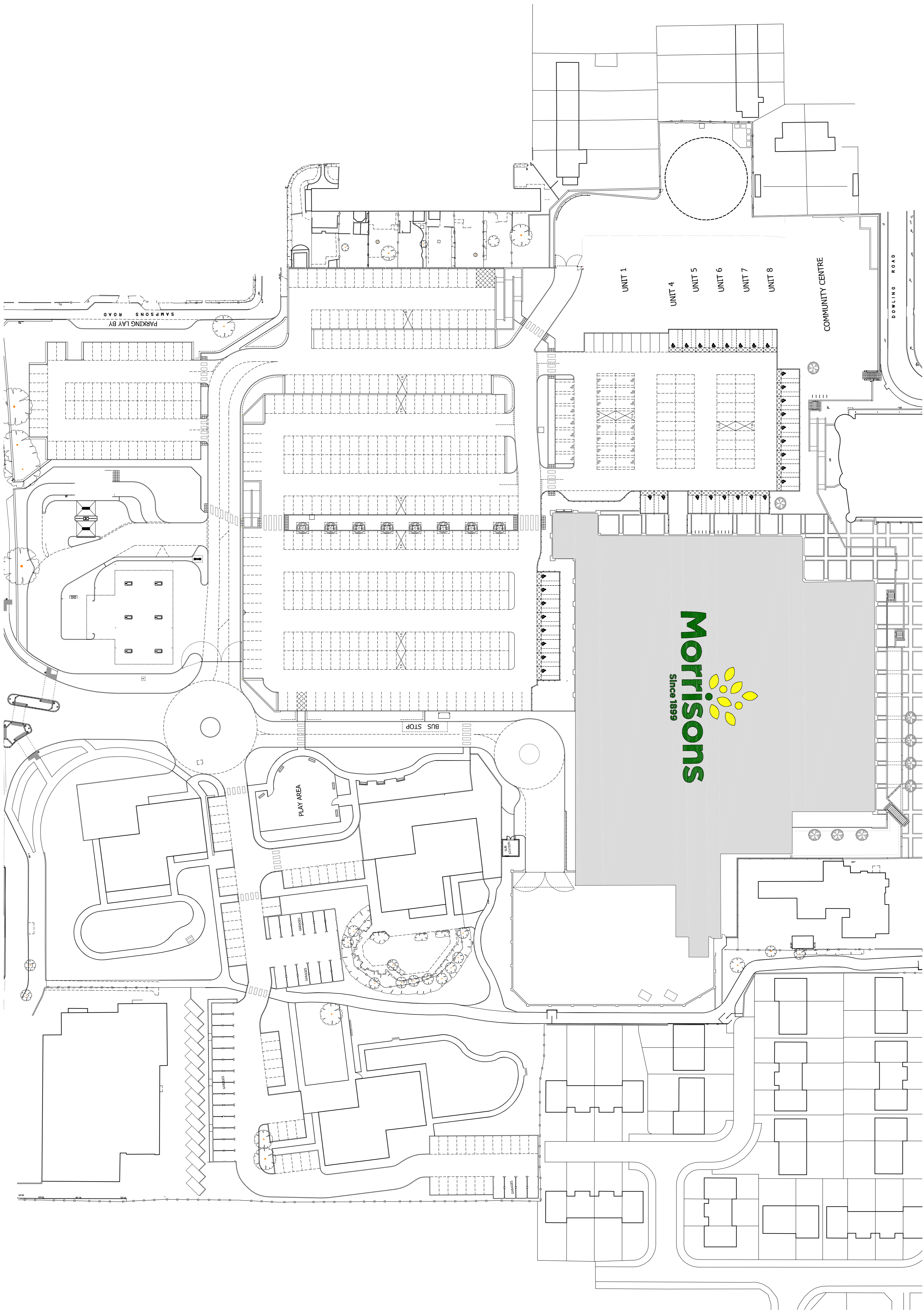
Reason: For the avoidance of doubt.

commdelgranted
V1.0211

Supporting Documents

4. WM Morrison Supermarkets, Peterson Avenue

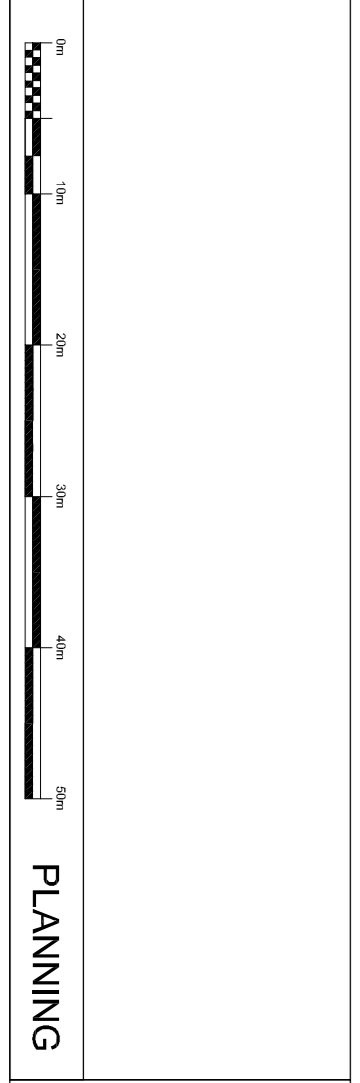
1. Proposed site plan
2. Existing & proposed detailed plans
3. Proposed units detail & visuals



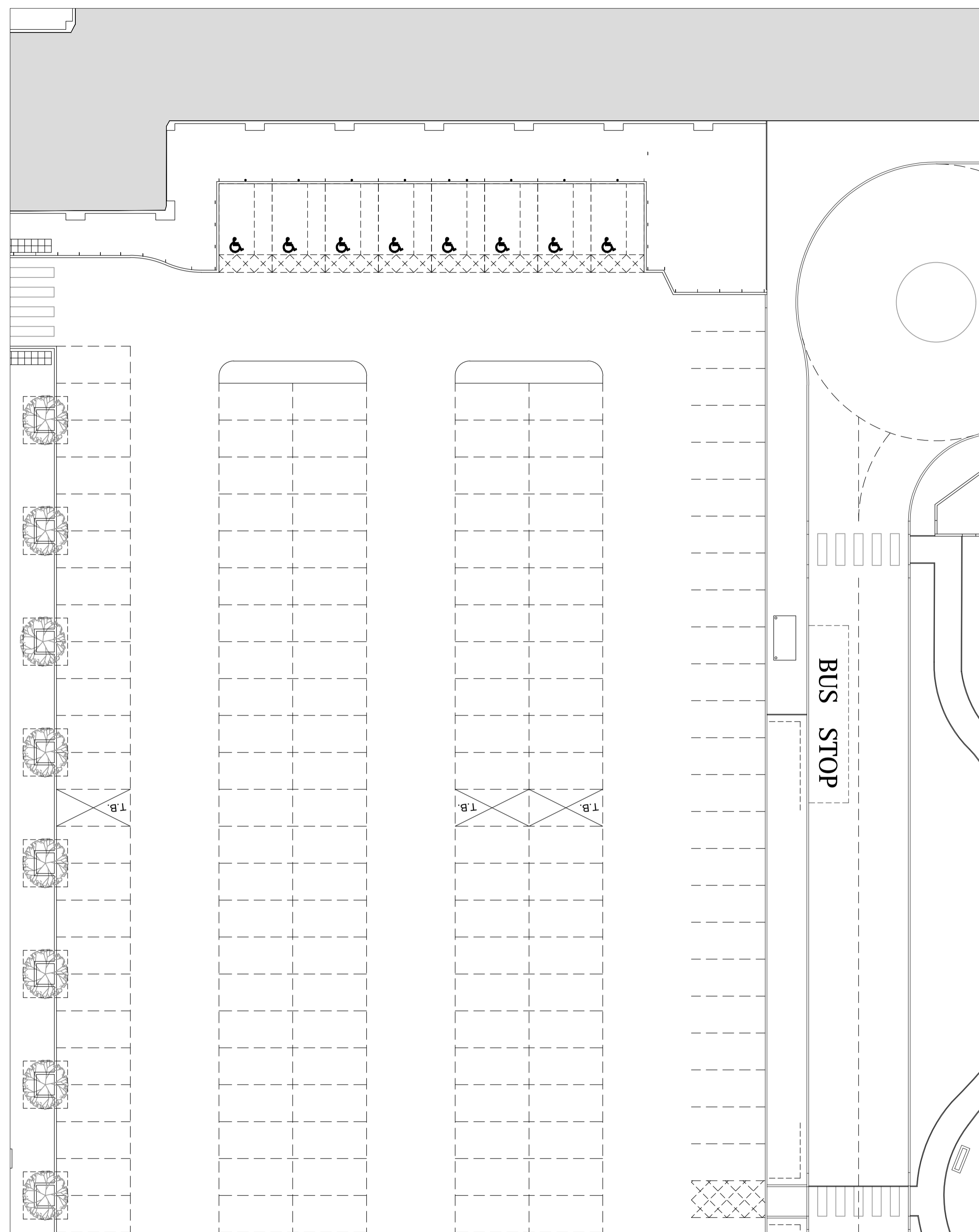
Peterson Avenue,
 HARTCLIFFE,
 Bristol,
 BS13 0BE



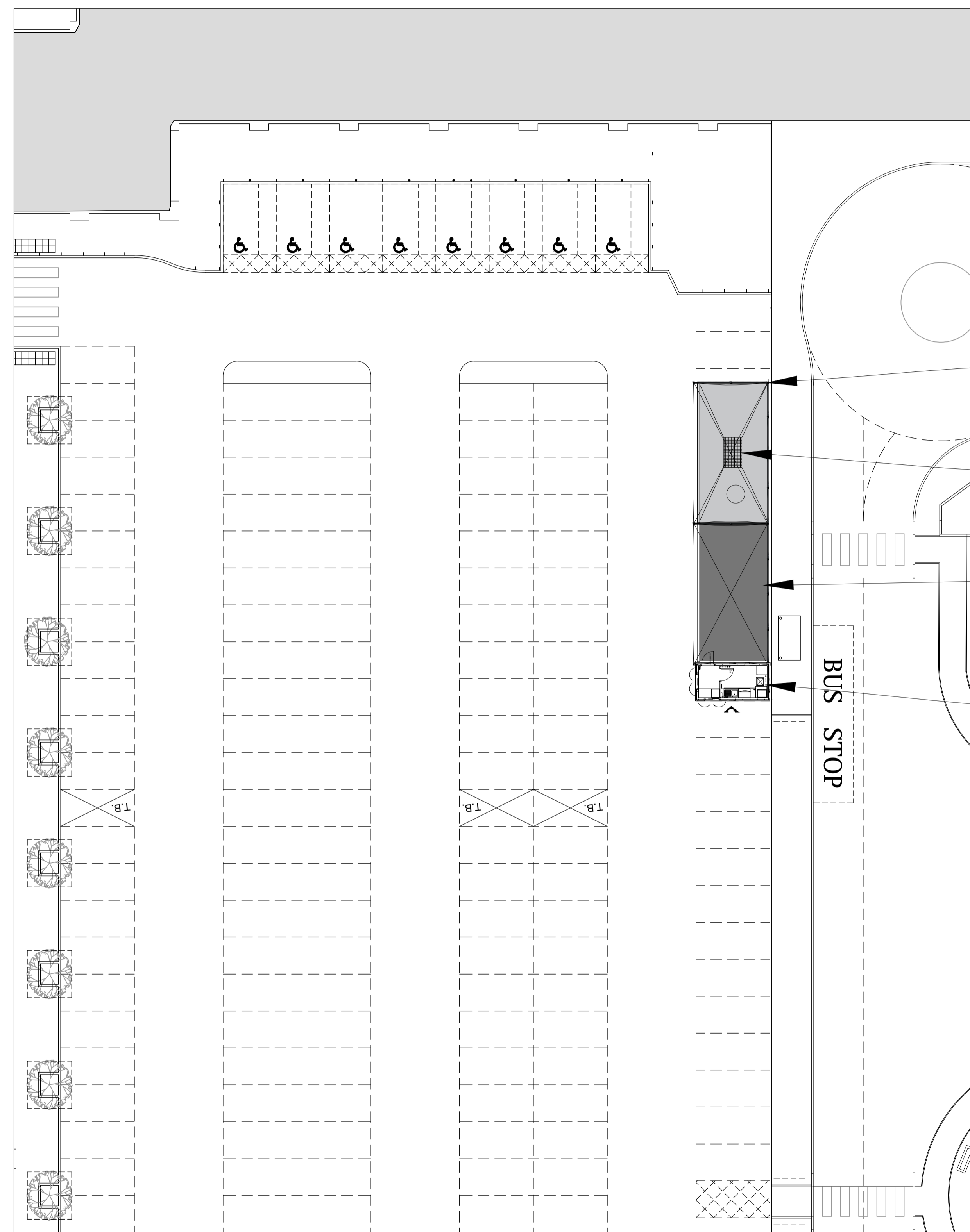
Atkinson Architects Ltd
 All dimensions are to the finished work
 unless otherwise stated
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	PROJECT Peterson Avenue, Hartcliffe, Bristol, BS13 0BE	
	DATE July 2018	
DRAWING NO. 15000041	DRAWING TITLE Existing Site Plan	SCALE 1:5

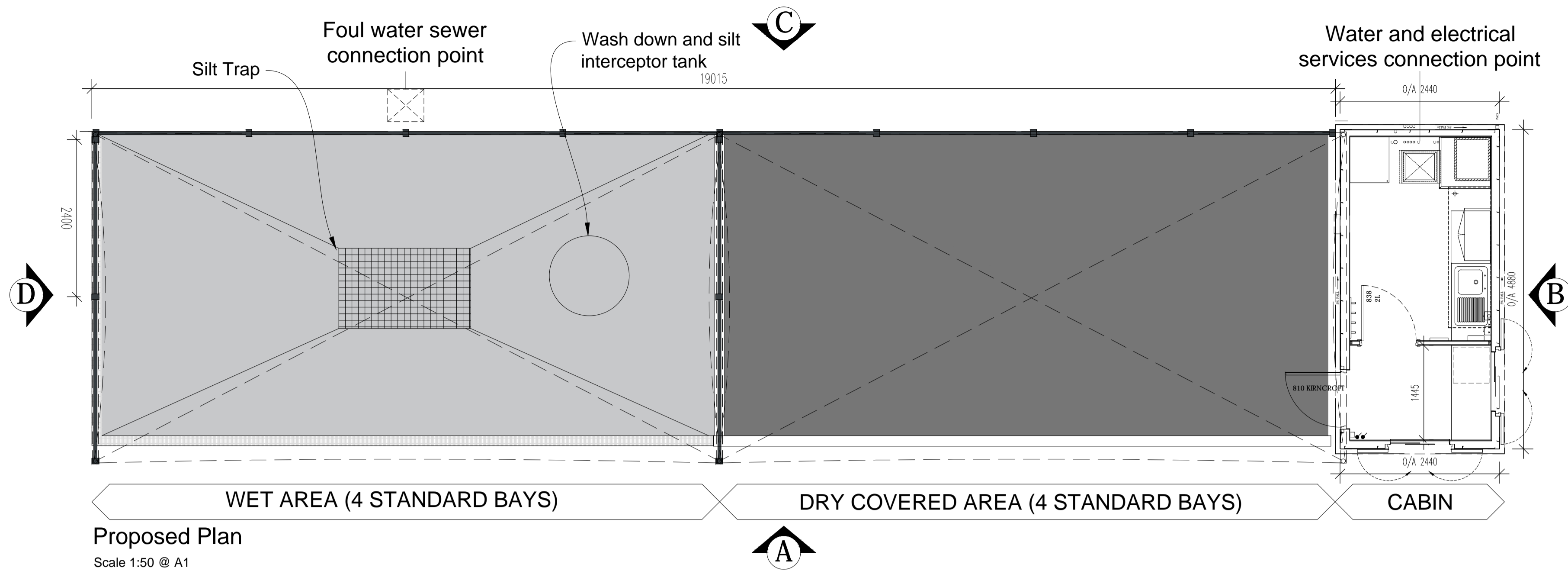


Existing Detail Plan
Scale 1:200@A1



Proposed Detail Plan
Scale 1:200@A1

- Proposed composite fence surrounding wet and dry bays
- Proposed wash area
- Proposed double canopy to fully cover wash area and dry valet area
- Proposed CPV cabin



Proposed Plan
Scale 1:50 @ A1

Signage Type	Materials
Hoarding Panels	5mm Foamex PVC composite panels with digitally printed graphics and posters. Background colour RAL 5017 'Traffic Blue'. Signage to be screwed to composite fence posts at 2400mm centres. NON ILLUMINATED.
External Cabin Elevations	Adhesive-backed digitally printed vinyl wrap applied to external elevations of cabin in RAL 5017 'Traffic Blue' with text in RAL 1023 'Traffic Yellow' and RAL 9016 'Traffic White'. NON ILLUMINATED.
Cabin Fascia	Eurocell composite panels in Anthracite Grey RAL 7016. 3no. fascias to have text 'CAR PARK VALETING' in font and colour to comply with CPV branding and 'AT MORRISONS' in Pantone 343c British Green in accordance with brand identity digitally printed onto the composite panel. 'Morrisons' logo font to be sourced directly from Retail Environmental Design Team. Font used in proposed drawings is indicative and requires confirmation from branding team. NON ILLUMINATED.
Double-sided Banner	Double sided DTEc mesh banner to be attached and hung between canopy posts. Text 'HAND CAR WASH' digitally printed in RAL 5017 'Traffic Blue' and text 'at Morrisons' digitally printed in Pantone 343c British green on a RAL 9016 'Traffic White' background.

HARTCLIFFE,
Bristol,
BS13 0BE

Layout

Hand car wash valeting service, consisting of four wash bays, 8 canopied drying/finishing bays and one bay for the cabin located adjacent to end of canopy/drying area. The layout will include a 2.8m composite fencing finished in Anthracite Grey RAL 7016.

Drainage

The wet/wash area to be graded to allow run off to flow into a centralised silt trap. CPV drain and channel will connect to existing foul sewer, exact location of connection to be specified by survey specialists.

Surface Treatment

Wet area to be graded concrete. Dry area to be tarmac as existing.

Canopy

Cantilevered steel framed structure with tensile Polyester HT1100 DTEc fabric cover with PVC coating and Biface finish in RAL 5017 (Traffic Blue). Canopy to be fixed to ground using reinforced concrete foundations sunk under ground level. Foundation depth subject to detailed design, locality and ground conditions, to be confirmed by structural engineer.

Cabin

Two roomed, Integra AV cabin with external decor in RAL 5017 (Traffic Blue) with windows and door.

Signage

To be located on 3no. cabin elevations including on 3no. fascia panels. Signage to also be placed (when necessary) on perimeter fence, max text height approx 326mm. Opening hours, Price List and Health & Safety posters to be displayed on perimeter fence as shown on elevations. Posters to be digitally printed onto composite panels and fixed onto fence posts.

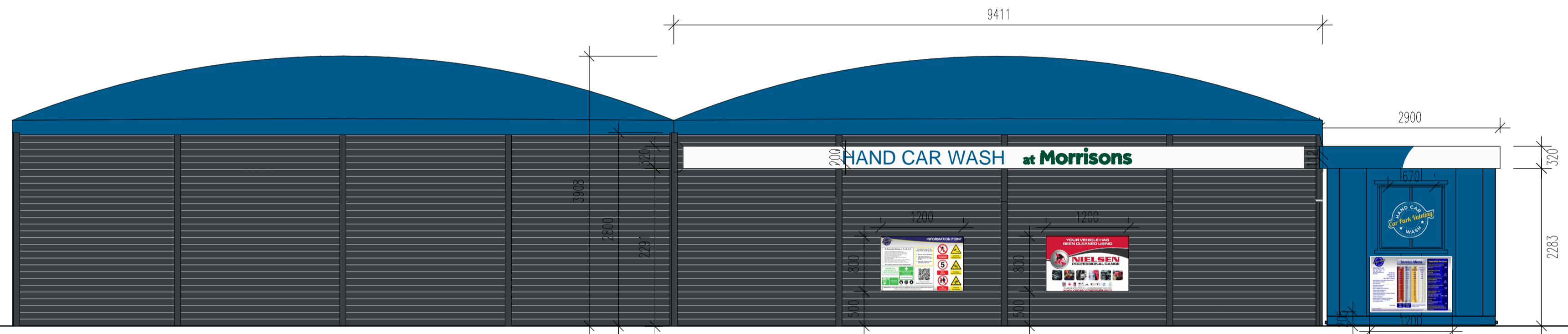
Lighting and Power Supply

To be specified by consultants

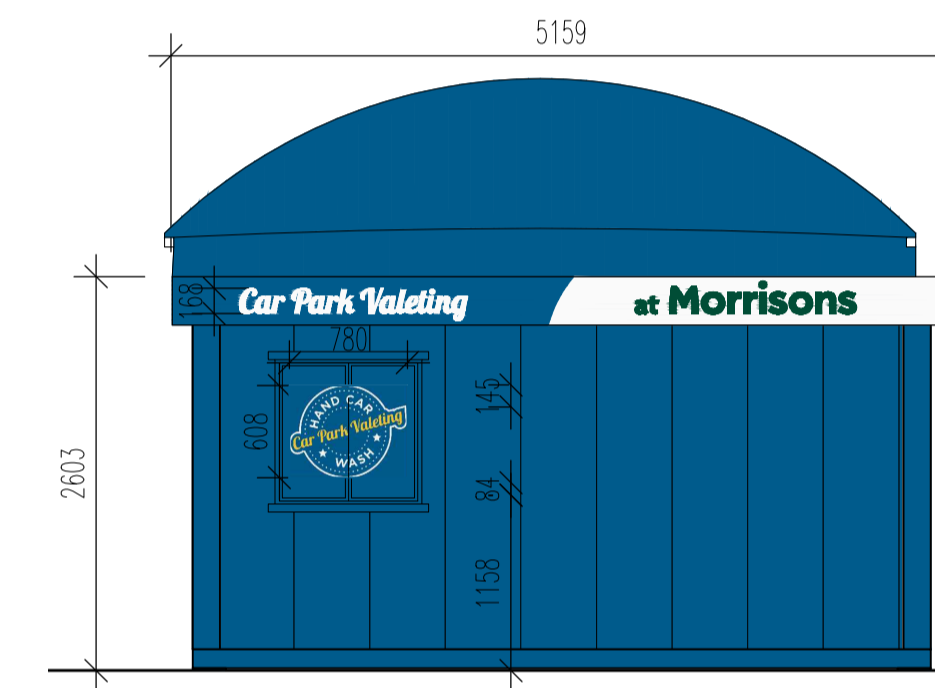
Trade Effluent

All car wash chemicals used are manufactured by Nielsen and are biodegradable. Chemicals are diluted in a ration of up to 1:500 resulting in low chemical content in water run off. Main washing water is supplied from jet washers which deliver approximately 11 litres water per minute. Cars are washed for 3-4 minutes and therefore uses up to 44 litres of water per car. Anticipated cars washed is 30 per day therefore the operation will use approximately 1320 litres water per day. An average of 25 litres of water and diluted chemicals will fall to the floor where it will then drain into the silt trap and interceptor. Trade effluent will then travel to foul sewer through appropriate ACO drains and channels. Effluent disposal will be supported by a corresponding Trade Effluent Licence.

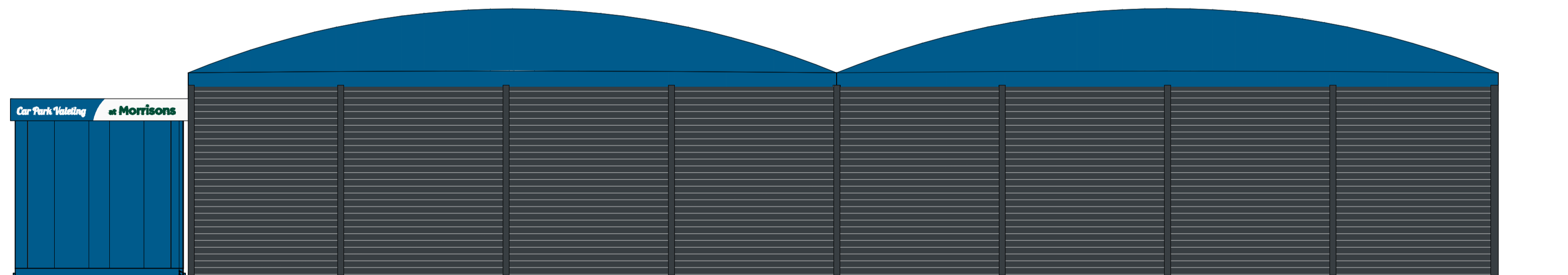
Page 140



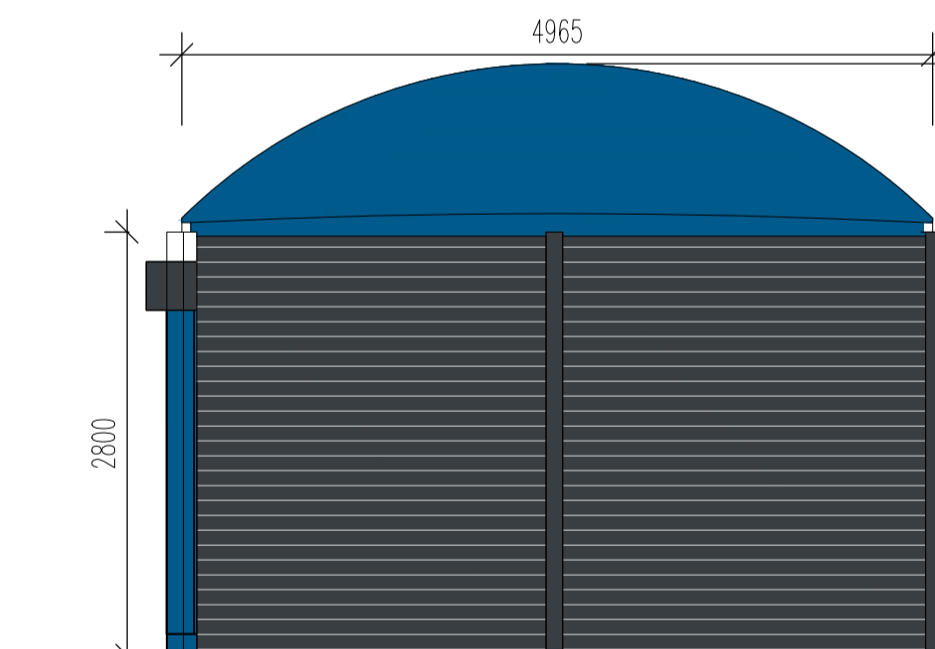
Elevation A
Scale 1:50 @ A1



Elevation B
Scale 1:50 @ A1



Elevation C
Scale 1:50 @ A1



Elevation D
Scale 1:50 @ A1



Elevation D (Perimeter fence omitted for clarity)
Scale 1:50 @ A1

Service Menu	Specialist Services
<p>Opening Hours Mon - Sat 8:00am - 7:00pm Sun - Thurs - 9am - 6pm Winter Closing Hours May Vary</p> <p>Small Car £13 Medium Car £14 Large Car £16 4x4 / MPV / Luxury £24</p> <p>Hand Shampoo, Wax, Wheel & Head Dress Exterior Glass Treatment Tyres Dressing Upholstery Treatment Carpet Treatment Seat Leakage Area Treatment Rinse Downalls Washed Interior Glass Polished Dashboard, Console & Air Freshener Applied Exterior Body Treatment Full Body Polished Exterior Services & Tyres Conditioned Free Detailing to Interior & Exterior Air Freshener Fitted</p> <p>Full Valet £100</p>	<p>Platinum £30 Gold £27 Silver £23</p> <p>Cabriolet hood treatment £20 Clean your car interior every 6 months Upholstery and seat cleaning £5 per seat Deep clean your upholstery, floor and carpet maintenance Leather seat cleaning and treatment Clean, protect, polish and condition your leather Air conditioning assistance Clean and dress your car's engine bay High definition wax and gloss Deep clean, protect and polish your exterior paintwork Free interior protection Free Power of the Sun Screen wash top-up Using an automatic fluid to adjust headlamps All the specialist services used for your car are available for your car. For more information please contact us on 0117 924 1111.</p>

Digitally printed price list
Scale 1:10 @ A1

Digitally printed branding poster
Scale 1:10 @ A1

Digitally printed Health & Safety Information Posters
Scale 1:10 @ A1

Development Control Committee A – 3 April 2019

ITEM NO. 5

WARD: Hotwells & Harbourside **CONTACT OFFICER:** Amy Prendergast

SITE ADDRESS: The Pineapple 37 St Georges Road Bristol BS1 5UU

APPLICATION NO: 18/01818/F Full Planning
 18/05805/LA Listed Building Consent (Alter/Extend)

DETERMINATION DEADLINE: 5 April 2019

Change of use and conversion of the Pineapple Public House to 6no. flats including the demolition and rebuilding of an existing side extension.

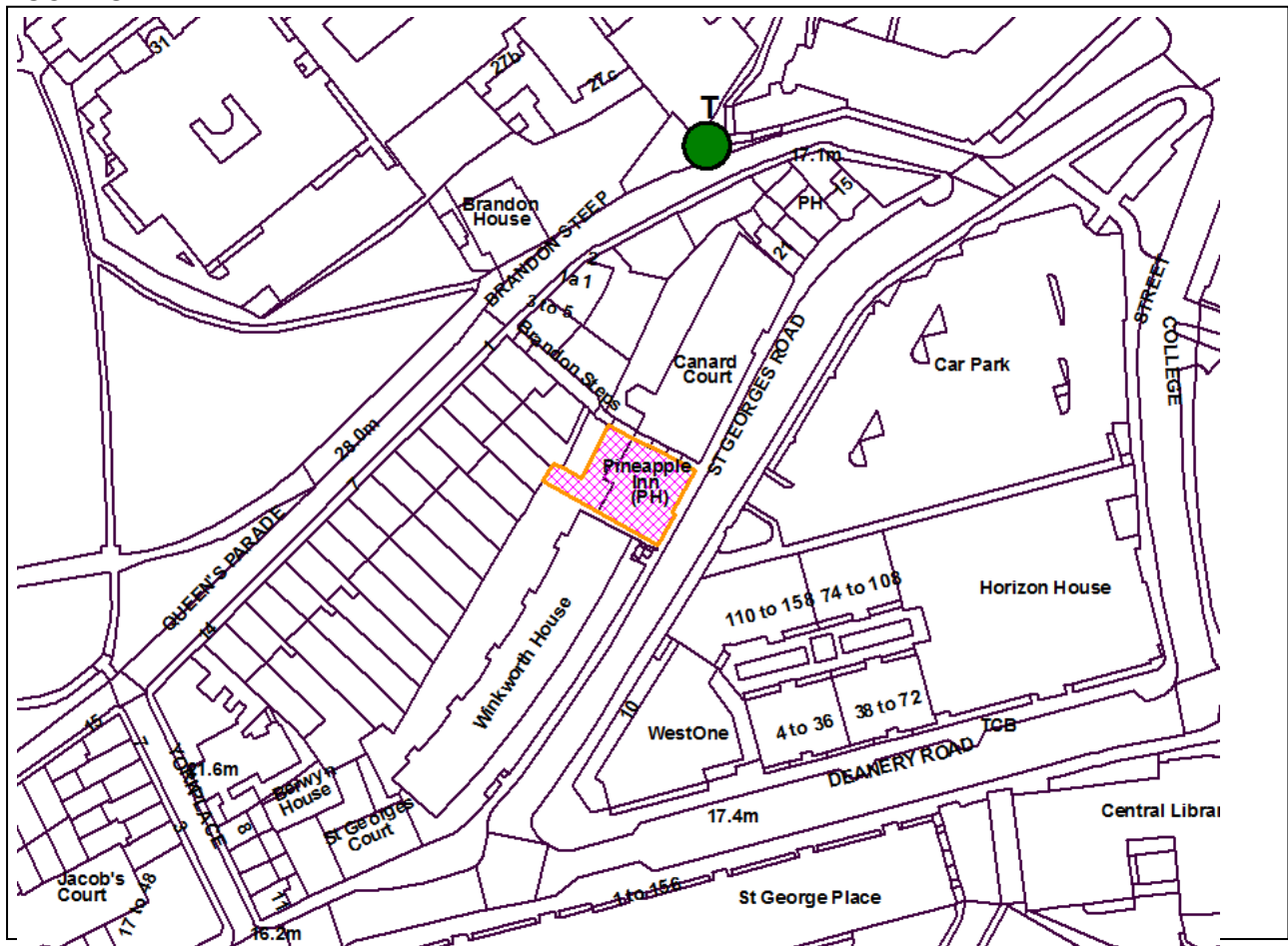
RECOMMENDATION: Grant subject to Condition(s)

AGENT: Caldecotte Group
 15 London House
 Swinfens Yard
 Stony Stratford
 MK11 1SY

APPLICANT: Wellington Pub Company
 c/o Caldecotte Group

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

LOCATION PLAN:



Development Control Committee A – 3 April 2019**Application No. 18/01818/F & 18/05805/LA: The Pineapple 37 St Georges Road Bristol BS1 5UU****SUMMARY**

The applications for planning permission, ref: 18/01818/F (Application A) and listed building consent, ref 18/05805/LA (Application B) brought before committee are for the change of use and conversion of the Pineapple Public House to 6 no. flats including the demolition and rebuilding of an existing side extension.

68 representations were received in total for Application A and B following all sets of public consultation from residents and amenity groups, 64 in opposition to the scheme, 2 in support and 2 neutral comments. It should be noted that a number of the objections received to the listed building application are from the same objectors that objected to the full planning application. The vast majority of concerns relate to the loss of the public house. The applications have not been referred to committee by any Councillor, but due to the level of public interest it is considered appropriate for these applications to come before Committee.

In relation to the loss of the public house, given the extensive number and range of pubs within the immediate area it is not considered that the loss of this, currently vacant, public house would adversely affect the social well-being of the local community neither would it deprive the local community of a facility that could help strengthen and support their social well-being. The application is therefore found to comply with Policies DM5 and DM6 in the Site Allocations and Development Management Policies (2014); Policy BCS12 of the Core Strategy (2011) as well as guidance contained within the NPPF (2019).

Following officer advice and following the listing of the building (listed over the course of the application) revised plans were submitted. Officers are satisfied that the revised proposals would be acceptable (subject to a number of conditions and a contribution for off-site tree planting if permission were to be forthcoming).

SITE DESCRIPTION

The application relates to a vacant A4 unit, formerly operating as The Pineapple Public House located on the west side of St George Road. The building is Grade II Listed and located within the Park Street and Brandon Hill Conservation Area.

The property comprises of two buildings that have since been connected. The buildings are different in overall design to one another. The building to the south is two storeys in height with a flat roof. The front façade of this building (that looks onto St George Road) has a blank façade with no fenestration, only a blocked up window and recessed double doors at ground floor level. The northern building is set further back than its connected building with an ornate Edwardian Baroque façade applied to the Victorian frontage. The frontage has since been rendered obscuring much of the detailing however enough survives to give the frontage distinction in the streetscape. This building is three storeys in height with the second storey being set significantly back from the front façade.

To the south of the application site is Winkfield House; student accommodation belonging to the University of Bristol and to the north (separated by Brandon Steps) is Canard Court, a contemporary office building. Opposite the application site is a large pay and display car park. To the rear, a terrace of Grade II listed buildings front Brandon Hill Park.

There is a small yard to the rear of the site with some trees.

Development Control Committee A – 3 April 2019**Application No. 18/01818/F & 18/05805/LA: The Pineapple 37 St Georges Road Bristol BS1 5UU**

APPLICATION

The proposed works are for the change of use of the vacant public house into six apartments. The six apartments are made up of: four 1 bedroom 2 bed space units; one 2 bedroom 3 bed space unit and a studio for 1 person. The apartments will be incorporated both within the existing listed Seventeenth Century building and within a newly created three storey building which would be constructed following the demolition of the existing connected more southerly building on site.

Cycle and refuse storage is proposed at ground floor level.

HISTORY

There is no history of direct relevance to these applications.

COMMUNITY INVOLVEMENT

The proposed development is classed as 'Minor' development; therefore there is no requirement for the Applicant to demonstrate community engagement prior to submitting the application.

EQUALITIES ASSESSMENT

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

RESPONSE TO PUBLICITY AND CONSULTATION

Both applications were advertised via a site and press notice and individual neighbour notification letters were sent. The listed building application was submitted a considerable time after the full planning application by virtue of the building only being listed during the course of the application. Subsequently the consultations for each case were done at different times. Following receipt of revised plans further neighbour letters were also sent out with an expiry date of 14.02.2019.

As a result 68 representations were received in total for the two applications, comprising of 2 support comments, 2 neutral comments and 64 objection comments.

A number of the objectors to the listed building application are the same as those objecting to the full planning application.

In addition comments have also been received by amenity groups. These comments are set out in full under heading 'Other Comments'.

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

Loss of the Public House/ Community Facility

- The Public House is viable and it has not been adequately demonstrated otherwise.
- The proposals would result in the loss of a community asset

Development Control Committee A – 3 April 2019

Application No. 18/01818/F & 18/05805/LA: The Pineapple 37 St Georges Road Bristol BS1 5UU

- The Pineapple offers disabled access and has a large function room for meetings and events making it diverse.
- The loss of the public house could harm tourism.

Case Officer Response: Please see key issue B of this committee report.

Mix and Balance

- There are already a proliferation of flats in the area

Case Officer Response: Please see key issue C of this committee report.

Conservation/ Listed building

- The proposed works would result in harm to a historic building
- The Pineapple should be listed
- The Pineapple is a very distinct building of admiration at the front. To see any change to this building's facade would be very disappointing. I would like to see its appearance retained and protected, for the sake of Bristol's heritage
- Need to preserve the listed building.
- The Sash windows to the new building are not well proportioned.

Case Officer Response: Please see key issue D of this committee report.

Amenity for future occupiers

- Living conditions for future occupiers is not ideal
- The fenestration of the pub does not work well for residential use, being too large and open

Case Officer Response: Please see key issue E of this committee report.

Trees

- The proposal would result in the loss of trees.

Case Officer Response: Please see key issue H of this committee report.

Other

-The construction work will be highly disruptive and could harm the health of neighbouring occupiers. Therefore if the application is passed we would like to be informed in advance of works.

Case Officer Response: Please see key issue F of this report.

-There has been no meaningful community engagement

Case Officer Response: Community engagement on minor applications is encouraged although this is not a requirement for works of this scale.

-Concern the cycle and bin store could be converted to an additional flat.

Case Officer Response: Any internal changes to the building and the creation of a new flat would require planning permission and listed building consent. The secure and covered cycle and refuse facilities provided are required to serve the flats and therefore it is highly unlikely that the loss of this storage would be supported.

Development Control Committee A – 3 April 2019**Application No. 18/01818/F & 18/05805/LA: The Pineapple 37 St Georges Road Bristol BS1 5UU**

OTHER COMMENTS

BCC Arboriculture has commented as follows:

T1 & T2 are the only trees to be removed.

-T1 Is an old Sycamore coppice stool that does not require mitigation.

-T2 is a reasonable early mature Ash; its loss is reasonable to facilitate the development; however the loss needs to be mitigated through the planning obligation SPD. 3 replacement trees or a financial contribution of $3 \times 765 = \text{£}2295$ to be agreed prior to consent via UU.

Subject to a financial contribution and a pre commencement condition requiring Protection of Retained Trees during the Construction Period then there is no objection.

BCC Contaminated Land Officer has commented as follows:

The planning application to re-develop the former pub to residential use has been reviewed in relation to land contamination.

The proposed development is sensitive to contamination and is situated adjacent to land which has been subject to land uses which could be a potential source of contamination. However the extent of new build is limited and the existing public house building has been in situ for well over 120 years.

There is therefore no objection subject to a condition.

Case Officer Response: Please see all recommended conditions attached.

BCC Conservation has commented as follows:

Summary

1.1 The proposals have a low impact on designated heritage assets. The low degree of less-than-substantial harm posed to these assets, as defined under the National Planning policy framework (NPPF), is considered to be offset by the environmental benefits of the proposal including the restoration and reuse of the Listed building.

1.2 The application is in accordance with National and Local Planning policies designed to protect the historic environment. Should the application be approved we recommend the inclusion of conditions to ensure the continued protection of the significance and character of the heritage assets, and ensure the high quality design, detailing, and materiality is maintained from proposals into implementation.

The Heritage Assets

2.1 The former Pineapple Pub is a remarkable survivor of the Seventeenth Century, unknown to Bristol until this planning application was made. Following the identification of significant original fabric this Local Authority placed a Building Preservation notice upon it, and it has subsequently been nationally designated as a Grade II Listed building.

2.2 There are three elements to the building; The original house of about 1670 sits back from the street frontage and is of three storeys. It has a two-room width plan with the original stair tower located symmetrically at the rear of the building. An attached structure on the west side of the north elevation is likely to be a contemporary service wing. Vaults and former courtyards are built into the depth of the steeply sloping hill behind this building.

Development Control Committee A – 3 April 2019**Application No. 18/01818/F & 18/05805/LA: The Pineapple 37 St Georges Road Bristol BS1 5UU**

2.3 Between the original building and the street are the various additions that expanded pub use in the Nineteenth Century, and received an Edwardian frontage in 1907. These alterations, and the pub use, have altered the ground floor plan of the original building, but the pub frontage contributes to the historic significance.

2.4 The final element of the site lies adjacent on the south side. This is the vestigial remains of a Georgian house, but now entirely rebuilt with no surviving interest. This portion is outside of the designated Listing.

2.5 The building lies within a Conservation Area. It is a character building and has historic value with the Eighteenth Century properties, also Listed, to the east beyond a large block of modern development. This and the curved block of student housing to the west are contextual buildings and have a neutral impact on the special character. The southern section of the Pineapple projects forwards from buildings to its west and is prominent in the streetscape when viewed down St George's Road.

Proposals

3.1 This application seeks to convert the building from the pub, closed since for a number of years, into six apartments. These will be incorporated within the existing Seventeenth Century building and the single-storey pub structures to the street and within a new-build three storey element on the site of the southern block.

3.2 Externally the new block will be loosely traditional in aspect with 4-pane sash windows, and stone cills and banding details. The appearance will enhance the character of the Conservation area by replacing the existing structure with a modest new one of appropriate sensitivity to its context.

3.3 The exterior of the Listed buildings will be enhanced with the replacement of poor quality UPVC windows with new timber casements that better reflect the origins of the building. The Edwardian pub façade will be cleaned back to its original brick and stone finish and restored.

3.4 Internally the building is proposed for subdivision into separate flats. It is acknowledged that the structure, particularly the original roof frames are in poor condition and the conversion of the building would ensure that its condition does not decline further. Alterations proposed for the ground floor would restore parts of the original planform and relocate features back to their original locations.

Assessment and potential mitigation

4.1 Firstly we must applaud the applicant on their pragmatic and constructive approach to the building proposals following the serving of the Building Preservation Notice and subsequent Listing. We're grateful for the sensitive changes that were made to the proposals and the positive approach to the newly revealed historic significance. The new status and heritage value of the building has been recognised in a revised heritage statement and, we believe, this should now satisfy the concerns of the Conservation Advisory Panel.

4.2 The building's use as a pub change in the proposed development. Before closure a number of years ago the pub use did contribute to the special character of the Conservation Area through its use and in partnership with the surrounding mix of uses. The closed venue appears as a negative feature of the Conservation Area and has so for a number of years, with only a very short period of around 2 months in about 2017. We have concerns over the subdivision of the property into several flats as we would with the subdivision of any Listed building into multiple properties. However, the intended alterations are well managed to minimise harm to the important features of the Listed building, and would ensure that the poor condition of the roof and restoration of building exteriors were supported by a broader development. There is genuine environmental public benefits in bringing the building

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back into viable use.

4.3 The proposed formation of flats on each floor of the Seventeenth Century building is designed to respond to the building's special interest and could be successfully undertaken with suitable conditions to record and protect historic fabric. The stair, door surrounds, timber beams, internal partitions will all be preserved in development. Where new openings or new partition walls are proposed this has been minimised as far as possible. The ground floor changes will reverse some of the changes to an open-plan bar arrangement in the Seventeenth Century house. The Edwardian portion will have new subdividing walls inserted, but these have a low degree of impact upon historic spaces or fabric.

4.4 The new wing proposed to the south of the Listed Building will replace a negative structure in the Conservation Area and, although adding height and massing, is considered to be of an acceptable design and material quality that should enhance the special character. The new wing will have minimal impact on the special interest of the listed building and its setting.

4.5 It remains that there is a degree of less-than-substantial harm to the special interest of the Listed building through the subdivision, and loss of original use, but there is very high public benefit in ensuring that the building is developed to ensure its declining condition is arrested quickly, and the restorative aspects proposed for the elevations that will better reveal the building's historic character. Further benefits that might be considered by the officer are the enhancement of the Conservation Area by the removal of a negative feature and its replacement.

4.6 Overall this is a good proposal that responds well to its context and the newly Listed historic building.

Recommendations

The low degree of harm posed to the significance of heritage assets by the development is considered to be outweighed by its public benefits. The application would result in an overall positive impact upon, and enhancement of, the setting of the Listed buildings and the Conservation Area. This application is strongly supported subject to conditions that ensure that the designs are implemented to a high quality in keeping with the sensitive historic setting. Conditions that ensure the building is recorded prior to subdivision, and control details and materials are required.

Case Officer Response: Please see all recommended conditions attached.

BCC Pollution Control has commented as follows:

No objections.

BCC Transport Development Management has commented as follows:

Principle

The application proposal seeks approval for the change of use and conversion of the Pineapple Public House to 5no. flats including the demolition and rebuilding of an existing side extension.

TDM previously recommend refusal of the application due to the access point of the cycle and waste store being situated along PROW BCC/391/10 up a number of steps.

Access

The access to the cycle parking and waste storage is now proposed along St Georges Road. This will provide ease of use of the cycles and ensure bins are not stored on the highway. TDM prefer an

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internal stepped access to the cycle parking given a ramp would realistically be too steep to provide adequate access.

Car Parking & Cycle Parking

Ten cycle parking spaces have been provided which is above the minimum standard.

No vehicular parking has been proposed for the dwellings. This is acceptable given the sites central location. It must be noted that residents would not be eligible for residents parking permits.

Recommendations

TDM recommend approval of the application subject to conditions.

Case Officer Response: Please see all recommended conditions attached.

BCC Air Quality Officer has commented as follows:

No objection

Amenity Groups

The Conservation Advisory Panel has commented as follows:

This comment is on receipt of revised plans and submission of heritage statement.

The Panel welcomes this application and also the recent Grade II listing of The Pineapple. However, the design of the newly constructed building adjacent to The Pineapple is currently neither a quality pastiche design nor a quality contemporary design. In any event this needs further refinement as it should be as simple as possible in order not to detract from the Edwardian facade of The Pineapple. To achieve this it would be more appropriate to have only two windows per floor which should be simple casement, rather than sash, windows and without stone lintels. There is some concern over the loss of external pub memorabilia and the possible loss of the working gas light. This must be clarified further.

Bristol Civic Society has commented as follows:

Bristol Civic Society regrets the loss of another city centre pub and urges the Council to satisfy itself that the use of the premises as a pub is unviable before conversion to residential is permitted. The Society also considers that the proposed development is over-intensive for the site in view of the limited amenity space. We note that a number of rooms to the rear of the proposed development will be dependent on a light well for natural lighting and wonder if the resulting living conditions will be satisfactory.

Living Easton Heritage & Environmental Group has commented as follows:

The policy text relating to the NPPF. Policies BCS12, DM5 & DM6 has been deleted as all of this relevant policy (that relates to the loss of the public house and community use) has already been included with the policy section in key issue B of this report. To see this representation in full, with the relevant policy included, please visit the councils website.

Living Easton Heritage and Environmental Group are a community based environmental and heritage group of around 20 individuals and affiliated organisations predominantly in the Easton and Lawrence Hill area of Bristol who take a particular interest in heritage, planning and sustainability issues in East Bristol.

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We object to the potential loss of the Pineapple public house in an area which has already lost a number of pubs over the years including the Crown & Anchor (Hotwells Road) and these losses are not sustainable for future community wellbeing. We question how the loss of community pubs in the area fits in with the City Council's resilience plan as we believe that a local plan where there are insufficient pubs is not resilient. We fail to see why the City Council continue to allow historic pubs to be lost when the tourism economy is worth more than £1.4 billion to the Greater Bristol area. As Bristol is a major tourist destination many visitors enjoy going to historic pubs as part of their holiday experience especially around the Harbourside area. There is no real justification to allow this development on the grounds of Policies BCS12, DM5 & DM6 at least as mentioned below.

2.6.5 Pubs can also be important local landmarks, often with distinctive identities and significant architectural qualities. Development affecting pubs should not undermine the building's identity as a pub or harm its architectural character. In particular, features that distinguish the building as a pub should be retained but Living Easton would suggest that this should be weighed against the potential damage caused to the local tourism economy in terms of pub jobs lost e.g. bar, catering, cleaning staff and suppliers. These plans fail to address this issue and we therefore urge the case officer to take a robust approach with any developers intent on converting pubs to non-community well-being uses and insist that the application is brought to the Planning Committee as pub losses are still running at an alarming rate of 18 per week (CAMRA latest figures) are of major concern to CAMRA nationally, National Government and the local communities who are affected.

We should note that there has been intensive high density housing development around the Hotwells/City Centre area as the council has allowed the local area to become saturated with residential flats and student housing. This process is intensifying with the development by UNITE of the council offices on St Georges Road into hundreds of units of student accommodation. Given this context, it would be unacceptable to allow one of the few remaining historic public houses in the area serving the local community, to be redeveloped into yet more over-intensive student housing or residential flats. Pub provision has not kept up with the scale of these high density developments which are unsustainable in the long run without the provision of community facilities like pubs and these plans have failed to address this issue.

We also take note that there has been no meaningful community engagement with these plans and urge their refusal.

Bristol Pubs Group have commented as follows:

Bristol Pubs Group (a committee of Bristol and District CAMRA) is writing in objection to the part-demolition and full conversion of the community pub quoted above.

This pub has in the past, contributed to a choice of drinking houses to satisfy the diverse people of Bristol. Until about 18 months ago, this was a place which fell into the popularity for the LGBT community, leased by a brewery (S A Brain & Co Ltd). After as good as a year of closure, another independent licensee tried taking this on as one aimed at a wider audience. It was proving itself popular with no tie on beers, with good social space in the bar.

During the brief time that licensee ran it, a beer festival was held, which proved popular and successful. Unfortunately, it is our understanding that Wellington Pub Company was not prepared to agree up a long-term lease with the licensee (which he would agree to) with some required updating / maintenance accounted for. The pub therefore closed again within a few months.

We notice from a document - but cannot find on your website - there had been a pre-application (ref 16/02343/PREAPP) over a conversion into flats two years ago. This may explain the applicant's reluctance to offer an agreeable lease for the pub to continue trading earlier this year. We now wonder if there ever actually was intention to lease out the pub at all for the long term, considering the

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2016 pre-application followed by this current application.

The proposed development does not, we feel, fall in line with the advice of the planning officer who responded to the 2016 pre-application. Policies BCS18 and BCAP3 were mentioned with the aim of having family-sized houses or flats, which this current application is not. The maximum number of bedrooms per flat here is two, rather than three. As for a mixture of dwellings, one maisonette may add a form of mixture, but only in terminology. That is merely a two-storey flat within a building housing several flats. The area surrounding this property is already overflowing with flats. In response to paragraph 5.11 of the Design and Access statement, our proposed solution is "Go elsewhere".

Regarding policy DM6, of the 27 drinking establishments listed in Appendix A, only a relatively small number are traditional community pubs; the remainder are bars and are generally very large and would often be crowded, particularly at night and on weekends. Consumers who have used and appreciated the Pineapple in the past have not been those with an interest in noisy bars, where conversing is difficult. Furthermore, as Appendix A mentions some are not open during the same hours as the more traditional community pubs. Consideration should also be given as to whether or not entrance fees are charged at some establishments. Paying such fees when popping in for just one or two drinks outweighs any attraction to use such places. The expense just would not weigh up - especially if those do not sell real ale, which the Pineapple has in the past.

This emphasises such drinking houses not actually being public houses. A number of drinkers do not wish to stay in one pub throughout their drinking sessions. A lot prefer to do a tour of pubs and have a healthy stroll in this city of walking. This gives them a wider choice of beers to appreciate and a broader range of people to socialise with.

A further difference between this pub and some others is what the previous licensee was working on. An unused spacious room on the first floor was intended to become a function room, separate to the public bar, to offer to interest groups as well as businesses. Being so close to the city centre, this can offer a much-needed facility which other pubs in the local area - certainly the nearest handful - do not have. We were ourselves looking forward to using this facility.

We must object to the map used in Appendix A using a circular radius for measuring the walking distances to other pubs from the Pineapple, as it actually indicates a crow flying, rather than routes humans walk, especially when it comes to using safe, illuminated walking routes at night. With some pubs such as the Hope and Anchor, the Berkeley and the White Hart (as well as a few others), consideration should also be given to the steep terrain between them and the Pineapple.

The right-hand side of this pub has a facade which is distinct in its historic character, and has remained this way for several decades if not over a century. The only difference being a change in its ground floor window glazing. (See the Hartley photograph No 36228 on Know Your Place, understood to be from circa 1960s), Today, a close look at the broad outline of a sign on the first floor, the rendering does not fully conceal "GEORGES & Co Ltd", in its three-dimensional print, shown in the photograph

The Park Street and Brandon Hill Conservation and Character Appraisal states in paragraph 7.5.3 (page 43):

"The identification of a building within the Conservation Area as being of particular merit will be of material consideration in future planning decisions. Buildings of Merit include:"

and goes on to include the Pineapple as one of a number of such buildings. (Buildings of Outstanding Merit have been automatically included in the Local List of buildings within Bristol).

Considering the popularity the Pineapple had under the latest licensee despite the Lime Kiln (previously the Horse and Groom) having opened and established itself since about the time this pub

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closed, we feel this application for conversion should be rejected. For this reason in conjunction with the other points we have raised above, we object to this application altogether.

RELEVANT POLICIES

National Planning Policy Framework – February 2019
 Planning (Listed Buildings & Conservation Areas) Act 1990
 Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocations and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2016 and Lawrence Weston Neighbourhood Development Plan 2017.

Supplementary Planning Guidance
 Park Street and Brandon Hill Conservation Area Character Appraisal

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

KEY ISSUES

(A) WOULD THE PROPOSAL BE ACCPETABLE IN PRINCIPLE IN LAND USE TERMS?

The National Planning Policy Framework (NPPF, 2019) states that "Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions". Paragraph 118 (d) states that planning should "promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively".

Policy BCS2 (Bristol City Centre) outlines the Councils aim to deliver around 7,400 new homes before 2026.

Policy BCS5 (Housing Provision) of the Core Strategy outlines the Councils aim to deliver new homes within the built up area to contribute towards accommodating a growing number of people and households in the city. Provision of new homes will be in accordance with the spatial strategy for Bristol set out in this Core Strategy and it is envisaged that 30,600 new homes will be provided in Bristol between 2006 and 2026.

Policy BCS20 (Effective and Efficient Use of Land) states that new development will maximise opportunities to re-use previously developed land. Where development is planned opportunities will be sought 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. Higher densities of development will be sought:

- i. In and around the city centre;
- ii. In or close to other centres;
- iii. Along or close to main public transport routes.

Policy DM1 (Presumption in Favour of Sustainable Development) of the SADMP outlines that the city's approach to development proposals will generally be positive and reflective of the presumption in favour of sustainable development as referenced throughout the NPPF.

The site lies within an existing mixed commercial and residential area, in a highly a sustainable city centre location with good access to public transport. The site is also on already developed land.

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The creation of six flats would make a small scale but valuable contribution towards housing supply which is compatible with the objectives of Policy BCS5.

To conclude, in land use terms, the creation of 6 flats at the site would represent sustainable development in full accordance with national and local planning policy. The principle of development in land use terms is therefore acceptable subject to the loss of the public house use being acceptable in policy terms (see Key Issue B).

(B) WOULD THE LOSS OF THE PUBLIC HOUSE BE ACCEPTABLE?

The proposal would result in the loss of The Pineapple Public House.

Relevant policy:

Section 8 of the National Planning Policy Framework (2019) addresses the issue of 'Promoting Healthy Communities'. At paragraph 91 it is specified that 'the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.' It is stated, at paragraph 92, that 'to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- 'plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs'

Policy BCS12 of the Core Strategy (2011) states that existing community facilities should be retained, unless it can be demonstrated that there is no longer a need to retain the use or where alternative provision is made. In such cases the Council will need to assess the loss in terms of the social, economic and physical impact on the local community and the harm caused to the level of community provision in the area. Policy BCS2 in the same document seeks the retention of small-scale uses, such as pubs, where they contribute to the diversity and vitality of the city centre.

Policy DM6 in the Site Allocations and Development Management Policies (2014) further states that proposals involving the loss of established public houses will not be permitted unless it is demonstrated that:

- i. The public house is no longer economically viable; or
- ii. A diverse range of public house provision exists within the locality.

Where development is permitted any extensions or alterations should not harm the identity or architectural character of the public house.

2.6.2 Pubs provide opportunities for social interaction and in many cases provide or facilitate particular community activities. This might include space for sports or social clubs, children's play areas, evening classes or community meetings. It might also include social activities, such as skittles, quiz nights, live music and entertainment or other events.

2.6.3 Where the loss of an established pub is proposed applicants will need to provide evidence clearly showing that the pub is no longer economically viable. Viability assessments must include analysis of trade potential, the existing business and evidence of adequate marketing. Regard will be had to the Campaign for Real Ale's public house viability test. In such cases the council will submit the

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viability assessment for independent validation, with any reasonable costs for the validation process met by the applicant.

2.6.4 Alternatively, the applicant will need to provide evidence of a range of pubs in the locality that can collectively continue to meet the needs and expectations of the whole community. This will include a good choice of pub environments offering a diverse range of services and community and leisure activities. As a guide the locality should include all other surrounding public houses within a reasonable walking distance.

Pubs can also be important local landmarks, often with distinctive identities and significant architectural qualities. Development affecting pubs should not undermine the building's identity as a pub or harm its architectural character. In particular, features that distinguish the building as a pub should be retained.

Policy DM5 in the Site Allocations and Development Management Policies (2014) states that proposals involving the loss of community facilities 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
- 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.

2.5.3 Community facilities include all uses, commercial or non-commercial, that provide a social or welfare benefit to the community. Whilst protection is sought for all uses that meet this definition, community land and buildings are particularly important.

This includes land and buildings that are managed, occupied or used primarily by the voluntary and community sector for community-led activities for community benefit.

2.5.4 When making an assessment of the importance of the community facility consideration should be given to:

- Local need and demand for the existing community facility or other community facilities that are willing and able to make use of the building(s) or land;
- The extent and quality of local provision of the existing community facility;
- The nature, pattern and frequency of activities taking place at the site;
- Its contribution to the diversity of community facilities in the locality;
- The accessibility of the site and other local community facilities by walking, cycling and public transport;
- In the case of commercial community facilities, whether the use is no longer viable (applicants will need to submit evidence to demonstrate that the site is no longer viable for that use and has been adequately marketed. The latter should be undertaken in accordance with the guidelines on the carrying out of marketing which are available to view on the council's website under planning advice and guidance.);
- Whether the site or building has been listed as an asset of community value.

2.5.5 A range of data sources including the Community Buildings Audit and Explore Bristol interactive mapping, available on the council's website under community centres and facilities, can be used to understand the extent and distribution of Community Facility provision within a locality. The extent of the locality should relate to the nature and catchment of the community use.

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2.5.6 Where relevant, consideration should also be given to the suitability of the site for the current use or for other community facilities, including costs associated with any works to adapt the site.

The supporting text of Policy DM5 states that the term community facilities is wide-ranging and can include local pubs.

Assessment:

A number of concerns have been received from residents and amenity groups in relation to the loss of the public house, which is also a community facility. Please therefore see detailed policy assessment below looking into the loss of the public house:

With regards to criterion i) of Policy DM6 it is not being demonstrated under this application that the public house is unviable. The applicant has therefore not provided evidence/marketing to show that the pub is no longer economically viable as set out in the supporting text under point 2.6.3 of DM6. The applicant has instead provided evidence of a range of pubs in the locality that collectively meet the needs and expectations of the whole community in line with point 2.6.4 of DM6, which is clearly identified as an alternative option to providing the marketing set out under point 2.6.3.

In order to accept the loss of the public house the Local Planning Authority must therefore consider the proposals against the remaining criteria, part ii) of DM6.

With regards to criterion ii) of DM6 the applicant has fully considered the level of public house provision within the locality providing a list of pubs within 450metres of the application site. There are a vast number of A4 drinking establishments within walking distance of the site. A few of those listed and in close proximity to the application site include: The Three Tuns, The Lime Kiln, The Hatchet, Myrtle Tree, Bag of Nails, The Greenhouse and the Bristol Ram. As a result, the applicant has adequately demonstrated that there are a number of public houses existing within the locality. Indeed it is considered unlikely that there are many other areas of the city whereby the number of public houses is so great. The number of pubs in the immediate locality would also enable people to easily walk from one pub to another if desired.

Criterion ii) of DM6 also specifically refers to there being a diverse range of pubs within the locality. Therefore (whilst it is noted that an A4 use could move to another A4 use that wasn't necessarily diverse without the need for planning permission) an assessment of public houses in the area has also been undertaken to identify whether the range of public houses are diverse in their operation.

This has been adequately demonstrated with some pubs selling both food and drink, offering sky sport, music nights and others known for their craft beer. One representative has set out that the Pineapple is diverse in that it has a large upstairs function room, another has set out is popular with the LGBTQIA community and another representative has set out that the Pineapple has good access for the disabled. This is noted, however it is understood that there are public houses/ A4 uses nearby popular with the LGBTQIA community and that offer adequate access for disabled users. It is also understood that the Hatchet (located a short distance away and within a similar context) allows the upstairs to be hired out to groups for events.

In response to point 2.6.5 of Policy DM6, it is recognised that when the Pineapple was open it was unique in its own right. The building's identity as a pub and its architectural character are also not disputed (please see key issue D of this report). However the pub has been open for 4 months in the last 3 years and therefore whilst vacant, the building has not been serving for the communities needs or providing a function space or any other facilities that make it diverse. It is also not clear whether the public house would be diverse, as this would be dependent on how any prospective future tenant would choose to run the premises.

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In relation to Policy DM5 and with regards to criterion iii) and iv) appropriate replacement community facilities are not being provided under the current application, nor is the existing community facility being retained, enhanced or reinstated. With regards to criterion ii) marketing (in accordance with the marketing guidelines) has not been submitted to demonstrate that the A4 use is unviable. The applicant has however provided a supporting statement setting out that the public house has been closed since February 2016 with a period open for approximately 4 months, from 16th November 2017. The applicant has confirmed that the property was re-let on an 8 week tenancy to a local and reputable pub operator, with the intention of transferring to a 20 year lease. The agreement was then rolled over for a further 8 weeks after the initial 8 week period expired. Following this, the tenants then gave notice that they would not be taking a long term lease and wanted to leave the site as they could not make it economically viable. Subsequently, the pub closed again on 8th March 2018 and has remained closed and unoccupied ever since. Some limited weight is attributed to this because the Pineapple PH has not serviced or supported the community or tourists for a considerable time period whilst it has been closed.

Given marketing has not been provided in accordance with the marketing guidelines, in order to accept the loss of the public house the Local Planning Authority must therefore consider the proposals against the remaining criteria of Policy DM5, part i).

Part i) of Policy DM5 would accept the loss of an active community facility (which can include public houses) without marketing, where the loss would not create, or add to, a shortfall in the provision or quality of such uses within the locality and where the community facility is no longer regarded as 'important' in line with point 2.5.4 of Policy DM5. In this instance however, the operation of the public house has ceased. It could not be demonstrated that there is a need to retain the currently vacant public house community use over an active public house community use.

In respect of the importance of the use there is also not considered to be a need for another public house to make use of the building generally, given the large number and range of pubs existing within the locality. Furthermore whilst marketing (in accordance with the guidelines) has not been provided with the application, some limited weight is given to the fact that the public house has remained vacant for over a year and the applicants confirmation that the previous tenants statement that they could not make the pub economically viable, on this basis it is not considered that there is not an overwhelming demand. It should also be recognised that Policy DM6 is more specific to this particular case, in that it narrows down the term community facilities to public houses and provides its own assessment in relation to their loss. This proposal clearly complies with policy DM6 and its assessment in relation to the loss of the public house without the need for marketing or further assessment into whether the building is viable, providing that there are a diverse range of pubs within the locality and where there is adequate locally accessible alternative provision.

Overall given the extensive number and range of pubs within the immediate area, there is not considered to be an adequate need to retain the vacant A4 use. Furthermore, the loss of this vacant, public house is not considered to adversely affect the social well-being of the local community neither would it deprive the local community of a facility that could help strengthen and support their social well-being.

The proposed works therefore comply with: Section 8 of the National Planning Policy Framework (2019); part ii of Policy DM6 and part i of Policy DM5 of the Site Allocations and Development Management Policies 2014 and Policies BCS2 and BSC12 of the Core Strategy (2011). The loss of the public house is therefore accepted in this instance.

(C) MIXED AND BALANCED COMMUNITY ISSUE

Section 5 of the NPPF (2019) reflects the need to significantly boost the supply of housing and to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

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Policy BSC18 of the adopted Core Strategy reflects this guidance and states that "all new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities", with reference to the evidence provided by the Strategic Housing Market Assessment, also notes that 'developments should contribute to a mix of housing types and avoid excessive concentrations of one particular type'. The policy wording states that development 'should aim to' contribute to the diversity of housing in the local area and help to redress any housing imbalance that exists.

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

The application site is located within the Hotwells and Harbourside Ward. An up-to-date picture of the proportion of different residential accommodation types in the ward can be obtained by assessing the 2011 Census data. The Hotwells and Harbourside Ward has a proportion of flats to houses at 78% flats with the remainder houses.

The proposed scheme is for 6 no self-contained flats which obviously does not address the identified imbalance. In this instance whilst the creation of a single family home would better address the existing housing balance in the area, there is a clear need for housing in the city generally and within the centre. The proposed works would provide a further 6 flats within a currently underused and vacant building. Furthermore the proposal would not result in the loss of a family home and the outside amenity area would be very limited for the use of a family.

Given this, the impacts arising from an additional six flats within the building and in this location, would not be so adverse as to warrant refusal of this application.

(D) IMPACT UPON THE ARCHITECTURAL AND HISTORIC INTEGRITY OF THIS GRADE II LISTED BUILDING AND THE CHARACTER OR APPEARANCE OF THE PARK STREET AND BRANDON HILL CONSERVATION AREA.

The building is Grade II Listed and located within the Park Street and Brandon Hill Conservation Area, the special character of which is described within the Park Street and Brandon Hill Character Appraisal 2011.

Relevant Policy:

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority (LPA) shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Authority is also required (under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

Section 16 of the national guidance within the National Planning Policy Framework (NPPF) 2019 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential

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harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Para 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Para 196 further states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Para 197 also states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that 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.

Policy BCS22 of the Core Strategy (2011) and DM31 of the Site Allocations and Development Management Policies (2014) require development to safeguard or enhance heritage assets, which includes historic buildings, both nationally and locally listed, and conservation areas.

Assessment:

Bristol's Conservation Officer was consulted as part of the assessment of the application and has provided full comments under the subheading 'Other Comments'. Please read these officers comments in connection with this key issue.

Following a site visit to The Pineapple (37 St Georges Road) with the Conservation Officer it was clear that the building is of 'special architectural or historic interest'. 37 St Georges Road is an example of a mid-17th century merchant's house retaining a significant proportion of 17th century fabric including its roof, staircase with splat balusters, ceiling beams, door frames, a door and a mullion window.

In view of the above findings, the Council applied to the Secretary of State (SOS) to designate the Building as a Listed Building" under the Town and Country Planning (Listed Buildings and Conservation Area) Act 1990 (as amended) (the LBCA Act 1990).

Given the planning application was already in the course of being considered by the Council, a Building Preservation Notice (BPN) was been applied to protect the building whilst the SOS reached a decision whether or not to "list" the Building.

On the 5th October 2018 the building was Grade II Listed. The listing does not include the mid- to late twentieth century two-storey addition attached to the south elevation, which is proposed for demolition under this application. Following the listing of the building the applicant worked closely with the Conservation Officer and a full set of revised plans were received in line with the Conservation Officer's advice in order to preserve the special interest of the listed building. A detailed heritage statement was also submitted within a listed building application (Application B).

The key internal and external alterations to the Grade II Listed Building and the connecting building are as follows

1. The demolition of the southerly building which is a later addition and a negative structure in the Conservation Area and the construction of a three storey building with three 4-pane sash windows located on each of the three levels with stone cills and banding details.
2. The replacement of UPVC windows on the exterior of the listed building with new timber casements.

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3. Cleaning the Edwardian pub façade
4. Internal subdivision works

In respect of point 1: the replacement of the negative extension that adjoins the listed building would represent an enhancement to the heritage asset. The proposed replacement extension would be loosely traditional in aspect with 4-pane sash windows, and stone cills and banding details. The windows are found to be proportionate to the host building and an enhancement above the existing blank façade with blocked up window and doors at ground floor level. Large scale details of these windows would be secured via condition. The new building is also considered to be suitable in scale with surrounding properties and is sensitive in appearance to its context. The Conservation Advisory Panel have set out that the newly constructed building requires further refinement in order to not detract from the listed building. The elevational treatment of the new build is simple, traditional and an enhancement to the existing structure preventing any detrimental harm through detracting from the listed pub's frontage.

In respect of point 2: The replacement of UPVC windows on the exterior of the listed building with new timber casements is another clear enhancement that better reflect the origins of the building.

In respect of point 3: The cleaning of the Edwardian pub façade will enhance the frontage back to its original brick and stone finish and restored. The Conservation Advisory Panel have raised concern over the loss of external pub memorabilia and the possible loss of the working gas light. The proposed works would not undermine the building's identity as a pub or harm its architectural character. To ensure this, conditions are attached that ensure the retention of the iron pub sign bracket on St Georges Road and wrought iron gas lamp and gas supply attached to the façade on Brandon Steps. The pub's name 'The Pineapple' and the date '1907' are also illustrated on the proposed plans and these features are therefore protected from removal.

In respect of point 4: Internal subdivision works are proposed and as such there is a degree of less-than-substantial harm to the special interest of the Listed building. However, the intended alterations are well managed to minimise harm to the important features of the Listed building. Alterations proposed for the ground floor would restore parts of the original planform and relocate features back to their original locations. Where there is less-than-substantial harm, there are clear public benefits including the visible enhancements to the building's facade that will better reveal the building's historic character set out in points 2 to 3 above, the removal of a negative building and its replacement with a more sensitive facade and from bringing the building back into use where it currently remains vacant.

Since 37 Georges Road was listed, the revised plans and justification received from the applicant at the request of the LPA have brought up the supporting information/plans to a sufficient level. The applicant has therefore demonstrated a full appreciation of the Grade II listed building. The level of information submitted is consequently sufficient to underpin a full understanding of the impact of the proposals.

It is accepted that the proposed works will cause harm to the significance of the heritage asset through the building's subdivision, but that the harm that would be caused is considered less than substantial. The applicant has also sought to reduce the harm of the proposals to the greatest extent. Officers have undertaken the assessment required under the Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and have given special regard to the desirability of preserving the building, its setting and its features of special architectural or historic interest which it possesses. In accordance with Listed Buildings and Conservation Areas) Act 1990 considerable importance and weight has been given to the less than substantial harm to the listed building. Nevertheless this is outweighed by the public benefits of these proposals.

The application would result in an overall positive impact upon, and enhancement of, the setting of the Listed buildings and the Park Street and Brandon Hill Conservation Area. This application is therefore strongly supported subject to conditions that ensure that the designs are implemented to a high

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quality and in keeping with the sensitive historic setting. Conditions that ensure the building is recorded prior to subdivision, and control details and materials are required. Please see recommended conditions attached.

The proposal would comply with the National Planning Policy Framework (2019), Sections 66 and 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990, Policy BCS22 of the Bristol Core Strategy (2011) and Policy DM31 of the Site Allocations and Development Management Policies (2014).

(E) DOES THE PROPOSAL PROVIDE A SATISFACTORY LEVEL OF RESIDENTIAL ACCOMMODATION?

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

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

The Core Strategy states that building to suitable space standards will ensure new homes provide sufficient space for everyday activities. Under the 2015 Housing Standards Review a new nationally described space standard was introduced and in March 2015 a written ministerial statement to parliament confirmed that from 1 October 2015 existing Local Plan policies relating to internal space should be interpreted by reference to the nearest equivalent new national technical standard.

The National Space Standards, 2015 set out expected internal floor areas for new dwellings and that double bedrooms should have a floor area of 11.5sqm and single bedrooms should have a floor area of 7.5sqm.

The proposal seeks to construct six apartments made up of: four 1 bedroom 2 bed space units; one 2 bedroom 3 bed space unit and a studio for 1 person. The amenity for future occupiers in each flat is assessed below:

- Ground floor flat 1 is a 1 bedroom, 2 occupant dwelling over a single storey. To comply with the national space standards this dwelling should have an internal floor area of 50 sqm with 1.5sqm in built storage. The internal floor space for this flat is 54.6sqm square metres. The bedroom has an internal floor space of 11.7sqm. The bedroom is therefore in excess of the 11.5sqm required by the national space standards for a double, master bedroom.

Whilst this flat is single aspect with only outlook to the front of the premises all habitable rooms have windows and would receive natural light which is acceptable in this city centre location.

- Ground floor flat 2 is a 1 bedroom, 2 occupant dwelling over a single storey. To comply with the national space standards this dwelling should have an internal floor area of 50 sqm with 1.5sqm in built storage. The internal floor space for this flat is 50sqm square metres. The bedroom has an internal floor space of 13.1sqm. The bedroom is therefore in excess of the 11.5sqm required by the national space standards for a double, master bedroom.

Concern was raised that this flat was served by a lightwell. This flat is dual aspect with light entering from both the rear and front of the premises. All habitable rooms have windows and would receive natural light. This flat meets the internal floor area but not the additional 1.5sqm for storage. This flat does however have access on to a courtyard and allocated cycle and refuse storage. This is acceptable in this highly sustainable location.

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-First floor flat 3 is a 2 bedroom, 3 occupant dwelling, technically located over 2 storeys given it has its own internal stairway leading up from ground floor level. To comply with the national space standards this dwelling should have an internal floor area of 70 sqm with 2sqm in built storage. The internal floor space for this flat is 87.2sqm square metres. The master bedroom has an internal footprint of 14.5sqm. Bedroom 2 has an internal floor space of 10sqmetres. The master bedroom is therefore in excess of the 11.5 square metres required and bedroom 2 is in excess of 7.5sqmetres required for a single bedroom.

All habitable rooms have windows and receive natural light.

- Second floor flat 4 is a 1 bedroom, 2 occupant dwelling over a single storey technically located over 3 storeys given it has its own internal stairway leading up from ground floor level to comply with the national space standards this dwelling should have an internal floor area of 58 sqm with 1.5sqm in built storage. The internal floor space for this flat is 78sqm square metres. The bedroom has an internal floor space of 18.8sqm. The bedroom is therefore in excess of the 11.5sqm required by the national space standards for a double, master bedroom.

All habitable rooms have windows and receive natural light.

- First floor flat 5 is a 1 bedroom, 2 occupant dwelling over a single storey accessed via the side entrance off Brandon Steps. To comply with the national space standards this dwelling should have an internal floor area of 50 sqm with 1.5sqm in built storage. The internal floor space for this flat is 74.5sqm square metres. The bedroom has an internal floor space of 17.3sqm. The bedroom is therefore in excess of the 11.5sqm required by the national space standards for a double, master bedroom.

This flat also has access a small decked private amenity area. All habitable rooms have windows and would receive natural light.

-Second floor flat 6 is a studio, 1 occupant dwelling accessed via a link bridge over a single storey. To comply with the national space standards this dwelling should have an internal floor area of 39 sqm with 1sqm in built storage. The internal floor space for this flat is 40sqm square metres in line with national space standards.

A single studio for one person is accepted in this instance given the layout constraints as a result of the listed building and in order to make a more efficient use of the site. All habitable rooms have windows and would receive natural light.

The proposed accommodation would consequently provide sufficient space to meet everyday activities and enable an adaptable and flexible environment. The application is therefore considered acceptable on these grounds. All flats have: access to their own cycle and refuse arrangements; windows to habitable rooms, are sited a short distance from Brandon Hill Park and amenities/ facilities on Park Street.

(F) IMPACT ON THE AMENITY OF SURROUNDING PROPERTIES

Section 12 (Achieving well-designed places), paragraph 127 of the NPPF outlines that planning policies and decisions should ensure that developments create places with a high standard of amenity for existing and future users.

Policy BCS21 (Quality Urban Design) of the Bristol Core Strategy advocates that new development should give consideration to matters of neighbouring privacy, outlook and natural lighting.

Policy DM29 (Design of New Buildings) of the SADMP states the design of new buildings should be of high quality. To achieve this, new buildings are expected to ensure that existing and proposed

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development achieves appropriate levels of privacy, outlook and daylight.

Policy DM30 (Alterations to Existing Buildings) of the SADMP states that extensions and alterations to existing buildings will be expected to safeguard the amenity of the host premises and neighbouring occupiers. This will be by means of ensuring extensions would not result in harmful loss of sunlight or daylight through overshadowing of neighbours. Alterations to existing buildings should also leave sufficient usable external private space for the occupiers of the building.

The proposed works include the demolition of the extension adjacent to the listed building and its replacement. The proposed increased height of the replacement building to the south of the Pineapple would not result in any detrimental harm to neighbouring amenity. The new build component is similar to the existing structure in that its rear wall would be no further back. Whilst there is a slight increase in height, it follows the form of the existing building and given the separation distance to neighbouring properties, retaining walls and topography of the site the proposal won't result in any detrimental harm.

Overlooking/loss of privacy: acceptable

Visually overbearing: acceptable

Loss of sunlight/daylight: acceptable

Overshadowing: acceptable

As noted in the previous section of this report, concerns have been raised following public consultation in relation to the potential for construction to cause harm to neighbouring amenity. Whilst these concerns are recognised to be genuine and sympathised with, the temporary nature of construction noise and disturbance would not be sufficient to warrant the refusal of planning permission. Nevertheless, conditions would be applied to any eventual consent in attempt to safeguard neighbouring living conditions to an extent. These would relate to conditioning construction method and hours. Whilst limited, this is the extent of control which the planning system can seek exert upon management of construction impact. If there are specific instances of excessive noise or antisocial working practices, these can be reported to the Neighbourhood Enforcement and Pollution Control teams.

Subject to the safeguarding conditions set out below, it is therefore concluded that the development would preserve a good standard of amenity for all existing occupants. This is in accordance with all relevant national and local planning policy and therefore the development is acceptable in this regard.

(G) DOES THE PROPOSAL SATISFACTORILY ADDRESS TRANSPORT, MOVEMENT AND ACCESSABILITY ISSUES?

Section 4 of the NPPF outlines that Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel.

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

Policy BCS10 (Transport and Access Improvements) of the Core Strategy requires development to minimise the need to travel, especially by private car, and maximise opportunities for the use of more sustainable transport modes. It also requires developments to ensure safe streets.

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Transport Development Management were consulted as part of the assessment of this application and following receipt of revised plans have not objected.

Whilst some representatives have raised objections on the grounds of parking Bristol City Councils parking standards are based on maximum standards and therefore has no set minimums. This means, given the number of units proposed, a car free development would be compliant with planning policy. Consequently, refusing the proposal on parking grounds would be unreasonable in this instance. The site is also in a highly sustainable location where occupiers would not necessarily be reliant on having a car.

Following receipt of revised plans the cycle and refuse storage proposed for the new residential units are in accordance with policy and will be conditioned accordingly.

(H) WOULD THE IMPACT ON TREES BE ACCEPTABLE?

Policy BCS9 states that: "Individual green assets should be retained wherever possible and integrated into new development. Loss of green infrastructure will only be acceptable where it is allowed for as part of an adopted Development Plan Document or is necessary, on balance, to achieve the policy aims of the Core Strategy. Appropriate mitigation of the lost green infrastructure assets will be required."

Policy DM17 (Development Involving Existing Green Infrastructure) of the Site Allocations and Development Management Policies Local Plan (SADMP) outlines that development should integrate important existing trees.

The proposed development works would result in the loss of two trees, including a sycamore tree and a reasonably early mature ash tree. The Arboricultural Officer was consulted as part of the assessment of the application and has advised that the Sycamore tree identified as T1 is an old Sycamore coppice stool that does not require mitigation. The removal of the Ash tree is not objected to in principle providing that this loss is mitigated. Replacement trees cannot be provided on site and as such a contribution of £2295 for offsite tree planting would need to be secured through a Unilateral Undertaking agreement. Were permission to be granted for this application this contribution could be secured and subsequently it is not considered reasonable to refuse the application in respect of this issue.

(I) HAVE SUSTAINABILITY MATTERS BEEN SATISFACTORILY ADDRESSED?

Policies BCS13-15 have significantly increased the requirements placed upon developers in respect of both the information required to support applications and give clear guidance on sustainability standards to be achieved in new development, setting a target of a 20% reduction in residual energy emissions.

An Energy and Sustainability Statement was submitted whereby solar photovoltaic panels were proposed on the North West roof slope in order to reduce carbon emissions by 20% in line with the above policy. However, since the submission of the original statement, the building has been listed and subsequently Bristol City Councils Conservation officer was consulted to assess the appropriateness of PV panels.

The officer has advised that the Seventeenth Century roof structure of this building is of particular significance to the buildings special interest and therefore there would not be support the installation of PV panels on the roof of the former Pineapple pub. The new loading is unlikely to be compatible with preserving this venerable structure. The steep pitched clay tile roof is a significant feature of the building, and the tall chimneys add to a roof scape that is both an important architectural feature and visible from the public realm descending Brandon steps. The proposed PV panels would also be visible from points down these steps, and impinge on the visual amenity of properties on Queens

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Parade, and the enjoyment of the Conservation Area for those residents.

The North West facing slope of the roof will not offer optimum exposure for solar arrays and the environmental benefits of arrays directed towards the overhanging trees above the site will be greatly diminished. It is therefore not considered in this instance that the environmental benefits of placing PVs on the North West slope of the roof will outweigh the degree of harm posed to the historic and architectural interest of the building, or to the character of the Conservation Area. Subsequently following case officer advice the PV panels were omitted from the plans.

A number of other renewable technologies have been considered but discounted with clear reasons set out within a revised Sustainability and Energy Statement. Subsequently, whilst the scheme does not provide a reduction in carbon emissions, given the site constraints and the proposed fabric improvements, this is acceptable in this instance.

CONCLUSION

The proposed works would provide needed housing in the city centre where there is easy access to shops, public transport as well as a large number and diverse range of public houses. The development would also enhance the special interest of the recently listed building and the Park Street and Brandon Hill Conservation Area.

The application is accordingly recommended for approval subject to conditions and a contribution for off-site tree planting.

COMMUNITY INFRASTRUCTURE LEVY

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

The CIL liability for this development is £11451.23

Application A: 18/01818/F**RECOMMENDED GRANT subject to condition(s)****Time limit for commencement of development**

1. Full Planning Permission

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

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

Pre commencement condition(s)

2. Construction hours

No construction works pursuant to the development hereby permitted shall take place outside of the hours of 08:00 and 18:00 Monday - Friday, 09:00 - 14:00 Saturday and no works at all shall take place on Sundays or Bank Holidays.

Reason: To safeguard the amenity and living conditions of neighbouring occupiers.

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3. Protection of Retained Trees during the Construction Period

No work of any kind shall take place on the site until the protective fence(s) has (have) been erected around the retained trees in the position and to the specification shown on Unwin Forestry Consultancy - Tree Protection Plan Drawing No:PINRAPTR-OCT18. Once installed 10 photos should be electronically sent to the Local Authority Case Officer, to be verified by the Tree Officer. The Local Planning Authority shall be given not less than two weeks prior written notice by the developer of the commencement of works on the site in order that the council may verify in writing that the approved tree protection measures are in place when the work commences. The approved fence(s) shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the council.

Under no circumstances should the tree protection be moved during the period of the development and until all works are completed and all materials and machinery are removed. Landscaping works within protected areas is to be agreed with the Local Planning Authority and carried out when all other construction and landscaping works are complete.

Reason: To protect the retained trees from damage during construction, including all ground works and works that may be required by other conditions, and in recognition of the contribution which the retained tree(s) give(s) and will continue to give to the amenity of the area in line with Policy DM17.

4. Programme of works

Prior to commencement a programme of works detailing the phasing of demolitions, roof fabric repairs, and external cleaning of facades shall be submitted to the Local Authority and approved in writing. Works shall be completed in accordance with the approved construction programme.

Reason: To ensure the public benefits of development are secured in order to offset the harm posed to the Listed building.

5. Written Scheme of Investigation

Prior to the commencement of works a written scheme of investigation detailing the proposed Listed building recording, internally and externally, to the Level 2 standard as set out in Historic England's 'Understanding Historic Buildings: A Guide to Good Recording Practice' and undertaken by an archaeologist or archaeological organisation approved by the Local Planning Authority, shall be submitted to the local authority and approved in writing. The recording work shall be completed in accordance with the written scheme of investigation and the resulting information shall then be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that features of archaeological or architectural importance within a building are recorded before their destruction or concealment.

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6. To ensure implementation of a programme of archaeological works

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

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

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

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

7. Detailed Drawings

Prior to commencement of the relevant element detailed drawings of the following shall be submitted to the Local Authority and approved in writing:

- a) Details to an appropriate scale showing all proposed foundations and footing to the new-build element of the development
- b) 1:5 Section details and 1:10 elevation details of all proposed windows, secondary glazing, and roof lights in the Listed building and new-build portion showing all proposed fabric connections at head cill and reveals, all proposed materials, frame profiles, mouldings, glazing bars
- c) 1:5 section details of the proposed glass roof to the flat roof at the rear of the building showing all proposed structure, fabric connections, frame profiles, fixings to the Listed building and flashings.
- d) 1:5 Section details and 1:10 elevation details of all proposed external doors, and all proposed new internal doors within the Listed building showing all proposed fabric connections at head cill and threshold, all proposed materials, frame and panel profiles, and mouldings.
- e) 1:5 section details of all proposed fire and acoustic protection between flats within the Listed building and showing that this will be accommodated within the existing floor build-up
- f) 1:5 section details of proposed new partition walls within the Listed building showing the materials and fabric connections with existing fabric at wall, floor, ceiling, and around existing timber beams
- g) Detailed section and elevations to an appropriate scale showing the proposed new stair within the Listed building.
- h) Detailed drawings to an appropriate scale showing the proposed reinstatement of fireplaces within the listed building
- i) 1:5 section details of all proposed window head, cill, moulded band, and coping details to the new-build section
- j) Section and elevation details to an appropriate scale showing all proposed heating and ventilation ductwork runs within the Listed building, and extract vents for in external elevations and roof of Listed and new-build sections

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- k) Structural details to an appropriate scale of all required works to the existing roof trusses within the Listed building
 - l) Detailed plan, section, and elevation drawings to an appropriate scale showing the proposed new location of the existing timber column within the bar area and showing how it will interface with existing and proposed new fabric
- Development shall be completed in accordance with the approved detailed drawings.

Reason: To ensure the special architectural and historic interest of the Listed Building is safeguarded and the special character of the Conservation area preserved.

8. Material samples

Prior to commencement of the relevant element material samples of the following shall be submitted to the Local Authority and approved in writing:

- a) New stonework to new-build section
- b) Hard landscaping to rear yard
- c) External deck area to the front of the building
- d) All proposed rainwater goods

Development shall be completed in accordance with the approved detailed materials.

Reason: To ensure the special architectural and historic interest of the Listed Building is safeguarded and the special character of the Conservation area preserved.

9. Method Statements

Prior to commencement of the relevant element method statements detailing the following shall be submitted to the Local Authority and approved in writing:

- a) Method of demolition of the unlisted building adjacent to the Listed Pineapple and detailing all proposed use of tools, plant, and any temporary structural support required for the Listed building
- b) Proposed method of forming new openings in existing fabric within the Listed building and describing any proposed temporary structural support, and methods of demolition and making good
- c) Proposed demolition of existing floor structure within the rear wing of the Listed building for the new stairs. This shall detail proposed method of removal of existing fabric and making-good.
- d) Proposed stabilisation and repair of the existing roof structure in the Listed building including all proposed temporary propping, protection from the elements during works, and the approach to replacement and repair of the existing roof timbers.
- e) Proposed method of cleaning and making good of all elevations of the Listed Building including cleaning tools, chemical products, mechanical blasting, repointing, and other processes

Development shall be completed in accordance with the approved detailed materials.

Reason: To ensure the special architectural and historic interest of the Listed Building is safeguarded and the special character of the Conservation area preserved.

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

The applicant/developer shall ensure that all groundworks, including geotechnical works, are monitored and recorded by an archaeologist or an archaeological organisation to be approved by the council and in accordance with the Written Scheme of Investigation approved under condition 5

Reason: To record remains of archaeological interest before destruction.

11. Materials

Development shall be carried out in accordance with the materials specified on the approved plans unless otherwise agreed in writing by the Local Planning Authority.

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

12. The use of paint/paints - Listed Building

It is advised that any new paint to be used on traditional/original materials are to 'breathable' to allow any moisture to be absorbed and released, to ensure moisture is not retained within materials.

Reason: In order that the special architectural and historic interest of this Listed Building is safeguarded.

13. New works to match - Listed Building

All new external and internal works and finishes, and any works of making good, shall match the existing original fabric in respect of using materials of a matching form, composition and consistency, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved.

Reason: In order that the special architectural and historic interest of this Listed Building is safeguarded.

14. Internal features

All existing internal decoration features, including plaster work, ironwork, fireplaces, doors, windows, staircases, staircase balustrade and other woodwork, shall remain undisturbed in their existing position, and shall be fully protected during the course of works on site unless expressly specified in the approved drawings.

Reason: In order that the special architectural and historic interest of this Listed Building is safeguarded.

15. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and where remediation is necessary a remediation scheme must be prepared which ensures the site will

Development Control Committee A – 3 April 2019**Application No. 18/01818/F & 18/05805/LA: The Pineapple 37 St Georges Road Bristol BS1 5UU**

not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

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.

16. 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.

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

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

Reason: In the interests of highway safety.

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

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

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

19. Sustainability and energy efficiency measures

Excluding the installation of any photovoltaic panels, the development hereby approved shall incorporate the energy efficiency measures, sustainable design principles and climate change adaptation measures into the design and construction of the development in accordance with the revised Energy and Sustainability Statement version 2, Dec-18 prior to first occupation.

Reason: To ensure the development incorporates measures to minimise the effects of, and can adapt to a changing climate in accordance with Policies BCS13 (Climate Change), BCS14 (Sustainable Energy), BCS15 (Sustainable Design and Construction) and DM29 (Design of New Buildings).

Development Control Committee A – 3 April 2019**Application No. 18/01818/F & 18/05805/LA: The Pineapple 37 St Georges Road Bristol BS1 5UU****Post occupation management**

20. Notwithstanding the consented elevation drawings the following elements are expressly omitted from any consented works:

- a) The iron pub sign bracket on St George's Road
- b) Wrought iron gas lamp and gas supply attached to the façade on Brandon Steps

These elements shall be preserved in perpetuity unless further Listed Building consent is applied for.

Reason: To preserve the architectural and historic interest of this Listed building

List of approved plans

6689/00 Location Plan, received 5 April 2018
 19644SWG-01A Topographical Survey, received 5 April 2018
 19644SWG-02 A Measured Building Survey, received 5 April 2018
 19644SWG-03 A Elevations, received 5 April 2018
 6689/08C Proposed Ground Floor Layout, received 16 January 2019
 6689/09C Proposed First Floor Layout, received 16 January 2019
 6689/10D Proposed Second Floor Layout, received 16 January 2019
 6689/11E Proposed Front and Side Elevations, received 16 January 2019
 6689/12C Proposed Rear and Side Elevations, received 16 January 2019
 6689/13B Proposed Site Layout, received 16 January 2019
 6689/14B Proposed Block Plan, received 16 January 2019
 Pineapple PH TRP Plan BJUFC Oct 18, received 16 January 2019
 Pineapple BS5837 BJUFC Rev Oct 18, received 16 January 2019
 Pineapple PH Tree Plan BJUFC Oct 18, received 16 January 2019
 Built Heritage Statement, received 16 January 2019
 Heritage Report, received 16 January 2019
 Sustainability Statement and Energy Statement (excluding use of photovoltaic panels-see condition 19 and advice note)
 Unilateral Undertaking Agreement, TBC

Reason: For the avoidance of doubt.

Advices

- 1 No insulation of existing roof and external walls is allowed for in the approved drawings and any enhancement of the thermal performance of the building that added to, or altered the existing building fabric would require further Listed Building consent to be applied for.

Application B: 18/05805/LA**RECOMMENDED GRANT subject to condition(s)****Time limit for commencement of development**

- 1. Listed Building Consent or Conservation Area Consent

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

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

Pre commencement condition(s)

2. Construction hours

No construction works pursuant to the development hereby permitted shall take place outside of the hours of 08:00 and 18:00 Monday - Friday, 09:00 - 14:00 Saturday and no works at all shall take place on Sundays or Bank Holidays.

Reason: To safeguard the amenity and living conditions of neighbouring occupiers.

3. Programme of works

Prior to commencement a programme of works detailing the phasing of demolitions, roof fabric repairs, and external cleaning of facades shall be submitted to the Local Authority and approved in writing. Works shall be completed in accordance with the approved construction programme.

Reason: To ensure the public benefits of development are secured in order to offset the harm posed to the Listed building.

4. Written Scheme of Investigation

Prior to the commencement of works a written scheme of investigation detailing the proposed Listed building recording, internally and externally, to the Level 2 standard as set out in Historic England's 'Understanding Historic Buildings: A Guide to Good Recording Practice' and undertaken by an archaeologist or archaeological organisation approved by the Local Planning Authority, shall be submitted to the local authority and approved in writing. The recording work shall be completed in accordance with the written scheme of investigation and the resulting information shall then be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that features of archaeological or architectural importance within a building are recorded before their destruction or concealment.

5. To ensure implementation of a programme of archaeological works

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

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

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation

Development Control Committee A – 3 April 2019**Application No. 18/01818/F & 18/05805/LA: The Pineapple 37 St Georges Road Bristol BS1 5UU**

6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

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

6. Detailed Drawings

Prior to commencement of the relevant element detailed drawings of the following shall be submitted to the Local Authority and approved in writing:

- a) Details to an appropriate scale showing all proposed foundations and footing to the new-build element of the development
- b) 1:5 Section details and 1:10 elevation details of all proposed windows, secondary glazing, and roof lights in the Listed building and new-build portion showing all proposed fabric connections at head cill and reveals, all proposed materials, frame profiles, mouldings, glazing bars
- c) 1:5 section details of the proposed glass roof to the flat roof at the rear of the building showing all proposed structure, fabric connections, frame profiles, fixings to the Listed building and flashings.
- d) 1:5 Section details and 1:10 elevation details of all proposed external doors, and all proposed new internal doors within the Listed building showing all proposed fabric connections at head cill and threshold, all proposed materials, frame and panel profiles, and mouldings.
- e) 1:5 section details of all proposed fire and acoustic protection between flats within the Listed building and showing that this will be accommodated within the existing floor build-up
- f) 1:5 section details of proposed new partition walls within the Listed building showing the materials and fabric connections with existing fabric at wall, floor, ceiling, and around existing timber beams
- g) Detailed section and elevations to an appropriate scale showing the proposed new stair within the Listed building.
- h) Detailed drawings to an appropriate scale showing the proposed reinstatement of fireplaces within the listed building
- i) 1:5 section details of all proposed window head, cill, moulded band, and coping details to the new-build section
- j) Section and elevation details to an appropriate scale showing all proposed heating and ventilation ductwork runs within the Listed building, and extract vents for in external elevations and roof of Listed and new-build sections
- k) Structural details to an appropriate scale of all required works to the existing roof trusses within the Listed building
- l) Detailed plan, section, and elevation drawings to an appropriate scale showing the proposed new location of the existing timber column within the bar area and showing how it will interface with existing and proposed new fabric

Development shall be completed in accordance with the approved detailed drawings.

Reason: To ensure the special architectural and historic interest of the Listed Building is safeguarded and the special character of the Conservation area preserved.

7. Material samples

Prior to commencement of the relevant element material samples of the following shall be submitted to the Local Authority and approved in writing:

- a) New stonework to new-build section
- b) Hard landscaping to rear yard
- c) External deck area to the front of the building

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d) All proposed rainwater goods
Development shall be completed in accordance with the approved detailed materials.

Reason: To ensure the special architectural and historic interest of the Listed Building is safeguarded and the special character of the Conservation area preserved.

8. Method Statements

Prior to commencement of the relevant element method statements detailing the following shall be submitted to the Local Authority and approved in writing:

- a) Method of demolition of the unlisted building adjacent to the Listed Pineapple and detailing all proposed use of tools, plant, and any temporary structural support required for the Listed building
- b) Proposed method of forming new openings in existing fabric within the Listed building and describing any proposed temporary structural support, and methods of demolition and making good
- c) Proposed demolition of existing floor structure within the rear wing of the Listed building for the new stairs. This shall detail proposed method of removal of existing fabric and making-good.
- d) Proposed stabilisation and repair of the existing roof structure in the Listed building including all proposed temporary propping, protection from the elements during works, and the approach to replacement and repair of the existing roof timbers.
- e) Proposed method of cleaning and making good of all elevations of the Listed Building including cleaning tools, chemical products, mechanical blasting, repointing, and other processes

Development shall be completed in accordance with the approved detailed materials.

Reason: To ensure the special architectural and historic interest of the Listed Building is safeguarded and the special character of the Conservation area preserved.

Pre occupation condition(s)

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

The applicant/developer shall ensure that all groundworks, including geotechnical works, are monitored and recorded by an archaeologist or an archaeological organisation to be approved by the council and in accordance with the Written Scheme of Investigation approved under condition 5

Reason: To record remains of archaeological interest before destruction.

10. Materials

Development shall be carried out in accordance with the materials specified on the approved plans unless otherwise agreed in writing by the Local Planning Authority.

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

11. The use of paint/paints - Listed Building

It is advised that any new paint to be used on traditional/original materials are to 'breathable' to allow any moisture to be absorbed and released, to ensure moisture is not retained within materials.

Development Control Committee A – 3 April 2019**Application No. 18/01818/F & 18/05805/LA: The Pineapple 37 St Georges Road Bristol BS1 5UU**

Reason: In order that the special architectural and historic interest of this Listed Building is safeguarded.

12. New works to match - Listed Building

All new external and internal works and finishes, and any works of making good, shall match the existing original fabric in respect of using materials of a matching form, composition and consistency, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved.

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Reason: In order that the special architectural and historic interest of this Listed Building is safeguarded.

Post occupation management

14. Notwithstanding the consented elevation drawings the following elements are expressly omitted from any consented works:

- a) The iron pub sign bracket on St George's Road
- b) Wrought iron gas lamp and gas supply attached to the façade on Brandon Steps

These elements shall be preserved in perpetuity unless further Listed Building consent is applied for.

Reason: To preserve the architectural and historic interest of this Listed building

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 6689/14B Proposed Block Plan, received 16 January 2019
 Built Heritage Statement, received 16 January 2019
 Heritage Report, received 16 January 2019

Reason: For the avoidance of doubt.

Development Control Committee A – 3 April 2019

Application No. 18/01818/F & 18/05805/LA: The Pineapple 37 St Georges Road Bristol BS1 5UU

Advices

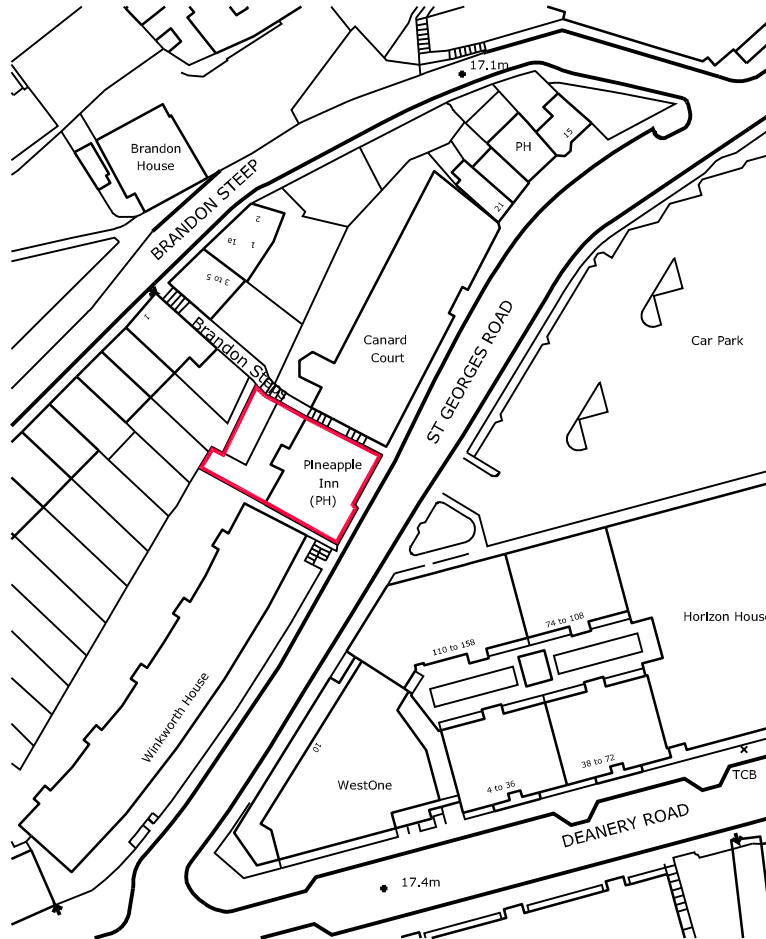
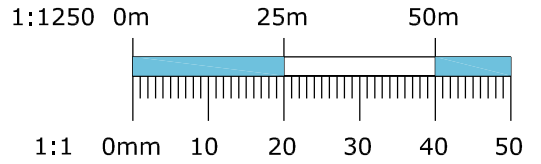
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commdelgranted
V1.0211

Supporting Documents

5. The Pineapple, 37 St Georges Road

1. Site location plan
2. Proposed front & side elevations



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on behalf of: **CaldecotteGroup**

site area: 0.0396 hectares/0.0978 acres

issued for: **PLANNING**

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 architectural services & project management

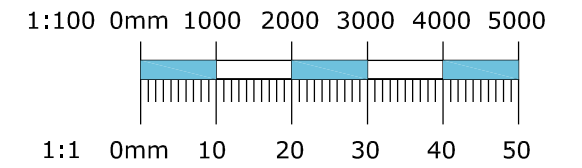
project:
**Pineapple
 Bristol**
 drawing:
Location Plan

project number:
6689
 drawing number:
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revision:

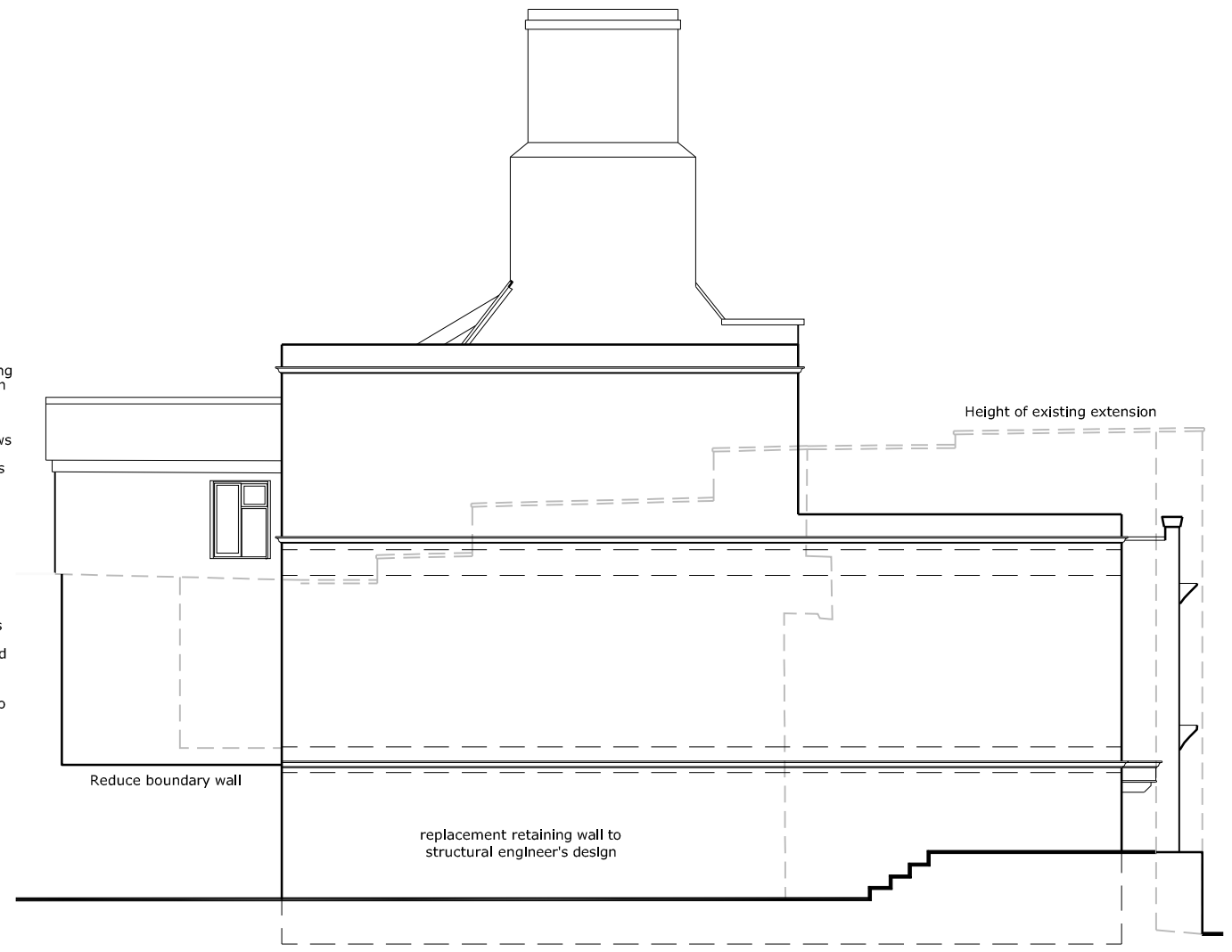
■ cottage farm ■ sywell ■ northampton ■ NN6 0BJ
 ■ t: 01604 64 65 66 ■ f: 01604 64 63 62 ■ e: info@surshamtompkins.co.uk
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East Elevation

Datum: 10.00m



South Elevation

Datum: 10.00m

Rev E	14/12/18	PVs removed	SA
Rev D	13/11/18	Scheme updated following Conservation comments	SA
Rev C	21/08/18	Scheme updated following Conservation comments	SA
Rev B	11/07/18	Scheme updated following Conservation comments	SA
Rev A	24/04/18	PVs added to South Elevation	SA

on behalf of: **CaldecotteGroup**

issued for: **PLANNING**

project:	Pineapple	project number:	6689	north:	
location:	Bristol	drawing number:	11	revision:	E
drawing title:	Proposed Front & Side Elevations				

sursham tompkins est 1961

architectural services & project management

■ cottage farm ■ sywell ■ northampton ■ NN6 0BJ
 ■ t: 01604 64 65 66 ■ f: 01604 64 63 62 ■ e: info@surshamtompkins.co.uk
 ■ w: www.surshamtompkins.co.uk

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 Contractors must work to figured dimensions only. All building and site dimensions, levels and sewer invert levels at connection points are to be checked on site before work starts. This drawing must be read in conjunction with, and checked against, any structural or other specialist drawings provided. Any discrepancy between issued drawings are to be reported to this practice and verified before works starts. This drawing and the building works depicted are the copyright of this practice and may not be reproduced except by written permission.

FILE LOCATION - \\stserver\company\projects\6689 cc pineapple, bristol\02 drawings\02 planning\08c-09c-11e-12c-ph conversion.dwg