

Development Control B Committee Agenda



Date: Wednesday, 24 April 2019

Time: 6.00 pm

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

Distribution:

Councillors: Richard Eddy (Vice-Chair), Carla Denyer, Harriet Clough, Lesley Alexander, Tom Brook (Chair), Harriet Bradley, Mike Davies, Fi Hance, Olly Mead and Jo Sergeant

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Date: Friday, 12 April 2019



Agenda

1. Election of Chair - Remainder of 18/19 Municipal Year

2. Welcome, Introduction and Safety Information

2.00 pm

3. Apologies for Absence

4. Declarations of Interest

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

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

5. Minutes of the previous meeting

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

(Pages 4 - 10)

6. Appeals

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

(Pages 11 - 18)

7. Enforcement

To note enforcement notices.

(Page 19)

8. Public forum

Any member of the public or councillor may participate in public forum. The detailed arrangements for so doing are set out in the Public Information Sheet at the back of this agenda. Please note that the following deadlines will apply in relation to this meeting:

Questions:

Written questions must be received three clear working days prior to the meeting. For this meeting, this means that your question(s) must be received at the latest by 5pm on 16 April 2019.



Petitions and statements:

Petitions and statements must be received by noon on the working day prior to the meeting. For this meeting, this means that your submission must be received at the latest by 12.00 noon on 23 April 2019.

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

9. Planning and Development

To consider the following applications for Development Control Committee B - **(Page 20)**

- a) **18/05731/F - 2 Smyth Road Bristol BS3 2BX** **(Pages 21 - 41)**
- b) **18/06522/H - 12 Channells Hill Bristol BS9 3EU** **(Pages 42 - 59)**
- c) **18/06309/F - 87 - 89 Park Street City Centre Bristol BS1 5PJ** **(Pages 60 - 84)**



Bristol City Council
Minutes of the Development Control B Committee

13 March 2019 at 2.00 pm



Members Present:-

Councillors: Sultan Khan (Chair), Richard Eddy (Vice-Chair), Harriet Clough, Lesley Alexander, Mike Davies, Fi Hance, Olly Mead, Jo Sergeant, Jude English and Margaret Hickman

Officers in Attendance:-

Gary Collins and Norman Cornthwaite

1. Welcome, Introduction and Safety Information

Councillor Sultan Khan welcomed all parties to the meeting and explained arrangements for emergency access in the event of a fire.

2. Apologies for Absence

Apologies were received from Councillors Harriet Bradley (substitute Margaret Hickman), Tom Brook and Carla Denyer (substitute Jude English).

3. Declarations of Interest

The following declarations were received and noted:

Councillor Clough – Agenda Item No. 8a 18/04977/P Trust Headquarters. Member of UBHT.

Councillor English - Agenda Item No. 8a 18/04977/P Trust Headquarters. Had submitted an objection to the application and did not participate in the Item.

Councillor Hickman – Agenda Item No. 8e 18/04108/F St Gabriel’s Court. Submitted a Public Forum Statement and did not participate in the Item.

4. Minutes of the last Meeting

Resolved – that the Minutes be agreed as a 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.

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. 18/04977/P - Trust Headquarters, Marlborough Street

Councillor English did not participate in this Item.

The Head of Development Management and his representative summarised the report and gave a presentation that included the following:

- This is an Outline Application for Access and Scale for the demolition of existing structure and the erection of a hospital transport hub
- A full description of the site and application were provided
- The reasons for recommending refusal were described

Answers to questions

- There are no figures that quantify the air pollution caused by cars being driven around to find a parking space
- The application has been treated in the same way as every other application and there are sound planning reasons for refusing it
- The availability of parking may encourage some people to drive who may have used another form of transport to travel to the hospital
- An assessment of the total number of available parking spaces was made; the unsuitability of Trenchard Street Car Park for people with mobility problems was noted



- The size of the proposed car park is not acceptable and the modelling carried out does not provide evidence that it is needed
- Any alternative proposals would be considered on their merits, although the proposals had remained largely the same during a lengthy pre-application process
- The Travel Plan put forward proposes similar arrangements to those that are already in place

Comments

- There are air quality issues, traffic problems and housing issues
- There are hills around the BRI that cause access problems and the Committee should consider the wider picture; there is a need to make patients' lives easier
- There are access problems relating to the BRI but these relate to the wider transport issues, not just car parking; this is not a good enough application
- Disabled people have difficulties accessing the BRI
- Fit and well people do not always appreciate the difficulties that people with mobility problems have
- There should be other ways for staff and patients to reach the BRI
- Public consultation has not been good enough
- There are concerns about the demolition of the flats
- Concerns that refusal of the application will result in delays in resolving patient accessibility issues
- Patients taking taxis to the hospital result in more car journeys and pollution being created

It was noted that the application should have been determined by 14th January 2019 and there was a theoretical risk of an appeal against non-determination if a decision was deferred.

Councillor Eddy moved deferral of the application pending a site visit and further discussions with the Trust. This was seconded and on being put to the Vote it was LOST (4 for, 5 against).

Councillor Davies moved that the application be refused for the reasons given in the report. This was seconded and on being put to the Vote it was

Resolved (5 for, 4 against) – that the application be refused for the reasons given in the report.

10 18/05184/P - Broadwalk Shopping Centre

The Head of Development Management and his representative summarised the report and gave a presentation that included the following:

- This is an Outline application for the partial demolition, refurbishment and redevelopment to provide a mixed use scheme including residential, retail, cafes bars restaurants, offices, community and leisure
- The details of the application site and the proposed development were described, including the proposed provision of affordable housing along with the consultation responses received. The application was recommended for approval with delegated authority sought for Officers to finalise transport mitigation and the planning conditions to be attached to a future notice of decision.



Comments

- This is an exciting scheme and concerns expressed by residents can be dealt with under reserved matters

It was noted that the reserved matters would be the subject of a further application, consultation, assessment and consideration by the Committee at a future date.

Councillor Eddy moved approval of the application for the reasons contained in the report. This was seconded by Councillor Mead and on being put to the Vote, it was

Resolved (10 for, 0 against) – that the application be granted subject to the Conditions contained in the report.

11 18/06358/F - Alexandra Park Public Car Park

The Head of Development Management and his representative summarised the report and gave a presentation that included the following:

- This is a full application for the sui generis development of 34 residential studio units
- The details of the site and application were fully described
- The reasons for recommending approval of the application were detailed

Answers to questions

- A Condition concerning design is included
- A Condition would allow the period of 2 years for tenancies to be extended if appropriate
- A 10 year consent could be conditioned but the permission would have to be extended or the units moved to a different site, so this was not being proposed

Comments

- Although the units are smaller than the national space standard, it will be a useful exercise to find out how the modular units work

Councillor Mead moved approval of the application for the reasons contained in the report. This was seconded and on being put to the Vote, it was

Resolved (10 for, 0 against) – that the application be granted subject to the Conditions contained in the report.



12 18/04727/F - Public Conveniences, Circular Road (The Downs)

The Head of Development Management and his representative summarised the report and gave a presentation that included the following:

- This is a full application for the demolition of the existing toilets and construction of a café, replacement toilets and education booth
- A full description of the site and application was provided
- The reasons for recommending approval of the application were explained

Answers to questions

- The Secretary of State (DEFRA) would be required to approve the scheme but this is separate from the Planning process
- The Planning Approval is sought for a café, the operator is not specified – this would be a matter for The Downs Committee
- The Downs Act is completely separate from Planning Legislation
- The present toilets comprise male, female and disabled
- It was confirmed that an amendment could require management arrangements that ensure that the baby changing facility doesn't interfere with the disabled toilet
- The operation and management of the café and toilets is a matter for The Downs Committee

Debate

- The roof of the building may be vandalised at night
- There is no known demand for a café at that location
- The proposed development is a great improvement on the present building
- The Downs Act preserves The Downs for everyone in Bristol and the surrounding area, and a toilet that is manned is a safe facility for everyone
- The Downs Committee needs to generate income and this facility will be an enhancement
- This is a modern well designed proposal with an educational facility

Councillor Mead moved approval of the application subject to the Conditions contained in the report, along with Officers being given delegated authority to attach a condition requiring management arrangements to ensure that the baby changing facility does not interfere with the disabled toilet .

This was seconded by Councillor Davies and on being put to the Vote, it was

- **Resolved (8 for, 2 against) – that the application be granted subject to the Conditions contained in the report, and Officers being given delegated authority to attach a condition requiring management arrangements to ensure that the baby changing facility does not interfere with the disabled toilet .**



Councillor Lesley Alexander left the Meeting at this point.

13 18/04108/F - St Gabriels Court, St Gabriels Road

Councillor Hickman did not participate in this item.

The Head of Development Management and his representative summarised the report and gave a presentation that included the following:

- This is a full application for the demolition of existing buildings, altered access and the construction of a mixed use development
- The details of the site and the application were described
- The recommendation for the application is approval and the reasons for the recommendation were summarised

Answers to questions

- The play area is already overlooked and surveillance of it is welcomed; there will be no impact on safeguarding
- The applicants have signed an exemption certificate meaning that the Council will not be liable to formally adopt the internal roads
- No gate to the site will be installed as it would create access problems

Comments

- There are no Planning reasons to refuse the application
- A condition should be added requiring permission for any gate at the site entrance

Councillor Hance moved approval of the application subject to the Conditions contained in the report and subject to an additional condition relating to the gating of the development. This was seconded and on being put to the Vote, it was

Resolved (8 for, 0 against) – that the application be granted subject to the Conditions contained in the report and an additional condition relating to the gating of the development.

14 19/00253/H - 6 Alford Road

The Head of Development Management summarised the report and gave a presentation that included the following:

- This is a full application for a domestic extension, garage and associated works



- The details of the site and the application were described
- The recommendation for the application is approval and the reasons for the recommendation were summarised

Councillor Davies moved approval of the application subject to the Conditions contained in the report.

Councillor Clough seconded this and on being put to the Vote it was

Resolved (8 for, 0 against) – that the application be granted subject to the Conditions contained within the report.

15 Date of Next Meeting

Wednesday 24th April 2019 at 6.00 pm.

Meeting ended at 6.45 pm

CHAIR _____



DEVELOPMENT CONTROL COMMITTEE B

24th 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	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
3	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
4	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
5	Lawrence Hill	30 Clark Street Bristol BS5 0TA Proposed alteration to roof, to create mansard roof. Appeal against refusal Delegated decision	19/03/2019
6	Ashley	24 Stafford Road Bristol BS2 9UN Rear dormer roof extension and elevational changes. Appeal against refusal Delegated decision	19/03/2019

7	Southmead	10 Lake Road Bristol BS10 5HG Double storey side extension for additional living accommodation. Appeal against refusal Delegated decision	25/03/2019
8	Redland	109 Berkeley Road Bishopston Bristol BS7 8HQ Three storey rear extension to 109 Berkeley Road. Appeal against refusal Delegated decision	10/04/2019
9	Westbury-on-Trym & Henleaze	46 Cote Park Bristol BS9 2AD Single storey rear/side extension. Appeal against refusal Delegated decision	10/04/2019

Informal hearing

Item	Ward	Address, description and appeal type	Date of hearing
10	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
11	Brislington East	62 Birchwood Road Bristol BS4 4QN Outline application for the demolition of the existing single dwelling and the erection of a 52-bedroom care home (Use Class C2) with bin/cycle store and parking, with Access, Layout and Scale to be considered.(Major application). Appeal against non-determination 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
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Written representation

Item	Ward	Address, description and appeal type	Date lodged
14	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
15	Hartcliffe & Withywood	30 Honey Garston Road Bristol BS13 9LT Erection of 2 no 2 bedroomed flats to side of existing house Appeal against refusal Delegated decision	21/01/2019
16	Horfield	1 Bishopthorpe Road Bristol BS10 5AA Proposed two storey single dwelling. Appeal against refusal Delegated decision	24/01/2019
17	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
18	Bishopston & Ashley Down	91 Ashley Down Road Bristol BS7 9JT Retention of outbuilding. Appeal against refusal Delegated decision	04/02/2019
19	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

20	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
21	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
22	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
23	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
24	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
25	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
26	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
27	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

28	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
29	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
30	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
31	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
32	Henbury & Brentry	Land To Rear 132 Knole Lane Bristol BS10 6JW Application to vary condition No. 13 (which lists approved plans) attached to planning permission 17/00010/F - [which consented a pair of two storey semi-detached dwellings] to amend site levels and elevations. Appeal against refusal Delegated decision	01/04/2019
33	Frome Vale	19 Lambrook Road Bristol BS16 2HA 2 no. new dwellings. Appeal against refusal Delegated decision	01/04/2019
34	Avonmouth & Lawrence Weston	24 Dursley Road Bristol BS11 9XB Proposed new dwelling on Land Adjacent to No. 24 Dursley Road, with parking and associated works. Appeal against refusal Delegated decision	02/04/2019

List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
35	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
36	Southmead	21 Shetland Road Bristol BS10 5JT Erection of a detached dwellinghouse. Appeal against refusal Delegated decision	Appeal allowed 20/03/2019
37	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
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 subdivision of garden area. Appeal against an enforcement notice	Appeal dismissed 20/03/2019
44	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	Appeal allowed 02/04/2019 Costs not awarded
45	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	Appeal dismissed 10/04/2019
46	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	Appeal dismissed 02/04/2019
47	Lawrence Hill	100 Goodhind Street Bristol BS5 0TB Part double/Part single storey rear extension. Appeal against refusal Delegated decision	Appeal dismissed 02/04/2019

48	Redland	<p>13 Kingsley Road Cotham Bristol BS6 6AF</p> <p>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.</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	<p>Appeal allowed</p> <p>05/04/2019</p>
49	Easton	<p>90 Avonvale Road Bristol BS5 9RU</p> <p>Single storey extension to the side of the property, excavation works to create basement. Vehicle access.</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	<p>Appeal dismissed</p> <p>10/04/2019</p>

DEVELOPMENT CONTROL COMMITTEE B

24th 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	Avonmouth & Lawrence Weston	7 High Street Shirehampton Bristol BS11 0DT Non provision of refuse storage facilities, cycle storage, car parking and solar panels as required by conditions 4, 5,6 and 7 of planning permission 15/03740/F. Breach of conditions notice	04/03/2019
3	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

Development Control Committee B 24 April 2019

Report of the Service Director - Planning

Index

Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Southville	Grant	18/05731/F - 2 Smyth Road Bristol BS3 2BX Demolition of retail unit and construction of 9. No apartments (4. no 1 beds and 5. no 2 beds) with associated bike and bin storage.
2	Westbury-on-Trym & Henleaze	Refuse	18/06522/H - 12 Channells Hill Bristol BS9 3EU Installation of raised decking to garden outbuilding.
3	Hotwells & Harbourside	Grant	18/06309/F - 87 - 89 Park Street City Centre Bristol BS1 5PJ Change of use of the lower ground, ground, ground mezzanine and first floors, from a Restaurant (A3 Use Class) to a mixed use cafe, bar and restaurant, with onsite rum distillery and educational and training facilities (Sui Generis Use Class (comprising classes A3, A4, B1(c) and D1.) 18/06642/LA - 87 - 89 Park Street City Centre Bristol BS1 5PJ Listed building consent for interior alterations.

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v5.0514

Development Control Committee B – 24 April 2019

ITEM NO. 1

WARD: Southville CONTACT OFFICER: Emmeline Reynish

SITE ADDRESS: 2 Smyth Road Bristol BS3 2BX

APPLICATION NO: 18/05731/F Full Planning

DETERMINATION DEADLINE: 24 April 2019

Demolition of retail unit and construction of 9. No apartments (4. no 1 beds and 5. no 2 beds) with associated bike and bin storage.

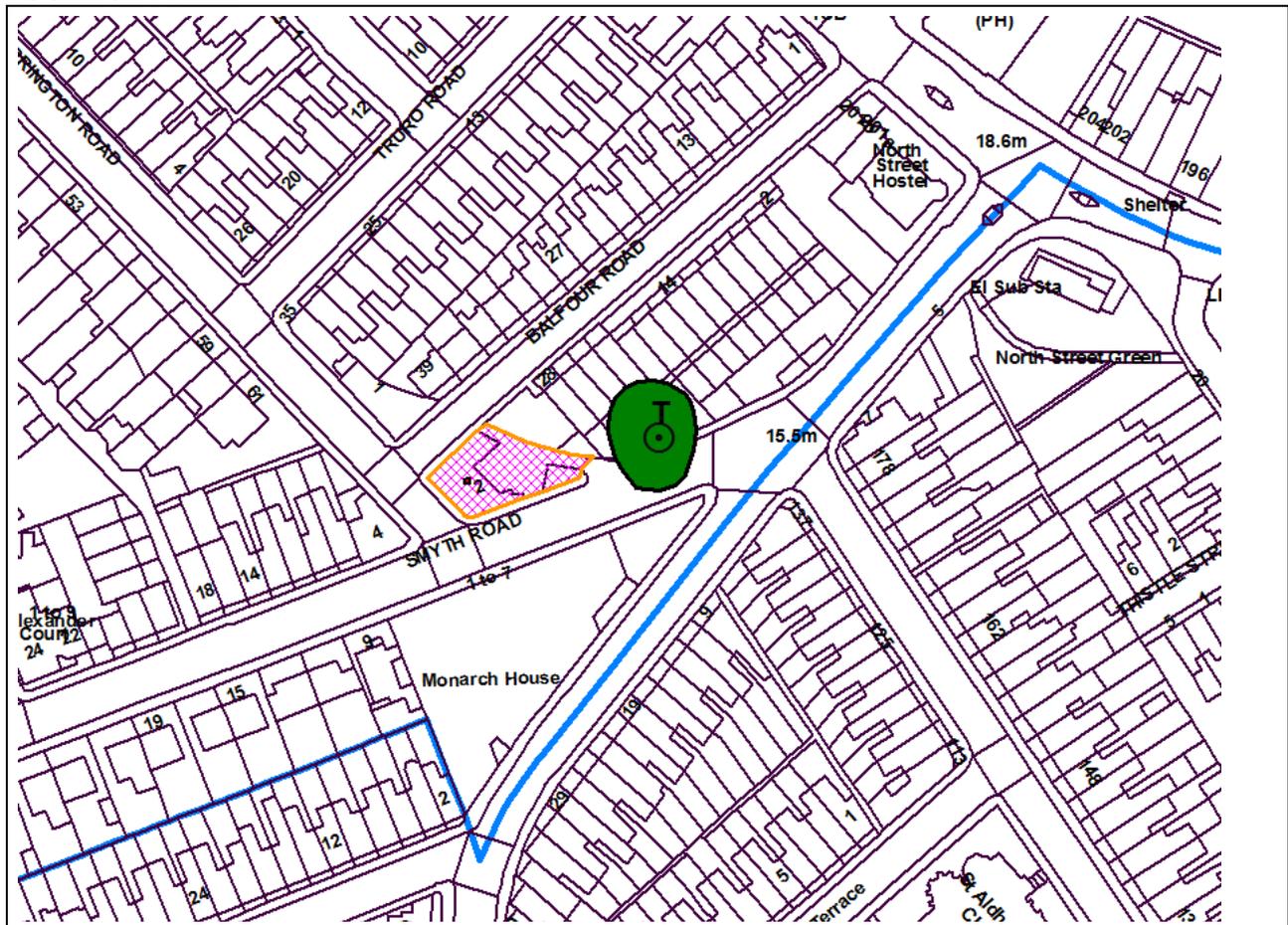
RECOMMENDATION: Grant subject to Condition(s)

AGENT: Crown Developments Ltd
5 Victoria Grove
Bedminster
Bedminster
Bristol
BS3 4AN

APPLICANT: Crown Developments
2 Smyth Road
Bristol
BS3 2B

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

LOCATION PLAN:



Development Control Committee B – 24 April 2019
Application No. 18/05731/F : 2 Smyth Road Bristol BS3 2BX

SUMMARY

This application relates to an existing building known as 2 Smyth Road situated in in Bedminster, south Bristol in the ward of Southville.

The site currently comprises a two storey building with a service yard to the rear. The site was previously in retail use and now lies vacant. The application seeks full planning permission for the demolition of the existing building and the erection of nine apartments within a single block. The apartments would be arranged across three floors and would comprise four, one bedroom flats and five, two bedroom flats.

The application has been referred to Development Control Committee due to the number of public comments which have been received in relation to the scheme. During the initial consultation period 40 comments were received, 38 of which were made in objection to the proposed development. Comments were primarily made in relation to concerns over parking and access, the design and appearance of the proposed building and residential amenity. In light of this, consultation has been carried out with the Bristol City Council City Design Group and Bristol City Council Transport Development Management.

Consultation with the abovementioned consultees has resulted in the submission of revised plans by the applicant which change elements of the design and have provided further information with regards to transport and access. After the submission of revised plans Transport Development Management and the City Design Group are satisfied to recommend approval of the application.

Neighbours were re-consulted on the revised plans and 23 comments were received all of which were made in objection to the proposed development. Comments were primarily made in relation to concerns over parking provision and the design and appearance of the proposed building.

The application would contribute nine dwellings to Bristol City Council's housing targets. The proposed dwellings would be situated in an established residential area, in a highly sustainable location and therefore it is considered that the principle of residential development can be supported at this site. The proposed building would be three storeys in height, with a flat roof and would represent a modern design in terms of its form and use of materials, designed to reflect recently constructed residential development adjacent to the site. It is considered that the design, scale and massing of the development is appropriate within the context of the surrounding area and that the siting of the development serves to mitigate any significant adverse impact on neighbouring residential amenity.

The proposed development would be 'car free' and no off-street vehicular parking has been proposed. Cycle parking has been incorporated into the proposed scheme as well as measures to ensure that any future residents would receive membership to a local 'Car Club' and would be encouraged to use sustainable forms of transport. Measures have also been included on revised plans to ensure that the development would not compromise highway safety. Following Transport Development Management's recommendation to approve the application, Officers are satisfied that the proposed transport and access arrangements would be acceptable.

The application for full planning permission is recommended for approval subject to the conditions outlined within this Report.

Development Control Committee B – 24 April 2019
Application No. 18/05731/F : 2 Smyth Road Bristol BS3 2BX

SITE DESCRIPTION

This application relates to a site known as 2 Smyth Road situated in Bedminster, south Bristol in the ward of Southville.

The site is situated on a corner plot at the junction of Smyth Road, Carrington Road and Balfour Road. The site has a slightly sloping topography, and is currently occupied by a two storey, largely 'L' shape building with an area of hardstanding to the rear, formerly used as a service yard, which can be accessed from Smyth Road. The building is currently vacant with its former use being a plumbers' merchants.

The area surrounding the site is formed of a mix of uses. To the west of the site is largely residential development, comprising traditional terrace housing. At the north of the site is recently constructed housing development on the site of the former Luckwell Club and the Bristol South District Scout building (application references: 11/03097/F and 15/01453/F). This modern development extends up Balfour Road to its junction with North Street, a designated district centre within the Local Development Plan.

RELEVANT PLANNING HISTORY

There is no recent or relevant planning history associated with this site.

APPLICATION

This application seeks full planning permission for the demolition of the existing retail unit and the erection of a new apartment building comprising nine flats.

The main entrance to the flats would be off Smyth Road. The proposed flats would be arranged across three storeys and would comprise, five, two bedroom flats and four, one bedroom flats. With the exception of one proposed flat at ground floor level all of the proposed dwellings would have a balcony/terrace providing amenity space.

Cycle parking and a refuse area have been provided at ground floor level, the cycle storage area has a separate access off Smyth Road whilst the refuse area would be accessed from Balfour Road.

In terms of appearance, the proposed building would be constructed with modern material finishes including grey brickwork and raised standing seam metal cladding. The building would have a flat roof which would step down towards the northern part of the site, meaning the north of the building would appear as a two and half storey building. The development proposes to include a brown 'living' roof and a solar PV array.

PUBLICITY AND COMMENTS

Neighbour consultation on this application was initially launched on the 22 November 2018. A total of 40 public comments were received, one comment in support of the proposed development, one neither in support nor objection and 38 in objection.

The following planning concerns were raised:

- Issues related to noise and disturbance during construction;
- Proposed development exacerbating issues in relation to parking;
- Detrimental impacts to highway safety;
- Issues related to increased traffic;
- Loss of light to neighbouring dwellings;
- Loss of privacy to neighbouring dwellings;

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- Overshadowing to neighbouring dwellings;
- Insufficient cycle parking;
- Insufficient bin storage;
- Design not in keeping with local area;
- The development is too tall;
- Housing of this density is not needed in local area;
- Overdevelopment of the site;
- Massing proposed unsuitable for the site;
- Oppressive elevation to Balfour Road;
- Out of keeping with the street scene;
- No affordable housing;
- Unclear planning drawings submitted;
- Balconies out of keeping with the local area; and
- Concerns related to the flat roof design proposed.

Ward Members

In response to the original consultation, one comment was received by a Ward Member. This comment was made in objection to the proposed development. Their comments are as below:

Councillor Charlie Bolton:-

“I submit my objection to this application.

I agree with many of the comments made already re the design and scale of the application. I would suggest it is just a bit too large for the area, and it just seems a bit ugly to me.

I note comments made about parking. While I understand these, and it is undoubtedly true that there is significant pressure on parking here - this is largely due to its proximity to the Southville zone.

This begs me to ask the question - and, being aware of campaigns for some sort of parking zone - could planning permission be conditional on not giving parking permits to any residents of the flats for a future parking zone.”

This comment is addressed further in Key Issue E.

In response to the above comments, and those submitted by technical consultees (see below) the Applicant submitted revised plans which altered the design of the proposed development and introduced further transport related measures. These will be discussed further in the Key Issues section of this report.

In light of the revised plans submitted, neighbours were re-consulted on 15 February 2019 for a period of 14 days. In response to the revised plans, 23 comments were received all of which were in objection to the proposed development. The following planning concerns were raised:

- Issues related to safety and availability of on-street parking;
- Concerns related to the height of the proposed development;
- The design of the proposed development is not in keeping with the surrounding area;
- Insufficient cycle storage;
- Insufficient bin storage; and
- Loss of light to neighbouring properties.

These comments will be addressed in the Key Issues section of this report.

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INTERNAL CONSULTEES

City Design Group: - No Objection

City Design Group (CDG) has been consulted on this application.

CDG raised concerns in relation to plans as originally submitted regarding the massing of the proposed development particularly at the Balfour Road elevation. These comments were addressed through the submission of revised plans from the applicant.

In response to revised plans, the CDG made no objection to the planning application.

This comment is addressed further in Key Issue B.

Transport Development Management: - No Objection

Transport Development Management (TDM) has been consulted on this application and provided both verbal comments and formal written representations.

In response to original plans submitted as part of this application, TDM objected to the proposed development on the grounds that the proposed car free nature of the development may cause issues in relation to parking and highway safety.

In response to this, revised plans were received by the applicant which introduced further transport and access measures including off-site highway improvements, car club membership for future occupiers and put in place a Travel Plan for the proposed development to further encourage the use of sustainable forms of transport.

In light of the revised plans received, TDM withdrew their objection to the proposed development and recommended approval of the application subject to conditions.

This comment is addressed further in Key Issue E.

Economic Development: - No Objection

Bristol City Council's Economic Development department has been consulted on this application in relation to the loss of the existing retail unit.

They commented that given the site's location they had no concerns with regards to the change of use from retail to residential.

The Officer made no objection to the planning application.

Land Contamination: - No Objection

The Public Protection Team (Land Contamination) has been consulted on this application and has provided a written response.

They raised no concerns in relation to the proposed development subject to conditions being added to any grant of consent requiring the applicant to undertake further site investigation. The Officer made no objection to the planning application.

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EXTERNAL CONSULTEES

The Coal Authority:- No Objection

The site is located in a high risk coal mining area and as such the Coal Authority has been consulted. They raised no objection to planning application.

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 PRINCIPLE OF THE PROPOSED DEVELOPMENT ACCEPTABLE?

Policy BCS1 of the Bristol Core Strategy (June 2011) identifies South Bristol as a priority focus area for development and regeneration, and this includes the provision of around 8,000 new homes.

Policy BCS5 of the Bristol Core Strategy sets a target for the delivery of 30,600 new homes within Bristol between 2006 and 2026.

Policy BCS7 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 sets out that Local shopping and service provision in smaller frontages or single shops away from the identified centres should be retained where it remains viable and provides an important service to the local community

The proposed development in this case would result in the demolition of an existing retail unit and the erection of 9 no. residential flats. As such the loss of the retail premises has been assessed by Officers.

The existing development is situated outside of a designated centre and has been vacant for over a year after the previous occupiers, a Plumber's merchants re-located to an alternative site.

In order to assess the loss of the retail unit Bristol City Council's Economic Development department has been consulted. They noted that historically the site was in residential use and as such the change of use back to residential would be restoring the site to its former use. They also commented on the fact that the area surrounding the site is predominantly residential and that the site is not situated in a significant employment location. As such no objection was raised to the loss of retail space within this area.

It should also be noted that the site is situated within walking distance of North Street, a designated centre within the Local Development Plan, according to the retail hierarchy these centres should be prioritised for retail uses. This is considered to be a more suitable location for retail uses within the local area, as such Officers are satisfied that the loss of the retail unit would not deprive the local community of an important service.

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The development would contribute 9 no. units to the Bristol City Council housing targets set out by policies BCS1 and BCS5.

The proposed development would be situated in an established residential area and as such the principle of residential development in this location is considered to be acceptable.

As noted above, the site is situated within walking distance (less than 400 metres) to North Street district centre and in close proximity to public transport links providing easy access to the city centre. It is therefore considered to be in a highly sustainable location where higher density residential development would be appropriate.

In summary, it is considered that the site is suitable for residential development in principle. It would accord with policies BCS1, BCS5 and BCS7 of the Bristol Local Plan.

B. IS THE DESIGN OF THE PROPOSED DEVELOPMENT ACCEPTABLE?

Policy BCS21 states that new development in Bristol should represent high quality design.

Policy DM27 of the Site Allocation and Development Management Policies (SADMP) sets out that ‘the height, scale and massing of development should be appropriate to the immediate context, site constraints, character of adjoining streets and spaces, the setting, public function and/or importance of the proposed development and the location within the townscape.’

Policy DM29 states that ‘new buildings should be designed to a high standard of quality’ and should incorporate high quality detail of an appropriate scale and proportion, which contributes positively to the overall design approach of the building. DM29 also refers to materials stating that they should be of high quality, sustainable and should contribute positively to the character of the area.’

The proposed development in this case comprises nine flats located within one, three storey apartment building.

The site can be considered as a transitional site between more traditional terraced dwellings along Smyth Road and Carrington Road, and the recently developed modern housing developments on Balfour Road/Luckwell Road (11/03097/F and 15/01453/F). In consideration of this context, the modern design and form of the development is considered to be suitable in this case.

In terms of scale and massing, the proposed building would be one storey higher than the existing building on site. This is considered to be acceptable by Officers, including the City Design Group (CDG) given that the building has been sensitively designed to respond to the topography of the land and adjacent development. The highest part of the roof of the proposed development would run flush with the highest point of the adjacent development along Balfour Road and would sit lower than the ridge height of the new townhouses further along the street. The roofline would also sit lower than roof ridge height of Monarch House situated directly opposite the site. Officers are therefore satisfied that the proposed increase in height would not be out of context with the area. The staggered roof line proposed (as well as the change in materials) at the Smyth Road and Balfour Road elevations softens the appearance of the building and reduces the sense of massing and height at key interfaces with neighbouring development.

The proposed balconies are supported from a design perspective (amenity is addressed in Key Issues C and D). They would be inset into the building and are considered to be a positive design feature which would serve to create an active frontage particularly at ground floor level and provide future residents with some private amenity space.

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Materials proposed include grey brickwork, raised seam metal cladding, slimline metal windows and a brown living roof. CDG raised no objection to the use of materials, considering them to be suitable within the context of the neighbouring modern development. A condition would be added to any grant of consent to request that the Applicant submits material samples for the approval of the local planning authority prior to construction in order to ensure their suitability.

Following consultation with the Council's CDG, no objection has been raised in relation to the design of the proposed development. Overall, the proposed development is considered to respect Bristol City Council policies BCS21, DM27 and DM29.

C. WOULD THE PROPOSED DEVELOPMENT HARM THE RESIDENTIAL AMENITY OF NEIGHBOURING OCCUPIERS?

Policy BCS21 in the Bristol Core Strategy advocates that new development should deliver high quality urban design and safeguard the amenity of existing development.

Policy DM29 in the Site Allocations and Development Management Policies requires that existing development achieves acceptable levels of privacy, outlook and daylight.

Overall it is considered that the proposed dwellings have been designed in a way which minimises the impact on neighbouring occupiers by exploiting the existing topography of the land and incorporating features such as screening to achieve a balanced level of amenity for both neighbouring occupiers and future occupiers in this urban setting. Each issue relating to neighbouring amenity will now be addressed in turn.

Overlooking

The proposed dwellings have been designed so that the majority of fenestration is confined to the principal elevations to the south, south west and west elevations of the building. Any windows facing north towards the neighbouring Balfour Road development serve non-habitable rooms (bathrooms or stairwells) which serves to minimise overlooking potential. A condition would be attached to any grant of consent requiring these windows to be non-opening and obscure glazed in order to mitigate any risk to neighbouring amenity.

Balconies/terrace spaces have been proposed on all flats with the exception of apartment 0.3 at ground floor level. It is acknowledged that this could increase overlooking potential however this has been mitigated as far as possible by the balconies being recessed into the building. Additionally, privacy screening would be included on all balconies to further increase privacy and prevent overlooking.

By way of confirmation, no access to the roof has been proposed as part of the development.

The amenity of neighbouring occupiers must be finely balanced against creating a high level of amenity for neighbouring occupiers, in weighing this balance Officers have found the impact on neighbours in terms of overlooking to be acceptable.

Overbearing

In terms of overbearing Officers are satisfied that the proposed development would be acceptable in this regard. By including the cycle and bin storage at ground floor, the northern elevation of the development has been set back from the neighbouring properties along Balfour Road/Luckwell Road in order to reduce the impact on neighbouring occupiers.

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The Applicant responded to neighbour comments and comments made by Officers and introduced more lightly colour raised standing seam metal at the Balfour Road elevation to replace the expanse of grey brickwork shown on original plans. This is considered to soften the appearance and perceived scale and massing of the development for existing occupiers situated at the opposite side of the street. Similarly, the curved façade design and the proposed recessed balconies along Carrington Road and Smyth Road are considered to reduce the sense of overbearing to neighbouring development closest to these elevations.

The stepped roof design also serves to reduce the overall height of the development reducing the sense of overbearing particularly to neighbours on the eastern side of Balfour Road/Luckwell Road.

Finally, it should be acknowledged that the site is currently occupied by an existing two storey building and as such there is a precedent for built development in this area. Officers are satisfied that the proposed development would not serve to significantly alter existing site conditions in terms of overbearing impact.

Overshadowing

Similar to the above, it is considered that the proposed development has been suitably designed in order to mitigate against overshadowing as far as possible.

Concerns in relation to overshadowing to neighbouring development, particularly recently constructed development on Balfour Road have been raised by neighbours and by Officers during the course of this application. In response to this the applicant has introduced revisions (as outlined above) to mitigate this and has submitted shadow studies and daylight calculations.

These confirm that there would be some overshadowing restricted to the gardens of properties along Smyth Road and minimal additional shadowing to the nearest adjacent property at the Balfour Road elevation during the summer solstice.

On balance, the level of overshadowing which would be caused by the proposed development is not considered to warrant refusal of the application.

Noise and Disruption

Comments have been received by neighbours raising concerns in relation to noise and disturbance during construction. It should be noted that noise concerns during construction are a civil matter which do not form a material planning consideration. Nevertheless, should consent be granted for the application, a Construction Management Plan condition has been recommended setting out methods and hours of working to ensure disruption is kept to a minimum for neighbouring occupiers.

Summary

On balance, the proposed development is considered to be acceptable in terms of its impact on residential amenity including overshadowing, overbearing, overlooking. It is therefore considered to accord with policies BCS21 and DM29.

D. WOULD THE PROPOSED DEVELOPMENT CREATE AN ACCEPTABLE LEVEL OF AMENITY FOR FUTURE OCCUPIERS?

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

Policy BCS21 sets out that new development should create a high-quality environment for future occupiers.

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The proposed development in this case would create five, two-bedroom, two bed space dwellings all of which would meet the minimum internal space standard of sixty-one square metres required for this type of dwelling. Similarly, the four one-bedroom, two bed space dwellings proposed all measure in excess of the fifty square metre minimum floor area required by policy.

The proposed development has been designed so that all flats (with the exception of one at ground floor level) would benefit from private amenity space. This is supported and is considered to be a positive feature for this type of development in this urban location.

Officers are satisfied that the level of fenestration proposed would ensure that future occupiers would have adequate outlook and daylight with the primary living space in all flats being dual aspect which is supported.

In summary, the proposed development is considered to be acceptable in terms of the creating a good standard of amenity for future occupiers in line with policies BCS18 and BSC21.

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

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 states that parking must be safe, secure, accessible and usable. Appendix 2 of the Site Allocations and Development Management Policies Document (SADMP) sets out both the minimum cycle parking requirements for new development in Bristol, and the maximum car parking provision.

Policy DM32 states that all new residential development must provide sufficient space for the storage of individual recycling and refuse containers to reflect the current collection regime

The proposed development in this case would be car free, there is no car parking proposed as part of the development. The existing site and surrounding area does not form part of an existing Resident's Parking Scheme (RPS) The existing RPS stops the southern side of North Street and does not incorporate the site or any adjacent site.

At the ground floor of the building there would be a cycle store with space for sixteen cycles, as well as two guest spaces. Refuse storage has also been included at ground floor level with separate access onto Balfour Road.

TDM has been consulted on this application and provided formal written comments.

In response to original plans submitted as part of this application TDM objected to the proposals on the grounds that the lack of off-street parking provision had not been suitably mitigated. In response to TDM comments the Applicant submitted further information introducing measures to mitigate the lack of off-street parking and to ensure that highway safety would not be compromised.

The Applicant submitted a Travel Plan which demonstrates that any future occupiers of the site would be offered three years free membership to the existing Car Club located within the vicinity of the site. The Travel Plan also outlines that all future occupiers would receive sustainable travel vouchers to encourage the use of sustainable transport e.g. cycling or public transport. These measures were found to be acceptable by TDM Officers and would be secured by way of condition on the application. Additionally, the Applicant has proposed off-site highway measures in order to improve pedestrian and cyclist movement around the site to the benefit of highway safety. These include the addition of dropped kerbs outside the proposed cycle and bin stores for ease of manoeuvrability and the addition

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of four new pedestrian crossings to ensure safe pedestrian movements. Should planning consent be granted, the relevant licenses for these works would have to be obtained from Bristol City Council's Highways Department which falls outside the planning process.

TDM has also recommended that an advice note be added to any grant of consent recommending that a restriction be placed on the ability of residents to obtain a parking permit for any future RPS scheme if introduced to the area. It should be noted however, that this is an advisory measure which does not fall within the jurisdiction of the planning process. Any final decision would be the responsibility of the Traffic Authority.

TDM Officers have raised no objection to the cycle parking proposed noting that it meets the minimum standards required by policy. TDM Officers also have raised no objection to the refuse and recycling storage proposed noting that this would meet requirements. In response to TDM's original comments on the application, the Applicant has submitted swept path analysis demonstrating that a refuse vehicle would be able to access the site which TDM found to be acceptable.

After assessment of the revised information submitted, the Transport Officer is satisfied that the revisions would create an acceptable scheme in terms of parking and access. In light of this TDM have withdrawn their original objection and recommended approval of the application.

The application is therefore considered to be acceptable in terms of transport and access, policies BCS10 and DM23 would be respected

F. DOES THE APPLICATION GIVE SUFFICIENT CONSIDERATION TO SUSTAINABLE DESIGN AND CONSTRUCTION?

Policy BCS13 sets out that development should contribute to both mitigating and adapting to climate change, and to meeting targets to reduce carbon dioxide emissions.

Policy BCS14 sets out that development in Bristol should include measures to reduce carbon dioxide emissions from energy use by minimising energy requirements, incorporating renewable energy sources and low-energy carbon sources. Development will be expected to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%.

Policy BCS15 sets out that sustainable design and construction should be integral to new development in Bristol. Consideration of energy efficiency, recycling, flood adaption, material consumption and biodiversity should be included as part of a sustainability or energy statement.

The applicant submitted a full Energy and Sustainability Statement as part of this application detailing the sustainability measures to be included on site.

This confirms that residual carbon dioxide emissions would be reduced by 25.15% through the installation of a 13KWP Solar PV array which would be situated on the roof of the proposed development. This meets the requirements of Policy BCS14 and as such is considered to be acceptable. The installation of these Solar PV panels would be secured by way of condition on the application. The Energy and Sustainability Statement submitted also proposed additional measures which would be incorporated into the site to enhance sustainability; these include measures to limit water consumption and the use of sustainable materials during construction. The proposed brown living roof is considered to encourage biodiversity and would also improve sustainable drainage at the site. The Energy and Sustainability Statement states that a full SUDS strategy would be put in place as part of this development which would be secured by way of condition on the application should consent be forthcoming.

Overall, it is considered that the proposed development gives sufficient consideration to sustainable design and construction and would accord with Policies BCS13-15 (inclusive).

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CONCLUSION

In conclusion, in consideration of the planning balance between delivering quality new homes and ensuring existing development is not harmed Officers of the Local Planning Authority are satisfied that the proposed development in this case would be acceptable.

It is considered that the proposals represent sustainable development in an area where higher density residential development would be appropriate. In consideration of the character of the surrounding area, recently consented development and the site itself Officers are satisfied that the proposed development represents good quality design which would not cause significant detrimental impact to the amenities of neighbouring occupiers. In working proactively with Officers of the Local Planning Authority, issues in relation to transport and access have been suitably addressed to the satisfaction of transport officers.

In light of the above assessment it is therefore recommended that this application be approved subject to conditions.

RECOMMENDED GRANT subject to condition(s)

CIL

The CIL liability for this development is £31,083.75

CONDITIONS

Time Limit for the 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 Conditions

2. Highway works

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

- Provision of four new uncontrolled pedestrian crossings with dropped kerbs as per drawing 18122 02D at the following locations:
 - Smyth Road and Carrington Road junction;
 - Smyth Road and Luckwell Road junction;
 - Chessel Street and Luckwell Road junction;
 - Between the sites known as 7 Luckwell Road and the rear of 18 Balfour Road.

- Resurfacing of existing footway at Carrington Road/Balfour Road junction;
- Provision of new dropped kerb on Smyth Road;
- Provision of new dropped kerb on Balfour Road.

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Indicating proposals for:

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

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

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

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

3. Construction management plan

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

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

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

4. Site Characterisation

Following demolition no construction shall take place until an intrusive investigation and risk assessment, in addition to any assessment provided with the planning application, 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. This must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.

- (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, groundwater

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and surface waters, ecological systems, archaeological sites and ancient monuments;
(iii) an appraisal of remedial options, and proposal of the preferred option(s).

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 risk to workers, neighbours and other offsite receptors.

5. Submission of Remediation Scheme

Following demolition no construction shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be submitted to and 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 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. Sustainable Drainage System (SuDS)

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

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

7. Submission of samples before specified elements started

Samples of the proposed brickwork, metal cladding and materials to be used for all windows, doors and balconies shall be submitted to and be approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved samples before the building is occupied.

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

Pre-Occupation Conditions

8. Implementation/Installation of Solar PV Panels– Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the Solar PV panels have been completed and installed on the roof of the proposed development in accordance with the approved plans.

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Reason: The implementation of the development without the installation of PV panels would result in a development which would not accord with climate change and sustainability policies.

9. Implementation/Installation of Refuse Storage and Recycling Facilities – Shown on approved plans

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

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

10. 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.

11. Reinstatement of Redundant Accessways – Shown on approved plans

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

Reason: In the interests of pedestrian safety.

12. 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.

Post Occupation Conditions

13. Restricted Opening and Obscured Glazed Windows

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the proposed windows on the northern elevation of the proposed building shall be restricted opening (top pane only) and glazed with obscure glass and shall be permanently maintained thereafter as non-opening and obscure glazed.

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

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14. Travel Plan

The Travel Plan Measures hereby approved will be implemented in accordance with the approved details unless agreed in writing by the Local Planning Authority

Reason: To minimise the impact of vehicular parking on the surrounding highway network.

15. Restriction of Use of Roof

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

Reason: To safeguard the amenities of the adjoining premises.

16. 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:

SU 002 – Location Plan, received 30 October 2018
 18122 02C – Swept Path Analysis (Refuse Vehicle), received 15 January 2019
 18122 TN01 – Travel Plan Measures), received 15 January 2019
 18122 02D – Proposed Highway Improvements Plan, received 22 January 2019
 3207_PA 005 D - Ground Floor Plan, received 14 February 2019
 3207_PA 006 D – First Floor Plan, received 14 February 2019
 3207_PA 007 D – Second Floor Plan, received 14 February 2019
 3207_PA 008 B – Roof Plan, received 14 February 2019
 3207_PA 011 C – South West Elevation (Carrington Road), received 14 February 2019
 3207_PA 012 C – North West Elevation (Balfour Road), received 14 February 2019
 3207_PA 014 C – Aerial View, received 14 February 2019
 3207_PA 015 B- Section, received 14 February 2019
 3207_PA 016 A – Street View 1, received 14 February 2019
 3207_PA 017 A – Street View 2, received 14 February 2019
 3207_PA 018 A – Street View 3, received 14 February 2019
 3207_PA 010 D – South East Elevation (Smyth Road), received 04 March 2019
 3207_PA 013D – North East Elevation (Sectional) , received 04 March 2019
 3207_PA 021- Daylight Study 1 – Smyth Road Elevation, received 04 March 2019
 3207_PA 022 – Daylight Study 2 – Smyth Road Elevation, received 04 March 2019
 3207_PA 023 - Daylight Study 3 – Balfour Road Elevation, received 04 March 2019
 3207_PA 024 – Daylight Study 4 – Balfour Road Elevation, received 04 March 2019

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 5528: Parts 1 and 2: 2009 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".

Development Control Committee B – 24 April 2019
Application No. 18/05731/F : 2 Smyth Road Bristol BS3 2BX

Information in this respect can be obtained from Pollution Control, City Hall, Bristol City Council, PO Box 3176, Bristol BS3 9FS.

2. 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 9036852 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. Restriction of parking permits – future controlled parking zone

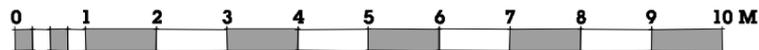
Note that in deciding to grant permission, the Committee/Planning Service Director also decided to recommend to the Council's Executive in its capacity as Traffic Authority that on the creation of any Restricted / Controlled Parking Zone area which includes the development, that the development should be treated as car free / low-car and the occupiers ineligible for resident permits.

Supporting Documents

1. 2 Smyth Road, Bristol, BS3 2BX

1. PA 005 D – Proposed ground floor plan
2. PA 010 D – South East elevation (Smyth Road)
3. PA 014 C – Aerial visualisation of proposed development

Ground Floor Plan



Rev.	Date	By	Revision Notes
D	14/12/18		Levels amended
C	23/10/18		Bicycle storage layout indicated
B	17/10/18		Design update
A	3/10/18		Design update

PLANNING

olearygoss
ARCHITECTS

Chapel House
11a Alexandra Park
Redland
Bristol BS6 6QB

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F 0117 924 9238
E mail@olearygoss.co.uk
W www.olearygoss.co.uk

APT No.	Area (sqm)	Notes
0.1	61.12	2b/3p
0.2	52.14	1b/2p
0.3	55.93	1b/2p
1.1	61.12	2b/3p
1.2	52.14	1b/2p
1.3	68.95	2b/3p
2.1	61.12	2b/3p
2.2	52.14	1b/2p
2.3	68.95	2b/3p

Project Title
Residential Development 2 Smyth Road Bristol

Drawing Title
Proposed Ground Floor Plan

Project No.
3207

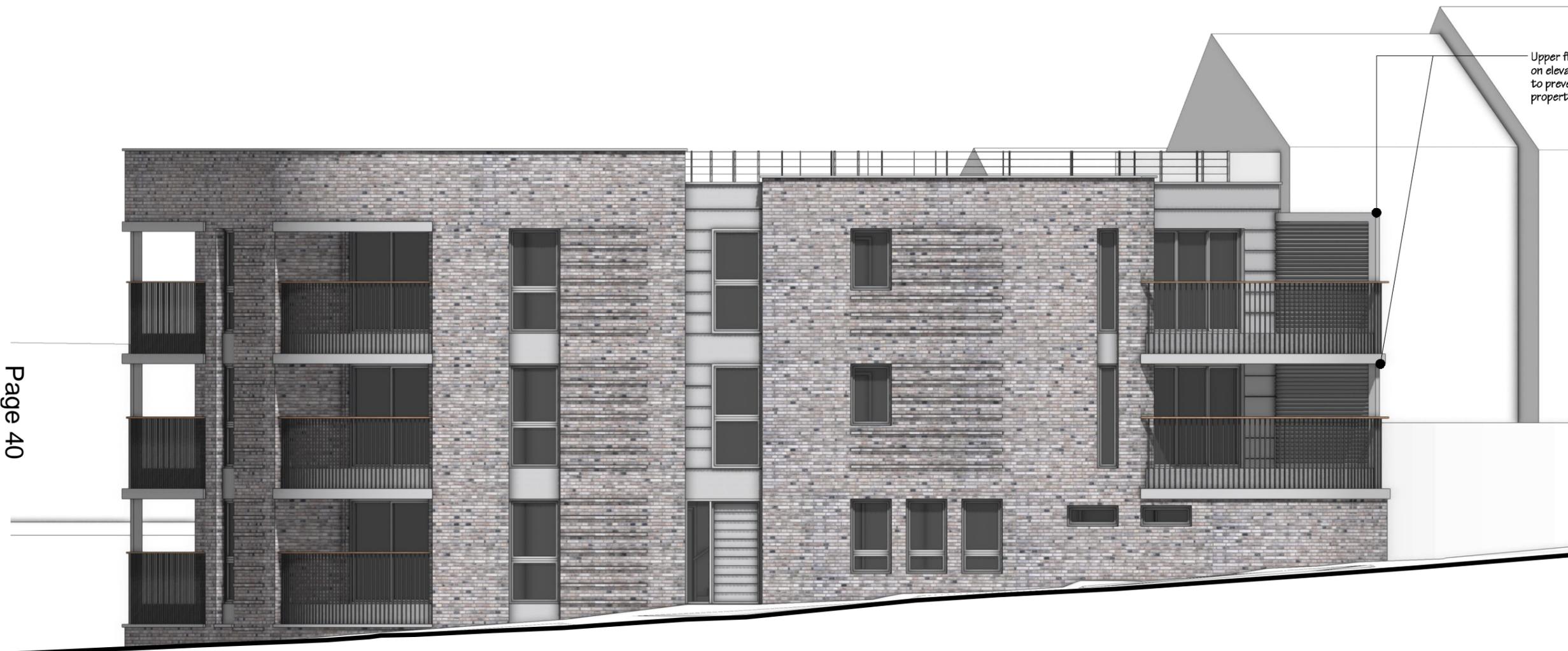
Date
24/08/18

Drawing No.
PA 005 D

Scale
1:100@A3

Drawn by
NT

Checked by
-



Upper floor Terraces to be screened on elevation facing adjacent property to prevent overlooking of adjacent properties and gardens

D	28/2/19	Note added - screens	
C	13/2/19	Terrace details amended. Parapet altered.	
B	14/12/18	Level changes to GF. Material changes to cladding and balustrades. Set back to entrance increased.	
A	17/10/18	Design update	
Rev.	Date	By	Revision Notes

PLANNING



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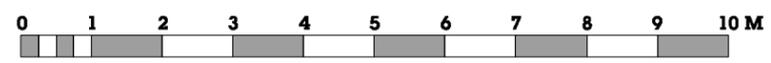
Project Title
Residential Development 2 Smyth Road Bristol
Drawing Title
South East Elevation (Smyth Road)

Project No. **3207** Drawing No. **PA 010 D**

Date **24/08/18** Scale **1:100@A3**

Drawn by **NT** Checked by **-**

Smyth Rd Elevation





PARKING

Page 41

LUCKY

Rev.	Date	By	Revision Notes
C	13/2/19		Parapets / terraces / massing amended.
B	14/12/18		Level changes to GF. Material changed to cladding and balustrades. Set back to entrance increased.
A	17/10/18		Design update

PLANNING



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Project Title
**Residential Development
2 Smyth Road
Bristol**
Drawing Title
Aerial View

Project No. **3207** Drawing No. **PA 014 C**

Date **03/10/18** Scale **NTS@A3**

Drawn by **NT** Checked by

Aerial view / Massing + Shadows (14:00 / Sept 22) - NTS

Development Control Committee B – 24 April 2019

ITEM NO. 2

WARD: Westbury-on-Trym & Henleaze **CONTACT OFFICER:** Chris Horan

SITE ADDRESS: 12 Channells Hill Bristol BS9 3EU

APPLICATION NO: 18/06522/H Full Planning (Householders)

DETERMINATION DEADLINE: 4 March 2019

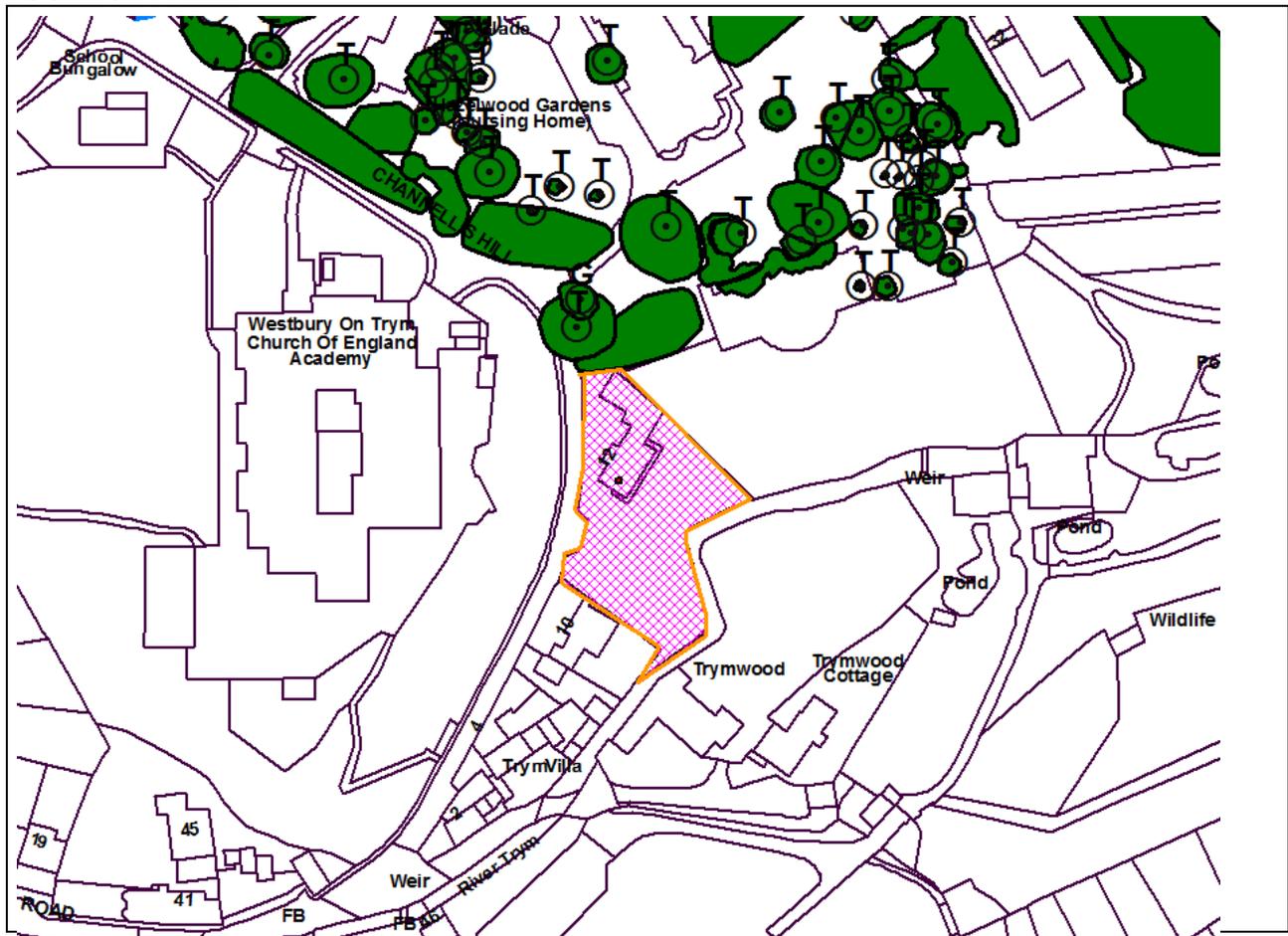
Installation of raised decking to garden outbuilding.

RECOMMENDATION: Refuse

APPLICANT: Mr Peter Flach
12 Channells Hill
Westbury-on-Trym
Bristol
BS9 3EU

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

LOCATION PLAN:



Development Control Committee B – 24 April 2019
Application No. 18/06522/H : 12 Channells Hill Bristol BS9 3EU

SUMMARY

The application is being presented to Committee at the request of Councillors Geoff Gollop, Liz Radford and Steve Smith.

This application relates to the addition of raised decking to the side of an existing outbuilding located within the garden of the application site. The outbuilding was subject of an enforcement investigation in 2018. However this investigation is now closed and the construction of the outbuilding is lawful. A Certificate of Lawfulness application was submitted to the Council in March 2018, this was subsequently issued as the proposal was considered to be permitted development (ref: 18/01237/CP).

This application relates to the addition of the raised decking only and not the outbuilding.

This application has received 12 objections. The application is recommended for refusal due to concerns about overlooking and loss of privacy and with harm to the Conservation Area.

SITE DESCRIPTION

The site contains a detached dwelling located on the east side of Channells Hill which is situated in the Westbury on Trym Conservation Area. The building is a render and stone clad gable ended dwelling which was built in the 1950s and extended in the 1970s and again in 2011-2013. The dwelling sits within a large garden which slopes from the road towards the River Trym.

An out building was erected in the southern corner of the site rear garden near the River Trym in 2018. The building is located near the boundary of 10 Channells Hill and the property of Trymwood (located to the south across the River Trym).

RELEVANT PLANNING HISTORY

Enforcement:

17/30583/EXT - Installation of building/structure within garden without planning permission.
Registered: 8.12.2017 - Case Close - Breach resolved.

Planning:

18/00104/CP - Erection of a detached building - Refused.

18/01237/CP - Certificate of Lawfulness for proposed use - Erection of an outbuilding. - Issued

THE APPLICATION

The proposal is to erect a raised decking around two sides of the out building that overlooks the river Trym and the side adjacent to 10 Channells Hill. The outbuilding was erected to provide a garden summerhouse and consists of a single room overlooking the river. The ground level slopes steeply down as the property backs onto the river. As a result of this change in ground level part of the outbuilding is already raised about the ground. The raised decking will also be elevated, at its highest point the floor level of the decking will be 1.25m above ground level. This highest elevation is at the point where the decking is nearest to the River Trym on the boundary with 10 Channells Hill and Trymwood house.

Development Control Committee B – 24 April 2019
Application No. 18/06522/H : 12 Channells Hill Bristol BS9 3EU

The raised decking will be 1.5m wide and overall the structure covers 17.7m². By contrast the size of the outbuilding is 26m².

The structure is proposed to be constructed out of locally sourced larch timber, similar to the materials used in the construction of the associated building.

RESPONSE TO PUBLICITY AND CONSULTATION

The council has received responses from 12 parties relating to the application, all objecting to the development.

Councillor's Geoff Gollop, Liz Radford, Steve Smith have requested that this application be considered by this committee.

SUMMARY OF RESPONSES - Objections raised the following issues:

The development is out of character with the local area and will result in harm to the conservation area;

The development is overbearing and will result in loss of privacy to neighbouring properties;

That the development will increase risk of flooding;

That the development will have a harmful impact on local wildlife;

That the building is inappropriate in the conservation area

RELEVANT POLICIES

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 and the Hengrove and Whitchurch Neighbourhood Development Plan 2019.

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 TERMS THE CHARACTER OF THE CONSERVATION AREA?

Policy BCS21 states that new development should be of high quality, and should contribute positively to an area's character and identity.

Policy BCS22 states that development proposals should safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including Conservation Areas

Policy DM31 sets out that development that has an impact upon a heritage asset will be expected to conserve and, where appropriate, enhance the asset or its setting. For listed buildings development in their vicinity, will be expected to have no adverse impact on those elements which contribute to their special architectural or historic interest, including their settings.

SPD2 states that extensions to dwellings should be subservient to the host dwelling and should respect its existing character and appearance.

Development Control Committee B – 24 April 2019
Application No. 18/06522/H : 12 Channells Hill Bristol BS9 3EU

The site is located within the Westbury-on-Trym Conservation Area. The Authority is required (under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special regard to the desirability of preserving or enhancing the character or appearance of the area.

The outbuilding sits in stark contrast to the local area and is built in a design and materials that are not in keeping with the area. However this structure has been constructed as permitted development and is lawful. This application can only assess the impact of the construction of the raised decking and the impact of this on the conservation area.

The development is located at the rear of the application site and is visible only to a small number of properties. The development cannot be seen from the highway of Channells Hill. However the development will be visible from the highway when viewed from Trym Road (in particular from the bridge on Trym Road looking up the River Trym). From this location the back of several properties can be seen and the existing outbuilding at 12 Channells Hill. As the existing outbuilding is setback from the river the view from Trym Road is not impacted significantly. However the proposed development will be set above the river and will be highly visible from this location.

As such the development would have a greater impact on the conservation area than the existing outbuilding by virtue of the structure projecting into a space that is more visible from the highway and out of keeping with the character of the surrounding area. As such the development fails to preserve the character and appearance of the conservation area and is contrary to Policies BCS21, BCS22, DM31 and SPD2.

B) WOULD THE PROPOSAL BE ACCEPTABLE IN TERMS OF RESIDENTIAL AMENITY?

Policy BCS21 in the Bristol Core Strategy (2011) advocates that new development should deliver high quality urban design that safeguards the amenity of existing development.

Policy DM26 sets out that development should contribute positively to an area's character. In particular development will be expected to respond appropriately to the height, scale, massing, shape, form and proportion of existing buildings; and reflect the predominant materials and landscape treatments in the area.

Policy DM30 in the Site Allocations and Development Management Policies (2014) also expresses that alterations to buildings should safeguard the amenity of the host premises and neighbouring occupiers and extensions should not be overbearing or result in unacceptable overlooking or loss of privacy.

SPD2 states that extensions should not be overbearing, or result in unacceptable overlooking or loss of privacy. Particular reference is made to balconies not allowing direct overlooking into neighbouring properties or private gardens.

The development would result in a wide deck being erected around two sides of the outbuilding. The nature of a deck is that it would be used by persons to sit for extended periods of time. At its highest point the floor of the deck would be 1.25m about ground level. As a result persons standing or sitting on the structure would be elevated above the ground level of the neighboring properties.

The development would result in overlooking directly two properties. Across the river is the residential property of Trymwood. The decking would look into the rear garden of this property. This property does have a boundary wall that runs along the river and some that does offer some protection to privacy, however due to the elevated position of the deck there would still be some overlooking from the new development.

Development Control Committee B – 24 April 2019
Application No. 18/06522/H : 12 Channells Hill Bristol BS9 3EU

The neighboring residential building at 10 Channells Hill overlooks the river and the main living space is positioned close to the proposed development. While there is a high boundary wall between these two properties this follows the line of the land and drops away as it approaches the river. As such the decking would be positioned above the height of the fence when viewed from the 10 Channells Hill. As such persons sitting on the deck would be able to view directly into the main living space house at 10 Channells Hill.

As such it is considered that the development would create unacceptable overlooking and loss of privacy to neighboring properties, in particular 10 Channells Hill.

RECOMMENDED REFUSE

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

Reason(s)

1. The proposed raised deck to be attached to the pre-existing building would by virtue of its design and prominent location fail to preserve the character and appearance of the conservation area due to its form and prominence from certain vantage points in the public realm, furthermore due to its elevated position and the nature of its use it would result in unacceptable overlooking and loss of privacy to neighbouring properties. The development is therefore contrary to Policies BCS21 and BCS22 of the Core Strategy (Adopted June 2011) and policies DM26, DM30 and DM31 of Site Allocations and Development Management Policies (Adopted July 2014).

Advice(s)

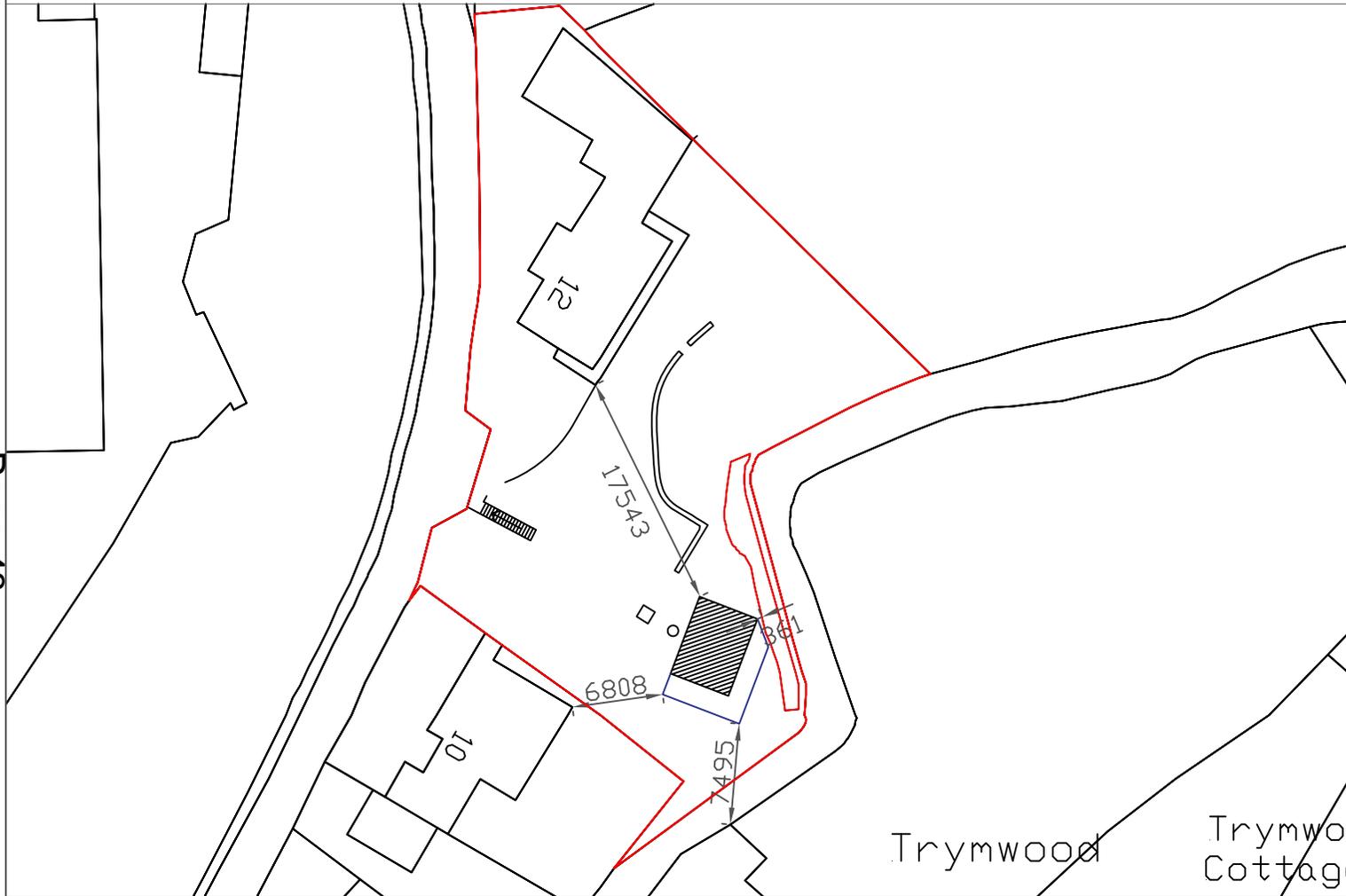
1. Refused Applications Deposited Plans/Documents

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

Block plan, received 7 January 2019
 Deck section, received 7 January 2019
 South east elevation, received 7 January 2019
 Footing plan, received 7 January 2019
 Section, received 7 January 2019

Supporting Documents

2. **12 Channells Hill, Bristol, BS9 3EU**
 1. Block Plan
 2. Deck Section
 3. Footing Plan
 4. South East Elevation
 5. Studio Deck Location Plan
 6. Photographs of site and surrounds

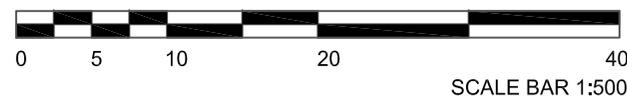


Additional Information:

- Garden Area 1038 sqm
- Outbuilding Area 28.21 sqm
- Decking Area 18.01 sqm

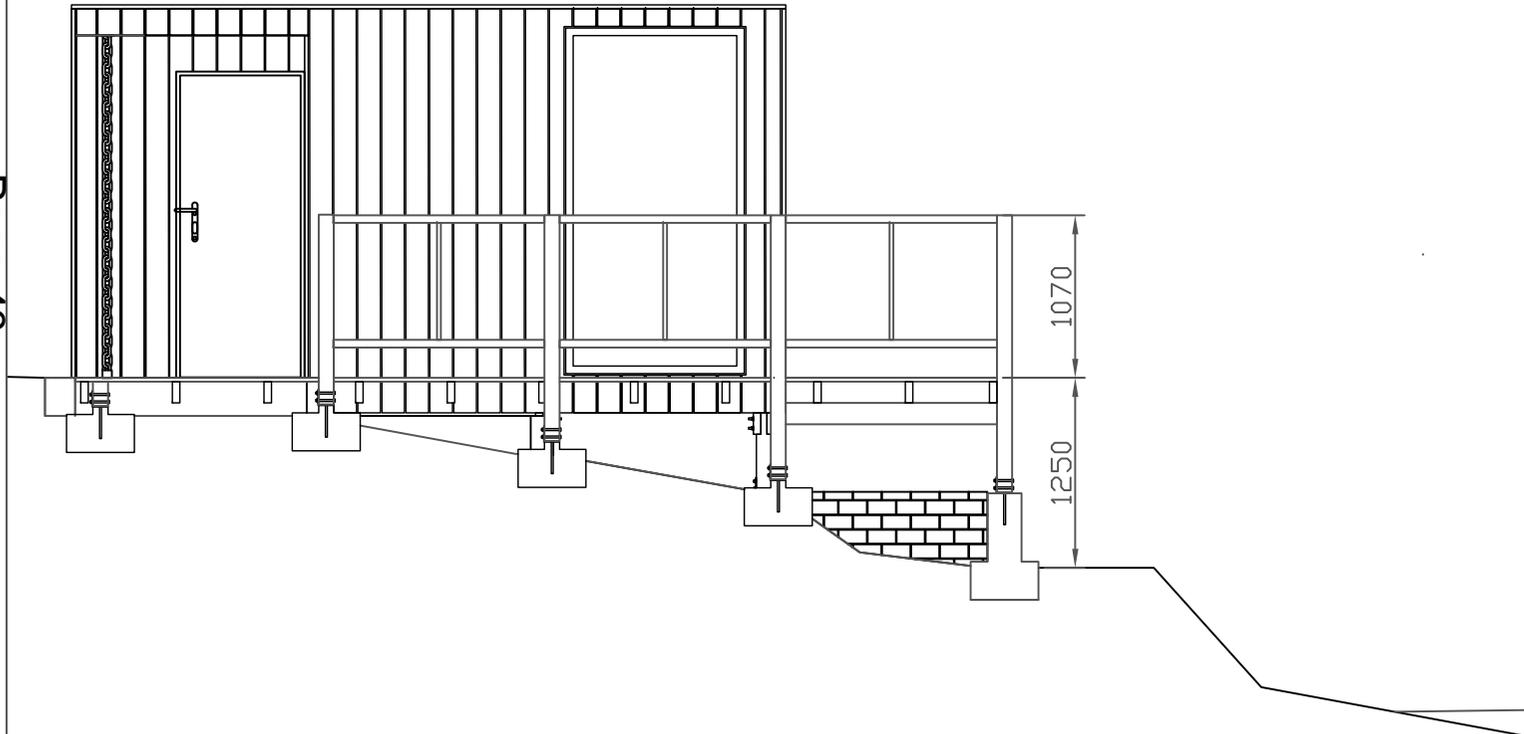
ReQuestAPlan
 Map number: TQRQM17362150155396

Title: River Garden Studio
 Map Produced for: Lloyd Richards Design
 OS Licence number: 0100042766
 Date of Purchase: 28-12-2017
 1 Years subscription from 28-12-2017 for 1 workstation.



Lloyd Richards
 Regenerative
 Garden **Design**

Project: 12 Channel Hill BS9 3EU	
Drawing Title: Block Plan	
Drawing No.: 2 of 5	
Date: 17/10/18	Scale: 1:500 (A4)
Drawn By: Lloyd Richards	



SCALE BAR 1:50

Additional Information:

Lloyd Richards
Regenerative
Garden Design

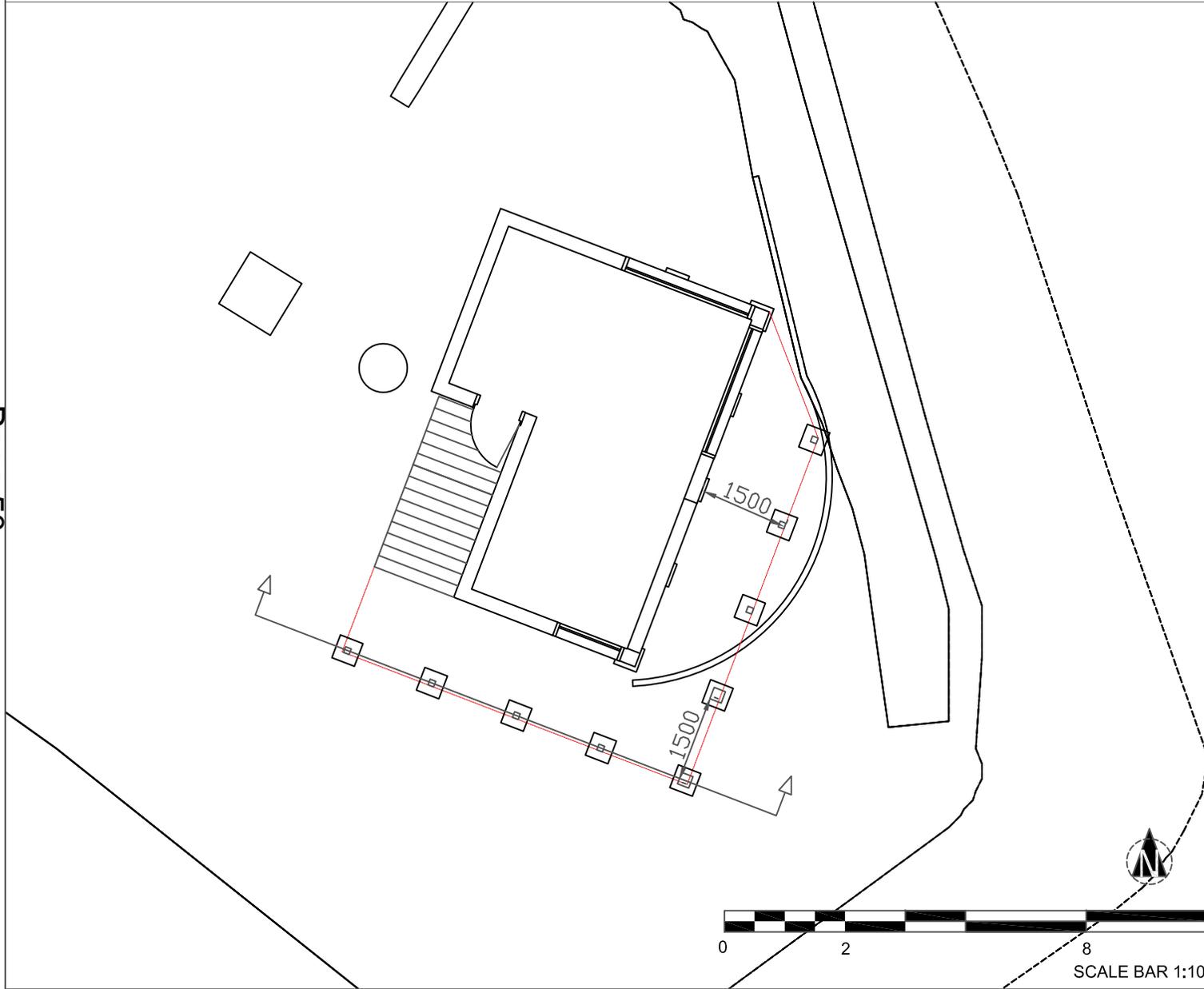
Project: 12 Channel Hill BS9 3EU

Drawing Title: Deck Section

Drawing No.: 5 of 6

Date: 17/10/18 | Scale: 1:50 (A4)

Drawn By: Lloyd Richards



Additional Information:

Footings x9
400x400x250mm
spacing: 1500mm(C)

Posts x9
100x100mm

Beams x18
50x150x1500mm

Deck Deck Area



Deck Section



Lloyd Richards
Regenerative
Garden **Design**

Project: 12 Channel Hill BS9 3EU

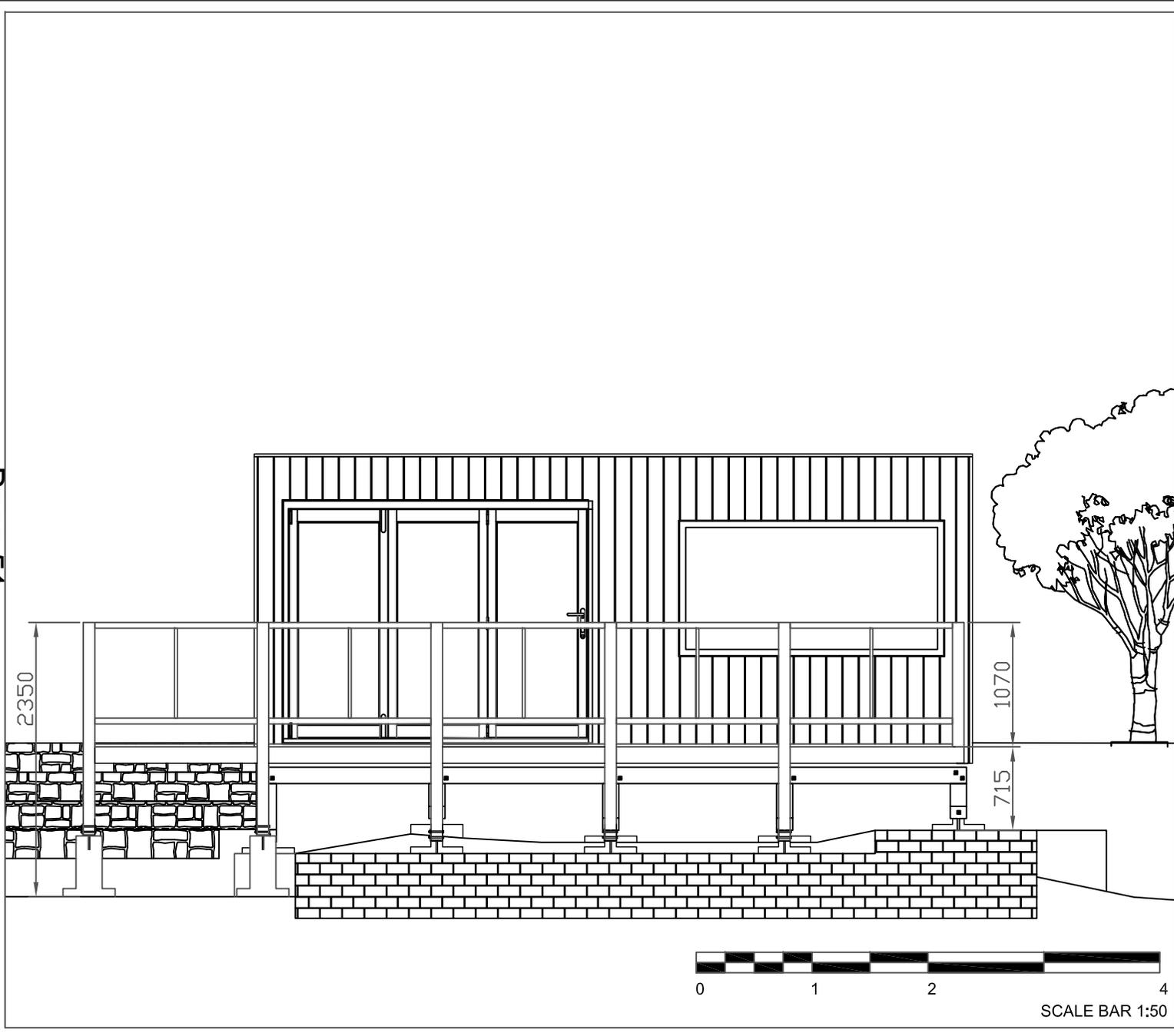
Drawing Title: Footing Plan

Drawing No.: 3 of 6

Date: 17/10/18

Scale: 1:100 (A4)

Drawn By: Lloyd Richards



Additional Information:

Lloyd Richards
Regenerative Design
Garden

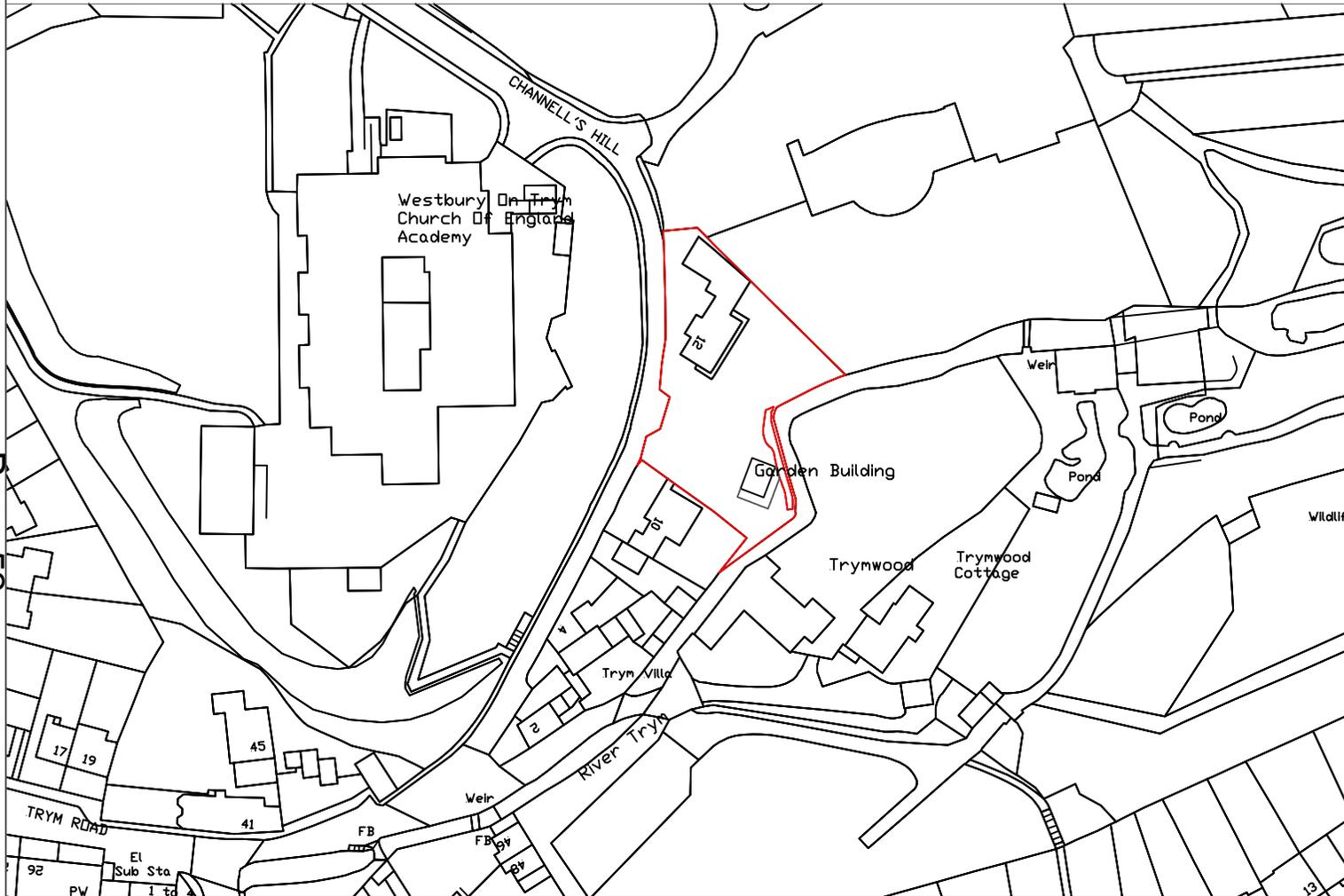
Project: 12 Channel Hill BS9 3EU

Drawing Title: Elevation (SE)

Drawing No.: 4 of 6

Date: 17/10/18 | Scale: 1:50 (A4)

Drawn By: Lloyd Richards



ReQuestAPlan
 Map number: TQRQM18002223120552

Title: BS9 3EU
 Map Produced for: Lloyd Richards Design
 OS Licence number: 0100042766
 Date of Purchase: 02-01-2018
 1 Years subscription from 02-01-2018 for 1 workstation.



SCALE BAR 1:1250



Additional Information:

Lloyd Richards
 Regenerative Design
 Garden

Project: 12 Channel Hill BS9 3EU

Drawing Title: Location Plan

Drawing No.: 1 of 5

Date: 17/103/18 Scale: 1:1250(A4)

Drawn By: Lloyd Richards

Photographs of 12 Channells Hill





View of outbuilding from 12 Channells Hill



View of outbuilding from River looking towards 10 Channells Hill



View from Trymwood (10 Channells Hill in view to left of outbuilding)



View from Garden of 10 Channells Hill



View from inside outbuilding looking towards Trymwood



View from inside outbuilding looking towards Trymwood



View from adj to outbuilding looking towards 10 Channells Hill (taken from existing ground level)



View from rear garden of Trymwood



View from Trymwood garden adj to boundary wall



View from living space 10 Channells Hill



View from Trym Road looking up River Trym

Development Control Committee B – 24 April 2019

ITEM NO. 3

WARD: Hotwells & Harbourside **CONTACT OFFICER:** Anna Schroeder

SITE ADDRESS: 87 - 89 Park Street City Centre Bristol BS1 5PJ

APPLICATION NO: 1. 18/06309/F Full Planning
 2. 18/06642/LA Listed Building Consent (Alter/Extend)

DETERMINATION DEADLINE: 15 February 2019

1. Change of use of the lower ground, ground, ground mezzanine and first floors, from a Restaurant (A3 Use Class) to a mixed use cafe, bar and restaurant, with onsite rum distillery and educational and training facilities (Sui Generis Use Class (comprising classes A3, A4, B1(c) and D1.)

2. Listed building consent for interior alterations.

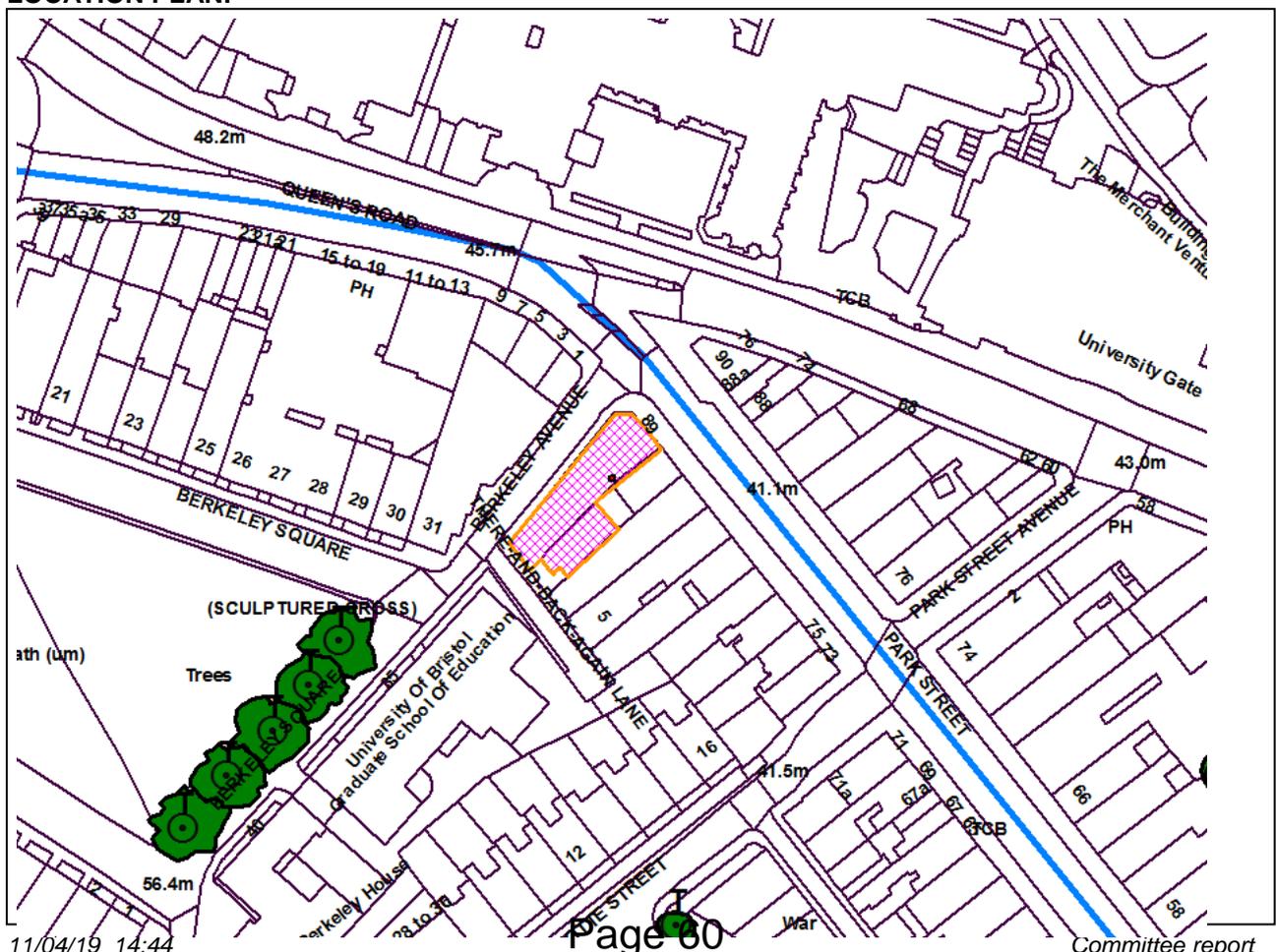
RECOMMENDATION: Grant subject to Condition(s)

AGENT: Planning Potential
 13-14 Orchard Street
 City Centre
 Bristol
 BS1 5EH

APPLICANT: London and Strategic Estates
 Power Road Studios
 114 Power Road
 Chiswick
 London
 W4 5PY

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

LOCATION PLAN:



Development Control Committee B – 24 April 2019
Application No. 18/06309/F : 87 - 89 Park Street City Centre Bristol BS1 5PJ

SUMMARY

The application site comprises a large vacant commercial unit at 87-89 Park Street in the City Centre. The buildings of 87-89 Park Street are both Grade II listed. The site lies within the Queens Road and Park Street primary shopping frontage (PSF) and primary shopping area (PSA). The application seeks the change of use of the unit from a Restaurant (A3 Use Class) to a mixed use cafe, bar and restaurant, with onsite rum distillery and educational and training facilities (Sui Generis Use Class (comprising classes A3, A4, B1(c) and D1.) The application has been referred to Committee on the grounds that the unit is large and prominent and the proposal includes mixed use floorspace including A4 bar use. Amenity issues arising from similar proposals have concerned Committee Members and local residents in the recent past.

The key issues raised by the proposals are the principle of the change of use and the potential impacts on residential and environmental amenity. Other key issues including transport and highway safety and heritage impacts are also assessed.

The application has attracted five comments of support and two neutral comments. No objections have been received to the proposal from local residents or amenity groups. No objections have been received from BCC Pollution Control Team, Transport Development Management or the Conservation Officer, with conditions recommended to ensure the development would be acceptable. No objections to the proposals have been received from Avon and Somerset Police, subject to suitable controls on the operation of the use.

Officers have concluded that, on balance, the change of use is acceptable and in accordance with local plan policies. Given the existing A3 use of the premises as a restaurant there would be no fragmentation or overdominance of the shopping frontage. Potential residential amenity impacts are considered suitably controlled by appropriately worded conditions, including operation in line with the Operational Management Plan and hours of use. Transport, highway safety and heritage impacts are considered acceptable, subject to the recommended conditions. On balance, the proposals are considered consistent with the development plan and approval of the application is recommended, subject to conditions.

SITE DESCRIPTION

The application relates to a commercial unit situated on the corner of Park Street and Berkeley Avenue in the Hotwells and Harbourside ward. The unit occupies the lower ground, ground, upper ground and first floors of the main four storey building of 89 Park Street. The premises extends into 87 Park Street at ground floor mezzanine level with total internal floorspace of some 696 sq.m across the unit. The upper floors of 89 Park Street directly above the commercial unit are in residential use as flats. The commercial unit was most recently occupied as Jamie's Italian Restaurant, following planning and listed building consents granted in 2010. The unit has been vacant for over a year.

The unit lies within the Queen's Road and Park Street primary shopping area (PSA) and primary shopping frontage (PSF), as identified under the Central Area plan (2015). The site lies within the Park Street and Brandon Hill Conservation Area. Both 87 and 89 Park Street are Grade II listed buildings.

The surrounding context is typical of this busy part of the city centre and includes retail, commercial, food and drink, educational and residential uses. A land use survey (dated 28/11/2018) within the PSA has been provided by the applicant and is included as a supporting document to this report.

Development Control Committee B – 24 April 2019
Application No. 18/06309/F : 87 - 89 Park Street City Centre Bristol BS1 5PJ

APPLICATION

Planning permission is sought for Change of use of the lower ground, ground, ground mezzanine and first floors, from a Restaurant (A3 Use Class) to a mixed use cafe, bar and restaurant, with onsite rum distillery and educational and training facilities (Sui Generis Use Class (comprising classes A3, A4, B1(c) and D1.) The application has been submitted alongside an application for Listed Building Consent under 18/06642/LA for internal alterations.

Opening hours are proposed as:

06:00 - 00.30 Monday to Saturday
06:00 - 23:00 Sundays and Bank Holidays

The Planning Statement confirms key features of the proposals would include

4.5 Public access would only be permitted to the restaurant / bar areas on the lower ground, ground and ground mezzanine levels. The first floor, previously used for dining and private dining by Jamie's Italian, is to be used for organised industry training and customer workshops only.

4.6 Refreshments and table meals, including freshly prepared hot and cold food, will be available from 09:30am to midnight throughout the premises.

4.7 There will be no dance floor at the premises.

4.8 Music will be of an ambient nature, conducive to conversation.

4.9 The premises will include enclosed spirit stills at prominent locations on the ground and first floors, these do not generate any noticeable levels of noise or vibration.

Refuse and recycling is proposed stored in the refuse store area previously approved under 10/00764/F, with access from There and Back Again Lane.

Application documents include a Noise Assessment, Planning Statement, Use Survey, Operational Management Plan and Servicing and Delivery plan.

RELEVANT HISTORY

10/02149/X Variation of condition 2 attached to planning permission (ref. 10/00764/F) to allow the A3 use permitted, together with the servicing associated with it, to take place between 0600 to 0200 on Mondays to Saturdays, 0600 on Saturdays to 0200 on Sunday mornings, and 0600 to 2300 on Sundays and Bank Holidays. GRANTED subject to conditions.

10/01281/F Two additional flats (1 no. at third floor level and 1 no. at roof level) - amendment to consent granted under app. no. 08/04365/F for 7no. flats at second, third and roof levels. GRANTED subject to conditions.

10/00763/LA Internal and external alterations, relating to proposed change of use of ground, upper ground and first floors from retail to restaurant and cafe. GRANTED subject to conditions.

10/00764/F Change of use from A1 retail to A3 restaurant and cafe use at ground, upper ground and first floors only, and associated external alterations. GRANTED subject to conditions.

08/04365/F Change of use of upper floors above existing retail unit to provide 7no. self-contained flats, two flats to be provided with roof terraces. GRANTED subject to conditions.

Development Control Committee B – 24 April 2019
Application No. 18/06309/F : 87 - 89 Park Street City Centre Bristol BS1 5PJ

08/01337/LA Internal and external alterations in connection with conversion of 2nd and 3rd floors and roof space into 7no. self-contained flats. GRANTED subject to conditions.

RESPONSE TO PUBLICITY AND CONSULTATION (summarised by case officer)

Application advertised in press and on site notice. Forty one neighbouring properties have been consulted by letter. The application has attracted seven representations including 5 comments in support and 2 neutral comments. No objections to the proposals have been received.

Neutral comments

Bristol Civic Society have commented as follows;
Bristol Civic Society has no objection to the principle of the proposed development. The Society, however, requests that the Council should be satisfied that there would be no unacceptable odours emanating from the process which would harm the amenity of nearby residents and passers-by before granting permission. (Case Officer note - See conditions recommended on Odour management)

Local resident

Comment that the council should be satisfied that noise from music and customers will not impact on local residents.

Support comments

The Conservation Advisory Panel have commented as follows;
Whilst the Panel supports the principal of the proposal, the bin storage area is not considered to be sufficient in size. This needs to be reviewed and amended before the application is determined. (Case Officer note - See conditions recommended regarding refuse collection schedule.)

Other comments in support include the following benefits arising from the development ;

- The proposals would add to the attractiveness of the area and bring in something completely new to Bristol
- The proposal would complement existing businesses and add to the vibrancy and vitality of the area.
- This property is a key landmark building at the top end of Park Street, occupation of the vacant premises is welcomed.

Bristol City Centre BID have commented in support of the joint application for Listed Building Consent 18/06642/LA. As the comments raise land use rather than listed building issues they are considered more relevant to the application for planning consent and provided on this basis,.

The City Centre BID wholeheartedly supports this application. This is a key site in a prime retail/ leisure area of the city centre and the change of use will facilitate a great new use of the property. This change will add significantly to the offer of the area and the educational and training aspect is particularly attractive as part of the overall offer.

INTERNAL CONSULTEES (summarised by case officer)

BCC Pollution Control have been consulted and commented as follows:-
No objections raised, subject to conditions. See Key Issue B.

Avon and Somerset Police have been consulted and commented as follows:-
No objections raised, subject to conditions. See Key Issue B.

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The Conservation Officer has been consulted and commented as follows:-

No objections raised, subject to conditions. See Key Issue C.

Transport Development Management (TDM) have been consulted and commented as follows:-

No objections raised, subject to conditions. See Key Issue D.

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 and the Hengrove and Whitchurch Neighbourhood Development Plan 2019.

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?**

Policy background.

A number of local plan policies are relevant in assessment of change of use applications with primary shopping frontages. Policy BCS7 relates to town centre uses and retailing. The policy instructs that retail uses will predominate in the designated primary shopping areas of the city and confirms that uses which contribute to maintaining the vitality, viability and diversity of centres will be encouraged. BCAP13 and 16 identify Queen's Road and Park Street as the second most significant Primary Shopping Area after the Bristol Shopping Quarter.

BCAP16 instructs that selective change of use within primary frontages in the city centre, to cafés, restaurants, pubs or bars (Use Classes A3 and A4) or other appropriate leisure uses will be acceptable subject to meeting the identified criteria and providing the dominant shopping character of the primary frontage is maintained.

BCAP 16 criteria;

- i. The proposed use would make a positive contribution to the vitality and viability of the Primary Shopping Frontage and the city centre as a whole; and
- ii. The proposed use would not dominate or fragment the Primary Shopping Frontage as a result of its scale, by creating a significant break in the retail frontage or by resulting in a harmful loss of retail floorspace; and
- iii. The proposed use would be compatible with a retail area in that it includes a shopfront with a display function and would be immediately accessible to the public from the street.

Assessment

i) The lawful use of the premises is a restaurant and as such, the application presents no loss of retail from the PSF or PSA. Opening hours of the premises and the nature of the operation would help ensure both daytime and evening use remain (hours sought are similar to the established lawful use) and in line with surrounding businesses. Occupancy of this prominent vacant unit is welcomed and on balance, and subject to the restrictive conditions, the unique mixed use venue is considered likely to make a positive contribution to the vitality, viability and diversity of the PSF and PSA as a whole.

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ii) Given the lawful use of the premises as a restaurant, the proposal would not create a significant break in the retail frontage or result in a harmful loss of retail floorspace. The change of use to a mixed use food and drink venue (comprising A3, A4, B1c and D2 floorspace) would not be overdominant or lead to greater fragmentation of the PSF, compared with the lawful use. In addition, when standing outside the site, retail uses are visible and close by and so the proposed use would continue to be seen in a retail/mixed use setting.

iii) No external alterations are proposed. The fully glazed shopfront would continue to provide visual interest as an active frontage.

For the above reasons it is concluded that the proposal would not have an adverse impact on the retail character of the primary frontage and that the proposal would be compliant with policies BCS7, BCAP13 and BCAP16. No objections are raised on land use grounds, subject to review of other Key Issues below.

(B) WOULD THE PROPOSED DEVELOPMENT SAFEGUARD THE AMENITY OF NEIGHBOURING OCCUPIERS?

Policy DM10 relates to food and drink uses and the evening economy. The policy outlines that development of food and drink uses will be acceptable provided that they would not harm the character of the area, residential amenity and/or public safety, either individually or cumulatively. Proposals which would result in a harmful concentration of food and drink uses will not be permitted. In order to assess the impact of food and drink proposals on an area the following matters will be taken into account:

- i. The number, distribution and proximity of other food and drink uses, including those with unimplemented planning permission; and
- ii. The impacts of noise and general disturbance, fumes, smells, litter and late night activity, including those impacts arising from the use of external areas; and
- iii. The availability of public transport, parking and servicing; and
- iv. Highway safety; and
- v. The availability of refuse storage and disposal facilities; and
- vi. The appearance of any associated extensions, flues and installations.

The application has been carefully considered against these criteria, taking into account the views of the pollution control team and the police.

- i. The number, distribution and proximity of other food and drink uses, including those with unimplemented planning permission;

The applicant has provided a land use survey of Park Street and Queens Road in support of the application (dated 28/11/18). The unit adjoins three food and drink café/ restaurants to the south, with a strong retail presence on the parade opposite the site and a bookshop opposite on the corner of Queens Road and Berkeley Avenue. The wider area includes many other licenced food and drink uses and is a popular food and drink and late night destination. The nearest large A4 drinking venues are identified as The Berkeley public house (15-19 Queens Road) and Browns (38 Queens Road). The unit is some distance from these venues and there are no premises in use as drinking venues within the parade of units between Berkeley Avenue and Charlotte Street. Given its lawful use as a restaurant, the change to allow a mixed use as proposed is not considered objectionable on the grounds of number, proximity and distribution of other food and drink uses nearby.

- ii. The impacts of noise and general disturbance, fumes, smells, litter and late night activity, including those impacts arising from the use of external areas;

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Noise and general disturbance.

The application supporting documents include a noise report on the proposed use that identifies the site location as a busy area with a large number of A3 and A4 nearby. The report observes that the existing noise climate is dominated by road traffic and significant pedestrian activity continues until the early hours of the morning. The closest residential occupiers are identified above the unit on the second floor and predicted noise levels arising from the use have been modelled.

The noise report identifies potential noise issues that could arise in terms of noise outbreak from within the unit and noise associated with the outdoor smoking area anticipated on Park Street and dispersal at closing time. Noise from mechanical plant has also been assessed.

In terms of noise outbreak from within the unit, the report concludes that the first floor areas comprising industry training/ workshop uses are expected to generate lower noise levels than the previous restaurant use. Sound insulation between the first and second floors of the building was conditioned and installed under previous application 10/00764/F and this acoustic ceiling/floor is assessed in the report as 'more than adequate to protect residential amenity above.'

Predicted noise levels for the smoking area on Park Street have been modelled in terms of background noise levels extending through the evening and beyond the proposed opening hours, assumed capacity of the smoking area and distance from the nearest residential window and found to be acceptable with no perceptible increase in noise level identified as likely to occur. The Operational Management Plan confirms door staff would be present to supervise the smoking area to ensure appropriate behaviour of customers.

The noise report concludes that noise from customers at dispersal would be unlikely to cause noise disturbance to local residents given the location of the unit, background noise levels and general pedestrian activity levels and movement patterns already experienced in this part of Park Street at the requested closing time of the premises. The Operational Management Plan outlines a number of measures to address potential noise issues at closing time, including the presence, supervision and dispersal by security staff, CCTV system, and allowance for inside waiting for customers who have ordered a cab.

Existing mechanical plant at the premises is proposed retained, and the noise report advises that plant noise will comply with a condition requiring it to be 5 dB below the background noise level.

BCC Pollution control officers have reviewed the application documents including the noise report and operational management plan. The pollution control officer has agreed with the findings of the acoustic report that the first floor would generate lower noise levels than the previous restaurant and act as a useful 'buffer' to the flats above. The suggested noise limiting condition for the mechanical plant is noted as a more stringent requirement than the 0 dB below background noise level required by the permission for the restaurant use, with no objections raised on this point.

In terms of noise from customers leaving the premises, the pollution control officer has commented;

Under this application the capacity for the premises will reduce from 240 to 220 customers. The opening hours for this planning permission, until 00.30 Monday to Saturday are also less than the 02.00 permitted for the restaurant use. These hours are the proposed hours as the same as the hours permitted under the premises licence and therefore due to the numbers of customer being reduced and the opening hours being the same or less I find it hard to be able to show that there will be any increase in noise when customers leave particularly as noise levels in the area are already high largely due to road traffic and pedestrians.

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According to the Operational Management Plan security staff will be sited at the entrance to the premises after 8 pm and will be able to deal with the control of customers in the outside smoking area and when they leave the premises.

The acoustic report makes recommendations as to the management of the premises, including the control of music levels. The applicant will have to apply for a premises licence for the use required under this permission and further conditions/controls regarding the supervision, management and what activities can be carried out will be required under the premises licence.

I therefore have no objection to this application but would ask for the following conditions should the application be approved...(conditions recommended as detailed below (requiring/retaining sound insulation/noise mitigation, Odour Management Plan, Operational Management Plan, noise from plant & equipment, Hours of operation and hours of servicing and deliveries.)

The Police have also commented on the application in terms of likely impacts arising from disturbance associated with the use and public safety considerations. The police comments acknowledge -

"This application relates to premises in the centre of Bristol's York's Cumulative Impact Area (CIA).An area which the Council has identified as being under stress from crime and disorder and public nuisance in its Statement of Licensing Policy. The location of the premises is on Park Street, covering 3 floors it lies within a "hotspot zone" surrounded by a number of existing licensed premises."

The police advice confirms that the agents have met with them to discuss the proposals, including presentation of internal layout and the operational management plan and that the proposed mixed use of the premises would be considered an appropriate exception to the CIA ;

"I feel the applicant has provided information as to why this application should be considered to be an exception to the CIA policy and the applicant has demonstrated how, if they are to be issued a premises licence within the CIA, how they would actively promote the licensing objectives. This application only seeks to provide an exciting destination in Bristol offering different experience for visitors. Therefore I have no objections if items discussed at the meeting with Sarah on behalf of her client are put in place."

The specialist views of the police and the Council's Pollution Control officer have been taken into account, as well as the scale of unit, projected capacity and internal layout. On balance, it is considered that the proposal would not have a significantly adverse impact on the noise environment and levels of activity and disturbance such that would cause detriment to the residential amenity of the area. Conditions are recommended to secure the operation of the premises in line with the Operational Management Plan and in line with the measures recommended by the pollution control officer including restraint on hours of operation, servicing and deliveries and noise mitigation. The nature of the mixed use as a sui generis land use and demarcated floorplans would help ensure that any material change in the operation of the venue towards a sole A4 use would require further consideration via the planning process.

Fumes and Smells

No additional extract equipment is proposed under the application; an Odour Management Plan is sought via condition.

Litter

Refuse and recycling provision would remain as per the use of the premises as a restaurant, with an allocated refuse store shown on plans provided to the rear of the unit. On street litter from the use is unlikely to be problematic. The servicing and delivery strategy does not refer to anticipated collection details and further details of refuse/ recycling collection arrangements are therefore sought via a

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suitable condition to ensure that these are appropriate, given the refuse and recycling likely to be generated by the new use.

External Areas

The nature of the premises precludes provision of an external seating area. Potential noise issues arising from use of the anticipated smoking area on Park Street are addressed above.

iii. The availability of public transport, parking and servicing; see Key Issue (D) Highways and Movement.

iv. Highway safety; see Key Issue (D) Highways and Movement.

v. The availability of refuse storage and disposal facilities; see Key Issue (D) Highways and Movement.

vi. The appearance of any associated extensions, flues and installations.
No additional extensions, flues or installations are proposed.

To conclude on this issue, for the reasons set out above, the proposals are considered consistent with Policy DM10. The change of use (to a mixed use cafe, bar and restaurant, with onsite rum distillery and educational and training facilities) would not, on balance, harm the character of the area, residential amenity and/or public safety, either individually or cumulatively taking into account surrounding land uses and the existing lawful use of the site.

C) WOULD THE PROPOSED DEVELOPMENT PRESERVE THE LISTED BUILDING OR ANY FEATURES OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST WHICH IT POSSESSES AND WOULD THE CONSERVATION AREA SETTING OF THE BUILDING BE PRESERVED?

Heritage impacts.

The site lies within the Park Street And Brandon Hill Conservation area. The buildings of 87 and 89 Park Street are Grade II listed, as are a significant number of buildings adjacent and opposite the site. These assets are designated heritage assets as defined within the NPPF. A Heritage Statement has been provided by the applicant.

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.

No external alterations are proposed to the building and the development would therefore cause no adverse impacts to the character and appearance of the Conservation Area or the external appearance and significance of the listed building. The external hoardings that currently protect the glazed frontage would be removed on occupation and this is welcomed as a positive improvement to the appearance of the listed building and the contribution it makes to the Conservation Area.

Internal alterations are considered under accompanying application for Listed Building Consent 18/06642/LA.

Overall, considerable weight and importance has been given to any harm resulting from the proposal in terms of the impact on the special interest of the listed building and its setting and the character and appearance of the Park Street and Brandon Hill Conservation Area. The proposal would preserve the

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listed building, its features of special architectural and historic interest and its setting; and the character and appearance of the Park Street and Brandon Hill Conservation Area in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the National Planning Policy Framework and local policies BCS22 of the Bristol Core Strategy and DM31 of the adopted Site Allocations and Development Management Policies.

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

The Servicing and Delivery statement confirms that the existing arrangements for the restaurant would be retained, with all servicing and deliveries via the existing access to the rear of the premises utilising There and Back Again Lane.

Transport Development Management (TDM) have reviewed the proposals and advised that deliveries should be made on Berkeley Avenue, due to concerns that delivery vehicles could stop on Park Street adjacent to the site and this could affect highway safety, with vehicles travelling in a northerly direction at risk of crossing over the centreline, potentially into the path of oncoming traffic. Extension of the current no-loading ban in operation on Park Street (from 8am to 9.15am and 4.45pm to 6pm Monday to Friday) to an all-day no loading ban was considered, with TDM initially seeking to secure these measures via a traffic regulation order (TRO) and payment of a planning obligation (via a unilateral undertaking).

Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. On balance, officers consider that the issues identified are not additional risks that would arise as a consequence of the proposed development. The identified hazard could be present if the proposal was not implemented and the premises remained as a restaurant. This has been acknowledged by TDM and overall, no objections are maintained on highway safety grounds, subject to conditions securing servicing and delivery arrangements to the premises.

CONCLUSION

Officers have taken into account the scale of the use and characteristics of the proposal in terms of likely impacts on residential amenity and the character of the area. It is recognised that the Park Street/ Queens Road and Triangle area is a popular evening and late night destination and that noise and disturbance issues from alcohol related late night venues have caused significant concerns to local residents in this area in the past. Against this background, the lack of objections from the police, BCC pollution control officers, local residents or local amenity groups to this specific proposal are noted and given weight. On balance, and with the proviso of conditions and plans demarcating the internal layout in terms of the split of uses within the premises and securing the Operational Management Plan, it is considered that the impacts of the mixed use restaurant/bar/distillery/educational and training facility can be sufficiently mitigated so as to avoid harm to the amenity of nearby residents. For the reasons given in the report, the proposals are considered consistent with the development plan and approval of the application is therefore recommended, subject to conditions.

EQUALITIES ASSESSMENT

During the determination of this application due regard has been given to the impact of the proposal in relation to the Equalities Act 2010 in terms of impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication or evidence that different groups have or would have different needs, experiences, issues and priorities in relation to this particular proposal. Overall, it is considered that neither the approval nor refusal of

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this application would have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

CIL

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

RECOMMENDED GRANT subject to condition(s)

Time limit for commencement of development

1. Full Planning Permission

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

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

Pre occupation condition(s)

2. Sound insulation.

The existing sound insulation between the first and second floors of the building shall remain in place and be permanently maintained.

Reason: To safeguard the amenity of the residential units above the site and to protect the general environment.

3. Odour Management Plan - kitchen extract

Further details comprising an Odour Management Plan must be submitted to and approved in writing, by the Council, prior to operation of the use. The plan shall set out extraction system cleaning and maintenance, filter replacement policies and mitigation measures to be taken should an odour nuisance be established.

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

4. 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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Post occupation management

5. Noise from plant & equipment affecting residential

The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB below the background level at any time at 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: To safeguard the amenity of nearby residents and the area generally.

6. Hours of Servicing/Delivery

No vehicles may arrive or depart, be loaded or unloaded at or from the site for the purpose of deliveries or the collection of refuse (including disposal and collection of bottles/glass), outside the hours of 2000 and 0700 on Monday to Saturday and not at all on Sundays or Bank Holidays.

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

7. Hours of operation

The premises shall only be open to the public between 06.00 to 00.30 Monday to Saturday and 06:00 to 23:00 Sundays and Bank Holidays

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

8. Operational Management Plan

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

Reason: In accordance with the application and to safeguard the amenity of nearby residents and the area generally.

List of approved plans

9. 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.

1814.01 Existing block plan, received 21 December 2018

1814.02 Existing lower ground floor, received 21 December 2018

1814.03 Existing ground floor plan, received 21 December 2018

1814.04 Existing first floor plan, received 21 December 2018

Location plan, received 21 December 2018

Proposed first and ground floor plans - (final version and date of receipt to be confirmed on the Amendment Sheet).

Operational Management Plan received 21 February 2019

Reason: For the avoidance of doubt.

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Advices

- 1 Application for advertisement consent needed: You are reminded of the need to obtain separate consent under the Town and Country Planning (Control of Advertisements) Regulations 1992 for any advertisements requiring express consent which you may wish to display on these premises.

commdelgranted
V1.0211

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SUMMARY

The application site comprises a large vacant commercial unit at 87-89 Park Street in the City Centre. The buildings of 87-89 Park Street are both Grade II listed.

Listed Building consent is sought for internal alterations associated with the change of use of the premises proposed under application 18/06309/F.

The Conservation Officer has inspected the site and raised no objections to the proposals, subject to conditions. The application would comply with relevant national and local planning policies regarding heritage assets and their protection. Approval of the application is therefore recommended, subject to conditions for the reasons detailed within the report.

SITE DESCRIPTION

See accompanying report for application 18/06309/F.

APPLICATION

The buildings of 89 and 87 Park Street are both Grade II listed. Listed building consent is sought for internal alterations in association with application for Planning permission under 18/06309/F for a change of use of the premises from a Restaurant (A3 Use Class) to a mixed use cafe, bar and restaurant, with onsite rum distillery and educational and training facilities (Sui Generis Use Class (comprising classes A3, A4, B1(c) and D1.))

The application is accompanied by a Heritage Statement that confirms that the architectural and historic interest of the building lies primarily in the façade of the building, with extensive interior alterations required following bomb damage during the Second World War and later addition of a large modern extension to the rear of the building.

The proposed works are detailed in the Heritage Statement and include provision of a new internal fit out that would include new partitions, bar counters and kitchen and installation of rum stills within protective glazed enclosures. The potential for some floor strengthening works is identified in the plans and Heritage Statement.

PLANNING HISTORY

See accompanying report for application 18/06309/F.

PUBLICITY AND CONSULTATION

The application has been publicised by site and press notice and neighbouring properties have been notified.

Two representations in support have been received on behalf of the Conservation Advisory Panel and the Bristol Business Improvement District.

The Conservation Officer has been consulted on the application and has inspected the site. No in principle objections have been raised, subject to appropriate conditions including revision of plans to omit ceiling works to the first floor and receipt of further details should floor strengthening works be required.

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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 and the Hengrove and Whitchurch Neighbourhood Development Plan 2019.

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 PROPOSED DEVELOPMENT PRESERVE THE LISTED BUILDING OR ITS SETTING OR ANY FEATURES OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST WHICH IT POSSESSES?

Policy BCS22 of the Bristol Core Strategy requires development to safeguard or enhance heritage assets including statutory listed buildings. Policy DM31 of the Bristol Local Plan- Site Allocations and Development Management Policies (SADMP) document states that proposals affecting statutory 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 NPPF requires that the particular significance of heritage assets and degree of harm from development is identified and that conservation of assets is given significant weight. Any adverse impacts identified must be balanced against identified public benefits arising from the proposals.

Exterior works.

No external alterations are proposed to the building and the development would therefore cause no adverse impacts to the significance of the exterior facade of 89 Park Street. The external hoardings that currently protect the glazed frontage would be removed on occupation and this is welcomed as a positive improvement to the appearance of the listed building, which contributes to the setting of 87 Park Street adjacent.

Internal alterations.

The Conservation Officer has raised no in principle objections to the application proposals. The risk of harm to historic fabric and features, (window head reveals and mouldings) at first floor front room level has been removed with the agent confirming that ceiling works are no longer required. Revised plans confirming this to be submitted in advance of the Committee meeting and confirmed via the Amendment sheet.

The existing plan form of 89 Park Street will remain with little intervention, with the main change on the mezzanine level being insertion of a new bar and creation of a new kitchen. On the first floor a new glass screen is proposed in the existing opening between the new rum school and the bar school (between the original building and the extension). The glass screen would ensure that there is no solid physical separation and the works would be fully reversible.

The installation of the rum stills contained within protective glass boxes on the ground floor at the front could require structural strengthening works. Should this be the case, further details and a method statement are sought via condition to ensure the acceptability of detail and impacts on any historic fabric discovered during the course of internal works. The internal works including provision of new counters and serveries are considered reversible in nature and of similar impacts to the internal

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fittings approved under the previous application for Listed Building Consent 10/00763/LA.

Overall, considerable weight and importance has been given to any harm resulting from the proposal in terms of the impact on the significance of the listed buildings and their setting. The interventions under the application are considered acceptable and on balance, subject to conditions it is considered that proposal would preserve the listed buildings, their features of special architectural and historic interest and setting in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the National Planning Policy Framework and local policies BCS22 of the Bristol Core Strategy and DM31 of the adopted Site Allocations and Development Management Policies.

RECOMMENDED GRANT subject to condition(s)

Time limit for commencement of development

1. Listed Building Consent or Conservation Area Consent

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

Reason: As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Act 2004.

Pre occupation condition(s)

2. Further details of floor strengthening works required before relevant element started

A detailed method statement 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) Floor strengthening works

Reason: In the interests of conservation of the Listed Building.

3. Internal features

All existing internal decoration features, including any 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.

4. 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.

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List of approved plans

5. List of approved plans and drawings

The development shall be carried out in accordance with the plans and details as listed below, unless the Local Planning Authority and the developer agree otherwise in writing.

Site location plan, received 21 December 2018

1814.01 Existing block plan, received 21 December 2018

1814.02 Existing lower ground floor plan, received 21 December 2018

1814.03 Existing ground floor plan, received 21 December 2018

3826-02 Proposed plans (final version to be confirmed on the Amendment Sheet)

3826-03 Existing basement plan, received 21 December 2018

1814.04 Existing first floor plan, received 21 December 2018

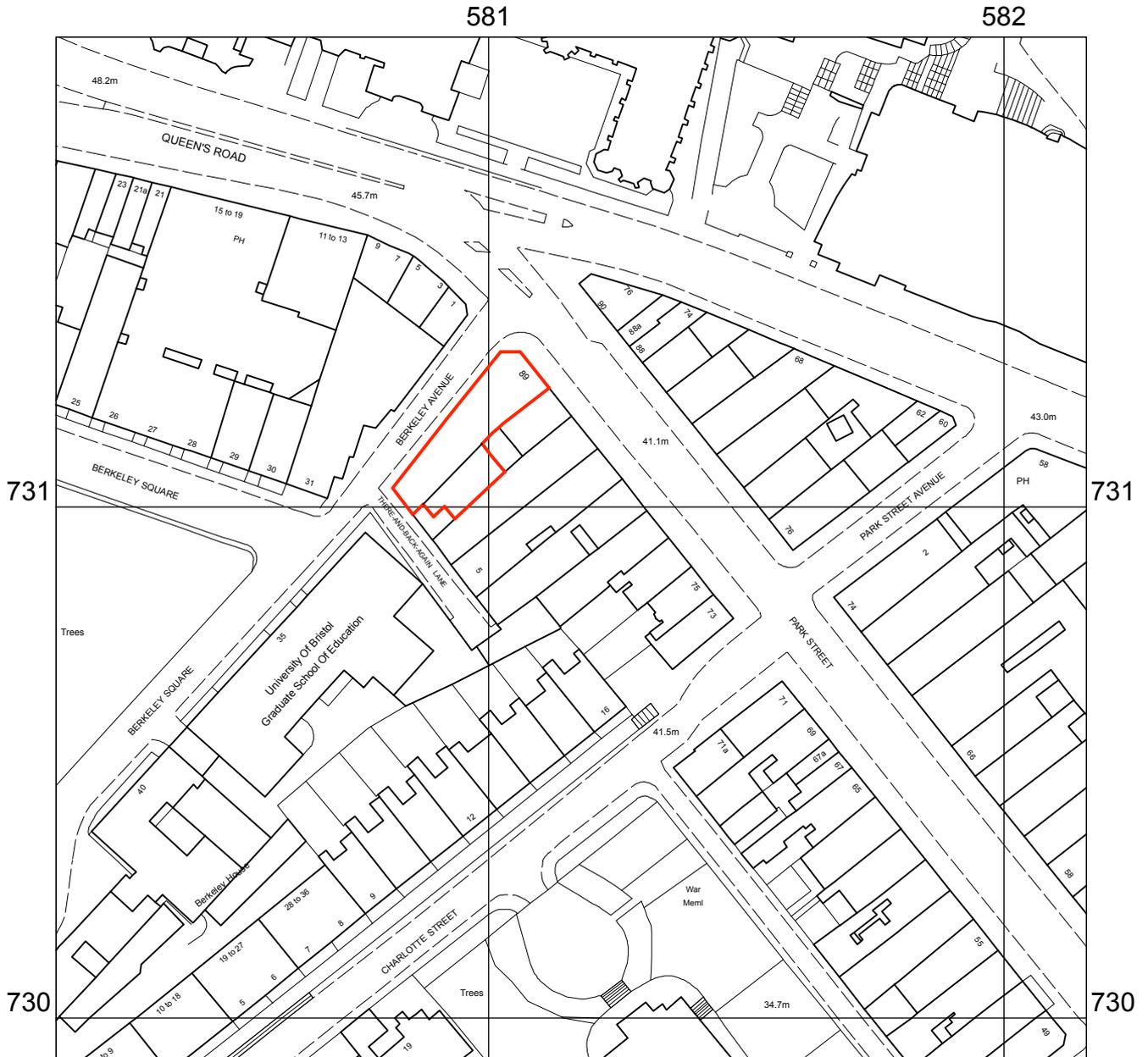
Reason: For the avoidance of doubt.

commdelgranted
V1.0211

Supporting Documents

3. **87 – 89 Park Street, City Centre, Bristol, BS1 5PJ**
 1. Location Plan
 2. Proposed Plans
 3. Bristol – Park St and Queens Road Use Class Survey
 4. Operational Management Plan

89 PARK STREET BRISTOL

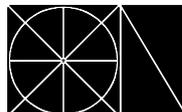


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Location Plan 1:1250

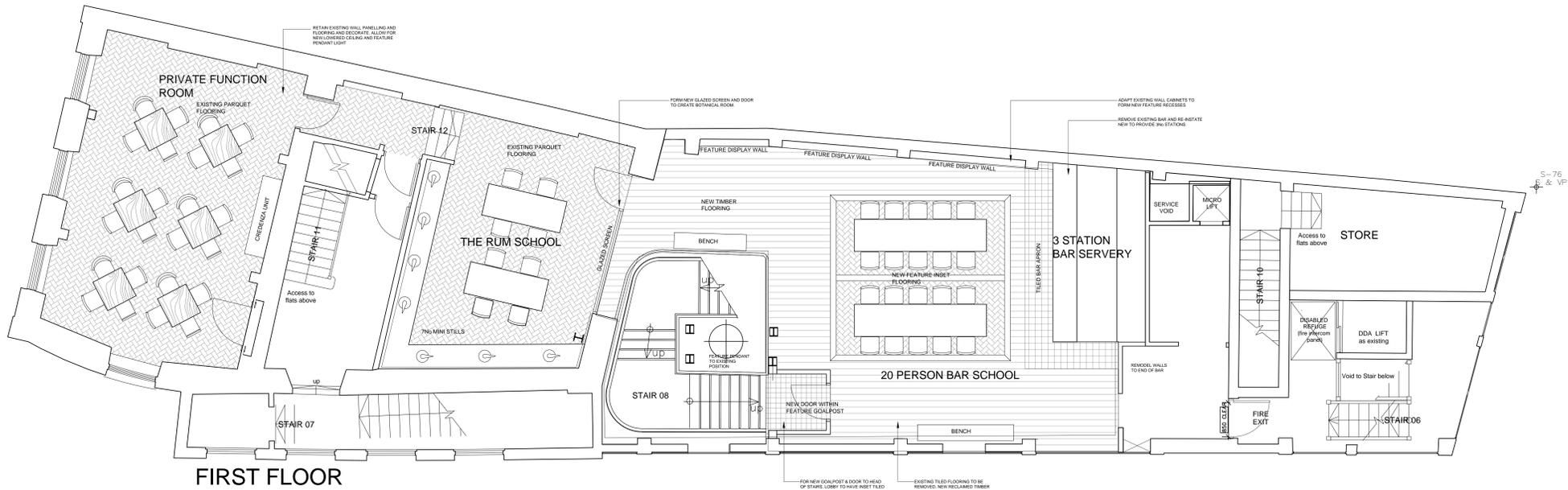


QUENTIN ALDER ARCHITECTS

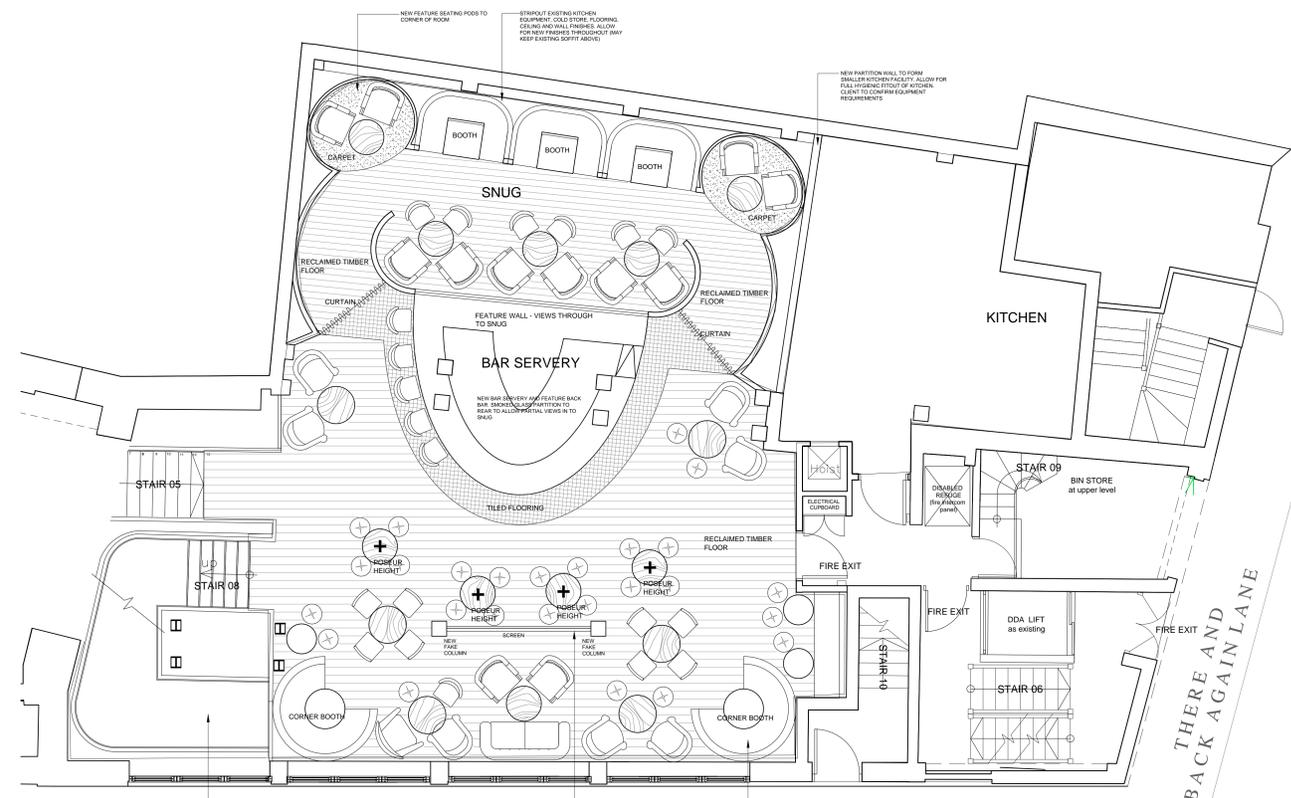


The Undercroft, 6 Church Road, Sneyd Park, Bristol BS9 1JU

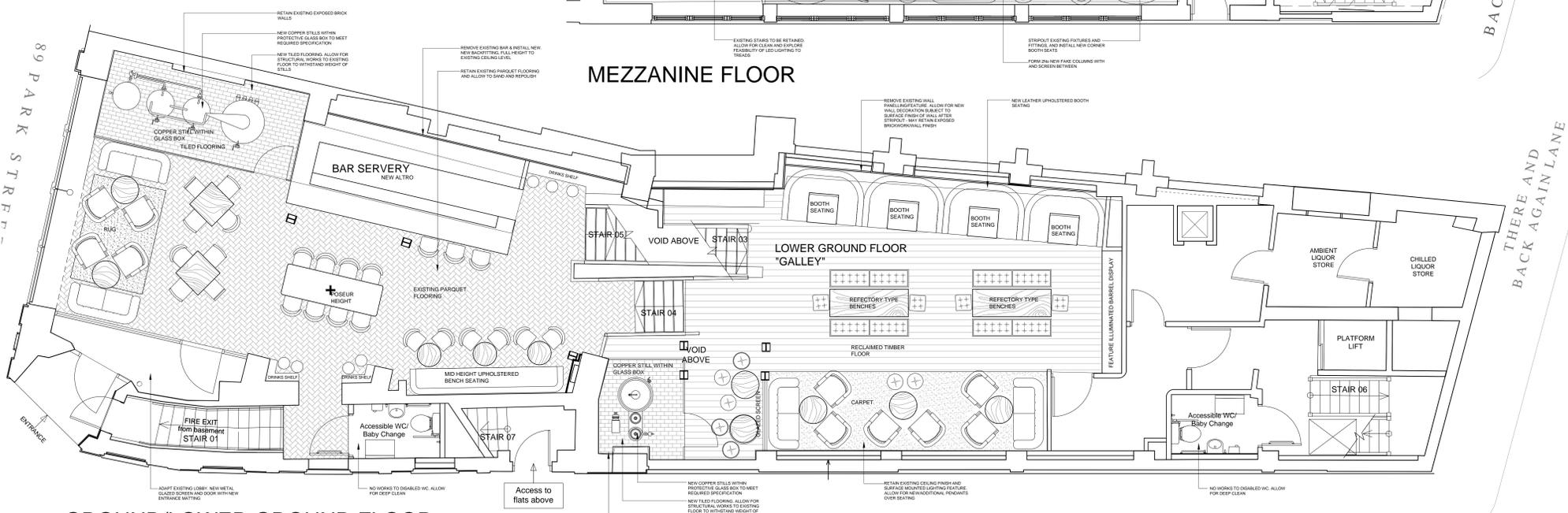
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FIRST FLOOR



MEZZANINE FLOOR



GROUND/LOWER GROUND FLOOR

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 All works must be carried out in strict accordance with all Local Authority, British & European Standards. If in doubt, it is the responsibility of the contractor to contact all relevant parties.
 Under the guidance of CDM 2015, the designer will not commence work in relation to a project unless satisfied that the client is aware of their duties, duly advised and obligated to them under these regulations. This drawing provides Fusion by Design Ltd, from the role of Principal Designer unless otherwise contractually engaged.

Revision



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Client: **HALEWOOD**
 Job Title: **THE BRISTOL & BATH RUM DISTILLERY**
 Drawing Title: **PROPOSED PLANS**

Scale: 1:50 @ A0	Drawing No:	Revision:
Date: NOV 18	3826-02	
Drawn by: CI		

Legend

- 87-89 Park Street
- A1 Shops
- A2 Fin & Professional Services
- A3 Cafe / Restaurant
- A4 Drinking establishments
- A5 Hot food takeaway
- Vacant cafe / restaurant
- Other

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Legend

- 87-89 Park Street
- A1 Shops
- A2 Fin & Professional Services
- A3 Cafe / Restaurant
- A4 Drinking establishments
- A5 Hot food takeaway
- Vacant cafe / restaurant
- Other

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The Bristol and Bath Rum Distillery

87-89 Park Street, Bristol



Operational Management Plan

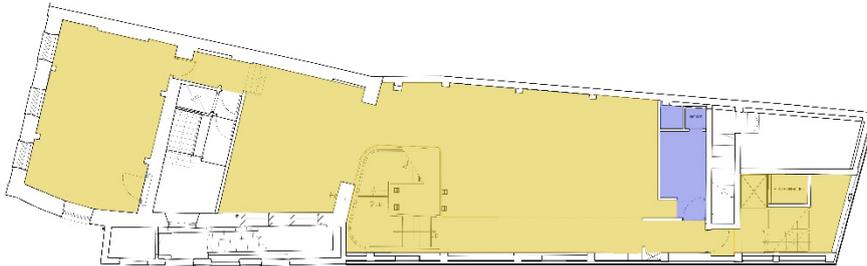
Introduction

- 1.1. This document forms the operational management plan for the Bristol & Bath Rum Distillery, at 88 – 89 Park St, Bristol, BS1 5PJ.

Site Layout

- 1.2. Public access would only be permitted to the restaurant / bar areas on the lower ground, ground and ground mezzanine levels. The first floor, previously used for dining and private dining by Jamie's Italian, is to be used for organised industry training and customer workshops only.
- 1.3. The plans below illustrate the Public, and Training & Education Areas.
- 1.4. Stairs to the first floor will be cordoned off with ropes at the bottom and top of the stairs. Access to the different areas of the building will be controlled by management.
- 1.5. Access to organised industry training and customer workshops will be by prior arrangement only.

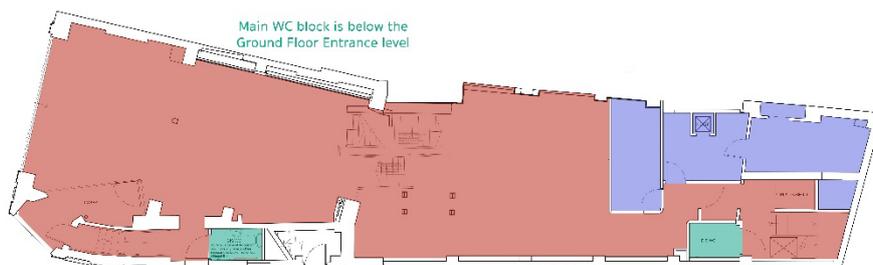
First Floor: Training and Education



Upper Ground Floor: Bar, Restaurant, Café



Ground Floor (entrance level): Bar, Restaurant, Café



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Report Reference:

18/4088

Site Operations

- 1.6. Refreshments and table meals, including freshly prepared hot and cold food, will be available from 09:30am to midnight throughout the premises.
- 1.7. There will be no dance floor at the premises.
- 1.8. After 8pm on any trading day, Security Staff will be sited at the main entrance to the venue. Their role will be to;
 - Ensure that no more than 15 people will be allowed outside at any one time to smoke, for example. Staff will monitor such customers who do go outside.
 - Security staff will remain on the door until the last customer has left the premises (this will be within 30 minutes of last serves at the bar).
 - Staff will ensure that customers who have temporarily gone outside (e.g. to smoke), will not make an excessive noise. If any customer does make an excessive noise, they will be asked to cease. If they do not cease, staff will prevent them from re-entering the premises. They will ensure that such customers are then dispersed quietly.
- 1.9. Signs will be permanently posted at each exit to remind customers to respect the needs of local residents and businesses and leave the venue and area quietly.
- 1.10. Dispersal – immediately following the last serve of alcohol, the following will be put into effect;
 - Cold non-alcoholic drinks will be available;
 - Music will be lowered;
 - Lights will be turned up;
 - Customers will be reminded to leave quietly and be considerate to local residents;
 - Security staff will supervise the exit to the street and disperse customers quietly and efficiently.
- 1.11. After 8pm, there will be a member of Security Industry Authority (SIA) staff for every 100 customers. On Thursday – Saturday evenings, there will be a minimum of 2 SIA staff at all times after 8pm. They will remain at the premises until the last customer has quietly left the premises and has vacated the vicinity.
- 1.12. Staff at the entrance will wear identifying armbands.
- 1.13. Management at the venue will provide information to customers leaving the premises of all available transport options, including buses, trains, taxis and any other form of relevant public transport. This should aid rapid dispersal from the vicinity when leaving the venue.
- 1.14. Any customers who are leaving and wish to order a cab, will be allowed to stay in the premises until the cab arrives, if they inform staff. This will minimise any time spent waiting outside the venue.

1.15. A CCTV system shall be installed at the premises and be maintained in a good working order and be continually recording at all times the premises are in use.

1.16. Cameras shall cover any entrances and exits to the premises and all areas to which the public have access.

Operating Hours

1.17. The proposed hours of opening are:

- 06:00 - 00.30 Monday to Saturday (last sale of alcohol at 12 midnight)
- 06:00 – 23:00 Sundays and Bank Holidays (last sale of alcohol at 22:30)

1.18. The proposed hospitality & bar training facility would operate within these hours.

Operational Management Plan Responsibility

1.19. It will be the responsibility of the Management to ensure that the terms of this Operational Management Plan are upheld.

-ENDS--