

Development Control A Committee Agenda



Date: Wednesday, 16 October 2019

Time: 6.00 pm

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

Distribution:

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

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Date: Tuesday, 8 October 2019



Agenda

1. Welcome, Introductions and Safety Information

(Pages 4 - 5)

2. Apologies for Absence and Substitutions

3. Declarations of Interest

To note any interests relevant to the consideration of items on the agenda. Please note that any declarations of interest made at the meeting which are not on the register of interests should be notified to the Monitoring Officer for inclusion.

4. Minutes of the previous meeting

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

(Pages 6 - 16)

5. Appeals

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

(Pages 17 - 21)

6. Enforcement

To note recent enforcement notices.

(Pages 22 - 23)



7. Public Forum

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

Questions - Written questions must be received 3 clear working days prior to the meeting. For this meeting, this means that your question(s) must be received in this office at the latest by 5 pm on 10th October 2019.

Petitions and Statements - Petitions and statements must be received on the working day prior to the meeting. For this meeting this means that your submission must be received in this office at the latest by 12.00 noon on Tuesday 15th October 2019.

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

8. Planning and Development

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|--|--------------------------|
| | (Pages 24 - 25) |
| a) 19/02632/PB Hengrove Park, Hengrove Way, Bristol | (Pages 26 - 89) |
| b) 19/02952/M Land Next To River Cattle Market Road
Bristol | (Pages 90 - 152) |
| c) 19/01909/X 85 Queens Road, Clifton, Bristol BS8 1QS | (Pages 153 - 170) |
| d) 19/03178/F 6-8 Belgrave Hill (also known as Land on North
Side of Belgrave Hill) Bristol BS8 2UA | (Pages 171 - 306) |
| e) 19/01817/F 2 Moon Street and 2-18 Stokes Croft Bristol
BS1 3PR | (Pages 307 - 347) |

9. Date of Next Meeting

6th November 2019 @ 6pm



Public Information Sheet

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

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

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

Other formats and languages and assistance
For those with hearing impairment

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

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

Public Forum

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

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

Statements will not be accepted under any circumstances after **12.00 noon deadline** unless there is clear evidence that it has been sent to Bristol City Council in advance of it but was not picked up by the Democratic Services Section at the time it was originally sent. Anyone submitting multiple statements for an application should note that they will only be allowed to speak once at the meeting.

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

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



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

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

Process during the meeting:

- The Chair of the meeting will ask each public forum speaker to come forward in the order their statement has been received and the beginning of the discussion for each Planning Application that their statements relates to.
- You should speak into a fixed microphone for your allocated time.
- Your time allocation may have to be strictly limited if there are a lot of submissions. **This may be as short as one minute.**
- When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- **Development Control Committees are not interactive.** You may remain and listen to the debate but you will not be able to play any further part in the meeting including the Committee debate.
- If you do not attend or speak at the meeting at which your public forum submission is being taken your statement will be noted by Members.

Webcasting/ Recording of meetings

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

Bristol City Council Minutes of the Development Control A Committee



4 September 2019 at 2.00 pm

Members Present:-

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

Officers in Attendance:-

Gary Collins, Laurence Fallon and Claudette Campbell (Democratic Services Officer)

1. Welcome, Introductions and Safety Information

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

2. Apologies for Absence and Substitutions

Apologies received from:

Cllr S Smith – substituted by Cllr L Alexander

Cllr P Goggin – substituted by Cllr A Shah

3. Declarations of Interest

Cllr Mark Wright in relation to agenda item 8a - Lived locally to the development and therefore withdrew from the debate and decision making on this application.

Cllr Breckels and Cllr Clarke agenda item 8a with others attended the briefing on the Bedminster Green Framework but had an open mind on the proposed development.



Cllr Windows in relation to agenda item 8e - he was unaware that an agent involved with the application was related to his family. He confirmed that he has had no discussion with them about the application and therefore remained open minded to the application.

Cllr Breckels advised that the application at item 8e was on the edge of his ward but that he not had any involvement with the application.

4. Minutes of the previous meeting

Resolved that the minutes of the 24th July be approved as a correct record and signed by the Chair.

5. Appeals

The Head of Development Management introduced the report providing an overview of the appeals process. He highlighted the revised report shared with the public forum statements and amendment sheet drawing member's attention to the revision that related to item 29 62 Beech Road that was duplicated in the published document. The appeal was allowed but costs were not awarded against the Council because the Inspector did not view the Council's decision as unreasonable.

6. Enforcement

There were none.

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

a. 19/00267/F - Former Pring And St Hill Ltd Malago Road Bristol BS3 4JH

Cllr Mark Wright as local resident removed himself from committee; Cllr Shah emergency substitution for Cllr Goggin who was taken ill, arrived after the commencement of public forum therefore unable to take part in debate and the decision.

The Head of Development Management and his representative gave a presentation and summarised the report for this item including the following:



- a. Major application for the redevelopment of the site(plot 1); to provide 74 (number) student cluster units; and 40 (number) affordable housing units for social rent; including flexible ground floor community/commercial use.
- b. The first application related to the Bedminster Green Framework and outlined the key aspects of this document for the application site.
- c. The results of the consultation with wider residents and the main points of objection covering a number of areas in summary: the developers departure from the guidelines set out in the Bedminster Green Framework; the design – scale and massing of the proposals; impact on the River Malago; the impacts on amenity – light / noise; parking and highway issues; suitability of the location for student accommodation; and failure to address the recommendation/ guidance set out in the recently adopted Urban Living SPD;
- d. Officers advised that further comments had arrived from the Environment Agency that day, stating that they maintain their objection on flood risk and biodiversity grounds; the maintenance access requirements and amendments to the scheme were shown. Committee were asked, due to this objection from a statutory consultee, to note this update.
- e. An overview of the objection from the Flood Risk Team in relation to the proposed drainage strategy for the site.
- f. An overview of why the principle of development (and other material considerations) was considered acceptable was provided, before the Transport Development Management Officer was given the opportunity to speak to the issues detailed in the report relating to movement and access, giving an update on the Strategic Transport Assessment work that was ongoing and assurances that the A38 corridor scheme was nearing completion.
- g. Officer recommendation, as per the report, was to refuse the application on the following two grounds:
 - a. The proposed development by reason of its height, scale and massing would be unacceptable in design terms.
 - b. The application fails to demonstrate that flood risk would not be increased as a result of the development.

Questions for clarification

- h. Officers confirmed that the Bedminster Green Framework following its approval at Cabinet was deemed to be a material consideration for applications coming forward in this area.
- i. Should it become necessary to consider the introduction of resident parking zones (subject to public consultation) and related highway schemes, to mitigate the potential parking issues, the Developer's offer of a financial contribution would be available to meet the cost surrounding this work.
- j. Members questioned the impact of student population on the local community. The issues relating to arrival and departure days; the positive impact on local retail stores; negative impact on student mental health well-being resulting from living in a tall building with poor aspect;
- k. Officers advised that if the application was agreed conditions would be included to manage arrival and departure days; the strategic plan would determine whether arrival and departure would be timed; how the proposed lay-bys would be used;



- l. Officers confirmed that the Bedminster Green Framework did set out proposed heights for the development at 6 – 9 storeys and gave no indication, by way of markings, that plot 1 would be suitable for a taller building; that A2D, the developer and other developers in the area, were privy to discussions regarding the building height diagram included in the Framework document and that this document had been produced on their behalf.
- m. Members considered the diagrams provided showing the height of the proposed buildings in line with Windmill Hill area and the immediate environs of the site.
- n. Members enquired as to whether the issues raised by the Environmental Agency, as statutory consultees could be overcome by way of a condition, if Members were to allow the application to be granted.
- o. Officers advised that objections received from the Environment Agency was laid out in the report and confirmed via email maintaining their objection; that these comments supported and informed Officers decision making and final recommendation to committee.
- p. The Transport Development Management objection was noted. Whilst Officers would prefer that more clarity was provided over the Obligations identified in the report regarding amounts for contributions, the triggers for contributions, etc. In the event of an Appeal, Officers considered that the Councils position regarding the Strategic Transport Assessment would be protected by the Obligations outlined in the Committee Report, and this would form part of any position statement with the Applicant. The objection from TDM would be clear to any Inspector should they not be provided for. As such, it was not considered necessary to add a transport reason for refusal in addition to the two reasons given.

Member Debate

- q. Members expressed their concern over the design of the development; that the design deviated too much from the framework; concerns were expressed that the proposed build did not sit well in the location.
- r. Noted that many of objections raised by the statutory consultees had yet to be resolved.
- s. Members noted that East St retail area would benefit from the increased footfall from student economy but considered that there were too many objections to go against officer recommendation to refuse.
- t. There would be support for large scale development of the site, including the mix of student accommodation and affordable housing, but there were too many outstanding problems and the development was outside of the parameters of the framework. There would need to be good reasons for overturning the framework and these did not exist here.
- u. This was the first test of the framework and the requirements had not been met, there was no evidence that the affordable block met the requirements of the Urban Living SPD , and any student accommodation should not only provide for first year students.
- v. Members had regard for the Bedminster Green Framework considered that it was well thought out and a material consideration.
- w. Cllr M Davies proposed that Committee support officer recommendation to refuse, this was seconded by Cllr F Breckels

When put to the vote:



Resolved (voting 7 for and 3 against, no abstentions) that the application be refused on the grounds outlined in the Officer report.

- i. The proposed development by reason of its height, scale, massing and overall design quality would be unacceptable in design terms contrary to Section 12 of the National Planning Policy Framework (February 2019); Policy BCS21 of the Bristol Core Strategy (June 2011); Policies DM26, DM27, DM28 and DM29 of the Site Allocations and Development Management Policies (July 2014); Urban Living SPD (November 2018); and Bedminster Green Framework (March 2019).
- ii. The submitted Flood Risk Assessment and Drainage Strategy fail to demonstrate that the impacts of climate change and surface water drainage have been adequately taken into account and that adequate emergency access has been provided to the Malago Main River for the Environment Agency, thus the application fails to demonstrate that flood risk would not be increased as a result of the development. This is contrary to Policy BCS16 of the Core Strategy, as well as guidance within Section 14 of the National Planning Policy Framework.

b. 19/01669/F - Unit 15 Albion Dockside Estate Hanover Place Bristol BS1 6UT

The Head of Development Management and his representative gave a presentation and summarised the report for this item including the following:

- a. The application was for the replacement of the existing trisector pole supporting 3 no. antennas with 6 no. antenna apertures on 3 no. new support poles, and ancillary works thereto.
- b. 52 objections had been received; many stating they objected to the application on the grounds of the impact on health from 5G technology; the impact on the heritage aspect and characteristics of the building.
- c. The site is located within the City Docks conservation area and the building is designated as a 'character' building.
- d. The replacement of the antenna would involve; the removal; replacement of the supporting poles; increase in height of the replaced supporting poles; increase in mountings; the addition of cabinets to the roof area of the building.
- e. The Environmental Health Officer offered no objection to the application referring to the government guidance on Mobile phone base stations; radio waves and health in their submission.
- f. Officers sought refusal of the application on the grounds that:
 1. The proposed antenna and associated equipment would cause unacceptable harm to the character and appearance of the host property and fail to preserve or enhance the wider City Docks Conservation Area by virtue of their scale, form and prominent sitting on the most distinctive feature present on the identified character building which is exacerbated when viewed cumulatively with existing retained equipment.

Questions for clarification

- g. Members noted the location of the antennas on the roof and asked if they could be designed more in keeping with the conservation area. No alternatives were proposed.



Member Debate

- h. Members recognised that, whilst health was a material planning consideration, the way this issue had to be assessed was set out clearly in the NPPF and that this application was accompanied by the relevant self-certification, therefore the health impacts of the development were considered to be acceptable.
- i. Members commented that many antennas are now designed to look like flag poles or ship mast to fall in line with the character of an area. The proposed design was viewed as giving a cluttered affect to the roof area and not in keeping with the character of the building.
- j. The alternative view was given that the clock tower was not hugely noticeable and that may be the case with the proposed antennas.
- k. Cllr Mead moved that the application be granted subject to further details being provided on the colour details of the equipment. Cllr Chris Windows seconded this Motion. (Officers advised that due to the nature of the antennas they could give no assurance that it was possible to influence the colour aspect.)
- l. On being put to the Vote the Motion was Lost (Voting 5 for, 6 against and 1 abstention).
- m. Cllr Davies then moved that the application be refused on the grounds set out in the Officer's report. The proposed antenna and associated equipment would cause unacceptable harm to the character and appearance of the host property and fail to preserve or enhance the wider City Docks Conservation Area by virtue of their scale, form and prominent sitting on the most distinctive feature present on the identified character building which is exacerbated when viewed cumulatively with existing retained equipment.
- n. Cllr Stevens seconded this Motion and on being put to the Vote it was:
 - o. Resolved – (voting 6 for, 5 against and 1 abstention) that the application be refused on the grounds set out in the Officer's report. The proposed antenna and associated equipment would cause unacceptable harm to the character and appearance of the host property and fail to preserve or enhance the wider City Docks Conservation Area by virtue of their scale, form and prominent sitting on the most distinctive feature present on the identified character building which is exacerbated when viewed cumulatively with existing retained equipment.

c. **19/02945/F - SW Newfoundland Road Newfoundland Road Bristol**

The Head of Development Management and his representative gave a presentation and summarised the report for this item including the following:

- a. The application for the replacement of existing 14.7 metre monopole and 5 no. cabinets with 20 metre tall monopole and 6 no. new cabinets 2 no. cabinets retained to facilitate 5G coverage.
- b. The site is in the middle of the highway in close proximity to junction 3 of the M32 in an area with existing street furniture and existing telecommunications equipment.
- c. Consultation gave rise to 18 objections; many on the grounds of harmful effects of 5G to the health of humans and other life forms; and visual impact.



- d. The officer set out that due to the mast's nature and location whilst not ideal in terms of the increase in size and bulk would not cause such visual harm to warrant refusal in this instance and that any impact on the identified key view of the listed St Paul's Church would be minimal given its dynamic nature and the future development of Plot C Dove Lane.
- e. The officer reported that a declaration/certificate of ICNIRP compliance has been issued to support this application, which satisfactorily addresses the requirements of the NPPF (2019) and Policy DM36 in respect of public health grounds
- f. The Officer's recommend as per the report that the application is granted subject to conditions.

Questions for clarification

- g. Members asked questions on lighting of the structure at night due to the proposed height and what the colour would be; officers confirmed that there would not be lights but were uncertain of the colour, presumed to be grey.

Member Debate

- h. Members noted that the public had a blind spot to street furniture and were unlikely to notice such structures in the proposed location therefore considered the middle of the highway the safest place to construct such structures.
- i. Members recognised that, whilst health was a material planning consideration, the way this issue had to be assessed was set out clearly in the NPPF and that this application was accompanied by the relevant self-certification, therefore the health impacts of the development were considered to be acceptable.
- j. Cllr Mead proposed, seconded by Cllr Breckels, that committee support officer recommendation to grant the application together with the Additional information shared in the Amendment sheet.
- k. When put to the vote
- l. Resolved (voting 10 for;1 against; 1 abstention) that the application be granted subject to conditions.

d. 19/01319/P - The Former Bell Public House 7 Prewett Street Bristol BS1 6PB

The Head of Development Management and his representative gave a presentation and summarised the report for this item highlighting the following:

- a. Revised outline planning application for approval of the layout and scale of the development, for the demolition of the former Bell pub and auction rooms; for the construction of up to 32 no. residential apartments, with access; appearance and landscaping reserved.
- b. The previous application was refused in November 2018; the current application had taken on board the comments received from committee & officers, making significant changes to the design.



- c. Members were given an overview of the improvements to the design; that the development intends to offer 20% affordable housing; the public house was not listed; the current design did not have significant issues with the daylight and sunlight requirements; no harm was envisaged to residents' amenity;
 - d. The site was currently a blight on the area; subject to anti-social activities; in urgent need of redevelopment.
 - e. Following significant amendments to the scheme it is now considered that the proposal has the right layout and scale to form the basis for an acceptable future detailed design to accommodate 32 residential units in a 3 and 4 storey building.
 - f. Officers were happy to recommend the outline planning permission for approval subject to conditions and to include the matters set out in the amendment sheet.
 - g. Questions for clarification

 - h. Members were concerned that the developers would revert to the previous design that was refused. Officers assured committee that the current application detailed the maximum envelope for the final build; work would continue with the design team on the final layout but this application gives the parameters in which they must work and would prevent them exceeding the height and mass detailed in the application.
 - i. Officers were asked whether the frontage of the Bell Pub could be preserved and/or incorporated into the design. Officers were aware that The Bell although well known in the community was not a listed building and had no protection therefore could be demolished to make way for the development.
 - j. Member Debate

 - k. Members acknowledged the work done by the developers to heed the comments and directions given when the previous application was rejected.
 - l. That the impact on St Mary Redcliff Church was significantly reduced; noted the comment in the report from Historic England on the proposal.
 - m. Members welcomed the affordable housing element from the development.
 - n. The area had been blighted by the site that had been derelict from 2008; the development would remove the crime & disorder associated with the site; and would bring relief & positive benefit to the residents in the area.
 - o. Cllr Breckels, seconded by Cllr Shah, moved that the application be granted as recommended by officers together with the additional information given in the Amendment Sheet.
 - p. When put to the vote:

 - q. **Resolved** (12 to grant; 0 against; 0 abstain) to grant outline planning permission with associated conditions.
- e. 18/06663/F - Advertising Corner Of Air Balloon Road Hillside Road Bristol BS5 8LB**



The Head of Development Management and his representative gave a presentation and summarised the report for this item highlighting the following:

- a. The application had been referred to committee by the Ward Councillor but the objections had been withdrawn after consultations and proposed resolutions were noted that would address the concerns raised.
- b. The application was for the development of a site that normally had situated on it advertising hoarding; now to be replaced with the erection of 3 no. storey building containing 6 no. flats and associated landscaping.
- c. The presentation together with the report provided a description of the site together with the planning history; illustrated how the application submitted differed from the previous proposal; proposing the reduction in the number of flats from eight to six flats.
- d. The public consultation; noted concerns centred around residents vehicles increasing the pressure on available spaces along the highway for parking; impact on visibility for motorist entering and exiting Hillside road; challenged the parking survey on the basis that the applicant failed to consult extensively.
- e. The statutory consultees had no objection to the development of the site.
- f. The design plans shared demonstrated how the development would be set back from the main road and would include low growing planting essential to avoid interfering with visibility; Highways management proposal to extend the double yellow lines to prevent unsafe parking.
- g. Officers sought members approval of the application.

Questions for Clarification

- h. Members questioned the impact on resident parking on the movement of pupils being dropped off at Air Balloon School at the start and end of the school day; the level of consultation when a development borders a number of wards; displaced resident parking.
- i. Officer referred members to the report; TDM had raised concerns with the method and results of the initial parking survey and as a result a revised survey had been received. TDM were satisfied that the surrounding streets would accommodate additional vehicles. That the details submitted on accident data demonstrated that there were no discernible patterns of accidents that necessitate any changes to conditions around the site in terms of pedestrian access/movements.
- j. Member queried the drawing on the plan that gave an example of the possible landscaping for the garden that appeared over large, and sought assurances that the right shrubs would be introduced when landscaping that would not hinder visibility.

Members Debate

- k. Noted by members that the hoardings would be replaced with a development that was necessary to the provision of much needed housing.
- l. That they were pleased to note that the Ward Councillors concerns had been addressed and would look to officers to ensure the promised sustainability of the development materialised.



- m. Cllr Mead proposed, and Cllr Davies seconded, that members accept officer recommendation to grant this application subject to conditions, noting that the application would have been dealt with under delegated authority if negotiations had been completed prior to hearing date.
- n. When put to the vote:
- o. Resolved (voting 11 to grant; 1 against; 0 abstention) that the application be granted subject to conditions detailed in the report.

f. 19/02349/F - 22A Islington Road Bristol BS3 1QB

The Head of Development Management and his representative gave a presentation and summarised the report for this item highlighting the following:

- a. The application for the demolition of existing building to be replaced with a single dwelling that was first submitted to committee in April 2018 and deferred for amendments to the proposed roof scheme, due to the potential loss of light to neighbouring properties. The application was refused in August 2018 and following revision, detailed in the report, to the development is now submitted for approval.
- b. Members were shown diagrams providing a comparison between the initial development and the revised plans; pointing to the adjustments made to meet the concerns raised.
- c. The application had come to committee for agreement and not delegated because the partner of the applicant is now employed by the City Council.
- d. Officers sought committee approval of the revised scheme together with conditions detailed in the report.

Questions for clarification

- e. Officers clarified that the plans submitted were to scale and demonstrated the minor increase of height to the rear lower single storey that had no overall impact on the issues that arose in the former submissions.

Members Debate

- f. Members noted that it was a much improved design than the former designs and applauded the developer for noting committee comments; the proposed build was in keeping with the area.
- g. Noted the loss of studio space and looked to the city to find ways to include places for artist to work and be an added benefit to a community.
- h. Cllr Davies proposed, seconded by Cllr Mead, to approve officer recommendation to grant the application subject to conditions.

When put to the vote:

- i. Resolved (voting 12 for; 0 against; 0 abstentions) that planning permission be granted subject to conditions.

9. Date of Next Meeting



Meeting ended at 5.30 pm

CHAIR _____



DEVELOPMENT CONTROL COMMITTEE A

16th October 2019

REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE

LIST OF CURRENT APPEALS

Householder appeal

Item	Ward	Address, description and appeal type	Date lodged
1	Westbury-on-Trym & Henleaze	53 Fallodon Way Bristol BS9 4HT Proposed garage at side of house. Appeal against refusal Delegated decision	06/08/2019
2	St George Troopers Hill	4 Bellamy Close Bristol BS15 3AZ Hip to gable roof extension, with front and rear dormer roof extensions. Appeal against refusal Delegated decision	19/08/2019
3	Ashley	79 Effingham Road Bristol BS6 5AY Alteration to a flat roof of a single-storey rear extension to create outside terrace. [A mono-pitched roof will be constructed at the further extent of the roof]. Appeal against refusal Delegated decision	02/09/2019
4	Lockleaze	657 Muller Road Bristol BS5 6XS Proposed dropped kerb, removal of front wall and creation of parking area. Appeal against refusal Delegated decision	02/09/2019

Informal hearing

Item	Ward	Address, description and appeal type	Date of hearing
5	Central	Trust Headquarters Marlborough Street City Centre Bristol BS2 8CC Outline planning application to consider Access and Scale (with Appearance, Landscaping and Layout reserved) for the demolition of all existing structures and the erection of a hospital transport hub, comprising a 400-space Cycle Centre, 820-space hospital-only car park, hospital bus drop-off point and associated works (Major). Appeal against refusal Committee	TBA

Written representation

Item	Ward	Address, description and appeal type	Date lodged
6	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
7	Bishopston & Ashley Down	18C Merton Road Bristol BS7 8TL Construction of 1no. store and 2no. single storey B1 or B8 business units. Appeal against refusal Committee	17/07/2019
8	Hengrove & Whitchurch Park	1 Swainswick Bristol BS14 0AH Proposed attached self-contained dwelling house. Appeal against refusal Delegated decision	19/07/2019
9	Horfield	36 Filton Avenue Bristol BS7 0AG Proposed no.3 bed, detached two storey single dwelling house, with cycle and bin storage and vehicle access onto Beaufort Road. Appeal against refusal Delegated decision	01/08/2019
10	Westbury-on-Trym & Henleaze	1 Whytes Close Bristol BS9 3HU Erection of 1 detached dwelling house. Appeal against refusal Delegated decision	07/08/2019

11	Eastville	435 Fishponds Road Fishponds Bristol BS16 3AP Roof extension to existing garage to create gym and games room for household use. Appeal against non-determination	07/08/2019
12	Clifton Down	72 Alma Road Bristol BS8 2DJ Conversion and alteration of garage to dwelling to the rear of 72 Alma Road, Clifton. Appeal against refusal Delegated decision	12/08/2019
13	Stockwood	12 Swane Road Bristol BS14 8NQ Proposed erection of 1 no 3 bedroom dwelling. Appeal against refusal Delegated decision	14/08/2019
14	Southmead	533 Southmead Road Bristol BS10 5NG Erection of two storey building to provide a 1 bedroom dwelling unit. Appeal against refusal Delegated decision	21/08/2019
15	St George West	Land To The Rear 324 Church Road, And Of Flats 1-3, 2 Beaconsfield Road St George Bristol BS5 8AJ Proposed residential unit. Appeal against refusal Delegated decision	27/08/2019
16	Ashley	First Floor Flat 17 Belmont Road Montpelier Bristol BS6 5AW Construction of a rear dormer roof extension, to provide a third bedroom and a en-suite for the first floor flat. Appeal against refusal Delegated decision	27/08/2019
17	Horfield	37 Wellington Hill Bristol BS7 8SP Two storey side and rear extension to create a new dwelling within the corner plot. Single storey rear extension to existing dwelling. The front garden to No.37 will be re modelled to provide a further off street parking space for the existing property (self build). Appeal against refusal Delegated decision	27/08/2019
18	Central	35 - 37 Stokes Croft Bristol BS1 3PY Enforcement notice appeal for the installation of external roller shutters and associated shutter housing structures to the front of the property. Appeal against an enforcement notice	30/08/2019

19	Eastville	140 Fishponds Road Eastville Bristol BS5 6PT Enforcement appeal for development to create and turn flat roofed rear extension to outdoor amenity area. Appeal against an enforcement notice	20/09/2019
20	Lawrence Hill	16 Feeder Road Bristol BS2 0SB Replacement of existing 1no illuminated 96-sheet advertisement with 1no illuminated digital LED display. Appeal against refusal Delegated decision	30/09/2019

List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
21	Horfield	Land At Inn On The Green 2 Filton Road Bristol BS7 0BH Discontinuance notice appeal in respect of advertisement hoarding on the land.	Appeal dismissed 16/09/2019
22	Ashley	24 Stafford Road Bristol BS2 9UN Rear dormer roof extension and elevational changes. Appeal against refusal Delegated decision	Appeal dismissed 05/09/2019
23	Central	Raj Mahal City Clarence Road Redcliff Bristol BS1 6RP Re submission of Application Ref: 17/05223/F - Demolition of existing building and erection of a building containing 68no. student bedspaces, communal space and cycle parking. Appeal against refusal Delegated decision	Appeal dismissed 28/08/2019
24	Ashley	7-29 Wilder Street 1-3 Backfields And Land At Corner Of Backfields And Upper York Street Bristol BS2 8PU Redevelopment of existing buildings (except for retained listed building at 25 Wilder Street) and two commuter car parks to provide purpose-built managed student accommodation (345 beds) (sui generis) and ground floor employment floorspace (Class B1); refurbishment and change of use of 25 Wilder Street to provide a three-bedroom dwelling (Class C3); and associated works (Major Application) Appeal against refusal Committee	Appeal allowed 05/09/2019 Costs awarded

25	Windmill Hill	154 Marksbury Road Bristol BS3 5LD Application for a Lawful Development Certificate for a Proposed use - Erection of an outbuilding. Appeal against refusal Delegated decision	Appeal dismissed 19/09/2019
26	St George Central	325 Two Mile Hill Road Bristol BS15 1AN Redevelopment of existing building into a mixed use of 6 apartments and 1 small shop unit. Appeal against non-determination Delegated decision	Appeal dismissed 12/09/2019
27	Southville	79 East Street Bedminster Bristol BS3 4EX Conversion of first floor from 1No. two-bed flat to 2No. one-bed flats with provision of refuse and cycle storage & installation of new windows. Appeal against refusal Delegated decision	Appeal dismissed 18/09/2019
28	Redland	38 Kersteman Road Bristol BS6 7BX Two storey side extension and single storey rear extension to create additional linked accommodation in the rear garden. Appeal against non-determination Delegated decision	Appeal allowed 25/09/2019
29	Horfield	6 Filton Grove Bristol BS7 0AJ Creation of a new dwelling and associated works. Appeal against refusal Delegated decision	Appeal dismissed 11/09/2019
30	Filwood	Land To R/o 149A Marksbury Road Marksbury Road Bristol BS3 5LD Demolition of 149a Marksbury Road and erection of 7no two-bedroom dwellinghouses and 1no. one-bed bungalow on land to rear, including creation of new access, and soft and hard landscaping. Appeal against refusal Delegated decision	Appeal dismissed 19/09/2019
31	Bedminster	39 Duckmoor Road Bristol BS3 2DQ Alterations and extension to existing garage. Appeal against refusal Delegated decision	Appeal dismissed 05/09/2019
32	Lockleaze	263 Muller Road Bristol BS7 9NE Proposed two storey extension to rear of property and provision of parking in front garden with new dropped kerb. Appeal against refusal Delegated decision	Appeal allowed 04/10/2019

DEVELOPMENT CONTROL COMMITTEE A 16th October 2019

REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE

LIST OF ENFORCEMENT NOTICES SERVED

Item	Ward	Address, description and enforcement type	Date issued
1	Clifton	10 Pembroke Vale Bristol BS8 3DN Works to roof not in accordance with details approved under planning permission 16/00313/H. Breach of conditions notice	18/06/2019
2	Cotham	Maisonette First And Second Floors 8 Cotham Hill Bristol BS6 6LF Installation of UPVC windows Enforcement notice	24/06/2019
3	Easton	66 Carlyle Road Bristol BS5 6HH Development not being built in accordance with the planning permission [18/01945/H] or prior approval [17/01042/HX] Enforcement notice	24/09/2019
4	Eastville	140 Fishponds Road Eastville Bristol BS5 6PT Development to create and turn flat roofed rear extension to outdoor amenity area. Enforcement notice	24/06/2019
5	Horfield	1 Filton Grove Bristol BS7 0AN Non-compliance with condition 5 (tree planting/landscaping) of planning permission 17/04957/F [which consented conversion to two flats] Breach of conditions notice	20/08/2019

6 Windmill Hill

362 St Johns Lane Bristol BS3 5BA

25/06/2019

Erection of decking to rear.

Enforcement notice

Development Control Committee A 16 October 2019

Report of the Director: Development of Place

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Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Hengrove & Whitchurch Park	Other	<p>19/02632/PB - Hengrove Park Hengrove Way Bristol</p> <p>Outline application for the demolition of existing buildings on site and regeneration of 49ha of land comprising residential development of up to 1,435 dwellings (Class C3); up to 4,515sqm of office accommodation (Class B1a); up to 4,500sqm of education floor space to enable the expansion of City of Bristol College Skills Academy (Class D2); up to 790sqm community building (Classes D1/D2); sports pavilion of up to 420sqm (Class D2); scout hut building of up to 200sqm (Class D2); up to 2,440sqm of commercial floor space (Classes A1/A2/A3/A4/A5/D1 - provision of A1 floor space not to exceed 800sqm and total A1-A5 space to be capped at 1,499sqm); and provision of energy centre for communal heat and power. Provision of new park of approximately 22.2ha, areas of formal and informal open space totalling 4.4ha. Transport infrastructure comprising connections to Hengrove Way, Bamfield, Hengrove Promenade and The Boulevard, and creation of new footways and cycleways. Access and strategic landscaping to be determined with all other matters reserved.</p>
2	Windmill Hill	Grant	<p>19/02952/M - Land Next To River Cattle Market Road Bristol</p> <p>Application for the approval of reserved matters for 953 bed student accommodation (Sui Generis) scheme, ground floor active uses (A1, A3, A4, A5, D1, D2 uses) and associated works pursuant to conditions 1 and 3 of outline permission 17/06459/P being details of layout, scale, appearance and landscape.</p>
3	Clifton	Grant	<p>19/01909/X - 85 Queens Road Clifton Bristol BS8 1QS</p> <p>Application for variation of Condition No. 7 (Opening Hours) following grant of planning permission 16/03266/F(Granted on appeal reference APP/Z0116/W/17/3170050) -To Vary</p>

Item	Ward	Officer Recommendation	Application No/Address/Description
			the opening hours to : 08:00 00:00 Monday to Wednesday, 08:00 - 01:00 Thursday, Friday and Saturday and 08:00-00:00 Sunday and Bank Holidays.
4	Clifton Down	Grant	19/03178/F - 6-8 Belgrave Hill (also Known As Land On North Side Of Belgrave Hill) Bristol BS8 2UA Proposed development of 2 No. Use Class C3 dwellings with associated external alterations.
5	Ashley	Refuse	19/01817/F - 2 Moon Street & 2-18 Stokes Croft Bristol BS1 3PR Demolition of all buildings and mixed use development comprising a block of student cluster flats with associated communal facilities (sui generis use), 'flexible' ground floor commercial floor space (Use Classes: A1, A2 and/or A3) and first floor office space (Use Class B1(a)), all with associated refuse and cycle storage.

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v5.0514

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

APPLICATION NO: 19/02632/PB Outline Planning (Regulation 3)

DETERMINATION DEADLINE: 18 October 2019

Outline application for the demolition of existing buildings on site and regeneration of 49ha of land comprising residential development of up to 1,435 dwellings (Class C3); up to 4,515sqm of office accommodation (Class B1a); up to 4,500sqm of education floor space to enable the expansion of City of Bristol College Skills Academy (Class D2); up to 790sqm community building (Classes D1/D2); sports pavilion of up to 420sqm (Class D2); scout hut building of up to 200sqm (Class D2); up to 2,440sqm of commercial floor space (Classes A1/A2/A3/A4/A5/D1 - provision of A1 floor space not to exceed 800sqm and total A1-A5 space to be capped at 1,499sqm); and provision of energy centre for communal heat and power. Provision of new park of approximately 22.2ha, areas of formal and informal open space totalling 4.4ha. Transport infrastructure comprising connections to Hengrove Way, Bamfield, Hengrove Promenade and The Boulevard, and creation of new footways and cycleways. Access and strategic landscaping to be determined with all other matters reserved.

RECOMMENDATION: Refer to the Secretary of State

AGENT: CSJ Planning Consultants Ltd
 1 Host Street
 Bristol
 BS1 5BU **APPLICANT:** Bristol City Council
 c/o Agent

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



Development Control Committee A – 16 October 2019
Application No. 19/02632/PB : Hengrove Park Hengrove Way Bristol

Hengrove Park 19/02632/PB Committee Report

16th October 2019

1.0 Site Description and Background

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

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

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

The site is approximately 49 hectares in area.

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

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

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

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

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

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

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

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

In July 2018, application ref.18/03537/PB was submitted for;

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

The application sought consent for the amount of, and general distribution of, uses and dwelling types across the site, the maximum heights of buildings, street structure and street types, character areas and Design Codes

A detailed illustrative masterplan accompanied the application.

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

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

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

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

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

Environmental Impact Assessment

Because the proposed development was an urban development including more than 150 dwellings and the area exceeded 5 hectares, it fell within Schedule 2 of the Appendix to the 2017 Environmental Impact Assessment Regulations, where an Environmental Statement may be required. Taking account the overall size of the development and the mix of uses it was concluded at the pre-application stage that the potential impact is such that a statement should be provided and a scoping opinion on the contents of the statement was issued subsequently issued in February 2018.

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In addition to the contents of the Environmental Statement, the following were included; Health Impact , an Affordable Housing Statement, Aborigicultural Impact Assessment with A tree removal and tree principles planting plan, BREEAM communities statement, Cultural Public Art Strategy, Economic Statement and Retail Impact Assessment.

The application was considered by the Development Control A Committee at their meeting of the 27th February 2019 and refused, against the recommendation of officers, for the following reasons;

1. The proposed development is of too low a density (59 dpH) and is therefore contrary to Policy HWNP8 of the Hengrove and Whitchurch Park Neighbourhood Plan.
2. The proposed development does not include a large high quality park of "destination" quality and is therefore contrary to Policies HWNP1 and HWNP8 of the Hengrove and Whitchurch Park Neighbourhood Plan.
3. The proposed development results in the loss of a row of poplar trees to the north of the site, which are classed as category A and which form a key landscape feature. Their loss is contrary to Policy BCS9 of the Bristol Core Strategy adopted June 2011 and Policy DM17 of the Site Allocation and Development Management Local Plan adopted July 2014.
4. The proposal does not include sufficient employment floor space and is therefore contrary to BCS1 of the Bristol Core Strategy adopted June 2011 and Site Allocation BSA1401 included in the Site Allocation and Development Management Local Plan adopted July 2014.
5. The proposed development does not include sufficient community facilities and is therefore contrary to Policy HWNP10 of the Hengrove and Whitchurch Park Neighbourhood Plan February 2019.
6. The proposal is an unsustainable car-dependant form of development contrary to Paragraphs 8 and 102 of the National Planning Policy Framework February 2019.

The current application is a resubmission and seeks to address these reasons for refusal through a number of amendments. The changes made since the refused application are set out in Section 3 (proposal) below.

Other development in the area;

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

Outline planning consent was granted for up to 350 dwellings at Hartcliffe Campus in September 2018. Subsequently the land has been acquired by Livewest and Reserved Matters were approved subject to additional tree planting detail by the Development Control A Committee on 24th July 2019. A start on site is anticipated this autumn.

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

2.0 Relevant Planning Policy

2.1 The Development Plan

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

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1) Core Strategy

Policy BCS1 of the adopted Bristol Core Strategy states that;

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

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

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

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

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

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

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

Development considerations are as follows;

Development should:

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

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

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

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

Include small scale retail facilities;

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

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

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

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

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

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

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

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

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

Core Strategy

BCS5 - Housing Provision

BCS7- Centres and Retailing

BCS8- Delivering a Thriving Economy

BCS9- Green Infrastructure

BCS11- Infrastructure and Developer Contributions

BCS12- Community Facilities

BCS13- Climate Change

BCS14- Sustainable Energy

BCS15- Sustainable Design and Construction

BCS16- Flood Risk and Water Management

BCS17- Affordable Housing Provision

BCS18- Housing Types

BCS20- Effective and Efficient Use of Land

BCS21- Quality Urban Design

Site Allocation and Development Management Policies

DM1- Presumption in Favour of Sustainable Development

DM4- Wheelchair Accessible Housing

DM5- Protection of Community Facilities

DM7- Town Centre Uses

DM10- Food and Drink Uses

DM11- Markets

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DM14- Health Impact of Development

DM15- Green Infrastructure Provision

DM16- Open Space for Recreation

DM17- Development Involving Existing Green Infrastructure

DM19- Development and Nature Conservation

DM23- Transport Policies

DM26- Local Character and Distinctiveness

DM27- Layout and Form

DM28- Public Realm

DM29- Design of New Buildings

DM31- Heritage Assets

DM32- Recycling and Refuse Provision in New Development

DM33- Pollution Control, Air Quality and Water Quality

DM34- Contaminated Land

DM35- Noise Mitigation

3) Hengrove and Whitchurch Neighbourhood Development Plan, (HWNP)

The Neighbourhood Development Plan was subject to a referendum on 14th February 2019 and over 50% of voters were in favour of the plan. The plan was made by the city council on the 19th March 2019 and is therefore part of the adopted development plan.

It includes the following objectives for Hengrove Park;

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

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

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

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

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

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

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

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

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

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

Key Policies are as follows;

HWP01- a revitalised Hengrove Park

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

Sports pitches for public use;

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

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

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

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

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

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

Formal Park attractions and planting as agreed;

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

Potential for an events space;

Outdoor gym facilities;

Better green links between the Mounds and remodelled Hengrove Park.

A management plan is required to be part of any permission for the development of this site and Park.

Policy HWP8 - Residential development at Hengrove Park

Development on the Hengrove Park site should follow the five Masterplan Moves of the Hengrove Park Masterplan where this is feasible and viable in order that a high quality large park is created out

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of the existing Hengrove Park and ensure that the new residential development interacts well with the new park and greatly increases the level of informal surveillance of the Park.

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

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

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

As referred to in the policy, the Masterplan Moves are included in the text to the plan and the Masterplan, drawn up as one way of implementing the moves, is included as an Appendix to the plan as evidence to support the policy. The text to this refers to a residential density of about 78dph, the creation of a new hub close to the existing buildings with a height up of no more than five storeys and within the central hub.

Policy HWP10- New Community Hub and protection of Community Facilities

A Community Hub and Local Centre should be developed on the site to include small shop units suitable for retail use and a new community centre. The Community Centre to include meeting and small event rooms, café, joint 'one stop shop' council services and a library if possible, and other facilities as opportunities arise, including museum artefacts explaining the history of the area and airfield. Proposals for uses that would aid self-sufficiency of funding and maintenance will be considered favourably.

Development proposals for change of use or redevelopment of existing community facilities will not be supported unless it can be shown that the facility is no longer viable or it is proposed to provide an alternative facility of equal or better standard and accessibility.

Also of relevance to the proposal are;

HWP2 - Linking Hengrove Park to wider Wildlife and Recreational Corridors

HWP3 - Public Art, Creative Industry and Heritage Promotion- this requires that development of Hengrove Park has regard to the preservation of the runway and its setting.

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

HWP9- Provision of Housing for the Elderly- this introduces a requirement to have 3% of dwellings on developments of more than 40 to be wheelchair accessible.

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

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

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2.3 Urban Living Supplementary Planning Document

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

2.4 The Bristol Local List February 2019

Whitchurch Airport runway is now included in the list of non-designated heritage assets.

2.5 Revisions to the Bristol Local Plan

The Bristol Local Plan Review Draft Policies and Development Allocations was consulted upon in Spring 2019. This included draft Policy H3 'Making the best use of existing site allocations' that recommended existing site allocations should optimise the use of land for the delivery of housing by aiming to exceed where appropriate any estimated capacity for the site stated in the local plan. This draft policy was subject of 18 responses which included two objections, one the basis of concern over tall buildings and the other concerning a view that the policy needed to take into account market conditions.

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

Therefore it is concluded that some weight can be given to the draft revised Local Plan Policy H3 because the draft policy is consistent with the aim in national planning policy to significantly boost housing supply and there has been a lack of objection to the principal aims of the emerging policy as they apply to this proposal.

3.0 Proposal

The current proposal has the following description of development;

'Outline application for the demolition of existing buildings on site and regeneration of 49ha of land comprising residential development of up to 1,435 dwellings (Class C3); up to 4,515sqm of office accommodation (Class B1a); up to 4,500sqm of education floor space to enable the expansion of City of Bristol College Skills Academy (Class D2); up to 790sqm community building (Classes D1/D2); sports pavilion of up to 420sqm (Class D2); scout hut building of up to 200sqm (Class D2); up to 2,440sqm of commercial floor space (Classes A1/A2/A3/A4/A5/D1 - provision of A1 floor space not to exceed 800sqm and total A1-A5 space to be capped at 1,499sqm); and provision of energy centre for communal heat and power. Provision of new park of approximately 22.2ha, areas of formal and informal open space totalling 4.4ha. Transport infrastructure comprising connections to Hengrove Way, Bamfield, Hengrove Promenade and The Boulevard, and creation of new footways and cycleways. Access and strategic landscaping to be determined with all other matters reserved'.

The general layout is similar to that of the refused scheme but includes a number of key changes as follows; (NB. i) vii), viii) and ix) were introduced on the 5th September)

- i) The reduction in the amount of development proposed in the north west corner of the site (minus 29 dwellings), and the retention of 16 out of row of 21 mature poplar trees.

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- ii) The pulling back of the development from the southern and eastern edge of the park, (minus 21 dwellings)
- iii) The removal of 15 dwellings from the eastern side of the northern section of the access road.
- iv) Increase in the size of the new park from 19 hectares to 22.2hectares.
- v) The removal of allotments from the park and proposal to fund improvements to reinstate allotments off site.
- vi) The removal of the community orchard.
- vii) A revision to the design of a drainage retention basin and introduction of an informal sports pitch
- viii) Provision of a sports pavilion of 420m² adjacent to the proposed Multiple Use Games Area
- ix) Provision of a replacement scout hut off Bamfield

A drawing illustrating the changes to the scheme is included as Appendix A.

Other aspects of the proposal remain broadly as previously proposed as follows;

- xi) Ancillary open spaces-the Runway Park, The Avenue and The Village Green
- xii) Indicative breakdown of proposed residential to be approximately 60% apartments, 30% will be affordable broken down into 23% Intermediate and 77% social rent.
- xiii) Office- up to 4,515m² floor space.
- xiv) Community space- up to 790m²
- xv) Educational- up to 4,500m² floor space to enable the expansion of the Skills Academy
- xvi) Flexible commercial floor space to be up to 2,440m² floor space to be either A1, A2, A3, A4, A5 or D1.
- xvii) Ancillary - Energy Centre, pumping station and substation

As previously, this application seeks consent for the amount of, and general distribution of, uses and dwelling types across the site, the maximum heights of buildings, street structure and street types, character areas and Design Codes.

The Design Codes link to the character areas and include regulatory details, which mainly relate to the public realm as well as advisory details which relate to the layout and design of the dwellings and non-residential uses.

The regulatory plan is included as Appendix B.

A revised Environmental Statement has been issued with amendments to reflect the reduction in the number of dwellings on the site and reduced area to be developed.

As set out in the regulations, the Environmental Statement submitted includes an assessment of the following; Traffic and Transport, Ecology, Water Resources and Flood Risk, Ground Conditions and Hydrology, Noise, Air Quality, Archaeology and Cultural Heritage, Landscape and Visual, Socio Economics, Climate Change and Cumulative Effects.

The respective chapters look at the existing situation, model the impact of the proposed development, during construction and when complete, and where relevant, consider the cumulative impact with other developments in the vicinity of the site. The latter includes the consented scheme at Hartcliffe

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Campus, the works underway at Filwood Park and Imperial Park and also the permitted residential use at Park View and potential development within its curtilage.

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

Other supporting documentation is updated and submitted including the following; Energy Statement, Sustainability Statement, Open Space Assessment, Sport and Recreation Statement, Health Impact Assessment, Affordable Housing Statement, Aborigicultural Impact Assessment, BREEAM communities statement, Cultural Public Art Strategy, Retail Impact Assessment, Economic Statement and Statement of Community Involvement.

4.0 Equalities Act 2010

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

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

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

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

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

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

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

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

The Environmental Statement in the section on Air Quality includes detailed recommendations regarding minimising the impact of air quality during construction. These are cross referenced in the recommended condition requiring a Construction Management Plan, which also requires monitoring of the situation to ensure that measures are effective.

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

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5.0 Community Involvement Process

In the context of the previous application a Community Focus Group was established to guide the process of consultation and link to the wider community. Membership of the group included ward members, Hartcliffe and Withywood Community Partnership, operators of businesses at Hengrove plus Bristol Civic Society.

Following the decision to prepare a new application following the refusal of the previous scheme further engagement was undertaken with the Community Focus Group.

This involved the following;

1st April 2019 - Meeting with Community Focus Group (CFG) to present initial proposals for addressing the reasons for refusal

25th April 2019 - 2nd meeting with Community Focus Group with discussion on revised proposals and invitation for feedback

24th May 2019 - a site visit for the Community Focus Group to Kidbrooke Village - an award-winning new housing and park development in Greenwich, designed by Lifschutz Davidson Sandilands, the architects for the current application.

29th May 2019 - Meeting with the Mayor - a meeting between Mayor Marvin Rees, Cllr Tim Kent and members of the Neighbourhood Planning Forum.

17th June 2019 – Presentation to Business West Transport & Planning Group

10th July 2019 – Public Meeting convened by the Neighbourhood Planning Forum at St Augustine's Church, Whitchurch Lane - attended by Cllr Paul Smith.

At the first meeting in April 2019, a number of issues were raised to include;

Relocation of the allotments, stronger east-west link with more generous space linking through to the Mounds/play area, treatment/size of the runway, ways of improving/managing woodland area/buffer to the north, including Category A poplar trees, density of housing in relation to Neighbourhood Plan and Urban Living SPD, understanding employment space/needs in local area, sustainability, future provision of health and education and Metrobus route.

The second meeting included feedback to these issues, subsequently further issues raised included;

Sustainable drainage measures and potential flooding, relationship between housing to north, the woodland and the Park, location of allotments on and off site, community building facilities and sports facilities, nature of the Runway park, footpaths and cycleways, buses, space between the Leisure Centre and the Hospital and a new suggestion from the Neighbourhood Planning Forum to consider relocating the playing fields to the north of the Runway.

Additional information was provided regarding the proposed location of allotments off site and on employment uses and demands in the wider area.

To enable members of the group to see a good example of a new housing scheme with a landscaped park, to include SUDS, a site visit to Kidbrooke Village in London took place on the 24th May.

Response

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A table is included in the Statement of Community Involvement setting out responses to key issues raised, many of which refer to how the scheme had already been revised.

Further changes were made in response to the following comments;

Design of park should integrate SUDs features and be included at outline-

Response- Visit to Kidbrook and agreement that SUDs be included at the outline stage.

Landscape of the Runway Park should more closely follow historic footprint

Response- a larger flat area has been designed into the park which could be used for events.

Allotments to be moved off site

Response – the provision of allotments off site agreed

Sheltered housing for the elderly should be included-

Response- agreed, the council would support the inclusion of extra care housing and seek to secure it through a development agreement or role as landowner.

6.0 Response to publicity on the planning application

The application was advertised on site and in the press with a 649 letters being sent to neighbours of the site. The consultation ran from the 14th June with the end date for comments was 17th July

Following the amendments to the scheme received at the beginning of September, neighbours and any other contributors were re-consulted from 6th September with a close date for comment of the 27th September 2019.

In total, up to the 3rd October, 89 comments have been received, with 58 responding to the first consultation letters and 31 to the second.

The following is a precis of the comments made;

Neighbourhood Plan- the development fails to meet the Neighbourhood Plan with regard to the amount of park. This anticipated a destination park of 30 hectares. All six reasons for refusal of the previous scheme remain relevant.

Park- The loss of park is objected to, this is an oasis, has mature trees and should be protected. The car boot shows how valuable it is to the community. There is still too many houses and not enough parkland. There is insufficient detail of the landscaping to the park relating to contours attenuation ponds etc It fails to deliver a high quality park. The park is a linear space and does not replace what is lost, the park remains narrow adjacent to Rowacres. The open space statement ignores that much of the open space is allocated for housing. Open space is important for exercise and mental health. The park provides a safe play space.

The connectivity between the existing childrens play area along the line of the runway is inadequate.

Trees- there will be a significant net reduction in the number of trees which will further impact on wildlife. Although the given calculations appears to provide an increase in the number of trees it would take a very long time for them to mature and develop the capacity to absorb carbon dioxide and other pollutants. There loss will have a negative impact on drainage. The loss of trees is counter to the

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Bristol's One City Plan. There are concerns about the proposals to build houses along the northern exit road to Hengrove Way, this is a heavily wooded embankment and to create a level area for houses would mean the loss of a number of trees.

History- the rich history of the old Whitchurch Airfield should be protected, the plan does not respect the historic runway space

Traffic/Parking - roads will not cope, there will significant additional traffic on Bamfield and its junctions, there are not enough appropriate transport management interventions, parking is already problematic especially when schools turn out, there is parking in the scheme but it is likely that some occupiers will have two or three cars and overflow will be on green spaces and adjacent roadways, the many new builds in the area will add to traffic congestion and aggravate the existing parking situation. More provision for parking should be included.

The development is still car dependant, the reduction of only approximately 50 houses will not make it less car centric. Without provision of local community facilities the development would be a car dependent new housing estate. Residents will have to drive their children to schools out of the area. New houses are unlikely to improve public transport and money spent on the promised metro bus would be wasted due to changes.

The road infrastructure needs improving outside the site boundary.

Transport- buses will not be going to the eye hospital or BRI, there is not enough improvements to public transport proposed. There are insufficient guarantees regarding bus, pedestrian and cycling facilities.

School Provision - the health impact assessment acknowledges the impact on new schools in the area of the development but does not state how this will be mitigated and does not take into account the addition homes already being built in the area. There is no mention of the provision of extra school places. The number of extra primary schools was underestimated, statistical errors can lead to inadequate provision of facilities like schools, this must be closely examined before planning permission is granted. and a clear commitment to ensuring this is addressed alongside the housing is permitted. No new site has been identified for a new secondary school.

Health- there is reference to a £90K contribution to improve Whitchurch Health Centre but does not state if this will be enough to provide the resources to cope with the additional number of people that would be using the surgery. How will the services be increased to serve the incoming residents. The amount allocated is inadequate.

Air Quality-There will be an impact on air quality due to the increased traffic.

Noise and light pollution will increase.

Drainage- there are existing problems with drainage and further building could cause problems that will have consequences for housing nearby. The performance of the attenuation ponds is not sufficiently explained

Town Centre- the development should be designed and developed as a new town centre for South Bristol.

Services,(mixed comments) - the development still does not adequately address the need for a new supermarket, dental provision and nursery provision. Before granting permission there should be a

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clear and detailed commitment to ensuring that commensurate shopping and sports facilities, available places at nurseries, GP's and dental surgeries are in place alongside the housing.

Density- the density is too low, the justification for a lower density than the 70dph in the HWNP is contended, seeing the development as a commercial exercise to make maximum profit will waste an opportunity to bring well needed housing to South Bristol without squandering public amenity space. The masterplan can seek to address the imbalance of housing and flats in the area. The statement that if a developer were obligated to meet a 70dph ...delivery would be slower, there is no reason why it can be phased to ensure the market is not over saturated. The commercial viability assessment should be made public. Evidence should be given for two plots, specifically Plots C and D, these are 33 dph, this is a loss of public land and every plot should seek the council's minimum of 60 dph as in the draft local plan. Building high flats is not the only way to create high density environments.

Housing Mix- how does the supporting statement take account of the blocks labelled as house or flats. Family housing should be included in the affordable housing mix.

Design- the outline design of the new houses is excessive in height and inconsistent with the character of the neighbourhood.

Replacement of existing uses- uses to be removed scouts, sports recreation, cycling centre and car repairs and should be replaced

Employment provision - this is also inadequate and will not bring jobs into the area. Housing and jobs creation are of equal importance.

A business on Western Drive has objected due to the lack of information regarding any power cable installation running adjacent to their premises as this could be detrimental to their operations.

Business West have commented supporting the application but concerned about the relatively low level of employment provision at the site and refer to the current lack of alternative employment and economic plans within Bristol's proposed local or regional plans or a coherent economic strategic framework for the greater South Bristol Area. as the provision of opportunities for businesses to locate, grow and provide jobs is a vital part of ensuring south Bristol is able to succeed.

South Bristol Business have objected to the proposal and commented that the Hengrove should be designed as a new town centre and are concerned about the minimal employment floor space and that the Economic Report did not reflect the demand known to the council for business/employment space in south Bristol. They consider that current proposals to bring forward 16 new small units should be on Hengrove Park, near Western Drive.

It is to be noted that in the context of the previous application, comments were received from the Bristol Civic Society, Bristol Walking Alliance and Bristol Cycling Campaign. No comments have been received in the contexts of the current application but the previous support for these sustainable modes of transport and the need to design well for them remains relevant.

The proposal was not considered again by the Bristol Urban Design Forum.

There has been no single, combined response on the part of the Neighbourhood Planning Forum though they engaged in the community engagement process. However, the council is aware that members of the Forum have issued responses on an individual basis.

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7.0 Key Issues

- A. Does the revised proposal satisfactorily address the reasons for refusal of the previous application?

Through the consideration of the reasons for refusal a number of key issues are addressed, to include the compatibility with relevant policies in the Hengrove and Whitchurch Park Neighbourhood Plan.

Density

Reason for refusal;

‘The proposed development is of too low a density (59 dpH) and is therefore contrary to Policy HWNP8 of the Hengrove and Whitchurch Park Neighbourhood Plan.’

Discussion and Response

Policy HWP8 requires that ‘ the development of the park follow the five Master Plan moves of the Hengrove Park Masterplan andshould be of a density of 70dph where this is feasible and viable so that the park footprint can be maximised with approximately 1,400 dwellings.’

The Master Plan moves are in schematic form and show; access, location of new centre, mix of open space quality and character, mix of residential character and densities and range of treatments to the edges of the open space.

The moves have been used to inform one possible way of laying out a master plan for the development of the park and detail of this is included in an Appendix to the Neighbourhood Plan, as evidence to support policies within the plan.

See Appendix C

The suggested master plan is based on a site boundary that is slightly different to that of the site under consideration in that it includes an area of land within the leisure park to the north- west that is outside of the control of the city council and land which falls within the curtilage of the leisure centre.

The master plan shows housing sited in similar location to that which is currently proposed to the north of the existing buildings and towards Bamfield but differs in the amount and footprint of development to the north and west of the site. The layout involves the removal of the woodland and poplar trees in the north- west and proposes housing immediately abutting the Western Drive Industrial Estate and backing onto the Bottleyard.

While in its own right the master plan is not adopted policy, HWP8 does state; ‘ The Park footprint should where possible be broadly as shown on the Masterplan, reproduced as Figure 5 in this Plan and available via the Appendix’.

It must also be recognised that many objectors to the planning application give significant weight to this possible option for the site.

The supporting text refers to the master plan achieving a density of between 75 and 80 dwellings per hectare, which is predominantly achieved through the proposal to develop at four and three storeys in height in the form of perimeter blocks. There is limited information as to how the internal area is to be laid out. The text refers to the fact that a limited quantity and size of private gardens can be justified by the park provision.

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A 50:50 split of houses and apartments is referred to although draft sections of proposed buildings show a number of 'houses' either located above commercial uses over three floors, with apartments on upper floors or located below upper floor apartments. While these may provide family sized units they are not houses as in the traditional sense as self-contained dwellings with private amenity space and would not be considered as such or classed as such in planning terms- as defined by the Town and Country Planning (Development Management Procedure) England 2015.

Indicative figures show 1383 dwellings with approximately 300 true houses- approximately 20%.

Draft designs for some proposed building types are included which include deep blocks with single aspect apartments purportedly with light and access via a central atrium to create dual aspects but it is not clear how this could realistically work to maintain privacy and security.

The draft designs have not been worked up to show any detail of access/parking or servicing.

The small size of private gardens, single aspect apartments and overall lack of information regarding how such a scheme could function is considered to create a poor quality residential environment that could not be supported. In addition to the quality of the built form, there are concerns regarding the proximity of dwellings to the industrial estate and the Bottleyard on the grounds of noise.

There is no information in the Neighbourhood Plan on how a lower density 70 dph development, as stipulated in HWNP8, might look and work, and whether this could be 'feasible or viable.'

Based simply on the development area of the masterplan of 18 hectares 1,260 dwellings would be provided if the density were reduced to 70 dph.

In contrast the illustrative master plan that is included with the current application, which achieves a density of 66 dph, is a result of detailed design work, as evidenced by the Design Codes and supporting assessments, which has carefully considered the quality of accommodation to be provided, the design and layout of roads, parking, servicing, landscaping and sustainable drainage.

The local planning authority is satisfied that a development as shown by the application could provide a good quality living environment, to include private amenity space for all houses and true dual aspect apartments, one that can be safely and satisfactorily accessed and serviced with a high quality public realm. The mandatory elements of the Design Codes set out how the frontages of properties and types of roads proposed within the development should be laid out.

The indicative mix of accommodation currently proposed is 65% apartments and 35% houses, this mix is informed by commercial advice, ref the Development Density Statement. This takes account of development already taking place in the area, which all include a percentage of apartments, and advises that at present the market would not support a greater percentage of apartments and it is this mix that has resulted in the dph of 66.

It must therefore be concluded that a density of 70 dph this density is not feasible and viable but noting that the proposal has improved the dph from the previously refused application bringing it up to 66dph from 59dph. This will deliver a carefully designed and high quality development. In this context, the revised proposal has demonstrated its compliance with policy HWP8.

A detailed consideration of whether the development complies with the guidance of the Masterplan Moves is included under a separate key issue.

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Park

Reason for refusal;

‘The proposed development does not include a large high quality park of "destination" quality and is therefore contrary to Policies HWNP1 and HWNP8 of the Hengrove and Whitchurch Park Neighbourhood Plan’.

Discussion and Response

Inherent to this issue is what is considered to constitute a ‘large’ park and what is considered a ‘high quality’ park.

i) Quantity

The master plan for the development of the park which is included in an Appendix to the Neighbourhood is given as providing a park first approach and allows for the retention of approximately 29.5 hectares of park, to include green fingers, (with a developable area of 18 hectares). As above, the masterplan does not constitute adopted policy but HWP8 does state that the park footprint should be where possible be broadly as shown on the masterplan.

The refused application proposed a park of 19 hectares. As a result of the reduction in the number of dwellings, this is now increased to 22.2 hectares.

There are other areas of open space to include within The Avenue and the Village Green, which total 4.4 hectares in area bring the total to 26.6 hectares of open space.

The retention of 29.5 hectares of park area in the masterplan appended to the Neighbourhood Plan and still being able to achieve approximately 1,400 dwellings, is based on building to a density of 75 dph to 80 dph. For reasons set out above, the indicative designs for dwellings which could achieve this density, could not be supported.

If the density were reduced to 70dph, and this could be shown to be feasible or viable, analysis undertaken by the applicant shows that the number of dwellings would be reduced to 1,260.

The applicant has advised that to bring this number back to 1,400 an additional 2 hectares of land would be required.

As well as a certain density, the achievement of 1,400 dwellings in the appended masterplan requires some land that is outside of the current planning application boundary, within the leisure park and adjacent to the leisure centre. This land is currently outside of the control of the city council and therefore its delivery cannot be guaranteed.

In addition, through the consideration of the previous scheme, committee used the planning balance to object to the loss of the poplar trees to the north of the park, see below, so have not supported the proposed development of the part of the park which backs onto Western Drive Industrial Estate.

The removal of these plots of land from the appended masterplan, based on 70 dph, would result in a reduction in the number of dwellings possible. Analysis on the part of the applicant suggests that this would be in the region of 224 and therefore bring the total number of houses on the site down to 1036 which could not be considered to comply with HWNP8. The Local Authority concurs with this analysis.

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To bring this number back to 1,400 there would inevitably be an incursion into the land allocated for park use. This illustrates the very real problem of securing the larger area of park and still complying with the development target.

With regard to the current proposal, at 22.2 hectares for the park, plus 4.4 hectares of incidental open space, this totals 26.6 hectares. In comparison St Georges Park is approximately 15 hectares and Victoria Park approximately 21.5 hectares, hence this is considered to be a large park with capacity to become a destination park.

In assessing whether it is of sufficient size to meet the standards contained in the council's Parks and Green Space Strategy with regard to amount and type of open space for existing and future residents it is relevant to consider the information gathered in connection with the strategy.

This information included an analysis of the type of open space provision identified in that strategy across the city namely; formal, informal, natural and play.

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

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

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

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

Therefore it must be concluded that the amount of open space per capita does, and will, exceed adopted city wide standards and a large amount of park is proposed at Hengrove

ii) Quality

When designing the scheme that forms part of the current planning application, the decision to locate the park so it focused on the treed ridge alongside St Giles Estate and extended westwards onto the flatter part of the site was taken before the housing layout was considered. This therefore does constitute a “park first” approach as set out in the appended masterplan to the Neighbourhood Plan.

The Parks and Green Space Strategy identifies a short fall in the amount of ‘formal’ park- and recommends that this could be provided at Hengrove. The definition of formal open space being one that is consciously organised with a planting structure and hierarchy of paths, such spaces commonly include a range of facilities and have high recreational value accordingly.

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The quality of the park design is key.

Policy HWP1 sets out a list of items the park should 'ideally include' as follows;

Sports pitches for public use;

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

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

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

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

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

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

Formal Park attractions and planting as agreed;

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

Potential for an events space;

Outdoor gym facilities;

Better green links between the Mounds and remodelled Hengrove Park.

A management plan is required to be part of any permission for the development of this site and Park.'

The layout of the proposed park open space has been amended since the refused application in that the allotments have been removed, the community orchard removed, a scout hut and changing facilities close to the proposed playing pitches both introduced.

The only items not included are an expansion to the play area, overt adaptation to enable an events space, and an outdoor gym.

However informal play facilities are proposed within the Runway Park and in the woodland area, not listed but also included is a Multiple Use Games Area, (MUGA), which will serve older children and adults.

There may be scope to use the area including the proposed playing pitches as an events space, as happens at Eastville Park and The Downs where temporary access and parking is provided.

The applicant has commented that an outdoor gym could be accommodated although there is already a fitness trail included and it is therefore considered that sufficient fitness provision has been proposed.

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A number of conditions are again proposed that require agreement of details, and the provision of, all proposed facilities within the park and other areas of open space.

In conclusion it is considered that the park as proposed is of a size and quality to serve the development and surrounding existing residents and comply with the provisions of HWNP1.

In connection with the design of the park, although not listed in the Reason for Refusal, HWP2 is also relevant as this requires the park to be developed as a connecting hub between existing recreational open space routes and surrounding wildlife corridors. With green space and varied habitats linking continuously across the park from east to west and north to south, it is considered that the current layout achieves this.

HWP7 requires new residential developments of 25 units or more to provide allotment space of 100 m² per 25 residential units. It allows for this space to be provided on or off site or alternatively a financial contribution of equivalent agricultural land value to improving open space and allotments in the neighbourhood area.

As already stated, it is no longer proposed to provide allotments on site. Discussions have taken place with Parks and it is agreed that a financial contribution will be made to pay for the reinstatement and upgrade of the area of allotments off Oatlands Avenue that was previously occupied by the Severnside project, a food growing concern that is no longer trading plus an upgrade to the other allotments in this location. This is an acceptable approach to addressing the policy and a calculation of necessary works has led to a contribution of £810,000 to be payable prior to commencement of occupation.

Loss of poplar trees

Reason for refusal; 'The proposed development results in the loss of a row of poplar trees to the north of the site, which are classed as category A and which form a key landscape feature. Their loss is contrary to Policy BCS9 of the Bristol Core Strategy adopted June 2011 and Policy DM17 of the Site Allocation and Development Management Local Plan adopted July 2014.'

Discussion and Response

Given the visual prominence of the poplars located in the north- west corner of the site these are considered to be Category A trees. The previous proposal included a line of houses in close proximity to these trees which meant that all 21 trees would have to be removed and this was the subject of an objection from the arboricultural officer.

The revised layout of the development has put adequate distance between it and the trees to provide sufficient space to enable their retention. There remains a need to remove 7 trees to accommodate the access road and the arboricultural officer has confirmed that this is considered reasonable and acceptable.

This reason for refusal is considered to be overcome.

Employment

Reason for refusal; 'The proposal does not include sufficient employment floor space and is therefore contrary to BCS1 of the Bristol Core Strategy adopted June 2011 and Site Allocation BSA1401 included in the Site Allocation and Development Management Local Plan adopted July 2014.'

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Discussion and Response

BCS1 seeks to deliver around 60,000m² of net additional floor space in South Bristol with a focus on major regeneration areas such as Hengrove. The site allocation includes offices. However neither BCS1 nor the allocation states a specific level of office floor space.

The Bristol Development Monitoring Report states that between 2006 and 2018 approximately 25% of that target has been completed.

The proposed amount of office floor space remains unchanged at up to 4,515m², which amounts to 7.5% of the target.

The Economic Statement submitted with the application includes a letter from a firm of Property Agents, which refers to the lack of demand in this part of the city for offices, citing the long length of time that Parkview was marketed. It is not considered that Hengrove Park is an employment location of significant scale and, as such, advise any planning application on the site should be primarily for residential development.

The Property Agents support the inclusion of up to 4,515m² of office floor space in the location proposed in the hub of the development, on the basis that this is a similar size to Filwood Green Business Park - (5,601m²). However they would not wish its provision to be tied into a condition that sought to control the timing of development, as this may affect the delivery of the housing. They query who would provide this development speculatively as rents are likely to be low, incentives would be required to attract tenants and overall it would be unviable. They state that there would be resistance from developers to cross fund the development if there was no clarity on the lettable of the space or the ownership of the completed development.

South Bristol Business in objecting to the proposal on the grounds of lack of employment space have referred to a high demand for office space in south Bristol. The difference between this scenario and that referred to in the Economic Statement may be a result of that the type of office development in demand differs in that it is not large, single occupant spaces but smaller more flexible units.

Economic Development concur with the assertions about office demand in this part of the city made in the Economic Statement but wish to ensure that the provision of the floor space proposed is supported as much as it can be through the planning process.

They request that a condition be imposed that requires a marketing plan for the site within 9 months of planning permission being granted and evidence that the marketing has been undertaken within the following year. This marketing will require a specific and directed strategy.

In order to secure a situation with maximum flexibility that could attract the type of businesses looking for accommodation in the area, it is proposed that a condition be imposed restricting the use to B1a,b and c, hence more than simply offices, and providing flexible floor space down to a minimum of 50m² so allowing more than just offices but in so doing removing the permitted development right to change to residential.

In addition to the office floor space Economic Development support the employment that will be provided through the ground floor commercial floor space and the education floor space that will be used to extend the South Bristol Skills Academy.

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

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In conclusion, while the amount of employment floor space currently proposed remains unchanged, it is policy compliant and work will be undertaken to facilitate its implementation.

It is wished to record that Economic Development are actively working with BCC property, developers and landlords in South Bristol with a view to increasing and improving the offer of employment floor space. This is purely for the Committee to note and is not a consideration to be taken on board in determining the application.

Community facilities

Reason for refusal; 'The proposed development does not include sufficient community facilities and is therefore contrary to Policy HWP10 of the Hengrove and Whitchurch Park Neighbourhood Plan February 2019.'

Discussion and Response

HWP10 states that; ' A Community Hub and Local Centre should be developed on the site to include small shop units suitable for retail use and a new community centre. The Community Centre to include a meeting and small event room, café, joint 'one stop shop' council services and a library if possible, and other facilities as opportunities arise, including museum artifacts, explaining the history of the area and airfield. Proposals for uses that would aid self-sufficiency of funding and maintenance will be considered favourably'.

The text to the policy states that Community Facilities in the Ward are under pressure, financially challenged and oversubscribed or threatened with closure.....for this reason the development of new and expanded community policies are promoted.....the best place for a new local centre....is around the Boulevard.

Part of this policy goes beyond what can be delivered through the planning system in that it requires city council funding to provide for a one stop shop and a library so has implications for revenue budgets over which planning has no influence. The Community Land Buildings Officer has commented that there are no plans to provide a one stop shop or additional library but is aware of a strong demand for community facilities in the area and that it is likely that there will be a strong demand for the same once the residential development has been developed.

The development includes a 790m² new community building, which is considered to be a mixed use in planning terms comprising D1 and D2, and will be available for a range of uses. In addition the flexible consent that is being sought for the ground floors of the apartment blocks, up to 2,440m², includes D1- non residential assembly and leisure and which could be put to a range of what would be considered community uses.

The existing scout hut that is to be lost as part of the development is in poor condition and a replacement bespoke facility is now to be provided adjacent to Bamfield with a couple of parking spaces.

In addition, a 420m² new sports pavilion, containing changing facilities, is also to be provided adjacent to the proposed sports pitches. In contrast to the existing sports pavilion which belongs to St Bernadette's Rugby Club, this will be available to the wider public.

Therefore it will provide new bespoke facilities of better quality and availability than the existing facilities which is consistent with the aspirations of the Neighbourhood Plan. The absence of a one-stop shop which cannot be compelled by the planning system is not a reason which justifies refusal.

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Community use agreements for the new buildings can be secured by condition.

Car Dependency

Reason for refusal;’ The proposal is an unsustainable car-dependant form of development contrary to Paragraphs 8 and 102 of the National Planning Policy Framework February 2019.’

The level of car parking complies with the maximum standards within the local plan and reflects the fact the a development falls outside of the city centre, and it is therefore anticipated that residents will be car owners and there is a need to safely accommodate cars in layout that prevents unauthorised parking causing obstructions to the detriment of highway safety. The approach to the layout of roads in the design codes is specifically imposed to achieve this.

That there is a pressing need to ensure move residents out of their cars and use sustainable modes of transport is fully recognised and it is reflected in the fact that improved pedestrian and cycling links to existing network will be included into and out of the site as well as within the site.

It was previously recognised that there was a need to consider bus priority measures to address potential impact on the existing bus network to include bus lanes and intelligent traffic signal priority to ensure bus gains over the private car.

Should the Metrobus be rerouted through the site there is an opportunity to create a public transport hub centred on The Avenue.

Since the previous application was considered a design has been agreed in principle for the Creswicke/Airport Road/Bamfield junction that prioritises cyclists and pedestrians and enables the former to join into existing cycle lanes.

A design has also been agreed for the junction at the north of the site onto Hengrove Way, which accommodates a cycle path that then links into Filwood ‘quiet way’ and includes a bus only lane to the north for buses for when the route through the Barratt Scheme at Filwood is available.

This in conjunction with the proposed bus gate towards the centre of the site will improve the passage of buses over the car and reduce the bus travel time into the centre.

Two new bus stops are proposed to the north of the proposed bus gate which will further enable a modal shift from the private car.

Improvements to other bus stops that will be used by incoming residents are also secured.

Any potential rat running through the southern part of the site will be deterred by traffic calming measures.

As before, a financial contribution towards improvements to cycleways in the vicinity of the site will be made.

A robust residential travel plan will be required and the developer has opted for the council to draft and implement this.

In conclusion, while the amount of parking remains similar, further work has now been undertaken to enforce the priority given to sustainable modes of transport and reduce car dependency.

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B. Does the proposal comply with the Master Plan Moves contained in the Hengrove and Whitchurch Park Neighbourhood Plan?

Policy HWP8 states that;

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

Reference to the Masterplan Moves have been made in the consideration of the reasons for refusal but as they were not explicitly referred to in the reasons, but are clearly included in the above policy, it is important that they be carefully considered.

Included with the current application are diagrams to illustrate how the current proposal complies with the key elements of the moves- included as Appendix D.

As set out under the consideration of the Reason for Refusal that concerns the park, the committee used the planning balance to object to the loss of the poplar trees in the north west corner of the site and for this reason it is not possible to fully comply with the moves.

However it is clear that the proposed main transport routes and the siting of the proposed public floor space in the vicinity of the existing buildings on site, both of which are put forward for approval at this stage, comply with Moves 1 and 2.

Move 3 requires the contrast between different parts of the park and achievement of a variety of open spaces. As already stated, the park will contain a variety of features and these, plus full details, can be required by condition. The layout, that is up for approval, includes other incidental open spaces, and again full details of these and their features, to include incidental play and tree planting, can be covered by condition.

Move 4, requires a variety of building types heights and locations. A regulatory plan setting out a range of maximum heights across the site is put forward for approval plus the Design Codes relate to the character areas shown on that plan. These proposed a varied layout and type of dwellings. A condition is recommended that requires a statement with each Reserved Matters application setting out how the codes have been complied with.

Move 5, refers to the park edge conditions and the opportunity to create different relationships with the park ranging from formal plazas and streets which overlook the park to very close relationships with nature where buildings sit adjacent to wild areas.

The Design Codes demonstrate a range of approaches to the park edge.

Consequently, while it is recognised that the footprint of the proposed housing and park do not exactly follow the indicative layout in the moves, the similarities are sufficiently similar to conclude that the proposals satisfactorily follow the premise of Masterplan Moves 1-5.

8.0 Other matters

A number of issues are not directly considered by the above and are set out below in the same order as in the previous application. Where the changes to the application have implications for the issue in question this is clearly set out.

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C. Is the principle of development acceptable in policy terms?

i) Proposed Uses

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

The Neighbourhood Plan policies refer to approximately 1,400 dwellings, small shop units suitable for retail use, a new community centre and a large high quality park.

Therefore the principle of development is clearly established.

a) Housing

The density of the proposed housing is discussed above.

Other relevant issues are as follows;

i) Amount of housing

Taking into account the 261 permitted dwellings on Hengrove Phase 1, a total of 1,696 dwellings would result which is a significant increase beyond the 1,000 for the site as a whole in the site allocation.

This reflects the advice in Para 118 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses and para 122 refers to the efficient use of land and that plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. It also complies with the emerging revised Bristol Local Plan, which includes policy H3, which amongst other things refers to 'Making the best use of existing local plan site allocations' by adding a new policy which seeks a higher number of new homes on each existing allocated site.

It is noted that 1,435 dwellings represents a 2.5% increase on the 1,400 referred to in the Neighbourhood Plan and this small increase is considered to fit within the degree of tolerance that would be accommodated within 'approximately'.

ii) Tenure of housing

In accordance with BCS17, 30% of the dwellings will be affordable in a mix of 23% intermediate tenure, (eg. shared ownership) and 77% social rent. HWP8 supports this percentage of affordable housing provision.

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

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

The developers of the site are at present unknown and may include the council itself, any land sale will be conditional on providing affordable housing. Given this exceptional situation, a legal agreement

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is unlikely to be possible but taking account of the strong control through ownership the unusual measure of securing the affordable housing by condition is recommended.

This provision will be monitored closely on a phase by phase basis and a running total be included with each reserved matters application. This approach was taken at the Harbourside development.

iii) Accessibility of housing

HWP9 requires 3% of dwellings to be wheelchair accessible. This is a reflection of the older than average population profile in the ward and this can be required by condition.

b) Offices

The issue of employment floor space is considered above under Reasons for Refusal.

c) Education

The area of land allocated for education is outside of the allocated site at city wide and neighbourhood level, however there is no policy objection to this allocation and Full Planning Permission has recently been granted for the development of this land as an extension of the Skills Academy- ref. 19/01700/F.

d) Community

The issue of community provision is considered above under Reasons for Refusal.

e) Commercial A1- A5

A flexible consent for the ground floors of the apartment blocks that are to provide public uses is sought that could allow for D1 and A1-A5 uses.

The site allocation refers to the provision of small scale shops and the HWP10 of the Neighbourhood Plan supports a local centre containing small scale shops.

(NB part of the application site where public ground floor use is proposed falls outside of the site allocation but the Neighbourhood Plan includes the area as a whole)

Notwithstanding this, it is still relevant to look at the impact of the ground floor area in question if taken up by A1-A5 uses on existing centres in the vicinity of the site if required by policy.

The Planning Supporting Statement to the application expands on the proposed ground floor uses to be in public use, up to 2,440m², to the effect that no more than 1,499m² will be in use as A1-A5 and of that floor space, the A1 floor space will be no more than 825m².

It is therefore over the 200m² for 'town centre uses' which is the guide in DM7 as being 'small scale', and so not having an impact on designated centres. However, as noted below the 200m² is not determinative and regard needs to be had to other factors.

The given reason for exceeding this in the statement is the reference to 'small scale retail development' in the site allocation.

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

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The site is not a designated centre as shown on the current local plan policy proposals map and because the application allows for more than 500m² of retail space, DM7 requires the submission of a Retail Impact Statement, and accordingly this has been included with the application.

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

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

This is considered a reasonable approach and accordingly a condition is recommended that restricts the overall amount of retail floor space to 825m² in total and limits individual store size to 412m². In addition to the retail element, use classes A2-A5 all fall into the planning policy definition of 'town centre uses' and in theory they could take up the total 1,499m² allocation, but because the uses are under the 1500m² threshold an impact assessment is not required.

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

Policy DM7 sets out a guide of 200m² for units but this is not an upper limit and this will vary depending on the nature and scale of the wider development as well as the impact of the units. Therefore, units greater than 200m² may also be acceptable particularly in this case given the overall size of the development which can support larger units, As such it is not necessary to control the size of the individual units provided they are proportionate to the size of the development.

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

d) Power plant, pumping station and substations

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

ii) Policy implications of the loss of existing uses

Open Space- the loss of some open space is accepted through the site allocations referred to above. The resulting size of the proposed park is considered above under previous Reasons for Refusal.

Car Boot sale -

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

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

Scout Hut-

This is considered a community use and its loss would be against DM5, BCS12 and HWP10. However a replacement scout hut is now included in the scheme, which will represent an improvement on the existing provision. The timing of its provision can be the subject of condition.

Bamfield House-

This former warehouse is used for the storage of coaches plus an auto repair business and while these are considered to be sui-generis uses they provide local employment and therefore in principle their loss is contrary to DM12.

The issue of employment use is considered under previous Reasons for Refusal.

Action Indoor Sports

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

D) Is the loss of sports pitches and sporting pitches and sporting facilities acceptable?

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

As the pitches are currently in use, (by St Bernadette's Rugby Club), the site is classed as a playing field.

In these circumstances Sport England are a statutory consultee. Consequently and objection from Sport England will mean that the application will fall to be referred to the Secretary of State, who could subsequently call it in and determine the application.

Sport England were consulted on the previous application and objected. That application proposed two new sports pitches, with a cricket pitch laid over but with changing facilities to be accommodated in the proposed community building.

The sporting provision in the current application is significantly increased and includes;

5.0ha playing fields to be laid out as three pitches and one cricket pitch, a 420m2 sports pavilion next to the proposed MUGA, a range of routes through the park designed for running, walking and cycleways and some informal trim trails and play areas.

The importance of playing fields is specifically referred to in para 97 of the NPPF;

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

a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

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b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.'

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

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

A Sport and Recreation Statement accompanies the application.

Sport England have been consulted twice on the application, the second time being when the revised proposals were received showing the larger playing pitch area and sports pavilion.

Sport England have commented that there are no details of pitch layout or management, no details of the pavilion, they comment that the pavilion does not overlook the main pitch/cricket square, refer to the lack of parking, that there is no further improvement in sports provision to serve the incoming residents and no evident check and challenge to the checklist included in Active Design, which is a document jointly produced by Sport England and Public Health England.

Sport England have considered the proposals against the exception criteria within their Playing Fields Policy, the most relevant being E4, which states that;

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

- of equivalent or better quality, and
- of equivalent or greater quantity, and
- in a suitable location, and
- subject to equivalent or better accessibility and management arrangements.

From the information supplied while noting positive improvements to the original scheme, they have confirmed that they remain unsatisfied that the proposal currently meets one of the exceptions of the above policy (E.4) and maintain their objection. They refer in particular to the details to assess the equivalent or greater quality, equivalent or better accessibility and management arrangements and finally details regarding the provision of replacement facilities prior to the commencement of development of existing.

Notwithstanding the comments set out below, the result of this outstanding objection is that if the recommendation for approval is supported, the application will have to be referred to the Secretary of State.

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The issues raised by Sport England are essentially a product of the fact that the application is in outline form and will all be addressed by condition, to include full details of the design and management of pitches and pavilion.

The following comment is made on the points raised;

Quality of pitches- the Sport and Recreation Provision Statement with the application refers the pitches being constructed in compliance with Sport England guidance, including pipe and mole drains. They will therefore be a significant improvement on the quality of the existing pitches, as described in the playing pitch strategy.

Accessibility- the existing playing field is accessible to all and the new playing field will be no different. The existing clubhouse for St Bernadette's is a private building whereas the new pavilion overlooking the playing field will be publicly available and a condition will be recommended that requires a Community Use Agreement to ensure that the facilities remain available and accessible. Details of the sports pavilion building will be provided through Reserved Matters but the statement acknowledges that it will be built in line with SE guidance.

Management arrangements- the applicant has stated that is proposed to secure an active Management Plan for the whole park, which will include a specific element to cover site maintenance of the playing field area and ensure that it adheres to the guidance set out in SE's 'Natural Turf for Sport Design Guidance Note'. A condition covering requiring management details is recommended.

Replacement facilities- A condition is recommended to require the proposed pavilion and pitches to be provided before the existing, and/or access to the existing, are removed.

Projected demand arising from the development- it is not possible to accurately predict the number of future residents as the exact number and size of dwellings will be determined through the reserved matters process, however assuming the maximum number of dwellings is achieved, i.e. 1,435 based on average number of residents per dwellings in Bristol this is 3,466.

The existing Leisure Centre already provides for a number of activities to include swimming and has capacity to accommodate the anticipated demand. The new sports pitches and pavilion will be available for a range of uses.

However reference has previously been made to the need for a community hub with sports/activity hall space and additional outdoor tennis and cycling/wheels park facility.

The community space proposed as part of the application is not specifically designed as a sports hall but will have capacity to accommodate some sporting activities and the MUGA can accommodate tennis use.

It is to be noted that the community use of school sporting facilities is available. The current planning application for the rebuilding of Perry Court School, which is intended to serve the development- see below, includes a pitch that specifically shown for community football and two MUGAs.

It would be possible to require a statement setting out how the provisions of Active Design have been built into the design of the park as part of Reserved Matters.

The following items are also relevant to the site and the sporting provision for the area and wider city but are not to be linked to the current application;

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Rugby Facilities

In addition to the on site provision, it is proposed that rather than accommodate the existing rugby club onto the new pitches on site, new pitches and ancillary facilities will be provided for the club on the site of the former Whitehouse School on Fulford Road in Hartcliffe. At present this city council owned site is comprised of a playing field, most recently in use for football, former school buildings, play and parking areas. The land available will enable two full sized rugby pitches, a training area, sports pavilion with changing rooms and car parking area to be provided. The pitches will cover a larger area than the existing playing field.

It is observed that this site contains an existing playing field, most recently used for football, which is identified in the council's Playing Pitch Strategy but recognised that the proposals represent a substantial improvement on the quality and quantity of pitch and ancillary accommodation.

Discussions have taken place between the applicants and the rugby club and it is understood that this option is fully supported by the rugby club and it is proposed that public consultation on this element will be undertaken later in October 2019. Funding for the works will come from the Central Government's Land Release Fund because it will enable the Hengrove development to take place, which now has Cabinet approval. However, it is to be noted that no planning application has been submitted and it cannot be assumed that planning permission will be forthcoming.

Family Cycling Centre

Concern has been expressed regarding the loss of the Family Cycle Centre however there is feasibility work currently underway looking at a permanent home for a closed circuit cycle route, that would be available for training as at present. The existing facility was always intended as a temporary, 'meanwhile use' and the use of portacabins to accommodate office/cycle storage etc on site was a deliberate choice on that basis.

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

Action Indoor Sports

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

The building is in poor condition and was on the verge of closure when it was taken up by AIS. The uses taking place in the building are restricted to those that do not directly compete with those in the leisure centre and include five a side and boxing but also soft play and a cafe. A MUGA is proposed on the new park which could accommodate the five a side but it is recognised that the boxing may not be replaced. The MUGA will be required by condition. There are also sports halls available in local schools.

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

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

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city centre and the main roads radiating out are within an AQMA, to include the whole of the Parson Street Gyratory.

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

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

National Planning Policy Framework (NPPF)

Policy 11 states that the planning system should contribute to and enhance the natural and local environment by:

‘preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability’

The NPPF also states that ‘planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas’

Bristol Core Strategy

In relation to air quality, Policy BCS23 states that ‘Development should be sited and designed in a way so as to avoid adversely impacting upon:

Environmental amenity or biodiversity of the surrounding area by reason of fumes, dust, noise, vibration, smell, light or other forms of air, land, water pollution, or creating exposure to contaminated land.

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

To assess the situation regarding the potential impact of emissions from construction vehicles on air quality over the projected 10 year development period and also the impact of the operational traffic generated by the development when occupied modelling of the impact on air quality from both has been undertaken on the following basis;

2021 (Full construction traffic only)

2026 (Half the operation traffic + Full construction traffic)

2031 (Full operational traffic only)

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

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

Two methods have been used; the Official Defra toolkit, which is considered to be overoptimistic beyond 2020 and CURED v.3.0a.

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Results;

2021

The largest increase in NO₂ is predicted at Bath Road and can be described as negligible, and at Parson Street, also negligible. The latter is however based on preventing construction traffic using the Parson Street gyratory. This restriction can be part of the Construction Management Plan for the development though recognising potential problems with monitoring and enforcement.

If it were not possible then the impact on air quality at the gyratory would be significantly greater therefore every measure must be employed to impose this restriction.

There is the related issue of displacing HGV's onto other roads which may be less suitable though modelling does show that they would not cause a significant impact on air quality.

2026

The assessment using Defra shows 3 receptors experiencing slight adverse impacts. Two are at Parson Street and one at the development site.

Using CURED the situation is worse with 1 location experiencing a substantial adverse worsening of air pollution, 4 moderate adverse and 2 slight adverse, all but one are on Parson Street.

4 locations exceed air quality objectives both with and without the development, at Parson Street School it is predicted that the development will result in non-compliance, (40.4ug/m³ as opposed to the annual objective of 40 ug/m³).

2031

Using Defra 4 locations are predicted as experiencing slight adverse impact, 3 at Parson Street but all complying with air quality objectives. Using CURED 3 will have moderate impacts and 9 slight adverse. One on Parson Street will exceed air quality objectives with or without the proposal, another increases but remains below the objective.

2031- Cumulative

Using Defra 4 locations are predicted as slight adverse with 3 at Parson Street, with CURED this increases to 9 locations of which moderate adverse impacts affects 3. The same Parson Street receptor as above is modelled as exceeding objectives with or without the development.

It is considered likely that the real situation will fall somewhere between that predicted by the two methods but likely that at the least moderate adverse impacts are likely in 2016 and 2031.

Conclusion

Based on the results presented, which don't include construction phase HGV movements around the Parsons Street gyratory system in the 2021 and 2026 scenarios, the air quality assessment concludes that some receptor locations around the Parsons Street gyratory system (including Parsons Street School) are likely to experience slight to moderate air quality effects in 2026 and 2031. Using the CURED method one location could experience substantial adverse impacts.

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The assessment has demonstrated that there is a risk that the proposed development will prolong the time that it takes to achieve compliance with the legal air pollution limits for nitrogen dioxide and therefore the air quality impacts of the proposed development can be considered significant.

The development does not comply with the NPPF and the development plan and the Air Quality Officer has objected to the proposal accordingly.

However given this outcome it follows that the cumulative impact from other large development sites identified in South Bristol are also likely to have a negative impact on similar receptors.

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

Work is currently underway on options for a Traffic Clean Air Zone based on the central area aimed at improving the air quality and complying with legal requirements. The modelling to inform these proposals will have taken into account committed major developments as well as national transport growth projections.

This however remains a material consideration in the determination of the application which must be taken into account.

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

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

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

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

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

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

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

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

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

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

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

Submitted information states that the development will aim to increase the percentage of materials that achieve a Green Guide A+ to B rating and the percentage of materials that are locally reclaimed or have a high recycled content. This is important as a large percentage of the impact on greenhouse gases is connected to the embodied carbon in construction materials.

Each Reserved Matters submission will have to include a Sustainability Statement that includes further information and specifications on this issue and all others that are specifically required by policy.

In respect of the proposed energy strategy for the development, it is essential that the development not only complies with the Energy Hierarchy as set out in BCS14 but also that there is a saving of 20% on CO₂ emissions above baseline from renewables.

Notwithstanding in the first instance it is important that the development is built to a high level of energy efficiency though the supporting statement with the application only refers to achieving 2013 Part L.

With regard to energy generation, the supporting statement refers to a number of approaches that are given as achieving a policy compliant CO₂ reduction.

This includes a combined heat power plant,(CHP) or a community heating system.

The land use plan includes an area of land where a CHP or community heating plant could be sited and there is an illustrative plan that shows how this could serve the development as a whole via a network of piping. This would in principle address the energy hierarchy by minimising energy requirements as set out in BCS14 though there is reference to this being partly or wholly being fuelled by biomass however there is growing evidence regarding the impact of biomass on air quality and hence this is unlikely to be acceptable.

Another approach that may be acceptable is air source heat pumps, of varying sizes depending on the number of dwellings being served.

Ground source heat pumps are discounted due to space requirements and that the geology may make this option challenging. It is discounted as a source of heat for a community facility on the basis

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of temperature and cost. However this approach is currently being implemented on housing schemes elsewhere.

Another given approach is PV panels alone but this would not comply with the heat hierarchy.

A condition is recommended that requires full detail of the proposed energy approach to be agreed prior to the start of any development and phasing to enable the approved approach to be implemented, to include the need to achieve 20% reduction in emissions through the use of renewable energy

The detail should include noise and air quality assessments as relevant.

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

It is stated that it is anticipated that the development could make use of existing high broad band speeds in the area however a full broadband connectivity statement will also be required as part of Reserved Matters.

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

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

BCS16 addresses the issues of Flood Risk and Water Management.

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

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

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

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

The Drainage Team have confirmed that the strategy is acceptable but recommend that full detail of the design of the sustainable drainage, and its subsequent management, for each development plot be required by condition.

G) Does the application proposal acceptably address the issue of land contamination?

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The information submitted with regard to ground conditions remains unchanged from those made in the context of 18/03537/PB and accordingly similar comments are made by the Contaminated Land Officer.

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

Policies BCS23 and DM34 being relevant to this issue.

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

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

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

The intrusive investigations which have been undertaken were limited in extent and only over a one month period. It is recommended that more testing closer to the mounds, and over a longer period of time, is undertaken.

Elevated levels of some contaminants have been found from the testing to date and the recommendation within the report that more testing is undertaken is concurred with.

In response, they have raised no objection to the proposal but have recommended conditions requiring a Remediation Strategy based on further investigation, a subsequent Verification Report, report of any Unexpected Contamination and a need for Consent for the infiltration of Surface Water.

Conditions are recommended to reflect these comments.

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

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

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

The Environmental Statement contains a chapter on Ecology.

The application site is close to a number of Sites of Nature Conservation Interest,(SNCI's), to include The Mounds to the west. A large part of the site is a designated Wildlife Corridor, therefore Policy DM19 applies. This states that development which would have a harmful impact on the connectivity and function of sites in Wildlife Corridors will only be permitted where the loss in connectivity, or function, of an existing Wildlife Corridor is mitigated. Development should integrate existing wildlife

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corridors. Where this is not practicable it should provide suitable mitigation in the form of on-site, functional Wildlife Corridor(s). Development should also provide mitigation for any habitats, species or features of value associated with the Wildlife Corridors, where they are harmed or lost. This should take place on the development site wherever possible.

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

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

The Nature Conservation Officer has confirmed that the date of these surveys renders them acceptable in the context of the current application and similar recommendations are made to mitigate the impact of the development and the loss of habitats.

This will include the submission of an Ecological Mitigation and Management Strategy to cover the provision of bird and bat boxes and the employment of an Ecological Clerk of Works.

In addition the planting of native species of types is recommended that will provide for additional foraging opportunities for a range of species.

External Lighting should be submitted that shows lux levels as they affect retained areas of ecological interest to be retained and land outside of the site boundary.

It is recommended that structures with flat or shallow sloping roofs include living brown roofs.

All these measures should be included in the detailed landscaping schemes for each phase that will be part of Reserved Matters.

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

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

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

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

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

It is recommended that the contribution be linked to occupation of 50% of the development.

l) Does the application proposal successfully mitigate its impact on the trees on the site?

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

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

An Arboricultural Survey and Impact Assessment,(AIA),are included in the application. The latter takes into account the physical impact of development on trees but also the interrelationship between trees and proposed development.

The comments in the AIA- that the conifers around the former athletics track need not be included for the purposes of the Bristol Tree Replacement Standard calculations as it is essentially an overgrown hedge are agreed with.

As proposed 859 individual trees will be lost, 5 full tree groups, 6 part tree groups and 2 hedges. A programme of tree works to some of the retained trees is included.

The issue of the row of mature poplar trees that abut the area of woodland backing onto the Western Drive industrial estate, which are considered category A, is considered above under previous Reasons for Refusal.

The groups of woodland that are to be retained have similar characteristics and to maintain them as woodland that will have amenity value in the long term, a programme of woodland management, to include felling and new tree planting over twenty-five years will be required. Given the timescale for these works it is recommended that this commence along with the first phase of development to the north of the existing buildings, i.e. exempting the education site and bookends.

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

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

A BTRS calculation has been provided which states that to compensate the loss of the 859 trees, taking account their condition and size, 1,280 trees would be required as compensation. A Tree Planting Principles Plan,(TPPP) which includes extra heavy standards to native trees and feathered

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whips is included. As a number of the proposed trees are extra heavy standards it is considered that these can count as three new trees and overall the BTRS is met.

The TPP includes a recommended mix of trees, which is broadly supported but full details, to include tree pits, will be required at Reserved Matters Stage.

Notwithstanding, there is concern that the survival of the new trees will be hampered by the need for regular watering, which given the number proposed will be a substantial undertaking.

There are examples of street tree planting in Stockholm which are irrigated through natural drainage, with tree pits being located at a lower level than the surrounding area and therefore benefitting from runoff. This can significantly reduce the watering requirements.

It is recommended that the detailed landscaping design is coordinated with the detailed SUDs design to take full advantage of this approach where possible.

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

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

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

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

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

In addition to the provision of new trees on site, there are concerns that a number of the trees to be retained along the eastern edge of the park are ash trees and are affected by ash die back. The landscaping proposals for the park must include provision for replanting of this area with disease tolerant species.

The condition pertaining to the landscaping of the park will cover this issue.

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

The Environmental Statement includes a Chapter on Cultural Heritage. BCS22 and DM31 are relevant to the consideration of heritage assets.

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

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

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

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

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

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

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

Accordingly the proposals as they affect the runway must be assessed against the relevant sections of the National Planning Policy Framework as set out below.

The master plan for the park with the previous application involved the loss of the actual surfacing of the runway but the line of the runway was partly retained though not the width.

The removal of the area of allotments from the park and the community orchard has enabled the line of the runway to be retained almost in its entirety, to be marked by tree planting. In addition the design of this line, to include the Runway Park, now incorporates a wider, flat area.

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

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

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

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

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

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

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

k) Can an acceptable design solution be found for the site?

The design of the proposed park, layout and density of the proposed housing as they relate to policies HWP1, HWP8 and HWP10 of the Hengrove and Whitchurch Neighbourhood Plan are discussed above under previous Reasons for Refusal and under section B), which specifically considers how the proposals respond to the Masterplan Moves.

It however remains relevant to consider other aspects of the design and layout of the proposal based on what is included for approval with the application in the form of the regulatory plan and within the Design Codes and what is included in the Design Codes as indicative, plus other indicative material, against the provisions of relevant policies to include the Urban Living SPD.

i) Building heights

The height of the proposed dwellings is intrinsically linked to the density and the associated regulatory plan shows the maximum building heights, which range from six to two storeys, is intended to ensure a development of an acceptable density.

The heights will however have a significant impact on the appearance of the development.

The height shown is greatest along the main roads, where the plan shows apartment blocks being concentrated, and decreases away from these points where single dwelling houses are proposed.

This did initially include a high building immediately adjacent to the hospital and there was concern that this would have an adverse impact on staff and patients. Accordingly an area is now shown on the regulatory plan in this location where it is stated that a suitable height will be determined through Reserved Matters.

The proposed office building and apartments, with commercial ground floors, on the bookends to the south of the existing buildings are shown as being a maximum of 5 storeys.

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

The regulatory plan also shows the character areas, which in turn link to the Design Codes. These contain a range of guidance, regulatory and indicative, and of varying degrees of detail.

ii) Location/Design of -A1-A5 and D1 uses

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The siting of these uses on the ground floors of the bookend developments is considered to be appropriate given that they are in an area of existing high levels of activity, close to existing bus stops and car parks. The compatibility with HWNP10 and the Masterplan Moves is considered above.

A flexible consent is being sought and if granted, the General Permitted Development Order would allow for changes between permitted uses within a ten year period. Therefore all eventualities must be considered.

Some of these uses bring with them potential for noise and odour nuisance to residents /occupiers of upper floors, particularly in respect of bars and takeaways, and Reserved Matters should include information on noise insulation, odour control details, the size and location of refuse and recycling storage, which must be separate to that serving upper floors, the provision for servicing and deliveries, to include drop off should a use such as a Creche occupy the unit, disabled parking and cycle parking for staff and visitors.

The amount of visitor car parking for these uses will be very limited though the existing car parks will remain.

Details of shop frontages will also be required as part of Reserved Matters and should include integral security measures if required.

Conditions are recommended to restrict hours of the use of the internal area and the use of external areas plus to require the completion of shop fronts and internal fit outs before any occupation of upper floors to prevent them remaining empty.

iii) Location/Design of Community Uses

A community use is usually considered to be a mix of D1 and D2 and by definition sui generis.

The proposed community building is not in the centre but shown as being sited on the edge of the residential development adjacent to the main park where it accessible by a number of proposed pathways and equidistant to much of the proposed development as well as being well placed to be used by existing residents. Reserved Matters shall include full details of the building to include refuse and recycling storage, provision for servicing and deliveries, parking and cycle parking for staff and visitors, noise attenuation measures and any other associated plant. There will be a need to accommodate disabled users and community transport.

A condition will be recommended restricting hours of use given proximity to residential properties.

The location of the sports pavilion in relation to the pitches and the access to this facility has been commented on by Sport England. The proximity to the MUGA is supported as it will provide mutual casual surveillance. There is no direct vehicular access or bespoke parking provision although it is in close proximity to a key footpath link to one of the perimeter roads with the site.

Some concern has been expressed about the isolation of the scouts hut however as proposed it directly faces Bamfield Road which allows casual surveillance and some limited parking to serve the new facility.

iv) Public Art

The public art strategy submitted with the application sets out an approach to working with artists and the community. It refers to focusing on the central area of the proposed new open space and working with local community groups alongside commissioned artists looking at embedding the culture and

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heritage of the Hengrove Area, to include the airport heritage, and developing play opportunities. It is also proposed to undertake commissions associated with the natural environment based on nearby areas of nature conservation value such as The Mounds and Hawkfield Meadows.

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

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

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

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

iv) Fire Safety

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

v) Sustainable Urban Drainage System (SUDs)

The issue of flooding and the strategic elements of the SUDS scheme for the site, that are proposed within the main open space have been considered earlier in the report.

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

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

As noted above under consideration of arboriculture, SUDS design should consider where trees can be planted to take advantage of drainage.

vi) Noise

The Environmental Statement includes a Chapter on Noise and Vibration.

DM35 requires assessment and mitigation where proposed noise sensitive development such as residential may be affected by noise generating uses.

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

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

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

Should any of the sports pitches, to include the MUGA, be floodlit then a noise and lighting impact would be required as relevant.

The implications of proposed uses that may generate noise and impact on proposed dwellings is considered above.

There are also concerns regarding the impact of construction noise and vibration on in particular the Hospital and the Bottleyard Studios. The recommendations within the ES that the effect of noise and vibration on nearby sensitive receptors can be minimised through a good communication strategy is supported and the Construction Management Plan that will be a requirement of each phase of construction will refer to this.

iv) Power plant

The power plant that is referred to as being part of a potential energy strategy for the site is proposed under apartments. Examples of similar arrangements have been provided which show the power plant accommodated in a semi basement to allow main entrances to apartments to be at ground floor level. The location of the flue would have to be carefully considered.

Details of a power plant will be required by condition should it come forward as a confirmed element of the energy strategy as well as a programme for its construction. The condition will extend to how each phase would link to a power plant and require that evidence of this be provided prior to occupation.

v) Education provision adjacent to the Skills Centre

As this part of the development now benefits from Full Planning permission while it will still be necessary to condition Reserved Matters for this part of the scheme, it is recognised that a Reserved Matters application is very unlikely to be submitted.

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

A Transport Impact Assessment has been submitted which models the impact of the projected number of vehicles at all the junctions that may be affected by the development in combination with that generated by other developments in the vicinity to include Hartcliffe Campus. The impact of natural growth has also been modelled without the development to provide comparison. It is accepted that the latter two factors will be the cause of some impact on junctions but it is clear that at some junctions the development will have an impact in its own right.

This impact includes some additional queueing at junctions with the following being most affected;

Wells Road/Airport Road/Wooton Park junction- this will be affected by development traffic but it is not considered to be server when compared to natural traffic growth.

Hengrove Way/Airport Road/Creswicke Road/Bamfield- it is apparent that the proposal will have an adverse impact on this junction. A reworking of this junction, to include signalised junctions and a bus priority lane allowing access to Filwood Park Lane, has been designed and will be required in

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connection with the development of the development. This will accommodate the predicted increase in traffic, prioritise bus movements and help address the historic accident issue at this junction.

Hengrove Way/Roman Farm Road/Hengrove Leisure Park- some impact but not considered to be significant.

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

Whitchurch Lane/Bamfield junction is shown as improving due to the traffic that will divert through the site. This is recognised but there are concerns regarding rat running through the site. A scheme of traffic calming is required to deter such usage. A redesign of this junction has been submitted that facilitates movement but also greatly improves pedestrian and cyclists crossing linking into cycling lanes on Hengrove Way.

Hengrove Way/Whitchurch Road/Cater Business Park- the queue length is predicted to increase at this point and measures to reduce the need for the private car are needed.

Where junctions works are proposed they are designed to support sustainable modes of transport and help address the previous Reason for Refusal based on car dependency.

Along with physical works, it is important that personal travel plans are developed to enable and encourage the use of sustainable modes of transport. The applicant has opted to pay a contribution per dwelling for the council to draft up and manage travel plans. This can be payable in phases as development comes forward.

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

The scheme is designed so it could accommodate the Metrobus should a decision be made to re-route it through the site. The routing of Metrobus through the site, if it occurs, will assist in the sustainable nature of the site but as well as this it will create a connection to the wider orbital services. Bristol's bus strategy aspires to have high frequency services on the radial routes. This can be achieved by creating a public transport hub within the Hengrove development. This would require the implementation of high quality facilities. The optimum location for this is between the leisure centre and hospital.

The existing bus stops on the Boulevard and Hengrove Promenade must be retained. This is for current and potential future bus services. This will create greater flexibility for future service outings. It is anticipated that as a result of this proposal a greater number of services will utilise the new stops on Airport Road. They will also connect with future Metrobus services. Therefore we would require a contribution of £35,766 to provide new shelters at these stops.

Consideration should be given to bus priority measures at the following points; All approaches from within the developments; All approaches from outside the development; and Other parts of the network outside of the development. These must be designed to ensure the punctual and reliable operation of bus services. These should include such measures as: bus lanes, pre-signal or intelligent

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traffic signal priority to ensure the bus gains advantage over the private car and therefore becomes more of an attractive option.

The provision of new bus stops to the north of the bus gate proposed within the site are welcome and considered necessary to enable a modal shift from the private car.

Some improvements to cycle way provision in the vicinity of the site will be required to include the upgrade the connections to Whitchurch Lane on the Boulevard, upgrade the delineation of the route on the north side of Hengrove and either upgrade or provide the cycle link between the site and Filwood Broadway. These are to be addressed by condition. The scheme includes a cycle link to Bamfield, at present there is no provision for cyclists on this road, as a minimum carriageway cycle lanes will be required to link in and out of the site.

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

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

Road Layout

The regulatory plan shows a hierarchy of streets to include a main north south route, with a bus gate approximately halfway and a key link to Bamfield. That this complies with the relevant Masterplan Move has already been commented on.

Where the streets join existing highways detailed design of new junctions to ensure highway safety will be required. Junctions should be level to both cyclists and pedestrians giving clear priority over the private car.

The guidance on road design within the Design Codes is generally compatible with highways preferred layout. Detail will be required at Reserved Matters stage and also through the subsequent Section 38 Agreements that will be required for those roads that are to be adopted

A network of walking and cycling paths is proposed as an intrinsic part of the highway layout of the site and full details will be required at Reserved Matters to include provision for a fully accessible route through the site.

A financial contribution will be required to cover the costs of Traffic Regulation Orders to cover the proposed bus gate, regulation of vehicle waiting and proposed 20 mph speed limit.

To improve legibility to help people access and use sustainable transport modes in this area to reach key destinations, wayfinding information should be delivered.

Electrical Vehicle Charging Points will be required by condition and this will be at a greater percentage than the 5% included in the adopted local plan reflecting more the target in the draft revisions to the local plan which requires 20% with passive provision for the remainder.

Where parking is in curtilage or in a shared courtyard serving apartments then passive provision will be made, with regard to other parking spaces, build outs will be required or other accommodations to enable charging points while still securing an adequate width footway.

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HWP12 refers to the need to promote sustainable and active travel and the need to include electrical vehicle charging points, cycle parking, car club, to strengthen cycle routes and improve pedestrian routes. It is considered that the proposals comply with this part of the Neighbourhood Plan.

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

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

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

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

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

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

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

a) Health Care

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

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

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

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

This is considered a reasonable and proportional request.

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

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

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

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

There is no observed need for dental services.

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

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

The scheme as proposed will incorporate all these features.

b) Education

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

Because this appears on the Reg 123 list, although it may be development that is generating the demand for additional school places, it must be emphasized that it is not possible to secure any additional funding beyond CIL towards this schools provision through the planning process.

Notwithstanding the funding situation, information on existing school provision in the area in the statement with the application refers to an existing surplus of spaces at Bridge Campus at the secondary level but a scarcity of places at primary level.

The Education Programme Manager has considered the demand for school places that may be generated by the development at Hartcliffe Campus and the current development at Hengrove and advises that this will be 59 primary places and 47 secondary places for Hartcliffe and 300 primary places and 240 secondary spaces at Hengrove.

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This is equivalent to under 0.5 form of entry at both levels for Hartcliffe and around 1.5 additional forms of entry at both primary and secondary levels at Hengrove.

It is concurred that there is presently capacity at Bridge Learning Campus at secondary to accommodate this but not at primary. All other schools at both levels within the vicinity are either close to capacity or projected to reach capacity.

There will be a need for new capacity at secondary by 2021 but on the basis of known existing need for secondary places in the wider area the DfE have approved and secured the site of The Park in Knowle West for a new 6FE secondary school to open in 2013, which will provide sufficient capacity to serve the development at that level.

In respect of primary places, funding for works to provide additional in the vicinity of the application site is potentially available from Housing Delivery Service on the basis that it will serve the new housing. Should the housing not take place, then Education would not proceed with works were it to result in too many school places, which would be less sustainable and be an abortive cost for the council.

Looking at possible options for this, as Bridge Campus is a PFI site, if this were to be expanded development costs are likely to be higher than at non-PFI sites.

Other schools in the area are academies and any expansion will need to be agreed by the Academy Trust and the Regional Schools Commissioner.

Of these schools, it is Perry Court that has a small amount of existing capacity, which could serve initial demand, and development of this site would offer the opportunity to improve the poor condition of the existing buildings. It is in close proximity to the site and for these reasons the preferred option.

Following discussions with the school and initial feasibility work a planning application has now been submitted for the redevelopment of this site with if the current application is granted consent will be moved forward with a completion date of August 2021. This is projected as providing capacity for the new developments in the medium term but there will be a need to review the situation some time in 2014.

As above, these works are to be funded outside of the planning process and emphasized that they cannot be taken into account when assessing the planning balance.

Education will continue to monitor the situation as a whole with regard to projected school place demand and deliverable options that could serve an increase.

N) Does the application proposal have an acceptable impact on the existing neighbours of the site? The distance between the new development and existing residential development at St Giles Estate is significant and as a result of the existing mounds alongside the boundary to the estate, the development will be partially screened from many existing houses. Although in places it will be visible the intervening distance will off set any loss of privacy or light.

Due to concerns about this aspect of the scheme, accurate cross sections have been provided to show the outline of the proposed development.

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

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There can be no objection on these grounds.

9.0 Overall conclusions and reasons for approval

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

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

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

A redesign junction to the north of the site will address existing highway safety issues and prioritise public transport.

The Design Codes will guide a good quality scheme as it is worked up through the Reserved Matters process and secure compliance with the Urban Living SPD.

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

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

It accords with the site allocation, most of the relevant policies within the existing Bristol Local Plan. The area where there is not full compliance with the Local Plan is air quality.

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

It has been carefully considered against all relevant policies in the Hengrove and Whitchurch Park Neighbourhood Plan in particular those which were mentioned in the previous Reasons for Refusal. It is noted that it is not possible to comply with the provision of the one-stop shop and library services which require funding and commitment from the relevant Council services.

Key differences remain as follows;

- i) the 26.6 Ha of open space proposed is below the 29.5 Ha indicated on the illustrative Masterplan included in the Neighbourhood Plan (which informs the “Masterplan Moves” and is referred to in HWP8).
- ii) the omission of formal children's play on the illustrative plans for the park
- iii) the anticipated density of housing being 66 dph as opposed to 70dph,
- v)The siting of the community building away from the proposed centre

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Having carefully considered the wording of these in detail, it is concluded that the revisions to the proposals have adequately addressed the previous concerns and that there are no substantive reasons to justify refusal of the scheme as now amended.

A number of conditions are recommended to ensure that key features are included at Reserved Matters taking account of the likely phasing of development, details of which are at present unknown. A full list of proposed conditions will be circulated ahead of the Committee meeting.

10.00 Method of Securing Contributions

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

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

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

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

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

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

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

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

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

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

The MoU/alternative agreement shall cover the following;

- i) A Contribution of £80,000 towards the management and maintenance of The Mounds Site of Nature Conservation Interest to be payable upon, or before, occupation of 750 no. dwellings.
- ii) A contribution of 51 X £1,500 for the fire hydrants as shown on Plan A attached, payment to be made for those hydrants falling within any plot within which they fall prior to the commencement of development of that plot.
- iii) A contribution of £135 per dwelling for the city council to undertake a Residential Travel Plan to be payable prior to the commencement of development of each phase of development for the residential units within that phase.
- iv) A contribution of a total of £12,000 for the management and auditing of a Travel Plan for the non-residential floor space; A1: £3,500, B1: £3,500 and D1 £5,000, - amount to be upon the commencement of use of the first floor area falling into that Use Class.
- v) Traffic Regulation Orders as follows;
 - a) £5,540 for the introduction of the bus gate - to be payable prior the commencement of the development of either Plots B, D, F, G1, G2, H1, H2 and I or prior to the commencement of works on the road connection to Airport Road), whichever comes first.
 - b) £5,540 for each phase for the introduction of waiting restrictions to be payable prior to the commencement of that phase - excluded plots E1,E2,E4 and E5
 - c) £5,540 per phase for the imposition of a 20 mph speed restriction - to be payable prior to the commencement of development.
- vi) £35,766 to provide new bus shelters to stops on Airport Road payable upon or before commencement.
 - vi) £318,000(plus 5% contingency) towards x4 new bus stops within the development; 50% (stops 7 and 8) to be payable prior to the commencement of development of plots Plots B, F, G1 and G2 and the remainder, (stops 9 and 10) to be payable before the development of plots H1,H2, and J.
 - vii) £1.1m towards the construction of a redesigned junction arrangement to the north of the site between A4174 and Bamfield to be payable prior to the commencement of the development of plot B, D, F, G1, G2, H1, H2, or I , whichever is developed first.
 - viii) £90,000 towards the upgrade of the Whitchurch Health Centre to provide new surgery floor space, to be payable upon or before the commencement of any phase of development that includes residential accommodation.
 - ix) £810,000 to enable the reinstatement of an area of allotments at Oatlands Avenue to serve the development and upgrade of existing allotments within the same campus payable upon first occupation.

11.0 Is the application CIL liable?

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

RECOMMENDED: APPROVAL

Supporting Documents

1. Hengrove Park, Hengrove Way, Bristol,

1. Appendix A
2. Appendix B
3. Appendix C
4. Appendix D
5. Hengrove Park DAS extracts



01a previous illustrative masterplan



01b proposed illustrative masterplan



02a previous illustrative masterplan



02b proposed illustrative masterplan - increase size of Hengrove Park



03a previous illustrative masterplan



03b proposed illustrative masterplan - increase size of Hengrove Park



04a previous illustrative masterplan



04b proposed illustrative masterplan



05a previous illustrative masterplan



05b proposed illustrative masterplan



06a previous illustrative masterplan



06b proposed illustrative masterplan - alternate drainage layout



07a previous illustrative masterplan



07b proposed illustrative masterplan





- site structure**
- site boundary
 - focal building
- land use & building heights**
- townhouses: use class C3(a), height: up to 3-storeys, 13.00 from G.L.
 - townhouses: use class C3(a), height: minimum 3-storeys, 12.00 from G.L.
 - townhouses or flat over garage unit: use class C3(a), height: up to 3-storeys, 13.00 from G.L.
 - townhouses or apartments: use class C3(a), height: min 3-storeys, up to 5 storeys, 20.00 from G.L.
 - apartments: use class C3(a), height: min 3-storeys, up to 5 storeys, 20.00 from G.L.
 - apartments: use class C3(a), height: min 5-storeys, up to 6 storeys, 24.00 from G.L.
 - apartments: use class C3(a), height to be subject to technical assessment at Reserved Matters Stage) + GF retail (use class A)
 - apartments: use class C3(a), height: min 3-storeys, up to 5 storeys, 20.00 from G.L. + GF community (use class D1/D2)
 - community (use class D1/D2), height: up to one storey, 6.00m from G.L.
 - pumping station (use class sui generis), height: up to 7.00m from G.L.
 - apartments: use class C3(a), height: min 3-storeys, up to 5 storeys, 20.00m from G.L. + GF energy centre (use sui generis), stack height: 27.00m (min) above G.L.
 - educational facility (use class D1), height: up to three storeys, 15.00m from G.L.
 - office: use class B1, height: min 3-storeys, up to 5 storeys, 25.00m from G.L. + GF retail or community use (use class A or D1)
 - apartments use class C3(a), height: min 3-storeys, up to 5 storeys, 25.00m from G.L. + GF retail or community use (use class A or D1)
 - substation (approx location)
 - community D2, height: up to one storey, 6.00m from G.L.

- character areas**
- Perimeter Street Type 1
 - Perimeter Street Type 2
 - Mews Street
 - Living Street
 - The Avenue (east)
 - The Avenue (west)
 - Parkside
 - Park Edge (west)
 - Park Edge (south)
 - Village Green
 - Hengrove Community Hub
 - Street Crescent
 - Bamfield

- junctions**
- new junction
 - upgraded junction

- street hierarchy**
- primary street
 - tertiary/perimeter street
 - tertiary/living street

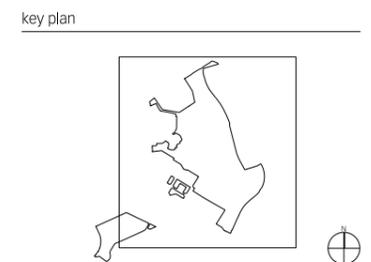
- access & movement**
- dedicated cycle path
 - pedestrian-only route
 - bus gate
 - bus stop

- landscape**
- root protection zone
 - Hengrove Park
 - Village Green
 - The Runway
 - The Avenue
 - Play Park
 - Retained Tree Planting

rev	date	by	revisions
A	11.04.19	NC	Site boundary updated.
B	26.04.19	NC	Allotments updated.
C	31.05.19	NC	Allotments removed from site.
D	16.08.19	SP	Park Road removed.
E	28.08.19	DP	Sports pavilion & Scouts hut (class D2) added. Paths updated
F	23.09.19	DM	key updated

notes
refer to topographic survey for G.L.

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LDS Standard Frame V1 - 11.10



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Hengrove Park regulatory plan

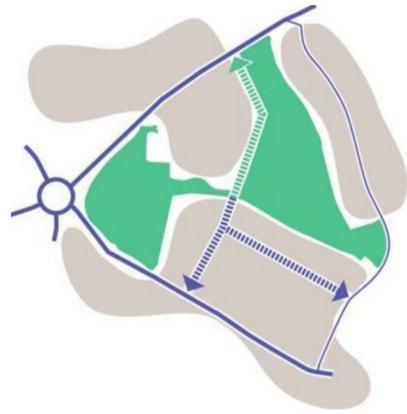
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job no.	drawing	rev.
1062AC	P1140	F

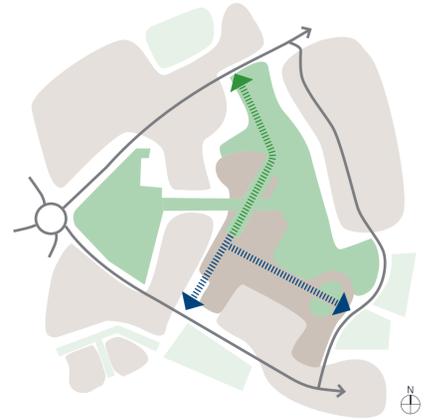


- 1 New Park design retains wide expanse of the former airfield
- 2 Taller and denser development is focussed around existing facilities to establish a new centre
- 3 A new boulevard link E-W connects the centre to Bamfield and creates a very legible central spine to the development
- 4 A new N-S pedestrian boulevard link ensures neighbourhoods and facilities are linked without compromising the continuity of the Park
- 5 Development overlooks the Park to create an attractive and safe edge
- 6 Fingers of park extend into the development to ensure the relationship with the Park is experienced throughout the development and to create more intimate community spaces
- 7 Perimeter blocks ensure the definition and balance of public and private space
- 8 Development to the East along Bamfield provides terraced housing with private gardens
- 9 Development to the north provides terraced housing with gardens and allows the possibility of linking with new sites in the future
- 10 The former Runway is retained but is re-imagined as a series of attractive and varied gardens which link the Park from east to west and create contrast to the expansive Parkland around
- 11 A dedicated area of sports pitches for varied use is established with a flexible pavilion building for community events and clubs
- 12 Children's area is retained and better integrated with the wider park
- 13 Existing wild landscaped area along the north eastern edge is enhanced to include new tree planting and habitat creation
- 14 Improve access and signage to the Mounds to allow it to function better as a destination and a distinct area of the Park and landscape

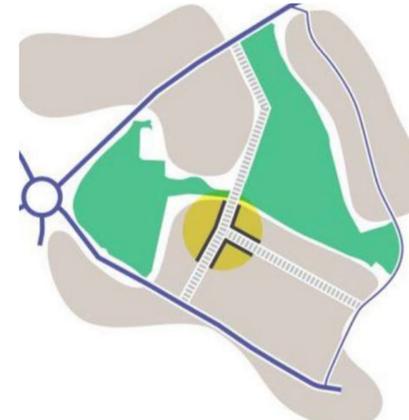
HOW OUR PROPOSALS ALIGN WITH THE NEIGHBOURHOOD DEVELOPMENT PLAN



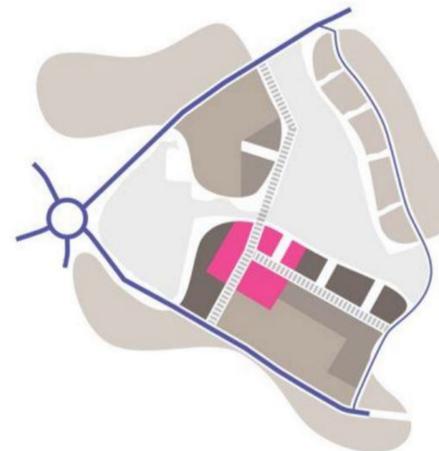
LINK NORTH TO SOUTH - MASTERPLAN MOVE NO. 1



CREATE A CENTRE - MASTERPLAN MOVE NO. 2



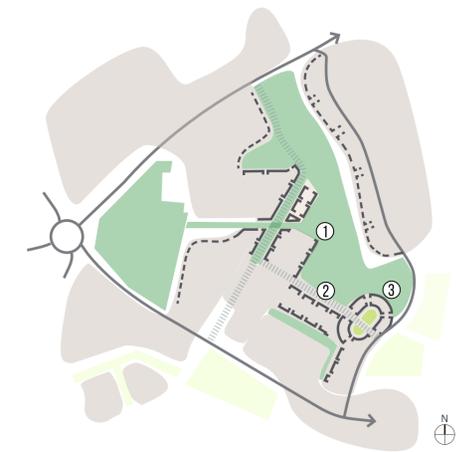
OPEN SPACE QUALITY AND CHARACTER - MASTERPLAN MOVE NO. 3



RESIDENTIAL CHARACTER AND DENSITY - MASTERPLAN MOVE NO. 4



EDGE CONDITION - MASTERPLAN MOVE NO. 5



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FIVE MASTERPLAN MOVES

PROJECT VISION - MASTERPLAN UPDATES

Following a detailed review of the reasons for the previous submissions refusal (ref: 18/03537/PB), the Neighbourhood Plan submission documents and several Community Focus Group meetings including members of the Hengrove & Withchurch Park Neighbourhood Planning Forum (01.04.19 & 25.04.19). The Hengrove Park proposals have been updated. The following key changes have been made:

- ① **retain majority of category A trees**
 - reduction of 22 houses
 - increased size of parkland by 0.4 hectares
- ② **increase size of Hengrove Park**
 - reduction of 12 houses
 - increased size of parkland by 0.3 hectares
- ③ **increase size of Hengrove Park by adjusting profile of east-west road**
 - reduction of 9 houses
 - increased size of parkland by 0.2 hectares
- ④ **centralise the quantum of flat open space by relocating the allotments off-site**
- ⑤ **retain category A trees and road alignment updated**
 - reduction of 7 houses
 - increased size of parkland by 0.1 hectares



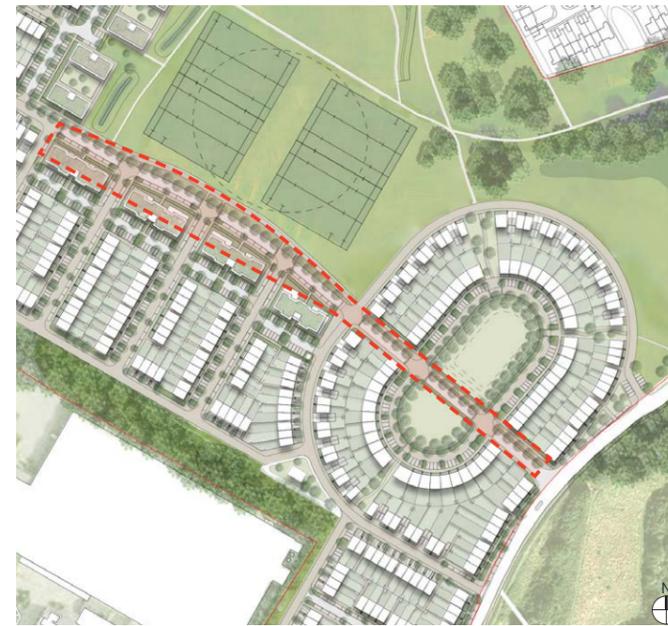
01 proposed masterplan updates



02a previous illustrative masterplan (ref. 18/03537/PB)



03a previous illustrative masterplan (ref. 18/03537/PB)



04a previous illustrative masterplan (ref. 18/03537/PB)



05a previous illustrative masterplan (ref. 18/03537/PB)



02b proposed illustrative masterplan - retention of 21 category A trees



03b proposed illustrative masterplan - increase size of Hengrove Park



04b proposed illustrative masterplan - increase size of Hengrove Park by adjusting profile of east-west road



05b proposed illustrative masterplan - centralise the quantum of flat open space by relocating the allotments off-site

PROJECT VISION - MASTERPLAN UPDATES

Following representations from statutory consultees, other professional officers at the Council and further representations from the Neighbourhood Planning Forum the following key changes have been made:

- ① **removal of Park Road character area**
 - reduction of 15 houses
 - increased size of parkland by 0.4 hectares
 - existing trees and mounding retained in park.
- ② **alternate drainage layout**
 - attenuation pond moved north of Runway Park, to allow for 5 hectares of space for sports provision to the south
 - additional space for possible third sports pitch shown dotted
- ③ **new sports pavilion**
 - provision for sports pavilion with changing facilities adjacent to the MUGA
- ④ **new Scouts hut**
 - provision of new Scout hut with vehicle drop off and two blue badge parking spaces



01 proposed masterplan updates



02a previous illustrative masterplan (ref. 18/03537/PB)



03a previous illustrative masterplan (ref. 18/03537/PB)



04a previous illustrative masterplan (ref. 18/03537/PB)



02b proposed illustrative masterplan - removal of Park Road character area, proposed houses and trees.



03b proposed illustrative masterplan - alternate drainage layout, sports pavilion added



04b proposed illustrative masterplan - relocate Scouts hut.

Development Control Committee A – 16 October 2019

ITEM NO. 2

WARD: Windmill Hill **CONTACT OFFICER:** Peter Westbury

SITE ADDRESS: Land Next To River Cattle Market Road Bristol

APPLICATION NO: 19/02952/M Reserved Matters

DETERMINATION DEADLINE: 25 September 2019

Application for the approval of reserved matters for 953 bed student accommodation (Sui Generis) scheme, ground floor active uses (A1, A3, A4, A5, D1, D2 uses) and associated works pursuant to conditions 1 and 3 of outline permission 17/06459/P being details of layout, scale, appearance and landscape.

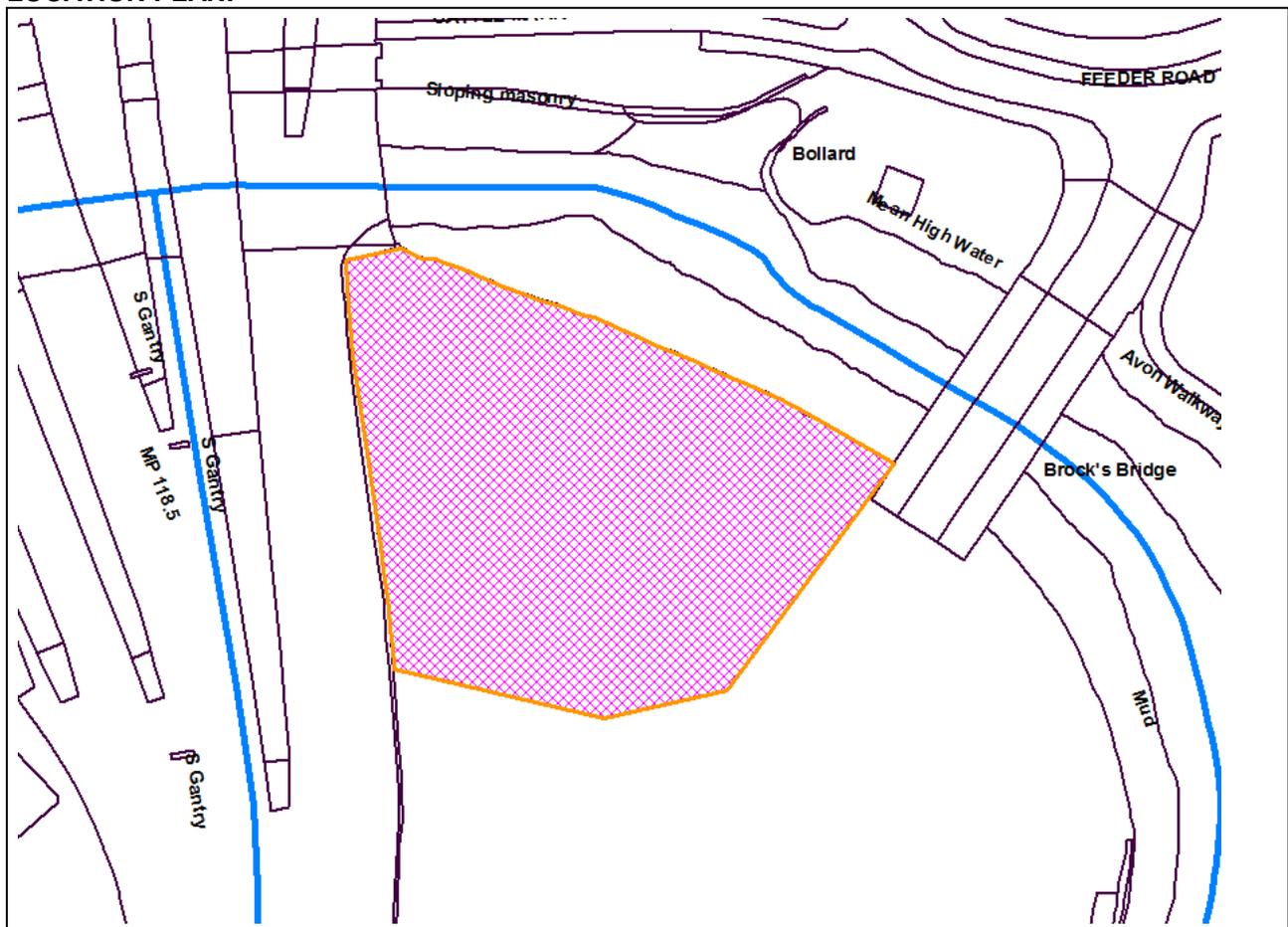
RECOMMENDATION: Approve details of Reserved Matters

AGENT: JLL
31 Great George Street
Bristol
BS1 5QD

APPLICANT: The University Of Bristol And TQEC
Bristol Limited

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

LOCATION PLAN:



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1.0 SUMMARY

- 1.1 This application is brought to Committee on account of the scale of development proposed and its importance to the future of the University of Bristol and the city overall. There has been no member referral.

2.0 BACKGROUND

- 2.1 On 7th June 2019, outline planning permission was granted for a mixed use University Campus (Use Classes A1,A2,A3,A4,A5,B1(a),D1,D2) to comprise of up to 82,395sq m (GIA) of floor space including up to 1,500 students beds (17/06459/P). The principle therefore of the use of the site as a campus with student accommodation has therefore been established.
- 2.2 The following matters - appearance, landscaping, layout and scale, were reserved for subsequent approval. The means of access to the site was approved as part of the outline permission and is therefore not for consideration as part of this application.
- 2.3 The application site for which outline planning permission was granted is divided in two – the former Diesel Depot Site (often referred to as Temple Island) and the former sorting office on Cattle Market Road. This application relates only to Temple Island. A separate application for the approval of reserved matters for the main campus building on the former Post Office site is expected later in the year.
- 2.4 This reserved matters application therefore seeks approval for the appearance, landscaping, layout and scale for 953 bed student accommodation scheme (Sui Generis), including ground floor active uses (A1, A3, A4, A5, D1, D2 uses) and associated works pursuant to conditions 1 and 3 of outline permission 17/06459/P being details of layout, scale, appearance and landscape.
- 2.5 Following negotiation the scale of this proposal has been reduced and this is reflected in the number of student rooms proposed. Although reserved as part of the outline permission, the parameters of the buildings (for which approval is now sought) were confirmed at outline stage and secured by planning condition (Condition 24 attached to 17/06459/P). This application proposal complies with the parameters set within the outline planning permission.

3.0 SITE AND SURROUNDING AREA

- 3.1 The reserved matters application site is located to the south-east of Bristol City Centre. The application form indicates that it has an area of 1.092ha and is located within the Lawrence Hill ward of the city.
- 3.2 The reserved matters site was historically used for a range of industrial activities, including a colour works, gas works and a former diesel depot in association with the railway. For the latter use, the site contained engine sheds and tracks that merged with the adjoining railway line. Since the cessation of the use of this land, the site has been cleared and partially remediated.

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3.3 The site is in close proximity to the River Avon to the north. The Environment Agency flood mapping and Strategic Flood Risk Assessment (SFRA), prepared for BCC, indicates that Arena Island North and the north part of Cattle Market Road site are situated in Flood Zone 1 and are at low risk of flooding. The southern part of the Cattle Market Road site is situated within Flood Zone 2 and 3a.

4.0 APPLICATION PROPOSAL

4.1 This is an application for approval of the appearance, landscaping, layout and scale for development of student accommodation on the former Diesel Depot site to the south of Cattle Market Road.

4.2 The proposal includes the provision of 953 student rooms to be provided in three buildings hereafter referred to as Buildings AR1, AR2 and AR3.

4.3 At outline stage the scale of the proposal was reduced and this is reflected in the reduced number of student rooms, from 'up to 1,500 rooms' to 953 as proposed.

Building AR1

4.4 Building AR1 is proposed to be a 16 storey student residential building of approximately 5,687 sqm and height of 62.75m AOD.

4.5 The schedule of accommodation is as follows:

Building AR1: 180 student bedrooms				
Level	Standard Bedroom	6 Room	1 Wheelchair adaptable bedroom	1 Wheelchair accessible bedroom
1	12		1	1
2	12		1	1
3	12		1	1
4	12		1	1
5	12		1	1
6	12		1	1
7	12		1	1
8	12		1	1
9	12		1	1
10	12		1	1
11	12	1	1	

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12	12	1	1	
13	12	1	1	
14	12	1	1	
15	12	1	1	
Total	180	5	15	10

AR1	Accommodation GIA (sqm)	5628
	Gym	0
	Commercial GIA (sqm)	0
	Communal Study GIA (sqm)	59
	GEA (sqm)	6325
	Bedrooms	180
	Standard	180 (100%)
	Economy	0%

Building AR2

- 4.6 Building AR2 is proposed to be a Part 12, part 9 storey student residential building of approximately 14,504 sqm, including ground floor commercial space, to a height of 51.350m AOD. It is located in the southern part of the site.
- 4.7 Building AR2 will include a 'student hub' with a floor to ceiling height of 4m incorporating a 24/7 reception, UoB staff accommodation and meeting rooms for pastoral care, breakout spaces and private workspace.
- 4.8 The schedule of accommodation is as follows:

Building AR2: 472 student bedrooms					
Level	Standard Bedroom	7 Room	Economy Bedrooms	Cluster Type 2-Dio	Cluster Type 4-Dio
0	1				
1	23	1	16		

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2	21	3	20		
3	28	4	22		
4	28	4	22	3	4
5	28	4	22	3	4
6	28	4	22	3	4
7	28	4	22	3	4
8	28	4	22	3	4
9	14	2	10	1	2
10	14	2	18	1	4
11	14	2	22	3	4
Total	255	34	218	25	42

AR2	Accommodation GIA (sqm)	12927
	Gym	465
	Commercial GIA (sqm)	61
	Communal Study GIA (sqm)	1066
	GEA (sqm)	15763
	Bedrooms	472
	Standard	254 (54%)
	Economy	218 (46%)

Building AR3

- 4.9 Building AR3 is proposed to be a 21 storey student residential building of approximately 8,552 sqm to a height of 77m AOD.
- 4.10 The commercial space includes a mixture of Use Class A1 Retail, Use Class A3 Restaurants and cafes, Use Class A4 Bars and other drinking establishments, Use Class A5, Hot food takeaways.

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4.11 The schedule of accommodation is as follows:

Building AR3: 301 student bedrooms			
Level	Standard Bedroom	7 Room	8 Room
1	15	1	1
2	15	1	1
3	15	1	1
4	15	1	1
5	15	1	1
6	15	1	1
7	15	1	1
8	15	1	1
9	15	1	1
10	15	1	1
11	15	1	1
12	15	1	1
13	15	1	1
14	15	1	1
15	15	1	1
16	15	1	1
17	15	1	1
18	15	1	1
19	15	1	1
20	15	1	1
Total	300	20	20

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AR3	Accommodation GIA (sqm)	8496
	Gym	0
	Commercial GIA (sqm)	87
	Communal Study GIA (sqm)	0
	GEA (sqm)	9504
	Bedrooms	301
	Standard	301 (100%)
	Economy	0

4.12 Key features of the proposed buildings include:

- Education and training, clinics, health centres, crèches, art galleries (Use Class D1) and a gym (Use Class D2) form part of the proposal.
- Clustered residential accommodation: The scheme then includes clusters whereby for example, seven bedrooms are clustered around shared space, such as kitchens. Standard bedrooms are arranged around shared kitchen and social spaces. These clusters range from 6 to 8 bedroom groups Communal living/kitchen areas are well sized and feature large areas of glazing. In many cases, the kitchens are dual-aspect due to their corner location, further capitalising on the available views.
- Two communal spaces are located on Level 9. These double-height spaces occupy the ends of the two main blocks and benefit from expansive views. These spaces include a communal kitchen, games room, screening room and breakout space.
- The communal areas provide access onto a landscaped roof terrace. This outdoor room offers residents external amenity space for working and socialising. The roof terrace is secured by 3m high walls to ensure a safe environment is provided for students.

Landscaping

4.13 In support of their application, the Applicants have submitted a landscape strategy indicates that the public realm has been designed to accommodate a variety of uses. These uses and activities have been developed following stakeholder consultation with the University of Bristol Residential and Hospitality Services as well as students during Stage 2. The intent is to provide the appropriate amenities to support the student residents and to encourage outdoor activity and interaction, which aim to enhance the health and well being of residents and users. The site is open for anyone to use (with the exception of the roof terrace), but has been designed specifically for the student resident's needs and requirements. Thematically landscaped spaces are grouped into the following:

- A "City Quad" which is proposed to be a "gently mounded biodiverse lawn area".
- An outside gym

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- A picnic area (incorporating seating for 25-35 people)
- External Study areas.
- A roof terrace
- River walk and lookout, incorporating: “A path with balustraded edge controls access to river, whilst allowing interaction and proximity to the riparian edge. It is envisaged that this river walk would continue eastwards along Temple Island”.

5.0 RELEVANT PLANNING HISTORY

- 5.1 Planning permission was granted on 7th June 2019 for outline application for a new mixed use University Campus (Use Classes A1, A2, A3, A4, A5, B1(a), D1, D2) to comprise of up to 82,395sq m (GIA) of floor space including up to 1,500 students beds with all matters reserved except access. Alterations to Cattle Market Road & provision of an Energy Centre (to consider Access) (17/06459/P)
- 5.2 A copy of the report presented to Committee on 11th July 2018 is included at Appendix 1.

6.0 EQUALITIES ASSESSMENT

- 6.1 The public sector equalities duty is a material planning consideration as the duty is engaged through the public body decision making process.
- 6.2 “S149 of the Equalities Act 2010 provides that a public authority must in the exercise of its functions have due regard to:-
- (a) eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Act
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
 - (c) foster good relationships between persons who share a relevant characteristic and those who do not share it.
- 6.3 During the determination of these applications due regard has been given to the impact of the scheme upon people who share the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In their assessment of these applications your officers are satisfied that any adverse impacts can be addressed and mitigated through the detailed design of the buildings and the imposition of appropriate conditions

7.0 CONSULTATION RESPONSES

- 7.1 Site and press notices were posted and 1,206 surrounding properties were consulted directly. At the time of the preparation of the report, a total of 11 representations (10 objecting to the scheme and 1 in favour) had been received making the following comments:

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In objection

7.2 The following comments have been made in objection to the proposal:

Design

“This plan should not be permitted: non-compliance with the National Planning Policy Framework, or the Urban Living SPD. The proposed 12, 16 and 21 storey tower blocks do not chime in with Part 3 of the Urban Living SPD adopted by Bristol City Council, namely not demonstrating 'design excellence”

Concern that the proposed design is inconsistent with the EZ Spatial Framework.

Concern about the size and scale of this proposed development which will have a detrimental effect on the nearby Totterdown Community.

“These structures are ugly, the (sic) are a rehash of the pre-refurbished Froomsgate House in the Centre. This is such a wasted opportunity”

“This is the gateway to Bristol and the south-west!! Make it iconic, beautiful and a design icon to show the world what we are made of. As green capital, we should be demonstrating what good eco-design should look like. It's another ugly tower with no aesthetic appeal and certainly not in keeping with the neighbourhood or shaping what it could be.”

Concern has been expressed about the height of the proposed buildings:

“I object to the proposed height of the student accommodation because it is recognised through valid research that high rise blocks are not helpful to student health and well being. The intention is to house international students here, a group more likely to be isolated and homesick”

Concern that river side paths are designed to be safe.

Transport

Concern about the impact on parking in Totterdown

“I would like the applicant to pay for a resident permit scheme on Vernon Street/Higham Street.”

General comments

I am very concerned the amount of student accommodation being built in Bristol. Its advantageous to the developer but not financially to the City of Bristol. Students don't pay Council Tax and I understand the developer does not pay commercial rates for the buildings because they are Residential..

The city will not benefit from more student accommodation.

Concern about the provision of amenities for these additional students, for example doctor's surgeries.

“The Bristol Council and Mayor have wasted an astronomical amount of money to change focus too many times. It's a despicable waste of hard working peoples money which seems fine to BCC.”

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In support

7.3 The following comment has been made in support of the proposal:

The proposals are a good thing for the city.

Representations received from Councillors and Members of Parliament

7.4 No comments received.

Summary of Internal Consultees' Comments

BCC City Design Group (Incorporating comments from Landscape Officer, City Archaeologist and Conservation Team) (CDG)

7.5 CDG support the application proposal. Their comments are incorporated into the Key Issues below, however the conclusion reached is that:

“The adept architecture, detailed design and bold colour palette promises a bright new addition to the Bristol cityscape marking the University’s new presence within Temple Quarter. The scheme’s simple uncomplicated aesthetic belies a sophisticated architectural approach that promises an enduring look and feel for the scheme.”

BCC Public Health

7.6 A Health Impact Assessment (HIA) was carried out for the whole Site by Daniel Black + Associates in autumn 2017. It found the proposals to be ‘largely and potentially very positive’. In particular, it referred to the Civic University approach and the opportunities for promoting healthy lifestyles through the managed public realm open to surrounding communities.

7.7 However, there were concerns relating to:

- Commuter vs resident parking – parking surveys and travel plans were recommended
- Inequality – the University has a role to play in addressing inequalities, and had set out proposals around community engagement, but more detail was needed
- Student mental health relating to tall buildings – there are potential harms and benefits from tall buildings and higher density living; ‘good density’ accommodation was recommended

7.8 **Officer Note:** For the purposes of this application for approval of reserved matters, the impact on student mental health relating to the proposed tall buildings is of particular relevance.

7.9 The Applicants submitted a Health Impact Assessment in support of the outline application. Within it, they state:

“Mental health can be a particular challenge for university students, where the combination of academic competition, social isolation and unhealthy lifestyles can, for some, lead to anxiety and depression; a particular issue for universities with higher academic expectations. This is a complex area with many unknowns. There is some evidence to support the link between living in tall buildings and mental health – see appendices - yet there is also evidence too that higher density living can support basic services that we now take for granted and that promote

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healthy lifestyles and environments (e.g. frequency and quality of public transport; high quality food stores). That said, there is significant uncertainty around what ‘good density’ means (i.e. at what level is density optimal for quality of life). It would seem sensible therefore, in order to maximize health outcomes, to promote ‘good density’ through inclusive and best practice healthy design processes, a key part of which would be to keep buildings, particularly residential, as ‘human scale’ as possible.” (HIA, p.5)

- 7.10 In response to this the Applicants have designed the scheme so that bedrooms are in clusters. This provides a human scale to the development. In addition, a design feature of the scheme is the achievement of dual aspect apartments and 2.575m clear height in bedrooms.

BCC Transport Development Management (TDM)

- 7.11 Although the means of access is approved, an update on TDM comments will be provided at Committee.

BCC Ecologist

- 7.12 The inclusion of a brown roof element including planting for pollinators on the proposed residential element on the general arrangement roof level landscape plan is welcomed and should be secured by a compliance condition. Please advise the applicant that the brown living roofs should include the provision of features for invertebrates including stone and log piles, piles of pure sand 20 to 30 cm deep, coils of rope and areas of bare ground, with varying depths of substrate varying from 10 to at least 20 cm in height with troughs and mounds.
- 7.13 The proposed biodiverse planting of rain gardens shown on page 174 of the Design and Access Statement is also welcomed. Please see the guidance below in relation to nectar-rich planting.
- 7.14 The proposed up-lighting of trees shown on page 184 of the Design and Access Statement is *not recommended*, because it will reduce the value of the site and adjacent River Avon for commuting and foraging bats.
- 7.15 Page 191 of the Design and Access Statement. Please advise the applicant that the selection of plant species for pollinating insects should be expanded to incorporate the following guidance.

Further guidance on nectar-rich planting

- 7.16 It is recommended that the proposed planting includes nectar-rich flowering plants such as a giant hyssop, *Agastache rugosa*, Russian sage *Perovskia atriplicifolia*, lavender, thyme and marjoram for pollinators such as bees and buddleia, lavender and michaelmas daisy for butterflies. To benefit pollinating insects it is best to use predominantly native species and avoid double flowers and cultivars with little or no pollen or nectar.

Summary of Statutory External Comments**Historic England**

- 7.17 Historic England comment as follows:

“This is a reserved matters application for details relating to the appearance of the proposed student accommodation blocks on the Temple Island site. The principle of development, including matters of scale and massing, has been established through the granting of an

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outline planning consent last year. Historic England were involved in discussions pertaining to the outline scheme, and are satisfied that the scale and height of the proposed buildings will not cause adverse visual impact on the setting of the Grade I listed Bristol Temple Meads station, nor the Grade II* listed Bristol & Exeter House.

This is a very prominent site, and its location adjacent to the London-bound platforms at Temple Meads will be the first impression of Bristol to visitors arriving in the City. It will screen present views of the attractive colourful terraced houses of Totterdown which though undesignated, are a locally distinctive and well recognised symbol of the city. A site of this prominence demands a development of the highest design quality.

Based upon the information supplied in support of the application, there is a danger that the proposed buildings may appear as sheer unrelieved monoliths with little sense of refinement in their detail. You should seek advice from your internal urban design colleagues as to whether the proposed buildings are of sufficient quality for the independent design review panel, as advocated by NPPF paragraph 129.

Overall, Historic England has concerns regarding the application on heritage grounds.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in their advice.

- 7.18 **Officer Note:** In the light of these comments, your Officers have sought the advice of colleagues in the City Design Group. Their advice forms a central part of the overall consideration of these proposals, set out below in the Key Issues.

Environment Agency

- 7.19 **Officer Note:** An update on flood mitigation work in response to concerns expressed by the Environment Agency will be provided at Committee.

Bristol Waste Company

- 7.20 Raise no objections

OTHER CONSULTATION COMMENTS

Totterdown Residents Environmental and Social Action (TRESA)

- 7.22 TRESA object to the development.

“We feel that the three proposed 12, 16 and 21 storey tower blocks do not demonstrate 'design excellence' in line with Part 3 of the Urban Living SPD adopted by Bristol City Council.

We agree with Bristol Civic Society's comments that:

- the proposed buildings are anonymous and indistinguishable from many of Bristol's speculative office blocks
- only the buildings' height makes them 'memorable landmarks'
- these 'anywhere' commercial structures do not indicate that they are part of an exciting future campus. The Temple Island buildings lack recognisable character or distinction
- the creation of high quality buildings and places is fundamental to what the planning and development process should achieve
- good design is a key aspect of sustainable development, creates better places in which to

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live and work and helps make development acceptable to communities, and that - being clear about design expectations, and how these will be tested, is essential for achieving this

As they point out, effective engagement between applicants, communities, local planning authorities and other interests throughout the process is also essential. Paragraph 128 of the National Planning Policy Framework states that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably.

TRESA Directors are disappointed to have to comment that notwithstanding the above, it has only been very belatedly, and in contravention of the matters in the above paragraph, that any direct consultation will have taken place between the University and TRESA. This will not occur until September 2019. The designs now proposed have not therefore evolved taking into account the views of the Totterdown community. For that reason, it is our view that these designs should be looked on less favourably.

Furthermore they do not comply with the National Planning Policy Framework, nor with the Urban Living SPD, and should not be permitted.”

Windmill Hill and Malago Community Planning Group (WHaM)

- 7.23 “WHaM objects to this proposal based on the inappropriate size of the scheme. The massing of the scheme is out of context with anything built in that area.

The sheer number of students concentrated in a small area of the city seems as if it will stretch available resources without more support functions around it. We were concerned that the numbers of students together with the small size of the rooms might have a severe impact on the mental health of the occupying students.

The elevation of the building appears as a repetitive façade, which will further dehumanise the students living there. It brings the impression of people crammed into small boxes, which indeed on inspection of the plans they are. Were this any other kind of residential accommodation the occupants would have access to more amenity space but in this instance these people will be stuck in small rooms for much of their time with no access to close by amenity space.

Beyond the issue of the poor response to context, the distribution of these buildings will be a wall of development against the Isambard Kingdom Brunel Temple Meads Passenger buildings. There will be no views into this area from the south and will harm the skyline with unrelieved poor quality elevations.

There is also extreme concern that there will be a lot of cars associated with the occupants of this development (regardless of whether the occupants are permitted them or not) this will harm the already limited parking provision available to nearby residents.

As it stands WHaM cannot support this development at this scale, this density for this use.”

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Bristol Urban Design Forum

- 7.24 The number of proposed student rooms has been reduced to about 950 and incorporates commercial, community and support facilities. Around 500 cycle spaces are incorporated in a basement area that will need convenient access. The design development of the blocks has examined a variety of approaches. The presented solution forms a 'U' shape incorporating 3 blocks at ground level which are further articulated into 5 units, through a variation of height and colour. The variety of height aims to maximise the sunlight penetration into the largely north facing 'courtyard' facing the Cattle Market site.
- 7.25 The height of the development when seen from surrounding areas does not appear intrusive. Visibility from the station approach ramp is minimal and may well be obscured by future developments proposed adjacent to the Bristol and Exeter building. Panel members suggested that it would be beneficial to examine the view from Totterdown and Bath road, although it was accepted that any future development on the remaining part of the Temple Island would have a probably greater impact.
- 7.26 The Panel supported the design approach. They particularly appreciated the disposition of communal facilities within and at higher levels in the accommodation blocks. The seven person, four person and two person units give a variety and the communal kitchen areas should provide good social interaction. The high-level garden rooms and associated roof gardens will be a distinctive and welcome feature. Corridors are wherever possible daylit, and there is a plentiful supply of communal and study facilities throughout the complex. The detailed design of individual study bedrooms is convincing. Whilst compact, the location adjacent to a grouped kitchen/living space will support a good living environment.
- 7.27 A carefully considered façade treatment incorporated a disciplined combination of elements relies on the variety of height and colour to give interest and distinction between the five elements. The Panel wondered whether some horizontal articulation might be beneficial but on balance support the approach being taken. The choice of colour is particularly important, and the current ones selected are very much in keeping with the colouration of the adjacent listed station complex.
- 7.28 The landscape approach within the 'courtyard' appears to be partly determined by the access arrangements incorporating a 2-way entrance and a proscribed one-way circulation within the area. The Panel suggested further consideration might result in a more informal shared space arrangement that would prioritise pedestrians over vehicles and potentially raise the profile of the soft landscape over hard trafficked surfaces.
- 7.29 Linking of the landscape and access solutions into the wider area development can only be determined when a declaration is made about future developments. The Panel did suggest a direct and convenient pedestrian and cycle link to Bath Road should be an essential provision, avoiding steps if at all possible. As the masterplan, landscape and buildings evolve together it would be good to see the conceptual drivers identified being reinforced in the different elements and to see evidence of a dialogue between them. For example, between the buildings facing one another across the river, or in the assembly of buildings as a group and their relationship to the proposed strategic character of the landscape 'ground' or the railway datum.

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Bristol Civic Society

- 7.30 The Society has consistently supported the University's new campus. The University's initiative has already created significant developer interest in the Enterprise Zone and the wider St. Philip's Marsh area. The Society was pleased to see that the University will partner part of the Silverthorne Lane redevelopment scheme which will increase the social and economic regeneration of this deprived area of the city.
- 7.31 At the outset we said that the new campus should be distinguished by buildings as recognisably 'Bristol' as the Wills Memorial Building. It is disappointing to make a negative response to the proposed design. The Society considers that the proposed buildings are anonymous and indistinguishable from many of Bristol's speculative office blocks. The tall orthogonal blocks have repetitious fenestration in elevations that have no horizontal hierarchy and minimal vertical articulation. They have no 'tops' or 'podiums' as Part 3 of the Special Planning Document suggests. The dark colour of the proposed materials emphasises the buildings' mass. Only the buildings' height makes them 'memorable landmarks'. These 'anywhere' commercial structures do not indicate that they are part of an exciting future campus. The Temple Island buildings lack recognisable character or distinction. The University sees its proposed Woodland Road new library as a 'landmark building', we suggest the same ambition for the new campus. There is no better place in Bristol for a contemporary landmark building.
- 7.32 Apart from the station, the site has no architectural context. The University has an unconstrained opportunity to use modern architecture and materials. There is no reason to refer to the nearby industrial heritage when the purpose of the new campus is to signal that Bristol University is at the forefront of the development of new technology, design and sustainability. The site is at the heart of the developing commercial area that will transform and reunite this run-down area with the economic life of the city. It must be a beacon to attract inward investment into the city. Temple Meads Station is an example of how 19th century Bristol used new materials and architecture to signal the arrival of new technology and ideas.

The Society supports the Temple Island access and landscape strategy. Despite the University's policy to restrict motor traffic we are concerned about the inevitable aggregate increase of motor traffic. The plans for the redevelopment of the Station and for Temple Quarter, and the new Campus with many new jobs will put further pressure on Bath/Wells Road junctions and Temple Gate. The Temple Gate traffic realignment has not designed to take more traffic; it will release land for more development and traffic.

8.0 RELEVANT POLICIES

- 8.1 The following policies are relevant:

National Planning Policy Framework 2019

Bristol Core Strategy (Adopted June 2011)

BCS2	Bristol City Centre
BCS5	Housing Provision
BCS7	Centres and Retailing
BCS8	Delivering a Thriving Economy

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BCS9	Green Infrastructure
BCS10	Transport and Access Improvements
BCS13	Climate Change
BCS14	Sustainable Energy
BCS15	Sustainable Design and Construction
BCS16	Flood Risk and Water Management
BCS17	Affordable Housing Provision
BCS18	Housing Type
BCS20	Effective and Efficient Use of Land
BCS21	Quality Urban Design
BCS22	Conservation and the Historic Environment
BCS23	Pollution

Bristol Site Allocations and Development Management Policies (Adopted July 2014)

DM1	Presumption in favour of sustainable development
DM6	Public Houses
DM7	Town centre uses
DM10	Food and drink uses and the evening economy
DM12	Retaining Valuable Employment sites
DM14	The health impacts of development
DM15	Green infrastructure provision
DM19	Development and nature conservation
DM22	Development adjacent to waterways
DM23	Transport development management
DM26	Local character and distinctiveness
DM27	Layout and form
DM28	Public realm
DM29	Design of new buildings
DM31	Heritage assets
DM32	Recycling and refuse provision in new development
DM33	Pollution Control, Air Quality and Water Quality
DM34	Contaminated land
DM35	Noise mitigation

Bristol Central Area Plan (Adopted March 2015)

BCAP1	Mixed-use development in Bristol City Centre
BCAP3	Family sized homes
BCAP6	Delivery of employment space
BCAP9	Cultural and tourist facilities and water-based recreation
BCAP11	University and hospital development
BCAP20	Sustainable design standards
BCAP21	Connection to heat networks
BCAP22	Habitat preservation, enhancement and creation on waterways
BCAP23	Totterdown Basin enhancement
BCAP25	Green infrastructure in city centre development
BCAP28	New interchange facilities
BCAP29	Car and cycle parking
BCAP30	Pedestrian routes
BCAP31	Active ground floor uses and active frontages in Bristol City Centre
BCAP33	Key city spaces
BCAP34	Coordinating major development in Bristol City Centre
BCAP35	Bristol Temple Quarter

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Bristol Temple Quarter Spatial Framework (October 2016)

Urban Living SPD

9.0 KEY ISSUES

IS THE SCALE, APPEARANCE, LAYOUT AND LANDSCAPING FOR STUDENT ACCOMMODATION ON TEMPLE ISLAND ACCEPTABLE?

Scale

- 9.1 Approval is sought for the scale of the buildings, this relates to the size of the development, including its height, width and length of each of the buildings.
- 9.2 Although reserved for approval as part of this submission, Condition 24 attached to the outline permission (17/06459/P) includes a plan that set parameters for the height of the buildings on the site. This plan stipulated that buildings on the site would not exceed the following heights:
- North Western portion of the site, closest to the mainline railway line and including Building AR1: 63m (Building AR1 is proposed to be 62.75m tall)
 - Southern portion of the site including Building AR2: 53.25m ((Building AR2 is proposed to be 51.35m tall)
 - Portion including Building AR3 next to Brock Bridge: 77m (Building AR3 is proposed to be 77m tall)

A plan of this is included in your Background Papers.

- 9.3 The scale of the proposed buildings is therefore considered to be appropriate and can be supported.

Appearance

- 9.4 Approval is sought for aspects of the proposed buildings which affect the way it looks, including the exterior of the development.
- 9.5 Policy BCS21 of the Core Strategy promotes high quality design, requiring development to contribute positively to an area's character, promote accessibility and permeability, promote legibility, clearly define public and private space
- 9.6 CDG have confirmed their support for the proposed appearance of these student buildings. They note that the proposal is the result of extensive design development. The result is a holistic architecture with strong aesthetic presence. The design effectively responds to the cellular nature (compact repeating rooms) of student housing. The internal plan and vertical dimension have been used to inform the composition and expression of the facade. The massing demonstrates a series of forms that have been planned from the inside out. This welcome approach has produced a slender block width particularly notable at the upper levels. The key façades have a vertical emphasis. End elevations differ to the main elevations due to the internal arrangement and response to the external conditions. Here a horizontality is expressed and emphasised by solid sections below the glazing.

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9.7 The expressed grid of the façade was tested to understand views and how the scheme will be perceived in both near and long views. The chosen approach brings a pleasing order and legibility to the massing. It has been noted by the BUDF and other consultees that some further horizontal ordering and hierarchy could benefit the overall composition. However, it is important to note the scheme's skilled architectural approach has achieved a holistic balance where the uncomplicated facades are well suited to the slender massing achieved for the taller elements.

Colour

9.8 The design team engaged in a series of layered studies which drew on Bristol's rich culture of using colour in buildings with special emphasis on the historic contextual tones of Bristol Temple Meads train station. Enduring industrial tones found in metalwork and masonry formed the basis of these studies. Colour choices also relied on the colour explorations of Josef Albers to define and order the palette. An analysis of the façade's architectural features in combination with tonal values was done to achieve the best effect.

9.9 This strategy promises interest and a level of dynamism between the building's 5 massing elements while maintaining a unified character across the scheme. The individual colours, like that of a traditional Bristol terrace, also offer a pleasing sense 'home identity' for its student residents.

9.10 The RAL colours proposed should be the subject of detailed planning conditions with a series of large scale mock-ups erected on site for evaluation.

Materials

9.11 Powder coated aluminium cladding when executed correctly and with clear architectural intent is considered an appropriate material. It is economic, lightweight and durable. It is colourfast guaranteed for up to 30yrs. This is similar to other cladding systems currently in wide use on other newly completed tall buildings. Profiled and perforated cladding will be used in relation to ventilation. The best aluminium clad buildings have clear architectural intent with strong emphasis on the detailed articulation of the facades. The design team has a demonstrated track record of working with metal cladding systems. Ark All Saints Academy in south London completed by AHHM in 2013 illustrates the character and quality that can be achieved through sophisticated architectural handling.

Layout and landscaping

9.12 Approval is sought for the layout of the site, including routes, open spaces with the development and the means by which they are laid out.

9.13 For landscaping, approval is sought for improvements and protection of the amenities of the site, including tree planting and associated landscaping. Policy BCS9 states that development should incorporate new and/or enhanced green infrastructure of an appropriate type, standard and size.

9.14 Alongside Policy BCS21 of the Core Strategy, the adopted development management policies reinforce the importance of layout and form (Policy DM27) and high quality public realm (DM28).

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9.15 CDG have confirmed that the layout and landscaping of the reserved matters site is acceptable. It is noted that a convincing public realm and landscape strategy at ground level is proposed that makes the most of the scheme's riverfront position has also been provided.

9.16 Detailed information of external treatments should also be conditioned to ensure that a high quality public realm is delivered.

9.17 CDG concludes that:

“The applicant should be commended for their commitment to ensuring that the scheme provides the necessary level of activation at street level where the public will interact with the scheme. Significant efforts have been made to maximise active frontages despite competing functional demands for internal ground floor space. The result promises a public face to the building that will engage passers-by. This sets a welcome precedent for new development in the area that will follow.”

10.0 CONDITIONS

10.1 In the event that Members are minded to approve this scheme, delegated authority is sought to finalise conditions, which will include conditions on the following:

- Detailed information on all external treatment
- Materials including the RAL colours proposed with a series of large scale mock-ups erected on site for evaluation.
- Environment Agency conditions as yet to be confirmed for which an update will be provided at Committee.
- Lighting details

11.0 COMMUNITY INFRASTRUCTURE LEVY (CIL)

11.1 The CIL liability for this development is £4,048,031.25.

12.0 CONCLUSION

12.1 This application represents an important stage in the evolution of the proposals for this new University of Bristol Campus in the Temple Quarter Enterprise Zone.

12.2 Through a thorough assessment, the detailed design of the student accommodation to be accommodated on Temple Island has been confirmed to be acceptable. This application can be supported. It will give rise to high quality student accommodation in close proximity to the campus buildings that will create a high quality development at this important gateway into the city.

RECOMMENDATION

Approve details of reserved matters

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Appendix 1

Report presented to Development Control Committee A on 11th July 2018 in respect of the outline application for the campus on Temple Island.

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1.0 SUMMARY

- 1.1 This application is brought to Committee on account of the scale of development proposed and its importance to the future of the University of Bristol and the city overall. There has been no member referral.

2.0 BACKGROUND

- 2.1 This is an application for outline planning permission submitted by the University of Bristol for the redevelopment of the former Post Office Sorting Office at Cattle Market Road and the land to the south accessed by Brock's Bridge. All matters are reserved for subsequent approval with the exception of the access to the site. Development parameters are proposed, which would be covered by conditions and reserved matters submissions would be expected to comply with these parameters. The application site is located within the Temple Quarter Enterprise Zone (TQEZ).

- 2.2 As the LPA considered that the development proposals could have significant environmental impacts, the proposals have undergone an Environmental Impact Assessment (EIA). The application is therefore supported by an Environmental Statement (ES).

- 2.3 As part of the application process, neighbouring residential areas have been consulted. Network Rail, Highways England, Historic England (amongst others) have also all been consulted.

- 2.4 This application must be seen in the context of the wider aspiration for the University of Bristol's growth. In support of their application, the University refer to the following:

"The University Strategy 2016 sets out a vision that would reimagine the role of a civic University in the 21st Century. This includes a rethink of the traditional University activities providing a Campus that plans for its spatial requirements for decades to come. The campus will encompass in the widest sense; innovation, enterprise (commercial and social) and engagement. The University aspires to a campus that is welcoming and inclusive, to create a porous campus that will be shared with local communities, visitors to the city and to business and industrial partners alike.

- 2.5 The Campus (known as Temple Quarter Enterprise Campus or TQEC) brief includes for:

- Predominantly postgraduate activity in teaching and research in digital technologies;
- Major expansion of the School of Economics, Finance and Management;
- Major expansion for the School of Computer Science, Electrical and Electronic Engineering and Engineering Maths with a particular focus on digital innovation;
- Provision for the recently established Centre for Innovation and Entrepreneurship;
- A new Engine Shed 3;
- Space to be shared with business and industrial partners and members of the local community;
- Student accommodation for predominantly postgraduate students. Many of these are likely to be working and studying on the campus;
- Support and infrastructure for students and staff; and
- Commercial space to support both the activities on campus and the wider community.

- 2.6 The University state that they are "committed to providing a development which both reflects its status as a world class University and provides an open and welcoming campus to the people and city of Bristol. It will not only serve the University but also provide facilities for the public including a Centre for Public Engagement, a training and skills facility for use by the

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local community as well as the use of facilities for community groups.” (Taken from the Application Planning Statement)

- 2.7 The University also has a strong desire to make the campus an attractive destination or through route with provision for a range of commercial retail and catering outlets.
- 2.8 The campus will be an exemplar of sustainable development, will be car free and aim to be carbon neutral in operation by 2030. It also has a positive economic impact in the provision of new jobs, additional student accommodation, regeneration of the area and new commercial facilities.
- 2.9 The TQEC will represent a £300 million investment into the future of Bristol (Information taken from the Application Planning Statement)
- 2.10 The intention is to create a new city centre campus to accommodate significant expansion of the overall University over the next 5-10 years. The University's growth strategy aims to increase student numbers from 20,000 to 26,000 across the University estate.

3.0 SITE AND SURROUNDING AREA

- 3.1 The application site is located to the south-east of Bristol City Centre. It has an overall area of 3.3ha and is located within the Lawrence Hill ward of the city. It is bounded to the west by the Temple Meads railway station complex, to the north by the Floating Harbour and operational railway lines, and to the south by land which has the benefit of planning permission for an Arena (15/06069/F). The River Avon and Cattle Market Road run through the site in a roughly east to west direction. They are both outside the application boundary red line.
- 3.2 The application site is located within the Temple Quarter Enterprise Zone (TQEZ). As set out in the Bristol Central Area Plan, the vision for the TQEZ is embedded in Policy BCAP35. It is to see the area developed for a wide range of uses as part of the growth and regeneration of the area as an employment-led, mixed-use quarter of the city centre, an exemplar for new initiatives and a hub for all creative minded businesses. There is a policy requirement to deliver (alongside a major indoor arena and complementary leisure uses), at least 100,000 sqm. of net additional high quality office and flexible workspace, and up to 2,200 new homes (including live/work space).
- 3.3 The application site is divided in two. The northern part of the site is the location of the former Post Office Depot and the southern part of the site is immediately adjacent to land which has the benefit of planning permission for an arena. There is currently no public access to any part of the application site.
- 3.4 The northern parcel of the application site is occupied by the derelict remains of the Former Post Office Depot building, the former Cattle Market Tavern (now abandoned) and the former Wood Recycling Project on Cattle Market Road. It has an area of 2.6 hectares.
- 3.5 The southern part of the site was historically used for a range of industrial activities, including a colour works, gas works and a former diesel depot in association with the railway. For the latter use, the site contained engine sheds and tracks that merged with the adjoining railway line. Since the cessation of the use of this land, the site has been cleared and partially remediated.
- 3.6 The site is in close proximity to two main waterways: the Floating Harbour to the north, and the River Avon. The Environment Agency flood mapping and Strategic Flood Risk Assessment (SFRA), prepared for BCC, indicates that Arena Island North and the north part of Cattle

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Market Road site are situated in Flood Zone 1 and are at low risk of flooding. The southern part of the Cattle Market Road site is situated within Flood Zone 2 and 3a.

4.0 APPLICATION PROPOSAL

- 4.1 This is an outline planning application with all matters (appearance, landscaping, layout and scale) reserved for subsequent approval except access for a new mixed use University Campus (Use Classes A1, A2, A3, A4, A5, B1(a), D1, D2) to comprise of up to 82,395sq m (GIA) of floor space including up to 1,500 students beds. The proposal includes alterations to Cattle Market Road and the provision of an Energy Centre.

Access to the site

- 4.2 In support of their application the Applicants have submitted an Access Strategy which includes the following key elements:

- Proposed route through to Temple Meads Station
- Proposed strategic cycle routes through the site
- Proposed public footways through the site (including green infrastructure and public realm enhancements including a continuous and accessible Quayside Walkway (Policy BCAP32) and the improvement of open space to serve the new developments.
- Harbour front public realm improvements
- Proposed transport hub on Cattle Market Road to serve bus routes to the site (including University bus services)
- Proposed ferry route
- Proposed vehicle access and direction
- Proposed service vehicle access
- Proposed ferry halt
- Proposed cycling parking
- Proposed coach stop that could serve an Arena
- Proposed taxi rank in the area adjacent to Totterdown Basin
- Proposed taxi waiting during Arena road closures
- Temporary road closures during large Arena events

Pedestrian Access

- 4.3 “The proposed TQEC campus has been composed with pedestrian movement and connections as a principal of design. New and existing routes from north, south, east and west converge on the campus creating a node around which the public, residents, students and staff can circulate safely and connect onwards to the city. There is also the potential for a future bridge connection across the Floating Harbour towards Avon Street” (Access Strategy (June 2018), Section 6.1.2)

Cycle Access

- 4.4 Provision of ten cycle shelters both for residents and the public across the application site (accommodating a total of approximate 1,072 cycles) is as follows:

Public Cycle Shelter – 2
 Open Public Cycle Parking – 2
 Separate Residents’ Cycle Parking – 4
 Separate Users Cycle Parking – 2

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Vehicle Access

- 4.5 In support of their application, the Applicants indicate that access to the southern part of the site will be from Brock's Bridge. In the event that the Arena permission is implemented, this will be restricted by the Arena operator. Vehicle access to this part of the site will therefore be restricted to blue badge holders, University service vehicles, refuse collection, emergency vehicles and taxi/delivery drop-off.
- 4.6 The applicants indicate that the northern part of the site will be vehicle free, with some access to blue badge holders, University service vehicles, refuse collection, emergency vehicles and taxi/delivery drop-off.
- 4.7 The application proposals include access to the application site at the following point:
- Access for service vehicles to the west of Building CM1 from Cattle Market Road.
 - A turning area for drop off and taxis to the east of Building CM1
 - Access for servicing through Buildings AR1, AR2, AR3

Bus provision

- 4.8 The indicative masterplan for the site includes provision of a bus layby on Cattle Market Road. However, in support of their application, the Applicants indicate that they anticipate that the majority of bus passengers to the site will access the site from existing bus stops at Temple Meads Station. At Section 5.5.2 of the Applicant's Transport Statement it states:

"It is presumed that TQEC users will travel via the existing stops in Temple Meads, however discussions will be held with the bus operators to investigate the extension of selected services along Cattle Market Road."

Following on from this, the Applicants have held preliminary meetings with First (Bus Operator). The final details of the bus provision to the site is therefore unresolved.

Indicative scale of the application proposals including their height

- 4.9 The indicative proposals for the site have been the subject of lengthy discussion. The current indicative masterplan that accompanies the application includes height parameters that provide a breakdown of the development as follows:

Northern part of the site:

Building CM1	7 to 8 storey University building of approximately 35,515 sqm.
Building CM2	9 storey University building of approximately 7,925 sqm.
Building CM3	12 storey student residential building of approximately 8,905sqm.

Southern part of the site

Building AR1	16 storey residential building of approximately 5,865 sqm
Building AR2	12 storey student residential building of approximately 15,695 sqm. including ground floor commercial space
Building AR3	21 storey (max. 77m AOD) student residential building of approximately 8,490 sqm.

5.0 RELEVANT PLANNING HISTORY

- 5.1 On 9th June 2017 the Council as LPA confirmed that an Environmental Impact Assessment was required: "Having regard to the above, and in particular paragraph 3 (a-e) of Schedule 3 of the Regulations, and given that the site is located within close proximity to densely populated built up areas, it is considered that the amenities of the residents in these areas

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could potentially be affected specifically with regard to issues of traffic. There is the potential for this to be of a sufficient extent, magnitude, probability, duration and frequency to warrant specific assessment through an Environmental Statement” (17/02649/SCR). A scoping opinion was subsequently provided on 31st July 2017(17/03554/SCO) that confirmed that the approach to the Environmental Impact Assessment was acceptable.

- 5.2 On the southern part of the site, outline planning permission (with all matters reserved) for up to 19 000sqm of mixed use development comprising retail (Use Classes A1, A2, A3, A4); offices (Use Class B1); leisure (Use Class D2); residential dwellings, including affordable housing (Use Class C3); hotel (Use Class C1) and student accommodation (Sui generis) with provision of associated hard and soft landscaping, including linkages to the plaza and HCA Bridge was granted planning permission on 11th April 2016 (15/06070/P). This outline application was submitted and was considered alongside the full application for the Arena. Because the Arena did not require all of Arena Island, this outline application was considered in order to demonstrate a comprehensive masterplanned approach.
- 5.3 This outline planning permission (15/06070/P) should be read alongside full planning permission for the remainder of the Arena island site for construction of 12 000 capacity indoor arena (Use Class D2) on the south part of the site, creation of public plaza in front of arena and landscaping of the site; permanent disabled parking (45 spaces) and cycle parking facilities, temporary surface level parking for operational staff and VIP's (200 spaces) for a period of 5 years; Pedestrian and vehicular access via bridge from Cattle Market Road (under construction) and provision of new pedestrian access and steps from Bath Road (existing vehicular access from Bath Road to be retained as a restricted access) (15/06069/F).
- 5.4 Prior Approval for the demolition of former Post Office building (17/06332/N) was issued on 24th January 2018.
- 5.5 Planning permission for the proposed demolition of a derelict public house, with the ground to be flattened and form part of a new application for the University of Bristol development was granted on 26th January 2018 (17/06319/F).
- 5.6 In 2006 planning permission was granted for the refurbishment, change of use and new two storey roof extensions to former Post Office Sorting Depot buildings to provide a mixed use development within two buildings (A and B) comprising ground floor commercial use (A1, A2, A3, A4, A5, B1, D1 or D2) with residential units (total 107) and office/studio space (B1) above. Part refurbishment and part erection of a single storey building fronting the Floating Harbour (Building C) to provide B1 studio/office space (05/02065/F). This permission was subsequently renewed in 2012 (11/01328/R) but has now expired.

6.0 ENVIRONMENTAL IMPACT ASSESSMENT

- 6.1 In June 2017, the Local Planning Authority provided a screening opinion confirming that as the proposals had the potential to be of a sufficient extent, magnitude, probability, duration and frequency to warrant specific assessment through an Environmental Impact Assessment (EIA) (Application Reference 17/02649/SCR). Therefore in addition to the technical assessments in support of the planning applications, an Environmental Statement (ES) has been submitted.
- 6.2 The ES includes chapters on the following:
- Water Resources and Flood Risk
 - Waste
 - Ground Conditions
 - Wind Microclimate
 - Socio Economics
 - Landscape and Visual Impact Assessment

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- Cumulative Effects.

6.3 The Applicants' summary of the significant residual adverse effects during operation is as follows:

Topic	Receptor	Effect	Residual Significant
Socio-economic	Local workforce	1,940 Fte direct, indirect and induced jobs will be created.	Major beneficial
Socio-economic	Local student housing market	1,500 student bed space	Moderate beneficial

Taken from TQEC Environmental Statement: Non-Technical Summary (31 October 2017)

6.4 There are predicted to be two significant beneficial residual effects generated by the proposed development that will remain once the scheme is completed and operational: "Significant job creation will contribute to the local and regional workforce, and local student housing rental market will be largely supplemented by the additional student accommodation for registered post-graduate students. Both of which contribute to the regeneration of the Temple Quarter Enterprise Zone directly and indirectly" (EIA paragraphs 17.4.1 and 17.4.2).

7.0 EQUALITIES ASSESSMENT

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

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

(a) eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Act

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it

(c) foster good relationships between persons who share a relevant characteristic and those who do not share it.

7.2 During the determination of these applications due regard has been given to the impact of the scheme upon people who share the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In their assessment of these applications your officers are satisfied that any adverse impacts can be addressed and mitigated through the detailed design of the buildings and the imposition of appropriate conditions

8.0 CONSULTATION RESPONSES

8.1 A Statement of Community Involvement has been submitted by the Applicants which sets out in exhaustive detail the various meetings that have taken place in consulting on the proposals ahead of submission.

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- 8.2 Site and press notices were posted and 1,206 surrounding properties were consulted directly. A total of 16 representations were received (on the original proposals) and 1 representation on the revised proposal (at the time of the preparation of the Officer's Report).

Representations on revised proposals submitted on 4 June 2018

- 8.3 At the time of the preparation of the Officer's Report, four representations had been received following the submission of revised proposals:

"I am a near neighbour to the proposed development and a regular pedestrian/ cyclist along the adjacent Cattle Market Road. The area has for some time now been blighted by inactivity whichever land authority happened to carry ownership and I find these proposals particularly exciting and innovative."

Concern has been raised about the density of student accommodation in this location:

"the high density of student accommodation on the site and the fact that its multi storey accommodation. Surely there is a Fire Risk based on the height of the building and the ability of Avon Fire Brigade to deal with a fire if it broke out on the upper storeys?"

Concern about the impact of the proposals on the amount of car parking available in Totterdown.

Concern about the absence of contributions to local infrastructure from the University.

Representations on the original proposals

Principle of the development

- 8.4 "This development will be incredibly positive for the University, links with business and for the wider Bristol region. As a UOB alumnus, I am very keen to see this built as soon as possible."

Support for the application proposal which will complement the area well.

Design

- 8.5 Support for towers on the site:

"For such a big development, which has city pride as well as aspirations, we NEED a landmark tall tower in the vicinity. The fact we've got not one, but 2 towers above 70 metres I think will do the city proud and will make the area look like a bustling, futuristic and economically strong district."

"Bristol City Council should have a minimum height requirement for new developments in the City Centre to avoid wasting space on seven storey developments. 94 metres for the tallest structure is still below what is built in other similar sized Cities, but is at least a start.

Transport / Parking

- 8.6 Object to the proposed development in an area which is already congested with traffic.

Concern about the impact of the proposal on the amount of available parking space in Totterdown.

It is noted that "the omission of a provision for parking for students and staff in the current plans is unrealistic."

Amount of Housing in Totterdown and Knowle

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8.7 Concern about the impact of additional students moving into the Totterdown and Knowle area:

“Totterdown and Knowle are well established residential areas with many family homes. The university campus in this location will make these areas attractive to students which will have an impact on the character of these areas.”

Concern about the impact on the rental market:

“The number of students expected to study at the site exceeds that of the proposed numbers of students to be housed in student accommodation on site. The impact on the rental market of the areas surrounding the site will likely drive changes in the rental market, pricing out local families whilst landlords cash in on the more lucrative student rental market. “

Concern about noise and unsociable behaviour, which is already an issue in this area.

Concern about the impact on existing surrounding uses (including local night clubs):

“I cannot see how a proposal of this size, with a large residential element, can comfortably sit so closely beside the existing Motion and Marble Factory night club and music venue. If the development gets permission I suspect that what will happen is these venues will receive an increase in noise complaints and be forced to shut down.”

Representations received from Councillors and Members of Parliament

8.8 No comments received.

Summary of Internal Consultees' Comments**BCC City Design Group (Incorporating comments from Landscape Officer, City Archaeologist and Conservation Team)**

8.9 The combined CDG comments highlight five key issues to be addressed:

1. The scale of the proposed buildings at the norther edge of Arena Island close to Temple Meads Station
2. The relationship to, and development of, the landscape setting outside of the red line boundary, along the edge of the New Cut along Cattle Market Road and at Totterdown Lock.
3. Improved definition of private operational space and public open space, particularly to Temple Meads and Cattle Market Road.
4. The natural legibility of the public realm to encourage the movement of people within and around the site.
5. The design approach to creating areas of activity along the Floating Harbour and the relationship of buildings to the public realm along this important edge.

8.10 With regard to the issues 3, 4 and 5 above, the revised document (submitted on 4th June) goes some way in addressing the concerns and better defining the public realm areas, particularly on the main campus site adjacent to Temple Meads Station. The landscape and public realm diagram at 4.2.8 has been amended to more appropriately reflect the role of areas within the public realm as well as recognising the need for space that will have more of a functional servicing role for the new campus. Notwithstanding that the TQEZ Place Print Tool is not used as intended CDG are comfortable that the characterisation of these areas is in principle more

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representative of the qualities that we would expect to be taken forward under subsequent Reserved Matters applications.

- 8.11 Responding to our key issue 2 there is little detail to add within the revised document. The point being made in initial CDG comments was that in order to achieve better connections along Cattle Market Road for walking, cycling and public transport that the wider potential of the corridor should be more fully considered along the lines of the Temple Greenways consultation exercise in 2015. Whilst the potential to achieve this is not prevented by the outline proposals the current tensions between the proposed transport hub and the strategic cycle route remain to be resolved in detail.
- 8.12 With regard to CDG key issue no 1 regarding the scale and massing of student accommodation buildings located on the north east corner of Arena Island the primary concerns remain unresolved. In the latest iteration of the design the buildings have been arranged as a stronger perimeter block open to the new cut. The taller buildings have been reduced in scale essentially to respond to the sensitivity of the skyline associated with the Bristol and Exeter building and the Temple Meads complex. However by retaining the overall quantum of development in this area the massing of the buildings at the south of the site has increased in relative terms. Notwithstanding the reduction in height all of the proposed buildings are significantly taller at 12, 16 and 21 storeys than the suggested scale and massing within the TQEZ Spatial Framework, which acknowledging the relationship with Temple Meads Station in particular advocates a medium rise development of 5 to 8 storeys. This is in line with the recent outline permission for Arena Island phase 2.
- 8.13 Whilst there may be scope for some additional height and massing on this site, the buildings will be significant within the wider townscape particularly from views along Feeder Road, Redcliffe Way, and from the Totterdown Ridge, as well as within the broader Temple Meads environment. As such, although not the only factor, the architectural quality of these buildings will be an important factor with regard to determining the acceptability of any detailed proposal in urban design, heritage and townscape terms. In this respect the outline application offers little comfort with regard to the actual impact of the proposal, and as such the unrelieved massing suggested remains a significant concern. It is stated within the Design & Access statement that it is likely that the residential space will be delivered by a third party residential developer. As any third party have not been involved as part of the current negotiations any assurances or considerations linked to design quality balanced with the quantum and impact of the development would need to be explicitly addressed. Whilst outside of the current red line there does appear to be some scope for increasing the potential site of student accommodation on and close to Arena Island, even taking into consideration the current Arena proposal, which may well result in better integrating the quantum of student residential development alongside the new campus.

BCC Transport (Development Management) Team (TDM)

- 8.14 At the time of the preparation of the report, TDM have an objection to the application and while progress is beginning to be made in resolving the following issues, they all remain outstanding:
- There is no quantified assessment of multi-modal trips to the development, other than the still flawed assumption that no car trips will occur. This assessment requires to be linked to the geographical spread of students / staff and the requirements for the RPS in order to define the scope of that intervention.

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- The unacceptable bus route from TQEZ to Clifton (via Totterdown Bridge) remains.
- No Non-motorise audit has been submitted.
- TDM cannot base decisions or demand s106 obligations on the continued lack of supporting assessment work and evidence.

BCC Economic Development Team

- 8.15 No comments received.

BCC Air Quality Management

- 8.16 It is noted that: “Pleasingly the development is substantially car – free with just over 100 vehicle movements a day predicted in the operational phase. These have been screened out as a significant source. The energy centre emissions have been assessed and found to be negligible in terms of impact on the hourly and annual air quality objectives for NO2. Exposure to emissions from locomotives was also assessed and screened out as negligible. Hence I offer no objections to the development’s operational air quality aspects.
- 8.17 In terms of construction impacts I recommend that the suggested mitigation measures are appropriately conditioned and included in a CEMP.”

BCC Pollution Control

- 8.18 The EIA mainly deals with the effect of the construction and the operation of the development on existing properties in the area but only briefly covers noise from existing noise sources (and proposed future noise sources near) to the development site on the residential part of the development. Whilst a background noise survey has been carried out, a noise map developed from this and glazing/sound insulation specification given in 7.5.3 of the EIA no specific mention is made of the potential for noise from the neighbouring Motion Night Club or noise from the proposed Arena affecting the residential part of the development.
- 8.19 An acoustic report to show how the residential parts of the development will not be affected by noise from Motion Nightclub and the Arena (if deemed appropriate) in order to make a full appraisal of this application (Officer note: this can be secured by relevant condition).
- 8.20 The recommendation made with regards to operational and construction noise is accepted and can be secured by condition.

BCC Sustainable City Team

- 8.21 Core strategy policies relating to sustainability include BCS13-16. In addition, BCS10 (Transport and Access) also has relevance to sustainability.
- 8.22 The relevant Site allocations and development management policies supporting the core strategy policies in relation to sustainability are: DM15, DM17, DM19, DM29. For developments within the centre, the Central Area Plan policies also apply. Those with relevance to sustainability include: BCAP20, BCAP21, BCAP22, BCAP25.
- 8.23 The comments below relate to compliance of the development with BCS13-BCS16. If further information has been requested, full technical guidance on how to implement the above policies can be found within Bristol City Council’s Climate Change and Sustainability Practice note.

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General comments

- 8.24 The approach to enhancing the environmental benefits and minimizing current and future environmental impact of this development is noted and welcome. The proposal to achieve a 35% reduction in emissions compared to the baseline development and a 13% reduction in residual emissions from on-site renewable energy generation is also noted.
- 8.25 Further Sustainability and Energy statements will be required as reserved matters as details of the design are finalized and progress through the planning process. Completed energy tables will be required for each element of the development as part of this additional information.
- 8.26 Though not a policy requirement, given the University's ambition to be carbon neutral by 2030, further explanation of how the energy strategy proposed for this development will contribute to this target, and the forward trajectory for reducing emissions on the new campus to the year 2030, would be helpful.

BCS13 – climate change

- 8.27 The approach to designing for comfort is noted and welcome. Policy BCS13 includes the need to avoid responses to '*climate impacts which lead to increases in energy use and carbon dioxide emissions*'. These include the need for mechanical cooling and air conditioning to maintain comfort during the summer as average and peak summer temperatures increase over time.
- 8.28 To show that the development is resilient to projected changes in temperature the risk of overheating should be assessed by thermal modelling, using a recognised methodology such as CIBSE TM52 or equivalent, and a high emissions scenario, to 2050. If the analysis suggests that parts of the development are at risk of overheating (i.e. 'fail' the CIBSE criteria) the design should be amended to incorporate mitigation measures such as external shading measures to reduce solar gain.

BCS14 – sustainable energy

- 8.29 Measures to reduce emissions by 35% (compared to the baseline building) are noted and welcome. The proposal to reduce residual emissions by 13% is noted as is the information supporting this reduction.
- 8.30 Given the significance of domestic hot water consumption to total energy demand and emissions, it would be useful for any difference between modelled hot water consumption (based on assumptions in SAP/SBEM), and anticipated consumption (based on experience in other UoB buildings) to be noted in revised Energy Statements.
- 8.31 Measures to reduce hot water consumption are strongly encouraged.
- 8.32 Given that as proposed, the development does not meet the requirement within BCS14 for a 20% reduction in residual emissions, proposals for an alternative 'allowable solution' elsewhere on the UoB estate should be brought forward to address the remaining 7% reduction in residual emissions¹.
- 8.33 Revised calculations will be required as the design strategy is finalized including revised calculations within the Bristol Energy Table.
- 8.34 As discussed at meetings in July and August 2017, new development should be designed in accordance with the energy and heat hierarchies described in BCS14. Therefore, we encourage UoB to maintain a dialogue with the Energy Services team to review options for

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connection to the proposed heat network. The use of direct electrical resistive heating (i.e. panel heaters) is not compliant with policy BCS14.

- 8.35 In line with both BCC's and the UoB's carbon reduction objectives we also encourage consideration of very low carbon and renewable sources of heat including waste (process) heat and the use of water source heat pumps. The Energy Services team have confirmed that they are happy to discuss the potential for innovative proposals as stand-alone solutions or in combination with the heat network.
- 8.36 *Ventilation* – The report includes reference to toilet and catering areas having direct extract ventilation². The use of ventilation with heat recovery is strongly encouraged particularly within kitchens and bathrooms areas in student accommodation. We recommend requesting further information on the opportunities for the use of heat recovery ventilation within the development.
- 8.37 The report suggests that approx. 35% of the roof area will be allocated to PV. Given limited options/use of green infrastructure elsewhere at ground level we recommend the use of brown/green roofs in combination with the PV arrays, to provide a range of benefits including: enhanced ecological value, rainwater attenuation and improved efficiency of the PV system (by reducing peak summer temperatures).

BCS15 – Sustainable design and construction

- 8.38 Measures to reduce waste and recycle waste are noted and welcome.
- 8.39 Further details of measures to reduce and manage construction waste will be required as reserved matters. Measures to reduce water consumption through technologies such as rainwater harvesting are encouraged, however, revised Sustainability Statements should detail how the system(s) will be operated and maintained during the lifetime of the system.
- 8.40 Tree planting is strongly encouraged. Planting regimes should be planned such that trees have sufficient root space to reach maturity.
- 8.41 *Green/blue infrastructure* – The integration of blue/green infrastructure into the design is strongly encouraged on account of the multiple benefits it brings, particularly in relation to increasing resilience to climate change and the ability to enhance the learning environment.
- 8.42 Measures to retain dark corridors adjacent to the development are noted and welcome. Please refer to BCC Ecologist for guidance on light levels and necessary reductions in light pollution.

BREEAM and BREEAM Communities

- 8.43 Information on BREEAM and BREEAM Communities is noted and welcome, as is the pre-assessment estimate.
- 8.44 Further information will be required as the design elements are finalized.

BCC Flood Risk Manager

- 8.45 The outline sustainable drainage strategy has been formed based on consultation between the drainage consultants and BCC / Wessex Water, and is an appropriate level of detail to support the outline planning application. We have no objection on surface water drainage grounds at this stage, but will expect a detailed drainage strategy formed in accordance with the submitted outline strategy to support any future reserved matters application.

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8.46 As the predominant risk of flooding to the site is from tidal / main river sources for which the Environment Agency have a statutory consultation duty. We request that their advice on these matters is followed.

BCC Nature Conservation Team

8.47 The comments of the Council's Ecologist are summarised as follows. They note that a separate bat survey of the former Royal Mail Sorting Office and Cattle Market Tavern buildings was undertaken in September 2016 and the report dated January 2017. This did not find evidence of roosting bats.

8.48 All species of wild birds, their eggs, nests and chicks are legally protected until the young have fledged. A relevant planning condition for this is recommended.

8.49 The red line planning application area includes part of the Feeder Side designated Site of Nature Conservation Interest (SNCI). The application area also adjoins the River Avon (part of) SNCI and the Floating Harbour (Upper Reaches) Wildlife Corridor site. The retained landscape/no-build zone shown on the submitted proposed combined site land use plan should also be protected by robust fencing during construction works. Accordingly a relevant planning condition is recommended.

8.50 An artificial Lighting Impact Assessment has been submitted with the application. The Feeder Side, River Avon and Floating Harbour are key bat commuting corridors including light sensitive species such as lesser horseshoe bats which require light levels below 0.5 lux. To address this specific aspect a relevant planning condition is recommended.

8.51 Himalayan balsam, which is an invasive, non-native plant is present within the red line planning application area at Totterdown Basin. Again a relevant planning condition is recommended.

8.52 The area of wet woodland within Totterdown Basin is included within the red line planning application area. Please note that this area is designated as Important Open Space (Totterdown Basin) in the Local Plan and is partly included within a Site of Nature Conservation Interest for which Policy DM19 in the Local Plan applies. This area is shown as part of the landscape/no-build zone on the submitted proposed combined site land use plan. Wet woodland is a priority habitat and therefore a material planning consideration.

8.53 A landscape condition is recommended (which could form part of the Reserved Matters) which should ensure the retention and ecologically sensitive treatment of this area, which has high nature conservation value, using for example appropriate native species such as willows and alders. Management of the wet woodland area should be undertaken under a landscape and nature conservation management plan which will be conditioned.

8.54 A condition that takes account of the recommendations in the Preliminary Ecological Appraisal dated 18 September 2017 also forms part of the recommendation on the application.

8.55 In accordance with Policy DM29 in the Local Plan, the provision of living (green/brown) roofs is recommended to provide habitat for wildlife. Policy DM29 states that 'proposals for new buildings will be expected to incorporate opportunities for green infrastructure such as green roofs, green walls and green decks.' The Preliminary Ecological Appraisal dated 18 September 2017 recommends the provision of brown roofs which are suitable for black redstarts.

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- 8.56 Living roofs can be integrated with photovoltaic panels and also contribute towards Sustainable Urban Drainage Systems (SuDS). Living roofs can be provided on buildings, as well as on bin stores and cycle shelters. The following guidance applies. The roofs should be covered with local low-nutrient status aggregates (not topsoil) and no nutrients added. Ideally aggregates should be dominated by gravels with 10 - 20% of sands. On top of this there should be varying depths of sterilised sandy loam between 0 - 3 cm deep. An overall substrate depth of at least 10 cm of crushed demolition aggregate or pure crushed brick is desirable. The roofs should include areas of bare ground and not be entirely seeded (to allow wild plants to colonise) and not employ *Sedum* (stonecrop) because this has limited benefits for wildlife. To benefit certain invertebrates the roofs should include local substrates, stones, shingle and gravel with troughs and mounds, piles of pure sand 20 – 30 cm deep for solitary bees and wasps to nest in, small logs, coils of rope and log piles of dry dead wood to provide invertebrate niches (the use of egg-sized pebbles should be avoided because gulls and crows may pick the pebbles up and drop them). Deeper areas of substrate which are at least 20 cm deep are valuable to provide refuges for animals during dry spells. An area of wildflower meadow can also be seeded on the roof for pollinating insects.
- 8.57 The provision of areas of wildflowers and nectar-rich flowers within the development footprint (not the landscape/no-build zone), floating reedbeds on the waterfront and green walls which are designed to have low maintenance requirements on buildings is also recommended.

BCC Contamination

- 8.58 The proposed development is sensitive to contamination.
- 8.59 The cattle market site to the north has been subject to a variety of uses which have the potential to cause contamination including a railway depot, sawpits, burial grounds and use as a post office depot. Part of the site saw underground storage tanks removed in the past and there is a potential requirement for further remediation as part of the proposed development. Following demolition of the existing building a risk assessment must be produced based on the site conditions post demolition.
- 8.60 The southern part of the site was previously subject to industrial use for c150 years as a colour works and diesel engine depot. In the early 2000's a scheme of remediation was undertaken to treat groundwater and contaminated soils at the site. Whilst this went some way to treating the severity of the problem the validation report for the scheme outlined future remediation requirements for the buildings. The remediation that was undertaken only envisioned a commercial end use and could not foresee the site being intended for residential end use or for the introduction of soft landscaping at the site.
- 8.61 There is a need for a risk assessment to assess the site overall, mindful that the former post office building is to be demolished.
- 8.62 Any drainage schemes for the site will need to take into account the site conditions.
- 8.63 Once the findings are available we will be sharing them with the Environment Agency for comment with respect to controlled waters.

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SUMMARY OF STATUTORY CONSULTEE'S COMMENTS

Highways England (HE)

- 8.64 Referring to your notification of the planning application referenced above, dated November 2017, in connection with the M32 Motorway, Outline application for a mixed use University Campus to comprise of up to 82,395sqm of floor space including up to 1,500 students beds with all matters reserved except access. Alterations to Cattle Market Road & provision of an Energy Centre (to consider access), Land at Former Post Office Depot, Cattle Market Road, Bristol BS1 6QW, notice is hereby given that Highways England's formal recommendation is that we raise no objection.

Network Rail

- 8.65 Network Rail comment as follows:

"Prior to the submission of this outline planning application Network Rail representatives had met the University and their agents and had been clear that Network Rail would be seeking a new eastern passenger access into the station, funded by a third party, for their proposed new University Campus to be a success.

It is noted that within the submitted Design and Access Statement it shows an aspirational pedestrian link through an eastern entrance.

We note that the application as currently proposed does not commit to fund or deliver a new pedestrian access to the east of the station from the existing station subway, with paragraph 2.13 stating; "... it would be the intention of the University to create a pedestrian access into Temple Meads through the station's east boundary wall, connecting with the existing platform subway below. Whilst this is the intention, it relies on agreement from Network Rail, for which discussion are on-going. Nevertheless, this Outline submission seeks to ensure this provision can be made should discussions with Network Rail progress successfully". Whilst this statement outlines the applicants potential intentions this does not go far enough to ensure it is funded and delivered and in the absence of this commitment Network Rail objects to this application.

We have kept this consultation response relatively short as our objection will easily be overcome by the legally required commitment to fund and deliver a new eastern entrance, in advance of the opening of the new campus which should be sought through both a planning condition and S.106 agreement, to enable connectivity between the new site and the station.

In addition to the issue of passenger access into the station from the proposed campus, Network Rail has a right of access through the old Post Office site to enable us to maintain our infrastructure. We are in ongoing discussions with the applicant to change the route of access across the application site and this new suggested route appears to be considered in the application.

If we are able to resolve this fundamental shortfall in the development proposals we will of course withdraw our objection and provide further detailed comments on our usual consultation responses on other matters such as safety, drainage, environmental issues such as noise and vibration, lighting, landscaping and construction methodology."

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Historic England

- 8.66 You will recall that Historic England had previously raised concerns about the height of the proposed development on the “Arena Island” area of the site. We considered that the taller elements of the proposed structures at this location would compromise the setting (and thus significance) of the group of Grade I and II* buildings that comprise Bristol Temple Meads Station. In a separate piece of correspondence, we also drew your attention to the potential adverse visual impact of the proposed development on the setting of the Grade I listed church of St Mary Redcliffe in specific views from the harbourside.
- 8.67 In response to our concerns and those of officers at Bristol City Council, the applicant has revised the proposals to reduce the height. The tallest part of the proposed development has been reduced by 4 storeys; approximately 17 metres. This is a meaningful alteration that could significantly reduce the visual impact of the building on Bristol’s townscape. The potential for adverse impact is not completely ameliorated though, it should be noted. Based upon the information supplied we think it likely the uppermost elements of the proposed student housing may still be visible behind the Baroque silhouette of Bristol and Exeter House (Grade II*) in views from the station approach ramp. However, this impact is likely to be much more minor than would have been the case under superseded scheme, and it may be possible to address the issue in any subsequent reserved matters application.
- 8.68 We remain of the view that much of the success or failure of this scheme will be in the detail of design and quality of its execution, and continue to regret that the outline status of the application essentially precludes an assessment of design quality, which should be a key consideration.
- 8.69 Your authority should consider whether any S106 or CIL contributions associated with the scheme could be invested in restoring the lost spire to the station clock tower. Restoration of this feature, originally removed following wartime damage, would greatly enhance the appearance of the listed station complex and could be a significant heritage benefit to weight against any harmful impacts.
- 8.70 We are pleased to note that the proposed development would not be unduly prominent in views of Temple Meads’ Brunel façade to Bath Road. These views will be of increasing importance as plans for highway alterations around the station finally come to fruition.
- 8.71 The impact of the proposed building on the setting of the spire of St Mary Redcliffe would be greatly reduced under these amended proposals. From certain key viewpoints around or near the Floating Harbour such as Princes Street Bridge, or Vauxhall (New Cut) Bridge, the proposed buildings would not be visible at all, thereby maintaining the visual primacy of St Mary Redcliffe’s spire in Bristol’s townscape.
- 8.72 Given these potential positive impacts, it is therefore regrettable that the tallest part of the proposed buildings would still potentially coalesce with the spire of St Mary Redcliffe in views from the Lloyds amphitheatre. This impact would be considerably less pronounced than it would have been under the superseded scheme, but nevertheless a negative impact remains that should be noted. Bristol’s harbourside and the church of St Mary Redcliffe are nationally - perhaps internationally - recognised symbols of the city, and the view from the Lloyds amphitheatre is of particular value; surviving historic maritime infrastructure and equipment lines the edge of the docks, flanked by warehouses repurposed as museums and galleries. Terminating the view to the east rises the slender spire of St Mary Redcliffe; its vertical drama

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accentuated by its isolation. The proposed 77m building would still coalesce with the upper stages of the church tower, reducing the ability of the viewer to appreciate the unencumbered silhouette of the spire set against a backdrop of open skies.

- 8.73 Within the bracket of “less than substantial harm” there are a wide spectrum of impacts, from the slight to the very serious. In the case of these proposals, we consider the “less than substantial harm” to be minor. It would of course be possible to completely remove this harm altogether by a further reduction in height. However, if, as suggested by the applicants, the quantum of development proposed is necessary, further redistributing the lost height by reducing the taller elements of the scheme and increasing the height of the lower buildings may have negative design impacts, potentially increasing the perceived massing of the buildings.
- 8.74 We are aware of the importance of these proposals to the Temple Meads Enterprise Zone and the wider city in general. Development on this site should the standard for future development in and around Saint Philips Marsh, and the better integration of the area east of Temple Meads with neighbouring districts and the wider city.
- 8.75 These proposals are likely to cause a minor degree of harm to the setting of the Grade II* listed Bristol and Exeter House, but it is probable that the harm can be mitigated through detailed design as part of a reserved matters application. However, the proposals will also permanently harm the setting of the spire of the Grade I listed St Mary Redcliffe in views from the Harbourside Amphitheatre. If you are content that the quantum of development proposed is appropriate and the buildings cannot be further reduced in height, your authority should weigh the minor harm we have identified to the setting of these highly-graded heritage assets against any wider public benefit offered by the proposals in accordance with NPPF paragraph 134.

Recommendation

- 8.76 Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

Environment Agency

- 8.77 At the time of the preparation of the Officer’s Report, the Environment Agency has an objection to the proposal:
- “We maintain our flood risk objection to the proposed development as the updated Flood Risk Assessment (FRA) [BuroHappold Engineering February 2018 035981 Revision 2] has not demonstrated that the site can be made safe without increasing flood risk elsewhere.”
- 8.78 Further work will be undertaken on this ahead of the Committee Meeting and it is anticipated that an update will be provided at the meeting.

Natural England

- 8.79 Natural England comments that:
- “Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites.”

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Avon and Somerset Police – Crime Reduction Unit

8.80 No comments received.

Avon Fire and Rescue

8.81 No comments received on this application, but it is noted that in respect of planning permission 15/06069/F that a request was made for the provision of fire hydrants. A relevant condition for their provision is recommended and this will be addressed at detailed design stage.

Bristol Waste Company

8.82 Recommend the provision of 160 bins for the collection of Plastic / Cans, Glass, Card, Paper, Food and Refuse.

8.83 It is noted that it is unclear who will be responsible for the collections from the student accommodation but the above is still a suitable guide for how much capacity should be allowed for. The following advice follows our own best practice assuming that we would be responsible for collections but is also likely to be relevant for a private contractor as well.

OTHER CONSULTATION RESPONSES

Bristol Urban Design Forum (BUDF)

8.84 The BUDF commented on the original proposal for the site as follows:

“The Panel were initially concerned that it is proposed to proceed via a ‘red edge’ outline application with only access being specified at this stage. The diagrams and outline illustrative proposals will not be a part of the application, although we understand a number of restrictions via conditions are expected to emerge through the process. It is most unusual for such a major development adjacent to a major Grade 1 building complex to proceed in this manner, indeed the significance of the sites suggests such an approach would carry considerable risk for the city and the University. A great deal will have to be taken on trust between the City Council and University.

It is clear that considerable co-operation between the parties – University, City Council and Network Rail – will be necessary to achieve a successful outcome. Part of that co-operation will lie within the ownership of different parts of the site. The Panel were concerned at the proposed planning application boundary. Currently it omits much of the harbour side to the south east of the Cattle Market site and a complete strip of land along the floating harbour frontage. Additionally, no emerging proposals were presented for the land to the south east which has great potential character and attraction for the wider public. Similarly, land between Feeder Road and the River Avon is not included even though it lies directly between the two parts of the development site. We think the conceptual solution should encompass the whole area, irrespective of the implementation body, or ownership. We believe this important initiative should be matched by ambition for the area as a whole. Given the wish of the University to create a new part of the city, the functional relationships with the waterside sites and Totterdown Basin are of crucial importance. This might suggest that the current phasing and schematic land use distribution could be purposefully reconsidered, hopefully generating the eastern public spaces and activities early in the development process so as to demonstrate the commitment to wider access and enjoyment of the area.

The practicality of access to and through the site, rather than the physical scale of the buildings will be critical to the ‘visibility’, operation and ultimate success of the site, a concern particularly because these are not in the control of the University, and in its current form is

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something of a cul-de-sac. Network Rail and Temple Meads Station are of fundamental importance and it was good to hear of the high level co-operation that is taking place. However if the site is to operate really well it is desirable that it becomes a place that people 'need' to access, rather than one they might merely wish to visit. To that end the Panel were not persuaded that the routes both from the station and across the water areas were sufficiently convincing. The provision of ferry access, rail links, bus, taxi and pedestrian desire lines appear, at this stage somewhat fragmentary. Given the nature of the location access will be crucial.

To achieve the permeability that you aspire to, the surrounding routes should link directly through the site re-creating an efficient and accessible grid. From your explanation, it seems likely that Railtrack will be encouraged by your proposals to re-open the eastern end of the access tunnel. This will give direct ground level access to the station for all users in the wider area who will find a legible (shortest) route to the trains via your site. This should be a key driver of the layout, extending to a managed pedestrian connection across Cattle Market Road. Alternatively, the Panel suggested a new pedestrian bridge linking the station entrance directly to the proposed Arena. This will equally animate the route and connect more effectively the University with the area to mutual advantage (could this be an attachment to the existing railway bridge?). Additionally, the alignment of the Silverthorne Bridge route seems somewhat arbitrary and its ongoing link to the station is less than convincing. There is a lack of identification of destination and projected use numbers for this, and other routes. There was mention of a traffic hub for bus and taxi too, and this seems to conflict with the significant emerging provision at the adjacent station, and no detail of how it would work on site. Also more detail is missing on the impact and alternative access arrangement due to temporary closure of Cattle Market Street during major Arena events.

The current proposal relies on the Brock's bridge and existing highways for pedestrians and cyclists to connect between the Cattle Market and Arena sites. This doesn't feel like an attractive solution, creating conflict with passing traffic and pedestrians, etc. The difficulties of bridging the River Avon are appreciated but a more elegant solution to that currently proposed should be sought if at all possible. Your suggestion that the site will be a car-free location is one that the Panel supports, although wider controls may be needed to ensure off-site parking is restricted.

Servicing of the area is suggested at the south west corner of the Cattle Market site. This appears sensible, but the Panel wondered whether this might benefit from a 2-level solution with the servicing taking place at ground level and a covered deck above at about the Arena site level. This would take a number of utilitarian activities out of sight, and could possibly enable a more economic pedestrian bridge location to access the Arena site.

The Panel, at this stage, is not commenting in any detail on the emerging massing and architectural or landscape proposals. It will be important that the emerging buildings should have grace, coherence and context and refinement. We do have sympathy with a suggestion that the University buildings should be seen as the most important buildings on the site, and certainly be seen to take precedence over residential blocks. The active uses you are proposing at ground level throughout the sites, and the open public access approach is strongly supported, although in its present arrangement, the masterplan does not demonstrate how such uses would animate the wider public routes and connections. Active ground floor uses such as those at the recently constructed Wapping Wharf development contribute hugely to the life and ambiance of the city. At Wapping Wharf this is achieved via a relatively low level development, together with the significant footfall brought to the site by aligning the Gaol Ferry Steps with the existing pedestrian bridge over the New Cut. It will be more challenging in your case with higher rise buildings, though you could ensure greater footfall in the long term by the alignment mentioned above, but the Panel hope a distinctive and attractive character and public realm can emerge that takes advantage of the tremendous opportunities provided by the extensive and potentially attractive waterfront bordering the site.

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We do think that the phasing should be carefully considered, in order to avoid any perception that the University's requirements are being satisfied to the detriment of the creation of new public spaces that would benefit the city as a whole.

The successful procurement of the new buildings will be of outstanding importance in fulfilling your determination to create a successful place. The well-crafted master plan you are aiming to create is the ideal platform from which to select a number of Architects to design the individual buildings. A competitive approach to this selection process could well be an appropriate way forward."

Conservation Advisory Panel

- 8.85 The proposals include development over part of the 19th century cholera burial ground as mentioned in the archaeological report which require further investigation as a potential source of information for the study of this important event in the history of the city.
- 8.86 Although unlisted the Cattle Market Tavern should be retained as part of these proposals. The impact of the new buildings on the adjoining listed buildings must be carefully taken into account.

Bristol Civic Society

- 8.87 The Civic Society prepared comments on the original proposal. In summary, they comment on the following aspects of the indicative proposals:

Height, mass and architecture

- 8.88 The Society is neutral about the proposal to construct tall buildings. The east side of the river may be an appropriate site for tall buildings.
- 8.89 There is an expectation that the detailed proposals will include the provision of community infrastructure such as retail, medical services and children's nurseries: "This will be a largely graduate community."

Planning framework for future public space

- 8.90 The Society welcomes the provision of access to a future connection to Temple Meads Station and the detailed proposals set out in Part 4 of the masterplan to create exterior recreation areas on both the Cattle Market and the Island sites.
- 8.91 The public realm on the island must be considered in the wider landscape of the whole of the Enterprise Zone of which it forms an important element. Improving connectivity within the Zone must be the priority.

*Transport and public realm**Highways*

- 8.92 There is widespread public concern about the substantial peak time traffic that the Campus could generate. The local road network is at capacity during peak hours.

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Rail

- 8.93 Although the Campus borders Temple Meads Station that connection only links the Campus to areas that the railway serves, hence the importance of access by other modes.

Bus routes

- 8.94 The failing of this site is that there is no concentration of bus services. The proposed bus service to the Cattle Market drop-off point would only serve other University sites. Despite the confident contrary assertion of Buro Happold's Transport Statement, the bus service is a weakness of the whole Enterprise Zone. The Society assumes that the University and the Council will have discussed the improvement of services with local bus companies. The Society knows that it is an ambition of First Bus to open a new service that runs from east to west Bristol through the Enterprise Zone.
- 8.95 In respect of the Cattle Market Road Cycle route, the proposed south entrance to Temple Meads Station and continuous pavements, the Society make recommendations that can be incorporated at reserved matters stage when the detailed design of the scheme will be addressed.

9.0 RELEVANT POLICIES

National Planning Policy Framework – March 2012

Bristol Core Strategy (Adopted June 2011)

BCS2	Bristol City Centre
BCS5	Housing Provision
BCS7	Centres and Retailing
BCS8	Delivering a Thriving Economy
BCS9	Green Infrastructure
BCS10	Transport and Access Improvements
BCS13	Climate Change
BCS14	Sustainable Energy
BCS15	Sustainable Design and Construction
BCS16	Flood Risk and Water Management
BCS17	Affordable Housing Provision
BCS18	Housing Type
BCS20	Effective and Efficient Use of Land
BCS21	Quality Urban Design
BCS22	Conservation and the Historic Environment
BCS23	Pollution

Bristol Site Allocations and Development Management Policies (Adopted July 2014)

DM1	Presumption in favour of sustainable development
DM6	Public Houses
DM7	Town centre uses
DM10	Food and drink uses and the evening economy
DM12	Retaining Valuable Employment sites
DM14	The health impacts of development
DM15	Green infrastructure provision
DM19	Development and nature conservation
DM22	Development adjacent to waterways

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DM23	Transport development management
DM26	Local character and distinctiveness
DM27	Layout and form
DM28	Public realm
DM29	Design of new buildings
DM31	Heritage assets
DM32	Recycling and refuse provision in new development
DM33	Pollution Control, Air Quality and Water Quality
DM34	Contaminated land
DM35	Noise mitigation

Bristol Central Area Plan (Adopted March 2015)

BCAP1	Mixed-use development in Bristol City Centre
BCAP3	Family sized homes
BCAP6	Delivery of employment space
BCAP9	Cultural and tourist facilities and water-based recreation
BCAP11	University and hospital development
BCAP20	Sustainable design standards
BCAP21	Connection to heat networks
BCAP22	Habitat preservation, enhancement and creation on waterways
BCAP23	Totterdown Basin enhancement
BCAP25	Green infrastructure in city centre development
BCAP28	New interchange facilities
BCAP29	Car and cycle parking
BCAP30	Pedestrian routes
BCAP31	Active ground floor uses and active frontages in Bristol City Centre
BCAP33	Key city spaces
BCAP34	Coordinating major development in Bristol City Centre
BCAP35	Bristol Temple Quarter

10.0 KEY ISSUES**10.1 Is a university campus and student accommodation on the application site acceptable in principle?**

Policy Context

- 10.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities to make planning decisions in accordance with the development plan unless material considerations indicate otherwise.
- 10.1.2 The National Planning Policy Framework (NPPF) was published in March 2012 and is a material consideration in the determination of planning applications. In order to ensure the vitality of town centres, the NPPF states that development plans should allocate a range of suitable sites to meet the requirement for a range of uses, including leisure.
- 10.1.3 Policy BCS2 of the Core Strategy (2011) states that Bristol City Centre's role as a regional focus will be promoted and strengthened. Development will include offices, residential, retail, tourism and entertainment and arts and cultural facilities. Policy BCS7 of the Core Strategy (2011) states that new uses which contribute to maintaining the vitality, viability and diversity of centres will be encouraged.
- 10.1.4 Policy BCAP1 of the Central Area Plan (2015) stipulates that new development in Bristol City Centre will be expected to contribute to the mix of uses in the wider area. Therefore a mix of new homes, employment and other uses will be sought as appropriate to the site and its context.

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10.1.5 It is a requirement of Policy BCAP35 that sites within the Bristol Temple Quarter will be developed for a wide range of uses as part of the growth and regeneration of the area as an employment-led, mixed-use quarter of the city centre, “an exemplar for new initiatives and a hub for all creative minded businesses”. There is an expectation that development proposals will include:

- A major indoor arena and complementary leisure uses;
- At least 100,000 sq. m of net additional high quality office and flexible workspace;
- Up to 2,200 new homes, including live/work space
- Complementary retail and leisure uses
- New walking and cycle routes to connect the development to the rest of the city centre and surrounding neighbourhoods.
- Green infrastructure and public realm enhancements

Assessment

10.1.6 The application site is considered to be an appropriate location for a University of Bristol Campus overall. The Local Planning Authority share the aspiration of the University to deliver this development and to bring forward these proposals that will benefit the city overall and are set out in Section 2 above.

10.1.7 As is recognised in the Applicant’s Planning Statement, the proposal, in isolation, do not deliver all of these development aspirations set out in BCAP35, albeit these are the requirements for the entire Enterprise Zone. However the application proposal would deliver:

- Flexible workspace through a combination of academic and research facilities
- Up to 1,500 student bed spaces
- Complementary retail and leisure uses
- New walking and cycle routes to connect the developments to the rest of the city centre and surrounding neighbourhoods;
- Green infrastructure and public realm enhancements including a continuous and accessible Quayside Walkway (Policy BCAP32) and the improvement of open space to serve the new developments.

10.1.8 Policy BCAP11 supports the development of University facilities on sites not allocated or designated specifically within the development plan for other uses, as is the case with the application site.

10.1.9 A new university campus in this location, along with related enterprise activities such as “Engine Shed 3” will clearly meet many of the objectives of the TQEZ. In addition, the proposals do not prevent, and would in fact support, the delivery of an Arena in the area. The application before members now essentially replaces the outline permission for the residual land at arena island and has the potential to provide complementary leisure uses on the ground floors of the student accommodation blocks.

Although it is clear that there is work to be undertaken to secure an acceptable access strategy for the site, it is accepted that in accordance with Policy BCS10 and BCS20, the application proposal is located where sustainable travel patterns can be achieved, close to main public transport routes including Temple Meads station.

10.1.10 Policy DM12, which seeks to protect existing employment sites for employment uses unless it can be demonstrated that, amongst other matters there is no demand for employment uses or that a net reduction in floorspace is necessary to improve the existing premises. In this case it

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is accepted that both parts of the application site have been vacant for a considerable period of time, but without any proposals being successfully delivered. Both plots have previously been granted consent for redevelopment for a range of uses (each of which included an element of B1 office use), with the southern part of the site benefiting from extant planning permissions for an arena, office accommodation and student housing.

10.1.11 Overall it is accepted that the application site represents an appropriate location for the proposed development.

10.2 Are the proposals acceptable in terms of their transport impact? Specifically is the application proposal acceptable in terms of access, parking provision, highway safety (including the safety of pedestrians and cyclists), traffic generation and mitigating congestion?

Policy Context

10.2.1 In identifying Bristol City Centre's role as a regional focus, Core Strategy Policy BCS2 states that street design will give priority to pedestrian access, cycling and public transport. Policy BCS10 states that the Council will support the delivery of significant improvements to transport infrastructure to provide an integrated transport system. Part of that is making the best use of existing transport infrastructure through improvement and reshaping of roads and junctions where required to improve accessibility and connectivity and assist regeneration and place shaping. Policy BCS11 explains that development will provide, or contribute towards the provision of measures to directly mitigate its impact, either geographically or functionally, which will be secured through the use of planning obligations. Infrastructure, facilities and services required to support growth will be secured through a Community Infrastructure Levy (CIL) for Bristol.

10.2.2 The Bristol Central Area Plan Policy BCAP29 states that proposals for long-stay public car parking will only be acceptable where it would replace existing provision and would be appropriately located within the hierarchy of vehicular routes in the city centre. It states that long-stay private non-residential car parking should be limited to the essential operations needs of the proposed development.

Assessment

10.2.3 At the time of the preparation of this report, TDM have maintained their objection to the application. Their main areas of concern are set out earlier in this report.

In response to the concern that there is no quantified assessment of multi-modal trips to the development, other than the still flawed assumption that no car trips will occur, the applicants state that:

"It was discussed at the meeting that the University accepts the need to contribute towards the implementation of the parking zone as proposed by BCC and following analysis of the spread of the zone, we believe that the extent of the boundary is sufficient to deter car trips by visitors to the campus. The details of the operation of the zone, according to future use of the campus can be discussed during detailed design with BCC. The University awaits details of the level of contribution required from BCC towards the parking scheme.

Subsequent analysis has been undertaken to respond to TDM's comments using recent staff travel survey data supplied by the University plotted in GIS to show the distribution of residences and how these relate to catchments for walking to bus and rail services and kiss-and-ride potential. This analysis is shown graphically in the figures attached to this email. This has not been included for student residences as these postcodes are transient and are

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centralised on the city centre and University residences which are well served by public transport, and accessible for walking and cycling. As can be seen the majority of staff are located within a 400m walking distance from a bus stop offering a direct bus service into Temple Meads (in green). In addition a significant number of staff are located within reasonable walking distance (in pink) or driving distance (in blue) to a rail station offering direct access into Temple Meads Rail Station. Overall, a minority of staff are currently located outside of these catchments, however it can be further noted that:

- This map only shows bus routes serving Temple Meads station, whilst other routes go into the town centre, implying a slightly longer walking distance could be considered.
- As a result of the selected bus routes direct to Temple Meads, the area to the East of Bristol where a substantial amount of staff live shows a lack of direct bus connectivity to Temple Meads. There is potential for existing bus routes to be extended in this area.

A summary of the output in terms of 'shares' is:

- 2,091 staff represented on the map (100%):
- 1,404 are within bus catchment (67%),
- 113 within rail catchment (5%) and
- 549 within driving distance to rail station (26%)
- makes a total of 99% within all catchments / a remainder of 25 outside any catchment (1%)

The proposed parking zone will provide the 'stick' measures to suppress car trips to the site."

10.2.4 In respect to concern about the proposed bus route from the campus to Clifton (via Totterdown Bridge, the applicants comment that:

"The bus route to the campus front door is only one strand of the public transport access strategy and this was discussed in detail at the meeting, as was that the routing simply shows the ability to run a bus service to the new campus and away from it back to the City Centre. The routing and destination of bus services after Totterdown Bridge would reflect the demand, which can only be known at the time of planning when the campus is occupied – it may not need to go to the city centre at all. It was also discussed at the meeting, that a bus service may be organised to ferry staff to and from the main campus during the day, and this is the route that would be followed, as confirmed with the bus operator.

BCC has provided no detail in terms of their aspirations for the right turn to Temple Way from Avon Street which would entail significant works to the network. There is no right turn available at Avon Street currently and the cost of implementing this would not be able to be funded by the University in isolation. We have demonstrated various routes / options to enable access to public transport infrastructure and consider a request to fund such junction works on Temple Way isn't necessary to make the development acceptable in planning terms isn't fairly and reasonably related in scale and kind. That said, the University would very much welcome on on-going discussion with BCC as to the precise bus routes and contributions package but we don't consider that this matter can or should be resolved by the University in isolation."

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- 10.2.5 In respect of the absence of relevant audits, the applicants comment that a Stage 1 RSA and bespoke Mobility Audit have been commissioned and are underway.
- 10.2.6 Finally in respect of the provision of legal agreements, it is noted that further discussions will be required on this to secure a package of contributions.
- 10.2.7 It is clear that detailed survey work is now underway and it is anticipated that this will resolve the outstanding issues set out here and provide more clarity to the specific list of transport mitigation measures that need to be secured at the outline planning application stage. Some of the transport mitigation measures are clear, however, irrespective of the outcome of the further analysis, such as a residents parking zone. In the event that Members are minded to resolve to approve this application, then it is the intention of Officers to regularly update Members on the outcome of this further work through the agenda meetings.

10.3 Although the detailed design of the application proposal is reserved for subsequent approval, do the indicative plans and parameter plans demonstrate that the site could accommodate the quantum of development applied for?

Policy Context

- 10.3.1 NPPF paragraph 9 states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including replacing poor design with better. NPPF paragraph 17 states that a core planning principle is to always secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 10.3.2 Development Management Policy set out in the Site Allocations and Development Management Policies includes Policy DM7 that directs retail and other main town centre uses to identified centres. Policy DM8 expects development within Primary Shopping Areas to maintain or provide active ground floor uses. Policy DM26 requires development proposals to contribute towards local character and distinctiveness and states that development should retain existing buildings and structures that contribute positively to local character and distinctiveness. Policy DM27 states that the layout, form, pattern and arrangement of streets, open spaces, development blocks, buildings and landscapes should contribute to the creation of quality urban design and healthy, safe and sustainable places. Policy DM29 requires new buildings to be designed to a high quality, responding appropriately to their importance and reflecting their function and role in relation to its public realm.
- 10.3.3 Proposals for new buildings will be expected to (amongst other things) be clearly organised in terms of their form and internal layout and circulation to reflect the hierarchy and function they will accommodate, the uses they will serve and the context they will address. It should incorporate opportunities for green infrastructure and incorporate exteriors and elevations that provide visual interest from a range of viewing distances.
- 10.3.4 The Bristol Central Area Plan Policy BCAP31 seeks to ensure active ground floor uses and active frontages in Bristol City Centre particularly on primary pedestrian routes.
- 10.3.5 The outline application requires a process of ongoing design development to achieve an architectural solution that will provide a form that complements the site and its surroundings.

Impact on Temple Meads Station

- 10.3.6 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving listed buildings and their settings. Section 72 of the same Act requires local planning authorities to pay special

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attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The case of R (Forge Field Society) v Sevenoaks DC [2014] EWHC 1895 (Admin) (“Forge Field”) has made it clear where there is harm to a listed building or a conservation area the decision maker “must give that harm considerable importance and weight.”

10.3.7 Section 12 of the National Planning Policy Framework (NPPF) 2012 states that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing heritage assets, and the desirability of new development to make a positive contribution to local character and distinctiveness. It also states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with any harm or loss requiring clear and convincing justification. Paragraph 132 of the NPPF states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Further, Paragraph 137 states that local planning authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance their significance and that proposals which preserve these elements should be treated favourably.

Assessment

10.3.8 The detailed assessment of the City Design Group is set out earlier in this report. It is acknowledged that whilst there may be scope for some additional height and massing on this site, the buildings will be significant within the wider townscape particularly from views along Feeder Road, Redcliffe Way, and from the Totterdown Ridge, as well as within the broader Temple Meads environment. Your Officers are mindful that the applicants have stated that it is the intention to open the Campus in 2021. With this in mind, there is an urgency to starting the pre-reserved matters application discussion in respect of the architecture of the individual buildings. This is a flagship development for the city overall and at this stage your Officers are concerned that significant needs to be undertaken in a short period of time to achieve a development that is of the quality that a university of the stature of the University of Bristol should be achieving. It is noted that CDG comment that the architectural quality of these buildings will be an important factor with regard to determining the acceptability of any detailed proposal in urban design, heritage and townscape terms. Furthermore there is recognition that:

“In this respect the outline application offers little comfort with regard to the actual impact of the proposal, and as such the unrelieved massing suggested remains a significant concern.”

It is with this in mind that your Officers recommend a planning condition requiring that as part of the first reserved matters submission, a masterplan shall be produced by the Applicants (or their successors) to provide an greater level of detail that is currently available regarding the following:

- 1) The heights of proposed buildings
- 2) Relationship with the Arena proposal and Arena plaza
- 3) Public Art Strategy

Assessment

10.3.9 The application has improved significantly since it was originally submitted. At first, on the Cattle Market Road site, the proposed campus failed to provide adequate permeability through the site between the station (with a future access) and the surrounding area and also failed to

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provide areas a quality public realm. The revised proposals show the buildings on the Cattle Market Road site re-sited to create (indicatively) a clearer route through the new campus to Temple Meads station and resulting quality areas of public realm. Alongside this, greater definition of areas of active uses has now been provided in order to demonstrate (again indicatively) that the development will contribute positively to the wider area.

10.4 Have the proposals been planned over the lifetime of the development to limit carbon dioxide emissions, and to provide resilience to climate change?*Policy Context*

- 10.4.1 NPPF Policy 96 states that in determining planning applications, local planning authorities should expect new development to comply with adopted Local Plan policies on local requirements for decentralised energy supply, unless it can be demonstrated by the applicant, having regard to the type of development, involved and its design, that this is not feasible or viable and to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 10.4.2 Core Strategy Policies BCS13, BCS14 and BCS15 set out the Council's key policies for climate change and sustainable development.
- 10.4.3 In terms of climate change, Policy BCS13 requires that development should contribute to mitigating and adapting to climate change and meeting targets to reduce carbon dioxide emissions through the design and use of resources in buildings, the use of decentralised renewable energy and sustainable patterns of development which encourage walking, cycling and public transport rather than journeys by private car.
- 10.4.4 Policy BCS14 requires that within heat priority areas, development should incorporate infrastructure for district heating and where feasible low-carbon energy generation and distribution. Development will be expected to provide sufficient renewable energy generation to reduce carbon dioxide emissions by at least 20%.
- 10.4.5 In respect of the outline proposals, the degree to which the detailed proposals comply with Policy BCS14 will be assessed at reserved matters stage.
- 10.4.6 Policy BCS15 requires that non-residential development achieve a minimum sustainability standard of BREEAM level "Very good".
- 10.4.7 Policy BCS16 is concerned with ensuring that development proposals incorporate flood risk mitigation measures where necessary.

*Assessment**Climate Change*

- 10.4.8 In accordance with the requirements of Policy BCS13, development should mitigate climate change through measures including:
- 10.4.9 Policy BCAP20 requires development to meet BREEAM "Excellent". The Sustainable Cities Team notes that the planning application is on track to meet this policy requirement and underline the importance of doing so. This can be done through the imposition of relevant conditions.
- 10.4.10 The submitted Sustainability Statement demonstrates that a range of measures are incorporated to mitigate and adapt to climate change and it is accepted by the Council's Climate Change and Built Environment Co-ordinator that the building itself is sustainable.

Sustainable Energy

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10.4.11 Policy BCS14 requires that within heat priority areas, development should incorporate infrastructure for district heating and where feasible low-carbon energy generation and distribution. Development will be expected to provide sufficient renewable energy generation to reduce carbon dioxide emissions by at least 20%.

11.0 Conditions

11.1 The following list is not exhaustive and delegated authority is sought to finalise planning conditions in consultation with the Applicant. (needs masterplan & parameters conditions to be included in order to build confidence)

11.2 It is anticipated that in the event that Members are minded to grant planning permission then the following conditions would form part of the approval:

Time limit for commencement of development

1. Approval of the details of all matters (access, appearance, landscaping, layout and scale) (hereinafter called "the reserved matters") shall be obtained from the council in writing before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

2. Application for approval of the reserved matters shall be made to the council before the expiration of 5 years from the date of this permission.

The development hereby permitted shall begin no later than the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Pre commencement condition(s)

3. As part of the first reserved matters submission, a masterplan shall be produced by the Applicants (or their successors) to provide an indication of the following:

- 1) The heights of proposed buildings
- 2) Relationship with the Arena proposal and Arena plaza
- 3) Public Art Strategy

Reason: In the interests of the proper planning of the site.

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

- a) Procedures for maintaining good public relations including complaint management, public consultation and liaison
- b) Arrangements for liaison with the Council's Pollution Control Team

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- c) All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:
- d) Construction delivery hours (to be agreed).
- e) Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the agreed permitted hours.
- f) Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- g) Procedures for emergency deviation of the agreed working hours.
- h) Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
- i) Measures for controlling the use of site lighting whether required for safe working or for security purposes.
- j) Construction vehicular routes to and from site;
- k) Expected number of construction vehicles per day;
- l) Car parking for contractors;
- m) Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- n) A scheme to encourage the use of Public Transport amongst contractors;

Reason: In the interests of the amenities of surrounding occupiers.

5. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority
 1. A preliminary risk assessment which has identified:
 - 1a) all previous uses
 - 1b) potential contaminants associated with those uses
 - 1c) a conceptual model of the site indicating sources, pathways and receptors
 - 1d) details of previous remediation works which have occurred at this site
 - 1e) potentially unacceptable risks arising from contamination at the site.

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

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

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

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

6. Prior the commencement of development the requirements for the importation of and/or reuse of fills, soils and other ground materials on site shall be submitted to and agreed in writing with and thereafter carried out to the satisfaction of the Local Planning Authority.

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

7. Details of lighting and a lighting assessment shall be submitted to and approved in writing by the Local Planning Authority before development commences at the site. This shall include a lux level contour plan, and should seek to ensure no light spill outside of the site boundaries. The lux contour plan should extend outwards to incremental levels of zero lux.

Any lighting created by reason of the development shall be designed so as not to cause interference with the amenity of the nearest residential properties. Artificial lighting to the development must conform to Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E3 (existing residents) contained within Table 2 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2011.

Reason: In the interests of protecting the amenity of neighbouring occupiers and to conserve legally protected bats and other nocturnal wildlife.

8. No development shall take place until a detailed scheme of noise insulation measures for the proposed development have been submitted to and been approved in writing by the Local Planning Authority. The scheme of noise insulation measures shall be prepared by a suitably qualified consultant/engineers. The approved scheme shall be implemented prior to the commencement of the use and be permanently retained thereafter.

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A noise management plan shall be submitted and approved in writing by the Local Planning Authority Prior to commencement of the use hereby permitted.

Reason: In the interests of the amenities of surrounding occupiers, particularly nearby nightclubs.

9. Prior to the commencement of development, an assessment to show that the rating level of any plant & equipment, as part of this development, will be at least 5 dB below the background level has been submitted to and approved in writing by the Council. The assessment must be carried out by a suitably qualified acoustic consultant/engineer and be in accordance with BS4142: 2014-"Methods of rating and assessing industrial and commercial sound".

Reason: In the interests of protecting the amenity of neighbouring occupiers.

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

Reason: In the interests of protecting the amenity of neighbouring occupiers.

11. No development shall take place until details of the means of ventilation for the extraction and dispersal of cooking smells/fumes, including details of its method of construction, odour control measures, noise levels, its appearance and finish have been submitted to and been approved in writing by the Local Planning Authority. The approved scheme shall be installed before the use hereby permitted commences and thereafter shall be permanently retained.

Reason: These details need careful consideration and formal approval and to safeguard the amenity of adjoining properties and to protect the general environment.

12. If, during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, an amendment to the remediation strategy detailing how this unsuspected contamination will be dealt with.

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.

13. No development shall take place until evidence that the development is registered with a BREEAM Communities certification body and a pre-assessment report (or design stage certificate with interim rating if available) has been submitted indicating that the development can achieve the stipulated final BREEAM Communities level. No building shall be occupied until a final Certificate has been issued certifying that at least BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating (Excellent) has been achieved for this development unless the Local Planning Authority agrees in writing to an extension of the period by which a

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Certificate is issued. This Certificate shall be provided within the first six months following the first occupation of each building on the site.

Reason: To ensure that the development achieves BREEAM Communities rating level (Excellent) (or any such equivalent national measure of sustainability for building design which replaces that scheme) and assessment and certification shall be carried out by a licensed BREEAM assessor and to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

14. Full details of a proposed package of renewable energy (including solar Photo Voltaic panels) designed to reduce the development's carbon dioxide emissions from (regulated) residual energy use by no less than 20%, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed strictly in accordance with the approved details.

Reason: - To secure sufficient renewable energy generation to satisfy Core Strategy Policy BCS14.

15. No development shall take place until a detailed design of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved development shall be implemented in accordance with the approved detailed design prior to the use of the building commencing.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal.

16. As a planning condition, a method statement for the control and removal of Himalayan balsam shall be submitted to and approved in writing by the Local Planning Authority.

Guidance: Under section 14(2) of the Wildlife and Countryside Act (1981) it is illegal to "plant or otherwise cause to grow in the wild" (i.e. spread) Himalayan balsam. It is the landowner's responsibility to control the plant. Where the plant occurs alongside a watercourse permission to use an approved herbicide is required from the Environment Agency.

Reason: To comply with section 14(2) of the Wildlife and Countryside Act (1981).

17. Prior to occupation of the development hereby approved, a ten year landscape and nature conservation management plan shall be produced for the application area by a qualified ecological consultant. This shall include consideration of features of interest, objectives, management compartments and prescriptions, a work schedule including a ten year annual work plan, resourcing including a financial budget and ecological monitoring. The development shall be carried out in accordance with the approved plan or any amendment as approved in writing by the local planning authority.

Reason: To conserve and enhance the nature conservation and landscape features on the site.

18. A condition requiring the provision of fire hydrants.

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19. Prior to commencement of development a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by the Local Planning Authority. The approved plan shall be implemented and adhered to thereafter at all times during construction.

Guidance: This shall include best practice pollution control measures to ensure that adverse impacts (including dust and air pollution, effects on water quality, pollution from fuel use and storage and other potentially hazardous materials) do not occur on the adjacent SNCIs and as far as possible a protective buffer area (from the edge of the SNCIs of at least 5 metres or as close as possible to this) as a result of construction works. The CEMP should include details of robust protective fencing incorporating warning signs and its location and a plan showing the boundaries of the SNCIs and the retained landscape/no-build zone. Contractors and sub-contractors should be briefed on the importance of the ecological features which are to be retained on site and the ecological value of the SNCIs and the landscape/no-build zone prior to the commencement of works.

Reason: To conserve the Sites of Nature Conservation Interest and boundary vegetation.

20. Prior to commencement of development, details for any proposed external lighting shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved details. This shall include a lux level contour plan, and should seek to ensure no light spill outside of the site boundaries. The lux contour plan should show lux levels at frequent intervals (lux levels at 0, 0.2, 0.5, 1, 1.5, 2, 3, 4, 5 lux and higher are particularly useful) and extend outwards to additional levels (above the pre-existing background light level) of zero lux. The lux contour levels should be superimposed on a site plan which includes all land that is affected by raised light levels (including potentially land outside the red line planning application area).

Guidance: According to paragraph 125 (page 29) of the National Planning Policy Framework (2012), 'By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'

Reason: To conserve legally protected bats and other nocturnal wildlife.

21. No clearance of vegetation or structures suitable for nesting birds, shall take place between 1st March and 30th September inclusive in any year without the prior written approval of the local planning authority. The authority will require evidence provided by a suitably qualified ecological consultant that no breeding birds would be adversely affected before giving any approval under this condition. Where checks for nesting birds by a qualified ecological consultant are required they shall be undertaken no more than 48 hours prior to the removal of vegetation or the demolition of, or works to buildings.

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

Pre occupation condition(s)

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22. No building or use hereby permitted shall be occupied or the use commenced until a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and been approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed travel Plan Targets to the satisfaction of the council.

The Travel Plan will be required to confirm the following:

- 1) The appointment of and funding of a Travel Plan Coordinator
- 2) A timetable for preparation, implementation, monitoring and review.
- 3) The overall outcomes to be achieved by the travel plan; the performance indicators, targets and back-up measures to be applied where the travel plan is not meeting its targets
- 4) Confirmation of the measures to be implemented upon occupation to include the following:
 - 4a) Secure cycle parking for visitors, staff and residents
 - 4b) The provision of car club vehicles to serve residents
 - 4c) Information strategy - to be distributed to staff / residents from the first occupation
 - 4d) Issuing of cycle equipment and discounts
 - 4e) A strategy for the incentivisation of rail and bus use
 - 4f) Annual Travel Surveys over a five-year period
 - 4g) Inclusion within the TQEZ Travel Planning Group.

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

23. No building or use hereby permitted shall be occupied or the use commenced until the sustainable urban drainage scheme for this site has been completed in accordance with the submitted details. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter.

24. Prior to occupation of the development details provided by a qualified ecological consultant shall be submitted to and approved in writing by the Local Planning Authority providing the specification, orientation, height and location for built-in bird nesting and bat roosting opportunities. This shall include twenty built-in swift bricks or boxes and ten additional bird boxes to include at least three grey wagtail boxes, three

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black redstart boxes, two kingfisher nesting tunnels, ten built-in bat boxes or bricks and eight insect bricks for solitary bees and wasps. Development shall be undertaken in accordance with the approved details.

Bird boxes should be installed to face between north and east to avoid direct sunlight and heavy rain. Bat boxes should face south, between south-east and south-west. Bird boxes should be erected out of the reach of predators and at least 3.5 metres high on publicly accessible sites. For small hole-nesting species bird boxes should be erected between two and four metres high. Bat boxes should be erected at a height of at least four metres, close to hedges, shrubs or tree-lines and avoid well-lit locations. Bat boxes which are being placed on buildings should be placed as close to the eaves (if present) as possible.

Swifts

Internal nest trays or boxes are particularly recommended for swifts. Swift bricks are best provided in pairs or groups (e.g. at least two or three on a building, avoiding windows). This is because they are usually colonial nesters. Swift boxes/bricks are best located on north, north-east or east facing walls, at least 5 metres high, so that there is a clear distance (drop) below the swift boxes/bricks of 5 metres or more so that there is space for the swifts to easily fly in and out of the boxes. Locating swift boxes under the eaves (where present) is desirable. One of the best designs is those by Schwegler because they are very durable

Grey wagtails

Grey wagtails require an open-fronted box which is located low over water (ideally flowing water) underneath a natural or man-made overhang such as ivy or a bridge. The box should be hidden from sight from the bank above but have a clear outlook over the water. It should be at least 1m above the flood-water level. Bird boxes should be installed to face between north and east to avoid direct sunlight and heavy rain.

Black redstarts

Black redstarts require open-fronted nest boxes which are 75 mm high at the front. The nest box should have the following dimensions: 150 mm wide by 260 mm high by 150 mm deep. The box should be located under structures such as a sheltered ledge or beneath overhangs, balconies, escape routes and below the eaves of a service entrance on top of a roof or within utility buildings. The nest boxes should be located out of direct sun, wind and rain. Several boxes should be provided to give breeding pairs a selection.

~~Reason: To help conserve legally protected~~ bats and birds which include priority species and pollinating invertebrate species.

List of Approved Plans

25. For the avoidance of doubt, a full list of the plans on which this application was assessed will be included.

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12.0 OVERALL CONCLUSION AND RECOMMENDATIONS

- 12.1 This application forms part of a process of delivering a new campus for the University of Bristol, reflecting its status as a world class University. It is a flagship scheme in the Temple Quarter Enterprise Zone on a site close to Temple Meads Station which itself is an important gateway into the city. The development is an opportunity to change the centre of gravity of economic prosperity in the city and is supported by many development plan policies.
- 12.2 The application site has been in a dilapidated condition for years and bringing forward development on this development will secure vital regeneration in this part of the city.
- 12.3 The site is considered to be an acceptable location in principle, subject to all all other material planning conditions.
- 12.2 The development will, however, generate significant trips in the area and, whilst these are largely assumed to be via sustainable modes of transport, the full transport impacts of the development remain to be assessed. The application is also still the subject of an objection from the Environment Agency. There are outstanding issues that require final resolution, although these should not be confused with other issues that have been raised that will be dealt with at the reserved matters stage. Officers consider that, on balance, the Committee are in a position to make a positive resolution that will allow these matters to be fully resolved and the required s106 agreement (securing the necessary mitigation) to be drafted and completed. Officers will keep Members updated through the regular agenda meetings.

RECOMMENDED Grant subject to the following:

That the Committee resolve that outline planning permission be GRANTED subject to:

- 1. Resolution of the Environment Agency's objection**
- 2. The completion of a Section 106 Agreement securing:**
 - (i) Appropriate transport mitigation (further details to be provided)**
 - (ii) Details of Allowable Solutions**
- 3. Appropriate conditions, including those set out in this report.**

13.0 COMMUNITY INFRASTRUCTURE LEVY

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

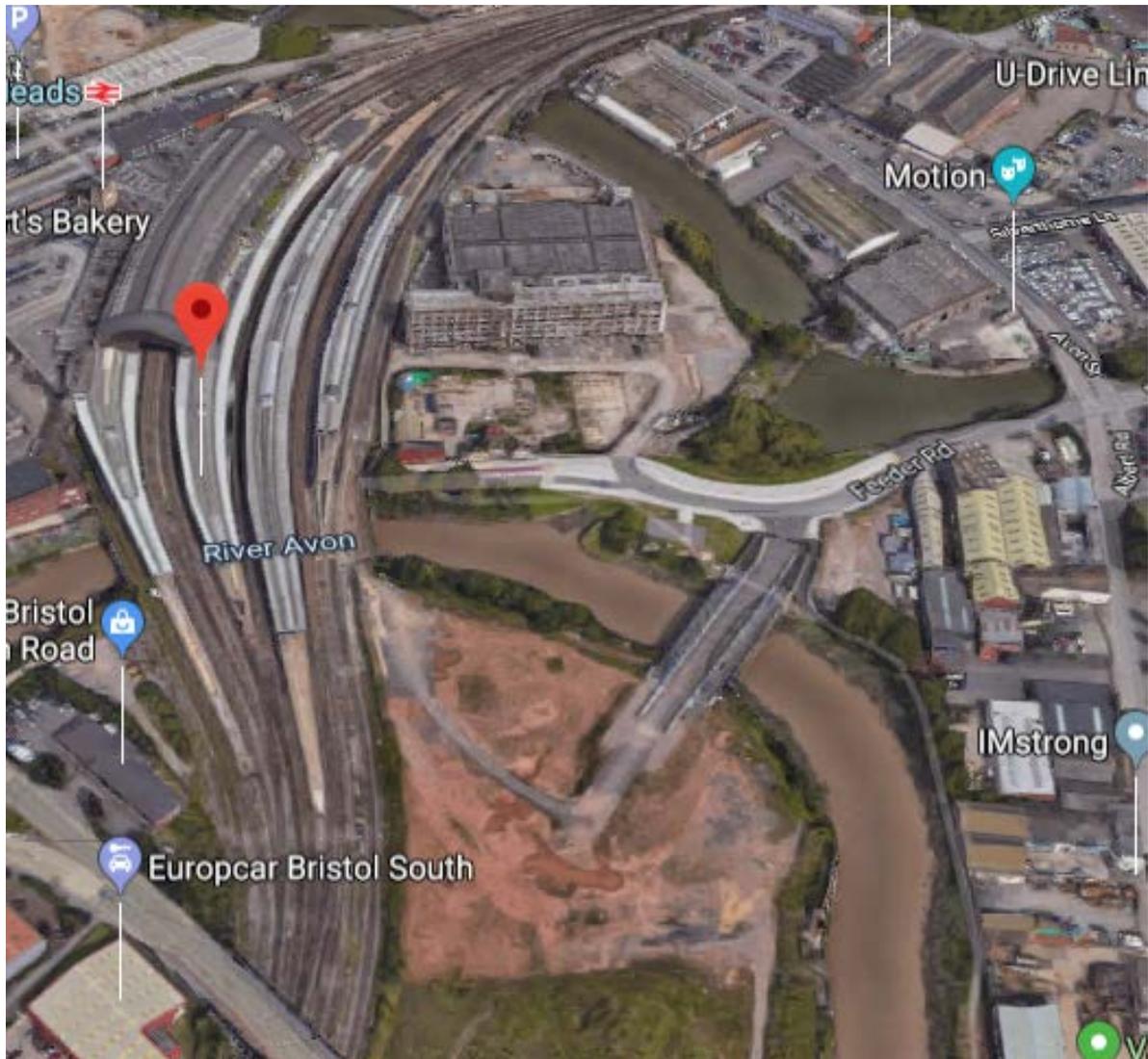
Supporting Documents

2. Land Next To River, Cattle Market Road, Bristol

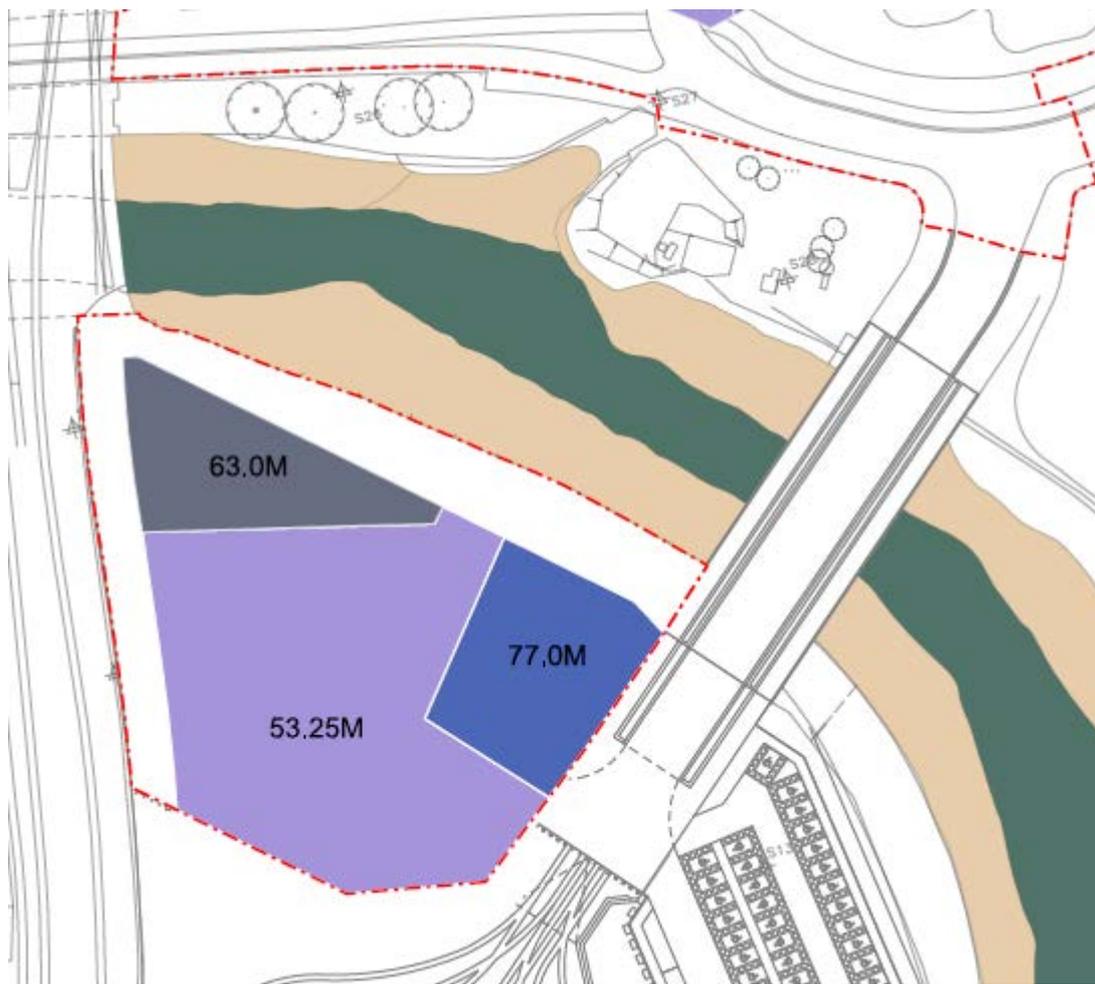
1. Application Site
2. Outline planning permission – Condition 24
3. Proposed Site Layout
4. Proposed Elevation
5. Indicative Image

Application 19/92952/M – Land next to the River Avon at Cattle Market Road

Application Site



Outline planning permission – Condition 24

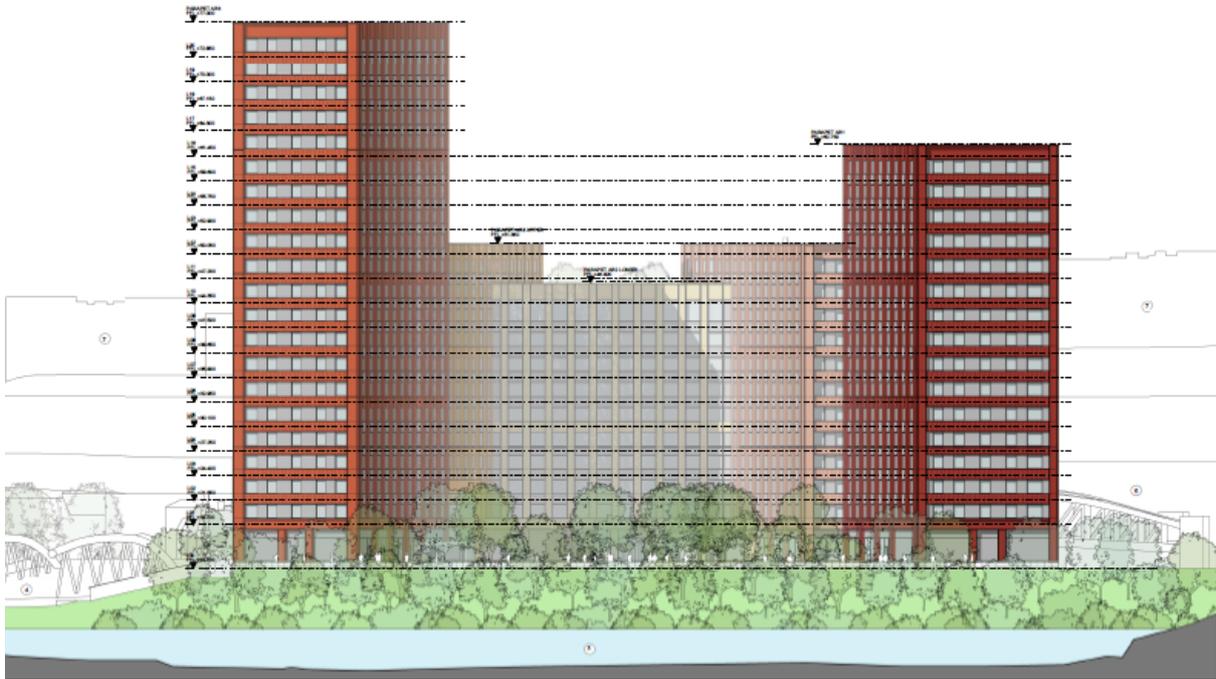


Proposed Site Layout

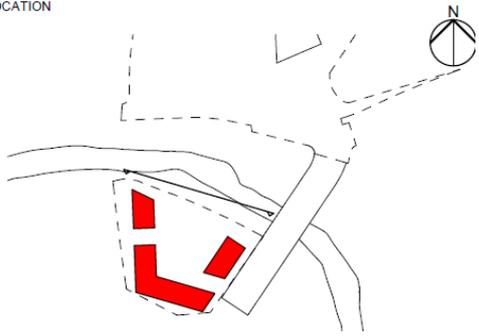
- KEY
- Study Space
 - Communal Service
 - Gym / Commercial
 - Facilities Management
 - Core
 - Communal Circulation
 - Service
 - ① Reception
 - ② Communal Study/Social Area
 - ③ Facilities Management Suite
 - ④ Laundrette
 - ⑤ Refuse Store
 - ⑥ Commercial Unit
 - ▼ Primary Entrance
 - ▽ Secondary Entrance



Proposed Elevation



LOCATION



Indicative Image



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SUMMARY

This application relates to operating hours for the Lost and Found - a restaurant located within the West End area of the designated City Centre.

The premises originally gained consent to operate as a restaurant (A3 use) in 2013, with approved operating hours as:

08:00 to 23:00 Monday to Saturday; and
09:00 to 22:30 on Sundays and Bank Holidays.

The current operating hours (which were approved by a Planning Inspector at appeal) are:

8am-11:30pm Monday-Thursday;
8am-midnight Fridays-Saturdays and
8am-11pm Sundays and Bank Holidays.

The application is being presented to Committee due to the number of objections received.

Initially, 28 letters of objection, including objections from Councillor O'Rourke, Councillor Wright, and Councillor Stevens were received. The application was also referred to the Council's Pollution Control Officer to assess the applicant's Acoustic Report, and to the Avon and Somerset Police.

In response to concerns raised by both the public and officers, a revised Noise Assessment report and Management plan were received - the Noise Assessment detailed how customers behaved upon leaving the premises, and Management Plan detailed how the premises are managed.

In response to a further consultation, the residents of Richmond Heights, which is the nearest residential building, commissioned a noise report which has been assessed by the Pollution Control Officer.

The application is assessed on its merits, in the context of a recent appeal decision (detailed in the Planning History section of this report) and against the consultation comments submitted.

The recommendation is for approval, as there is no evidence that the increase in hours would themselves lead to harm that would be experienced by nearby residents.

SITE DESCRIPTION

This application relates to Lost and Found cocktail bar and restaurant which occupies the ground floor and basement of a four storey building on the south side of Queens Road near Clifton Triangle. The building itself is clad in buff stone, has a flat roof, and is located within the Clifton Conservation Area. The site is within the West End area identified by the Central Area Plan, which is a busy, mixed use commercial area, and is found within the designated City Centre. The area has a strong evening economy. The adjacent unit is occupied by a convenience store (Waitrose) and there is a fitness centre on the upper levels.

Around the corner from the site, on Park Place, the character changes and is immediately quieter and more residential, with a central green space and one small pub (Quinton House). Richmond Heights - a block of residential flats, is on the corner opposite the application site.

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RECENT PLANNING HISTORY

Planning permission was refused on 26.10.2016 (BCC ref: 16/03266/F) for the extension of opening hours to:

8am-11:30pm Monday-Thursday;
 8am-midnight Fridays-Saturdays and
 8am-11pm Sundays and Bank Holidays.

External alterations to the shop front to create a new entrance from Queens Road, removal of 4no plant condensers and replace with 3no new plant condensers, installation of green wall and enlarged louvre opening.

The reasons for refusal were as follows:

1) The extended opening hours are likely to result in an increase in noise and general disturbance resulting from patrons leaving the restaurant late at night, which would harm the amenity of nearby residential occupiers. As such, the proposal is contrary to guidance in the NPPF; as well policies BCS21 and BCS23 of the Core Strategy 2012 and DM10 and DM35 of Site Allocations and Development Management Policies.

2) The application fails to make an adequate assessment on the effect of plant noise on nearest residential occupiers at Richmond Heights, and in the absence of this information it is therefore likely that the proposal would harm the amenity of residents of this building. The development is therefore contrary to guidance in the NPPF; as well policies BCS21 and BCS23 of the Core Strategy 2012 and DM10 and DM35 of Site Allocations and Development Management Policies.

This decision was appealed, and the appeal allowed (appeal ref: APP/Z0116/W/17/3170050), with costs awarded to the appellant. The Inspector, in his decision letter, noted that the evidence submitted by the appellant satisfactorily demonstrated that noise from the proposed extended hours would not exceed the background noise in the area such that it would be unacceptably harmful for nearby residents. The use in question is now in operation.

The Inspector imposed a number of conditions, and it should be noted that to date, there has been no submission made against the following two pre-commencement conditions, despite the restaurant being open and the use having commenced:

- 3) Odour management plan
- 5) Scheme for staff cycle parking

An application for advertisement consent was refused on 28.06.18 (BCC ref: 18/01827/A) for 1 x internally illuminated Fascia Sign. 1x Internally illuminated Hanging Sign. The fascia and hanging signs were considered to be intrusive and unsympathetic features due to excessive size, use of internal illumination and overall visual appearance with the use of a black acrylic fascia board.

An appeal was submitted against the decision and was allowed.

OLDER PLANNING HISTORY

13/02228/F Change of use of basement and ground floor levels from A1 (retail) to A3 (restaurant/cafe), with no proposed internal or external works.

Condition 10 attached to this permission concerns hours of operation:

- No customers shall remain on the premises outside the hours of 08:00 to 23:00 Monday to Saturday; and 09:00 to 22:30 on Sundays and Bank Holidays.

- Reason: To safeguard the residential amenity of nearby occupiers

PERMISSION GRANTED 19 September 2013 - This permission established the current lawful use of the site.

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14/00598/X Application for variation/deletion of condition number 10 to extend the opening hours to 2am Saturday and 2am Sunday - following a grant of planning permission 13/02228/F - Change of use of basement and ground floor levels from A1 (retail) to A3 (restaurant/cafe), with no proposed internal or external works.

REFUSED 14 July 2014

The reason for refusal was as follows:

The proposed extension of opening hours including the associated disturbance at sensitive times of the day would result in unacceptable noise nuisance to the detriment of nearby residential properties. The proposal is therefore contrary to guidance with the National Planning Policy Framework (March 2012); as well as Policies ME4, S5 and S8 of the adopted Bristol Local Plan (December 1997); Policy BCS23 of the adopted Bristol Core Strategy (June 2011); and emerging Policies DM10 and DM35 within the Site Allocations and Development Management Policies (Publication Version, March 2013 incorporating modifications recommended by Inspector in his report of 2nd April 2014).

An appeal was submitted against this decision, which was dismissed, reference APP/Z/00116/A/14/2226079)

14/02430/F Proposed alterations to the shopfront, demolition of stone archway and creation of external seating area for customers with associated external alterations.

REFUSED 15 July 2014

15/06231/PREAPP: A pre-application enquiry which sought advice on a change of use from restaurant (Class A3) to a restaurant/bar (Class A3/A4) with extension of opening hours and introduction of external seating area, was responded to on 22 December 2015. Advice was given on:

i) the appropriateness of an A3/A4 use

Response: Any application for a mixed A3/A4 use or full A4 use would need to be supported by an operational statement so that the true nature of the proposal can be identified.

ii) Unspecified extended opening hours

Response: The onus will be on the applicant to demonstrate that no harm to residential amenity will be caused by any proposals that alter the existing permission.

iii) external seating area

Response: This was discouraged in order to protect residential amenity

vi) Re-location of entrance door and openable windows

Such changes may exacerbate noise issues.

CURRENT APPLICATION

Approval of a minor material amendment is sought under section 73 of the Planning Act, to vary condition 7, and extend the hours of operation which were granted on appeal. This application seeks later operating hours at Lost and Found restaurant, to extend the operation hours from the approved:

8am to 11:30pm, Mondays-Thursdays;
 8am to midnight, Fridays and Saturdays; and
 8am to 11pm, Sundays and Bank Holidays;

To:

8am to midnight, Monday to Wednesday;
 8am to 1am, Thursday, Friday and Saturday; and
 8am to midnight, Sunday and Bank Holidays

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The Planning Statement submitted with the application states that the premises opened as a restaurant in April 2018, and whilst it has an ancillary bar, it is primarily operated as a restaurant within A3 use class, serving food during all hours of opening.

The reasoning behind the proposed alteration in hours is that the management regularly needs to ask patrons to leave the premises at the end of the evening which results in a loss of trade and is preventing the premises from trading to its full capacity and potential. The Statement also sets out that management plan approved at appeal has been successfully implemented over the last year, ensuring that residents are not unduly impacted upon by the operation of these premises. The premises have received no complaints from neighbouring residents.

The application is accompanied by a Noise Assessment Report by Blue Tree Acoustics and a Management Plan by the applicant. These documents have been assessed in the main report.

RESPONSE TO PUBLICITY AND CONSULTATION

Letters were sent to 116 nearby occupiers on 15.05.2019. A site notice and a press advert were also both posted on 08.05.2019.

In response to this, 28 letters of objection were received, and no letters of support. Comments are summarised below, with the full responses being available on the Council's website.

- There are door staff on the weekends but they do not stop smoking outside and littering the street, urinating and fighting in the street.
- Lost And Found consistently breaches their current licence, particularly at the weekends, and I have pictures and notes counting numerous incidences of their breach of current licence. I have recorded activity more than 2 hours past their closing times. This bar is highly disruptive and has brought increased problems with noise and disturbance. Patrons have been witnessed coming directly from Lost and Found, peeing in the back patio, having sex in public, groups having fights, constant littering and lots of singing and shouting. Patrons also linger in the area after business closure.
- If the premises are classed as restaurant, why do they need to extend their licence unless they want to encourage more people drinking at the bar? The premises have drink offers.
- The extension in opening hours will further contribute to disturbance and antisocial behaviour which is experienced on a daily basis by local residents in the area. The offers, including a "bottomless brunch" relate to drink not food.
- Since opening, this establishment has attracted an inordinate number of groups of females who are there to drink rather than eat. They frequently block the street outside when smoking and from mid-afternoon onwards can be seen staggering around on the street, on occasion vomiting. An extension to licensing hours will only make this worse.
- To date, Lost and Found has been a reasonably good neighbour, because they close at a reasonable time. We'd like to keep it that way. I fear later opening hours will cause a great deal of disruption to residents nearby. If they extend their hours they become part of the nightclub culture of the Triangle, bringing noisy revellers much closer to my home.

Richmond Hill Residents Association

Residents in Richmond Heights, Park Place and Richmond Hill are seriously concerned that the approval of the extended licensing hours will cause further real harm.

It should be noted that this site is operating under A3 permission. Since the 2016 appeal allowed the relocation of the entrance closer to the residential areas, the effect on the residents has been severe. The Lost and Found brand operates as a pub not a restaurant. Past 9:30pm the majority of customers are drinking not eating, and extended opening hours will exacerbate this. The applicants should be made to apply for A4 permission before any extension of opening hours is considered.

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Richmond Heights (Management Company and Residents)
 Bedroom windows in Richmond Heights are 20 metres away from the corner of Lost and Found. The extension of opening hours to times when residents are sleeping will dramatically increase disturbance to Richmond Heights residents. There has been no community engagement in respect of the application. There is constant ingress and egress from the entrance and queues outside at busy times. Smokers also congregate outside, and this causes considerable noise and disturbance well into the night. People's voices are considerably more audible than the hum of background traffic noise.

Clifton and Hotwells Improvement Society

There are a number of other large restaurants in the nearby vicinity which close earlier than the times applied for here:

- Browns About 300m down Queen's Road
 Mon-Thur 23.00
 Fri & Sat 00.00
 Sun 22.00

- Wahaca Directly opposite across Queen's Road
 Mon-Sat 23.00
 Sun 22.00

- Cosmo Next door but one.
 Mon-Thurs 22.30
 Fri & Sat 23.00
 Sun 22.00

- Backyard Chicken (formerly Cau) Directly opposite across Queen's Road
 Mon-Sun 23.00

- Al Bacio About 300m up Queen's Road
 Mon-Sun 23.00
 Sun 22.00

In addition the building is within a Cumulative Impact Area. This means it has been recognised that for the well-being of residents and current businesses no further licences, or significant extensions to current ones, will be granted unless it is clearly demonstrated that what is being offered is different from what already exists, and will not add to the impact already being experienced.

Ward Members

Councillor Paula O'Rourke

I object to this proposal as it will lead to greater loss of amenity to the local residents. Late night revellers already cause problems for residents who live very close to the venue. One presumes that, should this application succeed, the owners will apply for a variation to the licensing hours which will just mean that there will be more late-night drinking at the venue.

Councillor Mark Wright

I object to this proposal. In the last year or two, the Triangle area has had a very notable and unhelpful increase in the amount of noise, anti-social behaviour, and late-night disturbance, caused by late-night bars/restaurants in the area. Now is exactly not the time to make this worse by adding to the problem. This is a Cumulative Impact area, and changes like this should be refused by default unless they add something new to the area, which this application does not.

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Councillor Clive Stevens

I object to this proposal because of the detrimental effect the extension in opening hours will have on the sleeping times and other amenity for local residents. The recent application for 70 Queens Road (the Alchemist) was refused on appeal for this very reason. I quote the inspector, " ...these matters are not sufficient to outweigh the potential which the proposal has to cause unacceptable harm to the living conditions of residents. I therefore conclude that the appeal should be dismissed". Here there is not even a benefit of bringing buildings back into use.

ADDITIONAL CONSULTATION

During the assessment of the application, the applicant submitted a revised Noise Assessment and a Management Plan. A further consultation on these documents took place, with letters being sent on 06.09.19 giving a further 21 days for comment. An additional 5 objection letters were received, as well as an independent report in response to the applicant's Noise Report, commissioned by the residents of Richmond Heights.

Additional issues raised are summarised below:

- I have experienced significant antisocial behaviour from customers outside the premises who stand outside to smoke. I have also witnessed drug abuse, specifically nitrous oxide. Customers under the influence of drink or drugs have restricted access to the Waitrose store. The increased opening hours would increase these nuisances.
- Lost and Found routinely breaks their licence terms. They let people enter until 12am and let patrons drink inside until the early hours of the morning. We have observed customers inside at nearly 2am. They currently stop serving food at 9pm, giving people 3 hours to drink until closing time at 12am. There are security guards on the door, so it is clear the purpose is to operate as a pub. The noise report was performed after the students had left for the summer. This application should be refused and the licence enforced.

Independent noise report commissioned by residents of Richmond Heights

The report identifies that the most sensitive façade on Richmond Heights is that with the bedrooms facing Park Place. This report says that the Blue Tree report is based on the current 'theme' of the premises, and does not address the possibility of a different operator taking on the premises. Below is a summary of the points raised:

- The ambient noise levels at the rear bedrooms of Richmond Heights will be lower than the locations selected in the Blue Tree report. Ambient noise is lower in this location and there is less masking of any noise from the Lost and Found extended hours operations.
- The monitoring locations selected for assessment do not address the rear bedrooms of Richmond Heights. Those locations selected are subjected to numerous noise sources.
- The Blue Tree report doesn't give information on frequencies, and it is the low (bass) frequencies which are of most concern.
- The Blue Tree report does not consider the Institute of Acoustics document "Good Practice Guide on the Control of Noise from Pubs and Clubs"
- The noise from persons shouting or behaving boisterously is more impulsive and has a frequency content more likely to cause disturbance than traffic noise.

OTHER COMMENTS

Pollution Control has commented as follows:-

The applicant's Noise report suitably covers all the noise issues, and I wouldn't object to the application on noise grounds.

I would confirm that I am also happy with the management plan. I would therefore recommend that the condition on the current consent, requiring compliance with the current management, plan is amended to cover the amended management plan.

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Crime Reduction Unit has commented as follows:-

Initial objection: Many of the public objections mention the closure hours as being too late and allege that the premises is no longer a restaurant but a bar. We would object to an extension of hours. The premises are supposed to be trading mainly as a restaurant with a condition that substantial food is available between 12 noon and 22:00 hrs. If food is not available from 10 pm there is only one thing to do and that is drink! Potentially there could be vertical drinking from 22:00 hrs until 01:00 hrs. The premises are in the cumulative impact area which already has an impact on the licensing objectives.

Following submission of a Management Plan:

Having received comments back from The Policing Team and the Police Licensing Team it is considered that the Management Plan demonstrates that the initial concerns have been taken on board, therefore our objection is removed.

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

National Policy Background

The NPPF states that planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

Local Policy Background

Core Strategy policy BCS21 states that development should safeguard the amenity of existing development and create a high quality environment for future occupiers. Bristol Local Plan policy DM35 states that development with noise implications should provide appropriate mitigation.

Policy DM10 states that the 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. It should be noted that the use of the premises as A3 restaurant is already established.

Licensing within the Cumulative Impact Area

The site is within the City Centre Cumulative Impact Area. This area has been designated a Cumulative Impact Area due to the large numbers of licensed premises within it and the associated problems caused by a large number of noise premises such as noise from people in the street. Within a Cumulative Impact Area applications for new premises licenses or club premises certificates or material variations will normally be refused, unless it can be demonstrated that the operation of the premises involved will not add to the cumulative impact already. The premises already has a licence to operate under the hours granted by the appeal Inspector, however this designation is still a material consideration for the proposed extension in opening hours.

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It is pertinent to note that the Planning and Licencing regimes are separate and deal with different matters. Whilst the planning system controls the type and characteristics of a use, the licensing regime controls how such uses are operated and managed.

Comments from the Avon and Somerset Police initially expressed concerns on the proposed later opening hours, however, following the submission of the Management Plan, which sets out how the restaurant is managed, the police removed their objection, being satisfied that the Management Plan allayed concerns relating to late-night disturbance.

(A) LAND-USE

The application confirms that the proposed use would remain within Use Class A3 - restaurant use. The supporting documents set out that 'Lost and Found' operates primarily as a restaurant but with ancillary bar. Whilst a number of objections allege that the premises are operating primarily as a bar that serves food, it is important that the application is assessed based on the supporting information in the application. The supporting information clearly sets out that the premises operate, and would remain within a Class A3 restaurant use. The Enforcement team has been informed of the complaints alleging that the premises is used as a bar in A4 use class, and has confirmed that the consideration of this planning application must come first before any enforcement investigation can be pursued.

(B) AMENITY ISSUES

Good design and protection and enhancement of the environment are critical components of central government guidance, as identified in the NPPF. Adopted Bristol Core Strategy Policy BCS21 expects development to safeguard the amenity of existing developments. As set out above, policy DM10 (Food and Drink Uses and the Evening Economy) also requires food and drink uses not to harm residential amenity. Whilst the use of the premises as a restaurant has already been established, and the restaurant is open, the impacts of the additional opening hours on noise and general disturbance, fumes, smells, litter and late night activity fall to be considered within this application.

(i) Blue Tree Acoustics Noise Assessment Report

The application is accompanied by a noise report by Blue Tree Acoustics, which assessed noise from various sources in the area. These were identified as being traffic / pedestrian noise as well as noise from other evening commercial premises, (including Wahaca, Wagamama, Gravity and PamPam). The locations used for testing were:

- 1) outside no.10 Park Place
- 2) outside Richmond Heights
- 3) outside Skipton Building Society

Measurements were taken during daytime and nighttime hours on Friday 02/12/2016, Monday 05/12/2016 into Tuesday 06/12/2016, and Friday 10/02/2017 (it should be noted that Lost and Found would not have been open at this time).

Additional measurements were taken more recently (when Lost and Found was operating) on Thursday 27/06/2019, Friday 28/06/2019, and Saturday 29/06/2019. Details of weather conditions at the times testing took place are provided. In addition to taking noise levels in decibels, the acoustic consultant also took notes of what was happening on each night Thursday, Friday and Saturday 27-29 June 2019, and these are given at appendix III. The observations were taken opposite Lost and Found between 9pm and 2am and monitors 'patron and ex-patron movements'. On each night there were entries which could be classed as people being in 'high spirits' and these would be taken into account in the noise levels (measured in decibels), during the monitoring. The log shows that the area in general experiences people in high spirits and being noisy, but they are not observed as having exited Lost and Found.

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The following is an extract from appendix III, giving evidence of people observed as being in high spirits in area late at night. The log gives a note on where the people have come from (ie whether they are customers of Lost and Found):

Thursday 27/6/2019

21:52 Group of teenagers walk past. Talking very loudly. Not patrons
 21:55 2 people on green talking quietly. 5 people outside Quinton House talking loudly. None are Lost & Found patrons
 21:58 People shouting a bit having exited Quinton House pub
 22:29 Teenagers walking past in a large gang, shouting loudly at each other. Swearing
 22:30 Still lots of traffic. Spice Girls music blaring out of a slowly moving car
 23:24 Noisy group of men walking past Location 2. Not patrons
 23:35 Teenagers walking past, talking loudly
 23:43 Man shouting really loudly round here on his own around the green. Singing "Is this the way to Amarillo" - not a patron
 23:44 Prob as many people about now as at 2300. Still plenty of cars and buses, still lots of people
 23:50 Gang of teenagers passing Location 3, shouting and laughing
 00:39 Teenagers shouting and whistling.
 01:54 Violent man in the distance coming from around Lola Lo.
 01:54 Shouting "do you want to die"
 01:56 He keeps shouting and starting to walk towards Lost & Found, then going back down the hill a little
 02:01 Lots of shouting from mbargo area

Friday 28/06/2019

21:34 People on green talking loudly and shouting
 21:36 People shrieking on the green
 21:55 About 25 people on green now, and 4 people sat outside Quinton House near me. All v loud and shouty
 22:03 People on green shouting lots
 22:13 4 people outside Quinton House, about 20 people on green still being noisy
 22:30 Still about 25 people on the green, shouting pretty loudly. And about 7 people outside Quinton House
 22:43 Lots of shouting and whistling coming from behind the green, maybe from Brass Pig area
 23:06 Bus and shouting people outside Little Waitrose - not patrons
 23:07 Man shouting walking towards Location 1 - not patron
 23:24 Gang towards Location 3. Talking loudly
 23:32 People on green still shouting very loudly
 23:53 2 teenagers walking past Location 3 - singing
 00:09 Shouting from other side of flats - Richmond Hill
 00:09 It's 5 shouting now. Walking past, previously from Richmond Hill - not patrons
 01:01 Shouting people coming from Brass Pig direction towards dwellings
 01:53 Singing. Walking from burger van down to Location 3

Saturday 29/06/2019

21:29 Can hear couple shout and laugh to side of Location 2. Not patrons
 22:26 Girls doing selfies and talking loudly near Location 3
 22:42 4 men blasting music from parked car outside Quinton house pub, with all doors and windows open
 22:45 Men in sports cars near the green are blowing up balloons. Canister noise very loud, then dropping canisters down the hill
 23:02 Four men opposite Location 2, talking loudly - not patrons
 23:18 About 20 girls walking around shouting near Location 3, going to a club

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23:45 Shout from Gravity
 23:53 Can hear a couple of shouts from front of Lost & Found - at Location 3
 23:53 Shouters walking off now. With a gang that were never patrons.
 01:13 Shouting from Jason Donervan
 01:17 Shrieking men heading up past Location 2
 01:17 3 shouting. From Gravity. Into a car near Location 2
 01:30 People being sick at Location 3
 01:46 Man shouting "Sam" from Location 2

From the evidence provided it would be very difficult to show that there would be any increase in noise levels from customers leaving the Lost and Found up to the specific later opening hours proposed. A number of comments have referred to the fact that the noise survey was taken at the end of June, when students may have left Bristol for the summer, and noise levels might typically be quieter. The fact that the acoustic report includes detailed observations shows that even at the time of the survey, the area is busy, and a negligible amount of noise comes from people leaving Lost and Found. Any noise from customers due to any extension in hours would therefore not be readily distinguishable as it would largely be assimilated against the background noise of existing pedestrian and vehicular activity in the vicinity.

The acoustic report commissioned by residents of Richmond Heights refers to the bedroom windows of Richmond Heights as being vulnerable from noise, however, the bedrooms are at the rear of Richmond Heights, facing away from Queens Road where most of the noise originates from. The report does not provide additional readings or evidence to dispute that given in the applicant's report. The residents' report does highlight the fact that the applicant's report is based on the current theme of the premises. This can be addressed by imposing a condition requiring the premises to be operated in accordance with the submitted Blue Sky Acoustics Report and Management Plan.

The residents' report also states that the Blue Tree report doesn't give information on frequencies, and it is the low (bass) frequencies which are of most concern.

From the previous acoustic reports, applications, appeals and current objections for this site the noise issue here has been identified as noise from customers outside and after they leave the site, rather than complaints of music noise, which would give rise to low (bass) frequencies. The previous application required compliance with a management plan. The management plan includes measures for the control of music levels. No significant decrease in background noise levels has been identified during the hours proposed here, therefore the current music level controls are considered to be acceptable here.

(ii) Management Plan

This sets out the reasoning behind the application, which is that customers frequently try to book a table to dine after the current latest dining time of 9:30pm. If an extension in opening hours were to be granted, it is envisaged that there would be between 40 and 80 people in the restaurant on Friday or Saturday night, made up of 40 to 60 split between casual diners in the bar area to restaurant covers.

The Plan also states that numbers within the restaurant are carefully managed by the General Manager, whose role is to be based at the door host station and assists security staff on Thursday, Friday and Saturday nights. There are two sets of doors separated by a lobby so that noise can be contained within the premises. During peak periods of trade, security staff may only admit those who have booked a table, turning away large groups of people who are rowdy or drunk.

The Management Plan also states that Lost and Found premises in other cities operate in different manner, some being "wet led", or predominantly operating as bars. It states that the Bristol branch operates as a dining led restaurant with food being served all hours being the key driver for trade.

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There would be a cut-off time one hour before closing time, where no new customers would be admitted into the restaurant. This has been amended since submission, as the original plan gave half an hour as a cut of time, which was not considered sufficient time to consume a meal.

The Planning Statement submitted with the application states that the General Manager performs noise checks regularly, and that it is not within the company's interest to allow disruptive or loud groups of people within the restaurant, as Lost and Found has worked hard over the last year to build a positive reputation for customers looking to enjoy a premium dining experience.

The management plan approved in respect of the appeal scheme deals with the dispersal of customers from the entrance leading up to closing time, management of smokers outside the premises and for taxis collecting patrons. The door staff and hosting staff in the premises ensure that the double doors are kept closed in the evening to avoid noise from escaping the premises and that patrons do not congregate outside the premises either smoking or making noise. This management plan was secured by condition imposed by the Planning Inspector, and has been combined with the current management plan to be secured by condition in the current application.

It should be noted that there have been no complaints made to the council's noise team regarding Lost and Found, and the Avon and Somerset Police have also confirmed that they have received no complaints about the premises.

iii) Licensing

The Council's licensing team has confirmed that the current license at Lost and Found permits the following hours:

Monday to Thursday 8am - 11:30pm

Friday and Saturday 8am - midnight

Sunday 8am - 11pm

The licensed hours are the same as those approved by the Planning Inspector for the appeal scheme. As already stated in this report, there have been no formal complaints made about the premises failing to adhere to the conditions of their licence.

SUMMARY

The Inspector in the most recent appeal decision to allow the extension in hours described the mix of shops, cafes, restaurants, bars and clubs in the area, some of which are open until the early hours of the morning. He noted that this gives the streets along Queens Road and the Triangle West its vibrant character - having a strong evening economy with a considerable amount of late night activity. He also noted the change in character to the north west of the restaurant, citing the residential character of Park Place and Richmond Heights. The Inspector gave weight to the fact that residents in this area already experience noise arising from pedestrians and traffic passing along Queens Road, and noted that later on in the evening, noise from these sources was likely to be lesser. Given the fact that there was no evidence presented that would suggest noise from the proposed extended opening hours would significantly exceed background noise levels, the inspector allowed the appeal. He also accepted that the premises would fall within Class A3, restaurant.

The current application proposes an additional half hour on Mondays to Wednesdays, an additional 1.5 hour on Thursdays, an additional hour on Fridays, Saturdays, Sundays and Bank Holidays. The restaurant is also open now, where it wasn't yet open when the appeal scheme was being determined. This therefore makes it somewhat easier to make an assessment of noise in the area.

The Planning Statement also notes that the front windows are fixed shut rather than sliding, as proposed in the appeal scheme, increasing the sound insulation quality of the building's envelope.

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CONCLUSION

This application has been assessed based on the supporting information, in the context of previous decisions and consultation responses received. The applicant has undertaken the correct noise modelling and there is no evidence that would lead to the conclusion that the proposed extension in opening hours at these premises, would lead to a loss of amenity for nearby residents. Noise is experienced in the context of the existing pedestrian and vehicular activity in the vicinity. It is therefore recommended that, with conditions, the proposed extension in opening hours is acceptable.

Section 73 amendment applications such as this act as a new planning permission that supersedes the existing permission, therefore the conditions to be attached must be reviewed accordingly. The recommendation for this application therefore reflects the most up to date list of conditions, including securing the most recent management plan and acoustic mitigation measures.

COMMUNITY INFRASTRUCTURE LEVY

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 commencement condition(s)

2. Odour Management

The use hereby permitted shall not commence until an odour management plan has been submitted to and approved by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the odour management plan shall be complied with in accordance with the approved details.

Reason:
To safeguard surrounding amenity.

3. Cycle Storage

The use hereby permitted shall not commence until a scheme for staff cycle parking has been submitted to and approved by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the approved cycle parking shall be retained and kept available for use in accordance with the approved scheme.

Reason:
In the interests of promoting the use of sustainable transport.

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Post occupation management

4. No external seating

No external areas shall be used for external seating or as a similar amenity area.

Reason:

In order to safeguard nearby amenity.

5. Refuse collection and deliveries

Deliveries, and the collection of refuse and recyclables (including the tipping of empty bottles into external receptacles) shall only take place between 8am and 8pm Monday to Saturday and not at all on Sundays or Bank Holidays.

Reason:

To safeguard neighbouring amenity.

6. Operating Hours

The premises shall only operate between the following hours:

8am to midnight, Mondays-Wednesdays

8am to 1am, Thursdays, Fridays and Saturdays

8am to midnight Sundays and Bank Holidays

Reason:

In order to safeguard the amenity of nearby residential occupiers.

7. Noise and Management Plan

The use as a restaurant shall not be operated other than in strict accordance with the submitted noise management plan and the associated management statement.

Reason:

In order to safeguard residential amenity.

List of approved plans

8. 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.

2057/01 Rev A,

2057/02 Rev B,

2057/03 Rev A,

2057/05 Rev A,

2057/06 Rev A,

2057/08 Rev A,

2057/13,

0234-02-01 Rev M,

0234-09-01 Rev B,

Standard Fixed Light Details,

Standard Track Details 1 of 2,

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Standard Track Details 2 of 2.

13 Site location plan, received 18 April 2019
Planning statement, received 18 April 2019

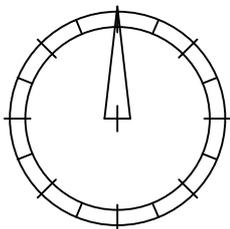
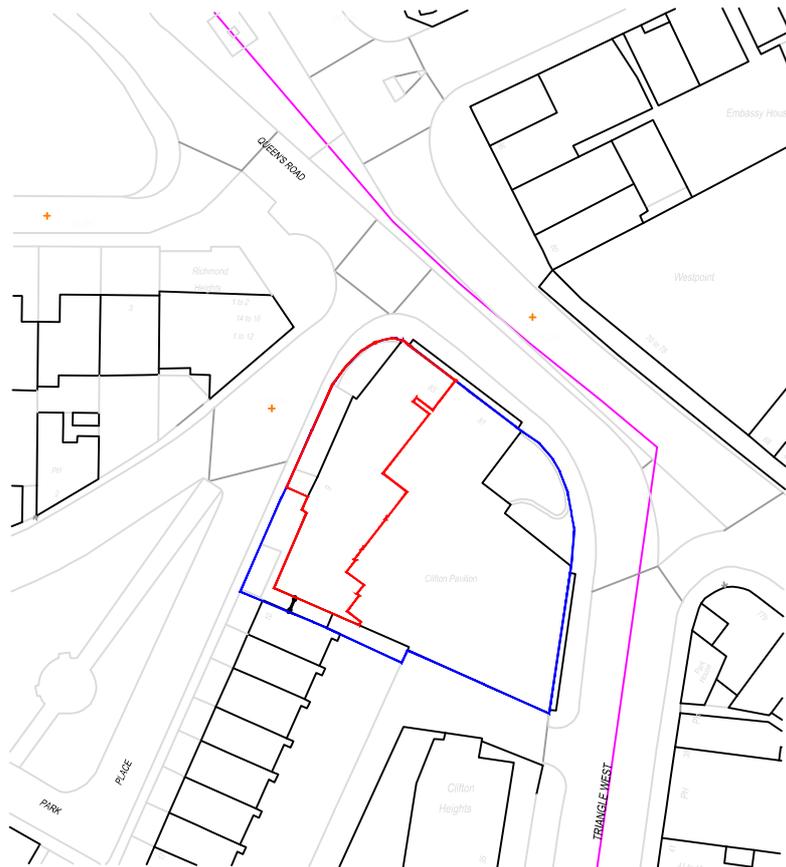
Reason: For the avoidance of doubt.

commdelgranted
V1.0211

Supporting Documents

3. 85 Queens Road, Clifton, Bristol, BS8 1QS

1. Site Location Plan
2. Photo



NORTH



1:5 = 25cm	1:200 = 10m
1:10 = 50cm	1:250 = 12.5m
1:20 = 100cm	1:500 = 25m
1:50 = 2.5m	1:1250 = 62.5m
1:100 = 5m	1:2500 = 125m

Client
MARSTON'S ESTATES

Project
CLIFTON PAVILION

Location
85 QUEEN'S ROAD, CLIFTON, BRISTOL

Drawing Title
SITE LOCATION PLAN

Pinnegar Hayward Design

The Flaghouse
16 Graham Street
Birmingham
B1 3JR

Tel 0121 236 7009
Fax 0121 236 8485
Email design@p-h-d.co.uk
Web www.p-h-d.co.uk

ARCHITECTS



PRINCIPAL
DESIGNERS
PROJECT
MANAGERS

Scale 1:1250	Date MAR 16	Drawn MR	Checked JH	Job No. 2057	Drawing No. 13	Revision	Stage PLANNING
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Case Officer Site Photographs

Application No: 19/01909/X Site Address: 85 Queens Road
Clifton
Bristol
BS8 1QS

Date of photo:



Development Control Committee A – 16 October 2019**Application No. 19/03178/F : 6-8 Belgrave Hill (also Known As Land On North Side Of Belgrave Hill) Bristol BS8 2UA**

SUMMARY

This application follows another very recent and almost identical application 18/02902/F that was refused by Development Control (DC) Committee A in January 2019.

The current application differs from the last (refused) application 18/02902/F only in the following regards:

- One bedroom of each proposed house is now shown on layout plan as a study;
- Further information and justification showing fire appliance access to the site has been submitted.

Planning application 18/02902/F was refused by Development Control Committee A on 9th January 2019 following deferral at DC Committee A on 17th October 2018. The application was deferred pending investigation by officers relating to access to the site by emergency/ refuse vehicles and to assess the structure and soundness of the adjoining wall.

The refusal reasons were as follows:

1. The proposed development by reason of its small size and living environment would fail to provide sufficient space for everyday activities and to enable flexibility and adaptability in accordance with Policies BCS18 and BCS21 of the Bristol Core Strategy (2011) and Policy DM29 of the Site Allocations and Development Management Policies (2014). The proposal would fail to meet the Technical housing standards- nationally described space standard (DCLG, March 2015) and would not be in accordance with Section 12, Paragraph 127 of the National Planning Policy Framework (2018).
2. The proposed development by reason of its location would not be satisfactorily accessible by fire appliances without requiring the loss of on-street parking, which would result in unacceptable harm to local residential amenity. The proposal would fail to be in accordance with Policy BCS10 of the Bristol Core Strategy (2011) and Policy DM23 of the Bristol Local Plan Site Allocations and Development Management Policies (2014) and Section 9, Paragraph 110 of the National Planning Policy Framework (2018).

Prior to that, planning permission was granted for the same development (as 18/02902/F) in 2014 (reference 14/02366/F), which expired in 2017 without being implemented.

The public response received to the application is 2 general representations, 34 objections and 1 comment in support. Objections include those from the Bristol Industrial and Archaeological Society and The Association for Industrial Archaeology. The Conservation Advisory Panel continues to support the proposal. Key objections specific to the new application and its changes, compared to the old application, include that the proposal to change a bedroom to a study within each dwelling to meet the space standards should not be acceptable and that local residents should not lose parking to ensure access to 2 new, inferior houses that do not meet the space standards.

This report contains a summary of changes compared to the previous application and the Committee reports for the previous application are appended to this report.

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The application is referred to Committee based on the officer recommendation for approval of the current application. While officers acknowledge the Committee's refusal reasons of the previous application, it is the professional opinion of officers that approval be recommended for the reasons set out in full below.

SITE DESCRIPTION

The application site is a narrow piece of vacant open ground that has a frontage of 29m facing Belgrave Hill. The site boundary abuts the northern side elevation of 10 Sutherland Place/Sutherland Mews. The retaining wall to the rear of the site is constructed of local rubble stone. The site area once formed part of a large quarry, a fact that explains the substantial change in levels between Upper Belgrave Road, to the north and Belgrave Hill of between 8-12 metres.

The site is located within the Clifton Conservation Area but is situated along the boundary with the Whiteladies Road Conservation Area. 15-21 Belgrave Hill to the east of the site are Grade II listed buildings.

RELEVANT HISTORY

For the full planning history, please refer to page 3 of the 17th October 2018 Development Control Committee report (appended). The most recent planning history is set out within the 'Summary' section above.

APPLICATION – Please refer to the 'Summary' section above.

PRE-APPLICATION INVOLVEMENT

The submission of a Community Involvement Statement setting out the applicant's pre-application engagement is not an application requirement as the proposed development would not be classified as a 'major' development (10 dwellings or more or over 0.1ha).

RESPONSE TO PUBLICITY AND CONSULTATION

The application was publicised by press notice, site notice and individual letter. 34 objections, 2 general representations and 1 comment of support have been received to the application.

Further consultation was undertaken following receipt of an updated fire engine swept path analysis- this was updated to take account of the position of a lamp post not previously shown. At the time of writing, 5 further objection comments had been received stating that this information did not address their original concerns and that their objections remain.

The objections specific to the changes between the current application and previous refused application can be summarised as follows:

- The application has not changed since the previously refused application;
- The proposed study could be used as a bedroom and the proposal still does not fulfil the National Space Standards;
- The highway considerations have not been addressed.
- The Highway Statement does not show the presence of the lamp-post on Belgrave Hill outside Amberley Hall, which in conjunction with parked vehicles means that even a transit van cannot get past.
-

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Additional objections compared to those made on the previously refused application include the following:

- The objector supports Cllr. Clive Stevens' submission to the Local Plan Review proposing the designation of the site as a Reserved Open Space or Local Green Space.
- Since the last application, a peregrine falcon has been witnessed on the site;

The Bristol Industrial Archaeological Society objected that:

- The site is a historic former quarry within a Conservation Area and listed buildings nearby, all categorised as heritage assets and the relevant policy should be followed and the LPA must give great weight to the conservation of these assets;
- The proposal offers no public benefits in proposing sub-standard housing;
- This should not be a new application as there are no changes- only a bedroom changed to a study and further information regarding highway matters;
- The insurance condition remains outstanding;
- The proposals do not show the roof protection necessary to protect the proposed houses from rock falls. Other information is still outstanding.

The Association for Industrial Archaeology advised that their objections from the previous application are repeated.

The Conservation Advisory Panel commented that it continues to support the proposal for the residential re-development of this site.

All original objections/ representations to the previous (refused) application are summarised within the officer's original report to Committee, appended to this report.

OTHER COMMENTS

Please refer to the Committee Reports dated 17th October 2018 and 9th January 2019 (appended to this report) for full details of consultee comments received to the previous application- the content of which remain relevant.

The Transport Development Management Team has commented on the current application to provide updated comments. They raise no objection to the proposals. Please refer to the application background papers for full details.

The Nature Conservation Officer raises no objections to the proposal subject to conditions.

EQUALITIES ASSESSMENT

During the determination of this application, due regard has been given to the impact of this scheme in relation to the Equalities Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Overall, it is considered that the approval of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

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KEY CONSIDERATIONS

(A) HAS REFUSAL REASON 1 (RELATING TO SPACE STANDARDS) BEEN OVERCOME?

Refusal Reason 1 reads as follows:

“The proposed development by reason of its small size and living environment would fail to provide sufficient space for everyday activities and to enable flexibility and adaptability in accordance with Policies BCS18 and BCS21 of the Bristol Core Strategy (2011) and Policy DM29 of the Site Allocations and Development Management Policies (2014). The proposal would fail to meet the Technical housing standards- nationally described space standard (DCLG, March 2015) and would not be in accordance with Section 12, Paragraph 127 of the National Planning Policy Framework (2018).”

Pages 6-7 of the 9th January 2019 Committee Report refer to the previous consideration in respect of compliance with relevant space standards.

The applicant has aimed to address this refusal reason by amending the dwellings from two-bedroom to one-bedroom dwellings, with one of the bedrooms in each house now shown on plan as a study. The layout and dimensions of this room would be unchanged.

The Nationally Described Space Standard (NDSS) is specified on the basis of bedrooms and bedspaces and does not make specific provision for the assessment of other rooms such as studies. Therefore, the dwellings would achieve the minimum 58m² for a one-bedroom, two-storey dwelling under this approach.

The applicant's agent has set out that the proposal should be assessed on the basis of the submitted plans, which show a study, and that the planning system's key focus should be on the external environment. They state that the same concerns could be raised regarding dining rooms, family rooms and play rooms and there is always the possibility with any proposed scheme that internal layouts can be changed in the future. In their view, the key matter that the Local Planning Authority should assess is whether the proposed dwellings would be flexible and adaptable and, in their opinion, this is achieved.

Officers note this position but do not concur with this approach, and do not support this as a means of addressing the NDSS, since the study rooms proposed in each house could be used as bedrooms and the application has clearly been revised purely to avoid the NDSS space standard requirement for two-bedroom dwellings.

There has been a suggestion that in order to ensure that the proposed studies were maintained as such, that the description of development be changed to refer to the dwellings as '1 bedroom houses' and an advice note be attached to any permission granted that the properties be marketed only as 1 bedroom dwellings. Members may wish to consider this option, but ultimately in the long term, there may be a question regarding enforceability.

Notwithstanding the above, as set out in the officer Committee Report (9th January 2019), it is the professional view of officers that although the two-bedroom dwellings do not meet the NDSS, that taking into account the planning history; the dwellings would meet the BCS18 policy requirement to provide sufficient space for everyday activities and to allow flexibility and adaptability. Officers note

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that Members came to a different view in respect of this matter previously and have taken this into account; however the professional assessment of officers remains.

(B) HAS REFUSAL REASON 2 (HIGHWAYS MATTERS) BEEN OVERCOME?

Refusal Reason 2 reads as follows:

“The proposed development by reason of its location would not be satisfactorily accessible by fire appliances without requiring the loss of on-street parking, which would result in unacceptable harm to local residential amenity. The proposal would fail to be in accordance with Policy BCS10 of the Bristol Core Strategy (2011) and Policy DM23 of the Bristol Local Plan Site Allocations and Development Management Policies (2014) and Section 9, Paragraph 110 of the National Planning Policy Framework (2018).”

Pages 4-9 of the 9th January Committee Report refer to the previous consideration in respect of fire service access.

At the time of that decision, no tracking diagrams or swept path analyses for a fire engine to the site were submitted. Further information has now been submitted in relation to the current application in the form of a ‘Technical Note on Access’ including swept path analysis in order to demonstrate that that satisfactory access for fire appliances could be achieved to the site without the loss of any on-street parking.

This involves a route, identified by the applicant’s transport consultants as being the optimal route, via Sutherland Place, Quarry Steps and Quarry Road from the west. The swept path analysis has been modelled on the scenario where a fire engine would turn into Quarry Steps and reverse back around along Quarry Road. The vehicle could park on Quarry Road, within 45m of the site as required by the Manual for Streets (MfS) Section 6.7 and would not need to access Belgrave Hill to attend a fire. There would be sufficient width of highway in this location at the junction with Richmond Dale for the vehicle to be operated (MfS requires 3.7m operating width). The fire engine would then be able to depart in a forward gear thereby minimising the need to reverse over longer distances.

The Council’s Highway Team has reviewed the information and confirmed that the swept path analysis has been carried out to an acceptable methodology and demonstrates that a fire appliance could access within 45m of the site, which is also adjacent to an identified fire hydrant point on Richmond Dale.

Local contributors have commented that a lamp post on Quarry Steps was not shown on the diagram and would affect fire appliance manoeuvring. An updated swept path analysis was submitted to address this matter and reconsultation of contributors/ local residents has been carried out with an expiry date for comments on 10th October 2019- any responses will be reported to the committee via the amendment sheet.

The junction of Quarry Steps and Quarry Road is the most constrained turn for a fire engine to reach the site. 1 Quarry Steps has garage doors fronting onto the southern end of Quarry Road immediately adjacent to this junction with the sign ‘Workshop in use- leave clear’. There are no double yellow lines or access ‘keep clear’ markings in front of these doors. Given that this access is in use, it is unlikely that cars would park in front of it obstructing the junction, and there is therefore reasonable certainty that the tracking shown on the swept path analysis could be achieved.

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The Manual for Streets (MfS) advises (at paragraph 6.7.3) that since the introduction of the Fire and Rescue Services Act 2004, all regions have had to produce an Integrated Management Plan setting out response time targets. These targets depend on the time required to get fire appliances to a particular area, together with the ease of movement within it.

The MfS also states that residential sprinkler systems are highly regarded by the FRA and their presence allows a longer response time to be used. The applicant proposes a sprinkler system within the dwellings as set out within the submitted 'Technical Note on Access' paragraph 6.3. A condition is recommended to secure the installation of the sprinkler system, to an appropriate standard, prior to occupation of the dwellings.

It is the view of officers that the proposal would meet the guidelines within Section 6.7 of the Manual for Streets (MfS) in terms of accessing and departing the site. This further information therefore provides confirmation that appropriate fire service access to the site can be achieved in accordance with MfS guidelines, without requiring an amendment of the TRO for the area. It is also the view of officers that the fact that this is an existing situation and this access serves existing dwellings should be given significant weight.

If Members still have concerns that appropriate access and egress could not be achieved, then a Traffic Regulation Order (TRO) to restrict parking to ensure fire service access/egress to both existing and proposed dwellings would be an option. As per the last application, it should be noted that any amendments to a TROs would be through a separate process and that the timescale and outcome cannot be guaranteed at this stage. The applicant has agreed to enter into a legal agreement to pay the cost of the TRO amendment process, if deemed necessary by Members.

Bristol Waste has confirmed that in terms of servicing access, they use specialist narrow vehicles (2.2 metres wide by 7.0 metres long for recycling, and 2.2 metres wide by 10 metres long for refuse collection) for waste collections in this area and could readily service this site.

It is recommended that since the proposed development has been designed to be car-free, that future occupiers be ineligible for residents parking permits. An advice note is recommended to this effect and will advise the Highway Authority responsible for the grant of permits.

In summary, it is the professional view of officers that approval be given.

(C) ARE THERE ANY OTHER CONSIDERATIONS?

The bat survey carried out in relation to the previous application is now out-of-date and a further survey has been carried out by the applicant. Bristol City Council's Nature Conservation Officer has advised that this is acceptable. They also note the local report of a bird of prey being witnessed at the site. Given that the nesting bird season has almost finished, they are satisfied that conditions requiring monitoring by an ecologist prior to any works being carried out would suffice.

CONCLUSION

While officers acknowledge the previous decision of Members and their reasons for refusal, it is their professional view that approval of the application be granted.

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RECOMMENDED GRANT subject to condition(s)

Time limit for commencement of development

1. Full Planning Permission

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

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

Pre commencement condition(s)

2. Full-time supervision by a geotechnical engineer/engineering geologist during enabling works

The development enabling works (including all site investigation, stabilisation works, clearance of base rock/walls and foundation works) hereby approved shall be carried out only under the full-time supervision of the approved geotechnical engineer/ engineering geologist for the full duration of the enabling works, unless otherwise agreed in writing by the Local Planning Authority.

The development hereby approved shall be carried out only in full accordance with the approach and methodologies set out within the approved reports: 'Proposed method statement and sequence of working' (Integrale Ltd. 2014), 'Outline Methodology for Combining Geotechnical Investigation with Stability Works' (Integrale Ltd. 2013, Report No. 4349/A) and 'Outline methodology for combining geotechnical investigation with stability works and proposed anchor schedule.' (Integrale Ltd. 2018, Report no. 9221/C) unless otherwise agreed in writing by the Local Planning Authority.

Should unexpected conditions arise, which are not foreseen in the approved reports, no further work shall be carried out (except those required to secure the site), without a working method agreed in writing by the Local Planning Authority. The development shall not be occupied until a validation report to confirm that the approved works have been submitted and approved by the Local Planning Authority.

Reason: To ensure proper supervision by an appropriately qualified geotechnical engineer/ Engineering geologist during works in the interest of land stability and to ensure compliance with the previously agreed methodologies and sequence of working.

3. Insurance policy

No development shall take place until the developer has provided evidence that an appropriate insurance policy has been taken out (to which the City Council will have access as a named party on the insurance details), to be approved in writing by the Local Planning Authority, in respect of any adverse effect the works may have on the stability of the existing retaining wall to the north of the site, any base rock/ walls adjacent to the footway and any neighbouring properties upslope of the site within 10m of the site boundary and also 10 Sutherland Place/ Mews. The insurance policy shall be sufficient to cover any potential problems that may arise during the course of construction and consequently as a result of the development.

Reason: To ensure that the Local Planning Authority as a named party in the insurance policy has the access to the policy in order to secure the necessary funds to carry out any remedial works required in respect of stability of the retaining wall or site, in the event that this becomes necessary.

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4. To secure the recording of the fabric of buildings of historic or architectural importance

No development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall - other than basic works to ensure the safety of the archaeologists/ other contractors to be agreed in writing by the Local Planning Authority prior to being carried out) shall take place until the applicant/developer has recorded those parts of the building which are likely to be disturbed or concealed in the course of redevelopment or refurbishment. The recording shall be carried out by an archaeologist or archaeological organisation approved by the Local Planning Authority.

Reason: To ensure that features of archaeological or architectural importance within a building are recorded before their destruction or concealment.

5. To ensure implementation of a programme of archaeological works

No development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall - other than basic works to ensure the safety of the archaeologists/ other contractors, to be agreed in writing by the Local Planning Authority prior to being carried out) shall take place until an updated Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority.

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

- * The programme and methodology of site investigation and recording- including timetable;
- * The programme for post investigation assessment- including timetable;
- * Provision to be made for analysis of the site investigation and recording
- * Provision to be made for publication and dissemination of the analysis and records of the site investigation including timetable;
- * Provision to be made for archive deposition of the analysis and records of the site investigation- including timetable;
- * Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The development (including demolition of existing structures or stabilisation works to the retaining wall – other than basic works to ensure the safety of the archaeologists/ other contractors to be agreed in writing by the Local Planning Authority prior to being carried out) shall be carried out only in accordance with the approved programme of archaeological work and timetable for work. The publication of the analysis and records and the archive deposition or the records shall be carried out in accordance with the timetable agreed in writing by the Local Planning Authority.

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

6. Construction environmental management plan

The development hereby approved (including demolition/ alteration to existing base rock/ wall structure or stabilisation works to the retaining wall) shall be carried out only in accordance with the approved Construction Environmental Management Plan (version 1.2 July 2016).

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

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7. Highway condition survey

The development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall) hereby approved shall not commence until a condition survey of the road network surrounding the site has been carried out to an extent to be agreed with the Highway Authority and has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be brought into use until remedial works to any part of this highway damaged as a result of the development have been agreed with and undertaken to the satisfaction of the Highway Authority and details of these works submitted to and approved in writing by the Local Planning Authority.

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

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

8. Approval of footway works necessary

No development (including demolition/ alteration to existing base rock/ wall structures but excluding stabilisation works to the retaining wall) shall take place until details of the following works to the highway/ footway have been submitted to and approved in writing by the Local Planning Authority:

1. All works to the existing footway/ pavement required by the development;

The building hereby permitted shall not be occupied until these works have been completed in accordance with the approved details.

Reason: To ensure that all road works associated with the proposed development are to a standard approved by the Local Planning Authority and are completed before occupation.

9. Sustainable Drainage System (SuDS)

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

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

10. Bat method statement and method of working

The development (including demolition/ alteration to existing base rock/ wall structures but excluding stabilisation works to the retaining wall) hereby approved shall be carried out in accordance with the approved Bat Survey Report and method of working during all enabling works and construction and shall take place only in accordance with the approved method at all times.

If works to implement this consent do not commence within 12 months of the approved bat survey report (by 23 September 2020) then an updated bat survey report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on the site (including the enabling works listed above).

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Reason: To conserve legally protected bats.

11. As a precautionary measure, no more than 48 hours prior to the commencement of development, a licensed bat consultant ecologist shall inspect all crevices for signs of roosting bats. If bats are encountered all demolition or construction work shall cease and the Bat Conservation Trust (Tel 0845 1300 228) should be consulted for advice.

Reason: To conserve legally protected bats in the event that they are found to be roosting.

12. Further large scale details before relevant element started

Large scale detailed drawings of the following elements 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) Typical details of each new window and door type, including set-back window features, cills, heads, reveals and surrounds;
- b) Typical roof junctions including parapets, copings and eaves;
- c) Typical corner detailing at junctions;
- d) Junction with retaining wall;
- e) Rainwater goods;
- f) Terrace screening.

Reason: In the interests of visual amenity and the character of the area.

13. No clearance of vegetation or structures suitable for nesting birds, shall take place between 1st March and 30th September inclusive in any year without the prior written approval of the local planning authority. The authority will require evidence provided by a suitably qualified ecological consultant that no breeding birds would be adversely affected before giving any approval under this condition. Where checks for nesting birds are required they shall be undertaken by a qualified ecological consultant no more than 48 hours prior to the removal of vegetation or the demolition of, or works to buildings.

Reason: To ensure that wild birds, building or using their nests are protected. All species of wild birds, their eggs, nests and chicks are legally protected until the young have fledged.

14. Green living roof

Prior to the commencement of the roof of the property a strategy for the implementation of the green living roof shall be submitted to and approved in writing by the Local Planning Authority.

The strategy should include details relating to the extent, specification, installation method and the management and maintenance of the green roof unless otherwise agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the dwellings and shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the building is satisfactory and that the character and appearance of the Conservation Area would be safeguarded, to promote sustainability interests and biodiversity and to reduce surface water run-off. Alternatives to sedum will be expected to be explored to improve biodiversity and inclusion of native species.

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15. Sample panels before specified elements started

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

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

Pre occupation condition(s)

16. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and where remediation is necessary a remediation scheme must be prepared which ensures the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

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

17. Implementation/installation of refuse storage and recycling facilities - shown on approved plans

No building hereby permitted shall be occupied 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 buildings that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway at any time or on the pavement except on the day of collection.

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

18. Bird and bat boxes

The development hereby approved shall be carried out in accordance with approved plan 1506(L)33 Rev B 'Proposed bird boxes and bat tubes'. The approved details shall be installed prior to the first occupation of the dwelling hereby approved and retained at all times thereafter.

Reason: To help conserve legally protected bats and birds which include priority species.

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19. 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.

20. Prior to the occupation of the dwellings hereby permitted, certification of the installed sprinkler system to be provided by a relevantly accredited person/ authority shall be submitted to and approved in writing by the Local Planning Authority unless otherwise agreed in writing. The approved and certified sprinkler system shall be installed prior to the first occupation of the dwellings hereby approved and shall be retained thereafter in perpetuity.

Reason: In order to ensure that access for emergency vehicles would be acceptable.

21. Sustainability Statement and Energy Strategy

The development hereby approved shall be carried out in accordance with the measures contained within the approved Sustainability Statement and the approved Energy Strategy prior to the first occupation of the development hereby approved and shall be maintained in accordance with these details in perpetuity.

Reason: To ensure that sustainability policy objectives would be met.

22. Solar photovoltaic and solar thermal panels

The solar photovoltaic and solar thermal panels hereby approved shall be installed and made fully operational prior to the first occupation of the dwellings hereby approved. The solar panels shall be maintained in situ in accordance with the approved details and as fully operational thereafter.

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

Post occupation management

23. Restriction of the use of the roof

The roof of the dwellings (with the exception of the area marked 'terrace' in association with Unit 2 on drawing 1506 (L) 22) hereby permitted shall not be used as a balcony, terrace, 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 from overlooking, loss of privacy and disturbance through noise impacts.

24. No extensions

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

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Reason: The extension of these dwellings requires detailed consideration to safeguard the amenities of the surrounding area.

25. No further windows/ enlargement of windows

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

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

List of approved plans

26. 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.

1506 (L)00 Site location plan, received 28 June 2019
 1506 (L)01 Existing plans, received 28 June 2019
 1506 (L)02 Existing elevations, received 28 June 2019
 1506 (L)33 REV B Proposed bird boxes & bath tubes, received 28 June 2019
 1506 (L)34 Sedum roof, received 28 June 2019
 1506 (L)21 REV B Proposed elevations, received 28 June 2019
 1506 (L)22 REV B Proposed floor plans, received 28 June 2019
 1506 (L)23 REV A Proposed sections, received 28 June 2019
 1506 (L)24 REV C Proposed section G-G, received 28 June 2019
 1506 (L)32 Proposed footway works, received 28 June 2019
 Bat survey report- Version 1, received 24 September 2019
 Energy statement, received 28 June 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". Information in this respect can be obtained from Pollution Control, City Hall, Bristol City Council, PO Box 3176, Bristol BS3 9FS.

2 Right of light: The building/extension that you propose may affect a right of light enjoyed by the neighbouring property. This is a private right which can be acquired by prescriptive uses over 20 years; as such it is not affected in any way by the grant of planning permission.

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

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

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

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

7 Traffic Regulation Order (TRO): The implementation of a TRO may be required. The TRO process is a lengthy legal process involving statutory public consultation and you should allow an average of 6 months from instruction to implementation. You are advised that the TRO process cannot commence until payment of the TRO fees are received. Telephone 0117 9036846 to start the TRO process.

8 Retaining walls: Where retaining walls above or below the highway are to be constructed or are affected by development, details of the structural design should be approved by the Local Highway Authority. (Telephone 0117 9222100).

9 Living green roof

It is recommended that the green living roof be provided with local low-nutrient status subsoil and no nutrients added with no seeding to take place to allow colonisation by native wild plants. If seeding is preferred a wildflower mix should be used rather than Sedum (stonecrop) because Sedum provides limited wildlife benefits.

The landform on the roof could be mounded with troughs and mounds to provide habitat diversity and structure, with stones, coils of rope and dry dead wood included to provide invertebrate niches (the use of egg-sized pebbles should be avoided because gulls and crows may pick the pebbles up and drop them). Please see www.livingroofs.org for more information.

10 Contaminated land: It is suggested that the certificate of remediation referred to in Condition No. 16 should be along the lines of:- "This is to certify that the scheme of decontamination and reclamation at the site known as **** in relation to Planning Application No. **** was carried out between the dates of **** and **** and was completed in accordance with the specification detailed in the document reference **** and titled ****, which were designed to afford protection from contamination on the site to all known receptors (in this context contamination and receptor have the same definition as in part 2(a) of the Environment and Protection Act 1990)". The certificate should be signed and dated.

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11 Party Wall Act

Party Wall Agreements will likely be required in relation to all properties upslope of the site and also 10 Sutherland Place/ Mews should they share a party wall with the application site. Please be advised that this planning consent does not act in any way as Party Wall consent and the developer/ applicant should be satisfied that they have undertaken all necessary measures and actions in respect of this matter prior to the commencement of the development.

It is recommended that the developer undertakes condition surveys of all properties upslope of the application site within 10m on the site boundary as well as 10 Sutherland Place/ Mews to provide a benchmark against which any potential movement/ damage can be measured.

In the event that any issues arise during or following construction in terms of impacts on the upslope properties, the resolution of these issues will need to be addressed through the Party Wall process, third party insurance or any other legal processes available to third parties. However, the Local Planning Authority will seek through the discharge of Condition 3 to ensure that the insurance policy taken out will cover damage to neighbouring properties.

12 With regards to Condition 3 of this consent, you are advised that the City Council will require access to the insurance policy (as a named party on the insurance details) in the event that a claim is to be made.

13. Restriction of Parking Permits - Existing Controlled Parking Zone/Residents Parking Scheme

You are advised that the Local Planning Authority has recommended to the Highways Authority which administers the existing Controlled Parking Zone/Residents Parking Scheme of which the development forms part that the development shall be treated as car free / low-car and the occupiers are ineligible for resident parking permits as well as visitors parking permits if in a Residents Parking Scheme.

APPENDICES

APPENDIX 1- Report to Development Control Committee A- 17th October 2018- regarding application reference 18/02902/F

APPENDIX 2- Report to Development Control Committee A- 9th January 2019- regarding application reference 18/02902/F

WARD: Clifton Down **CONTACT OFFICER:** Charlotte Sangway
SITE ADDRESS: Land On North Side Of Belgrave Hill Bristol

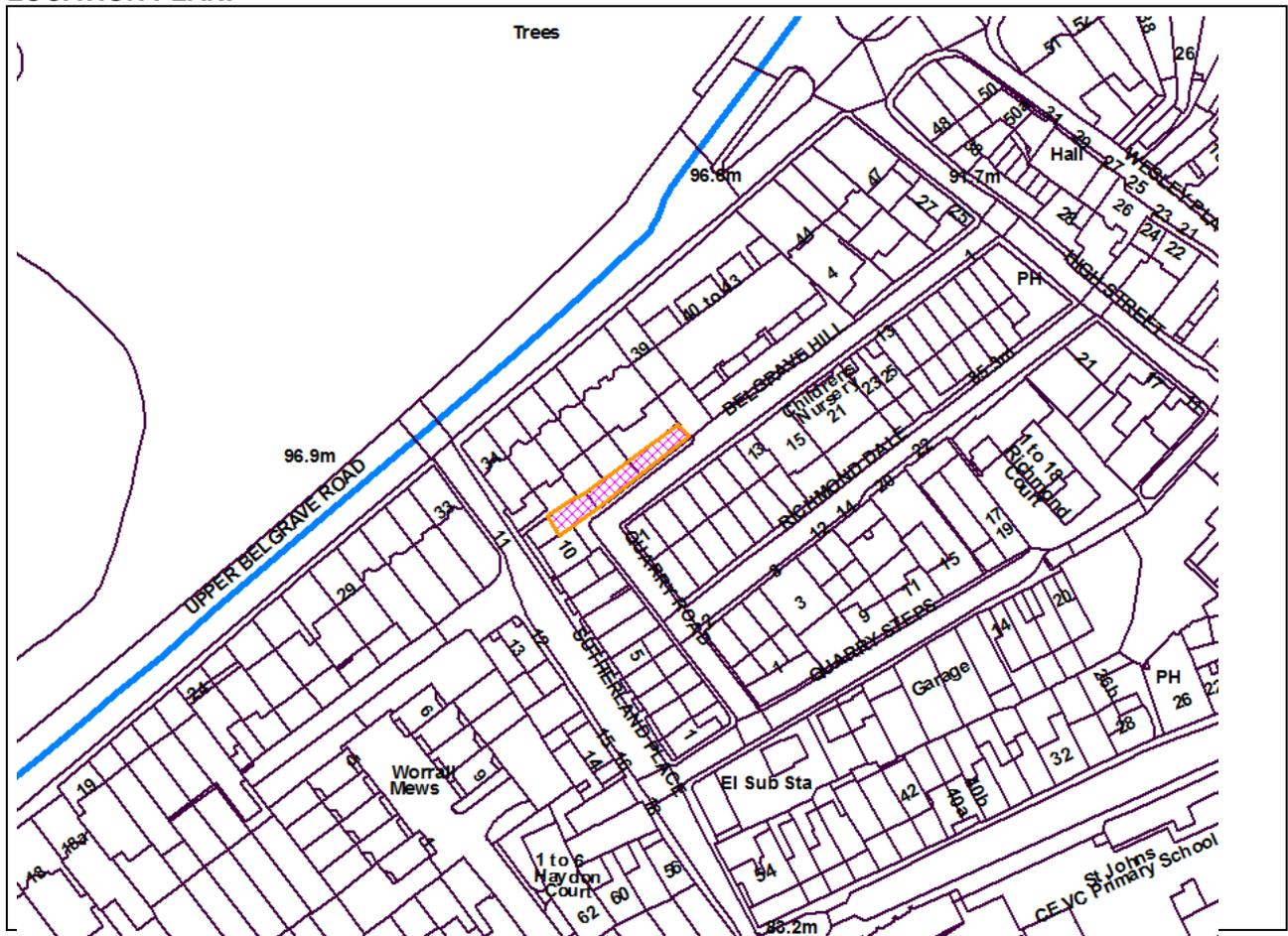
APPLICATION NO: 18/02902/F Full Planning
DETERMINATION DEADLINE: 5 October 2018
Proposed development of 2 no. Use Class C3 dwellings with associated external alterations.

RECOMMENDATION: Grant subject to Condition(s)

AGENT: CSJ Planning Consultants Ltd
1 Host Street
Bristol
BS1 5BU
APPLICANT: Mr James King
c/o Agent

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

LOCATION PLAN:



Development Control – 17 October 2018**Application No. 18/02902/F : Land On North Side Of Belgrave Hill Bristol****SUMMARY**

The application relates to a site that previously benefited from planning permission (reference 14/02366/F) granted by Development Control Committee in 2014 for the same development proposed under this application. That planning permission expired in November 2017 and the applicant is seeking a new planning permission for the same development.

The application is being reported to committee at the request of Councillor Stevens. In addition, both this application and the previous one has generates significant levels of public interest. 31 contributors have commented on this application with 29 objecting to the proposal, 1 in support and 1 general representation. Objectors include the Bristol Industrial & Archaeological Society, The Association for Industrial Archaeology and Bristol Civic Society. The letter of support comes from the Conservation Advisory Panel.

Given this application is for the same development as previously approved, the key consideration here is whether there have been material changes in circumstances since the previous decision was made, and would those changes warrant us reaching a different decision on the application. While there has been an update to the National Planning Policy Framework (2018) since the previous permission was granted, it is the view of officers that the policy relevant to this application is broadly unchanged, including local policy. The circumstances of the application site and planning considerations for the application also remain largely unchanged.

It is also material that since the previous permission was granted, several applications to discharge conditions attached to that consent have been made in order to implement the previous permission. However, while not all conditions were discharged in full they remain material considerations in the consideration of the current case and the applicant has now submitted details relating to the outstanding conditions in order to address a number of these matters up front as part of the current application. Key matters covered by condition include: land stability, archaeology, highways matters, nature conservation and drainage.

In addition, enabling works have been carried out on site in order to satisfy several conditions of the 2014 permission including vegetation clearance, archaeological investigation and partial ground clearance.

The Council's specialist land stability consultant has reviewed the submission and advised that it satisfies the requirements of conditions attached to lapsed permission 14/02366/F. In terms of archaeology, the Council's Archaeologist advises that the details submitted are acceptable but that further monitoring and reporting would be needed at subsequent stages of development should permission be granted.

It is the view of officers that has the proposal as not changed, the policy remains broadly unchanged and the circumstances do not differ significantly from those under the consideration of the 2014 application, that permission should be granted subject to relevant an updated list of conditions.

SITE DESCRIPTION

The application site is a narrow piece of vacant open ground that has a frontage of 29m facing Belgrave Hill. The site boundary abuts the northern side elevation of 10 Sutherland Place/Sutherland Mews.

The retaining wall to the rear of the site is constructed of local rubble stone. The site area once formed part of a large quarry, a fact that explains the substantial change in levels between Upper

Development Control – 17 October 2018**Application No. 18/02902/F : Land On North Side Of Belgrave Hill Bristol**

Belgrave Road, to the north and Belgrave Hill of between 8-12 metres.

The site is located within the Clifton Conservation Area but is situated along the boundary with the Whiteladies Road Conservation Area. 15-21 Belgrave Hill to the east of the site are Grade II listed buildings.

RELEVANT PLANNING HISTORY

This site was the subject of a recent planning permission 14/02366/F, which expired in November 2017. The full report in relation to that application is appended to this report.

The current application seeks a new consent for the same development and to address some of the conditions attached to the previous consent.

Following the original approval in 2014, the application site was sold and the new owner (the current applicant) started to discharge the pre-commencement conditions. However given the complexity of the site and the condition requirements, some of the pre-commencement conditions remained unresolved at the time the original consent lapsed on 14th November 2017, and therefore the development could not be lawfully implemented (and as such necessitating the new application).

In undertaking to discharge relevant conditions of the original permission, several works were undertaken, comprising:

- Vegetation clearance (Oct 2016);
- Rock mass assessment (Oct 2016) and structural appraisal;
- Archaeology ground works (Nov 2017);
- Repairs, repointing and scaffolding stabilisation of the wall;

The following applications have been made to discharge conditions on the previous permission:

16/04049/COND- Application to approve details in relation to conditions 4(Recording of the fabric of building) 5(Archaeological Works) and 6 (Construction environmental Management Plan) of permission 14/02366/F Proposed development of 2 no. Use Class C3 dwellings with associated external works. Partially discharged 02.11.2016

17/05299/COND- Application to approve details in relation to condition 2 (Structural engineer) of permission 14/02366/F Proposed development of 2 no. Use Class C3 dwellings with associated external works. Partially discharged 05.01.2018

17/05624/COND- Application to approve details in relation to condition 3(Insurance) 7 (Highway) and 8 (Footway) of permission 14/02366/F Proposed development of 2 no. Use Class C3 dwellings with associated external works. Not discharged 05.01.2018

17/05976/COND- Application to approve details in relation to conditions 4 (Fabric of Building) and 5 (Archaeological Works) 12 (Bat method statement) 13 (Bird and bat boxes) and 14 (Drainage strategy) of permission 14/02366/F Proposed development of 2 no. Use Class C3 dwellings with associated external works. Partially discharged 05.01.2018

Development Control – 17 October 2018**Application No. 18/02902/F : Land On North Side Of Belgrave Hill Bristol****Condition status summary table:**

No.	Condition title	Status
1	Commencement of development by 14.11.17	Condition not met
2	Supervision by structural engineer	Not discharged
3	Insurance policy	Not discharged
4	Recording fabric	Not discharged
5	Implement archaeological works	Approved
6	Construction Environmental Management Plan (CEMP)	Approved
7	Highway condition survey	Not discharged
8	Approval of road and footway works	Not discharged
9	Further details	Details not submitted
10	Green living roof	Details not submitted
11	Sample panels before element started	Details not submitted
12	Bat method statement	Discharged
13	Bird and bat boxes	Not discharged
14	Drainage strategy	Not discharged

Other Planning History:

11/04256/F- Redevelopment of existing vacant site for 3no. two bedroom dwelling houses with associated external amenity space, refuse and cycle storage. REFUSED 05.11.2012

APPLICATION

This application is for the same development approved under permission 14/02366/F (now expired)- as per the 'description of development'.

RESPONSE TO PUBLICITY AND CONSULTATION

A site notice and press notice were issued/ published (expiry date 11th July 2018) and neighbours were consulted by individual letter (expiry date 6th July 2018).

Councillor Stevens has referred to the application to development control committee for the following reasons:

- Impact on heritage asset (quarry) in light of emerging NPPF policies not in place in 2014;
- Inappropriate provision of waste/ recycling storage and impact on the conservation area;
- Further work is needed to ensure the right conditions regarding geological stability of the wall, insurance, structural engineer supervision, liaison with residents;

At the time of writing, 31 contributions to the application had been made- with 29 objections, 1 general representation and 1 letter of support. Representations are summarised as follows:

OBJECTION

- Wide spread fears have been expressed over likely prejudice to ground instability and/or drainage/flooding. The amount of bedrock to be removed was not understood at the time that the previous planning permission was granted. The site is already prone to rock falls.
- There are concerns regarding access to the retaining wall/ rock face in the future. The developer's report states a design life of 60 years.

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- There is concern that the site could not be developed safely and development could lead to harm to/ loss of life (including to future residents of the properties- a concrete roof being proposed);
- There is concern that there is conflict between the Construction Environmental Management Plan, which seeks non-percussive means of rock breaking to reduce noise impacts on residents and what would be a safe form of development in stability terms;
- Need for insurance to cover damage to neighbouring properties- but it is also an objection that the insurance required by Condition 3 of lapsed permission 14/02366/F could not actually be achieved. One objector has commented that the developer “has tried to gain party wall agreement with us but has stumbled on supplying sufficient insurance documentation for all properties above the site and immediately below, including for loss of life or limb.”
- There has been no Party Wall Agreement with neighbouring property owners and there are questions regarding the ownership of the land; *
- There is no plan to deal with drainage and development could divert water run-off to neighbouring properties. Existing drains at the bottom of Belgrave Hill already over flow;
- Loss of industrial heritage and views of the old quarry cliff face (which is cited as being the location of the discovery of the ‘Bristol dinosaur’ fossil);
- The design would be out of keeping with the area and detrimental to the character and appearance of the Whiteladies Road Conservation Area;
- New evidence, as detailed in the by Archaeological Watching Brief Report, shows that the pre-existing buildings on this site were constrained in size so that each building had its own associated open courtyard, some 4 meters in size. These open courtyards served to let in light to the quarry buildings & critically to also provide relief and light to the houses immediately opposite (within 14ft) in Richmond Dale. Development should be constrained to its original dimensions.
- Over development of the site with resultant "overcrowding". Existing site represents a ‘breathing space’ in a tightly developed area;
- Impact on residential amenity in terms of loss of privacy, overshadowing, noise disturbance from use of outside areas amplified by quarry wall. The condition to restrict use of the upper level outside space is not manageable. Previously a similar application was refused on grounds it was an "oppressive and an overbearing form of development".
- Poor living environment of future occupiers of the site (in terms of size, outdoor space, outlook and natural light). Also insufficient cycle parking storage is proposed;
- Additional on street car parking in an area already at saturation point, with attendant and resultant detriment to highway safety, congestion, obstruction and emergency access. RPZ restrictions are already regularly flouted as traffic wardens do not check regularly;
- Detriment to established nature conservation interests; including protected species.
- Noise and disruption during construction including parking/ access concerns- including for emergency vehicles due to the narrow road. Many serious issues have already arisen during the pre-condition enabling works of this complex & sensitivity site, which has necessitated Planning Enforcement action and police involvement. Appropriate site management has not taken place.

* NB It should be noted that Party Wall Agreements are covered by separate legislation not dealt with by the planning system and fall outside the planning consideration, as do land ownership matters.

The Bristol Industrial and Archaeological Society have commented (in summary- refer to Background Papers for full comments):

- The area was part of a large stone quarry and the site is a unique part of the industrial heritage of Clifton. This application will have a huge visible impact due to wire netting and rock bolts on the quarry face. This site is the only visible vestige of the quarry industry left in the area.

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- The National Planning Policy Framework (NPPF) states that local authorities must give great weight to the conservation of heritage assets and should resist development that would cause substantial harm unless it can be justified that there are public benefits to outweigh the harm, an approach reflected through Bristol City Council's own conservation policies. There is no public benefit, in fact there is established concern by experts that the instability of the land may cause construction issues and affect a large number of neighbouring properties.
- This is over-intensive insensitive development which harms the asset in a conservation area.
- Who is responsible for any problems that may arise during construction.
- No insurance details have been submitted with the application despite this being a pre-commencement condition. The applicants have not addressed all of the stability issues.
- Construction management and access to the site will be difficult.
- The proposal will harm existing residential amenity.
- The proposed materials are not appropriate.
- The site should be set aside as open space indefinitely as being a unique part of Bristol's industrial heritage.
- The new premises should not be allowed to obtain parking permits.

The Association for Industrial Archaeology commented as follows (in summary- refer to Background Papers for full details): "The development will seriously compromise the visual impact of this face and there is the problem of ensuring continued stability. It is preferable for the face to remain visible and provide interesting evidence of the industrial past of this area and how people lived."

Bristol Civic Society is concerned about the quality of living environment that can be achieved in dwellings located in such a deep hollow and in such close proximity to a very high retaining wall. There can be no rear windows and the resulting dwellings would be largely single aspect.

SUPPORT

The Conservation Advisory Panel has commented that they continue to support the proposal for the residential redevelopment of this site.

CONSULTEES

A **Consultant Senior Engineering Geologist** has advised on the land stability aspects of the application in terms of whether the submitted details meet the requirements of the conditions attached to the previous consent 14/02366/F. Further details are provided under Key Issue F.

The **City Design Group** (including Conservation) raises no objections to the proposals subject to conditions (refer to Key Issue C).

The **Nature Conservation Team** has advised that they now remove their original objection to the application on the basis of the submitted up-to-date ecology survey, subject to conditions requiring the installation of bird and bat boxes at the site in addition to other relevant conditions. See background papers for full details.

The **Public Protection (Contaminated Land) Officer** advises that the proposed use would be sensitive to contamination but is situated on land not thought to have been subject to a potentially contaminating land use, historical quarrying was for limestone. This application does have a very small area of soft landscaping and it is recommended that clean imported soils are used in this area.

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This matter can be dealt with via condition. See background papers for full details.

The **Flood Risk and Drainage Team** has reviewed the submitted Outline Drainage Strategy report and raised a number of queries including: the storage details for the green roof, how water from the wall and behind the development would drain, and confirmation from Wessex Water that a connection into the sewer system would be acceptable. The applicant has responded to these queries and it is concluded that any outstanding matters can be dealt with by condition.

The **Transport Development Management Team** raises no objections to the proposals subject to conditions.

Wales and West Utilities have submitted an extract for the mains records of the area covered by the proposal together with a comprehensive list of General Conditions for guidance. The promoter of the development should contact them directly to discuss their requirements in detail before any works commence on site. An advice note is recommended to advise the applicant of this.

EQUALITIES

During the determination of this application due regard has been given to the impact of this scheme in relation to the Equalities Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Overall, it is considered that the approval of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

PRE-APPLICATION INVOLVEMENT

There has been no pre-application involvement under the current application given that it is a resubmission of a previous planning permission (now lapsed).

RELEVANT POLICIES

National Planning Policy Framework – July 2018

Bristol Local Plan comprising Core Strategy (Adopted June 2011) and Site Allocations and Development Management Policies (Adopted July 2014).

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

Clifton Conservation Area Character Appraisal

Bristol City Council Climate Change and Sustainability Practice Note (December 2012)

The Planning (and Conservation Areas) Act 1990

Technical housing standards – nationally described space standard (2015)

KEY ISSUES

The previous lapsed consent is a material planning consideration. The key consideration for this application therefore is to reconsider the proposal in light of any changes in policy or planning considerations since the previous consent (14/02366/F) was granted. In short, the local planning authority cannot reach a different decision on matters previously considered, unless there has been a

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change in circumstances that would warrant this. In addition, this report will consider to what extent the current application has addressed the conditions attached to the previous planning permission.

The policy situation under which the previous permission was determined remains unchanged with the exception of the National Planning Policy Framework (NPPF), updated as of July 2018- the relevant updates are summarised under the relevant Key Issues below.

(A) IS THE PROPOSAL ACCEPTABLE IN LAND USE TERMS AND IS THE MIX, BALANCE AND AMOUNT OF HOUSING PROPOSED ACCEPTABLE IN PLANNING POLICY TERMS?

The policy considerations set out within the report to permission 14/02366/F continue to apply (page 5 of the appended report refers) and it is the view of officers that the 2018 update to the NPPF would not warrant taking a different decision on the current application.

(B) WOULD THE PROPOSALS SAFEGUARD OR ENHANCE HERITAGE ASSETS OR AREAS OF ACKNOWLEDGED IMPORTANCE AND HAVE ARCHAEOLOGICAL CONSIDERATIONS BEEN ADDRESSED?

The policy considerations set out within the report relating to permission 14/02366/F continue to apply- please refer to page 5. As set out above, the National Planning Policy Framework (NPPF) was updated in July 2018; however this remains broadly consistent in respect of heritage matters. Paragraphs 184- 202 of the NPPF now apply (formerly paragraphs 126- 141).

The Council's Conservation Officer has advised as follows in relation to the current application:

“The current planning application is a resubmission of a previously consented proposal (14/02366/F- Proposed development of 2 no. Use Class C3 dwellings with associated external works). This was assessed at the time using the relevant sections of the National Planning Policy Framework. An assessment of the heritage context was undertaken at the time, and has been further enhanced in the present application with archaeology and building recording. These reports have interpreted the site and recorded the standing and below-ground archaeology at an interim stage. The reports have not identified any greater significance to the assets than previously established in 2014.

The Association for Industrial Archaeology have suggested in their recent public objection that “this surviving face is all that remains of the quarrying heritage of Clifton”. The quarry setting is expressed principally through the topography of the present site, the sudden fall away from the edge of the Downs and the later tall retaining walls that now cover the original rock face. The quarried face has been further obscured by remnants of dwellings that formerly stood against it. As such the industrial context is not explicit, and the proposals would have no further direct impact on that as a non-designated heritage asset. The small-scale of the new houses will ensure that the majority of the retaining wall remains exposed to the Conservation Area whilst preserving the fabric where the buildings abut. The previous assessment provided to Development Control Committee B in 2014 therefore remains broadly valid, and we would find it difficult to make an objection based on this previously approved report.”

The stabilisation works (including rock anchor points) would have a visual impact on the heritage asset, however this would be limited in number and extent and would not result in harm to the heritage asset that would not be justified by the benefits of stabilising the asset for the future.

An Archaeological Watching Brief Report (Feb 2018) has been submitted with the current application, setting out the archaeology recording works carried out to date which took place during rubble clearance and initial groundworks on the site. The recording works recorded evidence of a row of three mid-19th century house plots that were early examples of workers accommodation in this part of

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Clifton, among the stone quarries. Only apparent damage from incendiary bombing during WWII ended the occupancy of the houses with final demolition and clearance occurring after the 1970s.

Two conditions relating to archaeology were attached to permission 14/02366/F (Condition 4- Recording fabric and Condition 5- Implement archaeological works). Since the previous permission was granted, applications have been made to discharge these conditions. The Council's Archaeology Officer advises that Condition 5 (implementation of archaeological work in accordance with an approved Written Scheme of Investigation) has been discharged (references 16/04049/COND and 17/05976/COND) and that Condition 4 (Recording fabric of building/ site) can be discharged when a full report has been submitted to the Historic Environment Record (HER). Should permission be granted by Members, a further condition would be recommended to secure further recording at subsequent stages of development.

In summary, officers are satisfied that the proposal continues to address the relevant policy and the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, particularly Section 72. Officers have given great weight and importance to harm resulting to the heritage assets of the historic quarry and the Clifton and Whiteladies Road Conservation Areas in making this assessment. It was previously concluded that the proposal would conserve the Conservation Area and the setting of nearby listed buildings, and would offer public benefits through the provision of additional dwellings. There is no reason to conclude differently here.

(C) WOULD THE PROPOSED DEVELOPMENT BE ACCEPTABLE IN DESIGN TERMS?

The relevant policy and proposed design remain unchanged from the previous proposal and the proposed design is deemed appropriate in this location- page 7 of the appended report refers. Conditions 9 and 11 attached to permission 14/02366/F related to further design details and material samples being submitted before those elements commence. No details have been submitted in respect of these matters, however it is considered reasonable that these same conditions be attached in the event that permission is granted.

(D) WOULD THE PROPOSED DEVELOPMENT SAFEGUARD THE RESIDENTIAL AMENITY OF NEIGHBOURING OCCUPIERS AND WOULD IT MAKE SATISFACTORY PROVISION FOR THE AMENITY OF FUTURE OCCUPIERS?

Space standards for future occupiers

The 2014 permission was assessed against the Council's Space Standards Practice Note (2011), which has been superseded by the Nationally Described Technical Standards (2015). The current proposal is unchanged compared to the previous (lapsed) permission. The 2014 proposals met the Council's former space standard requirements, based on the houses providing three bedspaces (a single bedroom and a double bedroom), but do not meet the new national technical standards as follows.

Table 1

	Proposal floor area (sqm)	BCC Space Standard requirement (now superseded) (sqm)	Current national space requirement (sqm)
Unit 1	59.1	57- 67	70
Unit 2	59.3	57-67	70

The agent for the applicant has responded to this issue as follows (quoted):

"The adopted policy arena in this regard remains unchanged.

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Policy BCS18 – Housing Type remains the same and the background text puts emphasis on “Building to suitable space standards will ensure new homes provide sufficient space for everyday activities. Homes can also be used more flexibly and adapted more easily by their occupants to changing life circumstances”.

As you have pointed out, the previous standards that Bristol chose to utilise were the HCA standards and the proposal easily met those. The previous requirement for a 3 bed space was between 57-67sqm. Both proposed houses are 59 sqm and also include private amenity space which is not included within the floor space calculations. One of the dwellings includes a 19sqm courtyard, whilst the second includes a 5.3sqm external space.

The new standards require 2 bed, 2 storey dwellings to meet 70sqm, which is a big difference. Both the dwellings are flexible and adaptable, which is the key requirement of the adopted policy. In addition, there have been several appeal decisions where proposals below the national space standards have been allowed in Bristol. For example the Inspector in appeal ref: APP/Z0116/W/16/3154994 focused on the space required for day-to-day activities and the flexibility & adaptability of the units. In assessing a dwelling that doesn't meet the national spaces standards he states:

“Consequently, in addition to sufficient space for day-to-day activities, the size of this flat would afford future occupiers the internal space for a reasonable degree of flexibility with which they would be able to adapt to their changing living needs over time....” ... “Consequently, in my view both proposed flats would provide a suitable living environment for their future occupiers. The proposal would therefore accord with CS Policy BCS18”.

I would also direct you to para 123 of the updated NPPF which says “Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site”.

Para 117 supports the effective use of land to meet a need for homes and para 118 (c) supports the reuse of brownfield land, particularly where there is the opportunity to remediate despoiled, degraded, derelict, contaminated or unstable land.

There is clear overarching support for making the most of brownfield sites in urban areas. Whilst the proposal no longer meets the national housing standard guidance, which has been now been adopted by Bristol to replace the HCA guidance, the houses still easily provide adaptable and flexible living conditions, with separate bedrooms, bathrooms hallways and kitchen dinners, especially when taking on board the external space. This is a point that has been subject to appeals in Bristol. Given the above, there are clear benefits to the development which ultimately outweigh the reduction in internal floorspace from the latest national guidance.”

Whilst officers do not consider the result of one appeal to be the determinant factor, it is notable that the previous permission was considered under policy BCS18, and as stated by the applicant it was concluded that the development would have provided adequate space for everyday activities and for appropriate levels of activities. Given this material consideration, it is not considered that the proposal would warrant refusal on these grounds.

Neighbouring occupiers

There have been no changes in policy or site circumstances since the previous grant of planning permission and it is the view of officers that the assessment undertaken in relation to permission 14/02366/F still applies. Please refer to the appended report for full details at page 8.

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It should be noted that a right to light is a civil matter not within the remit of the planning system and is separate to assessments undertaken through a planning application.

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

The proposal is unchanged compared to the lapsed 2014 permission in terms of highways matters. The relevant policy also remains unchanged. The update to the NPPF would not warrant a different decision on the application, in the view of officers.

Several conditions relating to highways matters were attached to the previous permission and these are addressed below.

Condition 6- Construction environmental management plan (CEMP)

A CEMP was already approved under condition discharge application 16/04049/COND and CEMP information was supplied with the current application. Taking into account local consultation responses providing anecdotal details of local issues arising during enabling works on this part of the highway network, it is deemed appropriate to seek further detailed information through a further CEMP condition attached to any consent, should this be granted. The applicant's agent has advised that as no contractor is yet appointed for the works that it is therefore difficult to provide the detailed information normally required, at the current stage.

Condition 7- Condition survey and Condition 8- Highway/ footway works approval remain outstanding.

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

Land stability matters were assessed under consideration of application 14/02366/F (page 10 of the appended report refers) and the following conditions were attached to the permission granted by Committee:

Condition 2 - Full-time supervision by a structural engineer during enabling works (emphasis in bold added for Committee purpose only)

*No development shall take place on site until **details have been submitted to and agreed in writing by the Local Planning Authority of the (suitably qualified) structural engineer/ geologist who will undertake the full-time supervision of all enabling works** (including all site investigation, stabilisation works, clearance of base rock/ walls and foundation works). Thereafter the enabling works shall only take place under the full-time supervision of the agreed structural engineer/ geologist for the duration of these works and in accordance with the approach set out within the approved Integrale 'Proposed method statement and sequence of working' and Integrale 'Outline Methodology for Combining Geotechnical Investigation with Stability Works' reports, **the final detail of which shall be submitted to and approved in writing by and within a timescale to be agreed** in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.*

Reason: To ensure proper supervision during works in the interest of land stability.

Condition 3- Insurance policy

No development shall take place until the developer has provided evidence that an appropriate insurance policy has been taken out (to which the City Council will have access as a named party on the insurance details), to be approved in writing by the Local Planning Authority, in respect of any adverse effect the works may have on the stability of the existing retaining wall to the north of the site,

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any base rock/ walls adjacent to the footway and any neighbouring properties upslope of the site within 10m of the site boundary and also 10 Sutherland Place/ Mews. The insurance policy shall be sufficient to cover any potential problems that may arise during the course of construction and consequently as a result of the development.

Reason: To ensure that the Local Planning Authority as a named party in the insurance policy, has the access to the policy in order to secure the necessary funds to carry out any remedial works required in respect of stability of the retaining wall or site, in the event that this becomes necessary.

Since the previous consent was granted, applications (17/025299/COND and 17/05624/COND) were made to discharge those conditions; however the information provided was incomplete and it was not deemed possible to discharge the conditions. A report was submitted in respect of discharging the condition: 'Geotechnical report on condition of rock face including structural addendum, rock slope stability considerations and proposed anchor schedule' (Integrale, Report No. 9221/B, September 2017).

The applicant has submitted an updated report in relation to the current application: 'Geotechnical report of rock face formation including structural addendum, rock slope stability considerations and proposed anchor schedule' (Integrale, Report No. 9221/C, May 2018). No details have been submitted in respect of Condition 3. The applicant's agent advises that the applicant cannot arrange for insurance given the structural issues until they have consent.

The previous application and conditions are a material consideration in the assessment of the current application. The Council has consulted an engineering geologist to provide advice as to whether the details submitted in relation to the current application address the previous condition requirements. The advice of the consultant is summarised below:

The consultant previously provided advice regarding this site in relation to condition discharge application 17/05299/COND (Condition No. 2 of 14/02366/F) - they advised that the submitted documents in relation to that application were sufficient to partially meet the requirements of the condition, namely approving the final detail of the two Integrale reports. However, the details of the appointed structural engineer/geologist to oversee the works were not provided. Furthermore, while that submitted information recommended possible stability measures it did not confirm the approach to be taken. A confirmed methodology and sequence of working would need to be submitted to and agreed with the Council.

In relation to the information provided with the current application the consultant advises that:

- Details of the appointed structural geologist have been provided and are acceptable;
- The approach to stability measures has been confirmed (including installing rock anchors to reinforce the rock face and masonry wall);
- The applicant has confirmed a methodology and sequence of working within their submitted report. This references the progressive inspection and assessment by the appointed geologist, however it does not refer back to the proposed method statement and sequence of working described within the 2014 report or the outline methodology for combining geotechnical investigation with stability works. Nonetheless, it is considered that the Applicant's engineer has a comprehensive understanding of the stability issues and how to resolve them. As long as the methodologies described within the 2014 report and the 2013 report are followed, it is considered that this meets the requirements of pre-commencement condition no. 2.
- It is considered that the applicant's submission meets the requirements to discharge pre-commencement condition no. 2. However, this is on the basis of the assumption that this level of support will continue for the remaining works on a full time basis. On this basis it is recommended that Bristol City Council discharge this condition.

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In summary, the application submission demonstrates that land stability matters have taken account of the latest evidence following investigation works and that this issue can be satisfactorily addressed through the proposed methodologies and sequence of working. This approach has been devised by an appropriately qualified party, who would be required to undertake full-time supervision during works.

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

There has been no change in policy or circumstances in terms of addressing sustainability objectives. Conditions 17 and 18 of consent 14/02366/F remain relevant and are recommended in the event that Members are minded to approve the application.

An updated Drainage Strategy was submitted with the application and the Council's Flood Risk management Team are satisfied that the proposal would satisfactorily address drainage considerations subject to a further condition.

(H) HAVE NATURE CONSERVATION ISSUES BEEN ADDRESSED?

An updated ecological survey (2018) has been carried out and the Council's Nature Conservation Officer is satisfied subject to appropriate conditions.

CONCLUSION

The proposal is concluded to be acceptable in all respects including in terms of ground stability issues and would be compliant with national and local planning policy in all respects. Approval of the application is therefore recommended subject to detailed conditions. The recommended conditions reflect those that were imposed on the previous consent, albeit amended where conditions have been discharged.

APPENDICES

Committee Report 2014 relating to permission 14/02366/F.

COMMUNITY INFRASTRUCTURE LEVY

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

The CIL liability for this development is £11,174.00.

RECOMMENDED GRANT subject to conditions

Time limit for commencement of development1. Full Planning Permission

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

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

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The development enabling works (including all site investigation, stabilisation works, clearance of base rock/ walls and foundation works) hereby approved shall be carried out only under the full-time supervision of the approved geotechnical engineer/ engineering geologist for the full duration of the enabling works, unless otherwise agreed in writing by the Local Planning Authority.

The development hereby approved shall be carried out only in full accordance with the approach and methodologies set out within the approved reports: 'Proposed method statement and sequence of working' (Integrale Ltd. 2014), 'Outline Methodology for Combining Geotechnical Investigation with Stability Works' (Integrale Ltd. 2013, Report No. 4349/A) and 'Outline methodology for combining geotechnical investigation with stability works and proposed anchor schedule.' (Integrale Ltd. 2018, Report no. 9221/C) unless otherwise agreed in writing by the Local Planning Authority.

Should unexpected conditions arise, which are not foreseen in the approved reports, no further work shall be carried out (except those required to secure the site), without a working method agreed in writing by the Local Planning Authority. The development shall not be occupied until a validation report to confirm that the approved works have been submitted and approved by the Local Planning Authority.

Reason: To ensure proper supervision by an appropriately qualified geotechnical engineer/ engineering geologist during works in the interest of land stability and to ensure compliance with the previously agreed methodologies and sequence of working.

3. Insurance policy

No development shall take place until the developer has provided evidence that an appropriate insurance policy has been taken out (to which the City Council will have access as a named party on the insurance details), to be approved in writing by the Local Planning Authority, in respect of any adverse effect the works may have on the stability of the existing retaining wall to the north of the site, any base rock/ walls adjacent to the footway and any neighbouring properties upslope of the site within 10m of the site boundary and also 10 Sutherland Place/ Mews. The insurance policy shall be sufficient to cover any potential problems that may arise during the course of construction and consequently as a result of the development.

Reason: To ensure that the Local Planning Authority as a named party in the insurance policy has the access to the policy in order to secure the necessary funds to carry out any remedial works required in respect of stability of the retaining wall or site, in the event that this becomes necessary.

4. To secure the recording of the fabric of buildings of historic or architectural importance

No development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall - other than basic works to ensure the safety of the archaeologists/ other contractors to be agreed in writing by the Local Planning Authority prior to being carried out) shall take place until the applicant/developer has recorded those parts of the building which are likely to be disturbed or concealed in the course of redevelopment or refurbishment. The recording shall be carried out by an archaeologist or archaeological organisation approved by the Local Planning Authority.

Reason: To ensure that features of archaeological or architectural importance within a building are recorded before their destruction or concealment.

5. To ensure implementation of a programme of archaeological works

No development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall - other than basic works to ensure the safety of the archaeologists/ other contractors, to be agreed in writing by the Local Planning Authority prior to being carried out) shall take place until an updated Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority.

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

- * The programme and methodology of site investigation and recording- including timetable;
- * The programme for post investigation assessment- including timetable;
- * Provision to be made for analysis of the site investigation and recording
- * Provision to be made for publication and dissemination of the analysis and records of the site investigation- including timetable;
- * Provision to be made for archive deposition of the analysis and records of the site investigation- including timetable;
- * Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The development (including demolition of existing structures or stabilisation works to the retaining wall - other than basic works to ensure the safety of the archaeologists/ other contractors to be agreed in writing by the Local Planning Authority prior to being carried out) shall be carried out only in accordance with the approved programme of archaeological work and timetable for work. The publication of the analysis and records and the archive deposition or the records shall be carried out in accordance with the timetable agreed in writing by the Local Planning Authority.

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

6. Construction environmental management plan

No development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall) shall take place until a site specific Construction Environmental Management Plan has been submitted to and approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- a) Management of vehicle movements including parking, routes for construction traffic, proposed temporary traffic restrictions;
- b) Details of siting and form of the site compound/ office;
- c) Pedestrian and cyclist protection;
- d) Method of prevention of mud being carried onto highway;
- e) Hours of operation;
- f) Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- g) Arrangements for liaison with the Council's Pollution Control Team;
- h) Procedures for emergency deviation of the agreed working hours;
- i) Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants;
- j) Measures for controlling the use of site lighting whether required for safe working or for security purposes;

The development shall only be carried out in accordance with the approved Management Plan.

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

7. Highway condition survey

The development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall) hereby approved shall not commence until a condition survey of the road network surrounding the site has been carried out to an extent to be agreed with the Highway Authority and has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be brought into use until remedial works to any part of this highway damaged as a result of the development have been agreed with and undertaken to the satisfaction of the Highway Authority and details of these works submitted to and approved in writing by the Local Planning Authority.

The developers shall contact Highways Asset Management on 0117 9222100 to agree the extent of the

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condition survey and any remedial works required.

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

8. Approval of footway works necessary

No development (including demolition/ alteration to existing base rock/ wall structures but excluding stabilisation works to the retaining wall) shall take place until details of the following works to the highway/ footway have been submitted to and approved in writing by the Local Planning Authority:

1. All works to the existing footway/ pavement required by the development;

The building hereby permitted shall not be occupied until these works have been completed in accordance with the approved details.

Reason: To ensure that all road works associated with the proposed development are to a standard approved by the Local Planning Authority and are completed before occupation.

9. Sustainable Drainage System (SuDS)

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

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

10. Bat method statement and method of working

No development (including demolition/ alteration to existing base rock/ wall structures but excluding stabilisation works to the retaining wall) shall take place until a method of working prepared by a suitably qualified ecological consultant setting out the precautionary methods to be followed during all enabling and construction works with respect to bats has been submitted to and approved in writing by the Local Planning Authority.

The development hereby permitted (including enabling works: site clearance, stabilisation works and works to the base rock/ walls on site) shall thereafter take place only in accordance with the approved pre-cautionary method of working at all times. If works to implement this consent do not commence within 12 months of the approved bat survey report (by 12 July 2019) then an updated bat survey report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on the site (including the enabling works listed above).

Reason: To conserve legally protected bats.

11. Further large scale details before relevant element started

Large scale detailed drawings of the following elements 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) Typical details of each new window and door type, including set-back window features, cills, heads, reveals and surrounds;
- b) Typical roof junctions including parapets, copings and eaves;
- c) Typical corner detailing at junctions;
- d) Junction with retaining wall;
- e) Rainwater goods;
- f) Terrace screening.

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Reason: In the interests of visual amenity and the character of the area.

12. Green living roof

Prior to the commencement of the roof of the property a strategy for the implementation of the green living roof shall be submitted to and approved in writing by the Local Planning Authority.

The strategy should include details relating to the extent, specification, installation method and the management and maintenance of the green roof unless otherwise agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the dwellings and shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the building is satisfactory and that the character and appearance of the Conservation Area would be safeguarded, to promote sustainability interests and biodiversity and to reduce surface water run-off. Alternatives to sedum will be expected to be explored to improve biodiversity and inclusion of native species.

13. Sample panels before specified elements started

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

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

Pre occupation conditions**14. Reporting of Unexpected Contamination**

In the event that contamination is found at any time when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and where remediation is necessary a remediation scheme must be prepared which ensures the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

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

15. Bird and bat boxes

The development hereby approved shall be carried out in accordance with approved plan 1506(L)33 Rev A 'Proposed bird boxes and bat tubes'. The approved details shall be installed prior to the first occupation of the dwelling hereby approved and retained at all times thereafter.

Reason: To help conserve legally protected bats and birds which include priority species.

16. Implementation/installation of refuse storage and recycling facilities - shown on approved plans

No building hereby permitted shall be occupied 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

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within this dedicated store/area, as shown on the approved plans, or internally within the buildings that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway at any time or on the pavement except on the day of collection.

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

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

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

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

18. Sustainability Statement and Energy Strategy

The development hereby approved shall be carried out in accordance with the measures contained within the approved Sustainability Statement and the approved Energy Strategy prior to the first occupation of the development hereby approved and shall be maintained in accordance with these details in perpetuity.

Reason: To ensure that sustainability policy objectives would be met.

19. Solar photovoltaic and solar thermal panels

The solar photovoltaic and solar thermal panels hereby approved shall be installed and made fully operational prior to the first occupation of the dwellings hereby approved. The solar panels shall be maintained in situ in accordance with the approved details and as fully operational thereafter.

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

Post occupation management**20. Restriction of the use of the roof**

The roof of the dwellings (with the exception of the area marked 'terrace' in association with Unit 2 on drawing 1506 (L) 22) hereby permitted shall not be used as a balcony, terrace, 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 from overlooking, loss of privacy and disturbance through noise impacts.

21. No extensions

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

Reason: The extension of these dwellings requires detailed consideration to safeguard the amenities of the surrounding area.

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22. No further windows/ enlargement of windows

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

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

23. Site clearance

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

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

List of approved plans

24. List of approved plans and drawings

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

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SUMMARY

The application relates to a site situated on the north side of Belgrave Hill within the Clifton Conservation Area, at the boundary with the Whiteladies Road Conservation Area.

The site forms part of an old quarry and is bounded to the north by a high retaining wall, which is the former 'cliff face' of the quarry. Above this lie the gardens and properties of Upper Belgrave Road. The site is very narrow at only 4m in width and is currently an open space that is overgrown with vegetation and with the remains of rubble stone walls visible, that once formed a couple of terraces with the eastern most part of the site being set at a higher level. Historic maps show that the site was once built on.

The application is for two, two-bedroom dwelling houses, one of which would have a small outside terrace. No off-street car parking is proposed.

The application follows a previous application in 2011 for three dwellings on the site, which was refused by Committee on the grounds of impact on the residential amenity of 10 Sutherland Place/ Mews and insufficient details regarding ground stability concerns in relation to the retaining wall.

This application has been subject to full publicity and consultation and 32 representations have been received objecting to the proposals including on the following grounds: overdevelopment, loss of industrial quarry heritage, loss of open space, land stability, parking and highways issues and residential amenity impacts.

Since the previously refused application, the number of dwellings proposed for the site has been reduced from three to two and the applicant has carried out significant further investigation into the land stability matters. The Council's consultant structural engineer/geologist has advised that the land stability issues can be satisfactorily addressed through appropriate planning conditions, including a condition requiring details to be submitted of an insurance policy in which the City Council would be a named party, allowing a claim to be made in the event that the Council needed to make the site safe at any stage. This is consistent with the approach taken on similar developments elsewhere in the city where land stability has been a key issue.

It is the view of your officers, on the basis of all of the material considerations related to this application, that approval of the application should be given subject to conditions.

SITE DESCRIPTION

The application site is a piece of vacant open ground largely orthogonal in shape that has a frontage of 29m facing Belgrave Hill. The site boundary abuts the northern side elevation of 10 Sutherland Place/Sutherland Mews. There is a fall of approximately 1.7m fall across the length of the site that is currently derelict and overgrown. The retaining wall to the rear of the site is constructed of local rubble stone. The site area once formed part of a large quarry, a fact that explains the substantial change in levels between Upper Belgrave Road, to the north and Belgrave Hill of between 8-12 metres.

The site is located within the Clifton Conservation Area but is situated along the boundary with the Whiteladies Road Conservation Area. 15-21 Belgrave Hill to the east of the site are Grade II listed buildings.

The site is within Flood Zone 1.

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RELEVANT PLANNING HISTORY

The following recent planning history is associated with the site:

13/03239/PREAPP- Pre-application enquiry for the development of 2 no. 'Use Class C3' dwellings. CLOSED 12.11.2013

11/04256/F- Planning application for the redevelopment of the existing vacant site for 3no. two bedroom dwelling houses with associated external amenity space, refuse and cycle storage. REFUSED Committee decision 31 Oct 2012 on the following grounds:

1. *By reason of its juxtaposition with neighbouring occupiers at both 10 Sutherland Place and Sutherland Mews, the proposed development to include; its excessive height, scale, massing and detailed design, would constitute both an oppressive and an overbearing form of development. For the reasons given proposals are contrary to policies BSC21 of the Core Strategy (June 2011) and Policy DM 27 of the Site Allocations and Development Management Preferred Approach Document March 2012.*
2. *Insufficient information has been submitted with the application to fully determine the impact of development upon the incidence of ground stability. As a result the proposal is contrary to policy ME13 of the Bristol Local Plan.*

APPLICATION

The application proposes two no. two-bedroom dwellings on the site, one of which would have a small, screened roof terrace. Both properties would have flat roofs with solar panels and a living green roof. Unit 1 is approximately 6.5m in height and 10.5m in length, Unit 2 is approximately 8m in height (maximum) and 14m in length. Both units are approximately 4m in depth.

The materials proposed include recycled rubble stone and coloured render to the elevations. Unit 2 also incorporates a timber panelled element to the top storey.

No off-street car parking is proposed. Cycle storage for each unit is proposed within their own individual, secure cycle stores.

The Certificates submitted with the application state that all reasonable steps have been taken to find out the names and addresses of everyone who, on the day 21 days before the date of the application, was the owner of any part of the land to which the application relates, but the applicant has been unable to do so. A notice has been published in the Bristol Evening Post to notify anybody with an interest in the land and neighbouring properties that share a boundary with the site notified.

RESPONSE TO PUBLICITY AND CONSULTATION

A Community Involvement Statement was not required for this application given that it is categorised as a 'minor' application in planning terms.

A site notice and press notice have been posted/ published and neighbours have been consulted by individual letter. 33 written representations have been received to the proposals, with 32 of these comments objecting to the proposals on the following grounds:

- Design issues and detriment to the character and appearance of the Whiteladies Road Conservation Area;
- Over development of the site with resultant "overcrowding";

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- Impact on residential amenity in terms of loss of privacy, overshadowing;
- Noise and disturbance from roof areas;
- Additional on street car parking, with attendant and resultant detriment to highway safety, congestion, obstruction and emergency access;
- Detriment to established nature conservation interests; including protected species.
- Wide spread fears have been expressed over likely prejudice to ground instability and/or drainage/flooding;
- Loss of industrial heritage and aspect of the old quarry;
- Noise and disruption during construction;
- Living environment of future occupiers of the site;

Comments include objections from the Bristol Industrial Archaeological Society and South Gloucester Mines Research Group.

OTHER COMMENTS

The Council's consultant structural engineer has reviewed the detailed geotechnical reports and application submission and confirmed that their advice is that it is possible for the works to be undertaken without causing any problems or distress to the adjacent structures and that therefore planning permission could be granted subject to certain conditions. The recommended conditions including full-time supervision by a qualified structural engineer, condition surveys of all relevant properties and a bond to ensure that the Council would have the funds to make the site safe if required. See background papers for full details.

The Conservation Advisory Panel (CAP) supports the application. (See background papers for full details).

Urban Design has commented as follows:-

The proposed development of 2 residential dwellings in this street responds effectively to the surrounding context. It will introduce a new street frontage to this part of Belgrave Hill which will contribute positively to the street environment by providing additional enclosure and street level activity and opportunities for surveillance. The scale and form of the development reflects a mews type development which is suited to the immediate context and is proportionate with the street width. The proposal presents a contemporary architectural style which responds well to the site constraints and reduces the impact on neighbouring properties. (See background papers for full details).

Transport Development Management has commented as follows:-

The proposal is a car free development, which is acceptable in this location. An advice note is recommended given the emerging residents parking zone that residents of the development shall not be eligible for parking permits. Acceptable provision is made for cycle storage. There are concerns regarding servicing of the development due to the narrow nature of streets surrounding the site, however servicing would be possible from this location, although not ideal. Detailed conditions are recommended including a requirement for the submission of a Construction Management Plan. (See background papers for full details).

Contaminated Land Environmental Protection has commented as follows:-

No objections are raised to the proposals subject to conditions. (See background papers for full details).

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Nature Conservation Officer has commented as follows:-

There is no objection to this application subject to detailed conditions. (See background papers for full details).

Archaeology Team has commented as follows:-

The site is a locally important heritage asset, refusal of the application on archaeology grounds would not be justified given that the site is not of national significance nor are the structural remains of the quarry activity sufficiently well preserved. There are many other examples of quarries in the Bristol area either already built on or surviving as part of the present landscape.

If the proposals are granted consent, securing archaeological recording of these remains with associated documentary research through planning conditions is the appropriate response. (See background papers for full details).

RELEVANT POLICIES

National Planning Policy Framework – March 2012

Bristol Core Strategy (Adopted June 2011)

BCS5	Housing Provision
BCS9	Green Infrastructure
BCS10	Transport and Access Improvements
BCS13	Climate Change
BCS14	Sustainable Energy
BCS15	Sustainable Design and Construction
BCS16	Flood Risk and Water Management
BCS18	Housing Type
BCS20	Effective and Efficient Use of Land
BCS20	Effective and Efficient Use of Land
BCS21	Quality Urban Design
BCS22	Conservation and the Historic Environment
BCS23	Pollution

Bristol Site Allocations and Development Management Policies (Adopted July 2014)

DM1	Presumption in favour of sustainable development
DM14	The health impacts of development
DM15	Green infrastructure provision
DM17	Development involving existing green infrastructure
DM19	Development and nature conservation
DM23	Transport development management
DM26	Local character and distinctiveness
DM27	Layout and form
DM28	Public realm
DM29	Design of new buildings
DM31	Heritage assets
DM32	Recycling and refuse provision in new development
DM33	Pollution control, air quality and water quality
DM34	Contaminated land
DM37	Unstable land

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Supplementary Planning Guidance

Clifton & Hotwells Conservation Area Character Appraisal
 PAN 2 Conservation Area Enhancement Statements (November 1993)

Bristol City Council Climate Change and Sustainability Practice Note (December 2012)

Bristol City Council Space Standards Practice Note (July 2011)

The Planning (Listed Buildings and Conservation Areas) Act 1990

KEY ISSUES

- (A) IS THE PROPOSED LAND USE ACCEPTABLE IN PRINCIPLE IN LAND USE TERMS AND IS THE MIX, BALANCE AND AMOUNT OF HOUSING PROPOSED ACCEPTABLE IN PLANNING POLICY TERMS?

The proposals would provide residential accommodation on a brownfield site and would therefore meet policy objectives to make more efficient use of land in a location close to an existing Centre (Whiteladies Road Town Centre) and as a windfall site would provide housing over and above the housing targets and allocated sites set out within the Core Strategy and would contribute to meeting national housing policy objectives.

The application proposes two dwelling houses, each with two bedrooms. The nature of housing in this area is a mix of houses and flatted accommodation. Given the constrained nature of the site, there is limited scope for a mix of housing within the development itself and the proposal is concluded to be acceptable in this respect and to contribute to objectives to achieve mixed and balanced communities.

The site has been vacant for a significant period and therefore may reasonably be identified as undesignated open space. In terms of local planning policies; Policy BCS9 of the Bristol Core Strategy (BCS) seeks to maintain, enhance and extend the city's strategic green infrastructure network and to protect areas of open space that are important for recreation/leisure/ community use and townscape/ landscape quality and visual amenity. Policy DM17 of the SADMP supports these aims.

The site is not a publicly accessible space and therefore does not serve a recreation, leisure or community use function. In terms of townscape value; small amenity spaces in densely built up areas including street corners may have important townscape value linked to their greening effect. This is a view shared by many in the community and is partly due to the ongoing derelict nature of the site which has led to the site becoming overgrown. While the site is considered to have some informal townscape value in terms of its green nature, in other respects the derelict state of the site detracts from the visual amenity of the area and residential development could readily have the potential to improve the local townscape. Overall, the site is not considered to be so valuable in terms of its townscape value as open space such that it should be set aside as open space indefinitely.

The principle of new residential development on the land would be acceptable.

- (B) WOULD THE PROPOSALS SAFEGUARD OR ENHANCE HERITAGE ASSETS OR AREAS OF ACKNOWLEDGED IMPORTANCE AND HAVE ARCHAEOLOGICAL CONSIDERATIONS BEEN ADDRESSED?

The site is within the Clifton Conservation Area (at its boundary with the Whiteladies Road Conservation Area to the south, which runs along Belgrave Hill). The Clifton Conservation Area and Whiteladies Road Conservation Areas are 'designated heritage assets' as defined within the National Planning Policy Framework (NPPF). The site is not specifically identified within the Clifton and Hotwells Character Appraisal or the Whiteladies Road Conservation Area Enhancement Statement. There are several listed buildings within the immediate vicinity of the site- 15-21 Belgrave Hill to the east of the site are Grade II listed and these also constitute 'designated heritage assets'.

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The NPPF also contains policies relating to non-designated heritage assets (i.e. 'heritage assets') and defines these as being buildings, monuments, sites, places, areas and landscapes positively identified as having a degree of historic significance meriting consideration in planning decisions. The site forms part of a former quarry dating from the eighteenth century and there is evidence of residential development on the site from the mid-nineteenth century. The site itself is therefore considered to be a local heritage asset (non-designated). The site has no other designations on the Proposals Map for the Bristol Local Plan - Site Allocations and Development Management Policies (SADMP) document.

Local heritage asset/ non-designated archaeological site

The significance of the heritage asset is as a site that forms part of a former quarry dating from the eighteenth century and comprises a narrow strip of land to the south of the former wall of the quarry, now faced in rubble stone. There are a number of vault structures evident within the face of the wall and remnants of structural features from the former housing on the site. A lower rubble stone wall is set at the back edge of the pavement and bounds the terraced areas behind the wall that are currently derelict and overgrown with vegetation. The high stone wall is in need of stabilization as the integrity of the wall has diminished over the years.

Paragraph 135 of the National Planning Policy Framework (NPPF) states that "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

Policy BCS22 of the Bristol Core Strategy requires development to safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including Conservation Areas and archaeological remains. 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.

In terms of archaeology, policy DM31 states that scheduled monuments and other non-designated archaeological sites of equivalent importance should be preserved in situ. In those cases where this is not justifiable or feasible, provision should be made for excavation and record with an appropriate assessment and evaluation. The Council's Archaeology Team advises that while the site is an important local heritage asset, that it would not be considered an archaeological feature of national significance or equivalent to a scheduled monument. The structural remains associated with the quarry activity are not sufficiently well preserved to require their preservation in situ or to justify refusal of the application and archaeological evaluation and recording is recommended.

The historic mapping evidence for this area demonstrates that the site has previously been developed, it is thought as cottages up to two-storeys in height judging by features remaining on site. The proposed development is for two mews-style houses, and while these houses would partly obscure the high retaining wall behind through infilling this space, the dramatic topography of the area would still be clearly appreciated and the retaining wall would remain visible above the houses retaining the sense of the original quarry wall and vault features within the wall.

It is therefore concluded that the harm to the significance of the heritage asset as a result of the proposal would be limited and that the proposals would conserve the significance of this site in accordance with the NPPF and local policies BCC22 and DM31. The proposal also offers conservation benefits for the heritage asset in terms of the stabilization and maintenance of the rubble wall in situ. Conditions relating to archaeological recording are recommended.

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Clifton Conservation Area and Whiteladies Road Conservation Areas

Great weight and considerable importance should be attached to the conservation of these designated heritage assets. The proposal is concluded to maintain the sense of the topography of the area and retaining the character of tight-knit streets with smaller residences that forms the character of these parts of these Conservation Areas.

In terms of the NPPF assessment, it is concluded that the proposal would result in 'less than substantial harm' to these Conservation Areas and that any harm would be minimal and limited to the partial obscuring of parts of the existing retaining wall by the proposed houses and the loss of a very small area of inaccessible, overgrown open space. This limited degree of harm would be concluded to be justified by the public benefits of the proposals of bringing the site back into use and meeting housing needs. In fact, there are considered to be conservation benefits in terms of ensuring the long term preservation of the rubble wall and enhancement of this derelict site.

Listed buildings

15-21 Belgrave Hill to the east of the site are Grade II listed buildings. The proposals would be concluded to preserve the setting and special interest of these buildings in accordance with the requirements of the NPPF, Policy BCS22 of the Core Strategy, Policy DM31 of the SADMP document and Section 66 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990.

Summary

In summary, the proposals would be concluded to conserve the significance of this heritage asset and to conserve and safeguard the Clifton and Whiteladies Road Conservation Areas. The proposal would preserve the setting and special interest of the nearby listed buildings 15-21 Belgrave Hill.

It is your officers' opinion that while great weight and considerable importance has been given to the impact of the development on both non-designated and designated heritage assets that the impact on these heritage assets would be limited and would be outweighed by the public benefits achieved in terms meeting housing need requirements. The proposals are deemed by officers to be in accordance with both Sections 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 12 of the NPPF (Conserving and enhancing the historic environment) and local policies BCS22 and DM31 in all respects.

(C) WOULD THE PROPOSED DEVELOPMENT BE ACCPETABLE IN DESIGN TERMS?

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

The proposed development of 2 residential dwellings in this street responds effectively to the surrounding context. It will introduce a new street frontage to this part of Belgrave Hill which will contribute positively to the street environment by providing additional enclosure and street level activity and opportunities for surveillance. The scale and form of the development reflects a mews type development which is suited to the immediate context and is proportionate with the street width. The proposal presents a contemporary architectural style which responds well to the site constraints and reduces the impact on neighbouring properties. The proposed materials (render and rubble stone) are reflective of those found within the immediate context. The proposed design is concluded

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to be acceptable and to safeguard the character and appearance of the Clifton and Whiteladies Road Conservation Areas.

Conditions are recommended to ensure that the detailed design of the development would be of a high quality finish.

- (D) WOULD THE PROPOSED DEVELOPMENT SAFEGUARD THE RESIDENTIAL AMENITY OF NEIGHBOURING OCCUPIERS AND WOULD IT MAKE SATISFACTORY PROVISION FOR THE AMENITY OF FUTURE OCCUPIERS?

Neighbouring occupiers

Policy BCS21 of the Core Strategy replaces policy B8 of the Bristol Local Plan and states that new buildings should be designed so that the amenity of the existing and future occupiers of residential properties are not adversely affected. This has been assessed with respect to the relationship between the proposed properties and the existing surrounding properties. The key issues raised by local residents in response to consultation include issues of loss of privacy, reduction in light levels and noise from the use of terraces.

Overlooking

Belgrave Hill is a narrow street and the façade of the proposed development would be 6m from the façade of those houses opposite. In view of this close separation distance, the potential for overlooking of neighbouring homes on the opposite side of Belgrave Hill would be controlled through the use of high level glazing, set back window positioning and narrow slot windows with the larger area of glazing at the top level to be set back from the front of the site and positioned at roof level of the property directly opposite. This relationship is concluded to be acceptable and while it is acknowledged that some overlooking would occur, this would not be to an unacceptable degree.

The previous application was refused on the basis of the impact on the amenity of 10 Sutherland Place and Mews to the west of the site due to the overbearing impact of the development on this property as a result of its proximity and scale. The development has been amended since this time to reduce the number of dwellings and to improve the relationship with this dwelling. At present the flats and maisonettes to 10 Sutherland Place and Mews each have habitable rooms, bedrooms and living rooms, with an open aspect to Belgrave Hill, the lower floor to the Mews at street level has a bay window. It is concluded that these revisions have now satisfactorily overcome these original concerns.

Reduction in light levels

In terms of reduction in light levels to the properties opposite on Belgrave Hill, the site is situated north of these properties and therefore would have no overshadowing impact and would not result in a loss of sunlight. A sunlight study has been submitted to demonstrate this. While the proposed development would be situated in close proximity to the properties opposite, the narrow nature of this street and its topography already limit the amount of daylight received by the windows of these properties and the proposed development would not be concluded to significantly worsen this situation. Such a relationship between buildings is not uncommon in tight-knit urban environments such as this.

Noise levels

The special acoustic properties of this area are noted in terms of the topography and the potential for noises to be reflected from the quarry walls, as raised by a number of residents. The proposed dwellings would not be expected to result in excessive noise levels compared to the existing situation. Unit 1 would not have any outdoor space and only a small terrace is proposed to Unit 2 at first floor level. This would be very small in size and set behind a timber screen which would prevent overlooking and also contain noise. The flat roof area at the second floor level of Unit 2 would not be

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accessible from the dwelling and a condition is recommended to this effect to prevent issues of overlooking and disturbance.

Construction issues would be dealt with through a Construction Management Plan for the site.

Future occupiers

Space standards- The proposed development is for two dwellings each with a single and double bedroom (i.e. three bed spaces). The dwellings would meet the minimum space standards required by Policy BCS18 of the Core Strategy for dwellings of this size.

While the outlook from these dwellings is limited, it would be concluded to be acceptable on balance.

Summary

It is the view of officers that the proposals have addressed previous concerns in respect of the impact on the residential amenity of neighbouring occupiers and would safeguard the amenity of all neighbouring occupiers and would make satisfactory provision for the amenity of future occupiers of the site.

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

The site is located on Belgrave Hill, which is a narrow street with narrow pavements on either side. The pavement on the north side of the highway in front of the application site is very narrow (approximately 700mm wide) and is often parked on by vehicles along its length. There are no parking restrictions along this road currently; however the Clifton East residents' parking zone is currently undergoing informal consultation. Under the proposals that have been informally consulted on as part of this process, there are no residential parking permit spaces proposed along Belgrave Hill, however a disabled parking bay is proposed outside the site.

Given the constrained nature of the site, no off-street parking is proposed for the new dwellings and the development is therefore assessed as a car-free development. It is therefore recommended on this basis that the residents not be eligible for parking permits and an advice note making this recommendation is proposed. The site is in a sustainable location close to local facilities and public transport routes on Whiteladies Road and therefore residents could reasonably be expected to live in this location without the need for a private vehicle.

The existing pavement would be retained under the proposals and the proposed houses would have entrances accessed directly from the pavement. While the pavement is very narrow in this location, it would provide sufficient refuge for pedestrians entering or leaving the dwellings from the street. The number and speed of vehicles travelling along Belgrave Hill is low given the narrow width of the street and there would be good visibility of pedestrians entering or exiting the property for vehicles turning the corner towards the site. This arrangement is concluded to be acceptable in terms of ensuring pedestrian safety around the site.

Residents have raised concerns regarding emergency and access around the area as a result of the proposal. Officers advise that the proposed development would result in reduced parking in this location (on the pavement), which would improve access for emergency vehicles along Belgrave Hill. This is likely to be formally set out through the emerging residents' parking scheme.

Cycle storage and refuse storage is proposed off-street and is acceptable. Conditions are recommended to secure this provision. While the access for servicing vehicles to the properties is not ideal given the narrow nature of the surrounding street network, the dwellings are located close to

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other existing dwellings that already require regular bin collections from close to the site. Officers are therefore content that the dwellings would be serviced satisfactorily.

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

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

The previous application on this site was refused by Committee on the basis that insufficient evidence had been provided on the subject of ground stability. An extensive process of further consideration and exploration of this issue has been carried out by the applicant in discussion with officers following that Committee decision in order to address this matter. These issues are discussed further below.

Land stability

The National Planning Policy Framework (NPPF) sets out that the planning system should prevent new development from contributing to or being put at unacceptable risk from land instability and should remediate and mitigate despoiled, degraded, derelict, contaminated and unstable land, where appropriate to bring unstable land, wherever possible, back into productive use.

Planning decisions should ensure that the site is suitable for its new use taking account of ground conditions and land instability and should ensure that adequate site investigation information, prepared by a competent person, is presented. The NPPF makes clear that where a site is affected by land stability issues the responsibility for securing a safe development rests with the developer. The National Planning Practice Guidance (NPPG) sets out the steps that developers should take if land stability is an issue for an application and this is supported by Policy DM37 of the Bristol SADMP relating to unstable land. These provisions require expert advice to be sought and an assessment of ground stability to be undertaken and necessary remediation measures proposed.

The site forms part of a former quarry and a high retaining wall bounds the site with a substantial terrace of properties set above the height of this retaining wall. The retaining wall is faced with rubble stone, which is in a neglected state overall. The issue of land stability was considered under the assessment of the previous application 11/04256/F, however Committee Members were not satisfied with the level of information submitted regarding this issue and the application was refused on this basis.

Since this previous decision, a further detailed technical site investigation and geotechnical assessment report have been submitted with the application prepared by a ground engineering consultancy. This report proposes an outline methodology that the full geotechnical investigation be combined with stabilisation works in order to minimise costs (the main costs being in accessing the cliff face) and to minimise disruption to neighbours.

The Council has commissioned an assessment of this report by local expert Dr Brian Hawkins of H M Geotechnics (Chartered Engineer, Chartered Geologist and European Engineer). Dr Hawkins has advised that the information submitted demonstrates that planning consent could be given subject to the following conditions:

- a) Full time supervision of the works by a suitably qualified engineer/ geologist throughout the enabling works;
- b) Condition surveys on all of the upslope properties and their boundary walls (all upslope properties within 10m of the boundary of the site). The surveys should be agreed with Party Wall Inspectors and appropriate Party Wall Agreements signed and copies of the surveys and agreements shall be submitted to the Local Planning Authority for their records.

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- c) A bond should be provided by the developers to ensure that funds are available to safeguard the stability of the retaining wall should the project not be completed timeously.

In response to this advice, the Council's Legal Team has advised that rather than seeking a bond, a condition to require evidence that an insurance policy has been taken out that would cover any adverse effect the works may have on the stability of the retaining wall and neighbouring buildings. The developer should be asked to provide confirmation that the insurance company has seen the relevant reports and understand the nature of the risk they are insuring against. The developer would also be required to demonstrate that the Council would be a named party to this insurance policy, to allow the City Council to make a claim against this policy in the future should they need to- for example if the development was left incomplete and the Council needed to ensure the safety of the site. The condition is considered to be fundamental to the development as without it the development should be refused and therefore meets the relevant tests for planning conditions. The removal of this condition in the future would therefore not be acceptable.

A further condition is recommended to require supervision by a qualified structural engineer and an advice note is required to recommend that the developer undertake condition surveys of all neighbouring properties upslope of the site within 10m of the site boundary and 10 Sutherland Place/ Mews. This is a party wall matter and therefore must be dealt with through the Party Wall Agreement process and cannot be required through this planning permission.

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

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

Ground contamination

Officers are satisfied that ground contamination issues can be dealt with via appropriate condition.

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

An Energy Strategy has been submitted to demonstrate the energy efficiency and renewable energy generation measures proposed for the development. The application proposes the installation of both solar thermal (hot water) and solar photovoltaic panels and the completed Energy Strategy table indicates that this would achieve a reduction in carbon dioxide emissions of 20% from the residual level in line with local sustainability policy objectives.

Other aspects of sustainability including overheating considerations, material sourcing, heating system, water consumption; drainage and green infrastructure are covered within the Design and Access Statement. The proposal includes a sedum roof, which is welcomed. A condition is recommended to seek the detail of this roof in order to maximise its potential to contribute to the biodiversity of the area. Conditions are recommended to ensure that the sustainability measures would be provided as proposed.

The site is within Flood Zone 1 and there are no flood risk issues.

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(H) HAVE NATURE CONSERVATION ISSUES BEEN ADDRESSED?

Ecological surveys have been carried out in respect of the site and the Council's Nature Conservation Officer advises that they are satisfied with the recommendations of these updated surveys and recommends a number of conditions in respect of nature conservation. As evidence of the presence of bats has been found at the site, the Council's Nature Conservation Officer has recommended that a method statement requiring further details of the precautionary approach to be taken during the work in terms of identifying the presence of bats be agreed prior to work commencing.

(I) ARE THERE ANY OTHER MATERIAL CONSIDERATIONS?

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

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

CONCLUSION

The proposal is concluded to be acceptable in all respects including in terms of ground stability issues and would be compliant with national and local planning policy in all respects. Approval of the application is therefore recommended subject to detailed conditions.

COMMUNITY INFRASTRUCTURE LEVY

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

The CIL liability for this development is £8739.38.

RECOMMENDED GRANT subject to condition(s)

Time limit for commencement of development

1. Full Planning Permission

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

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

Pre commencement condition(s)

2. Full-time supervision by a structural engineer during enabling works

No development shall take place on site until details have been submitted to an agreed in writing by the Local Planning Authority of the (suitably qualified) structural engineer/ geologist

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who will undertake the full-time supervision of all enabling works (including all site investigation, stabilisation works, clearance of base rock/ walls and foundation works). Thereafter the enabling works shall only take place under the full-time supervision of the agreed structural engineer/ geologist for the duration of these works and in accordance with the approach set out within the approved Integrale 'Proposed method statement and sequence of working' and Integrale 'Outline Methodology for Combining Geotechnical Investigation with Stability Works' reports, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure proper supervision during works in the interest of land stability.

3. Insurance policy

No development shall take place until the developer has provided evidence that an appropriate insurance policy has been taken out (to which the City Council will have access as a named party on the insurance details), to be approved in writing by the Local Planning Authority, in respect of any adverse effect the works may have on the stability of the existing retaining wall to the north of the site, any base rock/ walls adjacent to the footway and any neighbouring properties upslope of the site within 10m of the site boundary and also 10 Sutherland Place/ Mews. The insurance policy shall be sufficient to cover any potential problems that may arise during the course of construction and consequently as a result of the development.

Reason: To ensure that the Local Planning Authority as a named party in the insurance policy, has the access to the policy in order to secure the necessary funds to carry out any remedial works required in respect of stability of the retaining wall or site, in the event that this becomes necessary.

4. To secure the recording of the fabric of buildings of historic or architectural importance

No development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall - other than basic works to ensure the safety of the archaeologists/ other contractors to be agreed in writing by the Local Planning Authority prior to being carried out) shall take place until the applicant/developer has recorded those parts of the building which are likely to be disturbed or concealed in the course of redevelopment or refurbishment. The recording to be carried out by an archaeologist or archaeological organisation approved by the Local Planning Authority.

Reason: To ensure that features of archaeological or architectural importance within a building are recorded before their destruction or concealment.

5. To ensure implementation of a programme of archaeological works

No development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall - other than basic works to ensure the safety of the archaeologists/ other contractors to be agreed in writing by the Local Planning Authority prior to being carried out) shall take place on site until the applicant/developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Investigation which has been submitted by the developer and approved in writing by the Local Planning Authority.

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

- * The programme and methodology of site investigation and recording- including timetable;
- * The programme for post investigation assessment- including timetable;
- * Provision to be made for analysis of the site investigation and recording

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- * Provision to be made for publication and dissemination of the analysis and records of the site investigation- including timetable;
- * Provision to be made for archive deposition of the analysis and records of the site investigation- including timetable;
- * Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The development (including demolition of existing structures or stabilisation works to the retaining wall - other than basic works to ensure the safety of the archaeologists/ other contractors to be agreed in writing by the Local Planning Authority prior to being carried out) shall be carried out only in accordance with the approved programme of archaeological work and timetable for work. The publication of the analysis and records and the archive deposition or the records shall be carried out in accordance with the timetable agreed in writing by the Local Planning Authority.

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

6. Construction environmental management plan

No development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall) shall take place until a site specific Construction Environmental Management Plan has been submitted to and approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- a) Management of vehicle movements including parking, routes for construction traffic, proposed temporary traffic restrictions;
- b) Details of siting and form of the site compound/ office;
- c) Pedestrian and cyclist protection;
- d) Method of prevention of mud being carried onto highway;
- e) Hours of operation;
- f) Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- g) Arrangements for liaison with the Council's Pollution Control Team;
- h) Procedures for emergency deviation of the agreed working hours;
- i) Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants;
- j) Measures for controlling the use of site lighting whether required for safe working or for security purposes;

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

7. Highway condition survey

The development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall) hereby approved shall not commence until a condition survey of the road network surrounding the site has been carried out to an extent to be agreed with the Highway Authority and has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be brought into use until remedial works to any part of this highway damaged as a result of the development have been agreed with and undertaken to the satisfaction of the Highway Authority and details of these

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works submitted to and approved in writing by the Local Planning Authority. The developers shall contact Highways Asset Management on 0117 9222100 to agree the extent of the condition survey and any remedial works required.

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

8. Approval of footway works necessary

No development (including demolition/ alteration to existing base rock/ wall structures but excluding stabilisation works to the retaining wall) shall take place until details of the following works to the highway/ footway have been submitted to and approved in writing by the Local Planning Authority:

1. All works to the existing footway/ pavement required by the development;

The building hereby permitted shall not be occupied until these works have been completed in accordance with the approved details.

Reason: To ensure that all road works associated with the proposed development are to a standard approved by the Local Planning Authority and are completed before occupation.

9. Further large scale details before relevant element started

Large scale detailed drawings of the following elements 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) Typical details of each new window and door type, including set-back window features, cills, heads, reveals and surrounds;
- b) Typical roof junctions including parapets, copings and eaves;
- c) Typical corner detailing at junctions;
- d) Junction with retaining wall;
- e) Rainwater goods;
- f) Terrace screening.

Reason: In the interests of visual amenity and the character of the area.

10. Green living roof

Prior to the commencement of the roof of the property a strategy for the implementation of the green living roof shall be submitted to and approved in writing by the Local Planning Authority. The strategy should include details relating to the extent, specification, installation method and the management and maintenance of the green roof unless otherwise agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the dwellings and shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the building is satisfactory and that the character and appearance of the Conservation Area would be safeguarded, to promote sustainability interests and biodiversity and to reduce surface water run-off.

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11. Sample panels before specified elements started

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

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

12. Bat method statement

No development (including enabling works: site clearance, stabilisation works and works to the base rock/ walls on site) shall take place until a method statement prepared by a suitably qualified ecological consultant setting out the precautionary methods to be followed during all enabling and construction works has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved method statement.

The development hereby permitted (including enabling works: site clearance, stabilisation works and works to the base rock/ walls on site) shall be carried out only in accordance with the recommendations of the approved bat survey report dated 17 July 2014 at all times. If works to implement this consent do not commence within 12 months of this report (by 17 Jul 2015) then an updated bat survey report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on the site (including the enabling works listed above).

Reason: To conserve legally protected bats.

13. Bird and bat boxes

Prior to commencement of development details shall be submitted providing the specification and location for built-in bird nesting and bat roosting opportunities. This shall include two built-in bird and two built-in bat boxes. The approved details shall be installed prior to the first occupation of the dwelling hereby approved and retained at all times thereafter.

Reason: To help conserve legally protected bats and birds which include priority species.

Pre occupation condition(s)

14. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and where remediation is necessary a remediation scheme must be prepared which ensures the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

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ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

15. Implementation/installation of refuse storage and recycling facilities - shown on approved plans

No building hereby permitted shall be occupied 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 buildings that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway at any time or on the 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.

16. 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.

17. Sustainability Statement and Energy Strategy

The development hereby approved shall be carried out in accordance with the measures contained within the Sustainability Statement section within the submitted Design and Access Statement and the approved Energy Strategy prior to the first occupation of the development hereby approved and shall be maintained in accordance with these details in perpetuity.

Reason: To ensure that sustainability policy objectives would be met.

18. Solar photovoltaic and solar thermal panels

The solar photovoltaic and solar thermal panels hereby approved shall be installed and made fully operational prior to the first occupation of the dwellings hereby approved. The solar panels shall be maintained in situ in accordance with the approved details and as fully operational thereafter.

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

Post occupation management

19. Restriction of the use of the roof

The roof of the dwellings (with the exception of the area marked 'terrace' in association with Unit 2 on drawing 1506 (L) 22) hereby permitted shall not be used as a balcony, terrace, 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 from overlooking, loss of privacy and disturbance through noise impacts.

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20. No extensions

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

Reason: The extension of these dwellings requires detailed consideration to safeguard the amenities of the surrounding area.

21. No further windows/ enlargement of windows

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

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

22. Site clearance

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

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

List of approved plans

23. 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.

1506(L)00 Site location plan, received 23 May 2014

1506(L)01 Existing site layout, received 23 May 2014

1506(L)21 Proposed elevation, received 23 May 2014

1506(L)22 Proposed floor plans, received 23 May 2014

1506(L)23 Proposed sections, received 23 May 2014

1506(L)24 Proposed section G-G, received 23 May 2014

Bat Survey, received 17 July 2014

Energy Statement, received 23 May 2014

Integrale 'Proposed method statement and sequence of working' report, received 23 May 2014

Integrale 'Outline Methodology for Combining Geotechnical Investigation with Stability Works' report, received 23 May 2014

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Reason: For the avoidance of doubt.

Advices

1. Living green roof

It is recommended that the green living roof be provided with local low-nutrient status subsoil and no nutrients added with no seeding to take place to allow colonisation by native wild plants. If seeding is preferred a wildflower mix should be used rather than Sedum (stonecrop) because Sedum provides limited wildlife benefits.

The landform on the roof could be mounded with troughs and mounds to provide habitat diversity and structure, with stones, coils of rope and dry dead wood included to provide invertebrate niches (the use of egg-sized pebbles should be avoided because gulls and crows may pick the pebbles up and drop them). Please see www.livingroofs.org for more information.

2. Construction site noise:

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

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

3. Right of light: The building/extension that you propose may affect a right of light enjoyed by the neighbouring property. This is a private right which can be acquired by prescriptive uses over 20 years; as such it is not affected in any way by the grant of planning permission.

4. Contaminated land: It is suggested that the certificate of remediation referred to in Condition No. 14; should be along the lines of:-

"This is to certify that the scheme of decontamination and reclamation at the site known as **** in relation to Planning Application No. **** was carried out between the dates of **** and **** and was completed in accordance with the specification detailed in the document reference **** and titled ****, which were designed to afford protection from contamination on the site to all known receptors (in this context contamination and receptor have the same definition as in part 2(a) of the Environment and Protection Act 1990)".

The certificate should be signed and dated.

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

6. Bats and bat roosts: Anyone who kills, injures or disturbs bats, obstructs access to bat roosts or damages or disturbs bat roosts, even when unoccupied by bats, is guilty of an offence under the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 and the Conservation (Natural Habitats, &c.) Regulations Act. Prior to commencing work you

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should ensure that no bats or bat roosts would be affected. If it is suspected that a bat or bat roost is likely to be affected by the proposed works, you should consult English Nature (Taunton office 01823 283211).

7. Retaining walls: Where retaining walls above or below the highway are to be constructed or are affected by development, details of the structural design should be approved by the Local Highway Authority. (Telephone 0117 9222100).
8. Traffic Regulation Order (TRO): The implementation of a TRO may be required. The TRO process is a lengthy legal process involving statutory public consultation and you should allow an average of 6 months from instruction to implementation. You are advised that the TRO process cannot commence until payment of the TRO fees are received. Telephone 0117 9036846 to start the TRO process.
9. Wessex Water requirements: It will be necessary to comply with Wessex Water's main drainage requirements and advice and further information can be obtained from <http://www.wessexwater.co.uk>.
10. The development hereby approved is likely to impact on the highway network during its construction. The applicant is required to contact Highway Network Management to discuss any temporary traffic management measures required, such as footway, Public Right of Way or carriageway closures, or temporary parking restrictions. Please call 0117 9031212 or email traffic@bristol.gov.uk a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.
11. 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.

12. Party Wall Act

Party Wall Agreements will likely be required in relation to all properties upslope of the site and also 10 Sutherland Place/ Mews should they share a party wall with the application site. Please be advised that this planning consent does not act in any way as Party Wall consent and the developer/ applicant should be satisfied that they have undertaken all necessary measures and actions in respect of this matter prior to the commencement of the development.

It is recommended that the developer undertakes condition surveys of all properties upslope of the application site within 10m on the site boundary as well as 10 Sutherland Place/ Mews to provide a benchmark against which any potential movement/ damage can be measured.

In the event that any issues arise during or following construction in terms of impacts on the upslope properties, the resolution of these issues will need to be addressed through the Party Wall process, third party insurance or any other legal processes available to third parties. However, the Local Planning Authority will seek through the discharge of Condition 4 to ensure that the insurance policy taken out will cover damage to neighbouring properties.

13. With regards to Condition 4 of this consent, you are advised that the City Council will require access to the insurance policy (as a named party on the insurance details) in the event that a claim is to be made.

Development Control Committee B – 12 November 2014
Application No. 14/02366/F: Land On North Side Of Belgrave Hill Bristol

14. Bird and bat box guidance:

Examples of built-in bird and bat boxes are available from:

<http://www.ibstock.com/sustainability-ecozone.asp>

http://www.nhbs.com/brick_boxes_for_birds_eqcat_431.html

If built-in bird and bat boxes cannot be provided within built structures, they should be provided on trees (with no more than one bird box per tree).

Bird boxes should be installed to face between north and east to avoid direct sunlight and heavy rain. Bat boxes should face south, between south-east and south-west. Bird boxes should be erected out of the reach of predators. For small hole-nesting species bird boxes should be erected between two and four metres high. Bat boxes should be erected at a height of at least four metres, close to hedges, shrubs or tree-lines and avoid well lit locations.

BACKGROUND PAPERS

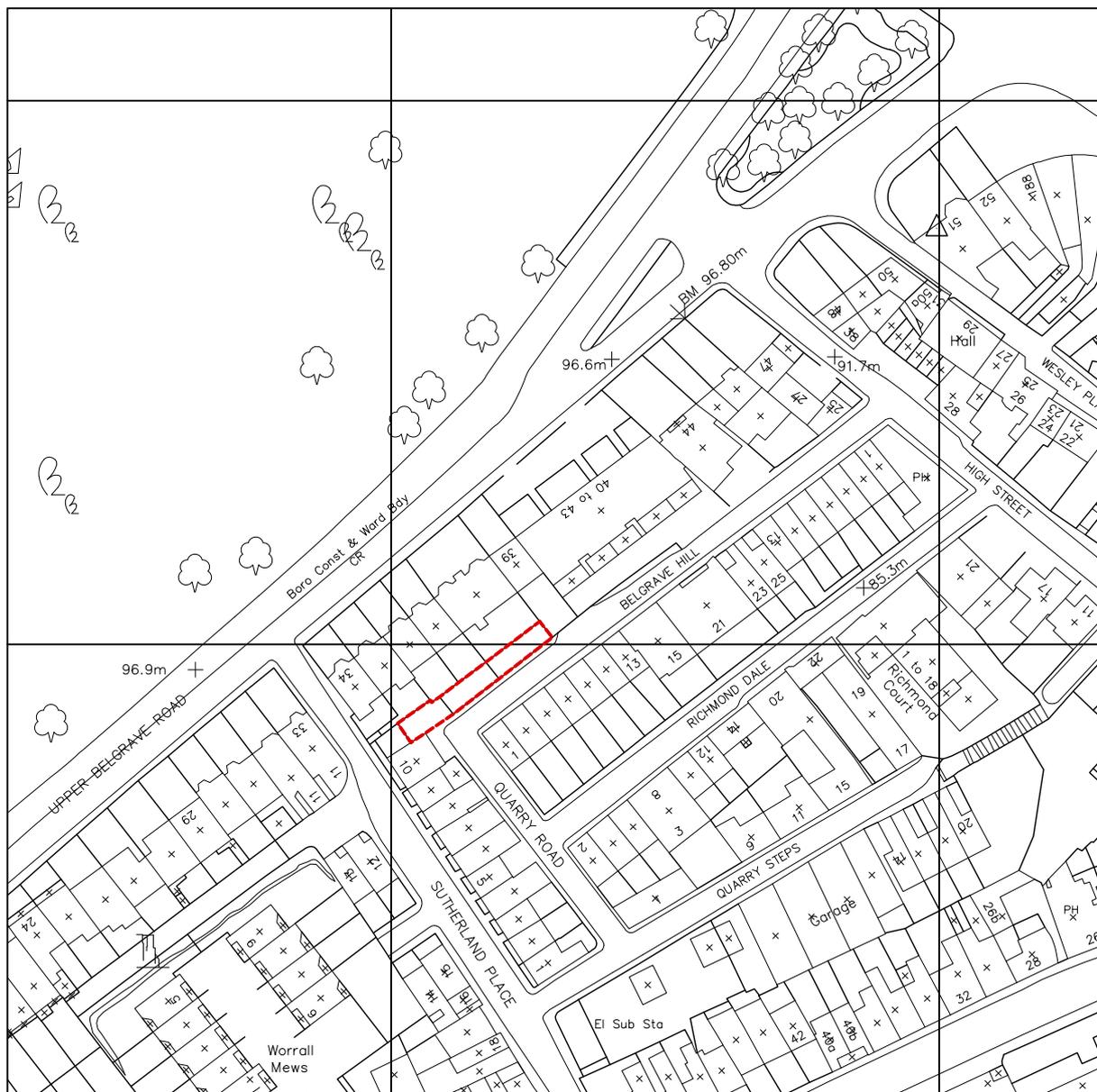
Urban Design	15 October 2014
Transport Development Management	8 October 2014
Contaminated Land Environmental Protection	26 June 2014
Nature Conservation Officer	24 July 2014
Archaeology Team	25 June 2014
Consultant Structural Engineer	30 September 2014
Conservation Advisory Panel	17 June 2014

Supporting Documents

1. Land On North Side Of Belgrave Hill, Bristol

1. Location plan
2. Existing plans
3. Existing elevations
4. Proposed plans
5. Proposed elevations
6. Proposed sections
7. Proposed section G-G

Responsibility is not accepted for errors made by others scaling from this drawing. All construction information should be taken from figured dimensions only.



ISSUED FOR PLANNING

10/10/11

REV	Note	Date
-	-	-



105 WEST ARCHITECTS Ltd
107 Lower Redland Road
Redland, Bristol, BS6 6SW

T 0117 3737 596
E Info@105west.co.uk

Project **Land at Belgrave Hill,
Clifton, Bristol**

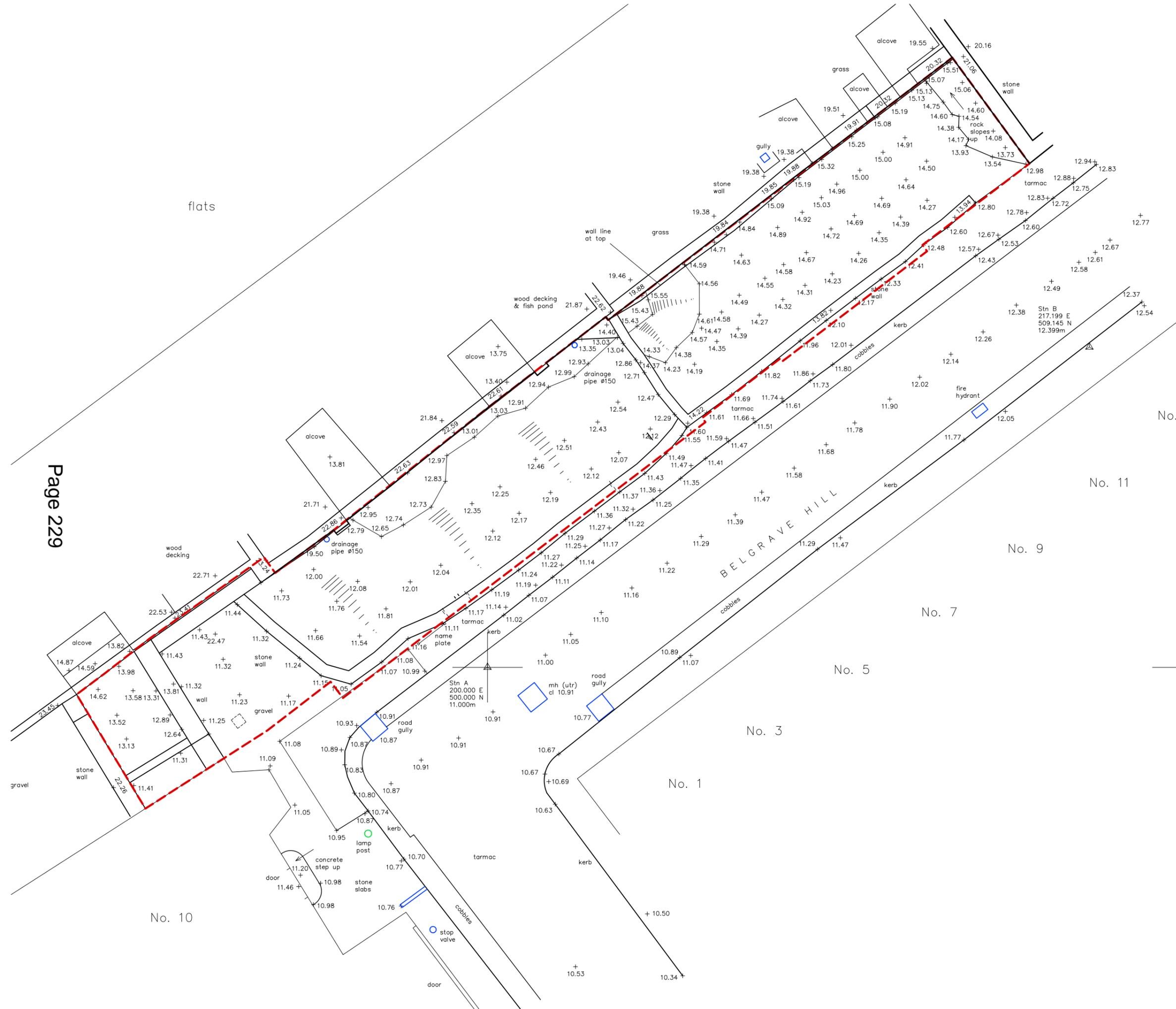
Drawing Title **Location Map**

Drawing No. **1506(L)00**

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No. 1.

No. 11

No. 9

No. 7

No. 5

No. 3

No. 1

No. 10

BELGRAVE HILL

ISSUED FOR PLANNING 10/10/11

REV	Note	Date
-	-	-

105 WEST ARCHITECTS Ltd
 107 Lower Redland Road, Redland
 Bristol, BS6 6SW
 T 0117 3737 596
 E info@105west.co.uk

Project **Belgrave Hill, Clifton Bristol**

Drawing Title **Existing Plans**

Drawing No. **1506(L)01**

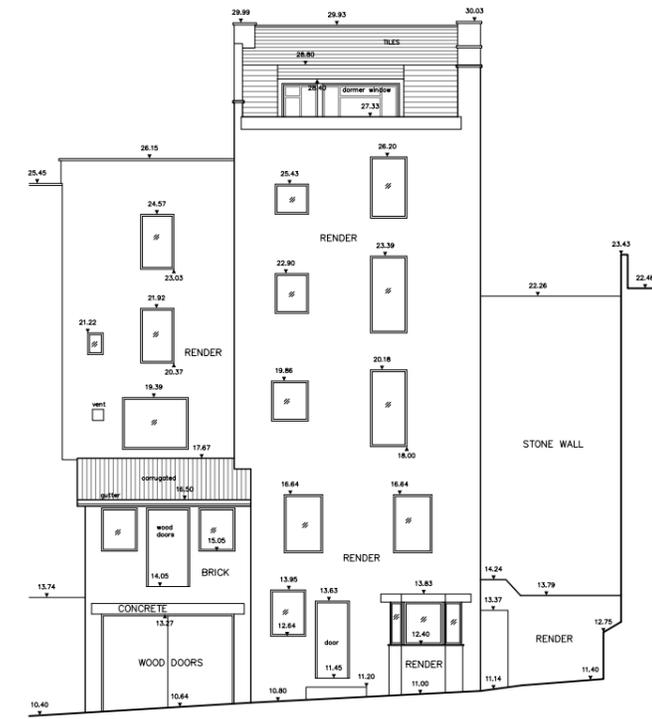
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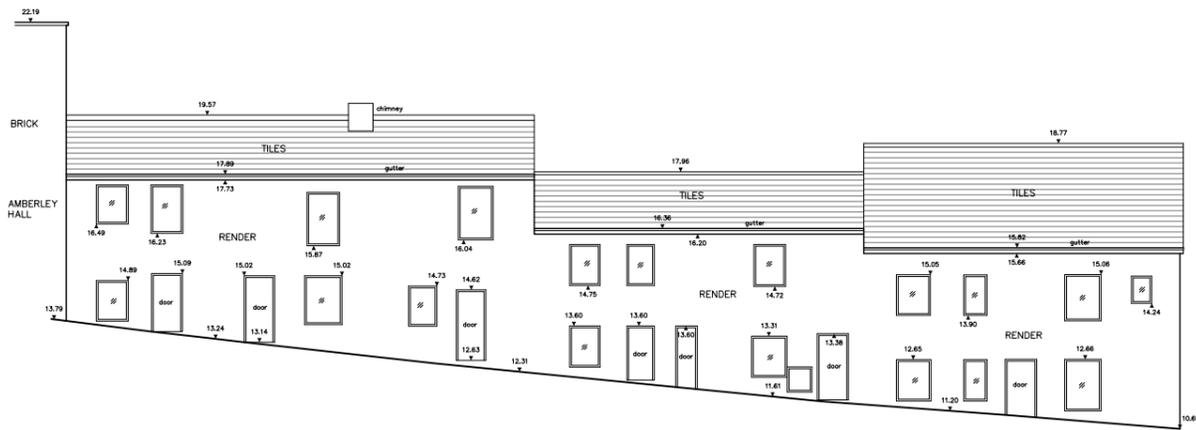


Page 230

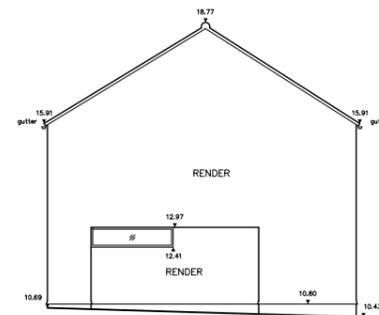
Retaining Wall Elevation



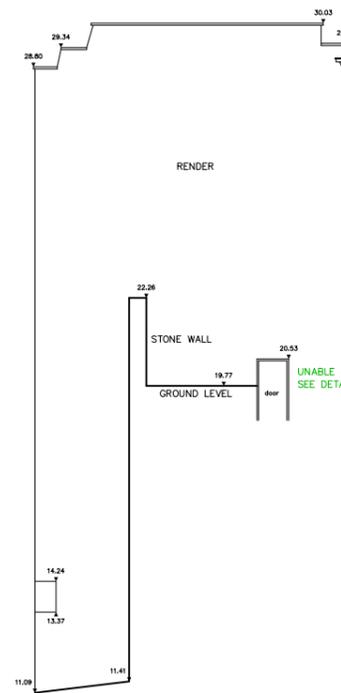
Rear Elevation
10 Sutherland Place



Front Elevation
1 to 13 Belgrave Hill



Side Elevation
1 Belgrave Hill



Side Elevation
10 Sutherland Place

ISSUED FOR PLANNING 04/07/11

REV Note Date

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 105 WEST ARCHITECTS Ltd
 107 Lower Redland Road, Redland
 Bristol, BS6 6SW
 T 0117 3737 596
 E Info@105west.co.uk

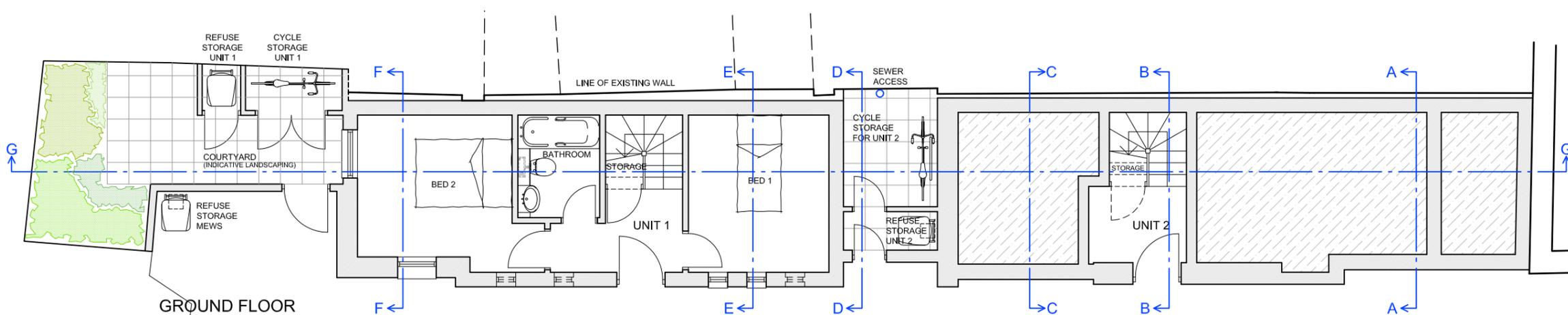
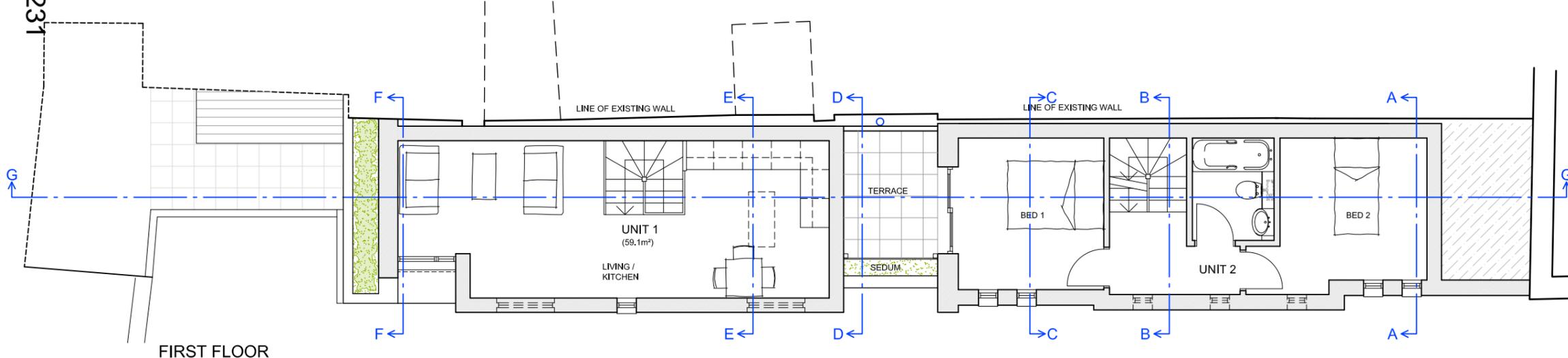
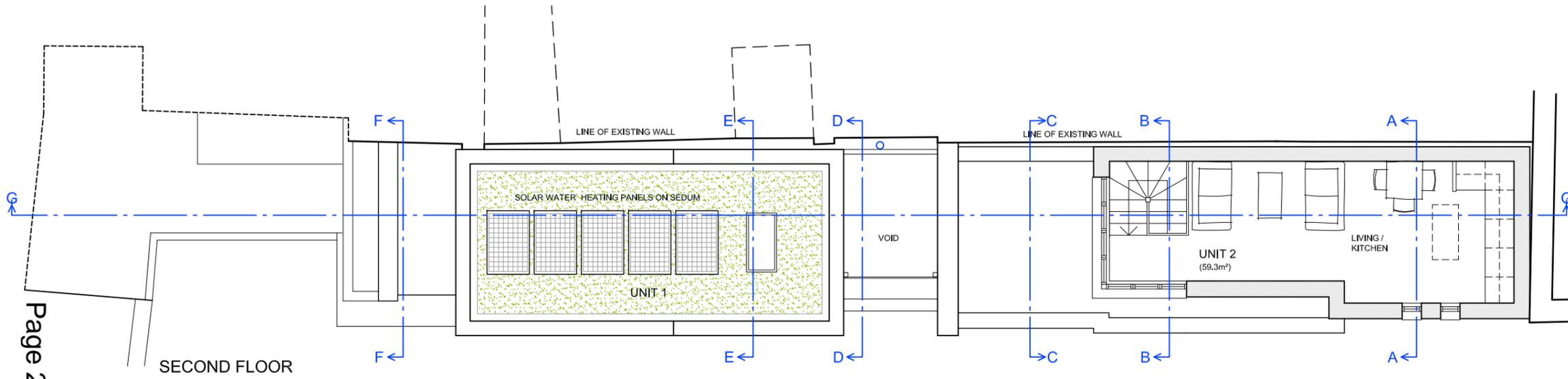
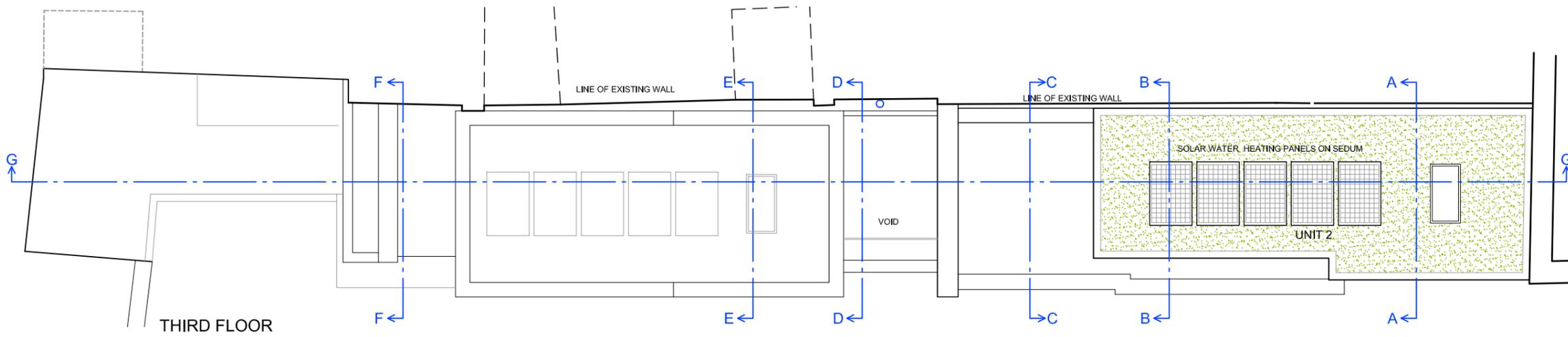
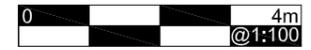
Project **Belgrave Hill, Clifton
Bristol**

Drawing Title **Existing Elevations**

Drawing No. **1506(L)02**

Scale @A3 drawn by Date Rev
 1:200 DF 18/09/07 -

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ISSUED FOR PLANNING 12/05/14
ISSUED FOR PLANNING 10/10/11

REV	Note	Date
A	Revised following comments from LA and section references revised.	28/04/14

105 WEST ARCHITECTS
 105 WEST ARCHITECTS LTD
 107 Lower Redland Road, Redland
 Bristol, BS6 6SW
 T 0117 3737 596
 E Info@105west.co.uk

Project **Belgrave Hill, Clifton Bristol**

Drawing Title **Proposed Plans**

Drawing No. **1506(L)22**

Scale @A3 drawn by DF Date 24/06/11 Rev A

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MATERIALS

Unit 1
 Walls - Random Rubble Stone to match existing and Painted Render
 Windows - Natural Timber
 Doors - Natural Timber
 Courtyard - Marshalls Tegula Priora permeable paving. Colour: pennant

Unit 2
 Walls at street level - Random Rubble Stone to match existing
 Walls at upper levels - Painted Render and Natural Timber
 Windows - Natural Timber
 Doors - Natural Timber
 Terrace - Marshalls Firedstone Flame. Colour: dusk.

All Roofs - Sedum on grey single ply membrane

ISSUED FOR PLANNING 12/05/14
 ISSUED FOR PLANNING 10/10/11

B Existing ground line revised 07/08/18
 A Revised following comments from LA and section references revised. 28/04/14

REV Note Date

105 WEST ARCHITECTS
 105 WEST ARCHITECTS Ltd
 107 Lower Redland Road, Redland
 Bristol, BS6 6SW
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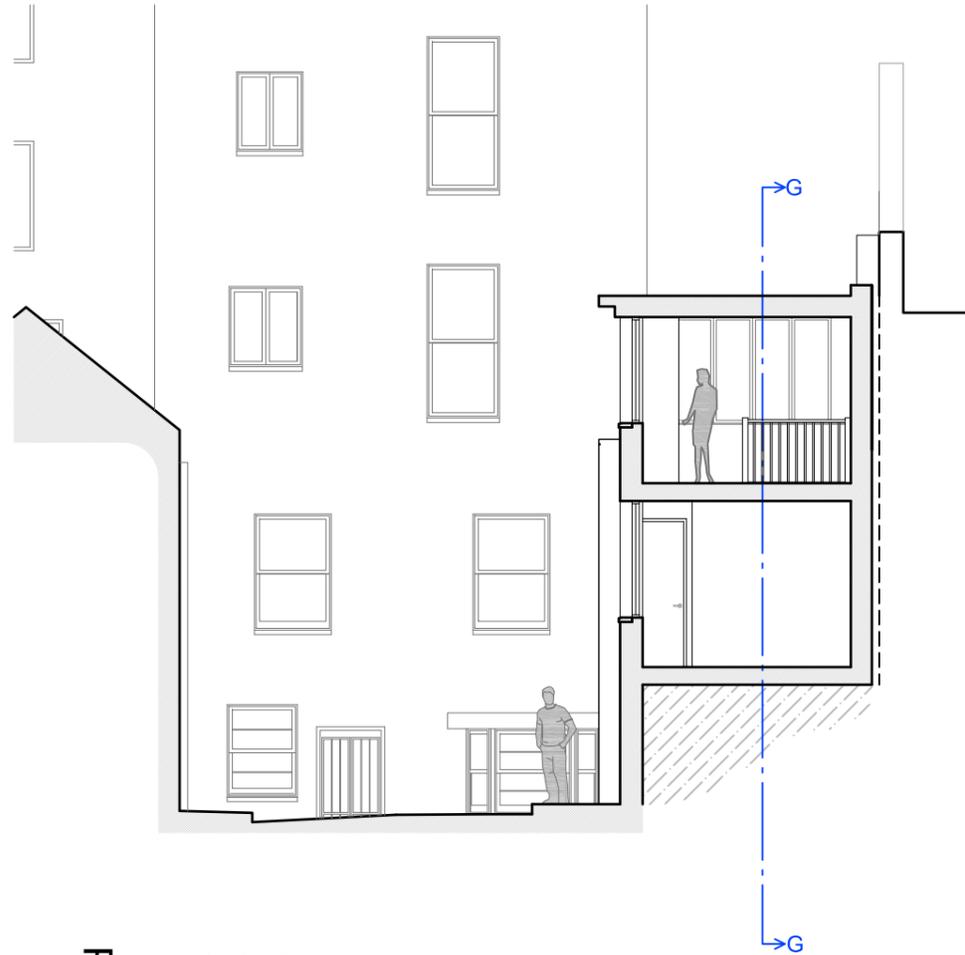
Project **Belgrave Hill, Clifton
 Bristol**

Drawing Title **Proposed Elevation**

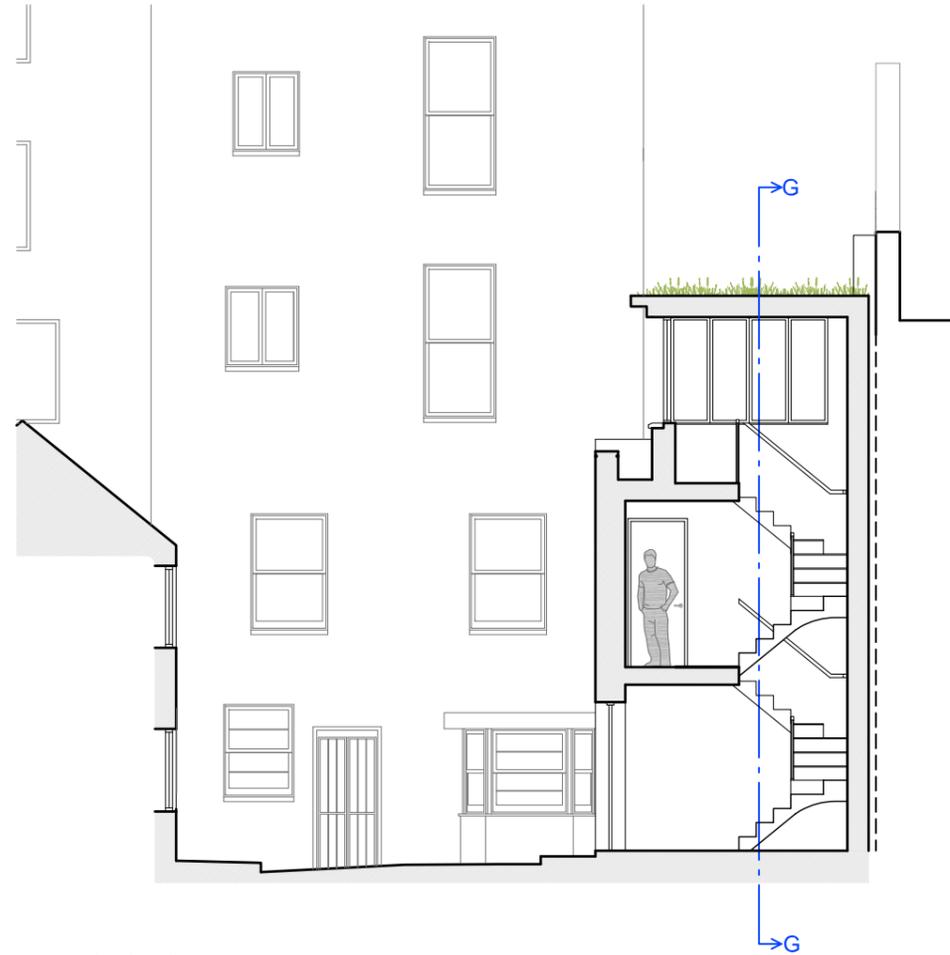
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1:100 DF 24/06/11 B

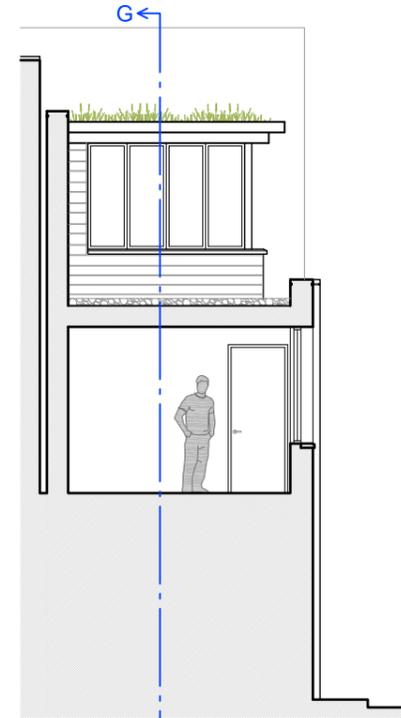
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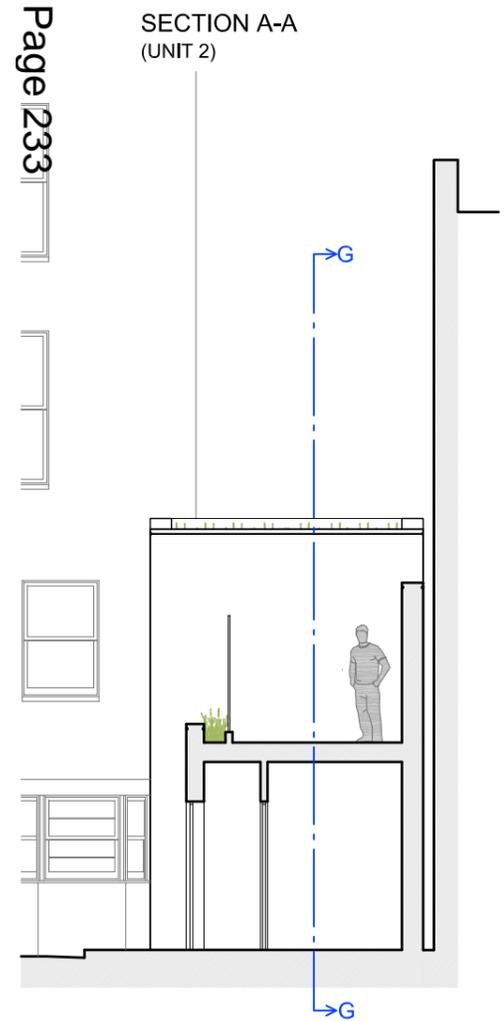
SECTION A-A
(UNIT 2)



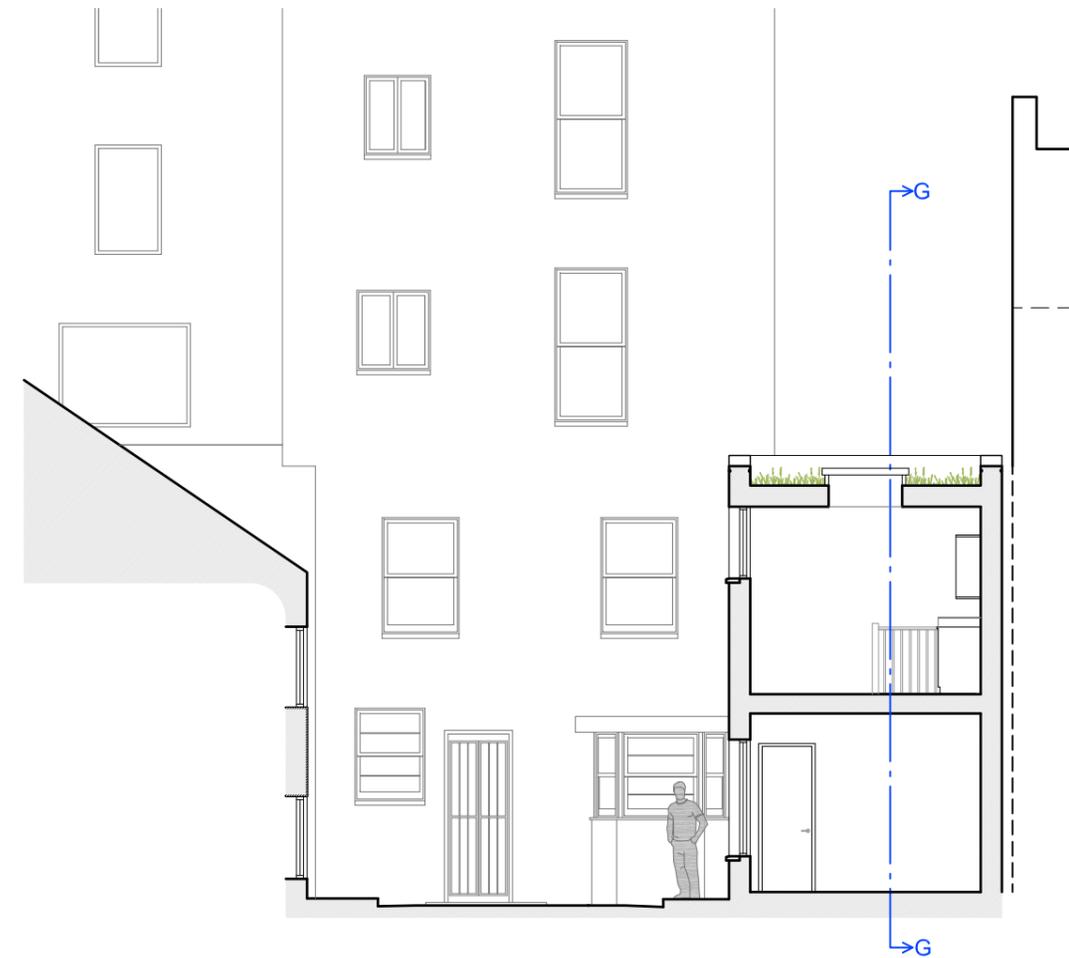
SECTION B-B
(UNIT 2)



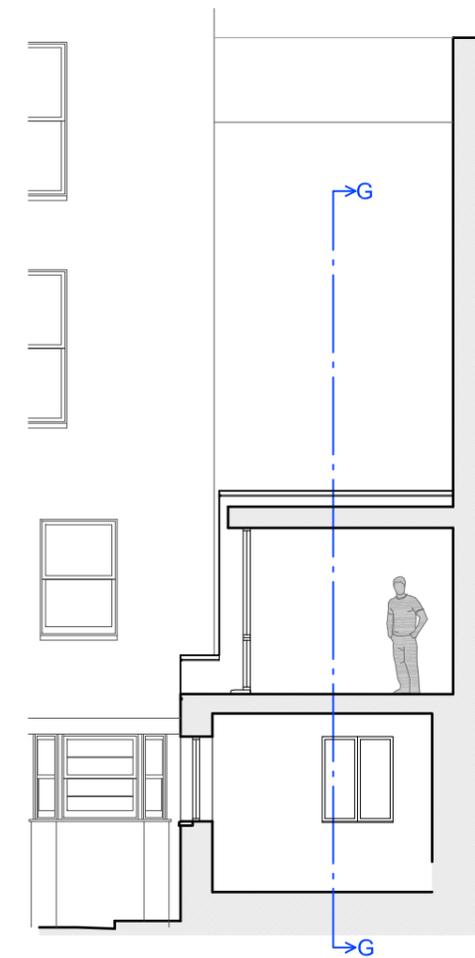
SECTION C-C
(UNIT 2)



SECTION D-D
(UNIT 2)



SECTION E-E
(UNIT 1)



SECTION F-F
(UNIT 1)

ISSUED FOR PLANNING 12/05/14
ISSUED FOR PLANNING 10/10/11

A Revised following comments from LA, section references revised, sections added. 28/04/14

REV Note Date

105WESTARCHITECTS 105 WEST ARCHITECTS Ltd
107 Lower Redland Road, Redland
Bristol, BS6 6SW
T 0117 3737 596
E Info@105west.co.uk

Project **Belgrave Hill, Clifton
Bristol**

Drawing Title **Proposed Sections**

Drawing No. **1506(L)23**

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1:100 DF 24/06/11 A

Responsibility is not accepted for errors made by others scaling from this drawing. All construction information should be taken from figured dimensions only.



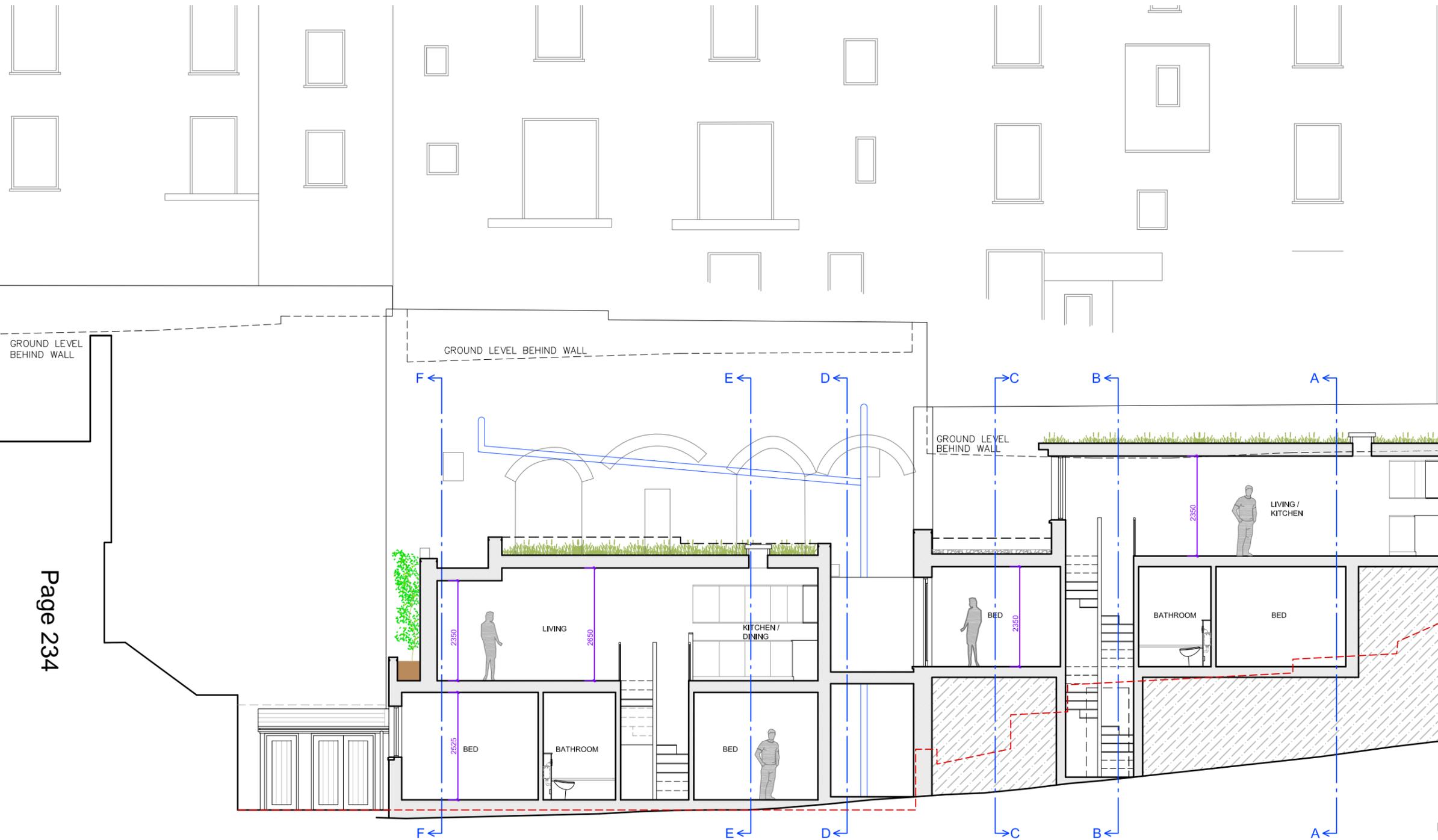
GROUND LEVEL BEHIND WALL

GROUND LEVEL BEHIND WALL

GROUND LEVEL BEHIND WALL

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SECTION G-G



Approx extg ground line

Extg kerb line

ISSUED FOR PLANNING 12/05/14
ISSUED FOR PLANNING 10/10/11

B Existing ground line revised 07/08/18
A Revised following comments from LA and section references revised. 28/04/14

REV	Note	Date
		
105 WEST ARCHITECTS Ltd 107 Lower Redland Road, Redland Bristol, BS6 6SW T 0117 3737 596 E Info@105west.co.uk		

Project **Belgrave Hill, Clifton Bristol**

Drawing Title **Proposed Section G-G**

Drawing No. **1506(L)24**

Scale @A3 drawn by Date Rev
1:100 DF 24/06/11 B

WARD: Clifton Down **CONTACT OFFICER:** Charlotte Sangway
SITE ADDRESS: Land On North Side Of Belgrave Hill Bristol

APPLICATION NO: 18/02902/F Full Planning

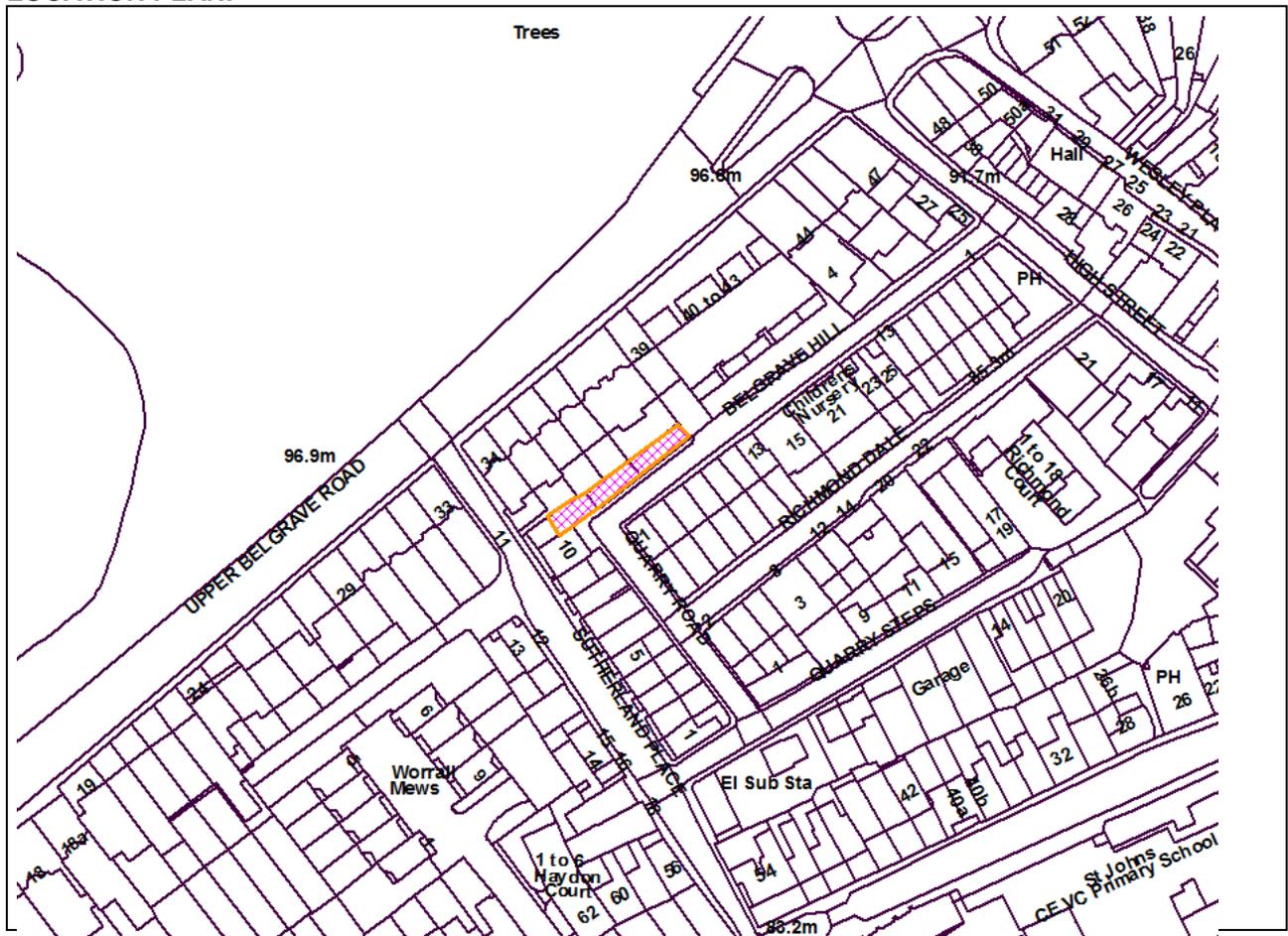
DETERMINATION DEADLINE: 18 January 2019
Proposed development of 2 no. Use Class C3 dwellings with associated external alterations.

RECOMMENDATION: Grant subject to Condition(s)

AGENT: CSJ Planning Consultants Ltd
 1 Host Street
 Bristol
 BS1 5BU **APPLICANT:** Mr James King
 c/o Agent

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

LOCATION PLAN:



Development Control Committee A – 9 January 2019
Application No. 18/02902/F : Land On North Side Of Belgrave Hill Bristol

ADDENDUM TO DEVELOPMENT CONTROL COMMITTEE A REPORT (FOR COMMITTEE MEETING ON 17TH OCT 2018) IN RELATION TO APPLICATION 18/02902/F- LAND ON THE NORTH SIDE OF BELGRAVE HILL

The case was deferred by Development Control Committee (A) on 17th October 2018 following concerns raised by Members in relation to land stability matters and access for emergency vehicles, matters that are addressed below. Clarification is also given regarding space standards.

4 additional representations (objections) to the case have been received since 17th October, which raise points already covered by the original report to the Committee (pages 4-5 of the original report dated 8th October 2018 refer).

KEY ISSUES

F) LAND STABILITY CONSIDERATIONS (page 11 of DC Committee A (17th Oct 2018) Report)

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

The above policy sets out that this will require a desk based study of available records to assess the previous uses of the site and their potential for instability in relation to the proposed development. Where the study establishes that instability is likely but does not provide sufficient information to establish its precise extent or nature, site investigation and risk assessment are carried out to determine the standard of remediation required to make the site suitable for its intended use. Where remediation measures are necessary, conditions or obligations may be applied to ensure that the development does not take place until appropriate works are completed.

In this case, a desk-based study and site investigation and risk assessment have been carried out by the applicant with proposals made for remediation of the land stability risks. Conditions are recommended to secure the remediation works. The Local Planning Authority (LPA) has instructed a specialist engineering geologist consultant (Arup) to review the submitted information.

In summary, the developer proposes to remove existing bedrock forming the base of the site and stabilise the existing cliff face and masonry walling using rock anchors before constructing the proposed development.

Based on the advice of its consultant, the LPA considers the proposal to be in line with the above policy and to have addressed the risks relating to land instability matters through appropriate remediation, which can be secured by planning condition. The detail of the land stability considerations is set out below:

a) Site description, desk study and site investigation

The north-west of the site is bounded by the foot of an old quarried cliff, into which various masonry walls have been constructed. The site is formed into the face of an old quarry excavated into the Clifton Down Limestone of the Carboniferous Limestone. At the base of the cliff (the eastern surface of the site) is an outcrop of bedrock. The majority of the elevation is then faced with a masonry wall, masking the underlying rock face, sections of which are in a poor state of repair. There are a number of alcoves and buttresses to the wall.

The applicant's reports advise that over much of its length, the masonry is in relatively good condition given its' age, however localised areas were in poor condition with mortar joints being either

Development Control Committee A – 9 January 2019
Application No. 18/02902/F : Land On North Side Of Belgrave Hill Bristol

weathered or absent. Vegetation remains are regularly observed protruding from and through the face, causing distress to the wall. No evidence of any large scale mass movement was seen during inspection.

The Applicant's consultant engineering geologist advises that the rock face does not appear to be at risk of large scale instability and that given the technical considerations that 'wedge' failure does not appear to be critical. However, they have advised that it would still be appropriate to carry out some remedial works to better the current situation, which would allow an appropriate design life, and prevent future problems arising from the weathering and degradation of the masonry wall.

The LPA's consultant (Arup) advises that for over 100 years these cliffs have been standing close to vertical with the domestic properties on top and set back from the edge of the cliff edge. Indeed, kinematic analysis¹ completed by Intégrale for their 2018 report [10] confirms planar failure is unlikely to occur as the bedding planes dip at a lower angle than the rock mass angle of internal friction. Two joint sets do intersect within relation to the slope face, which suggests wedge failure could theoretically occur. It is understood that the potential failure mechanisms will be considered during the investigation and stabilisation works.

Arup confirms that the characterisation of the land stability hazard has been carried out by a competent party in accordance with the relevant standards, including the process described within BS EN 1997-2:2007 [5], which is currently the best practice guide for geotechnical works in the UK.

b) The proposed combined investigation and stabilisation process (land stability remediation)

Arup advises that the applicant's reports (Intégrale (2014) report [9] and Section A5.4 of the Intégrale (2018) [10] report) describe the proposed method statement and sequencing of working to ensure that the stability of the general area is not at any time compromised. It is understood that Dr Hawkins (the LPA's previous consultant) and the applicant's geotechnical and structural consultants worked closely to develop and agree on a method and sequence of working, described below. Arup has independently reviewed these broad proposals and it is considered that this is an appropriate and sensible procedure for investigation and subsequent stabilisation of the rock/masonry face.

A summary of the remedial proposals broadly includes: chemical treatment and vegetation clearance > geotechnical inspection and assessment > erection of scaffolding > investigation of the masonry wall and repointing and rebuilding of the masonry facing in areas of poor-quality stonework > drill anchor holes/investigation location to confirm anchor lengths and agree lengths with the BCC consultant > stress anchors > repeat for the next line of anchors in a top down fashion > repeat as necessary to base of wall (as per Figure 1).

Arup state that the Intégrale Ltd (2018) report [10] acknowledges that the proposal would be subject to change in the light of findings revealed as the investigation phase of the works proceeded. The reports do not elude as to what these changes may look like, but it is anticipated that this could include more (or less) rock anchors and at greater (or fewer) intervals. It is considered unlikely that steel mesh would be used as most of the rock face is covered by masonry stonework that will be repointed.

Arup state that it is understood that the de-vegetation and topsoil removal work during the site preparations have resulted in uncovering an exposure of bedrock on the construction platform that will require removal. The agent confirms that this will be done using "*non-percussive means utilising diamond drilling equipment and hydraulic rock splitting equipment under the supervision of a qualified engineer...the majority of works will be done utilising small handheld machinery. In terms of structural stability, the wall will firstly be secured as set out in the structural report, before then removing the small amount of stone bedrock*". The methodology of excavation is considered suitable given the site constraints and are not expected to impact on the stability of the rock slope/masonry wall. Therefore, no mitigation measures would be required. The Applicant proposes to use non-percussive techniques; therefore there is no need for vibration monitoring.

Development Control Committee A – 9 January 2019
Application No. 18/02902/F : Land On North Side Of Belgrave Hill Bristol

c) Can the land stability risks be satisfactorily mitigated overall?

Arup advises that the work carried out to date has followed industry best practice and meets the requirements of the BCC Policy DM37. This includes characterising the land instability hazard, including the potential modes of failure. The Applicant's ground engineering consultants have used this information to develop a scheme design, the principles of which are considered to satisfactorily mitigate against land instability.

This includes any potential changes to the ground model as a result of future investigation work. If the results investigations show that the level of the land stability hazard is greater than expected then the proposal would be subject to change in the light of findings. This reactive approach is industry best practice and is acknowledged within the Intégrale Ltd (2018) report [10], however they do not elude to how the scheme design may change (as discussed above).

The Intégrale (2014) report [9] identifies an issue that the walls further back from the crest (i.e. boundary walls to other properties on the crest) will be in other peoples' ownership. It is acknowledged that this is out of the control of the Applicant, but if critical 'risk' areas are identified, specific notification will be given to the relevant landowners, if the risks are likely to pose a future threat to the public at the foot of the cliff.

d) Would the proposed remediation make the site safe for development of housing?

The applicant's submission advises that the proposed dwellings would be constructed with concrete slab roofs to protect against rock falls. Arup has advised that the agent should confirm the rock fall measures to be incorporated into the proposed houses. The ability of the homes to meet their design life of 60 years will depend on inspection and maintenance of the rock anchors and masonry/ rock face.

e) What would the land stability situation be if works stopped part way through?

Arup advises that the proposed method and sequence of working is an acceptable method of working and will ensure an improvement to stability if work must stop for any reason.

f) How should it be ensured that the mitigation measures are carried out satisfactorily?

Appropriate planning conditions are recommended, which will ensure that any alternative mitigation measures are agreed with the Local Planning Authority and their consultant.

E) TRANSPORT CONSIDERATIONS (page 11 of the 17th Oct Committee Report refers)

Members of the Committee deferred a decision on the application on 17th October 2018 and requested that officers review emergency vehicle access to the proposed development.

Planning policy and considerations

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

Development Control Committee A – 9 January 2019
Application No. 18/02902/F : Land On North Side Of Belgrave Hill Bristol

The Building Regulations (Approved Document B) requires assessment of fire service vehicle access to a property, but only considering access within an application site and not on the surrounding highway network. The Planning system should include consideration of access to any new dwellings along the existing highway network.

Manual for Streets (MfS) (Department for Transport, 2007) provides technical guidance for planning purposes but is based around the Building Regulations requirements. The key requirements for fire service access are:

- There should be a minimum carriageway width of 3.7m between kerbs for operating at the scene of a fire, with 3.1m the minimum width at a pinchpoint such as a gate. The Association of Chief Fire Officers has expanded on the Building Regulations requirements and states that to reach a fire, the access route could be reduced to 2.75m over short distances;
- There should be access for a fire pump appliance within 45m of single houses;
- Fire service vehicles should not have to reverse more than 20m;
- Sprinkler systems allow longer response times and alternative site layouts to be used.

Consultation with the Council's Transport officers, the Council's Building Regulations Team and Avon Fire & Fire Service (AFRS) has been carried out and is summarised below.

Consultation responses

The Council's Building Control Team advises that the Building Regulations requirements only apply from the actual site boundary and do not apply to the existing roads outside the site. So the 45m would apply from the site boundary (or from a suitable access point for a fire appliance within the site) to all points within the dwellinghouse. If 45m is exceeded then if sprinklers are provided this can be increased to 90m. If the 90m is exceeded then we would then discuss this on a case by case basis with AFRS to see if a suitable solution can be achieved.

Avon Fire and Rescue Service (AFRS) advise that they would assess proposals based on the Building Regulations requirements outlined above. However, in contrast to the guidance in Manual for Streets they state that 2.75m would be too narrow for fire appliance access. Furthermore, while sprinkler systems can allow alternative layouts to be considered, that leaving a fire appliance unattended some 90m away from the site while dealing with a fire would not be considered safe. Their view was that the ability to extend up to 90m [mentioned above] would apply to a scenario such as a large commercial building where extra hose length would be required to travel through the building to the scene of a fire.

The Council's Transport Development Management (TDM) Team has identified highway widths, residential parking spaces and the 45m distance from the proposed dwellinghouses on a plan.

They have advised that the site is situated within the Clifton East Residents parking scheme subject to permit holder only parking Mon – Fri 9am-5pm. The area of Belgrave Hill, Richmond Dale, Quarry Road and Quarry Steps are subject to these restrictions.

Vehicles currently park in demarcated bays at the beginning of Belgrave Hill and on the carriageway and partly on the footway towards the sites frontage. The carriageway is sufficient width for fire appliances to access within 45m of the site but vehicles parking wholly on the carriageway would block carriageway access for larger vehicles meaning that they may continue to need to mount the kerb. Bristol Waste currently service Belgrave Hill via a narrow access vehicle.

If members are concerned with fire service access to the proposal, a Traffic Regulation Order (TRO) to provide double yellow lines and prevent parking along Belgrave Hill would be the only feasible method to ensure that on street parking does not restrict the useable width of the carriageway.

Development Control Committee A – 9 January 2019
Application No. 18/02902/F : Land On North Side Of Belgrave Hill Bristol

Summary of fire service access considerations and recommendation

The access for emergency vehicles to existing properties in this area would remain unchanged following construction of the development (the proposal would not affect the existing road carriageway or footpath width). The Council would not seek to adopt the site in order to widen the road carriageway, as suggested by objectors.

The actual road carriageway width is wide enough for fire appliances to access the site but the effective (useable) carriageway width is reduced due to the presence of on-street parking. Taking into account the existing parking, fire appliances would need to mount the kerb in order to reach within the required 45m distance of the site. This situation would not comply with the guidance for new development.

The majority of existing properties along Belgrave Hill have alternative access with frontages on more than one road and therefore do not rely Belgrave Hill alone for access. While other properties in the wider area may rely on fire appliances having to mount kerbs for access, this is a proposal for new development and the matter is a material planning consideration raised by Members. It is therefore reasonable to explore the matter in further detail and to apply the available guidance on this matter.

Removing on-street parking on Belgrave Hill would increase the effective width of Belgrave Hill sufficiently that a fire appliance could access within 45m of the site, as required by the Manual for Streets. The applicant was asked to provide tracking diagrams indicating access around the corners to Belgrave Hill, but has declined to provide this information. However, in the absence of this evidence, the TDM Team has advised that they consider it likely that a fire appliance would be able to manoeuvre around the corner at High Street/ Belgrave Hill (though not necessarily in one manoeuvre).

Removing on street parking to enable access for this development via amendment of the TRO could be secured by section 106 agreement if Members are minded to recommend approval. The Transport Development Management Team can advise on the extent of the double yellow lines required.

This would result in the loss of parking from an area of Clifton where existing on street parking is already in high demand and would impact on the amenity of existing residents in terms of availability of parking spaces, which is also a material planning consideration. It is estimated that 4 or 5 parking spaces (wholly on the carriageway) would be lost at the upper end of Belgrave Hill, with approximately 4 spaces (partly on the footway) at the lower end of the road outside the site.

It is therefore for Members to come to a view on whether the benefits of the proposed development would outweigh the loss of parking and impact on the amenity of existing residents in order to ensure satisfactory fire service access to the proposed development.

The officer recommendation is to approve subject to a section 106 agreement to secure a planning obligation that would pay the fee for amending the Traffic Regulation Order (TRO).

(D) RESIDENTIAL AMENITY AND SPACE STANDARDS (page 9-10 of the 8th Oct Committee report refer)

The national space standard ('Technical housing standards – nationally described space standard', DCLG, 2015) should now be applied as a material consideration as they supersede the Bristol Space Standards (2011).

The national standard deals with internal space within new dwellings and sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as the floor areas and widths of bedrooms, areas for storage and the floor to ceiling height.

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Both dwellings would be below the minimum gross internal floor area (for the whole dwelling) set out within the national standard by nearly 16%- as set out in Table 1 below. The double bedrooms in each dwelling would also be below the national standard of 11.5m² in area (they would measure 10.3m² and 9.7m² respectively).

Table 1

	Proposal floor area (m ²)	BCC Space Standard requirement (now superseded) (m ²)	Current national space requirement (m ²)
Unit 1	59.1	57- 67	70
Unit 2	59.3	57-67	70

In other respects, the proposed dwellings would meet the national space standards- meeting the minimum floor area standard for single bedrooms and the minimum width for both double and single bedrooms. Storage areas in accordance with the national standard minimum would also be included or could be accommodated. This takes into account that the dwellings would meet the minimum 2.3m floor to ceiling height over their floor area.

Policy BCS18 of the Bristol Core Strategy states that *“Residential developments should provide sufficient space for everyday activities and to enable flexibility and adaptability by meeting appropriate space standards.”*

Officers considered that the 2014 proposal would meet the policy requirements in terms of providing sufficient space for everyday activities and to enable flexibility and adaptability. That scheme was required to meet only the Bristol space standards, which it did. The current application is for an identical proposal and therefore the view of officers would not change in this respect.

Therefore, while acknowledging the updated national space standards, on the balance of considerations, officers would not consider refusal to be warranted.

CONCLUSION

Officers hope that this additional information addresses the queries of Members.

The officer recommendation is for approval of the application subject to s106 agreement for amendment of the TRO and subject to the conditions set out at page 12 of the original report to Committee (dated 8th Oct 2018).

WARD: Clifton Down CONTACT OFFICER: Charlotte Sangway
SITE ADDRESS: Land On North Side Of Belgrave Hill Bristol

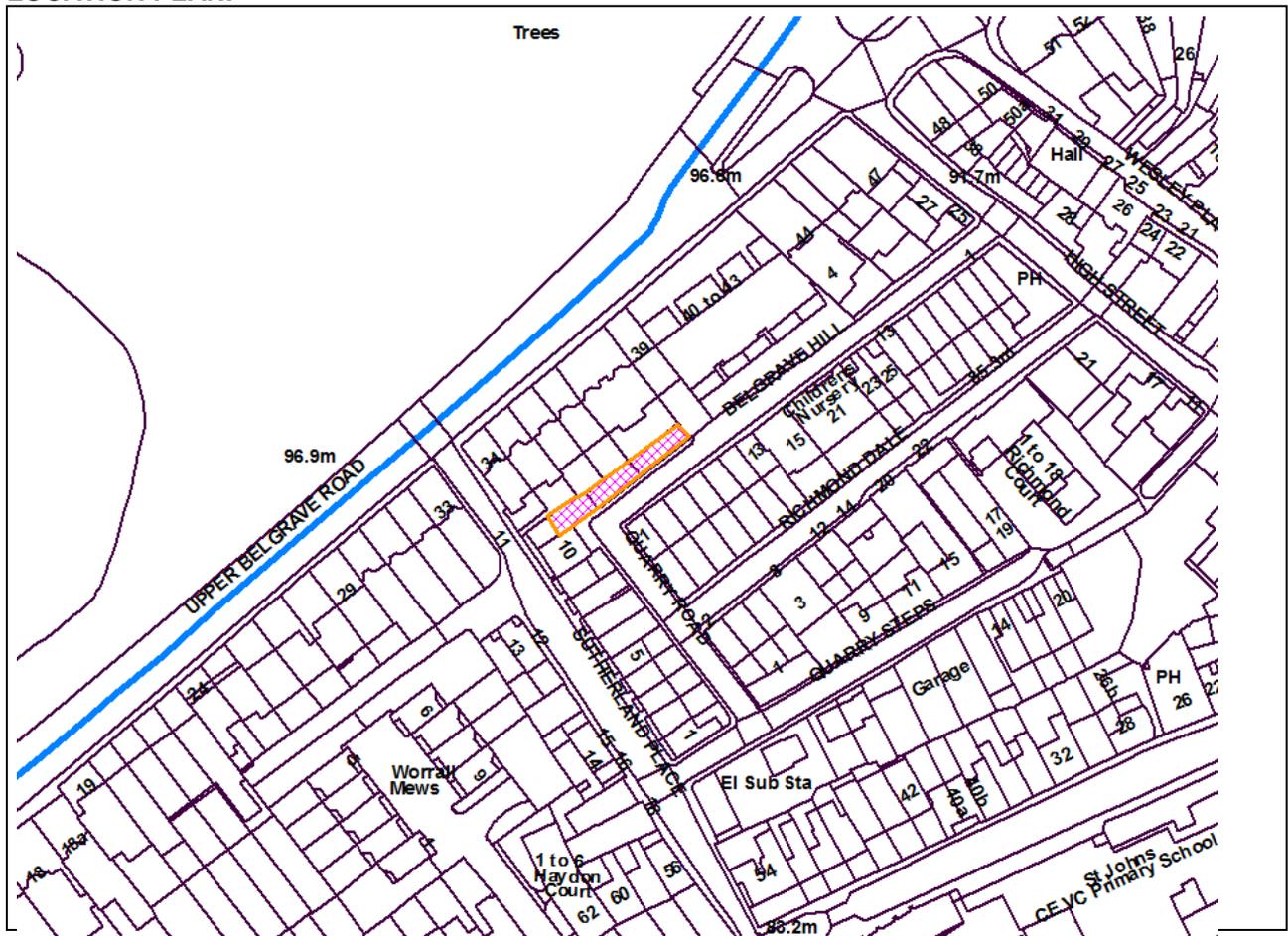
APPLICATION NO: 18/02902/F Full Planning
DETERMINATION DEADLINE: 5 October 2018
Proposed development of 2 no. Use Class C3 dwellings with associated external alterations.

RECOMMENDATION: Grant subject to Condition(s)

AGENT: CSJ Planning Consultants Ltd
1 Host Street
Bristol
BS1 5BU
APPLICANT: Mr James King
c/o Agent

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

LOCATION PLAN:



Development Control – 17 October 2018**Application No. 18/02902/F : Land On North Side Of Belgrave Hill Bristol****SUMMARY**

The application relates to a site that previously benefited from planning permission (reference 14/02366/F) granted by Development Control Committee in 2014 for the same development proposed under this application. That planning permission expired in November 2017 and the applicant is seeking a new planning permission for the same development.

The application is being reported to committee at the request of Councillor Stevens. In addition, both this application and the previous one has generates significant levels of public interest. 31 contributors have commented on this application with 29 objecting to the proposal, 1 in support and 1 general representation. Objectors include the Bristol Industrial & Archaeological Society, The Association for Industrial Archaeology and Bristol Civic Society. The letter of support comes from the Conservation Advisory Panel.

Given this application is for the same development as previously approved, the key consideration here is whether there have been material changes in circumstances since the previous decision was made, and would those changes warrant us reaching a different decision on the application. While there has been an update to the National Planning Policy Framework (2018) since the previous permission was granted, it is the view of officers that the policy relevant to this application is broadly unchanged, including local policy. The circumstances of the application site and planning considerations for the application also remain largely unchanged.

It is also material that since the previous permission was granted, several applications to discharge conditions attached to that consent have been made in order to implement the previous permission. However, while not all conditions were discharged in full they remain material considerations in the consideration of the current case and the applicant has now submitted details relating to the outstanding conditions in order to address a number of these matters up front as part of the current application. Key matters covered by condition include: land stability, archaeology, highways matters, nature conservation and drainage.

In addition, enabling works have been carried out on site in order to satisfy several conditions of the 2014 permission including vegetation clearance, archaeological investigation and partial ground clearance.

The Council's specialist land stability consultant has reviewed the submission and advised that it satisfies the requirements of conditions attached to lapsed permission 14/02366/F. In terms of archaeology, the Council's Archaeologist advises that the details submitted are acceptable but that further monitoring and reporting would be needed at subsequent stages of development should permission be granted.

It is the view of officers that has the proposal as not changed, the policy remains broadly unchanged and the circumstances do not differ significantly from those under the consideration of the 2014 application, that permission should be granted subject to relevant an updated list of conditions.

SITE DESCRIPTION

The application site is a narrow piece of vacant open ground that has a frontage of 29m facing Belgrave Hill. The site boundary abuts the northern side elevation of 10 Sutherland Place/Sutherland Mews.

The retaining wall to the rear of the site is constructed of local rubble stone. The site area once formed part of a large quarry, a fact that explains the substantial change in levels between Upper

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Belgrave Road, to the north and Belgrave Hill of between 8-12 metres.

The site is located within the Clifton Conservation Area but is situated along the boundary with the Whiteladies Road Conservation Area. 15-21 Belgrave Hill to the east of the site are Grade II listed buildings.

RELEVANT PLANNING HISTORY

This site was the subject of a recent planning permission 14/02366/F, which expired in November 2017. The full report in relation to that application is appended to this report.

The current application seeks a new consent for the same development and to address some of the conditions attached to the previous consent.

Following the original approval in 2014, the application site was sold and the new owner (the current applicant) started to discharge the pre-commencement conditions. However given the complexity of the site and the condition requirements, some of the pre-commencement conditions remained unresolved at the time the original consent lapsed on 14th November 2017, and therefore the development could not be lawfully implemented (and as such necessitating the new application).

In undertaking to discharge relevant conditions of the original permission, several works were undertaken, comprising:

- Vegetation clearance (Oct 2016);
- Rock mass assessment (Oct 2016) and structural appraisal;
- Archaeology ground works (Nov 2017);
- Repairs, repointing and scaffolding stabilisation of the wall;

The following applications have been made to discharge conditions on the previous permission:

16/04049/COND- Application to approve details in relation to conditions 4(Recording of the fabric of building) 5(Archaeological Works) and 6 (Construction environmental Management Plan) of permission 14/02366/F Proposed development of 2 no. Use Class C3 dwellings with associated external works. Partially discharged 02.11.2016

17/05299/COND- Application to approve details in relation to condition 2 (Structural engineer) of permission 14/02366/F Proposed development of 2 no. Use Class C3 dwellings with associated external works. Partially discharged 05.01.2018

17/05624/COND- Application to approve details in relation to condition 3(Insurance) 7 (Highway) and 8 (Footway) of permission 14/02366/F Proposed development of 2 no. Use Class C3 dwellings with associated external works. Not discharged 05.01.2018

17/05976/COND- Application to approve details in relation to conditions 4 (Fabric of Building) and 5 (Archaeological Works) 12 (Bat method statement) 13 (Bird and bat boxes) and 14 (Drainage strategy) of permission 14/02366/F Proposed development of 2 no. Use Class C3 dwellings with associated external works. Partially discharged 05.01.2018

Development Control – 17 October 2018**Application No. 18/02902/F : Land On North Side Of Belgrave Hill Bristol****Condition status summary table:**

No.	Condition title	Status
1	Commencement of development by 14.11.17	Condition not met
2	Supervision by structural engineer	Not discharged
3	Insurance policy	Not discharged
4	Recording fabric	Not discharged
5	Implement archaeological works	Approved
6	Construction Environmental Management Plan (CEMP)	Approved
7	Highway condition survey	Not discharged
8	Approval of road and footway works	Not discharged
9	Further details	Details not submitted
10	Green living roof	Details not submitted
11	Sample panels before element started	Details not submitted
12	Bat method statement	Discharged
13	Bird and bat boxes	Not discharged
14	Drainage strategy	Not discharged

Other Planning History:

11/04256/F- Redevelopment of existing vacant site for 3no. two bedroom dwelling houses with associated external amenity space, refuse and cycle storage. REFUSED 05.11.2012

APPLICATION

This application is for the same development approved under permission 14/02366/F (now expired)- as per the 'description of development'.

RESPONSE TO PUBLICITY AND CONSULTATION

A site notice and press notice were issued/ published (expiry date 11th July 2018) and neighbours were consulted by individual letter (expiry date 6th July 2018).

Councillor Stevens has referred to the application to development control committee for the following reasons:

- Impact on heritage asset (quarry) in light of emerging NPPF policies not in place in 2014;
- Inappropriate provision of waste/ recycling storage and impact on the conservation area;
- Further work is needed to ensure the right conditions regarding geological stability of the wall, insurance, structural engineer supervision, liaison with residents;

At the time of writing, 31 contributions to the application had been made- with 29 objections, 1 general representation and 1 letter of support. Representations are summarised as follows:

OBJECTION

- Wide spread fears have been expressed over likely prejudice to ground instability and/or drainage/flooding. The amount of bedrock to be removed was not understood at the time that the previous planning permission was granted. The site is already prone to rock falls.
- There are concerns regarding access to the retaining wall/ rock face in the future. The developer's report states a design life of 60 years.

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- There is concern that the site could not be developed safely and development could lead to harm to/ loss of life (including to future residents of the properties- a concrete roof being proposed);
- There is concern that there is conflict between the Construction Environmental Management Plan, which seeks non-percussive means of rock breaking to reduce noise impacts on residents and what would be a safe form of development in stability terms;
- Need for insurance to cover damage to neighbouring properties- but it is also an objection that the insurance required by Condition 3 of lapsed permission 14/02366/F could not actually be achieved. One objector has commented that the developer “has tried to gain party wall agreement with us but has stumbled on supplying sufficient insurance documentation for all properties above the site and immediately below, including for loss of life or limb.”
- There has been no Party Wall Agreement with neighbouring property owners and there are questions regarding the ownership of the land; *
- There is no plan to deal with drainage and development could divert water run-off to neighbouring properties. Existing drains at the bottom of Belgrave Hill already over flow;
- Loss of industrial heritage and views of the old quarry cliff face (which is cited as being the location of the discovery of the ‘Bristol dinosaur’ fossil);
- The design would be out of keeping with the area and detrimental to the character and appearance of the Whiteladies Road Conservation Area;
- New evidence, as detailed in the by Archaeological Watching Brief Report, shows that the pre-existing buildings on this site were constrained in size so that each building had its own associated open courtyard, some 4 meters in size. These open courtyards served to let in light to the quarry buildings & critically to also provide relief and light to the houses immediately opposite (within 14ft) in Richmond Dale. Development should be constrained to its original dimensions.
- Over development of the site with resultant "overcrowding". Existing site represents a ‘breathing space’ in a tightly developed area;
- Impact on residential amenity in terms of loss of privacy, overshadowing, noise disturbance from use of outside areas amplified by quarry wall. The condition to restrict use of the upper level outside space is not manageable. Previously a similar application was refused on grounds it was an "oppressive and an overbearing form of development".
- Poor living environment of future occupiers of the site (in terms of size, outdoor space, outlook and natural light). Also insufficient cycle parking storage is proposed;
- Additional on street car parking in an area already at saturation point, with attendant and resultant detriment to highway safety, congestion, obstruction and emergency access. RPZ restrictions are already regularly flouted as traffic wardens do not check regularly;
- Detriment to established nature conservation interests; including protected species.
- Noise and disruption during construction including parking/ access concerns- including for emergency vehicles due to the narrow road. Many serious issues have already arisen during the pre-condition enabling works of this complex & sensitivity site, which has necessitated Planning Enforcement action and police involvement. Appropriate site management has not taken place.

* NB It should be noted that Party Wall Agreements are covered by separate legislation not dealt with by the planning system and fall outside the planning consideration, as do land ownership matters.

The Bristol Industrial and Archaeological Society have commented (in summary- refer to Background Papers for full comments):

- The area was part of a large stone quarry and the site is a unique part of the industrial heritage of Clifton. This application will have a huge visible impact due to wire netting and rock bolts on the quarry face. This site is the only visible vestige of the quarry industry left in the area.

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- The National Planning Policy Framework (NPPF) states that local authorities must give great weight to the conservation of heritage assets and should resist development that would cause substantial harm unless it can be justified that there are public benefits to outweigh the harm, an approach reflected through Bristol City Council's own conservation policies. There is no public benefit, in fact there is established concern by experts that the instability of the land may cause construction issues and affect a large number of neighbouring properties.
- This is over-intensive insensitive development which harms the asset in a conservation area.
- Who is responsible for any problems that may arise during construction.
- No insurance details have been submitted with the application despite this being a pre-commencement condition. The applicants have not addressed all of the stability issues.
- Construction management and access to the site will be difficult.
- The proposal will harm existing residential amenity.
- The proposed materials are not appropriate.
- The site should be set aside as open space indefinitely as being a unique part of Bristol's industrial heritage.
- The new premises should not be allowed to obtain parking permits.

The Association for Industrial Archaeology commented as follows (in summary- refer to Background Papers for full details): "The development will seriously compromise the visual impact of this face and there is the problem of ensuring continued stability. It is preferable for the face to remain visible and provide interesting evidence of the industrial past of this area and how people lived."

Bristol Civic Society is concerned about the quality of living environment that can be achieved in dwellings located in such a deep hollow and in such close proximity to a very high retaining wall. There can be no rear windows and the resulting dwellings would be largely single aspect.

SUPPORT

The Conservation Advisory Panel has commented that they continue to support the proposal for the residential redevelopment of this site.

CONSULTEES

A **Consultant Senior Engineering Geologist** has advised on the land stability aspects of the application in terms of whether the submitted details meet the requirements of the conditions attached to the previous consent 14/02366/F. Further details are provided under Key Issue F.

The **City Design Group** (including Conservation) raises no objections to the proposals subject to conditions (refer to Key Issue C).

The **Nature Conservation Team** has advised that they now remove their original objection to the application on the basis of the submitted up-to-date ecology survey, subject to conditions requiring the installation of bird and bat boxes at the site in addition to other relevant conditions. See background papers for full details.

The **Public Protection (Contaminated Land) Officer** advises that the proposed use would be sensitive to contamination but is situated on land not thought to have been subject to a potentially contaminating land use, historical quarrying was for limestone. This application does have a very small area of soft landscaping and it is recommended that clean imported soils are used in this area.

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This matter can be dealt with via condition. See background papers for full details.

The **Flood Risk and Drainage Team** has reviewed the submitted Outline Drainage Strategy report and raised a number of queries including: the storage details for the green roof, how water from the wall and behind the development would drain, and confirmation from Wessex Water that a connection into the sewer system would be acceptable. The applicant has responded to these queries and it is concluded that any outstanding matters can be dealt with by condition.

The **Transport Development Management Team** raises no objections to the proposals subject to conditions.

Wales and West Utilities have submitted an extract for the mains records of the area covered by the proposal together with a comprehensive list of General Conditions for guidance. The promoter of the development should contact them directly to discuss their requirements in detail before any works commence on site. An advice note is recommended to advise the applicant of this.

EQUALITIES

During the determination of this application due regard has been given to the impact of this scheme in relation to the Equalities Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Overall, it is considered that the approval of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

PRE-APPLICATION INVOLVEMENT

There has been no pre-application involvement under the current application given that it is a resubmission of a previous planning permission (now lapsed).

RELEVANT POLICIES

National Planning Policy Framework – July 2018

Bristol Local Plan comprising Core Strategy (Adopted June 2011) and Site Allocations and Development Management Policies (Adopted July 2014).

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

Clifton Conservation Area Character Appraisal

Bristol City Council Climate Change and Sustainability Practice Note (December 2012)

The Planning (and Conservation Areas) Act 1990

Technical housing standards – nationally described space standard (2015)

KEY ISSUES

The previous lapsed consent is a material planning consideration. The key consideration for this application therefore is to reconsider the proposal in light of any changes in policy or planning considerations since the previous consent (14/02366/F) was granted. In short, the local planning authority cannot reach a different decision on matters previously considered, unless there has been a

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change in circumstances that would warrant this. In addition, this report will consider to what extent the current application has addressed the conditions attached to the previous planning permission.

The policy situation under which the previous permission was determined remains unchanged with the exception of the National Planning Policy Framework (NPPF), updated as of July 2018- the relevant updates are summarised under the relevant Key Issues below.

(A) IS THE PROPOSAL ACCEPTABLE IN LAND USE TERMS AND IS THE MIX, BALANCE AND AMOUNT OF HOUSING PROPOSED ACCEPTABLE IN PLANNING POLICY TERMS?

The policy considerations set out within the report to permission 14/02366/F continue to apply (page 5 of the appended report refers) and it is the view of officers that the 2018 update to the NPPF would not warrant taking a different decision on the current application.

(B) WOULD THE PROPOSALS SAFEGUARD OR ENHANCE HERITAGE ASSETS OR AREAS OF ACKNOWLEDGED IMPORTANCE AND HAVE ARCHAEOLOGICAL CONSIDERATIONS BEEN ADDRESSED?

The policy considerations set out within the report relating to permission 14/02366/F continue to apply- please refer to page 5. As set out above, the National Planning Policy Framework (NPPF) was updated in July 2018; however this remains broadly consistent in respect of heritage matters. Paragraphs 184- 202 of the NPPF now apply (formerly paragraphs 126- 141).

The Council's Conservation Officer has advised as follows in relation to the current application:

“The current planning application is a resubmission of a previously consented proposal (14/02366/F- Proposed development of 2 no. Use Class C3 dwellings with associated external works). This was assessed at the time using the relevant sections of the National Planning Policy Framework. An assessment of the heritage context was undertaken at the time, and has been further enhanced in the present application with archaeology and building recording. These reports have interpreted the site and recorded the standing and below-ground archaeology at an interim stage. The reports have not identified any greater significance to the assets than previously established in 2014.

The Association for Industrial Archaeology have suggested in their recent public objection that “this surviving face is all that remains of the quarrying heritage of Clifton”. The quarry setting is expressed principally through the topography of the present site, the sudden fall away from the edge of the Downs and the later tall retaining walls that now cover the original rock face. The quarried face has been further obscured by remnants of dwellings that formerly stood against it. As such the industrial context is not explicit, and the proposals would have no further direct impact on that as a non-designated heritage asset. The small-scale of the new houses will ensure that the majority of the retaining wall remains exposed to the Conservation Area whilst preserving the fabric where the buildings abut. The previous assessment provided to Development Control Committee B in 2014 therefore remains broadly valid, and we would find it difficult to make an objection based on this previously approved report.”

The stabilisation works (including rock anchor points) would have a visual impact on the heritage asset, however this would be limited in number and extent and would not result in harm to the heritage asset that would not be justified by the benefits of stabilising the asset for the future.

An Archaeological Watching Brief Report (Feb 2018) has been submitted with the current application, setting out the archaeology recording works carried out to date which took place during rubble clearance and initial groundworks on the site. The recording works recorded evidence of a row of three mid-19th century house plots that were early examples of workers accommodation in this part of

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Clifton, among the stone quarries. Only apparent damage from incendiary bombing during WWII ended the occupancy of the houses with final demolition and clearance occurring after the 1970s.

Two conditions relating to archaeology were attached to permission 14/02366/F (Condition 4- Recording fabric and Condition 5- Implement archaeological works). Since the previous permission was granted, applications have been made to discharge these conditions. The Council's Archaeology Officer advises that Condition 5 (implementation of archaeological work in accordance with an approved Written Scheme of Investigation) has been discharged (references 16/04049/COND and 17/05976/COND) and that Condition 4 (Recording fabric of building/ site) can be discharged when a full report has been submitted to the Historic Environment Record (HER). Should permission be granted by Members, a further condition would be recommended to secure further recording at subsequent stages of development.

In summary, officers are satisfied that the proposal continues to address the relevant policy and the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, particularly Section 72. Officers have given great weight and importance to harm resulting to the heritage assets of the historic quarry and the Clifton and Whiteladies Road Conservation Areas in making this assessment. It was previously concluded that the proposal would conserve the Conservation Area and the setting of nearby listed buildings, and would offer public benefits through the provision of additional dwellings. There is no reason to conclude differently here.

(C) WOULD THE PROPOSED DEVELOPMENT BE ACCEPTABLE IN DESIGN TERMS?

The relevant policy and proposed design remain unchanged from the previous proposal and the proposed design is deemed appropriate in this location- page 7 of the appended report refers. Conditions 9 and 11 attached to permission 14/02366/F related to further design details and material samples being submitted before those elements commence. No details have been submitted in respect of these matters, however it is considered reasonable that these same conditions be attached in the event that permission is granted.

(D) WOULD THE PROPOSED DEVELOPMENT SAFEGUARD THE RESIDENTIAL AMENITY OF NEIGHBOURING OCCUPIERS AND WOULD IT MAKE SATISFACTORY PROVISION FOR THE AMENITY OF FUTURE OCCUPIERS?

Space standards for future occupiers

The 2014 permission was assessed against the Council's Space Standards Practice Note (2011), which has been superseded by the Nationally Described Technical Standards (2015). The current proposal is unchanged compared to the previous (lapsed) permission. The 2014 proposals met the Council's former space standard requirements, based on the houses providing three bedspaces (a single bedroom and a double bedroom), but do not meet the new national technical standards as follows.

Table 1

	Proposal floor area (sqm)	BCC Space Standard requirement (now superseded) (sqm)	Current national space requirement (sqm)
Unit 1	59.1	57- 67	70
Unit 2	59.3	57-67	70

The agent for the applicant has responded to this issue as follows (quoted):

"The adopted policy arena in this regard remains unchanged.

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Policy BCS18 – Housing Type remains the same and the background text puts emphasis on “Building to suitable space standards will ensure new homes provide sufficient space for everyday activities. Homes can also be used more flexibly and adapted more easily by their occupants to changing life circumstances”.

As you have pointed out, the previous standards that Bristol chose to utilise were the HCA standards and the proposal easily met those. The previous requirement for a 3 bed space was between 57-67sqm. Both proposed houses are 59 sqm and also include private amenity space which is not included within the floor space calculations. One of the dwellings includes a 19sqm courtyard, whilst the second includes a 5.3sqm external space.

The new standards require 2 bed, 2 storey dwellings to meet 70sqm, which is a big difference. Both the dwellings are flexible and adaptable, which is the key requirement of the adopted policy. In addition, there have been several appeal decisions where proposals below the national space standards have been allowed in Bristol. For example the Inspector in appeal ref: APP/Z0116/W/16/3154994 focused on the space required for day-to-day activities and the flexibility & adaptability of the units. In assessing a dwelling that doesn't meet the national spaces standards he states:

“Consequently, in addition to sufficient space for day-to-day activities, the size of this flat would afford future occupiers the internal space for a reasonable degree of flexibility with which they would be able to adapt to their changing living needs over time....” ... “Consequently, in my view both proposed flats would provide a suitable living environment for their future occupiers. The proposal would therefore accord with CS Policy BCS18”.

I would also direct you to para 123 of the updated NPPF which says “Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site”.

Para 117 supports the effective use of land to meet a need for homes and para 118 (c) supports the reuse of brownfield land, particularly where there is the opportunity to remediate despoiled, degraded, derelict, contaminated or unstable land.

There is clear overarching support for making the most of brownfield sites in urban areas. Whilst the proposal no longer meets the national housing standard guidance, which has been now been adopted by Bristol to replace the HCA guidance, the houses still easily provide adaptable and flexible living conditions, with separate bedrooms, bathrooms hallways and kitchen dinners, especially when taking on board the external space. This is a point that has been subject to appeals in Bristol. Given the above, there are clear benefits to the development which ultimately outweigh the reduction in internal floorspace from the latest national guidance.”

Whilst officers do not consider the result of one appeal to be the determinant factor, it is notable that the previous permission was considered under policy BCS18, and as stated by the applicant it was concluded that the development would have provided adequate space for everyday activities and for appropriate levels of activities. Given this material consideration, it is not considered that the proposal would warrant refusal on these grounds.

Neighbouring occupiers

There have been no changes in policy or site circumstances since the previous grant of planning permission and it is the view of officers that the assessment undertaken in relation to permission 14/02366/F still applies. Please refer to the appended report for full details at page 8.

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It should be noted that a right to light is a civil matter not within the remit of the planning system and is separate to assessments undertaken through a planning application.

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

The proposal is unchanged compared to the lapsed 2014 permission in terms of highways matters. The relevant policy also remains unchanged. The update to the NPPF would not warrant a different decision on the application, in the view of officers.

Several conditions relating to highways matters were attached to the previous permission and these are addressed below.

Condition 6- Construction environmental management plan (CEMP)

A CEMP was already approved under condition discharge application 16/04049/COND and CEMP information was supplied with the current application. Taking into account local consultation responses providing anecdotal details of local issues arising during enabling works on this part of the highway network, it is deemed appropriate to seek further detailed information through a further CEMP condition attached to any consent, should this be granted. The applicant's agent has advised that as no contractor is yet appointed for the works that it is therefore difficult to provide the detailed information normally required, at the current stage.

Condition 7- Condition survey and Condition 8- Highway/ footway works approval remain outstanding.

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

Land stability matters were assessed under consideration of application 14/02366/F (page 10 of the appended report refers) and the following conditions were attached to the permission granted by Committee:

Condition 2 - Full-time supervision by a structural engineer during enabling works (emphasis in bold added for Committee purpose only)

*No development shall take place on site until **details have been submitted to and agreed in writing by the Local Planning Authority of the (suitably qualified) structural engineer/ geologist who will undertake the full-time supervision of all enabling works** (including all site investigation, stabilisation works, clearance of base rock/ walls and foundation works). Thereafter the enabling works shall only take place under the full-time supervision of the agreed structural engineer/ geologist for the duration of these works and in accordance with the approach set out within the approved Integrale 'Proposed method statement and sequence of working' and Integrale 'Outline Methodology for Combining Geotechnical Investigation with Stability Works' reports, **the final detail of which shall be submitted to and approved in writing by and within a timescale to be agreed** in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.*

Reason: To ensure proper supervision during works in the interest of land stability.

Condition 3- Insurance policy

No development shall take place until the developer has provided evidence that an appropriate insurance policy has been taken out (to which the City Council will have access as a named party on the insurance details), to be approved in writing by the Local Planning Authority, in respect of any adverse effect the works may have on the stability of the existing retaining wall to the north of the site,

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any base rock/ walls adjacent to the footway and any neighbouring properties upslope of the site within 10m of the site boundary and also 10 Sutherland Place/ Mews. The insurance policy shall be sufficient to cover any potential problems that may arise during the course of construction and consequently as a result of the development.

Reason: To ensure that the Local Planning Authority as a named party in the insurance policy, has the access to the policy in order to secure the necessary funds to carry out any remedial works required in respect of stability of the retaining wall or site, in the event that this becomes necessary.

Since the previous consent was granted, applications (17/025299/COND and 17/05624/COND) were made to discharge those conditions; however the information provided was incomplete and it was not deemed possible to discharge the conditions. A report was submitted in respect of discharging the condition: 'Geotechnical report on condition of rock face including structural addendum, rock slope stability considerations and proposed anchor schedule' (Integrale, Report No. 9221/B, September 2017).

The applicant has submitted an updated report in relation to the current application: 'Geotechnical report of rock face formation including structural addendum, rock slope stability considerations and proposed anchor schedule' (Integrale, Report No. 9221/C, May 2018). No details have been submitted in respect of Condition 3. The applicant's agent advises that the applicant cannot arrange for insurance given the structural issues until they have consent.

The previous application and conditions are a material consideration in the assessment of the current application. The Council has consulted an engineering geologist to provide advice as to whether the details submitted in relation to the current application address the previous condition requirements. The advice of the consultant is summarised below:

The consultant previously provided advice regarding this site in relation to condition discharge application 17/05299/COND (Condition No. 2 of 14/02366/F) - they advised that the submitted documents in relation to that application were sufficient to partially meet the requirements of the condition, namely approving the final detail of the two Integrale reports. However, the details of the appointed structural engineer/geologist to oversee the works were not provided. Furthermore, while that submitted information recommended possible stability measures it did not confirm the approach to be taken. A confirmed methodology and sequence of working would need to be submitted to and agreed with the Council.

In relation to the information provided with the current application the consultant advises that:

- Details of the appointed structural geologist have been provided and are acceptable;
- The approach to stability measures has been confirmed (including installing rock anchors to reinforce the rock face and masonry wall);
- The applicant has confirmed a methodology and sequence of working within their submitted report. This references the progressive inspection and assessment by the appointed geologist, however it does not refer back to the proposed method statement and sequence of working described within the 2014 report or the outline methodology for combining geotechnical investigation with stability works. Nonetheless, it is considered that the Applicant's engineer has a comprehensive understanding of the stability issues and how to resolve them. As long as the methodologies described within the 2014 report and the 2013 report are followed, it is considered that this meets the requirements of pre-commencement condition no. 2.
- It is considered that the applicant's submission meets the requirements to discharge pre-commencement condition no. 2. However, this is on the basis of the assumption that this level of support will continue for the remaining works on a full time basis. On this basis it is recommended that Bristol City Council discharge this condition.

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In summary, the application submission demonstrates that land stability matters have taken account of the latest evidence following investigation works and that this issue can be satisfactorily addressed through the proposed methodologies and sequence of working. This approach has been devised by an appropriately qualified party, who would be required to undertake full-time supervision during works.

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

There has been no change in policy or circumstances in terms of addressing sustainability objectives. Conditions 17 and 18 of consent 14/02366/F remain relevant and are recommended in the event that Members are minded to approve the application.

An updated Drainage Strategy was submitted with the application and the Council's Flood Risk management Team are satisfied that the proposal would satisfactorily address drainage considerations subject to a further condition.

(H) HAVE NATURE CONSERVATION ISSUES BEEN ADDRESSED?

An updated ecological survey (2018) has been carried out and the Council's Nature Conservation Officer is satisfied subject to appropriate conditions.

CONCLUSION

The proposal is concluded to be acceptable in all respects including in terms of ground stability issues and would be compliant with national and local planning policy in all respects. Approval of the application is therefore recommended subject to detailed conditions. The recommended conditions reflect those that were imposed on the previous consent, albeit amended where conditions have been discharged.

APPENDICES

Committee Report 2014 relating to permission 14/02366/F.

COMMUNITY INFRASTRUCTURE LEVY

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

The CIL liability for this development is £11,174.00.

RECOMMENDED GRANT subject to conditions

Time limit for commencement of development1. Full Planning Permission

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

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

Development Control – 17 October 2018**Application No. 18/02902/F : Land On North Side Of Belgrave Hill Bristol****Pre commencement conditions**2. Full-time supervision by a geotechnical engineer/engineering geologist during enabling works

The development enabling works (including all site investigation, stabilisation works, clearance of base rock/ walls and foundation works) hereby approved shall be carried out only under the full-time supervision of the approved geotechnical engineer/ engineering geologist for the full duration of the enabling works, unless otherwise agreed in writing by the Local Planning Authority.

The development hereby approved shall be carried out only in full accordance with the approach and methodologies set out within the approved reports: 'Proposed method statement and sequence of working' (Integrale Ltd. 2014), 'Outline Methodology for Combining Geotechnical Investigation with Stability Works' (Integrale Ltd. 2013, Report No. 4349/A) and 'Outline methodology for combining geotechnical investigation with stability works and proposed anchor schedule.' (Integrale Ltd. 2018, Report no. 9221/C) unless otherwise agreed in writing by the Local Planning Authority.

Should unexpected conditions arise, which are not foreseen in the approved reports, no further work shall be carried out (except those required to secure the site), without a working method agreed in writing by the Local Planning Authority. The development shall not be occupied until a validation report to confirm that the approved works have been submitted and approved by the Local Planning Authority.

Reason: To ensure proper supervision by an appropriately qualified geotechnical engineer/ engineering geologist during works in the interest of land stability and to ensure compliance with the previously agreed methodologies and sequence of working.

3. Insurance policy

No development shall take place until the developer has provided evidence that an appropriate insurance policy has been taken out (to which the City Council will have access as a named party on the insurance details), to be approved in writing by the Local Planning Authority, in respect of any adverse effect the works may have on the stability of the existing retaining wall to the north of the site, any base rock/ walls adjacent to the footway and any neighbouring properties upslope of the site within 10m of the site boundary and also 10 Sutherland Place/ Mews. The insurance policy shall be sufficient to cover any potential problems that may arise during the course of construction and consequently as a result of the development.

Reason: To ensure that the Local Planning Authority as a named party in the insurance policy has the access to the policy in order to secure the necessary funds to carry out any remedial works required in respect of stability of the retaining wall or site, in the event that this becomes necessary.

4. To secure the recording of the fabric of buildings of historic or architectural importance

No development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall - other than basic works to ensure the safety of the archaeologists/ other contractors to be agreed in writing by the Local Planning Authority prior to being carried out) shall take place until the applicant/developer has recorded those parts of the building which are likely to be disturbed or concealed in the course of redevelopment or refurbishment. The recording shall be carried out by an archaeologist or archaeological organisation approved by the Local Planning Authority.

Reason: To ensure that features of archaeological or architectural importance within a building are recorded before their destruction or concealment.

5. To ensure implementation of a programme of archaeological works

No development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall - other than basic works to ensure the safety of the archaeologists/ other contractors, to be agreed in writing by the Local Planning Authority prior to being carried out) shall take place until an updated Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority.

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

- * The programme and methodology of site investigation and recording- including timetable;
- * The programme for post investigation assessment- including timetable;
- * Provision to be made for analysis of the site investigation and recording
- * Provision to be made for publication and dissemination of the analysis and records of the site investigation- including timetable;
- * Provision to be made for archive deposition of the analysis and records of the site investigation- including timetable;
- * Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The development (including demolition of existing structures or stabilisation works to the retaining wall - other than basic works to ensure the safety of the archaeologists/ other contractors to be agreed in writing by the Local Planning Authority prior to being carried out) shall be carried out only in accordance with the approved programme of archaeological work and timetable for work. The publication of the analysis and records and the archive deposition or the records shall be carried out in accordance with the timetable agreed in writing by the Local Planning Authority.

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

6. Construction environmental management plan

No development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall) shall take place until a site specific Construction Environmental Management Plan has been submitted to and approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- a) Management of vehicle movements including parking, routes for construction traffic, proposed temporary traffic restrictions;
- b) Details of siting and form of the site compound/ office;
- c) Pedestrian and cyclist protection;
- d) Method of prevention of mud being carried onto highway;
- e) Hours of operation;
- f) Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- g) Arrangements for liaison with the Council's Pollution Control Team;
- h) Procedures for emergency deviation of the agreed working hours;
- i) Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants;
- j) Measures for controlling the use of site lighting whether required for safe working or for security purposes;

The development shall only be carried out in accordance with the approved Management Plan.

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

7. Highway condition survey

The development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall) hereby approved shall not commence until a condition survey of the road network surrounding the site has been carried out to an extent to be agreed with the Highway Authority and has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be brought into use until remedial works to any part of this highway damaged as a result of the development have been agreed with and undertaken to the satisfaction of the Highway Authority and details of these works submitted to and approved in writing by the Local Planning Authority.

The developers shall contact Highways Asset Management on 0117 9222100 to agree the extent of the

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condition survey and any remedial works required.

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

8. Approval of footway works necessary

No development (including demolition/ alteration to existing base rock/ wall structures but excluding stabilisation works to the retaining wall) shall take place until details of the following works to the highway/ footway have been submitted to and approved in writing by the Local Planning Authority:

1. All works to the existing footway/ pavement required by the development;

The building hereby permitted shall not be occupied until these works have been completed in accordance with the approved details.

Reason: To ensure that all road works associated with the proposed development are to a standard approved by the Local Planning Authority and are completed before occupation.

9. Sustainable Drainage System (SuDS)

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

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

10. Bat method statement and method of working

No development (including demolition/ alteration to existing base rock/ wall structures but excluding stabilisation works to the retaining wall) shall take place until a method of working prepared by a suitably qualified ecological consultant setting out the precautionary methods to be followed during all enabling and construction works with respect to bats has been submitted to and approved in writing by the Local Planning Authority.

The development hereby permitted (including enabling works: site clearance, stabilisation works and works to the base rock/ walls on site) shall thereafter take place only in accordance with the approved pre-cautionary method of working at all times. If works to implement this consent do not commence within 12 months of the approved bat survey report (by 12 July 2019) then an updated bat survey report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on the site (including the enabling works listed above).

Reason: To conserve legally protected bats.

11. Further large scale details before relevant element started

Large scale detailed drawings of the following elements 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) Typical details of each new window and door type, including set-back window features, cills, heads, reveals and surrounds;
- b) Typical roof junctions including parapets, copings and eaves;
- c) Typical corner detailing at junctions;
- d) Junction with retaining wall;
- e) Rainwater goods;
- f) Terrace screening.

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Reason: In the interests of visual amenity and the character of the area.

12. Green living roof

Prior to the commencement of the roof of the property a strategy for the implementation of the green living roof shall be submitted to and approved in writing by the Local Planning Authority.

The strategy should include details relating to the extent, specification, installation method and the management and maintenance of the green roof unless otherwise agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the dwellings and shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the building is satisfactory and that the character and appearance of the Conservation Area would be safeguarded, to promote sustainability interests and biodiversity and to reduce surface water run-off. Alternatives to sedum will be expected to be explored to improve biodiversity and inclusion of native species.

13. Sample panels before specified elements started

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

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

Pre occupation conditions**14. Reporting of Unexpected Contamination**

In the event that contamination is found at any time when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and where remediation is necessary a remediation scheme must be prepared which ensures the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

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

15. Bird and bat boxes

The development hereby approved shall be carried out in accordance with approved plan 1506(L)33 Rev A 'Proposed bird boxes and bat tubes'. The approved details shall be installed prior to the first occupation of the dwelling hereby approved and retained at all times thereafter.

Reason: To help conserve legally protected bats and birds which include priority species.

16. Implementation/installation of refuse storage and recycling facilities - shown on approved plans

No building hereby permitted shall be occupied 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

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within this dedicated store/area, as shown on the approved plans, or internally within the buildings that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway at any time or on the pavement except on the day of collection.

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

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

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

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

18. Sustainability Statement and Energy Strategy

The development hereby approved shall be carried out in accordance with the measures contained within the approved Sustainability Statement and the approved Energy Strategy prior to the first occupation of the development hereby approved and shall be maintained in accordance with these details in perpetuity.

Reason: To ensure that sustainability policy objectives would be met.

19. Solar photovoltaic and solar thermal panels

The solar photovoltaic and solar thermal panels hereby approved shall be installed and made fully operational prior to the first occupation of the dwellings hereby approved. The solar panels shall be maintained in situ in accordance with the approved details and as fully operational thereafter.

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

Post occupation management**20. Restriction of the use of the roof**

The roof of the dwellings (with the exception of the area marked 'terrace' in association with Unit 2 on drawing 1506 (L) 22) hereby permitted shall not be used as a balcony, terrace, 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 from overlooking, loss of privacy and disturbance through noise impacts.

21. No extensions

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

Reason: The extension of these dwellings requires detailed consideration to safeguard the amenities of the surrounding area.

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22. No further windows/ enlargement of windows

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

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

23. Site clearance

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

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

List of approved plans

24. List of approved plans and drawings

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

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SUMMARY

The application relates to a site situated on the north side of Belgrave Hill within the Clifton Conservation Area, at the boundary with the Whiteladies Road Conservation Area.

The site forms part of an old quarry and is bounded to the north by a high retaining wall, which is the former 'cliff face' of the quarry. Above this lie the gardens and properties of Upper Belgrave Road. The site is very narrow at only 4m in width and is currently an open space that is overgrown with vegetation and with the remains of rubble stone walls visible, that once formed a couple of terraces with the eastern most part of the site being set at a higher level. Historic maps show that the site was once built on.

The application is for two, two-bedroom dwelling houses, one of which would have a small outside terrace. No off-street car parking is proposed.

The application follows a previous application in 2011 for three dwellings on the site, which was refused by Committee on the grounds of impact on the residential amenity of 10 Sutherland Place/ Mews and insufficient details regarding ground stability concerns in relation to the retaining wall.

This application has been subject to full publicity and consultation and 32 representations have been received objecting to the proposals including on the following grounds: overdevelopment, loss of industrial quarry heritage, loss of open space, land stability, parking and highways issues and residential amenity impacts.

Since the previously refused application, the number of dwellings proposed for the site has been reduced from three to two and the applicant has carried out significant further investigation into the land stability matters. The Council's consultant structural engineer/geologist has advised that the land stability issues can be satisfactorily addressed through appropriate planning conditions, including a condition requiring details to be submitted of an insurance policy in which the City Council would be a named party, allowing a claim to be made in the event that the Council needed to make the site safe at any stage. This is consistent with the approach taken on similar developments elsewhere in the city where land stability has been a key issue.

It is the view of your officers, on the basis of all of the material considerations related to this application, that approval of the application should be given subject to conditions.

SITE DESCRIPTION

The application site is a piece of vacant open ground largely orthogonal in shape that has a frontage of 29m facing Belgrave Hill. The site boundary abuts the northern side elevation of 10 Sutherland Place/Sutherland Mews. There is a fall of approximately 1.7m fall across the length of the site that is currently derelict and overgrown. The retaining wall to the rear of the site is constructed of local rubble stone. The site area once formed part of a large quarry, a fact that explains the substantial change in levels between Upper Belgrave Road, to the north and Belgrave Hill of between 8-12 metres.

The site is located within the Clifton Conservation Area but is situated along the boundary with the Whiteladies Road Conservation Area. 15-21 Belgrave Hill to the east of the site are Grade II listed buildings.

The site is within Flood Zone 1.

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RELEVANT PLANNING HISTORY

The following recent planning history is associated with the site:

13/03239/PREAPP- Pre-application enquiry for the development of 2 no. 'Use Class C3' dwellings. CLOSED 12.11.2013

11/04256/F- Planning application for the redevelopment of the existing vacant site for 3no. two bedroom dwelling houses with associated external amenity space, refuse and cycle storage. REFUSED Committee decision 31 Oct 2012 on the following grounds:

1. *By reason of its juxtaposition with neighbouring occupiers at both 10 Sutherland Place and Sutherland Mews, the proposed development to include; its excessive height, scale, massing and detailed design, would constitute both an oppressive and an overbearing form of development. For the reasons given proposals are contrary to policies BSC21 of the Core Strategy (June 2011) and Policy DM 27 of the Site Allocations and Development Management Preferred Approach Document March 2012.*
2. *Insufficient information has been submitted with the application to fully determine the impact of development upon the incidence of ground stability. As a result the proposal is contrary to policy ME13 of the Bristol Local Plan.*

APPLICATION

The application proposes two no. two-bedroom dwellings on the site, one of which would have a small, screened roof terrace. Both properties would have flat roofs with solar panels and a living green roof. Unit 1 is approximately 6.5m in height and 10.5m in length, Unit 2 is approximately 8m in height (maximum) and 14m in length. Both units are approximately 4m in depth.

The materials proposed include recycled rubble stone and coloured render to the elevations. Unit 2 also incorporates a timber panelled element to the top storey.

No off-street car parking is proposed. Cycle storage for each unit is proposed within their own individual, secure cycle stores.

The Certificates submitted with the application state that all reasonable steps have been taken to find out the names and addresses of everyone who, on the day 21 days before the date of the application, was the owner of any part of the land to which the application relates, but the applicant has been unable to do so. A notice has been published in the Bristol Evening Post to notify anybody with an interest in the land and neighbouring properties that share a boundary with the site notified.

RESPONSE TO PUBLICITY AND CONSULTATION

A Community Involvement Statement was not required for this application given that it is categorised as a 'minor' application in planning terms.

A site notice and press notice have been posted/ published and neighbours have been consulted by individual letter. 33 written representations have been received to the proposals, with 32 of these comments objecting to the proposals on the following grounds:

- Design issues and detriment to the character and appearance of the Whiteladies Road Conservation Area;
- Over development of the site with resultant "overcrowding";

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- Impact on residential amenity in terms of loss of privacy, overshadowing;
- Noise and disturbance from roof areas;
- Additional on street car parking, with attendant and resultant detriment to highway safety, congestion, obstruction and emergency access;
- Detriment to established nature conservation interests; including protected species.
- Wide spread fears have been expressed over likely prejudice to ground instability and/or drainage/flooding;
- Loss of industrial heritage and aspect of the old quarry;
- Noise and disruption during construction;
- Living environment of future occupiers of the site;

Comments include objections from the Bristol Industrial Archaeological Society and South Gloucester Mines Research Group.

OTHER COMMENTS

The Council's consultant structural engineer has reviewed the detailed geotechnical reports and application submission and confirmed that their advice is that it is possible for the works to be undertaken without causing any problems or distress to the adjacent structures and that therefore planning permission could be granted subject to certain conditions. The recommended conditions including full-time supervision by a qualified structural engineer, condition surveys of all relevant properties and a bond to ensure that the Council would have the funds to make the site safe if required. See background papers for full details.

The Conservation Advisory Panel (CAP) supports the application. (See background papers for full details).

Urban Design has commented as follows:-

The proposed development of 2 residential dwellings in this street responds effectively to the surrounding context. It will introduce a new street frontage to this part of Belgrave Hill which will contribute positively to the street environment by providing additional enclosure and street level activity and opportunities for surveillance. The scale and form of the development reflects a mews type development which is suited to the immediate context and is proportionate with the street width. The proposal presents a contemporary architectural style which responds well to the site constraints and reduces the impact on neighbouring properties. (See background papers for full details).

Transport Development Management has commented as follows:-

The proposal is a car free development, which is acceptable in this location. An advice note is recommended given the emerging residents parking zone that residents of the development shall not be eligible for parking permits. Acceptable provision is made for cycle storage. There are concerns regarding servicing of the development due to the narrow nature of streets surrounding the site, however servicing would be possible from this location, although not ideal. Detailed conditions are recommended including a requirement for the submission of a Construction Management Plan. (See background papers for full details).

Contaminated Land Environmental Protection has commented as follows:-

No objections are raised to the proposals subject to conditions. (See background papers for full details).

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Nature Conservation Officer has commented as follows:-

There is no objection to this application subject to detailed conditions. (See background papers for full details).

Archaeology Team has commented as follows:-

The site is a locally important heritage asset, refusal of the application on archaeology grounds would not be justified given that the site is not of national significance nor are the structural remains of the quarry activity sufficiently well preserved. There are many other examples of quarries in the Bristol area either already built on or surviving as part of the present landscape.

If the proposals are granted consent, securing archaeological recording of these remains with associated documentary research through planning conditions is the appropriate response. (See background papers for full details).

RELEVANT POLICIES

National Planning Policy Framework – March 2012

Bristol Core Strategy (Adopted June 2011)

BCS5	Housing Provision
BCS9	Green Infrastructure
BCS10	Transport and Access Improvements
BCS13	Climate Change
BCS14	Sustainable Energy
BCS15	Sustainable Design and Construction
BCS16	Flood Risk and Water Management
BCS18	Housing Type
BCS20	Effective and Efficient Use of Land
BCS20	Effective and Efficient Use of Land
BCS21	Quality Urban Design
BCS22	Conservation and the Historic Environment
BCS23	Pollution

Bristol Site Allocations and Development Management Policies (Adopted July 2014)

DM1	Presumption in favour of sustainable development
DM14	The health impacts of development
DM15	Green infrastructure provision
DM17	Development involving existing green infrastructure
DM19	Development and nature conservation
DM23	Transport development management
DM26	Local character and distinctiveness
DM27	Layout and form
DM28	Public realm
DM29	Design of new buildings
DM31	Heritage assets
DM32	Recycling and refuse provision in new development
DM33	Pollution control, air quality and water quality
DM34	Contaminated land
DM37	Unstable land

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Supplementary Planning Guidance

Clifton & Hotwells Conservation Area Character Appraisal
 PAN 2 Conservation Area Enhancement Statements (November 1993)

Bristol City Council Climate Change and Sustainability Practice Note (December 2012)

Bristol City Council Space Standards Practice Note (July 2011)

The Planning (Listed Buildings and Conservation Areas) Act 1990

KEY ISSUES

- (A) IS THE PROPOSED LAND USE ACCEPTABLE IN PRINCIPLE IN LAND USE TERMS AND IS THE MIX, BALANCE AND AMOUNT OF HOUSING PROPOSED ACCEPTABLE IN PLANNING POLICY TERMS?

The proposals would provide residential accommodation on a brownfield site and would therefore meet policy objectives to make more efficient use of land in a location close to an existing Centre (Whiteladies Road Town Centre) and as a windfall site would provide housing over and above the housing targets and allocated sites set out within the Core Strategy and would contribute to meeting national housing policy objectives.

The application proposes two dwelling houses, each with two bedrooms. The nature of housing in this area is a mix of houses and flatted accommodation. Given the constrained nature of the site, there is limited scope for a mix of housing within the development itself and the proposal is concluded to be acceptable in this respect and to contribute to objectives to achieve mixed and balanced communities.

The site has been vacant for a significant period and therefore may reasonably be identified as undesignated open space. In terms of local planning policies; Policy BCS9 of the Bristol Core Strategy (BCS) seeks to maintain, enhance and extend the city's strategic green infrastructure network and to protect areas of open space that are important for recreation/leisure/ community use and townscape/ landscape quality and visual amenity. Policy DM17 of the SADMP supports these aims.

The site is not a publicly accessible space and therefore does not serve a recreation, leisure or community use function. In terms of townscape value; small amenity spaces in densely built up areas including street corners may have important townscape value linked to their greening effect. This is a view shared by many in the community and is partly due to the ongoing derelict nature of the site which has led to the site becoming overgrown. While the site is considered to have some informal townscape value in terms of its green nature, in other respects the derelict state of the site detracts from the visual amenity of the area and residential development could readily have the potential to improve the local townscape. Overall, the site is not considered to be so valuable in terms of its townscape value as open space such that it should be set aside as open space indefinitely.

The principle of new residential development on the land would be acceptable.

- (B) WOULD THE PROPOSALS SAFEGUARD OR ENHANCE HERITAGE ASSETS OR AREAS OF ACKNOWLEDGED IMPORTANCE AND HAVE ARCHAEOLOGICAL CONSIDERATIONS BEEN ADDRESSED?

The site is within the Clifton Conservation Area (at its boundary with the Whiteladies Road Conservation Area to the south, which runs along Belgrave Hill). The Clifton Conservation Area and Whiteladies Road Conservation Areas are 'designated heritage assets' as defined within the National Planning Policy Framework (NPPF). The site is not specifically identified within the Clifton and Hotwells Character Appraisal or the Whiteladies Road Conservation Area Enhancement Statement. There are several listed buildings within the immediate vicinity of the site- 15-21 Belgrave Hill to the east of the site are Grade II listed and these also constitute 'designated heritage assets'.

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The NPPF also contains policies relating to non-designated heritage assets (i.e. 'heritage assets') and defines these as being buildings, monuments, sites, places, areas and landscapes positively identified as having a degree of historic significance meriting consideration in planning decisions. The site forms part of a former quarry dating from the eighteenth century and there is evidence of residential development on the site from the mid-nineteenth century. The site itself is therefore considered to be a local heritage asset (non-designated). The site has no other designations on the Proposals Map for the Bristol Local Plan - Site Allocations and Development Management Policies (SADMP) document.

Local heritage asset/ non-designated archaeological site

The significance of the heritage asset is as a site that forms part of a former quarry dating from the eighteenth century and comprises a narrow strip of land to the south of the former wall of the quarry, now faced in rubble stone. There are a number of vault structures evident within the face of the wall and remnants of structural features from the former housing on the site. A lower rubble stone wall is set at the back edge of the pavement and bounds the terraced areas behind the wall that are currently derelict and overgrown with vegetation. The high stone wall is in need of stabilization as the integrity of the wall has diminished over the years.

Paragraph 135 of the National Planning Policy Framework (NPPF) states that "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

Policy BCS22 of the Bristol Core Strategy requires development to safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including Conservation Areas and archaeological remains. 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.

In terms of archaeology, policy DM31 states that scheduled monuments and other non-designated archaeological sites of equivalent importance should be preserved in situ. In those cases where this is not justifiable or feasible, provision should be made for excavation and record with an appropriate assessment and evaluation. The Council's Archaeology Team advises that while the site is an important local heritage asset, that it would not be considered an archaeological feature of national significance or equivalent to a scheduled monument. The structural remains associated with the quarry activity are not sufficiently well preserved to require their preservation in situ or to justify refusal of the application and archaeological evaluation and recording is recommended.

The historic mapping evidence for this area demonstrates that the site has previously been developed, it is thought as cottages up to two-storeys in height judging by features remaining on site. The proposed development is for two mews-style houses, and while these houses would partly obscure the high retaining wall behind through infilling this space, the dramatic topography of the area would still be clearly appreciated and the retaining wall would remain visible above the houses retaining the sense of the original quarry wall and vault features within the wall.

It is therefore concluded that the harm to the significance of the heritage asset as a result of the proposal would be limited and that the proposals would conserve the significance of this site in accordance with the NPPF and local policies BCC22 and DM31. The proposal also offers conservation benefits for the heritage asset in terms of the stabilization and maintenance of the rubble wall in situ. Conditions relating to archaeological recording are recommended.

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Clifton Conservation Area and Whiteladies Road Conservation Areas

Great weight and considerable importance should be attached to the conservation of these designated heritage assets. The proposal is concluded to maintain the sense of the topography of the area and retaining the character of tight-knit streets with smaller residences that forms the character of these parts of these Conservation Areas.

In terms of the NPPF assessment, it is concluded that the proposal would result in 'less than substantial harm' to these Conservation Areas and that any harm would be minimal and limited to the partial obscuring of parts of the existing retaining wall by the proposed houses and the loss of a very small area of inaccessible, overgrown open space. This limited degree of harm would be concluded to be justified by the public benefits of the proposals of bringing the site back into use and meeting housing needs. In fact, there are considered to be conservation benefits in terms of ensuring the long term preservation of the rubble wall and enhancement of this derelict site.

Listed buildings

15-21 Belgrave Hill to the east of the site are Grade II listed buildings. The proposals would be concluded to preserve the setting and special interest of these buildings in accordance with the requirements of the NPPF, Policy BCS22 of the Core Strategy, Policy DM31 of the SADMP document and Section 66 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990.

Summary

In summary, the proposals would be concluded to conserve the significance of this heritage asset and to conserve and safeguard the Clifton and Whiteladies Road Conservation Areas. The proposal would preserve the setting and special interest of the nearby listed buildings 15-21 Belgrave Hill.

It is your officers' opinion that while great weight and considerable importance has been given to the impact of the development on both non-designated and designated heritage assets that the impact on these heritage assets would be limited and would be outweighed by the public benefits achieved in terms meeting housing need requirements. The proposals are deemed by officers to be in accordance with both Sections 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 12 of the NPPF (Conserving and enhancing the historic environment) and local policies BCS22 and DM31 in all respects.

(C) WOULD THE PROPOSED DEVELOPMENT BE ACCPETABLE IN DESIGN TERMS?

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

The proposed development of 2 residential dwellings in this street responds effectively to the surrounding context. It will introduce a new street frontage to this part of Belgrave Hill which will contribute positively to the street environment by providing additional enclosure and street level activity and opportunities for surveillance. The scale and form of the development reflects a mews type development which is suited to the immediate context and is proportionate with the street width. The proposal presents a contemporary architectural style which responds well to the site constraints and reduces the impact on neighbouring properties. The proposed materials (render and rubble stone) are reflective of those found within the immediate context. The proposed design is concluded

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to be acceptable and to safeguard the character and appearance of the Clifton and Whiteladies Road Conservation Areas.

Conditions are recommended to ensure that the detailed design of the development would be of a high quality finish.

- (D) WOULD THE PROPOSED DEVELOPMENT SAFEGUARD THE RESIDENTIAL AMENITY OF NEIGHBOURING OCCUPIERS AND WOULD IT MAKE SATISFACTORY PROVISION FOR THE AMENITY OF FUTURE OCCUPIERS?

Neighbouring occupiers

Policy BCS21 of the Core Strategy replaces policy B8 of the Bristol Local Plan and states that new buildings should be designed so that the amenity of the existing and future occupiers of residential properties are not adversely affected. This has been assessed with respect to the relationship between the proposed properties and the existing surrounding properties. The key issues raised by local residents in response to consultation include issues of loss of privacy, reduction in light levels and noise from the use of terraces.

Overlooking

Belgrave Hill is a narrow street and the façade of the proposed development would be 6m from the façade of those houses opposite. In view of this close separation distance, the potential for overlooking of neighbouring homes on the opposite side of Belgrave Hill would be controlled through the use of high level glazing, set back window positioning and narrow slot windows with the larger area of glazing at the top level to be set back from the front of the site and positioned at roof level of the property directly opposite. This relationship is concluded to be acceptable and while it is acknowledged that some overlooking would occur, this would not be to an unacceptable degree.

The previous application was refused on the basis of the impact on the amenity of 10 Sutherland Place and Mews to the west of the site due to the overbearing impact of the development on this property as a result of its proximity and scale. The development has been amended since this time to reduce the number of dwellings and to improve the relationship with this dwelling. At present the flats and maisonettes to 10 Sutherland Place and Mews each have habitable rooms, bedrooms and living rooms, with an open aspect to Belgrave Hill, the lower floor to the Mews at street level has a bay window. It is concluded that these revisions have now satisfactorily overcome these original concerns.

Reduction in light levels

In terms of reduction in light levels to the properties opposite on Belgrave Hill, the site is situated north of these properties and therefore would have no overshadowing impact and would not result in a loss of sunlight. A sunlight study has been submitted to demonstrate this. While the proposed development would be situated in close proximity to the properties opposite, the narrow nature of this street and its topography already limit the amount of daylight received by the windows of these properties and the proposed development would not be concluded to significantly worsen this situation. Such a relationship between buildings is not uncommon in tight-knit urban environments such as this.

Noise levels

The special acoustic properties of this area are noted in terms of the topography and the potential for noises to be reflected from the quarry walls, as raised by a number of residents. The proposed dwellings would not be expected to result in excessive noise levels compared to the existing situation. Unit 1 would not have any outdoor space and only a small terrace is proposed to Unit 2 at first floor level. This would be very small in size and set behind a timber screen which would prevent overlooking and also contain noise. The flat roof area at the second floor level of Unit 2 would not be

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accessible from the dwelling and a condition is recommended to this effect to prevent issues of overlooking and disturbance.

Construction issues would be dealt with through a Construction Management Plan for the site.

Future occupiers

Space standards- The proposed development is for two dwellings each with a single and double bedroom (i.e. three bed spaces). The dwellings would meet the minimum space standards required by Policy BCS18 of the Core Strategy for dwellings of this size.

While the outlook from these dwellings is limited, it would be concluded to be acceptable on balance.

Summary

It is the view of officers that the proposals have addressed previous concerns in respect of the impact on the residential amenity of neighbouring occupiers and would safeguard the amenity of all neighbouring occupiers and would make satisfactory provision for the amenity of future occupiers of the site.

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

The site is located on Belgrave Hill, which is a narrow street with narrow pavements on either side. The pavement on the north side of the highway in front of the application site is very narrow (approximately 700mm wide) and is often parked on by vehicles along its length. There are no parking restrictions along this road currently; however the Clifton East residents' parking zone is currently undergoing informal consultation. Under the proposals that have been informally consulted on as part of this process, there are no residential parking permit spaces proposed along Belgrave Hill, however a disabled parking bay is proposed outside the site.

Given the constrained nature of the site, no off-street parking is proposed for the new dwellings and the development is therefore assessed as a car-free development. It is therefore recommended on this basis that the residents not be eligible for parking permits and an advice note making this recommendation is proposed. The site is in a sustainable location close to local facilities and public transport routes on Whiteladies Road and therefore residents could reasonably be expected to live in this location without the need for a private vehicle.

The existing pavement would be retained under the proposals and the proposed houses would have entrances accessed directly from the pavement. While the pavement is very narrow in this location, it would provide sufficient refuge for pedestrians entering or leaving the dwellings from the street. The number and speed of vehicles travelling along Belgrave Hill is low given the narrow width of the street and there would be good visibility of pedestrians entering or exiting the property for vehicles turning the corner towards the site. This arrangement is concluded to be acceptable in terms of ensuring pedestrian safety around the site.

Residents have raised concerns regarding emergency and access around the area as a result of the proposal. Officers advise that the proposed development would result in reduced parking in this location (on the pavement), which would improve access for emergency vehicles along Belgrave Hill. This is likely to be formally set out through the emerging residents' parking scheme.

Cycle storage and refuse storage is proposed off-street and is acceptable. Conditions are recommended to secure this provision. While the access for servicing vehicles to the properties is not ideal given the narrow nature of the surrounding street network, the dwellings are located close to

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other existing dwellings that already require regular bin collections from close to the site. Officers are therefore content that the dwellings would be serviced satisfactorily.

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

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

The previous application on this site was refused by Committee on the basis that insufficient evidence had been provided on the subject of ground stability. An extensive process of further consideration and exploration of this issue has been carried out by the applicant in discussion with officers following that Committee decision in order to address this matter. These issues are discussed further below.

Land stability

The National Planning Policy Framework (NPPF) sets out that the planning system should prevent new development from contributing to or being put at unacceptable risk from land instability and should remediate and mitigate despoiled, degraded, derelict, contaminated and unstable land, where appropriate to bring unstable land, wherever possible, back into productive use.

Planning decisions should ensure that the site is suitable for its new use taking account of ground conditions and land instability and should ensure that adequate site investigation information, prepared by a competent person, is presented. The NPPF makes clear that where a site is affected by land stability issues the responsibility for securing a safe development rests with the developer. The National Planning Practice Guidance (NPPG) sets out the steps that developers should take if land stability is an issue for an application and this is supported by Policy DM37 of the Bristol SADMP relating to unstable land. These provisions require expert advice to be sought and an assessment of ground stability to be undertaken and necessary remediation measures proposed.

The site forms part of a former quarry and a high retaining wall bounds the site with a substantial terrace of properties set above the height of this retaining wall. The retaining wall is faced with rubble stone, which is in a neglected state overall. The issue of land stability was considered under the assessment of the previous application 11/04256/F, however Committee Members were not satisfied with the level of information submitted regarding this issue and the application was refused on this basis.

Since this previous decision, a further detailed technical site investigation and geotechnical assessment report have been submitted with the application prepared by a ground engineering consultancy. This report proposes an outline methodology that the full geotechnical investigation be combined with stabilisation works in order to minimise costs (the main costs being in accessing the cliff face) and to minimise disruption to neighbours.

The Council has commissioned an assessment of this report by local expert Dr Brian Hawkins of H M Geotechnics (Chartered Engineer, Chartered Geologist and European Engineer). Dr Hawkins has advised that the information submitted demonstrates that planning consent could be given subject to the following conditions:

- a) Full time supervision of the works by a suitably qualified engineer/ geologist throughout the enabling works;
- b) Condition surveys on all of the upslope properties and their boundary walls (all upslope properties within 10m of the boundary of the site). The surveys should be agreed with Party Wall Inspectors and appropriate Party Wall Agreements signed and copies of the surveys and agreements shall be submitted to the Local Planning Authority for their records.

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- c) A bond should be provided by the developers to ensure that funds are available to safeguard the stability of the retaining wall should the project not be completed timeously.

In response to this advice, the Council's Legal Team has advised that rather than seeking a bond, a condition to require evidence that an insurance policy has been taken out that would cover any adverse effect the works may have on the stability of the retaining wall and neighbouring buildings. The developer should be asked to provide confirmation that the insurance company has seen the relevant reports and understand the nature of the risk they are insuring against. The developer would also be required to demonstrate that the Council would be a named party to this insurance policy, to allow the City Council to make a claim against this policy in the future should they need to- for example if the development was left incomplete and the Council needed to ensure the safety of the site. The condition is considered to be fundamental to the development as without it the development should be refused and therefore meets the relevant tests for planning conditions. The removal of this condition in the future would therefore not be acceptable.

A further condition is recommended to require supervision by a qualified structural engineer and an advice note is required to recommend that the developer undertake condition surveys of all neighbouring properties upslope of the site within 10m of the site boundary and 10 Sutherland Place/ Mews. This is a party wall matter and therefore must be dealt with through the Party Wall Agreement process and cannot be required through this planning permission.

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

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

Ground contamination

Officers are satisfied that ground contamination issues can be dealt with via appropriate condition.

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

An Energy Strategy has been submitted to demonstrate the energy efficiency and renewable energy generation measures proposed for the development. The application proposes the installation of both solar thermal (hot water) and solar photovoltaic panels and the completed Energy Strategy table indicates that this would achieve a reduction in carbon dioxide emissions of 20% from the residual level in line with local sustainability policy objectives.

Other aspects of sustainability including overheating considerations, material sourcing, heating system, water consumption; drainage and green infrastructure are covered within the Design and Access Statement. The proposal includes a sedum roof, which is welcomed. A condition is recommended to seek the detail of this roof in order to maximise its potential to contribute to the biodiversity of the area. Conditions are recommended to ensure that the sustainability measures would be provided as proposed.

The site is within Flood Zone 1 and there are no flood risk issues.

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(H) HAVE NATURE CONSERVATION ISSUES BEEN ADDRESSED?

Ecological surveys have been carried out in respect of the site and the Council's Nature Conservation Officer advises that they are satisfied with the recommendations of these updated surveys and recommends a number of conditions in respect of nature conservation. As evidence of the presence of bats has been found at the site, the Council's Nature Conservation Officer has recommended that a method statement requiring further details of the precautionary approach to be taken during the work in terms of identifying the presence of bats be agreed prior to work commencing.

(I) ARE THERE ANY OTHER MATERIAL CONSIDERATIONS?

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

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

CONCLUSION

The proposal is concluded to be acceptable in all respects including in terms of ground stability issues and would be compliant with national and local planning policy in all respects. Approval of the application is therefore recommended subject to detailed conditions.

COMMUNITY INFRASTRUCTURE LEVY

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

The CIL liability for this development is £8739.38.

RECOMMENDED GRANT subject to condition(s)

Time limit for commencement of development

1. Full Planning Permission

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

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

Pre commencement condition(s)

2. Full-time supervision by a structural engineer during enabling works

No development shall take place on site until details have been submitted to an agreed in writing by the Local Planning Authority of the (suitably qualified) structural engineer/ geologist

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who will undertake the full-time supervision of all enabling works (including all site investigation, stabilisation works, clearance of base rock/ walls and foundation works). Thereafter the enabling works shall only take place under the full-time supervision of the agreed structural engineer/ geologist for the duration of these works and in accordance with the approach set out within the approved Integrale 'Proposed method statement and sequence of working' and Integrale 'Outline Methodology for Combining Geotechnical Investigation with Stability Works' reports, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure proper supervision during works in the interest of land stability.

3. Insurance policy

No development shall take place until the developer has provided evidence that an appropriate insurance policy has been taken out (to which the City Council will have access as a named party on the insurance details), to be approved in writing by the Local Planning Authority, in respect of any adverse effect the works may have on the stability of the existing retaining wall to the north of the site, any base rock/ walls adjacent to the footway and any neighbouring properties upslope of the site within 10m of the site boundary and also 10 Sutherland Place/ Mews. The insurance policy shall be sufficient to cover any potential problems that may arise during the course of construction and consequently as a result of the development.

Reason: To ensure that the Local Planning Authority as a named party in the insurance policy, has the access to the policy in order to secure the necessary funds to carry out any remedial works required in respect of stability of the retaining wall or site, in the event that this becomes necessary.

4. To secure the recording of the fabric of buildings of historic or architectural importance

No development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall - other than basic works to ensure the safety of the archaeologists/ other contractors to be agreed in writing by the Local Planning Authority prior to being carried out) shall take place until the applicant/developer has recorded those parts of the building which are likely to be disturbed or concealed in the course of redevelopment or refurbishment. The recording to be carried out by an archaeologist or archaeological organisation approved by the Local Planning Authority.

Reason: To ensure that features of archaeological or architectural importance within a building are recorded before their destruction or concealment.

5. To ensure implementation of a programme of archaeological works

No development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall - other than basic works to ensure the safety of the archaeologists/ other contractors to be agreed in writing by the Local Planning Authority prior to being carried out) shall take place on site until the applicant/developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Investigation which has been submitted by the developer and approved in writing by the Local Planning Authority.

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

- * The programme and methodology of site investigation and recording- including timetable;
- * The programme for post investigation assessment- including timetable;
- * Provision to be made for analysis of the site investigation and recording

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- * Provision to be made for publication and dissemination of the analysis and records of the site investigation- including timetable;
- * Provision to be made for archive deposition of the analysis and records of the site investigation- including timetable;
- * Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The development (including demolition of existing structures or stabilisation works to the retaining wall - other than basic works to ensure the safety of the archaeologists/ other contractors to be agreed in writing by the Local Planning Authority prior to being carried out) shall be carried out only in accordance with the approved programme of archaeological work and timetable for work. The publication of the analysis and records and the archive deposition or the records shall be carried out in accordance with the timetable agreed in writing by the Local Planning Authority.

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

6. Construction environmental management plan

No development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall) shall take place until a site specific Construction Environmental Management Plan has been submitted to and approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- a) Management of vehicle movements including parking, routes for construction traffic, proposed temporary traffic restrictions;
- b) Details of siting and form of the site compound/ office;
- c) Pedestrian and cyclist protection;
- d) Method of prevention of mud being carried onto highway;
- e) Hours of operation;
- f) Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- g) Arrangements for liaison with the Council's Pollution Control Team;
- h) Procedures for emergency deviation of the agreed working hours;
- i) Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants;
- j) Measures for controlling the use of site lighting whether required for safe working or for security purposes;

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

7. Highway condition survey

The development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall) hereby approved shall not commence until a condition survey of the road network surrounding the site has been carried out to an extent to be agreed with the Highway Authority and has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be brought into use until remedial works to any part of this highway damaged as a result of the development have been agreed with and undertaken to the satisfaction of the Highway Authority and details of these

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works submitted to and approved in writing by the Local Planning Authority. The developers shall contact Highways Asset Management on 0117 9222100 to agree the extent of the condition survey and any remedial works required.

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

8. Approval of footway works necessary

No development (including demolition/ alteration to existing base rock/ wall structures but excluding stabilisation works to the retaining wall) shall take place until details of the following works to the highway/ footway have been submitted to and approved in writing by the Local Planning Authority:

1. All works to the existing footway/ pavement required by the development;

The building hereby permitted shall not be occupied until these works have been completed in accordance with the approved details.

Reason: To ensure that all road works associated with the proposed development are to a standard approved by the Local Planning Authority and are completed before occupation.

9. Further large scale details before relevant element started

Large scale detailed drawings of the following elements 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) Typical details of each new window and door type, including set-back window features, cills, heads, reveals and surrounds;
- b) Typical roof junctions including parapets, copings and eaves;
- c) Typical corner detailing at junctions;
- d) Junction with retaining wall;
- e) Rainwater goods;
- f) Terrace screening.

Reason: In the interests of visual amenity and the character of the area.

10. Green living roof

Prior to the commencement of the roof of the property a strategy for the implementation of the green living roof shall be submitted to and approved in writing by the Local Planning Authority. The strategy should include details relating to the extent, specification, installation method and the management and maintenance of the green roof unless otherwise agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the dwellings and shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the building is satisfactory and that the character and appearance of the Conservation Area would be safeguarded, to promote sustainability interests and biodiversity and to reduce surface water run-off.

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11. Sample panels before specified elements started

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

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

12. Bat method statement

No development (including enabling works: site clearance, stabilisation works and works to the base rock/ walls on site) shall take place until a method statement prepared by a suitably qualified ecological consultant setting out the precautionary methods to be followed during all enabling and construction works has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved method statement.

The development hereby permitted (including enabling works: site clearance, stabilisation works and works to the base rock/ walls on site) shall be carried out only in accordance with the recommendations of the approved bat survey report dated 17 July 2014 at all times. If works to implement this consent do not commence within 12 months of this report (by 17 Jul 2015) then an updated bat survey report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on the site (including the enabling works listed above).

Reason: To conserve legally protected bats.

13. Bird and bat boxes

Prior to commencement of development details shall be submitted providing the specification and location for built-in bird nesting and bat roosting opportunities. This shall include two built-in bird and two built-in bat boxes. The approved details shall be installed prior to the first occupation of the dwelling hereby approved and retained at all times thereafter.

Reason: To help conserve legally protected bats and birds which include priority species.

Pre occupation condition(s)

14. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and where remediation is necessary a remediation scheme must be prepared which ensures the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

Development Control Committee B – 12 November 2014
Application No. 14/02366/F: Land On North Side Of Belgrave Hill Bristol

ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

15. Implementation/installation of refuse storage and recycling facilities - shown on approved plans

No building hereby permitted shall be occupied 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 buildings that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway at any time or on the 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.

16. 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.

17. Sustainability Statement and Energy Strategy

The development hereby approved shall be carried out in accordance with the measures contained within the Sustainability Statement section within the submitted Design and Access Statement and the approved Energy Strategy prior to the first occupation of the development hereby approved and shall be maintained in accordance with these details in perpetuity.

Reason: To ensure that sustainability policy objectives would be met.

18. Solar photovoltaic and solar thermal panels

The solar photovoltaic and solar thermal panels hereby approved shall be installed and made fully operational prior to the first occupation of the dwellings hereby approved. The solar panels shall be maintained in situ in accordance with the approved details and as fully operational thereafter.

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

Post occupation management

19. Restriction of the use of the roof

The roof of the dwellings (with the exception of the area marked 'terrace' in association with Unit 2 on drawing 1506 (L) 22) hereby permitted shall not be used as a balcony, terrace, 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 from overlooking, loss of privacy and disturbance through noise impacts.

Development Control Committee B – 12 November 2014
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20. No extensions

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

Reason: The extension of these dwellings requires detailed consideration to safeguard the amenities of the surrounding area.

21. No further windows/ enlargement of windows

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

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

22. Site clearance

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

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

List of approved plans

23. 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.

1506(L)00 Site location plan, received 23 May 2014

1506(L)01 Existing site layout, received 23 May 2014

1506(L)21 Proposed elevation, received 23 May 2014

1506(L)22 Proposed floor plans, received 23 May 2014

1506(L)23 Proposed sections, received 23 May 2014

1506(L)24 Proposed section G-G, received 23 May 2014

Bat Survey, received 17 July 2014

Energy Statement, received 23 May 2014

Integrale 'Proposed method statement and sequence of working' report, received 23 May 2014

Integrale 'Outline Methodology for Combining Geotechnical Investigation with Stability Works' report, received 23 May 2014

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Reason: For the avoidance of doubt.

Advices

1. Living green roof

It is recommended that the green living roof be provided with local low-nutrient status subsoil and no nutrients added with no seeding to take place to allow colonisation by native wild plants. If seeding is preferred a wildflower mix should be used rather than Sedum (stonecrop) because Sedum provides limited wildlife benefits.

The landform on the roof could be mounded with troughs and mounds to provide habitat diversity and structure, with stones, coils of rope and dry dead wood included to provide invertebrate niches (the use of egg-sized pebbles should be avoided because gulls and crows may pick the pebbles up and drop them). Please see www.livingroofs.org for more information.

2. Construction site noise:

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

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

3. Right of light: The building/extension that you propose may affect a right of light enjoyed by the neighbouring property. This is a private right which can be acquired by prescriptive uses over 20 years; as such it is not affected in any way by the grant of planning permission.

4. Contaminated land: It is suggested that the certificate of remediation referred to in Condition No. 14; should be along the lines of:-

"This is to certify that the scheme of decontamination and reclamation at the site known as **** in relation to Planning Application No. **** was carried out between the dates of **** and **** and was completed in accordance with the specification detailed in the document reference **** and titled ****, which were designed to afford protection from contamination on the site to all known receptors (in this context contamination and receptor have the same definition as in part 2(a) of the Environment and Protection Act 1990)".

The certificate should be signed and dated.

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

6. Bats and bat roosts: Anyone who kills, injures or disturbs bats, obstructs access to bat roosts or damages or disturbs bat roosts, even when unoccupied by bats, is guilty of an offence under the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 and the Conservation (Natural Habitats, &c.) Regulations Act. Prior to commencing work you

Development Control Committee B – 12 November 2014
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should ensure that no bats or bat roosts would be affected. If it is suspected that a bat or bat roost is likely to be affected by the proposed works, you should consult English Nature (Taunton office 01823 283211).

7. Retaining walls: Where retaining walls above or below the highway are to be constructed or are affected by development, details of the structural design should be approved by the Local Highway Authority. (Telephone 0117 9222100).
8. Traffic Regulation Order (TRO): The implementation of a TRO may be required. The TRO process is a lengthy legal process involving statutory public consultation and you should allow an average of 6 months from instruction to implementation. You are advised that the TRO process cannot commence until payment of the TRO fees are received. Telephone 0117 9036846 to start the TRO process.
9. Wessex Water requirements: It will be necessary to comply with Wessex Water's main drainage requirements and advice and further information can be obtained from <http://www.wessexwater.co.uk>.
10. The development hereby approved is likely to impact on the highway network during its construction. The applicant is required to contact Highway Network Management to discuss any temporary traffic management measures required, such as footway, Public Right of Way or carriageway closures, or temporary parking restrictions. Please call 0117 9031212 or email traffic@bristol.gov.uk a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.
11. 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.

12. Party Wall Act

Party Wall Agreements will likely be required in relation to all properties upslope of the site and also 10 Sutherland Place/ Mews should they share a party wall with the application site. Please be advised that this planning consent does not act in any way as Party Wall consent and the developer/ applicant should be satisfied that they have undertaken all necessary measures and actions in respect of this matter prior to the commencement of the development.

It is recommended that the developer undertakes condition surveys of all properties upslope of the application site within 10m on the site boundary as well as 10 Sutherland Place/ Mews to provide a benchmark against which any potential movement/ damage can be measured.

In the event that any issues arise during or following construction in terms of impacts on the upslope properties, the resolution of these issues will need to be addressed through the Party Wall process, third party insurance or any other legal processes available to third parties. However, the Local Planning Authority will seek through the discharge of Condition 4 to ensure that the insurance policy taken out will cover damage to neighbouring properties.

13. With regards to Condition 4 of this consent, you are advised that the City Council will require access to the insurance policy (as a named party on the insurance details) in the event that a claim is to be made.

Development Control Committee B – 12 November 2014
Application No. 14/02366/F: Land On North Side Of Belgrave Hill Bristol

14. Bird and bat box guidance:

Examples of built-in bird and bat boxes are available from:

<http://www.ibstock.com/sustainability-ecozone.asp>
http://www.nhbs.com/brick_boxes_for_birds_eqcat_431.html

If built-in bird and bat boxes cannot be provided within built structures, they should be provided on trees (with no more than one bird box per tree).

Bird boxes should be installed to face between north and east to avoid direct sunlight and heavy rain. Bat boxes should face south, between south-east and south-west. Bird boxes should be erected out of the reach of predators. For small hole-nesting species bird boxes should be erected between two and four metres high. Bat boxes should be erected at a height of at least four metres, close to hedges, shrubs or tree-lines and avoid well lit locations.

BACKGROUND PAPERS

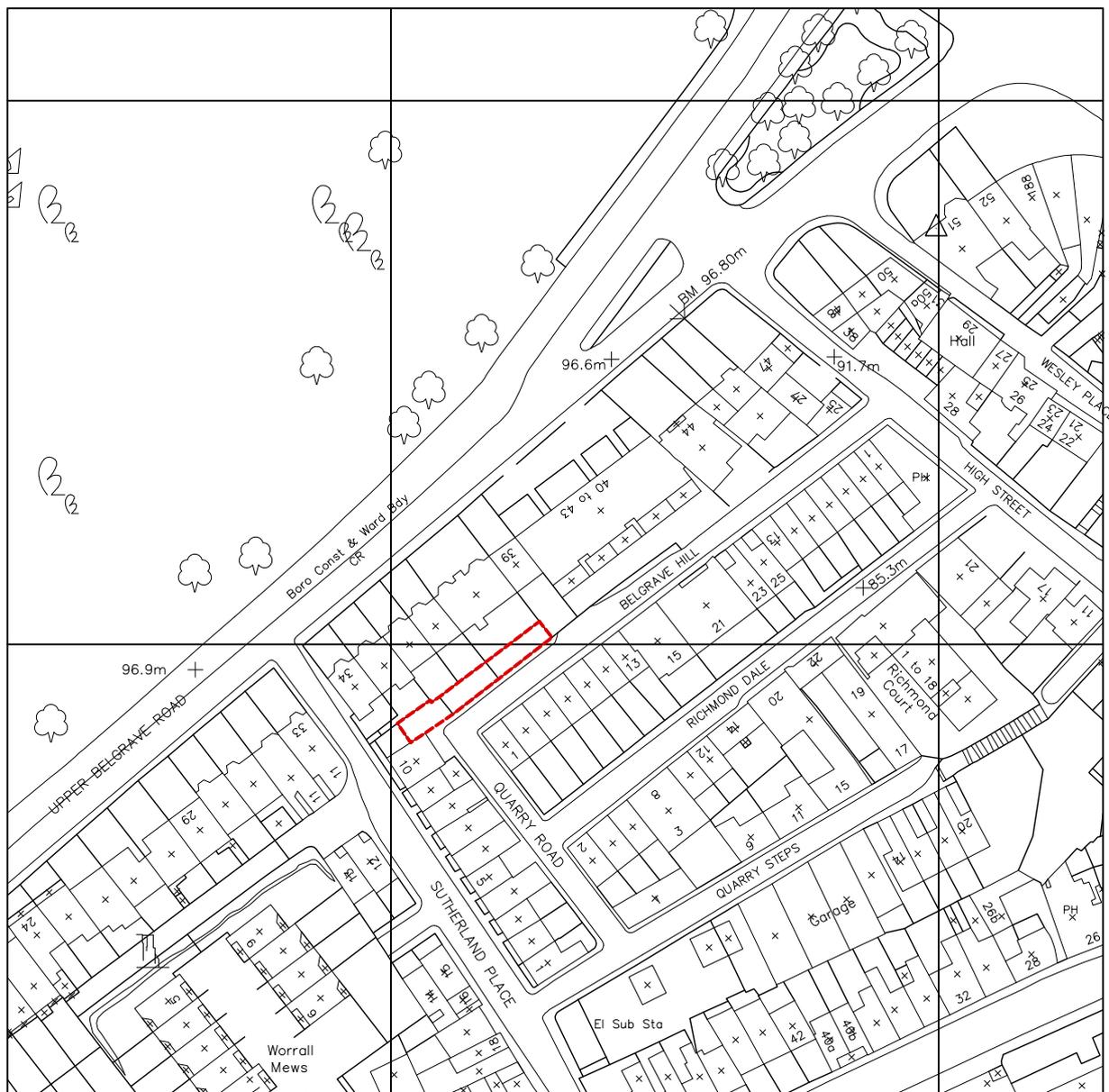
Urban Design	15 October 2014
Transport Development Management	8 October 2014
Contaminated Land Environmental Protection	26 June 2014
Nature Conservation Officer	24 July 2014
Archaeology Team	25 June 2014
Consultant Structural Engineer	30 September 2014
Conservation Advisory Panel	17 June 2014

Supporting Documents

1. Land On North Side Of Belgrave Hill, Bristol

1. Location plan
2. Existing plans
3. Existing elevations
4. Proposed plans
5. Proposed elevations
6. Proposed sections
7. Proposed section G-G

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ISSUED FOR PLANNING

10/10/11

REV	Note	Date
-	-	-



105 WEST ARCHITECTS Ltd
107 Lower Redland Road
Redland, Bristol, BS6 6SW

T 0117 3737 596
E Info@105west.co.uk

Project **Land at Belgrave Hill,
Clifton, Bristol**

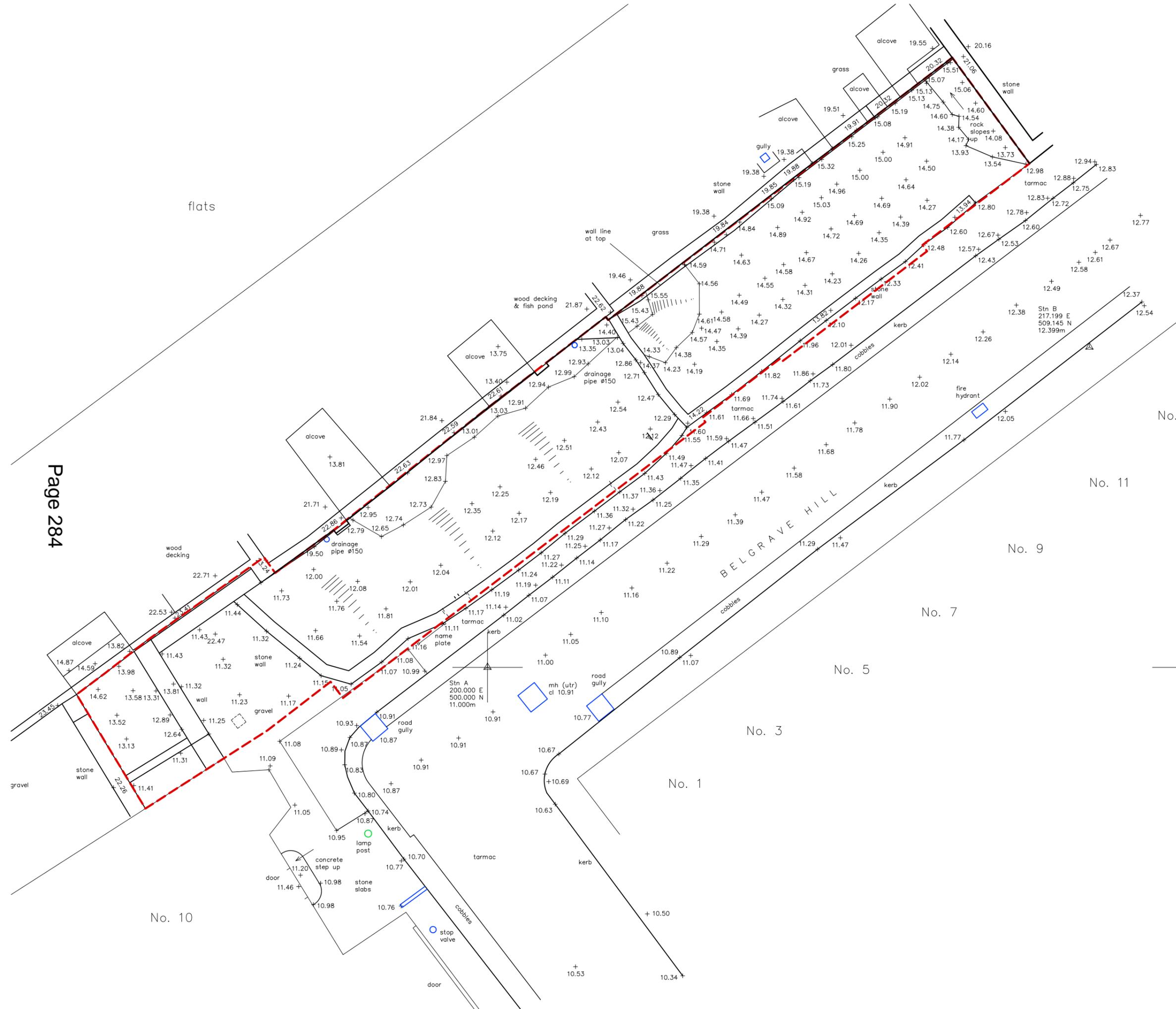
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Drawing No. **1506(L)00**

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-	-	-

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Project **Belgrave Hill, Clifton Bristol**

Drawing Title **Existing Plans**

Drawing No. **1506(L)01**

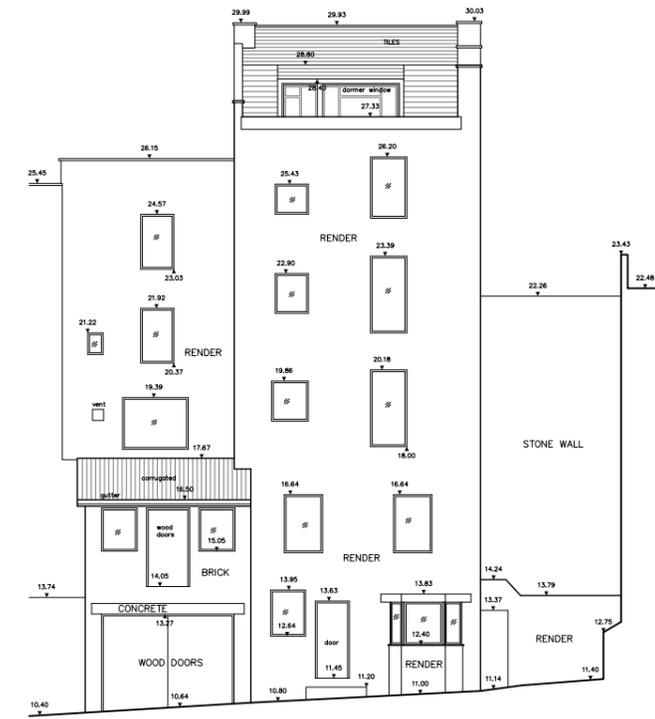
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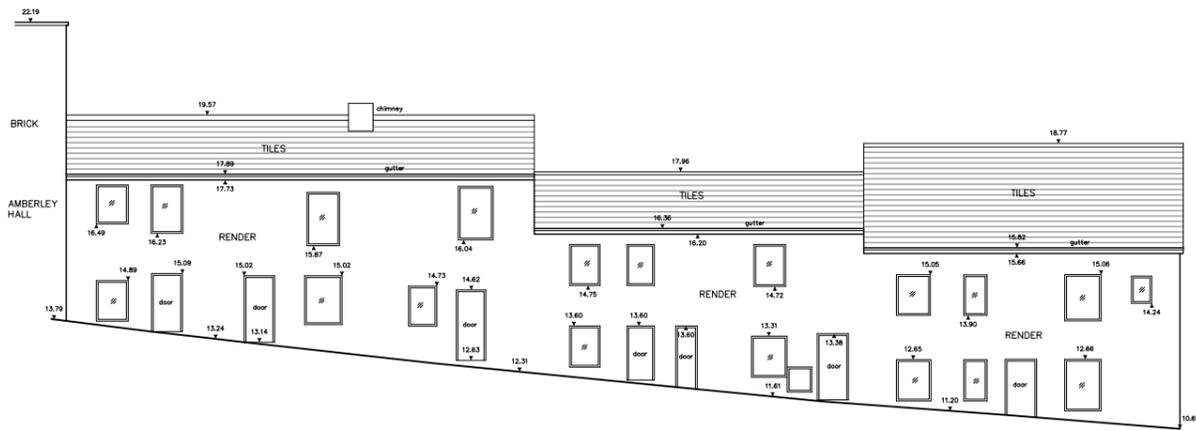


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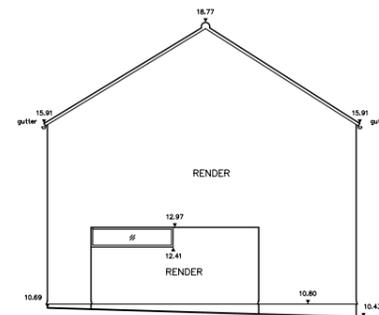
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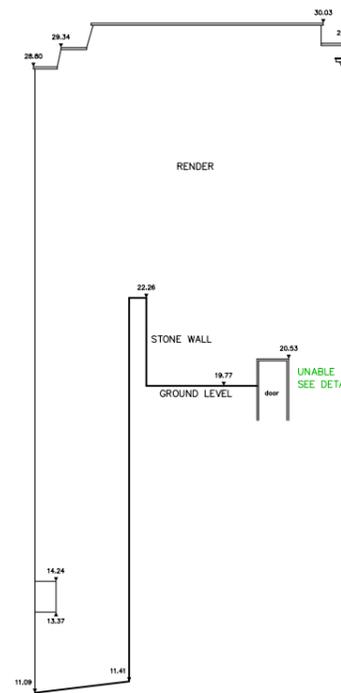
Rear Elevation
10 Sutherland Place



Front Elevation
1 to 13 Belgrave Hill



Side Elevation
1 Belgrave Hill



Side Elevation
10 Sutherland Place

ISSUED FOR PLANNING

04/07/11

REV Note Date

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 105 WEST ARCHITECTS Ltd
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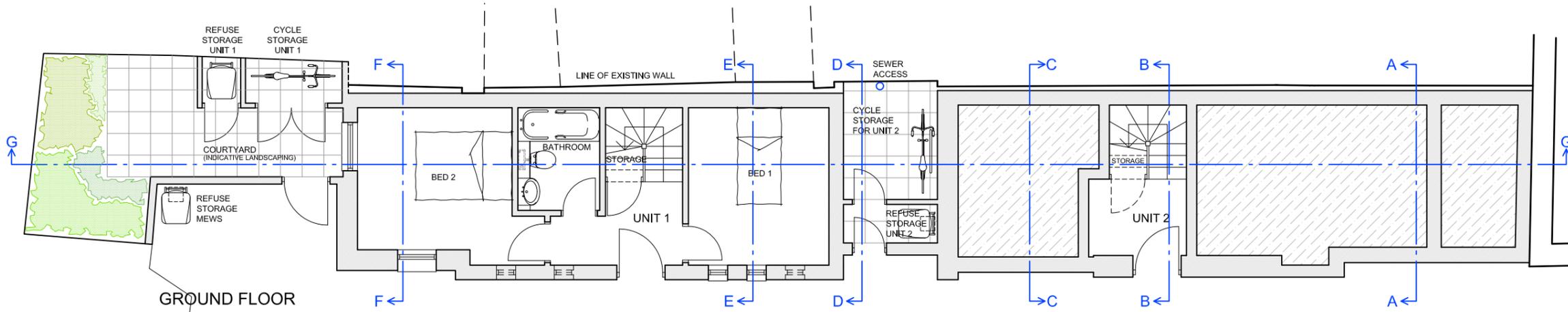
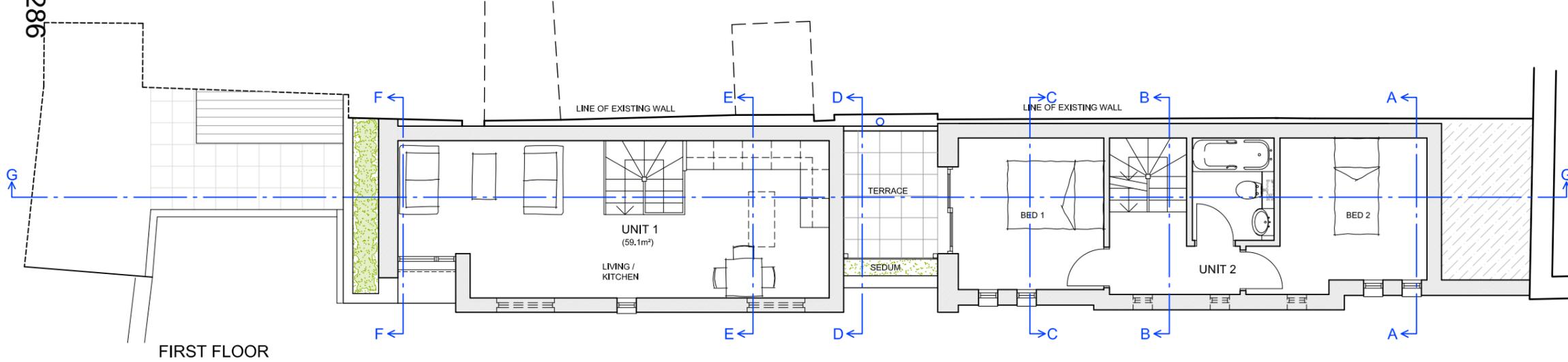
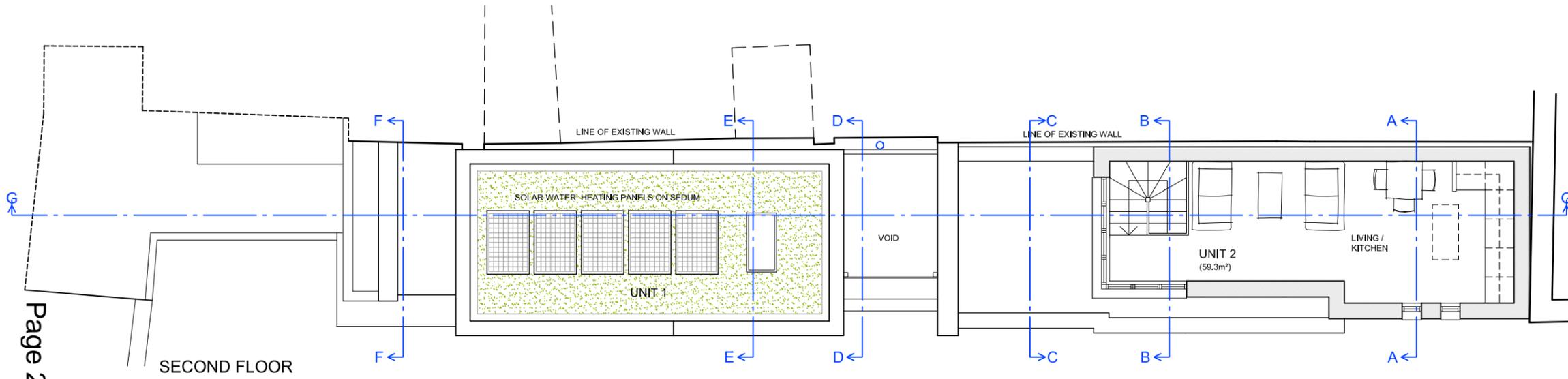
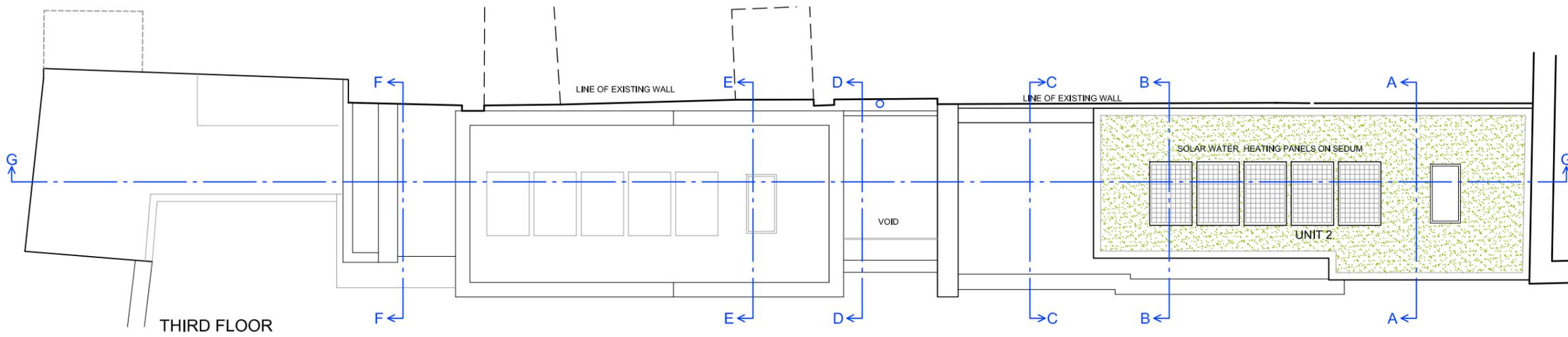
Project **Belgrave Hill, Clifton
Bristol**

Drawing Title **Existing Elevations**

Drawing No. **1506(L)02**

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REV	Note	Date
A	Revised following comments from LA and section references revised.	28/04/14

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Project **Belgrave Hill, Clifton Bristol**

Drawing Title **Proposed Plans**

Drawing No. **1506(L)22**

Scale @A3 drawn by DF Date 24/06/11 Rev A

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MATERIALS

Unit 1
 Walls - Random Rubble Stone to match existing and Painted Render
 Windows - Natural Timber
 Doors - Natural Timber
 Courtyard - Marshalls Tegula Priora permeable paving. Colour: pennant

Unit 2
 Walls at street level - Random Rubble Stone to match existing
 Walls at upper levels - Painted Render and Natural Timber
 Windows - Natural Timber
 Doors - Natural Timber
 Terrace - Marshalls Firedstone Flame. Colour: dusk.

All Roofs - Sedum on grey single ply membrane

ISSUED FOR PLANNING 12/05/14
 ISSUED FOR PLANNING 10/10/11

B Existing ground line revised 07/08/18
 A Revised following comments from LA and section references revised. 28/04/14

REV Note Date

105 WEST ARCHITECTS
 105 WEST ARCHITECTS Ltd
 107 Lower Redland Road, Redland
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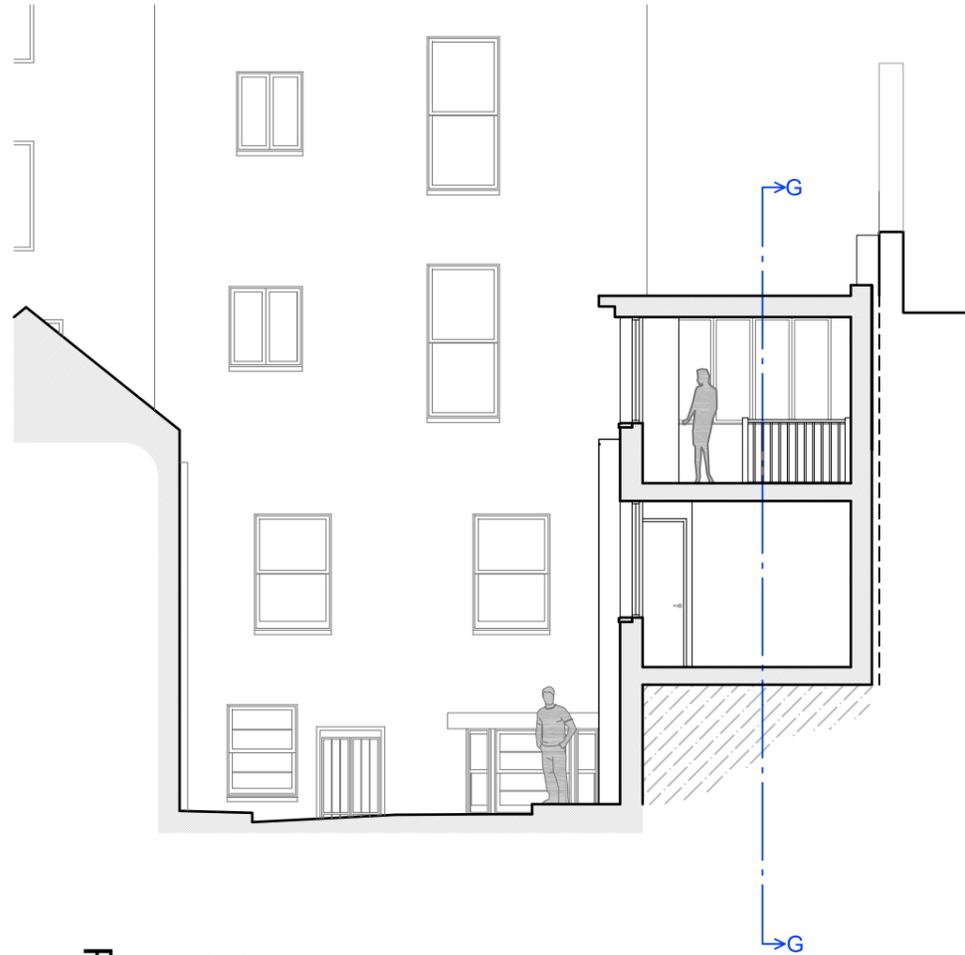
Project **Belgrave Hill, Clifton
 Bristol**

Drawing Title **Proposed Elevation**

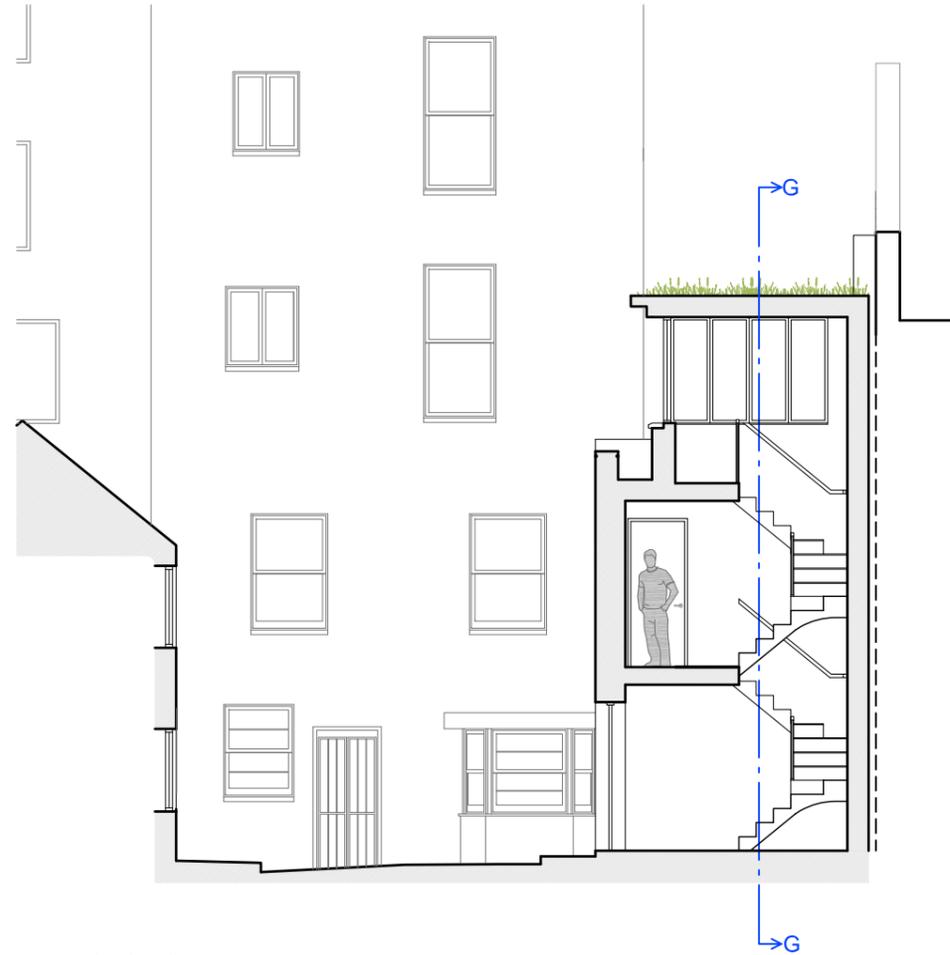
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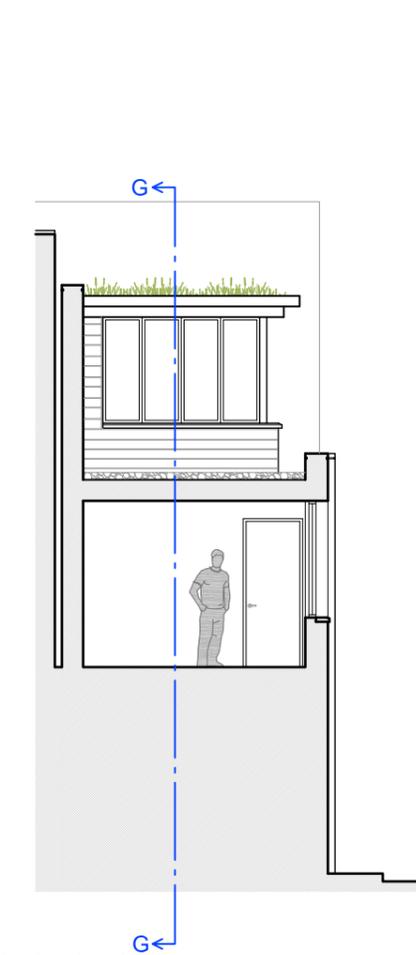
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SECTION A-A
(UNIT 2)

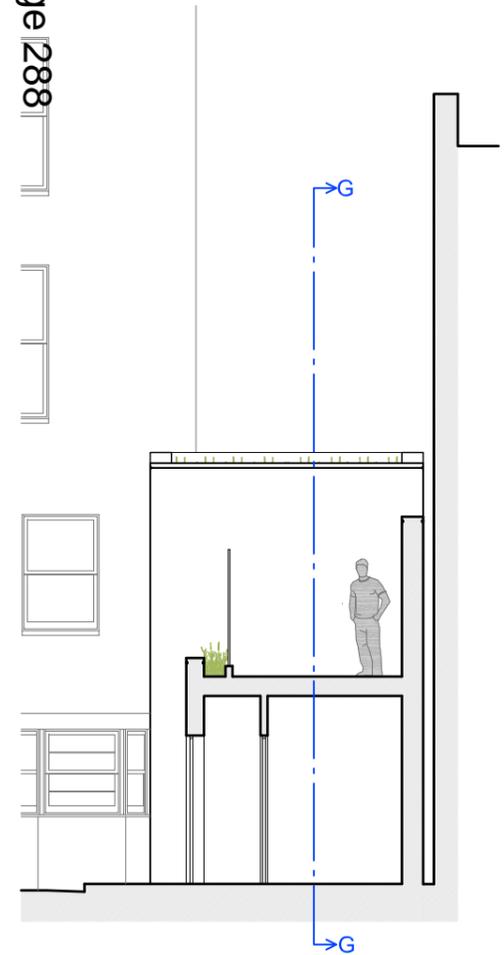


SECTION B-B
(UNIT 2)

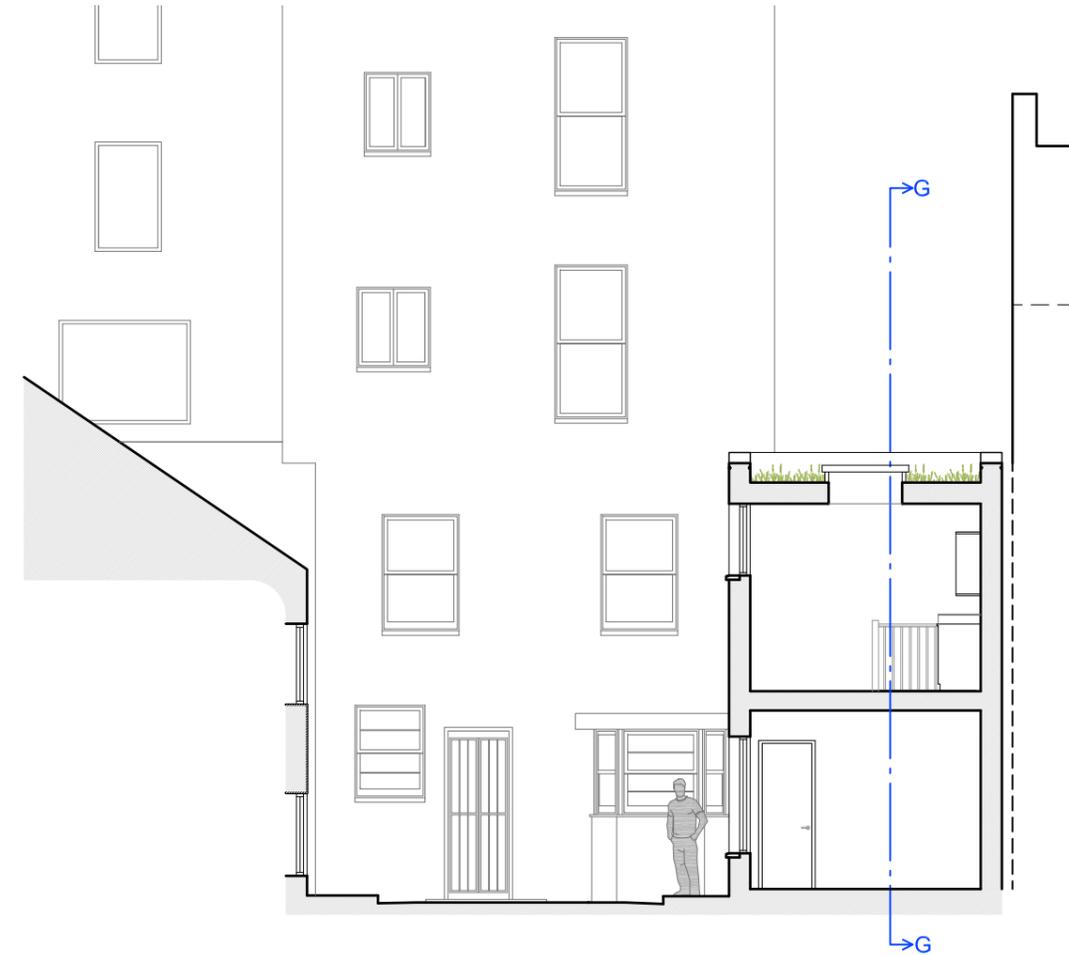


SECTION C-C
(UNIT 2)

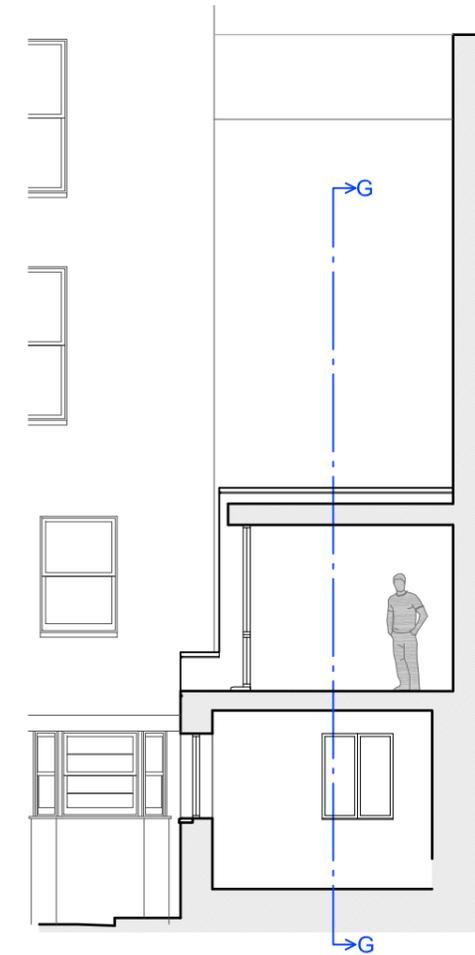
Page 288



SECTION D-D
(UNIT 2)



SECTION E-E
(UNIT 1)



SECTION F-F
(UNIT 1)

ISSUED FOR PLANNING 12/05/14
ISSUED FOR PLANNING 10/10/11

A Revised following comments from LA, section references revised, sections added. 28/04/14

REV Note Date

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Bristol, BS6 6SW
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Project **Belgrave Hill, Clifton
Bristol**

Drawing Title **Proposed Sections**

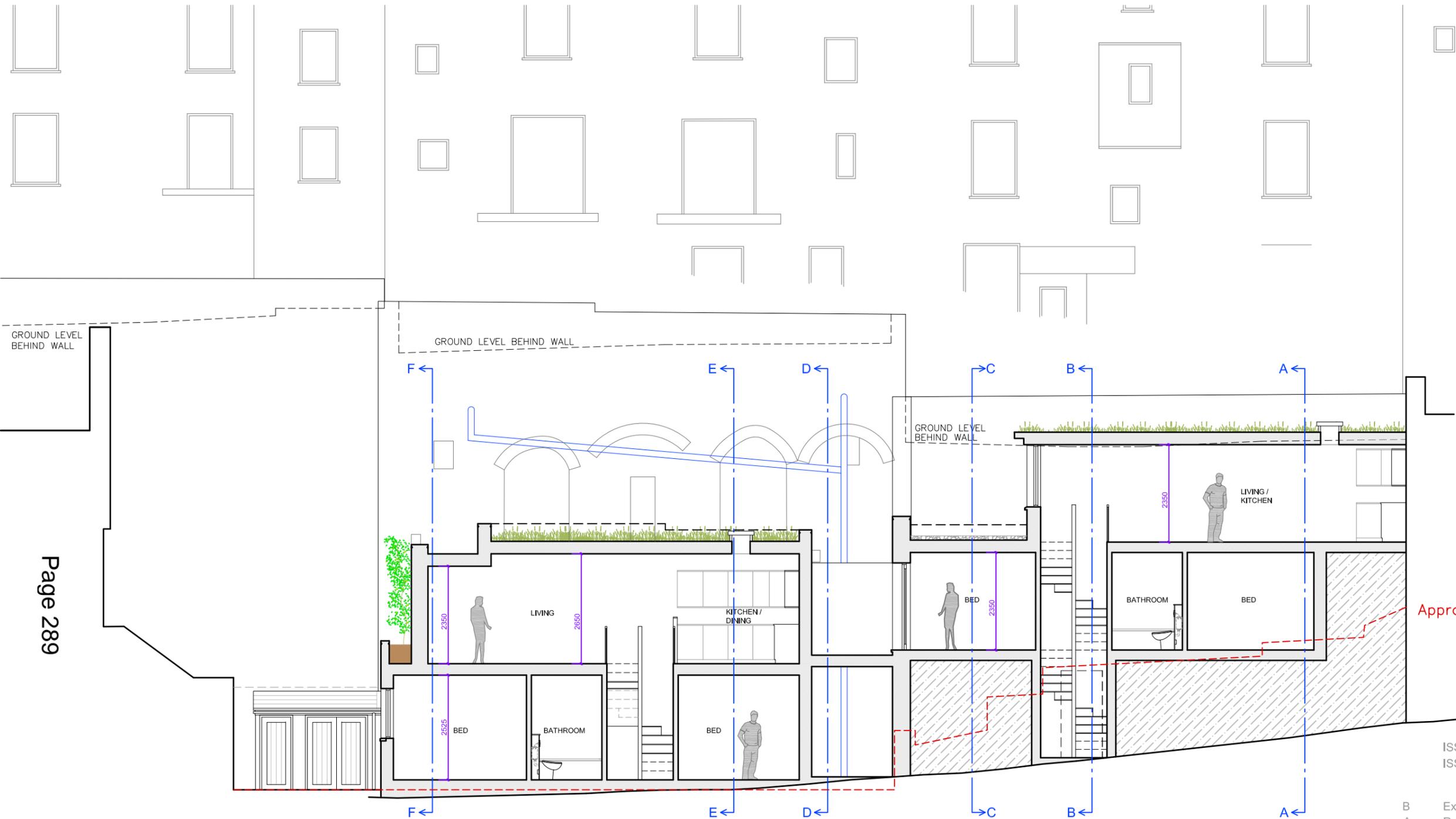
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SECTION G-G

Approx extg ground line

Extg kerb line

ISSUED FOR PLANNING 12/05/14
 ISSUED FOR PLANNING 10/10/11

B Existing ground line revised 07/08/18
 A Revised following comments from LA and section references revised. 28/04/14

REV	Note	Date
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Project **Belgrave Hill, Clifton
 Bristol**

Drawing Title **Proposed Section G-G**

Drawing No. **1506(L)24**

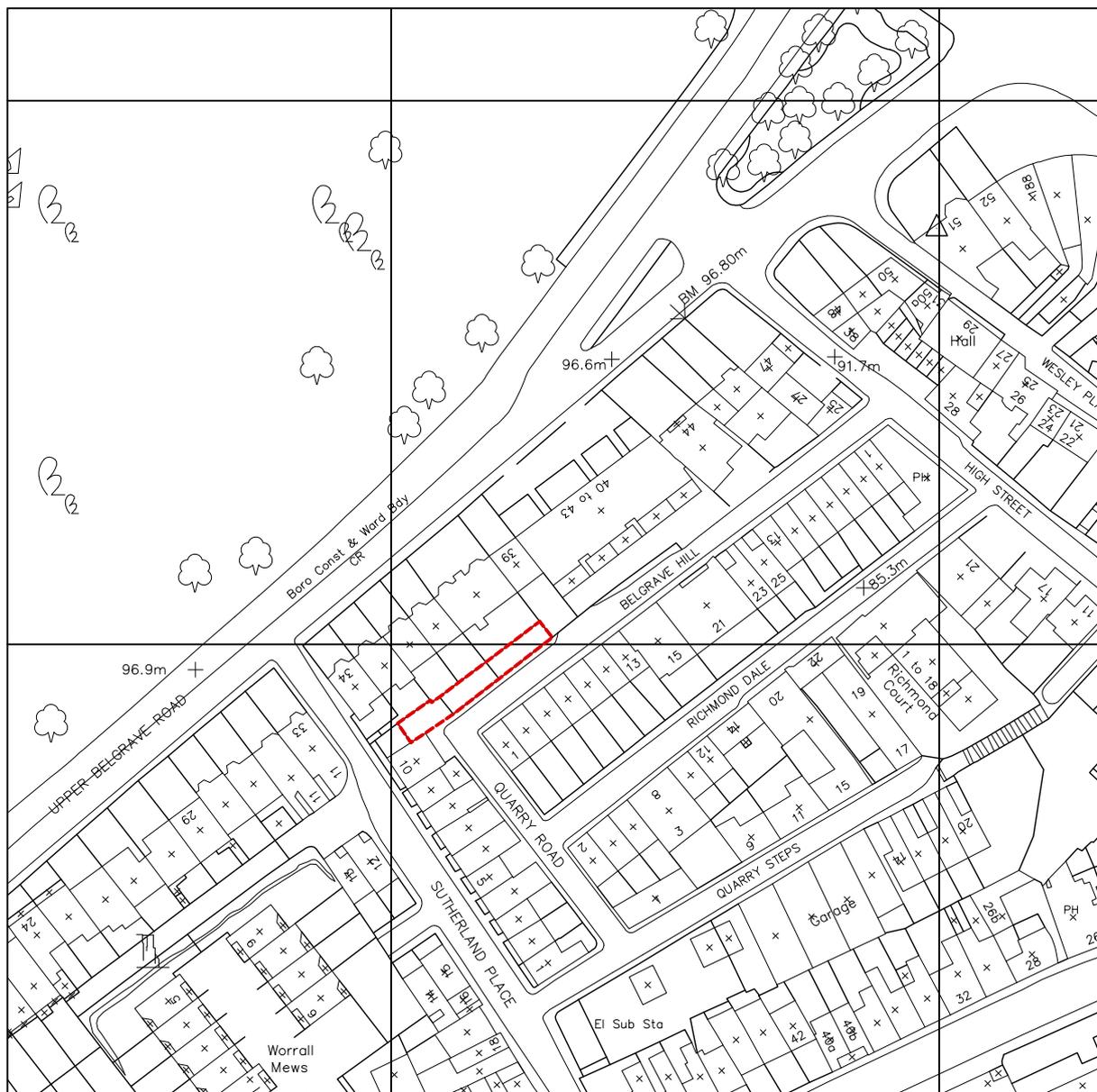
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1:100	DF	24/06/11	B

Supporting Documents

1. Land on North Side of Belgrave Hill

1. Location plan
2. Existing elevations
3. Existing plans
4. Proposed elevations
5. Proposed plans
6. Proposed section G-G
7. Proposed section

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ISSUED FOR PLANNING

10/10/11

REV	Note	Date
-	-	-



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107 Lower Redland Road
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Project **Land at Belgrave Hill,
Clifton, Bristol**

Drawing Title **Location Map**

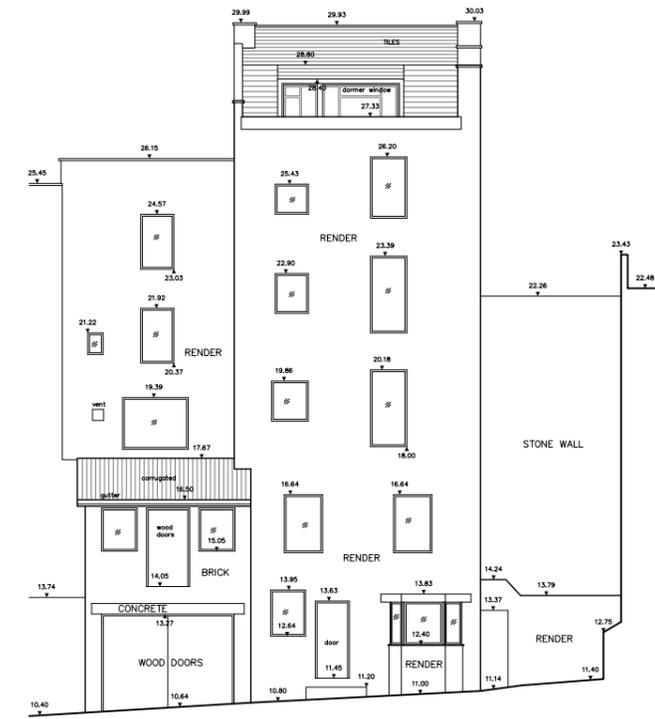
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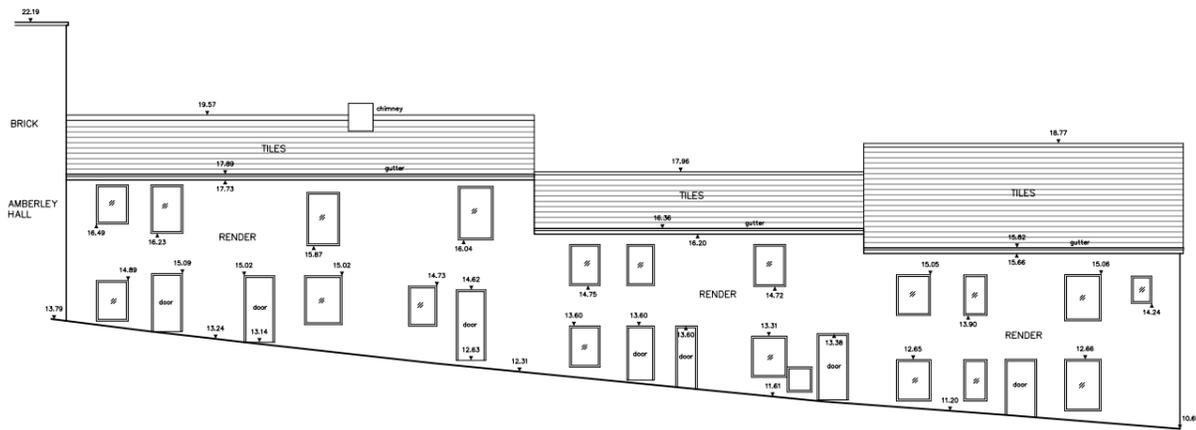


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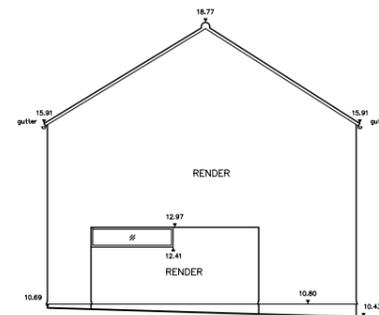
Retaining Wall Elevation



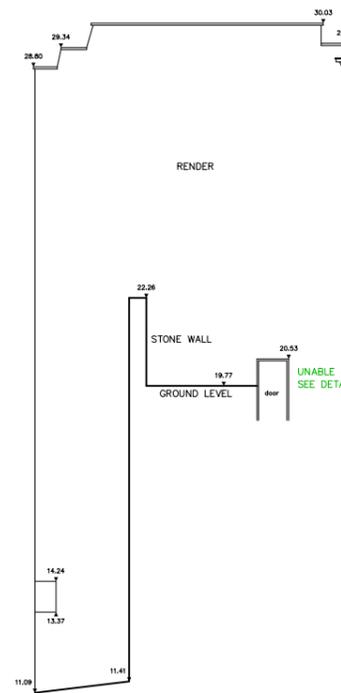
Rear Elevation
10 Sutherland Place



Front Elevation
1 to 13 Belgrave Hill



Side Elevation
1 Belgrave Hill



Side Elevation
10 Sutherland Place

ISSUED FOR PLANNING 04/07/11

REV Note Date

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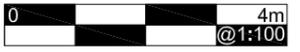
Project **Belgrave Hill, Clifton
Bristol**

Drawing Title **Existing Elevations**

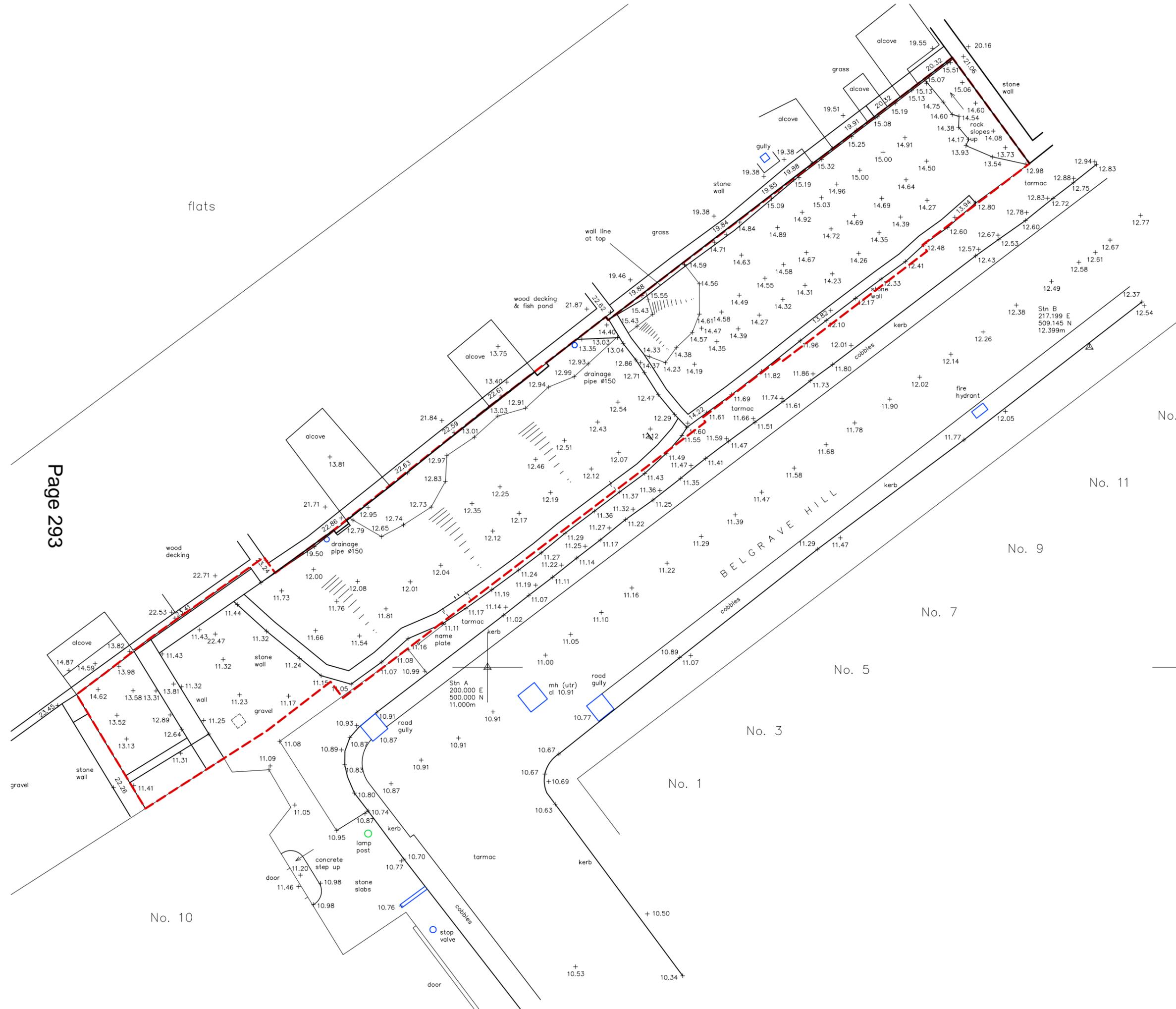
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ISSUED FOR PLANNING 10/10/11

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Project **Belgrave Hill, Clifton Bristol**

Drawing Title **Existing Plans**

Drawing No. **1506(L)01**

Scale @A3 drawn by Date Rev
1:100 DF 18/09/07 -

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Page 294

MATERIALS

Unit 1
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All Roofs - Sedum on grey single ply membrane

ISSUED FOR PLANNING 12/05/14
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B Existing ground line revised 07/08/18
 A Revised following comments from LA and section references revised. 28/04/14

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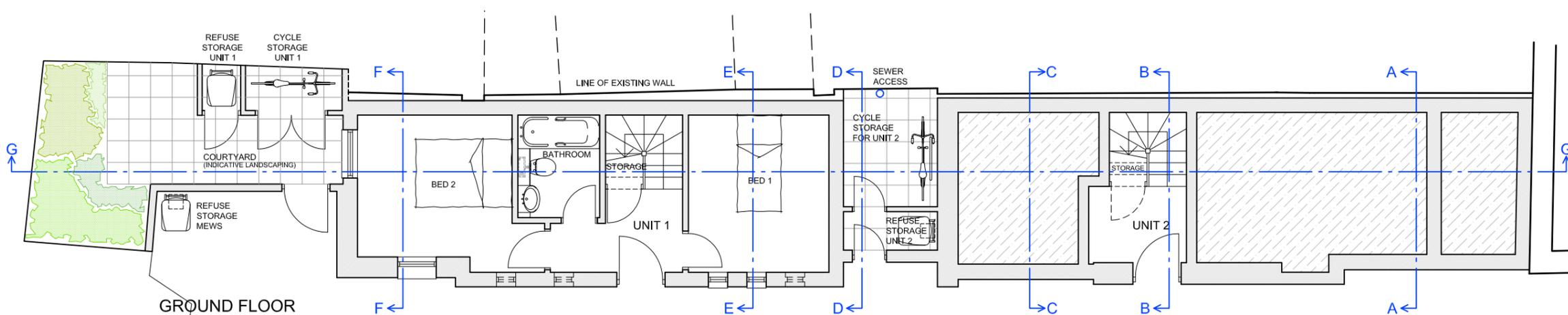
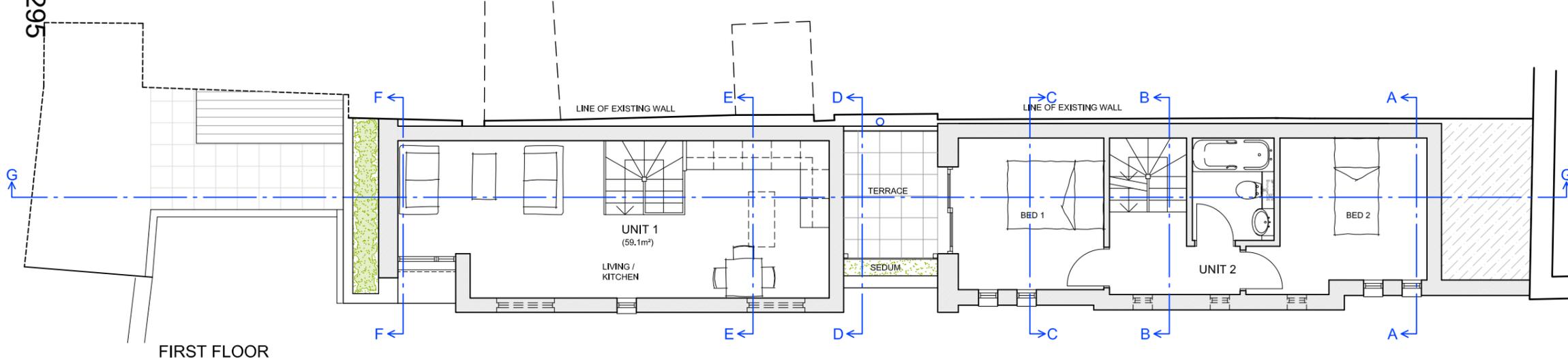
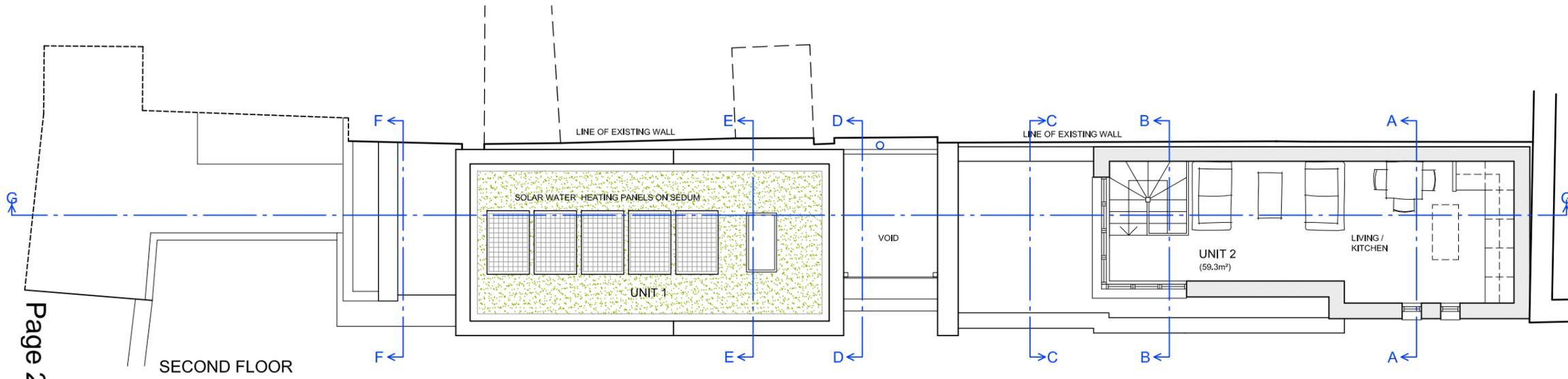
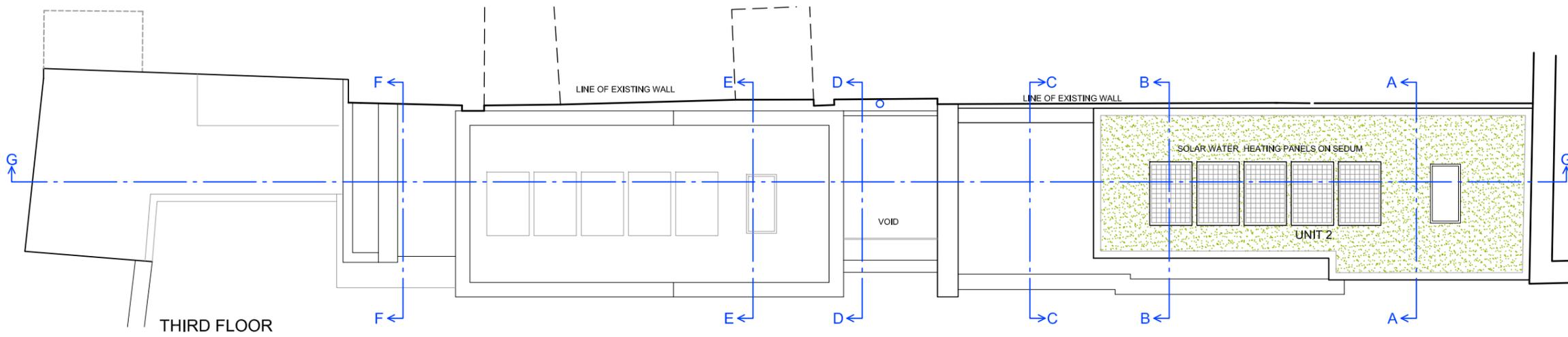
Project **Belgrave Hill, Clifton
 Bristol**

Drawing Title **Proposed Elevation**

Drawing No. **1506(L)21**

Scale @A3 drawn by Date Rev
1:100 DF 24/06/11 B

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ISSUED FOR PLANNING 12/05/14
 ISSUED FOR PLANNING 10/10/11

REV	Note	Date
A	Revised following comments from LA and section references revised.	28/04/14

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 107 Lower Redland Road, Redland
 Bristol, BS6 6SW
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 E Info@105west.co.uk

Project **Belgrave Hill, Clifton Bristol**

Drawing Title **Proposed Plans**

Drawing No. **1506(L)22**

Scale @A3 drawn by DF Date 24/06/11 Rev A

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GROUND LEVEL BEHIND WALL

GROUND LEVEL BEHIND WALL

GROUND LEVEL BEHIND WALL

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SECTION G-G

Approx extg ground line

Extg kerb line

ISSUED FOR PLANNING 12/05/14
ISSUED FOR PLANNING 10/10/11

B Existing ground line revised 07/08/18
A Revised following comments from LA and section references revised. 28/04/14

REV	Note	Date
B	Existing ground line revised	07/08/18
A	Revised following comments from LA and section references revised.	28/04/14



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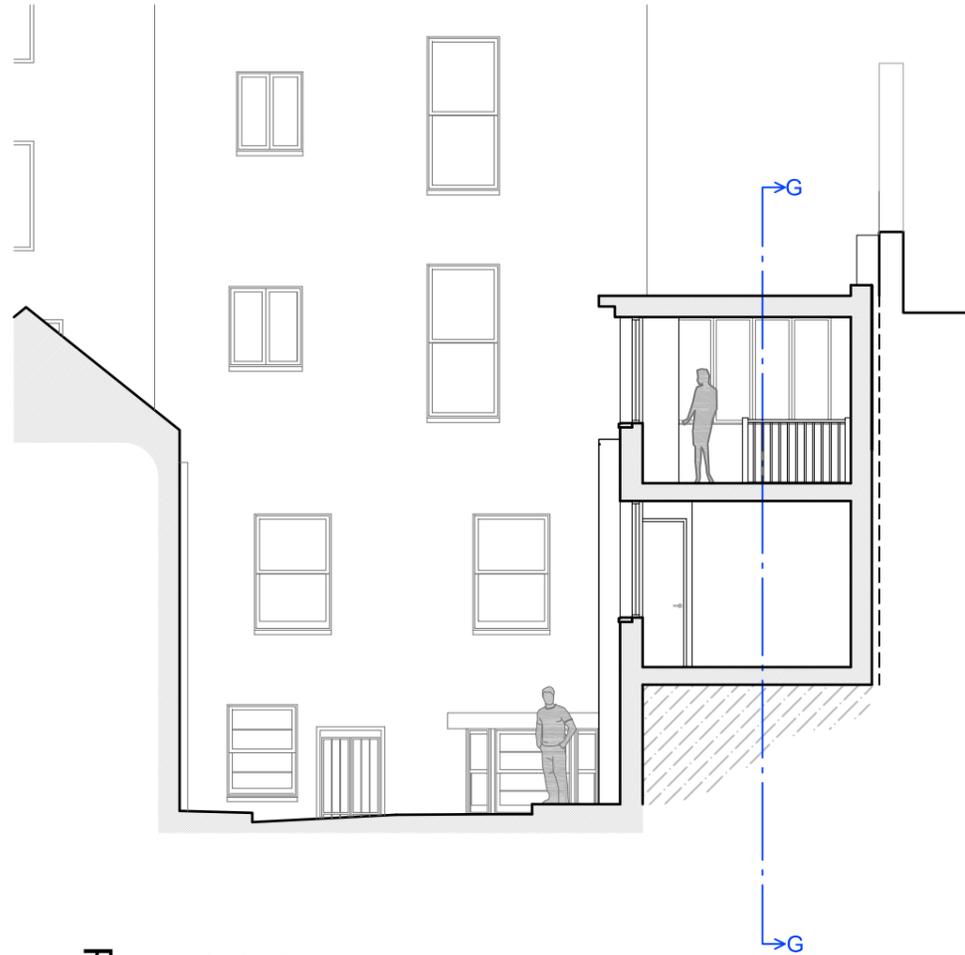
Project **Belgrave Hill, Clifton
Bristol**

Drawing Title **Proposed Section G-G**

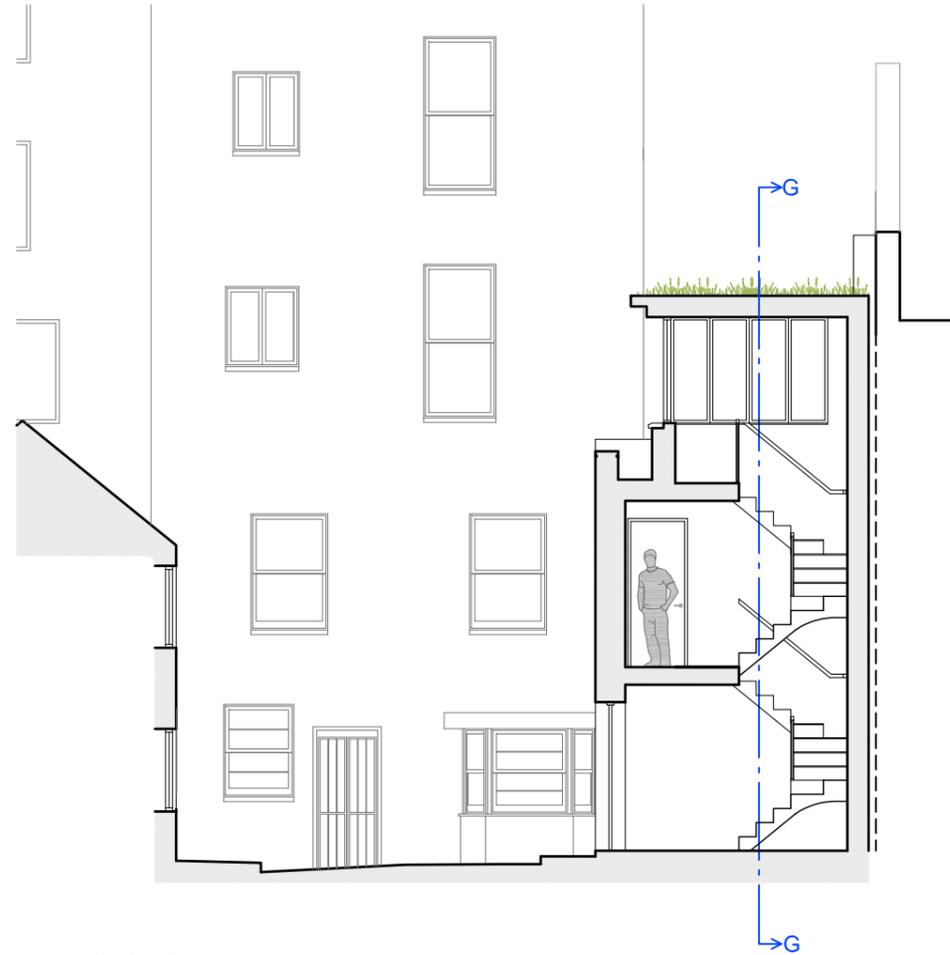
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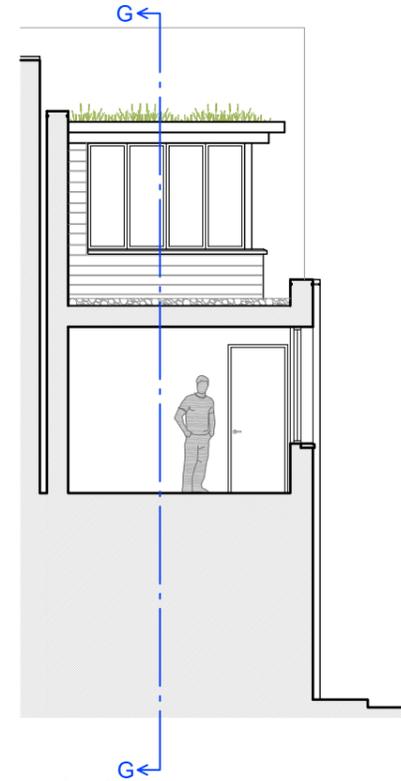
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SECTION A-A
(UNIT 2)

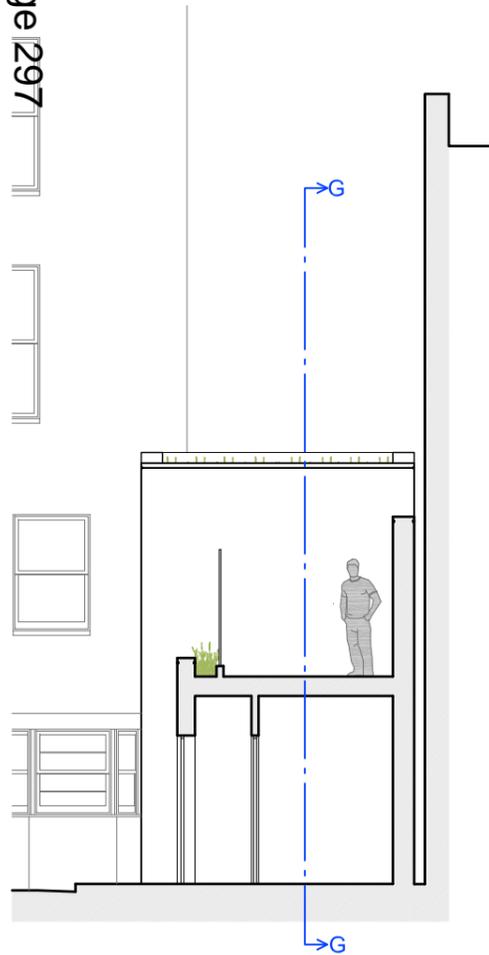


SECTION B-B
(UNIT 2)

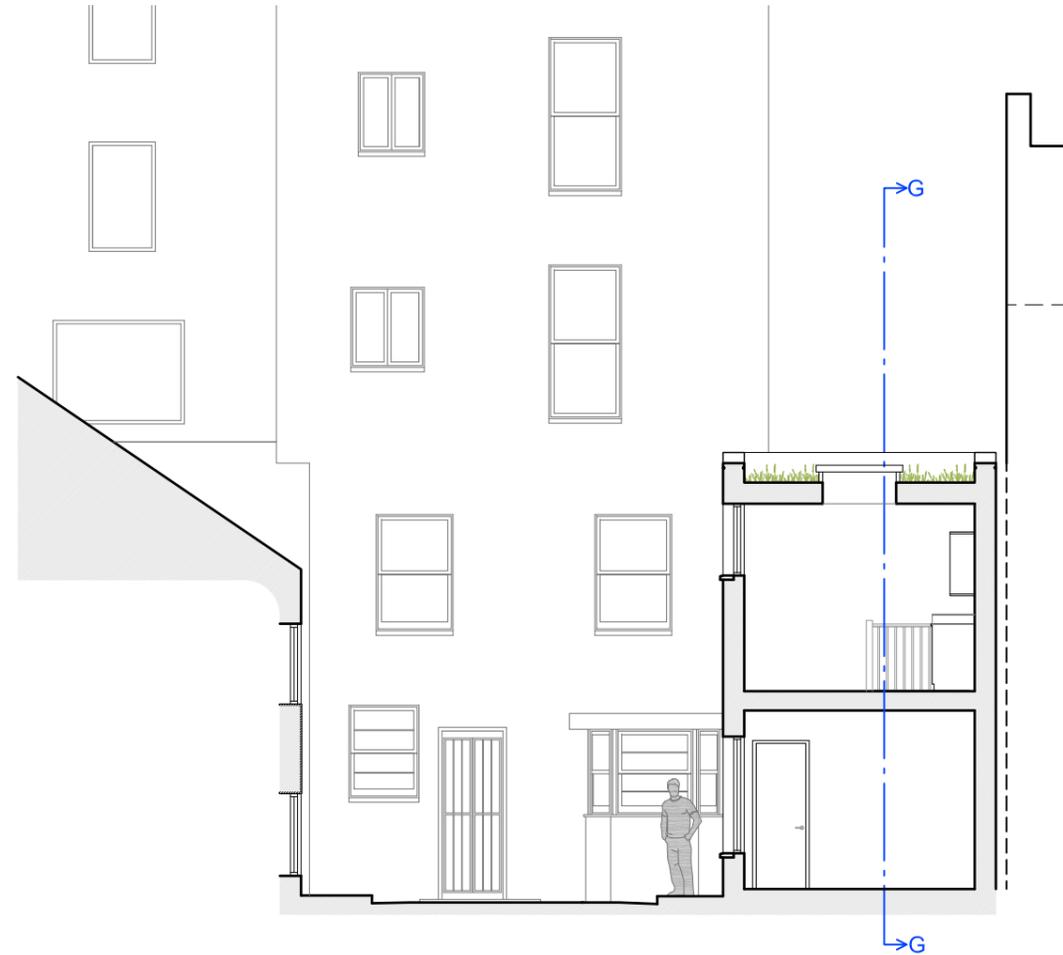


SECTION C-C
(UNIT 2)

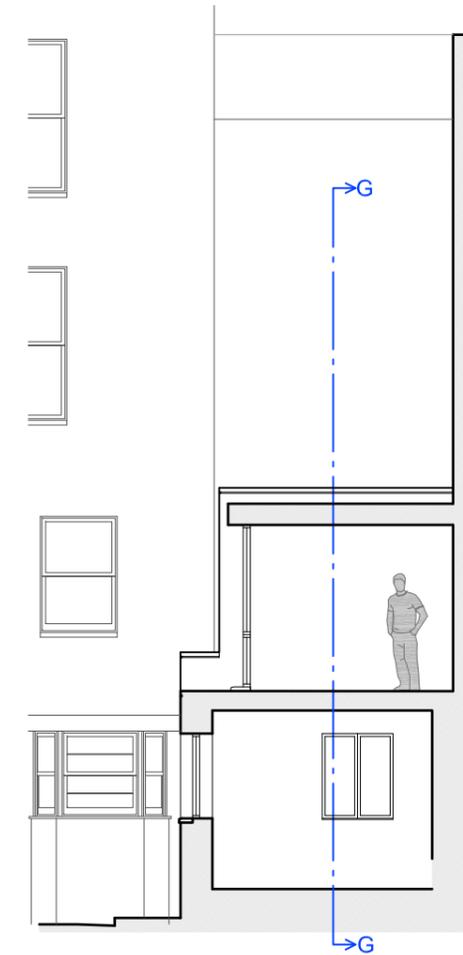
Page 297



SECTION D-D
(UNIT 2)



SECTION E-E
(UNIT 1)



SECTION F-F
(UNIT 1)

ISSUED FOR PLANNING 12/05/14
ISSUED FOR PLANNING 10/10/11

A Revised following comments from LA, section references revised, sections added. 28/04/14

REV Note Date

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Project **Belgrave Hill, Clifton
Bristol**

Drawing Title **Proposed Sections**

Drawing No. **1506(L)23**

Scale @A3 drawn by Date Rev
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Supporting Documents

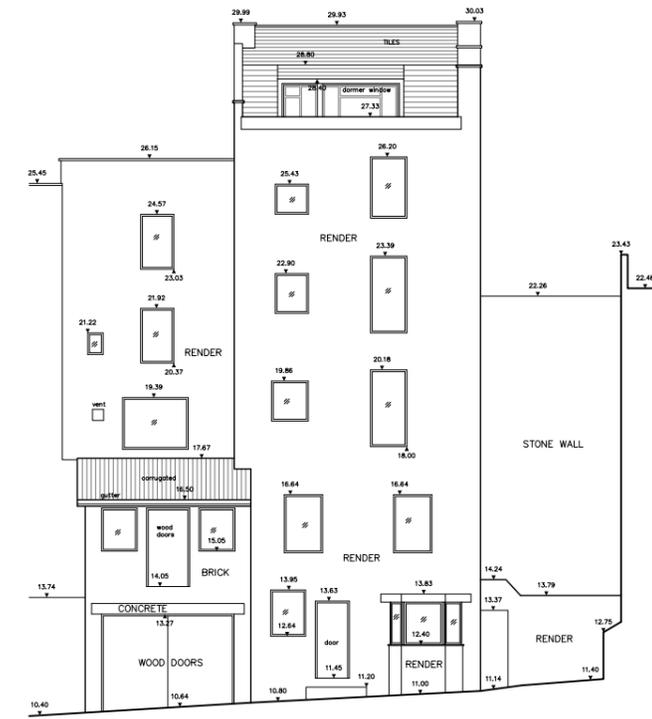
4. 6-8 Belgrave Hill (also Known as Land on North Side of Belgrave Hill)

1. Existing Plans
2. Existing Elevations
3. Proposed Floor Plans
4. Proposed Street Elevations
5. Proposed elevations
6. Proposed Sections
7. Proposed Section G-G
8. Masterplan Moves Comparison - Compressed
9. Updated Swept Path Analysis – Fire Tender

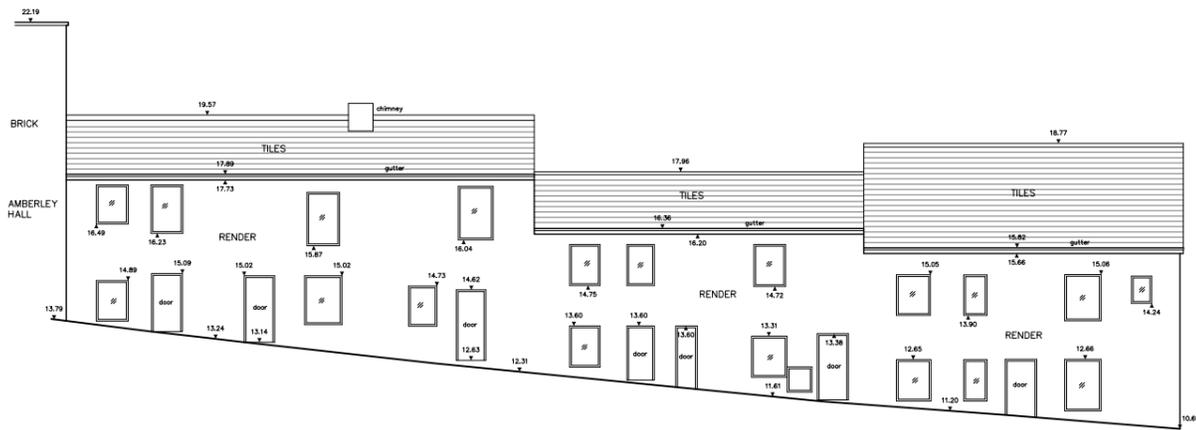


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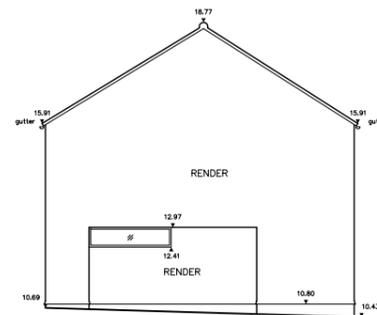
Retaining Wall Elevation



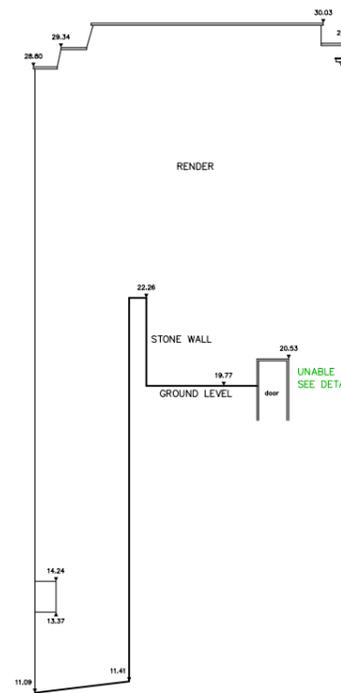
Rear Elevation
10 Sutherland Place



Front Elevation
1 to 13 Belgrave Hill



Side Elevation
1 Belgrave Hill



Side Elevation
10 Sutherland Place

ISSUED FOR PLANNING
ISSUED FOR PLANNING
Jun 2019
04/07/11

REV	Note	Date


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 24 Alfred Place, Kingsdown
 Bristol, BS2 8HD
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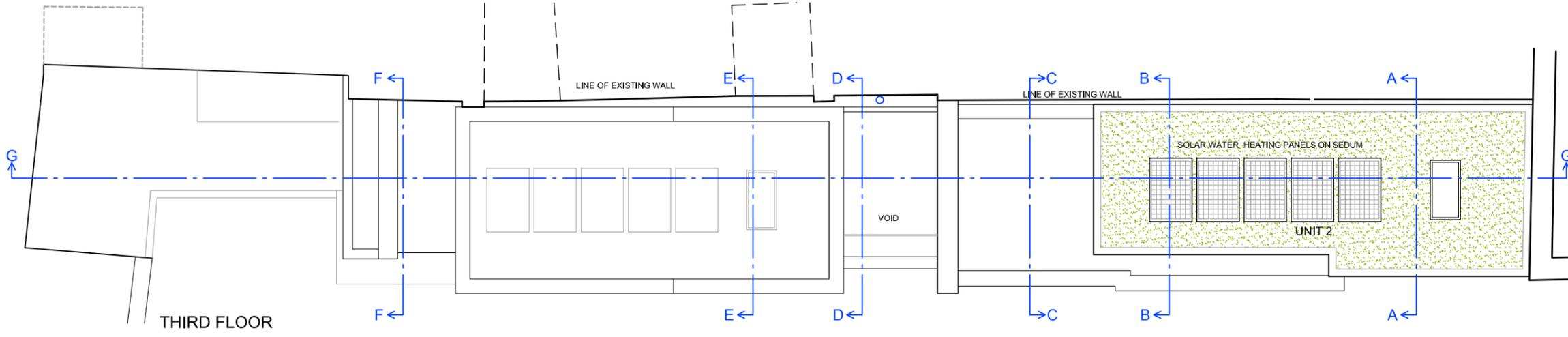
Project **Belgrave Hill, Clifton
Bristol**

Drawing Title **Existing Elevations**

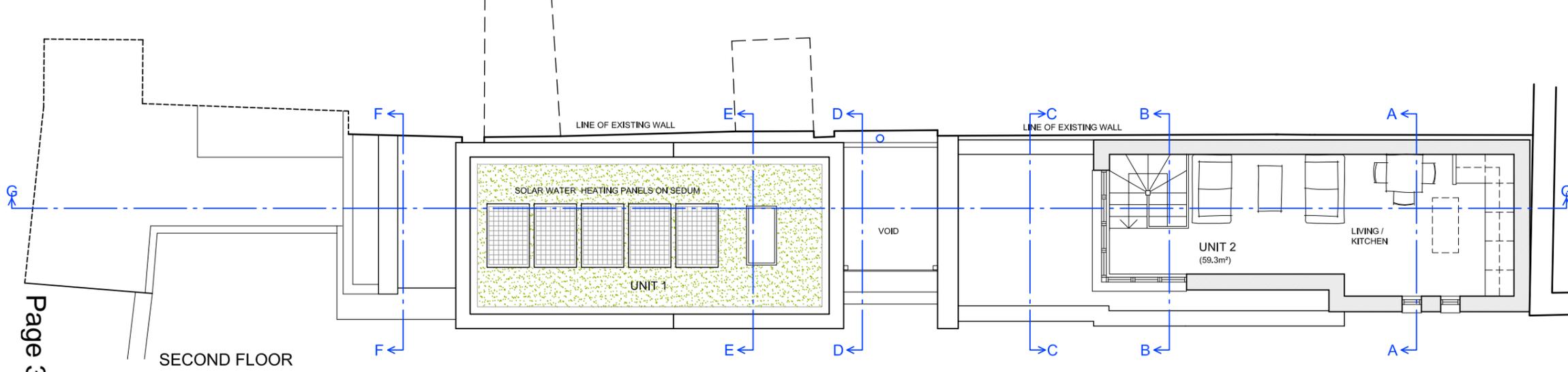
Drawing No. **1506(L)02**

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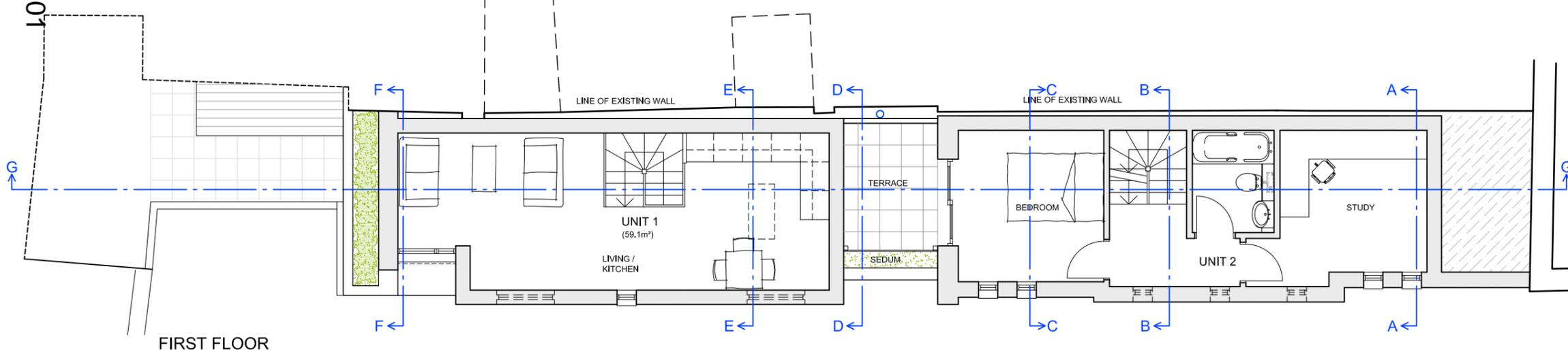
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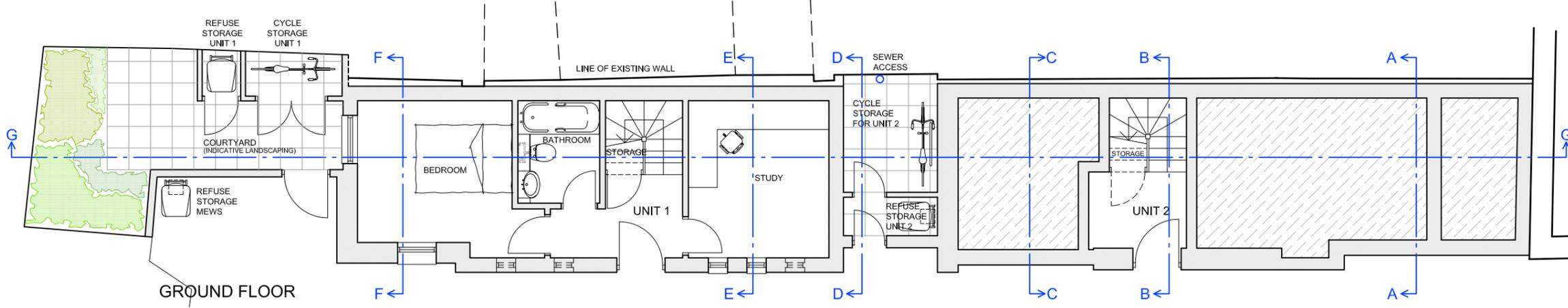
THIRD FLOOR



SECOND FLOOR



FIRST FLOOR



GROUND FLOOR

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ISSUED FOR PLANNING Jun 2019
 ISSUED FOR PLANNING 12/05/14
 ISSUED FOR PLANNING 10/10/11

REV	Note	Date
B	Units revised to single bedroom	05/06/19
A	Revised following comments from LA and section references revised.	28/04/14

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Project **Belgrave Hill, Clifton Bristol**

Drawing Title **Proposed Plans**

Drawing No. **1506(L)22**

Scale @A3 drawn by Date Rev
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MATERIALS

Unit 1
 Walls - Random Rubble Stone to match existing and Painted Render
 Windows - Natural Timber
 Doors - Natural Timber
 Courtyard - Marshalls Tegula Priora permeable paving. Colour: pennant

Unit 2
 Walls at street level - Random Rubble Stone to match existing
 Walls at upper levels - Painted Render and Natural Timber
 Windows - Natural Timber
 Doors - Natural Timber
 Terrace - Marshalls Firedstone Flame. Colour: dusk.

All Roofs - Sedum on grey single ply membrane

ISSUED FOR PLANNING Jun 2019
 ISSUED FOR PLANNING 12/05/14
 ISSUED FOR PLANNING 10/10/11

B Existing ground line revised 07/08/18
 A Revised following comments from LA and section references revised. 28/04/14

REV Note Date

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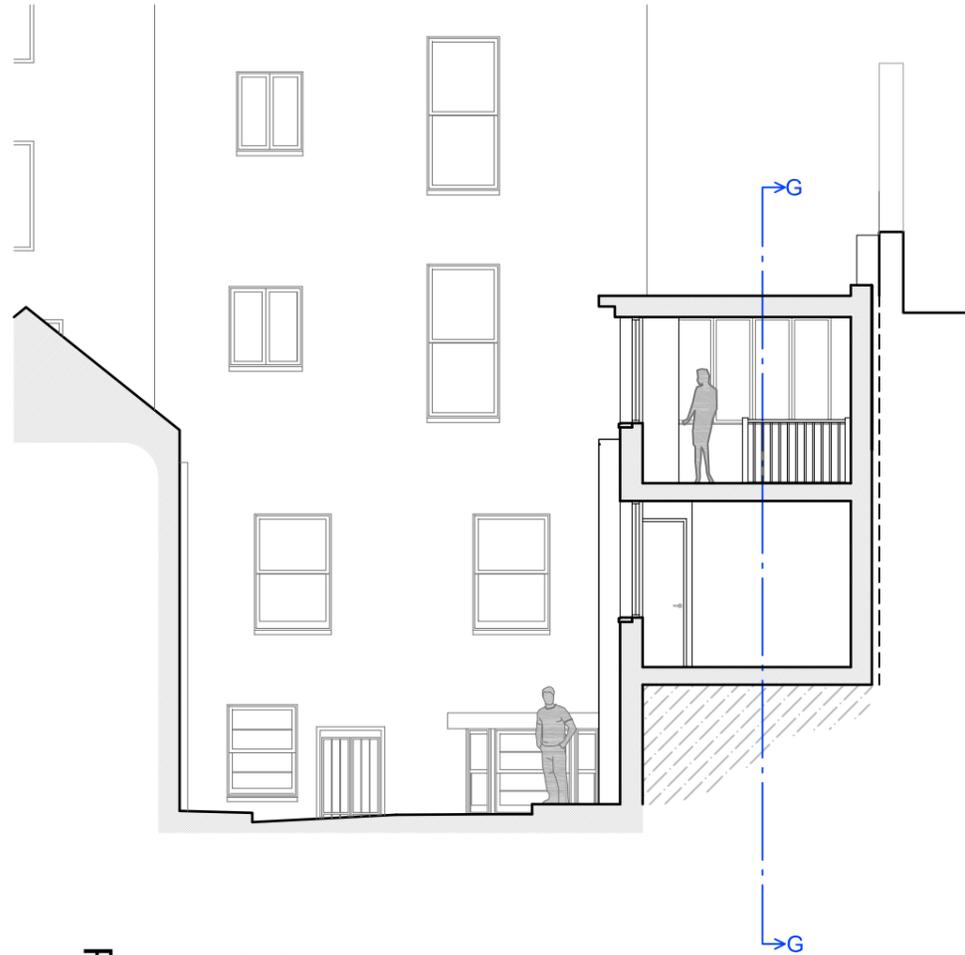
Project **Belgrave Hill, Clifton
 Bristol**

Drawing Title **Proposed Elevation**

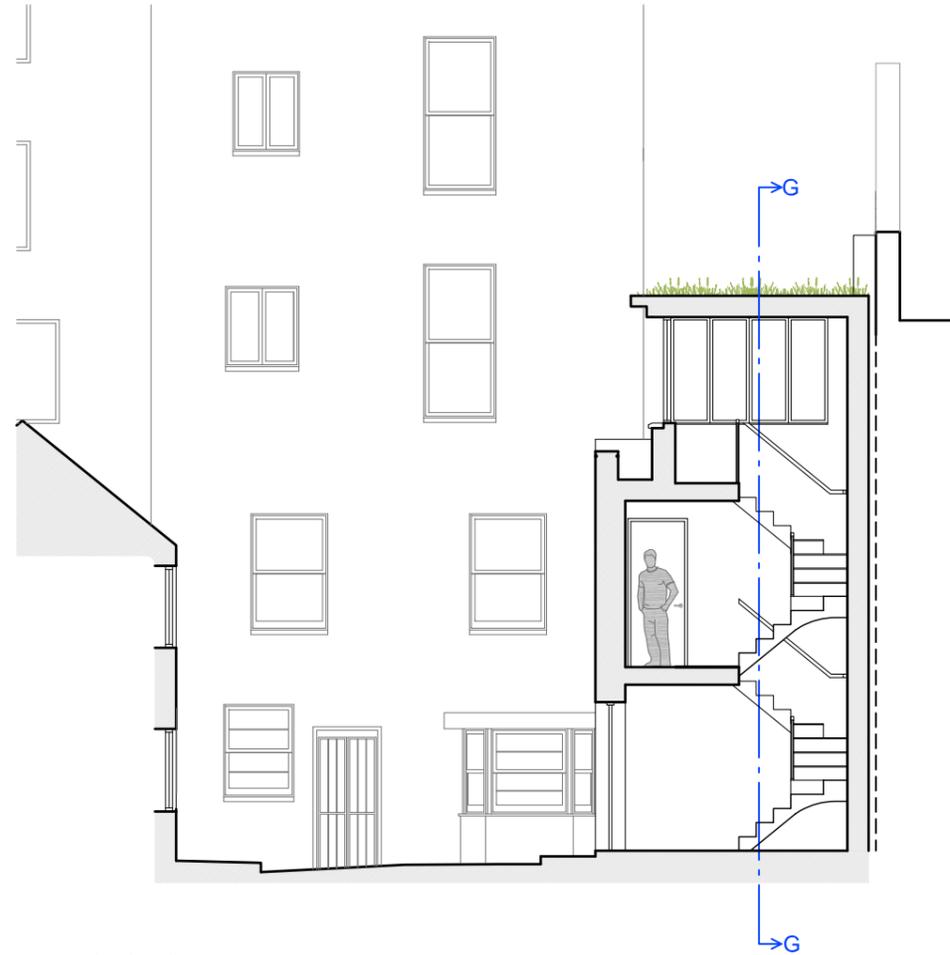
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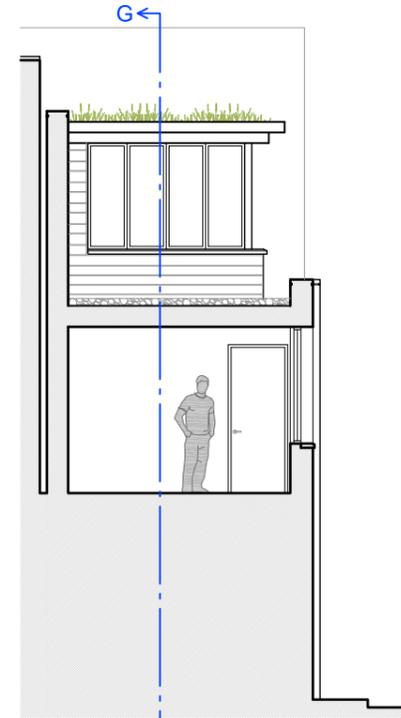
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SECTION A-A
(UNIT 2)

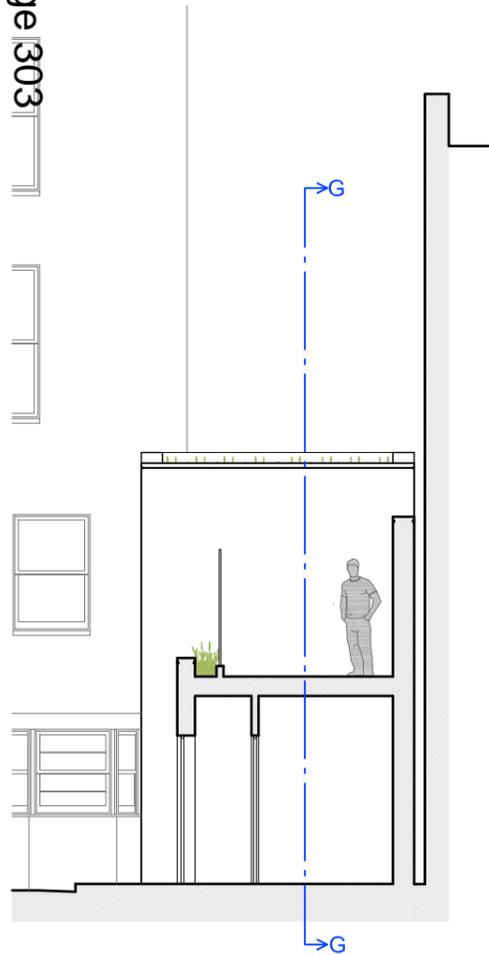


SECTION B-B
(UNIT 2)

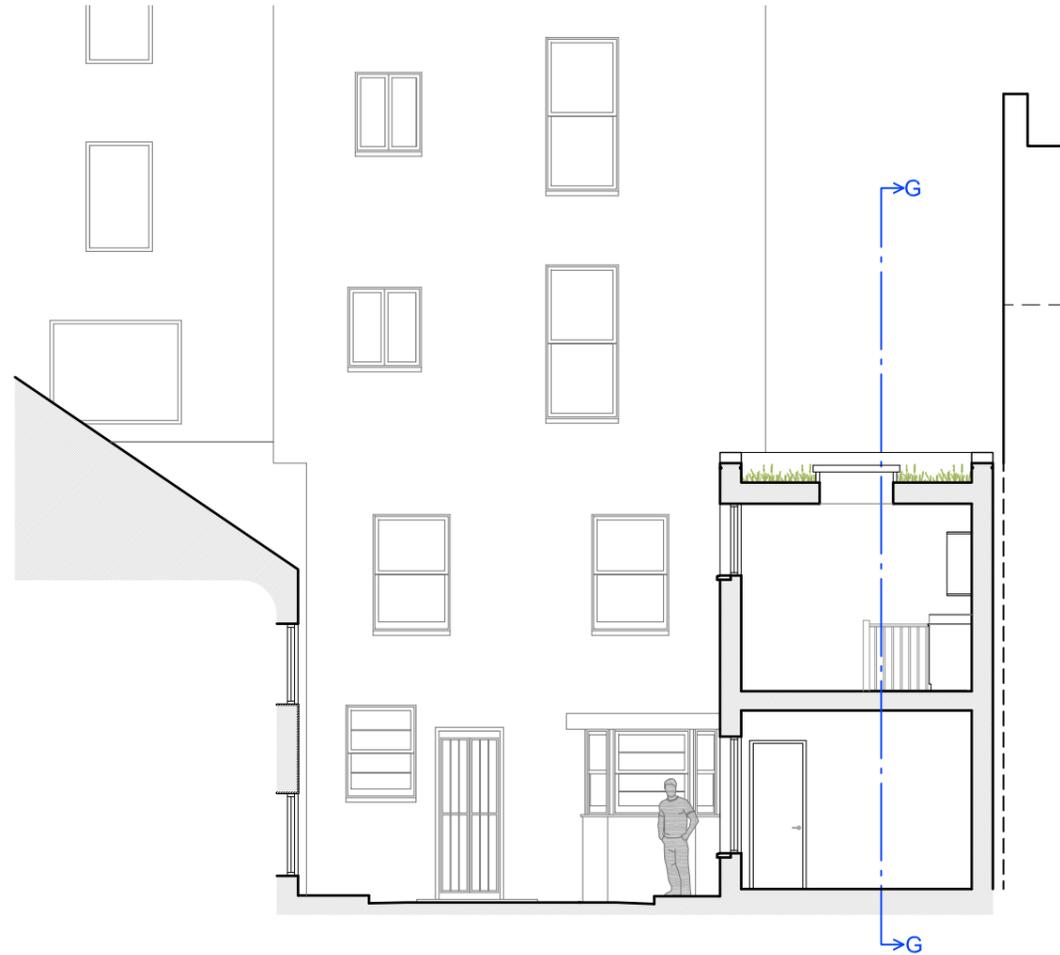


SECTION C-C
(UNIT 2)

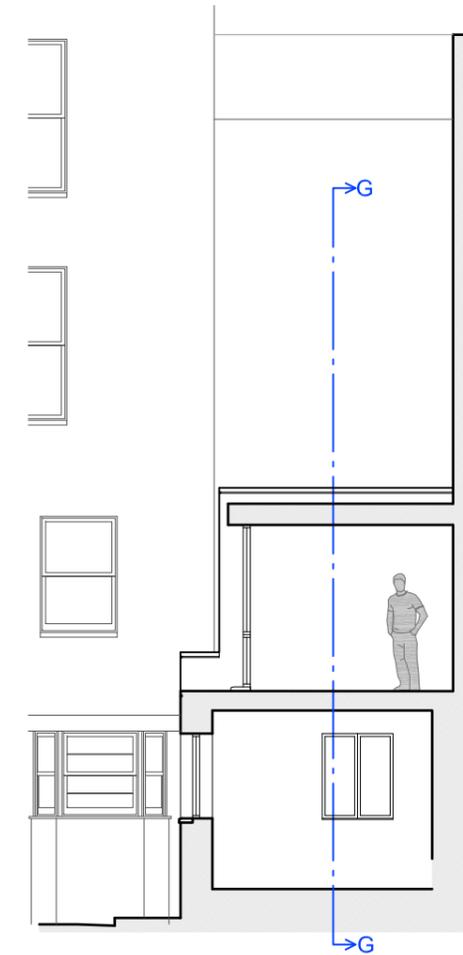
Page 303



SECTION D-D
(UNIT 2)



SECTION E-E
(UNIT 1)



SECTION F-F
(UNIT 1)

ISSUED FOR PLANNING Jun 2019
 ISSUED FOR PLANNING 12/05/14
 ISSUED FOR PLANNING 10/10/11

A Revised following comments from LA, section references revised, sections added. 28/04/14

REV Note Date

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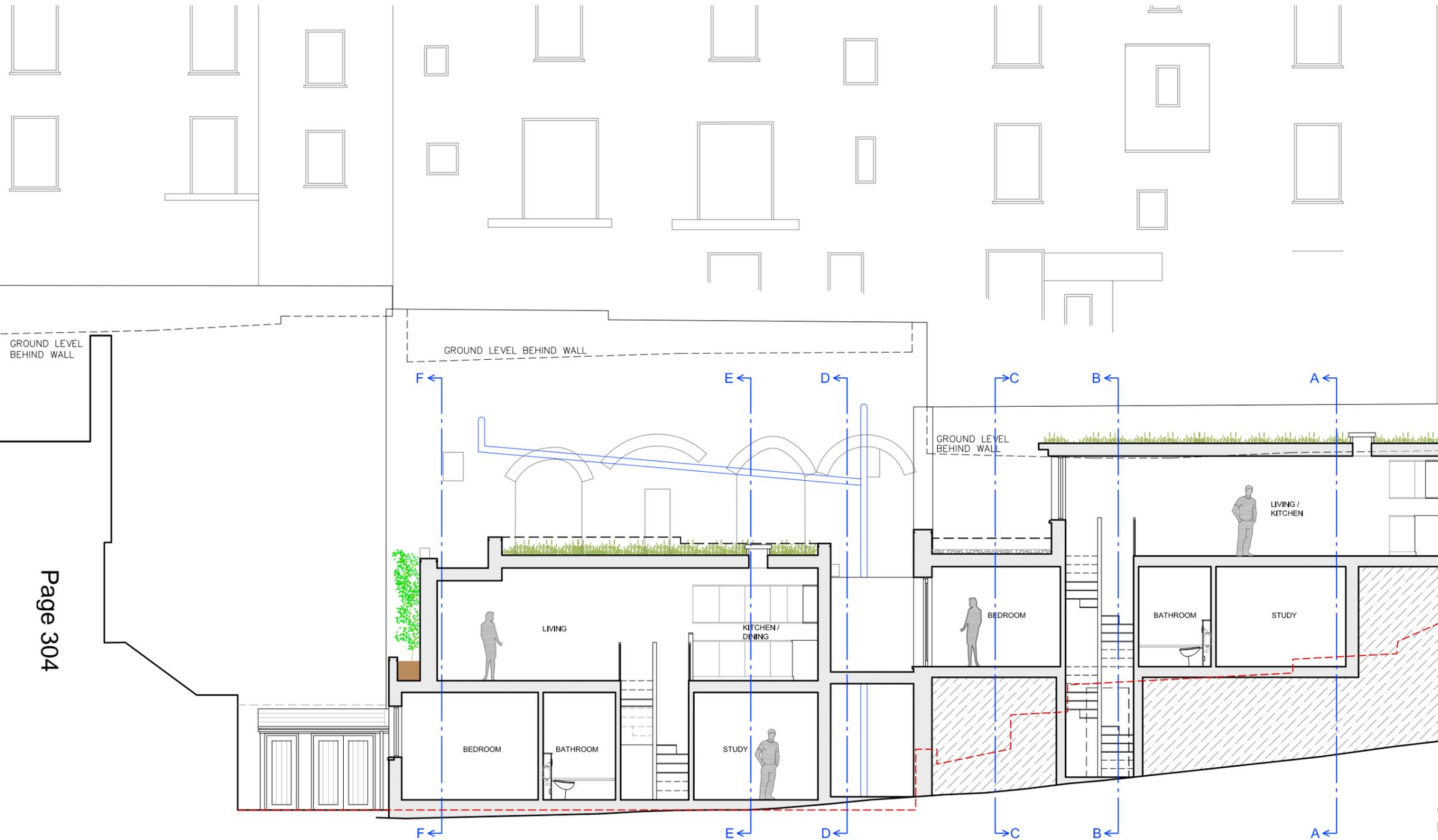
Project **Belgrave Hill, Clifton
 Bristol**

Drawing Title **Proposed Sections**

Drawing No. **1506(L)23**

Scale @A3 drawn by Date Rev
1:100 DF 24/06/11 A

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SECTION G-G

Page 304

Approx extg ground line

Extg kerb line

ISSUED FOR PLANNING	Jun 2019
ISSUED FOR PLANNING	12/05/14
ISSUED FOR PLANNING	10/10/11
C Units revised to single bedroom	05/06/19
B Existing ground line revised	07/08/18
A Revised following comments from LA and section references revised.	28/04/14

REV	Note	Date
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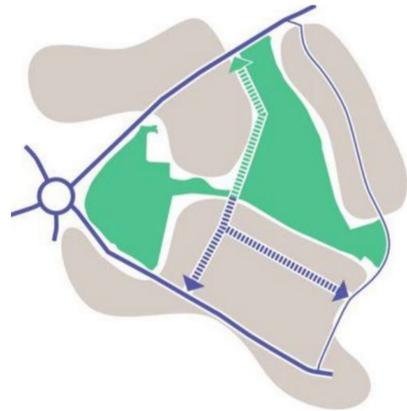
Project **Belgrave Hill, Clifton
Bristol**

Drawing Title **Proposed Section G-G**

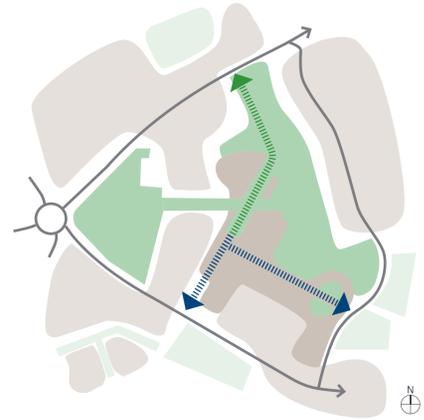
Drawing No. **1506(L)24**

Scale @A3 drawn by Date Rev
 1:100 DF 24/06/11 C

HOW OUR PROPOSALS ALIGN WITH THE NEIGHBOURHOOD DEVELOPMENT PLAN



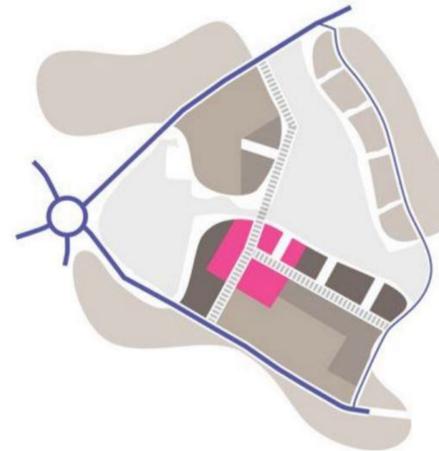
LINK NORTH TO SOUTH - MASTERPLAN MOVE NO. 1



CREATE A CENTRE - MASTERPLAN MOVE NO. 2



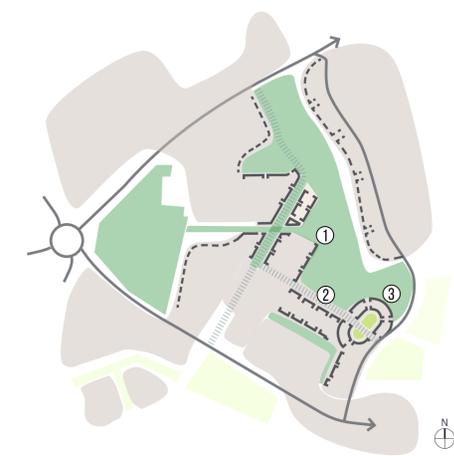
OPEN SPACE QUALITY AND CHARACTER - MASTERPLAN MOVE NO. 3

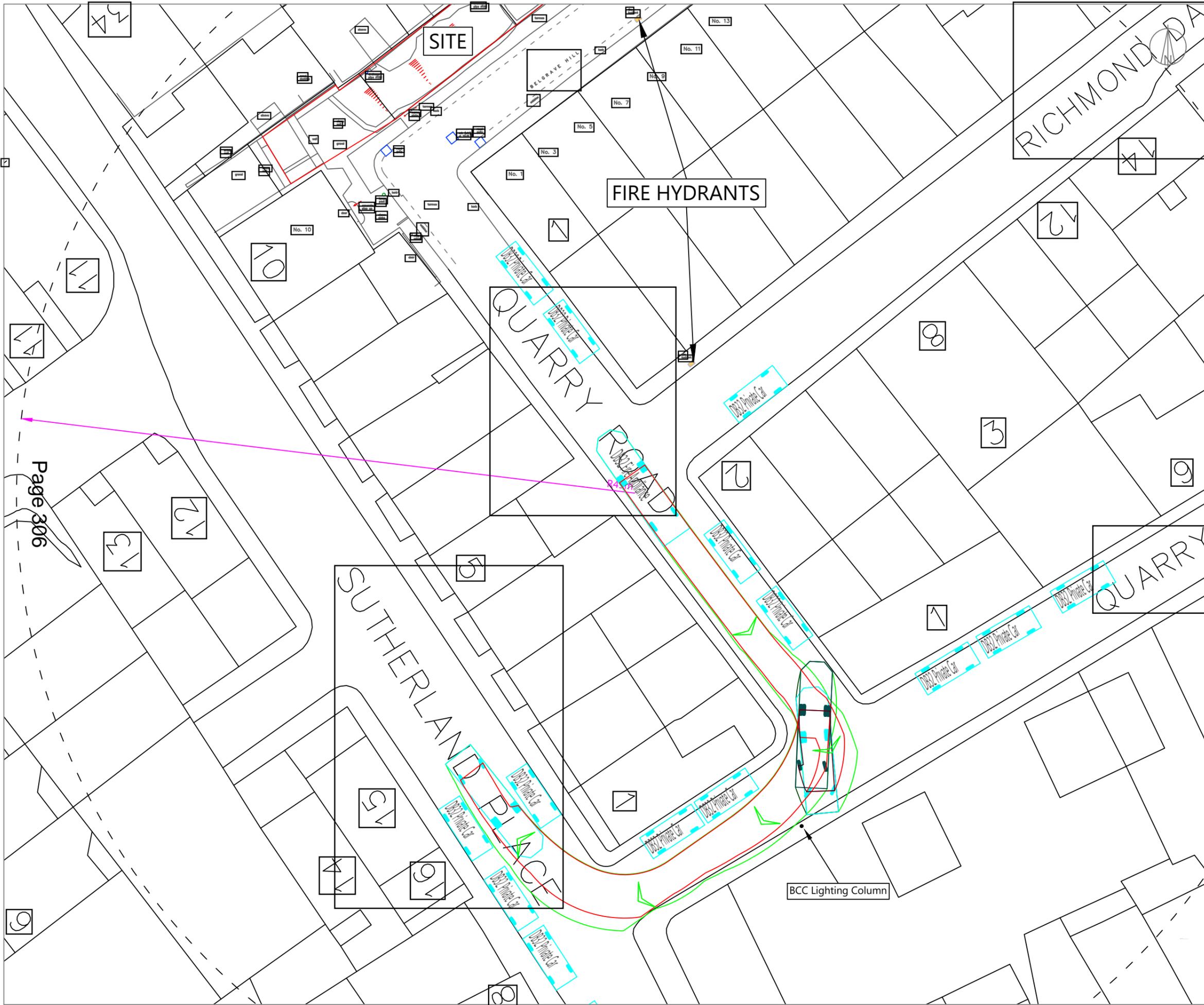


RESIDENTIAL CHARACTER AND DENSITY - MASTERPLAN MOVE NO. 4



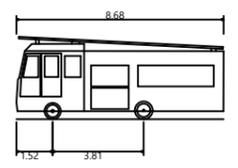
EDGE CONDITION - MASTERPLAN MOVE NO. 5





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NOTES:
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DB32 Fire Appliance
Overall Length 8.680m
Overall Width 2.180m
Overall Body Height 3.452m
Min Body Ground Clearance 0.337m
Max Track Width 2.121m
Lock to lock time 6.00s
Kerb to Kerb Turning Radius 7.910m

ISSUE	REASON FOR REVISION	DATE

PROJECT: BELGRAVE HILL, CLIFTON		
CLIENT: CJB KING		
PROJECT REFERENCE: 1942	DRAWING NUMBER: TR04A	SCALE: 1:250 @ A3

HighgateTransportation
www.highgatetransportation.co.uk
First Floor, 43-45 Park Street
Bristol BS1 5NL
07973 375 937 / 07595 892 217
© Highgate Transportation Limited

TITLE: SWEPT PATH ANALYSIS - FIRE TENDER DEPARTING		
DATE: 19/09/19	DRAWN BY: FB	CHECKED: DT

Development Control Committee A – 16 October 2019
Application No. 19/01817/F : 2 Moon Street & 2-18 Stokes Croft Bristol BS1 3PR

SITE DESCRIPTION AND APPLICATION

The application site is located at 2 Moon Street and 2-18 Stokes Croft. The site is bound by North Street and Stokes Croft to the West, and Moon Street to the South and East. The site comprises 2 Moon Street (433.86 square metres of B1(a) office space); 2 Stokes Croft (The Blue Mountain Nightclub); 4-10 Stokes Croft (Vacant cleared site of 0.057ha), and; 12-18 Stokes Croft (824.05 square metres previously occupied by Sebright Printers B1(c) use). The existing buildings on site are two-storey.

The site is set within the Stokes Croft Conservation Area and the Grade II Listed Full Moon Pub is located directly to the south. The building abutting the site to the north at 20-26 Stokes Croft is identified as an unlisted building of Merit within the Stokes Croft Conservation Area character appraisal. Surrounding uses comprise a mixture of office, commercial, residential and leisure uses.

The application proposes the construction of a building of up to 8-storeys forming a perimeter block surrounding a central courtyard. The 8-storey element would front Stokes Croft/North Street, whilst elements to the north and east would be 7-storey. Building heights would step down to 6 storeys to the southern end of the site, adjacent to the listed Full Moon pub. The proposed accommodation would comprise ground floor commercial uses (A1/A2/A3 uses) fronting Stokes Croft/North Street, with a total floorspace of 599 square metres across three units; 567 square metres of open plan B1(a) office space at first floor level; and specialist student accommodation comprising 241 student bedrooms across 42 cluster flats.

See plans and supporting documents for full details.

RELEVANT HISTORY

Application site:

2-18 Stokes Croft

18/02178/PREAPP - Student accommodation with internal and external amenity space and retail/commercial units at street level. CLOSED.

4-10 Stokes Croft

06/04949/F - Demolition of existing nightclub building and erection of 5 storey building to provide 12 no. apartments, 2 no. commercial units, bin store and bike store. REFUSED. APPEAL DISMISSED

08/00550/F - Demolition of existing Night Club building and erection of 12 no. student apartments, 2 no. commercial units, bin store and bike store. REFUSED. APPEAL ALLOWED.

11/02217/COND - Discharge of condition nos. 4, 5, 6 and 7 of planning application no: 08/00550/F for demolition of existing night club building and the erection of 12 no. student apartments, 2 no. commercial units, with bin store and bike store. CONDITIONS APPLICATION DECIDED. Conditions not discharged.

11/02544/R - Renewal of planning permission ref. 08/00550/F (allowed on appeal ref. APP/Z0116/A/08/2082507) for the demolition of an existing night club building and the erection of 12 no. student apartments and 2 no. commercial units, with bin store and cycle store. PERMISSION GRANTED.

Development Control Committee A – 16 October 2019**Application No. 19/01817/F : 2 Moon Street & 2-18 Stokes Croft Bristol BS1 3PR**

11/04212/COND - Discharge of conditions 1,2,3,4,5,6,7,8,9 & 10 for planning permission
 11/02544/R - Renewal of planning permission ref. 08/00550/F (allowed on appeal ref. APP/Z0116/A/08/2082507) for the demolition of an existing night club building and the erection of 12 no. student apartments and 2 no. commercial units, with bin store and cycle store. (Major application). CONDITIONS APPLICATION DECIDED. Three pre-commencement conditions were not discharged as inadequate information was provided.

13/02337/F - Erection of a five storey building comprising 24 no. one and two bedroom apartments and 310 sqm of Class A1, A2 or A3 floorspace with associated vehicular parking, bin/cycle storage (Major application). PERMISSION GRANTED.

14/06226/COND - Application to approve details in relation to condition 2(Air Quality) 3 (Noise) 4 (Sound Insulation) 7 (Detailed Drawings) 8 (Samples) 9 (Contamination) and 10 (Remediation Scheme) of permission number 13/02337/F Erection of five storey building comprising 24 no. one and two bedroom apartments and 310 sqm of Class A1, A2 or A3 floorspace with associated vehicular parking, bin/cycle storage. CONDITIONS APPLICATION DECIDED.

Adjacent site of relevance:

7-29 Wilder Street, 1-3 Backfields and Land At Corner Of Backfields And Upper York Street

18/02548/F - Redevelopment of existing buildings (except for retained listed building at 25 Wilder Street) and two commuter car parks to provide purpose-built managed student accommodation (345 beds) (sui generis) and ground floor employment floorspace (Class B1); refurbishment and change of use of 25 Wilder Street to provide a three-bedroom dwelling (Class C3); and associated works (Major Application). REFUSED. APPEAL ALLOWED.

EQUALITIES ASSESSMENT

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

PRE-APPLICATION COMMUNITY INVOLVEMENT

The application is supported by a statement of community involvement. This sets out that prior to the application being submitted consultation was undertaken with various stakeholders, including local councillors; local amenity groups; neighbours/surrounding businesses, and; The University of Bristol. A pre-application enquiry was also submitted to Bristol City Council, followed by subsequent discussion with Planning and Urban Design Officers.

In summary of key points set out within the Statement of Community Involvement submitted: the principle of student accommodation was raised as a concern within comments, given the existing local concentration of such uses. A need for commercial/employment uses to serve local needs was identified through the consultation, as was a need for permanent residential accommodation in the area. Design issues were also raised, including in relation to the overall height and scale of the proposals. Bristol Civic Society expressed that any development on the site should be a maximum of 5-storeys in this location, with the top floor set back. The need for high quality design was also expressed. Conservation issues were also raised during consultation, including impact upon

Development Control Committee A – 16 October 2019**Application No. 19/01817/F : 2 Moon Street & 2-18 Stokes Croft Bristol BS1 3PR**

heritage assets. Issues of parking, safety and security; sustainability, and; the need for public realm improvements were also raised through the pre-application consultation.

In response to the issues raised the proposals were amended, with the maximum height of the submitted scheme reduced from 12 to 8 storeys (when compared with the pre-app submission). Employment floorspace has been added at first floor level and the ground floor commercial space split across three units to better cater for the needs of local businesses. The changes have also resulted in a reduction of student bed-spaces to 245. A tabulated display of the amendments made in response to the community consultation is set out within the submitted Statement of Community Involvement.

RESPONSE TO PUBLICITY AND CONSULTATION

Consultation was undertaken via site and press notices, along with letters sent to surrounding properties.

82 written responses were received in response to public consultation, raising concerns that can be summarised as follows:

Principle (refer to Key Issues A and B)

- o Loss of existing nightclub, which is valuable to the community, and an important part of alternative music culture in Bristol
- o The site should be used for affordable housing and/or community space
- o There is an existing over-concentration of student accommodation in the area
- o Music venues and social spaces should be safeguarded or replaced by similar venues of the same capacity
- o Transient nature of student population does not build community
- o The proposal does not serve the needs of the local community

Amenity (refer to Key Issue C)

- o Noise impact upon future residents from surrounding uses, including the neighbouring Full Moon
- o Lack of amenity space for residents
- o Increased anti-social behaviour by introducing more students to the area
- o Overlooking of surrounding buildings/windows
- o Overshadowing
- o Potential impact upon the neighbouring pub/club through noise complaints from residents of the proposed development

Design/Conservation (refer to Key Issue D)

- o Design is out of keeping for the area
- o Too many storeys
- o Proposal does not respect surrounding Listed Buildings
- o Commercial space would be better set up as small business start-up units
- o Question the appropriateness of the main residents entrance being on Moon St
- o Development is over-intensive
- o The scheme is bland and generic
- o Development is of excessive height and bulk

Highways (refer to Key Issue E)

- o Increased pressure for on-street parking
- o Lack of cycle storage
- o Conflict during busy drop-off/pick up times, with vehicles blocking access, including servicing access to surrounding businesses

Development Control Committee A – 16 October 2019**Application No. 19/01817/F : 2 Moon Street & 2-18 Stokes Croft Bristol BS1 3PR**

The various points raised will be discussed within the key issues section of this report.

Support (1):

- o "Please demolish the Blue Mountain Club - the noise and vibration created by it harms the amenity of surrounding residents."

The Bristol Civic Society has commented as follows (29.06.19):**"1 Summary**

The Civic Society supports the principle to redevelop to bring a vacant and under-used site back into beneficial use to provide more housing and promote economic development. The Society opposes the proposed change of use to student accommodation in an area where there is a dominant student population, and which requires further residential accommodation to meet Bristol's housing need in the city centre and to sustain a settled community that will provide year-round support for local infrastructure. The Society does not support the height and mass of the proposed design which would conflict with the character of this part of the Stokes Croft Conservation Area.

2 The site - The proposal relates to large urban block on the south of North Street/Stokes Croft with a return frontage on Moon Street. 2, Stokes Croft are empty offices, the Blue Mountain Club site is demolished, and the remainder of the site is occupied by Seabright Printers.

3 Planning history - The planning history is not a material consideration in relation to the current proposal other than the unbuilt consent 13/02337/F permitted redevelopment of 4-10 Stokes Croft as student accommodation. This permission is not relevant to this scaled-up application.

4 Demolition - Neither of the standing buildings has any architectural merit that merits retention.

5 Change of use

5.1 The loss of employment space - The proposal would reduce the current level of employment space on the site by around 50%. The loss of employment floorspace within the city centre must be considered in line with Policy BCAP7. The Applicant needs to demonstrate that the proposal meets the policy and that the loss of employment space would not harm the economy and employment opportunities in the local area. Emerging Policy H7 at paragraph 7.49 provides, "In more commercial areas development should not result in harm to the diversity of uses within that area. Harm is likely to occur when purpose-built student accommodation and associated activities account for a significant proportion of uses within an area. As a guideline threshold, in areas with a largely commercial context the council considers that purpose-built student accommodation (including the proposal) that exceeds 1000 bed spaces within 200 metres of the site is likely to result in harm." There are more than 1,000 student bedspaces within this area - see below. The St Paul's Planning Group has strong evidence of an unmet demand for local employment space.

5.2 Student accommodation - There is currently a demand for purpose-built student accommodation in the city. Policy DM2 'Residential Sub-Division and Specialist Housing' and policy BCAP4 support the principle of student accommodation in the city centre if the development does not contribute to a concentration that would harm the surrounding residential amenity.

5.2.1 Following the 2013 planning permission, which supported the principle of student accommodation, there has been a material change of planning policy. Emerging Policy H7 will manage student accommodation to direct it towards identified areas both in the city centre and elsewhere. The purpose of emerging Policy H7 is to safeguard existing communities and support delivery of new homes whilst supporting thriving universities. To advance this aim paragraph 7.48 of the emerging policy provides, "Development should be avoided in areas of the city with a strong residential context. These are areas where the majority surrounding land use is residential. In

Development Control Committee A – 16 October 2019**Application No. 19/01817/F : 2 Moon Street & 2-18 Stokes Croft Bristol BS1 3PR**

Bristol City Centre they include St. Paul's, Old Market and parts of Harbourside." The National Planning Policy Framework states that consideration should also be given to the Local Plan Review which has now passed the public consultation stage.

5.2.2 The context of this policy reflects the quantity of existing student accommodation:

Blenheim Court, Marlborough Street 233 students

[BRI Old Building -preapplication proposal dating from 2015 - 400 students]

Cherry Court, Barton Street, 175 students

13-31 Cumberland Street, 87 students

13-19 Dean Street 225 students

Studio 58, Dighton Street 99 students

Hamilton Court, 1 flat with capacity for 8 students

King Square Studios, 61 students

King Square Studios, 243 students

IQ, Marlborough Street 362 students

Marlborough House 339 students

[29-31 Portland Square 257 students current planning application]

[7-29 Wilder Street - 348 students - planning refusal subject to appeal]

5.2.3 Neither the Design and Access Statement Society or the Planning and economic statement appears to provide an impact assessment of further development of specialist student accommodation in the area following the Council's [pre-application] advice letter of the 31st August 2018.

5.2.4 Recently, the area has received a large influx of new permanent residents. The local residential population will continue to rise for some years to come. St. Paul's is again a popular residential area. There is understandable local resistance to a substantial increase in student numbers in the area, which residents consider would undermine the principle of a balanced community of permanent residents. The Society would strongly prefer employment use at street level and private residential accommodation on the upper floors. There is a significant market interest in both uses. There is a substantial unmet need for residential accommodation in the city centre. In the Society's submission student accommodation within 200 metres of the site has already reached a harmful concentration which this scheme would increase. The dominant student population is not resident for several months in every year. Experience in other parts of the city where student residents are dominant shows that local businesses find it difficult to survive the lack of business during vacations. This has a negative impact on the range of ancillary services available to the permanent population. This area needs more long-term residents.

5.2.5 If the Council supports the Applicant's development proposal, a development of this size should contribute to the local housing needs as part of a mixed development. Emerging Policy H7 further provides, "At other locations any proposals for purpose-built student accommodation should only form part of mixed-use developments comprising a proportion of other residential uses." Stokes Croft is not an area nominated in the emerging policy to develop more student accommodation. The scheme offers no residential accommodation.

6 Mass and height

-

6.1 The Stokes Croft Conservation Area Character Appraisal says of Stokes Croft' - "7.2.5 The roofline along Stokes Croft steps up and down between two storey buildings up to five, though the average building height is between two and three storeys, giving the impression of an overall linear form to the street. Exceptions to this are Westmoreland House, nos. 37-39 Jamaica Street, and nos. 77-79 Stokes Croft. In future development, current building heights should be respected in order to retain the overall character of the street and impact of existing taller buildings."

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6.2 Although the southern part of Stokes Croft comprises cheaply designed buildings erected to replace war damaged properties, most of the buildings in the Stokes Croft character area, above the Full Moon Hotel, reflect the original plot sizes. This mix of buildings creates local character and distinctiveness. A building of the size, and height, proposed would totally dominate and overbear the southern end of Stokes Croft and repeat the planning error of the 51.02 building. The proposal must reflect the predominant scale within the Conservation Area and not the exceptionally poor 51.02 building beyond the conservation area boundary. The Grade II listed Full Moon public House would be lost against the mass of new masonry.

6.3 The effect the scheme would be to extend the character of the 'student quarter' which is narrow streets dominated by tall buildings rising from to the back of the pavement. It is soulless and dispiriting and lacks any sense of local character or place. The proposal would extend this monotonous character of student accommodation to the east of Stokes Croft. The scheme would be the antithesis of the placemaking policy and would harm the Stokes Croft Conservation Area. The construction of a building that exceeds the height of St. James House creates a strong concern of potential harm to the opportunity to make Backfields a pedestrian friendly space.

6.4 The local references for a building on this site are the Full Moon Hotel and St. James House in Moon Street. Material planning considerations are the consent for 4-10 Stokes Croft - 13/02337/F - (4-floors above ground) -and for the car park in Wilder Street - 14/03981/F - (4-floors above ground). Westmoreland House - 15/05930/F - is a major, high density regeneration project at the top end of Stokes Croft, it is 5-floors above ground screened by lower, 4-floors above ground buildings. These consents do not create an expectation for a greater height for the redevelopment of Stokes Croft properties. The height should not exceed 5-floors with upper storey set back, to include any plant enclosure.

6.5 The proposed increased pavement width in Moon Street would be a planning gain. The Society welcomes the possibility of improved street level activity in Moon Street which is the appropriate access for bicycle and waste storage.

7 Building design

7.1 The Society supports modern building design in this part of the Stokes Croft Conservation Area. However, the proposed scheme does not respond to the modest prevailing scale of the local urban context or to its relationship to with the Grade II listed Full Moon Pub. Critical to the success of the development is good quality design and materials. The site spans several of the original Burgess plots which it consolidates into larger building blocks. The detail of the architectural elements within each bay are bigger than the prevailing scale of the earlier building further up the Croft that establish the conservation area's architectural context. The Society suggests that it would improve the sensitivity of the response to the prevailing context of conservation area if the design included vertical elements that marked the boundaries of the Burgess plots. The design turns the North Street/Moon Street corner attractively.

7.2 The internal courtyard would be an inadequate provision of outdoor amenity space for a development of this magnitude. It would be a gloomy space and adequate only as a lightwell.

7.3 The Society expects bespoke student development to be adaptable to other uses should there be a fall in demand. The spacing of the structural walls and windows should be sited to enable the purpose-built student housing to be converted into residential apartments in a manner that minimises modification to the external envelope.

8 The public realm

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8.1 The Society is aware of active redevelopment interest by the owners of the Coroner's Court/Lakota site and the 7-29 Wilder Street / 1-3 Backfields site. The redevelopment of these sites may bring forward for redevelopment other nearby low-grade commercial buildings. The developers and the Council must consider this development in the context of extensive local redevelopment. Multiple developments give the opportunity to invest in the improvement of the public realm to the benefit of all.

8.2 The Society suggests that the developer together with other owners (as above) and the Council undertake a study to select improvement opportunities in the surrounding streets. Apart from upgrading the surviving setts and pavements, an open space at the Backfields Moon Street junction offers an opportunity to create an attractive public place. The Society does not support machining the setts to produce a smooth road surface in this area.

9 Public art - The Society would prefer that money set aside for public art be spent on better quality street furniture such as street lighting and litter bins.

10 Conclusion - In a city with strong development pressure like Bristol, it is incumbent upon planners to seek what is best for an area in terms of serving social, economic and environmental needs. This exercise must balance the competing needs of providing new homes, employment space and student accommodation. The effect of the scheme would be to expand the local Marlborough Street 'student quarter', an area dominated by large commercial blocks which is soulless and dispiriting. This over-concentration of student accommodation is the antithesis of the Council's placemaking policy. In relation this site at this stage of Stokes Croft's redevelopment cycle the need for more homes outweighs other considerations. Permitting further student accommodation would exacerbate an already existing harmful overconcentration that has led to an imbalanced, less inclusive and sustainable community. The construction of a building that exceeds the height of St. James House creates a strong concern of potential harm to the opportunity to make Moon Street and Backfields a pedestrian friendly space. "

Montpelier Conservation Group has commented as follows:

"We write with our objections to the above application.

- o This site is within the Stokes Croft Conservation Area, and is adjacent to the Grade II listed Full Moon.
- o The existing buildings on the site are 2 storeys and date from post-war reconstruction following bomb damage and road realignment.
- o There is a lapsed 2013 planning consent for a 5 storey building on the site of 4-10 Stokes Croft. The site was cleared but despite this no building has been constructed.
- o The present proposal is for a building of 6-8 floors, with the Stokes Croft facade split into a number of linked elements. These form neither separate buildings nor a unified whole.
- o The top floors of the buildings would be set back slightly, but this would not reduce their perceived height.
- o The proposed building does not respect the context of the Stokes Croft Conservation Area as identified in the Stokes Croft Conservation Area Character Appraisal (SCCACA), and would be harmful to the Conservation Area and to a number of Heritage Assets, as set out below:

Scale

"The roofline along Stokes Croft steps up and down between two storey buildings up to five, though the average building height is between two and three storeys, giving the impression of an overall linear form to the street..... In future development, current building heights should be respected in order to retain the overall character of the street and impact of existing taller buildings ..." - SCCACA - 7.2.5 Character Analysis

The predominant scale in this part of Stokes Croft is 2 or 3 storeys, with the Full Moon the tallest building at 3 storeys plus a gabled attic.

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The scale of the proposed development does not respect the current building heights, and the abrupt change in scale from the two storeys of 20-26 Stokes Croft to the seven storeys of the proposed building would emphasise its excessive scale.

'5102', situated just outside the Conservation Area, has an overbearing presence and terminates views south along Stokes Croft. The height and bulk of the building acts as a landmark, although a negative one" - SCCACA - 6.2.2 Landmark Buildings The proposed building would bring the height of '5102' into the Conservation Area and would create an additional Negative Landmark Building within it, which cannot be acceptable. The massing of the building, despite stepping down to "only" six storeys on Moon Street, would leave the Full Moon dwarfed and isolated between two buildings of inappropriate scale, harming both the setting of the Listed Building and the character of the Conservation Area.

Urban context

"Buildings along Stokes Croft generally front directly onto the pavement" - SCCACA 6.1.1 Spatial Analysis

While the existing buildings on the site front onto the curved pavement line, the facade of the proposed building is formed as a series of flat planes mostly set back from the pavement. This loses the urban context which is characteristic of the Stokes Croft Conservation Area. It should be noted that the only post-war building which has been set back from the pavement is 80 Stokes Croft (Hamilton House), which is identified as a Negative Building in the SCCACA (Figure 14).

Bridging the southern end of Stokes Croft and terminating views down the street is the former Avon County Council headquarters, '5102'. Whilst having a dominating presence, this building marks the start of Stokes Croft at the southern end (SCCACA 6.1.2)

The proposed building, by being similarly dominant and being located where the street curves, would create an early termination of views down Stokes Croft and have the effect of redefining the perceived boundary of the Conservation Area.

Impact on Heritage Assets

The applicants assert that the proposal "causes no harm to the heritage asset of the Full Moon Pub, rather it provides a better urban setting and backdrop to the listed building".

The six storey building would in fact be overbearing to the Full Moon and dominant in views of it. The widening of Moon Street footpath and setting back the new building's facade would lose the tight urban grain that formed the historic context of the listed building and which was retained in the post-war reconstruction of the area. The Full Moon's isolation between two massive modern buildings would in fact leave it devoid of any meaningful setting.

Justification

The applicants argue that the proposed scale makes the scheme viable (Design & Access Statement p31). Given that the cost of the site is a significant element in determining the viability of a development, the need for a development of the proposed scale suggests that the site has been overvalued, perhaps in the expectation that an excessively large development would be permitted. This cannot be grounds for planning consent being granted.

We object strongly to this application and ask for it to be refused."

Conservation Advisory Panel has commented as follows:

"This application does not respond to the scale, form and quantum of development within the surrounding area of Stokes Croft and totally disregards its context. The scale, massing and height of the proposed development, the proposed palette of materials and alterations to the dimension of local backstreets would cause substantial harm to the character and appearance of this part of the conservation area and the setting of nearby heritage assets and other non-designated heritage assets. This proposal would not generate any public benefit that would outweigh the adverse harm that this scheme would cause to the significance of relevant heritage assets within the surrounding

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area; as such it is contrary to relevant Local Plan policies and paragraphs 194, 195 and 197 of the NPPF."

The Coal Authority has commented as follows (04.06.19):

The Coal Authority Response: Fundamental Concern

The Coal Authority records indicate likely historic unrecorded coal mining at shallow depth beneath the application site. A shallow coal mine investigation was undertaken to clarify the risk to the proposed development. These investigations comprised of 13 no. boreholes which were limited to areas accessible prior to the demolition of the existing building. These intrusive site investigations did not encounter coal or evidence of coal mine workings within 30m of the surface of the application site. The report concludes that shallow coal mining is unlikely to be present. However, these investigations did uncover two features. One of these features is identified, in the professional opinion of the report's authors, to be a well; this is located approximately in the centre of the site. The other feature is identified to be an unrecorded mine entry and was located within the south-eastern part of the application site, 3.8 metres from the eastern site boundary. This unrecorded mine entry was proved to be at least 18m deep, but its bottom was not reached.

The Coal Authority's interests lie with the 1 no. unrecorded mine entry. Building over the top of, or in close proximity to, mine entries should be avoided wherever possible, even after they have been capped, in line with our adopted policy:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>. It is a requirement of NPPF, paragraphs 178-179, that the applicant demonstrates to the satisfaction of the LPA that the application site is safe, stable and suitable for development.

The unrecorded mine entry poses a significant risk to the safety and stability of the application site. The Coal Authority therefore objects to this planning application on this basis.

Further intrusive site investigations should be undertaken to determine the exact condition of the 1 no. unrecorded mine entry. Findings from these investigations should be used to identify the feature's zone of influence and to formulate an appropriate scheme of remediation. This is required before the LPA can be satisfied that the application site can be safely developed.

[Full comments from the Coal Authority are available via the online planning record in relation to the application.]

The City Council City Centre Development Officer has commented as follows (02.10.19):

[Please refer to the electronic online record for the full comments].

We have concerns about the further development of student accommodation in the St Paul's area (including Stokes Croft), which could lead to a less diverse housing stock and community. The number of bed spaces in the local area should be assessed to determine whether the development would result in a harmful concentration. Development together with existing purpose built accommodation including HMOs should not account for a significant proportion of all housing in the area. The level of impact on local residential amenities and character should also be considered.

The Bristol Central Area Plan states 'As a shopping street, Stokes Croft has struggled to retain conventional high street businesses, but it has emerged as a vibrant cultural hub in its own right, being a breeding ground for alternative businesses and community-led regeneration and a focus for street art within the city centre. St. Paul's and Stokes Croft is also home to the Circomedia circus training centre, a variety of performance venues including the Cube cinema, and a selection of nightclubs.'

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At the time of application, the nightclub was still in operation and we believe it still is, demonstrating the demand in the area. We are also aware of strong demand for other potential cultural uses, including rehearsal and performance spaces. The applicant has not considered policies BCS2 and BCAP9.

The provision of employment space in the form of office space is welcomed. There may be an opportunity to provide more small-scale flexible workspace to reflect the strong and growing demand for such space. More flexible workspace may be more appropriate than so much retail floorspace, given the changing nature of the sector. The provision of employment space is in line with policy BCAP6.

The City Council City Design Team has commented as follows (29.07.19):**In Context**

The starting point for any proposal in and around the site should consider the Stokes Croft Conservation Area Character Appraisal, SCCACA. This document provides the information needed to set out some key principles to respond positively to the historic character of the area. The proposal disregards this information. Likewise, the submitted Heritage Assessment should inform the design approach of place-making. Based on this, the scheme should demonstrate how has responded to it. This is not the case. The conclusion stating there is minimum impact from the proposal in its historic context is disputed, especially on the relationship to the Grade II listed Full Moon building. Additionally, the heritage statement does not consider some of the other heritage assets surrounding the site and dismisses the overbearing nature of the proposal on those assets.

Visual Impact

There is no submission of a visual impact assessment. Images in the DAS document (pages 27-28) are insufficient to give comfort. Verified views should be provided from agreed viewpoints, being the impact on the skyline of the Moon Pub an important one. Other views are as important. For instance, the north boundary blank elevation will tower over the neighbouring buildings, bringing a detrimental impact to the CA.

The proposed use of inappropriate materials in the Conservation Area is not supported. The use of CorTen steel in the immediate backdrop to a Seventeenth Century inn is grossly inappropriate, even in a dense urban setting. The intended use of brick is rendered oppressive through the sheer scale of the proposed development and is out of character utilised over the extent of these facades.

Height Scale Massing

There is not a satisfactory analysis of the wider context to justify the proposed height, scale and massing of the proposal. For instance, the location of the site and of the Full Moon very much defines the perceived boundary of the CA. Therefore, the former Avon County Council building, which is not in the CA, should not be used as a precedent for a taller development in the site. In doing so, it will not only harm the setting of the listed building but will negatively affect the definition and character of the CA.

There is a historic grain which is not picked up in the design. This grain should be re-introduced, conserve the verticality and the texture of the urban fabric expressed on the surrounding built environment. The concept expressed (DAS page 31) ...of a 'family of four buildings' which work together, but varied in architectural façade treatments and heights... is considered a misinterpretation of the given pre-app advice.

The prevailing height is 2-4 storeys. The proposed 6, 7 and 8 storeys family of buildings are such a departure from the prevailing building heights within the CA. Additionally, the visuals (DAS pages 47-51) are insufficient to demonstrate that the levels of sunlight/daylight achieved with this proposal are adequate into the building and external spaces. This information is fundamental to assess the quality of both, the students' amenity and the public realm against the intensity of the development

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in terms of height and massing.

The conservation of the Grade II Listed Full Moon and its setting must be given 'great weight' under the requirements of the National Planning Policy framework. Similarly the special character of the Conservation Area must also be afforded the same degree of consideration in the planning balance. The proposed buildings are over-scaled for the location; far too high and with no tangible relationship with the clear urban rhythm and grain of the CA.

We note that the north elevation of the building will be largely blank and featureless, and be highly visible within the Conservation Area. The scale and lack of architectural response will be visually harmful and create an unacceptable visual break between the Conservation Area and the Full Moon, separating it from its context and sandwiching it between high-rise developments of an over-dominant character. Development on this site must be of a contextual and subservient scale and character.

The overbearing effect of the proposals on these assets, and the setting of other Listed buildings, including the former Coroner's Court on Backfields, is unacceptable. There is a high degree of harm posed to these assets which is not offset by a proportionate level of public benefit.

Movement

Part of the expected positive response is to enhance the pedestrian movement through the area whilst preserving or enhancing the character and appearance of the CA. The three surrounding streets demand a relevant public realm/movement response according to existing and new traffic. The widening of the footpath along Moon Street does not respond to the tight urban grain of the historic context and setting of the Full Moon building. Although Highways is keen on this widening, a different option should be explored when very few vehicles go down that route: this stretch of lane could be designed for pedestrians/cyclists only.

Layout

Cluster of 8 or more beds flats is not recommended. 4-6max is seen as better. Adaptability has been mentioned (DAS page 39). Although this is welcome, information submitted needs more work to demonstrate the convertibility of the clusters into regular residential accommodation.

The City Council Conservation Officer has commented as follows (03.09.19):

[Please refer to the electronic online record for the full Conservation Officer comments]

Summary

Development is based on a poor assessment of the historic significance of designated and undesignated assets, fails to place the required "great weight" in the conservation of the historic environment, and provides inadequate tangibly public benefits to offset the significant degree of harm posed by development.

The suggested scale, massing, materiality, and design, have a strongly negative impact on the Stokes Croft Conservation Area and adjacent designated and non-designated heritage assets. Proposals are unjustified, and would result in the extension of the poor-quality, over-scaled development outside the area's boundaries extending into, and harming, the special character the Conservation Area. The loss of landmark characteristics of the Full Moon Inn would harm its architectural significance and result in broader damage to the local distinctiveness of the local area.

We strongly recommend that this application is withdrawn, or refused in-line with national legislation, and national and local policies designed to protect the historic environment.

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[Please refer to the electronic record for full comments]

The submitted acoustic report makes a comprehensive assessment on the suitability of this site for residential accommodation and the necessary mitigation required for this. As would be expected the report finds that the acoustic environment, particularly on the Stokes Croft side of the development, is dominated by traffic and entertainment noise with high noise levels both during the day and night.

Whilst the acoustic report shows that the building can be suitably insulated against the existing noise environment, it must be noted that recommended internal noise levels will only be achieved with windows closed and that secondary ventilation provided. For rooms facing on to Stokes Croft the report also recommends in 5.4.3 that windows will need to be sealed shut. Properties where windows have to be sealed shut or kept closed is not ideal.

The assessment has shown good acoustic design and therefore I feel it is appropriate for residential accommodation to be considered here. I also feel that it has to be noted there are a number of other residential blocks nearby so to a certain extent the principle for this type of development with windows having to be closed to maintain suitable internal noise levels should be accepted for this site.

If this development were to go ahead then the Blue Mountain Nightclub would close. The Blue Mountain is licensed to be open until 2.30 am Monday to Wednesdays and until 6.30 am Thursday to Sundays. Bristol City Council has a history of, and still does receive complaints regarding noise from the Blue Mountain. There are a number of residential properties in Stokes Croft which are in relatively close proximity to the Blue Mountain. Complaints have mainly been regarding music from within the premises and more recently also regarding music from outdoor event held at the premises. The removal of the Blue Mountain from the area could therefore be considered as providing a net acoustic benefit to the area.

If the issue of windows having to be sealed shut can be suitably resolved then I would not object to this application but would ask for the following conditions should the application be approved:

1. Façade sound insulation (residential)
2. Sound Insulation (between uses)
3. Noise from plant & equipment restriction
4. Details of Extraction/Ventilation System (A3 use)
5. Odour Management Plan
6. Noise from plant & equipment affecting residential
7. Use of Refuse and Recycling facilities (commercial uses only)
8. Deliveries (ground floor commercial uses only)
9. Opening hours (Commercial uses only)

The City Council Highways Officer has commented as follows (25.06.19):

[Please refer to electronic record for full comments]

Summary of Recommendations:

- o Full TRICS output data is required as is a multi-modal trip analysis of the commercial and office units to enable assessment of traffic impact.
- o Cycle parking for the commercial/office elements is required as per BCC standards
- o Concerns are raised regarding the lack of servicing provision for the commercial elements.
- o Waste storage for the retail elements is required

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- o A detailed student movement strategy is required given the level of movement this would generate in addition to concerns regarding the constraints within the local area
- o £70k is sought for cycle infrastructure improvements, to be secured via S106
- o A highway works plan is required
- o Changes to the travel plan are required

The Bristol Waste Company has commented as follows (06.06.19):

For 245 student beds, we would recommend that the following waste and recycling provision is allowed for (based on weekly collections): 8x 360l bins (plastic/cans); 3x 240l bins (glass); 1x 240l bin (paper); 3x 1100l bins (card); 5x140l bins (food waste); 9x 1100l bins (refuse). The office bin store appears to only be accessible via a staircase which is not suitable. It is neither safe nor practical for bins to be manoeuvred down a flight of stairs. The commercial units should all have enough space for at least 2 x 1100 bins. It will not be acceptable under any circumstances for the commercial or office units to store their bins on the street.

Ideally bin stores should be accessed directly from the roadway and be located at the edge of the property nearest to where collection vehicles are able to safely stop. Additionally, collection operatives will not pull/push container bins more than 5 metres from the agreed waste collection point to the collection vehicle. It would therefore be more appropriate for the bin store to be located adjacent to Moon Street rather than at the centre of the building.

Due to the large number of bins required at this site and the restricted width of Moon Street, access and servicing arrangements must be set out to ensure that collections are practicable from this site.

The City Council Sustainability Officer has commented as follows (24.07.19):

The strategic approach to reducing energy demand including through reductions in air permeability, is noted and welcome. I recommend conditioning evidence that the proposed air permeability standard of 4m³/m².hr @ 50 Pa has been achieved as should this not be achieved it will have a bearing on the demand for space heating.

Regarding the heating strategy, I am unclear how it is proposed to provide space heating in the student units. It should be noted that resistive electric heating (panel heaters) are not listed in the heat hierarchy and therefore would not meet the requirements of BCS14.

As identified in the Sustainability Statement the scheme is situated within the heat priority area. District heating connection should be explored and set out as part of the application submission.

Overheating

In light of the internal layout, built-form and orientation of the scheme I request additional analysis to provide assurance that the scheme will not be liable to over-heating under current and projected climate scenarios. Units likely to be at greatest risk are those with a southerly or westerly aspect. The analysis should be based on dynamic thermal modelling and the assessment of overheating risk be based on a recognised methodology such as CIBSE TM52 (or applicable equivalent) and cover the projected life-time of the scheme i.e. 60 years to 2080. Any 'failures' should be addressed through modifications to the design starting with measures to reduce solar gain.

Broadband

Information on the potential for ultrafast broadband is noted. Additional information (evidence) is required to show how the scheme will meet the policy requirements - as per the Connectivity Practice Note.

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The BREEAM Assessment report is noted, as is the potential to achieve BREEAM Excellent. Given the policy requirement for BREEAM Excellent I recommend requesting information to clarify if it is possible to create more 'head-room' in terms of BREEAM credits to provide confidence that BREEAM Excellent is achievable.

The City Council Flood Risk Officer has commented as follows (12.07.19):

As Lead Local Flood Authority, we object to the proposals as presented, due to the location of the attenuation tank being located under the building and therefore the resilience, maintenance and access issues inherent in the tank's location.

The City Council Air Quality Officer has commented as follows (17.05.19):

I have reviewed the air quality assessment, which concludes that the impact of the development is negligible and that no new exposure is introduced. I have no objections on the grounds of air quality.

The City Council Land Contamination Officer has commented as follows (12.06.19):

The submitted report (Geodyne Limited. 28/06/2017. Combined Phase I Desk Study and Phase II Exploratory Investigation, Stokes Croft. 37147) only covers the middle portion of the current site boundary as such we would expect to see further assessment prior to construction, we would support demolition occurring before any further investigation takes place. The report does identify elevated levels of lead, however the ground floor of the site appears to be hard standing only which would mitigate issues from this.

The report identified two potential features that will require further consideration and appropriate decommissioning. A potential mine shaft in the south east of the site and a suspected old well in the area of WS6. Further details regarding the capping solution should be presented with any future remediation strategy.

With regards to the ground gas monitoring that took place, confirmation is required as to the depths of the response zones for the monitoring points; whether the further assessment mentioned in the report was undertaken, and if so what the results were.

We note the Coal Authority are currently objecting to the proposed scheme due to the potential coal mining feature on site. Presuming a methodology of decommissioning and capping can be undertaken (or alternatively the scheme be redesigned) then the following conditions are recommended to be applied to any future planning consent

- Contamination - Site characterisation
- Submission of remediation scheme
- Remediation Verification
- Reporting of Unexpected Contamination

Given the site was bombed during World War Two an Unexploded Ordnance risk assessment must be completed prior to any further investigation or works on site.

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The incorporation of green roofs is recommended, with benefits in relation to sustainability and flood risk mitigation as well as in relation to wildlife.

Conditions are necessary for the provision of Bat and Bird boxes, and in relation to vegetation clearance on site.

The Police Crime Prevention Design Advisor has commented as follows (05.06.19):

The main student entrance into the building will be via MOON STREET, this area lacks surveillance and has a recessed covered area. The lack of surveillance in addition to the sheltered area can result in inappropriate loitering. It is clearly easier for offenders to commit crime if they cannot be seen at any stage of the criminal act. Developments where the design denies residents the ability to see what is taking place outside and around them will be more likely to suffer from crime and anti-social behaviour.

o I acknowledge that the applicant will consider applying for Secured by Design certification, as such we would urge the LPA to make it a condition of the planning application that Secured by Design (Homes 2019) is achieved. We would happily assist in the process from the outset.

o The main entrance doors including the external doors to the cycle/bin store need to meet STS 202 Issue 6:2015 Burglary Rating 2 or equivalent.

o The access control into the building should meet the requirement of section 27.24 of Secured by Design Homes 2019. But must be by the use of a security encrypted electronic key (e.g. fob, card, mobile device, key, etc.) not numeric keypad.

o Developments of over 25 flats, apartments, bedsits or bedrooms can suffer adversely from anti-social behaviour due to unrestricted access to all areas and floors of the building. Therefore the use of access control should be used to limit movement for visitors through the building and only allow residents access to authorised areas. Details on how to achieve compartmentalisation are shown in section 27.29 Secured by Design Homes 2019. Communal doors should also have the facility to sound a localised alarm if forced or held open.

o The secure mail boxes must meet the requirements of TS 009.

o The CCTV system should be capable of providing 'identification' quality at each entry point the site. 'Identification' is defined in the Surveillance Camera Commissioners publication CCTV Buyers Toolkit. Due to the vulnerability of the MOON STREET entrances the system should extend to cover these areas.

o With regard to the commercial element of the development, the Bristol Core Strategy does state that a BREEAM "Excellent" rating will be expected for non-residential development. By attaining the Secured by Design Commercial 2015 award, the applicant would demonstrate that this has been achieved.

RELEVANT POLICIES

Planning Obligations - Supplementary Planning Document - Adopted 27 Sept 2012

Urban Living SPD - November 2018

Stokes Croft Conservation Area Character Appraisal

Planning (Listed Buildings & Conservation Areas) Act 1990

National Planning Policy Framework – February 2019

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site 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.

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KEY ISSUES

(A) LOSS OF NIGHTCLUB

Concerns relating to the proposed loss of the Blue Mountain nightclub was a common thread through many of the objection comments received from local residents, as well as giving rise to objection from people living elsewhere in and around Bristol who visit Stokes Croft for the nightlife, including that offered at the Blue Mountain.

Policy BCAP9 expresses that existing cultural facilities should be retained in those uses and enhanced where possible unless appropriate replacement facilities are provided in a suitable alternative location. As set out within the supporting text to that policy: "For the purposes of this policy, 'cultural facilities and tourist attractions' refer to cultural or leisure facilities that are of regional, national or international importance or that make an important contribution to the distinctiveness of the city centre's visitor offer such as museums, theatres, concert venues, specialist cinemas, sport venues and historic buildings and monuments."

From the public comments received it is apparent that the Blue Mountain nightclub is valued by those who visit it by virtue of the alternative music and nightlife offered at the venue, and the contribution that the premises makes to alternative culture in Bristol. Whilst it is acknowledged that Stokes Croft draws in visitors, in part by virtue of its alternative nightlife, it is considered that whilst the Blue Mountain club comprises part of the local offer, in itself the club is not of regional, national or international importance to warrant specific safeguarding under the provisions of policy BCAP9. There are a significant number of other night time economy uses within the Stokes Croft area such that the vibrancy and alternative nightlife offer would not be eroded to a degree that would warrant refusal under the provisions of policy BCAP9.

Some of the public comments received express the nightclub as a community facility. Whilst the blue mountain may be valued by its clientele, does it comprise a community facility? Within the supporting text to policy BCS12 it is stated:

"The term Community facilities is wide-ranging and can include community centres and childcare facilities, cultural centres and venues, places of worship, education establishments and training centres, health and social care facilities, sport and recreation facilities and civic and administrative facilities. It may also include other uses whose primary function is commercial but perform a social or community role i.e. sport, recreational and leisure facilities including local pubs. Such services and facilities provide a focus for local people, helping to promote better personal contact between groups and individuals and generating community spirit and a sense of place. Together, they are essential to the quality of life of people living and working in Bristol and can help to reduce levels of deprivation and social exclusion and improve health and wellbeing."

The supporting text therefore places greatest importance on non-commercial uses that provide social or welfare benefit to the community. Leisure facilities may be considered a community use, although the policy does not assert that this is always the case. A nightclub or pub for example, in an area where there is no other such provision, may be of importance to the community to facilitate social interaction to a degree that it is considered a community facility, however this is not necessarily the case where there is alternative provision within the vicinity that provides leisure and social opportunities for local residents.

Given that locally there is a variety of alternative nightlife venues, including those that host live music events, it is considered that whilst the Blue Mountain nightclub is part of the existing cultural and social offer in the area, it is not of such individual importance to be considered a community facility by definition, and certainly not in the same way that a community centre or healthcare centre would be considered a community facility.

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That said, the importance of the venue to those who frequent it is apparent from the public consultation comments received, and therefore for the sake of completeness, consideration will also be given to the policy text relating to community facilities. The policy wording of BCS12 states that existing community facilities should be retained, unless it can be demonstrated that there is no longer a need to retain the use or where alternative provision is made.

The variety of nearby nightlife venues, including those that support DJs and live music acts, as well as those slightly further afield but still within the city that also support the alternative music scene, are such that the events, DJ's and live music acts that are hosted at the Blue Mountain would continue to be accommodated locally as well as elsewhere within the city and therefore the cultural offer would remain, albeit at different venues. On this basis it is considered that there is not a demonstrable need for the Blue Mountain club specifically, and as such, even if the venue were considered a community facility, its loss would not be harmful to a degree that would warrant resistance to redevelopment of the premises for other purposes appropriate for the area.

(B) NATURE AND MIX OF USES PROPOSED

Policy BCS2 expresses that Bristol City Centre's role as a regional focus will be promoted and strengthened, and that development will include mixed uses for offices, residential, retail, leisure, tourism, entertainment, and arts and cultural facilities. The policy identifies Stokes Croft as an area where continued improvement will be promoted, and expresses that major developments should demonstrate measures to enhance social inclusion and community cohesion, especially in respect of those communities close to the City Centre.

Policy BCAP1 states that new development in Bristol City Centre will be expected to contribute to the mix of uses in the wider area. A mix of new homes, employment and other uses will be sought as appropriate to the site and its context.

Office floorspace (B1(a) use):

Policy BCS8 relates to employment floorspace (use classes B1-B8) and expresses that employment land outside of Principle Industrial and Warehousing Areas (PIWA's) will be retained where it makes a valuable contribution to the economy and employment opportunities. The policy also expresses that new employment floorspace suitable for smaller businesses will be encouraged as part of mixed-use development.

Policy BCAP7 states that employment sites in St. Pauls should be retained for employment use unless it can be demonstrated that (i) there is no demand for employment uses; or (ii) continued employment use would have unacceptable impact upon the environmental quality of the surrounding area; or (iii) a net reduction in floorspace is necessary to improve the existing premises; or (iv) it is to be used for industrial or commercial training purposes. In relation to the Stokes Croft and St Paul's area, policy BCAP6 seeks the provision of small scale flexible work space suitable for a wide range of employment uses.

BCAP45 (The approach to St Paul's and Stokes Croft) expects the provision of family housing and small business space in order to support the needs of the area. The policy also refers to a consideration of a flexible approach to planning control in Stokes Croft, particularly to changes of use in shopping frontages. Policy BCAP17 relates to secondary shopping frontages within the city centre, and expresses that retail or other related uses will be acceptable where they would help to maintain or enhance the function of the shopping area.

SPD10 (St Pauls) expresses that where the Council considers the loss of existing employment floorspace may be appropriate because of its poor quality, there is an expectation that redevelopment proposals incorporate an adequate supply of employment floor space to help meet

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identified local demand. The SPD also seeks mixed use developments in support of the vitality of the area.

The Stokes Croft frontage of the application site is within a designated secondary shopping frontage, although at present there is limited provision that is complementary with the shopping frontage, largely due to the vacant gap site to the central portion of the application site.

In terms of commercial floor space, the existing 434 square metres of office floor space would be replaced with slightly increased provision of 567 square metres, and would comprise modern flexible office accommodation suitable for modern needs. This element of the proposal is supported, with identified need locally as well as city wide for such accommodation.

The existing 824 square metres B1(c) use (currently occupied by Sebright Printers) would be lost and not replaced directly, however the scheme incorporates ground floor retail provision of 599 square metres spread across 3 units fronting Stokes Croft. Whilst this may not accord entirely with the provisions of policies BCS8 and BCAP7, there is identified local need for such accommodation to support local businesses, including small start-up businesses, and this approach is supported by the provisions of policy BCAP45 in terms of flexibility regarding uses within shopping frontages, as well as being supported by aspirations within the St Paul's SPD. On balance therefore, the loss of the B1(c) unit and replacement with retail uses is considered acceptable on balance.

The application submitted seeks flexible uses of the ground floor units for uses within classes A1, A2 and A3. There is however a risk that all units would be occupied as A3 (food and drink) uses, and as such may deny the shopping frontage of vitality as a result. It is therefore considered more appropriate to restrict uses by condition (if planning permission is granted) to ensure that no more than one of the units may be in A3 use. In doing so this would secure diversity within the shopping frontage, ensuring vitality and viability in line with current planning policy.

Student Accommodation:

Policy DM2 includes consideration of student accommodation and expresses that specialist student housing schemes will be acceptable within the city centre, although expresses that they will not be permitted where the development would (i) harm the residential amenity or character of the area through noise and disturbance from levels of activity; levels of on-street parking that cannot be reasonably accommodated; detrimental impact of physical alterations to buildings; or inadequate storage for refuse/recycling and cycles, or; (ii) would create or contribute to a harmful concentration of such uses within a locality as a result of exacerbating existing harmful conditions including those listed at (i) above, or reducing the choice of homes in the area by changing the housing mix. Policy BCAP4 of the Bristol Local Plan Bristol Central Area Plan refers to student housing and specifies that specialist student housing schemes that contribute to the diversity of uses within the local area will be acceptable within Bristol City Centre unless it would create or contribute to a harmful concentration of specialist student housing within any given area. The policy also acknowledges the benefit of growth of specialist student accommodation in the city centre in relieving pressure on the general housing stock.

Emerging policy (H7 and DS3) within the Bristol Local Plan Review seeks a more directive approach to the location of specialist student accommodation. Relevant policy within this document is however at an early stage in its preparation, with unresolved issues, such that it cannot reasonably be afforded significant weight at this point in time. As with current adopted policy, the issue of harmful concentration of specialist student accommodation remains a consideration within emerging policy.

It should be noted that throughout the consultation responses received, the inappropriateness of student accommodation in this location was a common thread raised as a concern by members of the public; local councillors, and local amenity groups. These concerns raised across the spectrum

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of consultation responses, is considered evidence of a general feeling that a saturation point for purpose-built student accommodation has indeed been reached in the area.

The application site is located within Bristol City Centre, within which there is an abundance of purpose built student accommodation. The application site is set relatively centrally within an identifiable node of purpose built student accommodation within a north-eastern sector of central Bristol with 2249 student bed-spaces either completed, under construction, or with planning permission; and current applications pending consideration for a further 257 bed-spaces in this identified node.

There is already therefore a high number of student bedrooms within purpose built student accommodation within the vicinity of the site. Current policy expresses that purpose-built student accommodation is acceptable in principle terms within the city centre providing that harm is not caused through issues of noise, servicing, parking, and visual impact, or through reducing housing choice by altering the housing mix.

A recent appeal (APP/Z0116/W/18/3212806) for a nearby development at Wilder Street and Backfields was allowed on 5th September 2019, and the development includes the provision of 345 bedrooms of purpose-built student accommodation. The emerging policy was not afforded much weight at the recent appeal, with the planning inspector stating that the emerging local plan "is at too early a stage in its preparation, with unresolved objections on this issue [purpose-built student accommodation], to afford it any significant weight in this appeal." The planning inspector also expressed that "there are no absolute limits in what would represent a harmful concentration" and that potential adverse amenity impacts "can generally be addressed by the efficient management of the complex and enforcement of tenancy agreements." The planning inspector also found that the appeal proposal would not result in harm to the local housing mix and overall found the scheme to comply with policies DM2 and BCAP4.

The recent appeal decision is a material consideration in relation to the current planning application, and relates to a site set approximately 20 metres away at its nearest point. The issue of principle of student accommodation in this location has therefore been very recently tested by the Planning Inspectorate, with the planning inspector concluding that additional student accommodation in this location is acceptable in principle.

It should be noted that no details have been provided with regard to how the student accommodation would be managed in order to safeguard surrounding uses, occupiers and the local environment generally. An appropriately worded condition requiring the submission of, and adherence to, a comprehensive management plan for the student accommodation could however be applied to address this.

There are concerns raised in relation to servicing arrangements and plans relating to the proposed development, as well as in relation to the proposed building design, which will be discussed within key issues to follow. It is however that these issues could be reasonably resolved through appropriate re-design such that there is not an issue in principle with regard to the provision of student accommodation at the site, given the recent findings of the Planning Inspectorate.

The proposal would not result in the loss of existing housing, and whilst the housing mix would be altered in percentage terms, given that this would not be at the cost of family housing, and given the recent conclusions of the Planning Inspector in this regard, it is considered that the proposal would not result in local housing imbalance.

Overall therefore, whilst concern is raised in relation to the principle of student accommodation in this location by virtue of an existing high concentration of such accommodation in this locality, this is considered to be outweighed by the recent findings of the Planning Inspectorate in relation to this issue locally, such that refusal is not recommended on this basis.

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Policy BCS21 expects development to safeguard the amenity of existing development and create a high quality environment for future occupiers. Policy DM2 requires development to provide a good standard of accommodation by meeting relevant requirements and standards and not adversely impacting neighbouring amenity. Policy DM29 expects new buildings to safeguard the amenity of the host premises and neighbouring occupiers. Policy BCS23 expresses that in locating and designing new development, account should be taken of the impact of existing sources of noise or other pollution on the new development, and the impact of new development upon the viability of existing surrounding development. Policy DM35 expects noise sensitive development in locations likely to be affected by existing sources of noise to provide an appropriate scheme of mitigation to ensure adequate levels of amenity for future occupiers.

a) Existing Occupiers

Overlooking was raised as a concern within objection comments received. Immediately surrounding uses are largely commercial in nature, although it is acknowledged that there is also a significant proportion of residential uses within the vicinity. The closest window to window inter-relationships would be with the adjacent office building at St James House to the east, and with the Full Moon Inn (venue and hostel/B and B accommodation). The narrow width of Moon Street is such that the limited separation distances are already established by existing buildings in this location, although the nature of use and the number of windows proposed would differ from existing. On balance however, given the nature of uses and the established limited separation distances, it is considered that overlooking would not be of a degree that would warrant refusal on this basis.

A number of objections were raised on overlooking grounds by residents of flats within the 51.02 building which is set approximately 40 metres to the south of the development site. On considering the relationship between the buildings, including the degree of separation, it is considered that there would be no unacceptable harm to amenity to residents of 51.02 when considering overlooking.

Overshadowing was also raised as a concern within objection comments. The relationship with St James House is such that overshadowing of windows within the western elevation of the neighbouring office building would occur. The Full Moon Inn would also experience reduced light levels of light to windows within its northern elevation, although it is acknowledged that due to orientation the proposed building would only have a limited impact when considering direct sunlight. A shadow study is provided as an appendix to the submitted Design and Access Statement, and does detail shadowing of these aforementioned neighbouring buildings. It should however be noted that the neighbouring uses comprise offices and a pub with hostel accommodation, with such uses offered a lower level of protection against overshadowing than residential uses. It should also be noted that the proposed development is on a brownfield site and its relationship with neighbouring sites follows an established historic street pattern. Whilst there would be some additional shading of the neighbouring office and pub as a result of the proposal, for these reasons it is considered that refusal on this basis is not warranted.

Concern was raised within objection comments of increased noise and anti-social behaviour in the area due to increased occupancy. The site is located within a busy and vibrant city centre location, with existing noise and activity throughout the day and night. Whilst increased occupancy increases the number of residents, and hence level of activity within the area, it is considered that any such increase would not be harmful and would be compatible with the existing busy nature of the location.

If the development were to be permitted, conditions would be required in relation to opening hours of the commercial units; deliveries and waste collections; and a student management plan

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(including provisions for moving in and out), to safeguard local residents against potential impacts from the operation of the development. A construction management plan would also be required to safeguard surrounding amenity during construction works.

b) Future Residents

When considering future residents of the proposed development, it is noted that the site is located within a busy urban environment, with significant noise levels emanating from vehicles using Stokes Croft, along with noise associated with the night-time economy, including the neighbouring Full Moon which hosts events and DJ's. An acoustic report was submitted in support of the application, which underlines the need for windows to be sealed shut in order to achieve an acceptable internal noise environment, and a need to provide mechanical ventilation system in order to achieve a comfortable internal environment for occupiers. It is however realised that non-openable windows can also result in occupier discomfort through removing the choice to open windows if desired. It would therefore be necessary to provide openable windows to the accommodation which would be acoustically sealed when shut, combined with a mechanical ventilation system. These details could be secured by condition if the development were to be approved.

Objection comments raised concern of a lack of communal space for residents of the building, however internal and external communal spaces are incorporated, as well as communal living space serving each cluster flat, which overall is considered adequate provision in terms of quantity. The quality of spaces, including the internal courtyard, is however of concern, given the limited direct sunlight likely to reach the deep internal courtyard which is likely to be in shade for the majority of the time, as well as many of the proposed windows facing onto the courtyard. The absence of any daylight/sunlight assessment in relation to these elements of the proposal is such that the submission has failed to demonstrate an acceptable living environment for future occupiers, and the application should be refused on this basis.

(D) DESIGN AND CONSERVATION

Local plan policies BCS21, DM26, DM27, DM28 and DM29 set out the design requirements that new buildings should achieve. Policies BSC22 and DM31 relate to heritage assets (including Listed Buildings and Conservation Areas) and seek to preserve or enhance heritage assets. The NPPF defines 'conservation' as 'the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance'. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 express the need for special regard to be given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, while section and 72(1) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

Policy BCS2 (Bristol City Centre) expresses that the design of development will be expected to be of the highest standard in terms of appearance, function, conservation of heritage assets, sustainability and maintaining and enhancing green infrastructure. Key views will be protected.

Policy BCAP45 expects development in St Pauls and Stokes Croft to respect the historic scale and form of development in the neighbourhood and to preserve, enhance and where appropriate reinstate historic routes that contribute to the permeability and legibility of the area.

The application site is set within the Stokes Croft Conservation Area. The Grade II Listed Full Moon pub is located directly adjacent to the site, immediately to the south. The grade II listed Coroners Court is also located close to the application site, set approximately 45 metres to the north-east. The application site also abuts locally listed structures at 20-26 Stokes Croft, with locally listed buildings also nearby at 1-9 Stokes Croft, as set out within the Stokes Croft Conservation Area Character Appraisal (SCACA).

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The proposal would introduce a building of between six and eight stories, with the majority of the building being of seven stories. This height and scale is not characteristic of the surrounding buildings within the Stokes Croft Conservation Area, where prevailing building heights are between two and four stories. The proposed building would abruptly rise up beside its lower-lying neighbours to create an incongruous scale. In addition to wider street-scene impacts, this would result in a poor junction with the adjoining building to the north (20 Stokes Croft) by virtue of a blank end elevation of an additional five-storeys (increasing to an additional six stories) when compared with that of the aforementioned neighbouring property; and would also be over-dominant within the street scene, resulting in a reduction in significance of the adjacent listed Full Moon Inn in terms of its visual contribution to the street scene and Conservation Area.

It is acknowledged that there are buildings of greater scale within relatively close proximity of the site, including the 51.02 building to the south; buildings on Marlborough Street and Charles Street to the west, and; buildings on Wilder St to the east. These buildings are however located outside the Stokes Croft Conservation Area and should not be used as references to inform design characteristics of development within the Conservation Area.

As well as inappropriate scale and height, the proposed building also fails to reflect the historic pattern and grain of development in the area, instead proposing substantial blocks that do not accord with the local characteristics of the Conservation Area.

The SCCACA sets out locally characteristic materials as elevations finished in red brick; painted render; bath stone detailing; and some exceptions in pennant stone, with roofing finished in clay pan tiles with some grey slate. The proposed use of Corten steel would represent the introduction of an incongruous material that would compound issues of negative visual impact within the Conservation Area.

The proposal would therefore result in harm to the character and appearance of the street scene through negatively impacting characteristics of significance within the Stokes Croft Conservation Area. With no visual analysis of key views to provide evidence to the contrary, it is also considered that the proposal would result in harm to the setting of adjacent Listed Buildings at the Full Moon Inn and the Coroners Court by impacting skylines, abruptly terminating local views, and harming the backdrop against which the buildings are read visually.

Overall therefore it is considered that the proposal fails to accord with relevant local and national design and conservation policies, and whilst there may be some public benefits, including bringing a vacant site (central portion of the site) back into use, and providing improved commercial floorspace, any such identifiable benefits are not adequate to outweigh the significant harm that would be caused by the proposal in design and conservation terms.

(E) HIGHWAYS AND SERVICING

Core Strategy policy BCS10 sets out a transport hierarchy for the design of developments, and expresses that development should be located where sustainable travel patterns can be achieved; should minimise the need to travel; and maximise opportunities for the use of walking, cycling and public transport. It is also expressed that developments should be designed and located to ensure the provision of safe streets.

Policy DM23 expresses that development should not give rise to unacceptable traffic conditions and will be expected to provide: safe and adequate access onto the highway network; adequate access to public transport; transport improvements where necessary; adequate provision for pedestrians and cyclists. The policy also requires the provision of adequate servicing facilities, and safe accessible and usable parking in accordance with the parking standards schedule. Policy DM32 requires adequate refuse and recycling provision in new development.

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The City Council Highways Officer has expressed that inadequate detail has been provided with regard to TRICS data, which is required in order to model potential impact upon the local highway network by virtue of the development proposed. The lack of necessary detail is such that the proposal has not demonstrated the development will be acceptable in this regard. Inadequate information has also been provided with regard to servicing, with no loading bay proposed and a lack of detail as to how collections and deliveries will be achieved to all proposed uses on the site without impacting the local highway network.

The development has been designed as car-free, which is acceptable within this city centre location in principle, with good access to shops, services and public transport links. 86 cycle parking spaces would be provided to serve the student accommodation, which accords with current parking standards requirements. No details have however been provided with regard to the type of cycle storage proposed however it is advised that Sheffield stands should be used. No cycle parking facilities have however been detailed for the office or commercial units, which is not acceptable.

There are a number of concerns raised with regard to the proposed servicing facilities and arrangements. No refuse/recycling storage provision is detailed for the commercial uses, which is not acceptable, and there are concerns raised in relation to the need to transport large waste bins through the building for collection rather than a more convenient collection point being provided. Also, the student move in/move out strategy lacks the detail necessary to ensure that adequate management of key moving days/periods would not adversely affect surrounding occupiers and the surrounding highway network.

A Travel Plan has been submitted, however in its current form it requires amendment in order to be considered acceptable (see Highway Officer comments above). In accordance with the comments from the Highways Officer it is advised that a Travel Plan Management and Audit Fee in the sum of £5,165 is required, to be secured via a section 106 agreement. If required, Bristol City Council can undertake the implementation of the Travel Plan on the applicant's behalf for an Implementation Fee of £135 per cluster flat. By paying the Travel Plan Implementation Fee the developer will be released from travel planning obligations over a 5-year period.

A financial contribution of £70,000 is also sought to facilitate improvements to the local cycle network.

Footway widening around the site along Moon Street is proposed as part of the development, which is supported by Highways Officers and would improve pedestrian accessibility and safety. Highway works would require formal agreement in terms of specification and it is advised that the historic iron kerbing be re-used.

Despite some identifiable improvement, overall however in its current form the proposal fails to adequately address highways and servicing issues associated with the development.

(F) SUSTAINABILITY AND FLOOD RISK

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

Policy BCS13 expresses that development should contribute to both mitigating and adapting to climate change, and to meeting targets to reduce carbon dioxide emissions. Measures to achieve this cited within the policy includes through the use of de-centralised, renewable and low carbon energy supply systems. Policy BCS14 states that within Heat Priority Areas, major development

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will be expected to incorporate, where feasible, infrastructure for district heating, and will be expected to connect to existing systems where available. BCAP20 expresses the need for the development to meet BREEAM 'excellent' standard. BCAP21 states that proposals for development that would require heating will be expected to demonstrate that account has been taken of potential opportunities to source heat from adjoining development or nearby heating networks.

a) Sustainability

The sustainability statement submitted expresses that a 200 square metre solar PV array could be accommodated on the roof, whilst Air Source Heat Pumps are proposed for the commercial units. A combined heat and power (CHP) plant is proposed to serve the development, with the ability to connect the system to a future district heating network when available.

The application site is located within a designated Heat Priority Area, and as such provision for district heating (DH) connection is expected under policy BCS14. Whilst there is not a current heat network serving the site, a future network is highly likely. No detailed information regarding the proposed heating system is provided, however it is advised that this will need to be a wet heating system capable of being linked with the district heating network, whether this is via a day-one connection or when the local network is available for connection. The connection to a District Heating network at this stage has been discounted within the sustainability statement, however no evidence has been provided in relation to investigation of whether this is feasible, and indeed the City Council Sustainability Officer has expressed that the developer's team should contact the Energy Services Team to discuss DH connection.

The energy table submitted details a CO2 reduction of 26.45% based on residual energy demand, however this figure includes the proposed gas fired CHP system, which comprises an energy efficiency measure rather than a renewable energy technology. The PV and Air Source Heat Pumps account for a 5.5% CO2 reduction, according to the information provided, which falls well short of the 20% required under current policy.

The application is supported by the provision of a BREEAM pre-assessment, which demonstrates that BREEAM 'excellent' level can be achieved for the commercial units, as is stipulated within relevant local planning policy. The City Council Sustainability Officer has expressed that incorporation of additional 'head room' within the credits would provide greater comfort that BREEAM excellent would indeed be achieved.

The City Council Sustainability Officer has raised concerns of potential overheating impacts within the development, and in the absence of any information to demonstrate that the development would not be subject to unacceptable overheating the proposal cannot be considered acceptable in this regard.

Whilst there are positives of the scheme from a sustainability angle, at present the proposal fails to demonstrate incorporation of adequate on-site renewable energy generation; has not demonstrated an optimum approach in terms of DH network connection; and has not demonstrated that the development would not be liable to overheating. Further information is also required in relation to broadband connection and BREEAM. As such, on the basis of the information provided, the proposal cannot be considered to accord with the provisions of policies BCS13-16 and BCAP21.

b) Flood Risk

The application site is set within flood zone 1 and as such is at low risk from tidal and fluvial flooding. A scheme of Sustainable Drainage for the site is necessary in order to adequately mitigate against rainwater run-off. Tanked underground storage with attenuated flow is proposed in terms of SuDS, however the City Council Flood Risk Officer has raised concern given the proposal

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to install an attenuation tank beneath the building, due to inherent issues relating to access, maintenance and resilience of such an arrangement. The Flood Risk Officer has advised that for the proposed SuDS scheme to be viewed as acceptable, adequate supporting information will be required in relation to Wessex Water accepted flow rates to the combined sewer- (this will determine the discharge rates from the site and hence the attenuation volumes); how the tank and flow control device will be maintained (access for cleansing, jetting etc.); design for exceedance if the drainage system were to be overwhelmed or blocked, and; further design details of the tank including cover arrangements, inlet and outlet arrangements. In the absence of such information, the proposal cannot be considered acceptable in relation to flood risk.

(G) AIR QUALITY

Policy BCS23 requires development to avoid adversely impacting environmental amenity in terms of various forms of pollution, including air pollution, and to take account of the impact of existing sources of pollution on new development. Policy DM33 requires development within designated Air Quality Management Areas to take account of existing air pollution and include measures to mitigate its impact upon future occupiers.

On the basis of the amended Air Quality Assessment submitted, the proposal is found to be acceptable in air quality terms during its operational phase, as expressed by the City Council Air Quality Officer. Safeguards will be required by condition as part of a Construction Environment Management Plan in relation to dust during the construction phase.

(H) CONTAMINATION

Policy BCS23 expresses that in locating and designing development, account should be taken of the impact of existing sources of noise and other pollution on the new development. DM34(i) expresses that new development should demonstrate that any existing contamination of the land will be addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use and that there is no unacceptable risk of pollution within the site or in the surrounding area.

As can be seen from the Land Contamination Officer's comments above, further information is sought in relation to ground investigation and remediation strategy, however these details could reasonably be secured by condition. It should be noted that given the site was bombed during World War Two an Unexploded Ordnance risk assessment must be completed prior to any further investigation or works on site

(I) LAND STABILITY

Policy DM37 states that on sites where there is reason to suspect unstable land and the risk of instability has the potential to materially affect either the proposed development or neighbouring uses/occupiers, development will only be permitted where: i. A desk-based study of available records has been carried out to assess the previous uses of the site and their potential for instability in relation to the proposed development; and ii. Where the study establishes that instability is likely but does not provide sufficient information to establish its precise extent or nature, site investigation and risk assessment are carried out to determine the standard of remediation required to make the site suitable for its intended use.

The application site sits within a coal mining High Risk Area. As can be seen within the consultations section above, the Coal Authority has raised a fundamental concern with regard to land stability at the site, with particular attention drawn to an unrecorded mine entry found on the site. A well was also detected on the site. The site investigation undertaken and presented within the planning application submission is not adequate to determine the extent of underground features present and the potential impact upon land stability, and no scheme for remediating

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against land instability has been put forward. Given the lack of information provided, and the significant potential for land instability on the site, the proposal therefore cannot be considered acceptable in land stability terms and should be refused on this basis.

(J) SAFETY AND SECURITY

Policies BCS21, DM27, DM29 include consideration of safety and security. The application site is located with an area which suffers from crime and disorder. As can be seen within the consultation responses above, the Crime Reduction Officer (CRO) has recommended a number of measures in order to achieve appropriate levels of safety and security in and around the development. These measures comprise security rated external doors; the provision of building access control, including internal zoning; provision of CCTV of identification quality, particularly around building entrances; and the provision of secure mail boxes. These details could reasonably be secured by appropriately worded condition.

(K) PUBLIC ART

Policy BCS21 states that development will be expected to enable the delivery of permanent and temporary public art. The policy also expresses that development is expected to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness.

Opportunity for public art provision has been referenced within the application submission, however no detail has been provided. The provision of a public art plan could however be conditioned if the development were to be approved, in order to ensure the delivery of public art as part of the development.

(L) NATURE CONSERVATION

Policy BCS9 expresses that where development would have an impact on the Bristol Wildlife Network it should ensure that the integrity of the network is maintained or strengthened. Policy DM19 expresses that development which would be likely to have any impact upon habitat, species or features, which contribute to nature conservation in Bristol will be expected to: i. Be informed by an appropriate survey and assessment of impacts; and ii. Be designed and sited, in so far as practicably and viably possible, to avoid any harm to identified habitats, species and features of importance; and iii. Take opportunities to connect any identified on-site habitats, species or features to nearby corridors in the Wildlife Network. Where loss of nature conservation value would arise development will be expected to provide mitigation on-site and where this is not possible provide mitigation off-site.

The City Council Nature Conservation Officer has expressed the need for conditions relating to the provision of Bat and Bird boxes, as well as in relation to vegetation clearance.

The incorporation of green roofs is also recommended, which would be beneficial in relation to wildlife habitat as well as assisting in reducing rainwater run-off effects and having other related sustainability benefits.

(M) PLANNING OBLIGATIONS

New development often creates a need for additional or improved community services and facilities, without which there could be a detrimental effect on local amenity and the quality of the environment. Planning obligations are the mechanism by which measures are secured to enhance the quality of both the development and the wider environment, to help ensure that the development makes a positive contribution to sustainable development providing social, economic and environmental benefits to the community as a whole.

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The legislative framework for planning obligations is set out in Section 106 of the Town and Country Planning Act 1990 as amended by Section 12 of the 1991 Planning and Compensation Act. Further legislation is set out in the Community Infrastructure Levy CIL Regulations (2010) (as amended). The NPPF reiterates the tests (at paras 203 to 205) that are required to be met when planning obligations are sought, namely that they should be necessary to make the development acceptable in planning terms; directly related to the development and, fairly and reasonably related in scale and kind to the development. It goes on to advise at para 205 that "where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled".

Supplementary Planning Document entitled 'Planning Obligations' (2012) sets out the Council's overall approach to planning obligations and the types of obligation that the Council may seek to secure and complements BCS 11.

In addition to the required CIL payment of £950,403.00 necessary planning obligations comprise the sum of £5,165 for travel plan monitoring as well as £70,000 sought for local cycle infrastructure improvements. It may also be necessary to incorporate elements relating to District Heating connection. The developer would also be liable for the Council's legal costs associated with the section 106 agreement.

No legal agreement has however been formulated, and in the absence of a legal agreement to secure contributions to mitigate against impacts that may result from the development proposal, the application should be refused on this basis.

CONCLUSION

Whilst there are some identifiable benefits of the proposal in terms of bringing a partially vacant site back into use, and providing replacement commercial space that would contribute where there is identified local need, the benefits of the proposed development do not outweigh the identified harm.

Whilst a contentious issue locally, the loss of the nightclub is accepted on balance given the variety of nearby nightlife venues that would continue to cater for the local cultural offer as part of Bristol's night time economy.

Despite the apparent direction of change of local planning policy regarding purpose-built student accommodation, the early stage of emerging policy in this regard is such that at the current point in time, adopted local planning policy must be relied upon. Whilst there is concern raised in relation to the principle of student accommodation in this location by virtue of the existing high concentration of such accommodation in the locality, the recent conclusions drawn by the Planning Inspectorate on this issue locally carry significant weight in the decision-making process with regard to the principle of student accommodation.

There is a fundamental concern raised by the Coal Authority in relation to land stability, and until this is appropriately addressed the site cannot be considered safe for new development.

The height, scale, massing and overall design fails to accord with key characteristics of the locality and would result in harm to the character and appearance of this part of the Stokes Croft Conservation Area, as well as harming the setting of nearby Listed Buildings.

The proposal fails to address relevant highways and servicing matters, including in relation to trip generation, travel planning and building servicing and facilities, and also in relation to provision of

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relevant planning obligations. The scheme also fails to demonstrate adherence to relevant sustainability and flood risk policies.

Overall therefore, the proposal should be refused for the various shortfalls identified within this report.

COMMUNITY INFRASTRUCTURE LEVY (CIL)**CIL LIABILITY**

The CIL liability for this development is £950,403.00

RECOMMENDED REFUSE

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

Reason(s)

1. The information submitted fails to demonstrate that the proposed development and neighbouring uses would not be materially affected by land stability issues. The proposal therefore fails to accord with the requirements of policy DM37 of the Bristol Local Plan Site Allocations and Development Management Policies (2014).
2. The proposed design fails to accord with established characteristics of the Stokes Croft Conservation Area, including in relation to height, scale, massing, pattern, grain and materials. This would result in harm to the character and appearance of this part of the Stokes Croft Conservation Area as well as causing harm to the setting of adjacent listed buildings. The proposal is therefore contrary to policies BCS21 and BCS22 of the Bristol Local Plan, Core Strategy (2011); policies DM26, DM27, DM29 and DM31 of the Bristol Local Plan: Site Allocations and Development Management Policies (2014).
3. The proposal fails to demonstrate the provision of adequate cycle storage and refuse/recycling storage facilities; and fails to incorporate adequate plans and strategies regarding waste management/collections; deliveries; travel planning, and student move-in and move-out periods. The proposal therefore fails to demonstrate that the development would not have adverse impact upon the local highway network, contrary to the requirements of policy BCS10 of the Bristol Local Plan, Core Strategy (2011); policy DM23 of the Bristol Local Plan: Site Allocations and Development Management Policies (2014); and policy BCAP29 of the Bristol Local Plan: Bristol Central Area Plan (2015).
4. In the absence of a daylight/sunlight assessment in relation to the proposed development, the proposal fails to demonstrate that an acceptable internal living environment would be provided to future residents of the development when considering access to natural light. The proposal is therefore contrary to policy BCS21 of the Bristol Local Plan Core Strategy (2011); policies DM2, DM27 and DM29 of the Bristol Local Plan Site Allocations and Development Management Policies (2014); and guidance within the Urban Living SPD: Making Successful Places at Higher Densities (2018).
5. The information submitted fails to demonstrate the provision of a viable scheme of sustainable drainage that is fit for purpose, contrary to the requirements of policy BCS16 of the Bristol Local Plan, Core Strategy (2011).
6. In the absence of an appropriate agreement under s106 of the Town and Country Planning Act 1990, the proposed development fails to provide for appropriate provision in order to

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mitigate the impacts of the development, contrary to the requirements of policies BCS10 and BCS11 of the Bristol Local Plan: Core Strategy (2011); policy DM23 of the Bristol Local Plan: Site Allocations and Development Management Policies (2014), and: the Planning Obligations SPD (Adopted 2012).

Advice(s)

1. Refused Applications Deposited Plans/Documents

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

SJ01 Existing ground and first floor plan, received 2 May 2019

Air quality assessment, received 2 May 2019

Sustainability Statement, received 2 May 2019

BREEAM Assessment Report - Commercial, received 2 May 2019

Preliminary bat roost assessment, received 2 May 2019

Drainage strategy & Suds statement, received 2 May 2019

Below ground drainage and suds statement - appendices, received 2 May 2019

BREEAM pre-assessment - rev 02, received 2 May 2019

BREEAM pre-assessment - rev 01, received 2 May 2019

Broadband connectivity assessment, received 2 May 2019

Sustainability statement, received 2 May 2019

Preliminary ecological appraisal, received 2 May 2019

Heritage statement, received 2 May 2019

Noise impact assessment, received 2 May 2019

Planning and economic statement, received 2 May 2019

Planning obligations draft head of terms, received 2 May 2019

2200 Proposed ground floor plan, received 2 May 2019

2210 Proposed first floor plan, received 2 May 2019

2220 Proposed second floor plan, received 2 May 2019

2230 Proposed third floor plan, received 2 May 2019

2240 Proposed fourth floor plan, received 2 May 2019

2250 Proposed fifth floor plan, received 2 May 2019

2260 Proposed sixth floor plan, received 2 May 2019

2270 Proposed seventh floor plan, received 2 May 2019

2280 Proposed roof plan, received 2 May 2019

2282 Proposed basement floor plan, received 2 May 2019

3400 Existing street elevations, received 2 May 2019

3700 Proposed GA building elevation - AA and BB, received 2 May 2019

3701 Proposed GA building elevation CC, DD, EE and FF, received 2 May 2019

3702 Proposed GA building elevation GG and HH, received 2 May 2019

3703 Proposed GA building elevation north I-I, received 2 May 2019

3710 Proposed GA courtyard elevation AA, BB and CC, received 2 May 2019

3711 Proposed GA courtyard elevation DD, EE and FF, received 2 May 2019

3200 Proposed GA building section AA, received 2 May 2019

3201 Proposed GA building section BB, received 2 May 2019

3401 Proposed street elevations, received 2 May 2019

3500 Existing elevations North West, South, North East, received 2 May 2019

3501 North West elevation, South elevation, East elevation and North elevation, received 2 May 2019

1000 Existing site plan, received 2 May 2019

1001 Location plan, received 2 May 2019

1002 Site demolition plan, received 2 May 2019

1200 Proposed site plan, received 2 May 2019

Combined phase 1 desk study and phase 2 exploratory investigation, received 2 May 2019

Statement of community involvement, received 2 May 2019

Development Control Committee A – 16 October 2019

Application No. 19/01817/F : 2 Moon Street & 2-18 Stokes Croft Bristol BS1 3PR

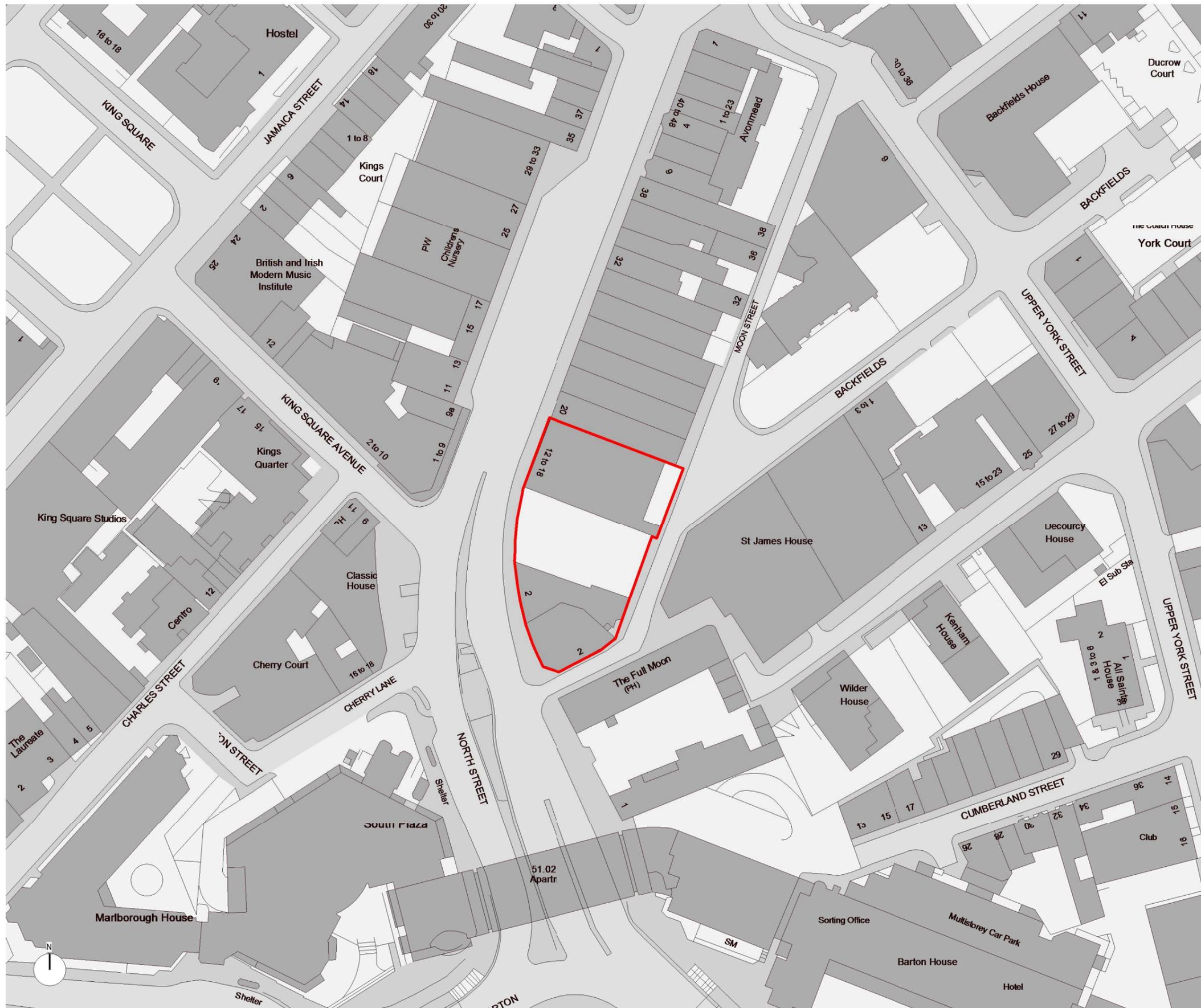
Transport statement, received 2 May 2019

Travel plan, received 2 May 2019

Supporting Documents

5. 2 Moon Street & 2-18 Stokes Croft, Bristol, BS1 3PR

1. Site Location Plan
2. Proposed Site Plan
3. Existing Street Elevations
4. Proposed Street Elevations
5. Proposed Ground Floor Plan
6. Proposed First Floor Plan
7. Proposed Third Floor Plan
8. Section A-A
9. Section B-B



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COM REGULATIONS

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REVISION NOTES

Rev	Date	Description	Issue	Checker
P1	2019-01-17	Draft planning set	JD	DRF
P2	2019-01-31	Planning Issue	JD	DRF
P3	2019-02-01	Planning Issue	JD	DRF

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David Franklin Sarah Boxford

PROJECT NAME PROJECT No.
Stokes Croft Bristol 2625

CLIENT / USER NAME
Red Oak - Project F S A

VOLUME
S1 Site 1

SHEET NAME
Site Location Plan

FULL DOCUMENT REFERENCE

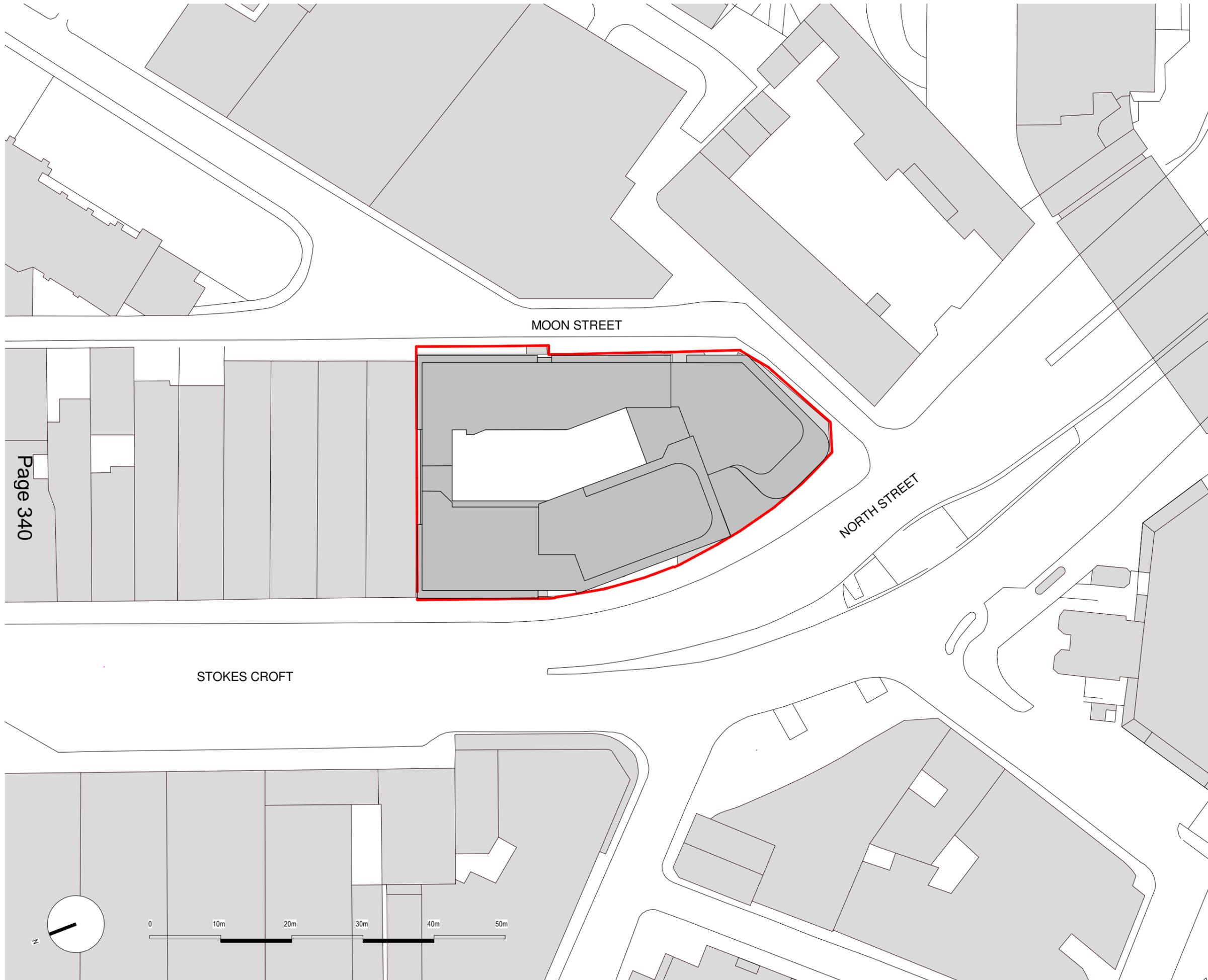
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2019-02-01 P3

STATUS
A3 Planning

SHEET SCALE
A3 L 1 : 1000



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P1	2019-01-17	Draft planning set	JD	DRF
P2	2019-01-31	Planning Issue	JD	DRF

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PROJECT NAME PROJECT No.
 Stokes Croft Bristol 2625

CLIENT / USER NAME
 Red Oak - Project F S A

VOLUME
 S1 Site 1

SHEET NAME
 Proposed Site Plan

FULL DOCUMENT REFERENCE

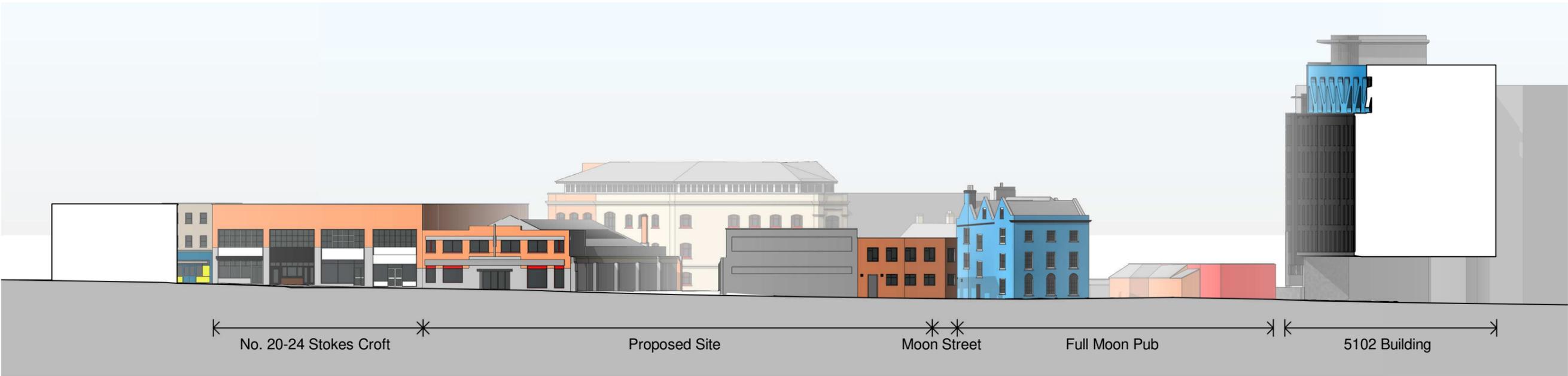
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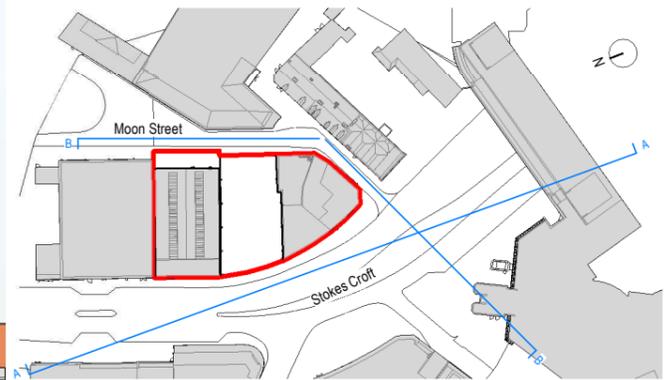
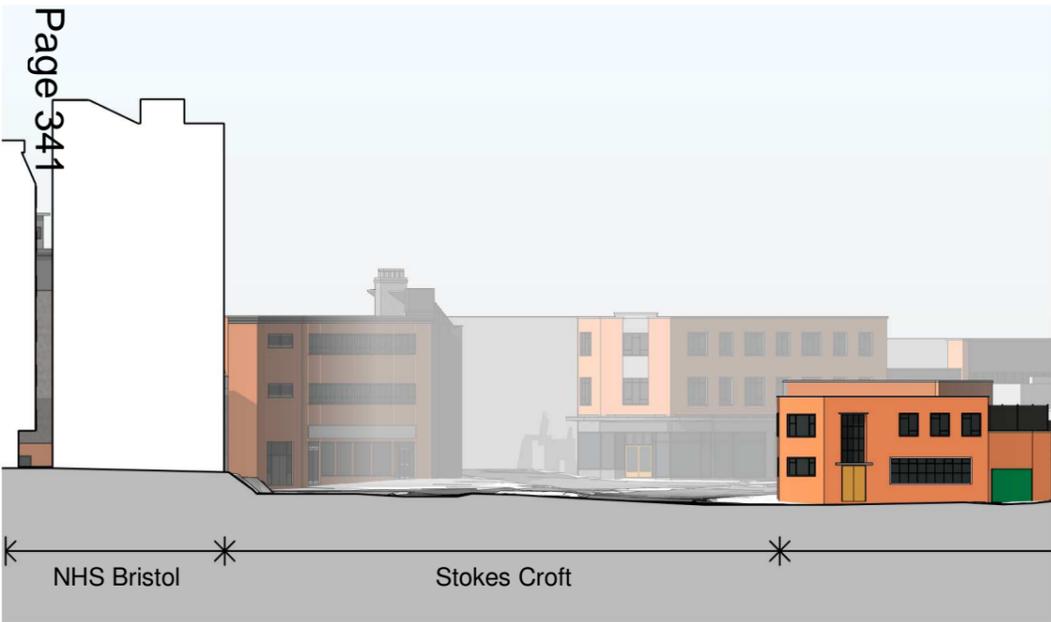
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A Existing Street Elevation - Stokes Croft
1 : 500



B Existing Street Elevation - Moon Street
1 : 500



VOL B1 Site 1

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REVISION NOTES					
Rev	Date	Description	Issuer	Checker	
P1	2019-01-17	Draft planning set	JD	DRF	
P2	2019-01-31	Planning Issue	JD	DRF	

PROJECT NAME: Stokes Croft Bristol
PROJECT No.: 2625

CLIENT / USER NAME: Red Oak - Project F S A

SHEET NAME: Existing Street Elevations
SHEET: A3 L

FULL REFERENCE: SCB-**FEA-B1-XX-DE-A-3400**

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Sheet Number: A3 Planning

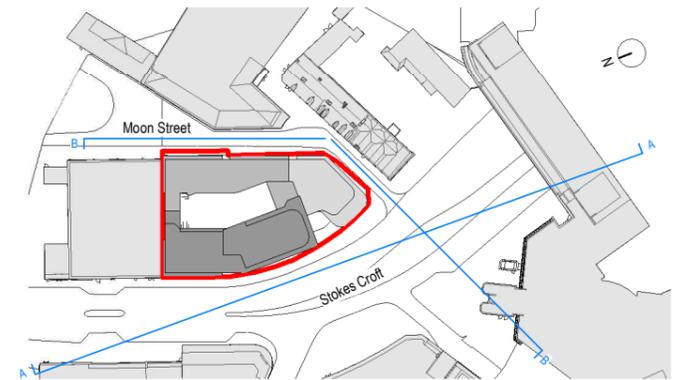
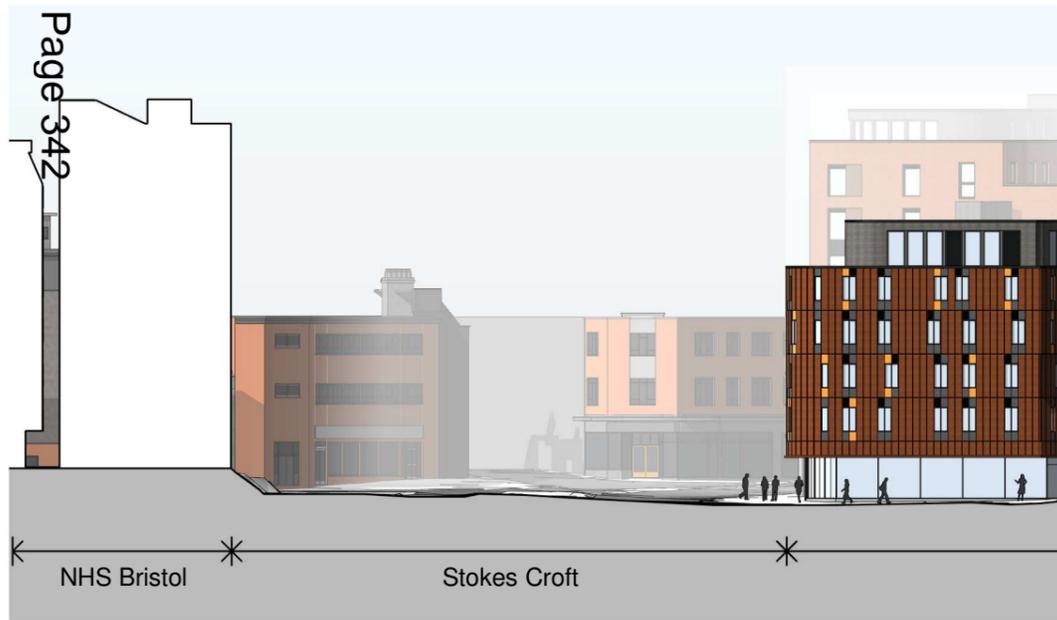
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Level/ Location: XX
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Role /Dis: A
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STATUS: A3 Planning
REVISION: P2

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A Proposed Street Elevation - Stokes Croft
1 : 500



B Proposed Street Elevation - Moon Street
1 : 500



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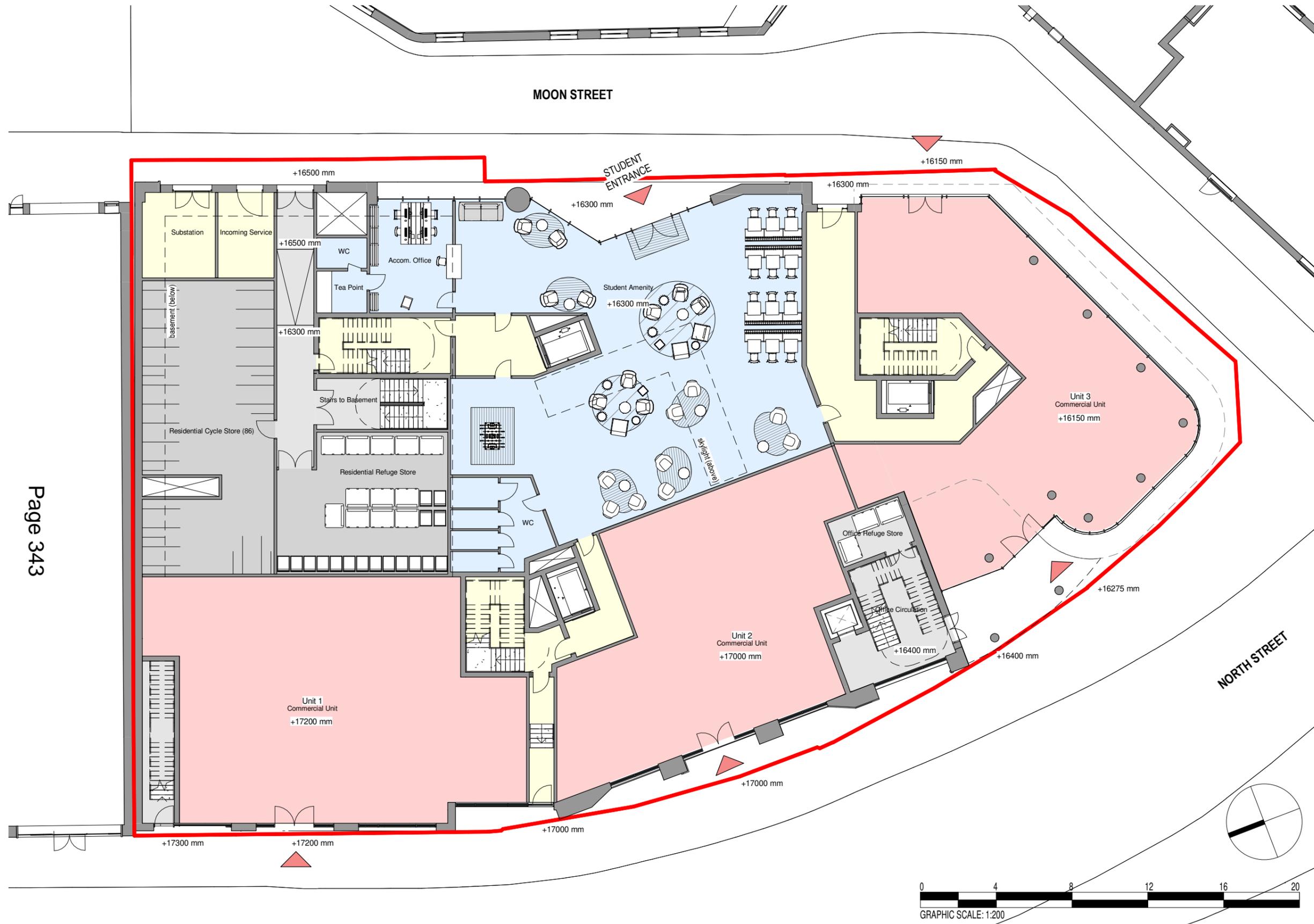
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PARTNER/ASSOCIATE: David Franklin
PROJECT LEAD: Sarah Boxford

REVISION NOTES				
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P2	2019-01-17	Draft planning set	JD	DRF
P3	2019-01-31	Planning Issue	JD	DRF

PROJECT NAME Stokes Croft Bristol	PROJECT No. 2625
CLIENT / USER NAME Red Oak - Project F S A	
SHEET NAME Proposed Street Elevations	SHEET A3 L

FULL REFERENCE		VOL S1		Site 1	
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REVISION NOTES

Rev	Date	Description	Issue	Checker
P1	2018-11-08	First Issue	JD	DRF
P2	2018-11-16	Issue for pre-planning discussions	JD	DRF
P3	2019-01-17	Draft planning set	JD	DRF
P4	2019-01-31	Planning Issue	JD	DRF

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PROJECT NAME PROJECT No.
 Stokes Croft Bristol 2625

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 Red Oak - Project F S A

VOLUME
 B1 Site 1

SHEET NAME
 Proposed Ground Floor Plan

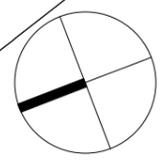
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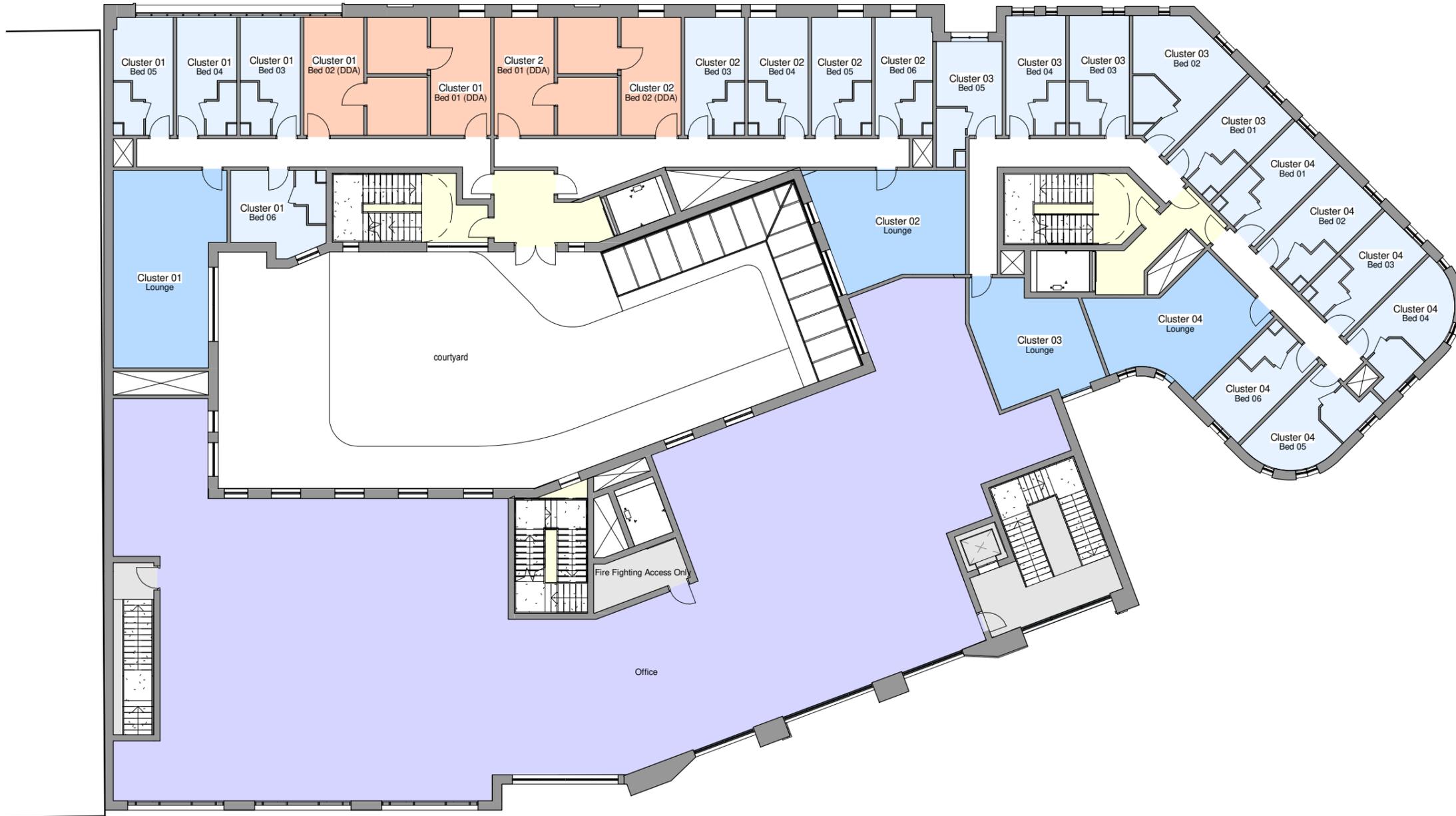
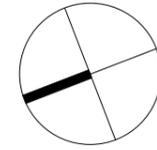
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 A3 Planning

SHEET SCALE
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P1	2018-11-08	First Issue	JD	DRF
P2	2018-11-16	Issue for pre-planning discussions	JD	DRF
P3	2019-01-17	Draft planning set	JD	DRF
P4	2019-01-31	Planning Issue	JD	DRF

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PROJECT NAME PROJECT No.
 Stokes Croft Bristol 2625

CLIENT / USER NAME
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VOLUME
 B1 Site 1

SHEET NAME
 Proposed First Floor Plan

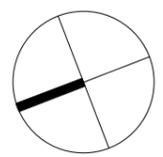
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REVISION NOTES

Rev	Date	Description	Issue	Checker
P1	2018-10-17	First Issue	JD	DRF
P2	2018-11-05	Amended following comments	JD	DRF
P3	2018-11-08	Floor plans amended	JD	DRF
P4	2018-11-13	Drawing title amended	JD	DRF
P5	2018-11-16	Issue for pre-planning discussions	JD	DRF
P6	2019-01-17	Draft planning set	JD	DRF
P7	2019-01-31	Planning Issue	JD	DRF

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VOLUME
B1 Site 1

SHEET NAME
Proposed Second Floor Plan

FULL DOCUMENT REFERENCE
Identification / Location Sheet Number

Project Code	Originator Code	Vol Zone	Level/ Location	Doc Type	Role/ Dir	Number
SCB	FEA	B1	02	DP	A	2220

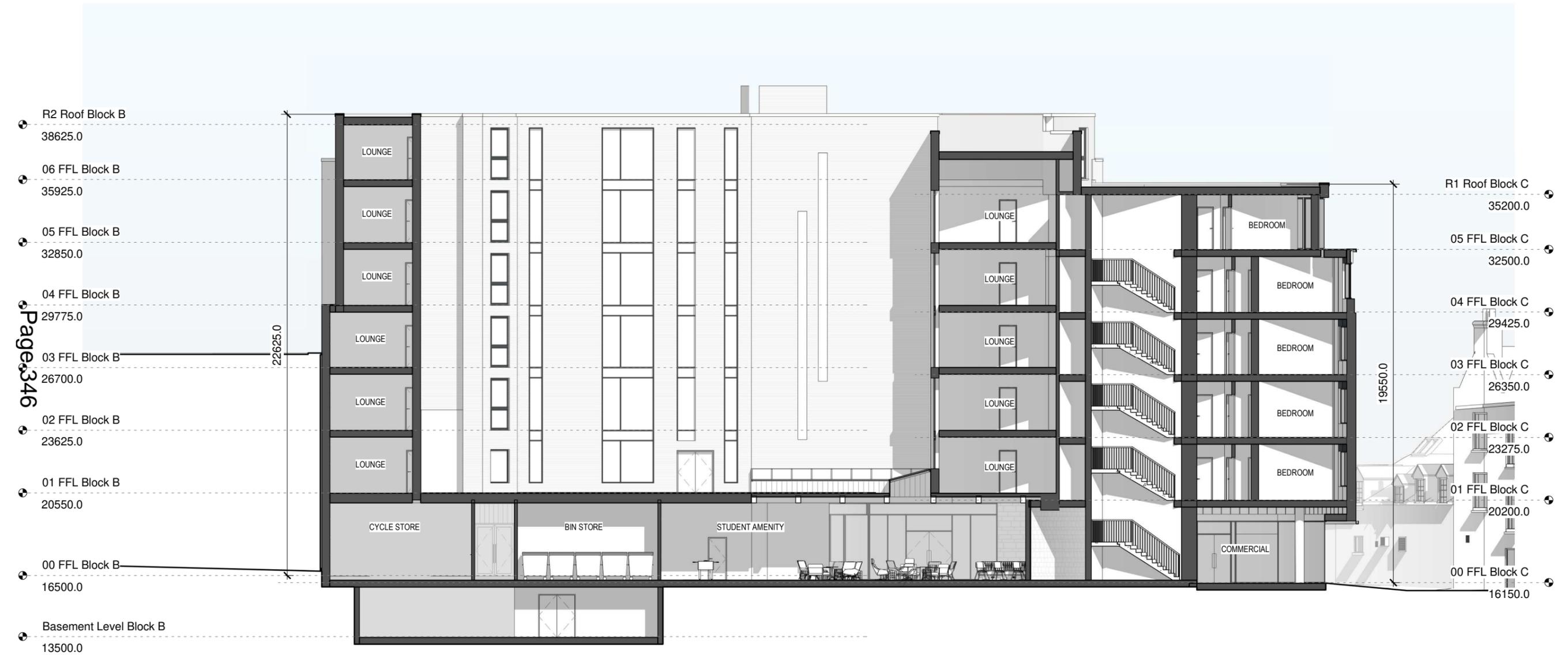
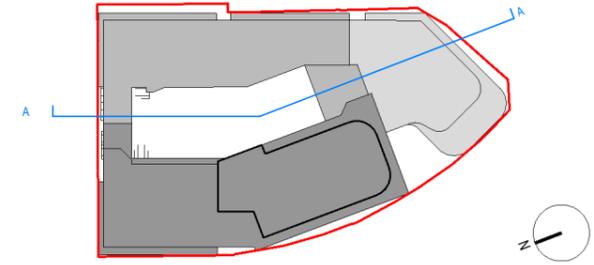
Renumbered from:

REVISION DATE REVISION
2019-01-31 P7

STATUS
A3 Planning

SHEET SCALE
A3 L 1 : 200

NOTES: 1. Do not scale off this drawing unless a scale bar is provided. 2. Any ambiguities, omissions and errors on this drawing should be notified immediately to the Architect before the commencement of works on site. 3. Dimensions are in millimetres unless otherwise stated. 4. Dimensions, unless otherwise indicated, are to the face of unfinished block walls or to the finished plaster face of stud partitions. 5. Dimensions are to be checked on site. Discrepancies are to be notified immediately to the Architect before the commencement of works on site. 6. All levels are in meters unless otherwise stated. 7. This drawing is to be read in conjunction with all other relevant drawings and specifications for this project. ! Denotes a significant hazard or difficult to manage procedure. Please refer to Designer Hazard Register for further information regarding mitigation of hazards.



1 GA Section A-A
1 : 200

VOL B1 Site 1

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REVISION NOTES				
Rev	Date	Description	Issuer	Checker
P1	2019-01-17	Draft planning set	JD	DRF
P2	2019-01-31	Planning Issue	JD	DRF

PROJECT NAME
Stokes Croft Bristol

PROJECT No.
2625

CLIENT / USER NAME
Red Oak - Project F S A

SHEET NAME
Proposed Building Section (Sheet 1 of 2)

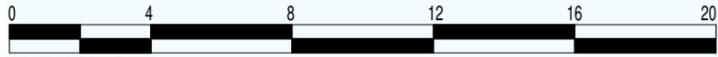
SHEET
A3 L

FULL REFERENCE
Identification / Location

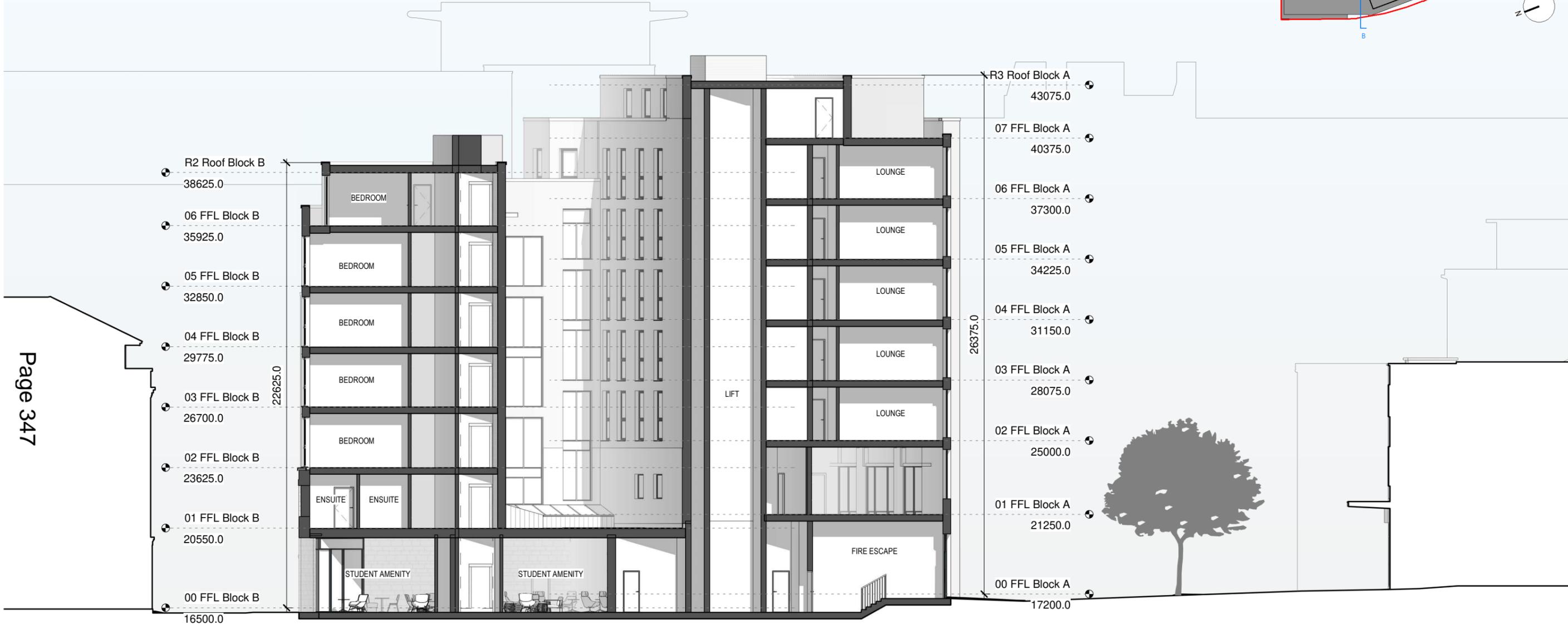
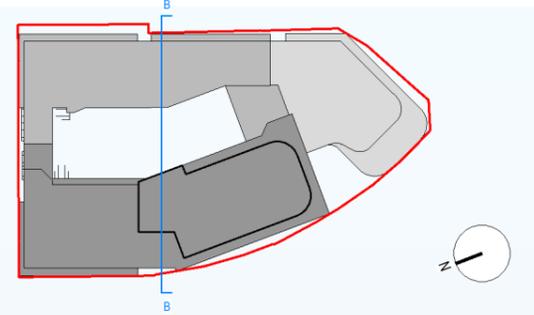
Project Code	Originator Code	Volume /Zone	Level/ Location	Doc Type	Role /Dis	Number
SCB-FEA-B1-XX-DS-A-3200						

SCALE STATUS REVISION
As indicated A3 Planning P2

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GRAPHIC SCALE: 1:200



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1 GA Section B-B
1 : 200

VOL B1 Site 1

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REVISION NOTES				
Rev	Date	Description	Issuer	Checker
P1	2019-01-17	Draft planning set	JD	DRF
P2	2019-01-31	Planning Issue	JD	DRF

PROJECT NAME: Stokes Croft Bristol
 PROJECT No.: 2625
 CLIENT / USER NAME: Red Oak - Project F S A
 SHEET NAME: Proposed Building Section (Sheet 2 of 2)
 SHEET: A3 L

FULL REFERENCE: SCB-**FEA-B1-XX-DS-A-3201**
 Identification / Location: SCB-**FEA-B1-XX-DS-A-3201**
 Sheet Number: **3201**
 Project Code: SCB-**FEA-B1-XX-DS-A-3201**
 Originator Code: **FEA-B1-XX-DS-A-3201**
 Volume /Zone: **B1**
 Level/Location: **XX**
 Doc Type: **DS**
 Role /Dis: **A**
 Number: **3201**
 SCALE: As indicated
 STATUS: A3 Planning
 REVISION: P2