

Development Control B Committee Agenda



Date: Wednesday, 18 March 2020

Time: 2.00 pm

Venue: Council Chamber, City Hall, College Green,
BRISTOL, BS1 5TR

Distribution:

Councillors: Richard Eddy (Vice-Chair), Carla Denyer, Lesley Alexander, Tom Brook (Chair), Harriet Bradley, Mike Davies, Fi Hance, Olly Mead, Jo Sergeant, Nicola Bowden-Jones, Celia Phipps, Sultan Khan and Chris Windows (for Cllr Eddy)

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Date: Tuesday, 10 March 2020



Agenda

1. Welcome, Introduction and Safety Information

2.00 pm

(Pages 4 - 5)

2. Apologies for Absence

3. Declarations of Interest

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

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

4. Minutes of the previous meeting

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

(Pages 6 - 11)

5. Appeals

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

(Pages 12 - 19)

6. Enforcement

To note enforcement notices.

(Page 20)

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. Please note that the following deadlines will apply in relation to this meeting:

Questions:

Written questions must be received three clear working days prior to the meeting. For this meeting, this means that your question(s) must be received at the latest by 5pm on 12th March 2020.

Petitions and statements:

Petitions and statements must be received by noon on the working day prior



to the meeting. For this meeting, this means that your submission must be received at the latest by 12.00 noon on 17th March 2020.

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

8. Planning and Development

To consider the following applications for Development Control Committee B - **(Pages 21 - 22)**

- a) **19/00066/F and 19/00067/LA - 6 Upper York Street Bristol BS2 8QN** **(Pages 23 - 77)**
- b) **19/03104/F - 7 Belvedere Road Bristol BS6 7JG** **(Pages 78 - 100)**
- c) **19/05746/M - Land Of Former Post Office Depot Cattle Market Road Bristol** **(Pages 101 - 172)**
- d) **19/05204/F - 83 Hartcliffe Way Bristol BS3 5RN** **(Pages 173 - 235)**
- e) **19/04821/A - Plot Of Land Fronting Former 164 - 188 Bath Road Totterdown Bristol BS4 3EF** **(Pages 236 - 253)**
- f) **19/01925/F - The Marchioness Building Commercial Road Bristol BS1 6TG** **(Pages 254 - 300)**

9. Date of Next Meeting

29th April 2020 at 6.00 pm.



Public Information Sheet

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

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

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 hand in to Democratic Services Section, City Hall, College Green. 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 **5pm three clear working days before 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, it may be that 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 and published within the minutes. Your statement or question will also be made available to the public at the meeting to which it relates and may be provided upon request in response to Freedom of Information Act requests in the future.

We will try to remove personal and identifiable information. 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 within them may be searchable on the internet.



During the meeting:

- Public Forum is normally one of the first items on the agenda, although statements and petitions that relate to specific items on the agenda may be taken just before the item concerned.
- There will be no debate on statements or petitions.
- The Chair will call each submission in turn. When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- Your time allocation may have to be strictly limited if there are a lot of submissions. **This may be as short as one minute.**
- If there are a large number of submissions on one matter a representative may be requested to speak on the groups behalf.
- If you do not attend or speak at the meeting at which your public forum submission is being taken your statement will be noted by Members.
- If you are called on to use the microphone, please place it approx 5 cm in front of your mouth and move the microphone as you move your head.
- Under our security arrangements, please note that members of the public (and bags) may be searched. This may apply in the interests of helping to ensure a safe meeting environment for all attending.
- As part of the drive to reduce single-use plastics in council-owned buildings, please bring your own water bottle in order to fill up from the water dispenser.

For further information about procedure rules please refer to our Constitution
<https://www.bristol.gov.uk/how-council-decisions-are-made/constitution>

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). 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.

The privacy notice for Democratic Services can be viewed at www.bristol.gov.uk/about-our-website/privacy-and-processing-notice-for-resource-services

Bristol City Council Minutes of the Development Control B Committee

12 February 2020 at 6pm



Members Present:-

Councillors: Tom Brook (Chair), Lesley Alexander, Don Alexander (for Olly Mead), Nicola Bowden-Jones, Harriet Bradley, Mike Davies, Martin Fodor (for Carla Denyer), Fi Hance, Tim Kent (for Sultan Khan), Celia Phipps.

Officers in Attendance:-

Gary Collins – Head of Development Management, Allison Taylor – Democratic Services

1. Welcome, Introductions and Safety Information.

The Chair welcomed everyone to the meeting and explained arrangements for emergency access in the event of a fire.

2. Apologies for absence.

These were received from Councillors Denyer, Eddy, Khan and Mead and the substitutes were noted as set out in the members present.

3. Declarations of Interest.

Councillor Phipps declared that the Chessel Street application was within her ward and was open minded regarding the application.

4. Minutes of the last meeting.

The minutes were agreed as an accurate record of the meeting.

Resolved – that the Minutes be agreed as a correct record and signed by the Chair.

5. Appeals.



The Head of Development Management drew the Committee's attention to Item 10 – BRI and reported that a decision was shortly expected in relation to this appeal.

6. Enforcement.

The Head of Development Management drew the Committee's attention to 2 current enforcement notices. There were no questions.

7. Public Forum.

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

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

8. Planning and Development.

The Committee considered the following Planning Applications:

19/04821/A - Plot of Land - 164 - 188 Bath Road Totterdown Bristol

An Amendment Sheet was provided to the Committee in advance of the meeting, detailing changes since the publication of the original report.

It was noted that Councillor Lesley Alexander would not take part in the discussion and voting for this item as she had not been present at the start of Public Forum.

The representative of the Head of Development Management introduced the report as follows:-

1. The application was for the removal of 3 existing hoarding advertisement signs and installation of 2 illuminated digital advertisements on support legs;
2. It was before the Committee due to the level of objections received and a split decision recommendation;
3. In 2018 delegated approval was given for digital advertising on this site;
4. It was not in a Conservation Area. The key issues assessed by officers were the impact of the proposed development on amenity and public safety and whilst taking into account the provisions of the development plan;
5. The East facing advert would be half as wide but the same height as the current board. It would sit directly behind traffic signals and did not interfere with the sight lines to the signals or junction. There was a straight approach to the advert and a driver would have sufficient time to process the advert and



would not be considered to cause a significant distraction to the detriment of highway safety subject to conditions to ensure the advert did not change too frequently or exceed the luminance level;

6. The West facing advert was objected to by Transport Development management as the site was situated in the view of the traffic controlled three arm junction and the sign was situated directly behind the signal heads when viewed from east bound approach. Buses merge with the general traffic after the bus stop and the impacts of a driver being distracted and not noticing a bus merging in front of them could be severe;

7. In conclusion officers had no objection to the east facing sign and recommended approval but objected to the west facing sign for the reason of highway safety and recommended refusal.

The following points arose from questions and discussion:-

1. A previous application had been refused for the reason of visual amenity only but the Inspector did not agree with this and upheld the appeal. It was necessary to have regard to this decision and any future appeal. Pollution Control had not given grounds to sustain refusal;
2. Councillor Fodor noted the Inspector's findings but observed that the Council's objective should be to produce a high level of amenity to all residences in Bristol and asked whether this should be clearer in the Local Plan. The Head of Development Management stated that there had been numerous appeals for digital advertising applications over the years and the success rate had been high in dismissal of those appeals. National guidance was strict and the Local Plan could not add more than that;
3. Councillor Fodor stated that the both directions were equally dangerous because of the bus lane and new road layout. The Transport Development Manager reported that the inbound section was fairly straight and there were more decisions to be made outbound hence the recommendation to refuse;
4. Councillor Kent raised concern regarding Condition 11 regarding the brightness of the illumination at night being the same as daytime. He was informed that Pollution Control was content with the condition and the standard approach had been applied;
5. Councillor Bradley used Bath Road often and felt there were sufficient highway dangers to warrant refusal to both boards. She observed that there was a residential block opposite and she imagined residents would not want to see such signs from their windows. It was noted that the land was not owned by BCC but by a private owner;
6. Councillor Phipps understood her concern was not a material planning one but she highlighted the damage of light pollution and damage to wildlife and suggested that such applications should be assessed more broadly on the impact of eco systems. She would not support approval of either board;
7. Councillor Fodor stated that the applicant had failed to provide any evidence as to why the illumination brightness should not be reduced at night and he would vote against approval;
8. Councillor Fodor was very concerned about the highway hazards both sides and these boards would make the road less safe. He was disappointed that there was not a commitment to level up amenity in the city;
9. Councillor Davies understood that officers had a robust approach to such applications and he understood their rationale and would therefore support the officer recommendations;
10. Councillor Hance would vote against the officer recommendation for the reasons of light pollution to properties on the other side of the road and the level of light pollution emitted from the boards;
11. Councillor Don Alexander would vote for the officer recommendation;



12. The Chair then moved the officer recommendation and this was seconded by Councillor Davies and on being put to the vote it was lost – 2 for, 6 against, 1 abstention. The Chair then proposed and it was seconded by Councillor Hance that the Committee was minded to refuse the application and this was subject to officers drawing up reasons for refusal as indicated by the Committee. The reasons were as follows:-

- road safety and in particular the layout of the road, cyclists and pedestrians,
- amenity view from residential building nearby and for other residences,
- Condition 11 – light emissions being stricter at night – attempt to tighten up to get to 100 LED illumination.

On being put to the vote it was:-

Resolved – (8 for, 1 against) - That the Committee was minded to refuse the application and this was subject to officers drawing up suggested reasons for refusal, as indicated by the Committee, that could be defended at appeal.

19/04744/F & 19/04745/LA - Blackboy Inn 171 Whiteladies Road Bristol

An Amendment Sheet was provided to the Committee in advance of the meeting, detailing changes since the publication of the original report.

The representative of the Head of Development Management introduced the report as follows:-

1. The Inn was a Grade II Listed Building within the Whiteladies Conservation Area;
2. The application was for the change of use to flexible ground floor uses A1, A2 and A3 and a house in multiple occupation with cycle and refuse storage;
3. There were 6 responses to consultation – 3 in support, 1 neutral and 2 objecting to the application;
4. The applicant had not demonstrated that the pub was not viable but there was a diverse range of pubs in the area;
5. The shopfront would be retained;
6. It complied with Policy DM12 as there were no HMO's adjacent to the building;
7. There would be less intensive use than a pub and it was adjacent to other mixed use buildings;
8. Accessibility was not ideal but the constraints of a listed building had to be taken into account;
9. It was noted that there was no Premises Management Plan within the application;
10. The low degree of harm caused by the development did not outweigh bringing the building back into use and the officer recommended approval subject to conditions.



The following points arose from discussion:-

1. The space standards for HMO were Licensing standards and not planning standards. From a planning perspective they were very close to meeting them and the shortfall was acceptable to Licensing;
2. It was always difficult to accommodate storage in listed buildings and the optimum solution had been reached in this case subject to acceptable conditions. There was a clear enforcement strategy if waste was left on the street;
3. There were 8 occupants and there were Licensing conditions to control that occupancy;
4. Councillor Hance felt the waste storage was not ideal but there was no alternative and she would vote for the officer recommendation;
5. Councillor Bradley observed that as the area was more commercial it was a suitable location for an HMO and it was preferred to an empty building and she would vote for the officer recommendation;
6. Councillor Davies stated that the occupants would find a way to make the building work and the improvements to the listed building and the retention of the pub sign was welcomed;
7. Councillor Kent expressed some concerns for space standards and layout;
8. Councillor Hance moved the officer recommendations and this was seconded by Councillor Bradley and on being put to the vote it was:-

Resolved - (9 for, 1 abstention) That the application be granted subject to conditions as set out in the report.

19/05576/H - 116 Chessel Street Bristol.

The representative of the Head of Development Management introduced the report as follows:-

1. The application was before the Committee as the applicant was an officer within the Planning team;
2. It was for a single storey rear infill extension and a rear roof dormer extension;
3. It was not in a Conservation Area, was acceptable in size and scale and was in keeping with the residential area;
4. There had been no comments after consultation;
5. Officers recommended approval subject to conditions as set out in the report.

There were no questions or debate and Councillor Davies moved the officer recommendation and this was seconded by Councillor Don Alexander and on being put to the vote it was:-

Resolved - (Unanimous) – That the application be granted subject to conditions.

The meeting ended at 7.30pm

CHAIR _____





DEVELOPMENT CONTROL COMMITTEE B

18th March 2020

REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE

LIST OF CURRENT APPEALS

Householder appeal

Item	Ward	Address, description and appeal type	Date lodged
1	Henbury & Brentry	6 Greenlands Way Bristol BS10 7PR Proposed two storey side and single storey rear extension (demolition existing garage and rear conservatory). Appeal against refusal Delegated decision	10/12/2019
2	Bishopston & Ashley Down	85 Thornleigh Road Bristol BS7 8PQ Retrospective application for a rear single storey extension. Appeal against refusal Delegated decision	20/01/2020
3	Westbury-on-Trym & Henleaze	14 Cransley Crescent Bristol BS9 4PG First floor side extension. Appeal against refusal Delegated decision	03/02/2020
4	Westbury-on-Trym & Henleaze	74 The Crescent Henleaze Bristol BS9 4RR Demolition of existing single garage and utility room. Erection part single/part double storey side and rear extension. Appeal against refusal Delegated decision	10/02/2020
5	Stoke Bishop	Rockleaze Cottage Julian Road Bristol BS9 1NQ Formation of dropped kerb to allow for the creation of a parking space for one (electric) car in front of the property. Appeal against refusal Delegated decision	17/02/2020

Written representation

Item	Ward	Address, description and appeal type	Date lodged
6	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
7	Hengrove & Whitchurch Park	22 Gilda Parade Bristol BS14 9HY Outline application for proposed block of two flats - Approval sought for Layout. Appeal against refusal Delegated decision	14/10/2019
8	Westbury-on-Trym & Henleaze	22 Devonshire Road Bristol BS6 7NJ Conversion of an existing HMO back to a single dwelling house plus a gate and shed to the garden. Appeal against refusal Delegated decision	14/10/2019
9	Clifton	7A Richmond Hill Avenue Bristol BS8 1BG Proposed demolition of existing side extension and replacement with a one and a half storey side extension, and various external alterations to the building new/altered openings. Appeal against refusal Delegated decision	23/10/2019
10	Clifton	7A Richmond Hill Avenue Bristol BS8 1BG Proposed demolition of existing side extension and replacement with a one and a half storey side extension, and various external alterations to the building new/altered openings. Appeal against refusal Delegated decision	23/10/2019
11	Filwood	3 St Whytes Road Bristol BS4 1RX New 2 bedroom dwelling with off street parking, bin store and cycle storage. Appeal against refusal Delegated decision	24/10/2019
12	Lawrence Hill	Land Rear Of Temple Trading Estate Cole Road Bristol Erection of a structure to support 2no. 12m wide x 3m high LED digital displays. Appeal against refusal Delegated decision	30/10/2019

13	Clifton Down	34 Oakfield Grove Bristol BS8 2BL Proposed side arched extension, providing additional living space to the existing first/second floor maisonette. Appeal against refusal Delegated decision	05/11/2019
14	Windmill Hill	17 Shepton Walk Bristol BS3 5NU Proposed conversion of double garage to a one bed dwelling house. Appeal against refusal Delegated decision	05/11/2019
15	St George Central	125 Two Mile Hill Road Bristol BS15 1BH To erect a two bedroom dwelling. Appeal against refusal Delegated decision	20/11/2019
16	Stoke Bishop	16 Hadrian Close Bristol BS9 1DZ Demolish the existing building (Use Class C3) and build a two-storey detached residential dwelling (Use Class C3) with secure bicycle store. (Self Build). Appeal against refusal Delegated decision	20/11/2019
17	Clifton	Land Rear To 28 Ambrose Road Rosemont Terrace Bristol BS8 4RJ The erection of a terrace of 3no. houses with associated landscape works (re-submission of application ref. 18/01993/F). Appeal against refusal Delegated decision	04/12/2019
18	Southmead	Site At 6 Embleton Road & 2 Staveley Crescent Bristol BS10 6DS Erection of 1 no 2 bed Dwelling and 1 no 3 Bed Dwelling adjacent to existing dwellings. Appeal against refusal Delegated decision	04/12/2019
19	Hartcliffe & Witherwood	49 Pigott Avenue Bristol BS13 9HR Erection of a 3 bedroom dwelling on land adjacent to 49 Pigott Avenue. Appeal against refusal Delegated decision	10/12/2019
20	Hillfields	262 Ridgeway Road Bristol BS16 3LE Erection of a new 2 bedroom (3 bed spaces) end of terrace house over 2 storeys, with associated external works. Appeal against refusal Delegated decision	12/12/2019

21	St George Central	18 Glen Park St George Bristol BS5 7ND Demolition of an existing garage at the rear of the garden and construction of a new self-contained dwelling unit with access from Brockhurst Gardens. Appeal against refusal Delegated decision	16/12/2019
22	Eastville	Advertising Next To 784 Muller Road Bristol BS5 6XA Removal of existing 48 sheet advert and replacement with an upgraded digital poster. Appeal against refusal Delegated decision	02/01/2020
23	Redland	19 Dundonald Road Bristol BS6 7LN Enforcement notice appeal for the erection of terrace/balcony without planning permission. Appeal against an enforcement notice	06/01/2020
24	Hartcliffe & Withywood	15 Culverwell Road Bristol BS13 9EY Erection of a 2-bedroom dwelling to side 15 Culverwell Road, associated parking and amenity area. Appeal against refusal Delegated decision	13/01/2020
25	Lawrence Hill	199 Stapleton Road Easton Bristol BS5 0PA Removal of existing 12mx3m internally illuminated display and 12mx3m display followed by the installing an internally illuminated digital advertisement measuring approximately 6mx3m. Appeal against refusal Delegated decision	21/01/2020
26	Hotwells & Harbourside	Jacobs Court St Georges Road Bristol BS1 5US Window and door replacement works. Appeal against refusal Delegated decision	24/01/2020
27	Lawrence Hill	Cabot Circus Car Park Newfoundland Circus Bristol BS2 9AB Retention of existing internally illuminated 48-sheet display. Appeal against refusal Delegated decision	03/02/2020
28	Lawrence Hill	Cabot Circus Car Park Newfoundland Circus Bristol BS2 9AB Replacement of existing internally illuminated 'backlight' landscape advertisement (6m by 3m) with an internally illuminated landscape D-Poster display (8m by 4m). Appeal against refusal Delegated decision	03/02/2020

29	Lawrence Hill	Avon Meads St Philips Causeway Bristol BS2 0SP Erection of two digital advertising displays (display of illuminated static images on a 10 second sequential rotation). Appeal against refusal Delegated decision	03/02/2020
30	Southmead	123 Lake Road Bristol BS10 5JG Application for a Certificate of Proposed Development - Two storey rear extension. Appeal against non-determination Delegated decision	04/02/2020
31	Hillfields	Land To Rear Of 26 To 28 Moorlands Road Fishponds Bristol BS16 3LF Erection of dwelling on the site of an existing double garage. Appeal against refusal Delegated decision	10/02/2020
32	Frome Vale	15 Downend Road Fishponds Bristol BS16 5AS Erection of 3/4 bedroom house (Self Build). Appeal against refusal Delegated decision	11/02/2020
33	St George West	SW Whitehall Road (Huawei) Whitehall Road Bristol BS1 5BT Proposed update to existing telecommunications apparatus. Proposed phase 7 monopole C/W wrap round cabinet at base and associated works. Appeal against refusal Delegated decision	12/02/2020
34	Brislington West	31 Chatsworth Road Brislington Bristol BS4 3EX Change of use to a 7 Bedroom HMO. Appeal against refusal Delegated decision	14/02/2020
35	Clifton	26 - 28 The Mall Bristol BS8 4DS Erection of mansard roof to facilitate provision of 1No. single bedroom (two bed space) C3 residential apartment. Appeal against refusal Delegated decision	20/02/2020
36	Clifton	26 - 28 The Mall Bristol BS8 4DS Erection of mansard roof to facilitate provision of 1No. single bedroom (two bed space) C3 residential apartment. Appeal against refusal Delegated decision	20/02/2020

37	Redland	145 Bishop Road Bristol BS7 8LX Erection 1 no. two bedroom Passivhaus dwelling with associated vehicular parking, bin and cycle storage, on land to the rear of 145 Bishop Road and access from Kings Drive. Appeal against refusal Delegated decision	24/02/2020
38	Stoke Bishop	Casa Mia Bramble Lane Bristol BS9 1RD Demolition of existing dwelling (Casa Mia) and erection of four detached residential dwellings with associated garages, refuse storage, internal access road and landscaping (resubmission of application 17/07096/F). Appeal against non-determination Delegated decision	24/02/2020

List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
39	Lockleaze	657 Muller Road Bristol BS5 6XS Proposed dropped kerb, removal of front wall and creation of parking area. Appeal against refusal Delegated decision	Appeal dismissed 02/03/2020
40	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	Appeal dismissed 20/02/2020
41	Cotham	16 Clare Road Cotham Bristol BS6 5TB Demolition of existing rear extension and replacement with new rear and side extension, replacement of existing roof materials with natural slate and internal alterations to existing dwelling including addition of first floor bathroom window. Appeal against refusal Delegated decision	Appeal dismissed 05/02/2020

42	Ashley	Mary Seacole Court 110 Mina Road Bristol BS2 9TP Extension to existing block of flats: to erect two new storeys on top of existing two storeys split in to two levels (additional 9 units, 7 in a third storey & 2 in a fourth storey, set back from the edge of the building (Resubmission of application 18/05704/F). Appeal against refusal Delegated decision	Appeal dismissed 07/02/2020
43	Hillfields	30 Hillfields Avenue Bristol BS16 4JR Full Planning Permission (Re-submission) for the construction of a single two-bedroom house with vehicular parking, refuse store and cycle racks on land to the side of 30 Hillfields Avenue (Self Build) Appeal against refusal Delegated decision	Appeal dismissed 20/02/2020
44	Westbury-on-Trym & Henleaze	11 Reedley Road Bristol BS9 3SR Double storey and single storey rear extension and single storey front and side extensions. Resubmission. Appeal against refusal Delegated decision	Appeal allowed 19/02/2020 Costs not awarded
45	Avonmouth & Lawrence Weston	66 Portview Road Bristol BS11 9JU Erection of two storey and single storey side extension. Appeal against refusal Delegated decision	Appeal dismissed 19/02/2020
46	Bedminster	Advertising Next To 267 West Street Bedminster Bristol BS3 3PZ Appeal against discontinuance notice for a 48 sheet internally illuminated advertising display.	Appeal dismissed 24/02/2020
47	Bedminster	Land Lying To The East Of 21A Winterstoke Road Bristol BS3 2NN Appeal discontinuance notice appeal in respect of advertisement hoarding.	Appeal dismissed 24/02/2020
48	St George West	Land To The Rear Of 1A Clouds Hill Avenue Bristol BS5 7JD Erection of a single dwelling on the land to the rear of 1A Cloud Hill Avenue, following the removal of the existing garage and outbuilding. Reconfiguration of the external space shared by numbers 1 - 5 Clouds Hill Road. Appeal against refusal Delegated decision	Appeal allowed 25/02/2020

49	Bishopsworth	6 Gardner Avenue Bristol BS13 8BG Two storey side and rear extension. Appeal against refusal Delegated decision	Appeal dismissed 18/02/2020
50	Lawrence Hill	7 Kensington Park Bristol BS5 0NU Enforcement notice appeal for installation of a front dormer roof extension without planning permission. Appeal against an enforcement notice	Appeal dismissed 24/02/2020
51	Stockwood	690 Wells Road Hengrove Bristol BS14 9HX Proposed dropped kerb and creation of parking, with access onto Wells Road. Appeal against refusal Delegated decision	Appeal dismissed 02/03/2020

DEVELOPMENT CONTROL COMMITTEE B

18th March 2020

REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE

LIST OF ENFORCEMENT NOTICES SERVED

Item	Ward	Address, description and enforcement type	Date issued
1	Bedminster	53 Ruby Street Bristol BS3 3DX Works to roof without planning permission. Enforcement notice	17/02/2020
2	Brislington West	191 Wick Road Bristol BS4 4HW Breach of condition 2 of planning permission 06/01761/F (capacity of building) and erection of extensions attached to main building; internal works and fencing without planning permission.	20/02/2020
3	Brislington West	191 Wick Road Bristol BS4 4HW Breach of condition 2 of planning permission 06/01761/F (capacity of building) and erection of extensions attached to main building; internal works and fencing without planning permission.	20/02/2020
4	Frome Vale	2 Alberton Road Bristol BS16 1HH Sub-division of property to flats Enforcement notice	03/03/2020
5	Southville	38 North Street Bedminster Bristol BS3 1HW Installation of air conditioning unit at first floor level on the rear elevation. Enforcement notice	03/03/2020

Development Control Committee B 18 March 2020

Report of the Director: Development of Place

Index

Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Ashley	Grant subject to Legal Agreement Grant	19/00066/F - 6 Upper York Street Bristol BS2 8QN Conversion and extension of 6 Upper York Street and the former Coroner's Court and erection of a four-storey building to create 46 no. residential units; business space for Class A2/Class B1 uses; associated cycle storage and landscaping. & 19/00067/LA - 6 Upper York Street Bristol BS2 8QN Physical works to facilitate the conversion and extension of Coroner's Court, as part of the wider development including the conversion and extension of 6 Upper York Street and the erection of a four-storey building to create 46 no. residential units; business space for Class A2/Class B1 uses; associated cycle storage and landscaping.
2	Redland	Grant subject to Legal Agreement	19/03104/F - 7 Belvedere Road Bristol BS6 7JG Change of use from 3 x flats to a 17 x bed extension to the nursing home at 8-9 Belvedere Road.
3	Lawrence Hill	Approve	19/05746/M - Land Of Former Post Office Depot Cattle Market Road Bristol Application for approval of Reserved Matters following grant of outline planning permission App.No.(17/06459/P) - 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 - Reserved Matters for 47,823 sqm GIA of offices / academic (Use Classes B1(a), B1(b), D1) and 584 sqm GIA of ground floor active uses (Use Classes A1, A3, A4, A5 uses) with associated car parking, hard and soft landscaping and associated works pursuant conditions 1 and 2 of outline permission 17/06459/P, being details of layout, scale,

Item	Ward	Officer Recommendation	Application No/Address/Description
			appearance and landscape.
4	Filwood	Grant subject to Legal Agreement	19/05204/F - 83 Hartcliffe Way Bristol BS3 5RN Construction and operation of a split level Household Recycling (with Canopy) and Re-Use Centre, with demolition of some existing structures and retention of existing office and welfare facilities; vehicle parking and manoeuvring area; drainage and water management system, perimeter fencing, lighting, retaining walls, tree planting, 2no new vehicle bridges, separate pedestrian access, temporary construction haul road with ancillary off-site highway improvement works to facilitate new access and egress points at 83 Hartcliffe Way.
5	Windmill Hill	Split	19/04821/A - Plot Of Land Fronting Former 164 - 188 Bath Road Totterdown Bristol BS4 3EF Removal of the 3no. existing hoarding advertisement signs, and installation of 2no. illuminated digital advertisements on support legs.
6	Central	Refuse	19/01925/F - The Marchioness Building Commercial Road Bristol BS1 6TG Reinstatement of historic landing stage for use associated with Marchioness site (revision to 17/03268/F).

index
v5.0514

Development Control Committee B – 18 March 2020

WARD: Ashley

SITE ADDRESS: 6 Upper York Street Bristol BS2 8QN

APPLICATION NO: 1.19/00066/F Full Planning
 2. 19/00067/LA Listed Building Consent (Alter/Extend)

DETERMINATION DEADLINE: 21 August 2019

1. Conversion and extension of 6 Upper York Street and the former Coroner's Court and erection of a four-storey building to create 46 no. residential units; business space for Class A2/Class B1 uses; associated cycle storage and landscaping.

&

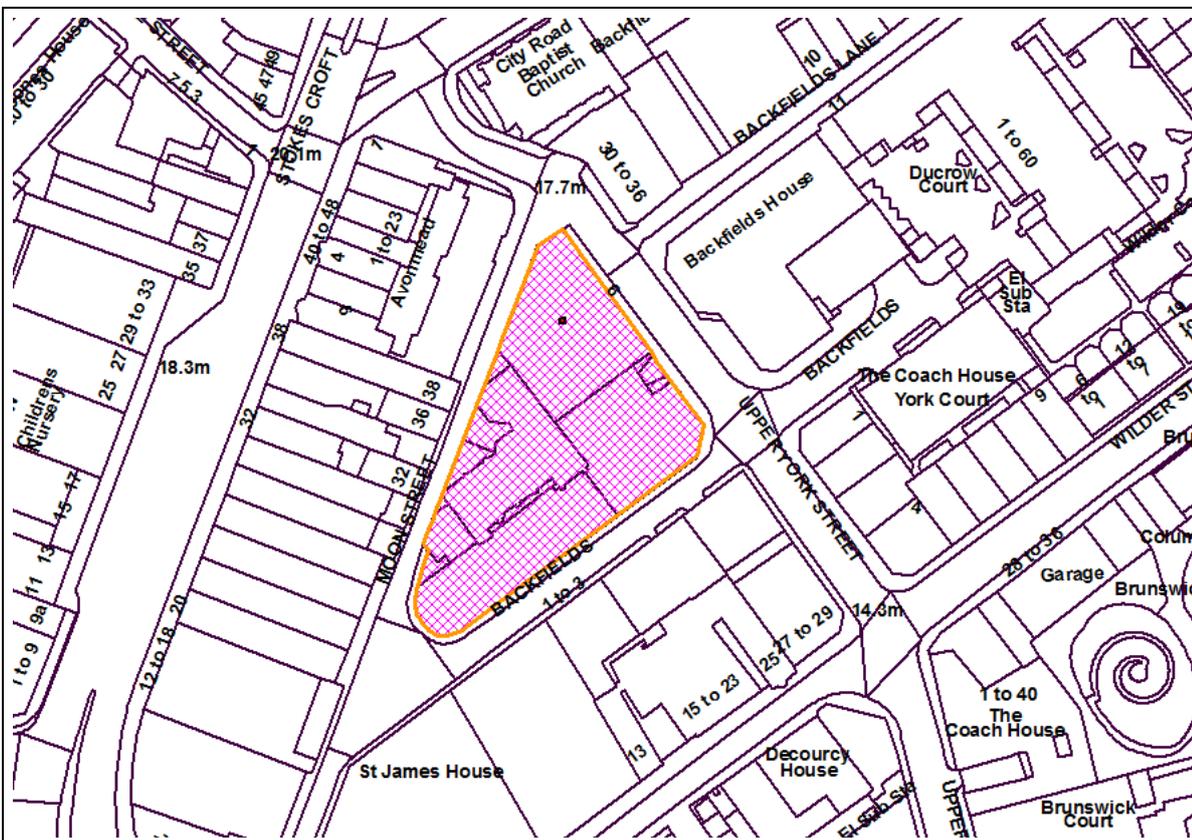
2. Physical works to facilitate the conversion and extension of Coroner's Court, as part of the wider development including the conversion and extension of 6 Upper York Street and the erection of a four-storey building to create 46 no. residential units; business space for Class A2/Class B1 uses; associated cycle storage and landscaping.

RECOMMENDATION: 1. GRANT subject to Planning Agreement
 2. Grant subject to Condition(s)

AGENT: Pegasus Planning Group Ltd
 First Floor, South Wing
 Equinox North, Great Park Road
 Almondsbury
 Bristol
 BS32 4QL

APPLICANT: The Old Bottle Works

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



Development Control Committee B – 18 March 2020**Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN****REASON FOR REFERRAL**

Both applications were referred to Development Control Committee by Cllr Mike Davies. The reasons for referral are included below (verbatim).

“There is substantial public interest in this development, including a related petition that I understand will be discussed at Full Council. I believe it would be appropriate for committee to...[be]...able to consider the merits of the proposed development, including with regard to issues such as the loss of a nightclub venue and changes to heritage assets”.

SUMMARY

This report concerns two applications that respectively seek planning and listed building consent to redevelop the site referenced above to form 46 no. residential units and 234 sq.m of flexible business space within (Use Classes A2/B1). To facilitate this, the Grade II listed former Coroners Court (including Headmaster’s House) is proposed to be converted to form 16 no. units; the locally listed no. 6 Upper York Street (also referred to as Lakota) is proposed to be extended and converted form 19 no. units with business floor space within the basement and ground floor; and a four story building is proposed to extend from no. 6 Upper York Street to form 11no. units. A comprehensive landscaping scheme is proposed within the existing hard surfaced yard/car park to form a communal garden, this will include a children’s play area. The development is car-free and includes 76no. cycle parking spaces predominantly located within the communal garden. In accordance with Council guidance, 20% (9no. units) of the homes proposed are offered as affordable housing. These affordable housing units are advised to be secured by s.106 Agreement pursuant to the Town and Country Planning Act 1990, as are financial contributions towards public realm improvements (£145,917.75) and a segregated cycle route from Stokes Croft to Bond Street (£47,245), which are required in order to mitigate the proposal’s impact.

A substantial number of comments have been received from members of the public in relation to both applications, these comments predominantly object to the applications on the grounds of the loss of the nightclub use at the site. When considering the application for planning permission, members are advised that the decision must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise. In this case, officers would suggest that members’ principle consideration should be the Bristol Central Area Plan’s allocation of the site for a residential-led redevelopment, meaning the proposed redevelopment of the site that does result in the loss of the nightclub is acceptable in principle. Members of the public have suggested that the nightclub is a cultural and/or community facility that should be safeguarded by relevant policy. Members should use their own judgement as to whether the nightclub use is a cultural and/or community facility. However, officers recommend that even if the nightclub was considered such a facility, the positive weight in favour of approving the planning application attracted by the development fulfilling the Bristol Central Area Plan’s site allocation would act to outweigh the loss of the nightclub.

Officers do hold concerns as to the lack of family-sized homes proposed in an area where there is a dearth of family-sized homes. Further, the quality of amenity offered by a minority of the proposed homes is compromised, albeit the constraints of converting a Grade II listed building and a locally listed building contribute to this.

Against these concerns must be weighed the public benefits that would flow from this development. Such benefits include: the provision of 46no. new homes to Bristol’s housing supply, including 9no. affordable homes; the enhancement and preservation of the Stokes Croft Conservation Area,

Development Control Committee B – 18 March 2020**Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN**

including bringing a Grade II listed building back into a viable use; the forecasted employment from the flexible A2/B1 use; improvements to the public realm; and a financial contribution toward a cycle route in the area. Taking into account the planning balance, officers consider that the benefits of the scheme do outweigh the negative elements, and are therefore recommending approval of the scheme. As there are two applications, there are two recommendations:

1. 19/00066/F, Application for Full Planning Permission for the redevelopment proposal – recommended for approval subject to relevant conditions, and a s.106 Agreement pursuant to the Town and County Planning Act 1990 to secure various obligations.
2. 19/00067/LA, Application for Listed Building Consent for the works to the built fabric of Coroners Court – recommended for approval subject to relevant conditions.

SITE DESCRIPTION

The application site is known as no. 6 Upper York Street and is a triangular site bound by Upper York Street to the east, Backfields to the south east, and Moon Street to the north west. Whilst no. 6 Upper York Street is the address for the site, it also forms the official title for the building largely known as Lakota, which is a locally listed building. This is the three storey building comprised of four gable ends that extends from the adjacent Coroners Court and is the most visible element of the existing site from Stokes Croft/City Road. The lawful use of Lakota is a nightclub which is a sui generis land use. Coroners Court's principal elevation faces Backfields Lane with an intervening hard surfaced yard that also extends across the southern elevation of the Lakota building. Headmaster's House extends from the south western side of the Coroners Court building, and both form a grade II listed building referred to in the listing as 'Coroner's Court, Backfields'. As it stands, Coroners Court largely lies empty, although the active nightclub use predominantly confined to no. 6 Upper York Street does permeate into the Coroners Court building. The hardstanding between the built form at the site and Backfields Lane has generally been used for car parking, although recently it is understood to have been used temporarily as a beer garden.

The former Coroners Court is a Grade II listed building dating from 1857. It was originally built as a school and later converted (mid C20) to the City Mortuary, which occupied the ground floor and the Coroners Court on the first floor. It now stands vacant, and is considered to be a heritage asset 'at risk' by the Council. The Lakota Club was originally built as a Malthouse and storehouse, belonging to the Stokes Croft Brewery. It was built at about the same time as the adjoining Coroners Court. It closed in 1911 and was then used as a 'beer bottlers', in the early 1970's, a printing works, then offices and stores. In 1983 it was converted into an independent music / dance venue known as the Lakota.

Situated in the ward of Ashley, the site is within the Stokes Croft Conservation Area and an area at 'High Risk' from the legacy of Coal Mining. Further to this, the site is within an Air Quality Management Area due to exceedances of Nitrogen Oxides, and is also in a Heat Connection Priority Zone. In terms of the Development Plan, the site is considered to be within the City Centre boundary, and the Central Area Plan suggests that the site should be redeveloped in a residential use to include 60 homes; the retention of the nightclub is not sought by this site allocation.

Development Control Committee B – 18 March 2020**Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN****APPLICATION**

Planning permission is sought for a mixed use development that would convert Coroners Court (including Headmaster's House), and convert and extend the Lakota building. Planning permission is required for all the external works and works to facilitate the change of use, whereas listed building consent is only required to the internal and external works affecting Coroners Court. The submission includes reference to the development being built out three phases.

The proposal would convert Headmaster's House into a 3 bedroom self-contained residential unit accessed from the landscaped grounds, and Coroners Court is proposed to be converted into 16 flats – Phase 1. The "New Block" which extends from the Lakota building includes 11 flats – Phase 2. The Lakota building would be converted and extended upwards to form 19 flats and the formation of a flexible commercial unit within the existing basement and ground floor equating to 234.5 sq.m of Use Class A2/B1 floorspace – Phase 3. The overall mix of accommodation proposed is as follows:

- 24 X 1 bed flats;
- 20 X 2 bed flats; and
- 2 X 3 bed house.

The New Block is proposed to house all of the affordable housing units proposed (9 units / 20%): Units: 10, 11, 18, 19, 20, 33, 34, 35 and 41. The planning application also includes the creation of landscaped grounds adjacent to Backfields Lane and semi-private/private courtyards adjacent to Moon Street. The landscaping scheme is comprehensive and includes:

- Shared amenity areas to the front of Headmaster's House, Coroners Court and the south western elevation of the New Block, and bound by the backfields;
- Play space adjacent to the Backfields Lane and Headmaster's House;
- A communal garden in the space bound by Coroners Court, Lakota and Moon Street which would serve Units: 2, 3, 4 and 6;
- Units 7, 8 and 9 would have private gardens bound by Coroners Court, Lakota and Moon Street;
- Units 11 in the New Block would benefit from a private garden that wraps around this corner unit;
- The boundary treatment would largely be retained, although sections of the existing wall will be removed partially and replaced with glass screens;
- A communal bicycle store adjacent to Wilder Street, including 74 nos. cycle spaces. 2 external nos. Sheffield stands are proposed adjacent to Corner's Court and Lakota;
- Comprehensive planting – see the Landscape Section – Design and Access Statement.

The development is proposed to be car-free, and would include 76no. cycle parking spaces predominantly situated adjacent to Backfields Lane. The refuse and recycling stores for the majority of the units, including the commercial units, would be within the Lakota building and accessed directly from Upper York Street.

Over the course of the lifespan of the planning and listed building applications, revised plans and details were submitted in response to comments of stakeholders, including Council officers. These amendments are summarised below, and in response to the revised plans, a further 21 days of consultation occurred.

- Reduced the total number of residential units proposed from 54 to 46.

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- Reduced the number of 1 bedroom units, from 42 to 24, including the reduction of 1 bed 1 person units, the original proposal included 21 whereas the revised proposal includes 8.
- Increased the number of 2 bedroom units from 11 to 20.
- Increased the number of 3 bedroom units from 1 to 2.
- As a result of the reduction in overall units, the number of affordable units reduced from 11 (20%) to 9 (20%).
- Introduced a central atrium to Lakota building to provide better levels of light.
- Internal layout amendments to improve residential amenity.
- Lowered the height of the rooflights within the top floor of Coroners Court to provide better outlook.
- Minor revisions to the external appearance to reflect internal layout changes.

Since the submission of the revised suite of plans and documents, further revised plans were submitted, along with a revised Energy Statement to address officer concern. The revised details did not warrant further public notification due to the scale of these amendments. For information, the revised details are as follows:

- The replacement of the unit-specific gas combination boiler heating system, with a policy-compliant site-wide gas powered communal boiler system;
- The removal a section of the basement commercial unit to form a plant room for the communal heating system boiler; and
- The inclusion of flues for the boiler that run adjacent to the staircase and terminate above the roof level of the Lakota building to minimise visibility.

RELEVANT PLANNING HISTORY

i. Application Site

18/03155/CPLB - Application for a Lawful Development Certificate for proposed works to a listed building: - removal of a section of a suspended ceiling (about 1.5m x 1.5m) within the first floor hall space in order to investigate the form of the roof structure in this part of the building. Certificate of Lawfulness Issued – 05/07/2018

18/00775/PREAPP – Pre-application advice was sought from the Local Planning Authority (LPA) in early 2018 with regard to the refurbishment and conversion of former Coroners Court and the erection of a five storey building to create 59 no. residential units; business space for Class A2 and Class B1 uses; associated access and parking. Officer raised a number of concerns to this design-stage proposal, relating to, amongst other things, the proposal's design quality and impact on heritage assets; the mix, flexibility, size and quality of accommodation offered; and the proposal's sustainability credentials.

11/05378/LA - To install additional toilets, kitchen area and create a structural opening through to the adjacent Lakota Club in order to provide sufficient means of escape in case of an emergency. Approved

08/00155/LC, 07/04779/F and 06/05019/LA

Development Control Committee resolved to approve these applications in April 2008. These applications sought the relevant consents to demolish the Lakota club building, and to redevelop the site in order to achieve a total of 57 units as well as a business and café/bar/restaurant use. However, this decision was

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quashed as a result of a judicial review where it was held that the LPA should have publicised a viability report.

ii. 7-29 Wilder Street

18/02548/F and 18/02549/LA

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) – Allowed at Appeal

iii. 2 Moon Street and 2-18 Stokes Croft (including Blue Mountain)

19/01817/F

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. – Refused at Development Control Committee A (October 2019)

COMMUNITY INVOLVEMENT

Process:

Ambitious PR authored a Statement of Community Involvement (the SCI) which accompanied the planning application. The SCI states that early engagement and consultation started in December 2017 ahead of the pre-application being submitted in February 2018, and presentation to the Bristol Urban Design Forum (Design West) in March 2018. The SCI reports that further consultation occurred after the pre-application response was received, culminating in the public exhibition in October 2018 which 50 people attended.

Outcome:

Officers consider the range of stakeholders notified and involved to be sufficient, this is reflected by the Bristol Civic Society's comments, who considered the applicant's consultation to be 'useful and excellent' and this is reflected in their overall comments of support for the development. Further, the St Paul's Planning Group offered comments of support for the applications.

In terms of how stakeholders received the proposal, the SCI states:

"While there has been sadness raised around the loss of the club, the feedback from stakeholders and neighbours has been almost unanimously supportive with feedback from the exhibition showing 91% supporting, or supporting with reservations, the plans. The redevelopment proposals will significantly enhance the site and surrounding area."

Key themes from the feedback reported in the SCI include: the loss of the nightclub; the use of the building for an international school/arts centre; support for housing; the desire for employment space; and design and heritage concerns. The SCI suggests stakeholder concerns have been addressed

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through revised plans. Officers would agree that the proposal has attempted to address a number of the concerns raised, but fundamental concerns that are at odds with the principle of the proposal cannot be addressed.

RESPONSE TO PUBLICITY – MEMBERS OF THE PUBLIC

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the application was advertised via site and press notice, and neighbours were notified by letter.

19/00066/F (Full Planning Application): 255 objections and 6 support, as of the 09.03.2020.

19/00067/LA (Listed Building Consent Application): 26 objections and 1 support, as of the 09.03.2020.

Response to first round of consultation:

- i. Comments Resisting the Loss of the Nightclub
 - Acknowledgement that there are other nightclubs across Bristol, but Lakota provides a distinguishable experience
 - The nightclub should be retained:
 - The nightclub is nationally and internationally significant
 - The loss of the nightclub would harm Bristol's identity, including the cultural identity of the area
 - Harm to Bristol's night-time economy, and the attraction of students and tourists to Bristol
 - The loss of venues like Lakota will lead to more illegal activity, such as warehouse and abandoned buildings raves
 - Blue Mountain will be soon be lost, lack of alternative type of club like Lakota and Blue Mountain
 - Comments suggesting Lakota is more of a music venue, rather than a nightclub like Pryzm or SWX, and the proposal would remove a facility providing for: aspiring music artists, Drum and Base, ravers
 - Need for housing should not be at the expense of this music venue
 - Provides employment
 - Alternative existing vacant buildings in Bristol should be converted, rather than the nightclub
 - Acknowledgement of Bristol's housing need, but this should be balanced against the need for a healthy night-time economy and a healthy supply and choice of community facilities
 - Gentrification concerns
 - Loss of a community use:
 - Suggestions that the nightclub use is protected by Policy BCS12, meaning its loss should only be permitted where it can be demonstrated that there is no longer a need to retain the use or where alternative provision is made
 - No evidence has been provided to demonstrate the nightclub use is not viable, for example marketing should be provided
 - The community should define what community uses, are not planning consultants or the Council
 - The previous application at the site (07/04779/F) has no material weight

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- Lakota's community value, it brings both younger and older generations together
 - Lakota provides a space for young people to do enjoy in a City where such venues are disappearing
 - The classification of Lakota as a community asset has not been adequately addressed in the design and access statement and this shows this development has not been thought through properly – *officer note: the nightclub is not on the Council's list of assets of community value*
 - A change of use will be the catalyst for closure of more venues
 - Social scientists, psychologists and mental health research all indicate that the benefits of dance venues are manifold
 - Suggestion that if this application was in Clifton, then it would not be entertained
 - The Agent of Change bill is supported by local MPs, hence this sentiment should be supported in local decision-making
 - The population of Bristol is set to increase by almost 25% in the next 20 years and the average age of a Bristolian has dropped from 40 years of age to 33. 20-39 year olds make up a third of the population which is higher than the national average
 - The loss of the nightclub would contribute to the social and economic collapse of Bristol
- ii. Comments Supporting the Loss of the Nightclub
- Acknowledgement that it is allocated to use the site for residential, rather than a nightclub
 - The proposal, including the loss of the nightclub, would reduce anti-social behaviour, as well as noise pollution
- iii. Other Concerns Regarding the Principle of the Development
- Concerns as to the proposal's contribution to the growth of capitalism
 - The development fails to represent sustainable development as defined by the NPPF
- iv. Commercial Units
- Commercial units welcomed
 - Class A2 use not needed
- v. Market Housing and Affordable Housing
- Acceptance of a need for new housed in Bristol
 - Acknowledgement of a 'housing crisis'
 - Need for a mix of housing, service and leisure
 - Preferable to retain venues such as Lakota, and build residential flats rather than student accommodation
 - Concerns as to suitability of the site for residential occupiers due to pollution
 - Bristol City Council is giving too much weight to the need for housing when compared to the need to ensure a healthy and balanced society
 - Studio and 1 bedroom flats are not needed
 - The development would help wealthy students, rather than local people
 - Good to see residential accommodation as opposed to student accommodation

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- No need for luxury student flats
 - The development fails to offer family-sized units, fails Local Plan Policy
 - The flats will be expensive/overpriced
- vi. Listed Building Concerns
- The conversion and extension are sympathetic to the historic building
 - The owners and previous owners (Bristol City Council) have allowed the listed building to fall in to disrepair
- vii. General Design and Character of the Area Concerns
- Red brick is a poor choice
 - Noise concerns from the courtyard
 - Too many units, insufficient public space for resident
 - The loss of the music venue and replacement with flats will harm the character of the area
- viii. Transport and Highway Safety
- City centre residents own cars
 - On street parking will result from the development
 - No car parking spaces for those with mobility issues
 - Pre-existing issue with car parking in the area, the development would exacerbate this issue
- ix. Prejudicing Nearby Uses
- It must be ensured that the development does not prejudice nearby music venues
 - Other music venues will struggle to keep their licence if they are surrounded by residential housing

Response to second round of consultation:

Eight comments were received in response to the second round of consultations; these comments were all in objection to the development, raising similar concerns to those originally expressed. These include concerns surrounding the loss of the nightclub, the affordability of the proposed homes, and construction-phase disruption.

RESPONSE FROM AMENITY / NEIGHBOURHOOD GROUPS

- i. **Conservation Advisory Panel** has commented as follows:-

The Panel made comments neither objecting nor supporting the application.

The Panel considers this to be an improvement on the earlier pre application submission, with the latest scheme addressing a number of issues that were raised.

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The Panel welcomed the phasing of the development, with the listed building scheduled to be developed first. However, there are concerns that the Maltings building (Lakota) is being left to the last phase, where there is considerable risk of further deterioration that could result in the loss of the building. A condition needs to be attached to a decision notice that controls the phasing of works and ensures that the works to the listed and retained buildings are undertaken by certain specified trigger points.

The retention of the boundary wall and railings should be conditioned to ensure that these are retained. The street setts must be protected during construction and any damage caused to these should be repaired with appropriate materials following completion of the development. The internal cast iron columns inside the Maltings must be protected and retained. These can be secured through conditions.

The Panel was concerned that contrary to clear evidence that this was originally a maltings the heritage statement questioned the evidence.

It is noted that the Maltings is a locally listed building, which does to some extent limit the level of statutory protection afforded to this building. However, the continuous roof form over the Maltings and the new building was not acceptable as this did not distinguish between the old and new buildings and resulted in a loss of historic and architectural integrity. There is little information contained within the Heritage Statement on the form of the roof of the Maltings building. This needs to be further investigated.

No comments were received in response to the second round of consultation.

ii. **Bristol Civic Society** has commented as follows:-

In response to first round of consultation, the Society responded with comments of support for the development, subject to concerns regarding the public realm. These comments are summarised below:

- Involvement at the pre-application stage has been useful;
- The proposal meets the concerns expressed in the Council's pre-application advice;
- This development, as well as the other developments in vicinity (e.g. 7-29 Wilder Street, 1-3 Backfields, 2-16 Stokes Croft), should incorporate improvement to the streetscape, specifically to improve Moon Street and Backfields, particularly at their junction – the Council should aid the developers in doing so;
- 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 with views of the listed building. The Society does not support machining the setts to produce a smooth road surface in this area.

No comments were received in response to the second round of consultation.

iii. **St Paul's Planning Group** has commented as follows:-

Final Response (February 2020):

The St Paul's Planning Group fully supports this application. There has been very considerable public and resident group's consultation concerning the proposed regeneration of the key site, all acceptable. Currently the proposal supports 20% Affordable Housing and others which if this application fails will be lost to the detriment of the St Paul's Community.

Development Control Committee B – 18 March 2020**Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN***Initial Response:*

Given the impact on the immediate local streets of this application, a S106 for Public Realm improvements should be agreed, towards the implementation of the Backfields section of City Design's forthcoming Portland & Brunswick Squares Public Realm Strategy.

Further Comments (March 2019):

The St Pauls Planning Group fully supports this application.

iv. **Save Bristol Nightlife** has commented as follows:-

Acknowledgement that the site has been allocated for housing in the Development Plan;
 Suggestion the nightclub is a community facility, and requirement that evidence is provided to demonstrate there is no interests for the nightclub use to remain;
 The venue provides space to listen and dance to drum and bass, and there are not many other venues in the city that provides this type of space;
 With the closure of Blue Mountain, Lakota is even more important to Bristol's night time economy;
 Coroners Court has social and historical value but has been left to deteriorate;
 Since March 2011 there has been a 20% reduction in licensed venues in Bristol city centre. That is a reduced capacity of 10,000 in the city centre alone. This doesn't count the loss of Blue Mountain or Lakota and Coroners Court;
 Bristol's population is expected to grow with a high proportion of 20 – 39 years olds - Bristol needs to accommodate the needs of this population;
 Approximately 30,000 jobs are created by the night time economy making it Bristol's third largest employer after education and the NHS;
 The optimum viable use for the place is as a community space/ nightclub, not a housing development.
No comments were received in response to the second round of consultation.

RESPONSE TO PUBLICITY – INTERNAL AND OTHER STATUTORY CONSULTEESi. **Flood Risk Manager** has commented as follows:-

No objection subject to a pre-commencement condition requiring details of sustainable urban drainage.

ii. **Sustainable City Team** has commented as follows:-

The revised Energy Statement confirms in principle that water and space within the development will be heated by a communal gas boiler that is able to be replaced by a district heating solution at an agreed time in future when the Bristol Heat Network is able to connect to the development. In consultation with Energy Services, the Sustainability Team has confirmed that whilst a revised Energy Statement addresses the principle policy concern in meeting the energy hierarchy, there are concerns as to the proposal connecting to the heat network in future, albeit such concerns can be addressed through condition and the drafting of the s.106 agreement.

The Energy Statement also demonstrates that the development includes renewable energy technology to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%. Further details of the photovoltaic panel array are required by condition to ensure acceptable implementation.

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Previous concerns regarding overheating have been addressed, albeit it is recommended that the scheme should be designed and constructed in accordance with best practice and BCC and CIBSE guidance to minimise unwanted internal heat gains.

The following conditions are recommended:

- A condition to requiring the submission of a revised Energy Statement in order to address the errors within the most recent Statement, including referencing 54 units, rather than 46.
- Condition(s) to require details of future compliance with the requirements of district heating, including plant room, external pipework and provisions in the building fabric.
- A condition requiring the submission of details of Mechanical Ventilation with Heat Recovery for the homes that have overheating risks using an entirely natural ventilation strategy.
- A condition requiring details of the proposed photovoltaic panel array prior to implementation, and evidence of its implementation thereafter.

iii. Transport Development Management has commented as follows:-

Final Response:

Transport Development Management considers the proposal acceptable on highway safety grounds. Transport Development Management has no objections to the proposal subject to the applicant addressing the issues raised below.

- It is estimated that the apartments would create 279 trips, two thirds of which would be residents/visitors walking to and from the site and the A2/B1 use would generate 72 trips of which 38 would be car. This would not unduly impact the surrounding highway network, which has sufficient capacity to support this number of trips.
- A Travel Plan should be required by condition.
- As the site will be car free residents will have the choice of walking, cycling or using public transport. To improve access to Broadmead/Cabot Circus and avoid having to negotiate the Bear Pit roundabout, a 460m long segregated cycle route between Stokes Croft and Bond Street via Upper York Street, Brunswick Square and Gloucester Street is proposed which will cost approximately £395,000. £47,245 should be required from this development and secured by s.106.
- Residents would not be eligible for residential parking permits.
- One additional cycle plan is required and should be subject to condition.
- A waste management plan should be required by condition.
- A construction management plan should be required by condition.

iv. City Design Group (Urban Design) has commented as follows:-

Final Response:

As part of this planning process design advice has been given and meetings held with the applicant's representatives. As part of this process revisions have been to the internal layout to:

- reduce the high proportion of 1 bed 1 person flats;
- reduce the high proportion of single aspect units;
- reduce the number of units below the nationally described space standards.

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The revised scheme now has a mix of units, with only 3 units marginally below the nationally described space standards, and a much reduce number of single aspect units. These revisions have been welcomed are supported.

There remain a few units which raise concern these are:

- Unit 6 and 7 on the ground floor which are sub-divided to provide two awkward apartments one of which is a single aspect unit.
- Unit 14 which has a bedroom window onto the atrium which will have compromised daylight/sunlight.
- Unit 29 which has a bedroom window onto the atrium which will have compromised daylight/sunlight.
- Unit 38 which has a bedroom window onto the atrium which will have compromised daylight/sunlight.
- Unit 44, 45 and 46 have only roof windows with compromised outlook. Clarification is sought on the method of calculating the space in these units. Has it included the un-habitable areas with reduced ceiling height?

In summary, the revised internal layouts have addressed many of the issues previously raised. However, there remain a small number of units that still have liveability compromises. It is acknowledged that in part this is due to constraints of converting an existing building however not all opportunities have been taken resolve the concerns raised.

Initial Response:

Not acceptable in submitted form, revised details required to address the following concerns:

- The massing and scale of the refurbished and additional buildings contributes to the area's character and identity
- The proposed red/brown metal cladding is resisted in favour of an alternative natural material
- The net density is too high and negatively impacts liveability - 252.7dph
- Proposal includes too many 1 bed-studio units
- Proposal contrary to space standards
- Daylight and sunlight issues, especially given the high number of single aspect units
- Concern as to ceiling heights for a number of units in Coroners Court
- Concerns as to building impact at the corner

v. City Design Group (Heritage and Listed Building) has commented as follows:-*Final Response:*

No objection. Overall, taking the heritage assessment as a whole, the proposal is considered to have an acceptable impact on the Grade II listed building, locally listed building and the Conservation Area. There are concerns as to the use of standing seam material and the works to the windows, albeit these works can be subject to conditions. Sufficient information has been submitted with regard to the existing braced truss structure; the interior of Headmaster's House; and servicing to Coroners Court. The degree of compartmentalisation still poses harm to the special interest of the building. Overall it remains there is a degree of less than substantial harm. However, the bringing of the building into an optimum viable use and securing its future offer significant public benefit. Whilst placing great weight

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in the conservation of the listed building and its setting we feel that the public benefit now outweighs the harm and can be further mitigated through condition.

Initial Response:

Not acceptable in submitted form, revised details required to address the following concerns:

- Support for the retention of the Lakota Building given it is a locally listed building, there is public benefit in this aspect of the proposal.
- Support for the landscape scheme, it would enhance the character and appearance of the Conservation Area.
- Support for the re-use of the Coroners Court.
- Concerns as to loss of 9-pane windows within the locally listed building.
- Concern as to the intensity of the compartmentalisation that results from the number of quantum and layout proposed within Coroners Court.
- Concern as to the lack of information available on the existing braced truss roof structure and how the proposed insertion of flats within that space will impact upon it or vestigial historic architectural features that might be retained above the Twentieth Century ceiling.
- Concerns as the use of standing seam metal cladding to new build and Lakota extension, preference for a naturally-weathering material.
- Concerns as to the lack of details regarding the current interior of the former Headmaster's House.
- Concerns as to inadequate info as to servicing of the building for heating and ventilation.

vi. City Design Group (Landscape) has commented as follows:-*Final Response:*

No further comment to initial comments.

Initial Response:

The external layout is well considered and comprehensive. Two relatively minor requirements: -

- Reduce the height of the cycle parking structure so that it is not so prominent in the Backfields streetscape; a mono pitch roof should achieve this.
- Ensure tall planting does not obscure views from windows (blow up 01, illustrative masterplan).

vii. Pollution Control has commented as follows:-

No objection subject to conditions. The submitted acoustic report concerns the existing noise climate and demonstrates that noise insulation and ventilation will be required in the new development.

General conditions are also required regarding noise and extraction equipment from the development, including the construction phase. A condition is also required to ensure the nightclub use has ceased operating prior to the first occupation of any of the flats proposed.

viii. Air Quality has commented as follows:-

No objections for air quality reasons. This development does not need an air quality assessment as it is set back from the main road and hence no new exposure to non-compliant air quality will be

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introduced. The reduction in parking spaces is welcome and helps to reduce traffic emissions. The proposed communal gas boiler is acceptable with regard to emissions provided the boiler is limited to thermal capacity of 450 KW and the stack emits above the height of the eaves.

ix. Contaminated Land has commented as follows:-

The submitted Desk Study prepared by Intégrale is satisfactory and makes recommendations for intrusive investigation's which we do generally agree with (obviously once on site the sample locations may be subject to change etc). Also of potential use when designing any future intrusive investigation is some additional information that we hold in former trade directories regarding on site uses (particularly on the land near Upper York Street), our records indicate other on site uses include a cabinet makers and timber yard, bottling and washing works, coopers, disinfectant factory, slate and cement works and a marmite factory.

Presuming the Phase 2 investigation will not be taking place before determination the following conditions and advice notes are recommended to be applied to any future planning consent:

- Site Specific Risk Assessment and Intrusive Investigations;
- Remediation (prior to occupation);
- Validation (prior to occupation);
- Unexpected contamination; and
- Unexploded ordnance.

An advice note is also required.

x. Coal Authority has commented as follows:-*Final Response:*

In considering the amendments, the Coal Authority would not wish to raise any specific observations, but would reiterate our comments of 17 January 2019, which remain valid.

Initial Response:

No objection. The Coal Authority considers that the content and conclusions of the information prepared by Intégrale is sufficient for the purposes of the planning system in demonstrating that the application site is safe and stable for the proposed development.

xi. Nature Conservation has commented as follows:-

No objection subject to conditions in line with the recommendations of the submitted ecological assessment.

xii. Strategic Housing Development (Affordable Housing) has commented as follows:-

Bristol City Council's Core Strategy Policy BCS17 and Site Allocations and Development Management Policies DM3 seek to secure affordable homes without any public subsidy. In accordance with Bristol Affordable Housing Practice April 2018 Threshold approach, 20% of the 46 has been offered. This is accepted subject to further discussion regarding the location and sizes of some of the 1 bedroom units. 7no. units would be secured as social rent, whereas the remaining 2no. units would be secured as shared ownership.

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General comments regarding Bristol Waste Storage guidance.

Initial Response:

The following concerns must be addressed:

- Concerns expressed as to the size of bins to be used, to ensure the provision meets the requirements of Bristol Waste;
- A drop kerb will be required to the front of the bin store to allow safe collection;
- A coded entrance to the bin store will be required if Bristol Waste are to access the store directly;
- A 5 metre stopping space will be required on-street for collection vehicles to stop; and
- Clarification as to the exact location of the secondary bin store and collection point is required, it is assumed that the management company will transport bins from the store to the collection point.

xiv. Crime Reduction Advisor (Avon and Somerset Police) has commented as follows:-

The Advisor identified that a high number of offences, including anti-social behaviour and violence against the person, have occurred in vicinity of this site in past 12 months, heightening the need for crime reduction through design. The Advisor however considered that the development has generally satisfied all the issues raised at pre-application stage. Notwithstanding this, it was advised that:

The issue regarding a lack of defensible space for the business space remains. This is also compounded because outside of office/trading hours there will be a lack of a capable guardian. As such we would recommend that door and window apertures (including bin stores) have doors and windows that meet LPS 1175 SR 2 with any glazing to BS EN 356:2000 P2A. CCTV achieving 'identification' quality (as defined by the Home Office Guide 28/09) should also be considered on this elevation.

xv. Avon Fire and Rescue has commented as follows:-

Within the area there are 3 fire hydrants within 90m of the development, therefore we would not need any further hydrants installed.

RELEVANT POLICIES AND GUIDANCE

- National Planning Policy Framework – referred to hereafter as “**NPPF**”
- Planning Practice Guidance
- Bristol Core Strategy (Adopted June 2011) – referred to hereafter as “**CS**”
- Site Allocations and Development Management Policies (Adopted July 2014) – referred to hereafter as “**SADMP**”
- Central Area Plan (Adopted March 2015) – referred to hereafter as “**CAP**”
- SPD – Planning Obligations (Adopted September 2012)
- SPD – Urban Living (Adopted November 2018) – referred to hereafter as “**UL SPD**”
- SPD7 – Archaeology and Development (Adopted March 2006)

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- SPD10 – Planning a Sustainable for St Paul’s (Adopted December 2006) – referred to hereafter as “**SPD10**”
- Conservation Area 19 - Stokes Croft Character Appraisal (Adopted October 2007)
- PAN15 – Responding to Local Character – A Design Guide

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

EQUALITIES IMPACT 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.

KEY ISSUES**(A) Principle of Development**

In terms of the application for listed building consent, the principle of the development is acceptable. Key Issue B will discuss the proposal’s impact on the listed building in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990.

The remaining Key Issue will focus on the principle of the application for planning permission. As members are aware, legislation requires decisions for planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).

i Site Allocation SA501

The application site is subject to a site specific policy context that sets out how the site should be developed. Specifically, policy BCAP SA5 ‘Site Allocations in St. Paul’s & Stokes Croft’ expects sites listed on the Policies Map, which includes the application site, to be developed in accordance with the annex to the CAP which lists all the relevant site allocations for the central area, together with considerations as to what future development should include. One of these allocations is known as SA501, and this suggests that the site should be redeveloped in a residential use to include 60 homes. Further, this allocation suggests that development should:

- *Take account of the Stokes Croft Conservation Area; and*
- *Retain and sensitively restore the Grade II listed former Coroners Court and the Lakota nightclub building.*

The allocation also encourages the active ground floor uses to Upper Your Street.

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Accordingly, the acceptability of the principle of the proposed residential use of the development, along with the loss of the nightclub, was established when the allocation was made in the CAP. The proposal is predominantly residential, in-keeping with the allocation, and the commercial floor space is assessed in section iii of this Key Issue. Further, as Key Issue B confirms, the proposal takes sufficient account of the Conservation Area, and retains and restores Coroners Court and the Lakota building in a sensitive manner. With this in mind, officers advise members that the redevelopment of this site resulting in the loss of the nightclub use, and the provision of new homes, is acceptable and significant weight in favour of approving the application should be attracted to the development in this regard.

ii Loss of Existing Nightclub

Residents from across Bristol and beyond the city have submitted comments in objection to the loss of the nightclub use at the site, these comments often cited the unique nature of the events provided by the Lakota, and the number of people such events attracted to the area as reason to resist this planning application. It cannot be disputed that in principle, the residential-led redevelopment of this site, which does not include the retention of the nightclub, is compliant with policy BCAP SA5, and members are advised to afford significant weight in favour of the approving the development given it will realise a site allocation. Indeed, to include a nightclub use as part of this development would likely be contrary to policy BCAP SA5, which expects sites to be developed in accordance with the provided development considerations (SA501).

Nonetheless, Development Plan policies should be considered as a whole, and there are other policies that have been raised in connection with the loss of the nightclub use by members of the public that require attention, these include policies that seek to retain cultural, tourist and community facilities. Members should be aware that in terms of the nightclub, the land use must be the principal consideration, which in this case is a sui generis nightclub.

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." (Extract: Policy BCAP9)

Further, Policy BCS12 seeks to retain community facilities, unless it can be demonstrated that there is no longer a need to retain the use or where alternative provision is made. The policy wording finds community uses generally provide services and facilities with a focus on local people, helping to promote better personal contact between groups and individuals and generating a community spirit and sense of place, and in doing so providing a social or welfare benefit to the community.

Community facilities are defined below:

"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

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community role i.e. sport, recreational and leisure facilities including local pubs.” (Extract: Policy BCS12)

Many comments from third parties have passionately called for the refusal of this planning application, and it is clear that the Lakota nightclub is valued by those parties for a number of reasons, including: the alternative experience offered when compared to the majority of nightclubs in Bristol; its offer to Bristol's identity; and conviviality. It is also clear from submitted comments that the nightclub attracts people to the City from outside of Bristol.

Policy BCAP9 provides limited guidance as to what a cultural or tourist attraction is, and similarly, policy BCS12 does not provide a definitive list of what is, and what is not a community facility. With this in mind, a value judgement is required about the needs of the City Centre and the community, and the benefits of the use. Members are advised to undertake this assessment, albeit officers would advise that when the site was allocated, the loss of the nightclub would have been considered. For example, the CAP was adopted after the publication of the CS, which includes policy BCS12, and policy BCAP9 was adopted as part of the CAP, which is the Development Plan document that allocated the residential-led redevelopment of this site.

If against officers advice, members were to afford the nightclub use protection by policies BCAP9 and BCS12, officers would advise that the public benefits associated with realising the site's allocated development, would act to significantly outweigh policies BCAP9 and BCS12.

iii A2 (Professional Services) / B1 (Office) / Employment Uses

The proposed flexible commercial use in the ground and basement level is consistent with the expectation of the site allocation for an active ground floor use on Upper York Street. Further to this, whilst policy BCAP6 generally prohibits B1 uses on allocated sites where that use has not been allocated, in this case the inclusion of the commercial use would not prejudice the delivery of allocation, and as such is acceptable. In addition, policy BCAP1 expects development to contribute to the mix of uses in the wider area, and specifically references St Paul's and Stokes Croft as an area where employment uses should be included within development. Officers would also advise that policy BCAP6 encourages small-scale flexible uses, such as the proposed. Indeed, at pre-application stage, the Council's Economic Development Team encouraged a flexible use, and also suggested that the basement element of the unit may be complimentary to the ground floor for a number of business, for example an ICT business. BCAP15 also supports A2 uses where they would support the vitality of the area, and given an active frontage is encouraged on Upper York Street; this criterion would likely be met by a flexible A2/B1 use.

According to the Application Form, the existing use of the site employs 4 full-time and 20 part-time staff. The loss of this employment must be considered, albeit the Council's employment policies only protect Use Classes B1-B8. The development includes uses that will generate employment, and the agent for the planning application has suggested that based on the Employment Densities Guide 2015, the average employment yield expected from 234.5 sq.m of flexible A2/B1 floor space, would be approximately 17 full-time employees. With this in mind, in terms of quantum, the development would offer a comparable contribution toward employment in Bristol.

Overall, the proposed A2/B1 use is acceptable.

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iv Summary

Overall, the proposed redevelopment is acceptable in principle, and significant positive weight should be attributed to the proposal realising the site allocation, along with the proposal's housing offer.

(B) Impact on Listed Buildings, Conservation Area and Locally Listed Buildings

This Key Issue will focus on the proposal's impact on heritage assets. It firstly identifies the heritage assets and discusses the relevant heritage-related policy and legislation, and then generally assesses the proposal's scale, massing, layout, architectural treatment, landscape and public realm treatment in relation to the heritage assets, as well as wider urban design policy. Finally, the proposal's specific impact on Coroners Court as a listed building is considered (this subsection is most relevant to the application for Listed Building Consent), as well as the proposal's impact on the Conservation Area. There will be some overlap between this Key Issue and Key Issue C which concerns Urban Design and Living.

i Heritage Assets

The site contains Coroners Court, the former Methodist Day Schools, a nationally designated Grade II Listed building of considerable character and presence, and a large locally listed building currently in use as the Lakota nightclub. The whole complex lies within the Stokes Croft Conservation Area and represents a collection of important heritage assets, sensitive to inappropriate alteration. For the avoidance of doubt, the majority of the boundary treatment wall associated with Coroners Court is curtilage listed.

ii Policy and Relevant Legislation

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

Section 16 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with any harm or loss requiring clear and convincing justification. Paragraph 194 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 195 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Finally, Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The Setting of a heritage asset is defined within the NPPF (Annex 2) as: "The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its

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surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, and may affect the ability to appreciate that significance or may be neutral”.

In addition, policy BCS22 of the CS states that: “Development will safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including historic buildings both nationally and locally listed... and conservation areas.” Policy DM31 of the SADMP requires that “proposals affecting locally important heritage assets should ensure they are conserved having regard to their significance and the degree of harm or loss of significance”. It goes on to state that: “Conserving heritage assets: Where a proposal would affect the significance of a heritage asset, including a locally listed heritage asset, or its wider historic setting, the applicant will be expected to:

- Demonstrate that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset; and
- Demonstrate that the works proposed are the minimum required to secure the long term use of the asset; and
- Demonstrate how those features of a heritage asset that contribute to its historical, archaeological, social, artistic or architectural interest will be retained; and
- Demonstrate how the local character of the area will be respected.”

Further to this, there are also a range of design-related policies relevant to this development that all seek to achieve a high standard of urban design – Policies BCS21, DM26, DM27, DM28, DM29 and DM30. Relevant guidance is also included within the UL SPD, SPD10 and the Stokes Croft Conservation Area Character Appraisal.

iii Scale, Massing and Layout

In terms of scale and massing, the key elements of the proposal to consider are the extensions to the Lakota building, which largely form additional stories to the building, and the four storey extension to the south east which is referred to in this report as the New Block. The massing, scale and layout of the proposed built form is considered to be consistent with the character of the Conservation Area and the locally listed building. The location of the additional scale and massing is positioned as far away as is possible from Coroners Court, and this is considered to be the optimum approach to development at this site. In terms of the listed building, the proposal allows Coroners Court to remain the principal building at the site in terms of scale and presence, and although the development at the corner of the site would impinge on views of Coroners Court, the proposal would not eclipse them from Upper York Street. The four storey development adjacent to the principal elevation of Coroners Court remains subservient to this heritage asset, in terms of scale, massing, detailing and overall presence. Further to this, the Conservation Area Appraisal considers Coroners Court’s importance to the Conservation Area to come from its classic Gothic Revival style, and the yard and boundary treatments associated with the building, these features are retained by the proposal.

Turning to the proposal’s impact on the locally listed Lakota building, the principal elevation composed of 9-pane windows is one of the key features of this building that should be retained, albeit its roof form also contributes to its character, especially when viewing from the junction of City Road and Stokes Croft. The roof extension would increase the scale of the north western elevation of the building by approximately one storey. Importantly, the profile of the extension would follow the existing series of gables, retaining a sense of the existing roof profile, and the Lakota as a landmark within the Conservation Area. The roof extension follows to the rear and would extend the upper floors of the rear elevation to level with the existing ground floor rear. The New Block element extends from the

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Lakota building to the south east at a four storey scale. The roof of the proposal extends seamlessly from the roof extension to Lakota. The extension's building line is set back from principal elevation and this together with the roof profile and the use of distinct materials enables the locally listed building to remain prominent and the principal element of the wider extension and New Block. The Conservation Officer has advised that the revised proposals have sought to retain the substantial and meaningful portions of the Lakota building in the new development, and also provide a complementary conversion and extension. The proposals would result in the loss of the original roof of the Lakota building and fabric from all of the locally listed elements but, overall, there is a significant benefit in the quality of the design and the preservation of the Conservation Area conversion would bring.

Overall, the proposal's scale, massing and layout are considered to be acceptable in the context of the Grade II listed Coroners Court, the locally listed Lakota building and the Stokes Croft Conservation Area.

iv Architectural Detailing and Local Distinctiveness

As discussed above, the architectural treatment of the proposed additions to the Lakota building is fundamental to the success of the proposal. The proposed extensions are composed of predominantly two simple materials: an English bond brickwork and a standing seam metal cladding. In principle these materials are acceptable, and provide a distinctive, yet recognisable, appearance when compared to the existing Lakota building. It should be noted that the City Design Group has advised that the metal should be a naturally weathering material; this can be ensured by condition.

The fenestration to the new build elements is contemporary, and some of which is designed to push forward of the elevation sitting with metal cladded boxes, designed to provide expression to the elevation. The Conservation Officer considers the changes to the fenestration of the Lakota building to be acceptable, subject to a condition to ensure detailing of the proposed Juliet balconies. It is advised that the intersections where the different elements of the proposal meet with each other and the existing Lakota building are subject to conditions to require satisfactory appearance.

In summary, the proposal's architectural detailing is considered acceptable on condition that the design detailing and materials are executed to a high standard in development.

v Landscaping

The proposed landscape scheme is discussed thoroughly within the revised Landscape Section - Design and Access Statement, prepared by LT Studio. The Statement considers that the landscape proposal should enhance the historic features of Coroners Court, Lakota and the boundary treatments, which providing an attractive and functional space to give residents pride in their locality. All access to the residential development would be provided via Backfields Street, the landscape garden reflects this through its layout of proposed trees and raised planting beds. Two stepped accesses are proposed and one ramped access. Surface water drainage is incorporated into the layout, albeit a condition is required to ensure the final drainage scheme meets the requirements of the Flood Risk Team. The landscape proposal is characterised by uniform soft landscaping strips situated in hard surfacing, there is also a play space within the tip of the site at the junction of Moon Street and Backfields Lane. A compliance condition is advised to require the development to be carried out in accordance with the proposed landscape details, prior to the first occupation of the any residential units. When compared to the existing yard surrounding the Coroners Court, the proposed

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landscape scheme is considered to represent an enhancement to both the setting of Coroners Court and the Conservation Area.

vi Public Realm

Upper York Street forms part of and 'Existing Secondary Pedestrian Route' via: Stokes Croft, Upper York Street, York Street, Brunswick Square, Gloucester Street and Bond Street.

Policy BCAP30 states:

'Development on or adjacent to primary and secondary pedestrian routes will be expected to provide an appropriate and proportionate level of public realm improvements to the route'.

The policy also resists development that would be harmful to the amenity or accessibility of primary or secondary pedestrian routes. In applying policy BCAP30 to secondary pedestrian routes, the policy requires the nature of the improvements sought to be guided by more general principles of public realm design including those contained in policy DM28.

Policy DM28 requires development to create or contribute to a safe, attractive, high quality, inclusive and legible public realm that contributes positively to local character and identity and encourages appropriate levels of activity and social interaction.

The development provides sufficient spill-out spaces for future residents given the extensive landscaped area to the front of Coroners Court. The proposed A2/B1 use would be unlikely to require spill-out space for trade given the nature of these uses. In terms of pedestrian movements the pavement on Upper York Street does narrow adjacent to the Lakota building, but not in a manner that would be detrimental to pedestrian movement, especially given the wider pavement on the opposite side of Upper York Street. As well as this, it would not be permissible to widen the pavement through pushing the pavement into the site, as this would likely require the partial or complete demolition of the Lakota building and the wall. The existing building edge is well defined, and the development does not prejudice this. The development would also improve the relationship of the site with Backfields Street and Moon Street through providing enhanced landscaping and surveillance; albeit the public realm benefits are fairly limited to the immediate area given they are contained by the site's parameters.

In terms of meeting policy DM28, the development's offer is limited considering those discussed are general, and to a degree, would likely result from any redevelopment of this site, although the landscape proposals exceed expectations. Policy DM28 expects new development to enhance the quality, character and appearance of the public realm through improvements such as surface treatments. As discussed, other policies also encourage improvements to the pedestrian realm e.g. BCS10 and DM23. Policy BCAP30 also requires development adjacent to secondary pedestrian routes to provide an appropriate and proportionate level of public realm improvements to the route. The improvements to the "Backlands Triangle" outlined by the St Paul's Group in their comments would improve the experience of accessing the secondary route on upper York Street. These works include the restoration of missing setts, and a pedestrian island or extension of the pavement round the Lakota corner to include a tree. With this in mind, there is a policy expectation for the development to improve the public realm further than proposal currently does, meaning a contribution would be necessary to make the development acceptable.

In correspondence with the Council's Legible City Team and the St Paul's Group, costings have been provided for the improvements to the "Backlands Triangle", which equates to £145,917.75. This

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contribution is considered to be proportionate to the development, and the applicant has agreed to provide this financial contribution, as such officers consider the proposal to meet relevant policy by suitably enhancing the quality, character and appearance of the public realm through improvements. These improvement works will also enhance the character and appearance of the Conservation Area.

vii Works to the Listed Building

This subsection will focus solely on the works that require listed building consent, and for the avoidance of doubt, this involves only the proposals that impact on the historic fabric of Coroners Court (including Headmaster's House). These works include, but are not limited to:

- Internal works to facilitate 16 residential units, involving the minor removal 19th century sections of wall and remaining lath and plaster ceilings;
- Insertion of new floor within the roof space of the building and new mezzanine floors within existing rooms;
- New rooflights in the roof structure;
- Conversion of eight existing window openings into door openings along the ground floor of the Moon Street elevation of both Coroners Court and Headmaster's House;
- Works to the build fabric required to facilitate the extensions to the Lakota building; and
- General works to Coroners Court.

Works in respect of listed buildings are restricted by s.7 of the Planning (Listed Buildings and Conservation Areas) Act 1990, s.8 of the Act authorises works to listed buildings, where written consent for their execution has been granted by the Local Planning Authority (LPA). The LPA may refuse or grant consent subject to conditions, in considering whether to grant listed building consent, s.16 of the Act requires the LPA shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The principle of the conversion of Coroners Court is accepted in heritage terms. The building has been on the Council's 'at-risk' register for a number of years. The Conservation Area Appraisal identifies that the building is vacant, and an appropriate use and sensitive restoration is needed to secure the building's future.

The Conservation Officer acknowledges that the historic fabric of Coroners Court has been harmed through historic works to the former school to facilitate the court/mortuary-use. In terms of works to Coroners Court, the most significant intervention is the formation of 15 residential units within the building. Headmaster's House will be converted into a single dwelling, largely using the existing layout. The most significant internal works to the listed building involves the creation additional stories of accommodation, through the use of mezzanine floors within the existing ground and first floors. For example, all of the flats within the proposed ground to third floors (inclusive) are located in what is now the ground and first floor, see dwg no. 16129_130 E and 166129_131 C for more information. There are also three flats within the roof space. This approach is in line with that considered acceptable by applications 08/00155/LC, 07/04779/F and 06/05019/LA, and is likely to be the only valid approach to providing the amount of accommodation that can be considered consistent with the site allocation's suggested number, without more significant and harmful works to the listed building. It is therefore considered an optimum viable use.

Aside from providing a higher density of units within Coroners Court, a positive aspect of the approach to the conversion, is that the internal works consider the position of fenestration openings and existing

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internal openings. However, the proposed layout and degree of compartmentalisation is a significant intervention to the historic planform of the listed building that the Conservation Officer considers to represent less than substantial harm to the listed building. Included in this assessment of harm, is the proposal's removal of sections of 19th century walls, albeit the amount of wall being removed is minor in nature, and it is accepted that the removal of sections of this fabric is isolated. Further, the insertion of new mezzanine floors will in some places mean the removal of lath and plaster ceilings. The submitted revised Heritage Statement considers such interventions to be a minor impact on the overall architectural and historic interest of the listed building.

In order to attempt to address the concern that the development represents the over-compartmentation of Coroners Court, revised plans were submitted that include one less unit within the building, and the layout was amended to put less pressure on the windows through positioning floor plates further back from the windows. Further justification was also provided within the revised Heritage Statement. In response to these amendments, the Conservation Officer recognises the improvements made, but still holds concerns as the works to Coroners Court, confirming such harm to be less than substantial. However, against this harm, the Conservation Officer acknowledges that proposal would bring the building into an optimal viable use, securing its future that of course represents a significant public benefit. Further, the Conservation Officer acknowledges the precedent set by the consideration of planning applications: 08/00155/LC, 07/04779/F and 06/05019/LA. Taking this into account, the Conservation Officer raises no objection to the development in terms its impact on heritage assets, confirming that, whilst placing the required level of 'great weight' in the conservation of the listed building and its setting, it is considered that the public benefit now outweighs the harm posed by the development, and further harm can be suitably mitigated through condition. The proposed extension works to the Lakota building that impact the listed building, both physically and in terms of its setting, have been considered elsewhere within this Key Issue, and confirm their acceptability.

Officers have considered the proposal's negative aspects in terms of paragraphs 193 and 196 of the NPPF, and agree with the Conservation Officers assessment. Specifically, whilst aspects of the proposal will lead to less than substantial harm to the significance of the Grade II listed Coroners Court; this harm is outweighed by the associated heritage-related benefits that would flow from this development, including securing the optimum viable use of Coroners court.

Further to this principal issue, the Conservation Officer raised concerns as to the lack of information available on the existing braced truss roof structure and the proposed insertion of flats within that space. Revised comments from the Conservation Officer have confirmed that such information has been provided: Appendix 4 of the revised Heritage Statement. Similarly, the Conservation Officer's original concerns as to the proposal's impact on Headmaster's House have been overcome through discussion, this element of the listed building is being converted into a single dwelling, largely utilising the existing plan form. Further to the subdivision of Coroners Court, the Conservation Officer originally expressed concerns as to how the building would be serviced by utilities, such as heat and ventilation. A series of plans were submitted to overcome this concern, namely plans to demonstrate where the piping will exit the building. Since these plans were submitted, a revised energy strategy has been submitted to provide a communal gas boiler system in accordance with the policy BCS14. The Conservation Officer has confirmed that a condition will be suffice to ensure that the M&E associated with this system in the listed building has an acceptable impact on the built fabric.

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In summary, on balance, the proposed works to the listed building are considered acceptable, and officers would recommend that the application for listed building consent is granted subject to conditions.

Officers note the concerns of the Conservation Advisory Panel regarding internal features to the Lakota building, but such matters cannot be considered given the building is not a listed building.

viii Conservation Area Assessment

The Conservation Area Appraisal considers the area in the immediate vicinity to the site to form the Backfields, and the Appraisal identifies Coroners Court as empty and awaiting appropriate re-use. The proposal addresses this concern through redeveloping Coroners Court with an appropriate use. The streets abutting the site are identified within the Appraisal as intimate routes, largely due to the lack of traffic. The proposal is consistent with the nature of the intimate route, and the proposed landscape scheme will improve the setting of the route, albeit the improvement is limited to the boundary of the site. Given the increased footfall that will result from this proposal, officers consider that the proposal should do more address this intimate route. For example, parts of the Backfields are subject to neglect and decay, this is clear at the junction of Moon Street and the Backfields Streets where the historic setts have been tarmacked over, and generally the kerbs and pavements have a poor appearance. Indeed, the Appraisal identifies a gap in the historic street surfaces immediately to the south west of the site, where historic setts have been tarmacked over. To mitigate the lack of direct public realm improvements, together with the increased footfall associated with the proposal, a financial contribution from the applicant has been agreed to improve the streetscape in the Backfields – see the Public Realm sub-section of this Key Issue for more details. This represents a further benefit to the Conservation Area that would flow from this development.

The Appraisal considers Coroners Court and the Lakota to be Local Landmark buildings, which contribute to navigation around the Conservation Area. The juxtaposition of the Coroners Court's Gothic style to the surrounding industrial buildings, together with the large forecourt and high boundary walls are considered to be key features that distinguish this building as a Local Landmark building. Officers consider the proposal consistent with the building's status, and the proposed redevelopment would not prejudice the Coroners Court's positive impact on the Conservation Area. Turning to the Lakota, its Local Landmark status is considered to be a product of the building's scale and prominent position on the corner of Moon Street and Backfields Lane. As has been discussed, the proposed extensions to this building, including the New Block, are considered to be in keeping with the Conservation Area. The proposal also allows retains and builds on the key features of the locally listed Lakota building, through retaining the principal elevation's primacy, and the roof extensions reflecting the gable ends of the existing building.

The Appraisal considers the large stone wall boundary treatment to the site to be important to the character of the Conservation Area, as well as the listed Coroners Court itself, as it reflects the former school use. Further, the Appraisal identifies the walls adjacent to the junction of Moon Street and Backlands Street as an 'Important Boundary Treatment'. The proposal recognises the importance of the boundary treatment, and retains in situ for the majority of the site, albeit some section of the wall will be sensitively removed to provide outlook, this is largely on the Upper York Street side of the site. Such works are considered acceptable, and consistent with Conservation Area and listed building.

The Appraisal splits the Conservation Area into three distinct areas, Area 3 is identified as the Backfields, and the key features are understandably identified as Coroners Court and the Lakota building. The key issues facing this area of the Conservation Area are identified as 1) the unused

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state of Coroners Court, and 2) the replacement and overlaying of historic street surfaces in a mix of poor quality materials. The proposal addresses both of these issues, through bringing the vacant Coroners Court back into a viable use, and the applicant has also committed to a financial contribution to address part of the Backlands streetscape where the historic setts have been tarmacked over.

In summary, although certain elements of the proposed redevelopment challenge the context of Conservation Area, taking the proposal as whole, it considered that the development would have beneficial impact on the setting of the Conservation Area.

ix Archaeology

A condition is recommended with regard to building recording in advance of the commencement of development.

x Other Heritage Assets

In the vicinity of the site are a number of other listed and locally listed buildings, for the avoidance of doubt, the proposal is not considered to harm their setting. These include: City Road Baptist Church (Grade II listed), no. 25 Wilder Street (Grade II listed), nos. 30-36 Upper York Street (locally listed), the Bristol Tavern no. 34 Stokes Croft (locally listed) and nos. 20 -26 Stokes Croft (locally listed).

xi Summary

As the Conservation Area Assessment subsection makes clear, significant heritage-related benefits will flow from this development should it be approved and built out. For example, the Conservation Area Appraisal considers the sense of decay and neglect that results from vacant sites and buildings to be a main issue detrimentally affecting the Stokes Croft Conservation Area. Coroners Court is vacant, and its appearance signifies a degree of decay that negatively affects its own special historic and architectural character, as well as the special character and appearance of the Conservation Area. Indeed, the Appraisal for the area considered Coroners Court to be a 'Building At Risk, albeit the building is not on Historic England's register of listed buildings and structures at risk. The future of Coroners Court as a vacant building is not conducive to its special architectural features, or the appearance Conservation Area. Officers therefore recommend that the proposed redevelopment, which on balance is considered to be consistent with heritage-related policy, should attract substantial positive weight. Aside from the physical works to facilitate the conversion and extension, the proposal also includes a comprehensive landscaping scheme, which represents a vast improvement to the character and setting of the Coroners Court and the Conservation Area when compared to the existing hard surfaced yard/car parking area. Further, the agreed financial contribution to improve the public realm in the "Backlands Triangle" represents a further benefit that would flow from this development.

(C) Urban Design and Living

This Key Issue will focus on matters of urban design and urban living. Traditional urban design issues, such as the proposal's scale, mass, layout, architectural treatment and impact on the character of the area have been assessed and found acceptable in Key Issue D, and assessment will not be repeated within this Key Issue. The Key Issue firstly assesses the proposal against relevant guidance within the

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UL SPD, concluding with an assessment of the proposal's impact on neighbours. Relevant policies and guidance have already been discussed in relation to urban design in Key Issue B.

i. Urban Living SPD Assessment

Part 1, City: Q1.1 of the UL SPD

In relation to major development, Part 1 of the UL SPD discusses best practice with regards to urban design and place making at a city, neighbourhood, block and street level scale. When considering new major development in Bristol, some areas are more appropriate than others, and it is important to consider whether new development has adopted an approach to urban intensification which is broadly consistent with its setting. Figure 3 of the UL SPD provides further context to this, suggesting that the site lies within an area of dominant townscape character. In such areas, the UL SPD suggests there to be a modest development potential through new build, infill, extensions to existing buildings and conversions, this is consistent with the CAP's allocation of the site and the proposal itself. As discussed in Key Issue B, the proposal adopts a conservation-led approach to the development, appropriate to its context and in accordance with policy BCS20. The Maccreanor Levington method suggests the proposal represents 148.4 dwellings per hectare, which is higher than the minimum density suggested in the St Paul's SPD (70 dwellings per hectare) and also appropriate to the context. Question 1.1 asks if the scheme adopts an approach to urban intensification which is broadly consistent with its setting; officers consider the submission to respond positively against this question.

Part 1, Neighbourhood: Qs 1.2 and 1.3 of the UL SPD

The UL SPD expects new development to contribute towards creating a vibrant and equitable neighbourhood. As Key Issue B explains, the proposal is expected to have a beneficial impact on the immediate neighbourhood through its improvements to the public realm and landscaping, and the associated benefits of the bringing vacant use back into a viable use. There are concerns as to the proposal's housing mix, albeit the development is providing sufficient affordable housing to meet relevant policies (see Key Issue D). The development is sustainably located, and the dominant modes of transport associated with this development are expected to be walking, cycling and public transport, in line with the transport user hierarchy. Recently, student-led development in the area has been common, for example the adjacent Wilder Street development, this proposal is residential-led. As encouraged by the UL SPD, the proposal incorporates residential units above the work space within the basement and ground floor. On balance, the proposal scores positively against this question 1.2, albeit concerns exist as to the mix of accommodation proposed and these are discussed further in Key Issue D.

When considering the proposal's impact on the neighbourhood, how its design responds to the context of the site is vital (Q1.3). As Key Issue B sets out, the proposal responds positively to the character of the neighbourhood.

Part 1, Block and Street (Qs 1.4, 1.5 and 1.6 of the UL SPD)

As discussed in Key Issue B, the proposal will have a beneficial impact on the public realm, and it is considered that the proposal will provide sufficiently people-friendly streets and spaces, meaning the development scores well against questions 1.4 and 1.5. In terms of question 1.6, the proposal is car-free meaning amenity spaces for residents are dominated by landscaping, rather than cars. The majority of cycle storage is within two large stores, and whilst this is advised against, it is largely unavoidable in this development, the store would also not dominate the communal areas. The refuse

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stores and plant room are both suitably located as to be convenient for access. It is considered that the proposal scores well against question 1.6, and overall the proposal is consistent with policy DM27 concerning proposal's layout and form.

Part 2, Shared Access and Internal Spaces (Qs 2.1 and 2.2 of the UL SPD)

The residential development is predominantly accessed via three main points. The flats within Coroners Court are accessed via two doors, one of which is within the south eastern elevation and opens out onto the landscaped area, the second access is adjacent to the Lakota building. The flats within the Lakota building are accessed via the courtyard between the northern elevation of Coroners Court and the south western elevation of the New Block. The architecture of the Lakota building's access suitably celebrates the entrance, and all accesses within the development are tenure blind. The proposal responds positively to question 2.1.

The proposal scores well against question 2.2 in terms of the Lakota building's access and staircase that is large and well-lit by an atrium. The internal accesses within Coroners Court are not as well-lit or convivial, but this is an understandable constraint of the listed building. The internal spaces within the New Block are well-lit by large windows, and are of an appropriate size. Given the constraints, the proposal responds appropriately to question 2.2.

Part 2, Outdoor Spaces (Qs 2.3, 2.4 and 2.5 of the UL SPD)

The proposal includes a large landscaped garden, as well as private garden(s) for some units. The communal garden incorporates a children's play space, as well as areas for quiet relaxation, and the garden is understood to be accessible to all residents, regardless of tenure or mobility. Further, the landscaped garden has been designed to be safe and easily managed, with clearly defined boundaries between the public and private realm. The proposal responds well to questions 2.3 and 2.4.

In accordance with the UL SPD Child Yield Calculator, it is estimated that 8.41 children would live at this development. The UL SPD advises that development should provide at least 10 sq.m per child-resident, meaning the UL SPD advises that 84 sq.m of play space should be provided by this development. The play space identified within the submitted Landscape Design and Access Statement suggests that approximately 78 sq.m of the communal garden will be dedicated play space, albeit only approximately 36 sq.m, of this space will have dedicated play equipment. Regardless of what is considered dedicated play space, the proposal provides less play space than the UL SPD expects. However, approximately 450 metres from the site is St Paul's Park which has a children equipped play area. It is also true that children would not be limited to only playing in the dedicated play space; they could also play within the remaining garden. Further to this, both of the 3 bedroom homes proposed have private gardens, as do Units 8 and 9 which are units that could support families. Similarly, Units 2, 3, 5 and 6 have access to an additional communal garden, and three of these units have the potential to support families due to their size. In summary, it is considered the proposal suitably integrates sufficient children's play space, albeit the proposal does not meet the best practice standard set out in question 2.5 of the UL SPD.

Part 2, Individual homes (Qs 2.6, 2.7 and 2.8 of the UL SPD)

Question 2.6 concerns the acceptability of internal layouts of the homes; question 2.7 asks if proposals will safeguard privacy and minimise noise transfer between homes; and question 2.8 regards the illumination of internal spaces, advising against single aspect homes.

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One of the key points of negotiation throughout the planning application process has been the quality of amenity the development would provide for future residents, the “Individual homes” section of the UL SPD provides relevant guidance on this matter. Specifically, there were concerns that over 50% of the units proposed, would not provide an acceptable standard of amenity due to deficiencies involving: the quantity of internal space; the layouts of flats, especially studio flats and 1 bed 1 person units; the lack of dual aspect; and future adaptability. As set out in the introductory section, the development has been revised, and the proportion of flats with liveability issues has significantly reduced. For example, the number of dual aspect flats has increased; all studio flats have been removed; and the majority of the flats are large enough to meet day-to-day demands of residents, as well as be suitably flexible and adaptable in future.

Officers share the concerns of the Urban Design Officer with regard to a small number of the proposed flats, and this is reflected within the Urban Design Officer’s final comments, albeit the officer acknowledges that the revisions made to the proposal have overall been welcomed and supported.

The approach taken to convert Coroners Court results in compromises in the standards of amenity for future occupiers, and members should consider that the constraints of Coroners Court are largely out of the control of the design team. For example, the parts of the proposed units across the ground and first floor (Units 2 to 7 inclusive) will have floor to ceiling heights in places of 2.065 metres, which is less than that listed in the Nationally Described Space Standards, where at least 75% of the gross internal area of a home is expected to have a minimum floor to ceiling height of 2.3 metres. However, officers would recommend that this is not a reason to resist the development, as there are mitigating circumstances, namely the proposal represents a conversion of a Grade II listed building, where the available floor to ceiling heights are already determined. The floor to ceiling heights of the remaining flats are acceptable, and in a number of the flats exceeds the recommended 2.3 metre height.

There are a number of 1 bed 1 person units proposed. Generally these units are resisted given guidance that recommends that whilst the Nationally Described Space Standards include standards for 1 bed 1 person units, it is expected that new dwellings in Bristol will provide at least 2 bed spaces, as this is the smallest units capable of being sufficiently flexible and adaptable to meet the requirements of policies BCS15, BCS18 and BCS21. Specifically there are 8, 1 bed 1 person units: 4 within Coroners Court and the remaining 3 within the New Block. Perceived justification is provided within the revised Planning Statement for the inclusion of 1 bed 1 person units. The Planning Statement asserts that without the inclusion of these 1 bed 1 person units, the scheme would not be viable and the amount of affordable housing could not be provided. Whilst officers are mindful that the revised proposal has reduced the number of units from 54 to 46, no viability assessments have been submitted to support this position. Officers are aware that none of the 1 bed 1 person units are studio flats, so the units will provide some flexibility and adaptability, as for example a visitor could sleep within the lounge area and benefit from privacy. However, officers recommend that this is a downside to the proposal that must be considered in the planning balance.

It should be noted that there are a number of 1 bed 1 person flats over two floors, and the Nationally Described Space Standard does not include a standard gross internal area for such units. The Project Architect has stated that all of these units are larger than the Nationally Described Space Standard for a single storey 1 bed 1 person unit, and include additional floorspace above the relevant space standard to account for the stairs and landing associated with an additional storey. Officers agree with this assertion.

There are a number of homes proposed within Lakota that are single aspect and predominately north-facing (Units 9, 13, 15, 16, 17, 28, 30, 31, 32 and 37), generally officers would advise members to

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resist such units in accordance with policy and guidance. However, in order to retain the majority of the Lakota building, it means some single aspect units are unavoidable, even if the number of overall units proposed were reduced. As such, officers would recommend this does not form a reason to resist this development. Units 12, 29, and 38 are also within the Lakota building, these units are single aspect, although south-facing. The Urban Design Officer raises concerns regarding the levels of light for the bedrooms of Units 12, 29, and 38, given the only window for the bedroom faces the internal atrium. In terms of levels of daylight and sunlight, Unit 38 would likely benefit from acceptable levels of light given its located near the top of the atrium, Units 12 and 29 would not be so fortunate. Privacy-wise, the layout of the atrium would prevent neighbours from lingering outside of the window, albeit this is far from an optimal arrangement. Whilst officers understand that retaining the parameters of the Lakota building is a contributory factor for the shortcomings of Units 12, 29 and 30, this situation could be improved through the reduction of units within the building, although officers do realise the number of units proposed has been reduced by the applicant over the course of the application.

As highlighted by the Urban Design Officer, Units 6 and 7 have an awkward layout, and unit 7 is single aspect. A solution to this issue would be to combine the units into one larger and better proportioned unit. The applicant's team has suggested this amendment is not feasible as the resultant single unit would be too large to be an efficient two bedroom unit, but too small to be an acceptable three bedroom unit.

As with the Lakota building, there is justification available for Units 4, 21 and 22 within Coroners Court that are single aspect, albeit units 4 and 22 are south-facing, so concerns surrounding the single aspect nature of these units are significantly reduced. The Urban Design Officer has raised concerns with the amenity provided by Units 44, 45 and 46. Officers can confirm that these units meet the Nationally Described Space Standards, and whilst the only source of outlook will be via rooflights, in this case it is considered acceptable given the constraints of the scheme, and the fact that as rooflights are set relatively low within the roof, residents would be able to look directly out of those rooflights.

Planning policy expects new development to provide acceptable standards of residential amenity for future occupiers, and officers can confirm that the majority of the homes proposed achieve this expectation, but as discussed, a minority fail to reach this policy-goal. There are circumstances outside of the control of the applicant's design team that go some way to justify the proposal's shortcomings; these include the historic nature of the site, and the associated difficulties of converting Coroners Court, and converting and extending the Lakota building. A potential solution would be to reduce the number of the units proposed. However, this has been discounted by the applicant's team due viability concerns, they also highlight that the fact that the allocation (SA501) underpinned by policy BCAP SA5 suggests 60 homes could be achieved at this site. Officers are also mindful that the revised plans submitted also reduced the total units by 9.

UL SPD Summary

Overall, members are advised that the proposal responds to the majority of the relevant questions within the UL SPD reasonably positively. The key area where the proposal could be expected to respond more positively, relates to a minority of homes not providing a quality of residential amenity in line with the best practice expectations set out within questions 2.6 and 2.8. This should be factored in to the planning balance.

ii. Impact on Neighbours

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The key properties likely to be impacted by this development are those that abut Moon Street, and the potential future occupiers associated with student-led development on Backfields Street. Officers are not concerned as to the proposal's impact on the properties on the north eastern side of Upper York Street due to the nature of the road itself combined with the respective window-to-window distances and the scale and massing of the proposed development.

Due to the large distance between the north western elevation of the Lakota and the south eastern elevation of Avonmead House/ nos. 1 to 6 Stokes Croft (inclusive), officers consider that the proposal would not harm the amenity of the occupiers of those buildings, some of which are residential. Further, the proposal would not prejudice the use of the car park to the rear of Avonmead House. The north western elevation of Coroners Court is within close proximity of nos. 28 to 38 Stokes Croft (inclusive) that address the intimate Moon Street. Nos. 32, 36 and 38 are of principal concern given the distance between these dwellings and Coroners Court's north western elevation ranges from between approximately 5 metres and 10 metres. There would be window-to-window views where privacy would be impacted, albeit this impact would be reduced due to the angle of Coroners Court compared to nos. 32, 36 and 36. Officers advise that this privacy relationship is acceptable given any conversion of Coroners Court would result in this impact, and also as tight relationships between residential uses is not uncommon in areas with historic street layouts. The additional storey to the Lakota development is not expected to overbear neighbours by nature of its scale or massing.

Turning to the proposal's relationship with the recently approved student-led development on Wilder Street, this development has a large number of student flats addressing Backfields Lane. The window-to-window distances between the proposal and the student-led scheme for the majority of the development would provide acceptable privacy. At the junction with Upper York Street and Backfields Lane, the window-to-window distances do reduce, but given the public nature of this part of both the respective developments, the relationship is considered appropriate.

Overall, the proposal's relationship with adjacent neighbouring sites is considered acceptable, both in terms of existing and future development.

iii. Accessibility

Policy DM4 expects 2% of new housing within residential developments of 50 or more dwellings to be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users, as such this policy is not relevant to the development. However, the Individual homes section of the UL SPD recommends that 90 per cent of new build housing meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings' with the remaining 10 per cent meeting Building Regulation M4(3) 'wheelchair user dwellings'. As it stands, officers would advise that both the New Block and Lakota have their own lift shafts, meaning all the flats within these buildings would be accessible in terms of level thresholds. Limited information has been provided further than this; officers have requested that such information is provided in advance of committee.

iv. Crime Reduction

The Crime Reduction Design Advisor's comments are generally supportive, although concerns are raised in relation to the Upper York Street elevation. It is recommended that an informative note is added to the decision notice concerning design recommendations in the case planning permission is given.

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v. Summary

In summary, the proposal scores positively with regard to the UL SPD, suggesting that the development meets the relevant policies concerning design and the quality of the accommodation for future residents. There are concerns with regard to a minority of the flats proposed, and this must be factored into the planning balance, but on the whole, officers would advise that this does not represent a reason to refuse the development, and overall, the development meets relevant design-related policy.

(D) Mix and Balance

i Relevant Policy

Policy BCS18 requires that all new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. Further, SPD10 requires residential development to be composed of a minimum of 20% family sized dwellings, officers do acknowledge that this document is dated, however there is a shortfall of family sized units in the local area which is acknowledged in more recent policy. For example, policy BCAP3 calls for a substantial proportion of family sized housing in a number of city centre neighbourhoods including St. Paul's and Stokes Croft. For clarity, family sized flats are generally considered to have 3 bedrooms with an element of private outdoor amenity space where appropriate.

ii Mixed and Balanced Communities

Policy directs decision-makers and developers alike to the existing housing profile of the area in order to define the proportion of family sized homes that should be sought. Officers have reviewed the relevant Lower Super Output Areas (LSOA) of the site, for which there are two: the southern area of the courtyard is within the LSOA of St Pauls Portland Square (E01033347) and the majority of the site is within the LSOA of St Pauls City Road (E01033348). Notwithstanding this, as the table below reflects the existing composition of bedroom types in both LSOAs are very similar, and both reflect an imbalance within the existing composition in the area for which the proposal should attempt to address in order to meet policy BCS18.

No. of Bedrooms	% St Pauls Portland Square LSOA	% St Pauls City Road LSOA	% Proposed	No. of Units Proposed	% Originally Proposed as part of this application
0	0.3	0.4	0	0	0
1	48	46.3	52	24	71.2
2	39.5	31.7	43	20	27.1
3	8.2	8.8	4	2	1.7
4	3.5	6.5	0	0	0
5 +	0.5	3.4	0	0	0

Whilst the composition of the house-types has improved when compared to the original proposal, as Table 1 suggests, the proposal includes an excessive number of 1 and 2 bedroom units when compared to the

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number of three bedroom units. As such, officers advise that the proposal is contrary to policy BCS18, in that it fails to address an imbalance in 3 bedroom sized units within the area. Further, the proposal is contrary to policy BCAP3 and the guidance included within SPD10, in that the development fails to deliver a substantial proportion of family sized housing.

The revised Planning Statement seeks to justify this failure of policy. Specifically, it is stated that various options were considered with a higher proportion of family sized housing, but due to the heritage, spatial and locational characteristics of the site, these options could not be advanced. The Statement suggests that the site allocation suggests the development should provide 60nos. units, and indeed the pre-application proposal included 59no. units. To facilitate this, a five storey block of accommodation was proposed, and later resisted by stakeholders due to heritage impacts. The Statement also references the extensive negotiations that have occurred since the application was originally submitted, in which time the number of homes proposed has reduced further from 54 to 46, albeit with a higher proportion of 3 bedroom sized units: 2 units. The Statement suggests that the 20% affordable housing proposed would not be achieved if a higher number of family-sized units were included, as the overall number of units proposed would need to reduce further. In addition to suggestions that the proposal would not be viable were more family-sized units proposed, the Statement references discussions with CJ Hole, where their review suggests that that the most attractive and sought after homes in this location have been one and two bedroom apartments, suitable to young professionals.

Officers have not received a viability report that confirms that a proposal including a policy-compliant amount of family-sized units would be unviable, but it is clear that were the proposal to include more family-sized homes, the number of units proposed would suffer. It is also a fair assessment that the site is subject to constraints in terms of its density and overall size. For example, any development denser or larger than the current proposal could face heritage and design related objections. It is also evident that the proposed density of development challenges the quality of amenity proposed for a minority of flats. The offered justification for CJ Hole is insufficient to justify the lack of family-sized accommodation. Overall, officers would advise that insufficient information has been provided to justify the lack of family-sized accommodation proposed, and the application for full planning permission is contrary to policies BCS18 and BCAP3, as well as the guidance included within SPD10. Members are advised to factor this failure to meeting planning policy and guidance in to the planning balance.

iii Affordable Housing

Policy BCS17 expects through negotiation, 40% of the total housing provision to be secured for affordable housing through the planning system (secured by s.106 Agreement). In accordance with the Council's Affordable Housing Practice Note, April 2018, the development only proposes 20% affordable housing to be secured through s.106 agreement and a viability assessment is not needed. This is because the 20% 'offer' satisfies the 'Threshold' 'Fast – track' approach as set out under Route 2, page 13 of the Practice Note. This approach is to encourage the provision of s106 affordable housing above the levels currently being delivered and ensure development comes forward at a faster rate. The Housing Delivery Team has confirmed this is the case, and supports the proposal although they have highlighted that further discussions will need to occur during s.106 negotiations with regards to some of the 1 bedroom units, albeit the Housing Enabling Officer has stated that in this case, there is no principle objection to securing 1 bedroom units as part of the affordable housing offer, as there is a demand for such units. The s.106 is expected to secure 77% of the affordable housing for 'Social Rent' and remaining 23% for 'Shared Ownership'. In advance of/during s.106 negotiations, triggers of occupation/sales will be agreed to ensure that the phasing of the development would deliver affordable housing appropriately. Members are advised to attract positive weight to the provision of affordable housing.

Development Control Committee B – 18 March 2020**Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN**

iv Summary

As discussed, the proposal's mix of accommodation is contrary to policies BCS18 and BCAP3, as well as the guidance included within SPD10. This harm from the development must be weighed against the proposal's benefits in terms of the planning balance, including the proposal's contribution of affordable homes.

(E) Residential Amenity – Noise and General Disturbance

Pollution Control has reviewed the submitted acoustic report which largely concerns the current noise climate at the site and includes an assessment of noise from nearby commercial premises and noise from licensed premises at night including the Full Moon and the Blue Mountain. The report proposes suitable insulation and ventilation for the proposed development against the existing noise climate. Clarification has been sought, and Pollution Control has confirmed that ventilation will be required across all flats within the development given the existing background noise in the area, this will provide residents with the opportunity to shut windows to cancel out noise during more sensitive hours, whilst still having a ventilated flat. The report has advised that windows in the vicinity of plant associated with nos. 20 – 30 Stokes Croft will need to be fixed shut. Specifically, this includes the bedroom windows within Unit 1. Given this represents a rare situation within the development, officers consider it acceptable for these windows to be fixed shut. A condition is necessary to ensure the report recommendations regarding noise insulation are implemented within the development.

The report also suggests that the loss of the existing nightclub would be a net acoustic benefit to the area given it is the 'most significant entertainment noise generating premises in the area'. Pollution Control has confirmed that:

"Lakota has a 24/7 licence for entertainment and sale of alcohol and Bristol City Council has a history of, and still does receive complaints regarding noise from Lakota. There are a number of residential properties in Stokes Croft, Moon Street, Backfields and Backfields Lane which are in relatively close proximity to Lakota. Complaints have mainly been regarding music from within the premises and more recently also regarding music from outdoor event held at Lakota and the Coroners Court".

Whilst it is more than likely that the proposed use would be less noisy than the existing, officers recommend members exercise caution in attributing weight to this, as there are a number of factors that determine the noise levels of nightclubs, including management and sound insulation.

Pollution Control has also recommended general conditions regarding servicing and operating hours. Further to this, general conditions regarding construction environmental management and noise from plant are required.

The proposal has a phased approach where phases 1 (conversion of Coroners Court) and 2 (erection of New Block) could be completed prior to the nightclub use at the site ceasing. No evidence has been provided to suggest that the nightclub use could continue in a manner that would not prejudice the enjoyment of the flats. In the absence of such evidence, a condition requiring the nightclub use to cease prior to the first occupation of any residential flat resulting from this development is required. This condition has been advised by Pollution Control.

Development Control Committee B – 18 March 2020**Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN****(F) Highway Safety and Transportation**

i. Principle

The principle of the development is acceptable in highway safety terms, and overall, Transport Development Management “TDM”, raised no objection to the amended development.

ii. Car-Free Development

The current proposal has evolved since the pre-application development to be a car-free. The site is located between Upper York Street, Moon Street and Backfields, all of which are subject to a 20mph speed limit and are within the Central Parking Zone. Both Moon Street and Backfields have double yellow lines on both sides of the carriageway whilst Upper York Street has a combination of double and single yellow lines (clearway from 8am to 6pm Monday to Saturday) and pay and display on-street parking. Further, as set out in the Transport Statement, the site is sustainably located to encourage walking, cycling and public transport, TDM concur with this assessment, finding the site and development to be suitable for car-free development. This is consistent with Development Plan policy given there is a maximum car parking standard, not minimum. Indeed, policy BCAP29 states that, where appropriate in Bristol City Centre, a significantly lower level of parking provision will be expected. As confirmed by TDM, this is such a location where car-free development is appropriate. Through being car-free, the proposal also allows the front yard area to be landscaped, which benefits the setting of the Coroners Court and the Conservation Area.

TDM have however confirmed that Central Parking Zone Advice I044 Restriction of parking permits – existing controlled parking zone must be applied. This means that residents would not be eligible for residents parking permits. This is an arrangement outside of the planning system; hence conditions cannot be applied to secure this, rather just an advice note.

iii. Cycle Stores

TDM consider the submitted cycle storage to be acceptable, albeit a further cycle store is required for visitors, a condition is recommended to ensure acceptability.

iv. Waste

The applicant proposes to provide two internal waste stores with inwardly open doors which would be accessed from Upper York Street. These have been designed to separately store commercial and domestic waste. A dropped kerb will be provided to enable operatives to easily manoeuvre the bins onto the carriageway. It is recommended to secure a waste management plan by condition.

v. Construction Management

It is recommended that a construction management plan is required by condition to ensure the amenity of the highway and its users is not unacceptably impacted throughout the construction phase. The construction phase may also damage the highway; as such a highway survey will be required by condition prior to the commencement of the development.

vi. Travel Plan

Development Control Committee B – 18 March 2020**Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN**

Due to the scale of the development, a full Travel Plan is not required. Rather, a Travel Plan Statement is needed, and is advised to be secured by condition.

vii. Cycle Infrastructure

As the site will be car free residents will have the choice of walking, cycling or using public transport. To improve access to Broadmead/Cabot Circus, and avoid having to negotiate the Bear Pit roundabout, a segregated cycle route between Stokes Croft and Bond Street via Upper York Street, Brunswick Square and Gloucester Road is proposed which will cost an estimated £395,000 in total. TDM considers the development should contribute £47,245 toward this cycle link, this amount has been calculated on the basis of the length of the route to the front of the site. The Council's Planning Obligations SPD sets out that obligations in respect of highway infrastructure works will be required where there is a requirement to improve existing, or construct new, highway infrastructure in order to access development in a safe and appropriate manner. The cycle link would provide for a safer route when compared to the alternatives, those being to not have a segregated cycle route between Stokes Croft and Bond Street, or to travel via the Bear Pit roundabout. Hence, the requested financial contribution does meet the procedure set out within the SPD, and has been requested from the applicant. The submitted Draft s106 Heads of Terms Revision A document confirms that the applicant accepts this contribution in principle, and the officers recommend that by s106 agreement, £47,245 should be secured toward cycle route improvements.

viii. Footways / Crossovers and Site Accesses

The development necessitates the need for footways and crossovers to be upgraded, this will be secure by condition, and officers also mindful that s278 agreement under the Highway Act 1980 will be required. TDM has advised that all accesses should incorporate suitable illumination, anti-slip measures and gradients (for the ramp), a condition will secure details of this.

ix. Summary

Overall, subject to the conditions and obligations discussed, there is no objection to the development in highway safety or transportation terms.

(G) Sustainability and Climate Change

The location of the development is within the Heat Priority Area and in close proximity to another proposed development site where connection to the network is being sought in future i.e. district heating ready. Policy BCS14 expects development to incorporate, where feasible, infrastructure for district heating, where available developments will be expected to connect to existing systems. Policy BCAP21 also requires development that would require heating to demonstrate that account has been taken of potential opportunities to source heat from nearby networks.

The development originally included individual gas condensing boilers for each flat, contrary to policy. Officers can report that the revised Energy Statement confirms that the development is proposed to heat space and water by a communal heating system based on upon gas-fired boiler(s), which meets the requirements of policy BCS14. Further, the revised Energy Statement confirms in the heating system will be able to be replaced by a district heating solution at an agreed time in future when the Bristol Heat Network is able to connect to the development further meeting policies BCS14 and

Development Control Committee B – 18 March 2020**Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN**

BCAP21. In consultation with Energy Services, the Sustainability Team has confirmed that whilst a revised Energy Statement addresses the principle policy concern in meeting the energy hierarchy, there are concerns as to the proposal connecting to the heat network in future, albeit such concerns can be addressed through condition and the drafting of the s.106 agreement. In accordance with officer guidance, the submitted Planning Obligations Statement/Heads of Terms document confirms that the applicant is willing for the s.106 Agreement to secure that the development's heating system is district heat network 'ready'. Subject to appropriate conditions and a s.106 Agreement, officers are confident that the proposed method of heating for the development meets the requirement of policies BCS14 and BCAP21.

The Sustainable City Team has confirmed the approach to reducing energy demand through good design is welcomed and consistent with the first tier of the energy hierarchy as set out by policy BCS14. However, as the submitted Energy Statement is based on provisional specification, a condition is recommended to require the submission of a revised energy statement once the design has been finalised. The second tier of the energy hierarchy encourages the incorporation of renewable energy sources, in the case of this development photovoltaic panels are proposed, predominantly on the roof of the Lakota and New Block. Policy BCS14 expects development to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%. The revised Energy Statement confirms that the development is capable of achieving a 20% reduction in carbon dioxide emissions from residual energy use in the buildings.

The application is considered to be consistent with policy BCS13. The proposal suitably mitigates climate change through measures including: reducing the energy demand of the buildings; the use of renewable energy technology; and by nature of the fact it is located sustainably, where modes of transport such as walking, cycling and the use of public transport are prioritised over the private car. Further, the development has demonstrated that it will adapt to climate change. For example, previous concerns as to overheating are addressed in the revised proposal, mostly through utilising layouts that will encourage natural ventilation, a small number of units may require additional ventilation, and this will be secured by condition. Further, as required by policy BCAP25, green infrastructure features heavily within the proposed communal garden; this will help mitigate the heating of the urban environment.

The Flood Risk Team has confirmed that the submitted drainage strategy demonstrates it is feasible to develop the site in accordance with the relevant standards, including policy BCS15. The officer, along with the Sustainable City Team, have however requested a pre-commencement condition to requiring further details of surface water drainage design, management and maintenance. Policy BCS15 requires new homes and workplaces to include the provision of high-speed broadband access and enable next generation broadband, a condition is recommended to meet this requirement.

In summary, the proposal meets relevant sustainability policies, and positive weight should be attributed to this compliance, including the applicant's commitment for the development connect to the Bristol Heat Network in future.

Development Control Committee B – 18 March 2020**Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN****(H) Contamination and Coal Mining Legacy**

Conditions are advised in accordance with the comments of the Land Contamination Officer with regards to land contamination. The Coal Authority has raised no objection to the development on the grounds of the legacy of coal mining, no conditions are required.

(I) Nature Conservation

The Council's Nature Conservation Officer has suggested has reviewed the submitted phase 1 ecological assessment and broadly agrees with its conclusions and recommendations. A pre-commencement condition requiring a precautionary approach to demolition, refurbishment and construction works which secures the recommendations in sections 6.5.2, 6.5.3, 6.5.4 and 6.7.1 of the assessment should be applied, and this condition is recommended as all species of bats and their roosts are legally protected.

Common pipistrelle bats were recorded commuting and foraging over the site but not roosting in the combined phase one and bat survey report version 3 dated December 2018. As required by planning policy, developments should incorporate biodiversity improvements. The Council's Nature Conservation Officer has suggested a condition to secure bat and bird nesting/roosting opportunities, this condition is recommended.

The Council's Nature Conservation Officer has also agreed with section 6.6.4 of the ecological report where the provision of green walls is recommended. The proposal does not include green wall, but does include a significant landscaping scheme which is sufficient to meet the associated policy goals for this development.

(J) Air Quality

The Air Quality Team has raised no objection to the development, subject to conditions to ensure that the proposed communal gas boiler does not exceed emission limits for nitrogen oxides (NOx).

(K) Planning Obligations

Planning obligations must accord with section 122 of the Community Infrastructure Levy Regulations 2010 and paragraph 56 of the NPPF, in that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is:

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development.

Officers recommend that the following planning obligations meet the requirements set out above.

- Affordable housing contribution: the Owner commits to naming 20% of all units (9 Units) as affordable.

Development Control Committee B – 18 March 2020**Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN**

- Public realm improvements (Backlands Triangle): the contribution in the sum of £145,917.75 toward public realm improvements.
- Segregated Cycle Route (Stokes Croft to Bond Street): the contribution in the sum of £47,245.
- District Heating: the Owner commits to Development to being 'ready' for connection to the Bristol Heat Network.

The submitted Planning Obligations Statement/Heads of Terms document confirms that the applicant is willing for the obligations listed above to be secured by a s.106 Agreement.

Community Infrastructure Levy (CIL): CIL calculations are yet to be finalised, an indicative figure will be provided at committee.

(L) Planning Balance and Conclusion

As discussed in Key Issue B, officers have recommended that the application for listed building consent is approved subject to conditions – see Recommendation 2 in the Key Issue M. Accordingly, this penultimate section concerns the planning balance in relation to the application for full planning permission only.

Cllr Davies' referral comments request that the committee consider the merits of the case, highlighting the loss of the nightclub venue and the proposal's impact on heritage assets. Officers would advise that the principle of the development is sound, and significant weight should be attributed to the proposal's housing offer - including the provision of 9no. affordable homes - together with realising site allocation SA501.

In the context of the planning balance, members should consider the benefits this scheme represents. As the report demonstrates, the proposal includes a number of benefits all of which should attract weight in favour of approving the development. Great weight must be attributed to the successful conversion of the 'at risk' Grade II listed Coroners Court, bringing it back into an optimal viable use and securing its future. This benefit also extends to the Conservation Area, which is further enhanced by the comprehensive landscape proposal, along with the obligation to improve the public realm in the area known as the "Backlands Triangle", great weight in favour of approving the development should be attributed to these benefits. As a whole, the proposal is considered to represent a high quality of urban design that suitably respects the affected heritage assets, and this is reflected in the support of the City Design Group for the new build elements of the proposal. The Sustainability Team has supported the most recent proposal, which commits the development to being district heating 'ready' in future, and TDM supports the development, which includes the obligation to contribute financially toward improving a cycle route in the area. Members are advised to attract weight in favour of approving this development in this regard.

As is common with complex major development sites, there are negative impacts that must be considered. Specifically, there are concerns as to a minority of the proposed homes that do not reach the standard of residential amenity advocated by the UL SPD, albeit the constraints of converting historic buildings must be taken into account. Further to this, the proposal is contrary to policies BCS18 and BCAP3, in that it would not suitably redress an existing housing imbalance in the area due to the lack of 3-bedroom, family-sized homes proposed. Whilst the revised proposal has gone some way to address these concerns, officers advise that members should attract negative weight to these issues in the planning balance.

Development Control Committee B – 18 March 2020**Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN**

As discussed, significant public benefits would flow from this development, and officers recommend that such benefits do act to outweigh the identified negative aspects of this development, both individually, and cumulatively. Officers therefore advise that the application for full planning permission should be granted in accordance with Recommendation 1 as set out below.

(M) Recommendations**RECOMMENDATION 1: 19/00066/F**

- A. That the Applicant be advised that the Local Planning Authority is disposed to grant planning permission, subject to the completion, within a period of six months from the date of this committee, or any other time as may be reasonably agreed with the Service Director, Planning and Sustainable Development and at the Applicant's expense, of a planning agreement made under the terms of Section 106 of the Town and Country Planning Act 1990 (as amended), entered into by the Applicant to cover the following matters:
- i. Affordable housing contribution: the Owner commits to naming 20% of all units (9 Units) as affordable in accordance with the Council's Affordable Housing Practice Note, April 2018.
 - ii. Public realm improvements (Backlands Triangle): the contribution in the sum of £145,917.75 toward public realm improvements for the Backlands Triangle payable to the Council by the Owner.
 - iii. Segregated Cycle Route (Stokes Croft to Bond Street): the contribution in the sum of £47,245 toward works to facilitate/improve a cycle route between Stokes Croft and Bond Street.
 - iv. District Heating: the Owner commits to Development to being 'ready' for connection to the Bristol Heat Network, the exact terms of which are subject to further discussion throughout the drafting of the s.106 Agreement.
- B. That the Head of Legal Services be authorised to conclude the Planning Agreement to cover matters in recommendation (A).
- C. That on completion of the Section 106 Agreement, planning permission be granted, subject to conditions, for which delegated authority is sought to prepare the draft conditions in consultation with the Applicant in line with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018. A list of expected conditions is included below, albeit the following list is not exhaustive:
- i Procedure:*
 - Requirement to commence development within 3 years of the date of decision
 - Requirement for the development to be carried and to accord with all approved plans/documents
 - A condition to require the submission of a phasing plan

ii Design & Heritage

Development Control Committee B – 18 March 2020**Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN**

- A condition to secure appropriate materials, given the proposed red/brown metal cladding is resisted in favour of an alternative natural material.
- A condition to secure detailed drawings at 1:20 of the window and door reveals, cills and thresholds should be provided.
- A condition to secure the proposed landscaping scheme
- A condition concerning the repair/replacement of existing windows
- A condition for details of all new doors
- A condition concerning the phasing of the development
- A condition to require the submission and approval of all new materials to be used, notwithstanding those listed on the approved plans
- A condition to secure detailed drawings of large sections of the building where new building elements meet each other and the existing building
- A condition to secure detailed drawings of the new balconies
- A condition to ensure that landscape proposals are carried out in accordance with the listed details prior to the first occupation of the development, or first available planting season (whichever is sooner): Landscape Section – DAS LTS_098(08)201 Rev. C –Jan 2020 and Landscape General Arrangement dwg no. LTS_098(08)101 Rev. B
- A condition to secure a historic building recording
- Details of the children's play space

iii Residential Amenity and Noise

- A condition to require the development to be carried out in accordance with the submitted Acoustic Report's recommendations
- A condition to require the submission and implementation of a construction environmental management plan
- A condition to require the noise levels from plant and equipment in the development to not exceed pre-existing background noise levels
- A condition preventing the occupation of any flats until the nightclub use has ceased

iv Energy and Sustainability

- A condition to requiring the submission of a revised Energy Statement in order to address the errors within the most recent Statement, including referencing 54 units, rather than 46.
- Condition(s) to require details of future compliance with the requirements of district heating, including plant room, external pipework and provisions in the building fabric.
- A condition requiring the submission of details of Mechanical Ventilation with Heat Recovery for the homes that have overheating risks using an entirely natural ventilation strategy.
- A condition requiring details of the proposed photovoltaic panel array prior to implementation, and evidence of its implementation thereafter.
- A condition to ensure that the communal gas boiler used for the heating of space and water in the development hereby approved will be a low NOx boiler and shall have a limited thermal capacity of no more than 450KW.
- A condition to secure detail of sustainable urban drainage scheme, notwithstanding the submitted scheme to date.
- A condition to require details of high-speed broadband access and enable next generation broadband.

Development Control Committee B – 18 March 2020**Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN***v Transport*

- A condition to require the submission of a Travel Plan Statement, as well as its implementation (C34)
- A condition to secure details of illumination, anti-slip measures and gradients (for the ramp) for site accesses
- A condition to secure details of all cycle storage, including additional cycle storage for visitors
- A condition to secure a waste management plan and its implementation (C41)
- A condition to secure a construction management plan and its implementation (B3A)
- A condition to secure a highways condition survey (B39)
- A condition to secure details of general arrangement works relating to the proposed development and the highway (B1B)
- A condition to secure the implementation of the refuse stores (C5A)
- A condition to secure the implementation of pedestrian and cyclist access (C8)
- A condition to secure the reinstatement of redundant access ways as shown on approved plans (C10A)
- A compliance condition relating to the use of the refuse and recycling facilities (D18)

vi Land Contamination

- A condition to require the submission of a revised site specific risk assessment and intrusive investigation to assess the nature and extent of site contamination
- A condition to require the submission of a remediation scheme
- A condition to require the submission of a verification report to demonstrate any contamination is suitably remediated
- A condition to require the submission of details, including remediation and verification, of any unexpected contamination
- A condition to require the submission of an unexploded ordnance survey

vii Nature Conservation

- A condition to require a precautionary approach to demolition, refurbishment and construction works which secures the recommendations in sections 6.5.2, 6.5.3, 6.5.4 and 6.7.1 of the submitted Ecology Assessment
- A condition to require details of bat roosting and bird nesting opportunities

viii Advices (not conditions)

- I025A) Minor works on the Public Highway
- I043A) Impact on the highway network during construction
- I044A) Restriction of Parking Permits – Existing Controlled Parking Zone/Residents Parking Scheme
- I052) Highway Condition Survey
- I053) Excavation Works on the Adopted Highway
- I055) Street Name and Numbering

Development Control Committee B – 18 March 2020**Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN**

- I060) Travel Plan Statement / Travel Plan – Not Submitted
- Potential asbestos containing materials are on site
- City Road Elevation: Door and window apertures on Upper York Street (including bin stores) should have doors and windows that meet LPS 1175 SR 2 with any glazing to BS EN 356:2000 P2A. CCTV achieving 'identification' quality (as defined by the Home Office Guide 28/09) should also be considered on this elevation.

RECOMMENDATION 2: 19/00067/LA

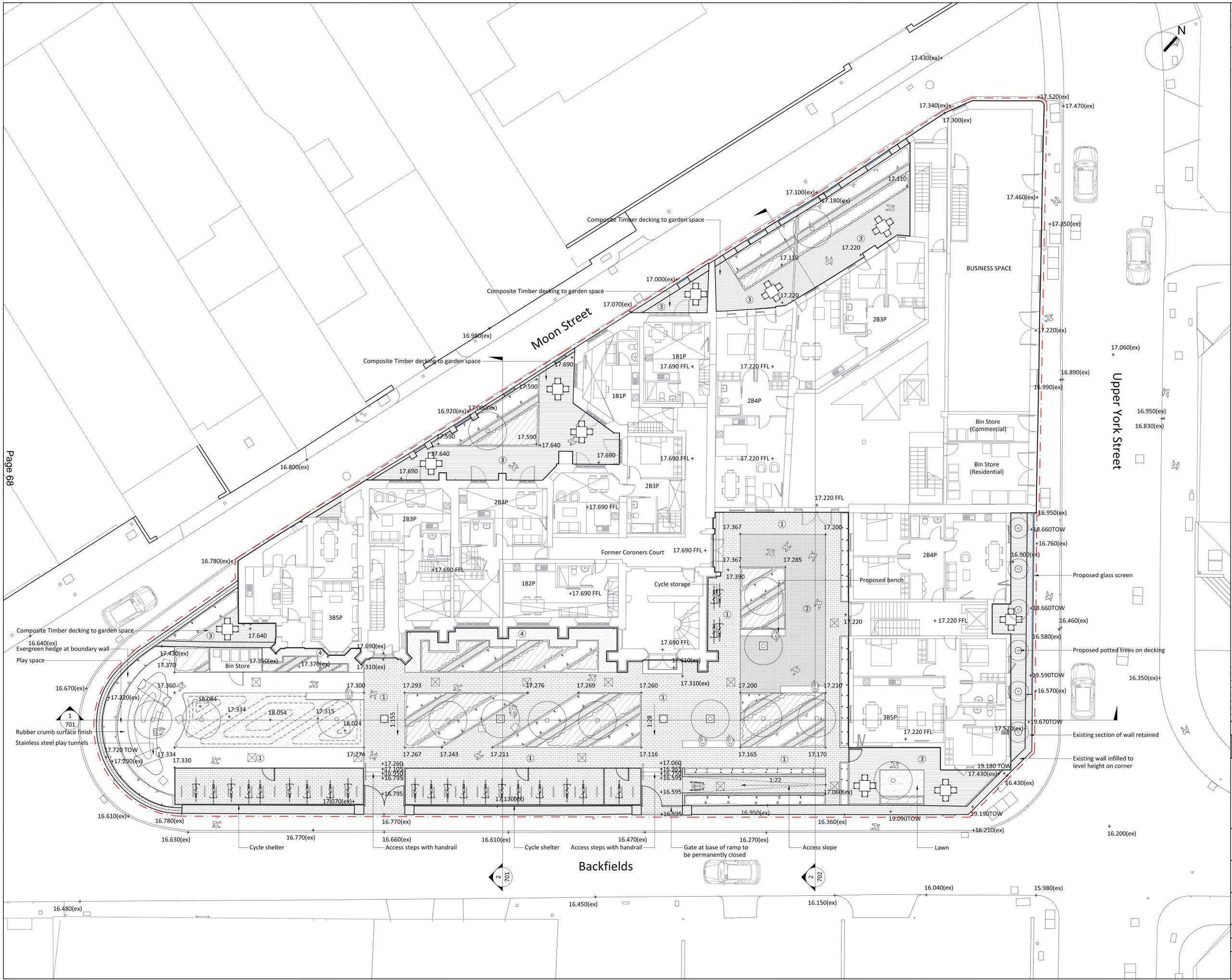
That the Applicant be advised that the Local Planning Authority is disposed to grant Listed Building Consent subject to conditions, for which delegated authority is sought to prepare the draft conditions in consultation with the Applicant in line with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018. A list of expected conditions is included below, albeit the following list is not exhaustive:

- Requirement to commence development within 3 years of the date of decision.
- A condition to request details of M&E in the listed building.
- Conditions to request the submission of further large scale details of works to built-fabric.
- A condition to require details of all new materials, both internal and external.
- Requirement for the development to be carried and to accord with all approved plans/documents.

Supporting Documents

1. 6 Upper York Street

1. Landscape General Arrangement Plan, LTS_098(08)101B
2. Proposed Ground Floor Plan, 112S
3. Proposed First Floor Plan, 113P
4. Proposed Second Floor Plans, 114P
5. Proposed Third Floor Plan, 115Q
6. Proposed Fourth Floor Plan, 116N
7. Proposed Roof Plan, 117K
8. Proposed Elevation Plan (elevations 1 and 2), 120G
9. Proposed Elevation Plan (elevations 3, 4, and 5), 121F
10. Proposed Elevation Plan (elevations 6, 7, and 8), 122F



SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION:

IN ADDITION TO THE HAZARDS / RISKS NORMALLY ASSOCIATED WITH THE TYPES OF WORK DETAILED ON THIS DRAWING, NOTE THE FOLLOWING:

Significant Residual Risks:

Action to be Taken:

- GENERAL NOTES:**
1. ALL DIMENSIONS AND LEVELS SHALL BE CHECKED ON SITE PRIOR TO CONSTRUCTION WORKS COMMENCING.
 2. ALL LANDSCAPE DRAWINGS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTS & ENGINEERS DRAWINGS AND SPECIFICATIONS.
 3. ANY DISCREPANCY CONCERNING THE DRAWINGS SHOULD BE REFERRED TO LANDSCAPE ARCHITECT IMMEDIATELY.
 4. ALL DIMENSIONS ARE IN MILLIMETERS UNLESS NOTED OTHERWISE.
 5. ALL LEVELS ARE IN METERS.
 6. EXISTING SERVICE ALIGNMENTS SHALL BE CHECKED ON SITE BY THE CONTRACTOR PRIOR TO CONSTRUCTION WORK COMMENCING.

Key

- Site boundary line
- Proposed semi-mature trees
- Proposed evergreen hedge
- Proposed herbaceous planting
- Proposed ornamental grass planting
- Natural Yorkstone pavers - 300(x)150(w)x50(d)mm
- Square granite setts
- Composite timber decking
- Gravel
- Rubber crumb
- Existing wall
- Proposed glass screen
- Proposed seating cube
- Proposed visual interest
- Proposed tree pit
- Proposed manhole covers 600x600mm unit size
- +13.250(ex) Existing level
- +12.900 Proposed level

Rev	Date	Description	Drawn	Checked
B	29.01.20	Outline footprint and bike store updated	RB	MND
A	23.11.18	Proposed bin store added	CM	MND

FOR PLANNING

STUDIO

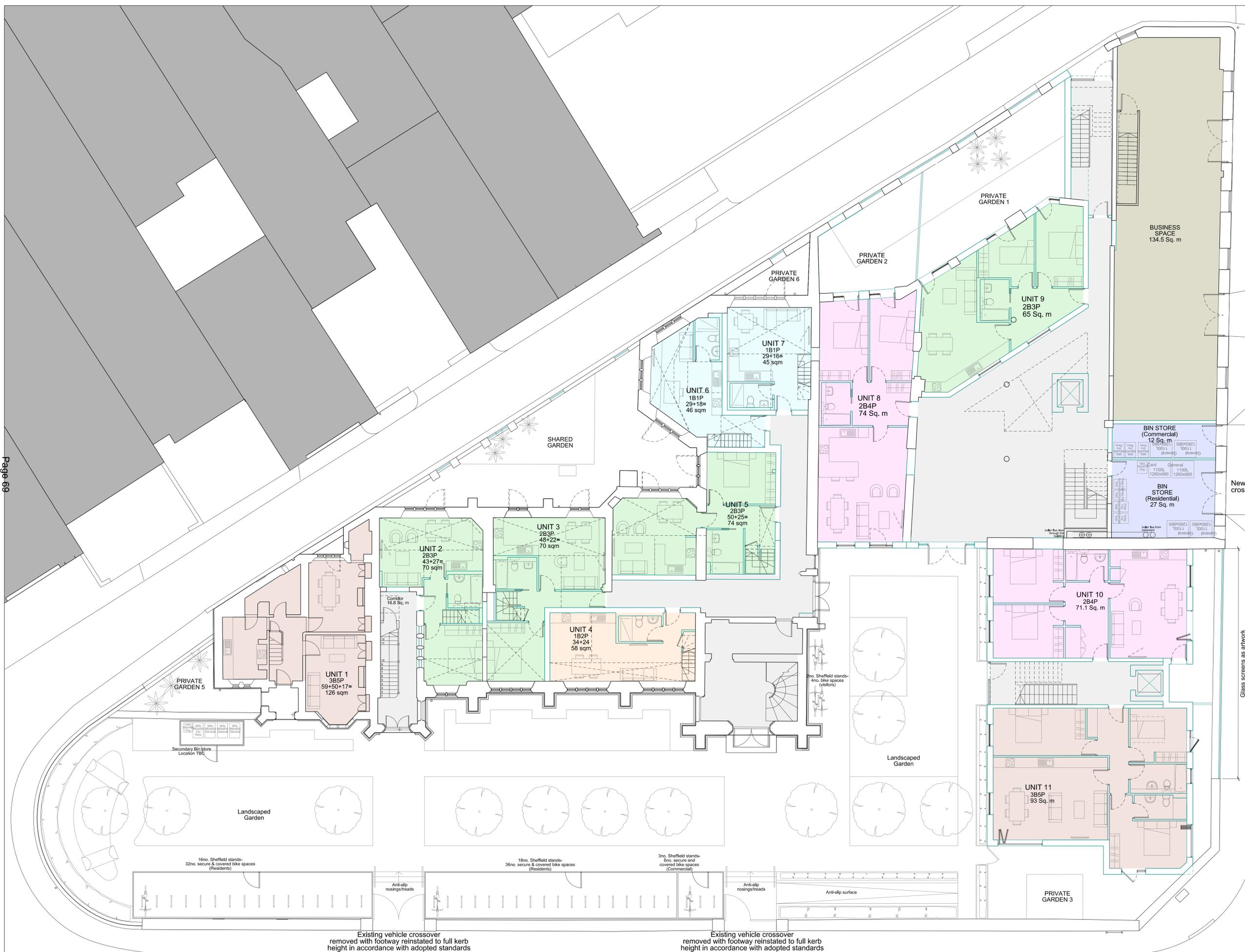
Studio 3, Toll Bridge Studios
Toll Bridge Road
Bath, BA1 7DE
T +44 (0) 1225 571810
E contactus@ltstudio.co.uk

Client: **THE OLD BOTTLEWORKS**

Project: **CORONERS COURT**

Title: **LANDSCAPE GENERAL ARRANGEMENT**

Designed: MND	Drawn: CM	Checked: NJR
Scale @ A1: 1:125	Date: AUG 2018	Approved: MND
Drawing No.: LTS_098(08)101		Revision: B



1:100 @ A1
1:200 @ A3



KEY:

- Business Space
- 1 Bed, 1 Person Flat
- 1 Bed, 2 Persons Flat
- 2 Bed, 3 Persons Flat
- 2 Bed, 4 Persons Flat
- 3 Bed, 5 Persons Flat
- Ancillary Spaces
- Existing Fabric
- New Structure/ walls

Existing crossover to be fully reconstructed to comply with adopted standards

Rev	Date	Description
S	25.02.20	Boiler flue location included. Staircase rationalised.
R	30.01.20	Annotation included and landscape altered
O	15.11.19	Flat 7 to have shower instead of bath. Unit 11 altered to 3 bedroom flat. Atrium design altered. Bedrooms altered in Unit 3.
P	01.10.19	54 units scheme altered to 47no.
N	21.08.19	Coroner's Court layout altered.
M	11.07.19	Footway crossovers indicated. Cycle stands and secondary bin storage included. Glass artwork included.
L	23.11.18	Areas updated.
K	12.11.18	Landscaping included.
J	12.10.18	Unit 10 altered to studio due to deep plan. Annotation for flat number included. Bin & Bike storage included.
H	04.10.18	Bin & Bike storage included.
G	11.07.18	New scheme following Pre-app. Location of pedestrian access onto western public space moved to allow for vehicular access into car parking space. Columns of metal cladding on new built element removed and callievered off the building.
F	09.02.18	Scheme revised following consultation.
E	19.01.18	Unit 15 revised.
D	11.07.17	Cycle storage access revised.
C	29.06.17	Project name revised. Unit distribution revised.
B	16.06.17	Landscape added. Columns in business. Refuse and cycle provision calculated and added in.
A	22.02.17	

Partner	Drawn	Date
TM	TL	10.02.17

Scale
1:100 @ A1 & 1:200 @ A3

Project
6 Upper York Street and Former Coroner's Court

Title
Proposed Ground Floor Plan

Drawing No
16129_112

Status	Revision
PLANNING	S

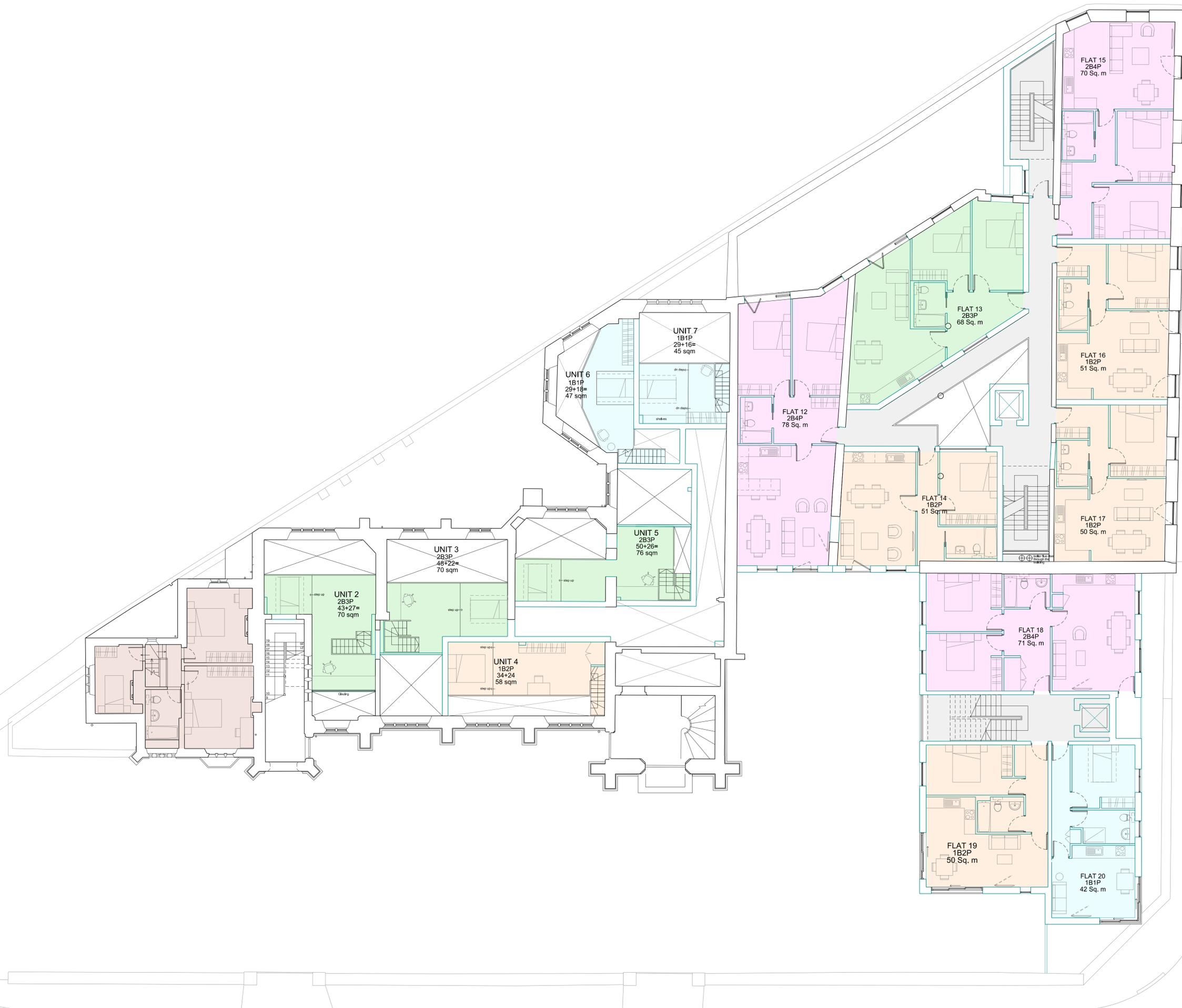


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Bagley Croft, Hinksey Hill, Oxford, OX1 5BS
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KEY:

- Business Space
- 1 Bed, 1 Person Flat
- 1 Bed, 2 Persons Flat
- 2 Bed, 3 Persons Flat
- 2 Bed, 4 Persons Flat
- 3 Bed, 5 Persons Flat
- Ancillary Spaces
- Existing Fabric
- New Structure/ walls



P	25.02.20	Boiler flue included
N	06.12.19	Staircase rationalised
M	15.11.19	Window to Flat 14 increased
L	01.10.19	Flat 20 to have shower instead of a bath
K	21.08.19	Bedrooms in some units altered
J	11.07.19	Altium design altered
H	12.11.18	54 units scheme altered to 47no. scheme
G	12.10.18	Coroner's Court layout altered. Single beds included where needed
F	11.07.18	Juliet balconies indicated
E	19.01.18	Flat 16 altered to studio.
D	11.07.17	Flat 20 & 21 layout altered to suit window position.
C	29.06.17	New Scheme following Pre-application
B	16.06.17	Scheme revised following consultation
A	22.02.17	Unit 27 revised
		Windows added to units 22 and 23
		Project name revised. Unit distribution revised.
		Access drawn. Finns removed. Landscaping.

Rev	Date	Revision
Partner	Drawn	Date
TM	TL	10.02.17

Scale
1:100 @ A1 & 1:200 @ A3

Project
6 Upper York Street and Former Coroner's Court

Title
Proposed First Floor

Drawing No
16129_113

Status	Revision
PLANNING	P



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KEY:

- Business Space
- 1 Bed, 1 Person Flat
- 1 Bed, 2 Persons Flat
- 2 Bed, 3 Persons Flat
- 2 Bed, 4 Persons Flat
- 3 Bed, 5 Persons Flat
- Ancillary Spaces
- Existing Fabric
- New Structure/ walls



P	25.02.20	Boiler flue included
N	08.12.19	Staircase rationalised
M	15.11.19	Window to Flat 29 bedroom enlarged Flat 35 to have shower instead of a bath
K	21.08.19	Bedroom sizes altered in some flats Unit 31 with shower
L	01.10.19	Alum design altered
K	21.08.19	Site scheme altered to 47no. scheme Layout altered in Coroner's Court. Single beds included where required
J	11.07.19	Areas updated
H	12.11.18	Juliet balconies indicated
G	12.10.18	Layout for Flat 33 altered
F	11.07.18	Layout of Flat 38 and 37 updated to suit window position
E	19.01.18	New Scheme following Pre application
D	11.07.17	Scheme revised following consultation
C	29.06.17	Unit 46 revised
B	16.06.17	Windows added to units 41 and 42
A	22.02.17	Project name revised. Unit distribution revised. Access way drawn. Revisions to storage, Landscape.

Rev	Date	Revision
Partner	Drawn	Date
TM	TL	10.02.17

Scale
1:100 @ A1 & 1:200 @ A3

Project
6 Upper York Street and Former Coroner's Court

Title
Proposed Second Floor

Drawing No
16129_114

Status	Revision
PLANNING	P



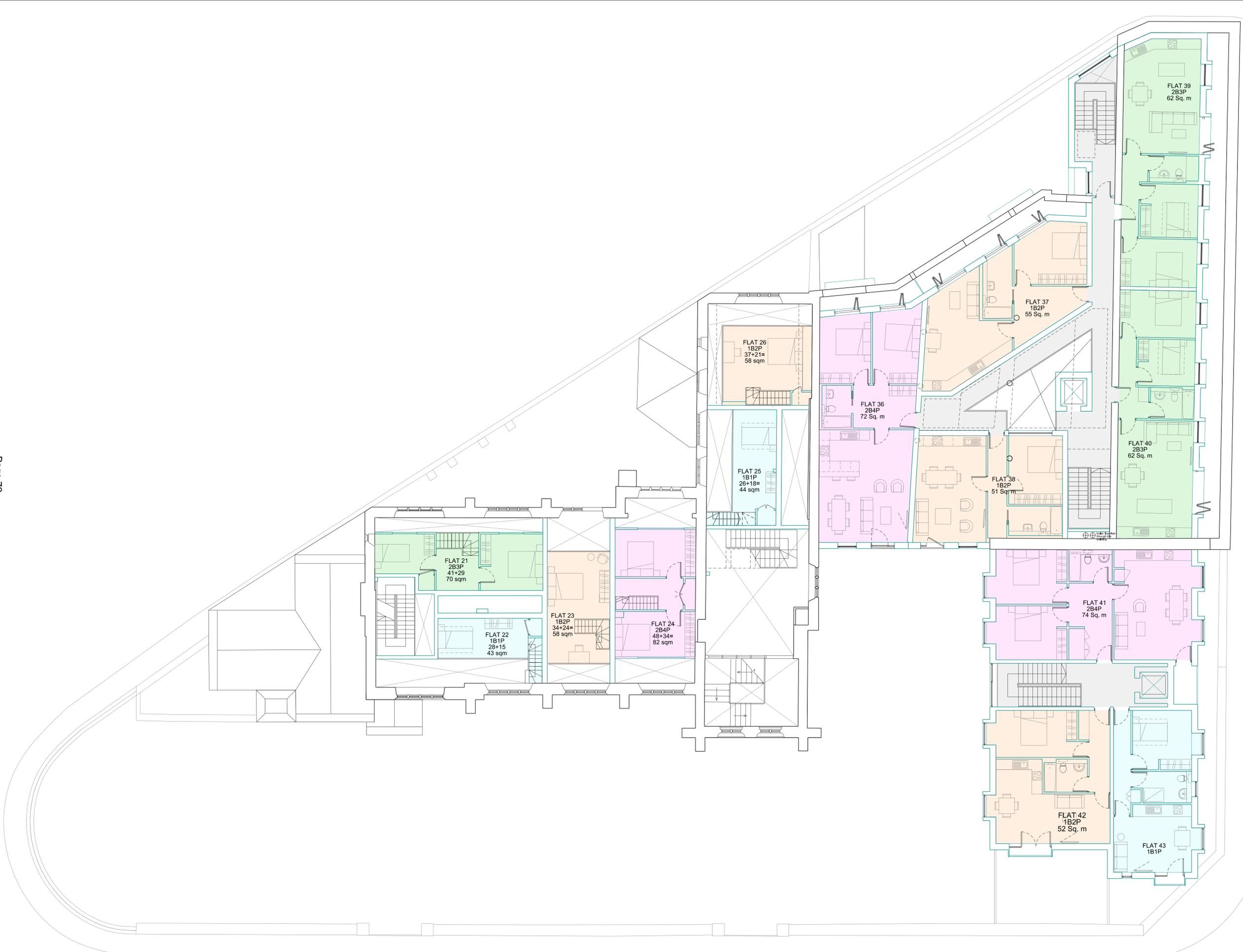
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KEY:

- Business Space
- 1 Bed, 1 Person Flat
- 1 Bed, 2 Persons Flat
- 2 Bed, 3 Persons Flat
- 2 Bed, 4 Persons Flat
- 3 Bed, 5 Persons Flat
- Ancillary Spaces
- Existing Fabric
- New Structure/ walls



- | | | |
|---|----------|------------------------------------------------------------------------|
| Q | 25.02.20 | Boiler flue included |
| P | 06.12.19 | Staircase rationalised |
| N | 15.11.19 | Window to Bedroom of Flat 38 increased |
| M | 01.10.19 | Flat 43 to have a shower instead of a bath |
| L | 21.08.19 | Altim design altered |
| K | 11.07.19 | Bedrooms altered in some areas |
| J | 12.11.18 | Change from 54no. units to 47no. units |
| H | 16.10.18 | Change in internal layout for Coroner's Court |
| G | 12.10.18 | Juliet balconies indicated |
| F | 11.07.18 | Flat 45- colour coding altered to suit. Issued for public consultation |
| E | 19.01.18 | Layout for Flat 43 altered |
| D | 11.07.17 | Window detail included |
| C | 29.06.17 | New scheme following Pre- Application |
| B | 16.06.17 | Scheme revised following consultation |
| A | 22.02.17 | Unit 53 revised, Former Coroner's Court annotation revised. |
| | | Windows added to units 49 and 50 |
| | | Project name revised, Unit distribution revised. |
| | | Access way drawn. Revisions to storage, Landscape. |

Rev	Date	Revision
Partner	Drawn	Date
TM	TL	10.02.17

Scale
1:100 @ A1 & 1:200 @ A3

Project
6 Upper York Street and Former Coroner's Court

Title
Proposed Third Floor

Drawing No
16129_115

Status	Revision
PLANNING	Q

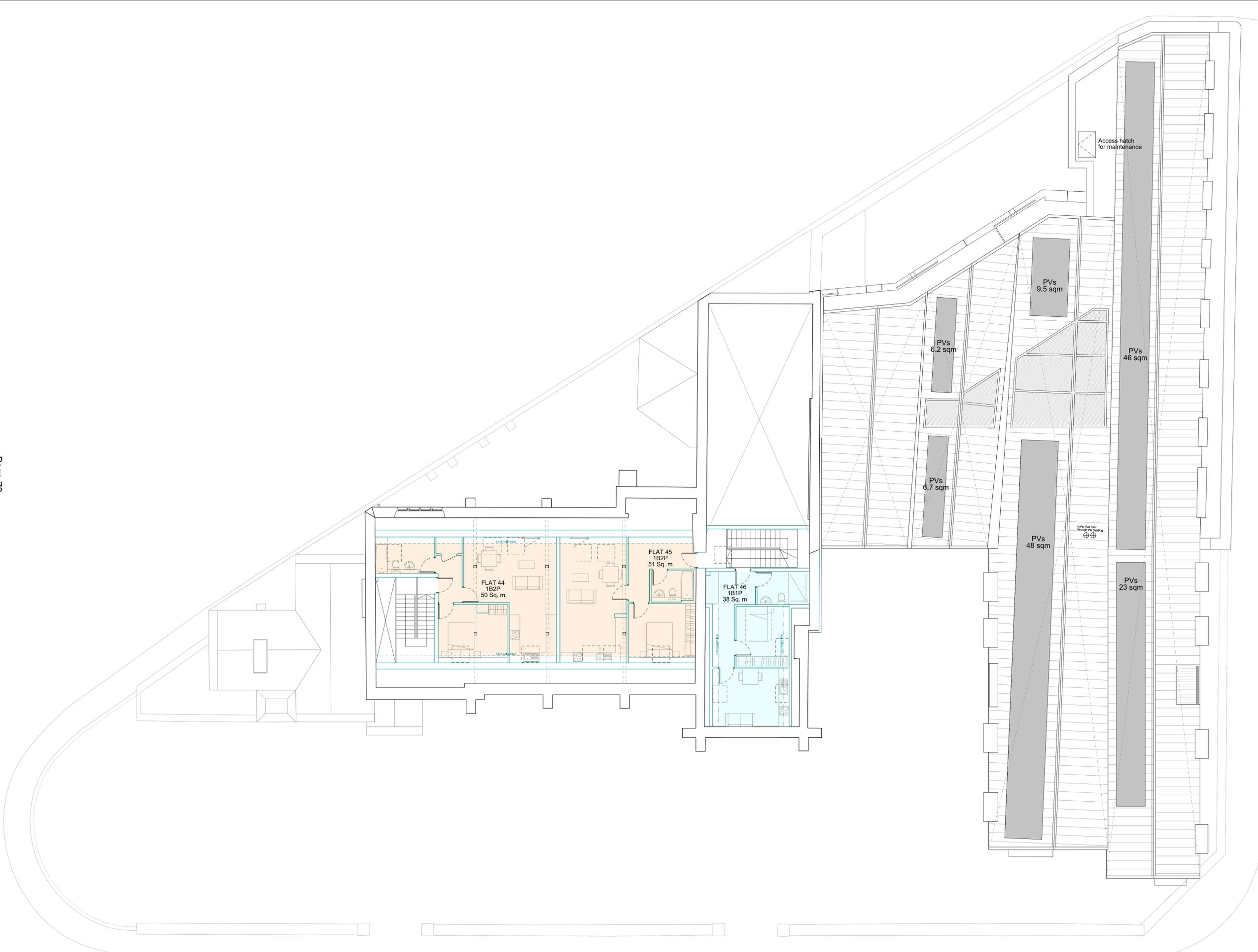


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KEY:

- Business Space
- 1 Bed, 1 Person Flat
- 1 Bed, 2 Persons Flat
- 2 Bed, 3 Persons Flat
- 2 Bed, 4 Persons Flat
- 3 Bed, 5 Persons Flat
- Ancillary Spaces
- Existing Fabric
- New Structure/ walls



N	25.02.20	Boiler Flue positions indicated
M	15.11.19	Window positions altered as walls moved to 1m high
L	01.10.19	skylight positions altered
K	21.08.19	Bedroom sizes altered to be 11.5 sqm
J	11.07.19	54no. scheme altered to 47no. scheme
I	11.07.19	Small changes to allow for drainage
H	12.11.18	PVs and further roof details included
G	12.10.18	Units 52, 53 and 54 layouts altered following further investigations within roof space
F	11.07.18	New scheme following Pre-app
E	19.01.18	Additional Floor added in New Block.
D	11.07.17	Annotation revised.
C	29.06.17	Roofs revised to suit
B	16.06.17	Project name revised. Unit distribution revised.
A	22.02.17	Access way drawn. Revisions to storage, Landscape, Revision

Partner	Drawn	Date
TM	TL	10.02.17

Scale
1:100 @ A1 & 1:200 @ A3

Project
6 Upper York Street and Former Coroner's Court

Title
Proposed Fourth Floor

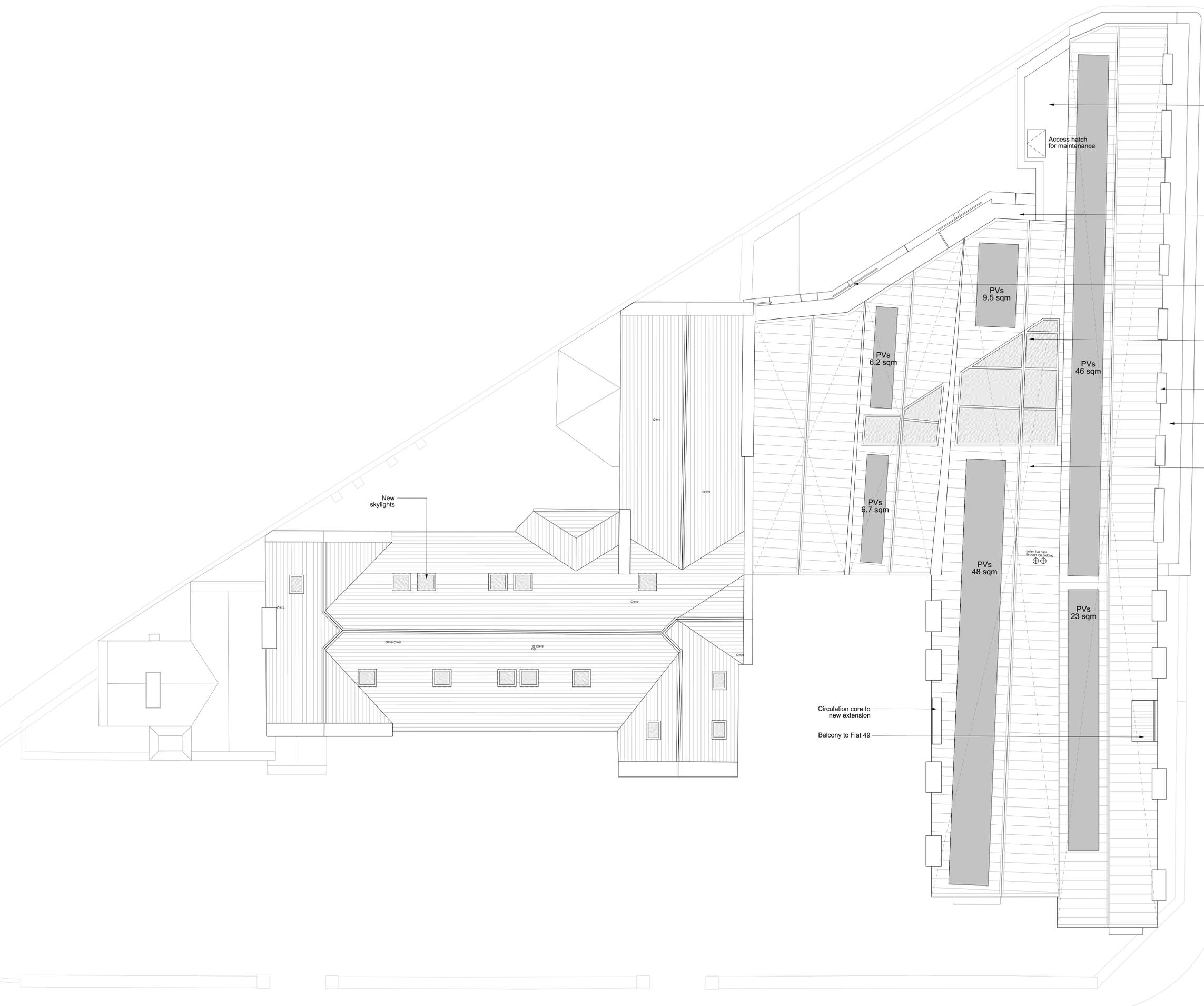
Drawing No
16129_116

Status	Revision
PLANNING	N



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Flat roof to new staircase

Access hatch for maintenance

Balconies to Flat 44 & 45 with roof extension recessed from existing building line

Balustrades fitted to achieve minimum barrier height

Skylights to introduce light within the atrium

Pop-out windows

Balconies to Flat 47 & 48 with roof extension recessed from existing building line

Metal Cladding Red/ brown colour

New skylights

Circulation core to new extension

Balcony to Flat 49

K	25.02.20	Boiler Flues indicated
J	21.08.19	SVPs on the roof & skylights altered/ included to suit 47no. scheme
H	11.07.19	SVPs on the roof included
G	12.11.18	Roof design adjusted to suit layout Status altered to Planning
F	11.07.18	New scheme following Pre-app
E	19.01.18	Scheme revised following consultation
D	03.01.18	Roofs revised to suit
C	29.06.17	Roofs revised to suit
B	16.06.17	Project name revised. Unit distribution revised.
A	22.02.17	Access way drawn. Revisions to storage, Landscape.

Rev	Date	Revision
Partner	Drawn	Date
TM	TL	10.02.17

Scale
1:100 @ A1 & 1:200 @ A3

Project
6 Upper York Street and Former Coroner's Court

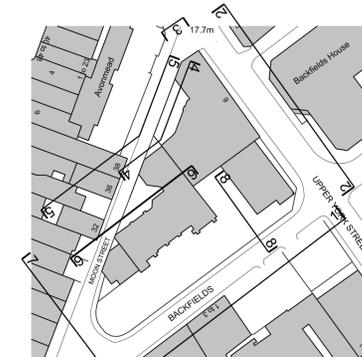
Title
Proposed Roof Plan

Drawing No
16129_117

Status	Revision
PLANNING	K



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KEY:

Materials:

- Brickwork in an English Bond Cream/ Brown colour
- Standing Seam Metal Cladding Red/ brown colour

Window Treatment:

- Existing windows to be retained Secondary Glazing included
- New double-glazing fittings
- New windows to match existing Secondary Glazing included

ELEVATION 1



ELEVATION 2

Rev	Date	Revision
G	25.02.20	Communal boiler flue indicated
F	23.01.20	Elevations updated to suit 46 units scheme
E	19.11.18	Colour included
D	12.11.18	Revised scheme following Pre-app
C	19.01.18	Scheme revised following consultation.
B	20.06.17	Elevations revised to suit increase of units.
A	22.02.17	Landscape retained adjusted.

Partner	Drawn	Date
TM	TL	10.02.17

Scale
1:100 @ A1 & 1:200 @ A3

Project
6 Upper York Street and Former Coroner's Court

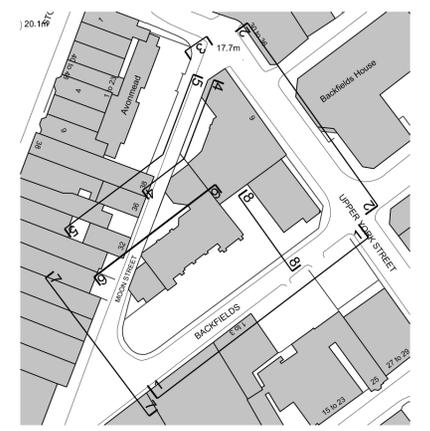
Title
Proposed Elevations

Drawing No
16129_120

Status	Revision
PLANNING	G



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ELEVATION 5

- KEY:**
- Materials:**
- Brickwork in an English Bond Cream/ Brown colour
 - Standing Seam Metal Cladding Red/ brown colour
 - Brickwork in an English Bond Red colour
- Window Treatment:**
- Existing windows to be retained Secondary Glazing included
 - New double-glazing fittings
 - New windows to match existing Secondary Glazing included
 - Glass Screen as artwork

Rev	Date	Revision
F	23.01.20	Elevations updated to suit 46 units scheme
E	26.11.18	Glass art updated on Elevation 5
D	19.11.18	Colour added and glass panels along boundary included
C	12.11.18	Scheme revised following Pre-application Advice
B	19.01.18	Scheme revised following consultation
A	20.06.17	Elevations revised to suit increase of units.

Partner	Drawn	Date
TM	TL	10.02.17

Scale
1:100 @ A1 & 1:200 @ A3

Project
6 Upper York Street and Former Coroner's Court

Title
Proposed Elevations

Drawing No
16129_121

Status	Revision
PLANNING	F



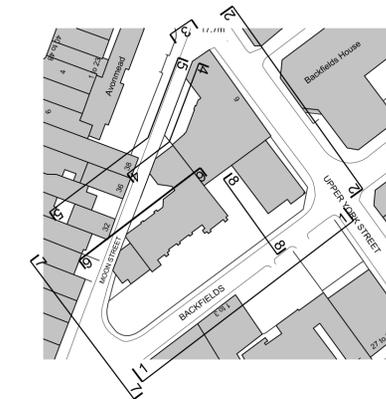
ELEVATION 4



ELEVATION 3



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ELEVATION 6

- KEY:**
- Materials:**
- Brickwork in an English Bond Cream/ Brown colour
 - Standing Seam Metal Cladding Red/ brown colour
- Window Treatment:**
- Existing windows to be retained Secondary Glazing included
 - New double-glazing fittings
 - New windows to match existing Secondary Glazing included
 - Glass Screen as artwork



ELEVATION 7



ELEVATION 8

Rev	Date	Revision
F	23.01.20	Elevations updated to suit 46no. units scheme
E	19.11.18	Colour included
D	12.11.18	Scheme updated following Pre-app
C	09.02.18	Frame for metal cladding on Elevation 7 stopped at 1F level
B	19.01.18	Scheme revised following consultation
A	20.06.17	Elevations revised to suit increase of units.

Partner	Drawn	Date
TM	TL	10.02.17

Scale
1:100 @ A1 & 1:200 @ A3

Project
6 Upper York Street and Former Coroner's Court

Title
Proposed Elevations

Drawing No
16129_122

Status	Revision
PLANNING	F



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Development Control Committee B – 18 March 2020

ITEM NO. 2

WARD: Redland

SITE ADDRESS: 7 Belvedere Road Bristol BS6 7JG

APPLICATION NO: 19/03104/F Full Planning

DETERMINATION DEADLINE: 25 March 2020

Change of use from 3 x flats to a 17 x bed extension to the nursing home at 8-9 Belvedere Road.

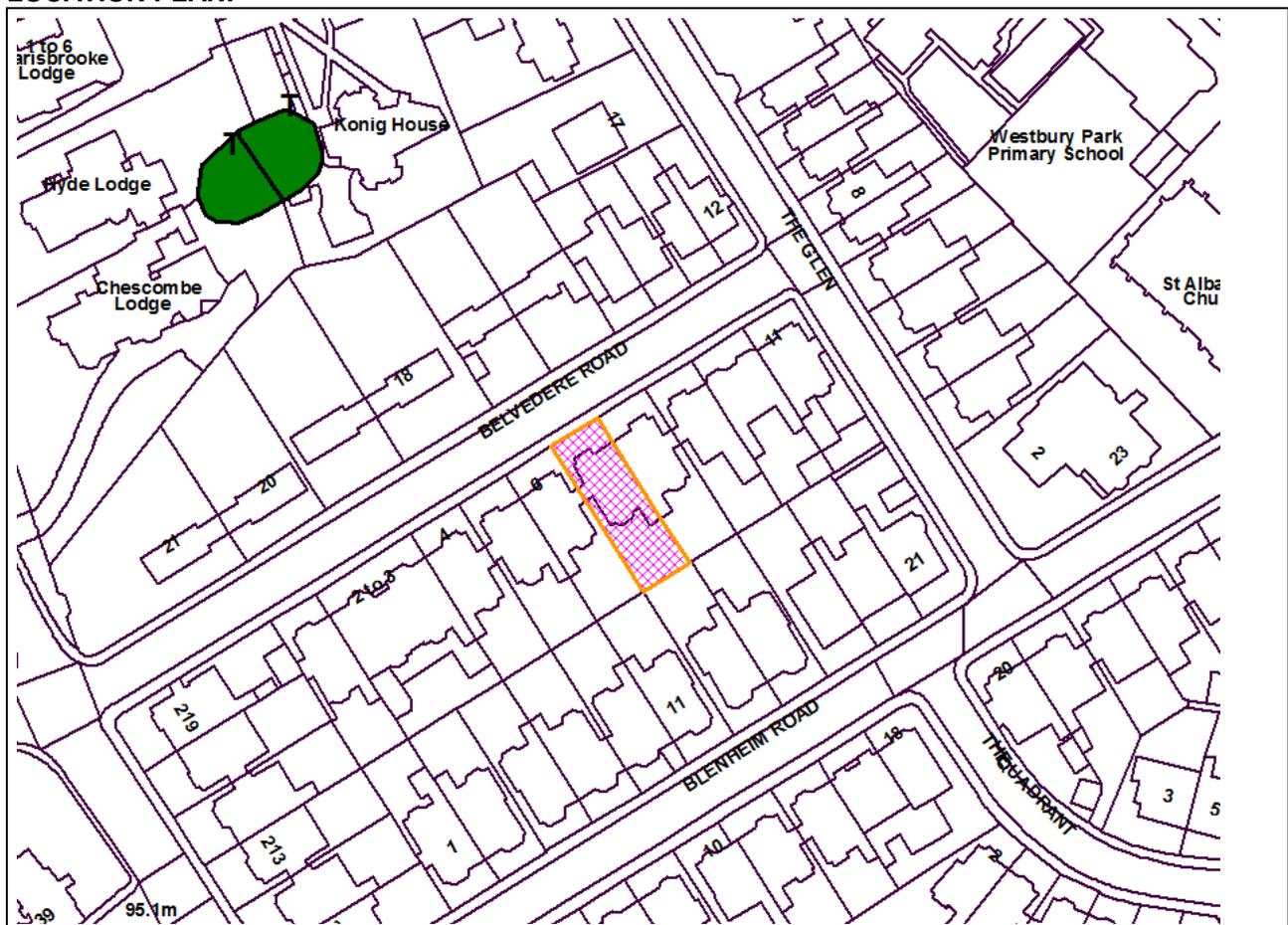
RECOMMENDATION: GRANT subject to Planning Agreement

AGENT: OXF Architects
4 Bruton Place
Bristol
BS8 1JN

APPLICANT: Meadowcare Homes
2-3 Belvedere Road
BS6 7JG

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

LOCATION PLAN:



Development Control Committee B – 18 March 2020
Application No. 19/03104/F : 7 Belvedere Road Bristol BS6 7JG

SITE DESCRIPTION

This application relates to a three-storey building known as 7 Belvedere Road, in Redland, north Bristol.

The building is split into three flats: a maisonette at ground floor and basement level; a flat at first floor level and another flat at second floor level. Each unit is in residential use under Use Class C3. Access to the building is maintained through a single storey porch to the side of the building.

The building is constructed in pennant stone and render and features a large bay window at the front elevation.

Belvedere Road includes a number of identical, large, late-Victorian townhouses which have largely been subdivided into maisonettes or flats, with two no. elderly peoples' homes / assisted living units. Historic maps indicate that 7 Belvedere Road was constructed around 1900.

Belvedere Road is a two-way street, lined on both sides with unallocated car parking. The site is on the outside edge of the Cotham North Residents' Parking Scheme.

The site is located within the Downs Conservation Area.

APPLICATION

This application seeks full planning permission for the conversion of the existing building known as 7 Belvedere Road, containing three residential units (Use Class C3) to create a residential institution (use class C2) for people who require nursing or personal care.

The proposed development would result in the rearrangement and subdivision of the internal spaces within the building to form 17 no. bedrooms. The building would form part of the adjacent Glenview Nursing Home, with new openings proposed to be created in the side-facing wall between 7 and 8 Belvedere Road at basement, ground, first and second floors.

At basement level, the proposed converted building would consist of a laundry, a lounge and two no. bedrooms. Each of the bedrooms would be afforded with an en-suite bathroom.

At ground floor level, the proposed care home would consist of five no. bedrooms, each with an en-suite bathroom. Access to this part of the building would be retained through the porch to the side of the building. The extension to the existing care home would also enable an increase in size to one of the existing bedrooms at 8 Belvedere Road.

A further 10 bedrooms are proposed to be split across the first and second floors. Each of these bedrooms would have an en-suite bathroom and at least one window.

External alterations to the building are limited to the replacement of the front entrance with a window and the erection of a dormer to the rear roof elevation and a dormer to the side roof. The proposed development would also require some excavation to create lightwells down to basement bedrooms / living areas.

The garden to the rear of the building would be retained, with access to this area created through the lounge at basement level.

Cycle parking for residents and staff would be proposed to the front of the building in the form of a three space 'Asgard' secure container.

Development Control Committee B – 18 March 2020
Application No. 19/03104/F : 7 Belvedere Road Bristol BS6 7JG

An additional bin store (further to the existing one provided as part of the current Glenview Nursing Home) would be situated to the front of the building.

Landscaping is proposed along the frontage with Belvedere Road to reduce the visual impact of the proposed bin and cycle stores.

RELEVANT HISTORY

Application site:

17/04752/F - Change of use from 3 x flats to a 17 x bed extension to the nursing home at 8-9 Belvedere Road. External alterations to building including rear extension and side and rear dormer roof extension. – WITHDRAWN.

A previous application for a similar proposal was withdrawn due to concerns about the impact of the proposals on the highway network, the impact upon the appearance of the building and the surrounding Conservation Area and the absence of a justification for the loss of the three flats.

18/03500/F - Extension of existing basement level to create enlarged single residential dwelling (use class C3) – GRANTED subject to condition(s).

Adjacent sites:

08/02673/F - Construction of a new central entrance area linking Nos 8 & 9 Belvedere Road and extension to first and second floors above, and single storey rear extension to form a 40 bed nursing home. – GRANTED subject to condition(s).

RESPONSE TO PUBLICITY AND CONSULTATION

Public comments

125 comments were received from 117 interested parties.

55 of these comments were in support of the scheme. The following issues were raised:

- The proposed development responds to much-needed specialist healthcare
- The proposed development would enable the continuation of excellent and accessible care for the local community
- The proposed development would provide local employment opportunities
- Opportunity for enhanced amenity for future occupiers of the proposed development

62 of these comments objected to the scheme. The following planning issues were raised:

- Concerns about the impact of the proposed development on local parking provision and associated highways safety
- Concerns about the impact of the proposed development on local congestion, including by emergency vehicles and delivery vehicles
- Concerns about waste disposal and its impact on street scene and local amenity
- Concerns about potential noise, disruption and dust that would be caused by construction
- Concern about the effect of the proposed development on the Conservation Area and local cultural heritage
- Concern that the proposal would result in a disproportionate intensification of the site's existing use
- Concern about loss of outlook to the detriment of residential amenity
- Concern about the impact on the balance and character of this residential neighbourhood
- Concern that the proposed development would involve a loss of residential housing for the local community

Development Control Committee B – 18 March 2020
Application No. 19/03104/F : 7 Belvedere Road Bristol BS6 7JG

Internal consultees

Transport Development Management – No objection

The initial comments from TDM are available in full on the Bristol City Council website. The officer requested the submission of the following information:

- An updated travel plan
- An updated car parking survey, undertaken during operation/visiting hours
- Details of additional waste provision
- Details of cycle parking

Upon submission of the above, the following comment was provided in response by the TDM officer:

“Having reviewed the additional parking survey and given that the extension would only result in a maximum of two new staff on site between 0800 and 1400 it is considered that there would not be an unacceptable impact on parking in the area.

With regard to the issues with emergency vehicles and deliveries detailed within photos provided by neighbours, it is felt that the introduction of two loading bays, at the expense of the developer, would be sufficient in addressing any issues caused by the servicing of the development. The concerns of the residents are appreciated however with the introduction of formal loading areas this should go some way in alleviating the issues outlined.

The provision of a further area for waste storage is welcomed and it is recommended that a condition is attached to any permission to ensure that bins are stored within this area and only left out on collection days.”

City Design Group – No objection (Surgery Item)

The proposed external alterations are considered to be minor in nature, and the use of landscaping to reduce the visual impact of bin and bike stores is supported. It is recommended that a landscaping / planting plan is secured via condition.

The proposed excavation to increase the area of the basement of level is considered to have a limited impact upon the Conservation Area given the extent to which this has been implemented elsewhere on Belvedere Road at no's. 8 to 11 adjacent.

Both of the dormers and the new window are considered to be minor alterations that would not be out of keeping with the building.

RELEVANT POLICIES

National Planning Policy Framework – February 2019
Bristol Local Plan, Comprising Core Strategy (Adopted June 2011), Site Allocation and Development Management Policies (Adopted July 2014).

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

Development Control Committee B – 18 March 2020
Application No. 19/03104/F : 7 Belvedere Road Bristol BS6 7JG

KEY ISSUES

A. IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN PRINCIPLE?

Policy BCS5 sets out that the Core Strategy aims to deliver new homes within Bristol's existing built up areas to contribute towards accommodating a growing number of people and households in the city. In order to maintain the net housing stock, the Policy states that existing homes will be retained unless they are unsuitable for residential uses, would be used for essential local community facilities or would be replaced.

Policy BCS12 states that community facilities should be located where there is a choice of travel options and should be accessible to all members of the community. Where possible community facilities should be located within existing centres.

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

Policy DM2 outlines that a range of housing and care options that promote and maintain housing independence for older people will be encouraged. Older persons' housing should be located close to shops and services, open space and public transport routes. Where possible, it should meet the Lifetime Homes Standards and 20% of the units should be wheelchair accessible or adaptable for wheelchair users.

Full planning permission is sought for the conversion of three no flats into a 17-bed care home connected to Glenview Nursing Home, which currently occupies 8 and 9 Belvedere Road.

Policy BCS5 requires the retention of existing housing stock in order to meet the Core Strategy aim to deliver new homes within Bristol.

Whilst it is noted that the proposed development would result in the loss of some family housing, it is considered that the proposed conversion would retain the overarching residential nature of the property by providing living accommodation, whilst also providing a local community facility by offering care to individuals that require such support. This would accord with Policy BCS5.

The extent to which the proposed development is needed and justified as an 'essential' local community facility, required by Policy BCS5 is set out within the Needs Assessment Report (London Care & Support Forum, March 2019) which outlines the increasing demand for dementia care at both a national and a local level, and the current issues faced by individuals being referred to hospitals where such care facilities are not available. This is considered to be a compelling needs case and as such, the change of use is justified.

As required by Policy BCS12 and Policy DM2, the proposed development would be within an accessible location a short distance from bus stops on both Westbury Road and Coldharbour Road. The nearest local centre is located approximately 350 metres away on Coldharbour Road (circa 5-10 min walk) with a larger, district centre located approximately 700 metres away (15 min walk) on North View in Westbury Park. Further detail regarding transport and accessibility is included within Key Issue B.

Assessment of the accessibility of the proposed units under Policy DM2 is set out under Key Issue C.

In conclusion, the proposed development is considered to be acceptable in principle.

Development Control Committee B – 18 March 2020
Application No. 19/03104/F : 7 Belvedere Road Bristol BS6 7JG

B. IS THE IMPACT OF THE PROPOSED DEVELOPMENT UPON TRANSPORT AND HIGHWAYS ACCEPTABLE?

Policy BCS10 states that developments should be designed and located to ensure the provision of safe streets. Development should create places and streets where traffic and other activities are integrated and where buildings, spaces and the needs of people shape the area.

Policy DM23 of the Site Allocations and Development Management Policies outlines that development should not give rise to unacceptable traffic conditions and will be expected to provide safe and adequate access onto the highway network.

The proposed development would result in the provision of 17 no. bedrooms for those requiring nursing or personal care and would result in the loss of three no. residential flats.

To support the application the applicant has provided a transport statement, a car parking survey and a travel plan. Each of these has been reviewed by Transport Development Management and no objection has been raised in relation to the proposed development.

A large number of the public comments have been submitted in objection to the proposed development on the basis of concerns around the impact on parking and impacts as a result of loading, deliveries and ambulances. Evidence in the form of photos has been provided to the Local Planning Authority and these have been reviewed by TDM.

The Travel Plan submitted by the Applicant outlines that there would be up to an additional 2 staff onsite between 8am and 2pm, with this reducing to 1 member of staff overnight and after 2pm. There would likely be 2 additional deliveries per week. Refuse collection would occur largely as existing given the current levels of occupancy with the three flats.

The applicant has undertaken two car parking surveys which demonstrated that there were 9 on-street car parking spaces between 10am and 12pm on Tuesday 3rd December and 10 on-street car parking spaces between 2pm and 4pm the following day (Wednesday 4th December).

The Travel Plan demonstrates that the proposed extension would result in up to 1 additional car requiring parking, which is sufficiently less than the numbers of car parking spaces available as demonstrated within the Parking Survey. The Parking Survey also demonstrates that there is some level of parking availability within the area for any potential visitors during the day.

In order to address any potential issues associated with additional deliveries and emergency vehicles, the introduction of two loading bays must be secured via TRO at the expense of the developer.

It is clear that there is an existing issue with deliveries / emergency vehicles stopping in the middle of Belvedere Road. Whilst beyond the assessment of this application, which must be considered on the basis of the information above, it is considered that the provision of these additional two loading bays may reduce the risk of any inconsiderate parking / stopping related to the existing Glenview Nursing Home.

Concerns have also been raised about the impact of bins being left out and the potential for this to block potential car parking spaces. A condition would be added to a permission to ensure that bins are stored solely within the area identified on drawing PO5C and that they would only be left out on collection days.

Due to the impact this proposal would have on the highway network during the demolition/construction period the applicant should be required to produce and submit a construction management plan prior to the commencement of development. This would be secured via condition.

Development Control Committee B – 18 March 2020
Application No. 19/03104/F : 7 Belvedere Road Bristol BS6 7JG

Overall, it is considered that the proposed extension would have a limited impact upon the highway, resulting in just one additional car being used by staff and just two additional deliveries/servicing movements per week. These impacts would be reduced by the provision of two delivery bays at the expense of the developer and it is considered that sufficient parking would remain available to other residents once these bays are implemented.

C. WOULD THE PROPOSED DEVELOPMENT BE OUT OF SCALE OR CONTEXT WITH THE CONSERVATION AREA?

Paragraph 193 of the National Planning Policy Framework (NPPF) outlines that:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy BCS20 sets out that an appropriate density should be informed by the characteristics of the site and the local context.

Policy BCS21 advocates that new development should deliver high quality urban design that contributes positively to an area's character and identity, whilst safeguarding the amenity of existing development.

Policy BCS22 and Policy DM31 state that development proposals will safeguard or enhance heritage assets such as the character and setting of Conservation Areas.

The application site is within the Downs Conservation and 7 Belvedere Road is a characterful Victorian building constructed in pennant stone and render with large bay windows.

The proposed development would be compliant with the Policy DM2 requirement for 20% of the units to be wheelchair accessible.

The proposed development would result in the loss of the existing front door and replacement with a sash window to match the adjacent windows, the construction of two dormers (one to the side elevation and one to the rear elevation) and excavation of part of the front and rear curtilage of the site to create lightwells.

On the basis of the adjacent buildings on Belvedere Road which are of uniform type and appearance, it would appear that the front door is a later addition to 7 Belvedere Road, with access originally gained via the single storey porch to the side of the building. As such, it is considered that the proposed removal of this door and replacement with a sash window to match the adjacent windows would enhance the character of the dwelling and in turn provide a benefit to the character of the Conservation Area by returning it back to its historic appearance.

The proposed rear dormer would not be visible from the public realm and would therefore have a limited impact upon the Conservation Area. The dormer has been designed to take the same form as the existing dormer at 8 Belvedere Road and is considered to be acceptable in terms of design.

The proposed side dormer would sit comfortably within the roof slope given its small nature and would have a limited impact upon character of the building or the Conservation Area.

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Application No. 19/03104/F : 7 Belvedere Road Bristol BS6 7JG

The proposed landscaping to the front of the building would minimise the impact of the proposed bin stores and cycle store.

The proposed excavations would have a less than substantial harm on the character of the building and the Conservation Area given the existing prevalence of such lightwells and basement extensions. This would be outweighed by the public benefit of providing care home accommodation.

Conditions should be attached to any recommendation for approval to secure construction details of the proposed new window, details of materials for the proposed window and the new dormers and for the submission of a landscaping scheme.

It is considered that the proposed development would be in keeping with the character of the Conservation Area.

D. WOULD THE PROPOSED DEVELOPMENT CAUSE ANY UNACCEPTABLE HARM TO RESIDENTIAL AMENITY?

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

Policy DM30 states that proposals should not prejudice the existing and future development potential of adjoining sites.

The proposed development consists of only minor external alterations to the existing building which are unlikely to have an impact upon neighbours in terms of overlooking, overshadowing or creating a sense of overbearing.

The construction period is anticipated to be short given the nature of the works and a construction environmental management would be secured via condition to reduce any potential impacts upon neighbours.

The proposed use would remain residential in its nature and the level of occupancy would not increase significantly to result in unacceptable harm to amenity through noise and disturbance.

It is considered that the proposed development not have any unacceptable impacts upon neighbours.

The proposed development would create 17 no. new bedrooms for residents in need of care.

Each of the proposed rooms would benefit from having a window and an en-suite bathroom.

The garden to the rear of the building would be retained and provide amenity space for residents, as well as the existing garden to the rear of 8-9 Belvedere Road.

Each of the rooms would exceed the requirements for a double-bedroom as set out in the Nationally Described Space Standards; with bedroom sizes ranging from a minimum of 13sqm up to 22sqm (in excess of the minimum 11.5sqm standard).

It is considered that the proposed development would offer sufficient space for future occupiers.

In conclusion, the proposed development is considered to be acceptable in terms of residential amenity.

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F. HAS SUFFICIENT CONSIDERATION BEEN GIVEN TO SUSTAINABLE DESIGN AND CONSTRUCTION?

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

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

The proposed development would include the provision of an air source heat pump to provide heating to the building. The Energy Statement and Sustainability submitted with the application sets out that the proposed development would comply with Part L of the Building Regulations and the inclusion of a heat hierarchy-compliant air source heat pump would achieve an energy saving of approximately 22%. This would accord with Policy BCS14.

In conclusion, it is considered that sufficient consideration has been given the sustainable design and construction.

PLANNING AGREEMENT

A payment of £5724 for a TRO for the introduction of two loading bays.

RECOMMENDED GRANT subject to planning agreement

Time Limit for the commencement of development

1. Full Planning Permission

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

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

Pre-commencement conditions

2. Highway works – General Arrangement Plan

No development shall take place until general arrangement plan(s) to a scale of 1:200 showing the following works to the adopted highway has been submitted to and approved in writing by the Local Planning Authority.

Provision of two no. loading bays adjacent to no 7 Belvedere Road

Where applicable indicating proposals for:

- Existing levels of the finished highway tying into building threshold levels
- Alterations to waiting restrictions or other Traffic Regulation Orders to enable the works
- Extent of any stopping up, diversion or dedication of new highway (including all public rights of way shown on the definitive map and statement)

No development shall take place over the route of any public right of way prior to the confirmation of a Town & Country Planning Act 1990 path diversion/stopping up order.

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Prior to occupation these works shall be completed to the satisfaction of the Highway Authority and approved in writing by the Local Planning Authority.

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

3. Further details of new window before relevant element started

Detailed drawings at an appropriate scale of the proposed new window in the front elevation shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The detail thereby approved shall be carried out in accordance with that approval.

Reason: In the interests of visual amenity and the character of the area.

4. Submission of samples before specified elements started

Samples or further details of the proposed materials for new windows and dormers shall be submitted to and be approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved samples before the building is occupied.

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

5. Construction management plan

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

- 24 hour emergency contact number;
- Hours of operation;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes for construction traffic;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians)
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

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

6. Air source heat pumps

Prior to the commencement of the relevant part of the works hereby approved details relating to the air source heat pumps (including the exact location, dimensions, design/technical specification and method of fixing) shall be submitted to and agreed in writing by the Local Planning Authority. The approved equipment shall be installed and operational prior to the first occupation of the use which they serve and retained as operational thereafter in perpetuity.

Reason: To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions and to ensure that the external appearance of the building is satisfactory.

Pre-occupation conditions

7. Land affected by contamination - Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken if contamination is found and where remediation is necessary a remediation scheme must be prepared in accordance with the findings of any risk assessment, which is to be submitted to and be approved in writing by the Local Planning Authority.

Should a remediation scheme be required, 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.

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

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

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

9. Completion and Maintenance of Vehicular Servicing facilities – Shown on approved plans

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

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

10. 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.

11. Submission and Approval of Landscaping Scheme

No building or use hereby permitted shall be occupied or the use commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection, in the course of development. The approved scheme shall be implemented so that planting is carried out no later than the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

Reason: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory.

Post-occupation management

12. External Works to Match

All new external work and finishes and work of making good shall match existing original work adjacent in respect of materials used, detailed execution and finished appearance except where indicated otherwise on the approved drawings.

Reason: In the interests of visual amenity and the character of the area.

List of Approved Plans and Drawings

13. 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:

Sustainability Statement, received 10 July 2019
 Heritage statement, received 10 July 2019
 Supporting planning statement, received 10 July 2019
 3143 P03A Existing floor plans, received 10 July 2019
 3143 P04 Existing elevations, received 10 July 2019
 3143 P05A Proposed floor plans, received 17 December 2019
 3143 P06A Proposed elevations, received 10 July 2019
 Construction method statement, received 10 July 2019
 Cover letter, received 10 July 2019
 Excavation method statement, received 10 July 2019
 Needs assessment report, received 10 July 2019

Development Control Committee B – 18 March 2020
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Transport statement, received 10 July 2019

Travel Plan, received 8 October 2019

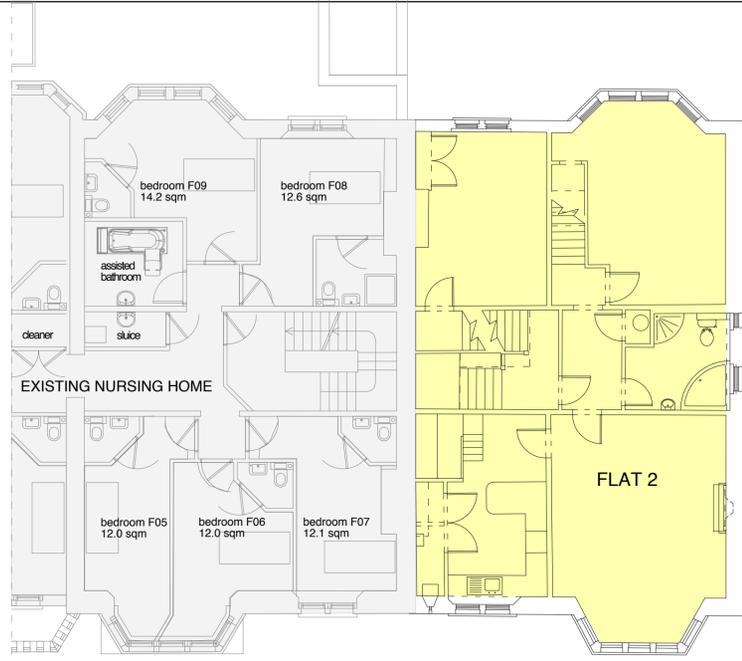
Car Parking Provision Review (Survey), received 17 December 2019

Reason: For the avoidance of doubt.

Supporting Documents

2. 7 Belvedere Road

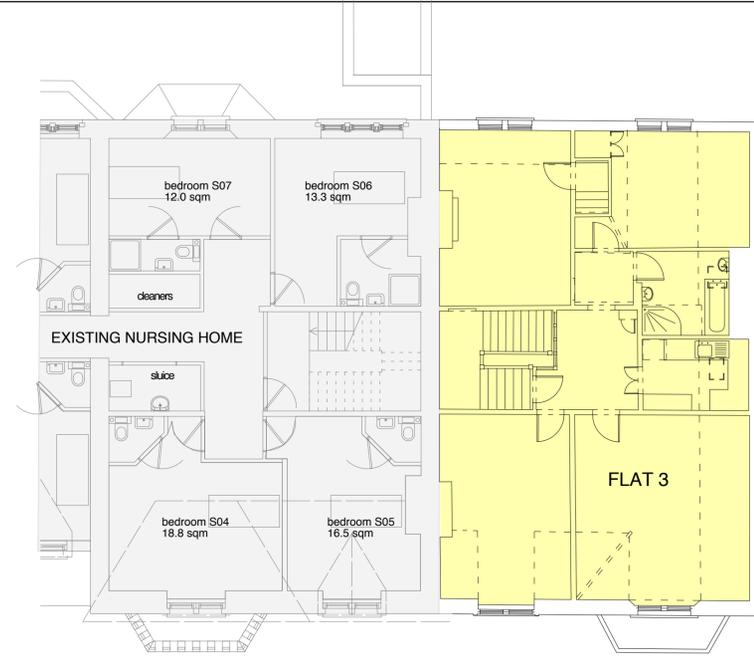
1. Existing floor plans
2. Proposed floor plans
3. Proposed elevations
4. Car working paper



No. 8

No. 7

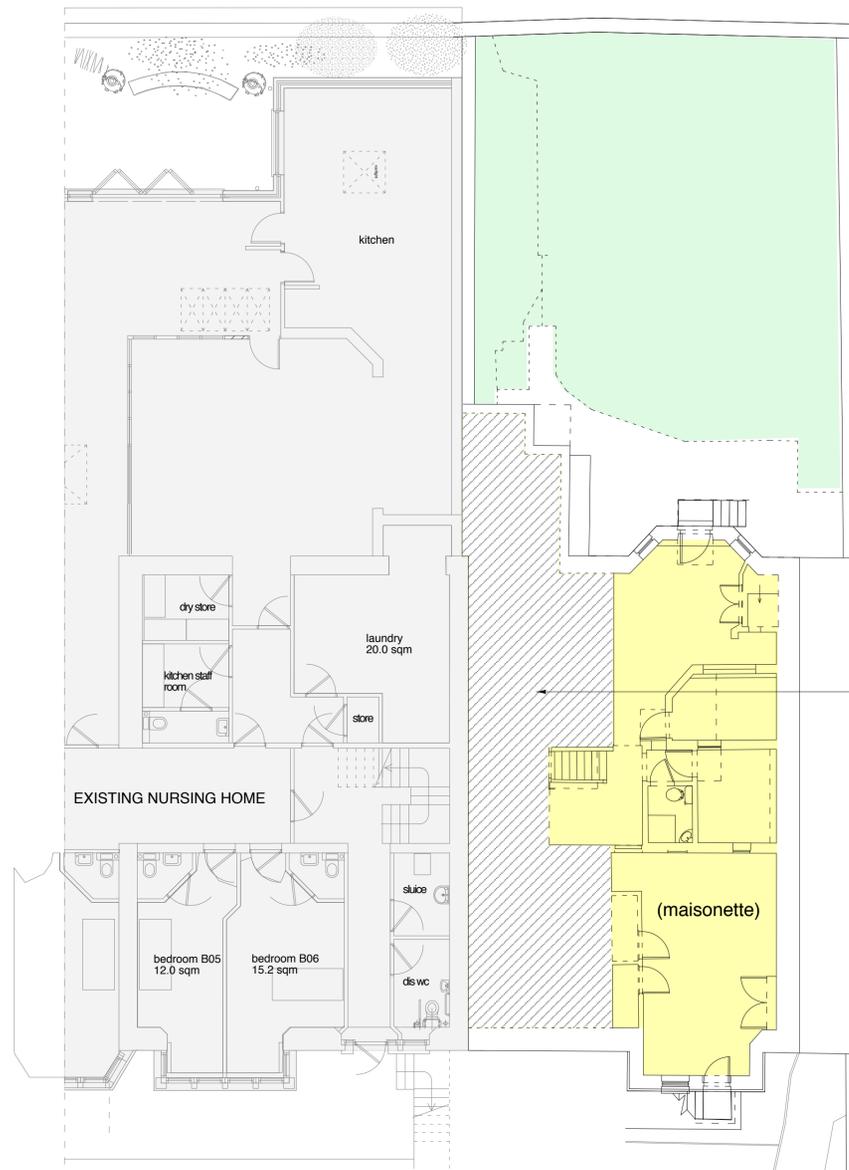
FIRST FLOOR



No. 8

No. 7

SECOND FLOOR

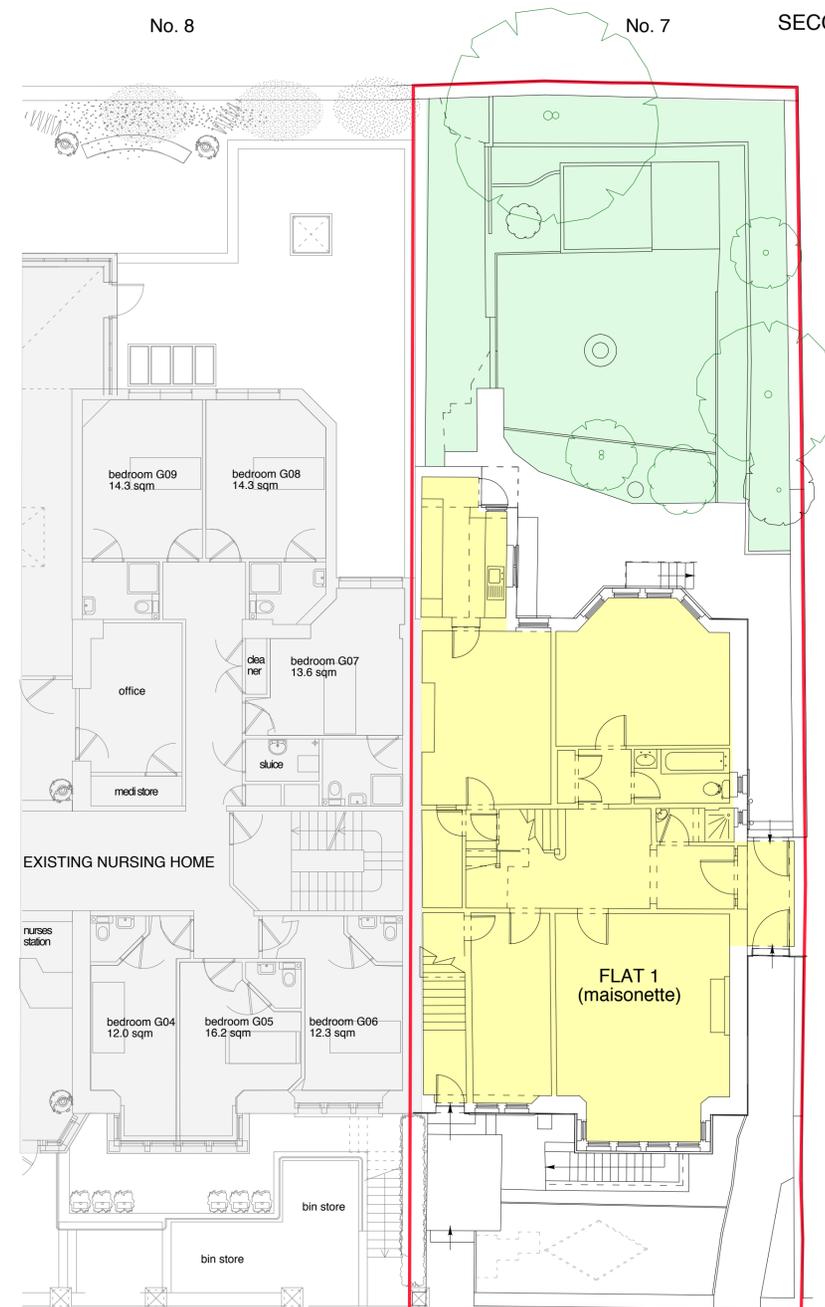


No. 8

No. 7

BASEMENT FLOOR

basement excavation area approved in application 18/03500/F



No. 8

No. 7

GROUND FLOOR

Rev.	Date	By	Description

oxfarchitects

4 Bruton Place
Clifton, Bristol
BS8 1JN
0117 9739649
mail@oxf.co.uk

www.oxf.co.uk

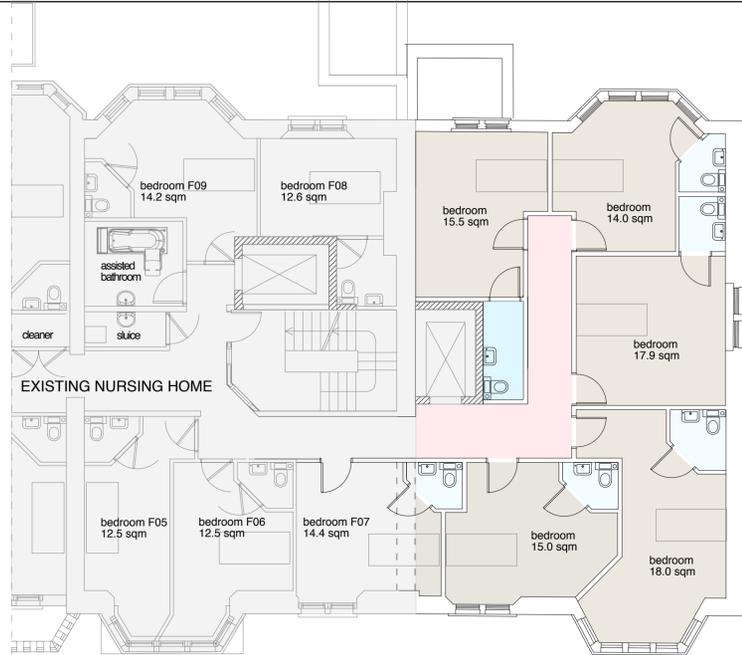
Job
**7 BELVEDERE ROAD
WESTBURY PARK, BRISTOL**

Client
MEADOWCARE HOMES
Title
EXISTING FLOOR PLANS

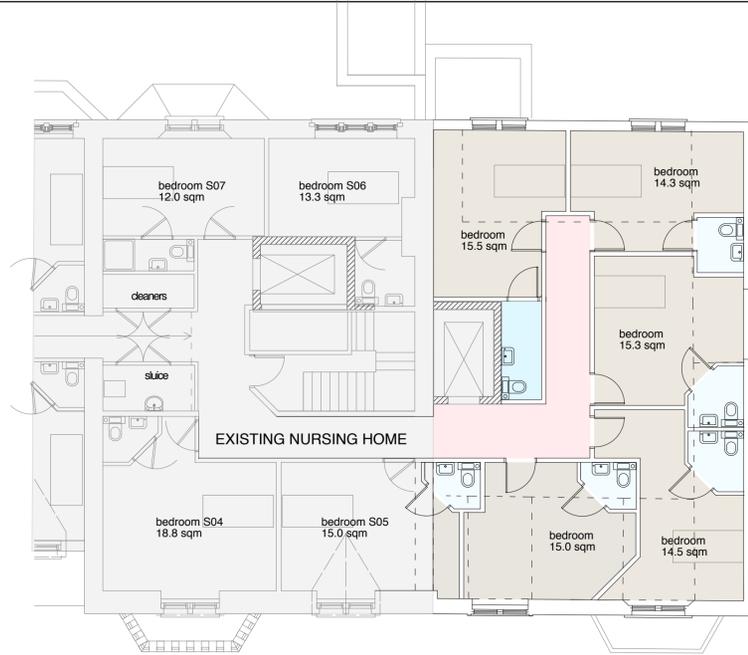
Drawn . Date **JUL 2017**

Checked . Scale **1:100 @ A1 SIZE
1:200 @ A3 SIZE**

Job Number 3143	Drawing Number P03	Revision A
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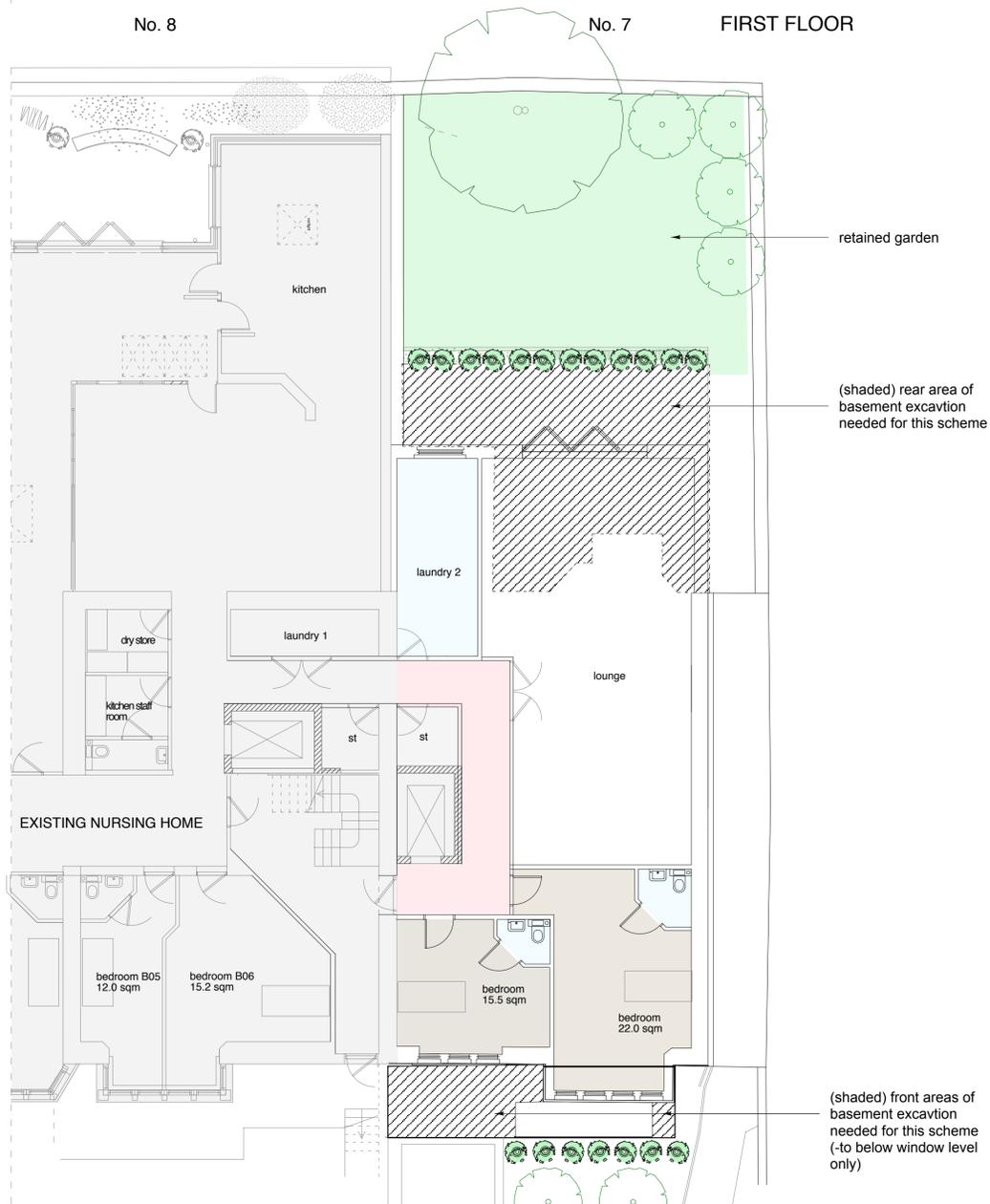
No. 8



No. 8

FIRST FLOOR

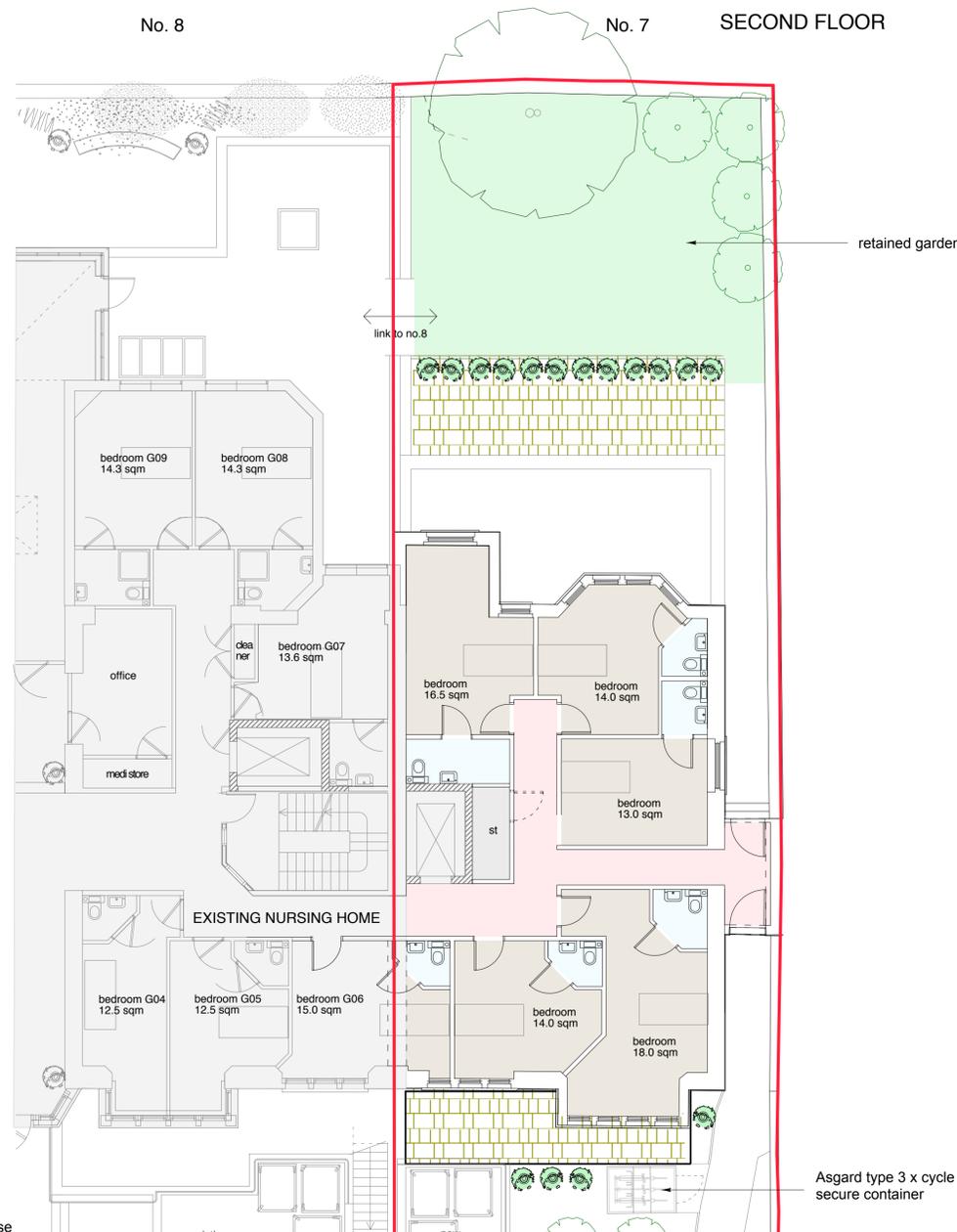
SECOND FLOOR



No. 8

No. 7

BASEMENT FLOOR



No. 8

No. 7

GROUND FLOOR

retained garden
 (shaded) rear area of basement excavation needed for this scheme

(shaded) front areas of basement excavation needed for this scheme (-to below window level only)

existing and new refuse and recycling bins

existing bin store

new bin store

Asgard type 3 x cycle secure container

Rev.	Date	By	Description

oxfarchitects
 4 Bruton Place
 Clifton, Bristol
 BS8 1JN
 0117 9739649
 mail@oxf.co.uk
 www.oxf.co.uk

Job
**7 BELVEDERE ROAD
 WESTBURY PARK, BRISTOL**
 Client
MEADOWCARE HOMES
 Title
PROPOSED FLOOR PLANS

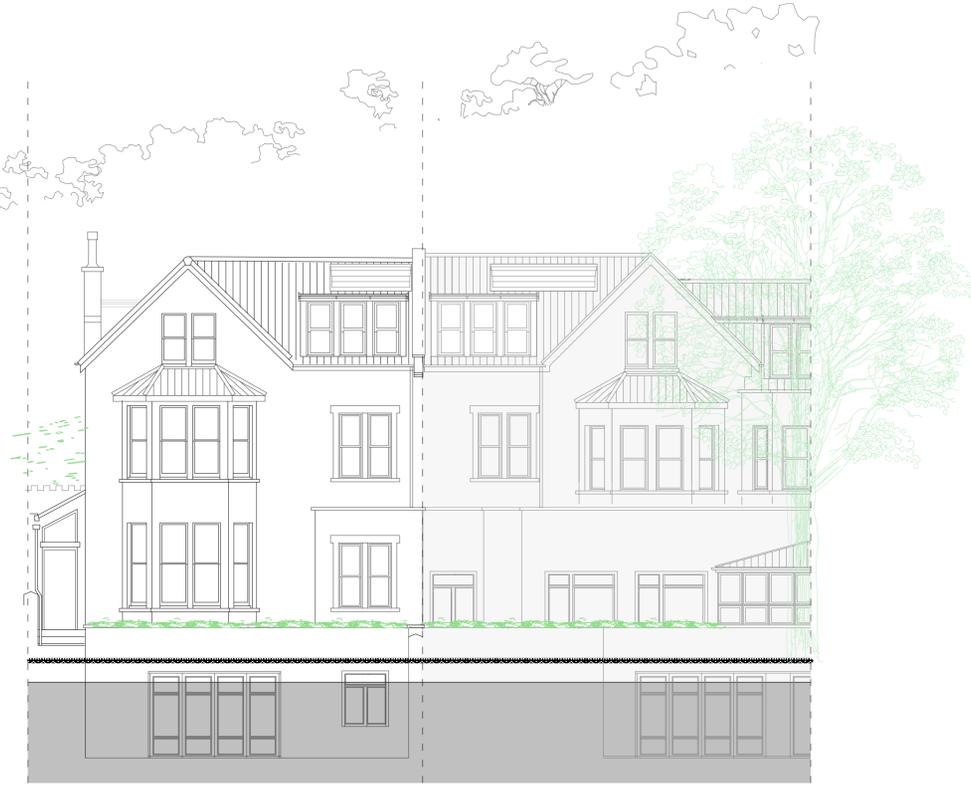
Drawn	.	Date	NOV 2018
Checked	.	Scale	1:100 @ A1 SIZE 1:200 @ A3 SIZE
Job Number	3143	Drawing Number	P05
Revision	C		



No. 8

No. 7

PROPOSED FRONT ELEVATION *North*



No. 7

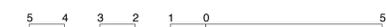
No. 8

PROPOSED REAR ELEVATION *South*



No. 7

PROPOSED SIDE ELEVATION/ SECTION *East*



Rev.	Date	By	Description

oxfarchitects
 4 Bruton Place
 Clifton, Bristol
 BS8 1JN
 0117 9739649
 mail@oxf.co.uk
 www.oxf.co.uk

Job
**7 BELVEDERE ROAD
 WESTBURY PARK, BRISTOL**
 Client
MEADOWCARE HOMES
 Title
PROPOSED ELEVATIONS

Drawn	.	Date	NOV 2018
Checked	.	Scale	1:100 @ A1 SIZE 1:200 @ A3 SIZE
Job Number	3143	Drawing Number	P06
		Revision	A

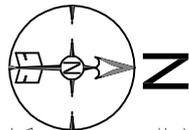
7 Belvedere Road, Bristol

Car Parking Provision Review – September / October 2019

1 Purpose

- 1.1 This Working Paper has been prepared by Entran Ltd to assess the availability of on-street car parking in the vicinity of 7 Belvedere Road, Bristol.
- 1.2 No on-site car parking is proposed. Accordingly, BCC has requested that the applicant demonstrates that there is sufficient parking on street for development in accordance with their car parking survey methodology.
- 1.3 At the request of BCC, two car parking surveys have been carried out by Robert Williams of Entran Ltd in a 2016 Audi A4 saloon.
- 1.4 The surveys have been carried out in-line with BCC standards. The surveys are attached as **Appendix A**.
- 1.5 In summary within 150m of the site there were 8 available on-street parking spaces identified on the 25/09/19 at 2230 and 7 available on-street parking spaces identified on the 083/10/2019.
- 1.6 Further surveys were carried out on Tuesday 3rd September 2019 1000-1200 and Wednesday 4th December 2019 1400-1600. Available spaces during these further surveys totalled 9 and 10 respectively,
- 1.7 It is noted that the Care Home residents cannot drive and will therefore not own a car.
- 1.8 Furthermore, the proposed extension to the existing care home will result in 3 new staff and if travel behaviour of existing care home staff is replicated, 1 car driver.
- 1.9 Based on the above data, it is quite clear that there is sufficient on-street parking available to cater for any provision required by the development.

APPENDIX A



PROJECT TITLE **7, BELVEDERE ROAD**

150m DISTANCE

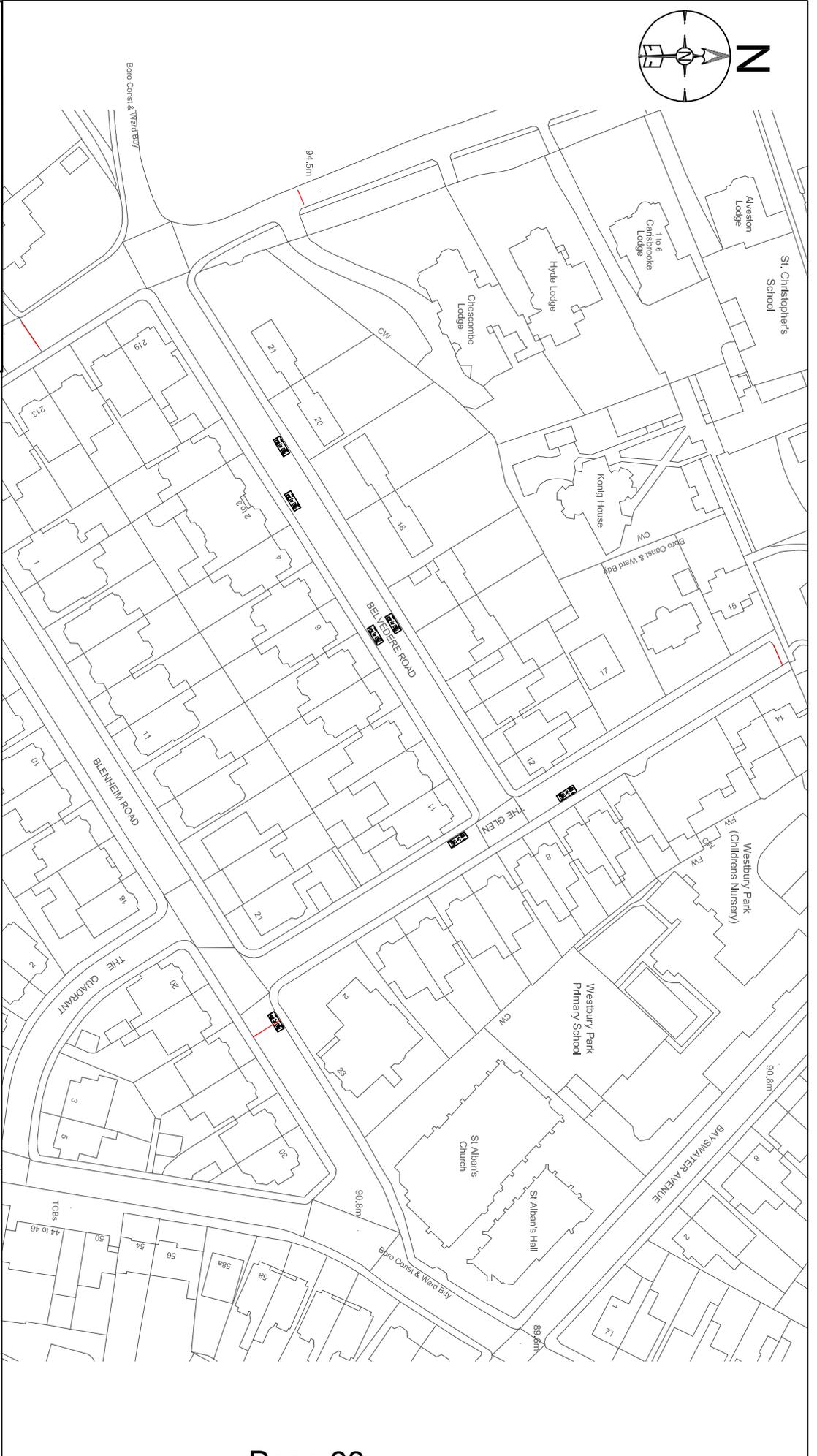
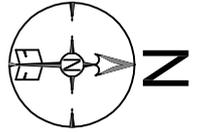
DRAWING TITLE **PARKING SURVEY, WEDS 25TH SEPT AT 22:30hrs**

DATE	8.10.19	SCALE	NTS	AT	A4	STATUS
DRAWN	DJA	CHECKED	RW	APPROVED	RW	

DWG SIZE	A4	DRAWING NUMBER	SK01	REV	-
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7 Greenway Farm | Bath Road | Wick | Bristol | BS30 5RL
 TELEPHONE : 0117 937 4077



PROJECT TITLE **7, BELVEDERE ROAD**

— 150m DISTANCE

DRAWING TITLE **PARKING SURVEY, THURS 3RD OCT - 23:30hrs**

DATE **8.10.19**

SCALE **NTS AT A4**

STATUS

DRAWN **DJA**

CHECKED **RW**

APPROVED **RW**

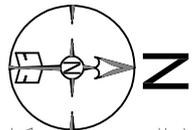
DRG SIZE **A4**

DRAWING NUMBER **SK02**

REV **-**



7 Greenway Farm | Bath Road | Wick | Bristol | BS30 5RL
TELEPHONE : 0117 937 4077



7 Greenway Farm | Bath Road | Wick | Enslin | BS30 5RL
 TELEPHONE : 0117 937 4077

PROJECT TITLE **7, BELVEDERE ROAD**

DRAWING TITLE **PARKING SURVEY, TUESDAY 3RD DEC AT 1000-1200hrs**

DATE **16.12.19**

SCALE **NTS AT A4**

STATUS

DRAWN **DJA**

CHECKED **RW**

APPROVED **RW**

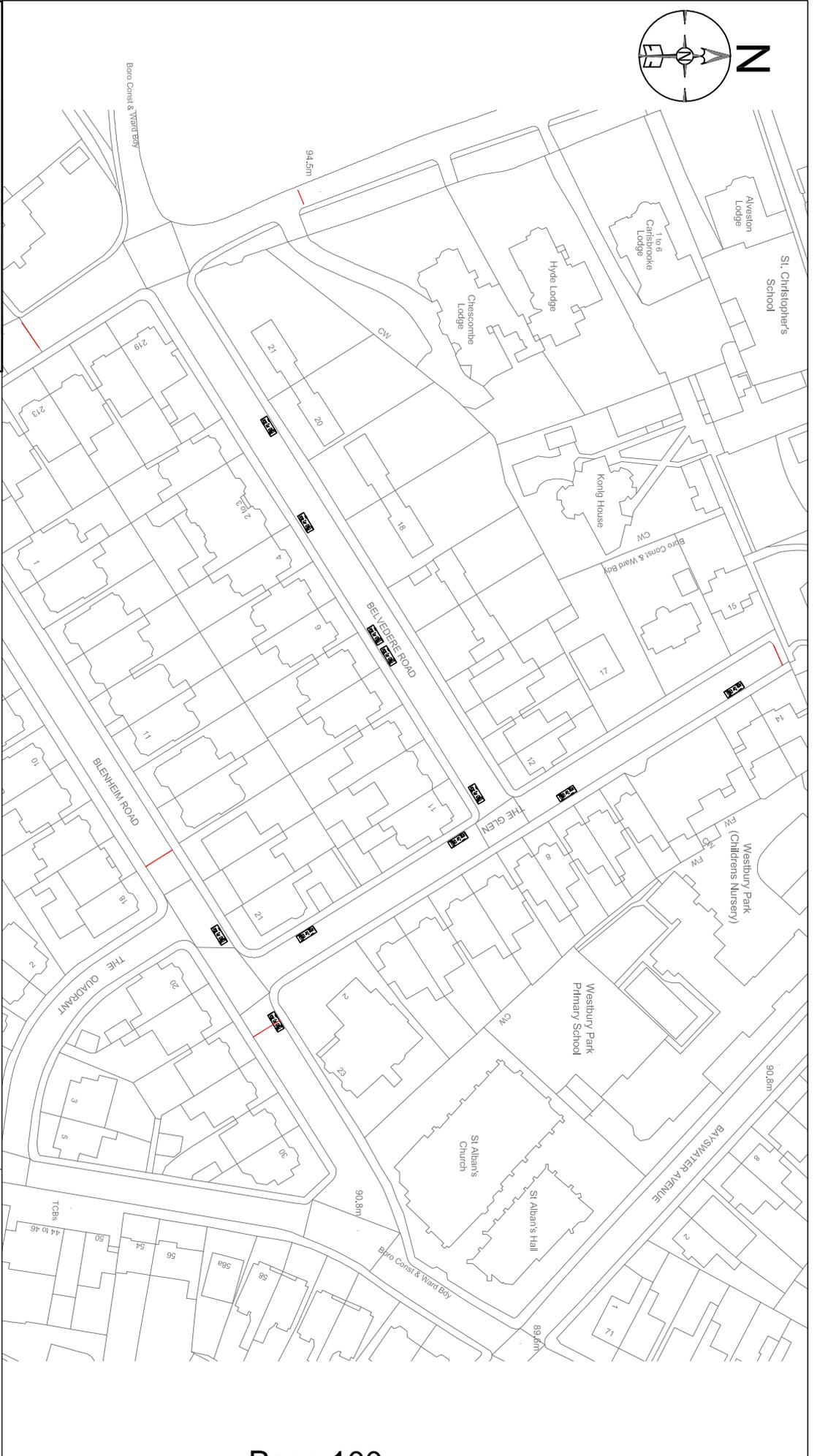
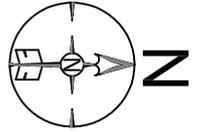
DRG SIZE **A4**

DRAWING NUMBER

SK03

REV **-**

— 150m DISTANCE



PROJECT TITLE **7, BELVEDERE ROAD**

— 150m DISTANCE

DRAWING TITLE **PARKING SURVEY, WED 4TH DEC AT 1400-1600hrs**

DATE **16.12.19**

SCALE **NTS AT A4**

STATUS

DRAWN **DJA**

CHECKED **RW**

APPROVED **RW**

DRG SIZE **A4**

DRAWING NUMBER **SK04**

REV **-**



7 Greenway Farm | Bath Road | Wick | Bristol | BS30 5RL
TELEPHONE : 0117 937 4077

WARD: Lawrence Hill

SITE ADDRESS: Land Of Former Post Office Depot Cattle Market Road Bristol

APPLICATION NO: 19/05746/M Reserved Matters

DETERMINATION DEADLINE: 26 February 2020

Application for approval of Reserved Matters following grant of outline planning permission App.No.(17/06459/P) - 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 - Reserved Matters for 47,823 sqm GIA of offices / academic (Use Classes B1(a), B1(b), D1) and 584 sqm GIA of ground floor active uses (Use Classes A1, A3, A4, A5 uses) with associated car parking, hard and soft landscaping and associated works pursuant conditions 1 and 2 of outline permission 17/06459/P, being details of layout, scale, appearance and landscape.

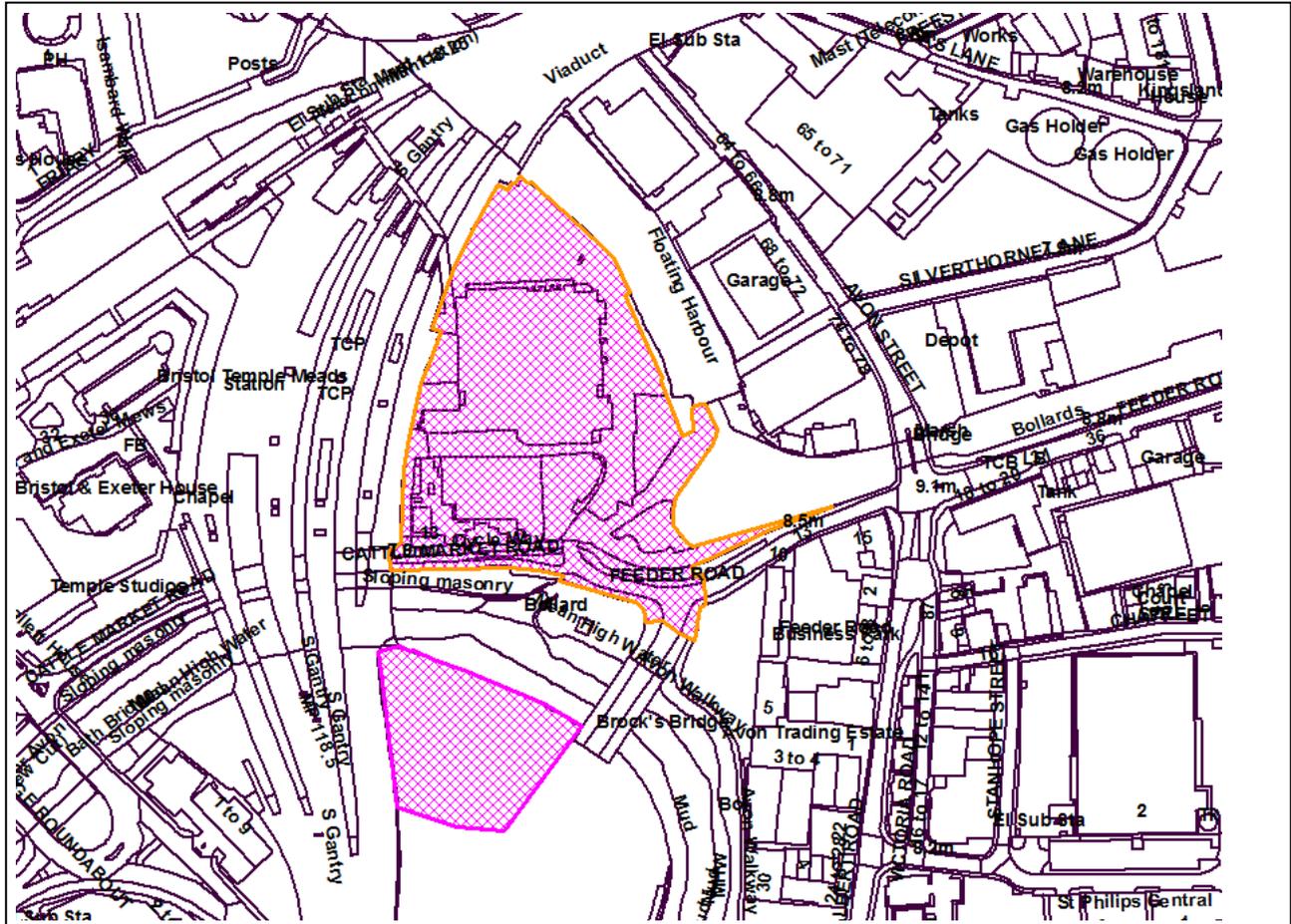
RECOMMENDATION: Approve details of Reserved Matters

AGENT: JLL
31 Great George Street
Bristol
BS1 5QD

APPLICANT: University Of Bristol
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 B – 18 March 2020**Application No. 19/05746/M : Land Of Former Post Office Depot Cattle Market Road
Bristol****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). All matters were reserved for subsequent approval, except the means of access. The principle of the use of the site as a campus with student accommodation has therefore been established.
- 2.2 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 to the former sorting office. Approval for the reserved matters for Temple Island was issued on the 6th December 2019 (Permission Reference 19/02952/M).
- 2.3 This reserved matters application seeks approval for the appearance, landscaping, layout and scale for 47,823 sqm GIA of offices / academic (Use Classes B1(a), B1(b), D1) and 584 sqm GIA of ground floor active uses (Use Classes A1, A3, A4, A5 uses) with associated car parking, hard and soft landscaping and associated works.

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 2.2ha and is located within the Lawrence Hill ward of the city.
- 3.2 The reserved matters site was historically used as a cattle market and various industrial uses before the expansion of the railway. It was most recently in use as a Post Office Sorting Office. This building has been demolished, although parts of the basement remain.
- 3.3 The site is close to two waterways; the Floating Harbour to the north-east, and the River Avon between the Cattle Market and Temple Island North sites. The Environment Agency flood mapping and Strategic Flood Risk Assessment (SFRA), prepared for BCC, indicates that the north of Cattle Market Site is situated in Flood Zone 1 (lowest risk of flooding) whereas the southern part the site is located in Flood Zone 2 and 3a (medium-high risk of flooding).
- 3.4 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

Development Control Committee B – 18 March 2020

**Application No. 19/05746/M : Land Of Former Post Office Depot Cattle Market Road
Bristol**

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).

4.0 APPLICATION PROPOSAL

- 4.1 This is an application for approval of the appearance, landscaping, layout and scale for development of university accommodation on the former sorting office site for 47,823 sqm GIA of offices / academic (Use Classes B1(a), B1(b), D1) and 584 sqm GIA of ground floor active uses (Use Classes A1, A3, A4, A5 uses) with associated car parking, hard and soft landscaping and associated works pursuant conditions 1 and 2 of outline permission 17/06459/P, being details of layout, scale, appearance and landscape.

The University's aspirations for the proposed campus

- 4.2 At Section 0.2.3 of the submitted Design and Access Statement (D&A), the University state that:

“Temple Quarter Enterprise Campus will be at the forefront of digital, business and social innovation. It will provide teaching, research and innovation space for 3,000 students, some 800 staff and external partners from business and the community.”

- 4.3 At Section 0.2.1 of the D&A, the University provide their vision for the proposed Campus (known as Temple Quarter Enterprise Campus or TQEC):

“The new Temple Quarter Enterprise Campus will be open to everyone and provide inspiring spaces to meet, learn and make new connections. It will help create a new inclusive city district in Temple Quarter, contribute to economic growth and job creation, and join the city centre to the developing east of Bristol with new walking and cycling paths. The campus will be largely car-free and proposals include new bus stops which could accommodate extended public bus services.”

- 4.4 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;

Development Control Committee B – 18 March 2020
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Proposed Buildings

4.5 Two buildings are proposed for the Cattle Market Site:

Building CM1 – 6 storey University building of 39,235 sq.m. (GIA)

Building CM2 – 8 storey University building of 9,172 sq,m . (GIA)

Building CM1

4.6 Building CM1 makes provision for the following uses:

Ground Floor includes:

Foyer

Teaching accommodation, including research space

Associated space set aside for social and health and well-being space

Retail space

Service Yard

Bicycle storage

Rooms set aside for “campus operations”

First floor includes:

Food Hall

Teaching accommodation

Rooms set aside for “Enterprise and Engagement”

Outside Terrace

Second, Third and Fourth Floors include:

Rooms set aside for “Enterprise and Engagement”

Rooms set aside for “Research”

Rooms set aside for “Learning”

Teaching accommodation

Fifth floor includes:

Teaching accommodation

Rooms set aside for “campus operations”

Rooms set aside for “Enterprise and Engagement”

Sixth Floor: Roof plant

Building CM2

4.7 Building CM2

Ground Floor includes:

Accessible parking

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First, Second, Third, Fourth, Fifth, Sixth Floors include:

Teaching accommodation

Seventh and Eighth Floors include roof plant

Car and Motorcycle Parking

4.8 Provision is made for:

8 disabled parking spaces will be provided within CM2.

16 motorcycle parking spaces will be provided.

Cycle Parking

4.9 Provision is made for 270 secure cycle spaces in CM1 and a further 60 in CM2.

Landscaping

4.10 The application proposal makes provision in the landscape and public realm design for a space to support various activities associated with an academic campus, including civic activities.

4.11 The entrances into the site are framed with tree planting. The site includes a landscaped central hub space.

4.12 Landscaping proposals for the site are supported by a Landscape Maintenance Plan.

Sustainability

4.13 The building accommodates the following features:

- Rainwater harvesting
- Biodiverse roof
- Roof mounted solar PV
- Prefabricated elements (to reduce waste generated on site)
- Drainage strategy to minimise impact on the wider city
- The proposed development is car free
- Heat recovery from computer servers
- Adaptable design

5.0 COMMUNITY INVOLVEMENT

5.1 The Applicants have submitted a Statement of Community Involvement in support of their application.

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5.2 Process: The Statement advises that the University undertook the following exercises to ensure that their proposal is explained to the community and that the community were afforded the opportunity to input on the design.

1. Bristol Urban Design Forum site visit and panel review;
2. Two all staff briefing sessions and three further sessions with University schools which will be involved in the new campus;
3. VIP Preview session for representations of key city-wide organisations;
4. A public exhibition hosted over two weeks at the Engine Shed – also online;
5. One key stakeholder session, comprising a presentation by Guy Orpen, Deputy Vice Chancellor, New Campus Development and members of the project team, followed by questions from the floor;
6. A series of staffed drop-in style events for the wider community during the two-week consultation period at Barton Hill Settlement, Engine Shed and Windmill Hill City Farm;
7. A public meeting at Hillcrest Primary School, Totterdown;

5.3 Outcome: The Statement of Community Involvement sets out the issues that raised as a result of these various exercises. This has clearly been thorough and establishes key themes. It does not however set out what amendments to the scheme have been made as a result of this process.

6.0 RELEVANT PLANNING HISTORY

6.1 Outline planning permission was granted on 7th June 2019 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 with all matters reserved except access. Alterations to Cattle Market Road & provision of an Energy Centre (to consider Access) (17/06459/P)

A copy of the report presented to Committee on 11th July 2018 is included at Appendix 1.

6.2 Reserved matters were approved on the 6th December 2019 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 (19/02952/M).

6.3 Prior approval for the demolition for the former Post Office building was given on 24th January 2018 (17/06332/N).

7.0 ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

7.1 An EIA was submitted at outline stage. No revision to the EIA has been deemed necessary following the receipt of this reserved matters application.

8.0 EQUALITIES ASSESSMENT

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

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8.2 “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.

8.3 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

9.0 CONSULTATION RESPONSES

9.1 Site and press notices were posted and 1,205 surrounding properties were consulted directly. At the time of the preparation of the report, a total of 5 representations (4 objecting to the scheme and 1 in support) had been received making the following comments:

In objection

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

Design

Concern about high rise blocks that will overlook Totterdown.

Officer Note: It is unclear whether this comments relate to the approved student accommodation or this application proposal.

Parking

With reference to the above application I would recommend to the council that an RPZ is implemented in the area of Totterdown, it is already suffering with commuters and this will only add to the parking problem

This development will greatly increase the number cars parking in the lower Totterdown area adjacent and near the site.

Totterdown already fills with commuter cars parking all day through the week and often at weekends.

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There needs to be a 24 hour residents parking zone throughout the lower Totterdown area BEFORE this development starts, and especially afterwards.

General comments

“I note that there will be no contribution to City of Bristol Council Tax from this proposed Bristol University Campus or from the proposed 1500 Student accommodation units.

Bristol University has already had a massive free gift as the roadworks and bridges have already been paid for by the ratepayers of Bristol. This was due to the failed Arena project.”

Concern that the proposal will create “a Student Ghetto” in an area that has next to nothing in terms of shops, bars and restaurants.

In support

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

“I have reviewed the scheme and am generally supportive of the land coming forward for development as a educative facility. I note that unless you are religious, state access primary and secondary schools for residents of Totterdown is limited.”

Representations received from Councillors and Members of Parliament

9.4 No comments received.

Summary of Internal Consultees' Comments**BCC Archaeology**

9.5 A Cholera Burial Ground that exists on the site. There has been ongoing discussions about archaeological investigations and the advice that has always been provided is that the burial ground should remain in situ and that designs of the buildings and landscape should demonstrate how impacts to any buried remains have been avoided.

9.6 The current proposal does not provide any clarity on this matter and I could find no reference to the archaeology in the submitted supporting statements from the applicant, although one of the blocks appears to lie directly over the burial ground.

9.7 Previous archaeological work has established the presence of funerary remains at a great depth in a clearly defined area of the site as indicated in a report by Cotswold Archaeology who have similarly advised that the remains are left undisturbed.

9.8 Any disturbance from building foundations will be contrary to the Burial Act unless a mitigation strategy for the archaeological removal of the remains is agreed. Any archaeological work to achieve this mitigation will have considerable technical

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challenges that will have serious cost implications for the project. Therefore, the applicant will need to demonstrate how the remains will be preserved or provide a suitable mitigation strategy before this application can be approved.

BCC Air Quality

- 9.9 Raise no objection to this application for approval of reserved matters.

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

- 9.10 CDG's comments are incorporated into the Key Issues below. Overall:

"CDG support the proposal and applauds the University's commitment to high design quality on such an important and challenging site. CDG has been pleased with the design development of the scheme which is characterised by a site wide 'masonry base' concept drawing on the area's industrial heritage. Surmounting the base are several floors of research and teaching space designed specifically to have high levels of transparency revealing the building's internal functions and activities"

BCC Contamination

- 9.11 Raise no objection subject to the imposition of relevant conditions.

BCC Energy Services

- 9.12 In support of their application, the Applicants have stated:

"1. Since the Outline Planning Application regular meetings have been held between the University of Bristol, Bristol

City Council Energy Services and the wider TQEC project team. As a direct result of these meetings the heat network proposals have evolved to meet the zero carbon aspirations of both the University of Bristol and Bristol City Council; as a result they differ from the proposal submitted as part of the Outline Planning Application and align more fully with Bristol City Council's wider energy masterplan, the cancellation of the Bristol Arena project and the technical constraints associated with the Cattle Market site.

2. The current proposed approach removes the need to house back-up gas boiler plant on the Cattle Market site.

- 9.13 Building CM1 will recycle heat from its server rooms and other room cooling in order to meet its own heat requirements (as far as possible), through the use of its own heat pump system. Peak and reserve heating will be taken from the Bristol City Council heat network. The strategy is for surplus heat from the University's server rooms and other rooms to be used to supply the Bristol City Council heat network via heat pump(s) and thermal storage contained within the University's Energy Centre. The Energy Centre equipment will be sized according to the predicted baseload

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cooling requirements of CM1. Chiller plant within CM1 will meet peak cooling requirements and supply cooling when there is no heat requirement from the Bristol City Council heat network experienced at the Energy Centre. Technical, commercial and legal work on this option is ongoing.

9.14 Building CM2 will benefit from a direct connection to the heat network and forms part”

9.15 The Energy Team have confirmed:

“There has been significant progress with regards to the connection of the site to the Council’s district heating network and the key millstone that we would have anticipated meeting at this stage have been reached.”

9.16 It is noted that there is still work to be undertaken to resolve legal and commercial matters and there may be further technical matters that arise.

BCC Pollution Control

9.17 Raise no objection to this application for approval of reserved matters.

BCC Transport Development Management (TDM)

9.18 A revised Transport Assessment has been provided with the revised layout. As it notes, the principle of the development was agreed at outline stage.

9.19 The development updates the access strategy set out in the outline permission. It aims to provide high quality access for all modes to and from the site. It also allows for flexibility given that elements such as public transport services cannot yet be determined. It provides direct and legible routes.

Principle and mitigation

9.20 The main mitigation was secured through the s106 agreement associated with the outline permission and this is still considered to be a sound basis on which to mitigate the overall impact of the site.

9.21 The main elements of the s106 concerning transport were:

- £700,000 towards the provision of a Residents Parking Scheme (RPS);
- £900,000 towards the junction of Avon Street and Temple Way;
- £1m towards road / cycle improvements along the Feeder Road / Avon Street junction;
- £1m towards improvements around the Totterdown Basin area;
- Fees for any additional TRO; and
- Travel Plan (TP) management and audit fees.

Trip rates

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- 9.22 The TA now forecasts the the site will generate 5,200 commuting trips per day with large numbers by sustainable modes with staff commute achieving 42% walk/ cycle and 44% public transport. Student commute is expected to be 84% on foot. It is expected there will be 2,000 trips per day between Clifton and TQEC.
- 9.23 It is rather difficult to get total numbers for the whole site from the TA but our understanding is that CM1 will generate 14,322 trips and CM2 will generate 2004 trips leading to a total number of trips to and from the site of 16,326 per day. This is entirely in keeping with the outline which estimated that there would be 18,887 trips per day to the site. The Reserved Matters TA is considered more robust as there is now much more detail on the use distributions within the site. The revised figure is less than expected at outline and so we conclude that the trip impact of the development remains acceptable with the mitigation as secured at the outline stage.

Layout

- 9.24 The site allows for a floating pontoon to the east and a proposed station entrance to the west (to be delivered by others). It also allows for Network Rail access along the western boundary.
- 9.25 Levels are key around the site with Cattle Market Road lower than most of the site which also needs to provide a connection to the pontoon whilst also staying above flood levels. The main public space is at 10.52m AOD, where Cattle Market Road is typically around 9.00m AOD. Shallow ramps (less than 1 in 20) allow for the change in level at the western, central and eastern ends of the site. There is a small part of the northern part of the site which is at 14.00m AOD with a service ramp leading along the western boundary.
- 9.26 Public will have access to some areas whereas most of the internal areas will have access control.
- 9.27 The D&A has a good Vehicular Circulation and Pedestrian Access diagram (7.4.1) which shows how people will travel through the site including future links
- 9.28 The outline Access Strategy was set out in drawing 1833/P/050 rev A which set out an access at the western end of the site, a cycle route along the site frontage, a main access at the east of the site and some changes to Cattle Market Road in the vicinity of the site.
- 9.29 An earlier access design was submitted with the application which involved a large new roundabout within the public highway but following initial significant concerns from TDM, the developer has submitted a revised design (1833/SK/940/P06)which is much more in keeping with the outline application which allows for a simple access from Cattle Market Road with much of the servicing and turning occurring within the site. This design now caters well for the main pedestrian, cycle and vehicular desire lines around the site with crossings where required.

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9.30 To the east of the site the walking and cycling paths are proposed to be switched from existing situation behind the proposed bus stops to allow bus passengers to access the bus stop. Much of the area has recently been rebuilt as part of the works associated with Brock's Bridge. It is expected that the highway works will tie in with the existing highway although UOB may wish to introduce a new palette of materials in front of its site.

9.31 There will be 270 secure cycle spaces in CM1 and a further 60 in CM2 which is 10 more than previous masterplan OPA submission. A further 90 Sheffield stands are provided in the public realm. We would prefer to see an amount of Sheffield stands within the secure cycle parking as this is more flexible.

9.32 Shower and changing facilities will be provided for students and staff in both buildings.

Servicing

9.33 Tracking has been carried out for:

- A single decker bus serving the site from the West or the East and turning on site.
- A double decker bus serving the site from the East, turning on site and exiting in an easterly direction
- A fire appliance accessing the whole of the site.

9.34 Buildings CM1 and CM2 have their own service areas from which waste and recycling will be collected.

Public transport

9.35 The public transport offer is largely unchanged from the outline permission. In short, the site is close to excellent public transport links and the aim is to make sure the connections are made as easy as possible. This development also allows for a variety of options in terms of bringing bus services to the site's doorstep. BCC will continue to work closely with UOB to ensure these can be delivered whilst noting that the constraints of the Silverthorne Lane area mean that double decker options and routeing may be quite complex. A range of infrastructure upgrades are also required to fully utilise these and the changes occurring in the wider area will also change this. The site also passively allows for new links including a new eastern access to Temple Meads, a new northern pontoon link and a new bridge over the floating harbour which will further improve access to public transport in the area. The bottom line is that the site will have very good transport links with the potential for these to be further improved as further upgrades come online.

Parking

9.36 Revised parking prices for nearby car parks are provided although it is not considered that these materially change the parking strategy accepted at outline

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stage noting the substantial contribution to mitigating parking impact. It is also expected that neighbouring sites in the Silverthorne Lane area will transform parking.

9.37 Eight disabled parking spaces will be provided in CM2.

9.38 Sixteen motorcycle parking spaces will be provided.

Road Safety

9.39 We have considered the revised information on Personal Injury Accidents and consider that it does not change the approach taken at outline. Furthermore the developer has submitted a road safety audit that will form part of the acceptance of highway works.

Highway works

9.40 It is envisaged that these will be a combination of s278 (works to existing highway) and s38 (provision and dedication of new highway). These will need to be conditioned as detailed below.

Travel Plan

9.41 A Framework Travel Plan was submitted as part of the Reserved Matters application. This will need to be discharged via the condition secured at outline.

BCC Ecologist

9.42 The provision of brown roofs as described and shown on page 161 of the Design and Access Statement is welcomed.

9.43 Relevant conditions are recommended in relation to:

- The provision of living rooves
- Construction Environmental Management Plan (CEMP)

Summary of Statutory External Comments**Environment Agency**

9.44 See comments below in the Key Issues Section.

Highways England

9.45 Offer no objection.

Historic England

9.46 On the basis of the information available to date, we do not wish to offer any comments.

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- 9.47 On the basis of the information available to date, Natural England do not wish to offer any comments on this reserved matters application.

Network Rail

- 9.48 Network Rail has no objection in principle to the above proposal but due to the proposal being next to Network Rail land and our infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we have included asset protection comments which the applicant is strongly recommended to action should the proposal be granted planning permission. The local authority should include these requirements as planning conditions if these matters have not been addressed in the supporting documentation submitted with this application.

Officer Note: These requirements have been shared with the Applicants.

Other consultation comments**Bristol Civic Society**

- 9.49 The Society:
- Supports the design of the two buildings and their setting in the landscape.
 - Suggests that wider traffic and transport proposals need more consideration, including consideration of additional bridges to cross the river.
 - Suggests that the University and Council plan for pedestrian bridges and the integration of the Campus landscape with river and canal banks to create an integrated landscape with paths on both sides of the river.
- 9.50 In respect of the design of the new academic buildings, the Society supports the philosophy behind the design of the two buildings and the design itself. However, we are not convinced by the extent of the proposed areas of mirror glass.
- 9.51 Concern is expressed about the setting of the buildings within their context. There are several planning applications by others dependent to this development whose height and mass exceeds the guidance of the Enterprise Zone Spatial Framework (the Framework).

Bristol Walking Alliance

- 9.52 Comment as follows:

“Our main concern is how the area will cope with the high volumes of pedestrian traffic, not only to and from the campus itself, but also from future developments at St Philips Marsh. This includes people arriving to/from the new east entrance to the station.

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The planned but as yet unfunded pedestrian bridge from the east side of the site across the Floating Harbour would help to spread the pedestrian flows between the station east entrance and areas to the east.”

Design West (formerly Bristol Urban Design Forum)

9.53 In summary, the panel:

“- supports the general design approach for these 2 significant buildings which will bring both new activity and real design quality to the Enterprise Zone and also encourage development of surrounding sites.

- thinks the emerging new landscape design for the site is appropriate and will create a welcoming environment.

- considers that the traffic and transport proposals require further consideration to create a solution that provides an attractive solution both for the site, and between the new residential accommodation and the Cattle Market site as well as demonstrating an efficient strategic operation.”

10.0 RELEVANT POLICIES

10.1 The following policies are relevant:

National Planning Policy Framework 2019**Bristol Core Strategy (Adopted June 2011)**

BCS2	Bristol City Centre
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
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

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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
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

Bristol Temple Quarter Spatial Framework (October 2016)

11.0 KEY ISSUES**(A) IS THE SCALE, APPEARANCE, LAYOUT AND LANDSCAPING FOR THE
CAMPUS ON THE FORMER SORTING OFFICE ACCEPTABLE?****Scale**

- 11.1 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.
- 11.2 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 55m in the east (next to Floating Harbour) and 42.5m next in the west (next to Temple Meads Station).

Building CM1 would be approximately 43m tall

Building CM2 would be approximately 44m tall

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11.3 A plan illustrating compliance with the Parameter Plan approved at outline stage is included in the Background Papers.

11.4 As the proposed buildings comply with the parameter plans approved at outline stage, their scale is assessed to be acceptable.

Appearance

11.5 Approval is sought for aspects of the proposed buildings which affect the way it looks, including the exterior of the development.

11.6 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.

11.7 CDG comment that the main dominant building proposed has a bold factory quality that is suited to its energetic and varied academic uses focusing on teaching, innovation and partnership. It is further noted that the massing is broken down from within the building envelope through full height planted atrium spaces. These green vertical spaces in combination with large sections of transparent façade promise a 'live' building that will have a particular draw and interest in the evening hours. The design team's detailed design investigations for how to articulate the upper level glazed portions supporting a "lantern" concept are convincing. It is recommended that to support these efforts further in the post planning design stage CDG recommends planning conditions in the form 1:20 detailed design base study for all key façade elements.

Roof top Signage

11.8 CDG support the principle of roof top signage. It is considered to be appropriate and the University's intent to have variable coloured lighting options to respond to city events and celebrations is welcome. The signage due its scale and city gateway position adjacent to Temple Meads will be an iconic feature for the city as whole. Given its importance and to ensure the design options for this feature are fully exploited CDG recommends that the signage be subject to a detailed design planning condition.

Layout

11.9 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.

11.10 Development Plan policies reinforce the importance of layout and form (Policy DM27) and high quality public realm (DM28).

11.11 The layout of the two buildings on the site is considered to be a logical appropriate response to the site. The Council's Landscape Officer welcomes the generously sized, well-proportioned public squares balance building mass.

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- 11.12 It is noted that the application proposal incorporates well- articulated and varied public realm, which will provide interesting and legible pedestrian access across the site centred on the core between building masses; opportunity to linger or gather in attractively designed spaces.
- 11.13 The application incorporates a strong enveloping frame work of retained and new tree planting will soften the appearance of the buildings from views within and external to the site.
- 11.14 The layout that makes the most of the proximity to the floating harbour and Totterdown Basin.
- 11.15 Ground floor landscape treatments augmented by planting on the University Terrace.
- 11.16 The layout incorporates comprehensive suds, lighting and street furniture treatments.
- 11.17 The layout of the site is acceptable. Notwithstanding this, there are clearer wider challenges in connecting the site to emerging development surrounding the site. For example there is a need for improved pedestrian connection between the application site and development in and around Silverthorne Lane. The proposed layout for the application site includes space for a bridge across the Floating Harbour.

Landscaping

- 11.18 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.
- 11.19 Policy DM28 states that development will be expected to (amongst other things), incorporate appropriate street furniture, lighting and surface materials of high quality, environmental performance and durability that enhance the quality, character and appearance of the public realm through their siting and design.
- 11.20 The Council's Landscape Officer comments that in respect of the proposed soft landscape, the application proposal includes a comprehensive and well detailed planting strategy designed using principle of climate awareness; ecologically responsible approach from tree planting to herbaceous species making use of brown roofs and vertical walls to diversify habitat and amenity.
- 11.21 The Planting used to express the character of differing areas of the site. Tree species mainly native but exotics also used as mixes are selected for drought resistance.
- 11.22 It is noted that a significant number of trees are in raised beds, but these are generously sized and well detailed to provide a good growing environment. The Tilia's on Cattle Market Road are indicated in raised beds with no indication of the planting detail. In this location, ground beds would be preferred in the interest of promoting longevity for what are an important line of street trees.

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- 11.23 The landscape maintenance strategy is clear and comprehensive.
- 11.24 In respect of hard landscaping, the Council's Landscape Officer notes that the hard surface palette is restrained , generally of high quality, aiding legibility appropriate to the development characterful public realm.

**(B) WOULD THE APPLICATION PROPOSAL HAVE AN ACCEPTABLE IMPACT
ON THE LISTED TEMPLE MEADS STATION**

- 11.25 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 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."
- 11.26 Section 16 of the National Planning Policy Framework (NPPF) 2019 states that in determining planning 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
- 11.27 At outline stage, Historic England commented that they were 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.
- 11.28 This was one of the key factors for imposing a condition setting parameters for the height of the buildings on the site. These proposals comply with these parameters.
- 11.29 Historic England were consulted on these reserved matters proposals and have raised no objection.

(C) FLOODING MITIGATION UPDATE

- 11.30 Detailed work on the flood mitigation measures for this site is ongoing. At the time of the preparation of this report, the Environment Agency have objected to this reserved matters application. In response to this, the Applicants have prepared a detailed response to the comments made in objection. These are included as an Appendix to this Report.

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11.31 It is noted that at outline stage, the Environment Agency withdrew their objection to the principle of development of the site on the basis of conditions relating to the following:

- Finished floor levels to be set no lower than 10.52 metres above Ordnance Datum (AOD) and ground levels to conform to those shown in section 4.2.1 of the Design and Access Statement Revision B June 2018, revised illustrative masterplan. No sleeping accommodation is permitted in the basements, with agreed uses outlined on pages 32 and 33, that is Table 5-1 and 5-2, of the FRA.
- No flood routes into the basement areas lower than 10.52 metres AOD.
- Access arrangements for a crane alongside the River Avon (a plan for this has been produced).
- Provision and implementation of a scheme to ensure protection and maintenance of existing flood defences (ground anchors).
- Provision and implementation of a scheme to detailing flood resistance and resilience measures.
- Provision and implementation of a remediation strategy that addresses risks associated with contamination of the site.

11.32 Work on this is ongoing and your Officers seek delegated authority to finalise the wording of conditions in collaboration with the Environment Agency ahead of the issuing of this decision.

(D) IMPACT ON THE CHOLERA BURIAL GROUND

11.33 As noted above, the Council's Archaeologist has expressed concern about the impact of any construction on the cholera burial ground.

11.34 In response, the Applicant has indicated that the CBG will not be disturbed by the construction works as all ground works will be within the ground above the CBG. However, two manhole bases will be very close to the top of the CBG and a design alternative for these is being sought. Archaeological supervision will be required for these two manhole bases. This can be secured by condition.

11.35 During the ground investigations two investigation points will require supervision by an archaeologist.

11.36 There are no plans to remove human remains as part of any of the works planned or to undertake any further investigations of the remains.

12.0 CONDITIONS

12.1 In the event that Members are minded to approved these reserved matters, delegated authority is sought to finalise the conditions for this reserved matters

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consent. It is anticipated that they will include conditions requiring the submission of the following:

- External Materials (Buildings – including 1:20 detailed design base study for all key façade elements)
- External Materials (Landscaping)
- Windows / Glint and Glare Assessment
- Provision of solar panels
- Flood risk mitigation
- Crane Access
- Flood resistance and resilience
- Contamination Remediation Strategy
- Monitoring of contamination
- Response to unexpected contamination
- Details of piling (with particular reference to the Cholera Burial Ground)
- District Heating
- Details of refuse management
- Details of surface water drainage
- The provision of living rooves
- Construction Environmental Management Plan (CEMP)

12.2 An update on the proposed conditions will be provided at the meeting.

13.0 COMMUNITY INFRASTRUCTURE LEVY (CIL)

13.1 The CIL liability for this development is £104,494.29.

14.0 CONCLUSION

14.1 Following the grant of outline planning permission and reserved matters approval for the student accommodation on Temple Island, this application represents the last stage for the University to gain planning permission for the development of this new campus for the city.

14.2 Your Officers consider that this application proposal will give rise to high quality buildings on a key gateway site to the city. It is noted that there have been no

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objections to the design of the building has been received. This proposal will help the University of Bristol to realise its aspiration to create space for teaching, research and innovation space for 3,000 students.

- 14.3 It is accepted that the relationship of this site is unresolved and work on development proposals is ongoing. There is also a requirement for the submission of details required by condition, particularly in respect of flood mitigation. However, overall there are no grounds to resist this application.

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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Bristol**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;

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- 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 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.

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- 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 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

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Bristol*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

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 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

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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
 - 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)

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- 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.
- 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

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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.

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- 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 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 building 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

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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.
- 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

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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.

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.

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- 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 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).

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- 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.
- 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.

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- 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.
- 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

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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.

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

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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.”

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.

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- 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 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

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- 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."

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:

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“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 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

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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.

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."

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- 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.

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.

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- 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
DM23	Transport development management

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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.

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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.

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

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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 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.

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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 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%)

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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.”

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

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- 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 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

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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 Officer's 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 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.

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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

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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
- 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

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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.
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

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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.

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.

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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 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

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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.

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

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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)

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

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- 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 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

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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.

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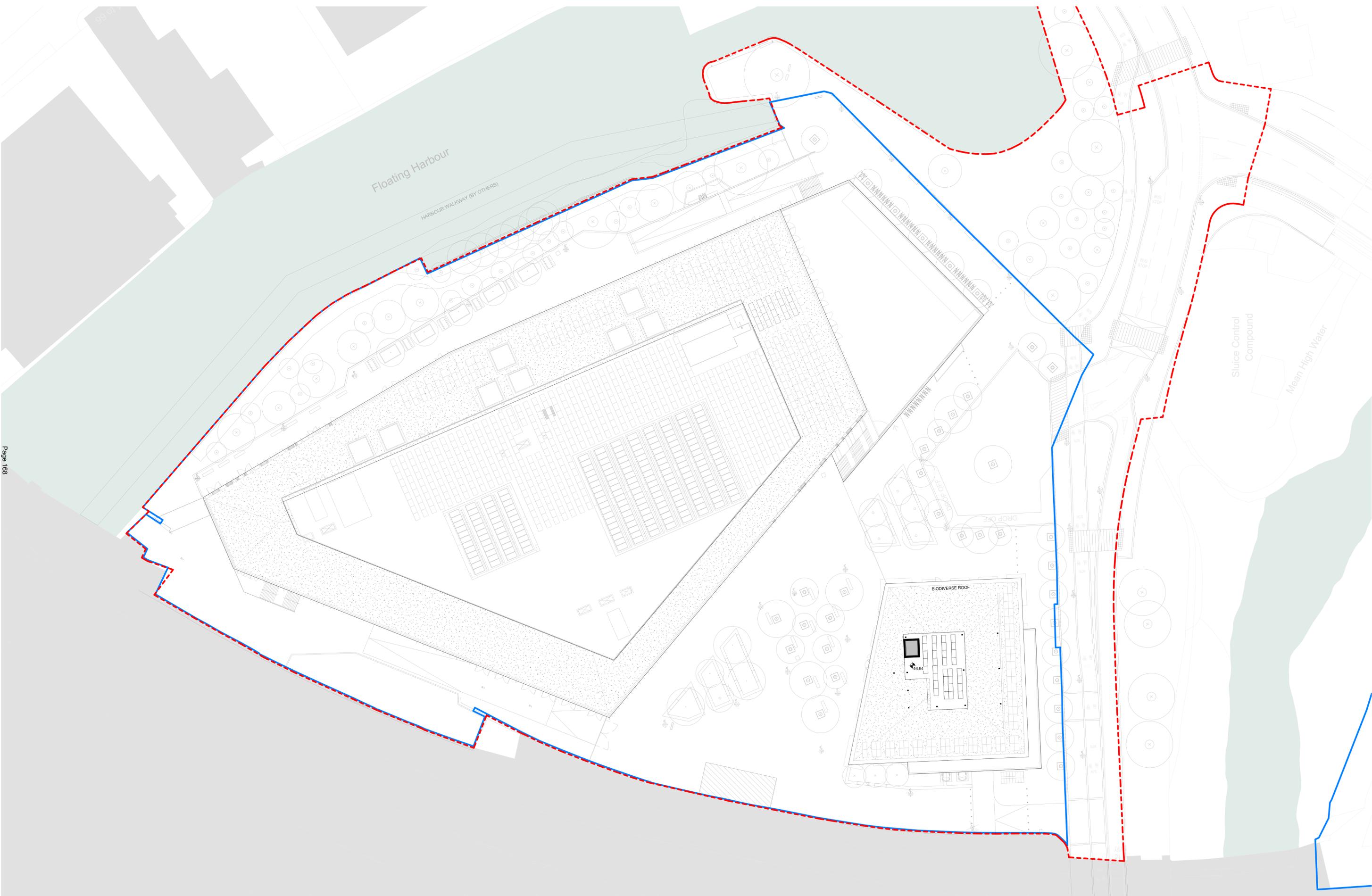
Appendix 2 – Applicants’ response to the Environment Agency objection

Environment Agency Comment	BuroHappold Response
<p>We are concerned the submitted Flood Risk Assessment (FRA) and additional plans/drawings have not addressed the need to ensure protection and maintenance of the existing defences. Additional on-site investigations need to be carried out by the University of Bristol or appointed contractor to determine the location of the ground anchors on site to ensure the proposed building design/layout will not compromise the harbour piled wall, in the interests of fl. (Sic)</p>	<p>A ground investigation has been specified and is planned to identify the location, form and role of all of the ground anchors that provide support to the Floating Harbour wall on the University’s TQEC site.</p> <p>Investigation of some of the southern anchors has been undertaken to date and based on their arrangement it appears likely that all proposed new structures are outside the area occupied by the anchors. The existing proposals show no buildings within an 8m setback of the River Avon (as agreed at the OPA) and it is considered based on the information available that this building layout is unlikely to cause any significant clashes between the structure and the ground anchors or the sheet piled harbour wall. However, as the anchor design could vary along the wall section all anchors and their positions are to be recorded to ensure that there are no clashes.</p> <p>Should clashes with the existing design be identified, then the future building foundation design will be modified so that it does not clash with the existing support structure for the river wall.</p> <p>Once the investigation is underway and further information is available on the ground anchors it will be possible to finalise the design solution in this area and demonstrate the maintenance of the integrity of the harbour wall.</p> <p>Since it was not possible to provide any detail on the solution prior to the ground investigation this was not addressed in this version of the FRA.</p>
<p>The FRA, Figure 6.3 shows only a 2.5 metre wide access width alongside the Floating Harbour through an access gate, with turning circle yet to be established. At the very minimum 5 metres is the narrowest width we can accept for the safe working of our operatives. This access needs to be revisited and updated proposals submitted to us for review. A plan should be provided showing the access route through the development to the edge of the Floating Harbour. This access should be free of obstructions. If there are bollards or other access points keys would need to be provided or structures be demountable in nature.</p>	<p>Figure 6.3 within the FRA shows a 2.5m width of grasscrete, taken from the landscape proposals. The provision of this 2.5m grasscrete corridor was to provide a stable access route for vehicles but it is not the limit of the accessible space. It can be seen from the image in the FRA that the width of the access along the riverside path is generally greater than this value and for the most part greater than 5m, and that pedestrian access is available across the full width of the open landscape area. The Flood Risk Assessment did not provided detail on the vehicle tracking exercise, however a vehicular turning head was indicated in the figure.</p> <p>The attached TQNA-BHE-XX-ZZ-SK-C-9008 - EA Access to River, Land Rover & Trailer vehicle tracking’ sketch shows the vehicular access corridor, turning head and provision of pedestrian accessible space.</p>

Supporting Documents

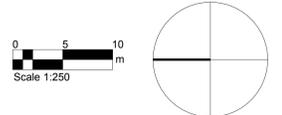
3. Land of Former Post Office Depot, Cattle Market Road

1. General site layout
2. Capture 1 view from Valentine Bridge
3. Capture 2 view from Platform 1 Temple Meads Station
4. Compliance with parameter plan approved at outline stage



SPACE TYPES					
	SOCIAL SPACE		TEACHING SPACE		ENTERPRISE & ENGAGEMENT
	COMMERCIAL & CATERING		LEARNING SPACE		CIRCULATION
	HEALTH & WELLBEING		OFFICE SPACE		ANCILLARY SPACE
	CAMPUS OPERATIONS		RESEARCH SPACE		SHELL & CORE SPACE

BOUNDARY LINES	
	PLANNING BOUNDARY
	OWNERSHIP BOUNDARY



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Rev	Status
P01	First Issue
P02	Updated access strategy

Date
25/11/2019
30/01/2020

Job/Drawing No
TQNA-FCBS-ZZ-08-DR-A-0209

University of Bristol TQEC - Academic Buildings
PLANNING - GENERAL ARRANGEMENT PLANS - ROOF
Scale 1:250@A0
Date 11/12/19
Drawn STUDIO SD
Checked MK
FCBS project no 1833
All dimensions to be checked on site

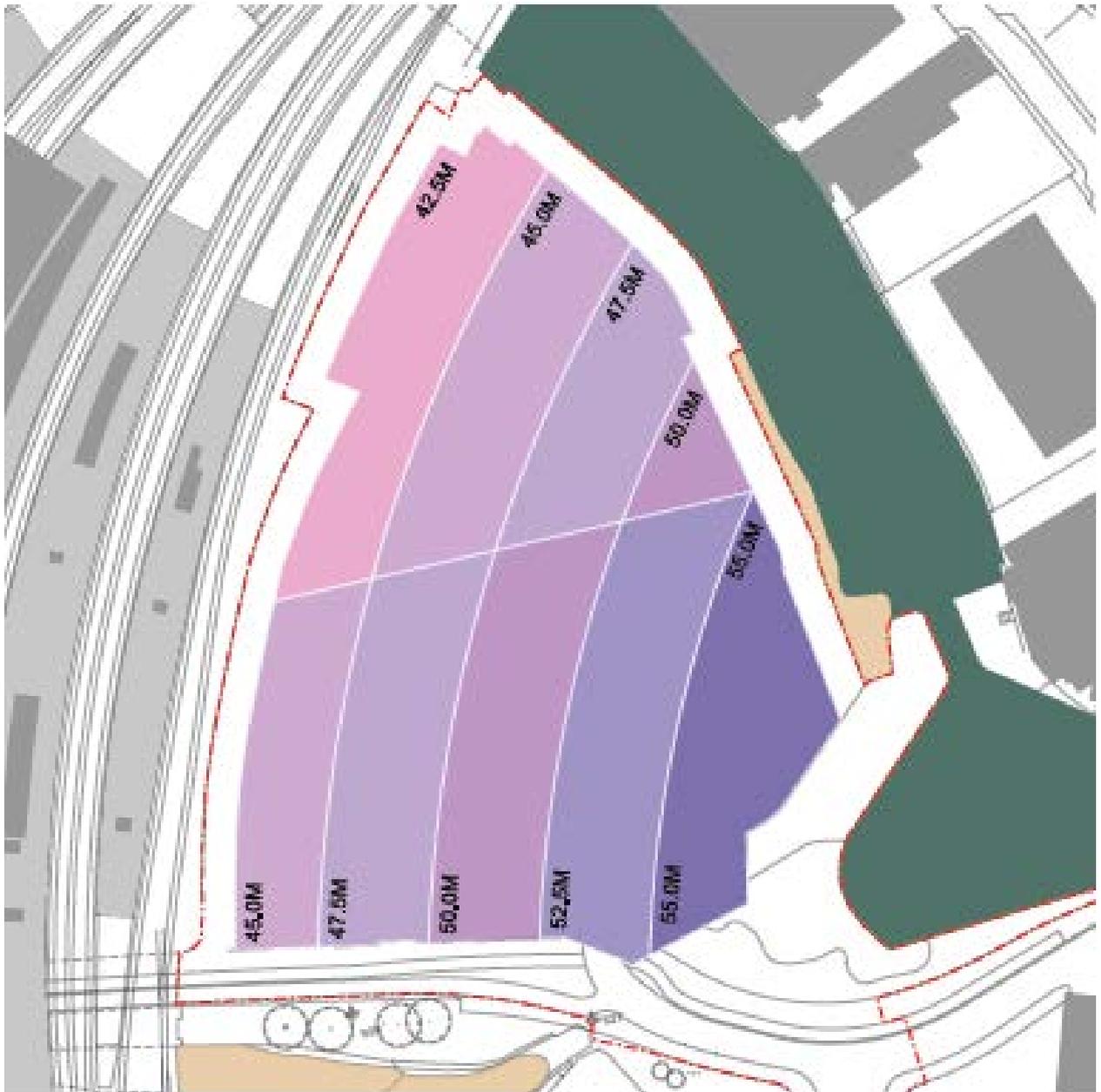
Revision
P02
Status



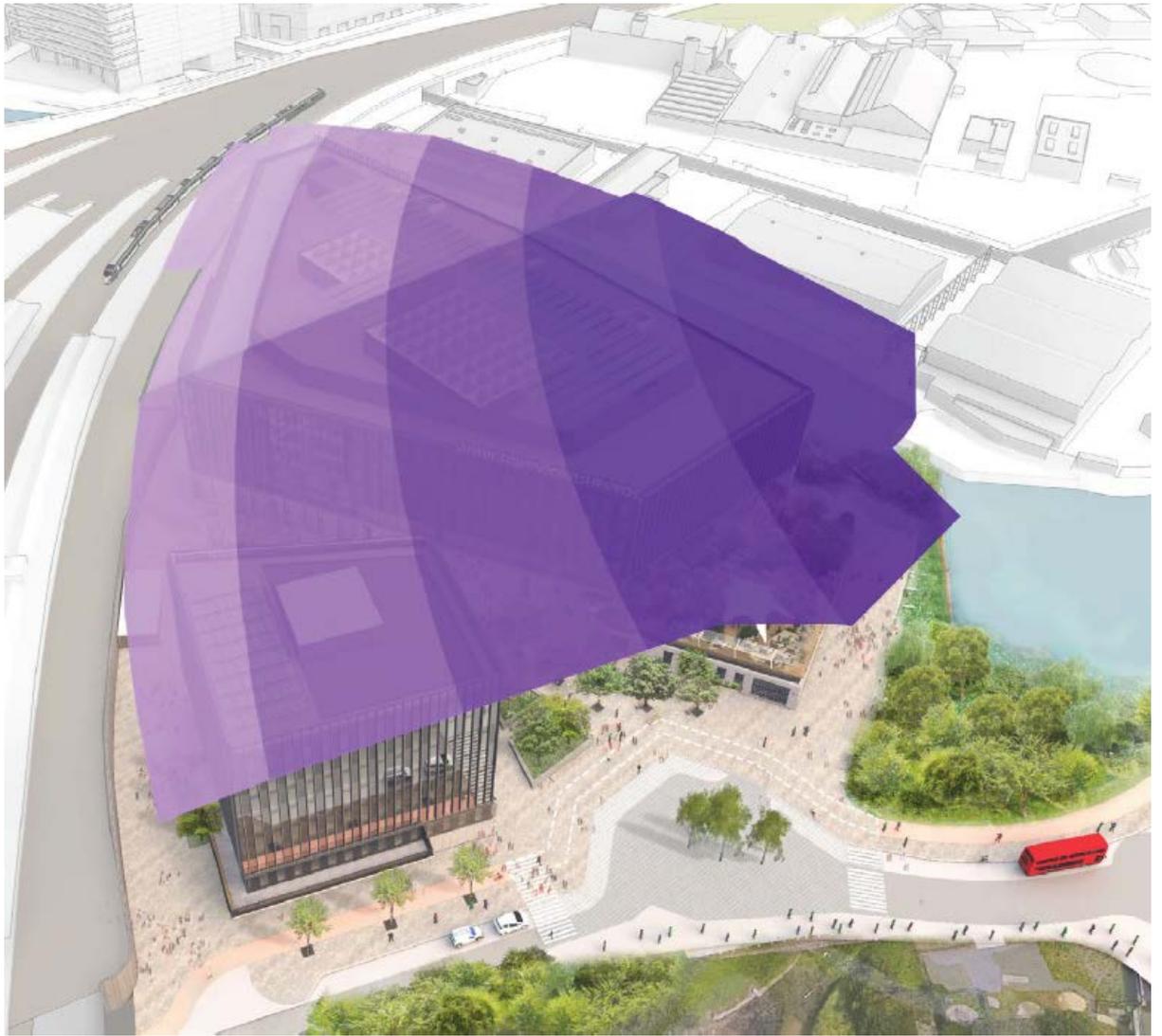
Indicative massing of proposals to be there



Compliance with the parameter plan approved at outline stage



Extract from 1833_P_015_HEIGHT PARAMETERS rev B, approved OPA



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Application No. 19/05204/F : 83 Hartcliffe Way Bristol BS3 5RN

SUMMARY

The application in front of Members is for a new Household Recycling and Reuse Centre (HRRC) on the site of the current street cleaning depot set back from Hartcliffe Way. The background to which stems from Bristol's Waste and Resource Management Strategy" (April 2016) which makes a commitment to address the inadequacy of the current Household Recycling and Reuse Centres (HRRC) in the city. In 2017 money was allocated into the Capital Program to develop such a facility.

A Household Waste Recycling Centre (HWRC) was previously given permission on this site (application reference: 12/05168/F) but was not implemented at the time. The site is within a designated Principal Industrial and Warehousing Area (PIWA). The adjoining site to the site to the south has an allocation (BSA1119) within the Local Plan for Industry and Warehousing or a HWRC.

Following the provision of additional information, as set out in the following report, the proposal is considered acceptable on use; visual impact; nature conservation; arboriculture; noise; pollution; flood risk; sustainability; security; and contamination grounds.

In order to ensure that the facility does not cause significant highway safety consequences on Hartcliffe Way, a new traffic lighted junction is proposed. This will obviously have a noticeable impact on traffic movement in the immediate area, however Transport Development Management consider that with the range of measures secured through conditions and obligations the impact will be adequately mitigated. Further it will provide a pedestrian crossing better linking both sides of Hartcliffe Way (including if further housing comes forward in the locality).

As such, the proposals accord with the most of the relevant policies within the existing Bristol Local Plan as detailed below subject to conditions and financial obligations again set out below.

However, the area where there is not full compliance with the Local Plan is in respect of Air Quality.

The proposal would result in a predicted decrease in air quality arising from traffic generated by the development at receptors at the Parson Street gyratory to include Parson Street School which cannot be adequately mitigated. This issue is fully set out in Key Issue D.

Members are thus advised that the air quality impacts of the proposed development are considered significant and BCC Air Quality Team maintain an objection to the application.

A balanced recommendation has to be made regarding the significant air quality impact and the desirability of a delivering a new HRRC for South Bristol on Council owned land; where there is a recognised need to serve this specific catchment area; and to future proof this part of the city when additional large residential sites are developed (such as Hengrove Park). It is noted that capital funding has been identified for such a facility and feasibility studies into the site and alternative locations have been undertaken and ruled out by the Authority. It is also noted that the site has previously had permission for a similar use and adjoins a currently undeveloped site with a Local Plan allocation for a Household Recycling facility. Further the facility itself will assist in increasing recycling and reuse levels in Bristol as a whole. Finally, it is also recognised that such a facility is intrinsically vehicle based due to the nature of such a use.

The recommendation to Members is therefore to APPROVE the application on balance, subject to conditions and relevant legal agreement to secure the required obligations.

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BACKGROUND

The site is located on the eastern side of Hartcliffe Way and is currently occupied by Bristol City Council's street cleansing contractor and is also used as a store for the Council's supply of road salt and fleet of gritting lorries. There is one access into the site via a bridge across Pigeonhouse Stream which runs along the western boundary of the site. The site is cut into the hillside to the east with a small retaining wall present in places below which the site comprises tiered levels of asphalt and concrete hard standing, with access via ramps to the higher levels. A salt storage enclosure with an open top is located within the northern area, an administration/office building and vehicle storage shed is at the centre alongside a redundant two storey warehouse/office building. There are a number of containers housing welfare facilities located within this area. There is also a staff car park (which is located in the south of the site). Whilst the operational site is covered predominately by hardstanding and buildings, there are areas of unmanaged green space, trees, vegetation and scrubland located to the edges of the operational areas.

A Household Waste Recycling Centre (HWRC) was previously given permission on this site (application reference: 12/05168/F) but was not implemented. The site is within a designated Principal Industrial and Warehousing Area (PIWA). The adjoining site to the site to the south has an allocation (BSA1119) within the Local Plan for Industry and Warehousing or a HWRC.

Hartcliffe Way itself is situated in a valley between two residential areas, Knowle West to the east and both Headley Lane/Bishopsworth to the west. On the west side of Hartcliffe Way between the main road and Headley Lane is the northern tip of Crox Bottom a Site of National Conservation Interest (SNCI) and the eastern section of the Malago Valley SNCI. The Bishopsworth and Malago Conservation Area is also located west of the site, and include the area of Manor Woods Valley Local Nature Reserve/Open Space which extends south into Bishopsworth. The site is surrounded to the east and south by the Pigeonhouse Stream and adjacent meadows SNCI which also extends into the south-western corner of the site.

The land that is located at Novers Hill, east of Hartcliffe Way and west of Novers Lane/ Novers Hill (site refs: BSA1108 and BSA1114) is allocated within the Bristol Local Plan, Site Allocations and Development Management Policies as suitable for housing and industry.

RELEVANT HISTORY

56/02750/U_U Erect Transport Depot. 2 November 1956 NO OBJECTION

57/01703/U_U Erection of Paper Baler House. 9 July 1957 NO OBJECTION

59/03725/U_U Erection of an extension to existing paper baling depot for handling waste cardboard. 24 December 1959 NO OBJECTION

61/03546/U_U Erection of Composting Plant at the rear of Cleansing Depot. 2 November 1961 NO OBJECTION

62/00044/U_U Erection of Weighbridge & Office. 2 February 1962 NO OBJECTION

69/00229/P_U Extend Cleansing Depot to form Car Park. 9 April 1969 NO OBJECTION

75/03547/U_S Alterations to existing building and provision of new access ramp and loading bays in waste paper baling shed. 4 December 1975 NO OBJECTION

88/03812/S Hartcliffe Way Depot, Hartcliffe Way, Hartcliffe, Bristol. Glass storage area. 20 January 1989 NO OBJECTION

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94/01395/C Depot for the storage of vehicles incorporating office accommodation, storage building, fuel island & bunkers 20 July 1994 PERMISSSION GRANTED

12/05168/F Redevelopment of existing depot to create a new household waste recycling centre. New carriageway junction, bridge and revised internal layout. Demolition of building C and partial demolition of building B (Major application) 2 July 2013 PERMISSSION GRANTED

13/00500/SCR Request for a Screening Opinion as to whether an Environmental Impact Assessment is required for a proposed recycling centre. 22 June 2012 NOT EIA

19/04644/SCR Request for a Screening Opinion as to whether an Environmental Impact Assessment is required for a proposed Household Reuse and Recycling Centre (HRRC). 11 October 2019 NOT EIA

EQUALITIES ASSESSMENT

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

APPLICATION DETAIL

The application seeks the construction and operation of a split level Household Recycling (with Canopy) and Re-Use Centre, with demolition of some existing structures and retention of existing office and welfare facilities; vehicle parking and manoeuvring area; drainage and water management system, perimeter fencing, lighting, retaining walls, tree planting, 2no new vehicle bridges, separate pedestrian access, temporary construction haul road with ancillary off-site highway improvement works to facilitate new access and egress points at 83 Hartcliffe Way.

COMMUNITY INVOLVEMENT

a) Process

The pre-application consultation that took place in this case involved contact with local amenity groups, ward councillors and residents of the local area and those surrounding. The Applicant has engaged with the community through a range of methods including pre-application meetings, a series of public exhibitions, e-newsletters and email invites.

The applicant has provided their summary of the concerns raised as follows:

- o fly-tipping - what will be done to mitigate the potential impact of fly-tipping at the Nature Reserve opposite?
- o biodiversity - what has been done to ensure that there will not be a negative impact on the local wildlife?

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- o sustainable travel - Can there be cycle and pedestrian access to the site?
- o noise - what will be done to assess and monitor the noise impact of the site?
- o traffic concerns:
- o how will you prevent traffic from building up on Hartcliffe Way at busy times?
- o whether traffic travelling towards Bedminster will be able to turn right across Hartcliffe Way to access the site

b) Outcomes

The applicant has stated that as a result of the community consultation the following were the resultant outcomes:

- o fly tipping - a daily inspection by the site manager will take place within the site and the surrounding area. Any fly tipping occurring near the HRRC will be monitored and recorded.
- o biodiversity - a detailed EclA was undertaken in connection with the submission of the planning application. A comprehensive set of compensation and enhancement measures have subsequently been recommended comprising:
 - o an update badger survey which would need to be undertaken prior to the start of construction;
 - o New soft landscape planting should use native species of local provenance with known wildlife benefit;
 - o Implementation of a sensitive lighting strategy - to avoid/reduce impacts on local bat populations;
 - o Sensitive timing of site clearance to protect nesting birds and otter;
 - o Sensitive working methods to protect badger and hedgehog;
 - o Adherence to Arboricultural Method Statement and Tree Protection Plan to prevent damage to boundary features and retained trees; and
 - o Installation of a range of bat and bird boxes/bricks into the fabric of selected new buildings and or retained trees and or hedgehog domes in retained vegetation.
- o sustainable travel - cycle and pedestrian access to the site has been retained and enhanced.
- o noise - an assessment of the risk of adverse impact from noise 'pollution' generated by the Proposed Development on residents in the surrounding area was undertaken. As part of the assessments, SLR attended the existing Site to conduct a Baseline Sound Survey, using this to determine threshold noise levels to assess against. The assessment of the impact on residential properties has been conducted in accordance with BS 4142:2014+A1:2019, whilst the IEMA 'Guidelines for Environmental Noise Impact Assessment' have been used to assess the impact of off-site traffic movements. The results of both assessments have concluded that there is a 'negligible' risk of adverse impact from noise generated by the Proposed Development. Therefore, noise should not pose a material constraint to gaining planning consent for the proposed HRRC. A record of any noise complaints will be kept within the offices at the site and addressed by site management as necessary.
- o traffic concerns - In terms of traffic flow, all the work that has been undertaken has been in full consultation with the planning body and highways to ensure that all parties are happy with the flow of traffic. It is deemed that the exit will be traffic controlled with traffic lights and there will be a waiting lane for turning right into the site on the road as well. All predictive modelling that has been undertaken has demonstrate that this will not have an adverse effect on the traffic, as this has been the mandate from the Highway Department

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Finally, following the event, draft plans, a summary document and details on how to provide feedback were emailed to the Local Planning Groups, those who attended the event, and to anyone who had asked to be kept informed

RESPONSE TO PUBLICITY AND CONSULTATION

The application was initially publicised through 15no. site notices and an advert in a local paper. In addition, 1245no. individual notification letters were sent out to neighbouring premises.

11no. objections have been received. The issues raised in these responses are hereby summarised below:

Transport Issues

- It will create too much traffic on the Hartcliffe Way.
- Unnecessarily add to congestion in the local area
- Will see increased traffic in Headley Park as commuters try to avoid the area which will impact highway safety in the area.
- Concerned with it being on a main road. If it is to go ahead then a sufficient road network e.g. ring road should be built. Do however agree that South Bristol would benefit from a recycling centre but on an alternative site not on a main road.

Case Officer Note: Please refer to Key Issue C below

Noise, Odour and Air Pollution

- Will causing extra noise from increased lorries and diggers moving the rubbish around it will create noise pollution and air pollution to what is a nice peaceful area with Manor Woods Nature Valley directly opposite.

The noise of the rumbling of heavy vehicles and the beeping signals used when they are reversing carries much further afield than the direct vicinity in which the work is undertaken. Can hear such noises from the Hartcliffe Way areas which have already been expanded

- Continual intrusion on peace and quiet can cause noise induced stress. This can also lead, ultimately, to physical health problems.
- Concerned about unpleasant smells, odours that will be emitted from the centre as already experiencing smells of chemical burning in this area
- Don't want to have other issues that have an adverse effect on health and on the environment.
- Seen numerous news items relating to problems in Avonmouth relating to increased smell, flies and dust/airborne dirt associated with asthma and respiratory health problems due to a similar recycle unit their neighbourhood
- The respiratory problems from dust particles residents have suffered with, that are associated with waste sites such as Avonmouth is worrying. Sites like these should not be built so close to residential areas for this very reason. With the council bringing in their clean air zone adding this right next to a residential area is just going to increase air pollution for everyone living nearby from queuing cars and heavy plant machinery.
- Emissions will be noticeably increased not only through the additional vehicles passing through the area, but also through their idling engines which will pump out pollutants whilst their drivers wait at the

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'newly installed' traffic lights

-the recently produced map of the planned clean air zone stops short of incorporating the area under development.

- Within a busy residential area, and the likely impact seems disproportionate considering the number of residents.

- Would be much better placed in an industrial area away from a nature reserve and residential properties

- It is located in the Malago Valley and any noise will echo and be amplified around the area which is not acceptable early and late hours of the day.

Case Officer Note: Please refer to Key Issues A, C, D and G below

Impact on Nature Conservation/ Trees

- Concerned about the impact of the local wildlife and conservation in the area. Building this centre will no doubt cause issues to the local nature reserves - with a site like this, it is likely that the local streams can be polluted should the area flood. Pigeonhouse Stream could be polluted which would affect the local wildlife.

- It is very close to The Malago, which may get polluted by waste.

- Wildlife has already been dislodged along with much greenery as a result of road widening in the Hartcliffe Way over recent years and it seems that more of the greenery is about to be eaten away and any replacements will be small to medium growing tree species rather than of a larger size with more capacity to absorb the increased carbon emissions

- One the reports refer to areas around the development as 'scrubland' which suggests that the land is deemed by them to be worthless. This will no doubt add to any arguments around further development in the area in the future. If this is the case, then this industrialisation by stealth of such a beautiful area reflects a total lack of understanding of the actual needs of communities in Bristol in respect of clean air and the sense of local identity and belonging which goes hand in hand with living in such a place.

- Recognise the need for new development, but to make inroads into the beautiful greenery of our City, regardless of where in Bristol that is, when there remain brownfield sites still to be developed is wrong.

Case Officer Note: Please refer to Key Issues B, D, E, F, G and H below

Other Issues

- The reports and documents on this BCC Planning site are not very user friendly and are not clear for the vast majority of people who are looking for information on this planning application. Unless you come from a background in building and planning you are going to find these reports confusing and overloaded with jargon.

Case Officer Note: This comment was considered valid and the applicant was asked to submit a summary document covering the main issues.

- It may encourage fly tipping in the area.

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- It will encourage pests, like seagulls and rats which carry disease.
- We need more houses for people

Case Officer Note: Please refer to Key Issues A and G below

In addition, 3no. Neutral Comments have also been received and are also summarised as follows:

- What will be done to stop fly infestation affecting the local area as has happened in Avonmouth with a similar site
- Our concern is air, noise and light quality. So long as all is monitored properly and air quality especially is kept well within permitted levels of toxins then this will be a useful addition to the city. Should however this site add to the pollution then we do not see how it can be passed bearing in mind that the mayor is banning diesel vehicles. He would just be collecting diesel vehicles to this area to deposit waste thereby deteriorating the air in south Bristol.
- As a resident of Novers Hill I am concerned that traffic on the hill will be significantly increased and this is already a very dangerous road for pedestrians made worse by almost no-one obeying the 20 mile per hour speed limit on the hill. Either widening the blind corner to enable a footpath to run along the road or speed bumps to keep people to the speed limit would be a huge improvement and help with the increased volume of traffic
- Already had to report repeated fly tipping on Novers Hill and have concerns that this may also be made worse although cannot fault the council for their speed removing rubbish and I will improve my CCTV cameras so that hopefully anyone fly tipping in the area can be prosecuted

Case Officer Note: Please refer to Key Issues C, D and G below

OTHER COMMENTS

The **Avon and Somerset Constabulary Crime Prevention Design Advisor** has commented as follows:

I am a Crime Prevention Design Advisor (CPDA) with a responsibility for Crime Prevention Through Environmental Design (CPTED) projects within the Bristol area. As a Constabulary we offer advice and guidance on how the built environment can influence crime and disorder.

Paragraphs 91, 95 and 127 of the National Planning Policy Framework (adopted February 2019) require crime and disorder and fear of crime to be considered in the design stage of a development. Other paragraphs such as 8, 104, 106, 110, and 117 also require the creation of safe environments within the context of the appropriate section.

The Bristol Development Framework Core Strategy (adopted June 2011) states that one of the overarching issues for ensuring a sustainable future is reducing the opportunity for crime.

Bristol Local Plan - Site Allocations and Development Management Policies - (Adopted July 2014) section DM28: Public Realm states that Development should create or contribute to a safe, attractive, high quality, inclusive and legible public realm that contributes positively to local character and identity and encourages appropriate levels of activity and social interaction. Section 4 adds that development will be expected to: Reduce crime and fear of crime by creating a well-surveyed public realm that is well managed and cared for;

Having reviewed the Design and Access statement and associated documents I have the following

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comments;

o I note the following from the Design and Access statement 'The site will be secured by palisade fencing and security gates as shown on Dwg 004 (Appendix 2). Security measures at the site (including security cameras and good practice measures) will be provided at the conditional stage should planning permission be granted. I strongly recommend that should planning permission be granted, the perimeter fencing and associated vehicular and pedestrian gates, should be to a height of 2.4m. This will deter unlawful access to the site.

o The applicant also proposes to install one 4 metre high metal pole for the installation of one Automatic Number Plate Recognition (ANPR) camera immediately on entering the public CRC entrance. I strongly recommend that CCTV with identification quality images is used at the pedestrian and vehicular entry and egress points. This will deter fly tipping near the site when it is closed to the public as well as to identify those accessing the site for unlawful purposes. ANPR, as stated above, will be used to monitor the use of the site rather than for crime reduction purposes. CCTV is an effective deterrent to crime and disorder.

o CCTV should be installed to monitor the area in which Lorries and associated vehicles are stored. Theft of diesel is an issue on industrial sites in the City along with the cost of the actual diesel theft, considerable damage can be caused to vehicles in the process.

BCC Air Quality has commented as follows:

The air quality assessment submitted as part of this planning application has considered the potential impact of the proposed development during both the construction and operational phases. An appropriate assessment methodology has been used to determine the predicted impacts on air quality and the subsequent effects that this is predicted to have on sensitive receptor locations.

Construction Phase Impacts

During construction there is a risk that emission of dust to air will occur. In Section 5.1.5 of the air quality assessment construction phase mitigation measures have been identified as being required in order to ensure that dust impacts during this phase of the development are 'not significant'. The mitigation measures in Table 5-4 of the air quality assessment should be conditioned to form part of a CEMP/Dust Management Plan.

Emissions from additional HGV movements during the construction phase have been screened out as insignificant without the need for detailed assessment.

Operational Phase Impacts - Assessment Methodology:

The air quality assessment modelled the following scenarios:

- o 2018 - 'Baseline year' used to carry out model verification
- o 2020 - 'Projected Baseline scenario' without the proposed development
- o 2020 - 'With Development scenario' with the proposed development

Sensitivity testing has also been carried out to account for the uncertainty in future year vehicle emissions as it is considered that the official Emission Factors Toolkit (EFT v9.0) future year vehicle emissions predictions continue to be overly optimistic. The sensitivity assessment scenario has held air pollution background and vehicle emission factors at 2018 levels. This is likely to be overly conservative and the predicted impacts on air pollution likely to fall somewhere between the two emission scenarios modelled.

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The following discussion focuses on predicted changes to annual nitrogen dioxide (NO₂) concentrations. Changes to particulate matter (PM₁₀) concentrations have been assessed but are considered to be negligible.

In the opening year of 2020 it is predicted that there will be increases in air pollution at all 23 sensitive receptor locations that have been included within the air quality model. The predicted increases in annual NO₂ concentrations range from 0.2µg/m³ to 0.9µg/m³ when modelling uses the official EFT v9.0 emission factors. When using the 2018 background vehicle emission factors the predicted increases range from 0.2µg/m³ to 1.0µg/m³.

The significance of the increases in air pollution predicted is dependent upon both the level of increase and the predicted overall pollutant concentration at sensitive receptor locations. Environmental Protection UK and the Institute of Air Quality Management guidance provide a methodology to determine how to describe the impact of future changes to air pollution concentrations. This methodology has been used to determine the impact descriptors for the predicted increases in air pollution.

Slight adverse impacts are predicted at four receptor locations with moderate impacts at a further two under the official vehicle emission factor (EFT v9.0) scenario. At three of these locations the worsening of air pollution is predicted at sensitive receptor locations that will continue to be in exceedence of legally binding air quality limit values. Two slight adverse impacts are predicted at receptor locations on the façade of Parsons Street School, both of which are predicted to have air pollution levels close to exceeding air quality limit values for annual NO₂ concentrations in 2020. These results can be viewed in Table 6-1 of the air quality assessment.

Under the sensitivity analysis scenario (2018 background and vehicle emissions) it is predicted that three receptors will experience slight adverse impacts, seven moderate adverse and one substantial (R7). Moderate adverse impacts are predicted at both Parsons Street School receptors with continued exceedence of limit values being predicted. These results can be viewed in Table B-1 of the air quality assessment.

It is considered likely that impacts will fall somewhere between the two modelled scenarios.

Due to the nature of the development, users of the site will tend to rely upon accessing the site by car. As a result, mitigation of impacts of air quality is difficult, however, the air quality assessment commits to including measures designed to attempt to reduce the impact of the development proposals on air pollution as much as is possible. These measures include a framework travel plan, high standard pedestrian infrastructure on the site, a pedestrian and cycle crossing and two electric vehicle charge points. A set of secondary and future proofing 'soft measures' were proposed by the applicant in additional information submitted on the 19th February 2020. These include provision of electric vehicle ducting, to allow an increase in provision of on-site EV chargepoints in the future, and a cycle cargo trailers initiative. These measures are considered to be positive and desirable should development take place, however, they are not considered to have a material effect upon the increases in air pollution as predicted in the air quality assessment.

It is considered that the reduction in emissions over the city, as inferred in the air quality assessment due to the possible closure of the Days Road HWRC, is not relevant to the report conclusions. The significance of the effects of the proposed development are based on the predicted impacts at sensitive receptor locations around the Parsons Street gyratory system.

Conclusions

National and Local Planning Policy

The National Planning Policy Framework (NPPF) makes specific reference to air quality in paragraph 181. stating that:

"Planning policies and decisions should sustain and contribute towards compliance with relevant limit

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values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan."

Bristol City Councils Site Allocations and Development Management Policies is part of the Bristol Local Plan which helps deliver BCC's Core Strategy. Policy DM33, Pollution Control, Air Quality and Water Quality states:

"Development that has the potential for significant emissions to the detriment of air quality, particularly in designated Air Quality Management Areas, should include an appropriate scheme of mitigation which may take the form of on-site measures or, where appropriate, a financial contribution to off-site measures. Development in designated Air Quality Management Areas should take account of existing air pollution and include measures to mitigate its impact on future occupiers where possible and consistent with other policies of the development plan such as those on climate change and urban design."

The air quality assessment demonstrates that the development proposals do not sustain or contribute towards compliance with relevant limit values within the existing air quality management area (AQMA) and effective mitigation is not proposed. Due to the nature of the site and way in which people access it, mitigation through a reduction in vehicle movements is not easily achieved.

It is considered that the predicted worsening of air pollution in the Bristol AQMA means that the proposals are inconsistent with National and Local Planning Policy in terms of air quality related effects.

High Court Ruling: Client Earth v. Secretary of the State for the Environment

The judgement by the High Court in (ClientEarth) (No. 2) v. Secretary of State for the Environment, Food and Rural Affairs [2016] EWHC 2740 established important legal tests that apply to the preparation of air quality plans to achieve compliance with annual nitrogen dioxide limit values. The legal test contains three measures that plans must meet:

1. Aim to achieve compliance as soon as possible;
2. Choose a route to compliance which reduces human exposure as quickly as possible; and
3. Ensure that compliance with the limit values is not just possible but likely.

In a briefing note on the High Court judgement ClientEarth considers that Test 2 "means that local authorities should also refrain from taking actions that, whilst they may not affect the final compliance date for the overall zone, would increase exposure, or delay reduction of exposure in any part of the zone."

The development proposals are predicted to worsen air pollution in the existing AQMA which has been declared on the basis of exceedence of the annual objective for NO₂. The air quality assessment predicts that the proposed development will increase human exposure to NO₂ pollution at relevant receptor locations. As a result, the effect of the proposed development could be considered to be in conflict with legal test 2 based on the ClientEarth interpretation. However, it should be noted that Client Earth state that their interpretation does not represent legal advice and should not be relied upon by other parties as such.

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The air quality assessment concludes that:

"the proposed development will result in a 'significant effect' in the short term. As such, it is considered that air quality does represent a material constraint to the development proposals."

The development proposal is located close to one of the most polluted areas of the road network in Bristol with measured pollution concentrations above legal annual nitrogen dioxide EU limit values and UK objectives. The proposal is predicted to result in, as a minimum, slight to moderate increases in air pollution at locations of relevant exposure, including Parsons Street School. Due to the nature of the proposed development it has not been possible to develop an effective scheme of mitigation of these impacts on air pollution. It is considered that the proposals conflict with National and Local Planning Policy on air quality. As a result I object to the development on grounds of the predicted increases in air pollution at relevant receptor locations.

BCC Pollution Control has commented as follows:

Whilst I have had some concerns regarding noise from the site I would confirm that these concerns have been allayed by information submitted within the Noise Assessment submitted with the application and subsequent clarifications from the acoustic consultant. I also feel that it has to be noted that the site currently operates as a Council depot with (I assume no) restrictions on working hours and that all operations carried out on this site under this consent will only be carried out between 08:00 -18:45 (Summer) and 08:00 - 16:15 (Winter).

As would be expected for a site of this nature an assessment of noise from its operation has been carried out in accordance with BS4142:2014 Methods for rating and assessing industrial and commercial sound. This purpose of this type of assessment is to assess the potential impact of sound of an industrial or commercial nature, at nearby noise sensitive residential properties. Due to traffic on Hartcliffe Way and other commercial premises in the area the background noise levels at nearby residential properties are relatively high.

The assessment has been made by taking reference noise levels for all operations that would be carried out at the site (vehicle movements, tipping of materials etc) and then calculating a worst-case 60-minute noise level based on the numbers of times these operations would be likely to be carried out during the busiest hour of the year (in terms of visitor numbers). When this worst case 60 minute noise level, with a 6dB penalty added for the impulsive nature of the noise, is assessed against the lowest background noise level, on a Sunday morning, the noise from the site will be below background noise level at the nearest residential properties. I would therefore agree with the conclusions of the report that the use of the site will only have a 'negligible' risk of adverse impact from noise generated by the Household Recycling and Re-Use Centre.

I've looked at the further information submitted and am happy with it and have no objection to the application but would ask for the following conditions should the application be approved:

1. Hours of Operation

Except for in the event of an emergency there will be no operations on site in association with the recycling or re use of waste outside of 08:00 - 19.00. (or any similar wording)

2. Noise from plant & equipment affecting residential

The rating level of any noise emanating from premises or processes as part of the development shall be at least 5 dB below the background level as determined by BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

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3. Artificial Lighting (external)

Any light created by reason of the development shall meet the Obtrusive Light Limitations for Exterior Lighting Installations in table 2 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01:2011.

BCC Arboricultural Team has commented as follows:-

I agree with Martin's comments that the landscape and tree planting details are acceptable. There is still a high percentage of Rosaceae species at nearly 50%, however, the increase in climax species is appreciated and I do not see the value in chasing this further.

The only aspect missing is a watering, maintenance and aftercare schedule for the trees to ensure establishment, do you want this prior to consent or is it easier to condition?

Please can you conditions the landscape plan and tree planting schedule.

Tree planting plan - Landscape condition

Landscaping (Tree Planting) works

The Planting proposals hereby approved (Landscape-Softworks, Dwg 3153-L-SW-0-01 Rev C & 3153-Planting Schedule-HWRC Rev A) shall be carried out no later than during the first planting season following the date the is ready for occupation or in accordance with a program of works, details of which shall be submitted to and agreed in writing by the local planning authority. All planted materials shall be maintained for 5 years and any trees removed, dying, being severely damaged or become seriously diseased within 5 years of planting shall be replaced with others of a similar size and species to those originally required to be planted.

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

BCC Landscape has commented as follows:-

I confirm that the revised information regarding tree planting in soft landscape areas, planting plan and plant schedule are satisfactory.

Also, the submitted LVIA viewpoints study confirms my initial thoughts that the visual effects of the development are not significant from key locations.

There remains an outstanding design matter relating to the timber screens surrounding the concrete bays, the design for which can submitted as a condition to approval prior to the commencement of construction on site. On this basis there are no landscape objections to the application

BCC Contaminated Land Environmental Protection has commented as follows:-

Following on from further correspondence, we are generally satisfied that human health risks can be mitigated by the measures currently being proposed. A formal remediation strategy will need to be prepared. We do concur with the Environment Agency concerns regarding controlled waters and their requests for further assessment and considerations.

If the application is subject to approval, we support the use of the proposed Environment Agency conditions but do ask the reason is amended to read as follows:

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring

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land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This is in line with paragraph 170 of the National Planning Policy Framework.

Formal advice: Prior to any enabling works commencing the Pollution Control team should be consulted regarding materials management on site and details provided about how the works will be managed i.e. materials management plans, permit exemptions, DoWCoP

Natural England has commented as follows:-

Summary of Natural England's Advice - NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

European Sites

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

Sites of Special Scientific Interest

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

BCC Flood Risk Manager has commented as follows:-

We are satisfied with the drainage strategy for the site and that the proposed development will not increase the risk of surface water flooding elsewhere.

As the site is planning to do works above a main watercourse (through implementing new bridges), an environmental permit will need to be obtained from the Environment Agency. This is related to flood risk, but outside of our remit, therefore we have no objections to the application.

BCC Nature Conservation Officer has commented as follows:-

This proposal adjoins the Site of Nature Conservation Interest (SNCI), Pigeonhouse Stream and adjacent Meadows. The submitted external lighting contour plots are considered acceptable from an ecological perspective.

The Ecological Impact Assessment dated October 2019 and the following two documents incorporate a number of recommendations which were made to the developer's ecological consultant at the pre-application stage both in writing and during a site meeting and visit, and this is welcomed.

The Ecological Precautionary Method of Working dated October 2019 should be secured by a compliance planning condition.

The Landscape and Ecological Management Plan dated October 2019 should also be secured by a compliance planning condition.

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BCC Transport Development Management has commented as follows:-

Please refer to Key Issue C and relevant conditions below.

BCC Sustainable Cities Team has commented as follows:-

Please refer to Key Issue H below

RELEVANT POLICIES

Planning Obligations - Supplementary Planning Document - Adopted 27 Sept 2012
 PAN 2 Conservation Area Enhancement Statements (November 1993)
 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 Park Neighbourhood Development Plan 2019.

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

KEY ISSUES

(A) WOULD THE PROPOSED DEVELOPMENT BE ACCEPTABLE IN LAND USE TERMS AND IS THERE A NEED FOR A HRRC?

Proposed Use

The site is covered by the allocation as a Primary Industrial and Warehousing Area (PIWA) within the Site Allocations and Development Management Policies document adopted July 2014. The NPPF supports sustainable economic growth, and the Core Strategy Policy BCS8 secures the land within Principal Industrial and Warehousing Areas (PIWAs) - protecting it where it makes a valuable contribution to the economy and employment opportunities. Bristol Local Plan Policy DM13 discusses the range of uses that will be acceptable in the PIWAs (i.e. uses B1b- B8 and sui generis uses of a similar nature).

The site currently operates as a street cleansing and gritting depot which is an established and appropriate use within the PIWA. The proposed use of the site as an HRRC would also constitute an acceptable use within a designated PIWA in line with Policy DM13. Further the site itself previously had planning permission for an HWRC (App Ref 12/05168/F) in 2013 and whilst this permission has now expired; it is not considered the site context has changed significantly since then. It is noted that the policy context has changed since then with Site Allocations and Development Management Policies document being adopted July 2014. Yet as noted above the proposed use is acceptable in line with the PIWA policy that was updated by this more recent document.

In addition it is also noted that within the Site Allocations and Development Management Policies document, the adjoining site to the application premises to the south has an allocation (BSA1119) within the Local Plan for Industry and Warehousing or a HWRC. This site to the south was originally looked at for this HRRC, but following further investigation into the past uses of this land it was found that it had historically been used at a waste tip and disturbing this would cause significant

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environmental issues and would not be viable. As such the previously developed depot site was considered to be a less impactful option to deliver a HRRC for South Bristol.

Need

The proposed HRRC would provide an additional facility to those presently operated by the Council in St Philips and Avonmouth. The applicant is seeking to redevelop the site to allow for the creation of a third HRRC in line with Bristol City Council's Waste and Resource Management Strategy 2016. A capital allocation of four million pounds in the Capital Program was then made as part of the 2017 budget process to develop a new HRRC for the City. The new facility is intended to serve south Bristol which has a growing population.

Impact on Knowle West Regeneration Framework

It is noted that the application site also falls within the area covered by the Knowle West Regeneration Framework. This was developed in 2012 and represented a 20 year plan for meeting community aspirations for the area. Within the spatial plan attached to the framework, of note to this proposal is an aspiration for a key pedestrian and cycle route at a point north east of the application site boundary, coming from Novers Lane across to Headley Lane including a key crossing of Hartcliffe Way to improve pedestrian links east west between Northern and Western Slopes, and north-south between Novers Road and Hartcliffe Way.

Given the nature of the use and the need to keep the site secure for public safety it is unfortunately not feasible to have an open access link through the application site and as such this part of the framework would have to be delivered through other design approaches or redevelopment proposals. That said the HRRC proposal requires the provision of a new traffic lighted junction on Hartcliffe Way. This new junction will have a pedestrian crossing phase and as such will deliver the aspiration for a key crossing of Hartcliffe Way to link close to Headley Lane (see Key Issue C below).

Conclusion

The proposals are judged to be acceptable in land use terms and it is accepted that there is identified need for the facility subject to the satisfactory resolution of all the other issues as set out below.

(B) DESIGN, HERITAGE AND LAYOUT CONSIDERATIONS (INCLUDING ISSUES OF LANDSCAPE, TREES, NATURE CONSERVATION)

The Authority is required (under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. 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." [48].

Section 16 of the national guidance within the National Planning Policy Framework (NPPF) 2019 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Para 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public

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benefits that outweigh that harm or loss. Para 196 further states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Para 197 also states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

In addition, Bristol Core Strategy (Adopted 2011) Policy BCS22 seeks to ensure that development proposals safeguard or enhance heritage assets in the city with Policy DM31 in the Site Allocations and Development Management Policies (Adopted 2014) expressing that alterations to buildings should preserve or enhance historic settings.

Policy BCS21 also requires new development in Bristol to deliver high quality urban design and sets out criteria to measure developments against including the need for development to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness. Policy DM27 expresses that the layout, form, pattern and arrangement of streets, buildings and landscapes should contribute towards to creation of quality urban space and that the height, scale and massing of development should be appropriate to the immediate context, site constraints, character of adjoining streets and spaces and setting. Policy DM26 expands upon BCS21 by outlining the criteria against which a development's response to local character and distinctiveness will be assessed. Development will not be permitted where it would be harmful to local character and distinctiveness or where it would fail to take the opportunities available to improve the character and quality of the area and the way it functions. This policy states that development should also respond appropriately to the height, scale, massing, shape, form and proportion of existing buildings, building lines and set-backs from the street, skylines and roofscapes. Policy DM29 further states that the design of new buildings should be of high quality.

Design and Landscape

Any proposal on this site needs to be carefully designed to respect settings of the sloping heritage assets and townscape and landscape surrounding the site. The impact of proposed changes to the external appearance of the site, new buildings and structures as well as the impact on the existing vegetation has been carefully considered and tested using a Landscape Visual Impact Assessment (LVIA) assessment agreed with the BCC City Design Group. Special consideration has been given to the settings of the Malago Valley Conservation Area and identified key views. In addition, the materials and details of the proposed scheme need to be of high quality design and conducive to their context.

The LVIA exercise and subsequent clarification of rendered images has helped to address the initially identified concerns regarding lack of information. It has been demonstrated via the LVIA that the design, scale and nature of the proposals are relatively low impact in the landscape especially when considering the existing visual impact of the site and the planting enhancements proposed across the site as a whole. Whilst it is recognised there will be a visual impact particularly around the revised access and egress areas and during winter months, the site has been adequately mitigated with landscaping and nature conservation measures (please refer below for more details) and the proposal does not causes such harm to identified key views or the surrounding Conservation Areas to warrant refusal on this basis, especially when considering the wider public benefits identified.

The existing buildings to be demolished are not of such merit to warrant their retention on design grounds and the proposed replacement buildings are also of an acceptable design. There remains an outstanding design matter relating to the timber screens surrounding the concrete bays proposed within the site, the details of which are thus conditioned accordingly.

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Trees and Nature Conservation

Policy BCS9 in the Bristol Core Strategy (2011) states that the integrity and connectivity of the strategic green infrastructure network should be maintained, protected and enhanced. BCS21 in the same document also states that new development will be expected to deliver a safe, healthy, attractive, usable, durable and well-managed built environment comprising high quality inclusive buildings and spaces that integrate green infrastructure.

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

Policy DM19 in the Site Allocations and Development Management Policies (2014) seeks to protect habitat, features and species which contribute to nature conservation, and developments are expected to be informed by appropriate surveys. Policy DM29 in the same document states that proposals for new buildings will be expected to incorporate opportunities for green infrastructure such as green roofs, green walls and green decks.

This proposal adjoins the Site of Nature Conservation Interest (SNCI) known as Pigeonhouse Stream and adjacent Meadows and as set out above, will have an impact on the existing vegetation and Pigeonhouse Stream area due to the new access bridge arrangements and more intensive use of the site as a whole.

The application has been supported by an Ecological Impact Assessment; a Landscape and Ecological Management Plan; and an Ecological Precautionary Method of Working Statement that incorporate a number of appropriate ecological mitigation and enhancement recommendations which are welcomed and agreed in discussion with the BCC Nature Conservation Officer. The submitted external lighting contour plots are also considered acceptable from an ecological perspective. The measures and recommendations within these documents are secured via conditions as set out below.

A total of 26 trees have been identified for removal largely comprising Ash and Hawthorne species and subsequently 79 replacement trees are required to offset their loss. Following revisions to the tree species mix; tree pit details, planting and maintenance details, the proposed landscaping and tree planting scheme is found to be acceptable and appropriately mitigates the impact caused on existing habitats caused by the proposed works as well as enhancing the site as a whole when compared to the existing situation. It is also noted that, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Conclusion

Officers have undertaken the assessment required under the Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and have given special regard to the impact on the character and appearance of the Conservation Area; key views as identified in the submitted Landscape Visual Impact views analysis and the impact on landscape and nature conservation designation.

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Officers are satisfied that any harm to these assets, and their wider setting has been minimised and brought within acceptable limits. The scheme also offers wider public benefits including the provision of a new facility to increase recycling of household refuse in South Bristol that serves to outweigh the limited degree of less than substantial harm to heritage assets and landscape designation caused as a result of this development.

(C) HIGHWAY SAFETY, TRANSPORT AND MOVEMENT ISSUES

Paragraph 102 of the NPPF (2019) states that transport issues should be considered from the earliest stages of plan-making and development proposals. Paragraph 103 adds that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. Paragraph 104 further states that planning policies should support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities. This section of the NPPF also states that planning policies should provide for high quality walking and cycling networks and supporting facilities such as cycle parking.

Bristol City Council Core Strategy (2011) Policy BCS10 advocates that new development should be designed and located to ensure the provision of safe streets and requires proposals to minimise the need to travel, especially by private car and to reduce the negative impacts of vehicles such as excessive volumes, fumes and noise. This policy also requires proposals to create places and streets where traffic and other activities are integrated. Policy BCS13 in the same document states that development should mitigate climate change through measures including patterns of development which encourage walking, cycling and the use of public transport instead of journeys by private car.

Policy DM23 in the Site Allocations and Development Management Policies (2014) further states that development should not give rise to unacceptable transport conditions and will be expected to provide safe and adequate access. Further, this policy sets out the transport and traffic considerations that development proposals should address. This includes parking standards for residential and non-residential development, with the supplementary policy text noting that the approach to the provision of parking aims to promote sustainable transport methods, such as walking, cycling and public transport.

The Transport Development Management Team (TDM) has reviewed the proposals and has commented as follows:

Principle/Site history

The site is an existing Street Cleansing & Gritting Depot located on the east side of Hartcliffe Way an A road subject to a 30mph speed limit. The speed limit increases to 40mph approximately 100 metres south of the existing site access. Permission was granted in 2012 for a new household waste recycling centre with a new junction on to Hartcliffe Way but this has not been implemented.

Trip Generation

A trip generation exercise has been undertaken using the existing St Phillips HRRC site as a comparator for light vehicles. The development peaks have been identified based on this site and the figure has been factored up to reflect the capacity and likely level of demand for the new Hartcliffe Way site. This shows a peak trip generation of 177 trips during the weekday development peak and 178 trips on the weekend peak for light vehicles. The submitted Transport Assessment (TA) addendum confirms that customers will not be able recycle business waste at the proposed site and that a similar restriction will operate for vans, pick-ups or large trailers as for the St Phillips site and this is considered a satisfactory level of trips in this instance.

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Traffic Impact / Junction Capacity / Network Management

Traffic Modelling

In order to allow safe access and egress into the site and also to reduce the length of trips vehicles would be taking in the locality it was concluded that a new signalised junction would be required. The key issue with this arrangement is the assessment of the traffic impact of the revised junction arrangements.

The submitted updated TA set out in more detail the most onerous situation (i.e. weekday 1600-1700). Clearly, installing a signal junction where this is none currently will have an impact on traffic. Southbound the average delay caused by installing the junction would be 8.9 seconds per vehicle; northbound it would be 7.7 seconds. In 2025, once growth and the development are added, the delays are 15.1 seconds southbound and 10.8 seconds northbound. It is considered that the new signalised junction would operate well within capacity in all scenarios and as such these delays are considered acceptable.

Headley Lane would also see an impact due to new turning movements. It has been modelled as a straightforward priority junction although in reality traffic can also use Vale Lane to access Hartcliffe Way and so the impacts are likely to be less than modelled

The modelling shows that in the base case, traffic exiting Headley Lane experiences of 20.8 seconds; the development would increase this to 27 seconds. Taking into account new development in 2025 the delay would increase from 41.6 to 68 seconds with the junction reaching 90.1% capacity where 90% is typically considered to be at capacity. So, the impact at Headley Lane, as currently modelled, is significant.

TDM have reviewed this scenario and have concluded that in reality the impact at the junction is likely to be significantly less than the prediction due to a number of factors:

- Vale Lane would in reality take a significant amount of the pressure off the Headley Lane junction. Whilst sophisticated microsimulation models can model this sort of arrangement this was considered to be excessive for a development of this scale.
- In reality a significant number of the people using the junction in future would not be new but would in reality have been using the same junction to access an alternative recycling centre and so the model significantly overestimates the impact
- In reality there would likely be some reassignment of trips away from this junction if alternative routes become more attractive.

TDM have considered how more radical measures could be used to reduce demand or change the time of visits such as: limiting which postcodes can access the site or restricting opening hours. The developer has been asked to consider if any such measures would be viable. TDM have also considered the idea of banning turns (such as the right turn out of Headley Lane or making the site left in - left out) but we consider that the impact on general traffic, rerouting and unintended consequences of these would be too great and so have discounted them.

A mast arm arrangement will be necessary for the new signals to reach the middle lane of Hartcliffe Way. Along with the provision of the new junction, a sum of £20,000 will be required for the future maintenance of the new signals and will be secured by a relevant legal agreement under S106.

It is noted that BCC usually do their own signals design and installation to ensure they will be accepted within their maintenance contract and as such the design and specification will need to be proven that is suitable for BCC adopting the signals.

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On balance, TDM have concluded that whilst the development would have a noticeable impact on the traffic movement in this location, with the range of measures secured through conditions and obligations set out below the impact will be adequately mitigated.

Access / Visibility/ Layout / Adoption /Highway Safety

A topographic survey has now been completed which confirms that the proposed lane widths can be accommodated within the highway. The highway layout plan has been updated to show lane widths which vary from 3.2m (as existing on the s/b carriageway of Hartcliffe Way to 3.5m. This is within the standards given in DMRB TD42 (Desirable lane widths 3.5m, Minimum lane widths 3.0m).

The swept path analysis has been updated to show all movements in and out of the site passing an articulated lorry in the adjacent lanes. These plans are satisfactory.

The highway works drawing has been updated to show the extent of carriageway and footway resurfacing proposed. This will need to be extended to cover areas where line markings need to be amended as part of any detailed highway design

Road Safety

The Stage 1 Road Safety Audit was included within the TA. A few concerns were identified covering:

- Potential collisions associated with proposed junction layout
- Potential side swipe collisions associated insufficient lane widths
- Potential risk of collisions associated with non-compliant of box marking restrictions
- Potential risk of right turning collisions associated with traffic queues'
- Potential risk of vehicles failing to stop at traffic signals'

The updated Designer Response satisfactorily addresses the Stage 1 RSA problems identified. The Highway Authority however reserves the right for further comment once we get detailed designs and this will be subject to RSA stage 2.

Internal Site Capacity

A sensitivity test has been carried out where it is assumed that vehicles arrive at a rate of 3 per minute, with none leaving for 10 minutes; after 10 mins the rate vehicles leave is limited to 1 vehicle per minute for 5 minutes and 2 vehicles per minute for a further 5 minutes. After a full 20 minutes vehicles are assumed to depart at the same rate they arrive. This results in a total of 45 vehicles queuing internally within the site.

TDM have also looked at a scenario in which a longer dwell time was used and this gives a similar result of 45 vehicles queuing within the site after an hour. TDM are of the view, that under these circumstances the internal site capacity is likely to be sufficient to avoid vehicles queuing back onto the highway.

Car Parking / TROs / Cycle Parking

Hartcliffe way is subject to a prohibition of waiting at any time, on both sides over its full length. Loading/unloading is prohibited at any time on the west side, over the length of the inbound bus lane, which extends from the junction with Headley Lane, northwards.

Given that access on foot is proposed, TDM recommend making a TRO to extend the prohibition of loading/unloading on the west side southwards and introduce a similar measure on the east side in order to deter patrons from parking on the Hartcliffe Way and walking in with their recycling. The

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applicant's assertion that a part time (Mon - Sat 7 - 10 am and 4.00 - 6.30 pm) prohibition of loading/unloading is already in effect on the eastern (southbound) side of Hartcliffe Way, across the frontage of the site and southwards to the start of the southbound bus lane, is incorrect. The applicant has been misled by the kerb markings present on site, which, it appears, were continued southwards by the lining contractor, in error and are not supported by a TRO. Therefore a TRO fee of £5,724.00 x2 is required and will be secured by a relevant legal agreement under S106.

Comments on staff car parking are included in the Travel Plan section below.

The quantum of cycle parking is acceptable, however the staff parking should be secure as this is a public site.

Local Conditions - Accessibility / Walking / Cycling

TDM advised that a priority crossing (e.g. zebra or continuous pavement) for pedestrians and cyclists travelling along Hartcliffe Way past the site should be considered across the site access. The TA addendum concludes that a priority crossing of the new site access would not be possible due to the layout of the access. While TDM are of the view that there are other options that could be pursued here, to improve pedestrian and cyclist priority the proposal is in line with other similar junctions along Hartcliffe Way and TDM do not sustain an objection on this basis.

Separate cycle and pedestrian access into the site has been provided via the existing bridge across Pigeonhouse Stream.

Travel Planning

The framework travel plan states that 16 car parking bays for staff parking plus 4 bays for electric vehicle parking and 1 disabled bay located east of the existing building are proposed totalling 21 staff parking spaces for 20 staff. This level of car parking would undermine the goals of the travel plan and is not acceptable. However the layout plan looks to show a total of 16 car parking bays including 4 bays for electric vehicles and 1 disabled bay. The existing survey shows 53% of staff drive and 27% travel as a passenger therefore between 12 and 16 car parking spaces would be appropriate, measure should be in place to ensure staff do not also park in the visitor bays for the reuse centre. These matters should be clarified in an updated Travel Plan.

The TA sets out reasons why the applicant does not consider it appropriate to produce a full travel plan at this stage. This is accepted however a planning condition is applied requiring a full Travel Plan to be submitted and agreed by the LPA.

In line with BCC Travel Plan Guidance, a Travel Plan Management and Audit Fee in the sum of £5,165 is required and will be secured by a relevant legal agreement under S106.

Construction Management

A construction management plan is secured by condition

Other Matters

The applicant should be advised BNET Duct and Fibre runs the length of footway on Hartcliffe Way. The applicant should outline the protection and quality levels expected in any build to protect BCC network within any highway works submission required by condition.

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(D) AIR QUALITY

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

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

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'

Policy BCS23 in the Core Strategy (2011) states that development should be sited and designed in a way as to avoid adversely impacting upon the amenity of the surrounding area by reason of fumes, dust, noise, vibration, smell, light and other forms of pollution. In locating and designing development, account should also be taken of the impact of existing sources of noise or other pollution on the new development and the impact of the new development on the viability of existing uses by reason of its sensitivity to noise or other pollution. Policy DM14 in the Site Allocations and Development Management Policies (2014) also states that developments that will have an unacceptable impact on health and wellbeing will not be permitted.

Policy DM33 in the Site Allocations and Development Management Policies (2014) further states that development that has the potential for significant emissions to the detriment of air quality, particularly in designated Air Quality Management Areas, should include an appropriate scheme of mitigation which may take the form of on-site measures or, where appropriate, a financial contribution to off-site measures. Development in designated Air Quality Management Areas should take account of existing air pollution and include measures to mitigate its impact on future occupiers where possible and consistent with other policies of the development plan such as those on climate change and urban design.

The air quality assessment submitted as part of this planning application has considered the potential impact of the proposed development during both the construction and operational phases. An appropriate assessment methodology has been used to determine the predicted impacts on air quality and the subsequent effects that this is predicted to have on sensitive receptor locations.

Construction Phase Impacts

During construction there is a risk that emission of dust to air will occur. In Section 5.1.5 of the air quality assessment construction phase mitigation measures have been identified as being required in order to ensure that dust impacts during this phase of the development are 'not significant'. The mitigation measures in Table 5-4 of the air quality assessment should be conditioned to form part of a CEMP/Dust Management Plan.

Emissions from additional HGV movements during the construction phase have been screened out as insignificant without the need for detailed assessment.

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Operational Phase Impacts - Assessment Methodology

The air quality assessment modelled the following scenarios:

- o 2018 - 'Baseline year' used to carry out model verification
- o 2020 - 'Projected Baseline scenario' without the proposed development
- o 2020 - 'With Development scenario' with the proposed development

Sensitivity testing has also been carried out to account for the uncertainty in future year vehicle emissions as it is considered that the official Emission Factors Toolkit (EFT v9.0) future year vehicle emissions predictions continue to be overly optimistic. The sensitivity assessment scenario has held air pollution background and vehicle emission factors at 2018 levels. This is likely to be overly conservative and the predicted impacts on air pollution likely to fall somewhere between the two emission scenarios modelled.

The following discussion focuses on predicted changes to annual nitrogen dioxide (NO₂) concentrations. Changes to particulate matter (PM₁₀) concentrations have been assessed but are considered to be negligible.

In the opening year of 2020 it is predicted that there will be increases in air pollution at all 23 sensitive receptor locations that have been included within the air quality model. The predicted increases in annual NO₂ concentrations range from 0.2µg/m³ to 0.9µg/m³ when modelling uses the official EFT v9.0 emission factors. When using the 2018 background vehicle emission factors the predicted increases range from 0.2µg/m³ to 1.0µg/m³.

The significance of the increases in air pollution predicted is dependent upon both the level of increase and the predicted overall pollutant concentration at sensitive receptor locations. Environmental Protection UK and the Institute of Air Quality Management guidance provide a methodology to determine how to describe the impact of future changes to air pollution concentrations. This methodology has been used to determine the impact descriptors for the predicted increases in air pollution.

Slight adverse impacts are predicted at four receptor locations with moderate impacts at a further two under the official vehicle emission factor (EFT v9.0) scenario. At three of these locations the worsening of air pollution is predicted at sensitive receptor locations that will continue to be in exceedence of legally binding air quality limit values. Two slight adverse impacts are predicted at receptor locations on the façade of Parsons Street School, both of which are predicted to have air pollution levels close to exceeding air quality limit values for annual NO₂ concentrations in 2020. These results can be viewed in Table 6-1 of the air quality assessment.

Under the sensitivity analysis scenario (2018 background and vehicle emissions) it is predicted that three receptors will experience slight adverse impacts, seven moderate adverse and one substantial (R7). Moderate adverse impacts are predicted at both Parsons Street School receptors with continued exceedence of limit values being predicted. These results can be viewed in Table B-1 of the air quality assessment. It is considered likely that impacts will fall somewhere between the two modelled scenarios.

Due to the nature of the development, users of the site will tend to rely upon accessing the site by car. As a result, mitigation of impacts of air quality is difficult, however, the air quality assessment commits to including measures designed to attempt to reduce the impact of the development proposals on air pollution as much as is possible. These measures include a framework travel plan, high standard pedestrian infrastructure on the site, a pedestrian and cycle crossing and two electric vehicle charge points. A set of secondary and future proofing 'soft measures' were proposed by the applicant in additional information submitted on the 19th February 2020. These include provision of electric vehicle ducting, to allow an increase in provision of on-site EV chargepoints in the future, and a cycle

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cargo trailers initiative. These measures are considered to be positive and desirable should development take place, however, they are not considered to have a material effect upon the increases in air pollution as predicted in the air quality assessment.

It is considered that the reduction in emissions over the city, as inferred in the air quality assessment due to the possible closure of the Days Road HWRC (not confirmed), is not relevant to the report conclusions. The significance of the effects of the proposed development are based on the predicted impacts at sensitive receptor locations around the Parsons Street gyratory system.

Conclusion

The air quality assessment demonstrates that the development proposals do not sustain or contribute towards compliance with relevant limit values within the existing air quality management area (AQMA). The air quality assessment thus predicts that the proposed development will increase human exposure to NO₂ pollution at relevant receptor locations and demonstrates 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. Due to the nature of the site and way in which people access it, mitigation through a reduction in vehicle movements is not easily achieved.

As such, it is considered that air quality does represent a material constraint to the development proposals as the predicted worsening of air pollution in the Bristol AQMA means that the proposals are inconsistent with National and Local Planning Policy in terms of air quality related effects.

The BCC Air Quality Team maintains an objection to the application on air quality grounds.

(E) FLOOD RISK

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

Originally concern was raised by the Environment Agency in respect of the impact the new bridges would have on the capacity ability of Pigeonhouse Stream to carry water volume in a flood event.

The applicant was requested to submit calculations and information regarding any loss of cross-sectional area at each bridge location during the 1 in 100 year plus climate change event. Any loss was required to be compensated for by providing level for level and volume for volume flood plain compensation, upstream of the existing bridge restriction. Such works are essential to ensure the development is safe, without increasing flood risk elsewhere.

Following the submission of further information, the Environment Agency and the BCC Flood Risk Management Team are happy that flood risk will not be worsened due to the proposal subject to conditions set out below.

(F) DOES THE PROPOSAL GIVE RISE TO ANY CONTAMINATION ISSUES?

Policy DM34 in the Site Allocations and Development Management Policies (2014) states that new development should demonstrate that:

- i. 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; and

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ii. The proposed development will not cause the land to become contaminated, to the detriment of future use

The Environment Agency have commented that the previous use of the proposed development site presents a medium risk of contamination that could be mobilised during construction to pollute controlled waters. The Environment Agency however notes that the applicant has demonstrated that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken.

Overall the BCC Contamination Officer and the Environment Agency are generally satisfied that human health risks can be mitigated by the measures currently being proposed. A formal remediation strategy will need to be prepared and further assessment of controlled waters is required. It is considered that this can be dealt with by conditions as set out below.

(G) IMPACT ON THE AMENITY OF EXISTING AND PROPOSED SURROUNDING PROPERTIES AS WELL AS THE IMMEDIATE LOCALITY

Policy BCS21 in the Bristol Core Strategy (Adopted 2011) advocates that new development should deliver high quality urban design and safeguard the amenity of existing development. Policy DM29 in the Site Allocations and Development Management Policies (2014) states that proposals for new buildings will be expected to ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight. This policy, as well as DM27, further states that new buildings will be expected to ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight. Policy BCS23 in the Bristol Core Strategy and Policy DM35 in the Site Allocations and Development Management Policy also state that new development should also not lead to any detrimental increase in noise levels.

Noise and Light levels

Given the nature of the use, noise impacts have been considered carefully to fully understand the impact on surrounding premises including any future housing delivered near to the site as part of the two allocations BSA1114 and BSA1108 (Site Allocations and Development Management Policies (2014)). It is noted in the supporting text to these allocations it is made clear that any development of those site will need to take account of nearby industrial uses by addressing any noise, pollution or nuisance issues.

The Pollution Control Officer has commented that whilst initial concerns over the impact of noise were raised, these concerns have been allayed by information within the Noise Assessment submitted with the application and subsequent clarifications from the acoustic consultant. It has also been noted that the site currently operates as a Council depot and that all operations carried out on this site under this proposal will only be carried out between 08:00 -18:45 (Summer) and 08:00 - 16:15 (Winter).

As would be expected for a site of this nature an assessment of noise from its operation has been carried out in accordance with BS4142:2014 Methods for rating and assessing industrial and commercial sound. This purpose of this type of assessment is to assess the potential impact of sound of an industrial or commercial nature, at nearby noise sensitive residential properties. Due to traffic on Hartcliffe Way and other commercial premises in the area the background noise levels at nearby residential properties are relatively high.

The assessment has been made by taking reference noise levels for all operations that would be carried out at the site (vehicle movements, tipping of materials etc) and then calculating a worst-case 60-minute noise level based on the numbers of times these operations would be likely to be carried out during the busiest hour of the year (in terms of visitor numbers). When this worst case 60 minute noise level, with a 6dB penalty added for the impulsive nature of the noise, is assessed against the lowest background noise level, on a Sunday morning, the noise from the site will be below

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background noise level at the nearest residential properties.

The Pollution Control Officer has therefore agreed with the conclusions of the acoustic report that the use of the site will only have a 'negligible' risk of adverse impact from noise generated by the Household Recycling and Re-Use Centre subject to conditions restricting the opening hours as stated and noise levels from plant and equipment.

With regard to light levels, this is also restricted by condition to ensure no detrimental impacts will result.

Odour and Flies

No adverse increase in flies or odour is expected as a result of the development of an HRRC at the site. Flies and odours are more prominent at sites such as Waste Transfer Stations or Landfills and are not typically linked to HRRCs.

Further, the operation of the facility will be regulated by the Environment Agency under an Environmental Permit which will ensure operations continue to be undertaken in an appropriate manner to minimise the generation and release of odour.

Dust

It is also not considered that the proposed HRRC and associated activities present a significant amount of dust generation considering the scale of operations, the type / quantity of material received, the duration of the use and the design mitigation measures proposed (i.e. canopies over the containers).

Again as set out above, the operation of the facility will be regulated by the Environment Agency under an Environmental Permit which will ensure operations continue to be undertaken in an appropriate manner to minimise the generation and release of dust. A Construction Environmental Management Plan (CEMP) is also conditioned to ensure that dust management is undertaken during the construction phase.

Security and Fly Tipping

It is recognised that there is local concern that the new facility could lead to further instances of fly tipping in the area and other associated security issues. This issue has also been acknowledged by the Police Crime Reduction Officer who recommends:

- The perimeter fencing and associated vehicular and pedestrian gates should be to a height of 2.4m. This will deter unlawful access to the site.
- That CCTV with identification quality images is used at the pedestrian and vehicular entry and egress points. This will deter fly tipping near the site when it is closed to the public as well as to identify those accessing the site for unlawful purposes.
- CCTV should be installed to monitor the area in which Lorries and associated vehicles are stored to deter diesel theft.

The Crime reduction Officer notes that Automatic Number Plate Recognition (ANPR) will be installed but advises that this monitors the use of the site rather than being for crime reduction purposes. CCTV is a more effective deterrent to crime and disorder.

The applicant has responded that the perimeter fencing and associated vehicular and pedestrian gates will be at a height of 2.4m to deter unlawful access; Automatic Number Plate Recognition

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(ANPR) will be installed at the site together with security cameras; and that a security plan is proposed for the site.

A condition is therefore attached requiring the submission of a security management plan to include CCTV coverage of the site and all the access and egress points.

(H) SUSTAINABILITY AND CLIMATE CHANGE

Policies BCS13, BCS14, BCS15 of the adopted Core Strategy set out the criteria for the sustainability standards to be achieved in any development, and what measures to be included to ensure that development meets the climate change goals of the development plan. Applicants are expected to demonstrate that a development would meet those standards by means of a sustainability and energy statement.

As embedded in the NPPF, sustainability should be integral to all new development, and should encourage opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems. BCS13 encourages developments to respond pro-actively to climate change, by incorporating measures to mitigate and adapt to it. BCS14 sets out a heat hierarchy for new development, and an expectation that new development will connect to existing CHP/CCHP distribution networks. The same policy also expects development to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%. BCS15 requires developments to demonstrate through a Sustainability Statement how they have addressed energy efficiency; waste and recycling; conserving water; materials; facilitating future refurbishment and enhancement of biodiversity.

The facility itself is concerned with the recycling and reuse of unwanted goods. The applicant has also set out a range of sustainability measures within a Sustainability Statement including the provision of PV Panels. This has been reviewed by the Sustainability Team and they have concluded that the proposals as set out in the submitted Sustainability Statement meet the proportionate requirements of Policies BCS13-15 subject to relevant conditions as detailed below.

(J) PLANNING OBLIGATIONS

Policy BCS11 of the Core Strategy and the Planning Obligations SPD requires that planning obligations should be secured through the planning process in order to offset the impact of the proposed development on the local infrastructure. The development will be subject to the Community Infrastructure Levy (CIL), as set out below. The levy process is intended to provide infrastructure to support the development of an area, rather than making individual planning applications acceptable in planning terms as previously secured by s106. However there are identified site specific obligations required by this development and which cannot be funded by CIL and these are set about below:

Landscape Scheme

See Key Issue B above.

Secured via suitably worded conditions.

Traffic Regulation Order Amendments

See Key Issue C above

TRO amendments and associated costs for two new TROs associated with the junction (banned turns and waiting restrictions) at a cost of £5,724 per TRO making £11,448.

Secured via Legal Agreement and suitably worded conditions.

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Highway Works

See Key Issue C above.

Payment of a commuted sum towards the upkeep of the traffic signals of £20,000

Secured via Legal Agreement and suitably worded conditions.

Travel Plan

See Key Issue C above.

A Travel Plan Management and Audit Fee of £5,165.

Secured via Legal Agreement and suitably worded conditions.

CONCLUSION

As set out above the majority of the planning issues for the application proposal are concluded as acceptable subject to the required conditions and obligations set out.

Therefore the main consideration is to reach a balanced recommendation regarding the significant air quality impact and the desirability of a delivering a new HRRC for South Bristol.

It is accepted that the predicted worsening of air pollution in the Bristol AQMA means that the proposals are inconsistent with National and Local Planning Policy in terms of air quality related effects. Due to the nature of the site and way in which people access it, mitigation through a reduction in vehicle movements and other measures has not been achieved and thus the air quality impact remains significant. The BCC Air Quality Team recommends the refusal of the application on Air Quality grounds.

The significance of the impact is recognised and in reaching a decision officers have given the identified harm caused considerable importance and weight.

However, it is also established that there is a recognised need for a new HRRC on Council owned land to serve this specific catchment area and futureproof this part of the city when additional large residential sites are developed (such as Hengrove Park). It is also recognised that Capital funding has been identified for such a facility.

It is also noted that the site has previously had permission for a similar use and represents a brownfield site with features including topography, that lend itself to this type of development adjoins a currently undeveloped site with a Local Plan allocation for a Household recycling facility. The facility itself will assist in increasing recycling and reuse levels in Bristol as a whole. The proposed junction will also deliver a new pedestrian crossing at a key location for the area.

When weighing these issues up, on balance the provision of a new HRRC is recommended for approval subject to conditions and relevant legal agreement to secure the required obligations.

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COMMUNITY INFRASTRUCTURE LEVY

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

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

RECOMMENDED GRANT subject to Planning Agreement

Time limit for commencement of development

1. Full Planning Permission

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

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

Pre commencement condition(s)

2. Phasing Plan

Prior to the commencement of development (including any demolition, clearance and remediation work) hereby approved a detailed Phasing Plan for the development including the site preparation and investigation works; site remediation, construction process; the phasing of all the off-site highway works and the planting schedules shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the phasing of the site shall be carried out in accordance with agreed Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To clarify the timescales for the development and ensure the provision of highway works whilst ensuring the ongoing function of the public highway surrounding the site.

3. Protection of Retained Trees and Vegetation During the Construction Period

No work of any kind (including any demolition, clearance and remediation work) shall take place on the site until the protective fence(s) has (have) been erected around the retained trees and vegetation in the position and to the specification shown on Drawing No. 191010-HAR-TPP-Rev A-DB&AM Tree Protection Plan prepared by Hillside Trees Ltd. The Local Planning Authority shall be given not less than two weeks prior written notice by the developer of the commencement of works on the site in order that the council may verify in writing that the approved tree protection measures are in place when the work commences. The approved fence(s) shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of

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

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

4. Remediation Strategy

Prior to each phase of development approved by this planning permission no development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:

- o all previous uses
- o potential contaminants associated with those uses
- o a conceptual model of the site indicating sources, pathways and receptors
- o potentially unacceptable risks arising from contamination at the site

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

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

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

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This is in line with paragraph 170 of the National Planning Policy Framework.

5. Verification Report

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

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

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unacceptable risks to workers, neighbours and other offsite receptors. This is in line with paragraph 170 of the National Planning Policy Framework.

6. Construction Management Plan - Major Developments

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

- o A construction programme including phasing of works;
- o 24 hour emergency contact number;
- o Hours of operation;
- o Expected number and type of vehicles accessing the site:
- o Deliveries, waste, cranes, equipment, plant, works, visitors;
- o Size of construction vehicles;
- o The use of a consolidation operation or scheme for the delivery of materials and goods;
- o Phasing of works;
- o Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):
- o Programming;
- o Waste management;
- o Construction methodology;
- o Shared deliveries;
- o Car sharing;
- o Travel planning;
- o Local workforce;
- o Parking facilities for staff and visitors;
- o On-site facilities;
- o A scheme to encourage the use of public transport and cycling;
- o Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- o Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- o Locations for storage of plant/waste/construction materials;
- o Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- o Arrangements to receive abnormal loads or unusually large vehicles;
- o Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- o Any necessary temporary traffic management measures;
- o Measures to protect vulnerable road users (cyclists and pedestrians);
- o Arrangements for temporary facilities for any bus stops or routes;
- o Method of preventing mud being carried onto the highway;
- o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

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

7. Site Specific Construction Environmental Management Plan

No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan must

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demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- * Procedures for maintaining good public relations including complaint management, public consultation and liaison
- * Arrangements for liaison with the Council's Pollution Control Team
- * All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:
08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.
- * Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- * Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- * Procedures for emergency deviation of the agreed working hours.
- * Bristol City Council encourages all contractors to be 'Considerate Contractors' when working in the city by being aware of the needs of neighbours and the environment.
- * Control measures for dust and other air-borne pollutants to reflect the measure set out in Table 5-4 of the submitted Air Quality Assessment - Version 2 dated December 2019 prepared by SLR. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
- * Measures for controlling the use of site lighting whether required for safe working or for security purposes.

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

8. Highway works - General Arrangement Plan

No development shall take place until general arrangement plan(s) to a scale of 1:200 showing the following works to the adopted highway has been submitted to and approved in writing by the Local Planning Authority.

Works as shown in principle in drawing Proposed Site Layout (Option 2.2) - 002 Rev 8 dated March 2020 prepared by SLR to include:

- Provision of a new signal controlled junction to provide egress from the site including pedestrian facilities and a new "in only" access.
- Right turn lane
- Hatching
- Retention of northern island
- Removal of southern island and reinstatement of full height kerbs
- Keep Clear Markings
- Revised waiting restrictions
- New directional signage
- Visibility splays
- Revision to shared use footway/ cycle way in the vicinity of the new accesses
- Resurfacing as required
- All associated signing, lining, signals and drainage
- Further changes to the proposed junction as outlined in the Road Safety Audit.

Where applicable indicating proposals for:

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- o Existing levels of the finished highway tying into building threshold levels
- o Alterations to waiting restrictions or other Traffic Regulation Orders to enable the works
- o Signing, street furniture, street trees and pits
- o Structures on or adjacent to the highway
- o Extent of any stopping up, diversion or dedication of new highway (including all public rights of way shown on the definitive map and statement)

No development shall take place over the route of any public right of way prior to the confirmation of a Town & Country Planning Act 1990 path diversion/stopping up order.

Prior to first occupation these works shall be completed to the satisfaction of the Highway Authority and approved in writing by the Local Planning Authority.

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

9. Structure Adjacent To/Within 6m of the Highway

No development shall take place until an Approval In Principle (AiP) Structural Report setting out how any structures within 6 metres of the edge of the adopted highway (and outside of this limit where the failure of any structures would affect the safety of road users) will be assessed, excavated, constructed, strengthened or demolished has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the works safeguard the structural integrity of the adopted highway during the demolition and construction phase of the development.

10. PV Panel Details

Prior to the commencement of the relevant element, details of the proposed PV system including location, dimensions, design/ technical specification together with calculation of annual energy generation (kWh/annum) and associated reduction in residual CO2 emissions shall be submitted to the Local Planning Authority and approved in writing.

Prior to the first occupation/operation of the site the following information shall then be submitted to the Local Planning Authority and approved in writing.

- o Evidence of the PV system as installed including exact location, technical specification and projected annual energy yield (kWh/year) of the installed system e.g. a copy of the MCS installer's certificate.

- o A calculation showing that the projected annual yield of the installed system is in combination with other on-site renewables sufficient to reduce residual CO2 emissions by the percentage shown in the approved Energy Statement.

The approved renewable technology shall then be installed and operational prior to the first occupation/operation of the use which they serve and retained as operational thereafter in perpetuity.

Reason: To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions

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11. Detail of timber screens surrounding the concrete bays

Notwithstanding any notations on any approved plans, detailed drawings (including plans, elevations and sections) to a minimum 1:10 scale or as requested by the Local Planning Authority below (also indicating treatments and finishes) of the timber screens surrounding the concrete bays shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of work is begun unless otherwise agreed in writing by the Local Planning Authority

Reason: To protect and enhance the character of the site and the surrounding area and to ensure its appearance is satisfactory

Pre occupation condition(s)

12. Floodplain Compensation

Compensatory storage shall be provided as shown in drawing EA-002 Revision P0 Floodplain Compensation to Pigeonhouse Stream. Evidence of this shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation or operation of the development and shall thereafter be maintained and retained as approved for the lifetime of development.

Reason To prevent any increase in flood risk as a result of this development by ensuring compensatory storage of flood water is provided.

13. Flood Evacuation Plan - Commercial Property

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

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

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

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

14. Energy and Sustainability in accordance with the Energy Statement

The development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the Sustainability Statement (ref: SLR Ref: 402.08721.00003 Version No: 3 February 2020 received 25-02-2020) prepared by SLR Consulting Limited prior to the first occupation/operation of the development.

A total 35.5% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy shall be achieved, and a reduction in residual carbon dioxide emissions of 20% or more shall be achieved through on-site renewable technologies.

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Reason: To ensure the development incorporates measures to minimise the effects of, and can adapt to a changing climate in accordance with policies BCS13 (Climate Change), BC14 (sustainable energy), BCS15 (Sustainable design and construction), DM29 (Design of new buildings).

15. Travel Plan - Not Submitted

No building or use hereby permitted shall be occupied or use commenced until a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use (including investigation into the use of the Cycle Cargo Trailers Initiative (CCTI) or similar alternative scheme) has been prepared, submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets to the satisfaction of the council.

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

16. Electric Vehicle Charging Points

No building or use hereby permitted shall be occupied or use commenced until details of the total number of car parking spaces, the number/type/location/means of operation and a programme for the installation and maintenance of Electric Vehicle Charging Points and ducting provision for the integration of future charging points has been submitted to and approved in writing by the Local Planning Authority prior to construction of the above ground works. The Electric Vehicle Charging Points as approved shall be installed prior to occupation and retained in that form thereafter for the lifetime of the development.

Reason: To promote sustainable travel, aid in the reduction of air pollution levels and help mitigate climate change.

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

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

Reason: In the interests of highway safety.

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

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

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

19. Completion and Maintenance of Car/Vehicle Parking - Shown on Approved Plans

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

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Reason: To ensure that there are adequate parking facilities to serve the development constructed to an acceptable standard.

20. Completion of Vehicular Access - Shown on Approved Plans

No building or use hereby permitted shall be occupied or use commenced until the means of vehicular access has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be retained for access purposes only for the lifetime of the development. Any access point opening onto the adopted highway shall include suitable drainage provision within the curtilage of the site, to prevent the discharge of any surface water onto the adopted highway.

Reason: To ensure that the vehicular access point is safe and includes adequate drainage.

21. 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.

22. Automatic Number Plate Recognition (ANPR)

No building or use hereby permitted shall be occupied or use commenced until details of the Automatic Number Plate Recognition (ANPR) system are submitted and approved in writing by the Local Planning Authority. The (ANPR) system as approved shall be installed prior to occupation and retained in that form thereafter for the lifetime of the development.

Reason: To aid in the reduction of air pollution levels by restricting car use within BCC Catchment area

23. Security Management Plan

No building or use hereby permitted shall be occupied or use commenced until a Security Management Plan for the site has been submitted and approved in writing by the Local Planning Authority. The Security Management Plan shall include:

- The provision of 2.4m high security fencing and gates around the site
- Details of CCTV cameras (with identification quality images) to be located at all pedestrian and vehicular entry and egress points and positioned to cover the area outside the site.
- Details of CCTV provision to cover the site including monitoring any areas in which lorries and associated vehicles are stored
- All other security measures for the site

The site shall then be managed in accordance with the approved Security Management Plan in perpetuity.

Reason: To ensure the site is safe and secure and to discourage fly tipping.

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Post occupation management

24. Access Bridges - (Flood Risk)

The development hereby permitted shall be constructed with the soffit levels of the southern and northern vehicle access bridges set no lower than 16.1 metres above Ordnance Datum (AOD) as shown in drawings 010S Proposed Southern Exit Bridge GA Details SLR Consulting Ltd December 2019 and 0101N Proposed Northern Entrance Bridge GA Details SLR Consulting Ltd December 2019 respectively.

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

25. Finished Floor Levels

The development hereby permitted shall be constructed with finished floor levels set no lower than 16.1 metres above Ordnance Datum (AOD) as outlined in section 8.1, page 22 of the Flood Risk Assessment and Surface Water Drainage Strategy prepared by SLR Consulting Ltd 402.08721.00003. v01 October 2019.

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

26. Landscaping & Tree Planting

The Landscaping and Tree Planting proposals hereby approved (Landscape-Softworks, Dwg 3153-L-SW-0-01 Rev C; 3153_L_HWRC - Planting Maintenance Specification & 3153-Planting Schedule-HWRC Rev A) shall be carried out no later than during the first planting season following the date the is ready for occupation or in accordance with a program of works, details of which shall be submitted to and agreed in writing by the local planning authority. All planted materials shall be maintained for 5 years and any trees removed, dying, being severely damaged or become seriously diseased within 5 years of planting shall be replaced with others of a similar size and species to those originally required to be planted.

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

27. Ecological and Landscape Management

The development hereby approved shall be carried out and then managed and maintained in accordance with the full provisions of the Ecological Precautionary Method of Working Version 01 dated October 2019; the Landscape and Ecological Management Plan dated October 2019, (it should be noted that 3153-Planting Schedule-HWRC Rev A replaces the previous version of this document at Appendix A and the Landscape Softworks Drawing 3153-L-SW-0-01 Rev C prepared by The Landmark Practice.

Reason: To ensure that the appearance of the development is satisfactory and in the interests of ecology.

28. Artificial Lighting (external)

Any light created by reason of the development shall meet the Obtrusive Light Limitations for Exterior Lighting Installations in table 2 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01:2011.

Reason: In order to safeguard the amenities of nearby occupiers and in respect of nature conservation.

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29. Hours of Operation

No operations on site in association with the recycling or re use of waste shall take place outside the hours of 08:00 - 19.00 (except for in the event of an emergency).

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

30. Restriction of noise from plant and equipment

The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB below the background level as determined by BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

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

List of approved plans

31. 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.

191010-HAR-TPP-Rev A DB&AM Tree Protection Plan prepared by Hillside Trees Ltd., received 30 October 2019

3153 Rev A Planting Schedule dated 02.12.19 prepared by The Landmark Practice, received 17 December 2019

3153_L_HWRC Planting Maintenance Specification prepared by The Landmark Practice, received 17 December 2019

010S Proposed Southern Exit Bridge GA Details prepared by SLR Consulting Ltd dated December 2019, received 17 December 2019

0101N Proposed Northern Entrance Bridge GA Details prepared by SLR Consulting Ltd dated December 2019, received 17 December 2019

EA-002 Revision P0 Floodplain Compensation to Pigeonhouse Stream, received 20 February 2020

A-001 Revision P1 Proposed Site Layout, received 15 January 2020

002 Rev 8 Proposed Site Layout (OPTION 2.2) - 002 Rev 8 dated March 2020 prepared by SLR, received 14 February 2020

Table 5-4 (only) of the submitted Air Quality Assessment - Version 2 dated December 2019 prepared by SLR, received 23 December 2019

015 Site location plan, received 30 October 2019

002 Existing site survey and planning boundary, received 30 October 2019

004 Proposed site layout and planning boundary, received 30 October 2019

005 Proposed roof plan, received 30 October 2019

007 P0 Proposed re-use facility plans, received 30 October 2019

008 Proposed function area zoning, received 30 October 2019

011 External lighting (maintained levels of illuminance shown), received 30 October 2019

011 Maintained levels of lighting, received 30 October 2019

012 External lighting, received 30 October 2019

013 P0 Services plan, received 30 October 2019

014 P0 Proposed drainage layout, received 30 October 2019

3153_L_D_3_01 Rev A Tree pit details, received 17 December 2019

3153_L_SW_0_01 Rev C Landscape softworks, received 17 December 2019

003 Existing elevations, received 30 October 2019

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006 Proposed site elevations, received 30 October 2019
 Rev A Arboriculture impact assessment, method statement and tree protection plan dated October 2019 prepared by Hillside Trees Ltd, received 30 October 2019
 Landscape and Ecological Management Plan dated October 2019, prepared by The Landmark Practice, received 30 October 2019
 Ecological Precautionary Method of Working Version 01 dated October 2019 prepared by The Landmark Practice, received 30 October 2019
 402.08721.00003 V01 Flood Risk Assessment and Surface Water Drainage Strategy prepared by SLR dated October 2019, received 30 October 2019
 Version 3 Sustainability Statement dated February 2020 prepared by SLR, received 25 February 2020
 012 External lighting (100% full output shown), received 30 October 2019

Reason: For the avoidance of doubt.

Advices

1 Contamination Advice:

Prior to any enabling works commencing the Pollution Control team should be consulted regarding materials management on site and details provided about how the works will be managed i.e. materials management plans, permit exemptions, DoWCoP.

2 Noise Level Advice:

The recommended design criteria for dwellings are as follows:

Daytime (07.00 - 23.00) 35 dB LAeq 16 hours in all rooms & 50 dB in outdoor living areas.
 Nighttime (23.00 - 07.00) 30 dB LAeq 8 hours & LAmx less than 45 dB in bedrooms.

Where residential properties are likely to be affected by amplified music from neighbouring pubs or clubs, the recommended design criteria is as follows:

Noise Rating Curve NR20 at all times in any habitable rooms

3 Tree Planting Season Advice:

You are advised that the tree planting season is normally November to February.

4 PV Advice

The projected annual yield and technical details of the installed system will be provided by the Micro-generation Certification Scheme (MCS) approved installer.

The impact of shading on the annual yield of the installed PV system (the Shading Factor) should be calculated by an MCS approved installer using the Standard Estimation Method presented in the MCS guidance.

5 Environment Agency Advice:

Over and above the requirement for planning permission, works in, over, under or within 8 metres of the brink of the bank of the Pigeonhouse Stream, a designated Main River will require an Environmental Permit for Flood Risk Activities. Further details can be found here: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or by contacting your local Environment Agency office by emailing bridgwater.FRAP@environment-agency.gov.uk

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The Pigeonhouse Stream will need to be assessed for Water Framework Directive (WFD) compliance, due to the proposals to construct 2 bridges across the span of the waterbody. A high level WFD Screening assessment to consider the potential impact on the waterbody will therefore need to be undertaken. This need not be an onerous exercise and can be carried out through following the link provided here: <https://www.gov.uk/government/publications/water-framework-directive-how-to-assess-the-risk-of-your-activity>. This is linked to the Flood Risk Activity Permit detailed above.

This development will require an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016, Regulation 12. In circumstances where a waste activity/operation meets certain criteria, an exemption from permitting may apply, more information on exempt activities can be found here: <https://www.gov.uk/guidance/register-your-waste-exemptions-environmental-permits> The applicant is advised to contact the Environment Agency for pre application advice to discuss the issues arising from the permit application process.

Further information can be found at:

<https://www.gov.uk/government/publications/environmental-permit-pre-application-advice-form> or by contacting 03708 506506 or via email: enquiries@environment-agency.gov.uk.

6 Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Transport Development Management Team at transportDM@bristol.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the council's costs in undertaking the following actions:

- I. Drafting the Agreement
- II. A Monitoring Fee equivalent to 15% of the planning application fee
- III. Approving the highway details
- IV. Inspecting the highway works

NB: Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

7 Structure Adjacent To/Within 6m of the Highway

The development hereby approved includes the construction of structures adjacent to or within six metres of the adopted highway. You are advised that before undertaking any work on the adopted highway you must prepare and submit an AiP Structural Report.

You will be required to pay technical approval fees (as determined by the proposed category of structure to be assessed) before the report will be considered and approved. Contact the Highway Authority's Bridges and Highway Structures Team at bridges.highways@bristol.gov.uk

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8 Travel Plan Statement / Travel Plan - Not Submitted

You are advised that a Travel Plan Statement / Travel Plan is required to be prepared and submitted using the Travel Plan Guide for New Developments and the associated templates at www.travelplans.gov.uk/travelplans

9 Other Highway Advice - BNET Duct and Fibre:

The applicant is advised BNET Duct and Fibre runs the length of footway on Hartcliffe Way. The applicant should outline the protection and quality levels expected in any build to protect BCC network within any highway works submission required by condition.

10 Noise - plant & equipment

Anti vibration mounts should be used to isolate plant from fixed structures and a flexible connector used to connect the flue to the fan if there is a potential to transmit vibration to any noise sensitive property. Any systems will also need regular maintenance so as to reduce mechanical noise.

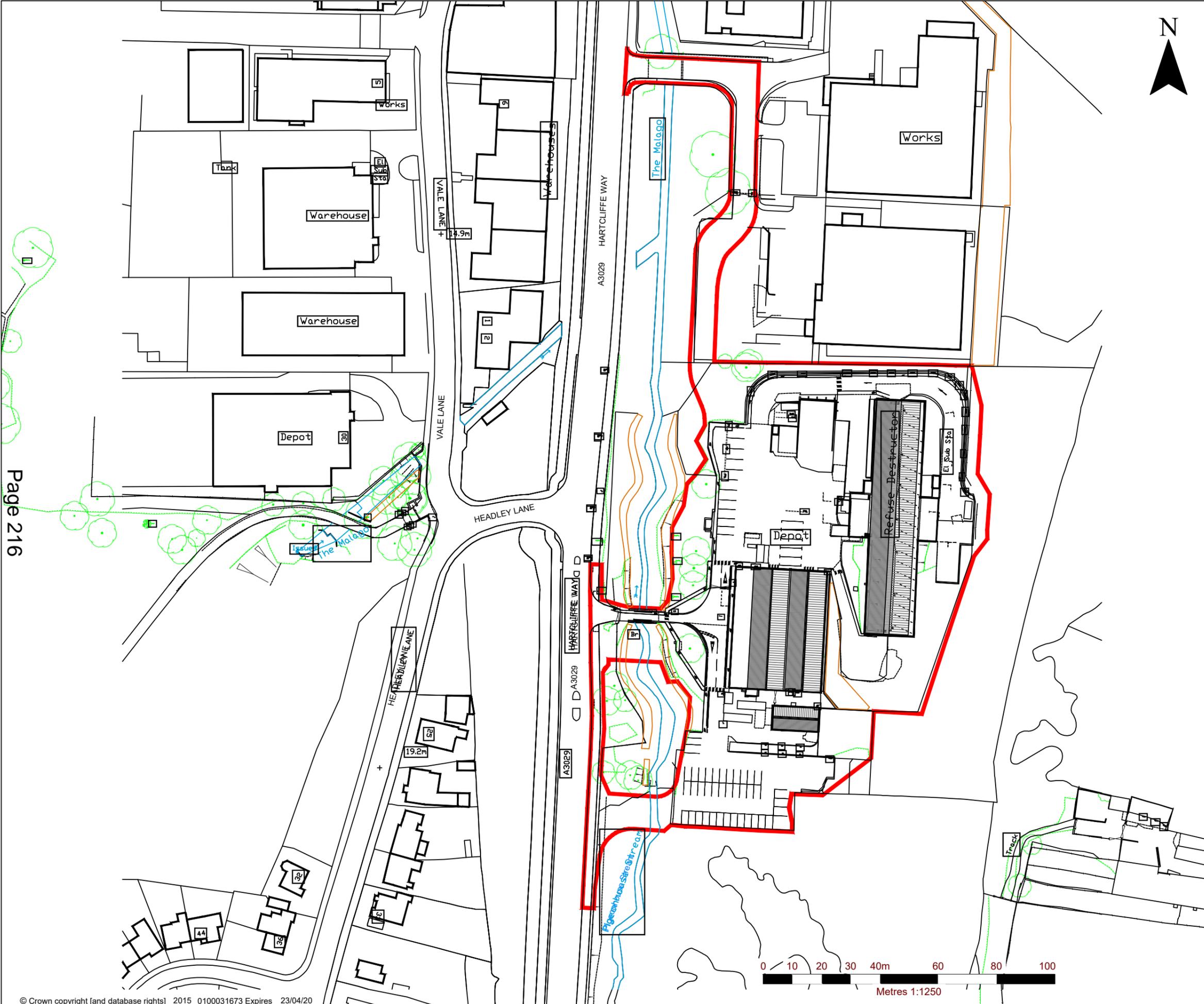
11 Tree Protection:

You are advised to refer to BS5837: 2012 Trees in relation to construction for detailed information on types of tree protection, protection zones and other relevant matters.

Supporting Documents

4. 83 Hartcliffe Way

1. Site location plan context
2. Existing site & planning boundary
3. Existing site elevations
4. Proposed site layout
5. Proposed site elevations
6. Landscape softworks
7. Accurate visual reorestations



LEGEND



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waste

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HARTCLIFFE WAY HRRC

HRRC DEVELOPMENT

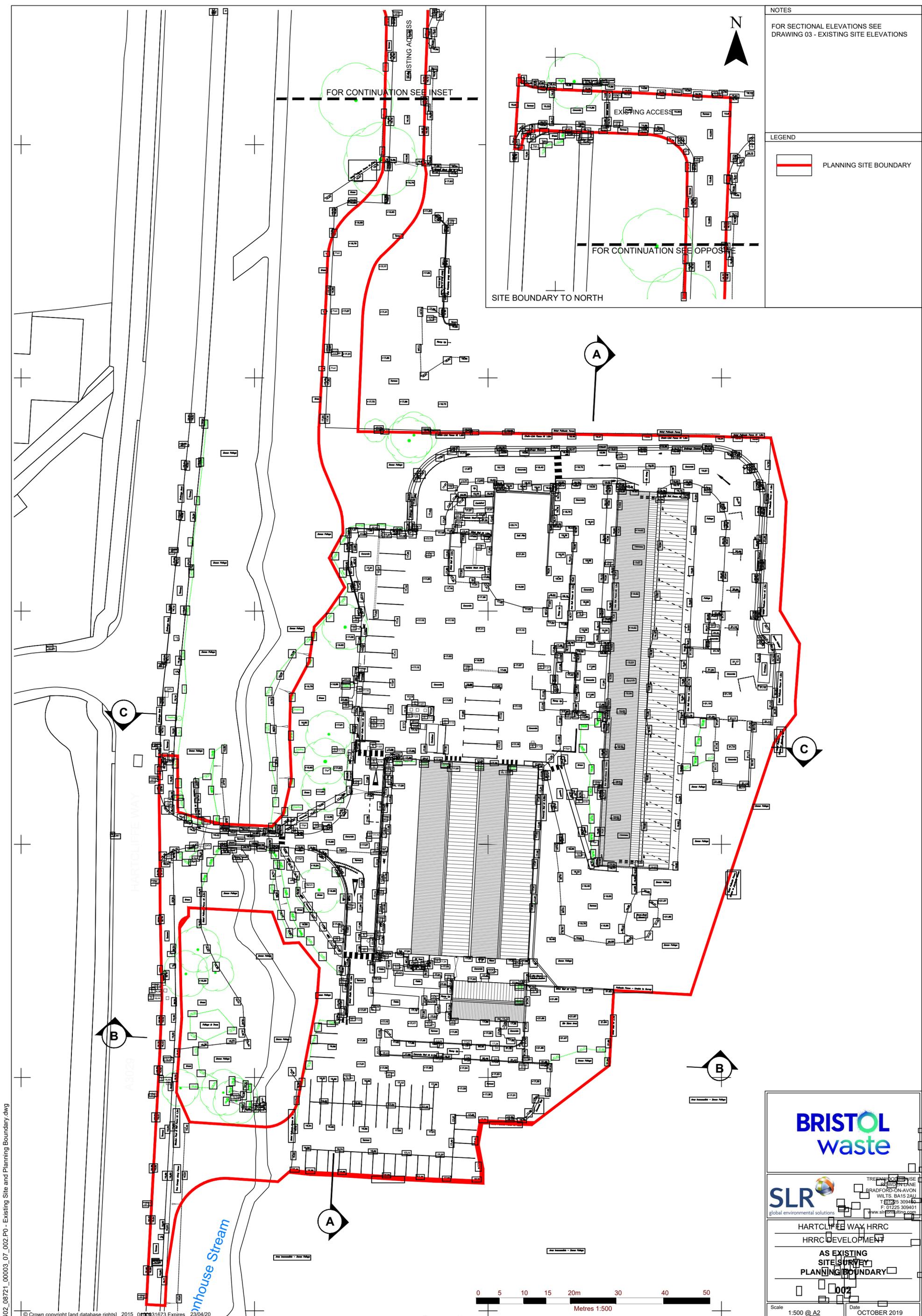
SITE
LOCATION PLAN
CONTEXT

015

Scale 1:1,250 @ A3

Date OCTOBER 2019





NOTES
 FOR SECTIONAL ELEVATIONS SEE
 DRAWING 03 - EXISTING SITE ELEVATIONS

LEGEND
 PLANNING SITE BOUNDARY

402_08721_00003_07_002.P0 - Existing Site and Planning Boundary.dwg

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BRISTOL waste

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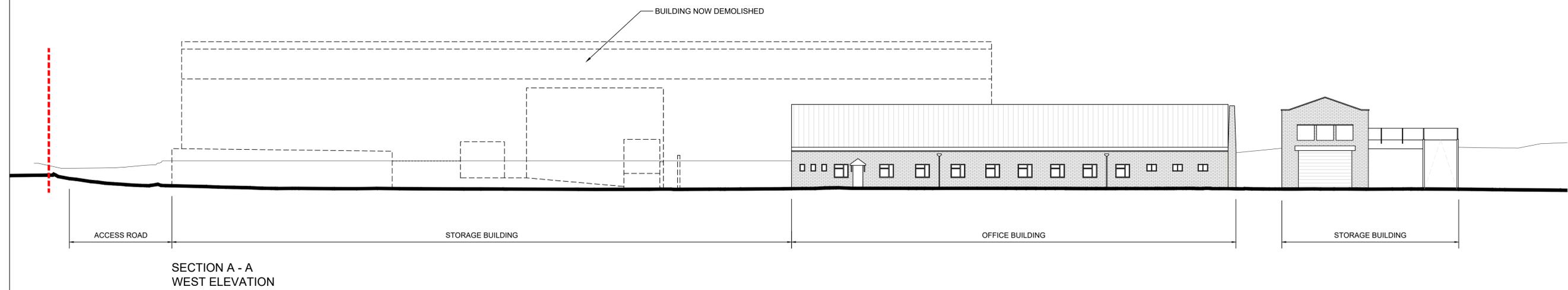
HARTCLIFFE WAY HRRC
 HRRC DEVELOPMENT

AS EXISTING
 SITE SURVEY
 PLANNING BOUNDARY

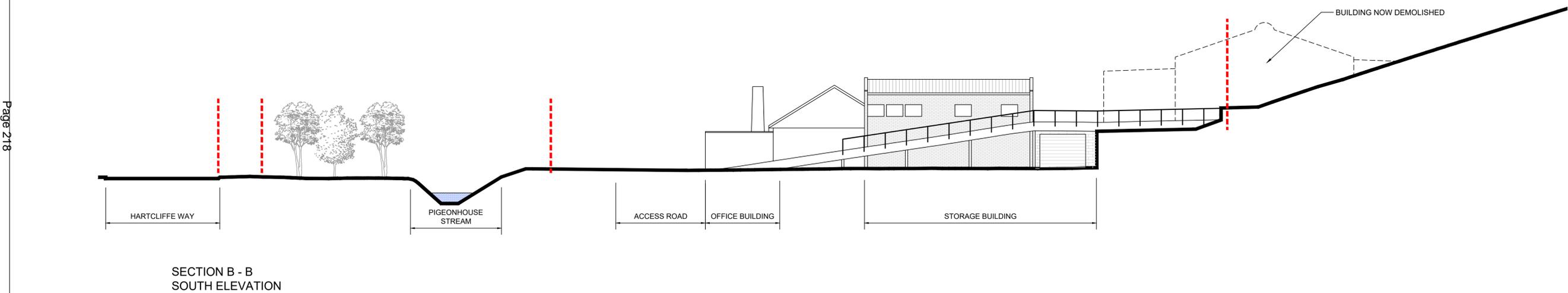
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LEGEND

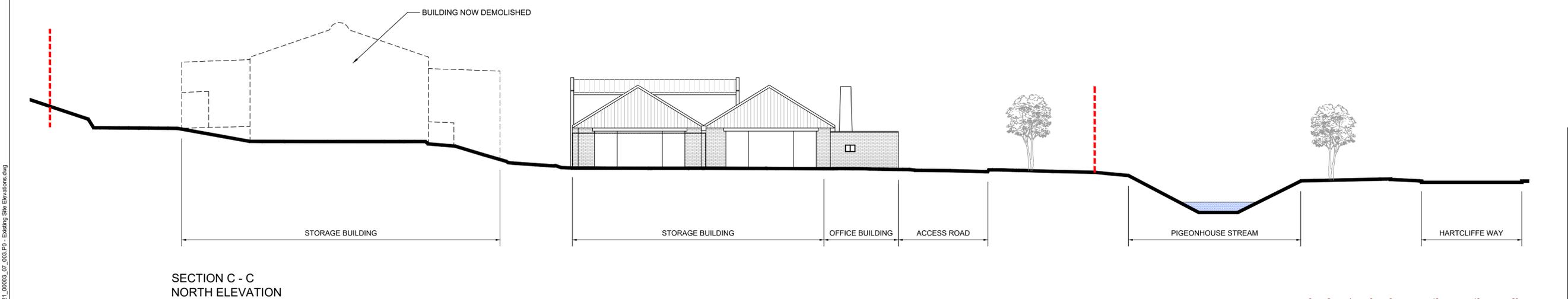
- INDICATIVE SITE BOUNDARY
- OUTLINE OF BUILDINGS RECENTLY DEMOLISHED



SECTION A - A
WEST ELEVATION



SECTION B - B
SOUTH ELEVATION



SECTION C - C
NORTH ELEVATION



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BRISTOL waste

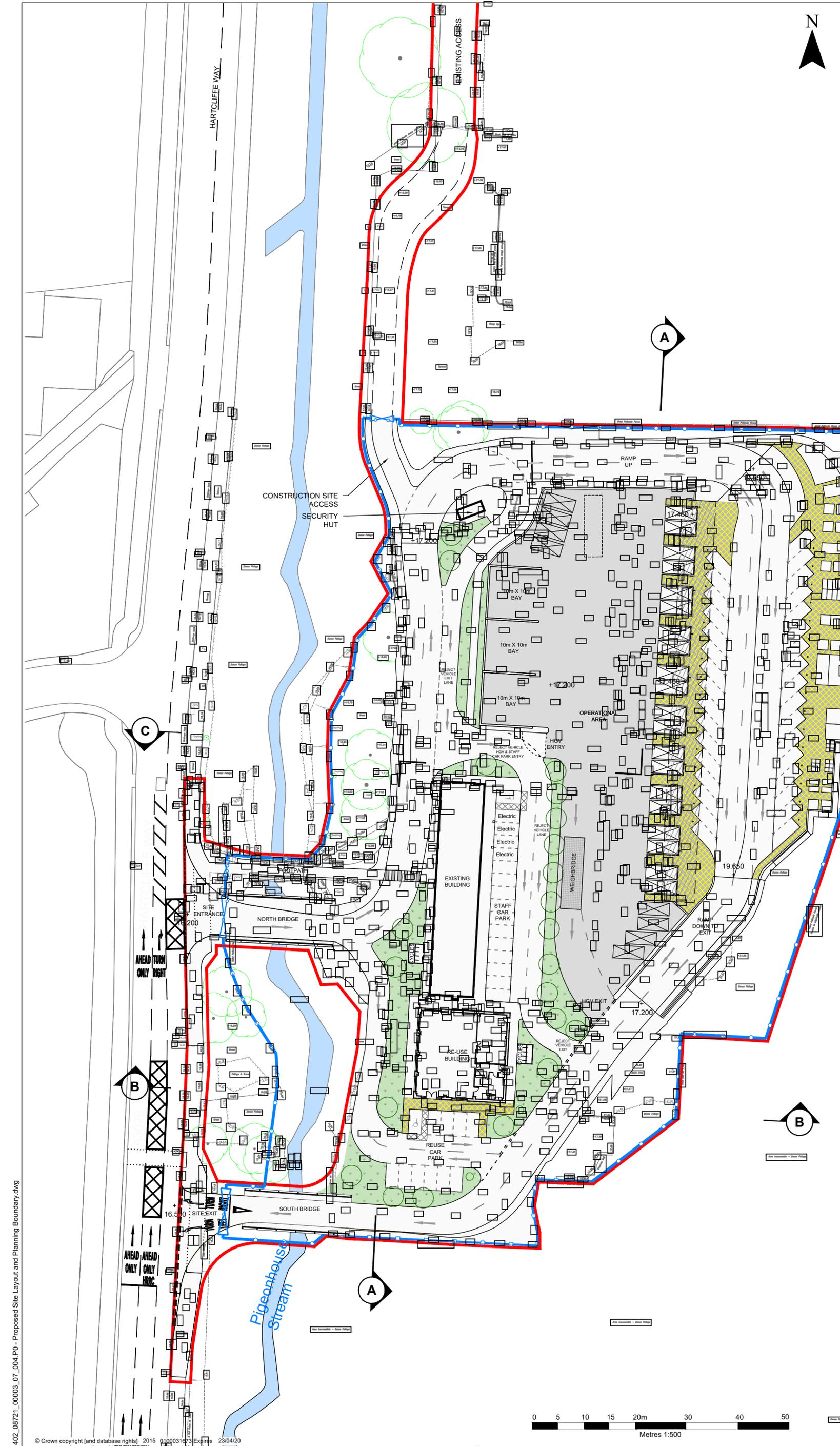
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HARTCLIFFE WAY HRRC
HRRC DEVELOPMENT
EXISTING
SITE ELEVATIONS
003

Scale: 1:200 @ A1 Date: OCTOBER 2019

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NOTES

FOR SECTIONAL ELEVATIONS
SEE DRAWINGS 03 AND 06

LEGEND

- PLANNING SITE BOUNDARY
46,427 16,461m²
- LINE OF PALISADE FENCING
- LOCATION OF GATE IN PALISADE FENCING
- LINE OF EXISTING FENCING
- CONCRETE SURFACE
- PUBLIC ACCESS AREAS
- INDICATIVE LANDSCAPING
- CANOPY AT UPPER LEVEL

402_08721_00003_07_004.P0 - Proposed Site Layout and Planning Boundary.dwg

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global environmental solutions

TREENWOOD HOUSE
ROWDEN LANE
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HARTCLIFFE WAY HRRC
HRRC DEVELOPMENT
**PROPOSED
SITE LAYOUT
& PLANNING BOUNDARY**

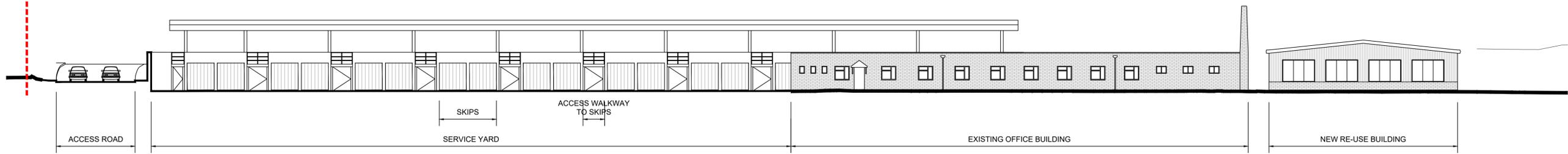
004

Scale 1:500 @ A2 Date OCTOBER 2019

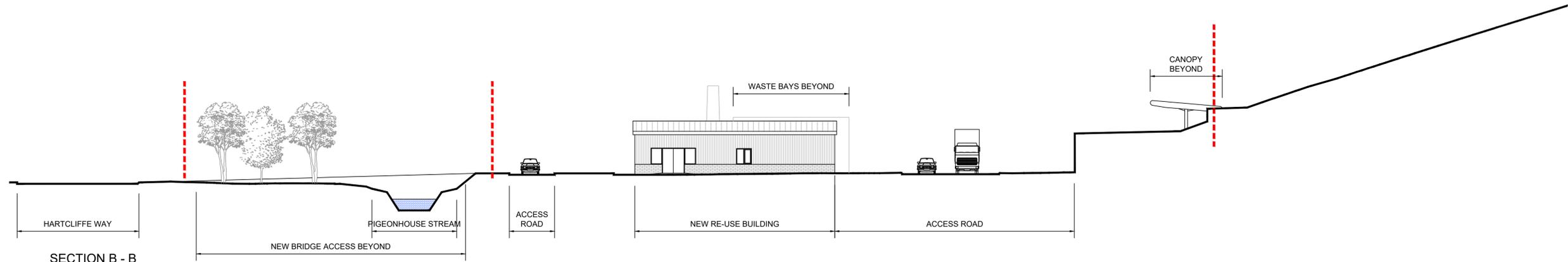
LEGEND

FOR PROPOSED RE-USED BUILDING SEE DRAWING 007

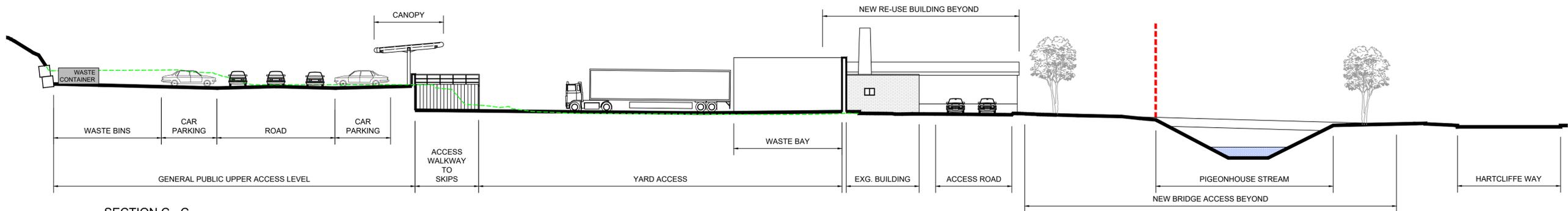
- INDICATIVE SITE BOUNDARY
- EXISTING GROUND LEVEL



SECTION A - A
WEST ELEVATION



SECTION B - B
SOUTH ELEVATION



SECTION C - C
NORTH ELEVATION



BRISTOL waste

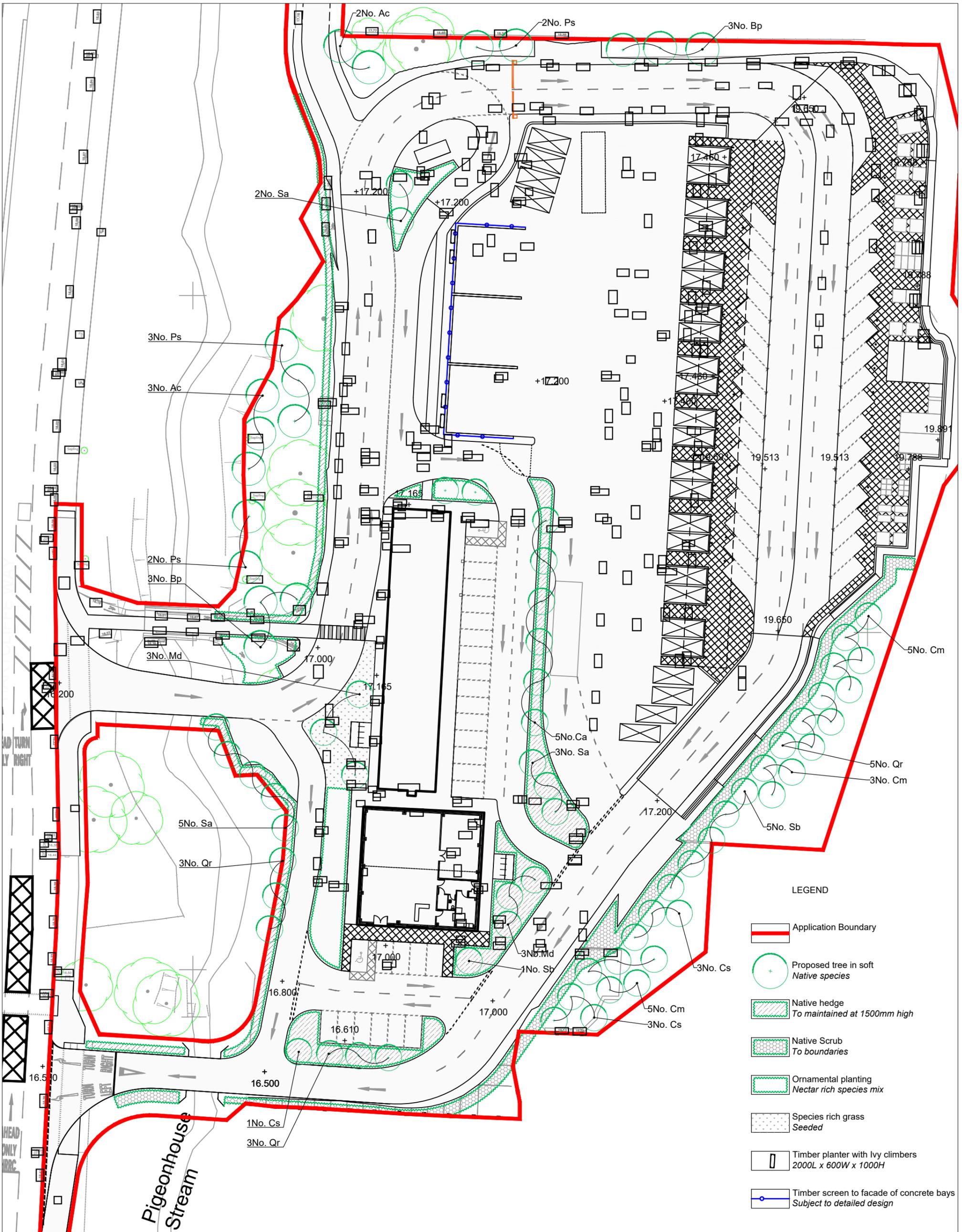
SLR
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HARTCLIFFE WAY HRRC
HRRC DEVELOPMENT
PROPOSED
SITE ELEVATIONS

006

Scale: 1:200 @ A1 Date: OCTOBER 2019



LEGEND

- Application Boundary
- Proposed tree in soft Native species
- Native hedge To maintained at 1500mm high
- Native Scrub To boundaries
- Ornamental planting Nectar rich species mix
- Species rich grass Seeded
- Timber planter with Ivy climbers 2000L x 600W x 1000H
- Timber screen to facade of concrete bays Subject to detailed design

GENERAL NOTES:

- ALL DIMENSIONS AND LEVELS SHALL BE CHECKED ON SITE PRIOR TO CONSTRUCTION WORK COMMENCING.
- ALL LANDSCAPE DRAWINGS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ENGINEER'S AND ARCHITECT'S DRAWINGS AND SPECIFICATIONS.
- ALL DRAWINGS TO BE READ IN CONJUNCTION WITH THE LANDSCAPE SPECIFICATION.
- ANY DISCREPANCY CONCERNING THE DRAWINGS SHOULD BE REFERRED TO THE CA IMMEDIATELY.
- ALL DIMENSIONS IN MILLIMETRES UNLESS NOTED OTHERWISE.
- ALL LEVELS IN METRES.
- DO NOT SCALE OFF THIS DRAWING.
- EXISTING SERVICE ALIGNMENTS SHALL BE CHECKED ON SITE BY THE CONTRACTOR PRIOR TO CONSTRUCTION WORK COMMENCING.

DRAWING NOTES:

To be read in conjunction with the following documents:

3153_L_Planting Schedule

Rev	Date	Description	Drawn	Ch'd
A	01.10.19	Updated arrangement	JS	LF
B	14.10.19	Updated in line with revised layout	JS	AS
C	02.12.19	Tree species revised - BCC 20.11.19	JS	GM

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CLIENT BRISTOL_WASTE		
PROJECT HWRC_DEVELOPMENT		
TITLE LANDSCAPE_SOFTWORKS		
Status: PLANNING	Drawn: JS	Checked: SB
Scale: 1:500@A3	Date: 19.06.19	Approved: LF
Drawing Number: 3153_L_SW_0_01		Rev: c

HARTCLIFFE WAY RECYCLING CENTRE ACCURATE VISUAL REPRESENTATIONS

DECEMBER 2019

LANDMARK REF: 3153

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Project: Hartcliffe Way Recycling Centre

Prepared by: The Landmark Practice
Hope Chapel House
Hope Chapel Hill
Hotwells, Bristol
BS8 4ND

Tel: 0117 923 0455

Landmark Ref: 3153

Client: Bristol Waste

Architect: SLR Consulting

The information which we have prepared and provided is true, and has been prepared and provided in accordance with professional guidelines. Since the original viewpoints were undertaken in February 2019 the Landscape Institute guidelines have been updated (Visual Representation of Development Proposals, Technical Guidance Note 06/19 17th September 2019), for consistency the additional view contained in this document has been produced in accordance with guidelines which were current at the time of the original set of views (February 2019) .The additional viewpoint contained within this document was requested following the planning application submission.

Notes:

- The descriptions of the views within this document have been provided by a chartered member of the Landscape Institute.
- They have been included purely to describe the existing baseline viewpoint and any changes in the view brought about by the proposed development.
- The descriptions within this document do not form a full Landscape and Visual Impact Assessment (LVIA).

Version	Prepared by	Checked by	Approved by	Issued on
V1	GS	JS	AS	02/12/19

*D denotes a Draft version



Image source: Google Earth

View	AVR Level 1 (wireframe)	AVR Level 3 (rendered)
02	●	
04	●	
05	●	
07		●
08	●	

\\TLP-DC1\Data\PROJECTS\3150 - 3199\3153 - Hartcliffe Way Recycling Centre\GRAPHICS (WORKING)\InDesign\3153_Hartcliffe_Photos\montages.indd



15°

10°

5°

5°

10°

15°

20
cm

10
cm

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Distance to: 502 m
Bearing to: 0.2° from north
Viewpoint grid reference: E: 358129.0 N: 169174.8
Viewpoint ground height: 39.3m AOD
Date & time of photo: 11/04/2019 09:01
Camera: Nikon D750
Lens, FL, max aperture: Fixed 50mm lens, F8

Revision: -
Drawn: GS
Date: 02/12/19
Sheet Size: A3
Checked: JS
Authorised: GM
Recommended viewing distance: 380mm
Weather: Dry, sunny intervals
Visibility: Good

Project: Hartcliffe Way Recycling Centre
Client: Bristol Waste
Drawing title: Viewpoint 2 - Existing View

Fig:
2.1

\\TLP-DC1\Data\PROJECTS\3150 - 3199\3153 - Hartcliffe Way Recycling Centre\GRAPHICS (WORKING)\InDesign\3153_Hartcliffe_Photos\montages.indd



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Distance to: 502 m
Bearing to: 0.2° from north
Viewpoint grid reference: E: 358129.0 N: 169174.8
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Camera: Nikon D750
Lens, FL, max aperture: Fixed 50mm lens, F8

Revision: -
Drawn: GS
Date: 02/12/19
Recommended viewing distance: 380mm
Weather: Dry, sunny intervals
Visibility: Good

Sheet Size: A3
Checked: JS
Authorised: GM

Project: Hartcliffe Way Recycling Centre
Client: Bristol Waste
Drawing title: Viewpoint 2 - Wireframe

Fig:
2.2

\\TLP-DC1\Data\PROJECTS\3150 - 3199\3153 - Hartcliffe Way Recycling Centre\GRAPHICS (WORKING)\InDesign\3153_Hartcliffe_Photos\3153_Photomontages.indd

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Distance to: 75m
Bearing to: 165.6° from north
Viewpoint grid reference: E: 358074.7 N: 169905.5
Viewpoint ground height: 15.6m AOD
Date & time of photo: 11/04/2019 09:21
Camera: Nikon D750
Lens, FL, max aperture: Fixed 50mm lens, F11

Revision: -
Drawn: GS
Date: 02/12/19
Sheet Size: A3
Checked: JS
Authorised: GM
Recommended viewing distance: 380mm
Weather: Dry, sunny intervals
Visibility: Good

Project: Hartcliffe Way Recycling Centre
Client: Bristol Waste
Drawing title: Viewpoint 5 - Existing View

Fig:
4.1

\\TLP-DC1\Data\PROJECTS\3150 - 3199\3153 - Hartcliffe Way Recycling Centre\GRAPHICS (WORKING)\InDesign\3153_Hartcliffe_Photos\3153_Hartcliffe_Photomontages.indd

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Distance to: 75m
Bearing to: 165.6° from north
Viewpoint grid reference: E: 358074.7 N: 169905.5
Viewpoint ground height: 15.6m AOD
Date & time of photo: 11/04/2019 09:21
Camera: Nikon D750
Lens, FL, max aperture: Fixed 50mm lens, F11

Revision: -
Drawn: GS
Date: 02/12/19
Sheet Size: A3
Checked: JS
Authorised: GM
Recommended viewing distance: 380mm
Weather: Dry, sunny intervals
Visibility: Good

Project: Hartcliffe Way Recycling Centre
Client: Bristol Waste
Drawing title: Viewpoint 5 - Wireframe

Fig:
4.2

20
cm

10
cm

0



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Distance to: 393m
Bearing to: 86.4° from north
Viewpoint grid reference: E: 357688.8 N: 169703.3
Viewpoint ground height: 36.5m AOD
Date & time of photo: 11/04/2019 09:31
Camera: Nikon D750
Lens, FL, max aperture: Fixed 50mm lens, F10

Revision: -
Drawn: GS
Date: 02/12/19
Sheet Size: A3
Checked: JS
Authorised: GM
Recommended viewing distance: 380mm
Weather: Dry, sunny intervals
Visibility: Good

Project: Hartcliffe Way Recycling Centre
Client: Bristol Waste
Drawing title: Viewpoint 7 - Existing View

Fig:
5.1



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Distance to: 393m
 Bearing to: 86.4° from north
 Viewpoint grid reference: E: 357688.8 N: 169703.3
 Viewpoint ground height: 36.5m AOD
 Date & time of photo: 11/04/2019 09:31
 Camera: Nikon D750
 Lens, FL, max aperture: Fixed 50mm lens, F10

Revision: -
 Drawn: GS
 Date: 02/12/19
 Sheet Size: A3
 Checked: JS
 Authorised: GM
 Recommended viewing distance: 380mm
 Weather: Dry, sunny intervals
 Visibility: Good

Project: Hartcliffe Way Recycling Centre
 Client: Bristol Waste
 Drawing title: Viewpoint 7 - Wireframe

Fig: 5.2

\\TLP-DC1\Data\PROJECTS\3150 - 3199\3153 - Hartcliffe Way Recycling Centre\GRAPHICS (WORKING)\InDesign\3153_Hartcliffe_PhotoMontages.indd

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Distance to: 393m
Bearing to: 86.4° from north
Viewpoint grid reference: E: 357688.8 N: 169703.3
Viewpoint ground height: 36.5m AOD
Date & time of photo: 11/04/2019 09:31
Camera: Nikon D750
Lens, FL, max aperture: Fixed 50mm lens, F10

Revision: -
Drawn: GS
Date: 02/12/19
Sheet Size: A3
Checked: JS
Authorised: GM
Recommended viewing distance: 380mm
Weather: Dry, sunny intervals
Visibility: Good

Project: Hartcliffe Way Recycling Centre
Client: Bristol Waste
Drawing title: Viewpoint 7 - Rendered

Fig:
5.3



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Distance to: 582m
Bearing to: 108.3° from north
Viewpoint grid reference: E: 357534.0 N: 169997.1
Viewpoint ground height: 67.2m AOD
Date & time of photo: 11/04/2019 09:53
Camera: Nikon D750
Lens, FL, max aperture: Fixed 50mm lens, F10

Revision: -
Drawn: GS
Date: 02/12/19
Sheet Size: A3
Checked: JS
Authorised: GM
Recommended viewing distance: 380mm
Weather: Dry, sunny intervals
Visibility: Good

Project: Hartcliffe Way Recycling Centre
Client: Bristol Waste
Drawing title: Viewpoint 8 - Existing View

Fig:
6.1



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Distance to: 582m
 Bearing to: 108.3° from north
 Viewpoint grid reference: E: 357534.0 N: 169997.1
 Viewpoint ground height: 67.2m AOD
 Date & time of photo: 11/04/2019 09:53
 Camera: Nikon D750
 Lens, FL, max aperture: Fixed 50mm lens, F10

Revision: -
 Drawn: GS
 Date: 02/12/19
 Sheet Size: A3
 Checked: JS
 Authorised: GM
 Recommended viewing distance: 380mm
 Weather: Dry, sunny intervals
 Visibility: Good

Project: Hartcliffe Way Recycling Centre
 Client: Bristol Waste
 Drawing title: Viewpoint 8 - Wireframe

Fig: 6.2

UPDATE FOLLOWING DEVELOPMENT CONTROL COMMITTEE B - 12 FEBRUARY 2020

BACKGROUND

Members will recall that on the 12th February 2020 officers had recommended a split decision on this application: refusal of the west facing digital advertisement on public safety grounds and approval of the east facing digital advertisement. Committee resolved to defer the application, requesting an update report from officers on grounds that could be legitimately used to refuse the application. Prior to making this resolution, Committee Members raised concerns with both of the proposed digital displays on the grounds of both amenity and public safety. Members also requested whether the proposed digital displays could be illuminated at a lower level at night time.

VISUAL AND RESIDENTIAL AMENITY

Officers have considered Councillor objections to illumination brightness in terms of harm to visual and residential amenity at night, particularly given the approval of significant residential development immediately opposite the site (18/04620/F).

Notwithstanding the previous consents for digital advertisements at this site (appeal decision APP/Z01116/Z/17/3175621 and 17/06513/A) – which are both capable of implementation in terms of time limits and both allow luminance up to 300cd/m² at night – the agent has stated that the minimum luminance at which the screens can operate at is 175cd/m², and that the screens would be turned off between 23:00 and 06:00. The agent has also agreed to the submission of a lighting assessment, addressing amenity, within 3 months of first operation. New conditions 10 and 11 (in bold below) secure these restrictions/requirements.

PUBLIC (HIGHWAYS) SAFETY

Officers have also considered Councillor objection to the east facing digital advertisement due to existing inbound highways conditions. Transport Development Management Officers have again reiterated that any distraction of west bound (inbound) road users does not warrant the refusal of the east facing sign because of the different context (straight approach with traffic lights not sighted in line with views of the display). They have given due regard to layout of the road, cyclists and pedestrians. It is noted that the above conditions would have a positive impact on highways safety.

OTHER MATTERS

Councillor concerns with regards the impacts of the illumination on wildlife do not fall within the scope of the assessment under Part 1, Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

As a result of the above considerations, officers can advise the Committee that the following reasons for refusal could be used if Members are still minded to refuse advertisement consent:

1. Both the east and west facing digital advertisements (as shown on the proposed site block plan ref. A01402/02) by reason of their size, position, and illumination would represent incongruous, overly dominant, and visually intrusive additions to the townscape which would have a harmful impact on the character and appearance of the streetscene and surrounding area. The proposed advertisements are therefore contrary to the Town and Country Planning (Control of Advertisements) Regulations 2007, National Planning Policy Framework (2019),

Development Control Committee B – 12 February 2020

**Application No. 19/04821/A : Plot Of Land Fronting Former 164 - 188 Bath Road Totterdown
Bristol BS4 3EF**

Core Strategy (2011) Policy BCS21, and guidance on advertisements contained within Planning Practice Guidance (PPG).

2. Both the east and west facing digital advertisements (as shown on the proposed site block plan ref. A01402/02) by reason of their size, position, and illumination would have a harmful impact on the residential amenity of neighbouring properties, including those granted planning permission opposite the site under planning application ref. 18/04620/F, in terms of outlook, and light pollution at night. The proposed advertisements are therefore contrary to the Town and Country Planning (Control of Advertisements) Regulations 2007, National Planning Policy Framework (2019), Core Strategy (2011) Policy BCS21, and guidance on advertisements contained within Planning Practice Guidance (PPG).
3. The proposed west facing digital advertisement (as shown on the proposed site block plan ref. A01402/02), by reason of its size, position, and illumination, has the potential to distract road users and to cause drivers to lose concentration and come into conflict with other vehicles, pedestrians and cyclists. The proposed digital advertisement's potential for conflict with the safe operation of the public highway network is therefore contrary to the Town and Country Planning (Control of Advertisements) Regulations 2007, National Planning Policy Framework (2019), Core Strategy (2011) Policy BCS10, Site Allocations and Development Management (2014) Policy DM23, and guidance on advertisements contained within Planning Practice Guidance (PPG).

However, the formal officer advice remains that a split decision be issued with the following updated conditions.

RECOMMENDATION**SPLIT DECISION:**

East facing sign as shown on the proposed site block plan ref. A01402/02.

Permission is granted subject to the following condition(s)

1. Standard Advertisement time condition

This consent shall be restricted to a period of five years from the date of the consent.

Reason: This condition is specified by the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2. Digital Advertisement Conditions

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

2. No advertisement shall be sited or displayed so as to:-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air; or

Development Control Committee B – 12 February 2020**Application No. 19/04821/A : Plot Of Land Fronting Former 164 - 188 Bath Road Totterdown
Bristol BS4 3EF**

- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
6. The advertisement must have static images only for the lifetime of the development. No moving or apparently moving images, strobe or flashing lighting effects are permitted.
7. The advertisement must not contain any images which may be interpreted as road signs or emit sound, smoke or odours.
8. The advertisement must not change its image more than once in any ten second period for the lifetime of the development. No interactive messages or messaging sequences are to be displayed.
9. The proposed change in image method for the advertisement must use a fade/dissolve process and shall not give the appearance of movement for the lifetime of the development. Any sequential change between advertisements will take place over a period no greater than 0.1 seconds.
- 10. The advertisements shall not be illuminated between the hours of 11pm and 6am and the luminance level of the advertisements shall not exceed 175cd/m² at any time for the lifetime of the development. The adverts shall be equipped with a dimmer control and photo cell which shall constantly monitor ambient light conditions and adjust brightness accordingly to the satisfaction of the Local Planning Authority. The advertisement will go to a blank (dark) screen should it malfunction.**
- 11. Within 3 months of the first operation of the display the applicants shall undertake a lighting assessment for submission to and approval by the local planning authority. The assessment shall include recommended further mitigation measures to minimise any subsequently identified adverse amenity impact.**
12. Before the advertisement is displayed a monitoring scheme to assess the effect on highway safety shall be prepared, submitted to and approved in writing by the Local Planning Authority. Monitoring shall be carried out in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.
13. The advertisement shall not be installed until an access, maintenance and inspection plan in relation to the advert unit has been prepared, submitted to and approved in writing by the Local Planning Authority. Thereafter the advert unit shall be maintained in accordance throughout its lifetime in accordance with the approved plan.
14. When in operation the advertisement shall be monitored over a period of six months with reports produced on the luminance and effects on lighting of the adopted highway based on the surrounding lighting conditions, and the effects of the advertisement on road safety and in agreement with Local Planning Authority make recommended adjustments.

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Bristol BS4 3EF

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

3. Artificial Lighting

Any light created by reason of the development shall meet the Obtrusive Light Limitations for Exterior Lighting Installations in table 2 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01:2011.

Reason: In the interests of residential amenity.

West facing sign as shown on the proposed site block plan ref. A01402/02.

Permission is refused:

1. The proposed west facing digital advertisement (as shown on the proposed site block plan ref. A01402/02), by reason of its size, position, and illumination, has the potential to distract road users and to cause drivers to lose concentration and come into conflict with other vehicles, pedestrians and cyclists. The proposed digital advertisement's potential for conflict with the safe operation of the public highway network is therefore contrary to the Town and Country Planning (Control of Advertisements) Regulations 2007, National Planning Policy Framework (2019), Core Strategy (2011) Policy BCS10, Site Allocations and Development Management (2014) Policy DM23, and guidance on advertisements contained within Planning Practice Guidance (PPG).

Development Control Committee B – 12 February 2020
Application No. 19/04821/A : Plot Of Land Fronting Former 164 - 188 Bath Road Totterdown
Bristol BS4 3EF

SUMMARY

This application is being reported to Committee due to significant public interest and a split decision recommendation.

The application site is located within South East Bristol, in the ward of Windmill Hill.

Part 1, Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 outlines that a local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account: the provisions of the development plan (so far as they are material) and any other relevant factors. As such, the key issues in the report concern the impact of the proposed development on amenity and public safety.

In relation to impact on amenity it is considered that given the site's location on a transport corridor; outside of a Conservation Area; lack of inter-visibility with and or distance from designated heritage assets; and relationship with existing dwellings the proposed advertisements would have an acceptable impact on the amenity of the area and the local context.

In relation to public safety, the application has been considered in detail by the Council's Transport Development Management (TDM) Team. Transport Officers object to the west facing advert on grounds that the design (digital display showing static images in sequence) and siting has the potential to distract east bound road users as 1) they approach the Bath Road/Totterdown Bridge junction traffic lights where the advert would be directly behind and in the site line of the traffic lights and 2) they negotiate the point after the junction where east bound buses merge with general traffic. This distraction could result in reduced road user perception of changing traffic light signals or road users failing to notice a bus merging in front of them, with potentially severe consequences.

There is no public safety objection to the east facing advert.

Therefore, a split decision is recommended; refusal of the west facing advert on public safety grounds, and approval of the east facing advert.

SITE DESCRIPTION

The site is on Bath Road (A4). There are 3 'paper and paste' hoarding adverts at the site. The last previous known use of the site was car sales. The site is immediately adjacent to the west bound bus lane and bus stop on the approach to the traffic light controlled three arm Bath Road/ Totterdown Bridge Junction. Opposite the site is an east bound bus stop after which buses immediately merge into general traffic. There are advisory cycle lanes in both directions. Also opposite is a piece of vacant land where planning permission has recently been granted for a mixed use development comprising 152 residential flats, and 418sqm office (B1(a)) floorspace (18/04620/F). Development has not commenced. There is a sharp increase in topography at the rear of the site, atop which is a wooded area.

RELEVANT PLANNING HISTORY

17/06513/A - Removal of the three existing advertisements (2x 12mx3m displays, 1x 6mx3m display), to be replaced with two 6mx3m internally illuminated digital advertisements – granted

Development Control Committee B – 12 February 2020**Application No. 19/04821/A : Plot Of Land Fronting Former 164 - 188 Bath Road Totterdown
Bristol BS4 3EF**

16/05424/A - Removal of the three existing advertisements (2x 12mx3m displays, 1x 6mx3m display), to be replaced with two internally illuminated digital advertisements – refused (Appeal allowed)

16/05424/A was refused under delegated authority on amenity grounds; however a resulting appeal was successful. 17/06513/A proposed smaller adverts and was approved under delegated authority on 12.03.18. The two approved advertising displays are identical to those proposed by this application in terms of siting, and display panel width and height. The only difference is the design of the support legs meaning that the proposed structures are 0.5m higher than the approved.

88/01411/F - Change of use from disused petrol station to vehicle sales (retaining advertising hoarding) – granted

APPLICATION

The 3 'paper and paste' hoarding adverts would be removed. Advertising consent is sought for the erection of 2 single sided digital adverts on free standing cantilevered support legs; one facing east and one facing west. The height of the overall structures would be 6.7m above ground level. The advertising displays themselves would be 3.56m in height by 6.43m in width. The adverts would be angled at approximately 45° to the road to face oncoming traffic heading either east or west along Bath Road. The supporting document states that the adverts would display static images in sequence, changed remotely via a secure ISDN connection, and illuminated to a level consistent with the Institute of Lighting Professional's (ILP) guidance. The brightness of the displays is adjustable. However, the application forms indicates that they would be set at their lower limit; 300 cdm² (night time limit).

The Local Planning Authority are able to control the rate of image change and brightness by way of the below conditions.

RESPONSE TO PUBLICITY AND CONSULTATION

A site notice was issued and letters sent to neighbouring properties.

In total, comments from 68 separate addresses were received in response to the application, of which 67 were in objection.

IN OBJECTION

Comments (including from Bristol Civic Society, Totterdown Residents Environmental and Social Action, and Christmas Steps Arts Quarter) were made in objection on the following grounds:

- The adverts would create dangerous conditions for road users on a very busy road with bus stops and junctions (particularly for vulnerable users – pedestrians and cyclists)
- Visual impact on local character, cityscape and historic interests (The Thunderbolt public house listed building and Thunderbolt Steps)
- Light pollution and nuisance in a residential area – particularly intrusive for future residents of the residential scheme granted permission at the site opposite (18/04620/F Former Esso Garage)
- Adverts represent a bombardment and intrusion from excessive and invasive commercial messaging that encourage consumerism
- Electricity requirements contrary to Council sustainability objectives (climate emergency)
- Elevated hillside location would mean they would be visible at night from far and wide

Development Control Committee B – 12 February 2020
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Bristol BS4 3EF

- Will confuse and disturb local wildlife
- People with partial sight can become confused when approaching bright advertising boards
- Bad for Bristol's image

IN SUPPORT

Comments were made in support on the following grounds:

-Adverts will demonstrate Bristol as a digital city. The current billboards are outdated. The quality of advertising is often of higher quality. Spending helps boost our local economy. Many local companies, charities and CIC rely on the advertising.

COMMENTS FROM COUNCILLORS

Councillor Jon Wellington – Objection

This is an entirely inappropriate site for illuminated digital advertising. The site is in very close to high density residential areas including the nearby terraced housing on Bath Road, the Paintworks development, and the New Walls estate. There is also planning permission recently granted for a high density development on Bath Bridge, which is almost directly opposite this site. Illuminated billboards will in my view substantially reduce the environment through light pollution and the degradation of public areas.

Bath Road is a residential area. While it also serves the purpose of being a busy main route into and out of Bristol city centre it is the people that live there that must be prioritised. I urge officers to reject this proposal which would be damaging to the local environment and detrimental to the living conditions of local residents.

Councillor Stephen Clarke - Objection

I object to this application because it will impact on road safety on this important road with a junction nearby and because it causes an impact on the amenity of residents nearby.

Councillor Lucy Whittle – Objection

I believe illuminated adverts are a distraction for drivers and create an unpleasant environment for residents and pedestrians.

COMMENTS FROM CONSULTEES

Transport Development Management – Objection to the West facing advert

Distraction and confusion can be caused by additional cognitive demand on a drivers' attention, leading to an increased risk of accidents. Where a driver is already experiencing significant demand through challenging road layouts or other additional demands on their attention, it is important not to add any further unnecessary distraction, particularly where there are vulnerable road users present.

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West facing advert

The site is situated in the view of the traffic controlled three arm Bath Road/ Totterdown Bridge junction. The proposed digital sign is situated directly behind the signal heads when viewed from the east bound approach. It is imperative to ensure that the attention of drivers is not averted from the highway or from traffic signals.

Buses merge with the general traffic after the bus stop as they depart from the junction heading east; the impacts of a driver being distracted and not noticing a bus merging in front of them could be severe.

East facing advert

The advert is located such that it does not sit directly behind traffic signals and does not interfere with the sight lines to the signals or junction. There is a straight approach to the advert and a driver would have sufficient time to process the advert. The proposal would not be considered to cause a significant distraction to the detriment of highway safety subject to conditions to ensure that the advert does not change too frequently or exceed the permitted luminance level.

Policy Background and Planning Practice Guidance

Policy BCS10 of the Bristol Core Strategy states that developments should be designed and located to ensure the provision of safe streets. Policy DM23 of the Site Allocations and Development Management Policies outlines that development should not give rise to unacceptable traffic conditions.

National Planning Practice Guidance (NPPG) outlines that advertisements must not create a road safety danger, by virtue of its siting or nature. Advertisements at points where drivers need to take more care are more likely to affect public safety. The local conditions described above (traffic light controlled three arm Bath Road/ Totterdown Bridge Junction and buses merging) means that this is an area where drivers need to take more care.

The NPPG list of advert types which may cause danger to road users include the following two categories:

Those which, because of their size or siting, would obstruct or confuse a road-user's view, or reduce the clarity or effectiveness of a traffic sign or signal, or would be likely to distract road-users because of their unusual nature; and

Those externally or internally illuminated signs (incorporating either flashing or static lights) including those utilising light emitting diode (LED) technology:

- i. where the means of illumination is directly visible from any part of the road;
- ii. which, because of their colour, could be mistaken for, or confused with, traffic lights or any other authorised signals;
- iii. which, because of their size or brightness, could result in glare and dazzle, or distract road-users, particularly in misty or wet weather; or
- iv. which are subject to frequent changes of the display

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It is considered that the west facing sign falls into these categories because of its LED sequentially changing display, siting behind the traffic lights, and close proximity to an area where buses merge into general traffic.

Existing Situation

The existing 'paper and paste' adverts that would be removed are not illuminated and by design can only show one image before having to be manually replaced. Therefore, the proposed adverts represent a material change to the public safety implications of the adverts at this site.

Previous Applications

Applications for digital adverts in Bristol have been refused on highway safety grounds and the decisions upheld by Planning Inspectors, in recognition that sequentially changing digital advertising is more likely to draw attention than the 'paper and paste' adverts that they would replace. For example, Feeder Road where a recent proposal for the replacement of a 'paper and paste' advert with a digital advert behind traffic lights was refused on public safety grounds, and dismissed at appeal.

However, whilst sites have similarities in terms of highways conditions, each digital advert application is assessed on its own merits with regard to site specific circumstances.

Pollution Control – No objection subject to condition

RELEVANT POLICIES

National Planning Policy Framework – March 2012

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

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

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.

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KEY ISSUES

Part 1, Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 outlines that a local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account:

- The provisions of the development plan, so far as they are material; and
- Any other relevant factors.

A) IS THE PROPOSAL ACCEPTABLE IN TERMS OF VISUAL AMENITY?

Factors relevant to amenity include the general characteristics of the locality, including the presence of any features of historic, architectural, cultural or similar interest.

Paragraph 132 of the NPPF states that the quality and character of places can suffer when advertisements are poorly sited and designed. Policy BCS21 of the Bristol Core Strategy states that new development in Bristol should contribute positively to an area's character and identity, creating or reinforcing local distinctiveness.

The site has been host to hoarding adverts since at least the 1980's and there have been other adverts at the site associated with its previous uses; first as a petrol station before providing vehicle sales. Therefore, purely in scale terms, the proposed adverts would not appear unusual in this location. There would be a reduction in the number of adverts at the site (from 3 to 2) and although the support legs would mean that the proposed adverts would be higher from ground level, the display panels themselves would be considerably smaller. However, the digital led illuminated sequentially changing display requires assessment in terms of amenity.

The application site is situated on a busy transport corridor. To the north is vacant brownfield land with a section of the River Avon, and St Philip's Marsh Principal Industrial and Warehousing beyond; none of which have been designated by reason of a visual amenity sensitivity. The site is not located within a Conservation Area. There would be no impact on the setting of Arno's Vale Conservation Area, and Arno's Vale Cemetery Registered Park and Garden and associated listed buildings because of the intervening topography and the alignment of Bath Road which prevent inter-visibility.

The setting of The Thunderbolt Public House (Grade II listed) would include the proposed east facing advert when approached from the east on Bath Road. However, the Public House is 140m from the site; views of it from the east are at an acute angle; and the existing setting is characterised by constant traffic noise and an unsympathetic use, in the car wash, next to it. Therefore, it is not considered that the east facing advert would result in any material harm to the setting. Officers have undertaken the assessment required under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and have given special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. They have given the potential for harm considerable importance and weight in reaching this conclusion.

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B) IS THE PROPOSAL ACCEPTABLE IN TERMS OF RESIDENTIAL AMENITY?

Policy BCS21 of the Bristol Core Strategy states that new development in Bristol should safeguard the amenity of existing development and create a high-quality environment for future occupiers.

The Council's Pollution Control Team has assessed the proposal and do not object on grounds that the positioning and orientation of the proposed digital advertising, and the illuminance levels given in the application, are acceptable. However, the below obtrusive light limitation condition is considered necessary and reasonable in order to ensure an acceptable impact. Pollution Control is aware of the approved residential development opposite the site (18/04620/F).

Therefore, light omitted by the adverts is not considered to be harmful to existing and proposed residential amenity to the north, east and west of the site. The approved residential development opposite the site (18/04620/F) has not commenced.

Given the above assessment Officers have concluded that the proposed advertisements would not cause any unacceptable harm to amenity (visual or residential) as set out by The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

It is also noted that there is permission (17/06513/A) already in place for two digital adverts with the same siting and panel size as proposed by this application.

C) IS THE PROPOSAL ACCEPTABLE IN TERMS OF PUBLIC (HIGHWAYS) SAFETY?

With reference to public safety the Act states that factors relevant to public safety include:

- the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;
- whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Transport Development Management (TDM) has assessed the application and concluded that the proposed west facing sign would be sited close to, and within site line of, two points where road users need to take more care. The first being the east bound approach to the Totterdown Bridge/Bath Road junction traffic lights where the view of the advert is directly behind the signal heads, and the second being the area after the junction where east bound buses merge with general traffic meaning road users could be distracted by the advert at the same that busses are pulling out in front of them. It is considered that the LED illumination and sequentially changing digital display has the potential to distract and confuse road users in relation to their perception of the traffic light signals and bus movements at points that already place additional demands on their attention. Subsequently, it is considered the west facing advert would be prejudicial to public safety.

There are no objections to the east facing advert due to the differing context of the siting. The Local Planning Authority are able to control the rate of image change and brightness by way of the below conditions.

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Based on the above conclusions, Officers have concluded that the proposed west facing advert would have an unacceptable impact on public safety as set out by The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, the NPPG, and local policy.

CONCLUSION

A split decision is recommended.

It is considered that both of the proposed advertisements would not cause any unacceptable harm to amenity. It is considered that the proposed east facing advert would have an acceptable impact on public safety. However, the proposed west facing advert is considered prejudicial to road safety and therefore should be refused in the interests of public safety.

Therefore, Officers recommend a split decision; the approval of the east facing advert subject to the below conditions, and the refusal of the west facing advert.

RECOMMENDED Split Decision

East facing sign as shown on the proposed site block plan ref. A01402/02.

Permission is granted subject to the following condition(s)

Post occupation management

1. Standard Advertisement time condition

This consent shall be restricted to a period of five years from the date of the consent.

Reason: This condition is specified by the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2. Digital Advertisement Conditions

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

2. No advertisement shall be sited or displayed so as to:-

(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(b) obscure, or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air; or

(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

3. Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

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5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
6. The advertisement must have static images only for the lifetime of the development. No moving or apparently moving images, strobe or flashing lighting effects are permitted.
7. The advertisement must not contain any images which may be interpreted as road signs or emit sound, smoke or odours.
8. The advertisement must not change its image more than once in any ten second period for the lifetime of the development. No interactive messages or messaging sequences are to be displayed.
9. The proposed change in image method for the advertisement must use a fade/dissolve process and shall not give the appearance of movement for the lifetime of the development. Any sequential change between advertisements will take place over a period no greater than one second.
10. The advertisement shall be equipped with a dimmer control and photo cell which shall constantly monitor ambient lighting conditions and adjust sign brightness accordingly. The advertisement will go to a blank (dark) screen should it malfunction.
11. The luminance level of the advertisement must not exceed 300cd/m² for the lifetime of the development. No part of the source of the illumination shall at any time be directly visible to users of the adjacent adopted highway.
12. Before the advertisement is displayed a monitoring scheme to assess the effect on highway safety shall be prepared, submitted to and approved in writing by the Local Planning Authority. Monitoring shall be carried out in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.
13. The advertisement shall not be installed until an access, maintenance and inspection plan in relation to the advert unit has been prepared, submitted to and approved in writing by the Local Planning Authority. Thereafter the advert unit shall be maintained in accordance throughout its lifetime in accordance with the approved plan.
14. When in operation the advertisement shall be monitored over a period of six months with reports produced on the luminance and effects on lighting of the adopted highway based on the surrounding lighting conditions, and the effects of the advertisement on road safety and in agreement with Local Planning Authority make recommended adjustments.

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

3. Artificial Lighting

Any light created by reason of the development shall meet the Obtrusive Light Limitations for Exterior Lighting Installations in table 2 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01:2011.

Reason: In the interests of residential amenity.

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West facing sign as shown on the proposed site block plan ref. A01402/02.

Permission is refused

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

1. The proposed west facing digital advertisement (as shown on the proposed site block plan ref. A01402/02), by reason of its location and nature, has the potential to distract road users and to cause drivers to lose concentration and come into conflict with other vehicles, pedestrians and cyclists. The proposed digital advertisement's potential for conflict with the safe operation of the public highway network is therefore contrary to the NPPF; policy BCS10 of the Core Strategy (June 2011), policy DM23 of the Site Allocations and Development Management Policies (July 2014), and guidance on advertisements contained within Planning Practice Guidance (PPG).

List of plans and drawings

The following plans and drawings were considered as part of the above application:

A01402/08 Structure detail, received 3 October 2019
A01402/01 Site location plan, received 3 October 2019
A01402/02 Site block plan, received 3 October 2019
A01402/07 Sign elevation and dimensions, received 3 October 2019
A01402/09 Screen specifications, received 3 October 2019
A01402/06 Display panel, received 3 October 2019

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ITEM NO. 6

WARD: Central

SITE ADDRESS: The Marchioness Building Commercial Road Bristol BS1 6TG

APPLICATION NO: 19/01925/F Full Planning

DETERMINATION DEADLINE: 18 June 2019

Reinstatement of historic landing stage for use associated with Marchioness site (revision to 17/03268/F).

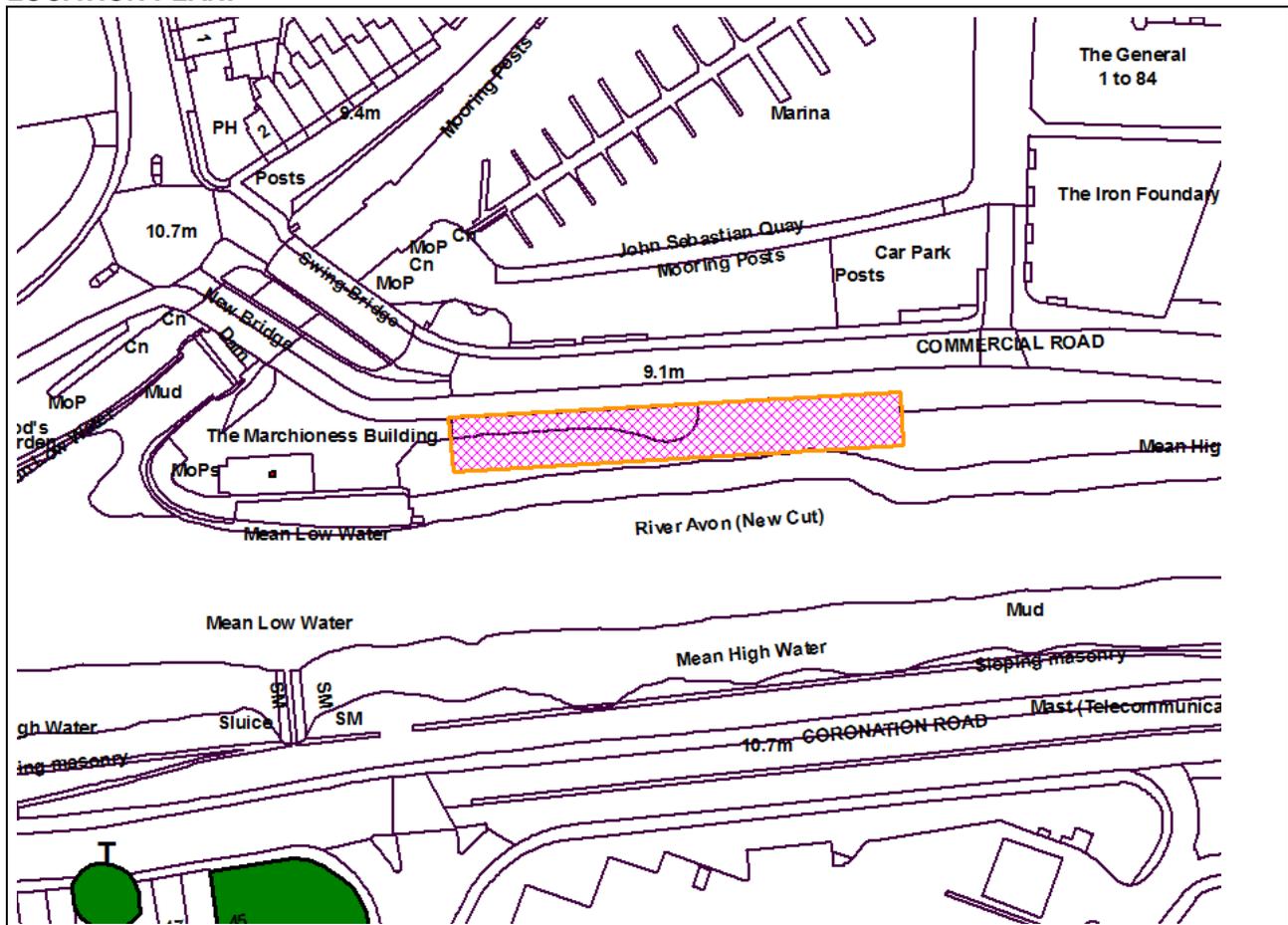
RECOMMENDATION: Refuse

AGENT: WYG Planning & Design
90 Victoria Street
Bristol
BS1 6DP

APPLICANT: Dr H & Mrs J Pratt
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 B – 18 March 2020**Application No. 19/01925/F : The Marchioness Building Commercial Road Bristol BS1 6TG****SUMMARY**

Planning permission is sought for a 'reinstatement of a historic landing stage for use associated with the Marchioness Site.' This application follows a previous and almost identical application 17/03268/F that was refused under officer delegated powers in April 2018 due to adverse visual/heritage/green infrastructure impacts/, highways, flood risk and land instability grounds.

The application has been referred to Committee by Councillor Smith on the grounds that "the application aims to restore a derelict jetty on the new cut and as such I believe it should be supported on conservation grounds and also to enhance the riverside in this area."

The current application differs from the last (refused) application 17/03268/F only in the following regards:

- o Technical Assessments (Geotechnical Assessment and Flood Risk Assessment) provided
- o Additional plans and visualisations provided
- o Additional supporting documents provided in respect of background information.

This report contains a summary of changes compared to the previous application and the officer report for the previous refused application is appended to this report.

Twenty objections have been received to the proposals from third parties, including The Civic Society, Conservation Area Panel, Friends of Bathurst Basin and Friends of the Avon New Cut. The key objections include potential adverse impacts on Conservation and heritage assets, natural open space assets, impacts on the River Avon SNCI, uncertainties regarding the purpose of the structure and lack of information.

The City Design Group (Conservation and Landscape) have objected to the proposals with the support of Historic England. BCC Transport Development Management, the Flood Risk manager and the Environment Agency have also objected to the proposals.

Officers have considered the application changes and for the reasons set out in the report, consider the refusal reasons have not been overcome and as such refusal of the application is again recommended.

SITE DESCRIPTION

The redlined application site comprises a rectangular parcel of land between Commercial Road and the River Avon (New Cut), in the Redcliffe area of the city. The site incorporates grassed embankment and stretch of sloping private access road leading to the Marchioness site. The Marchioness site lies within the ownership of the applicant and comprises a small building known as the Marchioness building and land surrounding the building. The current use of the Marchioness building is unclear, although it is understood to have previously been in residential use. The hardstanding area surrounding the building is used as a commercial carpark.

Both the application site and the Marchioness site lie within the City Docks Conservation Area. The Marchioness building is unlisted. The walls surrounding the Marchioness site are Grade II listed as part of a wider listing comprising of the walls, quays and bollards to Bathurst Basin. The site lies within the setting of a number of listed buildings, including the Grade II listed General hospital and St Pauls Church tower on the south side of the river.

The site lies within the Central Area Plan boundary and lies adjacent to a proposed Quayside walkway on the Central Area Plan proposals map. The site lies adjacent to the River Avon (New Cut) Site of Nature Conservation Interest (SCNI) (identified on the Site Allocations and

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Development Management Policies Map (2014) .

Bathurst Basin lies close to the site to the north. The surrounding area includes residential and mixed use developments, carparking and commercial premises. The new Bathurst roadbridge and cycle track are recent additions to the local highway infrastructure as part of the Metrobus project.

RELEVANT PLANNING HISTORY

17/03268/F Reinstatement of historic landing stage for use associated with the Marchioness site. REFUSED due to adverse impacts on heritage assets, highway maintenance/operation/safety concerns, land stability and flood risk issues.

13/05648/FB The current application site partially overlaps with the application site identified under Land Between The A370 Long Ashton Bypass In North Somerset And Cater Road Roundabout (Cater Road Bristol) Revision to the route of the rapid transit scheme authorised by the Ashton Vale to Temple Meads and Bristol City Centre Rapid Transit Order (the Order). The development comprises construction of a new junction with Cumberland Road, a new bridge at Bathurst Basin, flood protection measures, demolition and reconstruction of walls, realignment of highway, crossings, traffic signals and temporary construction areas, bus stops and shelter. GRANTED subject to condition(s). The original Metrobus route was amended by way of planning application in 2014 to pass along Commercial Road. (Amended layout and associated works approved by planning committee in 2014, under application 13/05648/FB.) It is understood that the Metrobus works required compulsory purchase of land from the applicant by the Council, in order to provide the new Bathurst Basin roadbridge.

15/05276/CE (relating to Car Park, The Marchioness Building, Commercial Road) Application for a Lawful Development Certificate for an existing use of the application site as an unrestricted commuter car park. Certificate of lawfulness issued.

06/02971/LC -The Marchioness Building, Commercial Road Demolition of existing building. REFUSED

06/02972/P The Marchioness Building, Commercial Road -Outline planning application for proposed redevelopment of site to provide 24 residential units (Class C3). REFUSED

06/03501/Z The Marchioness Building, Commercial Road - Appeal on enforcement notice ref. 05/30616/OTHER against 'Long-term erection of scaffolding on land to north-east of Marchioness Building adjoining south side of swing-bridge'. Appeal dismissed.

05/03246/CE - The Marchioness Building, Commercial Road)Certificate of Lawfulness to allow for continuation of use as single dwelling house - Certificate of lawfulness issued.

APPLICATION

Planning permission is sought for 'reinstatement of a historic landing stage for use associated with Marchioness site.'

Six plans have been submitted in support of the application;

Site location plan

Proposed.Jetty detail

Plan and cross section with levels 11514-HYD-XX-XX-DR-D-0002 P01

Proposed elevations and borehole locations 11514-HYD-XX-XX-DR-G-1001 P2

Jetty existing

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Jetty Proposed

Supporting documents include;

Visualisations

Cross section data xyz

Planning and Heritage Statement

Geotechnical Assessment (Hydrock)

Flood Risk Assessment (Hydrock)

Background

The Planning Statement refers to the two landing stages or floating piers previously situated on the application site in the mid 19th Century that allowed shipping to moor up in the New Cut. The applicants contend the proposals are a reinstatement of a historic landing stage and have also justified the application on the grounds that;

"the principal purpose of the jetty is to provide for the improved stability of the riverbank, and that a secure access is required as the Council removed the original main access to facilitate the new Bathurst Basin bridge as part of the Metrobus project."

Physical works

The proposal would involve installation of a level timber and steel platform, some 96m long x 9m deep, supported on piles embedded in the riverbank. The installation works would include excavation of the land, existing access road and riverbank under the structure, as shown on plans. The platform would run parallel with Commercial Road, with a ramp at the western end to allow access into the Marchioness site. The deck of the platform would be level with Commercial Road.

An indicative boundary treatment is shown on the plans between the structure and Commercial Road. Visualisations indicating the appearance of the fencing have been provided as supporting documents.

RESPONSE TO PUBLICITY AND CONSULTATION

The application has been advertised in the press and on site notice. Neighbour letters have been sent to nearby properties. 12 objections have been received, on grounds summarised below -

Bristol Civic Society -Objections raised

Bristol Civic Society objects to the proposed structure because it would spoil the natural appearance of the New Cut bank at this point to the detriment of the character of the Conservation Area. It is not at all clear what the structure would be used for from the application. Inappropriate uses such as car parking would exacerbate the harmful impact of the proposal on the Conservation Area.

Conservation Advisory Panel - Objections raised

The Panel could not find a clear description of the proposed use of this landing stage. There was concern that this large deck would have an adverse effect on the character and appearance of the conservation area. The application provided very little information on the proposed palette of materials.

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Friends of the Avon New Cut (FrANC) Objections raised on the following grounds ;

1. Size of the proposed jetty. FrANC pioneered trips by boat along the New Cut some years ago and we are very familiar with the difficulties of navigation here. The boats which are able to navigate the Cut cannot be very large as there is a constraint on the air draught and water draught at Ashton Road Bridge and tides seldom achieve the desired conditions except for very small boats. In addition the man-made river cut is narrow and when the Cut rejoins the River Avon it becomes twisty and increasingly shallow. Only boats of 20m. or less are likely to attempt the navigation, whereas the proposed jetty is nearly 100m. long, which is clearly much longer than necessary even in the unlikely event of many small boats sailing together.

2. Design. If the proposal seeks to replicate the historic jetty it would be built as a pontoon style floating jetty, which makes it easier for passengers to join and leave vessels at different states of the tide. There is little point in replicating the jetty as it once was as the type of boat which once sailed from Marchioness Jetty can no longer negotiate Ashton Road Bridge which has been a fixed rather than swinging bridge since the 1950s.

3. Damage to the natural environment. The New Cut has been populated with wildlife naturally from the date it was completed in 1809. The construction and presence of such a large fixed jetty would inevitably interfere with the river flow as well as causing contamination of the water and banks and the effect on wildlife could be considerable. The wildlife of the New Cut has been studied and recorded by FrANC over a period of some 15 years and is diverse and numerous including at least 2 rare plants. There are increasing numbers of fish as the water quality has steadily improved and increasing numbers of birds many of which feed on fish.

4. Effect on the visual amenity of the New Cut. The Avon New Cut penetrates densely populated parts of the city and the green and natural appearance provides stress relief for city dwellers and a connection with the tidal ebb and flow. Since FrANC has publicised and assisted access for the public to the surroundings of the Cut it has become hugely popular for walking, relaxing and for studying the natural environment. The large structure of the proposed jetty would detract from the attraction of the waterway.

5. Members of FrANC are concerned about the lack of attention paid to the walls of the Cut as in many places we have observed serious deterioration. If this fixed jetty is built it will become very difficult to inspect the walls of the Cut at the Marchioness site or to remedy any deterioration as it occurs. Damage to the walls may be caused by the construction works.

6. it is not clear what purpose this proposed jetty will serve and we share public concern that it will be used as a car park which will disfigure the surrounding area and damage the visual amenity of the waterway.

We urge the Planning Committee to reject this application.

Friends Of Bathurst Basin -Objections raised on the following grounds ;

Friends of Bathurst Basin is a community group set up in May 2019 to preserve, develop and enhance Bathurst Basin where people live, work and enjoy leisure activities.

We oppose the planning application sought by Dr and Mrs Hugh Pratt for the 'reinstatement of a historic landing stage for use associated with Marchioness site' for the following reasons:

- The two nineteenth century landing stages were floating piers. In what sense is the proposed fixed landing stage an historical re-instatement? As a fixed structure it has nothing in common with the historic jetty.

- There has been no marine traffic requiring jetty support on the New Cut for many years, nor is

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there any planned.

- The proposed marine jetty structure is not suitable for marine vessel mooring operations in a strongly tidal river - no bollards, no steps, no lighting etc.

- The proposed jetty is of considerable size - 9m by 96m. The applicant has failed to demonstrate why it is so large. It will not enhance the character and distinctiveness of this part of the Conservation Area.

- In their appeal, the applicants challenge one key reason for rejection - the 'potential use' of the jetty for car parking purposes. It is easy to understand the Council's suspicions. Why would one build a jetty of this size? Simply stating that 'jetty can only be used for purposes ancillary to the existing Marchioness site' does little to clarify what the intended use is. The applicant fails to specify what the 'ancillary purposes' would be. We strongly oppose the use of the jetty for more car parking.

Due to a lack of clarity as to the actual intent for this site, there is a lack of trust in this application. The applicants need to be far clearer about the real purpose of this asset and how it interfaces with plans for the Marchioness hut and surrounding area.

Other objections - (summarised)

Object to the potential use of the structure for car parking on visual and air quality grounds.

The potential use of the structure for carparking goes against the aim of creating a clean air zone in the city. Unless there are very specific restrictions which the council are prepared to enforce if necessary, I believe this application should be rejected.

The purpose of the structure is unclear from the application; the application fails to define the purpose or identify public benefit. There is no need to build the jetty as the access route to the Marchioness site can be repaired within the current wall boundary.

The application is fundamentally flawed due to insufficient information on use or purpose.

Materials are unclear - could lead to marine pollution.

The plans submitted for the Marine Replica jetty would require substantial removal of sediment, soil mud and vegetation to be dug out and deposited on the top bank to build the proposed jetty. (See maps of river cross section submitted by applicant) This would destroy much of the plants, insects and impact wild life. No estimate provided of the volume of mud and silt and top layer soil would need to be dug up and removed, but it would be substantial.

No offer to make a full EIA and analysis of all plants, insects and fish that would be impacted by the development and how to mitigate the risk exposure to destroy much of the ecology on site. The proposal no longer is compatible with Bristol City Council & Avon wildlife trust aims in respect of the ecological emergency facing Bristol.

Plans are insufficiently detailed regarding access between the platform and river; bollard mooring points, planned deck loading, lighting or life buoys.

The application fails to define what will happen to existing rotting jetty structures.

The application fails to define fail other site alternatives.

Provision of landing needs to be considered strategically in terms of the Cut and how to rejuvenate it as a prime asset.

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Lack of information on traffic volume of vessels and personnel and what the operating hours will be.

Potential damage of outlook and view for residents of the General Hospital.

The consultation exercise has not included residents of the General or Iron Foundry.

SUPPORT

Councillor Smith provided the following comment of support as part of this Committee referral request -

This application aims to restore a derelict jetty on the New Cut and as such I believe it should be supported on conservation grounds and also to enhance the riverside in this area.

Internal consultees (summarised by case officer).

BCC Conservation Officer - strong objections raised to the development.

The application has been discussed with the Conservation Officer as a surgery item. The Conservation Officer is concerned that the applicant has not adequately addressed the Council's reason for refusal on heritage grounds. The applicant has failed to amend the scheme in relation to the loss of visual open space and the incongruous appearance of the overscaled structure in this sensitive location. The proposals neither preserve or enhance the character and appearance of the Conservation Area. Refer also to previous comments;

Concerns raised as to the overall lack of detail accompanying the application, the proposals are not accepted as evidencing a 'reinstatement of historic landing stage' based on the level of detail provided, absence of condition or geotechnical survey or method statement, or clear evidence of previous historic structures.

A structure of this scale and design would be apparent in close and medium views within and towards the site from the City Docks Conservation Area. The proposed platform would conceal the grassed embankment and erode the contribution of the site to the wider character of the New Cut, which is identified as a natural green space in the Parks and Green Space Strategy. The structure would appear as an incongruous and alien feature on this part of the New Cut and would appear to facilitate vehicular movement and parking - queries raised as to whether the structure could or would be used as a carparking platform - the visual impact of carparking on this scale would be harmful to the character and appearance of this part of the CA. The proposals would appear to result in disturbance/loss of some historic fabric, again there is a lack of sufficient detail confirming this in terms of extent of retention of existing historic railings on and around the site. Overall, the submissions indicate that the structure would result in less than substantial harm to the designated heritage asset of the Conservation Area.

The structure would be installed in close proximity to the Grade II listed harbour walls surrounding the Marchioness site (included within the Bathurst Basin listing ; insufficient detail has been provided in terms of condition survey of these listed walls or impact assessment of installation of the structure; the proposals fail to provide certainty that historic fabric of the harbour wall would be physically unaffected.

Overall, assessment is that the proposals would adversely impact on the character and appearance of this part of the City Docks Conservation Area and fail to demonstrate acceptable impacts on the listed harbour walls.

Public benefit arising from the proposals has not been clearly demonstrated in the submissions.

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Landscape Officer- objections raised to the development.

This application is a resubmission of the previous application 17/03628/F. With regard to landscape and public realm impacts in relation to the conservation area setting, there is little additional visual content serving to justify a resubmission, the main addition being a text document rebutting the previous reasons for refusal.

Whilst some assurance has been provided in relation to the comment relating potential use for car parking, information justifying the development in relation to the scale, form and overall design of the landing is still absent; the visualisations provided in support of the proposal are too small, neither clear or convincing quality in regard to likely visual effect; if visual montages are used the methodology used to construct them should also be provided - detail of viewpoint locations, camera/lens format, focal length of image and presentation of images at a size that aids the appreciation of the image.

Though not detailed within the submission, reference is made to a new security palisade fence running the length of the applicants landholding provided under a MetroBus agreement. As the fence is shown in the visual montages accompanying the application it is right to refer to it in the context of this application. The fence is abutting the existing traditional Port of Bristol railing but exceeding it in height; as such it should itself be subject to planning approval. With regard to appearance, the fence would be out of keeping with the character of the City Docks Conservation Area and would not be supported.

To conclude, the proposal has not progressed the case for approval in a significant way over and above the previous refused application. Further, the associated fencing is harmful to the character of the conservation area and the proposal includes no obvious measures that would mitigate the harm caused in the form of public benefit. For this reason the application is not supported.

Transport Development Management - objections raised to the development.

In its current format the application has provided insufficient evidence to indicate the purpose, need for (considering the constraints on the size of vessels that would be able to use it) or end usage of the landing stage. As the existing site is used for car parking, if this is the intended usage, this would be in clear contravention of Policy BCAP29: Car and cycle parking of Bristol Central Area Plan - Policies - Adopted March 2015, not to mention Policy DM23: Transport Development Management of Bristol Local Plan - Site Allocations and Development Management Policies - Adopted July 2014 by virtue of the increased number of vehicle movements.

Furthermore, no clear technical assessment (Approval In Principle) or Construction Management Plan has been submitted as to how the landing stage will be constructed. This is unacceptable, particularly given the fact that it must not in any way rest on or use the adjacent retaining wall for support and is contrary to Policy DM37: Unstable Land of Bristol Local Plan - Site Allocations and Development Management Policies - Adopted July 2014. Due to its size a significant amount of construction materials, vehicles and plant will be required, which will undoubtedly require footway and carriageway closures. This will have a detrimental impact on the day to day operation of the AVTM Metrobus route and shared cycle/pedestrian route, which is unacceptable.

Finally whilst a site plan has been submitted it does not accurately represent the surrounding highway infrastructure and no plans have been provided showing the design of the landing stage or how it will interface with the existing carriageway and the private access road. With such a lack of detail it is impossible to properly assess the application to ensure that if permission were to be granted it would not significantly impact the safe operation of the adjacent adopted highway. Consequently Transport Development Management recommends that the application be refused.

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Nature Conservation - objections raised to the development

The two easternmost possible locations for siting the crane shown on the borehole location plan are located on the designated Site of Nature Conservation Interest (SNCI), River Avon (part of). I object to this planning application because these two locations are contrary to Policy DM19 in the Local Plan. Using only the westernmost location would address this objection.

The following additional comments apply if the comment above can be addressed.

This proposal adjoins the designated Site of Nature Conservation Interest (SNCI), River Avon (part of). As a planning condition prior to commencement of development, robust fencing, e.g. Heras with warning signs on, e.g. 'Keep out: Wildlife Protection Area', should be installed and maintained during the construction period to protect the SNCI which is located immediately to the south. The location of the SNCI can be seen on Bristol Pinpoint.

This proposal involves the removal of three trees. All species of wild birds, their eggs, nests and chicks are legally protected until the young have fledged. The suitable planning condition is recommended restricting clearance of vegetation or structures suitable for nesting birds between 1st March and 30th September inclusive in any year without the prior written approval of the local planning authority.

If external lighting is proposed then it should be designed to minimise light spill onto the River Avon (part of) Site of Nature Conservation Interest which is a key commuting route for bats, through the use of measures such as low level bollard lighting. If significant external lighting is proposed near the river then I recommend that you condition a lux contour plan as follows.

Arboriculture - objections raised to the development as per 17/03268/F -

The support tree survey is rather basic and does not fulfil the requirements of DM17. This document identifies the trees on a map and provides a basic assessment of the trees.

No tree protection has been specified or identified on an appropriate plan and no BTRS calculations have been provided to mitigation for the loss of Trees in line with this proposal. Trees 1-3 have been identified for removal through the Metrobus application. (TDM have confirmed this is incorrect).

The tree survey does not provide stem diameters so that mitigation can be applied.

The scant arboricultural documentation is insufficient and we require further information to ensure the trees on site have been considered appropriately.

We require:

- o A tree protection plan to identify trees to be retained or removed.
- o BTRS calculations for tree replacement on site.
- o Calculation of financial contribution for trees that cannot be replaced on site.
- o Arboricultural implications assessment and method statement for the protection of trees to be retained.
- o A high quality landscape plan containing tree locations, species, planting stock size (Minimum 12-14cm Girth) & maintenance schedule for watering and aftercare to ensure establishment of newly planted trees.

Ground Contamination /Pollution control –

The propose development whilst unlikely to pose a risk to future occupiers is located on the main river. We have concerns that piling could cause potential contamination of the watercourse from the construction activities. Therefore we recommend a Foundation Works Risk Assessment is

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undertaken prior to works commencing and the C1 condition is applied to any future planning consent, so that if encountered contamination will be dealt with. Condition wording provided.

BCC Flood Officer - objections raised to the development

It is not clear what the proposal is intended for, and therefore the assertion within the flood risk assessment that the proposed jetty is a water-compatible use (as defined by the National Planning Policy Framework) cannot be verified. Should the proposal have an operational use, e.g. storage or car parking, it presents an increased risk of debris entering the watercourse during times of flood, which consequentially could increase flood risk to third parties.

Furthermore, we do not consider the flood risk assessment to adequately demonstrate that the loss of channel cross section would not increase flood risk to third parties. Nor do we consider the conclusion of the flood risk assessment that the risk of debris blockage is low.

Should the planning authority be minded to approve the application, we consider it essential that we as Lead Local Flood Authority, and the Harbour Authority are notified. We also strongly advise that the advice of the Environment Agency is sought and duly considered.

28.10.19

I still maintain the position that the proposal does not constitute a water compatible use. I therefore maintain my objection on flood risk grounds as it is contrary to table 3 of the national flood risk and coastal change planning policy guidance.

I also note that the notes to table 3 state that "water-compatible uses, should be designed and constructed to remain operational and safe for users in times of flood". So even if deemed to be a water-compatible use, I believe that when being used as an access to the Marchioness Building, it is not safe for users in times of flood given the very significant flood depths and velocities that would occur during flood conditions.

Please also note my comments are limited and do not consider risk to third parties, risk of blockage, loss of conveyance etc. as being associated with main river the statutory flood risk consultation remit lies with the Environment Agency.

External Consultees (summarised by case officer) -

Environment Agency -objections raised to the development

We object to the proposed landing stage on flood risk grounds for the reasons outlined below: We have reviewed the submitted information including the Flood Risk Assessment (FRA) Hydrock Consultants Limited 25 March 2019 reference 11514-HYD-XX-XX-RP-D-5001.

We are concerned the proposed jetty is of considerable size (9m x 96m) and located adjoining the walls of the Tidal River Avon, a designated main river. Bristol City Council, who we understand to be the asset owner, should be consulted on this proposal. The jetty would prevent access to the walls to undertake remedial works or maintenance to this asset and in an emergency. We are aware Bristol City Council are currently undertaking condition assessments of the walls of the Floating Harbour and New Cut to identify areas of concern.

It is not identified who would be responsible for maintenance and upkeep of the jetty. The intended lifetime of the structure has not been confirmed. A robust assessment of the impact of the structure on loss of cross-sectional area and directing flood flows elsewhere has not been undertaken with assumptions made from selecting a survey section downstream of the site. Section 2.3 of the FRA states the proposed intention is to use the jetty as a pedestrian and

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vehicular access to the existing property. We advise the Highway Authority should be consulted by the local planning authority regarding the suitability of this proposed use.

Overcoming our objection

It may be possible for the applicant/agent to overcome our objection by submitting information addressing the matters raised in this letter, to our satisfaction. We require clarification on who is the asset owner of the river wall in this location. To overcome our objection we would want to be satisfied that the asset owner has no objections to the positioning of the jetty right against the river wall which could compromise access for maintenance and remedial works.

We require confirmation of the lifetime of the structure and its intended use.

A more robust assessment of the impacts of the structure on loss of cross-sectional area and directing flood flows elsewhere through a modelling exercise providing pre and post development runs for a range of return periods up to and including the extreme event. Please note a copy of the Bristol Central Area Flood Risk Assessment model can be requested by emailing flood.data@bristol.gov.uk. Though it would be worth seeing if the above points can be overcome before undertaking this exercise to avoid abortive work.

Other considerations; We note from the submitted information that boreholes have been undertaken on the site to inform the structural report. Please confirm that a Flood Risk Activity Permit was obtained for these works and provide supporting correspondence to this effect. Bristol City Council's Lead Local Flood Authority team should be consulted on the proposed development and Bristol Harbour Master.

Under the terms of the Environmental Permitting Regulations, the prior written permission of the Agency is required for any proposed works or structures in, under, over or within 16 metres of the top of the bank of the Tidal River Avon, designated a 'Main River'. The need for a Flood Risk Activity Permit is over and above the need for planning permission. Further information can be found on our .gov.uk website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. On the basis of the information provided, we are unlikely to issue such a permit at this time.

4.3.2020

We maintain our flood risk objection to the proposed development as it falls within a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located.

The application is therefore contrary to the National Planning Policy Framework (NPPF) and its associated planning practice guidance (PPG). We recommend that planning permission is refused on this basis.

Reason

The PPG classifies development types according to their vulnerability to flood risk and provides guidance on which developments are appropriate within each Flood Zone. This site lies within Flood Zone 3b which is land defined by your Strategic Flood Risk Assessment as functional floodplain.

On the basis of the information provided, we do not consider the proposal can be classified as "water compatible" or "essential infrastructure" in accordance with table 2 of the Flood Zones and flood risk tables of the PPG. Tables 1 and 3 make it clear that the type of development as proposed is not compatible with this Flood Zone and therefore should not be permitted. Additionally, the structure would not remain operational during times of flood nor is it designed to float up and down

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with the tide.

We note the comments made by the Bristol City Council Flood Risk team as Lead Local Flood Authority. We also note the comments made by Arup regarding the uncertainty in the proposed design.

We do not consider the assessment provided in respect of flow restriction, blockage or debris collection and associated reduction in channel capacity is sufficiently robust, or would overcome our in principle objection. Additionally the proposal could restrict/prevent access for future maintenance activities on the New Cut required in the interest of flood risk management.

Note to local planning authority

If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/ or representations from us in line with the Town and Country Planning (Consultation) (England) Direction 2009.

Avon and Somerset Police

Sections 58 and 69 of the National Planning Policy Framework March 2012 both require crime and disorder and fear of crime to be considered in the design stage of a development.

Having reviewed this application along with the initial submission (17/03268/f), there has been absolutely no mention of any security measures which would be implemented.

In addition, due to the lack of detail for which the jetty is to be used, I am unable to assess the impact on crime and disorder in the vicinity of the proposed development.

For this reason I find this application unacceptable in its present form.

Historic England- Support the views offered by your conservation staff.

23/5/19

On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

3/10/19

Whilst I haven't continued the concerns expressed under the first application, the response to the latest case (19/01925/F) doesn't offer any specific comments, but equally doesn't give HEs acceptance of the proposal. I considered there to be more information submitted for the latest case (which was a concern previously), and given HEs remit, felt that the case could be handled adequately by your conservation specialists.

Whilst a specific judgement hasn't been offered from HE, we remain satisfied for the council to determine the case as they consider fit, and support the views offered by your conservation staff.

Arup - Further information required.

Arup have reviewed the Geotechnical report and additional information and identified the further information required to secure safe development. Comments incorporated into Key Issue 3.

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Harbour Authority

The Harbour master has confirmed that his previous comments remain applicable to the current application, as the New Cut and tidal levels are unchanged.

During assessment of the previous application the Harbour Authority confirmed restrictions within the New Cut waterway for use of sailing and leisure activities due to the high current flow and the difference in water level, "New Cut (below Mean High Water Springs) is part of the Competent Harbour Authority and due to the primary legislation of the Harbour, Docks and Piers Act 1847 any activities of this kind would be refused due to the safety of those carrying out any leisure activities on this stretch of water. Ultimately any precautions put in place to allow this type of activity would still be refused as the risk involved is so great that we could not allow it to take place as the Harbour Authority would be held responsible should it allow these activities to take place and something were to happen."

RELEVANT POLICIES

National Planning Policy Framework – February 2019

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocation and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2015 and the Hengrove and Whitchurch Park Neighbourhood Development Plan 2019.

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

KEY ISSUES

(A) HAS REFUSAL REASON 1 (RELATING TO ADVERSE VISUAL IMPACT/ HARM TO HERITAGE AND NATURAL ASSETS) BEEN OVERCOME?

Previous refusal reason 1 reads as follows;

The application proposal would result in the unjustified visual loss of natural greenspace within the New Cut and loss of existing trees from the site that contribute to the character and appearance of the Conservation Area. In addition, the application fails to demonstrate that the overall scale, form and overall design of the landing stage would appear as a sympathetic form of development which would enhance or contribute positively to the character, appearance, identity and distinctiveness of the Conservation Area. The potential use of the landing stage for car parking purposes would be considered visually intrusive in this location. For the above reasons, the application fails to demonstrate that the proposals would preserve or enhance the character and appearance of the Conservation Area. The nature and degree of public benefits associated with the application proposals are considered insufficiently demonstrated.

As such, the proposals conflict with guidance contained within Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990; S12 of the NPPF, policies BCS9, BCS11, BCS21 and BCS22 of the Bristol Development Framework Core Strategy 2011, and DM15, DM17, DM26, DM27, DM29 and DM31 of the Site Allocations and Development Management Policies 2014.

Key Issues A, B and F of the Officers report (17/03268/F) refer to the previous considerations in respect of loss of open space, heritage and tree impacts. The applicants have made no changes to the siting, scale, form, overall design of the proposed structure, or provided sufficient detail to assess and justify the tree loss from the site. Additional information including visualisations has

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been provided, including some confirmation of the boundary railings proposed between Commercial Road and the structure.

Officers have considered the justifications and further information provided but maintain objections on the grounds that the structure would result in adverse visual impact and harm to the heritage and natural assets at the site. The policy context to the assessment and rebuttal of the applicant's justifications are set out below.

Policy context

The heritage assets affected by the proposals are identified as the City Docks Conservation Area, the Grade II listed Bathurst Basin harbourwalls and the setting of the Grade II listed General Hospital, to the north east of the site.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The 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".

Section 16 para 193 of the National Planning Policy Framework (NPPF) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Para 194 instructs that any harm to or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting should require clear and convincing justification. Para 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The adopted Bristol Core Strategy 2011 within Policy BCS22 and the adopted Site Allocations and Development Management Policies within Policy 31 seek to ensure that development proposals safeguard or enhance heritage assets in the city.

The City Docks Character appraisal divides the Conservation Area into four distinct areas. The site falls within Character Area 5: Bathurst Basin and adjoins Character Area 4 Cumberland Road and the New Cut. Identified strengths of these character areas include views up and down the New Cut and across to Bedminster and the preservation of traditional townscape details, such as railings and boundary treatments. The Character appraisal emphasises the need to resist unsympathetic applications which would harm the character or appearance of the Conservation Area. Trees and green spaces are identified as vital to the quality and diversity of the area and are noted as making a significant contribution to the sense of place and character; adding value to visual, and residential amenity. The significant wildlife value of the New Cut is also noted.

The design policies of the local plan, including BCS21, DM26, DM27, DM28 and DM29 emphasise the need for development to make a positive contribution to local distinctiveness by responding to and incorporating existing landforms, green infrastructure assets and historic assets and features. Development is expected to retain and enhance important views into out of and through a site and reflect the predominant boundary treatments in the area. The scale of development is expected to

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be appropriate to the immediate context, site constraints, character of adjoining streets and spaces, the setting and location within the townscape. Development is also expected to incorporate appropriate street furniture that enhances the quality, character and appearance of the public realm and traditional boundary treatments are expected to be retained. BCAP32 Quayside walkways maintains that development that would be harmful to the amenity/ accessibility of a Quayside Walkway will not be permitted.

Applicants justifications and response.

Justification - In respect of refusal reason 1, the Planning Statement (PS) contends that installation of the structure would not result in significant loss of vegetation or greenspace, as the river bank and its vegetation will still exist under the deck and will still be visible from across the river. In addition, the PS outlines that not all trees on the site would be removed, and that mitigation could be agreed through the application determination process.

Response - The submissions, including river cross section data, demonstrate that construction of the structure would involve removal of a significant area of river bank under the structure. As such, the proposal would clearly result in the visual and actual loss of natural greenspace and river bank within the New Cut. Given the extent of excavations, the tree survey and supporting information fail to demonstrate how the trees on the site can be retained and mitigation would only be agreed via the application process if the development were acceptable in other key respects. The open space of the riverbank and the trees currently make an important positive contribution to the character and appearance of the Conservation Area and the loss of these assets is therefore resisted, in accordance with local and national planning policies.

Justification - In further respect of refusal reason 1, the PS contends the structure would be appropriate in design, scale and impacts on the character and appearance of the Conservation Area. The applicants maintain the structure would be of a simple and traditional design consistent with the dockside location, given the diverse character of the City Docks Conservation Area and fact that a landing stage used to exist at the site. The boundary railing design is justified on the grounds that it was previously agreed as part of the Metrobus project.

Response - The site currently comprises an access road and open river bank. The site is not operational as a dockside and the river is not used by sailing or leisure rivercraft due to the high current flow and the significant tidal range. The platform level of the structure is shown over 3m above mean high water and 10m above mean low tide. At mean low tide the river would be over 10m distant from the river. As such, it is considered that a structure of this scale and design would appear visually and functionally incongruous and would appear intrusive within the undeveloped New Cut river context, with an adverse impact on the immediate setting within the Conservation Area. In addition, the structure would not replicate a historic landing stage that previously existed at the site and the application contains scant detail in terms of condition survey of the listed walls or historic structures at the site.

Review of the planning approvals relevant to the Metrobus project has found no evidence that the boundary railings formed part of a previous consent. Additional railings along the Commercial Road site boundary as shown on the visualisations would erode the sense of openness and visual amenity of the site, to the detriment of the quayside walkway and character and appearance of the Conservation Area.

Justification - In further respect of refusal reason 1, the PS maintains that the potential use of the structure for carparking purposes should not be a material consideration and it is unreasonable to withhold permission for the structure on this basis.

Response - The structure would replace the existing vehicular access road into the Marchioness site and would therefore be used by vehicles to enter and leave the Marchioness site. As such, and

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given the significant scale of the structure and lack of detail in terms of how parking would be controlled, it is considered reasonable to be concerned at the potential use of the structure for carparking purposes. The application fails to demonstrate how vehicular movements on the structure would be controlled or managed and officers remain concerned that the potential use of the structure for car parking purposes would be visually intrusive in this sensitive setting.

The City Design Group (Conservation and Landscape Officer) have objected to the proposals on the detailed grounds set out earlier within the report, concluding that the development would result in less than significant harm to the identified heritage assets and their assessment is supported by Historic England. The views of these specialist consultees have been given significant weight and overall officers maintain that for the reasons given, the application is not in accordance with national and local planning policies in respect of heritage assets, design and green infrastructure.

The nature and degree of public benefits associated with the proposals were previously considered insufficiently demonstrated and this NPPF requirement formed part of refusal reason 1. It is noted that the submissions have not addressed this concern. On the basis of the submissions it is again concluded that the development contains insufficient public benefit to outweigh the adverse impacts on the heritage assets set out above.

The application is therefore recommended for refusal on these grounds.

(B) HAS REFUSAL REASON 2 (RELATING TO IMPACT ON HIGHWAY MAINTENANCE, OPERATION AND HIGHWAY SAFETY) BEEN OVERCOME?

Previous refusal reason 2 reads as follows;

The application fails to provide sufficient construction, structural or operational detail demonstrating that the installation and use of the proposed landing stage would have acceptable impact on highway maintenance, operation and highway safety in the vicinity of the site. As such, the proposals would conflict with policies BCS10 of the Core Strategy (2011), DM23 Site Allocations and Development Management Policies (2014). The proposals would also provide potential for the landing stage to be used as a carparking area and this would be in conflict with Policy BCAP29 of Bristol Central Area Plan (March 2015).

Key issue D of the Officers report (17/03268/F) refers to the previous consideration in respect of highway matters. The applicant has aimed to address this refusal reason by provision of a Geotechnical Assessment (GA) from Hydrock. The applicants contend that if the recommendations of the GA were followed there would be little to no impact on highway maintenance, operation or highway safety in the vicinity of the site.

Policy Context

The NPPF expects that transport issues should be considered from the earliest stage of development proposals, so that the potential impacts of development on transport networks can be addressed and that any significant impacts from the development on the transport network or on highway safety can be cost effectively mitigated to an acceptable degree.

Policy BCS10 requires proposals to create places and streets where traffic and other activities are integrated and where buildings, spaces and the needs of people shape the area. Developments should be designed and located to ensure the provision of safe streets. Where vehicular access is sought to a site for essential operational parking or servicing, BCAP26 states that the council will work with the applicant to identify the most appropriate access point having regard to any proposals for pedestrianisation or traffic management.

The submissions addressing refusal reason 3 have been reviewed by Transport Development Management (TDM) who have maintained their objections due to the following issues;

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o It has not been sufficiently demonstrated through the submission of an Approval In Principle Structural Report that the landing stage can be safely constructed. This is essential as whilst the piles will be located away from the retaining wall the structural assessment indicates that there has been some movement within the access road. It is unclear whether remedial work is required. As such it is deemed to be contrary to Policy DM37: Unstable Land

o As the landing stage will be constructed directly up to the edge of the adopted highway it will be extremely difficult if not impossible to access the retaining wall which supports it. Access must be maintained at all times in order to undertake maintenance work, to ensure the structural integrity of the adopted highway as well as the New Cut itself. As such is deemed to be contrary to Policy BCS10: Transport and Access Improvements and Policy DM23: Transport Development Management.

o Should the access road be more intensively used, this would increase the risk of conflict between pedestrians, cyclists and vehicles on one of the key cycle routes into the city centre, which would be contrary to Policy DM23: Transport Development Management.

o Should the landing stage be used for parking this would be in clear contravention of Policy BCAP29: Car and cycle parking which does not permit any new carparks within the city centre.

As such, it is considered that the application has not fully overcome refusal reason 2 and is considered contrary to local plan policies and the NPPF. The application is therefore recommended for refusal on these grounds.

(C) HAS REFUSAL REASON 3 (RELATING TO GROUND STABILITY) BEEN OVERCOME?

Previous refusal reason 3 reads as follows;

Insufficient information has been provided to demonstrate the suitability of the site in land stability terms to accommodate a structure of the scale and form proposed, without harm to either the stability of the proposed development and adjoining highway or the safety of its future users or neighbouring uses/occupiers. As such the development is considered contrary to Policy DM37: Unstable Land (Site Allocations and Development Management policies 2014).

Key Issue E of the Officers report (17/03268/F) refers to the previous consideration in respect of ground stability. The applicant has sought to address this refusal reason by provision of a Geotechnical Assessment from Hydrock which was updated during the assessment and reviewed by Arup Engineering consultants.

Policy context

The NPPF confirms that where a site is affected by land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

Policy DM37 expects 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

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determine the standard of remediation required to make the site suitable for its intended use.

The policy confirms that the following information should be submitted with the application -

An assessment of previous uses within and adjoining the site and of any instability risks which could affect the proposed development;

Where instability is likely, a full site investigation and risk assessment should be provided, including the specification of remedial works required to ensure the safety of the development.

The development has the clear potential to impact the stability of the riverbank and adjacent highways infrastructure. Arup have prepared a Technical Advice Note (TAN) in response to the Geotechnical Assessment identifying the need for full site investigation and risk assessment, taking into account the historic structures that may remain insitu and the marginal stability of the river banks in this location. The risk assessment would be expected to address construction methodologies during both the temporary works and permanent condition, including the methodology for supporting the top part of the river bank at the edge of the driveway. The proximity and potential impacts on the Grade II listed Bathurst Basin floating harbour walls

Whilst Hydrock have provided some additional information in response to Arup's TAN recommendations, a full site investigation and risk assessment has not been provided. As such, the standard of remediation required to make the site suitable for its intended use is unknown.

The absence of a full site investigation and risk assessment fails to address refusal reason 3 and is considered contrary to policy DM37 ii) and the NPPF. The application is therefore recommended for refusal on these grounds.

(D) HAS REFUSAL REASON 4 (RELATING TO FLOOD RISK) BEEN OVERCOME?

Previous refusal reason 4 reads as follows;

The submitted Flood risk assessment fails to provide a suitable basis for assessment to be made of the flood risks arising from the proposed landing stage. The application details fail to demonstrate that the installation, construction and use of the landing stage would provide an acceptable response to the flood risks associated with this site, including ensuring public safety. The proposals are therefore considered contrary to local plan policies BCS13, BCS15 and BCS16 of the Core Strategy 2014, the NPPF and national planning practice guidance.

Key Issue F of the Officers report (17/03268/F) refers to the previous consideration in respect of flood risk. The site is identified as falling within the functional floodplain (Flood zone 3b), the highest flood risk category, taking into account the Council's Strategic Flood Risk Assessment. The applicant has sought to address this refusal reason by provision of a Flood Risk Assessment (FRA) from Hydrock and additional information. The revised FRA justifies the suitability of the development within the functional floodplain on the grounds that the structure is 'water-compatible development'. The FRA states

"it is required to be adjacent to or within a waterbody for operational reasons and would remain structurally sound when submerged under water. Therefore, the development is considered to be of low vulnerability to flooding and does not require a Sequential or Exception Test."

The FRA posits that the structure will not result in loss of flood plain storage or impede flow paths. In addition, given the operational requirement to meet the level of Commercial Road, it is argued that the structure does not worsen the situation from the current access arrangement.

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Policy context

The NPPF instructs that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Development should pass the Sequential and Exception Tests, dependent on the potential vulnerability of the site and of the development proposed.

Table 3: Flood risk vulnerability and flood zone 'compatibility' (NPPG (National Planning Policy Guidance 2014) confirms that only Water Compatible and Essential Infrastructure uses are appropriate development types within the functional floodplain/Flood Zone 3b.

In addition, the NPPG instructs that in Flood Zone 3b, these uses should be designed and constructed to:

- o remain operational and safe for users in times of flood;
- o result in no net loss of floodplain storage;
- o not impede water flows and not increase flood risk elsewhere

Local plan policy BCS13 requires development to minimise the risk and impact of flooding. Policy BCS15 requires development to minimise vulnerability to flooding. Policy BCS16 states that development in Bristol will follow a sequential approach to flood risk management, giving priority to the development of sites with the lowest risk of flooding.

Both BCC Flood risk manager and the Environment Agency (EA) have reviewed the FRA and have objected to the application due to the reasons outlined below.

Both consultees have advised that the development falls within a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located. The application is therefore unacceptable in principle as it is contrary to the National Planning Policy Framework (NPPF) and its associated planning practice guidance (PPG).

The Environment Agency have advised that the proposal cannot be classified as either "water compatible" or "essential infrastructure" in accordance with table 2 of the Flood Zones and flood risk tables of the PPG. Tables 1 and 3 make it clear that the type of development as proposed is not compatible with this Flood Zone and therefore should not be permitted. Additionally, the structure would not remain operational during times of flood nor is it designed to float up and down with the tide.

The applicant has sought to address the concerns of the EA and BCC Flood Risk Manager and provided further assessment in respect of flow restriction, blockage and debris collection and associated reduction in channel capacity. The EA have reviewed this information and confirmed that it is not sufficiently robust, and does not overcome the in principle objection. The EA have also advised that the proposal could restrict/prevent access for future maintenance activities on the New Cut required in the interest of flood risk management.

To conclude, the proposed development is considered unacceptable in principle as it falls within a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located and fails to demonstrate that the installation, construction and use of the landing stage would provide an acceptable response to the flood risks associated with this site and flood risk management.

The application is therefore contrary to the National Planning Policy Framework (NPPF) and its associated planning practice guidance (PPG) and local plan policies BCS13, BCS15 and BCS16. The application has not overcome refusal reason 4 and is considered contrary to local plan policies

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and the NPPF in respect of flood risks. The application is therefore recommended for refusal on these grounds.

(F) ARE THERE ANY OTHER CONSIDERATIONS?**Nature Conservation**

The nature conservation officer has reviewed the submissions and objected to the application due to two of the potential locations for the crane shown on the borehole location plan as these are located on the designated Site of Nature Conservation Interest (SNCI), River Avon. Using only the westernmost location would address this objection. There are fundamental objections to the proposal as outlined above and significant uncertainty in the proposed design, given the need for significant site investigations and risk assessments. The applicant is advised to address the objection and other matters raised by the Nature conservation Officer in event of any resubmission.

CONCLUSION

When determining planning applications the NPPF and policy DM1 require a positive approach to be taken that reflects the presumption in favour of sustainable development. It is recognised that the applicant has provided Technical Assessments and additional visual and written information to support the proposals.

Notwithstanding, the scale and form of the structure remain unaltered from the previous refused application. No alternative options to the structure in terms of scale, form, design or siting appear to have been considered to overcome the previous refusal reasons.

The proposals have been reviewed by officers and specialist consultees and as outlined within the report, the development is considered fundamentally unsuitable for its sensitive location, given the site constraints. The applicant has stated that the principal purpose of the structure is to provide for the improved stability of the riverbank but has not supported this with full site investigations and risk assessment, as required under local plan policies.

In addition, there is no supporting evidence as to the scope of repairs needed to the existing access, or whether retention and repair of this access has been investigated.

Overall, the additional information provided with the application fails to overcome any of the previous refusal reasons and these issues individually and cumulatively weigh against the development and are not outweighed by any identified public benefits. The proposal is considered to conflict with the development plan as a whole and is therefore recommended to be refused.

EQUALITIES ASSESSMENT

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

Development Control Committee B – 18 March 2020**Application No. 19/01925/F : The Marchioness Building Commercial Road Bristol BS1 6TG****RECOMMENDED REFUSED**

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

Reason(s)

1. The proposal would result in the unjustified visual loss of natural greenspace within the New Cut and loss of existing trees from the site that contribute to the character and appearance of the Conservation Area. In addition, the application fails to demonstrate that the scale, form and overall design of the landing stage and boundary treatments would appear as a sympathetic form of development which would enhance or contribute positively to the character, appearance, identity and distinctiveness of the Conservation Area. The potential use of the landing stage for car parking purposes would be considered visually intrusive in this location. For the above reasons, the application fails to demonstrate that the proposals would preserve or enhance the character and appearance of the Conservation Area. The nature and degree of public benefits associated with the application proposals are considered insufficiently demonstrated.

As such, the proposals conflict with guidance contained within Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990; S12 and S16 of the NPPF, policies BCS9, BCS11, BCS21 and BCS22 of the Bristol Development Framework Core Strategy 2011, and DM15, DM17, DM26, DM27, DM28, DM29 and DM31 of the Site Allocations and Development Management Policies 2014.

2. The application fails to provide sufficient construction, structural or operational detail demonstrating that the installation and use of the proposed landing stage would have acceptable impact on highway maintenance, operation and highway safety in the vicinity of the site. As such, the proposals would conflict with policies BCS10 of the Core Strategy (2011), DM23 Site Allocations and Development Management Policies (2014) and the NPPF. The proposals would also provide potential for the landing stage to be used as a carparking area and this would be in conflict with Policy BCAP29 of Bristol Central Area Plan (March 2015) and the NPPF.
3. Insufficient information has been provided to demonstrate the suitability of the site in land stability terms to accommodate a structure of the scale and form proposed, without harm to either the stability of the proposed development and adjoining highway or the safety of its future users or neighbouring uses/occupiers. As such the development is considered contrary to Policy DM37: Unstable Land (Site Allocations and Development Management policies 2014) and the NPPF.
4. The proposed development is considered unacceptable in principle as it falls within a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located and fails to demonstrate that the installation, construction and use of the landing stage would provide an acceptable response to the flood risks associated with this site and ongoing flood risk management.

The proposals are therefore considered contrary to local plan policies BCS13, BCS15 and BCS16 of the Core Strategy 2014, the NPPF and national planning practice guidance.

Advice(s)

1. Refused Applications Deposited Plans/Documents

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

Site location plan, received 15 October 2019

Proposed jetty detail, received 23 April 2019

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Existing site layout and sections, received 18 May 2019

Proposal site layout and sections, received 18 May 2019

11514-HYD-XX-XX-DR-D-0002 P01 Plan & cross section with levels, received 23 April 2019

11514-HYD-XX-XX-DR-G-1001 P2 Proposed elevations & borehold locations, received 26 April 2019

commref
V1.0211

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Local Central Area Plan. The grassed embankment land forms part of the New Cut natural open space identified in the Council's Parks and Green spaces Strategy. (2008.)

The surroundings include residential development, offices, bars and restaurants. A new road bridge and cycle track have recently been installed running alongside Commercial Road and the existing road swingbridge, linking Commercial and Cumberland Roads.

RELEVANT HISTORY

The site partially overlaps with the application site identified under 13/05648/FB Land Between The A370 Long Ashton Bypass In North Somerset And Cater Road Roundabout Cater Road Bristol) Revision to the route of the rapid transit scheme authorised by the Ashton Vale to Temple Meads and Bristol City Centre Rapid Transit Order (the Order). The development comprises construction of a new junction with Cumberland Road, a new bridge at Bathurst Basin, flood protection measures, demolition and reconstruction of walls, realignment of highway, crossings, traffic signals and temporary construction areas, bus stops and shelter.

Status: GRANTED subject to condition(s)

15/05276/CE (relating to Car Park, The Marchioness Building, Commercial Road) Application for a Lawful Development Certificate for an existing use of the application site as an unrestricted commuter car park. Certificate of lawfulness BE ISSUED (14/12/2015)

06/02971/LC -The Marchioness Building, Commercial Road Demolition of existing building. REFUSED

06/02972/P The Marchioness Building, Commercial Road -Outline planning application for proposed redevelopment of site to provide 24 residential units (Class C3). REFUSED

06/03501/Z The Marchioness Building, Commercial Road - Appeal on enforcement notice ref. 05/30616/OTHER against 'Long-term erection of scaffolding on land to north-east of Marchioness Building adjoining south side of swing-bridge'. Appeal dismissed.

05/03246/CE - The Marchioness Building, Commercial Road)Certificate of Lawfulness to allow for continuation of use as single dwelling house - Certificate of lawfulness BE ISSUED (18/01/2006)

APPLICATION

Planning permission is sought for 'reinstatement of a historic landing stage for use associated with Marchioness site.'

Four plans have been submitted in support of the application;

Site location plan

Existing layout including Section B-B and C-C

Proposed layout including Section B-B and C-C

Jetty detail proposed.

The proposals would comprise installation of a level timber and steel landing stage structure; the Planning Statement confirms this will be 96m long. The structure would oversail the existing turning area and embankment, projecting some 9m south from the boundary with the cycle track to the north of the site. The drawings show the structure would be broadly level with Commercial Road and the cycle track, with upstand along the New Cut edge of the structure. All trees on the site are proposed removed.

Supporting information includes a Planning and Heritage Statement , Tree schedule, Views

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document, annotated photographs of views of the site, historic drawing titled 'Bristol Docks Landing Slip near Bathurst Basin', annotated historic press cutting showing Bathurst Basin and The New Cut 1862-1865, annotated overhead view.

RESPONSE TO PUBLICITY

The application has been advertised in the press and on site notice. Neighbour letters have been sent to nearby properties. Three representations have been received, including one comment in support, one objection and one neutral comment; these are summarised below ;

- Councillor Smith - I support this proposal to improve the stability of the waterfront and to reintroduce land stages in line with the Victorian history of the site.
- Conservation Advisory Panel have commented - The Panel is neutral. However, this application lacks clarity and requires further drawings and explanation before any assessment can be made on the quality, or otherwise, of the proposal.
- Neighbour objection raises the following matters ;
 - The application is difficult to understand this proposal as a conventional planning application.
 - The application submissions and drawings are insufficiently detailed - context is missing, dimensions are unclear, historic precedence for a single structure as proposed is not evidenced.
 - Interaction with the Metrobus proposals is unclear
 - The proposal is bigger than the nominal width of the Cut and it deserves context drawings and some indication of real purpose? A D and A statement even?
 - Is it to be a car park? Is it merely to support the residual access / car park after losses of territory to Metrobus ? And is shipping really to use it given Bathurst basin is closed and The Ashton Avenue swing bridge of 1906 was not repaired in an operable state by Metrobus last year?
 - The structure would have a profound effect on views over the Cut toward the General Hospital from Coronation Road , [see Loxton 1912, two boys tormenting a duck , or "entrance to Bathurst Basin from new cut"]
 - The structure would potentially impact upon views within the Conservation Area and several listed buildings nearby, including the Jail , the Bathurst basin complex, The general hospital redevelopment and Bedminster bridge. Not to mention the Louisiana and local listed pub the Velindra.
 - The proposal may be a means to an end such as holding up the river bank as stated, but it needs considerable clarification if it is to be seen to conserve and enhance the conservation area. Until then I too would be tempted to object. At present the application is incomplete and does not have an associated LA application, It is registered a full application, but really does not appear to be adequate even as an outline ap in its present form at the present date.

Internal consultees - summarised

BCC Conservation Officer - Surgery item. Concerns raised as to the overall lack of detail accompanying the application, the proposals are not accepted as evidencing a 'reinstatement of historic landing stage' based on the level of detail provided, absence of condition or geotechnical

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survey or method statement, or clear evidence of previous historic structures.

A structure of this scale and design would be apparent in close and medium views within and towards the site from the City Docks Conservation Area. ; the proposed platform would conceal the grassed embankment and erode the contribution of the site to the wider character of the New Cut, which is identified as a natural green space in the Parks and Green Space Strategy. The structure would appear as an incongruous and alien feature on this part of the New Cut and would appear to facilitate vehicular movement and parking - queries raised as to whether the structure could or would be used as a carparking platform - the visual impact of carparking on this scale would be harmful to the character and appearance of this part of the CA. The proposals would appear to result in disturbance/loss of some historic fabric, again there is a lack of sufficient detail confirming this in terms of extent of retention of existing historic railings on and around the site. Overall, the submissions indicate that the structure would result in less than substantial harm to the designated heritage asset of the Conservation Area.

The structure would be installed in close proximity to the Grade II listed harbour walls surrounding the Marchioness site (included within the Bathurst Basin listing ; insufficient detail has been provided in terms of condition survey of these listed walls or impact assessment of installation of the structure; the proposals fail to provide certainty that historic fabric of the harbour wall would be physically unaffected.

Overall, assessment is that the proposals would adversely impact on the character and appearance of this part of the City Docks Conservation Area and fail to demonstrate acceptable impacts on the listed harbour walls.

Public benefit arising from the proposals has not been clearly demonstrated in the submissions. These comments are expanded on in the Heritage section (Key Issue B) below.

Transport Development Management - summarised

In its current format the application has provided insufficient evidence to indicate the purpose, need for (considering the constraints on the size of vessels that would be able to use it) or end usage of the landing stage. As the existing site is used for car parking, if this is the intended usage, this would be in clear contravention of Policy BCAP29: Car and cycle parking of Bristol Central Area Plan - Policies - Adopted March 2015, not to mention Policy DM23: Transport Development Management of Bristol Local Plan - Site Allocations and Development Management Policies - Adopted July 2014 by virtue of the increased number of vehicle movements.

Furthermore, no clear technical assessment (Approval In Principle) or Construction Management Plan has been submitted as to how the landing stage will be constructed. This is unacceptable, particularly given the fact that it must not in any way rest on or use the adjacent retaining wall for support and is contrary to Policy DM37: Unstable Land of Bristol Local Plan - Site Allocations and Development Management Policies - Adopted July 2014. Due to its size a significant amount of construction materials, vehicles and plant will be required, which will undoubtedly require footway and carriageway closures. This will have a detrimental impact on the day to day operation of the AVTM Metrobus route and shared cycle/pedestrian route, which is unacceptable.

Finally whilst a site plan has been submitted it does not accurately represent the surrounding highway infrastructure and no plans have been provided showing the design of the landing stage or how it will interface with the existing carriageway and the private access road. With such a lack of detail it is impossible to properly assess the application to ensure that if permission were to be granted it would not significantly impact the safe operation of the adjacent adopted highway. Consequently Transport Development Management recommends that the application be refused.

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Transport comments are expanded upon in the Transport section (Key Issue D) below.

Nature Conservation -summarised

No objections raised ; conditions recommended; fencing required to protect the SNCI and nesting birds.

Arboriculture - summarised

The support tree survey is rather basic and does not fulfil the requirements of DM17. This document identifies the trees on a map and provides a basic assessment of the trees.

No tree protection has been specified or identified on an appropriate plan and no BTRS calculations have been provided to mitigation for the loss of Trees in line with this proposal. Trees 1-3 have been identified for removal through the Metrobus application. (TDM have confirmed this is incorrect).

The tree survey does not provide stem diameters so that mitigation can be applied.

The scant arboricultural documentation is insufficient and we require further information to ensure the trees on site have been considered appropriately.

We require:

- o A tree protection plan to identify trees to be retained or removed.
- o BTRS calculations for tree replacement on site.
- o Calculation of financial contribution for trees that cannot be replaced on site.
- o Arboricultural implications assessment and method statement for the protection of trees to be retained.
- o A high quality landscape plan containing tree locations, species, planting stock size (Minimum 12-14cm Girth) & maintenance schedule for watering and aftercare to ensure establishment of newly planted trees.

This additional information has not been sought from the applicant due to fundamental concerns with the visual impact of the proposals and heritage and transport grounds.

Ground Contamination /Pollution control - summarised

The propose development whilst unlikely to pose a risk to future occupiers is located on the main river. We have concerns that piling could cause potential contamination of the watercourse from the construction activities. Therefore we recommend a Foundation Works Risk Assessment is undertaken prior to works commencing and the C1 condition is applied to any future planning consent, so that if encountered contamination will be dealt with. Condition wording provided.

BCC Flood Officer -

The proposals will have minimal impact on surface water drainage matters, we therefore have no objection to or further comment on the proposals.

External Consultees

Historic England - Concerns raised on Heritage grounds due to insufficient information - comments incorporated into Key Issue B.

Environment Agency - Objections raised on floodrisk grounds and insufficient information -- comments incorporated into Key Issue E.

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Harbour Master - Summarised -

Concerns raised regarding other consents and permissions required from the Harbour Authority. The New Cut is currently not used for Navigation unless an application is made through the Harbour Authority. It would not be permitted for use of sailing and leisure activities due to the high current flow and the difference in water level. The New Cut (below Mean High Water Springs) is part of the Competent Harbour Authority and due to the primary legislation of the Harbour, Docks and Piers Act 1847 any activities of this kind would be refused due to the safety of those carrying out any leisure activities on this stretch of water. Ultimately any precautions put in place to allow this type of activity would still be refused as the risk involved is so great that we could not allow it to take place as the Harbour Authority would be held responsible should it allow these activities to take place and something were to happen.

RELEVANT POLICIES

National Planning Policy Framework – March 2012

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

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

A) IS THE APPLICATION ACCEPTABLE IN LAND USE TERMS?

The application form describes the proposed development as reinstatement of historic landing stage for use associated with the Marchioness Site. Assessment of the application in land use terms has involved consideration of the planning history of the adjacent red and blue lined sites, as well as consideration of whether the application contains sufficient clarity on the nature of the end use. In addition, the assessment has included considerations of the lawful use of the red and blue lined sites and questions over whether a change of use of land is proposed under the application.

The Marchioness building and surrounding land is identified on the location plan accompanying the certificate of lawfulness issued under 05/03246/CE for continuation of use as a single dwelling house. Land surrounding the Marchioness building is also identified on the location plan accompanying the certificate of lawfulness for use as an unrestricted commuter carpark issued under 15/05276/CE.

A platform approximately 96m x 9m is proposed installed to oversail the existing access road and grassed embankment land broadly level with Commercial Road. The platform has been assessed as a permanent structure, requiring steel or wood pile framework fixed within the existing sloping embankment. The proposed platform would permanently conceal the open embankment land, existing turning point and access road.

The current redlined application site includes the existing turning point and access road identified under both above certificates of lawfulness. It would appear from case officer site visit that this existing turning point off Commercial Road and sloping access road provide the sole access route for vehicles into the blue lined site surrounding the Marchioness building. Pedestrian access routes into the identified blue lined site would also appear to be via the existing turning point and sloping access road. Cars were parked on the land adjacent to the Marchioness building on all case officer visits to the site. The redlined site identified under the current application also includes open

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grassed embankment land that lies outside of the redlined certificate boundaries.

Given the above circumstances, clarification has been sought from the agent as to the intended use of the landing stage and association with the Marchioness site. In response the agent provided the following statement -

Use of Site

The planning application seeks permission only for the proposed structure, and not for any change of use of The Marchioness Site. Furthermore, granting planning permission for the structure would have no impact upon the previously issued lawful development certificate for car parking. That certificate clearly defines the area to which it relates and the current application, if approved, will not change the position. In terms of vehicular access, the applicant may bring vehicles on to the landing stage in connection with his current (and lawful use) of the site. This will not involve any increase in vehicular movements entering the site, as no change to the existing use is being proposed.

The statement provided indicates the applicant considers the structure as an ancillary facility, connected with the current lawful use of the Marchioness site (however it is noted that the Marchioness site falls outside of the redline site location plan).

The nature of the application has been considered on the basis of the application submissions and site visits. As outlined above, vehicular access for cars to the Marchioness site is currently only possible via the existing access road from Commercial Road; this access road is understood as serving both the Marchioness dwelling house and commuters using the carparking area within the application blue line. The drawings submitted indicate that the existing access gate into the Marchioness site would be retained and that the proposed landing stage would be generally level with Commercial Road. Were the current application approved, access for cars to the land surrounding the Marchioness building (within the application blue line) would appear to be hampered by the drop/difference in levels of approximately 1.6m between the western edge of the platform and the Marchioness site within the blue line.

In addition, the application contains scant detail as to proposed access arrangements or management of the landing stage, or details of any boundary fencing, gating or interface between Commercial Road and the landing stage. In these circumstances, given the direct and apparently unrestricted access to the landing stage for vehicles from Commercial Road, the proposals would appear to hold potential for use of the platform for carparking, ostensibly in association with the Marchioness Site. Transport Development Management have considered this issue within their comments and confirmed in principle objections to the provision of the landing stage due in part to the lack of clarity provided by the application and risk/ potential for the structure to be used as a carparking area, conflicting with national and local plan policies focused on reducing the need to travel by car.

The issue of whether the landing stage is intended to be used by waterbourne craft from the New Cut has also been considered, taking into account that a large boat is currently stored on dry land within the Marchioness site. The Harbour Authority have confirmed restrictions within the New Cut waterway for use of sailing and leisure activities due to the high current flow and the difference in water level, "New Cut (below Mean High Water Springs) is part of the Competent Harbour Authority and due to the primary legislation of the Harbour, Docks and Piers Act 1847 any activities of this kind would be refused due to the safety of those carrying out any leisure activities on this stretch of water. Ultimately any precautions put in place to allow this type of activity would still be refused as the risk involved is so great that we could not allow it to take place as the Harbour Authority would be held responsible should it allow these activities to take place and something were to happen."

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As such, it is considered reasonable for the LPA to conclude that there is little likelihood that the proposed landing stage would be used in association with any waterbourne activities associated with the New Cut and authorised by the Harbour Authority.

Loss of existing natural green space.

The landing stage would oversail and permanently obscure the green embankment falling within the redline, outside of the areas identified under either certificate of lawfulness associated with the Marchioness site. The visual loss of this natural green space has been considered against Core Strategy policy BCS9, which aims to protect, provide, enhance and expand the green infrastructure assets which contribute to the quality of life within and around Bristol. BCS9 confirms that Individual green assets should be retained wherever possible and integrated into new development. Loss of green infrastructure will only be acceptable where it is allowed for as part of an adopted Development Plan Document or is necessary, on balance, to achieve the policy aims of the Core Strategy. Appropriate mitigation of the lost green infrastructure assets will be required.

BCS9 further confirms that open spaces which are important for recreation, leisure and community use, townscape and landscape quality and visual amenity will be protected and sets out criteria whereby some areas of open space may be released, through the development plan process.

DM17 provides further detail regarding development involving existing green infrastructure. The policy confirms that unidentified open space (other than Important Open Space designated on the accompanying SA and DM Policies Map) which would result in the loss of open space which is locally important for recreation, leisure and community use, townscape and visual amenity will not be permitted. DM22 is also pertinent, providing criteria based assessment relating to development adjacent to waterways.

Given that much of the land oversailed by the proposed platform is currently natural open space, concern is expressed that the application represents a permanent visual and legible loss of open natural space from the site and that this has not been allowed for within any development plan document. Furthermore, the loss of this area of open space has not been found as necessary, on balance, to achieve the policy aims of the Core Strategy; as outlined within this report. The New Cut open space is considered important for townscape and landscape quality and visual amenity, as detailed further under Key Issue B. As such, the principle of installation of the structure and resultant permanent visual loss of the existing open green area within the site represented by the proposals is considered contrary to policy BCS9 and DM17.

To conclude, the proposed landing stage is considered unacceptable in principle in this location due to the uncertainty surrounding the end use of the landing stage, significant risk/potential of the structure to be used for carparking purposes and permanent unjustified visual loss of existing green infrastructure contrary to local plan policies.

B) HERITAGE IMPACTS

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The 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." [48].

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Section 12 of the national guidance within the National Planning Policy Framework (NPPF) 2012 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. The LPA should require applicants to describe the significance of the heritage asset (paragraph 128). Assessment of significance should be done in the light of the available evidence (paragraph 129). 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, Para.133 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Para 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

In addition, the adopted Bristol Core Strategy 2011 within Policy BCS22 and the adopted Site Allocations and Development Management Policies within Policy 31 seek to ensure that development proposals safeguard or enhance heritage assets in the city.

These provisions are considered relevant to the proposals, due to concerns raised by the Conservation Officer and Historic England regarding the impact of the development on surrounding heritage assets. The heritage assets affected by the proposals are identified as the City Docks Conservation Area, the Grade II listed Bathurst basin harbourwalls and the setting of the Grade II listed General Hospital, to the north east of the site.

The Conservation Officer has been consulted on the proposals and expressed concerns. These include review of the submitted Heritage Statement as a general assessment of the proposals with regard to heritage impacts. Justifications for the landing stage are considered provided in broadbrush terms, however significant detail is absent from the Heritage analysis and submissions, as outlined below.

The application documents refer to the proposals as comprising reinstatement of one of the old landing stages that used to exist at the site. The submissions assert that 'the proposals will not harm the heritage importance of Grade II listed structures nearby but will complement them given the nature and form of the proposed development. It will also ensure that existing ground slippage issues are addressed. Condition survey of the harbour walls or remnants of the old landing stage referred to in the PAHS (1.2, 2.4) have not been provided or method statement outlining the nature of existing ground slippage issues or detailing how the development will address these. Concerns have also been expressed by the Conservation Officer that the submissions fail to evidence how the proposals replicate or reinstate any earlier landing stage that may have existed on the site. As such, assessment of the proposals has taken place on the basis of the application documents; indicating installation of a functional large platform supported on timber or steel piles oversailing the embankment and existing access road.

These concerns regarding the level of detail/ justifications within the application documents have been echoed in comments from Historic England;

Historic England Advice

Whilst the proposal to reinstate a landing stage in the vicinity of the Marchioness Building - where historically there have been stages or piers - appears beneficial, we are uncertain of the form this new stage will take. An historic plan has been provided as part of the submission, but it is not made clear if what is intended is an interpretation based on the historic drawing or a standard landing

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stage? We seek clarification on this point before forming a judgement.

Historic England were reconsulted following submission of additional details and have further advised "- With regards to a lack of detailed information - in particular clear architectural plans - highlighted in our response dated 12 July 2017, we do not accept "It will be designed as a traditional and simple structure, with a timber platform fixed to posts in the riverbank", as a satisfactory level/method of explanation for an application of this nature.

As such we do not consider it possible to determine the impact/degree of harm of the proposal as required by paragraphs 133 and 134 of the National Planning Policy Framework.

Recommendation

Historic England has concerns regarding the application on heritage grounds. In determining this application you should bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

In addition to the above concerns (relating to the application documentation and insufficient justifications for the form of the development as a reinstatement of a historic structure) the Conservation Officer has expressed concern at the scale, functional appearance and visual impact of the landing stage. Based on the supporting information, the landing stage is considered an alien and incongruous feature within the New Cut - access to the platform for vehicles would appear to be unrestricted and the visual impact of carparking on the platform would have an adverse impact on the character/appearance of the area. Clarity regarding the impact on existing historic railings surrounding the site has not been provided; the loss of this characteristic detailing would erode the character and appearance of this part of the Conservation Area. Overall, the application fails to demonstrate the proposals would make a positive contribution to local distinctiveness and would erode the natural qualities of the grassed embankment, characteristic of the New Cut waterway. The Conservation Officer has objected to the proposals as causing less than substantial harm in terms of NPPF s.134, with public benefits of the proposals not clearly identified.

In summary, there is continued support on heritage grounds for the repair, preservation/conservation of the Grade II listed harbour walls and the distinctive Marchioness site, due to its contribution to the City Docks Conservation Area. The proposals have failed to evidence the nature of ground slippage in the vicinity of the site or clarify how the proposals would address these issues and preserve existing historic fabric of the harbour walls and railings. The proposals have failed to evidence the credentials of the structure as reinstatement of a historic landing stage.

The proposals would be visible at close quarters and in long and medium range views into the site from within the Conservation Area. The large functional platform proposed would erode the character of the existing natural embankment and appear as an alien incongruous feature in this location due to its scale, siting and functional appearance. The possibility of unrestricted use of the platform for carparking is also identified as causing visual harm to the Conservation Area. For the above reasons the proposed landing stage would fail to contribute positively to the character, appearance, identity and distinctiveness of the Conservation Area. There are insufficient public benefits identified to outweigh the degree of harm caused, and the proposal therefore conflicts with guidance contained within Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990; S12 of the NPPF, policies BCS21 and BCS22 of the Bristol Development Framework Core Strategy 2011, and DM26, DM27, DM29 and DM31 of the Site Allocations and Development Management Policies 2014.

C) AMENITY

Amenity issues arising from the proposals have been considered in relation to the closest

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residential uses, identified as the Marchioness building and apartments within the General Hospital. The landing stage could affect the pattern of use associated with the Marchioness site, however given the existing lawful use of land surrounding the Marchioness building as an unrestricted commercial carparking area, objections to the proposals on the grounds of harm to amenity due to comings and goings from the landing stage and vehicular movements are considered unsustainable.

D)WOULD THE PROPOSAL PROVIDE AN ACCEPTABLE RESPONSE TO TRANSPORT AND HIGHWAYS MATTERS?

BCS10 requires proposals to create places and streets where traffic and other activities are integrated and where buildings, spaces and the needs of people shape the area. Where vehicular access is sought to a site for essential operational parking or servicing, BCAP26 states that the council will work with the applicant to identify the most appropriate access point having regard to any proposals for pedestrianisation or traffic management.

Transport Development Management have objected to the proposals, commenting as follows -

Principle

The application proposes to reinstate a landing stage within the New Cut for use associated with the Marchioness site. Historic maps confirm that two landing stages were sited close to the application site used for the berthing of vessels during the mid to late 1800's. As it is unclear from the submissions what the application landing stage will be used for or how it will be constructed Transport Development Management recommends that the proposal be refused.

Highway Network

The site is located on Commercial Road which forms part of the Ashton Vale to Temple Meads (AVTM) Metrobus route that when open will introduce faster and more regular bus services from Long Ashton Park and Ride to the City Centre. As part of the enabling works a new bridge with a 3.5m wide shared cycle/pedestrian route is currently being built over Bathurst Basin which will allow the existing bridge to become one way only. Prior to the work there were double yellow lines on both sides of the carriageway, which will be reinstated on completion, along with a no loading ban that operates Monday to Friday from 7am to 10pm and 4.30pm to 6.30pm. The site is within a 20mph zone and Redcliff Residents Parking Scheme. There have been no recorded accidents within the proximity of the site.

Purpose

No clear information has been provided as to the purpose of the landing stage other than to stabilise the remnants of the old landing stage. As no structural assessment has been conducted it is impossible to ascertain if this statement is accurate or that such a large structure (96m long x 9m wide) is required to stabilise such a narrow section of riverbank. Furthermore as only extremely small vessels are able to travel beneath Ashton Swing Bridge or leave Bathurst Basin, as all three bridges are unable to open, it is unclear why such a large structure is required in a location which would be inaccessible to most vessels. Currently the existing site is used for car parking. If it is the intention that the landing stage be ultimately used for parking this would be contrary to the Policy BCAP29: Car and cycle parking of Bristol Central Area Plan - Policies - Adopted March 2015 which 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."

In addition given that the landing stage would be accessed from Commercial Road, any additional vehicle movements associated with the intensification of the site would place pedestrians/cyclists using the new 3.5m shared route at risk, which would not be acceptable and would be contrary to Policy DM23: Transport Development Management of Bristol Local Plan - Site Allocations and

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Development Management Policies - Adopted July 2014 which states that "development should not give rise to unacceptable traffic conditions and will be expected to provide: safe and adequate access for all sections of the community within the development and onto the highway network." Not only would this impinge on the day to day operation of the AVTM Metrobus route but could place pedestrians and in particular cyclists at risk, whose number is only likely to increase as a result of the 3.5m shared route, which will connect to the existing segregated cycle routes on Redcliff Hill (A38) and Clarence Road (A370).

Access

The site plan submitted indicates that the existing access point, which is being reconstructed as part of the Metrobus works, will continue to be used. However, it is unclear how the landing stage will interface with this to ensure appropriate levels for drainage purposes as well as for vehicles/pedestrians accessing the existing private road that slopes downwards towards the Marchioness Building. This must be clarified. It has been implied that a number of trees will be removed as part of the Metrobus works. This is not the case.

Retaining Walls

Commercial Road is currently supported by a retaining wall. To ensure its structural integrity the landing stage must be constructed in such a way that it does not rest on or use the wall for any means of support. A full structural assessment (Approval In Principle) must be submitted prior to any approval being granted, to ensure that what is being proposed will not in any way undermine the strength of the retaining wall. This is particularly important given that Commercial Road will be more intensively used when the AVTM Metrobus service starts. The landing stage must also be designed so that existing drainage holes are not obstructed.

The failure to submit such information is contrary to Policy DM37: Unstable Land of Bristol Local Plan - Site Allocations and Development Management Policies - Adopted July 2014 which 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. 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".

Construction

The Planning and Heritage Statement indicates that the landing stage will be constructed from a combination of wood and metal, but does not clarify what surface treatment will be applied or whether safety barriers will be provided, which is unacceptable. Given that it is proposed to be 96m long x 9m wide and will need supporting columns that run down to the riverbed (deeper depending on the soil conditions) a significant amount of construction materials, vehicles and plant will be required. However, no clear information has been provided as to how the landing stage would be constructed and what impact this would have on the safe operation of the surrounding highway network.

This is particularly concerning given the fact that as stated Commercial Road forms part of the AVTM Metrobus route and any carriageway closures or restrictions would have a detrimental impact to its operation, not to mention that of the shared cycle/pedestrian route. This at a time when the council is trying to promote and increase public transport and alternatives to single person car journeys in response to increased traffic congestion, climate change and the harmful effects of vehicle emissions such as nitrogen dioxide, generated in particular by diesel vehicles.

As a result before any approval can be granted in addition to Approval In Principle a full and comprehensive Construction Management Plan must be submitted which clearly sets out and

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addresses each of the following issues:

- Number and type of vehicles accessing the site
- Deliveries, waste, cranes, equipment, plant, workers, visitors
- Size of construction vehicles
- Means by which reduction in the number of movements and parking on nearby streets can be achieved
- Programming
- Waste management
- Construction methodology
- Shared deliveries
- Car sharing
- Travel planning
- Local workforce
- Parking facilities for staff and visitors
- On-site facilities
- Swept paths showing access for the largest vehicles regularly accessing site and measures to ensure adequate space is available
- Arrangements to receive abnormal loads or unusually large vehicles
- Measures to protect vulnerable road users (cyclists and pedestrians)
- Arrangements for temporary facilities for any bus stops or routes
- Arrangements for turning of vehicles, to be within the site unless completely unavoidable
- Means of prevention of mud being carried onto the highway
- Hours of operation
- Any necessary temporary traffic management measures -carriageway restrictions removal of parking, changes to one way streets, hoarding licences, scaffolding licences (this list is not exhaustive)
- Routing plan of vehicles avoiding weight and size restrictions and reducing unsuitable traffic onto residential roads
- Waiting areas and means of communication for delivery vehicles if unavailable space within or near to site, identification of holding areas
- Means of communication of CTMP measures to staff, visitors and neighbouring residents and businesses

Recommendations

In its current format the application has provided insufficient evidence to indicate the purpose, need for (considering the constraints on the size of vessels that would be able to use it) or end usage of the landing stage. As the existing site is used for car parking, if this is the intended usage, this would be in clear contravention of Policy BCAP29: Car and cycle parking of Bristol Central Area Plan - Policies - Adopted March 2015, not to mention Policy DM23: Transport Development Management of Bristol Local Plan - Site Allocations and Development Management Policies - Adopted July 2014 by virtue of the increased number of vehicle movements.

Furthermore, no clear technical assessment (Approval In Principle) or Construction Management Plan has been submitted as to how the landing stage will be constructed. This is unacceptable, particularly given the fact that it must not in any way rest on or use the adjacent retaining wall for support and is contrary to Policy DM37: Unstable Land of Bristol Local Plan - Site Allocations and Development Management Policies - Adopted July 2014. Due to its size a significant amount of construction materials, vehicles and plant will be required, which will undoubtedly require footway and carriageway closures. This will have a detrimental impact on the day to day operation of the AVTM Metrobus route and shared cycle/pedestrian route, which is unacceptable.

Finally whilst a site plan has been submitted it does not accurately represent the surrounding highway infrastructure and no plans have been provided showing the design of the landing stage or how it will interface with the existing carriageway and the private access road. With such a lack of detail it is impossible to properly assess the application to ensure that if permission were to be

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granted it would not significantly impact the safe operation of the adjacent adopted highway. Consequently Transport Development Management recommends that the application be refused.

E) GROUND STABILITY/ CONTAMINATION

The Local Planning Authority (LPA) has an important role in minimising the risk and effects of land stability on property, infrastructure and the public (NPPF). Policy DM37 provides the detailed criteria applicants are expected to address where there is reason to suspect unstable land and where the risk of instability has the potential to materially affect development.

The submissions refer to problems with stability of the Marchioness site and ground slippage, however no ground condition desk study has been provided specifying that nature and extent of these issues in relation to the red-lined site or land adjacent to it. In addition, construction details and method are absent from the application. As such, it is unclear how the installation of the proposed landing stage would address ground slippage issues identified by the applicant.

The lack of information addressing the terms of DM37 has been highlighted as a concern by TDM in their comments outlined above, due to the proximity of the site to the highway and cycle/ pedestrian network. In addition, given the proximity of the Grade II listed harbour walls and sloping nature of the existing embankment, confirmation of any existing stability issues and clarity on proposed groundworks impacts required as part of the development are needed as part of the assessment process. This information has not been provided by the applicant and refusal of the proposal is therefore recommended due to conflict with policy DM37.

The land contamination officer has been consulted on the proposals and have raised concerns with potential river contamination risks associated with construction and installation; conditions are recommended to secure a foundation works risk assessment prior to works commencing and condition to ensure that if encountered, contamination will be dealt with.

F)- TREE IMPACTS

In accordance with policies BCS9, BCS11, DM15 and DM17, green infrastructure, including trees and ecology on development sites should be safeguarded and enhanced where possible. Where this is not possible, developer contributions should be taken to provide for mitigation of losses, in accordance with policy BCS11 and the Planning Obligations SPD.

The Tree schedule outlines removal of 4 category C trees from the site (T1 - T4) and suggests that 6 trees would be retained T5-T11. Notwithstanding, given the location of the trees identified as part of the Tree Schedule and dimensions and siting of the proposed landing stage, it would appear that all trees would need to be cleared from the site to allow for installation of the proposal.

The existing trees on the site are considered important for their contribution to the local streetscene and character and appearance of the site. The loss of all trees from the site has not been justified by the applicant against policies BCS9, BCS11, DM15 and DM17 and the tree officer has commented that the tree survey does not fulfil the requirements of DM17.

The Tree Officer has confirmed - No tree protection has been specified or identified on an appropriate plan and no BTRS calculations have been provided to mitigation for the loss of Trees in line with this proposal. The tree survey does not provide stem diameters so that mitigation can be applied.

We require:

- o A tree protection plan to identify trees to be retained or removed.

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- o BTRS calculations for tree replacement on site.
- o Calculation of financial contribution for trees that cannot be replaced on site.
- o Arboricultural implications assessment and method statement for the protection of trees to be retained.
- o A high quality landscape plan containing tree locations, species, planting stock size (Minimum 12-14cm Girth) & maintenance schedule for watering and aftercare to ensure establishment of newly planted trees.

Overall, as outlined above, the application fails to demonstrate that the development is appropriate for this site. As such, the loss of trees resulting from the installation of the landing stage is not considered adequately justified. The additional information requested by the tree officer has not been sought from the applicant, due to the fundamental concerns with the visual impact of the proposals on heritage and transport grounds.

(F) IS THERE AN APPROPRIATE FLOOD RISK RESPONSE?

The site is located in Flood Risk Zone 3, identified as having a high probability of flooding. The applicant has provided a Flood Risk Assessment and further documentation to address concerns of the Environment Agency regarding the potential impacts arising from installation of the structure. The Flood Risk statement provided suggests that the development should be considered as a 'water compatible' development - defined by the applicant as a structure that is required to be adjacent to/over water for operational reasons and serve a purpose related to the use of the water.

As outlined above, the submissions fail to detail the exact anticipated use of the structure as a landing stage, for example the nature of the waterbourne craft that would use the platform and associated pattern of use. The Harbour Authority have confirmed that sailing and leisure activities within the New Cut are restricted due to the high current flow and the difference in water level. Given the proximity of the landing stage to the adjacent highway, apparent ease of access and existing use of the Marchioness site for unrestricted commuter carparking, it is not considered unreasonable for the LPA to raise concerns at the potential use of the platform for carparking purposes - queries are raised as to the flood risk vulnerability of this type of use.

The Environment Agency have been consulted on the application and following submission of further details addressing their concerns. The final formal comments of the Environment Agency to the LPA are outlined below -

We maintain our objection to the proposed landing stage, as submitted: We still have insufficient detail about the proposed landing stage and as such we cannot fully assess the associated flood risk. We require detailed drawings of the proposed landing stage including in-situ cross-sections with dimensions and levels in metres Above Ordnance Datum.

The planning application has been submitted with an inadequate Flood Risk Assessment (FRA). The FRA submitted with this application does not comply with the requirements set out in the Planning Practice Guidance and the National Planning Policy Framework. The submitted FRA does not therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed landing stage.

In particular, the submitted FRA fails to:

1. Confirm levels of the proposed structure in metres Above Ordnance Datum in relation to surrounding ground levels. The FRA needs to address the loss of channel cross-sectional area which will be occupied by the proposed structure. For floating pontoons and structures in this location we would be looking for pile caps to be capped above the 1 in 200 year level including an allowance for climate change and freeboard.
2. Consider how people will be kept safe from flood hazards identified.
3. Consider the requirement for flood emergency planning including flood warning and evacuation

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of people for a range of flooding events up to and including the extreme event. That is use of the proposed landing stage, how would access be restricted during high flows/high tides.

We advise that the applicant make a Product 4 data request to our Enquiries Team, WessexEnquiries@environment-agency.gov.uk. This will provide maximum modelled tidal levels and depths for the applicants' site from Bristol City Council's Central Area Flood Risk Assessment 2011 model. This data should be considered within the FRA and be used to help inform a deck level for the proposed landing stage.

Under the terms of the Environmental Permitting Regulations, the prior written permission of the Agency is required for any proposed works or structures in, under, over or within 16 metres of the top of the bank of the Floating Harbour, designated a 'Main River'. The need for a Flood Risk Activity Permit is over and above the need for planning permission. Further information can be found on our .gov.uk website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. Our objection will be maintained until an adequate FRA is received.

The LPA have been provided with details of further exchanges between the applicant and the Environment Agency on flood risk matters arising from the proposals, with confirmation from the EA that objection to the proposals is maintained due to insufficient information demonstrating that the structure would provide an acceptable response to flood risk issues arising from the location, form, design and potential use of the proposed landing stage. Insufficient information has been provided from the applicant regarding the nature of the proposed use and access arrangements to the platform by vehicles. Given the proximity to the Commercial Road highway it is feasible that vehicles would use the landing stage and that vehicular manouvres could occur closer to the New Cut waterway than the current arrangements. The application fails to demonstrate that the installation, construction and use of the platform would provide an acceptable response to the flood risks associated with this site, including ensuring public safety.

The proposals are therefore considered contrary to local plan policies BCS13, BCS15 and BCS16 of the Core Strategy 2014 , the NPPF and national planning practice guidance.

G) IS THERE AN APPROPRIATE NATURE CONSERVATION RESPONSE?

No objections have been raised to the proposals by the Nature Conservation officer

RECOMMENDED REFUSED

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

Reason(s)

1. The application proposal would result in the unjustified visual loss of natural greenspace within the New Cut and loss of existing trees from the site that contribute to the character and appearance of the Conservation Area. In addition, the application fails to demonstrate that the overall scale, form and overall design of the landing stage would appear as a sympathetic form of development which would enhance or contribute positively to the character, appearance, identity and distinctiveness of the Conservation Area. The potential use of the landing stage for carparking purposes would be considered visually intrusive in this location. For the above reasons, the application fails to demonstrate that the proposals would preserve or enhance the character and appearance of the Conservation Area. The nature and degree of public benefits associated with the application proposals are considered insufficiently demonstrated.

As such, the proposals conflict with guidance contained within Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990; S12 of the NPPF, policies BCS9, BCS11, BCS21 and BCS22 of the Bristol Development Framework Core Strategy

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2011, and DM15, DM17, DM26, DM27, DM29 and DM31 of the Site Allocations and Development Management Policies 2014.

2. The application fails to provide sufficient construction, structural or operational detail demonstrating that the installation and use of the proposed landing stage would have acceptable impact on highway maintenance, operation and highway safety in the vicinity of the site. As such, the proposals would conflict with policies BCS10 of the Core Strategy (2011), DM23 Site Allocations and Development Management Policies (2014). The proposals would also provide potential for the landing stage to be used as a carparking area and this would be in conflict with Policy BCAP29 of Bristol Central Area Plan (March 2015).
3. Insufficient information has been provided to demonstrate the suitability of the site in land stability terms to accommodate a structure of the scale and form proposed, without harm to either the stability of the proposed development and adjoining highway or the safety of its future users or neighbouring uses/occupiers. As such the development is considered contrary to Policy DM37: Unstable Land (Site Allocations and Development Management policies 2014).
4. The submitted Flood risk assessment fails to provide a suitable basis for assessment to be made of the flood risks arising from the proposed landing stage. The application details fail to demonstrate that the installation, construction and use of the landing stage would provide an acceptable response to the flood risks associated with this site, including ensuring public safety. The proposals are therefore considered contrary to local plan policies BCS13, BCS15 and BCS16 of the Core Strategy 2014, the NPPF and national planning practice guidance.

Advice(s)

1. Refused Applications Deposited Plans/Documents

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

Views before, after and model on proposed jetty, received 29 August 2017

1 Existing layout and sections B-B, C-C, received 12 June 2017

2 Proposed layout and sections B-B, C-C, received 12 June 2017

Site location plan, received 12 June 2017

3 Jetty Detail Proposed, received 29 August 2017

Case Officer: Anna Schroeder

Authorisation: Paul Chick

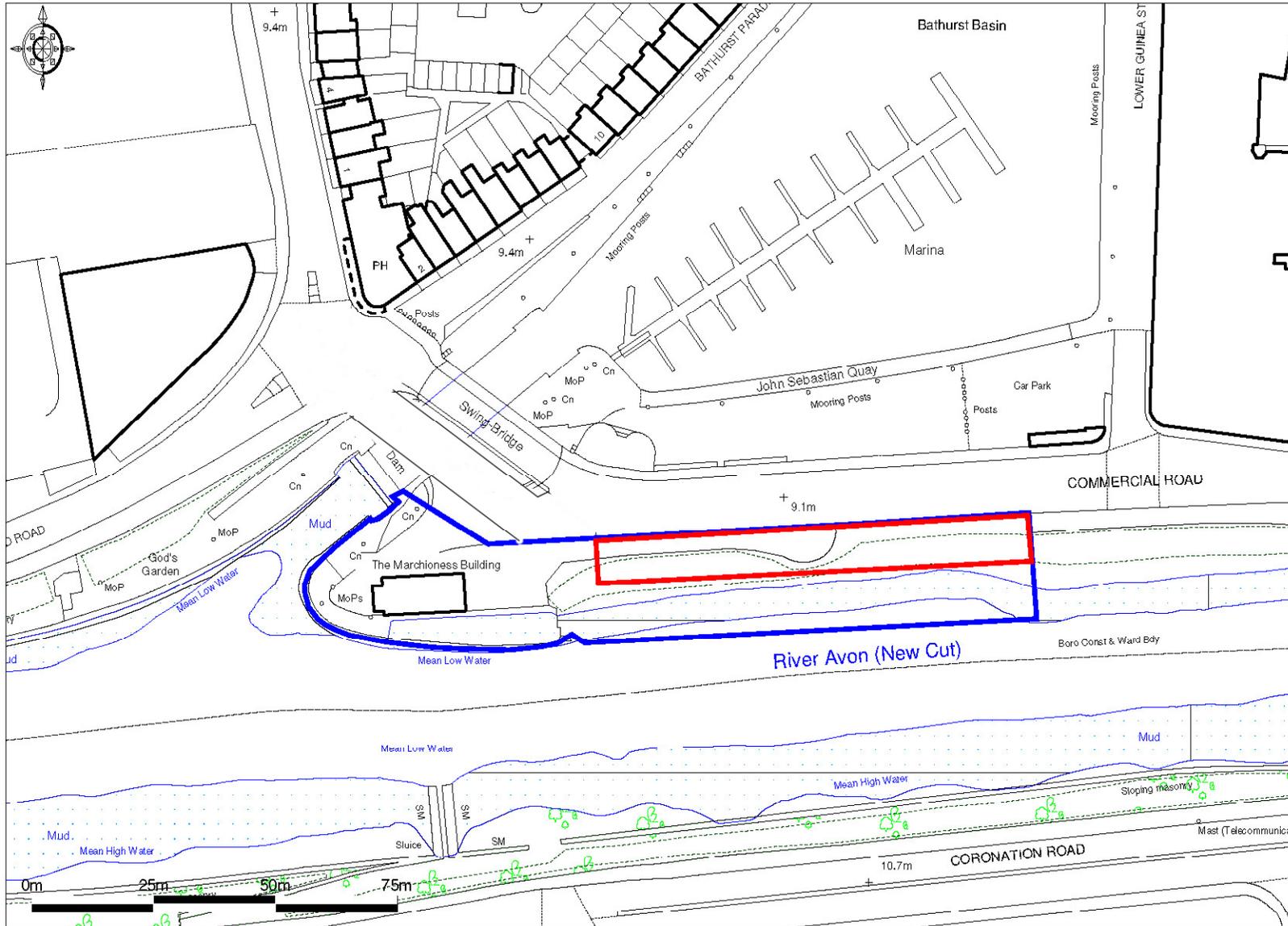
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Supporting Documents

6. The Marchioness Building, Commercial Road

1. Site location plan
2. Proposed jetty detail
3. Jetty existing
4. Jetty proposed
5. Proposed elevations
6. Visuals
7. Historic photograph

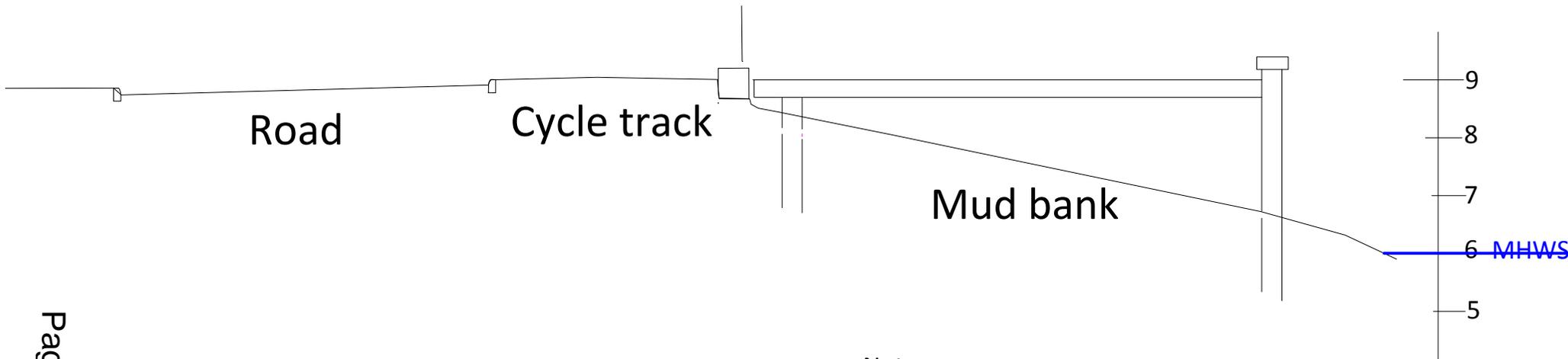
Site Location Plan



Ordnance Survey © Crown Copyright 2017. All rights reserved. Licence number 100022432. Plotted Scale - 1:1250



The Marchioness, Commercial Road, Bristol, BS1 6TG
Scale 1:2500

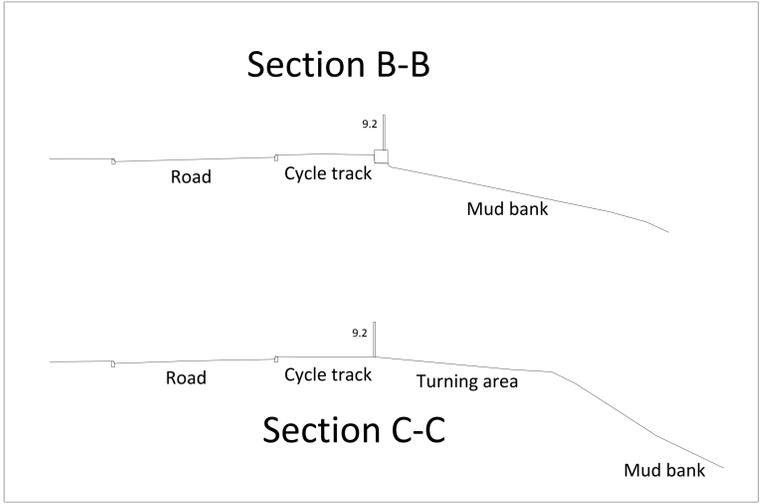


- Note:
- 1) Piles either wood or steel painted brown.
 - 2) MHWS Bristol = 8.9m
 - 3) MHWS Marchioness = 6m

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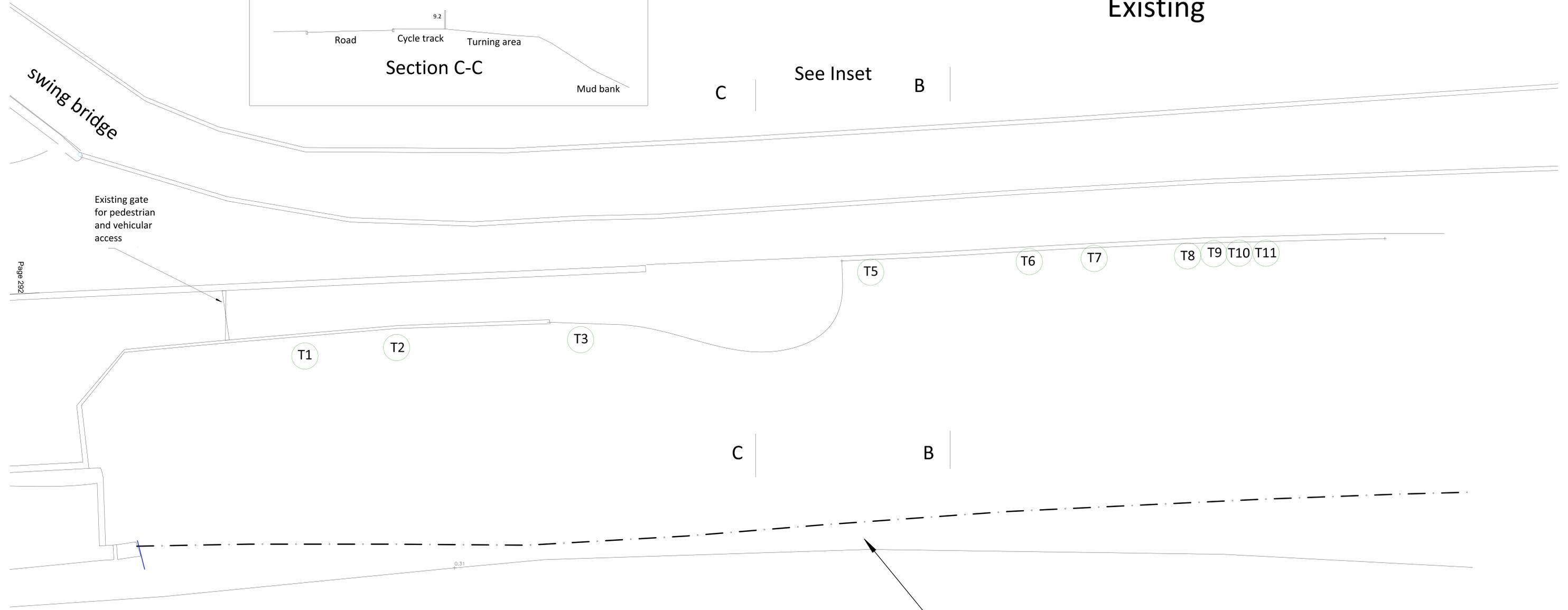
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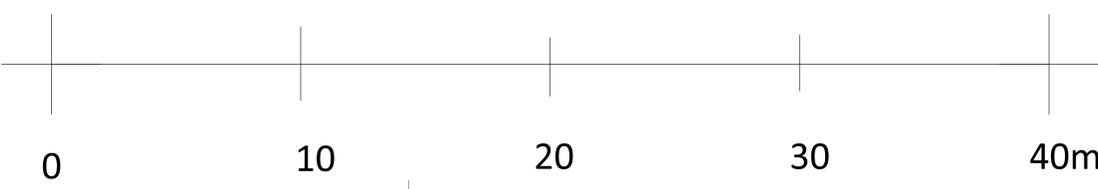
Updated
15 May 19 - Showing access points



Existing



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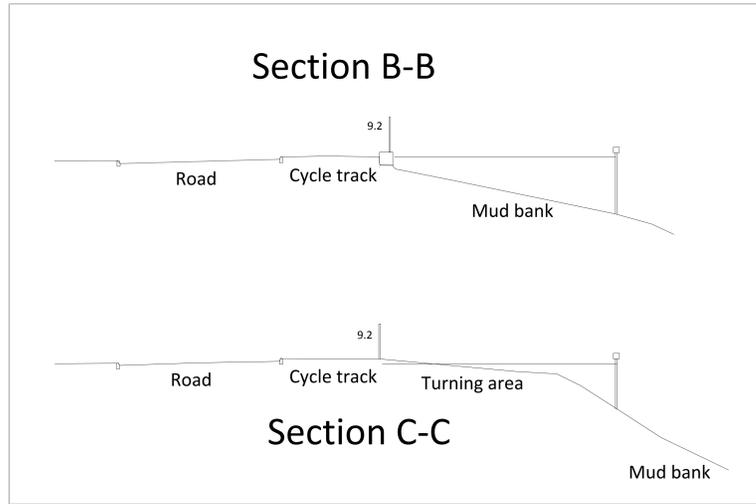


0.31

Updated
15 May 19 - Showing access points and
ramp from jetty into site



Proposal

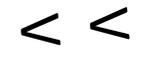


C | See Inset | B

swing bridge

Existing gate
for pedestrian
and vehicular
access. Gate
raised 1m to
match new
ground level.

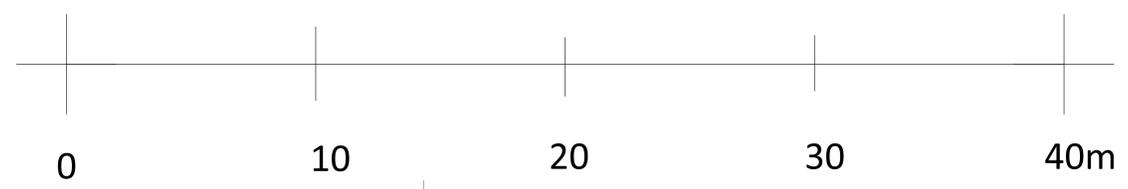
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T5 T6 T7 T8 T9 T10 T11

C | B

Approximate location of wooden piling

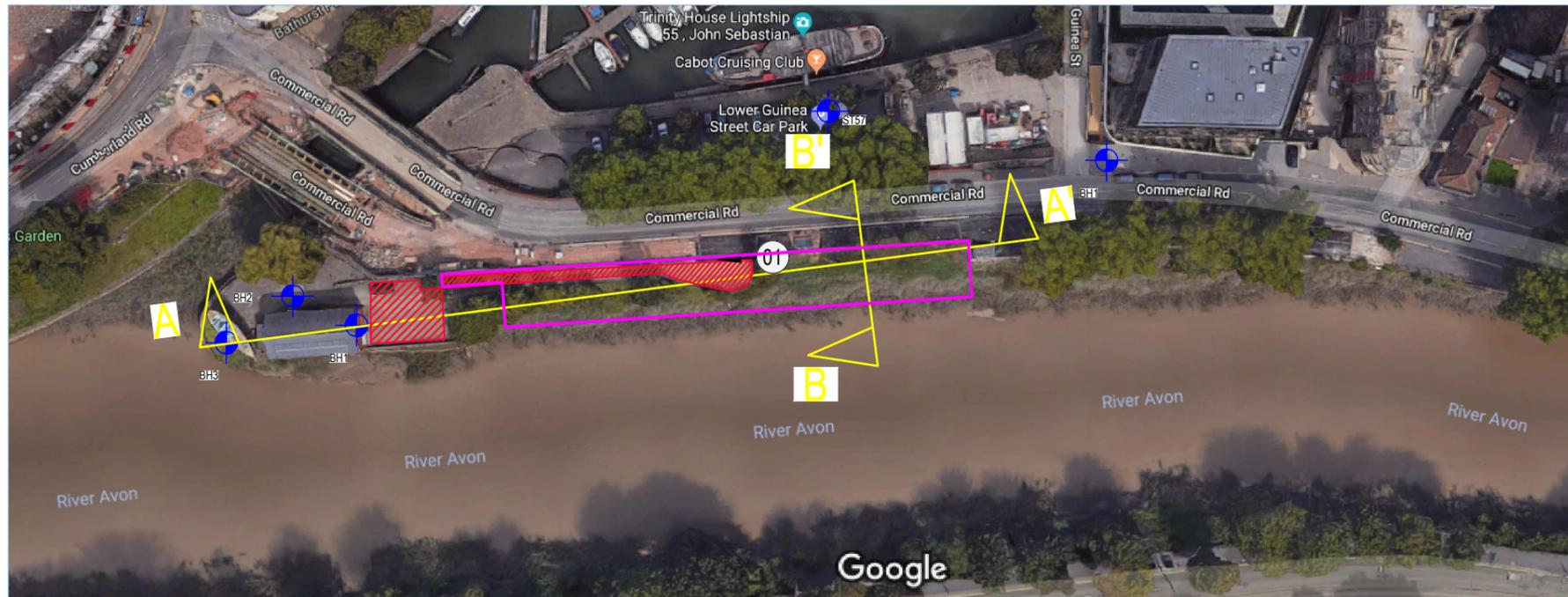


1040.00

1080.00

1120.00

0.31



BOREHOLE LOCATION PLAN

NOT TO SCALE



Possible locations for siting crane.



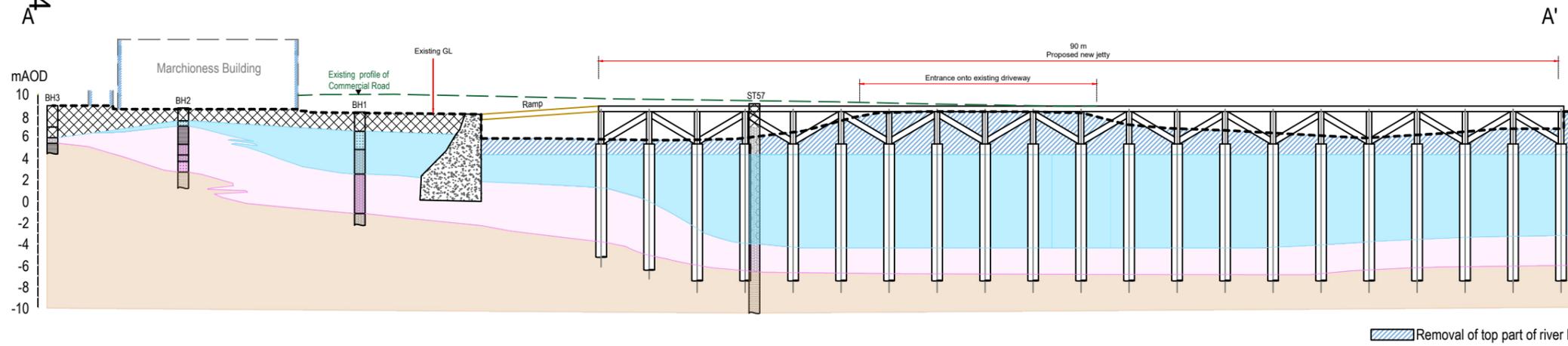
Proposed jetty location.



PHOTO 01

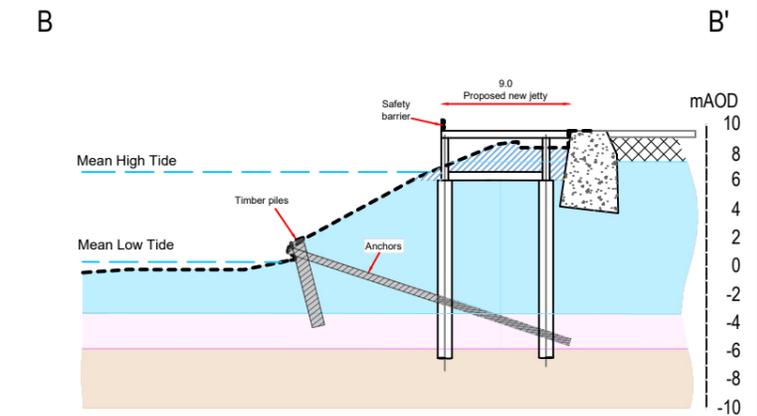
Photograph showing existing access road / driveway and masonry retaining wall (looking west)

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PROPOSED FRONT ELEVATION (A - A')

Scale 1:500



PROPOSED SIDE ELEVATION (B- B')

Scale 1:500

KEY	
	Historic or BGS borehole record
	Made Ground
	Masonry retaining wall
	Alluvium
	Residual Soils
	Sandstone
	Mudstone
	Photo location and reference

NOTES

- All dimensions are to be checked on site before the commencement of works. Any discrepancies are to be reported to the Architect & Engineer for verification. Figured dimensions only are to be taken from this drawing.
- This drawing is to be read in conjunction with all relevant Engineers' and Service Engineers' drawings and specifications.

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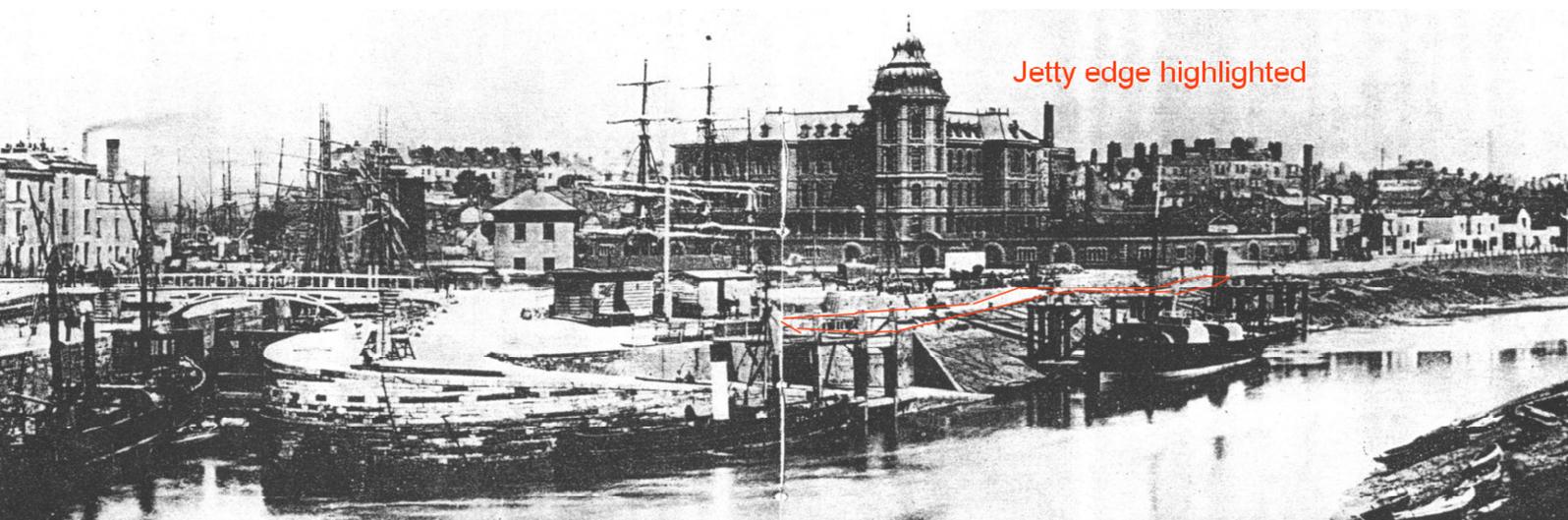
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PROJECT
NEW CUT LANDING, COMMERCIAL ROAD

TITLE	
CONCEPTUAL SITE MODEL	
HYDROCK PROJECT NO. C-11514-C	SCALE @ A3 1:500
PURPOSE OF ISSUE SUITABLE FOR INFORMATION	STATUS S2
DRAWING NO. (PROJECT CODE-ORIGINATOR-ZONE-LEVEL-TYPE-ROLE-NUMBER) 11514-HYD-XX-XX-DR-G-1001	REVISION P2





Jetty edge highlighted



(39) 1862-1865: Bathurst Basin and The New Cut: Coronation Road panorama; Bathurst Parade, Georgian houses replaced by tall dock warehouses of 1865; tall masted ships; a very flimsy footbridge, probably of cast-iron awaiting to-day's narrow road bridge (made to swing open—now fixed); the bascule bridge at the bottom of Guinea Street in the raised position; harbour master's house with four windows, clock on the corner, and a little garden, now the site of sand and gravel equipment. The "Dolphin" tug tied-up where the "Marchioness" came 40-50 years later, the dockside shed not yet

built (it had a useful clock until the 1950's); the General Hospital, an outstanding example of "Bristol Byzantine", winning an architectural competition for its designers, Gingell and Lysaght, dating from 1853, completed 1862. The basement of the Hospital was originally intended as dockside warehouses, giving, by their rents, a useful source of income. St. Mary Redcliffe spire of 1872 is not yet visible; the little bridge was probably one of those opened at the time of the 1831 riots to confine the mob to a small strip of land. Extensions to the hospital have changed its appearance, and the dome was a casualty in the blitz. [See "1950-1953", Plate 97].

