

Development Control B Committee Agenda



Date: Wednesday, 29 April 2020

Time: 2.00 pm

Venue: Virtual Meeting - Zoom Committee Meeting
with Public Access via <https://www.bristol.gov.uk/council-meetings>

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 and Sultan Khan

Copies to: Claudette Campbell (Democratic Services Officer), Gary Collins, Laurence Fallon, Matthew Cockburn, Jeremy Livitt, Matthew Bunt and Alex Hawtin

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Date: Tuesday, 21 April 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.

(Pages 20 - 21)

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 23rd April.

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 28th April.

The statement should be
email - democratic.services@bristol.gov.uk

8. Planning and Development

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

- a) **19/03104/F 7 Belvedere Road Bristol BS6 7JG** **(Pages 23 - 82)**
- b) **19/00066/F & 19/00067/LA 6 Upper York Street Bristol BS2 8QN** **(Pages 83 - 138)**



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.

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.



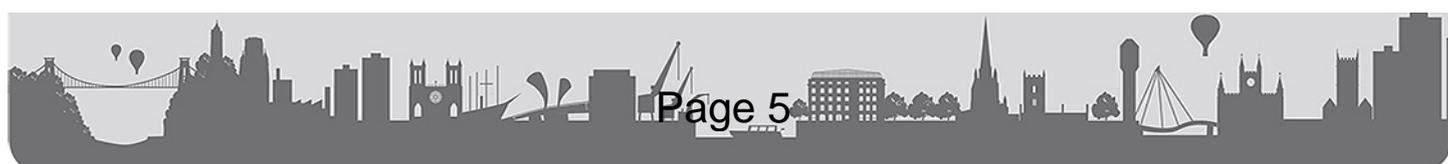
During the meeting:

- There will be no debate on statements or petitions. All Public Forum submissions have been received in advance by Committee members. The Committee will note all Public Forum submissions for the meeting. **There will be no opportunity at this zoom online meeting for members of the public to address the Committee**

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

This meeting will be recorded and its contents placed on the Bristol City Council website to enable members of the public to view it.



Bristol City Council Minutes of the Development Control B Committee

18 March 2020 at 2.00 pm



Members Present:-

Councillors: Carla Denyer, Lesley Alexander, Tom Brook (Chair), Harriet Bradley, Mike Davies, Fi Hance, Jo Sergeant and Donald Alexander (for Cllr Bowden Jones)

Officers in Attendance:-

Gary Collins, Norman Cornthwaite and Peter Westbury

1. Welcome, Introduction and Safety Information

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

2. Apologies for Absence

These were received from Councillors Bowden-Jones, Eddy, Khan, Mead and Windows (who was to substitute for Cllr Eddy). Councillor Donald Alexander substituting for Councillor Bowden-Jones.

3. Declarations of Interest

Councillor Brook stated that as a Non-Executive Director of Bristol Waste he would not be participating in Agenda Item No. 8d 19/05204/F - 83 Hartcliffe Way. He proposed that Councillor Davies take the Chair for this item and this was agreed.

4. Minutes of the previous meeting

Councillor Bradley stated that she had sent some questions on Enforcement to the Head of Development Management and asked that this be included in the Minutes. This was agreed.

These were moved and seconded and it was:

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



5. Appeals

The Head of Development Management highlighted Appeal No.40 – Trust Headquarters, Marlborough Street. This Appeal had been dismissed and most of the reasons for refusal were upheld.

6. Enforcement

The Head of Development Management highlighted 191 Wick Road and assured the Members that although they want the situation regularised they will “tread lightly” with the Enforcement.

7. Public forum

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

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

8. Planning and Development

The Committee considered the following Planning Applications:

9. 19/00066/F and 19/00067/LA - 6 Upper York Street Bristol BS2 8QN

It was noted that in order to minimise the number of members of the public present at the Meeting this item was deferred until a future Meeting of the Committee.

a. 19/03104/F - 7 Belvedere Road Bristol BS6 7JG

It was noted that in order to minimise the number of members of the public present at the Meeting this item was deferred until a future Meeting of the Committee.

10 19/05746/M - Land Of Former Post Office Depot Cattle Market Road Bristol

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

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. The reasons for the Officer recommendation were summarised.

Answers to questions:

- The objection that the Environment Agency originally made has been virtually resolved and is expected to be settled shortly; the Environment Agency has agreed to the principle of building on the site
- There has been no objection to the number of disabled parking spaces to be provided
- The outline permission included an agreement on the improvements to the bus access and final details of bus provision will be resolved shortly
- The report includes a request for delegated powers once the Environment Agency has withdrawn their objection. In the event that the EA don't withdraw their objection, the application would have to be referred to a National Casework Unit (Secretary of State) before the decision could be issued.
- The cholera pit is to be conditioned so as to avoid disturbance; the applicants have agreed to this
- The University gives high priority to the health and wellbeing of its staff and students

Debate:

- The scheme was well liked
- There were some concerns about health support services and transport issues

Councillor Bradley moved that the Officer recommendations be agreed.

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

Resolved – (Voting 8 for, 0 against) that the details of the Reserved Matters be approved.

11 19/05204/F - 83 Hartcliffe Way Bristol BS3 5RN

Councillor Brook did not participate in this item.

Councillor Davies took the Chair for this item.

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

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. The reasons for the Officer recommendation were summarised.

Answers to questions:

- It was confirmed that the facility would require an environmental permit from the Environment Agency
- It was noted that a lot of the problems relating to Avonmouth are specific to that area
- It was accepted that the facility could initially cause a deterioration in air quality but over time things would improve as residents would make fewer journeys to other sites
- There was an explanation of pedestrian and cycle access facilities to be provided and an assurance from the applicants that these facilities will be adequate

Debate:

- The facility is to be welcomed but there are concerns about air quality
- Councillor Denyer requested that a condition relating to a specially marked cycle route be included in any permission granted; it was noted that this would have to be negotiated with the applicants

Councillor Bradley moved that the Officer recommendation be agreed subject to the inclusion of a condition concerning a specifically marked cycle route.

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

Resolved – (Voting 7 for, 0 against) that the application be granted subject to the inclusion of a condition concerning a specifically marked cycle route.

12 19/04821/A - Plot Of Land Fronting Former 164 - 188 Bath Road Totterdown Bristol BS4 3EF

Councillor Brook re-took the Chair for the remainder of the Meeting.

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

Removal of the 3no. existing hoarding advertisement signs, and installation of 2no. illuminated digital advertisements on support legs.

It was noted 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 both displays. 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.

Answers to questions:

- The condition concerning the switching off time is enforceable
- The housing development for the opposite site has been approved and now has to be taken into account

Debate:

- Concerns about safety and amenity
- No perceived benefit for anyone in Bristol
- The signs are distracting and irritating
- It was noted that should permission be refused and the decision is appealed, the Council would need to show that the signs were distracting and in an area of highway conflict to defend the Council's case at appeal
- If permission is granted the screens should be turned off between 23.00 and 07.00 (rather than 06.00)

Councillor Donald Alexander moved the Officer recommendation that the east facing sign be approved and the west facing sign be refused with the proviso that the (east facing)screen be turned off between 23.00 and 07.00 (rather than 06.00).

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

Resolved - (Voting 4 for, 3 against, 1 abstention) that the east facing sign be granted permission with the proviso that the screen be turned off between 23.00 and 07.00 (rather than 06.00) and that the west facing sign be refused permission.

13 19/01925/F - The Marchioness Building Commercial Road Bristol BS1 6TG

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

Reinstatement of historic landing stage for use associated with Marchioness site (revision to 17/03268/F).The reasons for the Officer recommendation were summarised.

Answers to questions:



- The application is being recommended for refusal for reasons including harm to heritage assets and no public benefit
- Soft landscaping is a heritage asset
- There would be harm to existing vegetation by introducing the proposed landing stage

Debate:

- It is not clear what the purpose of the structure is to be; there are concerns that it will be used as a car park or for vehicular access
- It was noted that the heritage asset was built by Bristol City Council but had fallen into disrepair
- It was noted that large vessels cannot get out into the Avon Gorge from the location of the proposed structure

Councillor Davies moved the Officer recommendation that the application be refused.

Councillor Donald Alexander seconded this Motion and on being put to the Vote it was

Resolved – (Voting 6 for, 1 against, 1 abstention) that the application be refused for the reasons provided in the report.

14 Date of Next Meeting

29th April 2020 at 2.00 pm.

Meeting ended at 4.00 pm

CHAIR _____



DEVELOPMENT CONTROL COMMITTEE B

29th April 2020

REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE

LIST OF CURRENT APPEALS

Householder appeal

Item	Ward	Address, description and appeal type	Date lodged
1	Westbury-on-Trym & Henleaze	14 Cransley Crescent Bristol BS9 4PG First floor side extension. Appeal against refusal Delegated decision	03/02/2020
2	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
3	Southmead	130 Doncaster Road Bristol BS10 5PZ Two storey side extension. Appeal against refusal Delegated decision	16/03/2020
4	Bishopsworth	8A St Peters Rise Bristol BS13 7LY Proposed detached garage to front of property, with hardstanding for a car parking. Appeal against refusal Delegated decision	25/03/2020
5	Stockwood	34 Materman Road Bristol BS14 8SS Two storey side extension. Appeal against refusal Delegated decision	25/03/2020

Informal hearing

Item	Ward	Address, description and appeal type	Date of hearing
6	Ashley	Block C Fifth Floor Hamilton House 80 Stokes Croft Bristol BS1 3QY Notification for Prior Approval for a proposed change of use of a building from use class B1 (Office) to a dwellinghouse (Class C3). Block C5 - 5 Units. Appeal against refusal Delegated decision	05/05/2020
7	Ashley	Block B First Floor Hamilton House 80 Stokes Croft Bristol BS1 3QY Notification for Prior Approval for a proposed change of use of a building from use class B1 (Office) to a dwellinghouse (Class C3). Block B1 - 4 unit. Appeal against refusal Delegated decision	05/05/2020
8	Ashley	Block B Fourth Floor Hamilton House 80 Stokes Croft Bristol BS1 3QY Notification for Prior Approval for a proposed change of use of a building from use class B1 (Office) to a dwellinghouse (Class C3). Block B4 - 3 Units Appeal against refusal Delegated decision	05/05/2020
9	Ashley	Block B Fifth Floor Hamilton House 80 Stokes Croft Bristol BS1 3QY Notification for Prior Approval for a proposed change of use of a building from use class B1 (Office) to a dwellinghouse (Class C3). Block B5 - 4 Units Appeal against refusal Delegated decision	05/05/2020
10	Ashley	Block C First Floor Hamilton House 80 Stokes Croft Bristol BS1 3QY Notification for Prior Approval for a proposed change of use of a building from use class B1 (Office) to a dwellinghouse (Class C3). Block C1 - 5 units Appeal against refusal Delegated decision	05/05/2020
11	Ashley	Block C Fourth Floors Hamilton House 80 Stokes Croft Bristol BS1 3QY Notification for Prior Approval for a proposed change of use of a building from use class B1 (Office) to a dwellinghouse (Class C3). Block C4 - 5 units. Appeal against refusal Delegated decision	05/05/2020

12	Ashley	Ground Floor Hamilton House 80 Stokes Croft Bristol BS1 3QY Notification for Prior Approval for a proposed change of use of a building from use class B1 (Office) to a dwellinghouse (Class C3). Block C, Ground Floor - 1 Unit. Appeal against refusal Delegated decision	05/05/2020
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Written representation

Item	Ward	Address, description and appeal type	Date lodged
13	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
14	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
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	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
18	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

19	Hartcliffe & Witherwood	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
20	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
21	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
22	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
23	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
24	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
25	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
26	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

27	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
28	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
29	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
30	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
31	Knowle	96 Newquay Road Bristol BS4 1DS Demolition of side extension and construct a two storey 3no.bed single dwelling house to side and single storey extension to rear of existing property. Appeal against refusal Delegated decision	09/03/2020
32	Central	Bristol General Hospital Guinea Street Bristol BS1 6SY Erection of two residential dwellings (Use Class C3) and a refuse store. Appeal against refusal Delegated decision	18/03/2020
33	Central	Bristol General Hospital Guinea Street Bristol BS1 6SY Replacement of refuse store with two residential dwellings (Use Class C3) and a refuse store. Appeal against refusal Delegated decision	18/03/2020

34	Brislington East	16 Newbridge Road Bristol BS4 4DJ Upgrade of existing 48 sheet advert to support internally illuminated digital poster. Appeal against refusal Delegated decision	25/03/2020
35	Cotham	Land Adjacent To Kingsley House Kingsley Road Cotham Bristol BS6 6AF Erection of 1 no. garage with associated landscaping works. Appeal against refusal Delegated decision	30/03/2020

List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
36	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	Appeal dismissed 09/03/2020
37	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	Appeal dismissed 16/03/2020
38	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	Appeal dismissed 16/03/2020
39	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	Appeal dismissed 17/04/2020
40	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	Appeal dismissed 23/03/2020

41	Windmill Hill	17 Shepton Walk Bristol BS3 5NU Proposed conversion of double garage to a one bed dwelling house. Appeal against refusal Delegated decision	Appeal dismissed 26/03/2020
42	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	Appeal dismissed 07/04/2020
43	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	Appeal allowed 02/04/2020
44	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	Appeal dismissed 06/04/2020
45	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	Appeal allowed 20/03/2020
46	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	Appeal dismissed 31/03/2020
47	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	Appeal dismissed 14/04/2020

48	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	Appeal dismissed 20/03/2020
49	Bishopston & Ashley Down	85 Thornleigh Road Bristol BS7 8PQ Retrospective application for a rear single storey extension. Appeal against refusal Delegated decision	Appeal dismissed 14/04/2020
50	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	Appeal dismissed 02/04/2020
51	Hotwells & Harbourside	Jacobs Court St Georges Road Bristol BS1 5US Window and door replacement works. Appeal against refusal Delegated decision	Appeal allowed 23/03/2020
52	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	Appeal dismissed 14/04/2020
53	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	Appeal dismissed 08/04/2020

DEVELOPMENT CONTROL COMMITTEE B

29th April 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	Bishopston & Ashley Down	281 & 283A Gloucester Road Bishopston Bristol BS7 8NY Erection of canopy structure without planning permission. Enforcement notice	07/04/2020
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	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
5	Clifton Down	20 All Saints Road Bristol BS8 2JJ Installation of raised terrace, decking and steps structure without planning permission. Enforcement notice	16/04/2020

6	Eastville	83 Stonebridge Park Bristol BS5 6RN Extension works to rear (balcony and access steps to rear garden) not in accordance with plans approved as part of planning permission 19/00076/H. Enforcement notice	07/04/2020
7	Frome Vale	2 Alberton Road Bristol BS16 1HH Sub-division of property to flats Enforcement notice	03/03/2020
8	Lockleaze	675 Muller Road Bristol BS5 6XS Use of garage as separate unit of residential accommodation. Breach of conditions notice	09/04/2020
9	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
10	St George West	St George Baptist Church Cherry Orchard Lane Bristol Breach of condition 10 (refuse storage arrangements) of planning permission 11/05333/F which consented the residential conversion. Breach of conditions notice	09/04/2020

Development Control Committee B 29 April 2020

Report of the Director: Development of Place

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Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	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.
2	Ashley	Grant subject to Legal Agreement	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.
2	Ashley	Grant	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.

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Development Control Committee B – 29 April 2020

ITEM NO.

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.

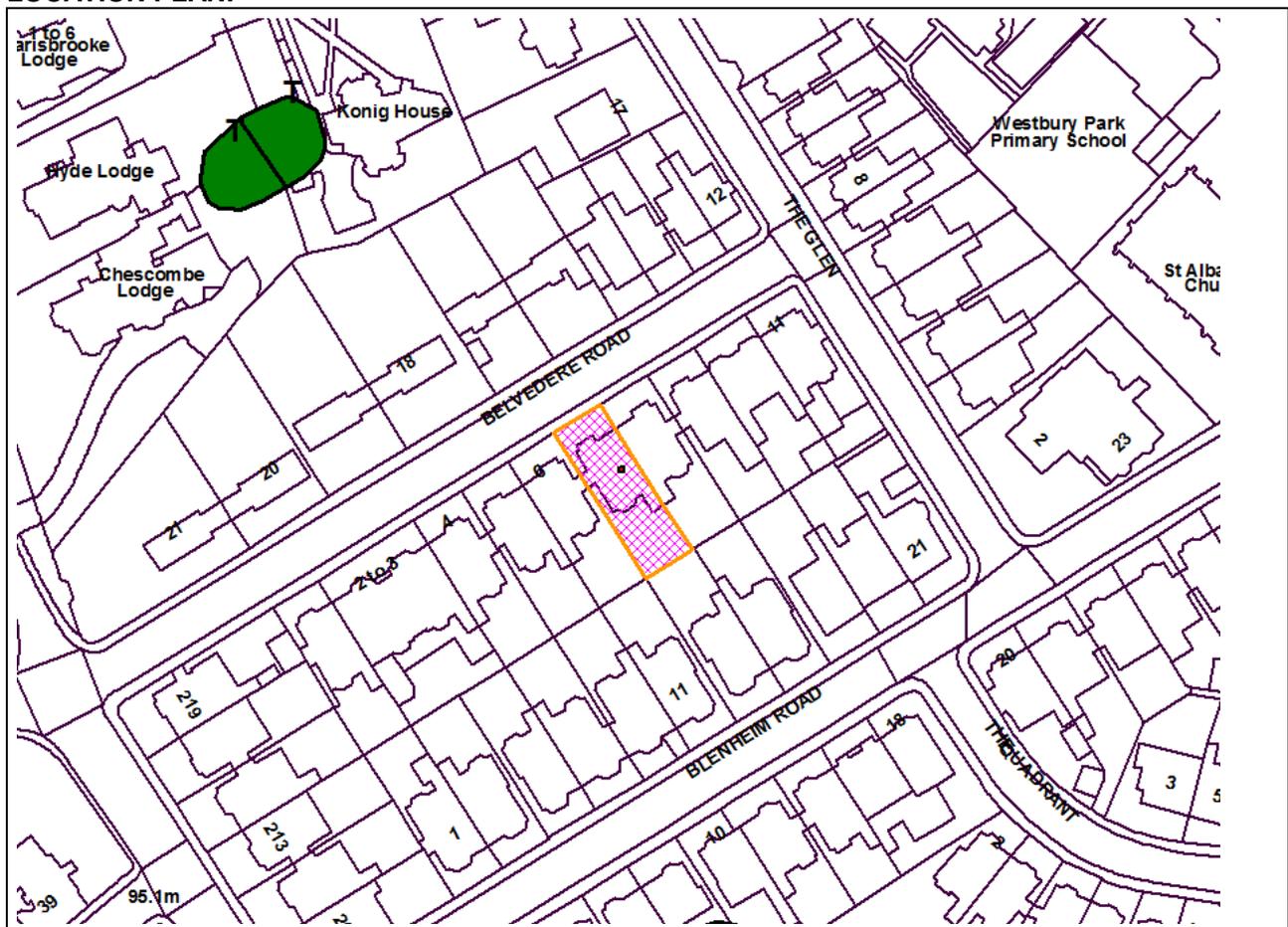
RECOMMENDATION: GRANT subject to Planning Agreement

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 – 29 April 2020
Application No. 19/03104/F : 7 Belvedere Road Bristol BS6 7JG

UPDATE FOLLOWING DEFERRAL

This application was due to be considered by Development Control Committee B on 19 March 2020, but was deferred due to the Government's advice on social distancing.

The proposed development has not been altered following this deferral and as such, the remainder of this report remains as published previously.

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

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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.

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

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- 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

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).

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

KEY ISSUES

A. IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN PRINCIPLE?

Policy BCS5 sets out that the Core Strategy aims to deliver new homes within Bristol's existing built up areas to contribute towards accommodating a growing number of people and households in the city. 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.

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

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.

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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.

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.

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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.

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.

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

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)

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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 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;

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- 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.

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

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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.

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

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Cover letter, received 10 July 2019

Excavation method statement, received 10 July 2019

Needs assessment report, received 10 July 2019

Transport statement, received 10 July 2019

Travel Plan, received 8 October 2019

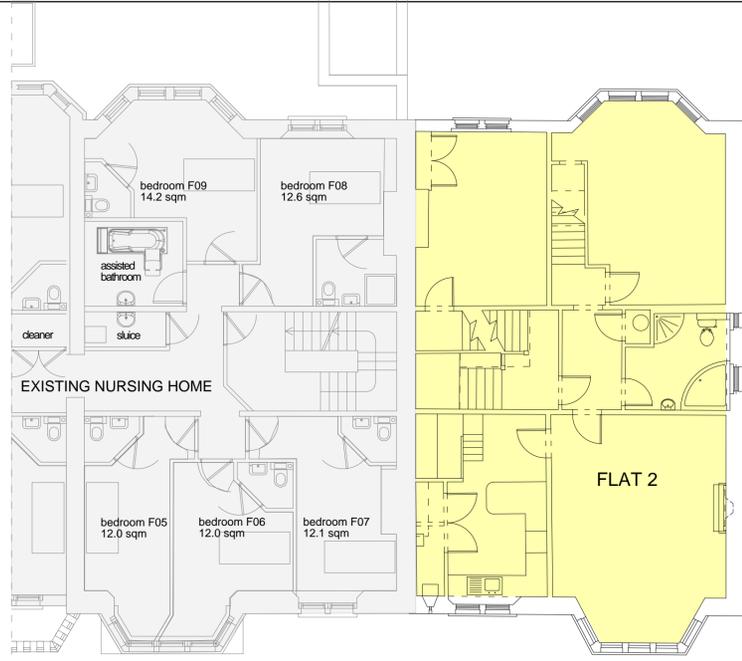
Car Parking Provision Review (Survey), received 17 December 2019

Reason: For the avoidance of doubt.

Supporting Documents

1. 7 Belvedere Road

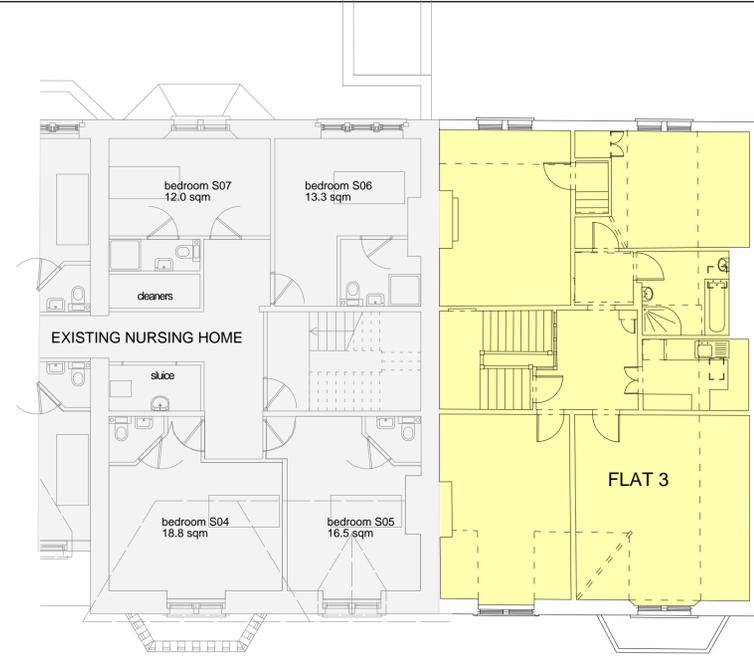
1. Existing floor plans
2. Proposed floor plans
3. Proposed elevations
4. Car working paper
5. Residents' response inc.photos



No. 8

No. 7

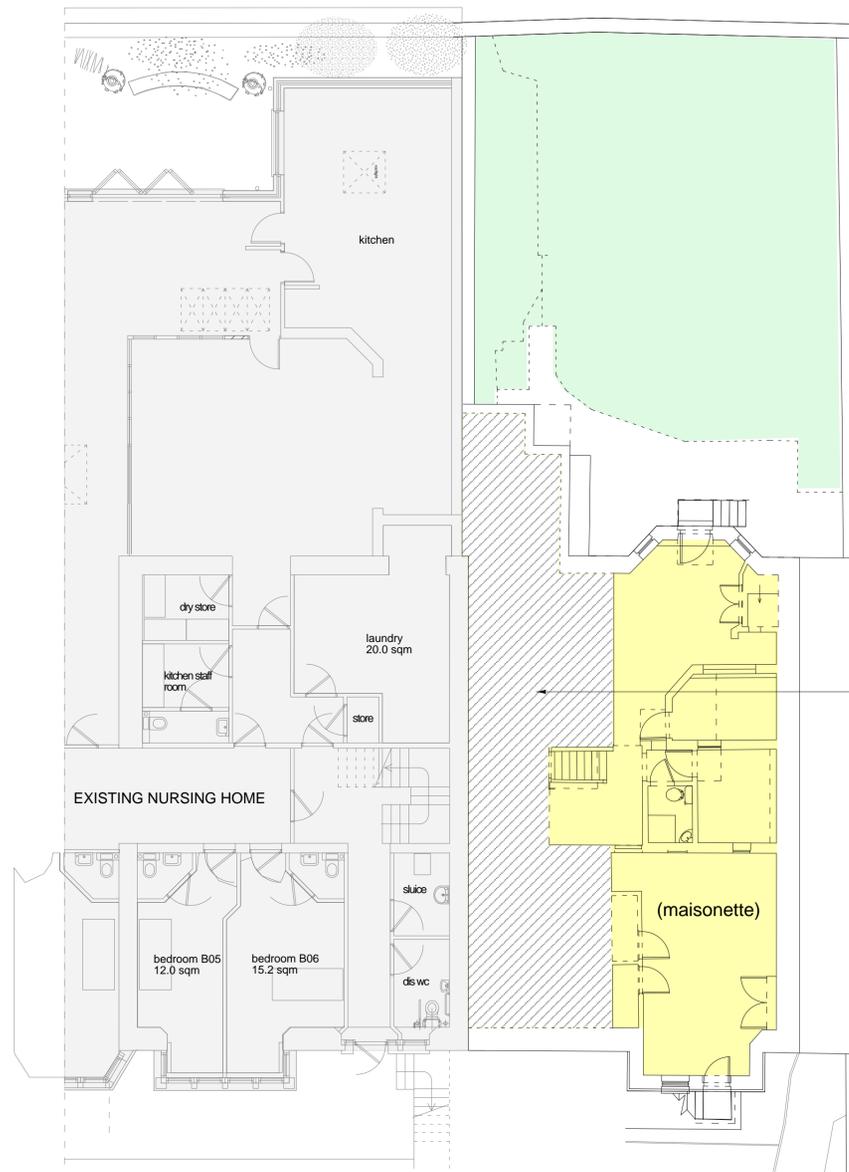
FIRST FLOOR



No. 8

No. 7

SECOND FLOOR

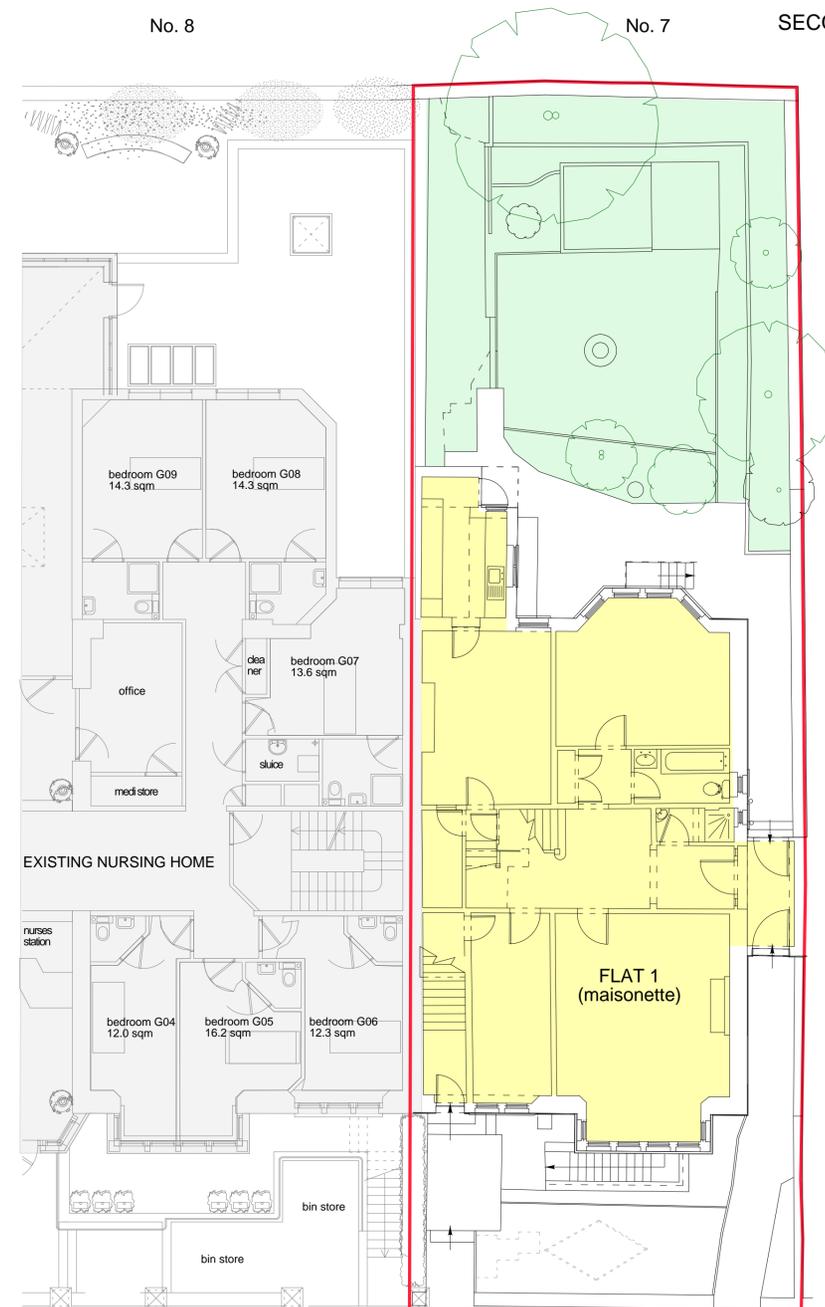


No. 8

No. 7

BASEMENT FLOOR

basement excavation area approved in application 18/03500/F



No. 8

No. 7

GROUND FLOOR

Rev.	Date	By	Description

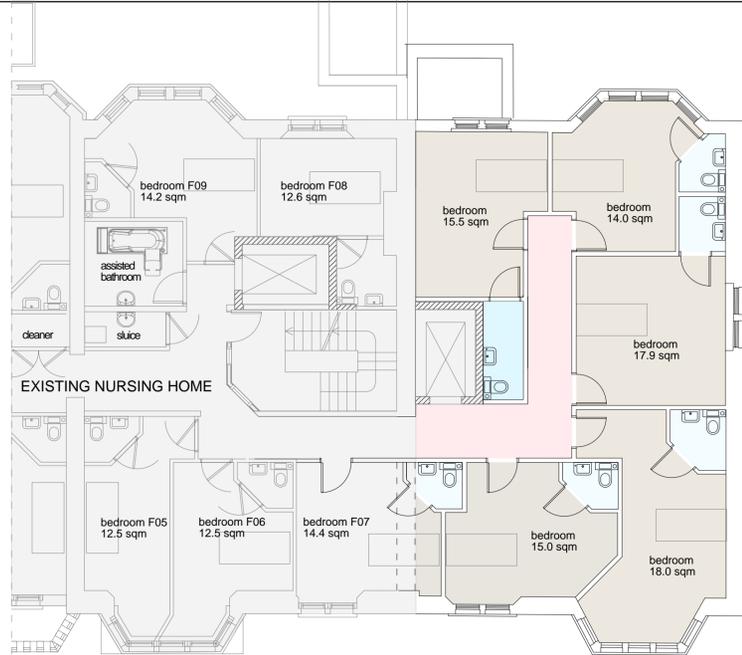
oxfarchitects
 4 Bruton Place
 Clifton, Bristol
 BS8 1JN
 0117 9739649
 mail@oxf.co.uk
www.oxf.co.uk

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

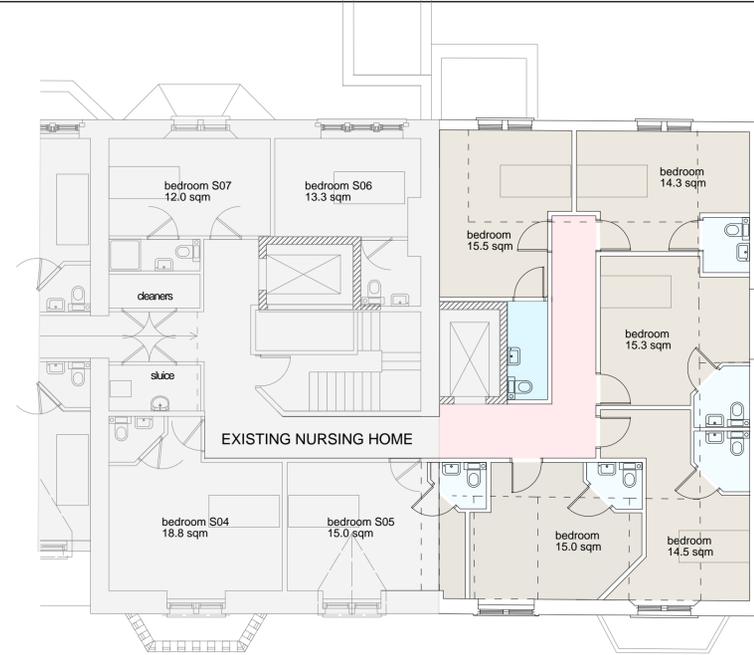
Drawn . Date **JUL 2017**

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

Job Number **3143** Drawing Number **P03** Revision **A**



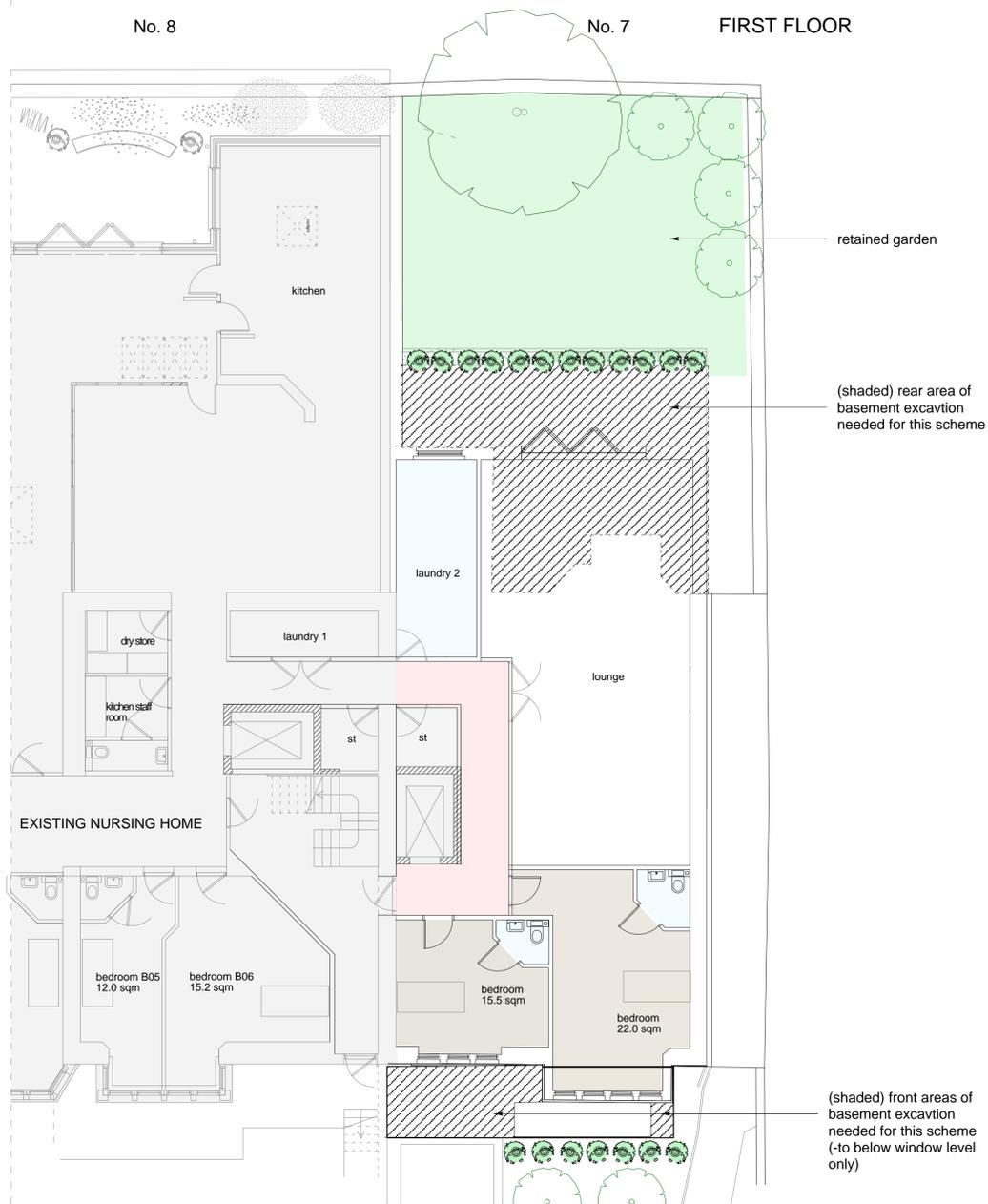
No. 8



No. 8

FIRST FLOOR

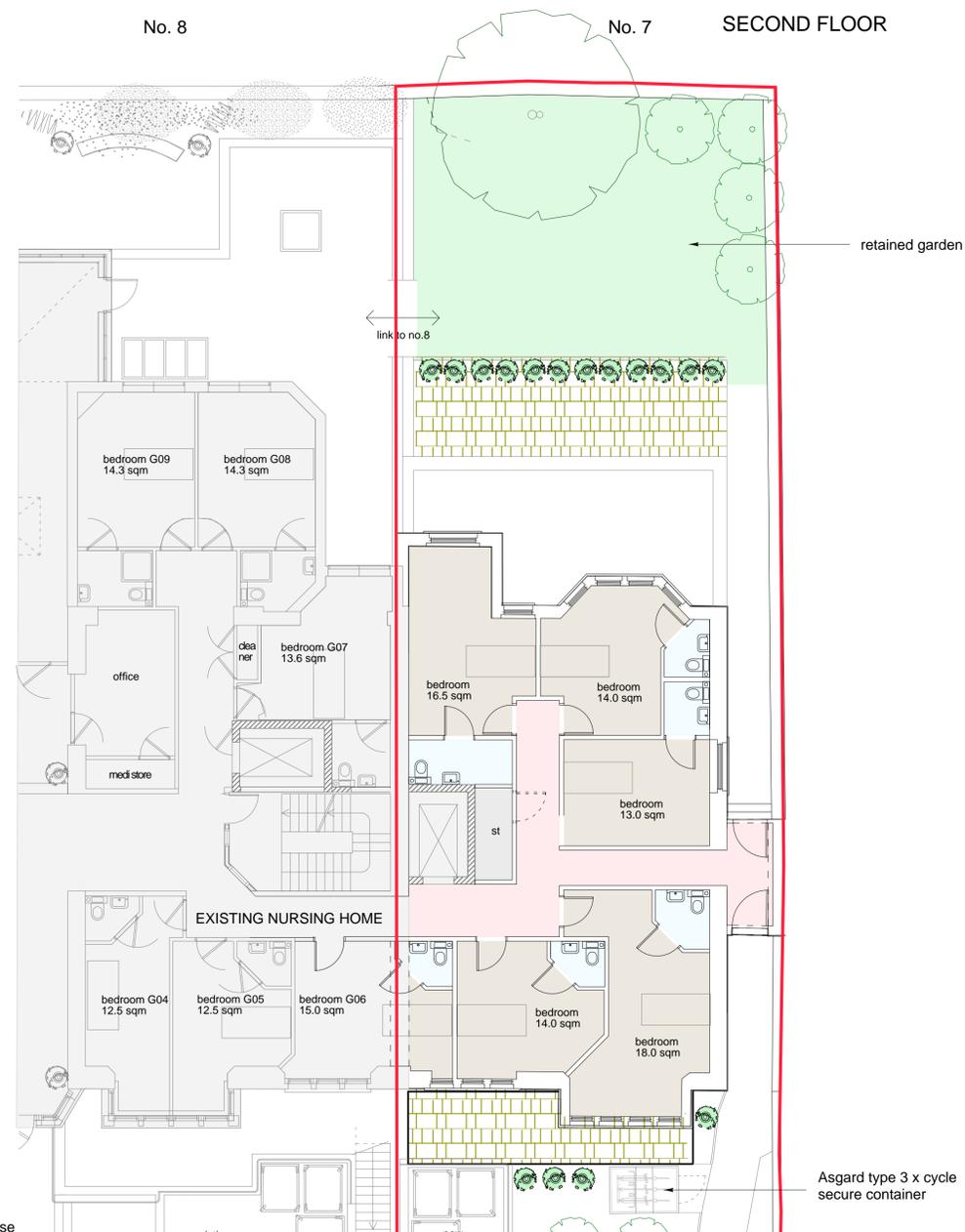
SECOND FLOOR



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

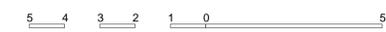
oxfarchitects
 4 Bruton Place
 Clifton, Bristol
 BS8 1JN
 0117 9739649
 mail@oxf.co.uk
 www.oxf.co.uk

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

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



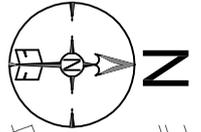
7 Belvedere Road, Bristol

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**

DRG SIZE

A4

DRAWING NUMBER

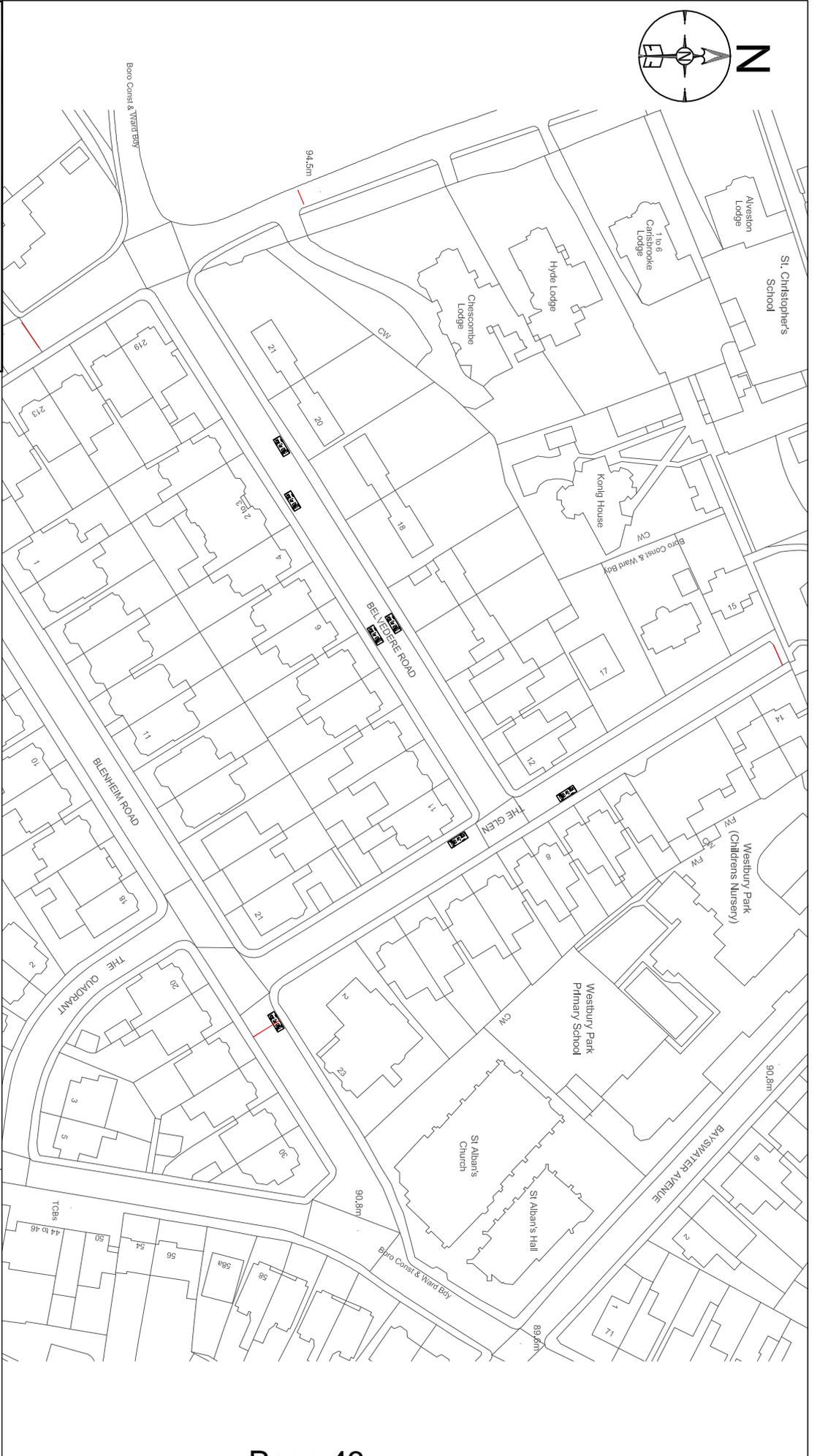
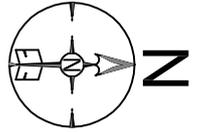
SK01

REV

-



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



PROJECT TITLE **7, BELVEDERE ROAD**

— 150m DISTANCE

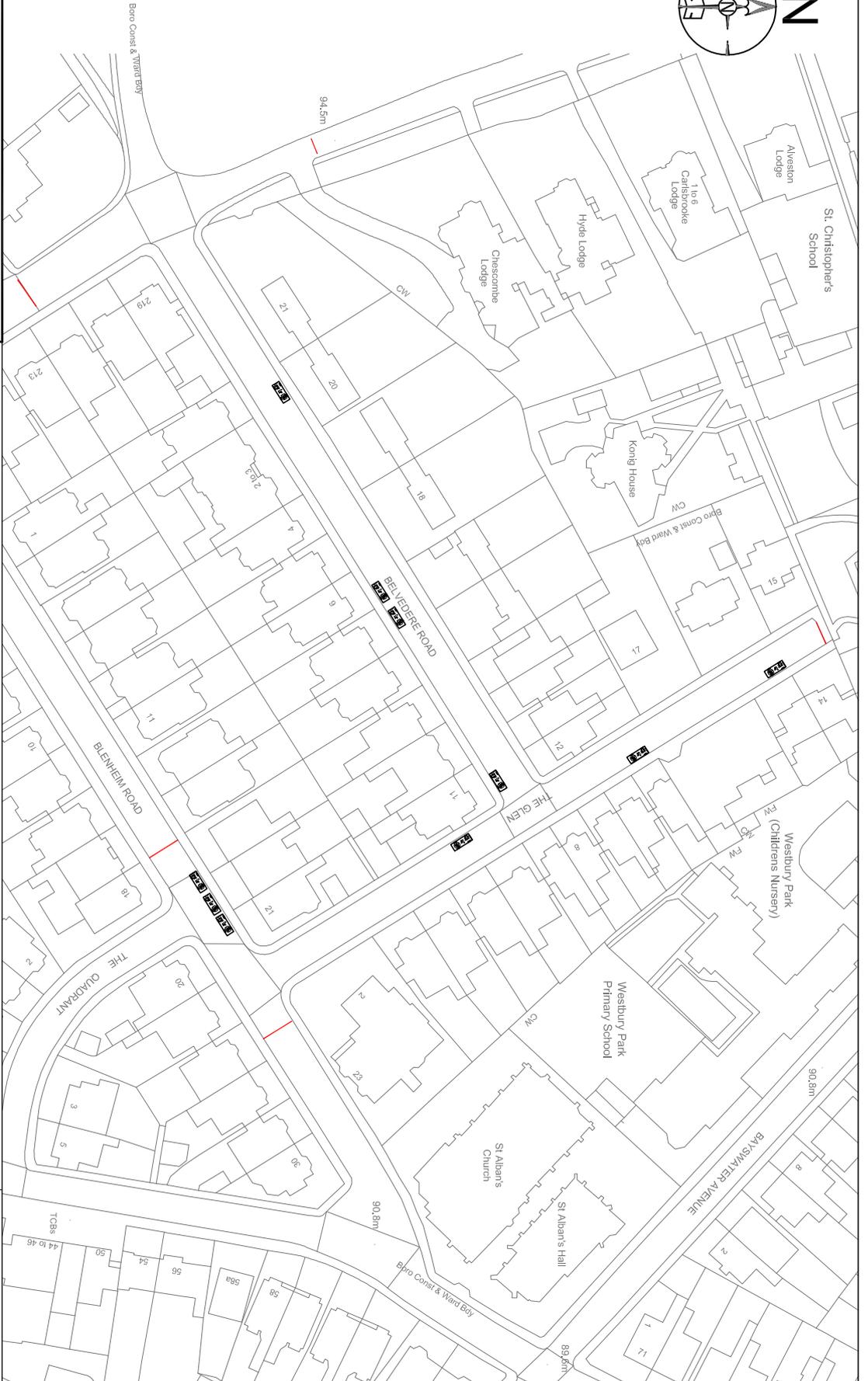
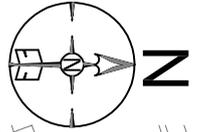
DRAWING TITLE **PARKING SURVEY, THURS 3RD OCT - 23:30hrs**

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

DWG SIZE	A4	DRAWING NUMBER	SK02	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, 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

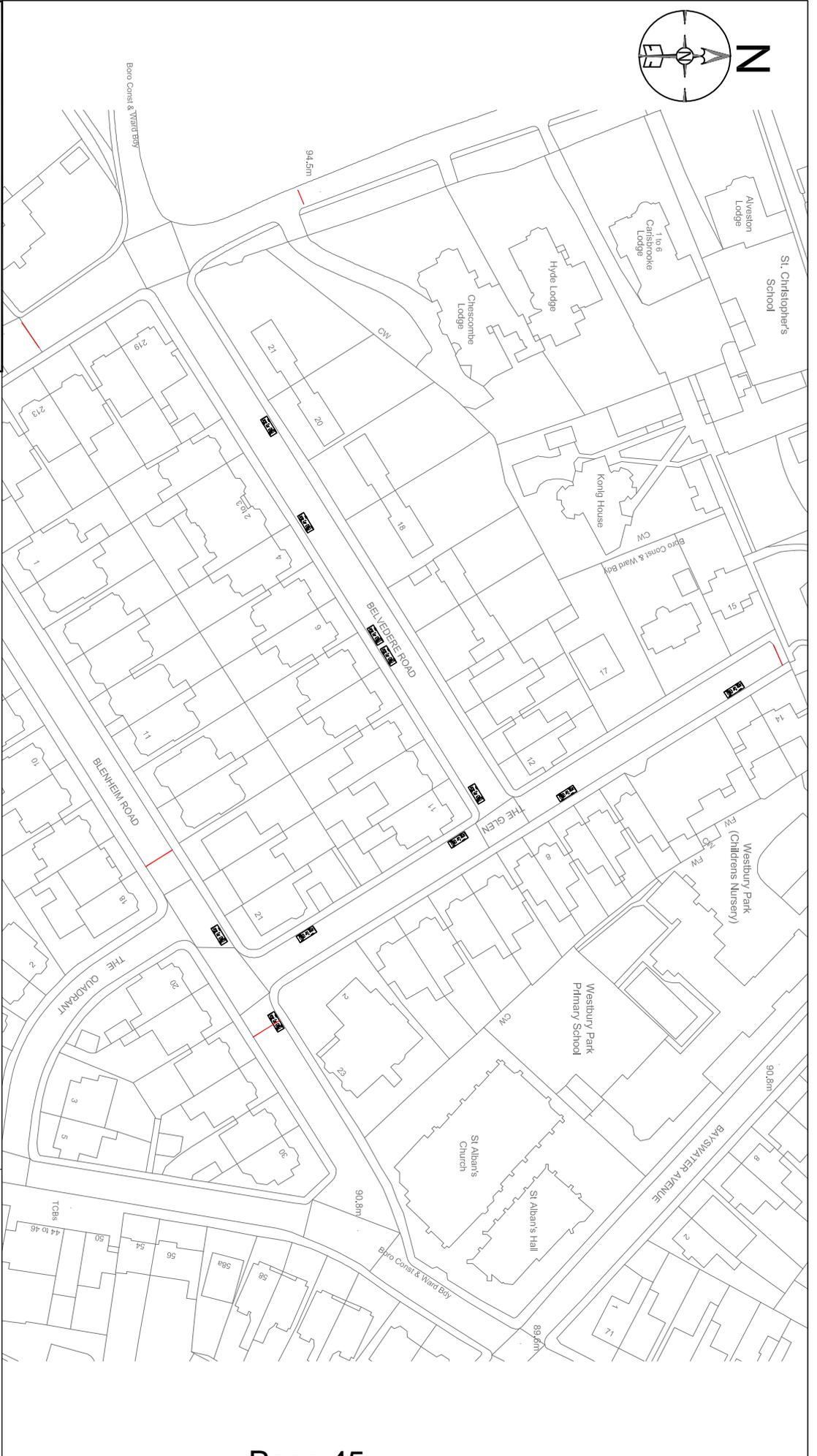
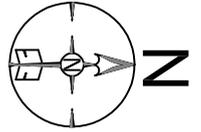
SK03

REV

-



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



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

27 AUG 2019

7 The Glen
Redland
BRISTOL
BS6 7JH

18th August 2019

Dear Mr A Hawtin,

Re Planning Application:
Application Number: 19/03104/F
17 bed nursing home development - 7 Belvedere Road

I am enclosing two documents:

A hard copy of photographic evidence acting in support of objections to this application from both The Glen and Belvedere Road.

Minutes taken from a community parking meeting of Belvedere Road and The Glen in February 2019.

Regards,
Laura McEwen

(on behalf of residents of Belvedere Road and The Glen)

Meeting: To discuss parking issue in The Glen and Belvedere Road and agree potential actions

Location: 7 The Glen

Date: 27th February 2019, 8.00 pm

Attended by: Laura McEwan (LM) - Chair

Fi Hance (FH) – Redland Ward Councillor (Green Party)

Kevin Chidgey (KC) – Westbury Park Residents Association Chair

Dani ??? – Police Community Support Officer

Residents of The Glen and Belvedere Road

1. The meeting started with LM summarising the objectives of the meeting, which were to determine any actions which could be taken to improve the parking situation.

2. LM summarised the issues being experienced with parking in The Glen and Belvedere Road.
 - The difficulties with parking seem to have been exacerbated by two recent factors:
 - The extension of the Redland RPZ to the area surrounding our area, leading to The Glen, Belvedere Road and Blenheim Road being the only three roads in the immediate locality which are now outside it

 - The opening of the 46-bed nursing home on Belvedere Road.

 - The large number of problems experienced included:
 - Residents struggling to park their own cars
 - Visitors being unable to park
 - Tradesmen being unable to park
 - Cars being damaged due to crowded parking
 - Driveways being blocked
 - Cars blocked in by other cars being parked bumper-to-bumper
 - Dangers crossing roads due to bad parking
 - Aggressive driving from 6am onwards as non-residents arrive on their way to work and start trying to park in the roads

commented that where there was obstruction of the pavement or access, residents could call 101 and email a photo of the offending car. FH reported that the next election was in May 2020; evidently the Mayor's policy was unlikely to change before then, but it was possible that a groundswell of concern may help influence future policy.

11. **Stuart** asked if he could provide some input from his experience. He lives on Cossins Road, but has a flat in The Glen too. Cossins Road experiences similar issues to the roads under discussion, being on the threshold of the Redland RPZ, with extensive public parking due to the Churches, schools and park. As a result, 100% of the residents had wanted an RPZ extension, but had got to the point where they believed that as a single street they had no chance of having this approved, either as an extension or new RPZ. As a result they had decided to look at other aspects of improvement, such as trying to re-establish the ambience of a community/residential road, with planters and street paintings. However, they were now driven to returning to RPZs as the only real solution.

His view was that in order to succeed, this would need full engagement with everyone in the locality, ie residents of all the roads currently affected should work together with an aim for a single proposal to cover the whole area. It would also be important to consider the whole community (ie not just the roads currently suffering) in order to avoid creating more knock-on problems in future. He also stressed the importance of media engagement, with 2020 elections approaching.

12. FH was asked about the finances of RPZs and responded that they were set up to break even after 8 years, although many were being paid off sooner than this as the budget hadn't included parking fines. Therefore there was no rationale for the Council to say they could not afford to implement more RPZs. She also supported a single campaign for the whole Westbury Park area, joining up Cossins Road, The Glen/Belvedere Rd/Blenheim Road and Bayswater Avenue, but cautioned that not everyone in the area would necessarily be in support of increased RPZs, especially those roads not currently affected by the issues.

Action: FH to put Paul Bullivant from BOSA in touch with LM to share their experience to date.

13. The meeting closed at 9.30; all residents thanked LM for organising and chairing the meeting.

believed that getting the press involved may be useful, and it would be beneficial for the drive for this to be seen as coming from a local pressure group rather than from the Councillors, to avoid political concerns. Another suggestion was to involve students in the research. It was important to elicit a high response rate from residents and also to provide as much evidence as possible, this could include reporting all incidents to ensure that these were logged. Dani

SUPPORTING OBJECTION DOCUMENTATION TO PLANNING APPLICATION 19/03104/4

The enclosed document has been compiled by residents of both Belvedere Road and The Glen, BS6.

It contains a series of photographs taken between August 2018 and August 2019 that reflect the day to day life on the road since the opening of Glenview nursing home at 8&9 Belvedere Road.

Due to the large amount of photographic evidence there has not been sufficient time to date these pictures. However it is clear from the changing seasons and changing light that these problems occur all year round and at all times of day.

Every photograph records a different incident.

August 2019

AMBULANCES

Ambulances visit Belvedere Road on a daily basis.

During working hours of 8am - 6pm there are ZERO available parking spaces on Belvedere Road due to the road being adjacent to the RPZ. Commuters to the city centre use the road as the nearest free parking zone. The road is also within 300m of 3 major bus routes to the city centre.

Ambulances have no choice but to block driveways or park down the centre of the road.

They are often in the road in multiple numbers.

Due to the nature of the visits Ambulances usually block the roads for prolonged periods of time.

The road does not have infrastructure to support this volume of ambulance traffic.



AMBULANCES BLOCKING THE ROAD AND RESIDENTIAL DRIVEWAYS.



AMBULANCES BLOCKING THE ROAD AND RESIDENTIAL DRIVEWAYS.



AMBULANCES BLOCKING THE ROADS AND RESIDENTIAL DRIVEWAYS.

AMBULANCES OBSTRUCTING THE ROAD AND RESIDENTIAL DRIVEWAYS





MULTIPLE AMBULANCES BLOCKING THE ROAD AND SEVERAL RESIDENTIAL DRIVEWAYS.

WASTE DISPOSAL

The opening of Glenview has resulted in a large ugly concentration of commercial bins.

Due to the scale of the home the waste bins are regularly overflowing. This includes clinical waste bins.

Extension to the nursing home will require more large unsightly bins.



WASTE REMOVAL BLOCKING DRIVEWAYS AND BELVEDERE ROAD.



OVERFLOWING WASTE DISPOSAL AT GLENVIEW NURSING HOME.



OVERFLOWING CLINICAL WASTE.



**OVERFLOWING WASTE DISPOSAL
AT GLENVIEW NURSING HOME**





OVERFLOWING WASTE DISPOSAL AT GLENVIEW NURSING HOME.

Smoking / Staff Issues

Staff from the nursing home do not have a smokers staff room.

All cigarette breaks by multiple staff members are taken outside residential properties on Belvedere Road. This is constant throughout the day.

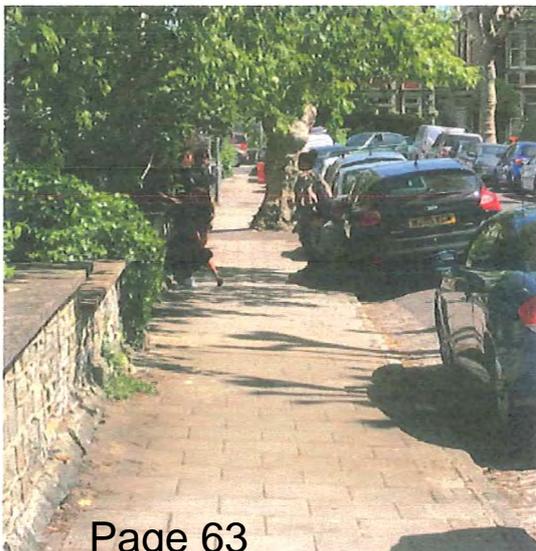
This creates air pollution for the families living in these houses and the pavements are strewn with cigarette ends.

The owner of Glenview has not provided his staff with adequate facilities, this has had an extremely negative impact on the atmosphere of Belvedere Road.



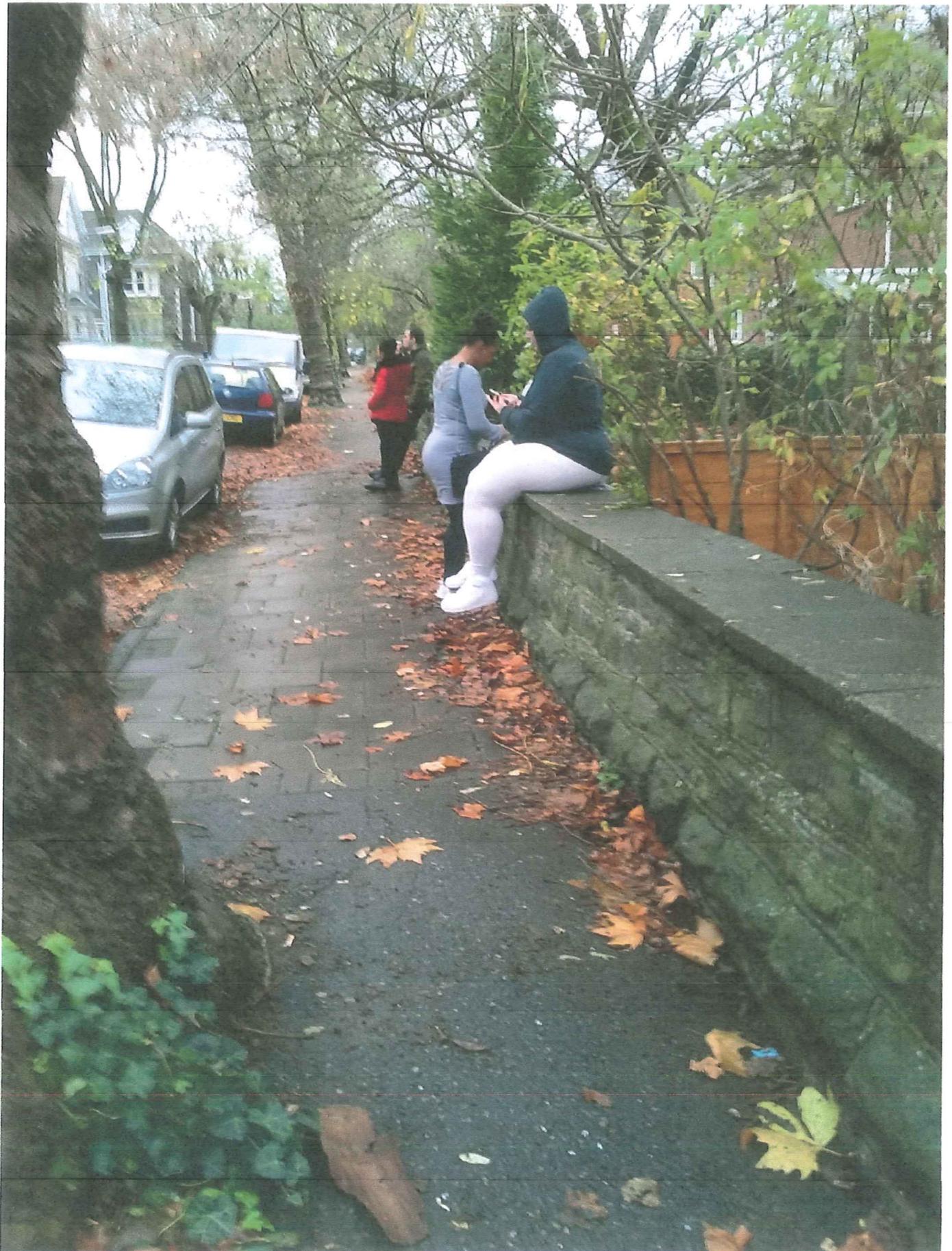
STAFF ON
CIGARETTE BREAKS
ALONG BELVEDERE
ROAD.

THIS ONLY OCCURS
OUTSIDE
RESIDENTIAL
PROPERTIES.





STAFF ON CIGARETTE BREAKS SITTING ON RESIDENTIAL WALLS ALONG BELVEDERE ROAD.



SMOKING STAFF FROM GLENVIEW SAT ON THE RESIDENTIAL WALL OF 16 BELVEDERE ROAD. A FAMILY LIVES AT THIS ADDRESS.



**CIGARETTE WASTE FROM
CARE HOME STAFF ON
BELVEDERE ROAD.**



CLINICAL WASTE BIN OVERFLOWING WITH CIGARETTE WASTE.

CIGARETTE ENDS FROM STAFF OF GLENVIEW OUTSIDE RESIDENTIAL PROPERTY.



DELIVERIES

The existing 3 care homes have multiple deliveries throughout the week.

Delivery vehicles have nowhere to park so park across driveways or block the middle of the road. They also park across corners blocking the drop curbs for wheelchairs and push chairs.

Off loading food or medical deliveries can take up to thirty minutes.



MULTIPLE DELIVERY VANS FOR
GLENVIEW HOME
BLOCKING BELVEDERE ROAD.



VANS BLOCKING BELVEDERE RD.





**FOOD DELIVERY FOR GLENVIEW
PARKING ACROSS CORNER.**



**FOOD DELIVERY BLOCKING
RESIDENTIAL DRIVEWAY.**



**FOOD DELIVERY PARKED IN
MIDDLE OF ROAD**



VANS BLOCKING PAVEMENTS AND PARKED ACROSS JUNCTIONS.





VANS BLOCKING BELVEDERE
RAOD.





DELIVERY VAN IN CENTRE OF ROAD.



DELIVERY VAN BLOCKING RESIDENTIAL DRIVEWAY.





DELIVERY VANS PARKING
DOWN CENTRE OF
BELVEDERE ROAD





VAN BLOCKING ROAD FOR PROLONGED PERIOD.



THIS IS THE MAINTENANCE VEHICLE FOR GLENVIEW NURSING HOME.

HERE IT IS PARKED ACROSS A JUNCTION.



THE SAME VEHICLE BLOCKING RESIDENTIAL DRIVEWAY.



PRIVATE AMBULANCE BLOCKING DRIVEWAY FOR OVER 30MINS



VANS ACROSS ALL CORNERS



BRISTOL WASTE VEHICLE
REVERSED INTO GREY CAR ON
CORNER DENTING WHOLE
SIDE OF CAR DUE TO VAN
PARKED ACROSS CORNER.



CARS PARKED DOWN MIDDLE OF ROAD
AND ALONG BOTH SIDES.
BELVEDERE ROAD NOT ACCESSIBLE.

Previous disruption and construction work

The following photographs show some of the previous disruption to Belvedere Road in the construction of the Glenview home at no.s 8&9.

This construction work took more than two years to complete.



PREVIOUS CONSTRUCTION WORK



RESIDENTIAL PROPERTY 16 BELVEDERE ROAD HAD THIS TOILET HIRE UNIT IN FRONT OF ITS PROPERTY WHEN THE DEVELOPER CONVERTED 8&9 INTO GLENVIEW HOME.

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.

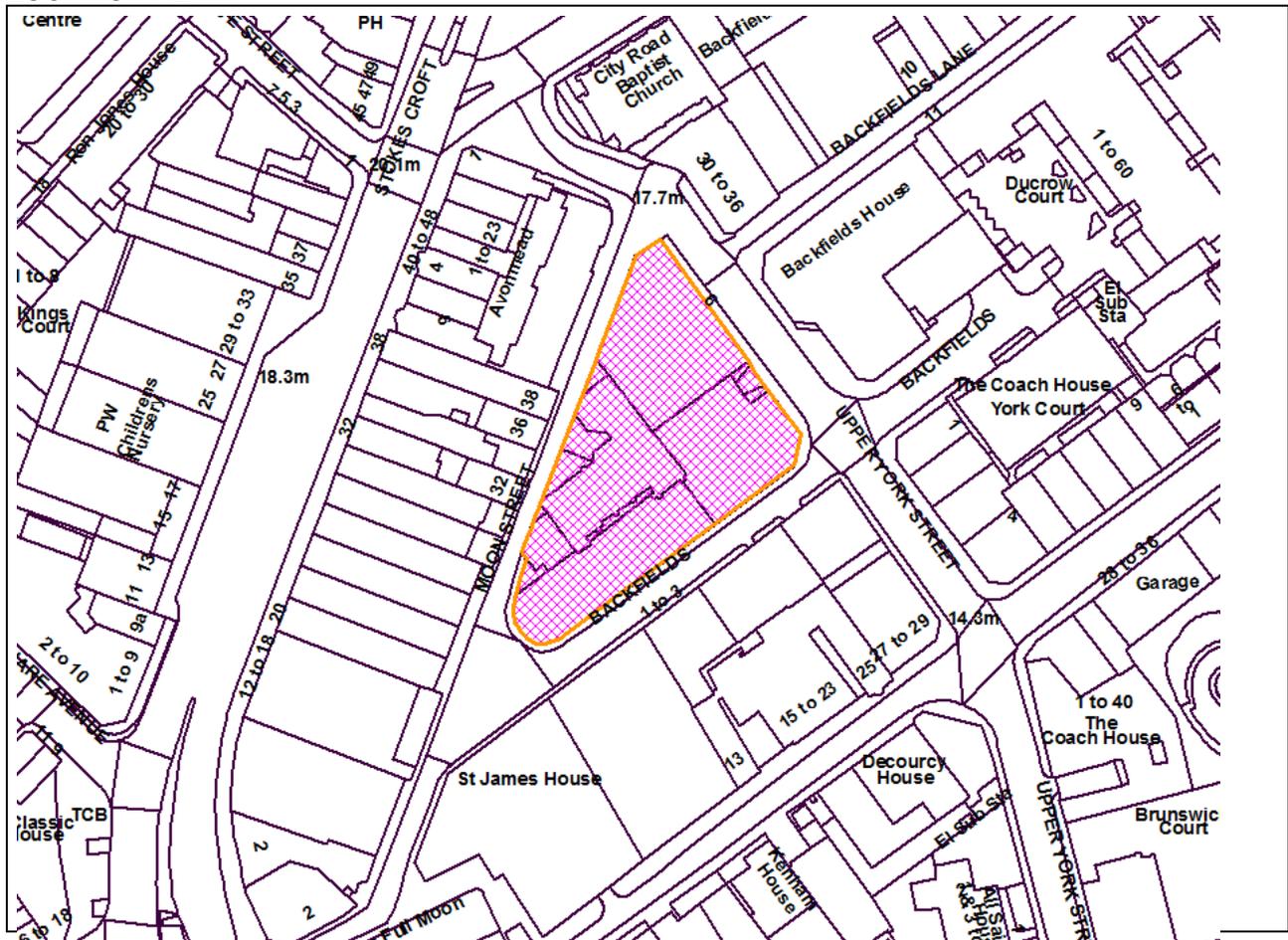
RECOMMENDATION: 1. GRANT subject to Planning Agreement
 2. GRANT subject to Condition(s)

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 – 29 April 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 – 29 April 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.

This item was initially due to be heard by Development Control Committee B on the 18.03.2020. However, due to Government guidance concerning social distancing, this item was deferred. This report is largely the same report that was published in advance of the Committee on the 18.03.2020, albeit it has been updated in order to reflect comments and public statements made, and further details concerning accessibility being submitted by the applicant. These amendments and additions can be found in the following sections of the report:

- Response to Publicity – Members of the Public: updated to include additional comments received since the publication of the original committee report, as well as public forum statements made in advance of the initial committee;
- Key Issue C: updated sub-section iii. in response to plans being submitted demonstrating accessibility within the new build block; and
- Key Issue K: updated to include the amount of CIL expected from this development.

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

Development Control Committee B – 29 April 2020**Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN**

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.

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.

Development Control Committee B – 29 April 2020
Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN

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.
- 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

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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 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.

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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 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): 264 objections and 8 support, as of the 16.04.2020.

19/00067/LA (Listed Building Consent Application): 27 objections and 2 support, as of the 16.04.2020.

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

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- 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
 - 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
 - Reference to a petition with 7,400 signatures objecting to the planning application
 - Concerns that young Bristolians have not been notified
- ii. Comments Supporting the Loss of the Nightclub
- Acknowledgement that it is allocated to use the site for residential, rather than a nightclub
 - Support for the development on the grounds of pollution and anti-social behaviour associated with the current use - including noise, litter, and drug misuse paraphernalia – impacting negatively on local businesses
- 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

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- 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
 - 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
 - Support for the landscaping scheme, and suggestion that it should include greenery and low growing trees
- 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

Development Control Committee B – 29 April 2020**Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN****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.

PUBLIC FORUM STATEMENTS SUBMITTED IN ADVANCE OF THE COMMITTEE (18.03.2020)

In advance of the initial committee, 17 public statements were submitted, 6 in objection and 11 in support. These public statements were submitted by members of the public, the Applicant (including their Planning Agent and Architect), and the St Paul's Planning Group. These comments are summarised below.

Objection:

- Bristol needs community hubs and venues like nightclubs, especially given the loss of a number of pubs, clubs, venues and community centres in recent years.
- The loss of venues like Lakota could result in people not wanting to study or live in Bristol.
- Other brownfield sites should be utilised for residential development.
- There is a risk of Stokes Croft no longer being a cultural quarter if Lakota and the Blue Mountain shut down.
- Negative impact on night time economy.
- According to UK Music, half of Bristol's live music venues are threatened by development and planning issues.
- Suggestion that building luxury apartments will not address the housing crisis.
- The officer's recommendation is not viable from a sociocultural perspective.

Support:

- Extensive public consultation with residents and BCC recognised groups and Conservation Societies has occurred.
- Proposal represents a regeneration opportunity.
- Additional housing for St Pauls, 20% of which is affordable, rather than student accommodation.
- Nightlife is shifting towards the Old market and Temple Meads area.
- The development will provide a greater benefit to the area than the existing nightclub.
- The location is sustainable for flats.
- The existing nightclub has a negative impact through noise, drug paraphernalia, litter, anti-social behaviour, on the nearby residential block: Duncrow Court.
- The development is conservation-led.
- Significant work has occurred, with the positive involvement of the LPA, to reach the current scheme.

Further public forum statements are expected in advance of Committee.

RESPONSE FROM AMENITY / NEIGHBOURHOOD GROUPS

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

The Panel made comments neither objecting nor supporting the application.

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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.

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

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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.

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 CONSULTEES

i. **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.

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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.

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:

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- 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.

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

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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 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 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,

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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 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.

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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.

xiii. Bristol Waste has commented as follows:-*Final Response:*

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

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- 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)
- 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

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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.

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

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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 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

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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.

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

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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 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.

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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 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 clad 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

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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 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

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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 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.

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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 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.

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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.

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

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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 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 is 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.

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(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 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)

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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 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.

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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.

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

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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 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

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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

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'. 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. The Applicant has submitted further information with regards to the accessibility of the development and the guidance within the UL SPD: dwg ref. 16129_204 and Compliance with Approved Document M for the New Extension, Oxford Architects. The submission demonstrates that Flat 11 will be compliant with Building Regulation M4(3) 'wheelchair use dwelling', and that Flats 10, 18, 19, 20, 33, 34, 35, 41, 42 and 43 will be compliant with Building Regulation M4(2) 'accessible and

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adaptable dwellings'. Given the New Block is the only part of the development to constitute 'new build housing', officers can confirm that of the new build housing proposed, 90% would meet Building Regulation M4(2) and 10% would meet Building Regulation M4(3). As such, the development meets the UL SPD's best practice guidance. A condition is recommended to ensure compliance

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.

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.

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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 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

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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.

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”.

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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.

(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.

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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

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.

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(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 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.

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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.

(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).

Development Control Committee B – 29 April 2020
Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN

(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.
- 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): the amount of CIL due from this development is expected to be £192,460.04.

(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

Development Control Committee B – 29 April 2020**Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN**

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.

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.

Development Control Committee B – 29 April 2020**Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN**

- 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

- 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

Development Control Committee B – 29 April 2020**Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN***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.

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

Development Control Committee B – 29 April 2020
Application No. 19/00066/F & 19/00067/LA: 6 Upper York Street Bristol BS2 8QN

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
- 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

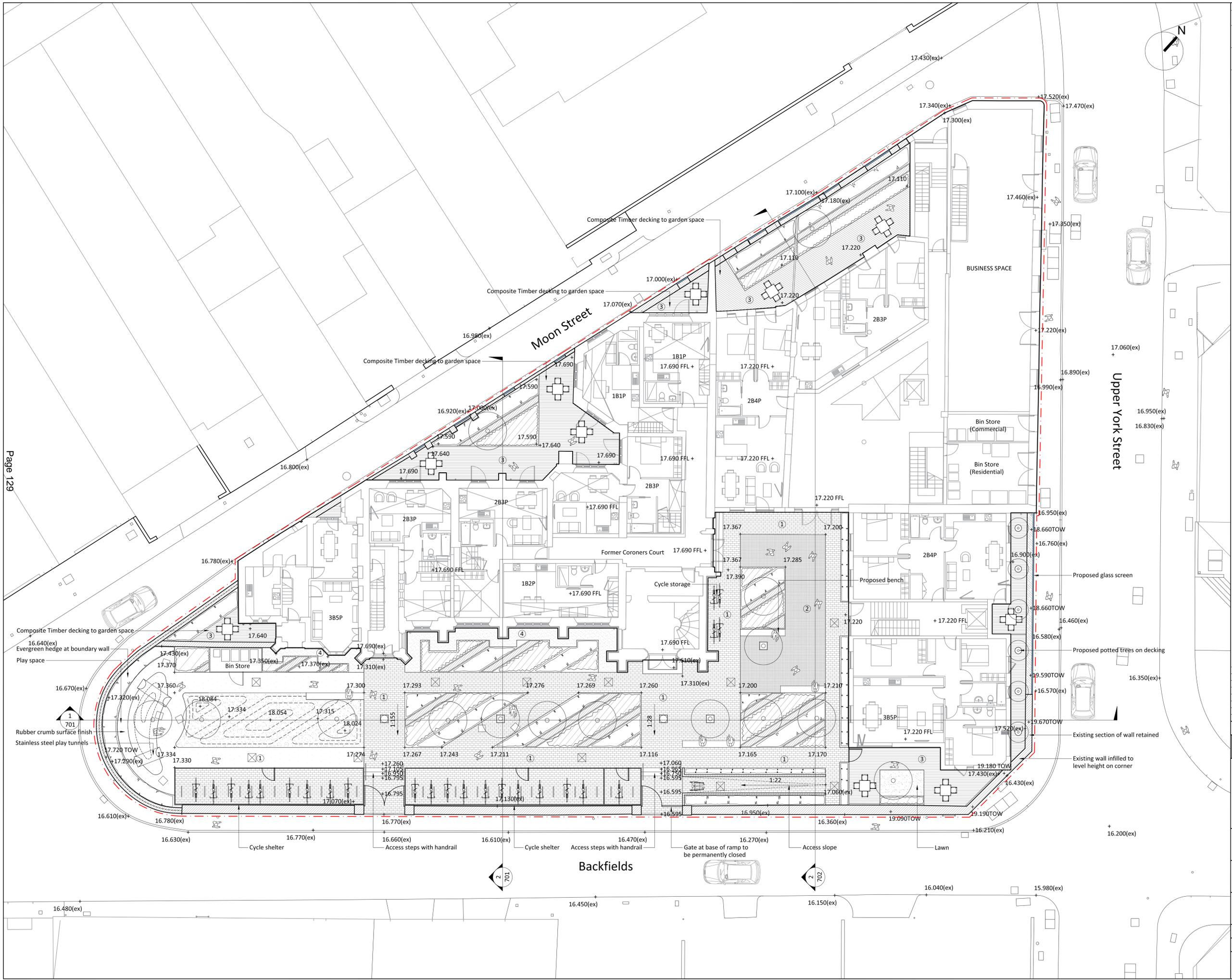
That the Applicant be advised that the Local Planning Authority is disposed to grant Listed Building Consent subject to conditions, for which delegated authority is sought to prepare the draft conditions in consultation with the Applicant in line with the Town and Country Planning (Pre-commencement Conditions) 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

2. 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

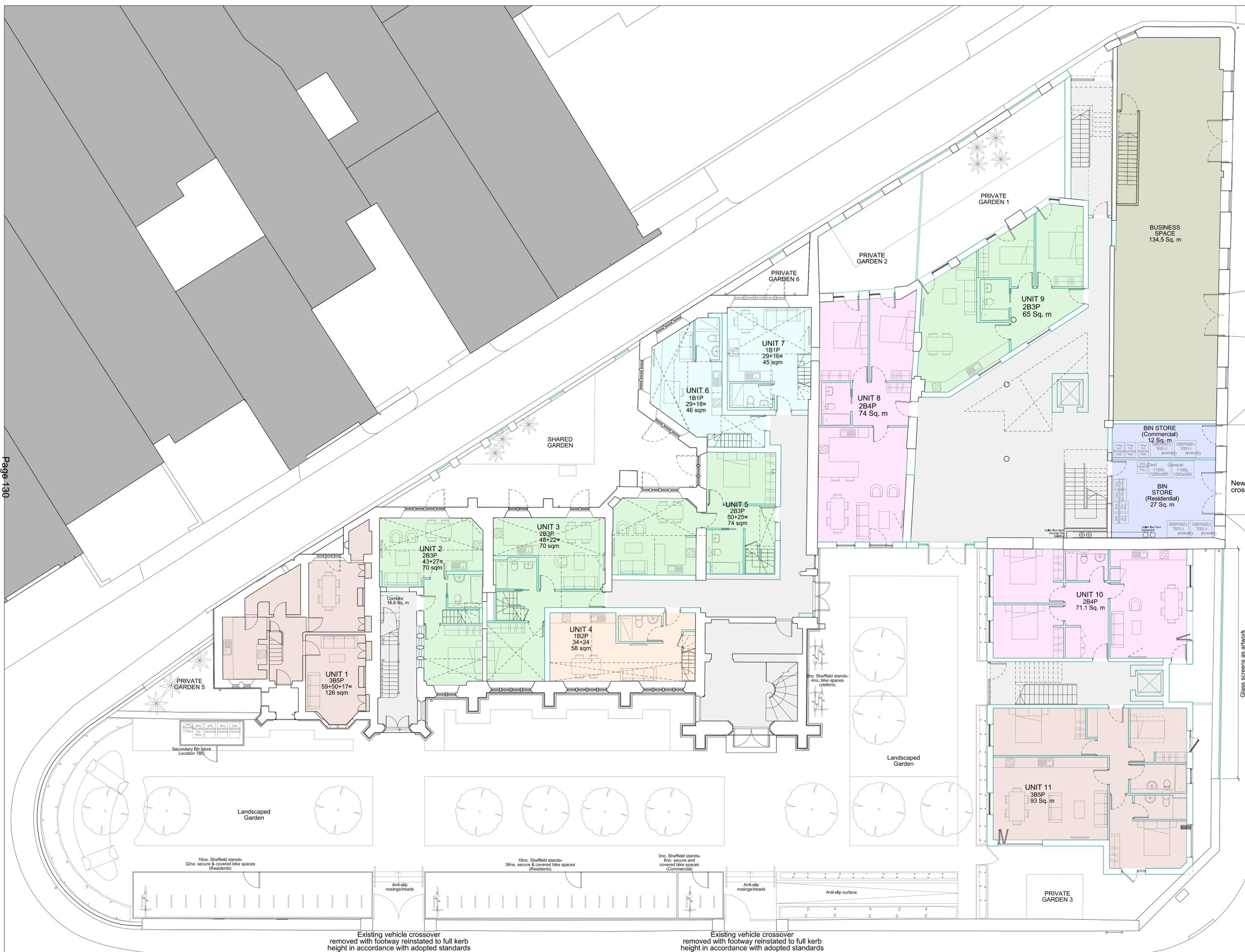
Studio 3, Toll Bridge Studios
Toll Bridge Road
Bath, BA1 7DE
T +44 (0) 1225 571810
E contactus@ltstudio.co.uk

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

- | | | |
|-----|----------|--|
| 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 |
| P | 01.10.19 | Unit 11 altered to 3 bedroom flat. Atrium design altered. |
| N | 21.08.19 | 54 units scheme altered to 47no. |
| M | 11.07.19 | Coroner's Court layout altered. 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. |
| F | 09.02.18 | 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. |
| E | 19.01.18 | Scheme revised following consultation. |
| D | 11.07.17 | Unit 15 revised. |
| C | 29.06.17 | Cycle storage access revised. |
| B | 16.06.17 | Project name revised. Unit distribution revised. |
| rel | 22.02.17 | Landscape added. Columns in business. Refuse and cycle provision calculated and added in. |

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

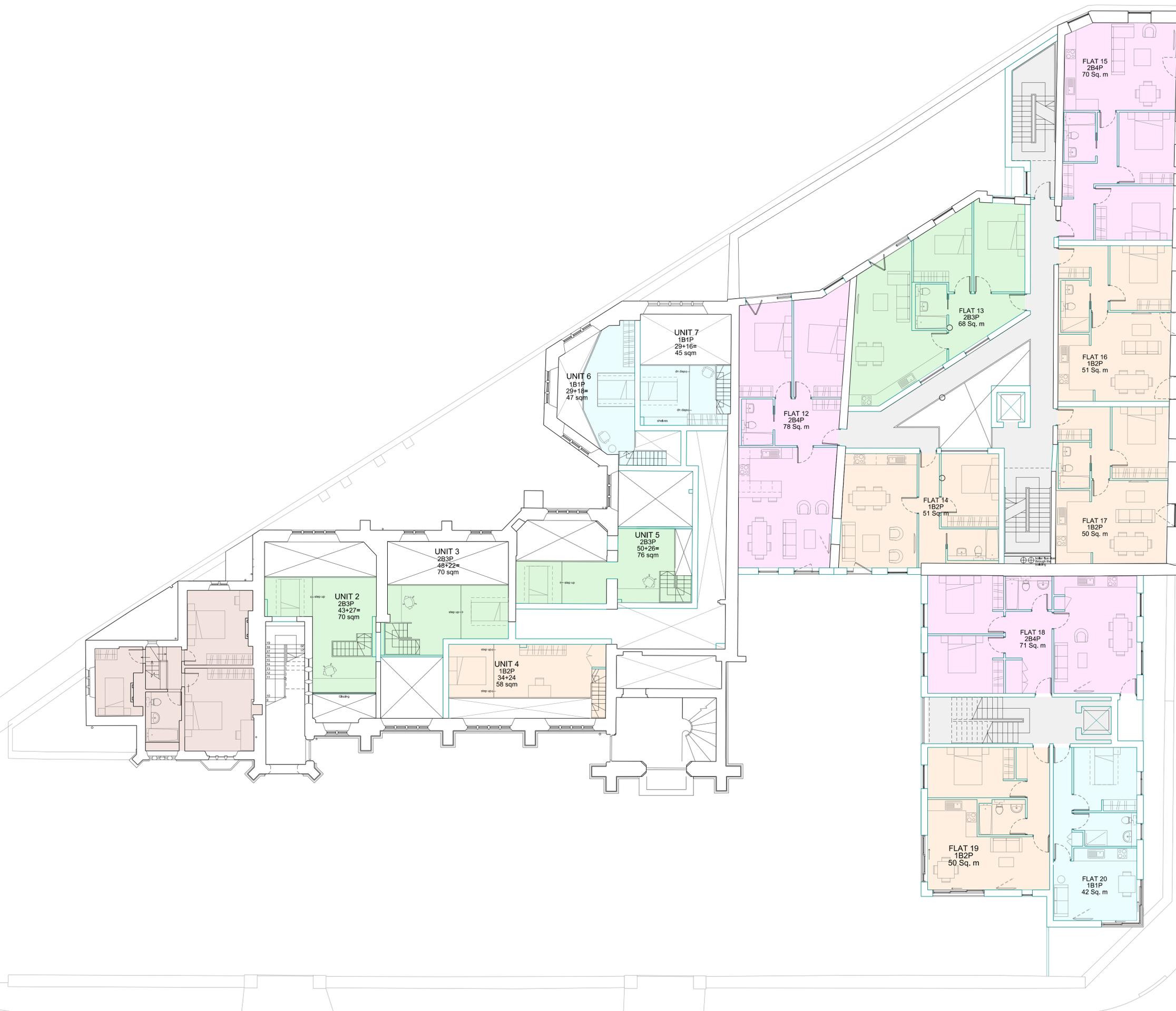


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KEY:

- 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 Aluminium 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
- 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

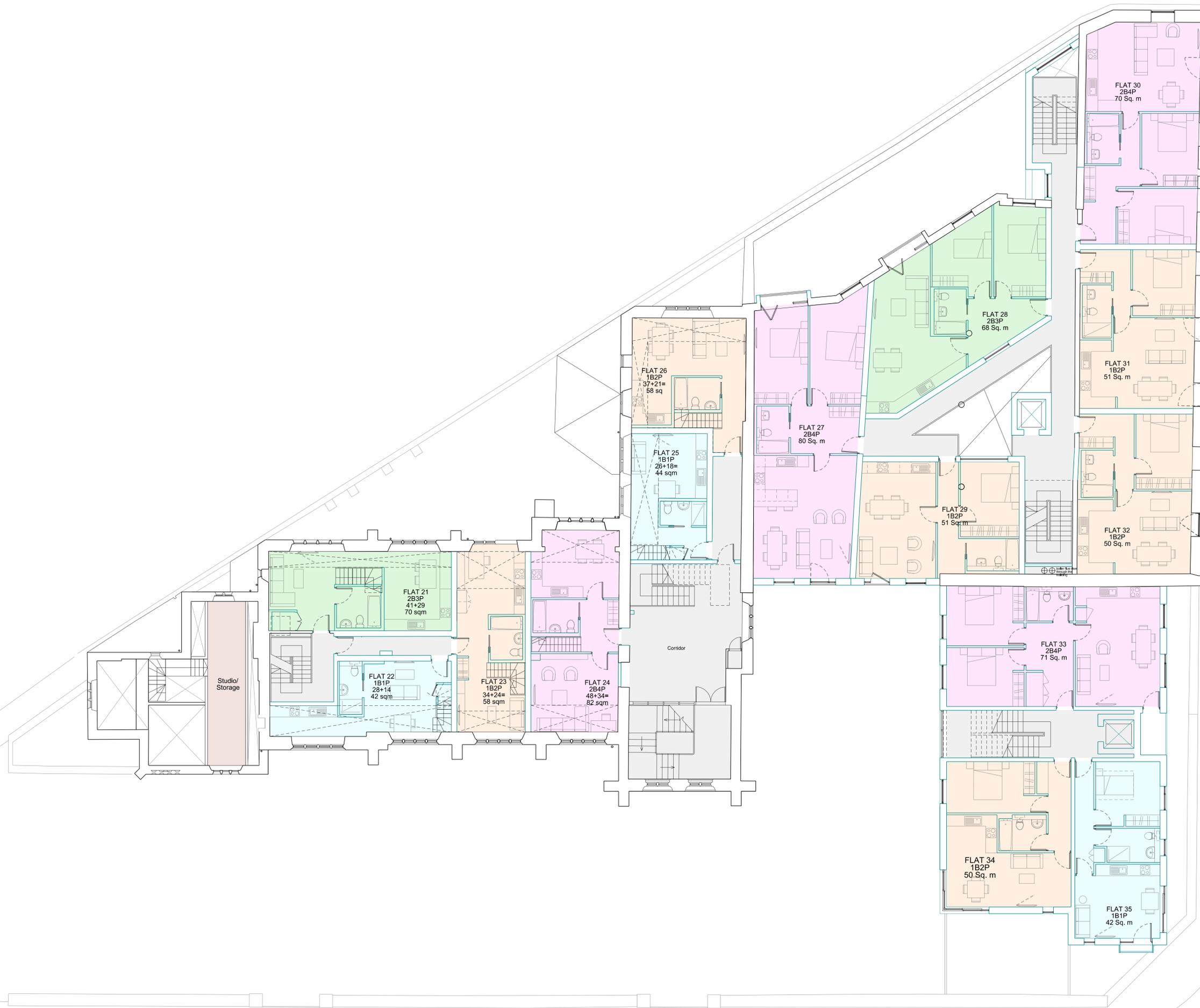


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KEY:

- 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 06.12.19 Staircase rationalised
- M 15.11.19 Window to Flat 29 bedroom enlarged
- Flat 35 to have shower instead of a bath
- Bedroom sizes altered in some flats
- Unit 31 with shower
- L 01.10.19 Aluminium design altered
- K 21.08.19 S4no. 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

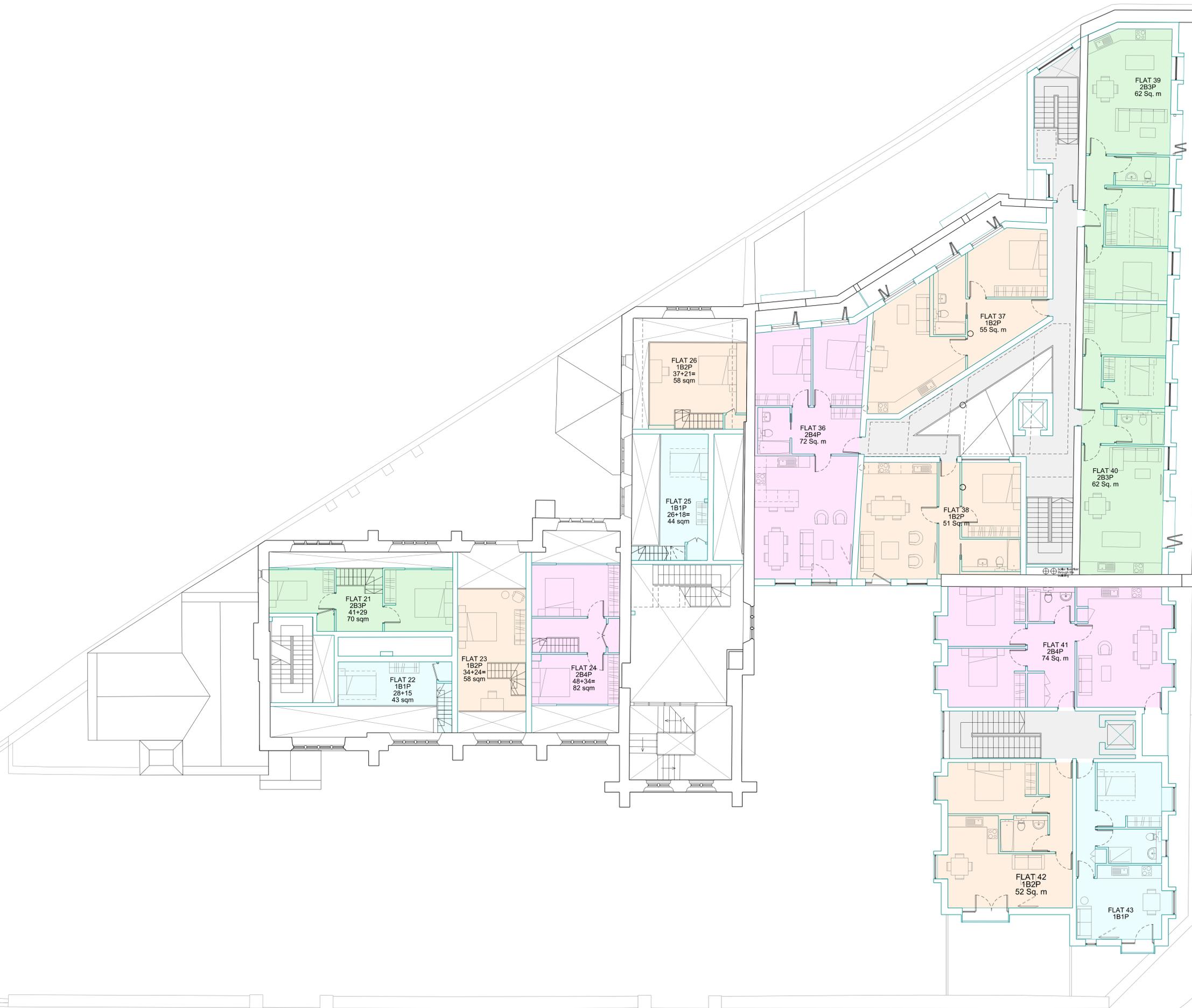


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KEY:

- 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 Staircase rationalised
P	06.12.19	Window to Bedroom of Flat 38 increased
N	15.11.19	Flat 43 to have a shower instead of a bath
M	01.10.19	Alum design altered Bedrooms altered in some areas
L	21.08.19	Change from 54no. units to 47no. units
K	11.07.19	Change in internal layout for Coroner's Court
J	12.11.18	Juliet balconies indicated Flat 45- colour coding altered to suit. Issued for public consultation
H	16.10.18	
G	12.10.18	Layout for Flat 43 altered Window detail included
F	11.07.18	New scheme following Pre- Application
E	19.01.18	Scheme revised following consultation
D	11.07.17	Unit 53 revised. Former Coroner's Court annotation revised.
C	29.06.17	Windows added to units 49 and 50
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 Third Floor

Drawing No
16129_115

Status PLANNING	Revision Q
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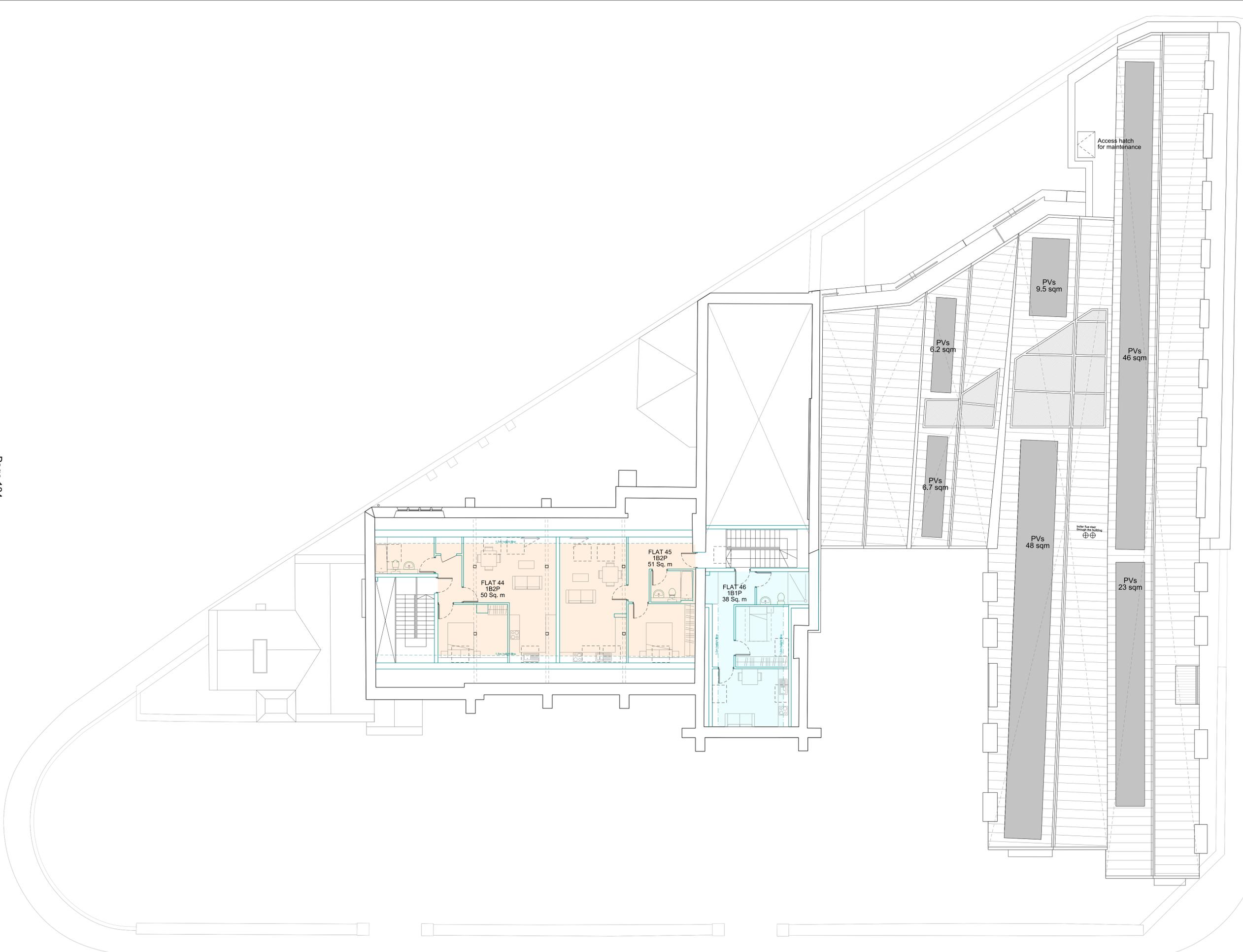


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KEY:

- 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
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Project
6 Upper York Street and Former Coroner's Court

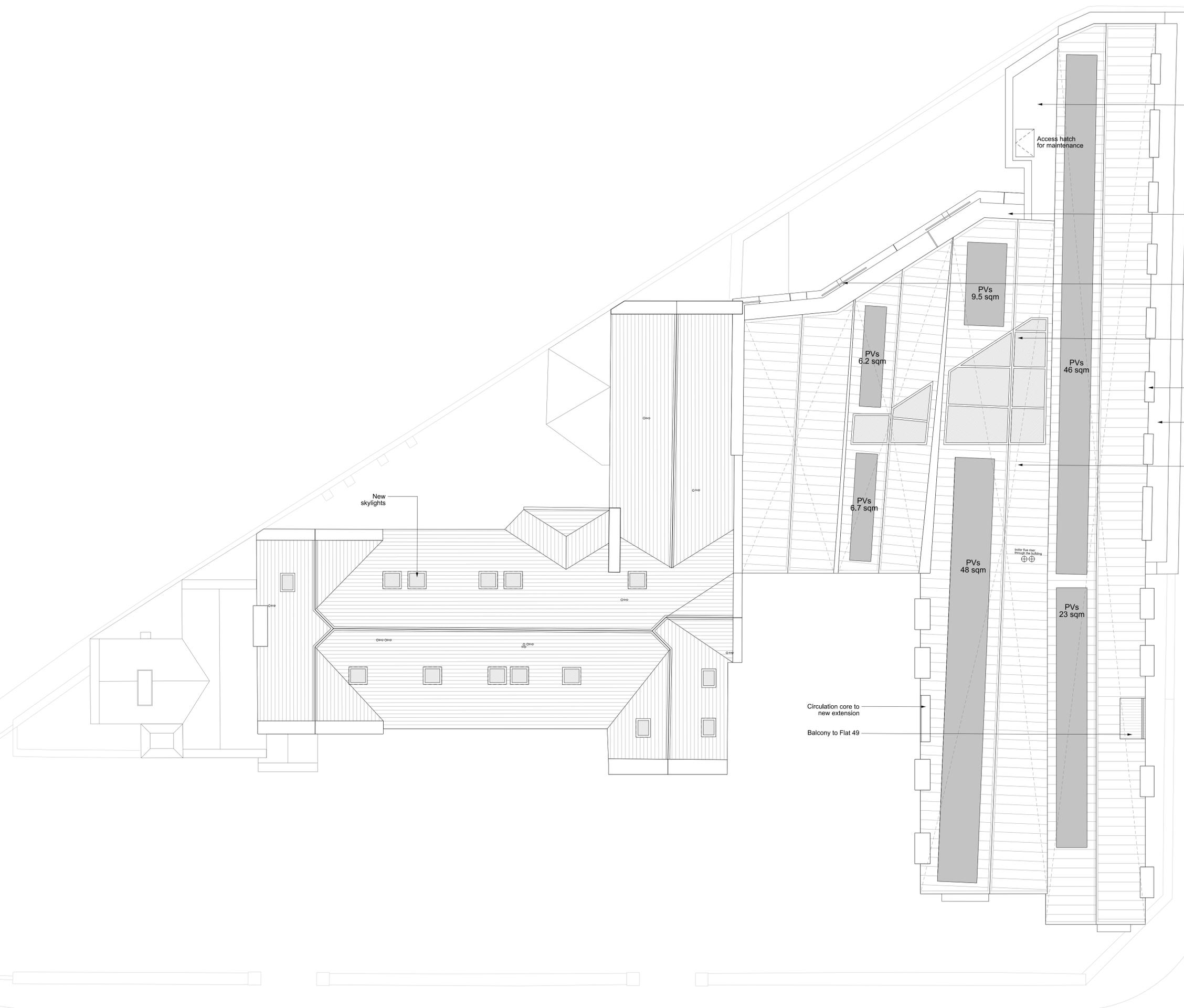
Title
Proposed Fourth Floor

Drawing No
16129_116

Status PLANNING	Revision 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

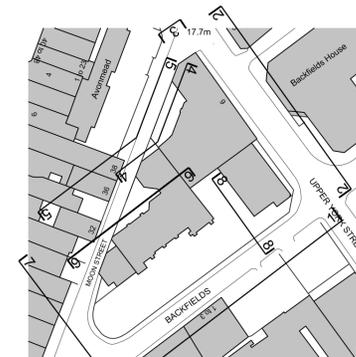
Title
Proposed Roof Plan

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

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

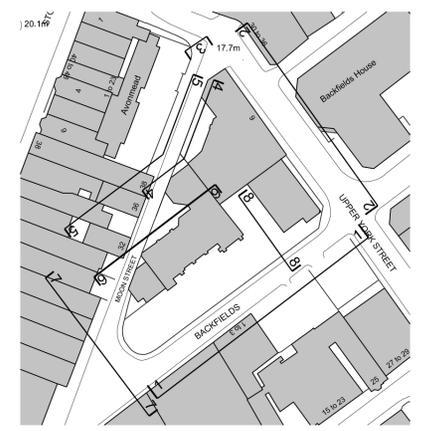
Title
Proposed Elevations

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



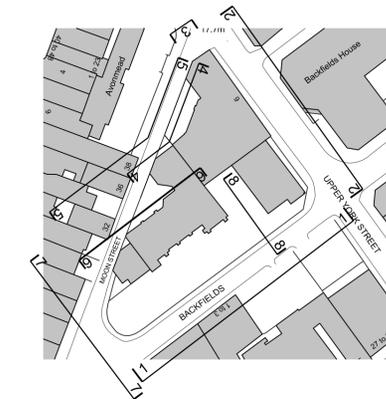
ELEVATION 4



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
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Title
Proposed Elevations

Drawing No
16129_122

Status	Revision
PLANNING	F



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