

Development Control A Committee Agenda



Date: Wednesday, 10 June 2020

Time: 2.00 pm

Venue: Zoom Remote Meeting

Distribution:

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

Issued by: Jeremy Livitt, Democratic Services

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

Date: Tuesday, 2 June 2020



Agenda

1. Welcome, Introductions and Safety Information

(Pages 5 - 6)

2. Confirmation of Chair

The Committee is requested to note that the Chair for 2020/21 Municipal Year is Councillor Don Alexander who was elected at the Annual Full Council meeting on Thursday 21st May 2020.

3. Confirmation of Vice-Chair

The Committee is requested to note that the Vice-Chair for 2020/21 Municipal Year is Councillor Chris Windows who was elected at the Annual Full Council meeting on Thursday 21st May 2020.

4. Membership of the Development Control A Committee

The membership of the Committee for 2020/21 Municipal Year is as set out below:

Councillor Don Alexander – Labour Group Spokesperson
Councillor Fabian Breckels
Councillor Stephen Clarke
Councillor Mike Davies
Councillor Paul Goggin
Councillor Margaret Hickman
Councillor Olly Mead (Role Share)
Councillor Afzal Shah (Role Share)
Councillor Steve Smith
Councillor Clive Stevens – Green Group Spokesperson
Councillor Chris Windows – Conservative Group Spokesperson
Councillor Mark Wright – Liberal Democrat Group Spokesperson

5. Terms of Reference

The Committee is requested to note the Terms of Reference for both Development Control Committees as approved by Annual Full Council at its meeting on Thursday 21st May 2020.

(Pages 7 - 10)



6. Dates of Meetings - 2020/21 Municipal Year

The Committee is requested to consider approving the following dates for meetings for 2010/21 Municipal Year subject to any subsequent changes that may be required as a result of the COVID-19 outbreak:

(all at 2pm on Wednesdays)

8th July 2020

5th August 2020

2nd September 2020

30th September 2020

28th October 2020

25th November 2020

13th January 2021

24th February 2021

31st March 2021

7. Apologies for Absence and Substitutions

8. Declarations of Interest

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

9. Minutes of the previous meeting held on 13th May 2020

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

(Pages 11 - 17)

10. Appeals

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

(Pages 18 - 26)

11. Enforcement

To note recent enforcement notices.

(Page 27)



12. Public Forum

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

Questions - Written questions must be received 3 clear working days prior to the meeting. For this meeting, this means that your question(s) must be received in this office at the latest **by 5pm on Thursday 4th June 2020.**

Petitions and Statements - Petitions and statements must be received on the working day prior to the meeting. For this meeting this means that your submission must be received in this office at the latest **by 12 Noon on Tuesday 9th June 2020.**

Members of the public who wish to present their public forum statement, question or petition at the zoom meeting must register their interest by giving at least two clear working days' notice prior to the meeting by 2pm on Monday 8th June 2020.

PLEASE NOTE THAT IN ACCORDANCE WITH THE NEW STANDING ORDERS AGREED BY BRISTOL CITY COUNCIL, YOU MUST SUBMIT EITHER A STATEMENT, PETITION OR QUESTION TO ACCOMPANY YOUR REGISTER TO SPEAK.

In accordance with previous practice adopted for people wishing to speak at Development Control Committees, please note that you may only be allowed 1 minute subject to the number of requests received for the meeting.

13. Planning and Development

- | | |
|---|--------------------------|
| | (Page 28) |
| a) 18/06186/F - 90 West Street | (Pages 29 - 65) |
| b) 20/00691/F - 6 to 8 Belgrave Hill | (Pages 66 - 123) |
| c) 20/01254/A - Units 5 and 6, Marketside Industrial Estate | (Pages 124 - 141) |

14. Date of Next Meeting

Subject to approval under Agenda Item 6, the next meeting of Development Control A Committee is scheduled to be held at 2pm on Wednesday 8th July 2020.





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 <https://www.bristol.gov.uk/council-meetings>

Covid-19: changes to how we hold public meetings

Following changes to government rules, we will use video conferencing to hold all public meetings, including Cabinet, Full Council, regulatory meetings (where planning and licensing decisions are made) and scrutiny.

Councillors will take decisions remotely and the meetings will be broadcast live on YouTube.

Members of the public who wish to present their public forum in person during the video conference must register their interest by giving at least two clear working days' notice to Democratic Services of the request. To take part in the meeting, you will be required to register for a Zoom account, so that Democratic Services is able to match your named Zoom account to your public forum submission, and send you the password protected link and the instructions required to join the Zoom meeting to make your statement or ask your supplementary question(s).

As part of our security arrangements, please note that we will not permit access to the meeting if your Zoom credentials do not match your public forum submission credentials. This is in the interests of helping to ensure a safe meeting environment for all attending or observing proceedings via a live broadcast.

Please note: Members of the public will only be invited into the meeting for the duration of their submission and then be removed to permit the next public forum participant to speak.

Changes to 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 Members and will be published on the Council's website before the meeting. Please send it to democratic.services@bristol.gov.uk. 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. For copyright reasons, we are unable to reproduce or publish newspaper or magazine articles that may be attached to statements.
- **Your intention to attend the meeting must be received no later than two clear working days in advance. The meeting agenda will clearly state the relevant public forum deadlines.**



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, published on the website and within the minutes. Your statement or question will also be made available to the public via publication on the Council's website 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. Other committee papers may be placed on the council's website and information within them may be searchable on the internet.

During the meeting:

- Public Forum is normally one of the first items on the agenda, although statements and petitions that relate to specific items on the agenda may be taken just before the item concerned.
- There will be no debate on statements or petitions.
- Public Forum will be circulated to the Committee members prior to the meeting and published on the website.
- If you have arranged with Democratic Services to attend the meeting to present your statement or ask a question(s), you should log into Zoom and use the meeting link provided which will admit you to the waiting room.
- The Chair will call each submission in turn and you will be invited into the meeting. When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- Your time allocation may have to be strictly limited if there are a lot of submissions. **This may be as short as one minute, and you may need to be muted if you exceed your allotted time.**
- If there are a large number of submissions on one matter, a representative may be requested to speak on the group's behalf.
- If you do not attend the meeting at which your public forum submission is being taken your statement will be noted by Members.

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

Webcasting/ Recording of meetings

Members of the public attending meetings or taking part in Public forum are advised that all virtual public meetings including Full Council and Cabinet meetings are now broadcast live via the council's [webcasting pages](#). The whole of the meeting will be broadcast (except where there are confidential or exempt items).

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.



DEVELOPMENT CONTROL COMMITTEES

Terms of Reference

Arrangements

There are two Development Control Committees:

- Development Control Committee “A”
- Development Control Committee “B”

Each Development Control Committee shall have full authority to deal with all development control matters reserved to a Development Control Committee by virtue of this consultation.

Functions

Full Council has delegated to the Development Control Committees all functions relating to town and country planning and development control as specified in Regulation 2 and Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) under the following provisions and any related secondary legislation:

1. Power to determine applications for planning permission (section 70(1) (a) and (b) and 72 of the Town and Country Planning Act 1990 (c.8)).
2. Power to determine applications to develop land without compliance with conditions previously attached (section 73 of the Town and Country Planning Act 1990).
3. Power to grant planning permission for development already carried out (section 73(A) of the Town and Country Planning Act 1990).
4. Power to decline to determine application for planning permission (section 70A of the Town and Country Planning Act 1990).
5. Duties relating to the making of determinations of planning applications (Sections 69, 76 and 92) of the Town and Country Planning Act 1990 and Articles 8, 10 to 13, 15 to 22 and 25 and 26 of the Town and Country Planning (General Development Procedure Order 1995) (S.I. 1995/419 and directions made thereunder).
6. Power to determine application for planning permission made by a local authority, alone, or jointly with another person (section 316 of the Town and Country Planning General Regulations 1992 (S.I. 1992/1492)).
7. Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights (Parts 6, 7, 11, 17, 19, 20, 21 to 24, 26, 30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995).
8. Power to enter into agreement regulating development or use of land (Section 106 of the Town and Country Planning Act 1990).

9. Power to issue a certificate of existing or proposed lawful use or development (Section 191(4) and 192(2) of the Town and Country Planning Act 1990).
10. Power to serve a completion notice (Section 94(2) of the Town and Country Planning Act 1990).
11. Power to grant consent for the display of advertisements (Section 220 of the Town and Country Planning (Control of Advertisements) Regulations 1992).
12. Power to authorize entry onto land (Section 196A of the Town and Country Planning Act 1990).
13. Power to require the discontinuance of a use of land (Section 102 of the Town and Country Planning Act 1990).
14. Power to serve a planning contravention notice, breach of condition notice or stop notice (Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990).
15. Power to issue a temporary stop notice (Section 171E of the Town and Country Planning Act 1990).
16. Power to issue an enforcement notice (Section 172 of the Town and Country Planning Act 1990).
17. Power to apply for an injunction restraining a breach of planning control (Section 18 7B of the Town and Country Planning Act 1990).
18. Power to determine applications for hazardous substances consent and related powers (Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990 (c.10)).
19. Duty to determine conditions of which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites or mineral permissions relating to mining sites, as the case may be, are to be subject (paragraph 2(6) (a) of Schedule 2 of the Planning and Compensation Act 1991, paragraph 9(6) of the Schedule 13 of the Environment Act 1995 (c.25) and paragraph 6(5) of Schedule 14 to that Act.
20. Power to require proper maintenance of land (section 215(1) of the Town and Country Planning Act 1990).
21. Power to determine application for listed building consent and related powers (sections 16(1) and (2), 17 and 33(1) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 (c.9).
22. Power to issue Certificate of Lawful Works to listed buildings The Planning (Listed Buildings and Conservation Areas) Act 1990: sections 26H and 26I, as inserted by section 61 of the Enterprise and Regulatory Reform Act 2013. The Planning (Listed Buildings) (Certificates of Lawfulness of Proposed Works) Regulations 2014
23. Duties relating to applications for listed building consent and Certificates of Lawful Works and conservation area consent (sections 13(1) and 14(1) and (4) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and regs 3 to 6 and 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 S.I. 1990/1519) and paragraphs 8, 15 and 26 of the Department of Environmental, Transport and the Regions circular 01/01).

24. Power to serve a building preservation notice and related powers (sections 3(1) and 4(1) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990).
25. Power to issue enforcement notice in relation to demolition of listed building in conservation area (section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990).
26. Powers to acquire a listed building in need of repair and to serve a repairs notice (section 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990).
27. Power to apply for an injunction in relation to a listed building (section 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990).
28. Power to execute urgent works to unoccupied listed buildings (section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990).
29. Power to authorize stopping up or diversion of highway (section 247 of the Town and Country Planning Act 1990).
30. Power to authorise stopping-up or diversion of footpath, bridleway or restricted byway (section 257 of the Town and Country Planning Act 1990).
31. Power to extinguish public rights of way over land held for planning purposes (Section 258 of the Town and Country Planning Act 1990).
32. Powers relating to the protection of important hedgerows (the Hedgerows Regulations 1997 (S.I. 1997/1160)).
33. Powers relating to the preservation of trees (sections 197 to 214D of the Town and Country Planning Act 1990 and the Trees Regulations 1990 (S.I. 1999/1892)).
34. Powers relating to complaints about high hedges (Part 8 of the Anti-Social Behaviour Act 2003).
35. Power to include modifications in other orders (Section 53A of the Wildlife and Countryside Act 1981).
36. Power to revoke or modify planning permission (Section 97 Town and Country Planning Act 1990).
37. Duty to enter land in Part 2 of the brownfield land register (Regulation 3 of the Town and Country Planning (Brownfield Land Register) Regulations 2017).
38. The making of Local Development Orders under Article 5 of the Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2006.
39. Power to exercise functions relating to Nationally Significant Infrastructure Projects and Development Consent Orders as contained in the Planning Act 2008.

Code of Conduct

The committee must follow the Council's Code of Conduct for Councillors and Officers dealing with development control and other appropriate planning matters to be considered by Full Council at its meeting on Thursday 21st May 2020.

Bristol City Council
Minutes of the Development Control A
Committee



13 May 2020 at 2.00 pm

Members Present:-

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

Officers in Attendance:-

Gary Collins – Head of Development Management, Jeremy Livitt, Claudette Campbell

1. Welcome, Introductions and Safety Information

The Chair welcomed all parties to the meeting and explained that it was being held in accordance with recent Government legislation concerning the Covid-19 pandemic.

2. Apologies for Absence and Substitutions

There were no apologies for absence and no substitutions.

3. Declarations of Interest

Councillor Steve Smith declared interests in Planning Application Number 19/04970/F – Glencoyne Square and 19/04970/F as he had previously worked with the Southmead Development Trust and The Park respectively. However, he confirmed that he did not have any current connection to these organisations and had not predetermined the applications.

Councillor Stephen Clarke declared an interest in Planning Application Number 19/04970/F – Land At Tavistock Road due to a previous connection with the applicant David Freed but that he no longer had contact and had not predetermined the application.



4. Minutes of the previous meeting - Wednesday 22nd April 2020

Resolved – that the minutes of the above meeting be confirmed as a correct record and signed by the Chair.

5. Appeals

The Head of Development Management confirmed that the appeal for Hamilton House 80 Stokes Croft, Bristol BS1 3QY had been provisionally re-scheduled for 2nd June 2020.

6. Enforcement

The Head of Development Management advised the Committee of three additional enforcement notices since last meeting as follows:

281 and 283 Gloucester Road.
41 Alma Vale
36 Woodstock Road.

7. Public Forum

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

The Statements were noted 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 applications set out below:

9. Planning Application Number 19/05491/X - 53 Colston Street

The Head of Development Management and his representative gave a presentation and made the following key points:

- There had been a high number of objections to this planning application
- Details of the proposed changes in opening hours were set out in the officer report and presentation
- Planning permission was required for the proposed change in hours of opening
- An aerial shot of the site was shown
- There would be no change to the smoking arrangements, compared to what has already been approved
- Noise and disturbance were the key issues arising out of the consultation



- There was no objection from pollution control, following the submission of a revised noise report. This was on the basis of the evidence submitted.
- With the proposed mitigation, the acoustic report set out that the increased level of noise would be negligible. On Colston Street the increased hours would lead to a predicted increase in noise levels of 0.3 dB. On Perry Road, this figure is predicted to be 0.1 dB. The human ear would generally only detect a change in noise levels of 3dB or more.
- The officer recommendation is to approve the case, but for 1 year only (temporary consent).
- The officer recommendation includes conditions which would require the applicant to submit details of the monitoring of noise levels for the period of increased hours.
- There would also be a condition requiring the applicant to adhere to their own Doorstaff and Dispersal Policy which requires a minimum of three doorstaff to be on duty after 9pm on Friday and Saturday nights.
- Neighbour's concerns related to alleged poor management of the premises currently, noise disturbance, and concerns that the door staff and dispersal policy would not be properly implemented. Neighbours were also concerned about the premises transitioning to more of a late-night bar, rather than a restaurant.
- The applicant would have the option to reapply for another temporary consent, or a permanent consent after the one year consent was up. In considering any such future application, officers would take account of the results of the noise monitoring plan, plus neighbour representations.
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- Neighbours have raised concerns about the premises transitioning into a late-night bar, rather than a restaurant. Officers are satisfied that the premises can be considered a restaurant (use class A3) in planning terms. However, neighbours have the option to make an enforcement complaint if they feel the premises transition away from the restaurant use. The LPA would then look into this.

The officer report referred to two complaints – these complaints were about noise from the premises when the Perry Road door being was being left open.

- Officers agree with neighbours who have pointed out that different types of noise have different characteristics. The acoustic report assesses impacts from all different types of noise (including deep bass music) and the evidence presented by the applicant set out that noise would be within acceptable limits, providing mitigation measures were properly implemented.
- The use of the outdoor area would continue as currently is the case. The applicant does not propose to change it. The applicant has previously submitted an Outdoor Areas Management Plan. Adherence to this would be conditioned. If the applicant was not complying with this plan, then neighbours have the option to raise an enforcement complaint.
- Neighbours had suggested that a sound limiting device be used on music equipment. The issue of the sound limiting device would be dealt with under the licencing regime. One of the conditions of the licence includes provision for a sound limiting device to be used. The planning and licensing regimes are separate.

For the reasons set out in the officer report and in the officer presentation, officers were

recommending 1 year approval subject to conditions set out in the report. In responding to

members questions, officers made the following points:



- Members were concerned that the enforcement of the smoking/non-seating area had not ever properly taken place on this site. Members were also concerned that members of the public regularly smoked and sat at tables there. The officer response was that the use of the outdoor areas is not proposed to change compared to what has been previously approved. Adherence to the applicant's Outdoor Management Plan would be conditioned, so if neighbours wished to make an enforcement complaint, then the LPA would investigate.
- Members queried how opening times related to drinking up times. The officer response was that customers needed to leave the premises by 1am with staff to clear the site by 1.30am. Drinking up times are a separate issue which are dealt with under the licensing regime.
- Members queried why the timeframe of one year had been set for the temporary permission and asked whether alternative (shorter) timeframes had been considered. The officer response was that the one year period had been chosen because it covered quieter times of the year, as well as busier times like the Christmas period, and also summertime when people would be more likely to have their windows open. The applicant would be required to monitor over a year, so a full picture of noise impacts would be gained.
- Although it was noted that this case could be automatically brought back to Committee if it was called in or brought to agenda briefing if there were a large number of objections, officers agreed that a report would come back automatically after the end of the 1 year period, in the event that the applicant submits a future application relating to extended hours (such as making the consent permanent).
- Members asked what would happen if the outcome of the licensing and planning applications were different. However, officers reminded members that the licencing and planning regimes operated separately under different legislative frameworks. Any decision made on this Planning Application had to be based on planning grounds and needed to be based on firm evidence.
- Members asked about how neighbours (residents and businesses) could record and make known their concerns about any impact on their amenity, including litter, noise and disturbance. In response, officers advised that the increase in hours was midnight to 1am on Fridays and Saturdays and if neighbours wished to submit information, then they could do so through written evidence, photographs, and/ or a diary with dates or disturbances taking place. Neighbours could submit this in response to any future consultation on an application to make the increase in hours permanent. . In addition, officers could contact the Neighbourhood Enforcement Team as necessary at any time, including the period within which the increased hours are put into place
- Members asked about the impact on the Clean Air Zone; would any reduction in traffic as a result of the Clean Air Zone be factored into decision-making? Officers responded that if traffic levels were lower, then this would be picked up during future monitoring, in that less traffic may lead to a lower background noise level. However, officers also advised members that in recently dismissing the appeal for the BRI Hospital Trust Transport hub (20th February 2020) on the grounds of air quality, the Inspector at appeal had deemed that the impact of the proposed Clean Air Zone should only be given limited weight as it had not yet been approved.
- Members asked how any consent would deal with the impact of delays in opening as a result of the current Covid-19 situation. Officers responded that the conditions of the consent had been drafted in such a way as to delay the requirement to produce monitoring until the proposed increase in hours is implemented. The one year temporary period would commence when the increase in hours was implemented.

Members then made the following comments:

- This scheme should not be supported due to the impact of noise and disturbance on the area.



- As the proposal was for a 1 year trial period and clear instructions had been given about how neighbours can submit evidence of any impact of disturbance on the area, it should be supported.
- The difference between the planning and licensing regimes in making this decision needed to be taken into account.

Councillor Mike Davies moved, seconded by Councillor Margaret Hickman and upon being put to the vote, it was

RESOLVED (10 for, 1 against) – that the application be approved on the basis of a 1 year temporary consent and on the basis of the conditions contained within the report. After this period, the applicant would have the option to reapply for another temporary or permanent consent. Officers commit to any such future application being brought back to committee.

10 Planning Application Number 19/04970/F - Land At Tavistock Road

The Head of Development Management and his representative introduced this report and made the following comments:

- The details of the planning application were introduced
- The site had been used as a boxing gym until recently but the boxing club has now relocated to Jubilee Hall, Wedmore Vale.
Access was via a dropped kerb.
- Five flats would benefit from private terraces and would have private balconies
- Details of the objections received at different stages in the process were outlined. These included concerns about insufficient off street parking and loss of a community asset. However, the existing building was in a state of disrepair and officers did not believe it would create a shortfall
- Residential development at the site was considered acceptable
- The City Design Team had been consulted. Their assessment was that there were some issues with the development but on the whole it was acceptable and Officers concluded that the design did not warrant an overall refusal of the application
- There would be no windows directly overlooking the two nearest properties
- There were however two side windows on the northern elevation and five side windows plus one side balcony on the southern elevation. The balcony would be angled as required and views would be screened from the side windows
- All dwellings met the required nationally described space standard
- Seven flats would benefit from private space and all twelve would benefit from communal amenity space
- There was no objection to the proposed development from Transport Development Management
- The Environmental Health Officer had raised no concerns in relation to noise
- A Construction Management Plan was proposed as a condition



- The development met required energy sustainability levels

In response to members' questions, officers made the following comment:

- It was not deemed necessary by residents or Transport Development Management to have a Waste Management Plan to deal with any concerns that might arise if bins were not returned to properties. There was storage space at the site and a dropped kerb.

Members made the following comments:

- The benefits of the scheme outweighed the difficulties. It provides accommodation that is in short supply. There had been no objections from Councillors

Councillor Mike Davies moved, seconded by Councillor Afzal Shah and upon being put to the vote it was

RESOLVED: (unanimously) that the application be approved subject conditions contained within the report.

11 Planning Application Number 19/04705/F - Glencoyne Square

During the item, Councillor Steve Smith advised that during the debate a member of the Southmead Development Trust with whom he had previously worked had contacted him. However, he reiterated his previous Declaration of Interest in this application and that he had not predetermined it.

The Head of Development Management introduced the report and made the following comments:

- Details of the site were outlined
- There were 33 comments in support and 5 objections including letters of support from ward councillors
- The site is currently allocated open space under the current local plan which only permits development which is ancillary to the open space. The development of new housing is contrary to this policy designation but the officer report explains that greater weight is being given to the positive benefits of the scheme such as the additional housing, public facilities and the potential regeneration benefits.
- Members attention was drawn to the Local Plan review and its proposed reallocation of this space, but limited weight could be given to this document.
- The scheme was for a 3-5 storey building with community facilities on the ground floor (library, Health centre)
- The choice of materials was predominantly brick and render which is acceptable for the locality and while there are also materials not typical of the area (grey cladding), the inclusion of these will give additional interest
- Whilst the applicant can proceed with no affordable housing secured through the planning process (due to viability), there would be affordable housing grants between Bristol City Council and the applicant
- The applicant was now proposing a hybrid system of heating -air source heat pumps and ground source.



- There was sustainable transport to the site. The applicant was required to provide appropriate travel plan management
- Highway officers were satisfied that traffic impact will not be significant but they have requested the mitigation to ensure that the development promotes sustainable transport and mitigates the increase in population- TROs, upgrading of bus stops secured by legal agreement
- The applicants had emphasised that they would be providing affordable housing and that it was extremely likely they would receive significant public funding

Officers confirmed that the scheme was recommended for approval and requested delegated authority to secure the legal agreement and complete appropriate conditions.

In response to members' questions, officers made the following comments:

- Members' suggestion that there is a requirement to secure affordable housing through this application was noted. However, officers advised that the policy position was that if a scheme cannot deliver affordable housing due to viability issues it should not be a requirement of the planning system to do so. Also any grant funding had to be for additionality and therefore could only be secured for affordable housing above any secured by a planning permission, meaning that grant funding would not be able to be provided for all of the affordable housing if some was formally required through the planning process. Officers further advised that the proposal for 85% affordable housing had been agreed with the applicant which could not be secured through a Section 106 agreement

Members made the following comments:

- This had the potential to be an excellent scheme that could release family housing from some people who wish to downsize properties.
- The design of the scheme was good
- Development on this scale in a green space with local support is very encouraging
- It was encouraging to see that the community had been involved, including school children in the preparation of the design. The area had been neglected for too long
- The proposed heat pumps were a good innovative solution.

Councillor Mike Davies moved, seconded by Councillor Fabian Breckels and upon being put to the vote it was

RESOLVED (unanimously) – that the application be approved together with the conditions contained in the report.

12 Date of Next Meeting

It was noted that the next meeting was the Annual meeting for 2020/21 Municipal Year and was scheduled to be held at 2pm on Wednesday 10th June 2020 as a Zoom remote meeting.

Meeting ended at 3.55pm

CHAIR _____



DEVELOPMENT CONTROL COMMITTEE A**10 June 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
6	Westbury-on-Trym & Henleaze	8 Walton Rise Bristol BS9 3EW Loft conversion with side and rear pitched dormers. Appeal against refusal Delegated decision	12/05/2020

7	Ashley	84 St Andrews Road Montpelier Bristol BS6 5EJ Convert flat roof to roof terrace. Appeal against refusal Delegated decision	12/05/2020
8	Ashley	16 Kathdene Gardens Bristol BS7 9BN Proposed balcony on flat roof two storey rear extension, to be accessed from the new loft bedroom. Appeal against refusal Delegated decision	21/05/2020

Informal hearing

Item	Ward	Address, description and appeal type	Date of hearing
9	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	TBA
10	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	TBA
11	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	TBA
12	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	TBA

13	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	TBA
14	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	TBA
15	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	TBA

Written representation

Item	Ward	Address, description and appeal type	Date lodged
16	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
17	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
18	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
19	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

20	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
21	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
22	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
23	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
24	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
25	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
26	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
27	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

28	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
29	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
30	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
31	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
32	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
33	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
34	Bishopston & Ashley Down	Flat 36 Muller House Ashley Down Road Bristol BS7 9DA Application for listed building consent for alterations, extension or demolition of a listed building - Internal works to construct a stud wall in lounge with a door to create a second bedroom. Moving of ceiling light. Appeal against refusal Delegated decision	28/04/2020

35	Central	3 Marsh Street City Centre Bristol BS1 1RT Conversion of the existing 2no. third floor flats into 3no. flats. Appeal against refusal Delegated decision	30/04/2020
36	St George Troopers Hill	57 Niblett's Hill Bristol BS5 8TP Proposed demolition of side extension and detached garage and erection of 2no. new dwelling houses, including site access and landscaping. Appeal against refusal Delegated decision	12/05/2020
37	Central	Slug And Lettuce 26 - 28 St Nicholas Street Bristol BS1 1UB Refurbishment of existing customer external seating area to include provision of two wooden pergolas and a seating Appeal against refusal Delegated decision	12/05/2020
38	Central	Slug & Lettuce 26 - 28 St Nicholas Street Bristol BS1 1UB Replacement internally illuminated oval sign above passage way entrance from Corn Street and internally illuminated wall mounted menu box sign within passageway. New externally illuminated projecting sign to Corn Street frontage. Appeal against refusal Delegated decision	12/05/2020
39	Central	Slug & Lettuce 26 - 28 St Nicholas Street Bristol BS1 1UB Externally illuminated hanging sign adjacent to gated passageway from Corn Street and internally illuminated menu box within passageway. Internally illuminated oval sign, above metal entrance gate from Corn Street. Appeal against refusal Delegated decision	12/05/2020
40	Lawrence Hill	15 Midland Road Bristol BS2 0JT Convert upper floor maisonette to form 2 No. flats including roof alterations. Appeal against refusal Delegated decision	12/05/2020
41	Easton	77 - 83 Church Road Redfield Bristol BS5 9JR Outline application for the erection of a four-storey building comprising 2no. ground floor retail units and 9no. self-contained flats at first, second and third floor levels, with matters of scale, layout and access to be considered (landscaping and design reserved). Appeal against refusal Delegated decision	12/05/2020

42	Windmill Hill	172 St Johns Lane Bristol BS3 5AR Erection of extensions at first and second floor level and the change of use from retail (A1) to 4no. Self-contained flats, including alterations to existing shopfront. Appeal against refusal Delegated decision	13/05/2020
43	Clifton Down	104 Pembroke Road Clifton Bristol BS8 3EQ Enforcement notice appeal for replacement windows without planning permission. Appeal against an enforcement notice	14/05/2020
44	Hengrove & Whitchurch Park	EE & H3G Mobile Mast Oatlands Avenue Bristol Installation of a new 20m column with 9 antennas, 7 equipment cabinets and ancillary development (replacing the existing column). Appeal against refusal Delegated decision	18/05/2020
45	Westbury-on-Trym & Henleaze	The Coach House Grange Court Road Bristol BS9 4DP New dwelling (Self build). Appeal against refusal Delegated decision	18/05/2020
46	Lockleaze	373 - 375 Filton Avenue Bristol BS7 0LH Construction of 4 x 2 bed apartments over new retail unit and associated car parking following demolition of existing single storey to rear of shop. Appeal against non-determination	19/05/2020
47	Frome Vale	67 Symington Road Bristol BS16 2LN One bedroom single storey dwelling in the rear garden of the existing property. Appeal against refusal Delegated decision	19/05/2020
48	Stockwood	2 Harrington Road Bristol BS14 8LD Erection of detached house and associated parking on land to the rear of 2 & 4 Harrington Road, Stockwood. (Self build). Appeal against refusal Delegated decision	19/05/2020
49	Stockwood	2 Harrington Road Bristol BS14 8LD Erection of 2-bed detached house and associated parking on land to the rear of 2 & 4 Harrington Road, Stockwood. (Self Build). Appeal against refusal Delegated decision	19/05/2020

50	Brislington West	Wyevale Garden Centre Bath Road Brislington Bristol BS31 2AD Creation of hardstanding for the purpose of ancillary storage. Appeal against refusal Delegated decision	22/05/2020
51	Redland	44 - 46 Coldharbour Road Bristol BS6 7NA Conversion of existing buildings from mixed use retail (ground floor) with residential maisonette (first and second floor) to five residential flats (4 no. additional flats) with building operations including ground and roof extensions, and roof terraces. Appeal against refusal Delegated decision	22/05/2020
52	Brislington East	91 Wick Road Bristol BS4 4HE To erect a new dwelling. Appeal against refusal Delegated decision	22/05/2020
53	Hartcliffe & Withywood	32 Hollisters Drive Bristol BS13 0EX Proposed first floor extension to existing house, demolition of garage and erection of one new dwelling. Appeal against refusal Delegated decision	26/05/2020
54	Hartcliffe & Withywood	48 Sampsons Road Bristol BS13 0EL Removal of existing garage / annex, erection of 2No 2 bed dwellings (Self Build). Appeal against refusal Delegated decision	26/05/2020
55	Westbury-on-Trym & Henleaze	11 Henleaze Park Bristol BS9 4LR Demolition of existing dwelling and erection of two storey 3no. bed single dwelling house. Appeal against refusal Delegated decision	26/05/2020
56	Hartcliffe & Withywood	30 Honey Garston Road Bristol BS13 9LT Application for a Certificate of Proposed Development - New Garage / work area. Appeal against refusal Delegated decision	29/05/2020

List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
57	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	Appeal dismissed 14/05/2020 Costs not awarded
58	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	Appeal dismissed 15/05/2020 Costs not awarded
59	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	Appeal dismissed 14/05/2020

DEVELOPMENT CONTROL COMMITTEE A
10th June 2020

REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE

LIST OF ENFORCEMENT NOTICES SERVED

Item	Ward	Address, description and enforcement type	Date issued
1	Ashley	Land Between 95 & 103 North Road Bishopston Bristol BS6 5AQ Change of use of the land to storage of a shipping container Enforcement notice	21/05/2020
2	Bishopsworth	218 Bedminster Road Bristol BS3 5NQ Formation of vehicular access onto classified road Enforcement notice	07/05/2020
3	Westbury-on-Trym & Henleaze	47 Henleaze Avenue Bristol BS9 4EU Removal of boundary wall and formation of parking space. Enforcement notice	07/05/2020

Development Control Committee A 13 May 2020

Report of the Director: Development of Place

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Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Central	Grant	19/05491/X - 53 Colston Street Bristol BS1 5BA Variation of condition 3 attached to planning consent granted under app. no. 14/03870/X (on appeal) - now proposed extension to opening hours to 01.00 Fridays and Saturdays (not including the external terraces and seating area associated with the entrance ramp).
2	Knowle	Grant subject to Legal Agreement	19/04970/F - Land At Tavistock Road Tavistock Road Bristol BS4 1DL Demolition of existing building and construction of 12no. one- and two-bed apartments and associated works.
3	Southmead	Grant	19/04705/F - Open Space Glencoyne Square Bristol BS10 6DE Development of site for up to 120 residential units, a health centre, library, live-work accommodation and other uses potentially including offices, activity space and a launderette, together with associated landscaping, parking and infrastructure.

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Development Control Committee A – 10 June 2020

ITEM NO. 1

WARD: Lawrence Hill
SITE ADDRESS: 90 West Street St Philips Bristol BS2 0BW

APPLICATION NO: 18/06186/F Full Planning

DETERMINATION DEADLINE: 3 April 2020

Resubmission of application 17/04953/F - construction of 12no. flats, 2 retail units and addition of one storey to 90 West Street.

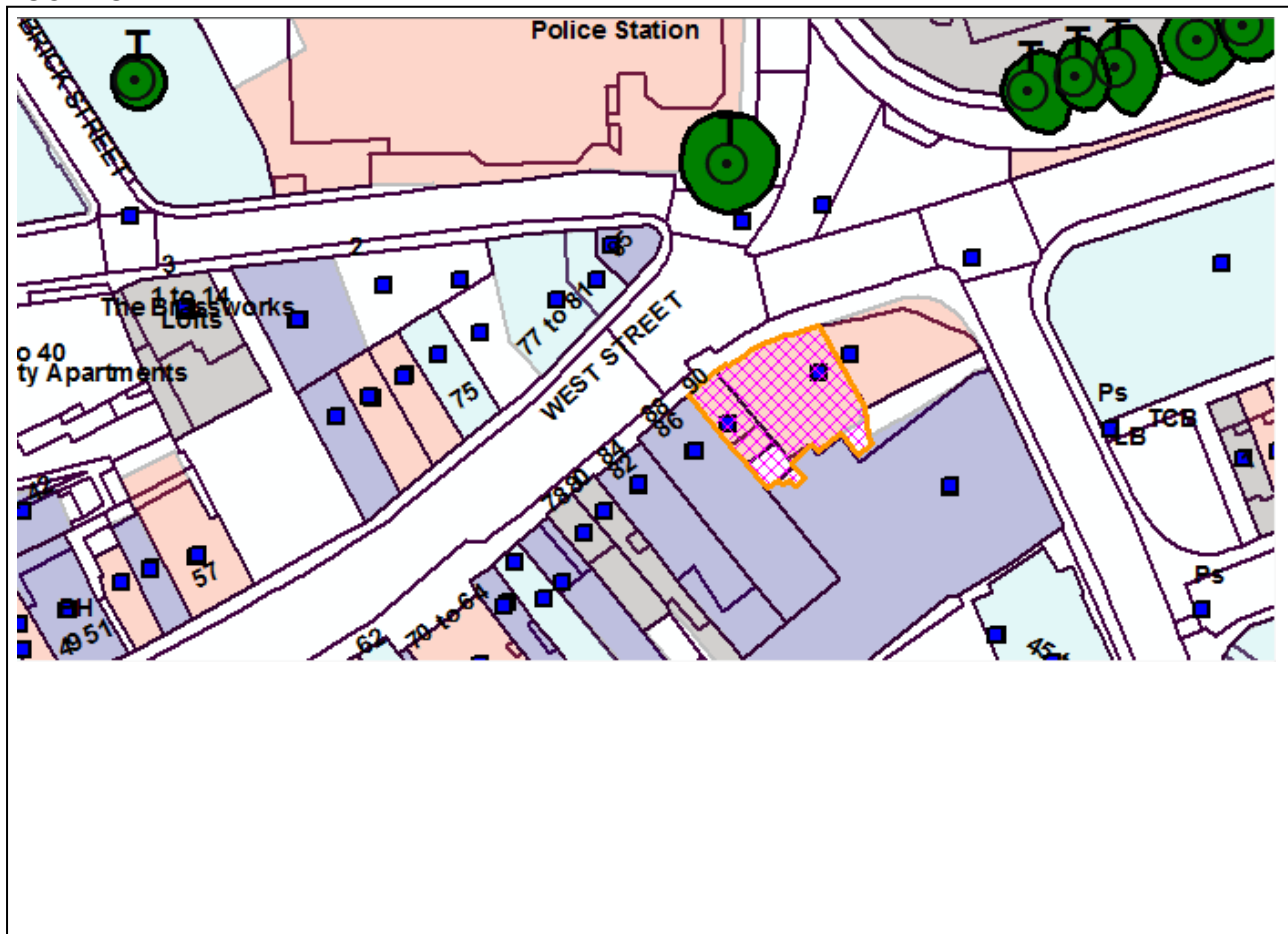
RECOMMENDATION: Grant subject to Condition(s)

AGENT: Nicholas Morley Architects
 Suite 10, Corum 2
 Corum Office Park
 Crown Way
 Warmley
 Bristol BS30 8FJ

APPLICANT: J Investment
 62 West Street
 St Philips
 Bristol
 BS2 0DL

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

LOCATION PLAN:



Development Control Committee A – 10 June 2020
Application No. 18/06186/F : 90 West Street St Philips Bristol BS2 0BW

BACKGROUND

This application relates to 90 West Street in the Old Market Conservation Area in the Lawrence Hill Ward. The nearest listed buildings are at 72, 74 and 76 Old Market, listed grade II. The site is currently a 3 storey premises with a restaurant at the ground floor level and two flats above with a small carpark to the side. To the site's immediate south is the Carpets Direct warehouse, and this is accessed from Trinity Street. The warehouse stretches back to the rear of the application site. To the west, the buildings fronting West Street become more regular and follow historic plots, and are typically of three and four storeys in height. These contain commercial uses at ground floor level, with some residential above.

See application documents for further details.

HISTORY

17/04953/F Construction of two storey roof addition to 90 West Street, and 5 storey side extension, to form 14 Flats in total, and two A1 (retail) units adjacent to 90 West Street, together with rear extension of 90 West Street at first and second floor levels. Provision of cycle and refuse stores to rear. (major application) Withdrawn.

15/04361/PREAPP Four storey development with use Classes A1 & A3 on the ground floor, 16 no. 1-bed flats, and raising of 90 West Street by an additional two storeys and modifications to fenestration.

RESPONSE TO PUBLICITY AND CONSULTATION

Neighbouring properties have been consulted and a total of 2185 objections have been received. This followed the initial consultation and reconsultation on an amended noise report.

It appears there may have been a social media campaign to protect the nearby Trinity Centre Venue. Most of the objections have focused on the concern of noise impact from the Trinity Centre on proposed residential units may result in closure of the venue. Concerns that no mitigating actions have been taken in relation to its proximity to the Trinity Centre and there is no acknowledgement or awareness of the proposed Agent of Change Principle. The objections have come from all over Bristol, Nationally and Internationally. Following reconsultation objections have been received concerned that the revised noise assessment does not take into account the noise impact from the trinity centre. Concerns that the noise mitigation measures will not be implemented in the final build, However many of the objections appear to be misinformed are concerned that the proposal involves the development of the Trinity Venue itself into residential use. Other concerns have been raised that luxury flats are being developed for profit with little regard to the wider community.

OLD MARKET NEIGHBOURHOOD PLANNING FORUM

Objection:

COMMUNITY CONSULTATION

Concerns of not being involved in any community consultation prior to submission. The Community Consultation document submitted with this application is not acceptable. There has been no effective community consultation and no dialogue between the applicant and community groups.

MISSING INFORMATION

Concerns of the following statements not being submitted:

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- Transport Statement
- Ventilation and Extraction statement

DESIGN

The proposed height of building is not sympathetic to the height of neighbouring buildings. Apart from no.64 the height of the remaining forty-three buildings on the south side of West Street are three storeys, some with a fourth storey in the roof-space behind parapets and lit by dormer windows. The height of the proposed elevations therefore fails to meet OMQNDP policy B1 or follow guidance set out in support of OMQNDP policy C6.

The site layout does not respect historic plot boundaries and so fails to meet OMQNDP policy B1 or follow guidance set out in support of OMQNDP policy C6 or follow guidance set out OMQNDP Appendix 3. The frontage of the vacant site can be divided into three roughly equal parts or 'buildings' and so follow the historic pattern.

Elevation drawings:

- o We don't see the point of splitting the roof with parapets when there are no supporting or party walls underneath.
- o Windows in the new building may be better as multi-paned as in the 2015 pre-app, otherwise vertical bars need to be added.
- o The replacement windows in no.90 would be better as simple 2x2 sash windows in the existing openings (paired at first floor level).
- o Cornice missing from rear elevation (side elevation has a cornice).
- o Pilasters on rear elevation should go down to ground level.
- o 'stone' must be real stone, not artificial or cast.
- o The brick must be of best quality and laid in lime rich mortar.

The proposed West Elevation does little to preserve or enhance the character of the Old Market Conservation Area.

Concerns that The Heritage Assessment fails to identify Trinity (Holy Trinity Church) as a listed building, grade II*, and to consider the effect that the proposed new buildings will have on the setting of the church.

The Neighbourhood plan policy includes the vacant land to the east of the site on the corner of Trinity Street. If there is to be a higher building, then it should be on this corner and not on this site.

Concerns that the Design and Access states that the council is happy with proposed a proposed 4 storey building when this only may just be acceptable.

The proposed layout needs to relate to the carpet warehouse site as it currently is and how it could be if redeveloped either as part of a comprehensive scheme for the whole corner or as a separate subsequent development.

AMENITY

No meaningful external amenity space is included in the proposed layout, so fails to meet OMQNDP policy C5.

The floor area of the proposed new flat above no.90 as drawn measures 47m² and so does not comply with the nationally described space standards; it should be 50m² minimum.

Half the number of dwellings are single aspect units, which are discouraged by the Council.

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No extraction scheme for the existing/proposed restaurant has been planned into the design of the building

NOISE IMPACT

Concerns that the initial noise impact assessment needs to cover the impact of any noise from the Trinity Music Venue during performances. Recommendations for mitigation measures arising from the results of the assessment need to be fully stated and incorporated into the proposed design of buildings.

ACCESS

It is normal practice to have lifts in residential buildings higher than four storeys. We are not aware of any five-storey residential building that does not have a lift and construction of a five-storey building without a lift is unacceptable.

Consideration should be given to using the narrow strip of land between the advertising billboard and the carpet warehouse as a means of rear access to the site, so that deliveries, dustbins, bicycles and motorbikes etc. do not have to be brought through the entrances to the shops or flats or entail the provision of a 1.5 metre wide access way through the new building.

ERRORS

Confused by the Viability Appraisal Sheets submitted with this application; there is no explanation of the content of the sheets and there are errors and miscalculations in the sheets:

There are discrepancies in the plan drawings:

- o The rear wall on the ground floor plan does not align with the rear wall on the upper floors.
- o The 1st floor level in the new buildings should be the same as the surveyed floor level in no.90.
- o The 3rd floor level is wrongly stated.

OTHER ISSUES

Advice has not been followed from the pre-application enquiry and no reference has made to the comments from the forum.

We would wish to see designation of the two shop units expanded to include all types of high street activity, so these spaces could be designated use class A1 - A5 and B1 and so meet the aspirations of OMQNDP policy C1.

The floor plans as drawn do not comply with Building Regulations Part B; there should be a means of ventilating corridors on each floor either by an external wall vent or by a vertical smoke shaft.

The rear wall of the proposed building should be further from the carpet warehouse so that possible future development of the carpet warehouse site is not prejudiced.

The windows shown on the side elevation facing Trinity Street should be omitted so that possible future development of the adjacent corner site is not prejudiced.

AIR QUALITY

No objections

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CITY DESIGN

No objection to the amended plans (Surgery).

CONSERVATION AND HERITAGE

No objection to the amended plans (Surgery).

CONTAMINATED LAND

No objection subject to conditions.

ARCHAEOLOGY

No objection subject to conditions.

TRANSPORT DEVELOPMENT MANAGEMENT

No objection to amended plans subject to conditions.

ENVIRONMENTAL PROTECTION

No objections to amended noise report subject to conditions

SUSTAINABLE CITIES

No objections subject to conditions

Ward Members

No comment has been received from ward members.

RELEVANT POLICIES

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

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

The application has not been called in by the Ward Member and has been brought to committee given the large number of objections (2185).

Amended plans were received which included minor design changes. Additional information has been received including a revised Noise Impact Assessment, Overheating Analysis and an Urban Living Assessment. Full public consultation undertaken.

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KEY ISSUES

A. IS THE DEVELOPMENT ACCEPTABLE IN PRINCIPLE?

i) The Bristol Core Strategy (2011) Policy BCS5 aims to deliver new homes within the built up area to contribute towards accommodating a growing number of people and households in the city. The policy states that the development of new homes will primarily be on previously developed sites across the city, but some new homes will be developed on open space which does not need to be retained as part of the city's green infrastructure provision. Also, Policy BCS20 encourages the efficient use of land, but in doing so acknowledges the need to achieve high quality well designed environments, and the need for development to be informed by local context, accessibility and the characteristics of the site. This policy expresses that higher densities will be sought in or close to centres.

There is subsequently no objection in principle to the creation of new residential accommodation in this area in sole land use terms.

ii) MIX AND TENURE.

The existing balance of housing within Lawrence Hill ward (as well as neighbouring Cabot Circus, The Dings and Newton Lower Super Output Areas) are all already weighted heavily towards small units with small average household sizes due to the large proportion of flats within this part of the Ward. Policy BCAP3 sets out evidence that larger family sized units are needed, with an element of useable outdoor space, particularly in the Lawrence Hill area. The site however does not lend itself to larger family dwellings given its commercial element on the groundfloor and its location fronting a busy road. The scheme consists of 1 and 2 bedroom units with shared amenity space. Therefore given the location of the site and its constraints and the fact that the proposal contributes to the wider housing targets the mix and tenure is considered acceptable.

iii) IMPACT ON LOCAL AND PRIMARY SHOPPING AREA

Policy DM9 in the Site Allocations and Development Management Policies (2014) states that development within Local Centres will be expected:

- i. To generate a reasonable level of footfall and be of general public interest or service; and
- ii. To maintain an appropriate balance of uses in the Local Centre; and
- iii. To help maintain or enhance the function of the centre and its ability to meet day-to-day shopping needs; and
- iv. Not to harmfully dominate or fragment the centre's retail frontages; and
- v. To be compatible with a shopping area in that it includes a shopfront with a display function and would be immediately accessible to the public from the street.

The Old Market Quarter Neighbourhood Development Plan was made part of the development Plan in March 2016. Policy C11.2 designates this site as a potential development site, encompassing 90 West Street as well as the Carpets Direct warehouse. This possibly includes 86-88 West Street, 90 West Street and Trinity Street Carpet Warehouse as part of a comprehensive scheme. The Neighbourhood plan policy includes the vacant land to the east of the site on the corner of Trinity Street. However in this instance no comprehensive scheme involving the other site has been brought forward. The proposed development however is not connected to the Trinity Street Carpet Warehouse and the proposal may still allow for some sensitively design development here. The vacant land adjacent to the development would be difficult to develop following the approval of this scheme given the proposed windows facing this plot. However the vacant land is a small plot and

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difficult development potential and therefore the regeneration benefit of the existing carpark would outweigh the potential harm.

Suggestion has been made to see designation of the two shop units expanded to include all types of highstreet activity, so these spaces could be designated use class A1 - A5 and B1 and so meet the aspirations of OMQNDP policy C1.

However retail ground floor uses are welcomed (although not required by policy) as the site is adjacent to a Secondary Shopping Frontage, and the proposal would result in a continuation of this. The application is being determined on the merits of what is proposed however in future there may be flexibility in changing the use of these units through further applications.

Whilst the commercial use on the ground floor is welcomed, the servicing of these units (deliveries and collections) needs to be carefully looked at in view of the site's location on a busy junction. This is further explored within the transport section of this report.

The proposal is therefore considered to be acceptable in principle.

B. Affordable Housing

The delivery of affordable housing is a key priority for Bristol City Council in order to meet the increasing population need. The proposal is for 12 new residential units with the refurbishment of the existing 2 units Policy DM3 of Site Allocations and Development Management Policies would apply. This policy requires a proportionate contribution for smaller sites between 10 and 14 units, and in these cases at least 20% of the units should be affordable. An Affordable Housing Statement should explore possible tenures.

However the agent has submitted a viability appraisal that suggests that the proposed development would not be viable if contribution was made to affordable housing.

The approach to be taken in assessing whether a scheme is viable is set out in the Viability section of the government's Planning Practice Guidance (PPG). This was most recently revised in Sept 2019. In simple terms, a development is considered to be viable if the Residual Land Value (RLV) of the development is greater than the Benchmark Land Value (BLV). The RLV is calculated by ascertaining the value of the completed development, and subtracting from this all the costs involved in bringing the development forward (eg build costs, professional fees, legal costs, financing costs etc) and the developers profit. All inputs are based on present day costs and values.

The revised PPG includes the following statement about BLV: To define land value for any viability assessment, a benchmark land value should be established on the basis of the existing use value (EUV) of the land, plus a premium for the landowner.

The applicant has consistently claimed that the proposed scheme (both in its originally submitted and subsequently amended form) is unable to provide any affordable housing and has submitted a viability report to justify this. The calculations suggest that a small surplus profit of £45,320 would be made on top of profit at 20% of GDV.

The viability report has been reviewed inhouse and our own calculations estimate that the development would small deficit of -£8,626 on an accepted profit at 20% of GDV. Given this is a smaller development with lower overall profit returns which include a level of risk for the developer it is accepted that a profit return be 20% of GDV can almost be met here.

Our calculations show the development being less viable then suggested by the agent. In terms of the review of the viability report the key differences were as follows:

Existing use value for restaurant and existing flats add an additional amount for extra floorspace therefore resulting in a higher GDV suggested by the agent.

The buildcosts are therefore also increased given the corrected increase over GIA.

However this gives a higher estimated profit at 20% of GDV than suggested by the developer

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however when accounting for the higher build costs results in an overall lower RSL. The actual land value suggested by the developer appears too high given its existing use as a car park however when a more realistic lower landvalue figure is applied into the calculation we arrive at the estimated figure resulting in a small deficit in profit.

Therefore without an estimated surplus in profit to be made here it would be unreasonable to for request any contributions towards affordable housing and this is in accordance with Viability section of the government's Planning Practice Guidance (PPG) Sept 2019 which accords with the NPPF.

C. OTHER KEY ISSUES

i) CONTAMINATION

The proposed development is sensitive to contamination and is situated on and adjacent to land which has been subject to land uses which could be a potential source of contamination. Historically part of the site has been used for vehicle washing, textile manufacturing and various smaller scale industrial uses prior to the demolition of the buildings in the latter part of the twentieth century. The land to the rear has been subject to a variety of industrial uses.

The Contaminated Land Team have no objections subject to standard conditions B11, B12, B13 and C1 which have been applied.

ii) ARCHAEOLOGY

Previous archaeological work on this site identified some remains of archaeological interest although this had been compromised by later cellaring. In light of the potential and previous archaeological work in the area the monitoring of ground works on this site will be required if these proposals receive consent. This archaeological work can be secured through attaching the standard conditions B28 and C18.

D. WOULD THE PROPOSED DEVELOPMENT BE OUT OF SCALE AND/OR CONTEXT WITH THE CONSERVATION AREA?

The Authority is required (under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The case of R (Forge Field Society) v Sevenoaks DC [2014] EWHC 1895 (Admin) ("Forge Field") has made it clear where there is harm to a listed building or a conservation area the decision maker "must give that harm considerable importance and weight." [48].

Section 16 of the national guidance within the National Planning Policy Framework (NPPF) 2019 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Para 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Para 196 further states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Para 197 also states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced

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judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

In addition, Bristol Core Strategy (Adopted 2011) Policy BCS22 seeks to ensure that development proposals safeguard or enhance heritage assets in the city with Policies DM30 and DM31 in the Site Allocations and Development Management Policies (Adopted 2014) expressing that alterations to buildings should preserve or enhance historic settings.

The Old Market Quarter Neighbourhood Development Plan was made part of the development Plan in March 2016. The Plan sets out parameters for this site and the vacant land on the corner of Trinity Street as follows:-

- o Provide a continuous built frontage to West Street and Trinity Street.
- o Follow the historic pattern of buildings that previously existed on the site.
- o Comprise new buildings, with an active use at ground level on West Street and residential above.

The proposal provides a continuous frontage to West Street and although set back provides a window frontage on the side elevation to Trinity Street. The proposed development comprises of new buildings with an active commercial ground use on West Street with residential above.

Concerns have been raised that the proposed development does not respect the historic plot boundaries of the site as outlined in policy B1 of the OMQNDP. However it is considered that proposal follows the existing street frontage and respects the current existing historic building mass and character. The regeneration benefits of the site are considered to outweigh any harm in not strictly adhering to Historic Plot Boundaries.

Concerns have been raised that the proposed height of building is not sympathetic to the height of neighbouring buildings. Apart from no.64 the height of the remaining forty-three buildings on the south side of West Street are three storeys, some with a fourth storey in the roof-space behind parapets and lit by dormer windows. Given that this is a corner plot the design the height is considered acceptable given it creates a focal point when entering this side of West Street. It follows a similar height to the rank of buildings directly opposite on North Side of West Street which create a focal point on the corner. The proposed height is considered acceptable and inkeeping with the wider streetscene.

The Neighbourhood plan policy includes the vacant land to the east of the site on the corner of Trinity Street. If there is to be a higher building, then it should be on this corner and not on this site. However development proposals have not come forward on the corner plot and therefore a higher building on this plot in this proposal is considered acceptable.

Concerns have been raised that the Design and Access states that the council is happy with a proposed 4 storey building when this only may just be acceptable. Despite what has been written in the Design and Access the proposal has been assessed on its merits and is considered acceptable in terms of the proposed height.

Concerns have been raised of splitting the roof with parapets when there are no supporting or party walls underneath. This element of the design is not considered harmful and creates acceptable aesthetical symmetry in the roof design.

Concerns have been raised with regarding windows in the new building may be better as multi-paned as in the 2015 pre-app, otherwise vertical bars need to be added. The replacement windows in no.90 would be better as simple 2x2 sash windows in the existing openings (paired at first floor level). The proposed fenestration arrangements are considered to be acceptable and inkeeping with the wider streetscene and have been adjusted to cater for an optimal internal layout.

Concerns have been raised that the Cornice missing from rear elevation (side elevation has a cornice)

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and Pilasters on rear elevation should go down to ground level. Given the limited level of views to the rear elevation the proposed level of proposed building design detailing is considered at an acceptable level.

City Design Group (CDG) was consulted on this application and provided verbal comments which raised no objections. The proposed development would be of an appropriate scale and massing and have a limited impact upon the character of the host building and the Conservation Area. The adjoining buildings both exhibit extensions of similar size and type and as such, the extension is considered to be in keeping with the surrounding area.

Suggestions have been made that 'stone' must be real stone, not artificial or cast and that the brick must be of best quality and laid in lime rich mortar. The materials have been conditioned by samples and only an appropriate quality of materials will be accepted on the proposed

The proposed palette of materials, including the use of would be in keeping with the surrounding area. Conditions are requested for further details of materials to ensure that the proposed development is of high quality and would not harm the character of the Conservation Area.

Concerns that The Heritage Assessment fails to identify Trinity (Holy Trinity Church) as a listed building, grade II*, and to consider the effect that the proposed new buildings will have on the setting of the church. It has not been covered in the heritage assessment however when evaluating the proposal it is not considered to result in a detrimental impact to the setting of the nearby Holy Trinity Church. Conservation and Heritage have not objected to the proposal.

It is considered that the proposed development is acceptable in terms of design and would not be out of scale or keeping with the surrounding area. The proposal is considered to preserve the wider Conservation area and not considered to result in a detrimental impact to the setting of any nearby historic buildings.

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

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

The increase height of the building would not have an unacceptable impact to neighbouring properties given that it will be built alongside the existing rank of development on West Street. To the rear lies a commercial carpet warehouse building with blank elevations and to the corner a vacant plot. The same principles apply when considering overlooking to neighbouring sites.

As previously covered in paragraph A. The Old Market Quarter Neighbourhood Development Plan was made part of the development Plan in March 2016. Policy C11.2 designates this site as a potential development site, encompassing 90 West Street as well as the Carpets Direct warehouse. This possibly includes 86-88 West Street, 90 West Street and Trinity Street Carpet Warehouse as part of a comprehensive scheme. The Neighbourhood plan policy includes the vacant land to the east of the site on the corner of Trinity Street. However in this instance no comprehensive scheme involving the other site has been brought forward. The proposed development however is not connected to the Trinity Street Carpet Warehouse and the proposal may still allow for some sensitively design development here. The vacant land adjacent to the development would be difficult to develop following the approval of this scheme given the proposed windows facing this plot. However the vacant land is a small plot with difficult development potential and therefore the regeneration benefit of the existing carpark would outweigh the potential harm.

The proposed development would not result in any unacceptable impacts upon residential amenity.

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Policy BCS15 states that development should address issues related to flexibility and adaptability, allowing future modification of use or layout, facilitating future refurbishment and retrofitting.

Bristol Core Strategy Policy BCS18 makes specific reference to residential developments providing sufficient space for everyday activities and states that space should be flexible and adaptable, by meeting appropriate space standards.

Policy BCS21 sets out that new development should create a high quality living environment for future occupiers and should create buildings and spaces that are adaptable to changing social, technological, economic and environmental conditions.

Flats 1-10 are one bed flats. Flat 7 is a new flat at third floor level at No.90

Flats 11 and 12 are two bedroom Flats

Flats 13 and 14 are extended one bedroom flats at No.90.

There is a mixture of single and dual aspect flats proposed dictated by the site constraints.

Flats 2, (13), 5, (14), 7, 9, 11 and 12 are dual aspect. 13 and 14 are within the existing building so would be discounted from any calculations.

Flats 1, 3, 4, 6, 8 and 10 are single aspect. Therefore 50% are dual aspect and 50% are single aspect. Given that all these flats are one bedroom this is not untypical of the internal layout.

Flats 1, 4 and 8 are North Facing which is 25% of the flats ie: 3 out of 12. This is not a significant number and Flats 1, 4 and 8 have good views over West Street.

The are 12 new flats which would generate $5m \times 12 + 2m^2$ of amenity space = 62m² required. The child yield indicator has a result of 0.92 so it is not proposed to provide any additional amenity space. It is proposed to provide 66m² of shared amenity space at the rear of the site which is considered acceptable. There are also areas of green space close to the site on Trinity Street and Lamb Street.

Concern has been raised that the existing flats 1 bedroom would only create 47sq metres of floor, on measuring the floor plans they appear to be 49sq metres including the new proposed rear extension. This is considered an acceptable improvement over the existing arrangements and falling short of 1sq metres of current space standards on balance is considered acceptable.

The proposed development meets the minimum space standards required for this type of development and the Local Planning Authority (LPA) is satisfied that the fenestration proposed would allow for appropriate daylight and outlook providing dual aspect living accommodation where possible in this development.

ii) Noise/Odour Impact on future occupiers.

Concerns have been raised that no extraction scheme for the existing/proposed restaurant has been planned into the design of the building. This has been conditioned prior to commencement.

There are Air Source Heat Pumps at the rear of the retail areas these will be sound proofed so that the users of the amenity space are not affected by the use of these.

In terms of concerns raised of potential noise impact from the nearby Trinity Centre Venue, Environmental Protection have confirmed that there have been limited complaints made regarding the venue:

Only very infrequent complaints made against the Trinity Centre:

June 2010 - music noise

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May 2011 - music noise

November 2015 - noise from waste glass collection

March 2017 - music noise

December 2019 - music noise

There are currently existing residential dwellings on Hassell Drive opposite the Trinity which are approximately 66metres from the venue. There are existing flats on the Northside of West Street on Corner of Braggs Lane approximately 55 metres from the venue. These dwellings and flats have no special sound proofing measures.

The proposed development is approximately 50 metres from the venue and will incorporate sound proofing measures as outlined in the revised noise report. Given that these measures will be conditioned and E.P have confirmed the report makes recommendations with regards to the sound insulation and ventilation required in order to protect future residents of the proposed development from noise from traffic and the Trinity Centre the proposed noise impact on future occupiers is considered acceptable and would not be detrimental to living conditions.

E.P have raised no objections to impacts on residential amenity from either noise or odour subject to conditions. It is not considered that the development would jeopardise the running of the Trinity Centre Venue as it has been or lead to its closure due to noise impact.

G. DOES THE PROPOSED DEVELOPMENT SATISFACTORILY ADDRESS TRANSPORT, ACCESS AND MOVEMENT ISSUES?

Policy BCS10 requires that development should be designed and located to ensure the provision of safe streets. It outlines that development should create places and streets where traffic and other activities are integrated.

Policy DM23 of the Site Allocations and Development Management Policies states that development should not give rise to unacceptable traffic conditions. As well as this it sets out that proposals for parking, servicing and loading should make effective and efficient use of land.

Concerns have been raised that lifts have not been proposed to be installed in the development. However occupancy numbers/floor space is low and the development is at the smaller end of scale. Space constraints of a site in terms of its limited depth limit the potential installation of a lift. The cost of a lift in relation to the scheme cost/viability is high and for the above reasons it would be unreasonable to request the installation of lift in the development.

Transport Development Management (TDM) has been consulted on this application. No objections were raised to the amended plans.

The site is located within an existing commercial and residential area and is in a sustainable location in terms of access to public transport, shops and services. Given the highly sustainable location of the site, it considered that the proposed development could be car free, and as such no car parking is proposed.

Concerns of a Transport Statement not being submitted has been raised however TDM have raised no concerns regarding this and as outlined above the proposed location is highly assessable by public transport and car free.

It has been conditioned that the existing access is closed off and the footway is reinstated to kerb height.

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i) Bin storage

Concerns have been raised that consideration should be given to using the narrow strip of land between the advertising billboard and the carpet warehouse as a means of rear access to the site, so that deliveries, dustbins, bicycles and motorbikes etc. do not have to be brought through the entrances to the shops or flats or entail the provision of a 1.5 metre wide access way through the new building.

Amended plans have addressed concerns raised with the proposed bin storage

Bin storage would be included to the rear and is considered to be acceptable in this case.

ii) Cycle storage

Cycle storage will also be provided on-site in accordance with the Parking Standards Schedule and is considered to be acceptable.

It is considered that the proposed development would not significantly increase traffic in this area.

It is considered that there would be no unacceptable impacts upon transport and highways.

H. DOES THIS PROPOSAL DEMONSTRATE A SUSTAINABLE DESIGN & CONSTRUCTION?

Policy BCS13 sets out that development should include measures to mitigate and adapt to climate change and to meet targets to reduce carbon dioxide emissions.

Policy BCS14 sets out that development in Bristol should include measures to reduce carbon dioxide emissions by minimising energy requirements and incorporating renewable and low carbon energy sources. Development will be expected to provide sufficient renewable energy to reduce carbon dioxide emissions by a minimum of 20%.

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

A Climate Change and Sustainability Strategy was submitted alongside this application. This states that the proposed development would have high levels of insulation which would minimise energy use and the proposed dwelling would incorporate the use of solar panels and Air Source Heatpumps.

It is considered that this application has given due consideration to sustainable design and construction and therefore is policy compliant. The proposed development would adequately reduce energy use and carbon emissions.

i) OVERHEATING ANALYSIS

BCS13 requires that development includes site layout and design measures to adapt to climate change impacts, and that this is done in a way that does not increase CO2 emissions. This includes increased temperatures and the risk of overheating.

Sustainable Cities agree with the statement that analysis undertaken with PHPP is significantly better than the overheating assessment in SAP. However, they continue to have concerns that parts of the development (including those identified in the report, but also the top floor units) will be liable to overheating during the life of the scheme.

Sustainable Cities recognise that GCP have adjusted the PHPP inputs to reflect projected increases

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in summer temperatures, but am not persuaded that this is equivalent to analysis using dynamic thermal modelling and projected weather files to 2050 and 2080, which anticipate significant increases in average and peak summer temperatures in excess of 2 deg C.

Given that the report has identified an overheating risk, I recommend requesting additional analysis, i.e. dynamic thermal modelling to 2080 using the CIBSE TM59 assessment criteria, to provide assurance and information on what mitigation measures will be required.

Concerns have been raised that a Ventilation and Extraction statement has not been submitted however the overheating assessment has covered potential means of ventilation.

Concerns have been raised that the floor plans as drawn do not comply with Building Regulations Part B; there should be a means of ventilating corridors on each floor either by an external wall vent or by a vertical smoke shaft. Further methods of ventilation and extraction may be required through further overheating analysis which has been conditioned, the proposed build must comply with building regulations.

Further overheating risk analysis (e.g. following CIBSE TM59/TM52 guidance/other as appropriate) should be carried out based on dynamic thermal modelling in order to understand the implications of future projected temperatures (e.g. in 2030 and 2050) on the development in order to mitigate the risks appropriately and ensure a comfortable internal environment is provided without the need for energy consuming cooling equipment.

Alternatively, the design should be amended to ensure the proposals do not include measures that increase the risk of overheating - such as single aspect units, top floor flats, no shading to windows etc. Further guidance produced by the NHBC foundation/zero carbon hub on understanding overheating and design options are available.

Further analysis has been conditioned prior to the commencement to ensure this element is acceptable before development can commence.

I) OTHER ISSUES

Concerns of not being involved in any community consultation prior to submission have been raised. The Community Consultation document submitted with this application is not acceptable. There has been no effective community consultation and no dialogue between the applicant and community groups. It appears that the application has met minimum statutory requirements in terms of community consultation, although there appears to be room for improvement here. What opportunities that have been missed here however have been covered following the statutory consultation process.

Concerns have been raised that advice has not been followed from the pre-application enquiry and no reference has made to the comments from the Old Market Neighbourhood Planning Forum. This appears to be somewhat correct and it has been a lengthy process with the agent in requesting additional information and amendments to address the initial concerns raised.

Concerns have been raised that there are discrepancies in the plan drawings:

- o The rear wall on the ground floor plan does not align with the rear wall on the upper floors.
- o The 1st floor level in the new buildings should be the same as the surveyed floor level in no.90.
- o The 3rd floor level is wrongly stated.

It appears that these concerns have been addressed in the amended plans.

Concerns have been raised that the floor plans as drawn do not comply with Building Regulations Part B; there should be a means of ventilating corridors on each floor either by an external wall vent or by a vertical smoke shaft. Further methods of ventilation and extraction may be required through further overheating analysis which has been conditioned, the proposed build must comply with building

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regulations.

EQUALITIES ASSESSMENT

The public sector equalities duty is a material planning consideration as the duty is engaged through the public body decision making process. "S149 of the Equalities Act 2010 provides that a public authority must in the exercise of its functions have due regard to:-

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

During the determination of this applications due regard has been given to the impact of the scheme upon people who share the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In their assessment of these applications your officers are satisfied that any adverse impacts can be addressed and mitigated through the detailed design of the buildings and the imposition of appropriate conditions.

CONCLUSION

It is considered that this development would be acceptable in principle. The design of the new dwelling would be appropriate and in keeping with the wider Conservation Area and there would be no harm to residential amenity. Subject to the implementation of noise insulation measures it is not considered that the development would jeopardise the running of the Trinity Centre Venue as it has been or lead to its closure due to noise impact. Sufficient sustainability measures are proposed and the development raises no significant transport issues. It is recommended that planning permission is granted for this development subject to conditions.

APPROVE WITH CONDITIONS

CIL

The proposal is liable to figure of £80,184

RECOMMENDED GRANT subject to condition(s)

Time limit for commencement of development

1. Full Planning Permission

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

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

Pre commencement condition(s)

2. To ensure implementation of a programme of archaeological works

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No development shall take place until the applicant/developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Investigation which has been submitted by the developer and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To ensure that archaeological remains and features are recorded prior to their destruction.

3. Overheating Assessment

Prior to commencement of the development hereby approved, further analysis is required in regard to the existing overheating assessment (which has identified an overheating risk) demonstrating how dynamic thermal modelling to 2080 using the CIBSE TM59 assessment criteria, to provide assurance and information on what mitigation measures will require adaptation and have been incorporated into the design and construction of the development while complying with the approved noise mitigation measures. The further information shall be submitted for approval in writing by the Local Planning Authority.

The development shall be constructed in full accordance with the sustainability statement prior to occupation.

Reason

BCS13 requires that development includes site layout and design measures to adapt to climate change impacts, and that this is done in a way that does not increase CO2 emissions. This includes increased temperatures and the risk of overheating.

To ensure the development incorporates measures to minimise the effects of overheating, and can adapt to a changing climate.

4. Land affected by contamination - Site Characterisation

No development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, and has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme should be submitted to and be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:

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- * human health,
- * property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- * adjoining land,
- * groundwaters and surface waters,
- * ecological systems,
- * archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination is understood prior to works on site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

5. Land affected by contamination - Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, submitted to and been approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination is understood prior to works on site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

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

In the event that contamination is found, no development other than that required to be carried out as part of an approved scheme of remediation shall take place until the approved remediation scheme has been carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and be approved in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination both during the construction phase and to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

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7. 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:

- o 24 hour emergency contact number;
 - o Hours of operation;
 - o 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);
 - o Routes for construction traffic;
 - o Locations for loading/unloading and storage of plant, waste and construction materials;
 - o Method of preventing mud being carried onto the highway;
 - o Measures to protect vulnerable road users (cyclists and pedestrians)
 - o Any necessary temporary traffic management measures;
 - o Arrangements for turning vehicles;
 - o Arrangements to receive abnormal loads or unusually large vehicles;
 - o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.
- o All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and at no time on Sundays and Bank Holidays.
 - o Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
 - o Procedures for emergency deviation of the agreed working hours.
 - o Control measures for dust and other air-borne pollutants .
 - o Measures for controlling the use of site lighting whether required for safe working or for security purposes.

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

8. Sustainable Drainage System (SUDS)

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

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

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9. Submissions of samples before specified elements started

Notwithstanding the approved plans samples of all facing materials, wall materials as appropriate, plus roof tiles and paving 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 development is satisfactory.

10. Notwithstanding the approved plans prior to the relevant element of the of the development hereby approved a sample panel of the proposed finish for the external walls shall be erected on site and made available to the local authority and approved in writing. This shall show all proposed materials and jointing. The panel shall be retained on site for the duration of the works to act as a reference.
The works shall be completed in accordance with the approved materials.

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

11. Prior to commencement, section drawings of all proposed window reveals, doors, sill and lintels, balustrade, coping; junction detail between stone and bricks and any new proposed details to the existing or proposed shopfronts(to a scale of 1:5) shall be submitted to and approved in writing by the Local planning Authority. The development will be completed in accordance with the approved drawings:

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

12. Details of Extract/Ventilation System - Not Shown

No development shall take place until details of the means of ventilation for the extraction and dispersal of cooking smells/fumes from the existing restaurant; including details of its method of construction, odour control measures, noise levels, its appearance and finish have been submitted to and been approved in writing by the Local Planning Authority. The approved scheme shall be installed before the use hereby permitted commences and thereafter shall be permanently retained.

Reason: These details need careful consideration and formal approval and to safeguard the amenity of adjoining properties and to protect the general environment. The details are needed prior to the start of work so that measures can be incorporated into the build.

Pre occupation condition(s)

13. Landscaping Scheme

Prior to first occupation of the development hereby permitted there shall be submitted to the local planning authority and approved in writing a phasing plan for the approved landscaping. The approved landscaping scheme shall be implemented in accordance with the approved phasing. 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.

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14. To secure the conduct of a watching brief during development groundworks

The applicant/developer shall ensure that all groundworks, including geotechnical works, are monitored and recorded by an archaeologist or an archaeological organisation to be approved by the council and in accordance with the Written Scheme of Investigation approved under condition 2.

Reason: To record remains of archaeological interest before destruction.

15. Sound Insulation & Ventilation

No commencement of use shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of noise insulation measures for all residential accommodation, this scheme shall also include details of ventilation.

The scheme of noise insulation measures shall take into account the recommendations detailed in the Noise Assessments submitted with the application and the provisions of BS 8233: 2014 " Guidance on sound insulation and noise reduction for buildings".

The approved details shall be implemented in full prior to the commencement of the use permitted and be permanently maintained.

Reason: In the interests of residential amenity.

16. Land affected by contamination - Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 4; and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 5; which is to be submitted to and be approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 6.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

17. Implementation/Installation of Refuse Storage and Recycling Facilities - Shown on Approved Plans

No building or use hereby permitted shall be occupied or 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.

Development Control Committee A – 10 June 2020**Application No. 18/06186/F : 90 West Street St Philips Bristol BS2 0BW**

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.

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

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

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

19. Prior to occupation of the dwellings hereby approved there should be submitted and approved in writing by the Local Planning Authority a detailed layout of the PV panels to the roofs and external Air Source Heat Pumps. This should be approved by an MCS, (Microgeneration Certification Scheme), accredited installer to ensure analysis of and shading is taken into account. The analysis shall include calculation of energy generation and associated CO₂ emissions to achieve 20% reduction on residual emissions from renewable energy in line with the approved energy statement.

The PV panels shall be installed in prior to occupation of the dwellings and thereafter retained.

Reason- To address the need to reduce CO₂ emissions through the use of renewable energy.

20. Reinstatement of Redundant Accessways - Shown on Approved Plans

No building or use hereby permitted shall be occupied or use commenced until the footway has been reinstated to full kerb height, where any vehicle crossover is redundant, in accordance with the approved plans and retained in that form thereafter for the lifetime of the development. (Please note a Section 171 Licence will be required from the Highway Department).

Reason: In the interests of pedestrian safety.

21. Prior to the occupation of the residential units hereby permitted, the proposed commercial units shall be completed in accordance with the approved plans.

Reason- In the interests of providing employment floorspace

22. Prior to the occupation of the residential units hereby permitted, details of the proposed marketing of the commercial units, (to include method and timing), shall be submitted and approved in writing by the Local Planning Authority and the units shall be marketed in accordance with this approval.

Reason- In the interests of providing employment floor space

List of approved plans

23. List of approved plans and drawings

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

PL07 Site location plan and existing site plan, received 27 November 2018

PL11A Proposed site plan, received 16 December 2019

Development Control Committee A – 10 June 2020**Application No. 18/06186/F : 90 West Street St Philips Bristol BS2 0BW**

PL01 Existing site survey, received 27 November 2018
PL02 Existing ground floor plan, received 27 November 2018
PL03 Existing first and second floor plans, received 27 November 2018
PL08A Proposed ground floor plan, received 16 December 2019
PL09A Proposed first and second floor plan, received 16 December 2019
PL10A Proposed third and fourth floor plan, received 16 December 2019
PL04 Existing side elevations, received 27 November 2018
PL05 Existing front and rear elevations, received 27 November 2018
PL06 Existing side elevation, received 27 November 2018
PL12A Proposed side elevations, received 16 December 2019
PL13A Proposed front elevation, received 16 December 2019
PL14A Proposed rear elevation, received 16 December 2019
PL15 Proposed side elevation, received 16 December 2019
Appraisal sheet 1 - open market housing, received 27 November 2018
Appraisal sheet 2 with affordable housing, received 27 November 2018
Appraisal sheet 3 - sensitivity test, received 27 November 2018
Affordable housing statement, received 27 November 2018
7769/FD/BL Noise impact assessment - June 2016, received 16 December 2019
Sustainable Energy Statement Rev C Sustainability statement - 19.11.18, received 16 December 2019
Urban Living Assessment, received 16 December 2019
Overheating Risk Appraisal, received 16 December 2019

Reason: For the avoidance of doubt.

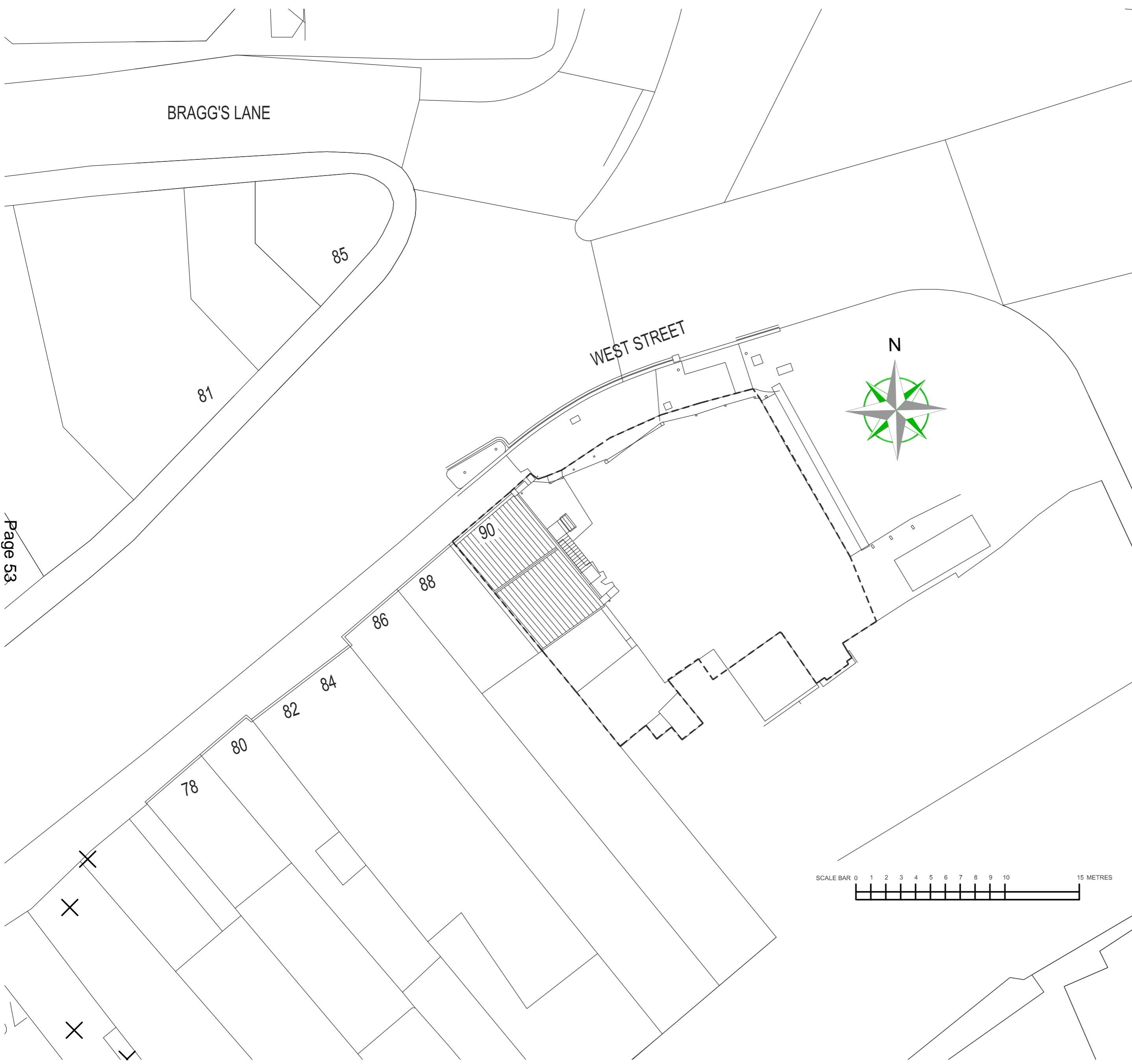
Advices**1. Restriction of Parking Permits - Existing Controlled Parking Zone/Residents Parking Scheme**

You are advised that the Local Planning Authority has recommended to the Highways Authority which administers the existing Controlled Parking Zone/Residents Parking Scheme of which the development forms part that the development shall be treated as car free / low-car and the occupiers are ineligible for resident parking permits as well as visitors parking permits if in a Residents Parking Scheme.

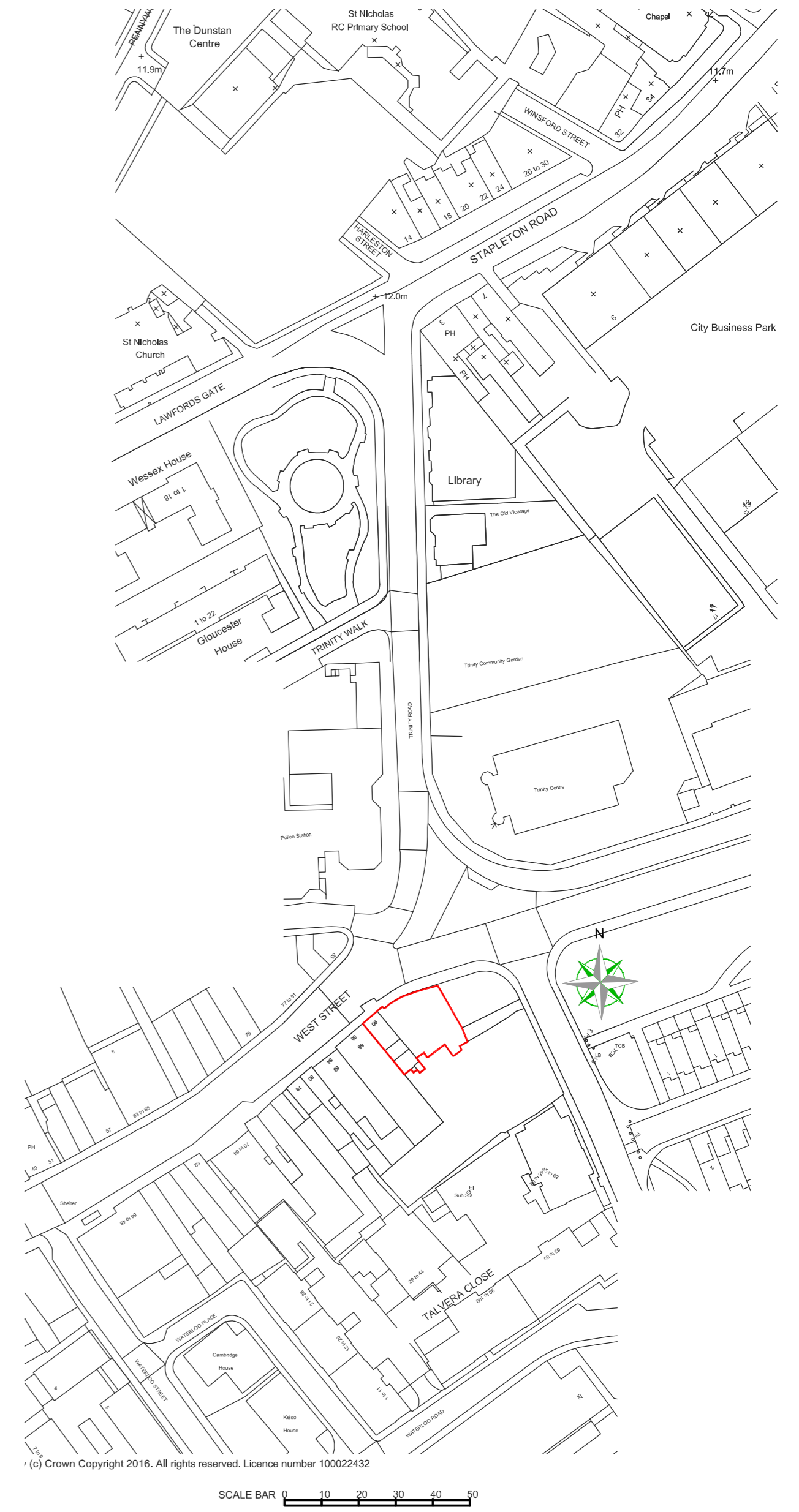
Supporting Documents

1. 90 West Street, St Philips, Bristol, BS2 0BW

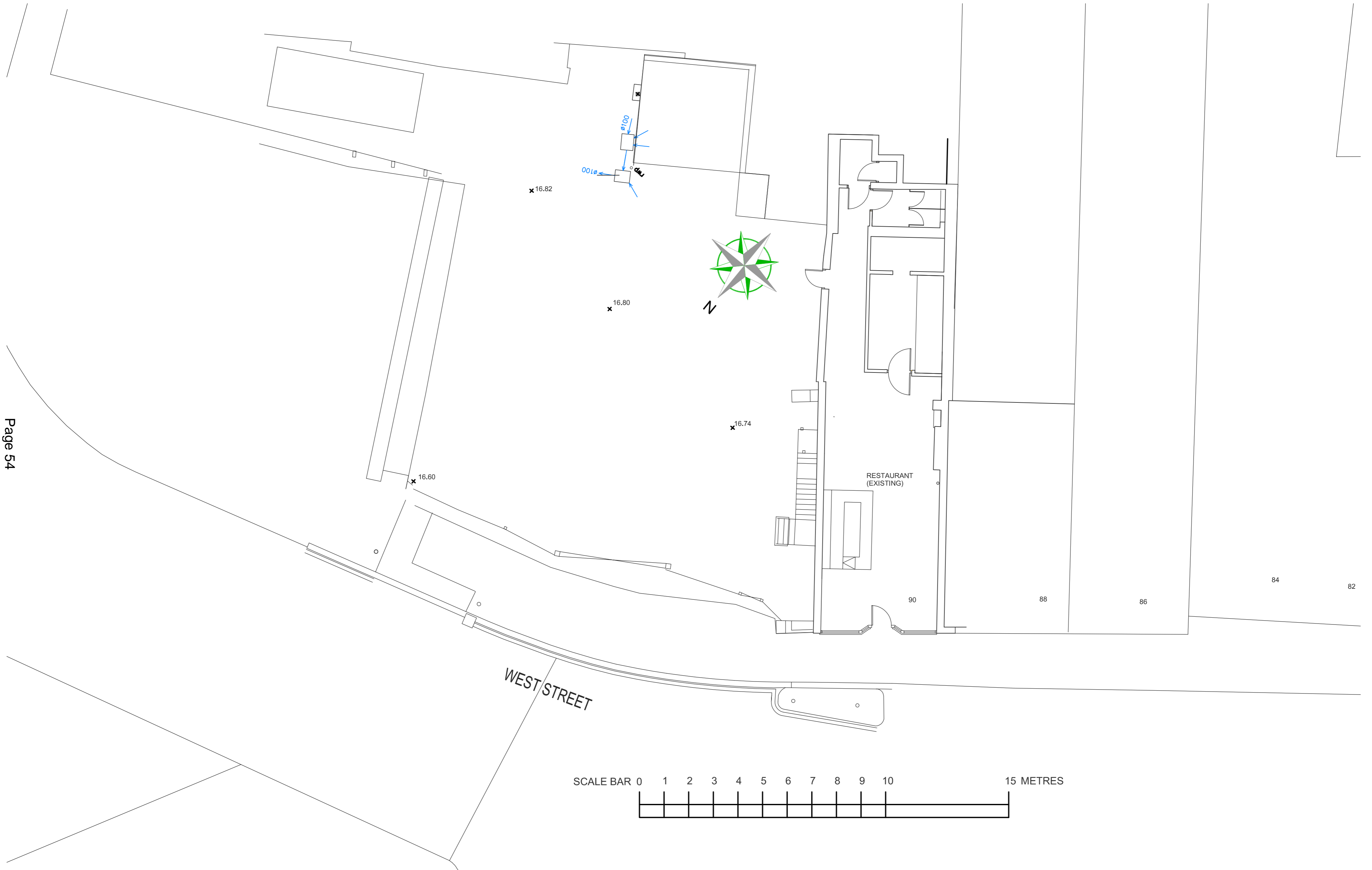
1. Existing Site Plan and Location Plan
2. Existing Ground Floor Plan
3. Existing First And Second Floor Plan
4. Existing Front And Rear Elevations
5. Existing Side Elevation
6. Existing Side Elevations
7. Proposed Site Plan
8. Proposed Ground Floor Plan
9. Proposed First And Second Floor Plans
10. Proposed Third And Fourth Floor Plans
11. Proposed Front Elevation
12. Proposed Rear Elevation
13. Proposed Side Elevations
14. Proposed Side Elevation

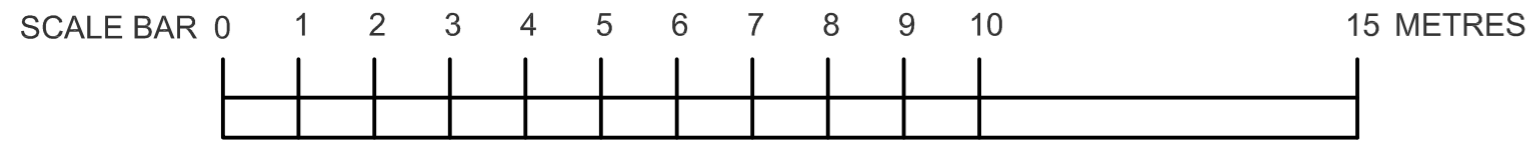


SITE PLAN SCALE 1:200

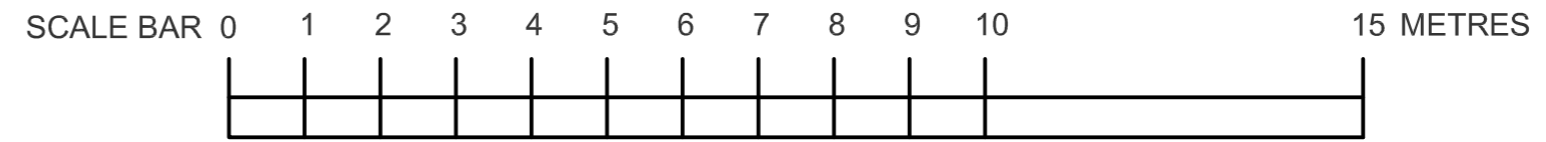


LOCATION PLAN SCALE 1:1250





FIRST FLOOR PLAN

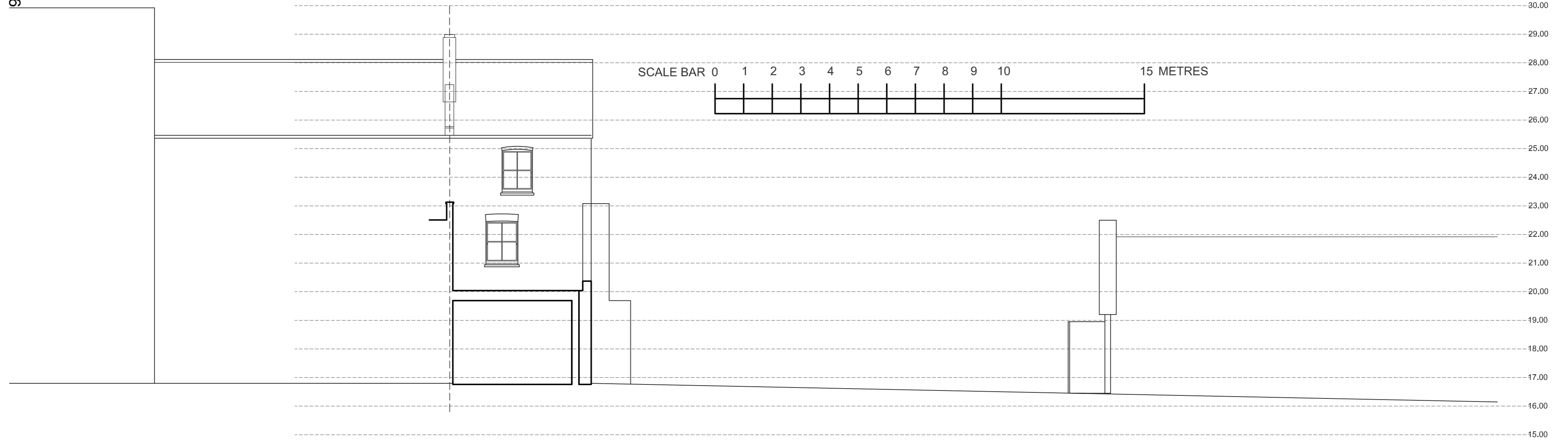


SECOND FLOOR PLAN

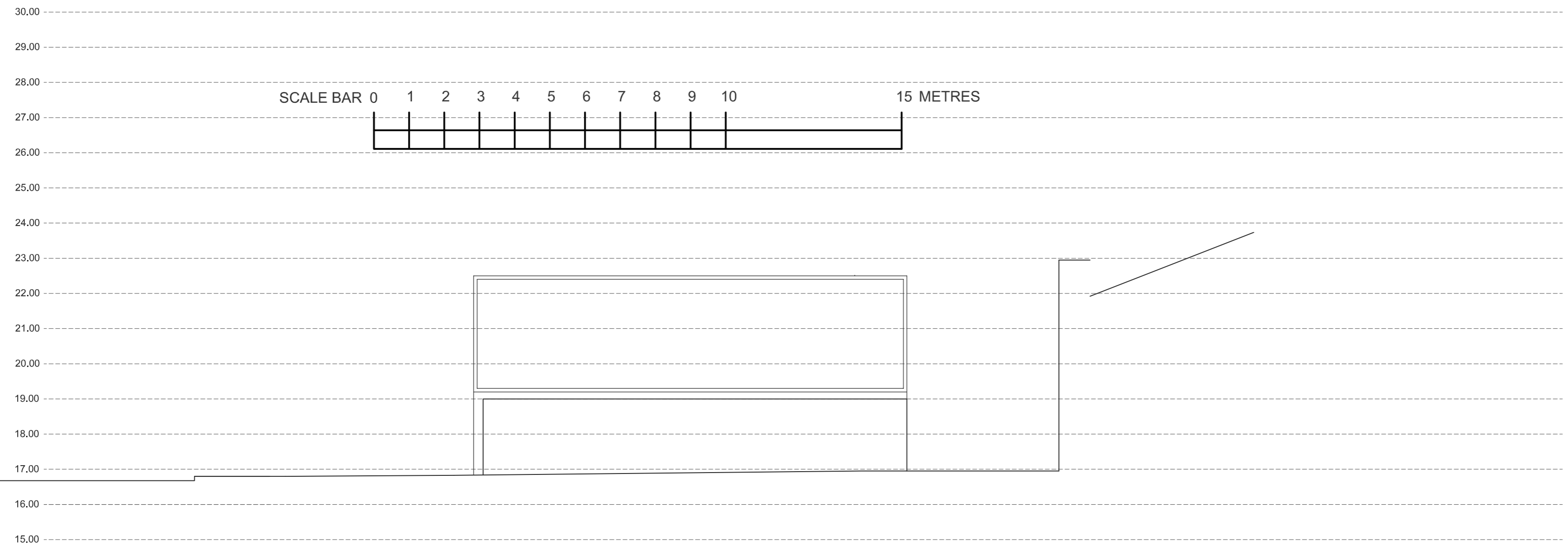


FRONT ELEVATION FROM WEST STREET

Page 56

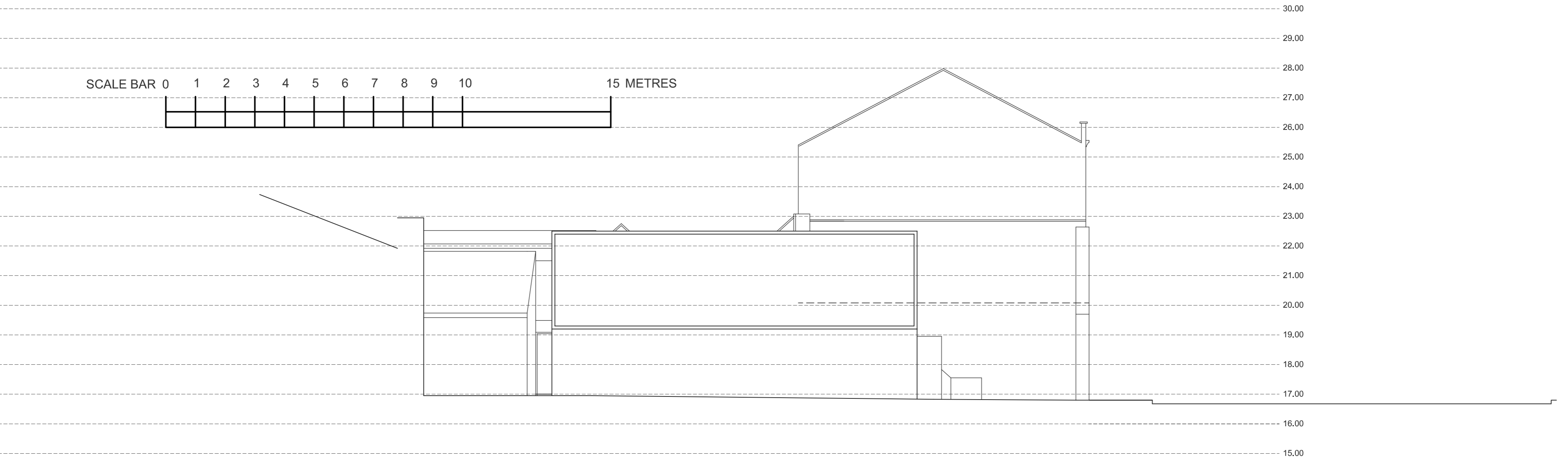
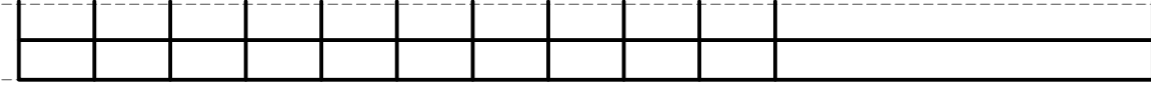


REAR ELEVATION



SIDE ELEVATION TOWARDS BILL BOARD

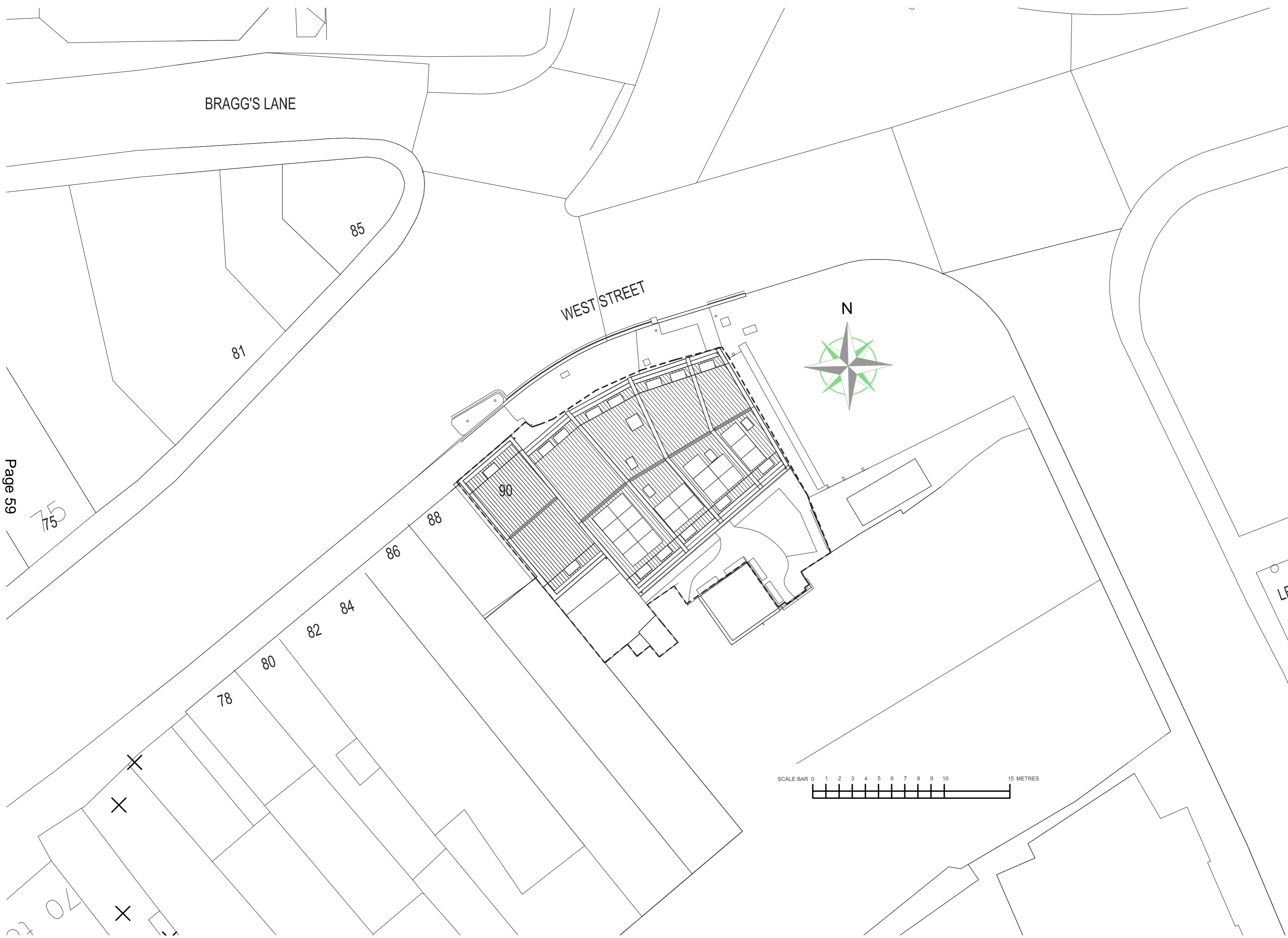
SCALE BAR 0 1 2 3 4 5 6 7 8 9 10 15 METRES



SIDE ELEVATION TOWARDS 90 WEST STREET WITH BILL BOARD IN FOREGROUND



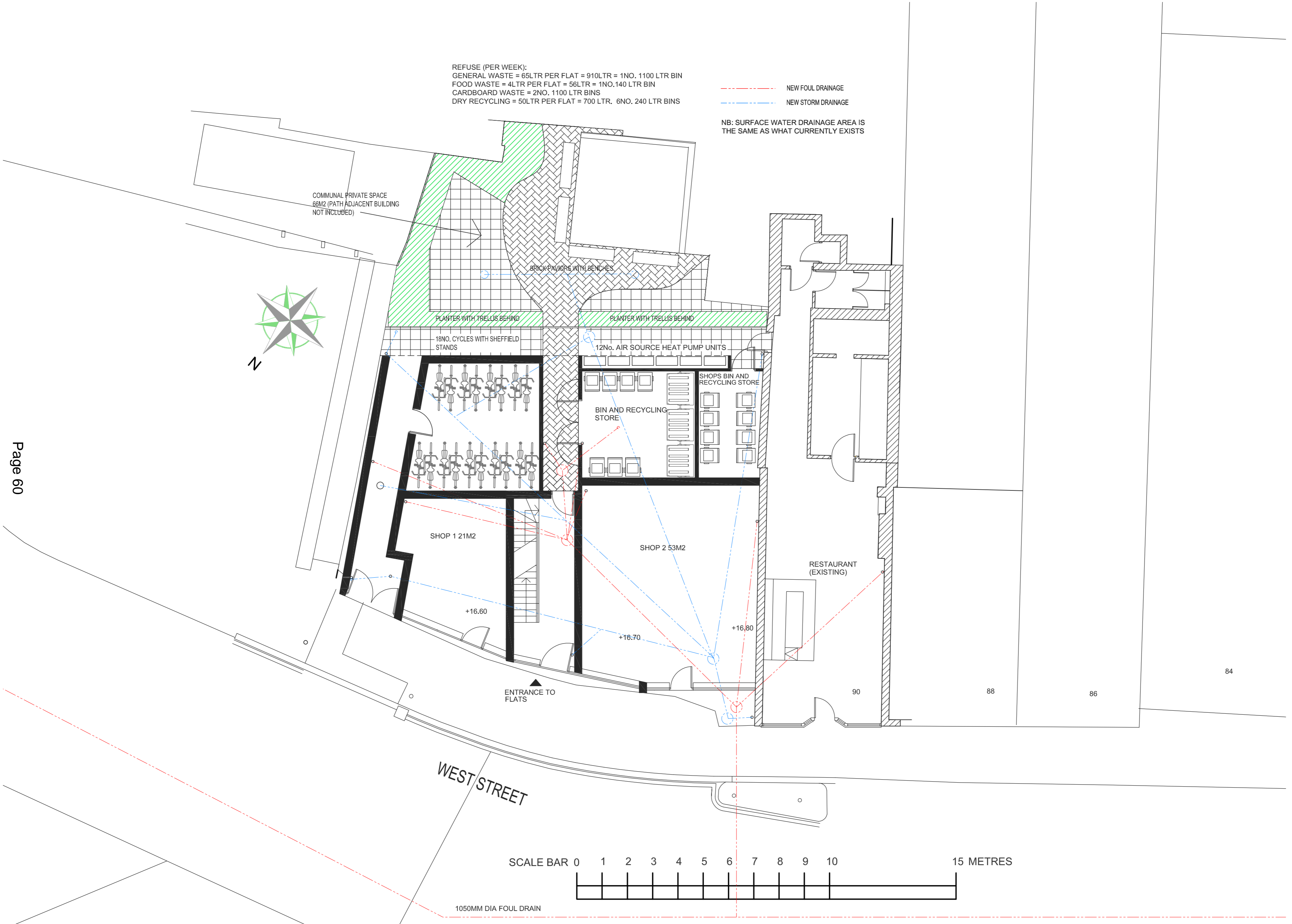
SIDE ELEVATION TOWARDS 90 WEST STREET

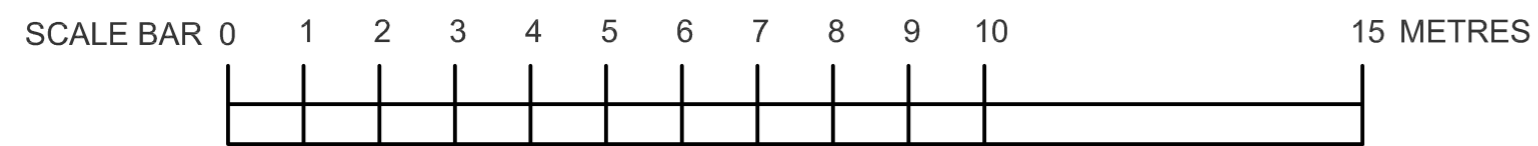


REFUSE (PER WEEK):
 GENERAL WASTE = 65LTR PER FLAT = 910LTR = 1NO. 1100 LTR BIN
 FOOD WASTE = 4LTR PER FLAT = 56LTR = 1NO. 140 LTR BIN
 CARDBOARD WASTE = 2NO. 1100 LTR BINS
 DRY RECYCLING = 50LTR PER FLAT = 700 LTR. 6NO. 240 LTR BINS

--- NEW FOUL DRAINAGE
 --- NEW STORM DRAINAGE

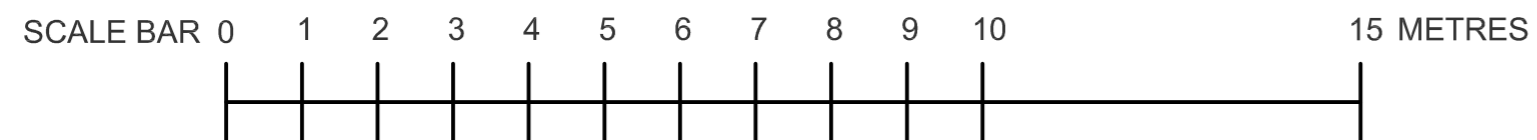
NB: SURFACE WATER DRAINAGE AREA IS THE SAME AS WHAT CURRENTLY EXISTS





FIRST FLOOR PLAN SCALE 1:100

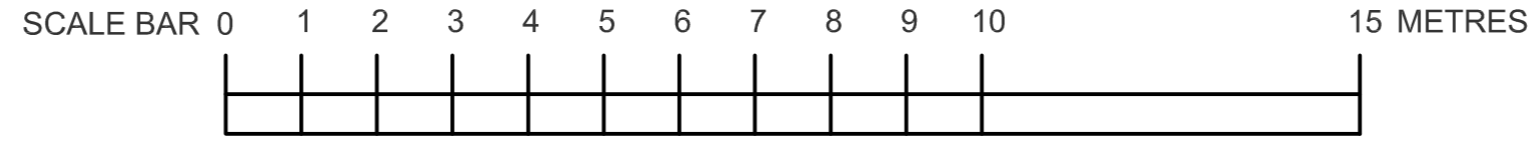
SECOND FLOOR PLAN SCALE 1:100



THIRD FLOOR PLAN SCALE 1:100



FOURTH FLOOR PLAN SCALE 1:100



EXTERNAL MATERIALS:

WALLS: RED BRICK OR THROUGH COLOURED RENDER
 STONE CILLS, HEADS AND SURROUNDS TO WEST STREET ELEVATION WINDOWS
 THROUGH COLOURED RENDER TO SIDE AND REAR ELEVATIONS
 STONE PILASTERS AND STONE COPINGS

ROOF: NATURAL SLATE TO MANSARDS
 DORMER WINDOWS TO HAVE LEAD SURROUNDS AND ROOF

WINDOWS: GREY FRAMED SASH

RAINWATER GOODS: PPC ALUMINIUM



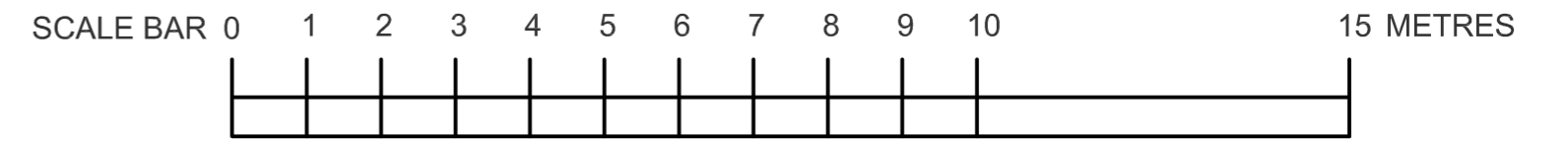
EXTERNAL MATERIALS:

WALLS: RED BRICK OR THROUGH COLOURED RENDER
 STONE CILLS, HEADS AND SURROUNDS TO WEST STREET ELEVATION WINDOWS
 THROUGH COLOURED RENDER TO SIDE AND REAR ELEVATIONS
 STONE PILASTERS AND STONE COPINGS

ROOF: NATURAL SLATE TO MANSARDS
 DORMER WINDOWS TO HAVE LEAD SURROUNDS AND ROOF

WINDOWS: GREY FRAMED SASH

RAINWATER GOODS: PPC ALUMINIUM



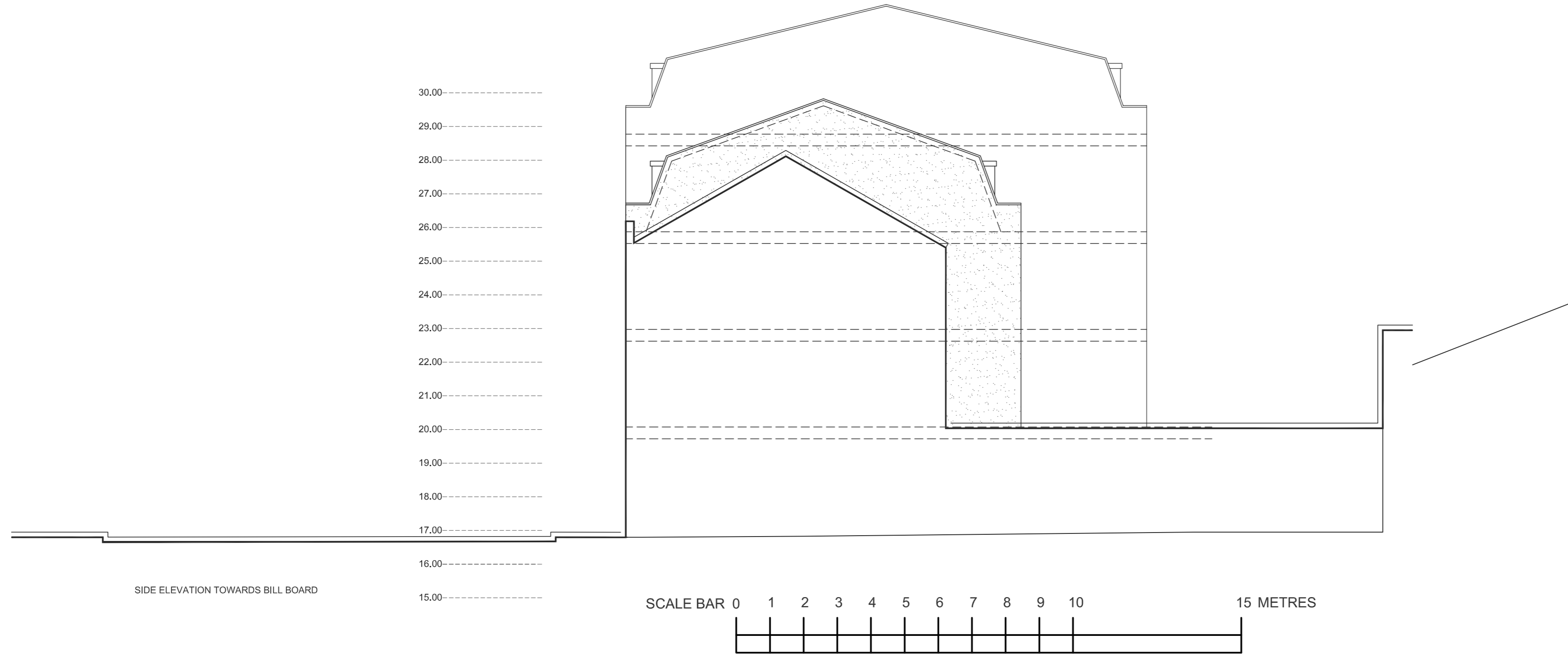
SIDE ELEVATION TOWARDS 90 WEST STREET WITH BILL BOARD IN FOREGROUND



EXTERNAL MATERIALS:

- 30.00 WALLS: RED BRICK OR THROUGH COLOURED RENDER
- 29.00 STONE CILLS, HEADS AND SURROUNDS TO WEST STREET ELEVATION WINDOWS
- 28.00 THROUGH COLOURED RENDER TO SIDE AND REAR ELEVATIONS
- 27.00 STONE PILASTERS AND STONE COPINGS
- 26.00 ROOF: NATURAL SLATE TO MANSARDS
- 25.00 DORMER WINDOWS TO HAVE LEAD SURROUNDS AND ROOF
- 24.00 WINDOWS: GREY FRAMED SASH
- 23.00 RAINWATER GOODS: PPC ALUMINIUM
- 22.00
- 21.00
- 20.00
- 19.00
- 18.00
- 17.00
- 16.00

SIDE ELEVATION TOWARDS 90 WEST STREET



Development Control – 10 June 2020

ITEM NO. 2

WARD: Clifton Down
SITE ADDRESS: 6-8 Belgrave Hill Bristol BS8 2UA

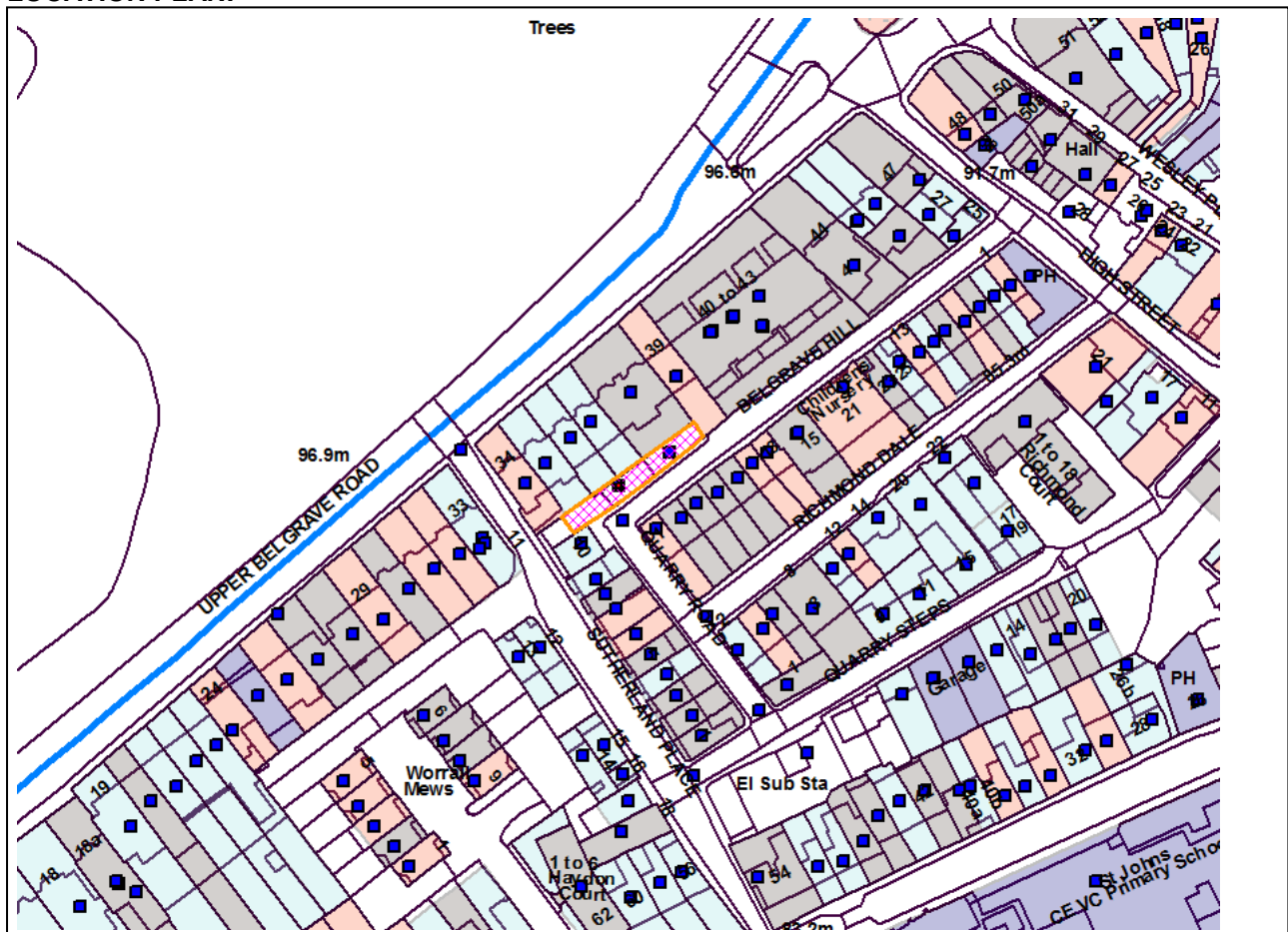
APPLICATION NO: 20/00691/F Full Planning
DETERMINATION DEADLINE: 14 June 2020
Proposed development of a single dwelling (Use Class C3) with associated external works (Self Build).

RECOMMENDATION: Grant subject to Condition(s)

<p>AGENT: Mr David Hagan 1 Host Street Bristol BS1 5BU</p>	<p>APPLICANT: James King C/o Agent</p>
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The following plan is for illustrative purposes only, and cannot be guaranteed to be up to date.

LOCATION PLAN:



Development Control – 10 June 2020
Application No. 20/00691/F : 6-8 Belgrave Hill Bristol BS8 2UA

This application has been referred to the Committee by Councillor Stevens if recommended for approval by officers (please refer to the Councillor's referral form).

The application follows recent application 19/03178/F refused by Development Control (DC) Committee A in October 2019. The current application is for a single dwelling, while application 19/03178/F was for two dwellings. This report contains a summary of changes compared to the previous application and the Committee reports for previous relevant applications are appended to this report.

Planning application 19/03178/F was refused by DC Committee A on 16th October 2019 for the reason set out below following an officer recommendation to approve:

1. The proposed development has been assessed as comprising two no. two-bedroom dwellings as the proposed study rooms would be considered usable as bedrooms and were originally intended for that purpose. **The proposed dwellings by reason of their small size and overall living environment would fail to provide sufficient space for everyday activities and to enable flexibility and adaptability** in accordance with Policies BCS18 and BCS21 of the Bristol Core Strategy (2011) and Policy DM29 of the Site Allocations and Development Management Policies (2014). **The proposal would fail to meet the Technical housing standards-** nationally described space standard (DCLG, March 2015) and would not be in accordance with Section 12, Paragraph 127 of the National Planning Policy Framework (2018).provide sufficient space for everyday activities and to enable flexibility and adaptability in accordance with relevant policy. They would fail to meet the Technical housing standards.' [Reason highlighted by officer].

Application 18/02902/F preceded that application and was refused on the grounds of: 1) Space standards and living environment; and 2) Loss of parking. Prior applications 19/03178/F (refused), 18/02902/F (refused) and 14/02366/F (approved) are material considerations in the consideration of the current application. The appended report refers in detail.

41 objections to the proposals have been received (including Councillor Stevens' referral) and 1 contribution in support (Bristol Conservation Advisory Panel). The representations received were on grounds already raised in relation to the previous application and summarised in that report- refer to report for details (19/03178/F).

KEY ISSUE- HAS THE PROPOSAL ADDRESSED THE PREVIOUS REASON FOR REFUSAL OF APPLICATION 19/03178/F?

The previous reason for refusal was on the grounds of the small size (failure to meet the technical space standards) and overall living environment of the proposed dwellings.

The proposed dwelling has been assessed against the Technical housing standards- nationally described space standard (DCLG, March 2015) and complies with the standard. The overall dwelling size exceeds the standard by 7sqm and the relevant requirements in terms of bedrooms sizes, widths and storage are met.

In terms of the overall living environment, the constraints of the site result in a dwelling with a narrow room layout and generally a single aspect onto Belgrave Hill- the ground floor bedroom overlooks the small courtyard. The house has been designed with narrow 'slot' style windows, high levels windows,

Development Control – 10 June 2020**Application No. 20/00691/F : 6-8 Belgrave Hill Bristol BS8 2UA**

set-back windows, obscure glazing and roof lights in order to mitigate against overlooking of neighbouring properties. The Belgrave Hill elevation is south-east facing.

Policy DM29 of the Site Allocations and Development Management Policies Document (SADMP) states that 'new residential development should provide dual aspect where possible, particularly where one of the aspects is north facing.' It states that new buildings will be expected to 'achieve appropriate levels of privacy, outlook and daylight'.

Officers consider that the proposal would be acceptable on the grounds of the living environment provided overall and are satisfied that it would provide satisfactory levels of daylight, outlook and privacy. Officers consider that the previous reason for refusal has been addressed.

COMMUNITY INFRASTRUCTURE LEVY

How much Community Infrastructure Levy (CIL) will this development be required to pay?
The CIL liability for this development is £12,629.38.

CONCLUSION: Approval is recommended subject to the conditions set out below.

RECOMMENDED GRANT subject to condition(s)**Time limit for commencement of development****1. Full Planning Permission**

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

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

Pre commencement condition(s)**2. Full-time supervision by a geotechnical engineer/engineering geologist during enabling works**

The development enabling works (including all site investigation, stabilisation works, clearance of base rock/ walls and foundation works) hereby approved shall be carried out only under the full-time supervision of the approved geotechnical engineer/ engineering geologist for the full duration of the enabling works, unless otherwise agreed in writing by the Local Planning Authority.

The development hereby approved shall be carried out only in full accordance with the approach and methodologies set out within the approved reports: 'Proposed method statement and sequence of working' (Integrale Ltd. 2014), 'Outline Methodology for Combining Geotechnical Investigation with Stability Works' (Integrale Ltd. 2013, Report No. 4349/A) and 'Outline methodology for combining geotechnical investigation with stability works and proposed anchor schedule.' (Integrale Ltd. 2018, Report no. 9221/C) unless otherwise agreed in writing by the Local Planning Authority.

Development Control – 10 June 2020**Application No. 20/00691/F : 6-8 Belgrave Hill Bristol BS8 2UA**

Should unexpected conditions arise, which are not foreseen in the approved reports, no further work shall be carried out (except those required to secure the site), without a working method agreed in writing by the Local Planning Authority. The development shall not be occupied until a validation report to confirm that the approved works have been submitted and approved by the Local Planning Authority.

Reason: To ensure proper supervision by an appropriately qualified geotechnical engineer/ Engineering geologist during works in the interest of land stability and to ensure compliance with the previously agreed methodologies and sequence of working.

3. Insurance policy

No development shall take place until the developer has provided evidence that an appropriate insurance policy has been taken out (to which the City Council will have access as a named party on the insurance details), to be approved in writing by the Local Planning Authority, in respect of any adverse effect the works may have on the stability of the existing retaining wall to the north of the site, any base rock/ walls adjacent to the footway and any neighbouring properties upslope of the site within 10m of the site boundary and also 10 Sutherland Place/ Mews. The insurance policy shall be sufficient to cover any potential problems that may arise during the course of construction and consequently as a result of the development.

Reason: To ensure that the Local Planning Authority as a named party in the insurance policy has the access to the policy in order to secure the necessary funds to carry out any remedial works required in respect of stability of the retaining wall or site, in the event that this becomes necessary.

4. To secure the recording of the fabric of buildings of historic or architectural importance

No development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall - other than basic works to ensure the safety of the archaeologists/ other contractors to be agreed in writing by the Local Planning Authority prior to being carried out) shall take place until the applicant/developer has recorded those parts of the building which are likely to be disturbed or concealed in the course of redevelopment or refurbishment. The recording shall be carried out by an archaeologist or archaeological organisation approved by the Local Planning Authority.

Reason: To ensure that features of archaeological or architectural importance within a building are recorded before their destruction or concealment.

5. To ensure implementation of a programme of archaeological works

No development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall - other than basic works to ensure the safety of the archaeologists/ other contractors, to be agreed in writing by the Local Planning Authority prior to being carried out) shall take place until an updated Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- * The programme and methodology of site investigation and recording- including timetable;
- * The programme for post investigation assessment- including timetable;
- * Provision to be made for analysis of the site investigation and recording
- * Provision to be made for publication and dissemination of the analysis and records of the site investigation including timetable;
- * Provision to be made for archive deposition of the analysis and records of the site investigation- including timetable;

Development Control – 10 June 2020

Application No. 20/00691/F : 6-8 Belgrave Hill Bristol BS8 2UA

* Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The development (including demolition of existing structures or stabilisation works to the retaining wall – other than basic works to ensure the safety of the archaeologists/ other contractors to be agreed in writing by the Local Planning Authority prior to being carried out) shall be carried out only in accordance with the approved programme of archaeological work and timetable for work. The publication of the analysis and records and the archive position or the records shall be carried out in accordance with the timetable agreed in writing by the Local Planning Authority.

Reason: To ensure that archaeological remains and features are recorded prior to their destruction.

6. Construction environmental management plan

The development hereby approved (including demolition/ alteration to existing base rock/ wall structure or stabilisation works to the retaining wall) shall be carried out only in accordance with the approved Construction Environmental Management Plan (version 1.2 July 2016).

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

7. Highway condition survey

The development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall) hereby approved shall not commence until a condition survey of the road network surrounding the site has been carried out to an extent to be agreed with the Highway Authority and has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be brought into use until remedial works to any part of this highway damaged as a result of the development have been agreed with and undertaken to the satisfaction of the Highway Authority and details of these works submitted to and approved in writing by the Local Planning Authority.

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

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

8. Approval of footway works necessary

No development (including demolition/ alteration to existing base rock/ wall structures but excluding stabilisation works to the retaining wall) shall take place until details of the following works to the highway/ footway have been submitted to and approved in writing by the Local Planning Authority:

1. All works to the existing footway/ pavement required by the development;

The building hereby permitted shall not be occupied until these works have been completed in accordance with the approved details.

Reason: To ensure that all road works associated with the proposed development are to a standard approved by the Local Planning Authority and are completed before occupation.

9. Sustainable Drainage System (SuDS)

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

Development Control – 10 June 2020**Application No. 20/00691/F : 6-8 Belgrave Hill Bristol BS8 2UA**

The approved drainage system shall be implemented in accordance with the approved Sustainable Drainage Strategy prior to the use of the building commencing and maintained thereafter for the lifetime of the development.

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

10. Bat method statement and method of working

The development (including demolition/ alteration to existing base rock/ wall structures but excluding stabilisation works to the retaining wall) hereby approved shall be carried out in accordance with the approved Bat Survey Report and method of working during all enabling works and construction and shall take place only in accordance with the approved method at all times.

If works to implement this consent do not commence within 12 months of the approved bat survey report (by 23 September 2020) then an updated bat survey report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on the site (including the enabling works listed above).

Reason: To conserve legally protected bats.

11. As a precautionary measure, no more than 48 hours prior to the commencement of development, a licensed bat consultant ecologist shall inspect all crevices for signs of roosting bats. If bats are encountered all demolition or construction work shall cease and the Bat Conservation Trust (Tel 0845 1300 228) should be consulted for advice.

Reason: To conserve legally protected bats in the event that they are found to be roosting.

12. Further large scale details before relevant element started

Large scale detailed drawings of the following elements shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The detail thereby approved shall be carried out in accordance with that approval.

- a) Typical details of each new window and door type, including set-back window features, cills, heads, reveals and surrounds;
- b) Typical roof junctions including parapets, copings and eaves;
- c) Typical corner detailing at junctions;
- d) Junction with retaining wall;
- e) Rainwater goods;
- f) Terrace screening.

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

13. No clearance of vegetation or structures suitable for nesting birds, shall take place between 1st March and 30th September inclusive in any year without the prior written approval of the local planning authority. The authority will require evidence provided by a suitably qualified ecological consultant that no breeding birds would be adversely affected before giving any approval under this condition. Where checks for nesting birds are required they shall be undertaken by a qualified ecological consultant no more than 48 hours prior to the removal of vegetation or the demolition of, or works to buildings.

Development Control – 10 June 2020**Application No. 20/00691/F : 6-8 Belgrave Hill Bristol BS8 2UA**

Reason: To ensure that wild birds, building or using their nests are protected. All species of wild birds, their eggs, nests and chicks are legally protected until the young have fledged.

14. Green living roof

Prior to the commencement of the roof of the property a strategy for the implementation of the green living roof shall be submitted to and approved in writing by the Local Planning Authority.

The strategy should include details relating to the extent, specification, installation method and the management and maintenance of the green roof unless otherwise agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of the dwelling and shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the building is satisfactory and that the character and appearance of the Conservation Area would be safeguarded, to promote sustainability interests and biodiversity and to reduce surface water run-off. Alternatives to sedum will be expected to be explored to improve biodiversity and inclusion of native species.

15. Sample panels before specified elements started

Sample panels of the rubble stone wall, render and timber cladding; demonstrating the colour, texture, face bond and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.

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

Pre occupation condition(s)

16. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and where remediation is necessary a remediation scheme must be prepared which ensures the site will not qualify as contaminated land under Part 2A of the Environmental

Protection Act 1990 in relation to the intended use of the land after remediation.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

17. Implementation/installation of refuse storage and recycling facilities - shown on approved plans

No building hereby permitted shall be occupied until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans,

Development Control – 10 June 2020

Application No. 20/00691/F : 6-8 Belgrave Hill Bristol BS8 2UA

or internally within the buildings that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway at any time or on the pavement except on the day of collection.

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

18. Bird and bat boxes

The development hereby approved shall be carried out in accordance with approved plan 1506(L) 33 Rev B 'Proposed bird boxes and bat tubes'. The approved details shall be installed prior to the first occupation of the dwelling hereby approved and retained at all times thereafter.

Reason: To help conserve legally protected bats and birds which include priority species.

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

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

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

20. Prior to the occupation of the dwelling hereby permitted, certification of the installed sprinkler system to be provided by a relevantly accredited person/ authority shall be submitted to and approved in writing by the Local Planning Authority unless otherwise agreed in writing. The approved and certified sprinkler system shall be installed prior to the first occupation of the dwelling hereby approved and shall be retained thereafter in perpetuity.

Reason: In order to ensure that access for emergency vehicles would be acceptable.

21. Sustainability and Energy Statement

The development hereby approved shall be carried out in accordance with the measures contained within the approved Sustainability and Energy Statement prior to the first occupation of the development hereby approved and shall be maintained in accordance with these details in perpetuity.

Reason: To ensure that sustainability policy objectives would be met.

22. Solar photovoltaic and solar thermal panels

The solar photovoltaic and solar thermal panels hereby approved shall be installed and made fully operational prior to the first occupation of the dwelling hereby approved. The solar panels shall be maintained in situ in accordance with the approved details and as fully operational thereafter.

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

Post occupation management

23. Restriction of the use of the roof

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

Reason: To safeguard the amenities of the adjoining premises from overlooking, loss of privacy and disturbance through noise impacts.

24. No extensions

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

Reason: The extension of the dwelling would require detailed consideration to safeguard the amenities of the surrounding area.

25. No further windows/ enlargement of windows

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

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

List of approved plans

26. List of approved plans and drawings

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

- 1506(L)00 Location plan, received 18 February 2020
- 1506(L)01 Existing plans, received 18 February 2020
- 1506(L)02 Existing elevations, received 18 February 2020
- 1506(L)31 Proposed elevation, received 18 February 2020
- 1506(L)32 REV B Proposed plans, received 24 April 2020
- 1506(L)33 Proposed sections, received 18 February 2020
- 1506(L)34 Proposed section G-G, received 18 February 2020
- 1506(L)36 Proposed bird boxes and bat tubes, received 18 February 2020
- 1506(L)37 Sedum roof, received 18 February 2020
- Bat survey report- J00466/V1 (23 Sep 2019), received 18 February 2020
- Sustainability Statement and energy Statement, received 18th February 2020

Reason: For the avoidance of doubt.

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- 1 Construction site noise: Due to the proximity of existing noise sensitive development and the potential for disturbance arising from contractors' operations, the developers' attention is drawn to Section 60 and 61 of the Control of Pollution Act 1974, to BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites code of practice for basic information and procedures for noise and vibration control" and the code of practice adopted by Bristol City Council with regard to "Construction Noise Control". Information in this respect can be obtained from Pollution Control, City Hall, Bristol City Council, PO Box 3176, Bristol BS3 9FS.
- 2 Right of light: The building/extension that you propose may affect a right of light enjoyed by the neighbouring property. This is a private right which can be acquired by prescriptive uses over 20 years; as such it is not affected in any way by the grant of planning permission.
- 3 Nesting birds: Anyone who takes, damages or destroys the nest of any wild bird whilst that nest is in use or being built is guilty of an offence under the Wildlife and Countryside Act 1981 and prior to commencing work you should ensure that no nesting birds will be affected.
- 4 Bats and bat roosts: Anyone who kills, injures or disturbs bats, obstructs access to bat roosts or damages or disturbs bat roosts, even when unoccupied by bats, is guilty of an offence under the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 and the Conservation (Natural Habitats, &c.) Regulations Act. Prior to commencing work you should ensure that no bats or bat roosts would be affected. If it is suspected that a bat or bat roost is likely to be affected by the proposed works, you should consult English Nature (Taunton office 01823 283211).
- 5 Wessex Water requirements: It will be necessary to comply with Wessex Water's main drainage requirements and advice and further information can be obtained from <http://www.wessexwater.co.uk>.
- 6 Highway network: The development hereby approved is likely to impact on the highway network during its construction. The applicant is required to contact Highway Network Management to discuss any temporary traffic management measures required, such as footway, Public Right of Way or carriageway closures, or temporary parking restrictions. Please call 0117 9031212 or email traffic@bristol.gov.uk a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.
- 7 Traffic Regulation Order (TRO): The implementation of a TRO may be required. The TRO process is a lengthy legal process involving statutory public consultation and you should allow an average of 6 months from instruction to implementation. You are advised that the TRO process cannot commence until payment of the TRO fees are received. Telephone 0117 9036846 to start the TRO process.
- 8 Retaining walls: Where retaining walls above or below the highway are to be constructed or are affected by development, details of the structural design should be approved by the Local Highway Authority. (Telephone 0117 9222100).
- 9 Living roof: It is recommended that the green living roof be provided with local low-nutrient status subsoil and no nutrients added with no seeding to take place to allow colonisation by native wild plants. If seeding is preferred a wildflower mix should be used rather than Sedum (stonecrop) due to its wildlife benefits.

The landform on the roof could be mounded with troughs and mounds to provide habitat diversity and structure, with stones, coils of rope and dry dead wood included to provide invertebrate

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niches (the use of egg-sized pebbles should be avoided because gulls and crows may pick the pebbles up and drop them). Please see www.livingroofs.org for more information.

10 Contaminated land: It is suggested that the certificate of remediation referred to in Condition No. 16 should be along the lines of:- "This is to certify that the scheme of decontamination and reclamation at the site known as **** in relation to Planning Application No. **** was carried out between the dates of **** and **** and was completed in accordance with the specification detailed in the document reference **** and titled ****, which were designed to afford protection from contamination on the site to all known receptors (in this context contamination and receptor have the same definition as in part 2(a) of the Environment and Protection Act 1990)". The certificate should be signed and dated.

11 Party Wall Act: Party Wall Agreements will likely be required in relation to all properties upslope of the site and also 10 Sutherland Place/ Mews should they share a party wall with the application site. Please be advised that this planning consent does not act in any way as Party Wall consent and the developer/ applicant should be satisfied that they have undertaken all necessary measures and actions in respect of this matter prior to the commencement of the development.

It is recommended that the developer undertakes condition surveys of all properties upslope of the application site within 10m on the site boundary as well as 10 Sutherland Place/ Mews to provide a benchmark against which any potential movement/ damage can be measured.

In the event that any issues arise during or following construction in terms of impacts on the upslope properties, the resolution of these issues will need to be addressed through the Party Wall process, third party insurance or any other legal processes available to third parties.

However, the Local Planning Authority will seek through the discharge of Condition 3 to ensure that the insurance policy taken out will cover damage to neighbouring properties.

12 Condition 3

With regards to Condition 3 of this consent, you are advised that the City Council will require access to the insurance policy (as a named party on the insurance details) in the event that a claim is to be made.

APPENDICES

APPENDIX 1- Report to Development Control Committee A- 16th October 2019- Application reference 19/03178/F

APPENDIX 2- Report to Development Control Committee A- 9th January 2019- Application reference 18/02902/F (deferred following Committee 17th October 2018 see below)

APPENDIX 3- Report to Development Control Committee A- 17th October 2017- Application reference 18/02902/F

Development Control Committee A – 16 October 2019**Application No. 19/03178/F : 6-8 Belgrave Hill (also Known As Land On North Side Of Belgrave Hill) Bristol BS8 2UA**

SUMMARY

This application follows another very recent and almost identical application 18/02902/F that was refused by Development Control (DC) Committee A in January 2019.

The current application differs from the last (refused) application 18/02902/F only in the following regards:

- One bedroom of each proposed house is now shown on layout plan as a study;
- Further information and justification showing fire appliance access to the site has been submitted.

Planning application 18/02902/F was refused by Development Control Committee A on 9th January 2019 following deferral at DC Committee A on 17th October 2018. The application was deferred pending investigation by officers relating to access to the site by emergency/ refuse vehicles and to assess the structure and soundness of the adjoining wall.

The refusal reasons were as follows:

1. The proposed development by reason of its small size and living environment would fail to provide sufficient space for everyday activities and to enable flexibility and adaptability in accordance with Policies BCS18 and BCS21 of the Bristol Core Strategy (2011) and Policy DM29 of the Site Allocations and Development Management Policies (2014). The proposal would fail to meet the Technical housing standards- nationally described space standard (DCLG, March 2015) and would not be in accordance with Section 12, Paragraph 127 of the National Planning Policy Framework (2018).
2. The proposed development by reason of its location would not be satisfactorily accessible by fire appliances without requiring the loss of on-street parking, which would result in unacceptable harm to local residential amenity. The proposal would fail to be in accordance with Policy BCS10 of the Bristol Core Strategy (2011) and Policy DM23 of the Bristol Local Plan Site Allocations and Development Management Policies (2014) and Section 9, Paragraph 110 of the National Planning Policy Framework (2018).

Prior to that, planning permission was granted for the same development (as 18/02902/F) in 2014 (reference 14/02366/F), which expired in 2017 without being implemented.

The public response received to the application is 2 general representations, 34 objections and 1 comment in support. Objections include those from the Bristol Industrial and Archaeological Society and The Association for Industrial Archaeology. The Conservation Advisory Panel continues to support the proposal. Key objections specific to the new application and its changes, compared to the old application, include that the proposal to change a bedroom to a study within each dwelling to meet the space standards should not be acceptable and that local residents should not lose parking to ensure access to 2 new, inferior houses that do not meet the space standards.

This report contains a summary of changes compared to the previous application and the Committee reports for the previous application are appended to this report.

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The application is referred to Committee based on the officer recommendation for approval of the current application. While officers acknowledge the Committee's refusal reasons of the previous application, it is the professional opinion of officers that approval be recommended for the reasons set out in full below.

SITE DESCRIPTION

The application site is a narrow piece of vacant open ground that has a frontage of 29m facing Belgrave Hill. The site boundary abuts the northern side elevation of 10 Sutherland Place/Sutherland Mews. The retaining wall to the rear of the site is constructed of local rubble stone. The site area once formed part of a large quarry, a fact that explains the substantial change in levels between Upper Belgrave Road, to the north and Belgrave Hill of between 8-12 metres.

The site is located within the Clifton Conservation Area but is situated along the boundary with the Whiteladies Road Conservation Area. 15-21 Belgrave Hill to the east of the site are Grade II listed buildings.

RELEVANT HISTORY

For the full planning history, please refer to page 3 of the 17th October 2018 Development Control Committee report (appended). The most recent planning history is set out within the 'Summary' section above.

APPLICATION – Please refer to the 'Summary' section above.

PRE-APPLICATION INVOLVEMENT

The submission of a Community Involvement Statement setting out the applicant's pre-application engagement is not an application requirement as the proposed development would not be classified as a 'major' development (10 dwellings or more or over 0.1ha).

RESPONSE TO PUBLICITY AND CONSULTATION

The application was publicised by press notice, site notice and individual letter. 34 objections, 2 general representations and 1 comment of support have been received to the application.

Further consultation was undertaken following receipt of an updated fire engine swept path analysis- this was updated to take account of the position of a lamp post not previously shown. At the time of writing, 5 further objection comments had been received stating that this information did not address their original concerns and that their objections remain.

The objections specific to the changes between the current application and previous refused application can be summarised as follows:

- The application has not changed since the previously refused application;
- The proposed study could be used as a bedroom and the proposal still does not fulfil the National Space Standards;
- The highway considerations have not been addressed.
- The Highway Statement does not show the presence of the lamp-post on Belgrave Hill outside Amberley Hall, which in conjunction with parked vehicles means that even a transit van cannot get past.
-

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Additional objections compared to those made on the previously refused application include the following:

- The objector supports Cllr. Clive Stevens' submission to the Local Plan Review proposing the designation of the site as a Reserved Open Space or Local Green Space.
- Since the last application, a peregrine falcon has been witnessed on the site;

The Bristol Industrial Archaeological Society objected that:

- The site is a historic former quarry within a Conservation Area and listed buildings nearby, all categorised as heritage assets and the relevant policy should be followed and the LPA must give great weight to the conservation of these assets;
- The proposal offers no public benefits in proposing sub-standard housing;
- This should not be a new application as there are no changes- only a bedroom changed to a study and further information regarding highway matters;
- The insurance condition remains outstanding;
- The proposals do not show the roof protection necessary to protect the proposed houses from rock falls. Other information is still outstanding.

The Association for Industrial Archaeology advised that their objections from the previous application are repeated.

The Conservation Advisory Panel commented that it continues to support the proposal for the residential re-development of this site.

All original objections/ representations to the previous (refused) application are summarised within the officer's original report to Committee, appended to this report.

OTHER COMMENTS

Please refer to the Committee Reports dated 17th October 2018 and 9th January 2019 (appended to this report) for full details of consultee comments received to the previous application- the content of which remain relevant.

The Transport Development Management Team has commented on the current application to provide updated comments. They raise no objection to the proposals. Please refer to the application background papers for full details.

The Nature Conservation Officer raises no objections to the proposal subject to conditions.

EQUALITIES ASSESSMENT

During the determination of this application, due regard has been given to the impact of this scheme in relation to the Equalities Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Overall, it is considered that the approval of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

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KEY CONSIDERATIONS

(A) HAS REFUSAL REASON 1 (RELATING TO SPACE STANDARDS) BEEN OVERCOME?

Refusal Reason 1 reads as follows:

“The proposed development by reason of its small size and living environment would fail to provide sufficient space for everyday activities and to enable flexibility and adaptability in accordance with Policies BCS18 and BCS21 of the Bristol Core Strategy (2011) and Policy DM29 of the Site Allocations and Development Management Policies (2014). The proposal would fail to meet the Technical housing standards- nationally described space standard (DCLG, March 2015) and would not be in accordance with Section 12, Paragraph 127 of the National Planning Policy Framework (2018).”

Pages 6-7 of the 9th January 2019 Committee Report refer to the previous consideration in respect of compliance with relevant space standards.

The applicant has aimed to address this refusal reason by amending the dwellings from two-bedroom to one-bedroom dwellings, with one of the bedrooms in each house now shown on plan as a study. The layout and dimensions of this room would be unchanged.

The Nationally Described Space Standard (NDSS) is specified on the basis of bedrooms and bedspaces and does not make specific provision for the assessment of other rooms such as studies. Therefore, the dwellings would achieve the minimum 58m² for a one-bedroom, two-storey dwelling under this approach.

The applicant's agent has set out that the proposal should be assessed on the basis of the submitted plans, which show a study, and that the planning system's key focus should be on the external environment. They state that the same concerns could be raised regarding dining rooms, family rooms and play rooms and there is always the possibility with any proposed scheme that internal layouts can be changed in the future. In their view, the key matter that the Local Planning Authority should assess is whether the proposed dwellings would be flexible and adaptable and, in their opinion, this is achieved.

Officers note this position but do not concur with this approach, and do not support this as a means of addressing the NDSS, since the study rooms proposed in each house could be used as bedrooms and the application has clearly been revised purely to avoid the NDSS space standard requirement for two-bedroom dwellings.

There has been a suggestion that in order to ensure that the proposed studies were maintained as such, that the description of development be changed to refer to the dwellings as '1 bedroom houses' and an advice note be attached to any permission granted that the properties be marketed only as 1 bedroom dwellings. Members may wish to consider this option, but ultimately in the long term, there may be a question regarding enforceability.

Notwithstanding the above, as set out in the officer Committee Report (9th January 2019), it is the professional view of officers that although the two-bedroom dwellings do not meet the NDSS, that taking into account the planning history; the dwellings would meet the BCS18 policy requirement to provide sufficient space for everyday activities and to allow flexibility and adaptability. Officers note

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that Members came to a different view in respect of this matter previously and have taken this into account; however the professional assessment of officers remains.

(B) HAS REFUSAL REASON 2 (HIGHWAYS MATTERS) BEEN OVERCOME?

Refusal Reason 2 reads as follows:

“The proposed development by reason of its location would not be satisfactorily accessible by fire appliances without requiring the loss of on-street parking, which would result in unacceptable harm to local residential amenity. The proposal would fail to be in accordance with Policy BCS10 of the Bristol Core Strategy (2011) and Policy DM23 of the Bristol Local Plan Site Allocations and Development Management Policies (2014) and Section 9, Paragraph 110 of the National Planning Policy Framework (2018).”

Pages 4-9 of the 9th January Committee Report refer to the previous consideration in respect of fire service access.

At the time of that decision, no tracking diagrams or swept path analyses for a fire engine to the site were submitted. Further information has now been submitted in relation to the current application in the form of a ‘Technical Note on Access’ including swept path analysis in order to demonstrate that that satisfactory access for fire appliances could be achieved to the site without the loss of any on-street parking.

This involves a route, identified by the applicant’s transport consultants as being the optimal route, via Sutherland Place, Quarry Steps and Quarry Road from the west. The swept path analysis has been modelled on the scenario where a fire engine would turn into Quarry Steps and reverse back around along Quarry Road. The vehicle could park on Quarry Road, within 45m of the site as required by the Manual for Streets (MfS) Section 6.7 and would not need to access Belgrave Hill to attend a fire. There would be sufficient width of highway in this location at the junction with Richmond Dale for the vehicle to be operated (MfS requires 3.7m operating width). The fire engine would then be able to depart in a forward gear thereby minimising the need to reverse over longer distances.

The Council’s Highway Team has reviewed the information and confirmed that the swept path analysis has been carried out to an acceptable methodology and demonstrates that a fire appliance could access within 45m of the site, which is also adjacent to an identified fire hydrant point on Richmond Dale.

Local contributors have commented that a lamp post on Quarry Steps was not shown on the diagram and would affect fire appliance manoeuvring. An updated swept path analysis was submitted to address this matter and reconsultation of contributors/ local residents has been carried out with an expiry date for comments on 10th October 2019- any responses will be reported to the committee via the amendment sheet.

The junction of Quarry Steps and Quarry Road is the most constrained turn for a fire engine to reach the site. 1 Quarry Steps has garage doors fronting onto the southern end of Quarry Road immediately adjacent to this junction with the sign ‘Workshop in use- leave clear’. There are no double yellow lines or access ‘keep clear’ markings in front of these doors. Given that this access is in use, it is unlikely that cars would park in front of it obstructing the junction, and there is therefore reasonable certainty that the tracking shown on the swept path analysis could be achieved.

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The Manual for Streets (MfS) advises (at paragraph 6.7.3) that since the introduction of the Fire and Rescue Services Act 2004, all regions have had to produce an Integrated Management Plan setting out response time targets. These targets depend on the time required to get fire appliances to a particular area, together with the ease of movement within it.

The MfS also states that residential sprinkler systems are highly regarded by the FRA and their presence allows a longer response time to be used. The applicant proposes a sprinkler system within the dwellings as set out within the submitted 'Technical Note on Access' paragraph 6.3. A condition is recommended to secure the installation of the sprinkler system, to an appropriate standard, prior to occupation of the dwellings.

It is the view of officers that the proposal would meet the guidelines within Section 6.7 of the Manual for Streets (MfS) in terms of accessing and departing the site. This further information therefore provides confirmation that appropriate fire service access to the site can be achieved in accordance with MfS guidelines, without requiring an amendment of the TRO for the area. It is also the view of officers that the fact that this is an existing situation and this access serves existing dwellings should be given significant weight.

If Members still have concerns that appropriate access and egress could not be achieved, then a Traffic Regulation Order (TRO) to restrict parking to ensure fire service access/egress to both existing and proposed dwellings would be an option. As per the last application, it should be noted that any amendments to a TROs would be through a separate process and that the timescale and outcome cannot be guaranteed at this stage. The applicant has agreed to enter into a legal agreement to pay the cost of the TRO amendment process, if deemed necessary by Members.

Bristol Waste has confirmed that in terms of servicing access, they use specialist narrow vehicles (2.2 metres wide by 7.0 metres long for recycling, and 2.2 metres wide by 10 metres long for refuse collection) for waste collections in this area and could readily service this site.

It is recommended that since the proposed development has been designed to be car-free, that future occupiers be ineligible for residents parking permits. An advice note is recommended to this effect and will advise the Highway Authority responsible for the grant of permits.

In summary, it is the professional view of officers that approval be given.

(C) ARE THERE ANY OTHER CONSIDERATIONS?

The bat survey carried out in relation to the previous application is now out-of-date and a further survey has been carried out by the applicant. Bristol City Council's Nature Conservation Officer has advised that this is acceptable. They also note the local report of a bird of prey being witnessed at the site. Given that the nesting bird season has almost finished, they are satisfied that conditions requiring monitoring by an ecologist prior to any works being carried out would suffice.

CONCLUSION

While officers acknowledge the previous decision of Members and their reasons for refusal, it is their professional view that approval of the application be granted.

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RECOMMENDED GRANT subject to condition(s)

Time limit for commencement of development

1. Full Planning Permission

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

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

Pre commencement condition(s)

2. Full-time supervision by a geotechnical engineer/engineering geologist during enabling works

The development enabling works (including all site investigation, stabilisation works, clearance of base rock/walls and foundation works) hereby approved shall be carried out only under the full-time supervision of the approved geotechnical engineer/ engineering geologist for the full duration of the enabling works, unless otherwise agreed in writing by the Local Planning Authority.

The development hereby approved shall be carried out only in full accordance with the approach and methodologies set out within the approved reports: 'Proposed method statement and sequence of working' (Integrale Ltd. 2014), 'Outline Methodology for Combining Geotechnical Investigation with Stability Works' (Integrale Ltd. 2013, Report No. 4349/A) and 'Outline methodology for combining geotechnical investigation with stability works and proposed anchor schedule.' (Integrale Ltd. 2018, Report no. 9221/C) unless otherwise agreed in writing by the Local Planning Authority.

Should unexpected conditions arise, which are not foreseen in the approved reports, no further work shall be carried out (except those required to secure the site), without a working method agreed in writing by the Local Planning Authority. The development shall not be occupied until a validation report to confirm that the approved works have been submitted and approved by the Local Planning Authority.

Reason: To ensure proper supervision by an appropriately qualified geotechnical engineer/ Engineering geologist during works in the interest of land stability and to ensure compliance with the previously agreed methodologies and sequence of working.

3. Insurance policy

No development shall take place until the developer has provided evidence that an appropriate insurance policy has been taken out (to which the City Council will have access as a named party on the insurance details), to be approved in writing by the Local Planning Authority, in respect of any adverse effect the works may have on the stability of the existing retaining wall to the north of the site, any base rock/ walls adjacent to the footway and any neighbouring properties upslope of the site within 10m of the site boundary and also 10 Sutherland Place/ Mews. The insurance policy shall be sufficient to cover any potential problems that may arise during the course of construction and consequently as a result of the development.

Reason: To ensure that the Local Planning Authority as a named party in the insurance policy has the access to the policy in order to secure the necessary funds to carry out any remedial works required in respect of stability of the retaining wall or site, in the event that this becomes necessary.

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4. To secure the recording of the fabric of buildings of historic or architectural importance

No development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall - other than basic works to ensure the safety of the archaeologists/ other contractors to be agreed in writing by the Local Planning Authority prior to being carried out) shall take place until the applicant/developer has recorded those parts of the building which are likely to be disturbed or concealed in the course of redevelopment or refurbishment. The recording shall be carried out by an archaeologist or archaeological organisation approved by the Local Planning Authority.

Reason: To ensure that features of archaeological or architectural importance within a building are recorded before their destruction or concealment.

5. To ensure implementation of a programme of archaeological works

No development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall - other than basic works to ensure the safety of the archaeologists/ other contractors, to be agreed in writing by the Local Planning Authority prior to being carried out) shall take place until an updated Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- * The programme and methodology of site investigation and recording- including timetable;
- * The programme for post investigation assessment- including timetable;
- * Provision to be made for analysis of the site investigation and recording
- * Provision to be made for publication and dissemination of the analysis and records of the site investigation including timetable;
- * Provision to be made for archive deposition of the analysis and records of the site investigation- including timetable;
- * Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The development (including demolition of existing structures or stabilisation works to the retaining wall – other than basic works to ensure the safety of the archaeologists/ other contractors to be agreed in writing by the Local Planning Authority prior to being carried out) shall be carried out only in accordance with the approved programme of archaeological work and timetable for work. The publication of the analysis and records and the archive deposition or the records shall be carried out in accordance with the timetable agreed in writing by the Local Planning Authority.

Reason: To ensure that archaeological remains and features are recorded prior to their destruction.

6. Construction environmental management plan

The development hereby approved (including demolition/ alteration to existing base rock/ wall structure or stabilisation works to the retaining wall) shall be carried out only in accordance with the approved Construction Environmental Management Plan (version 1.2 July 2016).

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

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7. Highway condition survey

The development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall) hereby approved shall not commence until a condition survey of the road network surrounding the site has been carried out to an extent to be agreed with the Highway Authority and has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be brought into use until remedial works to any part of this highway damaged as a result of the development have been agreed with and undertaken to the satisfaction of the Highway Authority and details of these works submitted to and approved in writing by the Local Planning Authority.

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

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

8. Approval of footway works necessary

No development (including demolition/ alteration to existing base rock/ wall structures but excluding stabilisation works to the retaining wall) shall take place until details of the following works to the highway/ footway have been submitted to and approved in writing by the Local Planning Authority:

1. All works to the existing footway/ pavement required by the development;

The building hereby permitted shall not be occupied until these works have been completed in accordance with the approved details.

Reason: To ensure that all road works associated with the proposed development are to a standard approved by the Local Planning Authority and are completed before occupation.

9. Sustainable Drainage System (SuDS)

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

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

10. Bat method statement and method of working

The development (including demolition/ alteration to existing base rock/ wall structures but excluding stabilisation works to the retaining wall) hereby approved shall be carried out in accordance with the approved Bat Survey Report and method of working during all enabling works and construction and shall take place only in accordance with the approved method at all times.

If works to implement this consent do not commence within 12 months of the approved bat survey report (by 23 September 2020) then an updated bat survey report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on the site (including the enabling works listed above).

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Reason: To conserve legally protected bats.

11. As a precautionary measure, no more than 48 hours prior to the commencement of development, a licensed bat consultant ecologist shall inspect all crevices for signs of roosting bats. If bats are encountered all demolition or construction work shall cease and the Bat Conservation Trust (Tel 0845 1300 228) should be consulted for advice.

Reason: To conserve legally protected bats in the event that they are found to be roosting.

12. Further large scale details before relevant element started

Large scale detailed drawings of the following elements shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The detail thereby approved shall be carried out in accordance with that approval.

- a) Typical details of each new window and door type, including set-back window features, cills, heads, reveals and surrounds;
- b) Typical roof junctions including parapets, copings and eaves;
- c) Typical corner detailing at junctions;
- d) Junction with retaining wall;
- e) Rainwater goods;
- f) Terrace screening.

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

13. No clearance of vegetation or structures suitable for nesting birds, shall take place between 1st March and 30th September inclusive in any year without the prior written approval of the local planning authority. The authority will require evidence provided by a suitably qualified ecological consultant that no breeding birds would be adversely affected before giving any approval under this condition. Where checks for nesting birds are required they shall be undertaken by a qualified ecological consultant no more than 48 hours prior to the removal of vegetation or the demolition of, or works to buildings.

Reason: To ensure that wild birds, building or using their nests are protected. All species of wild birds, their eggs, nests and chicks are legally protected until the young have fledged.

14. Green living roof

Prior to the commencement of the roof of the property a strategy for the implementation of the green living roof shall be submitted to and approved in writing by the Local Planning Authority.

The strategy should include details relating to the extent, specification, installation method and the management and maintenance of the green roof unless otherwise agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the dwellings and shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the building is satisfactory and that the character and appearance of the Conservation Area would be safeguarded, to promote sustainability interests and biodiversity and to reduce surface water run-off. Alternatives to sedum will be expected to be explored to improve biodiversity and inclusion of native species.

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15. Sample panels before specified elements started

Sample panels of the rubble stone wall, render and timber cladding; demonstrating the colour, texture, face bond and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.

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

Pre occupation condition(s)

16. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and where remediation is necessary a remediation scheme must be prepared which ensures the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

17. Implementation/installation of refuse storage and recycling facilities - shown on approved plans

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

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

18. Bird and bat boxes

The development hereby approved shall be carried out in accordance with approved plan 1506(L)33 Rev B 'Proposed bird boxes and bat tubes'. The approved details shall be installed prior to the first occupation of the dwelling hereby approved and retained at all times thereafter.

Reason: To help conserve legally protected bats and birds which include priority species.

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

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

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

20. Prior to the occupation of the dwellings hereby permitted, certification of the installed sprinkler system to be provided by a relevantly accredited person/ authority shall be submitted to and approved in writing by the Local Planning Authority unless otherwise agreed in writing. The approved and certified sprinkler system shall be installed prior to the first occupation of the dwellings hereby approved and shall be retained thereafter in perpetuity.

Reason: In order to ensure that access for emergency vehicles would be acceptable.

21. Sustainability Statement and Energy Strategy

The development hereby approved shall be carried out in accordance with the measures contained within the approved Sustainability Statement and the approved Energy Strategy prior to the first occupation of the development hereby approved and shall be maintained in accordance with these details in perpetuity.

Reason: To ensure that sustainability policy objectives would be met.

22. Solar photovoltaic and solar thermal panels

The solar photovoltaic and solar thermal panels hereby approved shall be installed and made fully operational prior to the first occupation of the dwellings hereby approved. The solar panels shall be maintained in situ in accordance with the approved details and as fully operational thereafter.

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

Post occupation management

23. Restriction of the use of the roof

The roof of the dwellings (with the exception of the area marked 'terrace' in association with Unit 2 on drawing 1506 (L) 22) hereby permitted shall not be used as a balcony, terrace, roof garden or similar amenity area without the grant of further specific planning permission from the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises from overlooking, loss of privacy and disturbance through noise impacts.

24. No extensions

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

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Reason: The extension of these dwellings requires detailed consideration to safeguard the amenities of the surrounding area.

25. No further windows/ enlargement of windows

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

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

List of approved plans

26. List of approved plans and drawings

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

1506 (L)00 Site location plan, received 28 June 2019
 1506 (L)01 Existing plans, received 28 June 2019
 1506 (L)02 Existing elevations, received 28 June 2019
 1506 (L)33 REV B Proposed bird boxes & bath tubes, received 28 June 2019
 1506 (L)34 Sedum roof, received 28 June 2019
 1506 (L)21 REV B Proposed elevations, received 28 June 2019
 1506 (L)22 REV B Proposed floor plans, received 28 June 2019
 1506 (L)23 REV A Proposed sections, received 28 June 2019
 1506 (L)24 REV C Proposed section G-G, received 28 June 2019
 1506 (L)32 Proposed footway works, received 28 June 2019
 Bat survey report- Version 1, received 24 September 2019
 Energy statement, received 28 June 2019

Reason: For the avoidance of doubt.

Advices

1 Construction site noise: Due to the proximity of existing noise sensitive development and the potential for disturbance arising from contractors' operations, the developers' attention is drawn to Section 60 and 61 of the Control of Pollution Act 1974, to BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites code of practice for basic information and procedures for noise and vibration control" and the code of practice adopted by Bristol City Council with regard to "Construction Noise Control". Information in this respect can be obtained from Pollution Control, City Hall, Bristol City Council, PO Box 3176, Bristol BS3 9FS.

2 Right of light: The building/extension that you propose may affect a right of light enjoyed by the neighbouring property. This is a private right which can be acquired by prescriptive uses over 20 years; as such it is not affected in any way by the grant of planning permission.

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

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

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

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

7 Traffic Regulation Order (TRO): The implementation of a TRO may be required. The TRO process is a lengthy legal process involving statutory public consultation and you should allow an average of 6 months from instruction to implementation. You are advised that the TRO process cannot commence until payment of the TRO fees are received. Telephone 0117 9036846 to start the TRO process.

8 Retaining walls: Where retaining walls above or below the highway are to be constructed or are affected by development, details of the structural design should be approved by the Local Highway Authority. (Telephone 0117 9222100).

9 Living green roof

It is recommended that the green living roof be provided with local low-nutrient status subsoil and no nutrients added with no seeding to take place to allow colonisation by native wild plants. If seeding is preferred a wildflower mix should be used rather than Sedum (stonecrop) because Sedum provides limited wildlife benefits.

The landform on the roof could be mounded with troughs and mounds to provide habitat diversity and structure, with stones, coils of rope and dry dead wood included to provide invertebrate niches (the use of egg-sized pebbles should be avoided because gulls and crows may pick the pebbles up and drop them). Please see www.livingroofs.org for more information.

10 Contaminated land: It is suggested that the certificate of remediation referred to in Condition No. 16 should be along the lines of:- "This is to certify that the scheme of decontamination and reclamation at the site known as **** in relation to Planning Application No. **** was carried out between the dates of **** and **** and was completed in accordance with the specification detailed in the document reference **** and titled ****, which were designed to afford protection from contamination on the site to all known receptors (in this context contamination and receptor have the same definition as in part 2(a) of the Environment and Protection Act 1990)". The certificate should be signed and dated.

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11 Party Wall Act

Party Wall Agreements will likely be required in relation to all properties upslope of the site and also 10 Sutherland Place/ Mews should they share a party wall with the application site. Please be advised that this planning consent does not act in any way as Party Wall consent and the developer/ applicant should be satisfied that they have undertaken all necessary measures and actions in respect of this matter prior to the commencement of the development.

It is recommended that the developer undertakes condition surveys of all properties upslope of the application site within 10m on the site boundary as well as 10 Sutherland Place/ Mews to provide a benchmark against which any potential movement/ damage can be measured.

In the event that any issues arise during or following construction in terms of impacts on the upslope properties, the resolution of these issues will need to be addressed through the Party Wall process, third party insurance or any other legal processes available to third parties. However, the Local Planning Authority will seek through the discharge of Condition 3 to ensure that the insurance policy taken out will cover damage to neighbouring properties.

12 With regards to Condition 3 of this consent, you are advised that the City Council will require access to the insurance policy (as a named party on the insurance details) in the event that a claim is to be made.

13. Restriction of Parking Permits - Existing Controlled Parking Zone/Residents Parking Scheme

You are advised that the Local Planning Authority has recommended to the Highways Authority which administers the existing Controlled Parking Zone/Residents Parking Scheme of which the development forms part that the development shall be treated as car free / low-car and the occupiers are ineligible for resident parking permits as well as visitors parking permits if in a Residents Parking Scheme.

APPENDICES

APPENDIX 1- Report to Development Control Committee A- 17th October 2018- regarding application reference 18/02902/F

APPENDIX 2- Report to Development Control Committee A- 9th January 2019- regarding application reference 18/02902/F

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ADDENDUM TO DEVELOPMENT CONTROL COMMITTEE A REPORT (FOR COMMITTEE MEETING ON 17TH OCT 2018) IN RELATION TO APPLICATION 18/02902/F- LAND ON THE NORTH SIDE OF BELGRAVE HILL

The case was deferred by Development Control Committee (A) on 17th October 2018 following concerns raised by Members in relation to land stability matters and access for emergency vehicles, matters that are addressed below. Clarification is also given regarding space standards.

4 additional representations (objections) to the case have been received since 17th October, which raise points already covered by the original report to the Committee (pages 4-5 of the original report dated 8th October 2018 refer).

KEY ISSUES

F) LAND STABILITY CONSIDERATIONS (page11 of DC Committee A (17th Oct 2018) Report)

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

The above policy sets out that this will require a desk based study of available records to assess the previous uses of the site and their potential for instability in relation to the proposed development. Where the study establishes that instability is likely but does not provide sufficient information to establish its precise extent or nature, site investigation and risk assessment are carried out to determine the standard of remediation required to make the site suitable for its intended use. Where remediation measures are necessary, conditions or obligations may be applied to ensure that the development does not take place until appropriate works are completed.

In this case, a desk-based study and site investigation and risk assessment have been carried out by the applicant with proposals made for remediation of the land stability risks. Conditions are recommended to secure the remediation works. The Local Planning Authority (LPA) has instructed a specialist engineering geologist consultant (Arup) to review the submitted information.

In summary, the developer proposes to remove existing bedrock forming the base of the site and stabilise the existing cliff face and masonry walling using rock anchors before constructing the proposed development.

Based on the advice of its consultant, the LPA considers the proposal to be in line with the above policy and to have addressed the risks relating to land instability matters through appropriate remediation, which can be secured by planning condition. The detail of the land stability considerations is set out below:

a) Site description, desk study and site investigation

The north-west of the site is bounded by the foot of an old quarried cliff, into which various masonry walls have been constructed. The site is formed into the face of an old quarry excavated into the Clifton Down Limestone of the Carboniferous Limestone. At the base of the cliff (the eastern surface of the site) is an outcrop of bedrock. The majority of the elevation is then faced with a masonry wall, masking the underlying rock face, sections of which are in a poor state of repair. There are a number of alcoves and buttresses to the wall.

The applicant's reports advise that over much of its length, the masonry is in relatively good condition given its' age, however localised areas were in poor condition with mortar joints being either

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weathered or absent. Vegetation remains are regularly observed protruding from and through the face, causing distress to the wall. No evidence of any large scale mass movement was seen during inspection.

The Applicant's consultant engineering geologist advises that the rock face does not appear to be at risk of large scale instability and that given the technical considerations that 'wedge' failure does not appear to be critical. However, they have advised that it would still be appropriate to carry out some remedial works to better the current situation, which would allow an appropriate design life, and prevent future problems arising from the weathering and degradation of the masonry wall.

The LPA's consultant (Arup) advises that for over 100 years these cliffs have been standing close to vertical with the domestic properties on top and set back from the edge of the cliff edge. Indeed, kinematic analysis¹ completed by Intégrale for their 2018 report [10] confirms planar failure is unlikely to occur as the bedding planes dip at a lower angle than the rock mass angle of internal friction. Two joint sets do intersect within relation to the slope face, which suggests wedge failure could theoretically occur. It is understood that the potential failure mechanisms will be considered during the investigation and stabilisation works.

Arup confirms that the characterisation of the land stability hazard has been carried out by a competent party in accordance with the relevant standards, including the process described within BS EN 1997-2:2007 [5], which is currently the best practice guide for geotechnical works in the UK.

b) The proposed combined investigation and stabilisation process (land stability remediation)

Arup advises that the applicant's reports (Intégrale (2014) report [9] and Section A5.4 of the Intégrale (2018) [10] report) describe the proposed method statement and sequencing of working to ensure that the stability of the general area is not at any time compromised. It is understood that Dr Hawkins (the LPA's previous consultant) and the applicant's geotechnical and structural consultants worked closely to develop and agree on a method and sequence of working, described below. Arup has independently reviewed these broad proposals and it is considered that this is an appropriate and sensible procedure for investigation and subsequent stabilisation of the rock/masonry face.

A summary of the remedial proposals broadly includes: chemical treatment and vegetation clearance > geotechnical inspection and assessment > erection of scaffolding > investigation of the masonry wall and repointing and rebuilding of the masonry facing in areas of poor-quality stonework > drill anchor holes/investigation location to confirm anchor lengths and agree lengths with the BCC consultant > stress anchors > repeat for the next line of anchors in a top down fashion > repeat as necessary to base of wall (as per Figure 1).

Arup state that the Intégrale Ltd (2018) report [10] acknowledges that the proposal would be subject to change in the light of findings revealed as the investigation phase of the works proceeded. The reports do not elude as to what these changes may look like, but it is anticipated that this could include more (or less) rock anchors and at greater (or fewer) intervals. It is considered unlikely that steel mesh would be used as most of the rock face is covered by masonry stonework that will be repointed.

Arup state that it is understood that the de-vegetation and topsoil removal work during the site preparations have resulted in uncovering an exposure of bedrock on the construction platform that will require removal. The agent confirms that this will be done using "*non-percussive means utilising diamond drilling equipment and hydraulic rock splitting equipment under the supervision of a qualified engineer...the majority of works will be done utilising small handheld machinery. In terms of structural stability, the wall will firstly be secured as set out in the structural report, before then removing the small amount of stone bedrock*". The methodology of excavation is considered suitable given the site constraints and are not expected to impact on the stability of the rock slope/masonry wall. Therefore, no mitigation measures would be required. The Applicant proposes to use non-percussive techniques; therefore there is no need for vibration monitoring.

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c) Can the land stability risks be satisfactorily mitigated overall?

Arup advises that the work carried out to date has followed industry best practice and meets the requirements of the BCC Policy DM37. This includes characterising the land instability hazard, including the potential modes of failure. The Applicant's ground engineering consultants have used this information to develop a scheme design, the principles of which are considered to satisfactorily mitigate against land instability.

This includes any potential changes to the ground model as a result of future investigation work. If the results investigations show that the level of the land stability hazard is greater than expected then the proposal would be subject to change in the light of findings. This reactive approach is industry best practice and is acknowledged within the Intégrale Ltd (2018) report [10], however they do not elude to how the scheme design may change (as discussed above).

The Intégrale (2014) report [9] identifies an issue that the walls further back from the crest (i.e. boundary walls to other properties on the crest) will be in other peoples' ownership. It is acknowledged that this is out of the control of the Applicant, but if critical 'risk' areas are identified, specific notification will be given to the relevant landowners, if the risks are likely to pose a future threat to the public at the foot of the cliff.

d) Would the proposed remediation make the site safe for development of housing?

The applicant's submission advises that the proposed dwellings would be constructed with concrete slab roofs to protect against rock falls. Arup has advised that the agent should confirm the rock fall measures to be incorporated into the proposed houses. The ability of the homes to meet their design life of 60 years will depend on inspection and maintenance of the rock anchors and masonry/ rock face.

e) What would the land stability situation be if works stopped part way through?

Arup advises that the proposed method and sequence of working is an acceptable method of working and will ensure an improvement to stability if work must stop for any reason.

f) How should it be ensured that the mitigation measures are carried out satisfactorily?

Appropriate planning conditions are recommended, which will ensure that any alternative mitigation measures are agreed with the Local Planning Authority and their consultant.

E) TRANSPORT CONSIDERATIONS (page 11 of the 17th Oct Committee Report refers)

Members of the Committee deferred a decision on the application on 17th October 2018 and requested that officers review emergency vehicle access to the proposed development.

Planning policy and considerations

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

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The Building Regulations (Approved Document B) requires assessment of fire service vehicle access to a property, but only considering access within an application site and not on the surrounding highway network. The Planning system should include consideration of access to any new dwellings along the existing highway network.

Manual for Streets (MfS) (Department for Transport, 2007) provides technical guidance for planning purposes but is based around the Building Regulations requirements. The key requirements for fire service access are:

- There should be a minimum carriageway width of 3.7m between kerbs for operating at the scene of a fire, with 3.1m the minimum width at a pinchpoint such as a gate. The Association of Chief Fire Officers has expanded on the Building Regulations requirements and states that to reach a fire, the access route could be reduced to 2.75m over short distances;
- There should be access for a fire pump appliance within 45m of single houses;
- Fire service vehicles should not have to reverse more than 20m;
- Sprinkler systems allow longer response times and alternative site layouts to be used.

Consultation with the Council's Transport officers, the Council's Building Regulations Team and Avon Fire & Fire Service (AFRS) has been carried out and is summarised below.

Consultation responses

The Council's Building Control Team advises that the Building Regulations requirements only apply from the actual site boundary and do not apply to the existing roads outside the site. So the 45m would apply from the site boundary (or from a suitable access point for a fire appliance within the site) to all points within the dwellinghouse. If 45m is exceeded then if sprinklers are provided this can be increased to 90m. If the 90m is exceeded then we would then discuss this on a case by case basis with AFRS to see if a suitable solution can be achieved.

Avon Fire and Rescue Service (AFRS) advise that they would assess proposals based on the Building Regulations requirements outlined above. However, in contrast to the guidance in Manual for Streets they state that 2.75m would be too narrow for fire appliance access. Furthermore, while sprinkler systems can allow alternative layouts to be considered, that leaving a fire appliance unattended some 90m away from the site while dealing with a fire would not be considered safe. Their view was that the ability to extend up to 90m [mentioned above] would apply to a scenario such as a large commercial building where extra hose length would be required to travel through the building to the scene of a fire.

The Council's Transport Development Management (TDM) Team has identified highway widths, residential parking spaces and the 45m distance from the proposed dwellinghouses on a plan.

They have advised that the site is situated within the Clifton East Residents parking scheme subject to permit holder only parking Mon – Fri 9am-5pm. The area of Belgrave Hill, Richmond Dale, Quarry Road and Quarry Steps are subject to these restrictions.

Vehicles currently park in demarcated bays at the beginning of Belgrave Hill and on the carriageway and partly on the footway towards the sites frontage. The carriageway is sufficient width for fire appliances to access within 45m of the site but vehicles parking wholly on the carriageway would block carriageway access for larger vehicles meaning that they may continue to need to mount the kerb. Bristol Waste currently service Belgrave Hill via a narrow access vehicle.

If members are concerned with fire service access to the proposal, a Traffic Regulation Order (TRO) to provide double yellow lines and prevent parking along Belgrave Hill would be the only feasible method to ensure that on street parking does not restrict the useable width of the carriageway.

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Summary of fire service access considerations and recommendation

The access for emergency vehicles to existing properties in this area would remain unchanged following construction of the development (the proposal would not affect the existing road carriageway or footpath width). The Council would not seek to adopt the site in order to widen the road carriageway, as suggested by objectors.

The actual road carriageway width is wide enough for fire appliances to access the site but the effective (useable) carriageway width is reduced due to the presence of on-street parking. Taking into account the existing parking, fire appliances would need to mount the kerb in order to reach within the required 45m distance of the site. This situation would not comply with the guidance for new development.

The majority of existing properties along Belgrave Hill have alternative access with frontages on more than one road and therefore do not rely Belgrave Hill alone for access. While other properties in the wider area may rely on fire appliances having to mount kerbs for access, this is a proposal for new development and the matter is a material planning consideration raised by Members. It is therefore reasonable to explore the matter in further detail and to apply the available guidance on this matter.

Removing on-street parking on Belgrave Hill would increase the effective width of Belgrave Hill sufficiently that a fire appliance could access within 45m of the site, as required by the Manual for Streets. The applicant was asked to providing tracking diagrams indicating access around the corners to Belgrave Hill, but has declined to provide this information. However, in the absence of this evidence, the TDM Team has advised that they consider it likely that a fire appliance would be able to manoeuvre around the corner at High Street/ Belgrave Hill (though not necessarily in one manoeuvre).

Removing on street parking to enable access for this development via amendment of the TRO could be secured by section 106 agreement if Members are minded to recommend approval. The Transport Development Management Team can advise on the extent of the double yellow lines required.

This would result in the loss of parking from an area of Clifton where existing on street parking is already in high demand and would impact on the amenity of existing residents in terms of availability of parking spaces, which is also a material planning consideration. It is estimated that 4 or 5 parking spaces (wholly on the carriageway) would be lost at the upper end of Belgrave Hill, with approximately 4 spaces (partly on the footway) at the lower end of the road outside the site.

It is therefore for Members to come to a view on whether the benefits of the proposed development would outweigh the loss of parking and impact on the amenity of existing residents in order to ensure satisfactory fire service access to the proposed development.

The officer recommendation is to approve subject to a section 106 agreement to secure a planning obligation that would pay the fee for amending the Traffic Regulation Order (TRO).

(D) RESIDENTIAL AMENITY AND SPACE STANDARDS (page 9-10 of the 8th Oct Committee report refer)

The national space standard ('Technical housing standards – nationally described space standard', DCLG, 2015) should now be applied as a material consideration as they supersede the Bristol Space Standards (2011).

The national standard deals with internal space within new dwellings and sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as the floor areas and widths of bedrooms, areas for storage and the floor to ceiling height.

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Both dwellings would be below the minimum gross internal floor area (for the whole dwelling) set out within the national standard by nearly 16%- as set out in Table 1 below. The double bedrooms in each dwelling would also be below the national standard of 11.5m² in area (they would measure 10.3m² and 9.7m² respectively).

Table 1

	Proposal floor area (m ²)	BCC Space Standard requirement (now superseded) (m ²)	Current national space requirement (m ²)
Unit 1	59.1	57- 67	70
Unit 2	59.3	57-67	70

In other respects, the proposed dwellings would meet the national space standards- meeting the minimum floor area standard for single bedrooms and the minimum width for both double and single bedrooms. Storage areas in accordance with the national standard minimum would also be included or could be accommodated. This takes into account that the dwellings would meet the minimum 2.3m floor to ceiling height over their floor area.

Policy BCS18 of the Bristol Core Strategy states that *“Residential developments should provide sufficient space for everyday activities and to enable flexibility and adaptability by meeting appropriate space standards.”*

Officers considered that the 2014 proposal would meet the policy requirements in terms of providing sufficient space for everyday activities and to enable flexibility and adaptability. That scheme was required to meet only the Bristol space standards, which it did. The current application is for an identical proposal and therefore the view of officers would not change in this respect.

Therefore, while acknowledging the updated national space standards, on the balance of considerations, officers would not consider refusal to be warranted.

CONCLUSION

Officers hope that this additional information addresses the queries of Members.

The officer recommendation is for approval of the application subject to s106 agreement for amendment of the TRO and subject to the conditions set out at page 12 of the original report to Committee (dated 8th Oct 2018).

Development Control – 17 October 2018**Application No. 18/02902/F : Land On North Side Of Belgrave Hill Bristol****SUMMARY**

The application relates to a site that previously benefited from planning permission (reference 14/02366/F) granted by Development Control Committee in 2014 for the same development proposed under this application. That planning permission expired in November 2017 and the applicant is seeking a new planning permission for the same development.

The application is being reported to committee at the request of Councillor Stevens. In addition, both this application and the previous one has generated significant levels of public interest. 31 contributors have commented on this application with 29 objecting to the proposal, 1 in support and 1 general representation. Objectors include the Bristol Industrial & Archaeological Society, The Association for Industrial Archaeology and Bristol Civic Society. The letter of support comes from the Conservation Advisory Panel.

Given this application is for the same development as previously approved, the key consideration here is whether there have been material changes in circumstances since the previous decision was made, and would those changes warrant us reaching a different decision on the application. While there has been an update to the National Planning Policy Framework (2018) since the previous permission was granted, it is the view of officers that the policy relevant to this application is broadly unchanged, including local policy. The circumstances of the application site and planning considerations for the application also remain largely unchanged.

It is also material that since the previous permission was granted, several applications to discharge conditions attached to that consent have been made in order to implement the previous permission. However, while not all conditions were discharged in full they remain material considerations in the consideration of the current case and the applicant has now submitted details relating to the outstanding conditions in order to address a number of these matters up front as part of the current application. Key matters covered by condition include: land stability, archaeology, highways matters, nature conservation and drainage.

In addition, enabling works have been carried out on site in order to satisfy several conditions of the 2014 permission including vegetation clearance, archaeological investigation and partial ground clearance.

The Council's specialist land stability consultant has reviewed the submission and advised that it satisfies the requirements of conditions attached to lapsed permission 14/02366/F. In terms of archaeology, the Council's Archaeologist advises that the details submitted are acceptable but that further monitoring and reporting would be needed at subsequent stages of development should permission be granted.

It is the view of officers that has the proposal as not changed, the policy remains broadly unchanged and the circumstances do not differ significantly from those under the consideration of the 2014 application, that permission should be granted subject to relevant an updated list of conditions.

SITE DESCRIPTION

The application site is a narrow piece of vacant open ground that has a frontage of 29m facing Belgrave Hill. The site boundary abuts the northern side elevation of 10 Sutherland Place/Sutherland Mews.

The retaining wall to the rear of the site is constructed of local rubble stone. The site area once formed part of a large quarry, a fact that explains the substantial change in levels between Upper

Development Control – 17 October 2018**Application No. 18/02902/F : Land On North Side Of Belgrave Hill Bristol**

Belgrave Road, to the north and Belgrave Hill of between 8-12 metres.

The site is located within the Clifton Conservation Area but is situated along the boundary with the Whiteladies Road Conservation Area. 15-21 Belgrave Hill to the east of the site are Grade II listed buildings.

RELEVANT PLANNING HISTORY

This site was the subject of a recent planning permission 14/02366/F, which expired in November 2017. The full report in relation to that application is appended to this report.

The current application seeks a new consent for the same development and to address some of the conditions attached to the previous consent.

Following the original approval in 2014, the application site was sold and the new owner (the current applicant) started to discharge the pre-commencement conditions. However given the complexity of the site and the condition requirements, some of the pre-commencement conditions remained unresolved at the time the original consent lapsed on 14th November 2017, and therefore the development could not be lawfully implemented (and as such necessitating the new application).

In undertaking to discharge relevant conditions of the original permission, several works were undertaken, comprising:

- Vegetation clearance (Oct 2016);
- Rock mass assessment (Oct 2016) and structural appraisal;
- Archaeology ground works (Nov 2017);
- Repairs, repointing and scaffolding stabilisation of the wall;

The following applications have been made to discharge conditions on the previous permission:

16/04049/COND- Application to approve details in relation to conditions 4(Recording of the fabric of building) 5(Archaeological Works) and 6 (Construction environmental Management Plan) of permission 14/02366/F Proposed development of 2 no. Use Class C3 dwellings with associated external works. Partially discharged 02.11.2016

17/05299/COND- Application to approve details in relation to condition 2 (Structural engineer) of permission 14/02366/F Proposed development of 2 no. Use Class C3 dwellings with associated external works. Partially discharged 05.01.2018

17/05624/COND- Application to approve details in relation to condition 3(Insurance) 7 (Highway) and 8 (Footway) of permission 14/02366/F Proposed development of 2 no. Use Class C3 dwellings with associated external works. Not discharged 05.01.2018

17/05976/COND- Application to approve details in relation to conditions 4 (Fabric of Building) and 5 (Archaeological Works) 12 (Bat method statement) 13 (Bird and bat boxes) and 14 (Drainage strategy) of permission 14/02366/F Proposed development of 2 no. Use Class C3 dwellings with associated external works. Partially discharged 05.01.2018

Development Control – 17 October 2018**Application No. 18/02902/F : Land On North Side Of Belgrave Hill Bristol****Condition status summary table:**

No.	Condition title	Status
1	Commencement of development by 14.11.17	Condition not met
2	Supervision by structural engineer	Not discharged
3	Insurance policy	Not discharged
4	Recording fabric	Not discharged
5	Implement archaeological works	Approved
6	Construction Environmental Management Plan (CEMP)	Approved
7	Highway condition survey	Not discharged
8	Approval of road and footway works	Not discharged
9	Further details	Details not submitted
10	Green living roof	Details not submitted
11	Sample panels before element started	Details not submitted
12	Bat method statement	Discharged
13	Bird and bat boxes	Not discharged
14	Drainage strategy	Not discharged

Other Planning History:

11/04256/F- Redevelopment of existing vacant site for 3no. two bedroom dwelling houses with associated external amenity space, refuse and cycle storage. REFUSED 05.11.2012

APPLICATION

This application is for the same development approved under permission 14/02366/F (now expired)- as per the 'description of development'.

RESPONSE TO PUBLICITY AND CONSULTATION

A site notice and press notice were issued/ published (expiry date 11th July 2018) and neighbours were consulted by individual letter (expiry date 6th July 2018).

Councillor Stevens has referred to the application to development control committee for the following reasons:

- Impact on heritage asset (quarry) in light of emerging NPPF policies not in place in 2014;
- Inappropriate provision of waste/ recycling storage and impact on the conservation area;
- Further work is needed to ensure the right conditions regarding geological stability of the wall, insurance, structural engineer supervision, liaison with residents;

At the time of writing, 31 contributions to the application had been made- with 29 objections, 1 general representation and 1 letter of support. Representations are summarised as follows:

OBJECTION

- Wide spread fears have been expressed over likely prejudice to ground instability and/or drainage/flooding. The amount of bedrock to be removed was not understood at the time that the previous planning permission was granted. The site is already prone to rock falls.
- There are concerns regarding access to the retaining wall/ rock face in the future. The developer's report states a design life of 60 years.

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- There is concern that the site could not be developed safely and development could lead to harm to/ loss of life (including to future residents of the properties- a concrete roof being proposed);
- There is concern that there is conflict between the Construction Environmental Management Plan, which seeks non-percussive means of rock breaking to reduce noise impacts on residents and what would be a safe form of development in stability terms;
- Need for insurance to cover damage to neighbouring properties- but it is also an objection that the insurance required by Condition 3 of lapsed permission 14/02366/F could not actually be achieved. One objector has commented that the developer “has tried to gain party wall agreement with us but has stumbled on supplying sufficient insurance documentation for all properties above the site and immediately below, including for loss of life or limb.”
- There has been no Party Wall Agreement with neighbouring property owners and there are questions regarding the ownership of the land; *
- There is no plan to deal with drainage and development could divert water run-off to neighbouring properties. Existing drains at the bottom of Belgrave Hill already over flow;
- Loss of industrial heritage and views of the old quarry cliff face (which is cited as being the location of the discovery of the ‘Bristol dinosaur’ fossil);
- The design would be out of keeping with the area and detrimental to the character and appearance of the Whiteladies Road Conservation Area;
- New evidence, as detailed in the by Archaeological Watching Brief Report, shows that the pre-existing buildings on this site were constrained in size so that each building had its own associated open courtyard, some 4 meters in size. These open courtyards served to let in light to the quarry buildings & critically to also provide relief and light to the houses immediately opposite (within 14ft) in Richmond Dale. Development should be constrained to its original dimensions.
- Over development of the site with resultant "overcrowding". Existing site represents a ‘breathing space’ in a tightly developed area;
- Impact on residential amenity in terms of loss of privacy, overshadowing, noise disturbance from use of outside areas amplified by quarry wall. The condition to restrict use of the upper level outside space is not manageable. Previously a similar application was refused on grounds it was an "oppressive and an overbearing form of development".
- Poor living environment of future occupiers of the site (in terms of size, outdoor space, outlook and natural light). Also insufficient cycle parking storage is proposed;
- Additional on street car parking in an area already at saturation point, with attendant and resultant detriment to highway safety, congestion, obstruction and emergency access. RPZ restrictions are already regularly flouted as traffic wardens do not check regularly;
- Detriment to established nature conservation interests; including protected species.
- Noise and disruption during construction including parking/ access concerns- including for emergency vehicles due to the narrow road. Many serious issues have already arisen during the pre-condition enabling works of this complex & sensitivity site, which has necessitated Planning Enforcement action and police involvement. Appropriate site management has not taken place.

* NB It should be noted that Party Wall Agreements are covered by separate legislation not dealt with by the planning system and fall outside the planning consideration, as do land ownership matters.

The Bristol Industrial and Archaeological Society have commented (in summary- refer to Background Papers for full comments):

- The area was part of a large stone quarry and the site is a unique part of the industrial heritage of Clifton. This application will have a huge visible impact due to wire netting and rock bolts on the quarry face. This site is the only visible vestige of the quarry industry left in the area.

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- The National Planning Policy Framework (NPPF) states that local authorities must give great weight to the conservation of heritage assets and should resist development that would cause substantial harm unless it can be justified that there are public benefits to outweigh the harm, an approach reflected through Bristol City Council's own conservation policies. There is no public benefit, in fact there is established concern by experts that the instability of the land may cause construction issues and affect a large number of neighbouring properties.
- This is over-intensive insensitive development which harms the asset in a conservation area.
- Who is responsible for any problems that may arise during construction.
- No insurance details have been submitted with the application despite this being a pre-commencement condition. The applicants have not addressed all of the stability issues.
- Construction management and access to the site will be difficult.
- The proposal will harm existing residential amenity.
- The proposed materials are not appropriate.
- The site should be set aside as open space indefinitely as being a unique part of Bristol's industrial heritage.
- The new premises should not be allowed to obtain parking permits.

The Association for Industrial Archaeology commented as follows (in summary- refer to Background Papers for full details): "The development will seriously compromise the visual impact of this face and there is the problem of ensuring continued stability. It is preferable for the face to remain visible and provide interesting evidence of the industrial past of this area and how people lived."

Bristol Civic Society is concerned about the quality of living environment that can be achieved in dwellings located in such a deep hollow and in such close proximity to a very high retaining wall. There can be no rear windows and the resulting dwellings would be largely single aspect.

SUPPORT

The Conservation Advisory Panel has commented that they continue to support the proposal for the residential redevelopment of this site.

CONSULTEES

A **Consultant Senior Engineering Geologist** has advised on the land stability aspects of the application in terms of whether the submitted details meet the requirements of the conditions attached to the previous consent 14/02366/F. Further details are provided under Key Issue F.

The **City Design Group** (including Conservation) raises no objections to the proposals subject to conditions (refer to Key Issue C).

The **Nature Conservation Team** has advised that they now remove their original objection to the application on the basis of the submitted up-to-date ecology survey, subject to conditions requiring the installation of bird and bat boxes at the site in addition to other relevant conditions. See background papers for full details.

The **Public Protection (Contaminated Land) Officer** advises that the proposed use would be sensitive to contamination but is situated on land not thought to have been subject to a potentially contaminating land use, historical quarrying was for limestone. This application does have a very small area of soft landscaping and it is recommended that clean imported soils are used in this area.

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This matter can be dealt with via condition. See background papers for full details.

The **Flood Risk and Drainage Team** has reviewed the submitted Outline Drainage Strategy report and raised a number of queries including: the storage details for the green roof, how water from the wall and behind the development would drain, and confirmation from Wessex Water that a connection into the sewer system would be acceptable. The applicant has responded to these queries and it is concluded that any outstanding matters can be dealt with by condition.

The **Transport Development Management Team** raises no objections to the proposals subject to conditions.

Wales and West Utilities have submitted an extract for the mains records of the area covered by the proposal together with a comprehensive list of General Conditions for guidance. The promoter of the development should contact them directly to discuss their requirements in detail before any works commence on site. An advice note is recommended to advise the applicant of this.

EQUALITIES

During the determination of this application due regard has been given to the impact of this scheme in relation to the Equalities Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Overall, it is considered that the approval of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

PRE-APPLICATION INVOLVEMENT

There has been no pre-application involvement under the current application given that it is a resubmission of a previous planning permission (now lapsed).

RELEVANT POLICIES

National Planning Policy Framework – July 2018

Bristol Local Plan comprising Core Strategy (Adopted June 2011) and Site Allocations and Development Management Policies (Adopted July 2014).

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

Clifton Conservation Area Character Appraisal

Bristol City Council Climate Change and Sustainability Practice Note (December 2012)

The Planning (and Conservation Areas) Act 1990

Technical housing standards – nationally described space standard (2015)

KEY ISSUES

The previous lapsed consent is a material planning consideration. The key consideration for this application therefore is to reconsider the proposal in light of any changes in policy or planning considerations since the previous consent (14/02366/F) was granted. In short, the local planning authority cannot reach a different decision on matters previously considered, unless there has been a

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change in circumstances that would warrant this. In addition, this report will consider to what extent the current application has addressed the conditions attached to the previous planning permission.

The policy situation under which the previous permission was determined remains unchanged with the exception of the National Planning Policy Framework (NPPF), updated as of July 2018- the relevant updates are summarised under the relevant Key Issues below.

(A) IS THE PROPOSAL ACCEPTABLE IN LAND USE TERMS AND IS THE MIX, BALANCE AND AMOUNT OF HOUSING PROPOSED ACCEPTABLE IN PLANNING POLICY TERMS?

The policy considerations set out within the report to permission 14/02366/F continue to apply (page 5 of the appended report refers) and it is the view of officers that the 2018 update to the NPPF would not warrant taking a different decision on the current application.

(B) WOULD THE PROPOSALS SAFEGUARD OR ENHANCE HERITAGE ASSETS OR AREAS OF ACKNOWLEDGED IMPORTANCE AND HAVE ARCHAEOLOGICAL CONSIDERATIONS BEEN ADDRESSED?

The policy considerations set out within the report relating to permission 14/02366/F continue to apply- please refer to page 5. As set out above, the National Planning Policy Framework (NPPF) was updated in July 2018; however this remains broadly consistent in respect of heritage matters. Paragraphs 184- 202 of the NPPF now apply (formerly paragraphs 126- 141).

The Council's Conservation Officer has advised as follows in relation to the current application:

“The current planning application is a resubmission of a previously consented proposal (14/02366/F- Proposed development of 2 no. Use Class C3 dwellings with associated external works). This was assessed at the time using the relevant sections of the National Planning Policy Framework. An assessment of the heritage context was undertaken at the time, and has been further enhanced in the present application with archaeology and building recording. These reports have interpreted the site and recorded the standing and below-ground archaeology at an interim stage. The reports have not identified any greater significance to the assets than previously established in 2014.

The Association for Industrial Archaeology have suggested in their recent public objection that “this surviving face is all that remains of the quarrying heritage of Clifton”. The quarry setting is expressed principally through the topography of the present site, the sudden fall away from the edge of the Downs and the later tall retaining walls that now cover the original rock face. The quarried face has been further obscured by remnants of dwellings that formerly stood against it. As such the industrial context is not explicit, and the proposals would have no further direct impact on that as a non-designated heritage asset. The small-scale of the new houses will ensure that the majority of the retaining wall remains exposed to the Conservation Area whilst preserving the fabric where the buildings abut. The previous assessment provided to Development Control Committee B in 2014 therefore remains broadly valid, and we would find it difficult to make an objection based on this previously approved report.”

The stabilisation works (including rock anchor points) would have a visual impact on the heritage asset, however this would be limited in number and extent and would not result in harm to the heritage asset that would not be justified by the benefits of stabilising the asset for the future.

An Archaeological Watching Brief Report (Feb 2018) has been submitted with the current application, setting out the archaeology recording works carried out to date which took place during rubble clearance and initial groundworks on the site. The recording works recorded evidence of a row of three mid-19th century house plots that were early examples of workers accommodation in this part of

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Clifton, among the stone quarries. Only apparent damage from incendiary bombing during WWII ended the occupancy of the houses with final demolition and clearance occurring after the 1970s.

Two conditions relating to archaeology were attached to permission 14/02366/F (Condition 4- Recording fabric and Condition 5- Implement archaeological works). Since the previous permission was granted, applications have been made to discharge these conditions. The Council's Archaeology Officer advises that Condition 5 (implementation of archaeological work in accordance with an approved Written Scheme of Investigation) has been discharged (references 16/04049/COND and 17/05976/COND) and that Condition 4 (Recording fabric of building/ site) can be discharged when a full report has been submitted to the Historic Environment Record (HER). Should permission be granted by Members, a further condition would be recommended to secure further recording at subsequent stages of development.

In summary, officers are satisfied that the proposal continues to address the relevant policy and the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, particularly Section 72. Officers have given great weight and importance to harm resulting to the heritage assets of the historic quarry and the Clifton and Whiteladies Road Conservation Areas in making this assessment. It was previously concluded that the proposal would conserve the Conservation Area and the setting of nearby listed buildings, and would offer public benefits through the provision of additional dwellings. There is no reason to conclude differently here.

(C) WOULD THE PROPOSED DEVELOPMENT BE ACCEPTABLE IN DESIGN TERMS?

The relevant policy and proposed design remain unchanged from the previous proposal and the proposed design is deemed appropriate in this location- page 7 of the appended report refers. Conditions 9 and 11 attached to permission 14/02366/F related to further design details and material samples being submitted before those elements commence. No details have been submitted in respect of these matters, however it is considered reasonable that these same conditions be attached in the event that permission is granted.

(D) WOULD THE PROPOSED DEVELOPMENT SAFEGUARD THE RESIDENTIAL AMENITY OF NEIGHBOURING OCCUPIERS AND WOULD IT MAKE SATISFACTORY PROVISION FOR THE AMENITY OF FUTURE OCCUPIERS?

Space standards for future occupiers

The 2014 permission was assessed against the Council's Space Standards Practice Note (2011), which has been superseded by the Nationally Described Technical Standards (2015). The current proposal is unchanged compared to the previous (lapsed) permission. The 2014 proposals met the Council's former space standard requirements, based on the houses providing three bedspaces (a single bedroom and a double bedroom), but do not meet the new national technical standards as follows.

Table 1

	Proposal floor area (sqm)	BCC Space Standard requirement (now superseded) (sqm)	Current national space requirement (sqm)
Unit 1	59.1	57- 67	70
Unit 2	59.3	57-67	70

The agent for the applicant has responded to this issue as follows (quoted):

"The adopted policy arena in this regard remains unchanged.

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Policy BCS18 – Housing Type remains the same and the background text puts emphasis on “Building to suitable space standards will ensure new homes provide sufficient space for everyday activities. Homes can also be used more flexibly and adapted more easily by their occupants to changing life circumstances”.

As you have pointed out, the previous standards that Bristol chose to utilise were the HCA standards and the proposal easily met those. The previous requirement for a 3 bed space was between 57-67sqm. Both proposed houses are 59 sqm and also include private amenity space which is not included within the floor space calculations. One of the dwellings includes a 19sqm courtyard, whilst the second includes a 5.3sqm external space.

The new standards require 2 bed, 2 storey dwellings to meet 70sqm, which is a big difference. Both the dwellings are flexible and adaptable, which is the key requirement of the adopted policy. In addition, there have been several appeal decisions where proposals below the national space standards have been allowed in Bristol. For example the Inspector in appeal ref: APP/Z0116/W/16/3154994 focused on the space required for day-to-day activities and the flexibility & adaptability of the units. In assessing a dwelling that doesn't meet the national spaces standards he states:

“Consequently, in addition to sufficient space for day-to-day activities, the size of this flat would afford future occupiers the internal space for a reasonable degree of flexibility with which they would be able to adapt to their changing living needs over time....” ... “Consequently, in my view both proposed flats would provide a suitable living environment for their future occupiers. The proposal would therefore accord with CS Policy BCS18”.

I would also direct you to para 123 of the updated NPPF which says “Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site”.

Para 117 supports the effective use of land to meet a need for homes and para 118 (c) supports the reuse of brownfield land, particularly where there is the opportunity to remediate despoiled, degraded, derelict, contaminated or unstable land.

There is clear overarching support for making the most of brownfield sites in urban areas. Whilst the proposal no longer meets the national housing standard guidance, which has been now been adopted by Bristol to replace the HCA guidance, the houses still easily provide adaptable and flexible living conditions, with separate bedrooms, bathrooms hallways and kitchen dinners, especially when taking on board the external space. This is a point that has been subject to appeals in Bristol. Given the above, there are clear benefits to the development which ultimately outweigh the reduction in internal floorspace from the latest national guidance.”

Whilst officers do not consider the result of one appeal to be the determinant factor, it is notable that the previous permission was considered under policy BCS18, and as stated by the applicant it was concluded that the development would have provided adequate space for everyday activities and for appropriate levels of activities. Given this material consideration, it is not considered that the proposal would warrant refusal on these grounds.

Neighbouring occupiers

There have been no changes in policy or site circumstances since the previous grant of planning permission and it is the view of officers that the assessment undertaken in relation to permission 14/02366/F still applies. Please refer to the appended report for full details at page 8.

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It should be noted that a right to light is a civil matter not within the remit of the planning system and is separate to assessments undertaken through a planning application.

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

The proposal is unchanged compared to the lapsed 2014 permission in terms of highways matters. The relevant policy also remains unchanged. The update to the NPPF would not warrant a different decision on the application, in the view of officers.

Several conditions relating to highways matters were attached to the previous permission and these are addressed below.

Condition 6- Construction environmental management plan (CEMP)

A CEMP was already approved under condition discharge application 16/04049/COND and CEMP information was supplied with the current application. Taking into account local consultation responses providing anecdotal details of local issues arising during enabling works on this part of the highway network, it is deemed appropriate to seek further detailed information through a further CEMP condition attached to any consent, should this be granted. The applicant's agent has advised that as no contractor is yet appointed for the works that it is therefore difficult to provide the detailed information normally required, at the current stage.

Condition 7- Condition survey and Condition 8- Highway/ footway works approval remain outstanding.

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

Land stability matters were assessed under consideration of application 14/02366/F (page 10 of the appended report refers) and the following conditions were attached to the permission granted by Committee:

Condition 2 - Full-time supervision by a structural engineer during enabling works (emphasis in bold added for Committee purpose only)

*No development shall take place on site until **details have been submitted to and agreed in writing by the Local Planning Authority of the (suitably qualified) structural engineer/ geologist who will undertake the full-time supervision of all enabling works** (including all site investigation, stabilisation works, clearance of base rock/ walls and foundation works). Thereafter the enabling works shall only take place under the full-time supervision of the agreed structural engineer/ geologist for the duration of these works and in accordance with the approach set out within the approved Integrale 'Proposed method statement and sequence of working' and Integrale 'Outline Methodology for Combining Geotechnical Investigation with Stability Works' reports, **the final detail of which shall be submitted to and approved in writing by and within a timescale to be agreed** in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.*

Reason: To ensure proper supervision during works in the interest of land stability.

Condition 3- Insurance policy

No development shall take place until the developer has provided evidence that an appropriate insurance policy has been taken out (to which the City Council will have access as a named party on the insurance details), to be approved in writing by the Local Planning Authority, in respect of any adverse effect the works may have on the stability of the existing retaining wall to the north of the site,

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any base rock/ walls adjacent to the footway and any neighbouring properties upslope of the site within 10m of the site boundary and also 10 Sutherland Place/ Mews. The insurance policy shall be sufficient to cover any potential problems that may arise during the course of construction and consequently as a result of the development.

Reason: To ensure that the Local Planning Authority as a named party in the insurance policy, has the access to the policy in order to secure the necessary funds to carry out any remedial works required in respect of stability of the retaining wall or site, in the event that this becomes necessary.

Since the previous consent was granted, applications (17/025299/COND and 17/05624/COND) were made to discharge those conditions; however the information provided was incomplete and it was not deemed possible to discharge the conditions. A report was submitted in respect of discharging the condition: 'Geotechnical report on condition of rock face including structural addendum, rock slope stability considerations and proposed anchor schedule' (Integrale, Report No. 9221/B, September 2017).

The applicant has submitted an updated report in relation to the current application: 'Geotechnical report of rock face formation including structural addendum, rock slope stability considerations and proposed anchor schedule' (Integrale, Report No. 9221/C, May 2018). No details have been submitted in respect of Condition 3. The applicant's agent advises that the applicant cannot arrange for insurance given the structural issues until they have consent.

The previous application and conditions are a material consideration in the assessment of the current application. The Council has consulted an engineering geologist to provide advice as to whether the details submitted in relation to the current application address the previous condition requirements. The advice of the consultant is summarised below:

The consultant previously provided advice regarding this site in relation to condition discharge application 17/05299/COND (Condition No. 2 of 14/02366/F) - they advised that the submitted documents in relation to that application were sufficient to partially meet the requirements of the condition, namely approving the final detail of the two Integrale reports. However, the details of the appointed structural engineer/geologist to oversee the works were not provided. Furthermore, while that submitted information recommended possible stability measures it did not confirm the approach to be taken. A confirmed methodology and sequence of working would need to be submitted to and agreed with the Council.

In relation to the information provided with the current application the consultant advises that:

- Details of the appointed structural geologist have been provided and are acceptable;
- The approach to stability measures has been confirmed (including installing rock anchors to reinforce the rock face and masonry wall);
- The applicant has confirmed a methodology and sequence of working within their submitted report. This references the progressive inspection and assessment by the appointed geologist, however it does not refer back to the proposed method statement and sequence of working described within the 2014 report or the outline methodology for combining geotechnical investigation with stability works. Nonetheless, it is considered that the Applicant's engineer has a comprehensive understanding of the stability issues and how to resolve them. As long as the methodologies described within the 2014 report and the 2013 report are followed, it is considered that this meets the requirements of pre-commencement condition no. 2.
- It is considered that the applicant's submission meets the requirements to discharge pre-commencement condition no. 2. However, this is on the basis of the assumption that this level of support will continue for the remaining works on a full time basis. On this basis it is recommended that Bristol City Council discharge this condition.

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In summary, the application submission demonstrates that land stability matters have taken account of the latest evidence following investigation works and that this issue can be satisfactorily addressed through the proposed methodologies and sequence of working. This approach has been devised by an appropriately qualified party, who would be required to undertake full-time supervision during works.

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

There has been no change in policy or circumstances in terms of addressing sustainability objectives. Conditions 17 and 18 of consent 14/02366/F remain relevant and are recommended in the event that Members are minded to approve the application.

An updated Drainage Strategy was submitted with the application and the Council's Flood Risk management Team are satisfied that the proposal would satisfactorily address drainage considerations subject to a further condition.

(H) HAVE NATURE CONSERVATION ISSUES BEEN ADDRESSED?

An updated ecological survey (2018) has been carried out and the Council's Nature Conservation Officer is satisfied subject to appropriate conditions.

CONCLUSION

The proposal is concluded to be acceptable in all respects including in terms of ground stability issues and would be compliant with national and local planning policy in all respects. Approval of the application is therefore recommended subject to detailed conditions. The recommended conditions reflect those that were imposed on the previous consent, albeit amended where conditions have been discharged.

APPENDICES

Committee Report 2014 relating to permission 14/02366/F.

COMMUNITY INFRASTRUCTURE LEVY

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

The CIL liability for this development is £11,174.00.

RECOMMENDED GRANT subject to conditions

Time limit for commencement of development1. Full Planning Permission

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

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

Development Control – 17 October 2018**Application No. 18/02902/F : Land On North Side Of Belgrave Hill Bristol****Pre commencement conditions**2. Full-time supervision by a geotechnical engineer/engineering geologist during enabling works

The development enabling works (including all site investigation, stabilisation works, clearance of base rock/ walls and foundation works) hereby approved shall be carried out only under the full-time supervision of the approved geotechnical engineer/ engineering geologist for the full duration of the enabling works, unless otherwise agreed in writing by the Local Planning Authority.

The development hereby approved shall be carried out only in full accordance with the approach and methodologies set out within the approved reports: 'Proposed method statement and sequence of working' (Integrale Ltd. 2014), 'Outline Methodology for Combining Geotechnical Investigation with Stability Works' (Integrale Ltd. 2013, Report No. 4349/A) and 'Outline methodology for combining geotechnical investigation with stability works and proposed anchor schedule.' (Integrale Ltd. 2018, Report no. 9221/C) unless otherwise agreed in writing by the Local Planning Authority.

Should unexpected conditions arise, which are not foreseen in the approved reports, no further work shall be carried out (except those required to secure the site), without a working method agreed in writing by the Local Planning Authority. The development shall not be occupied until a validation report to confirm that the approved works have been submitted and approved by the Local Planning Authority.

Reason: To ensure proper supervision by an appropriately qualified geotechnical engineer/ engineering geologist during works in the interest of land stability and to ensure compliance with the previously agreed methodologies and sequence of working.

3. Insurance policy

No development shall take place until the developer has provided evidence that an appropriate insurance policy has been taken out (to which the City Council will have access as a named party on the insurance details), to be approved in writing by the Local Planning Authority, in respect of any adverse effect the works may have on the stability of the existing retaining wall to the north of the site, any base rock/ walls adjacent to the footway and any neighbouring properties upslope of the site within 10m of the site boundary and also 10 Sutherland Place/ Mews. The insurance policy shall be sufficient to cover any potential problems that may arise during the course of construction and consequently as a result of the development.

Reason: To ensure that the Local Planning Authority as a named party in the insurance policy has the access to the policy in order to secure the necessary funds to carry out any remedial works required in respect of stability of the retaining wall or site, in the event that this becomes necessary.

4. To secure the recording of the fabric of buildings of historic or architectural importance

No development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall - other than basic works to ensure the safety of the archaeologists/ other contractors to be agreed in writing by the Local Planning Authority prior to being carried out) shall take place until the applicant/developer has recorded those parts of the building which are likely to be disturbed or concealed in the course of redevelopment or refurbishment. The recording shall be carried out by an archaeologist or archaeological organisation approved by the Local Planning Authority.

Reason: To ensure that features of archaeological or architectural importance within a building are recorded before their destruction or concealment.

5. To ensure implementation of a programme of archaeological works

No development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall - other than basic works to ensure the safety of the archaeologists/ other contractors, to be agreed in writing by the Local Planning Authority prior to being carried out) shall take place until an updated Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority.

Development Control – 17 October 2018**Application No. 18/02902/F : Land On North Side Of Belgrave Hill Bristol**

The scheme of investigation shall include an assessment of significance and research questions; and:

- * The programme and methodology of site investigation and recording- including timetable;
- * The programme for post investigation assessment- including timetable;
- * Provision to be made for analysis of the site investigation and recording
- * Provision to be made for publication and dissemination of the analysis and records of the site investigation- including timetable;
- * Provision to be made for archive deposition of the analysis and records of the site investigation- including timetable;
- * Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The development (including demolition of existing structures or stabilisation works to the retaining wall - other than basic works to ensure the safety of the archaeologists/ other contractors to be agreed in writing by the Local Planning Authority prior to being carried out) shall be carried out only in accordance with the approved programme of archaeological work and timetable for work. The publication of the analysis and records and the archive deposition or the records shall be carried out in accordance with the timetable agreed in writing by the Local Planning Authority.

Reason: To ensure that archaeological remains and features are recorded prior to their destruction.

6. Construction environmental management plan

No development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall) shall take place until a site specific Construction Environmental Management Plan has been submitted to and approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- a) Management of vehicle movements including parking, routes for construction traffic, proposed temporary traffic restrictions;
- b) Details of siting and form of the site compound/ office;
- c) Pedestrian and cyclist protection;
- d) Method of prevention of mud being carried onto highway;
- e) Hours of operation;
- f) Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- g) Arrangements for liaison with the Council's Pollution Control Team;
- h) Procedures for emergency deviation of the agreed working hours;
- i) Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants;
- j) Measures for controlling the use of site lighting whether required for safe working or for security purposes;

The development shall only be carried out in accordance with the approved Management Plan.

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

7. Highway condition survey

The development (including demolition/ alteration to existing base rock/ wall structures or stabilisation works to the retaining wall) hereby approved shall not commence until a condition survey of the road network surrounding the site has been carried out to an extent to be agreed with the Highway Authority and has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be brought into use until remedial works to any part of this highway damaged as a result of the development have been agreed with and undertaken to the satisfaction of the Highway Authority and details of these works submitted to and approved in writing by the Local Planning Authority.

The developers shall contact Highways Asset Management on 0117 9222100 to agree the extent of the

Development Control – 17 October 2018

Application No. 18/02902/F : Land On North Side Of Belgrave Hill Bristol

condition survey and any remedial works required.

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

8. Approval of footway works necessary

No development (including demolition/ alteration to existing base rock/ wall structures but excluding stabilisation works to the retaining wall) shall take place until details of the following works to the highway/ footway have been submitted to and approved in writing by the Local Planning Authority:

1. All works to the existing footway/ pavement required by the development;

The building hereby permitted shall not be occupied until these works have been completed in accordance with the approved details.

Reason: To ensure that all road works associated with the proposed development are to a standard approved by the Local Planning Authority and are completed before occupation.

9. Sustainable Drainage System (SuDS)

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

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

10. Bat method statement and method of working

No development (including demolition/ alteration to existing base rock/ wall structures but excluding stabilisation works to the retaining wall) shall take place until a method of working prepared by a suitably qualified ecological consultant setting out the precautionary methods to be followed during all enabling and construction works with respect to bats has been submitted to and approved in writing by the Local Planning Authority.

The development hereby permitted (including enabling works: site clearance, stabilisation works and works to the base rock/ walls on site) shall thereafter take place only in accordance with the approved pre-cautionary method of working at all times. If works to implement this consent do not commence within 12 months of the approved bat survey report (by 12 July 2019) then an updated bat survey report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on the site (including the enabling works listed above).

Reason: To conserve legally protected bats.

11. Further large scale details before relevant element started

Large scale detailed drawings of the following elements shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The detail thereby approved shall be carried out in accordance with that approval.

- a) Typical details of each new window and door type, including set-back window features, cills, heads, reveals and surrounds;
- b) Typical roof junctions including parapets, copings and eaves;
- c) Typical corner detailing at junctions;
- d) Junction with retaining wall;
- e) Rainwater goods;
- f) Terrace screening.

Development Control – 17 October 2018**Application No. 18/02902/F : Land On North Side Of Belgrave Hill Bristol**

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

12. Green living roof

Prior to the commencement of the roof of the property a strategy for the implementation of the green living roof shall be submitted to and approved in writing by the Local Planning Authority.

The strategy should include details relating to the extent, specification, installation method and the management and maintenance of the green roof unless otherwise agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the dwellings and shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the building is satisfactory and that the character and appearance of the Conservation Area would be safeguarded, to promote sustainability interests and biodiversity and to reduce surface water run-off. Alternatives to sedum will be expected to be explored to improve biodiversity and inclusion of native species.

13. Sample panels before specified elements started

Sample panels of the rubble stone wall, render and timber cladding; demonstrating the colour, texture, face bond and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.

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

Pre occupation conditions**14. Reporting of Unexpected Contamination**

In the event that contamination is found at any time when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and where remediation is necessary a remediation scheme must be prepared which ensures the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

15. Bird and bat boxes

The development hereby approved shall be carried out in accordance with approved plan 1506(L)33 Rev A 'Proposed bird boxes and bat tubes'. The approved details shall be installed prior to the first occupation of the dwelling hereby approved and retained at all times thereafter.

Reason: To help conserve legally protected bats and birds which include priority species.

16. Implementation/installation of refuse storage and recycling facilities - shown on approved plans

No building hereby permitted shall be occupied until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored

Development Control – 17 October 2018**Application No. 18/02902/F : Land On North Side Of Belgrave Hill Bristol**

within this dedicated store/area, as shown on the approved plans, or internally within the buildings that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway at any time or on the pavement except on the day of collection.

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

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

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

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

18. Sustainability Statement and Energy Strategy

The development hereby approved shall be carried out in accordance with the measures contained within the approved Sustainability Statement and the approved Energy Strategy prior to the first occupation of the development hereby approved and shall be maintained in accordance with these details in perpetuity.

Reason: To ensure that sustainability policy objectives would be met.

19. Solar photovoltaic and solar thermal panels

The solar photovoltaic and solar thermal panels hereby approved shall be installed and made fully operational prior to the first occupation of the dwellings hereby approved. The solar panels shall be maintained in situ in accordance with the approved details and as fully operational thereafter.

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

Post occupation management**20. Restriction of the use of the roof**

The roof of the dwellings (with the exception of the area marked 'terrace' in association with Unit 2 on drawing 1506 (L) 22) hereby permitted shall not be used as a balcony, terrace, roof garden or similar amenity area without the grant of further specific planning permission from the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises from overlooking, loss of privacy and disturbance through noise impacts.

21. No extensions

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

Reason: The extension of these dwellings requires detailed consideration to safeguard the amenities of the surrounding area.

Development Control – 17 October 2018

Application No. 18/02902/F : Land On North Side Of Belgrave Hill Bristol

22. No further windows/ enlargement of windows

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

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

23. Site clearance

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

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

List of approved plans

24. List of approved plans and drawings

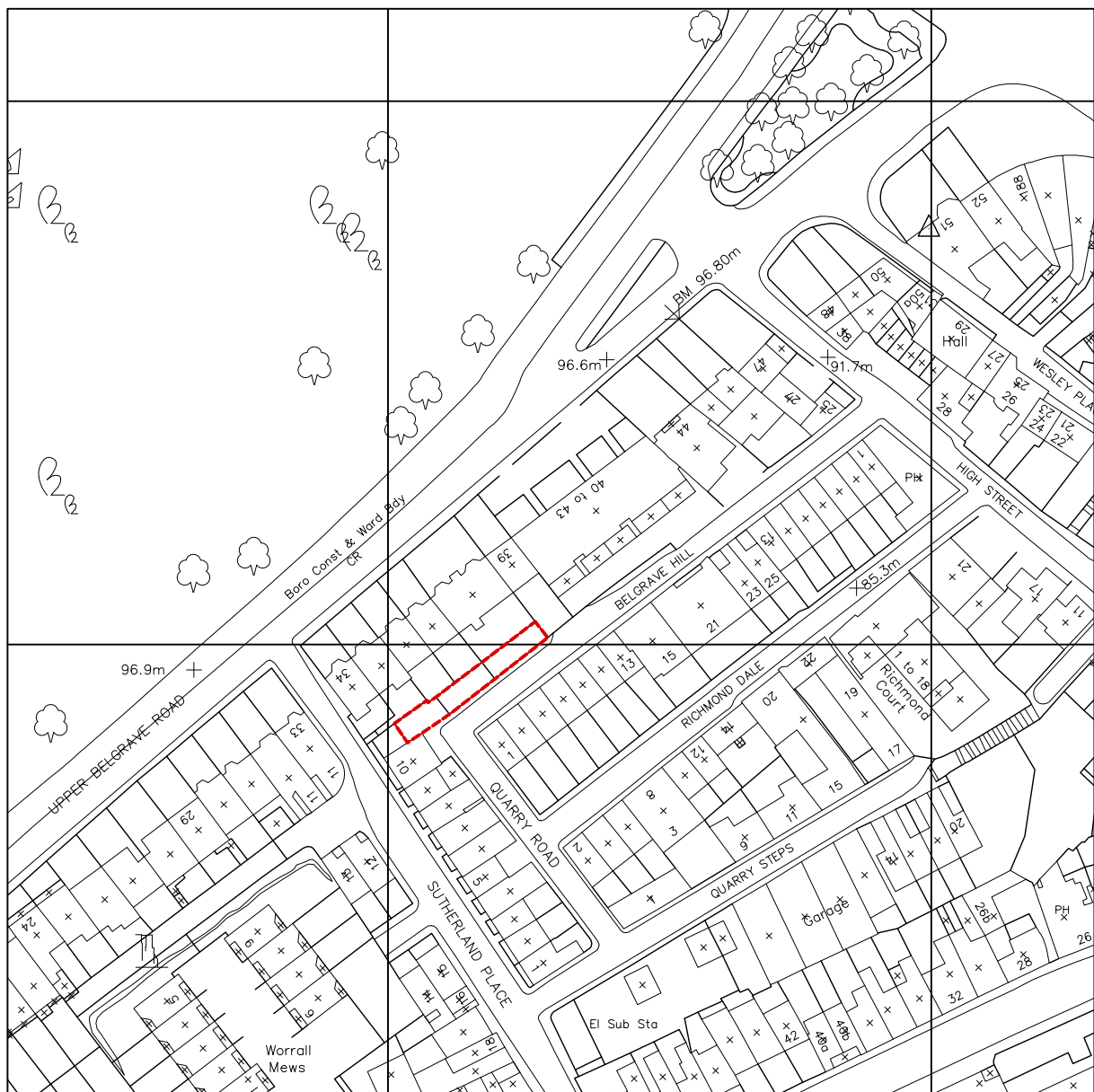
The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision.

Supporting Documents

2. 6-8 Belgrave Hill, Bristol, BS8 2UA.

1. Location Plan
2. Existing Plans
3. Existing Elevations
4. Proposed Plans
5. Proposed Elevation
6. Proposed Sections
7. Proposed Section G-G

Responsibility is not accepted for errors made by others scaling from this drawing. All construction information should be taken from figured dimensions only.



ISSUED FOR PLANNING

10/10/11

REV	Note	Date
-	-	-



105 WEST ARCHITECTS Ltd
107 Lower Redland Road
Redland, Bristol, BS6 6SW

T 0117 3737 596
E Info@105west.co.uk

Project **Land at Belgrave Hill,
Clifton, Bristol**

Drawing Title **Location Map**

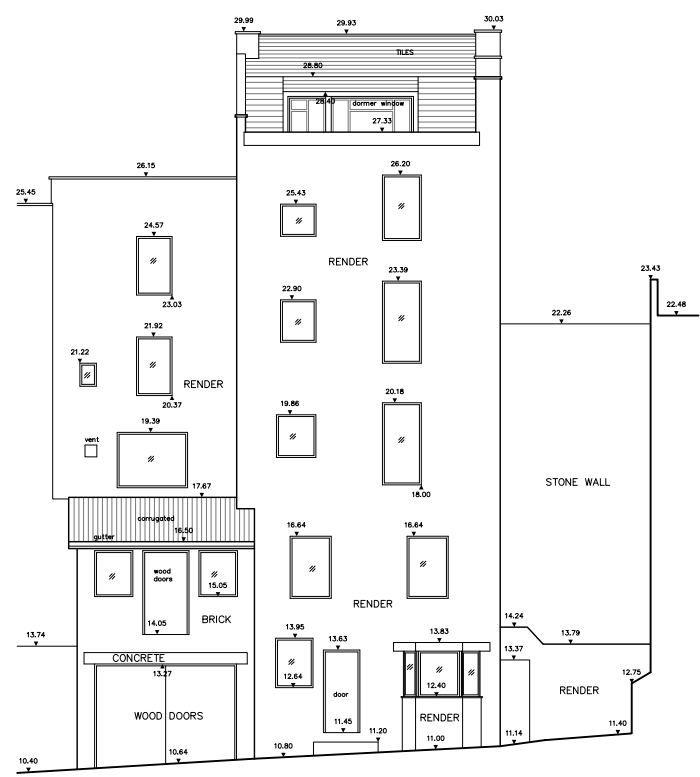
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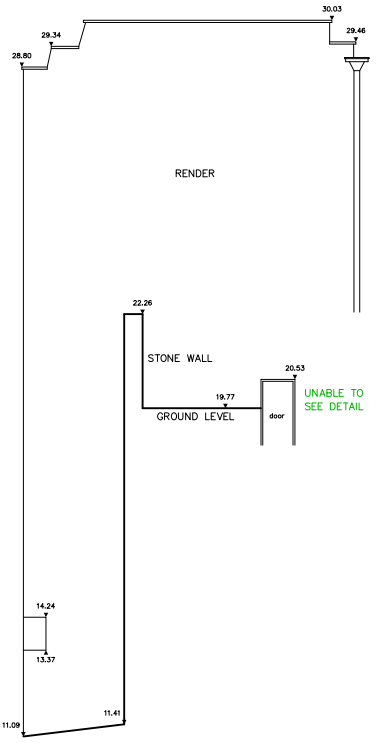


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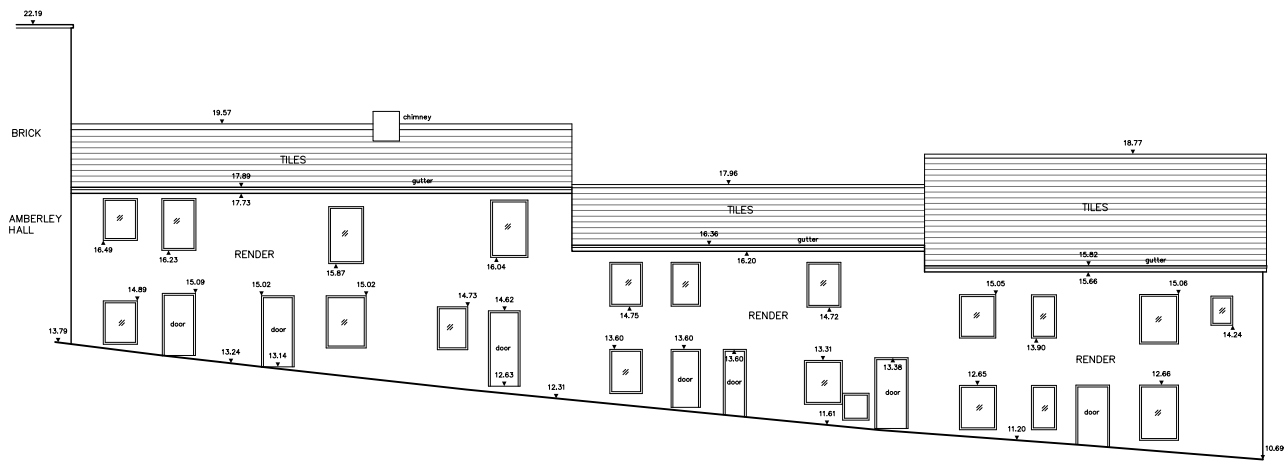
Retaining Wall Elevation



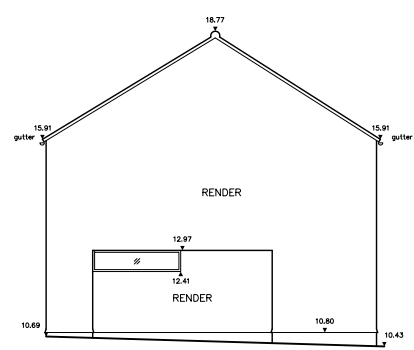
Rear Elevation
10 Sutherland Place



Side Elevation
10 Sutherland Place



Front Elevation
1 to 13 Belgrave Hill



Side Elevation
1 Belgrave Hill

ISSUED FOR PLANNING
ISSUED FOR PLANNING

Jun 2019
04/07/11

REV	Note	Date
 105 WEST ARCHITECTS Ltd 24 Alfred Place, Kingsdown Bristol, BS2 8HD T 0117 3493892 E info@105west.co.uk		

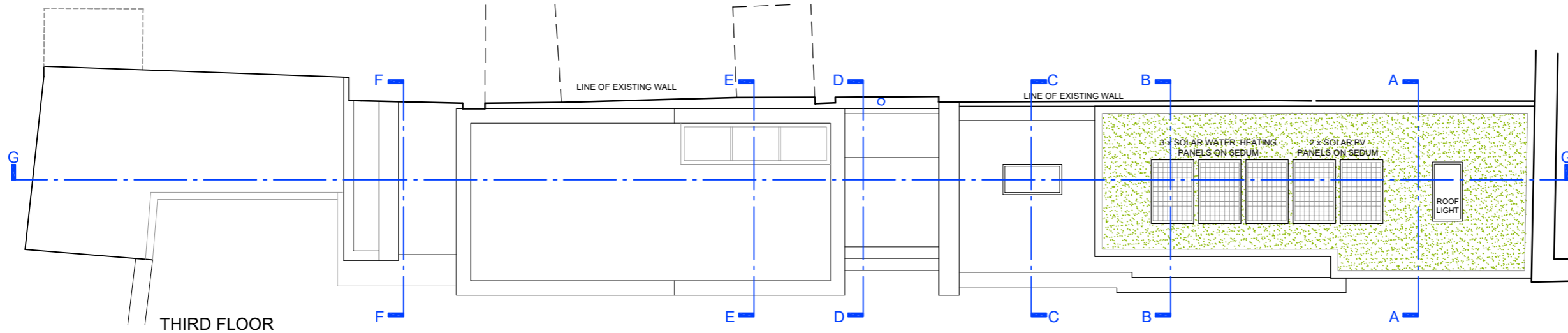
Project **Belgrave Hill, Clifton
Bristol**

Drawing Title **Existing Elevations**

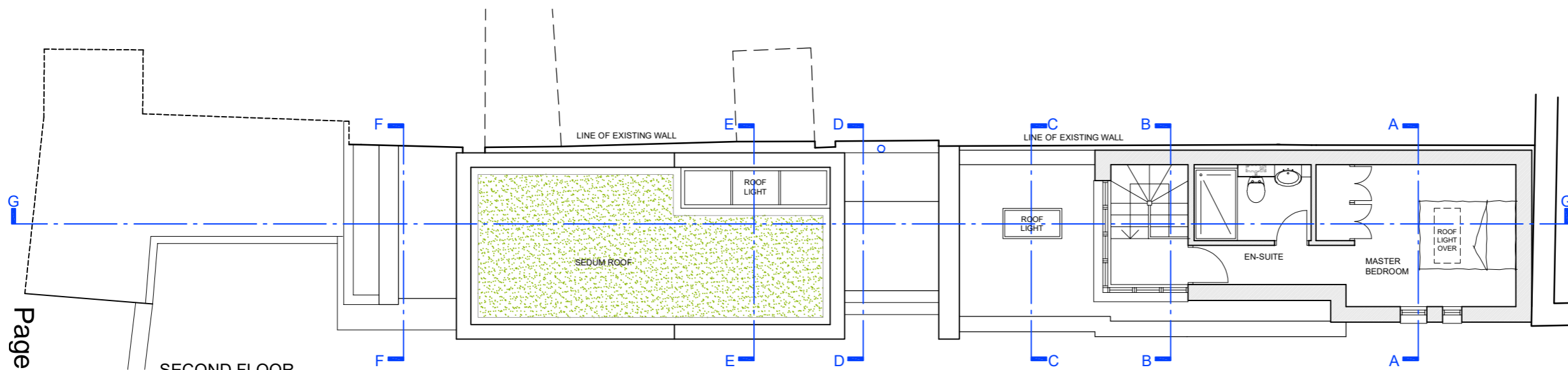
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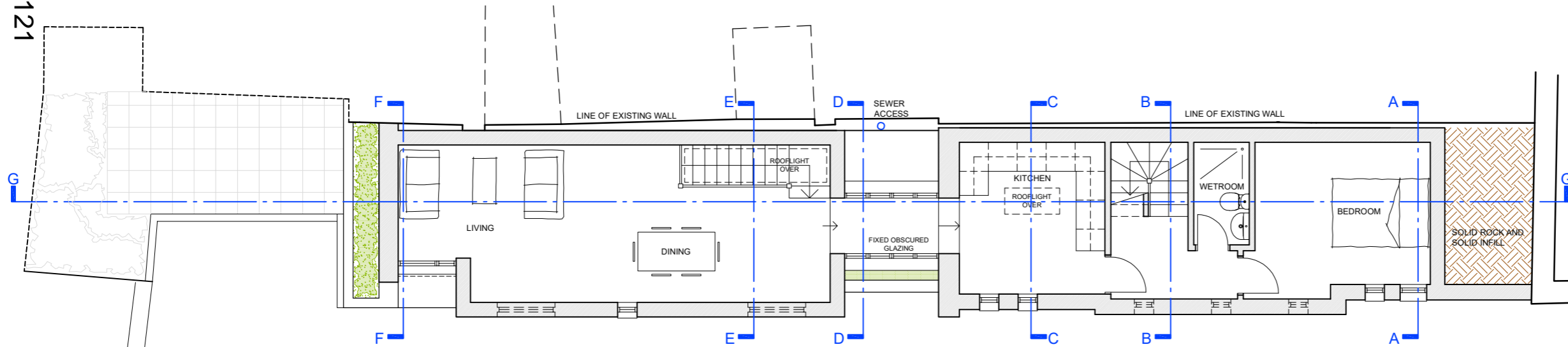
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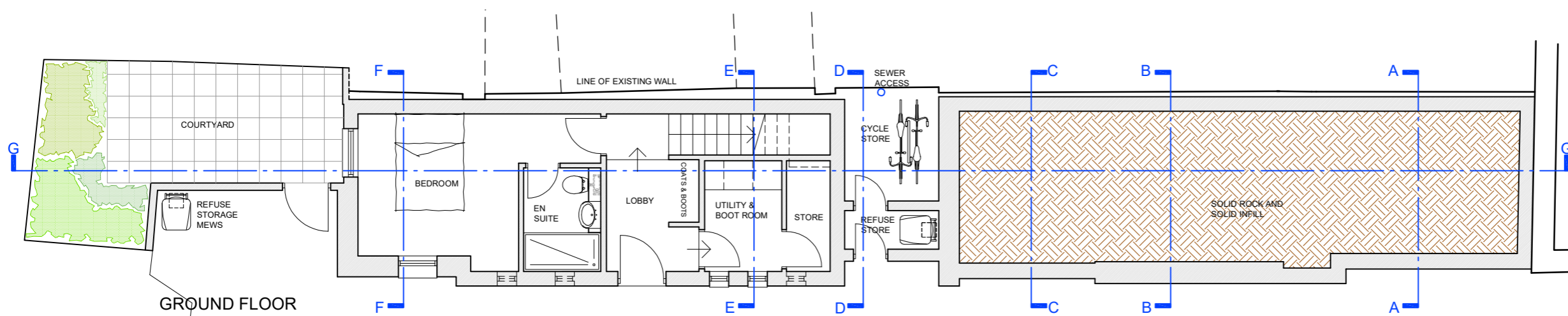
THIRD FLOOR



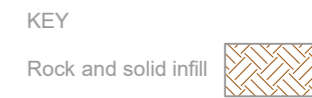
SECOND FLOOR



FIRST FLOOR



GROUND FLOOR



B	First Floor bathroom revised	21/04/20
A	Solar panels revised	05/02/20
REV	Note	Date

105 WEST ARCHITECTS Ltd
 107 Lower Redland Road, Redland
 Bristol, BS6 6SW
 T 0117 3737 596
 E info@105west.co.uk

Project **Belgrave Hill, Clifton
Bristol**

Drawing Title **Proposed Plans**

Drawing No. **1506(L)32**

Scale @A3 drawn by Date Rev
1:100 DF 08/01/20 B

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MATERIALS

- Walls - Random Rubble Stone to match existing, Painted Render and Natural Timber
- Windows - Composite Aluminium
- Doors - Composite Aluminium and Natural Timber
- Courtyard - Marshalls Tegula Priora permeable paving. Colour: pennant
- All Roofs - Sedum on grey single ply membrane

105 WEST ARCHITECTS
 105 WEST ARCHITECTS Ltd
 107 Lower Redland Road, Redland
 Bristol, BS6 6SW
 T 0117 3737 596
 E info@105west.co.uk

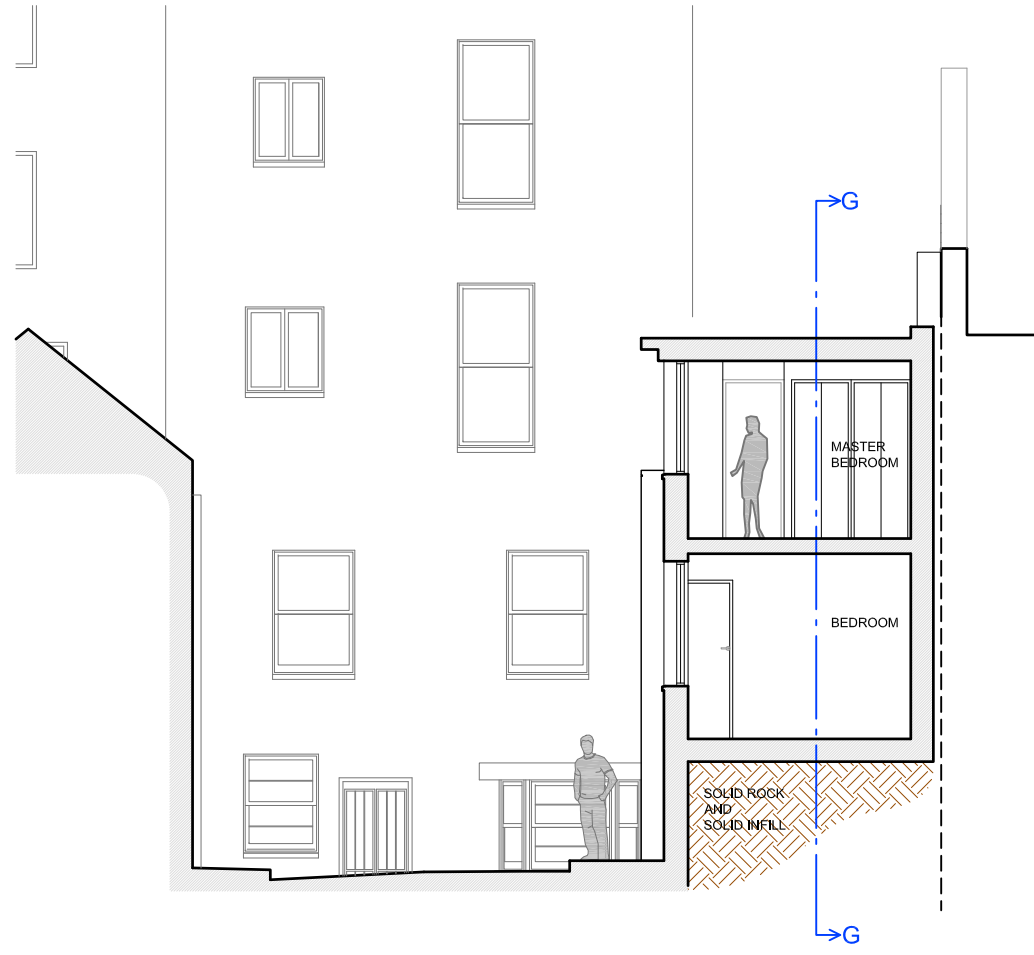
Project **Belgrave Hill, Clifton Bristol**

Drawing Title **Proposed Elevation**

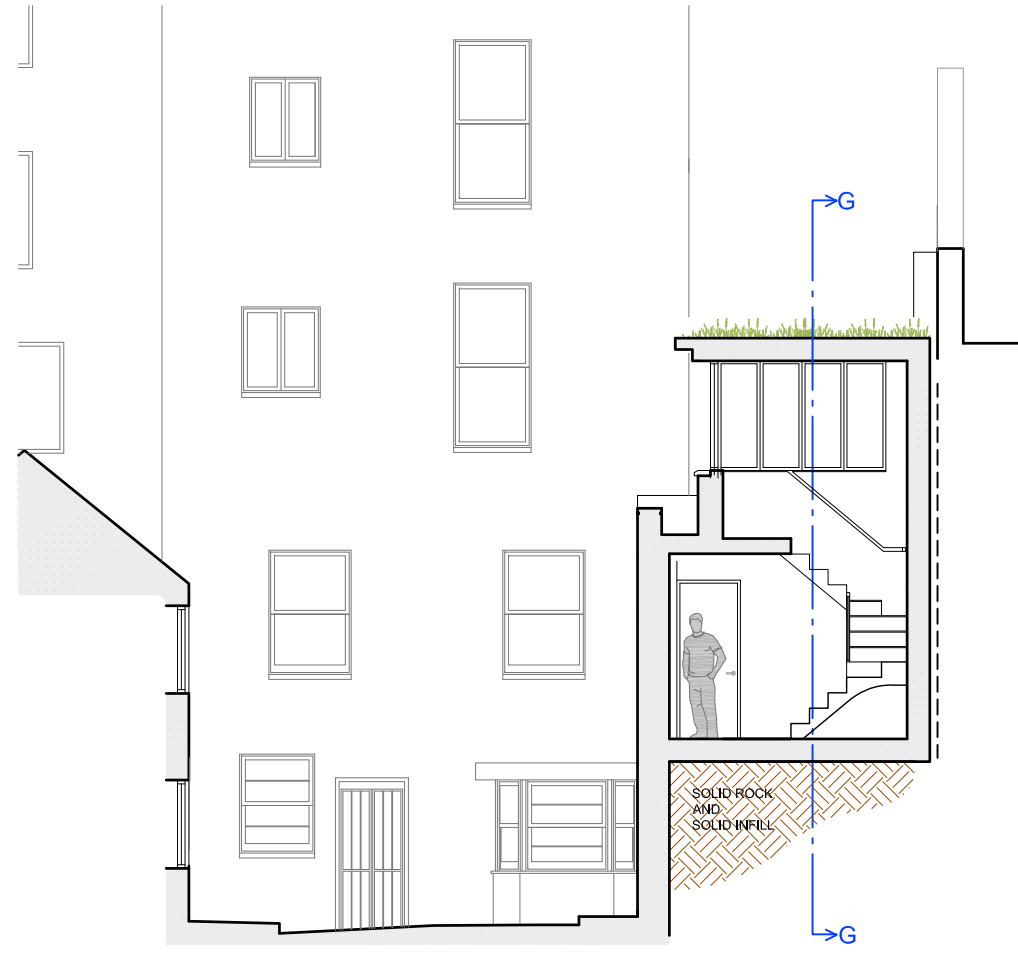
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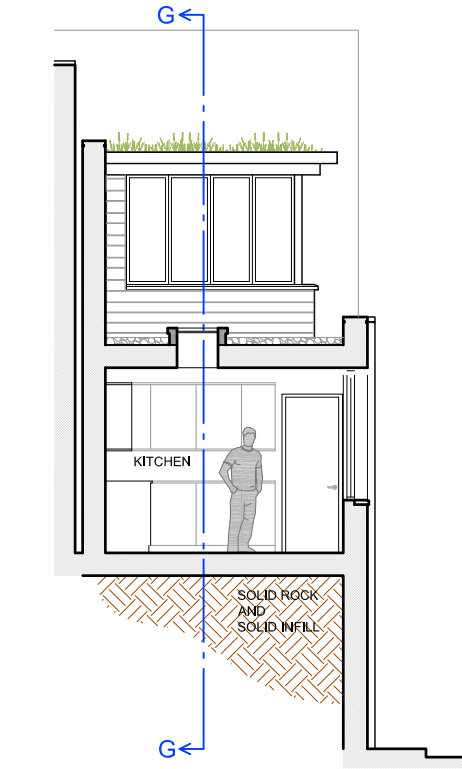
Responsibility is not accepted for errors made by others scaling from this drawing. All construction information should be taken from figured dimensions only.



SECTION A-A

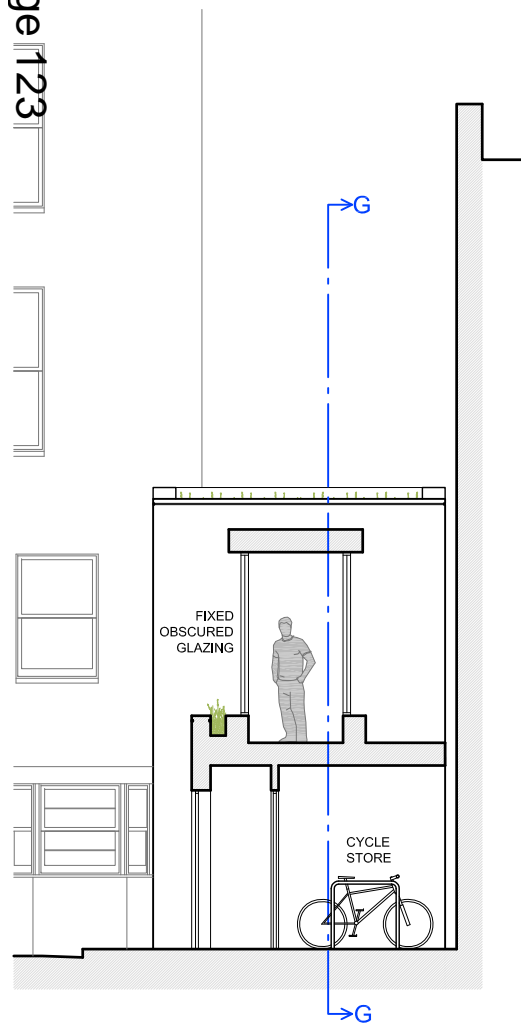


SECTION B-B

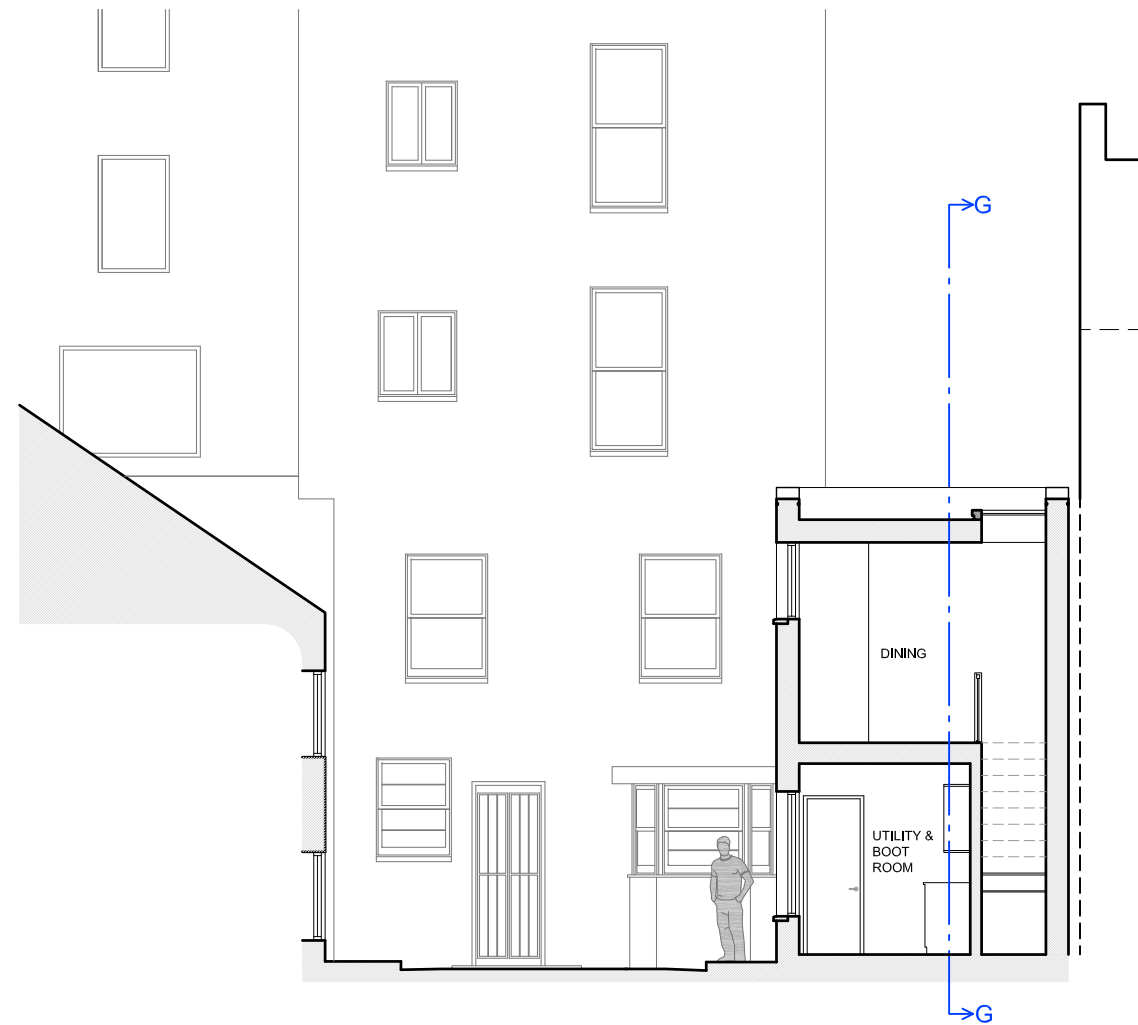


SECTION C-C

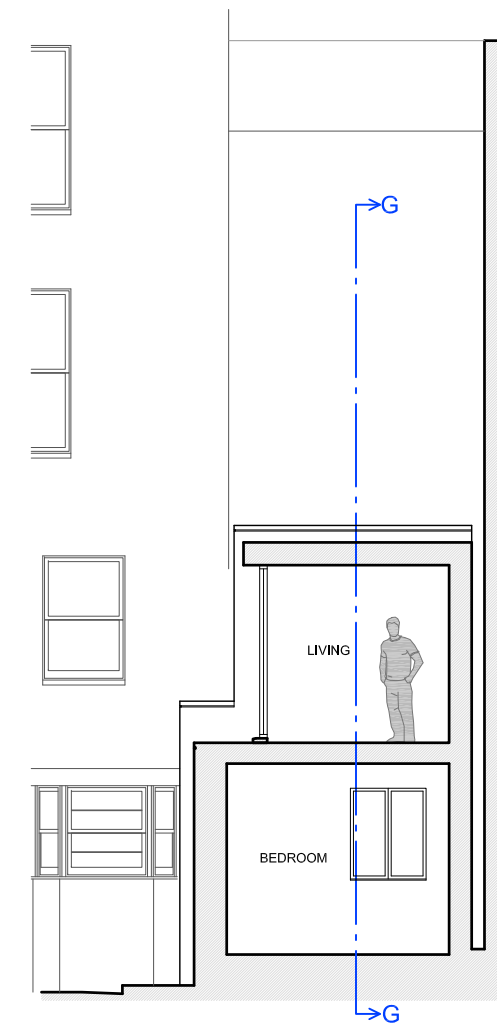
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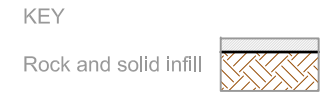
SECTION D-D



SECTION E-E



SECTION F-F



REV	Note	Date
 105 WEST ARCHITECTS 105 WEST ARCHITECTS Ltd 107 Lower Redland Road, Redland Bristol, BS6 6SW T 0117 3737 596 E Info@105west.co.uk		

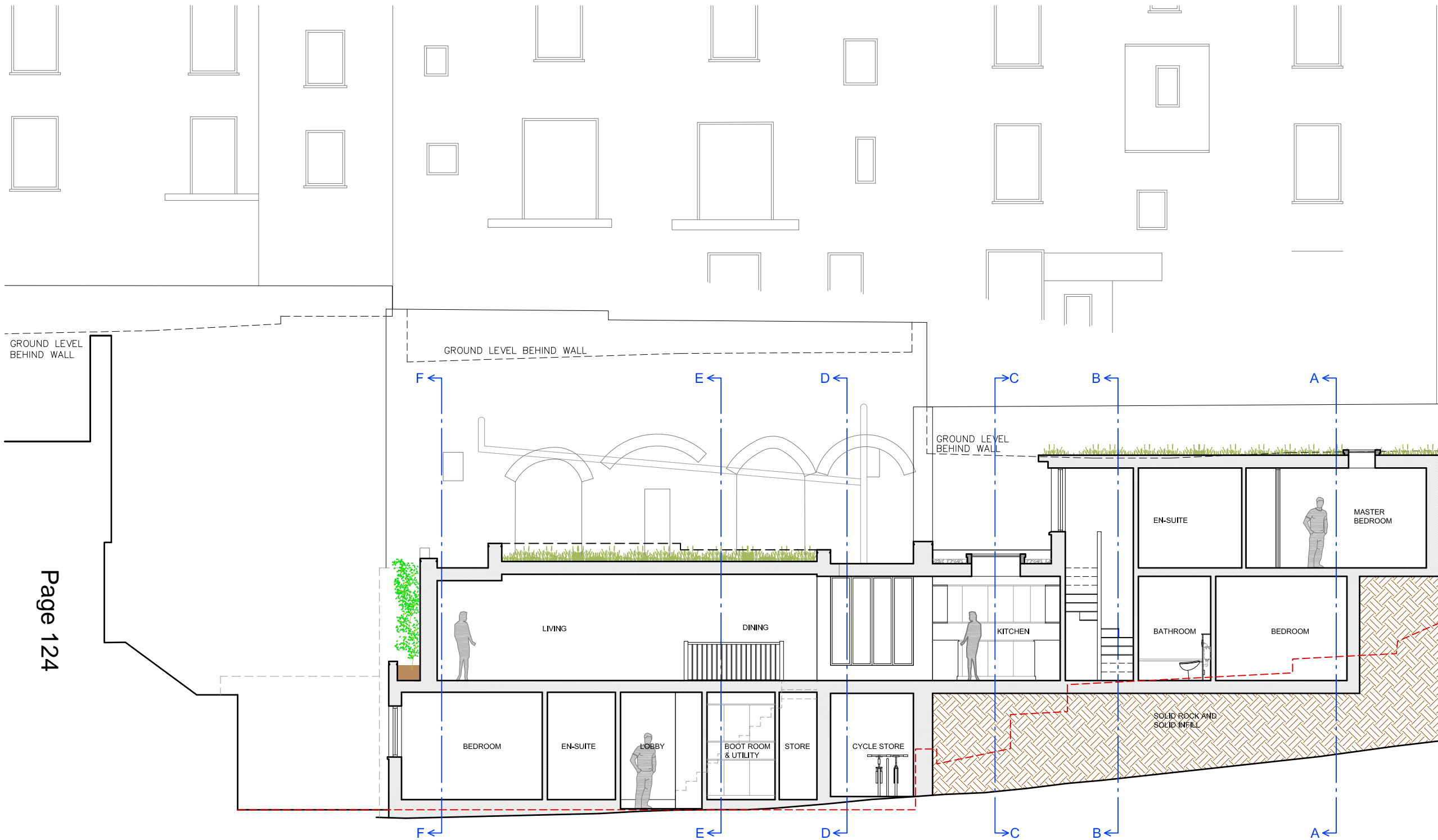
Project **Belgrave Hill, Clifton
Bristol**

Drawing Title **Proposed Sections**

Drawing No. **1506(L)33**

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GROUND LEVEL BEHIND WALL

GROUND LEVEL BEHIND WALL

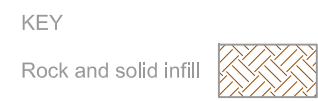
GROUND LEVEL BEHIND WALL

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SECTION G-G

Approx Extg ground line

Extg kerb line



REV	Note	Date
105 WEST ARCHITECTS Ltd 107 Lower Redland Road, Redland Bristol, BS6 6SW T 0117 3737 596 E Info@105west.co.uk		

Project **Belgrave Hill, Clifton Bristol**

Drawing Title **Proposed Section G-G**

Drawing No. **1506(L)34**

Scale @A3 drawn by Date Rev
1:100 DF 08/01/20 -

Development Control Committee A – 10 June 2020

ITEM NO. 3

WARD: Lawrence Hill

SITE ADDRESS: Unit 5 & 6 Markerside Industrial Site Albert Road Bristol BS2 0WA

APPLICATION NO: 20/01254/A Advertisement

DETERMINATION DEADLINE: 12 May 2020

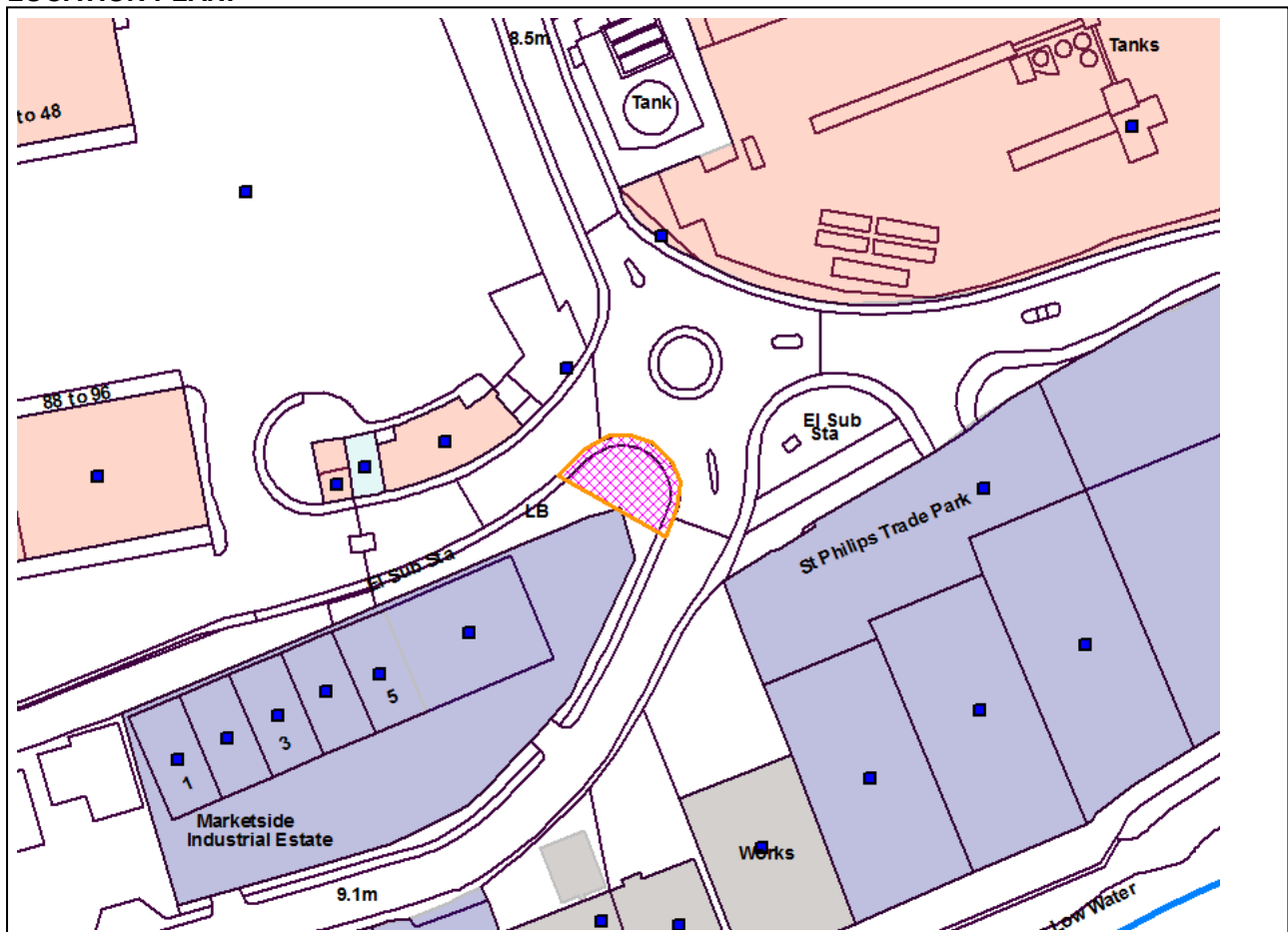
DEADLINE:
Upgrade of 1no. poster panel to digital LED display advertisement (single-sided).

RECOMMENDATION: Grant subject to Condition(s)

APPLICANT: Global
7th Floor
84 Theobald's Road
London
WC1X 8NL

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

LOCATION PLAN:



Development Control Committee A – 10 June 2020**Application No. 20/01254/A : Unit 5 & 6 Markerside Industrial Site Albert Road Bristol BS2 0WA****SUMMARY**

This case has been brought to committee following a steer from members that it should be a committee case and not delegated, due to the large numbers of public objections. The applicant proposes a single-sided LED-illuminated advertisement on land adjacent to a roundabout in St Philips Marsh. This would replace an existing backlit advertisement of the same size and proportions. Objectors have raised serious concerns about the impacts on the proposals on highways safety, amenity, and other environmental issues. There have been no objections from Bristol City Council's City Design Group or Transport Development Management Team. Officers have carefully considered the objections of neighbours, the advice of internal consultees and the evidence presented by the applicant. Overall, it is not considered that there are any grounds to warrant a refusal of advertisement consent.

EQUALITIES STATEMENT

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

SITE DESCRIPTION

The application site is an area of land adjacent to Units 5 and 6 of the Markerside Industrial Site. It lies within the Lawrence Hill ward of Bristol. There is an existing advert currently on the site. This is a 48 sheet backlit advert. The site is located adjacent to a roundabout accessed by Albert Road and Albert Crescent in St Philips and the St Philip's Marsh Area. The site lies within a Principal Industrial and Warehousing Area (PIWA).

In the draft Bristol Local Plan Review (March 2019) the area is proposed to be designated as draft policy DM3 St Philip's Marsh. It is identified as an area of growth and regeneration which will include mixed uses in a regenerated city quarter. The emerging policy has limited weight at this stage of plan preparation and it does not contain any provisions which are directly relevant to the determination of this application. The emerging local plan does not include any other draft policies which are relevant to this advertisement proposal.

The site does not lie within a conservation area or within the setting of a listed building.

PROPOSED DEVELOPMENT

The applicant proposes to replace the existing backlit advert with an LED advert of the same size and in the same location. The size would be: height 3.45m, width 6.50m, depth 0.2m. It would be a single-sided advert. Images would change every ten seconds, but there would be no moving images within the advert.

The applicant has explained that light levels can be varied. At night, light levels would be reduced to 150 cd/m².

The applicant seeks advertisement consent for the proposals. The relevant legislation is the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

Development Control Committee A – 10 June 2020**Application No. 20/01254/A : Unit 5 & 6 Markerside Industrial Site Albert Road Bristol BS2 0WA**

RELEVANT PLANNING HISTORY

None relevant.

RESPONSE TO PUBLICITY AND CONSULTATION

a) External responses

69 objections were received from individuals and organisations including Adblock, Plan-EL (the relevant neighbourhood planning group) and Bristol Civic Society. These are summarised as follows:

Visual amenity

- The proposals have a negative impact on the amenity of people using the area.
- Whilst this is an industrial area, in reality people still use this area to go about their daily lives, including those employed at the nearby industrial sites. These people would be exposed to the proposals.
- The proposals would result in an increase in advertising, because the image would change every ten seconds. The proposals are therefore different to the existing advert; it should not be seen as a straight replacement and it is disingenuous of the applicant to suggest that it is a straight replacement.
- The screen would not be turned off at night and therefore, even if luminance is restricted at night, the screen would be more intrusive than the current proposals.
- The proposals are an eyesore.
- Digital billboards contribute to sensory overload for those with various health conditions.
- Advertising is damaging for children.

Highways safety

- The proposals will endanger pedestrians and road users, including cyclists.
- The proposals will distract drivers. The distracting impacts of digital advertising has been established by research from Sweden and numerous other sources.
- The proposals are designed to attract attention.
- The proposals do not follow best practice (Waterman TFL Guidance for Digital Roadside Advertising and Proposed Best Practice) which states amongst other things that adverts situated on major junctions and within the urban environment would require detailed analysis.
- The applicant cannot produce evidence to show that digital advertising categorically does not contribute to road collisions.
- The proposals are located on a junction with multiple roads meeting, and there are numerous HGVs that use this junction.
- There have been several road traffic accidents in this area in recent years, including two incidents on the roundabout and three incidents on Albert Road.
- Bristol City Council has refused a number of adverts in the area, including sites on Feeder Road and St Philips Causeway.
- There would be a cumulative impact arising. One digital advert has been approved at the Avonmeads shopping centre and another is under appeal. Depending on the outcome of the appeal, if the current proposals are approved, it could mean drivers being exposed to multiple digital advert screens within three minutes of driving.
- It is clear that the applicant would apply for other similar proposals in the future at different locations, resulting in a cumulative effect.
- The proposals are near a nursery and so there will be children passing it.

Development Control Committee A – 10 June 2020**Application No. 20/01254/A : Unit 5 & 6 Markerside Industrial Site Albert Road Bristol BS2 0WA**Environmental issues

- Trees or shrubs should be planted instead [officer note: the Local Planning Authority needs to assess the advertisement consent application in front of them].
- The proposals are a waste of the Earth's resources and use large amounts of electricity. One digital advert consumes the same amount of electricity as ten households.
- The proposals will be incompatible with the stated aims of the declared Climate Emergency and Bristol's Carbon Neutral plan.
- The light pollution arising will have an ecological impact, including an impact on insects.

Officer response: Advertisement consent applications can only be determined on the grounds of amenity and highways safety. This means that wider concerns, such as impacts on the declared Climate Emergency and impacts on wildlife cannot be considered when assessing advertisement consent applications. These concerns do not fall within the scope of the assessment under Part 1, Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Other issues

- There should be a policy of not accepting any more applications of this sort [officer note: National planning policy does not enable Local Planning Authorities to establish blanket bans on advertising. Each case must be determined on its own merits.]
- The proposals are unnecessary and are of no benefit to the community. More advertising is not needed [National planning policy does not allow the proposals to be assessed on need, only on amenity and public safety].

b) Internal responses

Bristol City Council's **Urban Design officer** made verbal comments summarised as follows:

- The applicant should provide information on the contrast between the ambient/ background levels of light at night time and the proposed levels of light to be emitted by the advert. Our concern would be that the proposed advert will appear very bright in contrast to dark surroundings at night, which is an amenity issue.

Bristol City Council's **Transport Development Management (TDM) Officer** made written comments which are set out below:

Initial comments:

"Recommendation: Approve subject to conditions

Principle / Property History

The proposal is to replace an existing static poster panel advertising display unit with a digital LED display. The display is sited on private grass verge to the south west of the Albert Road/Albert Crescent roundabout, which provides access to the trading estate. Supporting information states the new display would be erected at the same location as the current display, except for the Site Location plan, the current version being incorrect. The Agent has advised a corrected version will be submitted in due course and this response is based on that understanding.

Planning Guidance (NPPG) outlines that advertisements must not create a road safety danger, by virtue of its siting or nature and lists specific cases where advertising is considered unacceptable.

Distraction and confusion can be caused by additional cognitive demand on a drivers' attention.

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Where a driver is already experiencing significant demand through challenging road functions, it is important not to add any further unnecessary distraction, particularly where there are vulnerable road users present. Transport Development Management (TDM) therefore consider each advertising application on a case by case basis. It is acknowledged this application is for a replacement display rather than a new one, which is a material consideration.

The Planning Portal provides no planning history for the erection of the original display.

Local Conditions

Albert Road and Albert Crescent are both adopted unclassified highways, with 30mph speed limits. The roundabout has four arms, as the west arm provides private access into the Fruit Market. Neither highway is a bus route. 2m wide footways are provided on both sides of each highway, with uncontrolled drop kerb pedestrian crossing points provided at the traffic islands on the three adopted arms. Cyclists travel on-carriageway.

Three injury accidents have been recorded, with a cyclist hit by a motor vehicle in 2017, one involving a single vehicle in 2016 and the third, a pedestrian being hit by a vehicle in 2015. The location is not considered as an accident hotspot.

Highway Safety

The Highway Authority is naturally resistant to any potential additional distraction on the highway network which would give rise to collisions and take their duty to prevent accidents on the network most seriously. Some previous applications for other advertising panels in Bristol have been refused on highway safety grounds and such decisions upheld by Planning Inspectors on the basis that they did not satisfactorily demonstrate that they would not create safety problems.

However, TDM must also pay regard to previous Planning Inspectors' decisions on applications where they have deemed such adverts to be acceptable if they meet the tests of the planning guidance. It is, therefore, essential to treat each site specifically on its own merits.

This panel is located on an existing grass verge set back from the highway and adjacent to a boundary security railing. There are other static paper panel displays at the junction as well. The unit does not impede drivers' view of the junction, forward or exit visibility and has not impact on pedestrian movements.

The proposed digital advert will replace the current static advert with one which is brighter and with frequently changing images. This will, naturally, cause a distraction to drivers, particularly those facing the advert. This would guide the eye away from pedestrians and cyclists using the roundabout and its approaches, potentially leading to conflict, with the most vulnerable road users. There is a risk that drivers' attention will be drawn to this advert instead of the surrounding road and crossing cyclists and pedestrians at the junction. However, it is accepted the general location is an industrial estate with relatively low levels of pedestrians and cyclists. In addition, the replacement display is to be erected in the same location would minimise its impact, as it is not in a raised position.

A number of robust planning conditions could reduce the type of images, number of changes and luminance of the sign, based around industry standards and other permitted digital signs city and country-wide.

Trees / Structures / Lighting

No trees or public street lighting would be affected by the proposal.

The display unit is considered to be a structure and as it is to be located within six metres of the public highway, Structural Approval in Principle needs to be secured in advance of any works.

Development Control Committee A – 10 June 2020**Application No. 20/01254/A : Unit 5 & 6 Markerside Industrial Site Albert Road Bristol BS2 0WA****Access**

The site is readily accessed from the public highway. The display is located on private verge, so its erection does not require any alteration to the public highway, unless an electrical supply needs to be installed via the public footway. If this is the case, then a licence is required from the Highway Authority to excavate in the public highway.

Construction Management

A Construction Management Plan shall be submitted to the Council for approval prior to any works commencing.

Recommendation

Based on the above and the application's supporting information, TDM offer no objection to the application, subject to the following conditions being applied:-

1. Construction management plan

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

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

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.

2. Structure Adjacent To/Within 6m of the Highway

No development shall take place until an Approval In Principle (AiP) Structural Report setting out how any structures within 6 metres of the edge of the adopted highway (and outside of this limit where the failure of any structures would affect the safety of road users) will be assessed, excavated, constructed, strengthened or demolished has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the works safeguard the structural integrity of the adopted highway during the demolition and construction phase of the development.

3. Digital Advertisement Conditions

1. No advertisement is to be displayed without the permission of the owner of the site or any other

Development Control Committee A – 10 June 2020**Application No. 20/01254/A : Unit 5 & 6 Markside Industrial Site Albert Road Bristol BS2 0WA**

person with an interest in the site entitled to grant permission.

2. No advertisement shall be sited or displayed so as to:-

(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); (b) obscure, or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air; or (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

6. The advertisement must have static images only for the lifetime of the development. No moving or apparently moving images, strobe or flashing lighting effects are permitted.

7. The advertisement must not contain any images which may be interpreted as road signs or emit sound, smoke or odours.

8. The advertisement must not change its image more than once in any ten second period for the lifetime of the development. No interactive messages or messaging sequences are to be displayed.

9. The proposed change in image method for the advertisement must use a fade/dissolve process and shall not give the appearance of movement for the lifetime of the development. Any sequential change between advertisements will take place over a period no greater than one second.

10. The advertisement shall be equipped with a dimmer control and photo cell which shall constantly monitor ambient lighting conditions and adjust sign brightness accordingly. The advertisement will go to a blank (dark) screen should it malfunction.

11. The luminance level of the advertisement must not exceed 300cd/m² for the lifetime of the development. No part of the source of the illumination shall at any time be directly visible to users of the adjacent adopted highway.

12. Before the advertisement is displayed a monitoring scheme to assess the effect on highway safety shall be prepared, submitted to and approved in writing by the Local Planning Authority. Monitoring shall be carried out in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

13. The advertisement shall not be installed until an access, maintenance and inspection plan in relation to the advert unit has been prepared, submitted to and approved in writing by the Bristol City Council Development Management Local Planning Authority. Thereafter the advert unit shall be maintained in accordance throughout its lifetime in accordance with the approved plan.

14. When in operation the advertisement shall be monitored over a period of six months with reports produced on the luminance and effects on lighting of the adopted highway based on the surrounding lighting conditions, and the effects of the advertisement on road safety and in agreement with Local Planning Authority make recommended adjustments.

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

Advices

The applicant should be made aware of the following:-

I053 Excavation Works on the Adopted Highway

The development hereby approved may include the carrying out of excavation works on the adopted highway. You are advised that before undertaking any work on the adopted highway you will require a Section 171 (Excavation) Licence from the Highway Authority which is available at www.bristol.gov.uk/highwaylicences

I059 Structure Adjacent To/Within 6m of the Highway

Development Control Committee A – 10 June 2020**Application No. 20/01254/A : Unit 5 & 6 Markerside Industrial Site Albert Road Bristol BS2 0WA**

The development hereby approved includes the construction of a structure adjacent to or within six metres of the adopted highway. You are advised that before undertaking any work on the adopted highway you must prepare and submit an AiP Structural Report.

You will be required to pay technical approval fees (as determined by the proposed category of structure to be assessed) before the report will be considered and approved. Contact the Highway Authority's Bridges and Highway Structures Team at bridges.highways@bristol.gov.uk"

Following on from this, the planning case officer asked for some further clarification on highways safety issues, and the Transport Development Management Officer made the following further comments:

Further comments:

- "1. TDM is of the opinion that advertising displays do have the potential to cause some distraction to road users, thereby creating a highway safety issue and there is general acceptance that digital displays are more distracting than static ones.
2. However, TDM consider applications on a case-by-case basis, as local conditions will influence the impact of a sign. Hence, it is not feasible to have a blanket recommendation of refusal for each application but consider each one on its own merits. TDM need to consider what can be realistically defended at any appeal, should a proposal reach that stage.
3. For this application, the key consideration is that the new sign is to be sited at the same location as the existing sign - subject to the applicant providing a corrected site plan. The existing location is set back from the roundabout and is positioned at a slight angle, such that it does not directly face onto the roundabout. If it were the case the sign was to be re-positioned closer to the junction, then a different recommendation may have been made.
4. The location is such that vehicles approaching from the east, along Albert Road, cannot see the sign until after they have decided which turn they are going to make, so decision will have been made. For vehicles travelling south from Albert Crescent, the sign is at a significant angle such that it is unlikely to be sufficiently eye-catching to influence the decision-making for turning. The display is likely to be more of a potential distraction when vehicles are on the roundabout itself or when entering the west section of Albert Road.
5. The location is predominantly industrial and business in nature. Whilst a display could be a factor in a road traffic accident between two or more motorised vehicles, it is likely more serious personal injury accidents would result if a pedestrian or cyclist were involved. Whilst there are no user surveys available, it is envisaged that pedestrian and cyclist numbers are relatively low at this location and, therefore, levels of potential conflict may be less. That is not to say that any potential accident might not be severe as a result.
6. Given the nature of the surrounding area, there is likely to be a higher percentage of HGVs using this location than at general locations. However, HGVs are likely to negotiate the roundabout at relatively low speeds, although it is acknowledged this can still result in conflict with other users, especially cyclists.
7. The accident history of the roundabout has been reviewed and records suggest there have been three personal injury accidents at the roundabout since 2015. In 2015, a pedestrian was hit by a vehicle - it appears the pedestrian stepped out from behind their own vehicle and was struck by a passing vehicle. In 2016, a vehicle lost control whilst negotiating the roundabout - the driver claimed a van in front slowed sharply causing the driver to brake sharply and lose control. In 2017, a cyclist was hit by a vehicle that entered the roundabout from Albert Crescent and was heading for Albert Road (west) - it is the case the cyclist was initially travelling along the footway and then entered the

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carriageway and was then struck.

8. TDM acknowledge a digital display can be more distracting than a static display and is likely to increase risks associated with highway safety. Each application is considered on its own merits and what that level of risk might be. On balance, TDM is of the opinion this is probably a borderline case and it would be difficult to justify a recommendation of refusal for this one."

RELEVANT POLICIES

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

National Planning Policy Framework – February 2019

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

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

KEY ISSUES

Paragraph 132 of the National Planning Policy Framework (2019) states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. As set out in the National Planning Policy Guidance, the advertisement regime is "lighter touch than the system for obtaining planning permission for development" (Paragraph: 001 Reference ID: 18b-001-20140306). The relevant consent process is set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

Policy BCS21 in the Bristol Core Strategy (Adopted 2011) states that new development should deliver high quality urban design and safeguard the amenity of existing development. Site Allocations and Development Management Policy DM29 (2014) also states that external signage should adopt a scale, detail and siting appropriate to the character of the host building and wider street scene.

1. Amenity

Numerous concerns have been raised about the impact of the proposed advertisement on amenity, including visual amenity.

There have been numerous applications for similar LED advertisements across the city over the past few years. Each case is considered on its own merits, taking account of the nature of the site and the surroundings. In this case, there is currently an illuminated (backlit) advertisement on the site already. There are no LED advertisements in the immediate vicinity (on the roundabout in question), although there are five other advertisements on the roundabout or its immediate approach (not including the application site). Whilst it is acknowledged that people pass through the area to go about their daily lives, this is an industrial area with an industrial character, where advertising already exists.

It is acknowledged that the current advert will show images that change every ten seconds, and will be LED-illuminated (including at night), which is a form of illuminance that has a different character to the illuminance from backlit advertisements. It is considered that this will lend some increased degree of prominence to the advert, compared to the existing one. However, the advert will not be any bigger

Development Control Committee A – 10 June 2020**Application No. 20/01254/A : Unit 5 & 6 Markside Industrial Site Albert Road Bristol BS2 0WA**

than the existing advert and will be in the same location.

The applicant has agreed to reduce the illuminance levels to 150 cd/ sq m at night, which will reduce the night time impact of the proposals.

Overall, it is considered that there will be some increased impact on amenity, but this is considered to be relatively minor and is not so significant as to warrant refusal of the application.

2. Public safety

Numerous concerns have been raised about the impacts of the proposal on highways safety. It is clear that people are very concerned about driver distraction and the resultant potential of the advert to cause road traffic accidents, which is a public safety issue.

The advice of the Transport Development Management Officer is set out above. Following the initial comments from the officer, planning officers sought further clarification on some highways safety points, including issues raised by members of the public. The TDM officer has drawn attention to some points which support TDM's stance of no objection, as set out above. These include:

- the proposed unit is in the same location as the existing display;
- the unit would not impede drivers' view of the junction, forward or exit visibility;
- the proposal is within an industrial area with relatively low levels of pedestrian and cyclist activities;
- the proposal is not in a raised position; the existing location is set back from the roundabout and is positioned at a slight angle, such that it does not directly face onto the roundabout;
- the location is such that vehicles approaching from the east, along Albert Road, cannot see the sign until after they have decided which turn they are going to make, so decision will have been made. For vehicles travelling south from Albert Crescent, the sign is at a significant angle such that it is unlikely to be sufficiently eye-catching to influence the decision-making for turning.
- HGVs are likely to negotiate the roundabout at relatively low speeds
- The accident record does not show accidents occurring as a result of driver distraction.

Despite the above, the TDM officer does acknowledge that "the display is likely to be more of a potential distraction when vehicles are on the roundabout itself or when entering the west section of Albert Road". TDM's advice also states, "TDM acknowledge a digital display can be more distracting than a static display and is likely to increase risks associated with highway safety. Each application is considered on its own merits and what that level of risk might be. On balance, TDM is of the opinion this is probably a borderline case and it would be difficult to justify a recommendation of refusal for this one." The judgement is made taking into account the site context and the merits of the case.

In this case, planning officers have taken the advice of the TDM officer, as it is considered reasonable, and the case is not recommended for refusal on public safety grounds.

The TDM officer suggested conditions. These include a requirement to produce a Construction Management Plan (CMP) and an Agreement in Principle Report to cover structural issues. Following further discussions with TDM about the extent to which the CMP was necessary, TDM advised further that having reviewed the need for a CMP, in this case, the site has a large grass space in front of it and therefore TDM are satisfied that it would be possible for contractors to erect the new sign without duly interfering with the highway and normal highway rules are sufficient for this to be controlled. Therefore, the CMP condition is not required. The Agreement in Principle Report would be covered by other legislation. Therefore, these two conditions have been omitted. However, the other condition suggested has been added to the consent.

Conclusion: Recommended for approval subject to conditions.

Development Control Committee A – 10 June 2020**Application No. 20/01254/A : Unit 5 & 6 Markside Industrial Site Albert Road Bristol BS2 0WA****RECOMMENDED GRANT subject to condition(s)****Time limit for commencement of development**

1. Standard Advertisement time condition

This consent shall be restricted to a period of five years from the date of the consent.

Reason: This condition is specified by the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Post occupation management

2. Standard Advertisement Conditions

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

2. No advertisement shall be sited or displayed so as to:-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

3. Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

6. No part of the advertisement(s) shall overhang the adopted highway.

7. The proposed sign shall have a minimum clearance of 2.7 metres above the level of the adjoining footway and shall not project closer than 0.45 metres to the carriageway edge.

8. Any advertisement displayed shall be finished and thereafter retained in non-reflective materials so as not to dazzle or distract motorists.

9. Any illuminated advertisement shall be designed so that:-

- (a) no part of the source of the illumination shall at any time be directly visible to users of adjacent adopted highway;
- (b) static illumination is provided and shall not feature intermittent or flashing lights;
- (c) the level of illumination shall not at any time exceed 300 cd/m².
- (d) moving features shall not be provided.

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

Development Control Committee A – 10 June 2020**Application No. 20/01254/A : Unit 5 & 6 Markside Industrial Site Albert Road Bristol BS2 0WA**

3. Highways safety
 1. The advertisement must have static images only for the lifetime of the development. No moving or apparently moving images, strobe or flashing lighting effects are permitted.
 2. The advertisement must not contain any images which may be interpreted as road signs or emit sound, smoke or odours.
 3. The advertisement must not change its image more than once in any ten second period for the lifetime of the development. No interactive messages or messaging sequences are to be displayed.
 4. The proposed change in image method for the advertisement must use a fade/dissolve process and shall not give the appearance of movement for the lifetime of the development. Any sequential change between advertisements will take place over a period no greater than one second.
 5. The advertisement shall be equipped with a dimmer control and photo cell which shall constantly monitor ambient lighting conditions and adjust sign brightness accordingly. The advertisement will go to a blank (dark) screen should it malfunction.
 6. The luminance level of the advertisement must not exceed 150cd/m² during night-time hours (between 11pm and 6am) for the lifetime of the development. No part of the source of the illumination shall at any time be directly visible to users of the adjacent adopted highway.
 7. Before the advertisement is displayed a monitoring scheme to assess the effect on highway safety shall be prepared, submitted to and approved in writing by the Local Planning Authority. Monitoring shall be carried out in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.
 8. The advertisement shall not be installed until an access, maintenance and inspection plan in relation to the advert unit has been prepared, submitted to and approved in writing by the Bristol City Council Development Management Local Planning Authority. Thereafter the advert unit shall be maintained in accordance throughout its lifetime in accordance with the approved plan.
 9. When in operation the advertisement shall be monitored over a period of six months with reports produced on the luminance and effects on lighting of the adopted highway based on the surrounding lighting conditions, and the effects of the advertisement on road safety and in agreement with Local Planning Authority make recommended adjustments.

Reason: To avoid undue distraction to motorists.

List of approved plans

4. 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.

BST-009/001 REV 1 Site location and block plan, received 1 June 2020

BST-009-002 Existing and proposed elevations, received 17 March 2020

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Application No. 20/01254/A : Unit 5 & 6 Markerside Industrial Site Albert Road Bristol BS2 0WA

BST-009-003 Existing and proposed elevations, received 17 March 2020

Reason: For the avoidance of doubt.

Advices

1 Excavation Works on the Adopted Highway

The development hereby approved includes the carrying out of excavation works on the adopted highway. You are advised that before undertaking any work on the adopted highway you will require a Section 171 (Excavation) Licence from the Highway Authority which is available at www.bristol.gov.uk/highwaylicences

2 Structure Adjacent To/Within 6m of the Highway

The development hereby approved includes the construction of structures adjacent to or within six metres of the adopted highway. You are advised that before undertaking any work on the adopted highway you must prepare and submit an AiP Structural Report.

You will be required to pay technical approval fees (as determined by the proposed category of structure to be assessed) before the report will be considered and approved. Contact the Highway Authority's Bridges and Highway Structures Team at bridges.highways@bristol.gov.uk

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Supporting Documents

3. Unit 5 & 6 Marketside Industrial Site, Albert Road, Bristol, BS2 0WA.

1. Site Location Plan
2. Existing And Proposed Elevations
3. Existing And Proposed Specifications
4. Existing And Proposed Views

LOCATION PLAN



Scale 1:1250@A3 0m 10m 20m 30m 40m 50m 60m 70m 80m 90m 100m

SITE PLAN



Scale 1:500@A3 0m 10m 20m 30m 40m

Notes:

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- Upgrade of 1no. 48-sheet advertisement hoarding to digital LED display
- Site Location

Site Address:

Albert Rd, Roundabout, St. Philips

Drawing Title:

Location & Site Plans

Date:

1st June 2020

Scale:

Scale as shown when printed at A3

Dwg. No.:

BST-009/001

Rev:

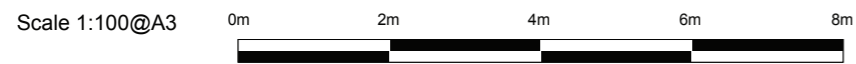
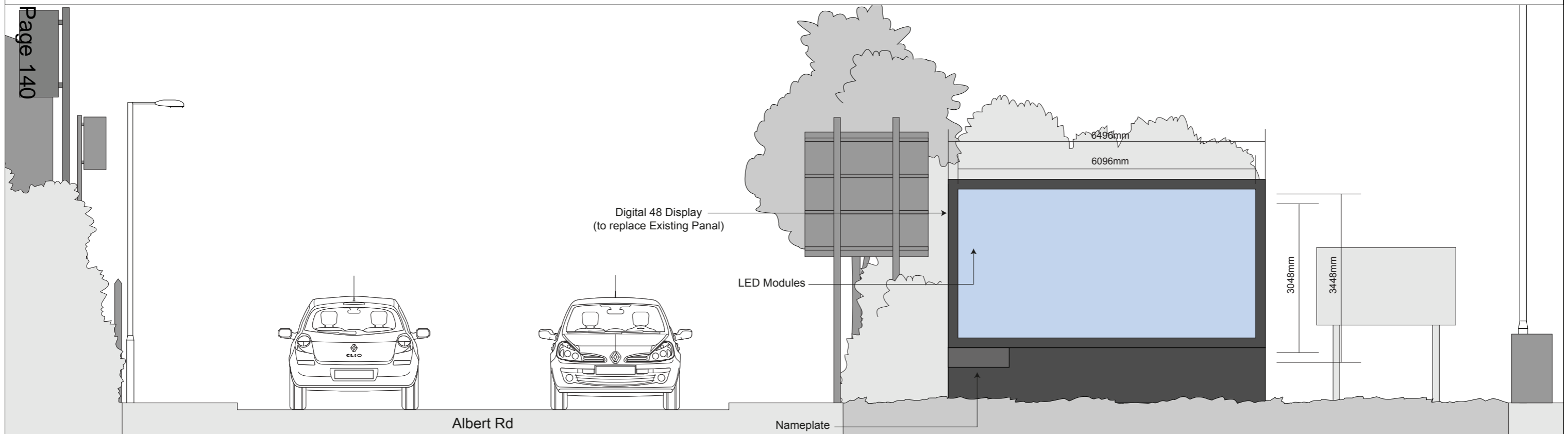
Rev 1



EXISTING ELEVATION



PROPOSED ELEVATION



Site Address:

Albert Rd, Roundabout, St. Philips

Drawing Title:

Existing & Proposed Elevations

Date:

16th January 2020

Scale:

Scale as shown when printed at A3

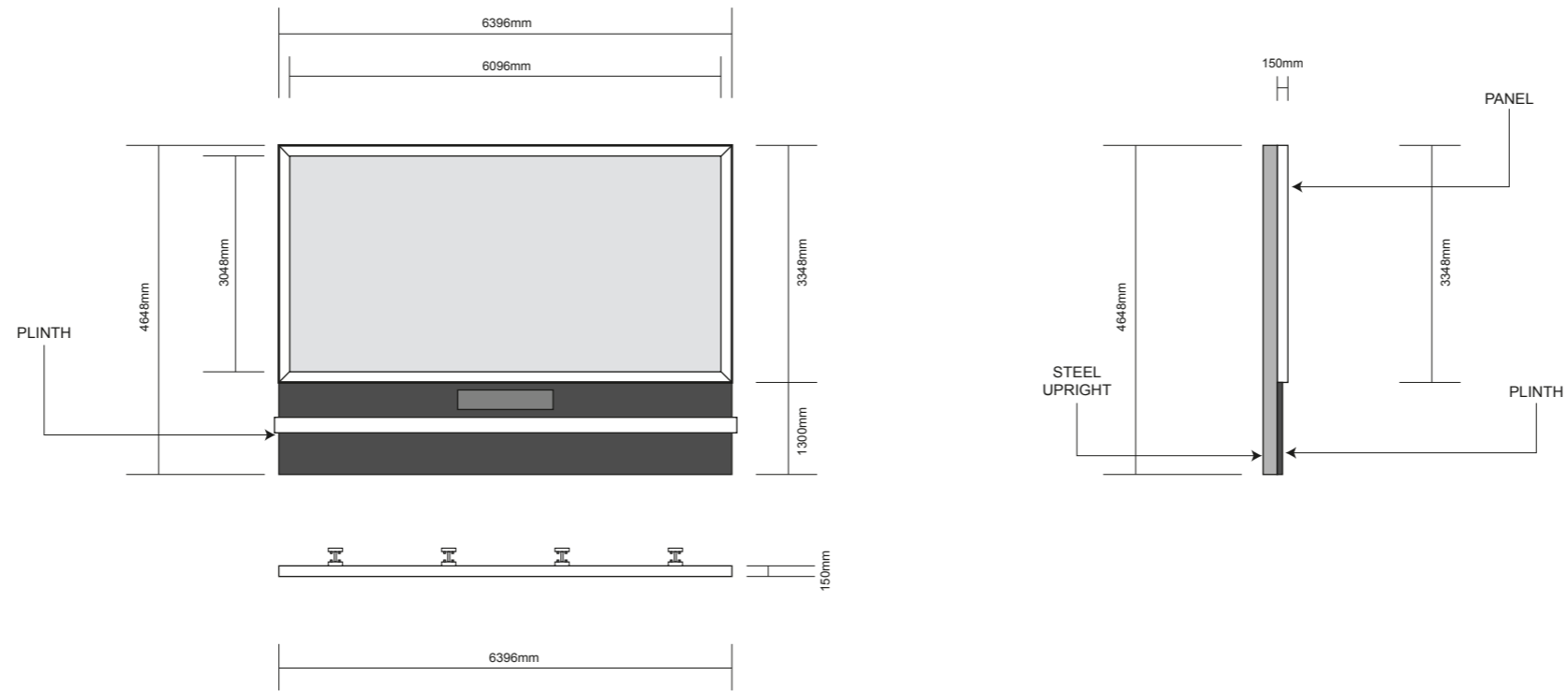
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BST-009/002

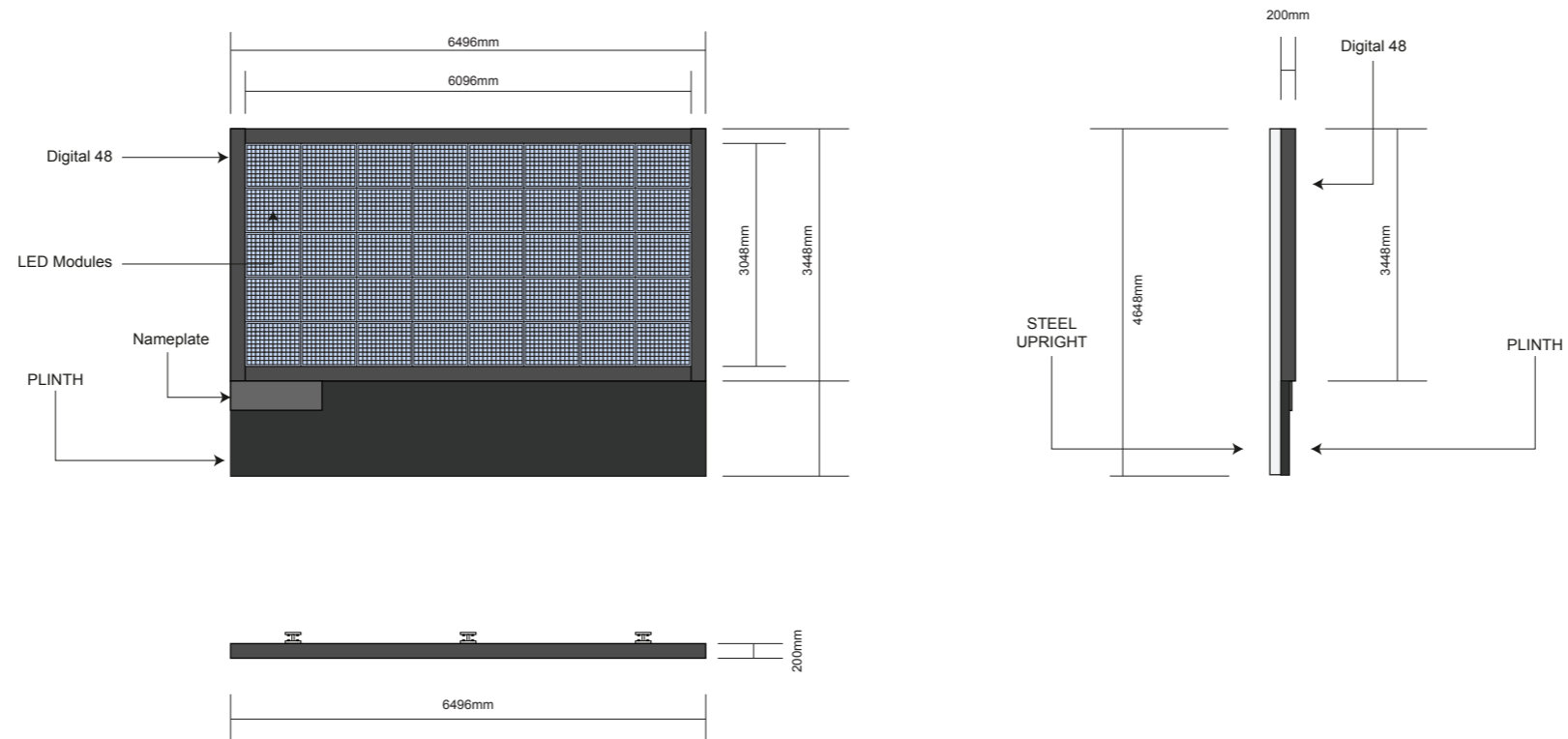
Rev:

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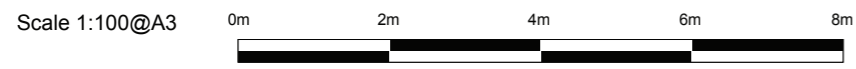
EXISTING SPECIFICATIONS - 48 SHEET PANEL



PROPOSED SPECIFICATIONS - DIGITAL 48 LED DISPLAY



Page 141



Site Address:

Albert Rd, Roundabout, St. Philips

Drawing Title:

Existing & Proposed Specifications

Date:

16th January 2020

Scale:

Scale as shown when printed at A3

Dwg. No:

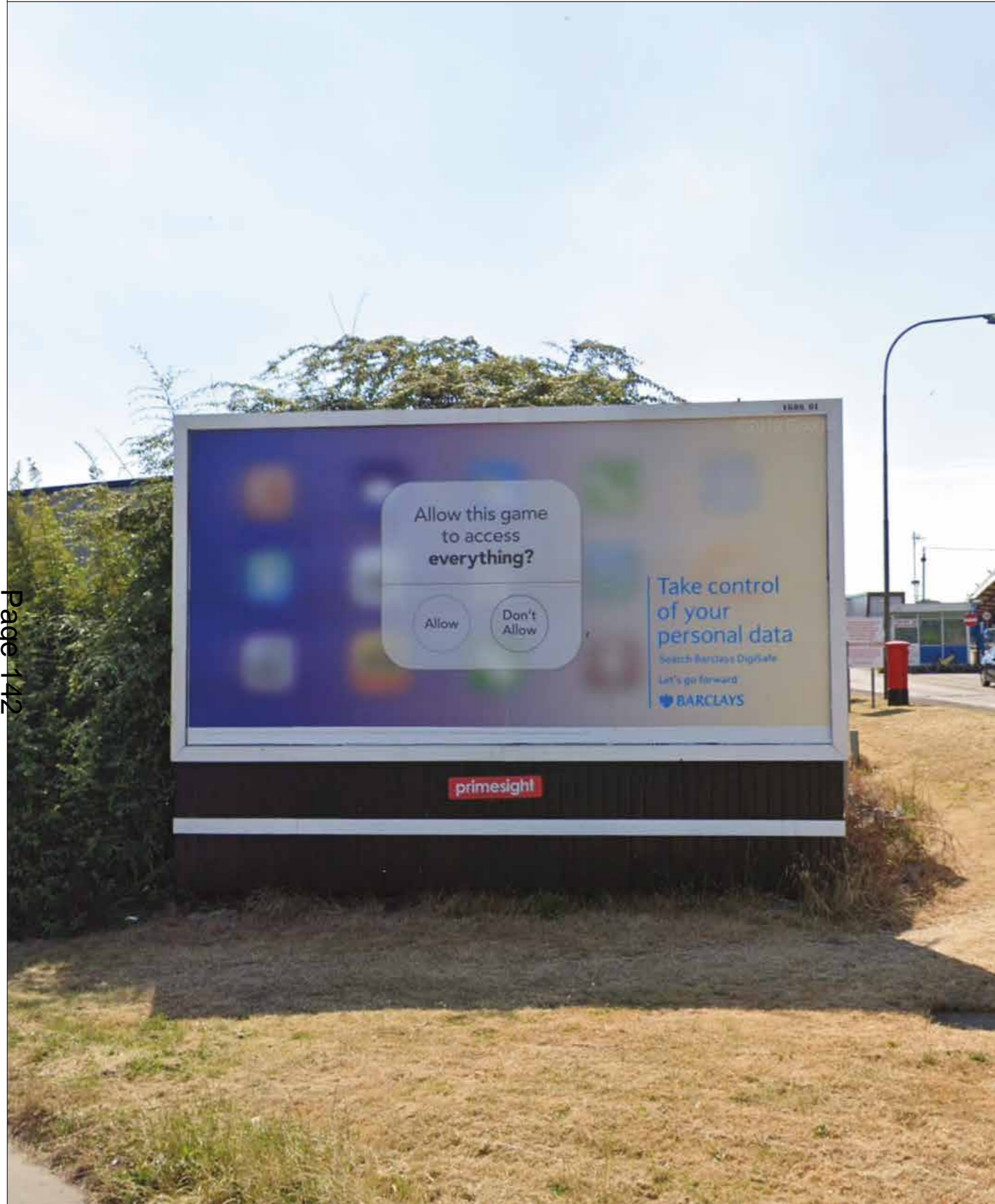
BTS-009/003

Rev:

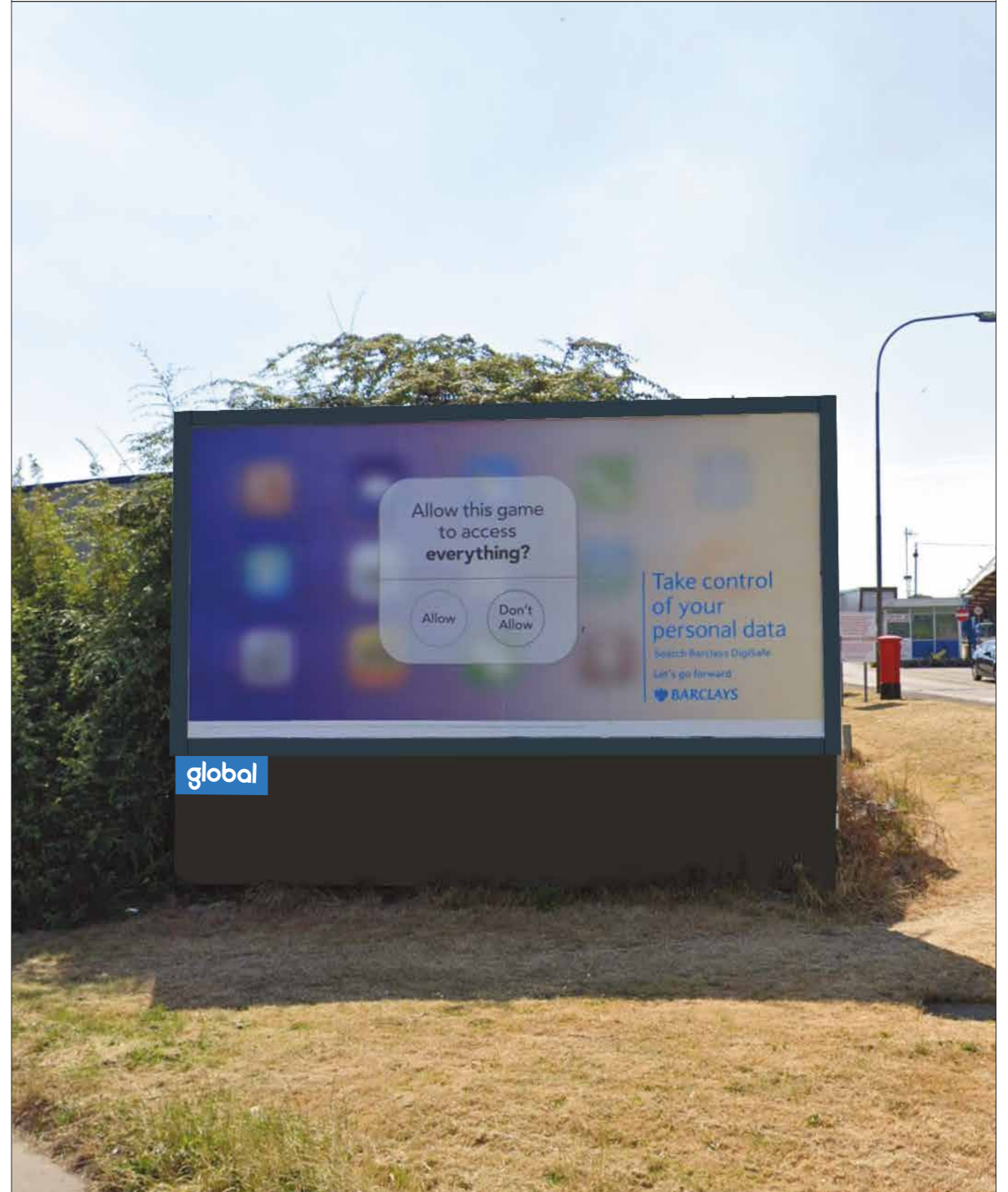
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EXISTING VIEW



PROPOSED VIEW



Page 142

Site Address:

Albert Rd, Roundabout, St. Philips

Drawing Title:

Existing & Proposed Views

Date:

16th January 2020

Scale:

Not to scale, indicative only

Dwg. No:

BST-009/004

Rev:

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