

# Development Control B Committee Agenda



**Date:** Wednesday, 22 July 2020  
**Time:** 2.00 pm  
**Venue:** Remote Zoom Meeting

## **Distribution:**

**Councillors:** Tom Brook (Chair), Richard Eddy (Vice-Chair), Lesley Alexander, Clive Stevens, Mike Davies, Fi Hance, Chris Jackson (Role Share), Olly Mead, Jo Sergeant (Role Share), Nicola Bowden-Jones and Sultan Khan

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**Date:** Monday 13 July 2020



# Agenda

## 1. Welcome, Introduction and Safety Information

2.00 pm

(Pages 4 - 5)

## 2. Apologies for Absence

## 3. Declarations of Interest

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

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

## 4. Minutes of the previous meeting - Wednesday 24th June 2020

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

(Pages 6 - 12)

## 5. Appeals

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

(Pages 13 - 23)

## 6. Enforcement

To note enforcement notices.

(Page 24)

## 7. Public forum

Anyone 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](mailto: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 16<sup>th</sup> July 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 21<sup>st</sup> July 2020.**



Anyone who wishes 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 20<sup>th</sup> July 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.

## **8. Planning and Development**

To consider the following applications for Development Control Committee B - **(Page 25)**

- a) 19/02157/F - Lower Ashley Road (Pages 26 - 100)**
- b) 19/04932/F - 21 to 31 North Street Bedminster (Pages 101 - 142)**
- c) 19/05300/F - 51 to 53 Westbury Hill (Pages 143 - 164)**

## **9. Date of Next Meeting**

The next meeting is scheduled for 2pm on Wednesday 19<sup>th</sup> August 2020 as a remote zoom meeting.



# 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](mailto: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.



**Bristol City Council**  
**Minutes of the Development Control B Committee**

**24 June 2020 at 6.00 pm**



**Members Present:-**

**Councillors:** Richard Eddy (Vice-Chair), Lesley Alexander, Tom Brook (Chair), Harriet Bradley, Mike Davies, Fi Hance, Olly Mead, Jo Sergeant and Nicola Bowden-Jones

**Officers in Attendance:-**

Claudette Campbell (Democratic Services Officer), Gary Collins, Angelo Calabrese and Charlotte Sangway

**1. Welcome, Introduction and Safety Information**

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

**2. Apologies for Absence**

Apologies received from:

Cllr C Denyer – substituted by Cllr C Stevens

**3. Declarations of Interest**

Cllr Clive Stevens asked that committee note his previous involvement in respect of agenda item 8(a):

- As Chair of the Tree Forum in 2015 wrote a letter objecting to the loss of the trees
- In June 2019 he wrote requesting a revised tree report that was provided in July 2019

On the matter of 8(a) he declared that he had not pre-determined the application.

Cllr Mike Davies asked Committee to note his intention to withdraw from the debate on item 8(a) to make a statement.

**4. Minutes of the previous meeting held on Wednesday 27th May 2020**

Resolved that the minutes of the 27<sup>th</sup> May be approved as a correct record and signed by the Chair.



## 5. Appeals

The Head of Development Management introduced the report providing an overview of the appeals in progress. Drawing committees attention to item 63: SW Whitehall Road (Huawei) Whitehall Road Bristol BS1 5BT; update to existing telecommunications apparatus that was refused under delegated decision; the appeal was dismissed by the Planning Inspector; increase height and monopole would impact the visual amenity of the area; the proposed operators had not explored different options for placing the apparatus in the local area; so found harm to visual amenity and dismissed the appeal.

## 6. Enforcement

The Head of Development Management reminded committee that with the frequency of committee meetings updates notices reported as new will decrease however we are reporting 2 enforcement notices as detailed in the report.

## 7. Public Forum

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

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

## 8. Planning and Development

### 9. Application Number 19/02157/F - 31 to 45 Lower Ashley Road

Cllr Mike Davies stood down from Committee at the start of the public forum presentation and took no part in the debate or the decision making process.

Cllr Richard Eddy left the meeting during the course of the discussion and was not present for the final vote.

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

- a. Full planning application for the development of a 4-storey block of flats to provide 28 units of residential accommodation including affordable housing, cycle parking, refuse storage and amenity space.
- b. Contentious planning application; the Maple trees being the main area of concern for stakeholders; Committee was directed to give weight to the planning history set out in the report;



In 2005 the trees were subject to a Tree Preservation Order (TPO); Planning permissions granted in 2007 & 2016 included the loss of the trees; 1<sup>st</sup> occasion no compensation payment for their loss was secured as the Bristol Tree replacement standard was not in existence; 2<sup>nd</sup> grant in 2016 the standard had been adopted and on approval the applicant made the payment for replacement of the trees; the current position is that 50% of funds received have already been distributed by the local Area Committee to local tree planting.

- c. Student development is extant and can be implemented up to May 2021.
- d. Committee were reminded that the 'Land ownership' issues posed by objectors is outside the planning process; the matter was complicated because of the existence of contradictory information held on Bristol City Council website; Officers are now confident that the trees are situated on land under private ownership; committee was directed to determine the application before them and not the issue of land ownership.
- e. The Maple Trees Objections; Committee was directed to the historical grant that enabled the removal of the trees and as a consequence the trees cannot be protected under this current application; this objection was one that Committee could not give any weight in their deliberation.
- f. It was explained that if the current application was not granted the extant permission would result in the loss of the trees in any event and the affordable housing element in the application before committee would not be delivered.
- g. Committee was assured that those who had submitted Public Forum questions had received written answers copies of which were circulated in the public forum pack distributed to committee by Democratic Services.
- h. The Amendment sheet that was shared with committee included details of the additional representation received bringing the total to 375 objections to scheme; the major concerning the loss of trees; the sheet included recommended additional planning conditions and advice notes.
- i. Committee received a visual presentation that shared plans and images of the site and local area.
- j. The presentation compared the extant permission and proposed scheme highlighting the difference.
- k. New scheme: 2 parking spaces access from Gordon Rd: the footpath would be widened to accommodate a cycle route; layout based around an access corridor at the rear; dual & single aspect; conditions to be imposed that prohibits the flat roof space from being used; the 4<sup>th</sup> storey was a full storey and not built in the roof; amendment sheet detailed the position with the amenity space at the rear that it would not be considered 'creatively integrate play space'; drew committee's attention to local play space at Ashley Street Park 100m from the development with a playground at Mina Road Park 200m away; scale and foot print is considered appropriate; city design team after discussing with the developers have no objection; the sunlight and daylight study 3D drawings were shared; windows in the rear elevation reduced in number compared to extant permission.
- l. Air quality objections; the AQT had concerns and objected to the scale of the impact; stating that the alteration in design would have an adverse impact on air quality ranging from slight to adverse; Officers consider that both the extant and current application would impact air quality likely to a similar degree, though a comparison had not been modelled. The recommendation included the installation of mechanical ventilation for those to the front elevation, though this is





not required in terms of air quality. The Air Quality Assessment states that the proposal would meet the relevant standard for future occupiers of the site.

- m. Environmental Agency late objection in respect of Flood Risk had to be overcome and looked to committee to grant delegated authority to negotiate.
- n. Officers recommended approval on the basis that the application was policy compliant; that weight should be given to the extant permission; that all issues had been considered; looked to committee to grant subject to all conditions outlined in the report and the amendment sheet, subject to s106 agreement and subject to overcoming the Environment Agency objection.

#### Answers to Question

- o. Officers were unable to provide any details as to why the extant permission had not been built but demolition work had commenced on the site it could be considered a material implementation of that permission (whereby no time constraints would apply), however this is a legal point outside the planning application consideration. The key fact is that the extant permission remains extant until May 2021.
- p. The TPO was established in 2005 to provide protection to green infrastructure, to enable this to be considered in all decision making for those trees outside known conservation areas; the removal of the Maple trees on site would have been considered when the original permissions was given, a financial value was applied to enable a tree replacement payment to be secured.
- q. Air quality comparison with the extant scheme would require further modelling as a small adjustment to any scheme would impact the air quality. The site because of its location would be subject to poor air quality concentration ranging from above 40. Officers were unable to comment on the detail of the higher figure of 53 given in a public forum statement.
- r. Permitted development rights (the right to make changes without applying for planning permission) in relation to change of use of the existing building from office to residential use may not continue to apply as works of demolition works had been undertaken and there are a number of criteria to be satisfied to qualify.
- s. Officers would under delegated authority work to overcome the EA objection.
- t. District Heat Network: There is no connection available at the moment but it is anticipated that a network would be available in the future therefore the appropriate s106 conditions would be applied to ensure the development would be future proofed.
- u. Land Contamination documentation: Officers confirmed that the documents were publicly available on Bristol City Council website and that conditions had been applied to manage the situation as detailed in the amendment sheet. The Contaminated Land Officer had reviewed the details and recommended conditions.
- v. Due to the quantity of information that exists relating to applications that had to be considered by Committee, officers worked to ensure that reports provided to the Committee were proportionate with links/references given to extended documentation to minimise the overall size of reports.
- w. Resident Parking Zones can be introduced when there is overwhelming local support, and it is possible to restrict permits for occupants of the proposed scheme.
- x. A climate emergency was declared in May 2019 by the Council but had not yet translated to changes in local planning policy. In addition there were a number of pending local policy changes but committee were directed to consider the current application in line with existing local planning policy.



- y. Access to parking space at the rear: Officers confirmed that S106 would enable the introduction of double yellow lines on Gordon road and to support visibility of the cycle footpath, the Highway team had negotiated the redesign of the building lining that resulted in the pulling back the edge of the building.
- z. Officers were asked to comment on the plans submitted by objectors. The alternative plan had been viewed with the developer. The plans looked to move the development to protect the trees but it would result in the removal of the rear amenity area and parking space. The plan although well intended was considered a basic level plan causing windows to be in line with tree branches and in many areas found not to be buildable. Of course though, the Council as local planning authority had to determine the application before it, and not any alternative.

#### Discussion

Cllr Eddy lost connection at 19:35 and not returned reducing committee to 8 members.

- aa. Members shared their concern that the development was not suitable accommodation for families referencing the learning from the Covid-19 pandemic. That has shown the severe impact of lockdown on those families living in apartment blocks without access to outdoor space.
- bb. The extant permission for student accommodation was seen more favourable as it would result in occupancy for a fixed period during the course of the academic year thereby limiting resident's exposure to local adverse air quality.
- cc. It was an area known to be extremely congested at all times of the day, prior to during and after peak travel times and therefore not suitable for family accommodation.
- dd. Members described the building design, as ugly, unattractive, grim and not pleasant to look at in fact commenting that the location was suitable for an office block.
- ee. The Chair moved that committee consider officer recommendation to grant but members failed to second this motion .
- ff. Members consider that the grounds for refusal should cover; poor air quality; poor amenity; lack of outdoor play space; detail where it failed to comply with the Urban Living SDP.
- gg. The Chair then invited committee to consider deferring the application to consider the grounds for refusal this was moved and seconded by Cllr Bradley.
- hh. When put to the vote
  - ii. Resolved (8 for; 0 against;) that committee was minded to refuse the application therefore deferred this application to next planning committee to allow reasons for refusal to be agreed.

## 10 Planning Application Number 20/00299/F - Land North of Airport Road

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

- a. The application is for the development of 173 dwellings together with provision of public open space, play areas and landscaping; cycle parking and car parking provision together with related infrastructure works.



- b. The site is bound to the south by Airport Road, to the north by residential gardens and a Brook flows through the site.
- c. There were 8 representations received from the public and objections from 2 of the statutory consultees that remain outstanding.
- d. The following matters were highlighted when committee were shown the plans and images of the development and the site.
- e. The Environment Agency flood risk objection had arisen because of modelling used by the applicant. The report and amendment sheet outlined the issues in detail but officers deem that the objection would be overcome on production of a further document explaining the modelling used by the application and final agreement on the necessary mitigation across the development.
- f. Highway objection related to the width of the shared cycle & pedestrian footpath that proposes to be only 3.5mtr therefore fails to meet the current cycling infrastructure plan.
- g. Officers recommended approval together with conditions and delegated authority as outlined in the amendment sheet.

#### Questions & Answers

- h. Officers confirmed that the cycle path was intended for use by cyclist to pass in both directions; that it was proportioned to allow 1.5mtr for cycleway and 2mtr for pedestrians; members asked if the path could extend out into the highway but that was not possible; that any adjustment to the path would impact the amenity of the development particularly the frontage of the property.
- i. A further explanation was provided on the challenges of finding a balance between the development and the hard boundary being Airport Road and the Brook. Negotiations with the developers had considered all aspects. The final design is seen to provide the best frontage option for those units bordering the highway. The proposed width of the cycle path supported this and is an issue that committee must agree before residents occupy and the developer commences construction.
- j. The Brook that formed a natural boundary to the site did not appear to be of a width and depth to indicate the possibility of posing a severe flood risk. Members sought to know the level of risk that existed.
- k. The flood risk assessment (FRA) assesses the potential for 1/100 year event. The EA is looking to the applicant to present the working outs for the FRA modelling used. Officers viewed that as a technical detail that was not insurmountable therefore confident of a resolution under delegated authority.
- l. Details on council tenants tenure in the area were requested but Officers did not normally consider this statistic in the work they undertake, as mixed and balanced communities assessments normally focussed on house types. They were able to confirm that the scheme would deliver at least 30% affordable housing, potentially more, and would support a mixed and balanced community.

#### Discussion

- m. Members were in favour of the scheme with reservation about the cycle path width but took the view that the development had higher proportion of positive aspects including the play areas, natural surroundings and a brook.
- n. It was suggested that the issue of the key walking and cycling route should be kept in view and looked to committee to consider conditions to overcome the cycle path issue.



- o. Cllr M Davies, seconded by Cllr Mead, proposed that committee agree officer recommendation with a condition that Officers agree with the developer a proposal to widen the dual pathway to 5 metres.
- p. When put to the vote
- q. Resolved (9 for: 0 against: 0 abstention) that the application be granted as set out in the Officer recommendation with an additional condition for Officers to agree with the developer a proposal to extend the walkway/pathway to 5 metres.

## 11 Date of Next Meeting

Meeting ended at 8.45 pm

**CHAIR** \_\_\_\_\_



## DEVELOPMENT CONTROL COMMITTEE B

22nd July 2020

### REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE

#### LIST OF CURRENT APPEALS

##### Householder appeal

Item	Ward	Address, description and appeal type	Date lodged
1	Hengrove & Whitchurch Park	142 Ridgeway Lane Bristol BS14 9PE Retrospective removal of trees and hedges and erection of 1.65 metre high front compound wall. Appeal against refusal Delegated decision	05/06/2020
2	Southmead	38 Lakewood Road Bristol BS10 5HH Single storey side extension and wrap-around front extension. Appeal against refusal Delegated decision	24/06/2020
3	Stoke Bishop	22 Old Sneed Avenue Bristol BS9 1SE Alterations and extensions to the property on the north (rear), west and south (road) elevations to provide additional residential accommodation. Appeal against refusal Delegated decision	06/07/2020

##### Informal hearing

Item	Ward	Address, description and appeal type	Date of hearing
4	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

5	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
6	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
7	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
8	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
9	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
10	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
11	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
12	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
13	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
14	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
15	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
16	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
17	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

18	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
19	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
20	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
21	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
22	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
23	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
24	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



25	Central	<p>Slug &amp; Lettuce 26 - 28 St Nicholas Street Bristol BS1 1UB</p> <p>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.</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	12/05/2020
26	Central	<p>Slug &amp; Lettuce 26 - 28 St Nicholas Street Bristol BS1 1UB</p> <p>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.</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	12/05/2020
27	Lawrence Hill	<p>15 Midland Road Bristol BS2 0JT</p> <p>Convert upper floor maisonette to form 2 No. flats including roof alterations.</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	12/05/2020
28	Easton	<p>77 - 83 Church Road Redfield Bristol BS5 9JR</p> <p>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).</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	12/05/2020
29	Windmill Hill	<p>172 St Johns Lane Bristol BS3 5AR</p> <p>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.</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	13/05/2020
30	Clifton Down	<p>104 Pembroke Road Clifton Bristol BS8 3EQ</p> <p>Enforcement notice appeal for replacement windows without planning permission.</p> <p>Appeal against an enforcement notice</p>	14/05/2020
31	Westbury-on-Trym & Henleaze	<p>The Coach House Grange Court Road Bristol BS9 4DP</p> <p>New dwelling (Self build).</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	18/05/2020

32	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 Delegated decision	19/05/2020
33	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
34	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
35	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
36	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
37	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
38	Brislington East	91 Wick Road Bristol BS4 4HE To erect a new dwelling. Appeal against refusal Delegated decision	22/05/2020

39	Hartcliffe & Witherwood	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
40	Hartcliffe & Witherwood	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
41	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
42	Hartcliffe & Witherwood	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
43	Windmill Hill	Plot Of Land Fronting Former 164 - 188 Bath Road Totterdown Bristol BS4 3EF Removal of the 3no. existing hoarding advertisement signs, and installation of 2no. illuminated digital advertisements on support legs. Appeal against refusal Committee	01/06/2020
44	Henbury & Brentry	2 Turnbridge Road Bristol BS10 6PA Demolition of outbuilding, construction of 1 residential dwelling and associated works. Appeal against non-determination Delegated decision	02/06/2020
45	Southmead	37 Ullswater Road Bristol BS10 6DH Proposed two storey extension to accommodate a 3no. bed single dwelling house. Appeal against refusal Delegated decision	02/06/2020
46	Ashley	55 Newfoundland Circus Bristol BS2 9AP 2 x No internally illuminated fascia signs. Appeal against refusal Delegated decision	05/06/2020

47	Hartcliffe & Witherwood	Land Rear To Crosscombe Drive Bristol BS13 0DE Construction of two dwellings with associated parking, bike store and refuse storage. Appeal against refusal Delegated decision	05/06/2020
48	Cotham	Kingdom Hall Of Jehovahs Witnesses 64 Hampton Road Bristol BS6 6JA Change of use and internal conversion of No. 64 Hampton Road from a Jehovah's Witness Kingdom Hall in D1 use to 3no of self-contained houses in C3 use (1 x 1 bedroom, 1 x 3 bedroom and 1 x 4 bedroom units). Replacement and alteration of windows and doors and associated external alterations including creation of balconies. Appeal against conditions imposed Delegated decision	12/06/2020
49	Bishopston & Ashley Down	281 Gloucester Road Bishopston Bristol BS7 8NY Erection of canopy and metal glazed enclosure to the existing outdoor seating area to the front of the premises. Appeal against non-determination Delegated decision	12/06/2020
50	Hartcliffe & Witherwood	48 Gatehouse Avenue Bristol BS13 9AD Construction of a second storey over an existing single storey side extension to enable subdivision into two separate dwellings. Appeal against refusal Delegated decision	16/06/2020
51	Clifton	The Adam And Eve Hope Chapel Hill Bristol BS8 4ND Extension and conversion of former public house to create 4no. self-contained flats with associated refuse storage and cycle parking (re-submissions of 19/01605/F & 19/01606/LA). Appeal against refusal Delegated decision	24/06/2020
52	Clifton	The Adam And Eve Hope Chapel Hill Bristol BS8 4ND Extension and conversion of former public house to create 4no. self-contained flats with associated refuse storage and cycle parking (re-submissions of 19/01605F & 19/01606/LA). Appeal against refusal Delegated decision	24/06/2020
53	Knowle	Knowle Water Tower Talbot Road Bristol BS3 2NN The removal of 6 no. antennas and their replacement with 6 no. new antennas utilising existing support poles, the replacement of equipment cabinets within the existing internal equipment room and development works ancillary Appeal against refusal Delegated decision	25/06/2020

54	Knowle	Knowle Water Tower Talbot Road Bristol BS3 2NN The removal of 6 no. antennas and their replacement with 6 no. new antennas utilising existing support poles, the replacement of equipment cabinets within the existing internal equipment room and development works ancillary Appeal against refusal Delegated decision	25/06/2020
55	Clifton Down	Land To Side/rear Of 11 All Saints Road Bristol BS8 2JG Proposed detached two storey, 3no.bed single dwelling house with associated parking and amenity space. Demolition of walls and creation of access. Appeal against refusal Delegated decision	26/06/2020
56	Clifton Down	Land To Side/rear Of 11 All Saints Road Bristol BS8 2JG Proposed detached two storey, 3no.bed single dwelling house with associated parking and amenity space. Demolition of walls and creation of access. Appeal against refusal Delegated decision	26/06/2020
57	Central	9A Union Street Bristol BS1 2DD Change of use of first and second floors from a Class A1 use (Retail) to a House in Multiple Occupation, with 7no. bedrooms (sui generis). Proposed solar panel array at roof level. Appeal against non-determination	30/06/2020
58	Eastville	83 Stonebridge Park Bristol BS5 6RN Retention of raised rear deck/terrace, steps and pergola (not built in accordance with the consent granted under app.no. 19/00076/H). Appeal against refusal Delegated decision	03/07/2020
59	Eastville	83 Stonebridge Park Bristol BS5 6RN Enforcement notice appeals for extension works to rear (balcony and access steps to rear garden) not in accordance with plans approved as part of planning permission 19/00076/H. Appeal against an enforcement notice	03/07/2020

## List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
60	Westbury-on-Trym & Henleaze	14 Cransley Crescent Bristol BS9 4PG First floor side extension. Appeal against refusal Delegated decision	Appeal dismissed 19/06/2020
61	Lawrence Hill	Cabot Circus Car Park Newfoundland Circus Bristol BS2 9AB Retention of existing internally illuminated 48-sheet display. Appeal against refusal Delegated decision	Appeal allowed 19/06/2020
62	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	Appeal dismissed 23/06/2020
63	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	Appeal dismissed 29/06/2020  Costs not awarded
64	Stockwood	34 Materman Road Bristol BS14 8SS Two storey side extension. Appeal against refusal Delegated decision	Appeal allowed 23/06/2020
65	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	Appeal dismissed 01/07/2020
66	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	Appeal dismissed 03/07/2020
67	Ashley	84 St Andrews Road Montpelier Bristol BS6 5EJ Convert flat roof to roof terrace. Appeal against refusal Delegated decision	Appeal allowed 03/07/2020

68	Westbury-on-Trym & Henleaze	8 Walton Rise Bristol BS9 3EW Loft conversion with side and rear pitched dormers. Appeal against refusal Delegated decision	Appeal dismissed 07/07/2020
69	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	Appeal dismissed 07/07/2020
70	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	Appeal allowed 30/06/2020
71	Avonmouth & Lawrence Weston	20 Westbury Lane Bristol BS9 2PE Demolition of existing garage and erection of double garage and home office with ancillary storage. Appeal against refusal Delegated decision	Appeal dismissed 07/07/2020
72	Brislington West	28 Hulse Road Bristol BS4 5AL Erection of two storey side extension in place of the existing garage. Appeal against refusal Delegated decision	Appeal allowed 13/07/2020

**DEVELOPMENT CONTROL COMMITTEE B**  
**22nd July 2020**

**REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE**

**LIST OF ENFORCEMENT NOTICES SERVED**

<b>Item</b>	<b>Ward</b>	<b>Address, description and enforcement type</b>	<b>Date issued</b>
1	Brislington West	76 Kensington Park Road Bristol BS4 3HU Complaint of high hedge of leylandii conifer trees Remedial notice - high hedge	30/06/2020
2	Windmill Hill	2 Haverstock Road Bristol BS4 2BZ Excavation works, removal of front boundary and formation of hardstanding in front garden area. Enforcement notice	16/06/2020



## Development Control Committee B 22 July 2020

### Report of the Director: Development of Place

#### Index

#### Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Ashley	Grant subject to Legal Agreement	19/02157/F - 31 - 45 Lower Ashley Road St Pauls Bristol BS2 9PZ Construction of a 4-storey block of flats to provide 28 units of residential accommodation including affordable housing, cycle parking, refuse storage and amenity space.
2	Bedminster	Refuse	19/04932/F - 27-31 North Street Bedminster Bristol BS3 1EN Demolition of existing buildings and erection of four-storey building with additional set back floor containing 99m2 of A1/A2/B1a uses on the ground floor, plus 20 co-living apartments (sui generis) above.
3	Westbury-on-Trym & Henleaze	Grant	19/05300/F - 51 - 53 Westbury Hill Bristol BS9 3AD Provision of a first and second floor extension to no. 51 Westbury Hill and the change of use of the upper floors of no. 53 Westbury Hill to provide two apartments.

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**Development Control Committee B – 22 July 2020**

**ITEM NO. 1**

**WARD:** Ashley

**SITE ADDRESS:** 31 - 45 Lower Ashley Road St Pauls Bristol BS2 9PZ

**APPLICATION NO:** 19/02157/F Full Planning

**DETERMINATION DEADLINE:** 18 December 2019

**Construction of a 4-storey block of flats to provide 28 units of residential accommodation including affordable housing, cycle parking, refuse storage and amenity space.**

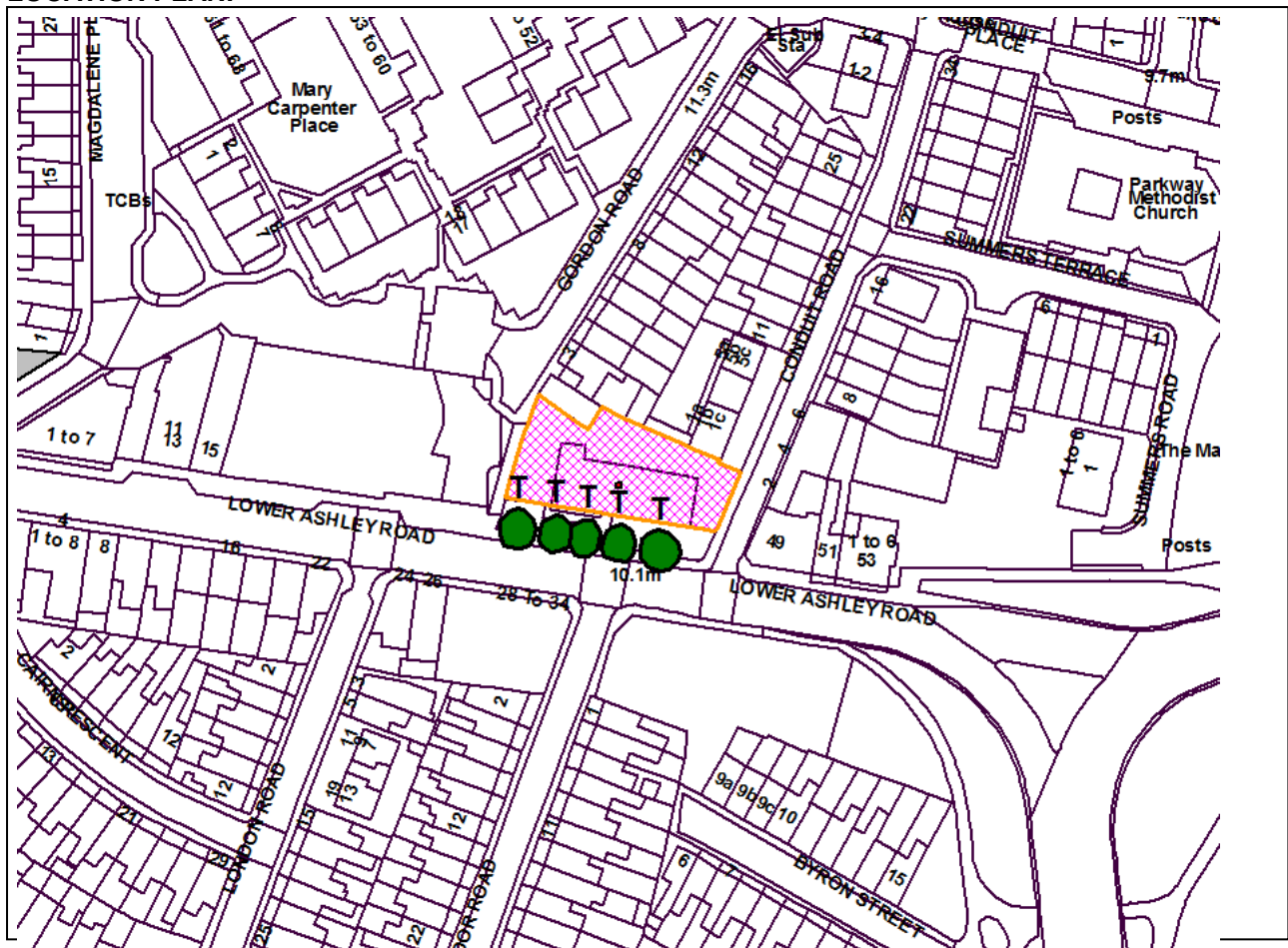
**RECOMMENDATION:** GRANT subject to Planning Agreement

**AGENT:** Dewar Planning Associates

**APPLICANT:** Clayewater Homes Ltd  
Lower Roleston  
Harracott  
Barnstaple  
EX31 3JF

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

**LOCATION PLAN:**



**Development Control Committee B – 24 June 2020**  
**Application No. 19/02157/F: 31 - 45 Lower Ashley Road St Pauls Bristol BS2 9PZ**

**UPDATE FOLLOWING DEVELOPMENT CONTROL (DC) COMMITTEE B- 24<sup>TH</sup> JUNE 2020**  
**DEFERRAL: MEMBERS MINDED TO REFUSE APPLICATION**

**BACKGROUND**

On 24<sup>th</sup> June 2020, Members of DC Committee B voted that they were minded to refuse the above application and resolved to defer the application, requiring an update by officers to be reported to the following DC B committee meeting setting out refusal grounds based on their specified refusal reasons (as required by committee protocol). The stated refusal reasons were as follows:

1. Air pollution
2. Visual amenity impact
3. Failure to comply with the Council's Urban Living Supplementary Planning Document (SPD) in the following ways:
  - a. Creation of a vibrant and equitable community
  - b. Microclimate impacts
  - c. Poor level of parking
  - d. Failure to include appropriate internal access and to integrate appropriate communal amenity and children's play space
  - e. Noise impacts

Officers also make further reference below to land contamination matters following comments made by Committee Members and in public forum statements.

**AIR POLLUTION**

Officers did not recommend refusal of the application on air pollution grounds, considering that although the submitted air quality assessment demonstrated that an adverse impact on some existing residents of the area would be experienced as a result of the proposed development, that this should be weighed against the extant planning permission.

The extant permission (15/05530/P) for a three-storey student accommodation block on the site is a material consideration that officers advise should be given weight in the consideration, although as air quality modelling was never carried out in relation to that permission, the weight to be attached to this earlier permission in relation to the issues of air pollution and air quality will be limited. Accordingly, due to the absence of a detailed assessment of the air quality issue previously, it is the view of your planning officers that it is not possible to conclude that the extant scheme would have a comparable impact on air quality as the current application.

During the DC Committee meeting, one Member commented that comparative modelling to show differences in air quality impacts between the extant permission and current proposal would be helpful in reaching their decision on the application. Officers have contacted the applicant to seek this comparative modelling study, however, at the time of writing; no further information has been received in this respect.

It was highlighted by officers that the submitted air quality assessment demonstrated that the air quality for *future residents of the development* would be within acceptable levels and that there would be no requirement for windows of the development to be fixed shut. Mechanical ventilation would be provided however to give residents the option to keep windows shut, which would also

**Development Control Committee B – 24 June 2020**

**Application No. 19/02157/F: 31 - 45 Lower Ashley Road St Pauls Bristol BS2 9PZ**

mitigate noise impacts.

A suggested refusal reason is set out below.

**VISUAL AMENITY IMPACT**

Members of the committee raised objections regarding the appearance of the proposed development and impact on visual amenity in terms of its relation to local character, appearance and materials.

**FAILURE TO COMPLY WITH THE URBAN LIVING SUPPLEMENTARY PLANNING DOCUMENT (SPD)**

During the DC Committee meeting, Councillors raised concerns that the housing need in the area was for family accommodation of houses and homes with more than two bedrooms, although they also questioned the suitability of the site for residential use and particularly family housing, stating that student accommodation use might be preferable given that this is typically short-term accommodation.

Concerns were expressed that the quality of residential accommodation was questionable.

Members also raised concerns regarding the impact on future residents of the development in terms of road traffic noise. The Environmental Health Team had previously advised that noise impacts could be mitigated through appropriate noise insulation and mechanical ventilation to ensure that windows on the affected elevations could be shut when required (and opened at other times). Members expressed concerns regarding the quality of the living environment resulting from this situation where windows would need to be kept shut much of the time and mechanical ventilation used, particularly in combination with other issues including air quality, microclimate, overheating and the proportion of single aspect units.

It was commented that the internal access was poor and that the communal amenity space was limited and of poor quality and failed to creatively integrate children's play space.

Lastly, objections were also raised by Members that the proposal included insufficient car parking taking into account the nature of the local area, parking demand and inability to restrict parking by new residents.

A refusal reason based on these grounds is set out below.

**LAND CONTAMINATION MATTERS**

Members raised concerns during the committee meeting regarding land contamination matters, though did not ultimately recommend refusal on those grounds. Objectors to the scheme have subsequently sought access to the contaminated land assessment submitted in relation to this application, raising concerns that it was not available online.

At time of the committee, officers advised that they believed that the assessment was available online. Upon review, officers have established that while a contaminated land assessment was not submitted in relation to the current application, that the matter of contamination was considered appropriately and with the expert advice of the relevant consultee the Contaminated Land Team on the basis of an archived assessment submitted in relation to a previous application (18/00560/F).

**Development Control Committee B – 24 June 2020****Application No. 19/02157/F: 31 - 45 Lower Ashley Road St Pauls Bristol BS2 9PZ**

The Contaminated Land Team commented as follows in relation to the application:

“The applicants are referred to the following:

- Bristol Core Strategy - BCS23 Pollution
- Local Plan – DM34 Contaminated Land
- National Planning Policy Framework Paragraphs 109, 120 to 122
- Planning Practice Guidance Note <https://www.gov.uk/guidance/land-affected-by-contamination>
- <https://www.bristol.gov.uk/planning-and-building-regulations-for-business/land-contamination-for-developers>

The proposed development is sensitive to contamination and is situated on or adjacent to land which has been subject to land uses which could be a potential source of contamination.

The following report held in this office from earlier applications has been reviewed in relation to the application: Earth Environmental & Geotechnical Ltd. November 2016. Phase 1 Geo-Environmental Assessment. 31 - 45 Lower Ashley Road Bristol. A1641/16

Given the proposed development and identified sources of potentially contamination on and off site the desk study report advises further intrusive investigation's will be required. Therefore it is recommended that any consent has a non-standard site characterisation condition along with standard conditions B12 B13 and C1.

Recommended non-standard condition:

*A site specific risk assessment and intrusive investigation shall be carried out to assess the nature and extent of the site contamination and whether or not it originates from the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The results of this investigation shall be considered along with the Phase 1 Geo-Environmental Assessment prepared by Earth Environmental and Geotechnical Ltd dated November 2016 (Reference A1641/16). The written report of the findings shall be submitted to an approved in writing by the Local Planning Authority prior to any works (except demolition) in connection with the development, hereby approved, commencing on site. This investigation and report must be conducted and produced 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 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 off site receptors.”*

Having reviewed this matter, officers advise that the above non-standard condition should be added to the list of recommended conditions that were already presented to Members via the Amendment Sheet.

The contaminated land assessment referenced cannot be uploaded to the public website in relation to application 19/02157/F as it was produced in relation to a former application (18/00560/F) made by a different applicant (therefore the applicant would not likely have the rights to this document). Application reference 18/00560/F was withdrawn and therefore the documents (including contaminated land assessment) are no longer available online.

Officers are satisfied that the Contaminated Land Officer has fully reviewed the consideration and recommended appropriate conditions. These conditions would require site specific risk assessment, intrusive investigation and remediation and would mean that the development would still meet the requirements of the NPPF to ensure that the development is suitable for the proposed end use.

**Development Control Committee B – 24 June 2020**

**Application No. 19/02157/F: 31 - 45 Lower Ashley Road St Pauls Bristol BS2 9PZ**

**POSSIBLE REASONS FOR REFUSAL**

The following reasons for refusal are suggested:

1. The proposed development would result in a detrimental impact on air quality and consequently health and wellbeing for existing residents living in the vicinity of the site. The proposed development fails to provide a scheme of mitigation that would demonstrably reduce the identified adverse air quality impact. The proposal would be contrary to the National Planning Policy Framework, the National Planning Practice Guidance, Bristol Core Strategy Policy BCS23 and Site Allocation and Development Management Policies DM14 and DM33.
2. The proposed development would fail to respond positively to the local context and character in visual amenity terms in respect of its overall design, appearance and materials, contrary to Section 12 of the National Planning Policy Framework, Policy BCS21 of the Bristol Core Strategy and Policy DM29 of the Site Allocations and Development Management Policies Document.
3. The proposal would be contrary to the Council's Urban Living Supplementary Planning Document (SPD) as it would fail to contribute to creating a vibrant and equitable neighbourhood and to providing a quality living environment for future occupiers through: delivering a comfortable microclimate for future occupants, integrating appropriate internal access and communal amenity space including children's play space, and addressing the impact of road traffic noise on future residents of the site. The proposed development would fail to integrate a satisfactory level of car parking resulting in unacceptable harm to the amenity of local residents.

The proposal would be contrary to Section 12 of the National Planning Policy Framework, Policy BCS21 of the Bristol Core Strategy and Policy DM29 of the Site Allocations and Development Management Policy Document.

**CONCLUSION**

Officers recommend approval of the application subject to the criteria within the previous report being addressed (overcoming the Environment Agency objection, recommended conditions and Planning Agreement).

However, should Members remain minded to recommend refusal of the application, then the above reasons for refusal are suggested.

**Development Control Committee B – 24 June 2020****Application No. 19/02157/F : 31 - 45 Lower Ashley Road St Pauls Bristol BS2 9PZ****SUMMARY**

The application is for 28 residential units incorporating 40% affordable housing with 2 off-street parking spaces.

The application site has a lengthy planning history and benefits from extant permission for redevelopment for a 3-storey building (with third floor within the roof space) for mixed use offices / student accommodation and no parking. This extant permission (outline permission 15/05530/P and reserved matters permission 18/05532/M) is a material consideration in the determination of the current application.

The extant permission included the removal of 5 Norway Maple trees along the site frontage in order to realise the other planning benefits of bringing the site forward for redevelopment. 2 of these trees have now been felled. A financial contribution has been paid and already partly allocated for expenditure for replacement tree planting (within Bristol City Council land) within the local area as mitigation for the removal of these trees. No further planning permission is required to enable the removal of these trees, however the local planning authority agreed with the site owner that they retain the remaining trees pending the outcome of the current application, in recognition of the sensitivity of the matter publicly. Following a dispute being raised regarding land ownership, the Council has reviewed the land ownership query and confirmed that the trees are not within its ownership.

The proposal has been amended during the course of the application and further publicity and consultation carried out. At the time of writing, significant public objection has been received to the proposals (81 objections) on the grounds of the following key issues: loss of trees, parking, scale and design, impact on residential amenity of existing residents, air quality and flood risk.

The key considerations for the application are the tree considerations, loss of employment land, housing provision, transport, flood risk, urban design, sustainability considerations and amenity matters including air quality. These matters are covered in full below.

Officers are recommending approval of the application subject to planning legal agreement and conditions and subject to the objection received by the Environment Agency on flood risk grounds being addressed.

**SITE DESCRIPTION**

The application site comprises a single-storey building, car parking and grounds on the north side of Lower Ashley Road, currently vacant and partly demolished. The last permanent use of the building was as offices, a more recent temporary use has included a hand car wash within the car park.

Lower Ashley Road is a busy major vehicle route (B-road) through the city centre, leading to M32 Junction 3 less than 100m from the site. Vehicular access to the site is from Gordon Road. Temporary vehicular access to the car wash use was from Lower Ashley Road. A public footpath (adopted) runs along the western boundary of the site providing a pedestrian and cycle link between Lower Ashley Road and Gordon Road.

The building has been the subject of recent demolition work, which at the time of writing, was partially completed but ceased. The 'Planning History' section below refers. The site is secured by temporary hoardings/ fencing.

**Development Control Committee B – 24 June 2020****Application No. 19/02157/F : 31 - 45 Lower Ashley Road St Pauls Bristol BS2 9PZ**

To the Lower Ashley Road frontage of the site is a grassed area of landscaping containing tree planting, with a paved footpath leading to the building entrance. There originally existed 5 no. Norway Maple trees (3 green, 2 purple) covered by a Tree Preservation Order (reference 941) within this landscaped area.

At the time of writing, 3 of these trees remain, the others having been removed or partially removed by the site land owner. There has been extensive discussion between the Council and local stakeholder parties regarding the ownership of the land on which the trees stood/ stand- see summary below within Key Issue A- 'Arboriculture/ Tree Considerations'.

The predominant surrounding land use is residential use, with some commercial ground floor uses opposite across Lower Ashley Road. The plot of land to the west of the site, fronting Lower Ashley Road, is currently vacant and fenced by hoardings but has planning permission for redevelopment for housing (refer to 'Planning History' section). The site opposite at the junction of Lower Ashley Road and Tudor Road has also been granted planning permission for residential redevelopment and is currently undergoing development.

The site is not within a designated Conservation Area, but is located within the Ashley Road/Grosvenor Road Local Centre. The site lies just outside the Bristol Central Area Plan boundary (which runs along Lower Ashley Road) and is within an area of low risk in terms of coal mining.

The site lies immediately to the north of the St Paul's Residents' Parking Scheme (RPS) and approximately 150m east of the Montpelier RPS.

**RELEVANT PLANNING HISTORY**

There is an extensive planning history on this site, which forms a material consideration in the consideration of this application. These applications are listed below in chronological order, with most recent first. Also listed are the relevant applications at the adjacent 17-29 Lower Ashley Road site.

- Prior approval application ref. 20/00232/N- Application for prior notification of proposed demolition of the main building. PRIOR APPROVAL NOT REQUIRED – Decision issued 14<sup>th</sup> February 2020.

In brief, this decision was reached as the site already benefits from planning permission including demolition; therefore according to the relevant legislation, prior approval for separate demolition cannot be given in addition.

- Reserved matters planning application ref. 18/05532/M- Reserved Matters application in relation to landscaping and appearance, pursuant to outline planning approval 15/05530/P - Outline planning application for proposed removal of existing single storey office building and provision of four storey mixed used development, comprising office areas to ground floor and student accommodation above. GRANTED on 1st May 2019 subject to conditions. The permission must be implemented within 2 years of 1<sup>st</sup> May 2019.
- Full planning application ref. 18/00560/F- Demolition of existing building and proposed construction of 78-bed student accommodation with ancillary facilities. WITHDRAWN on 15 May 2018 following officer concerns.
- Outline planning application ref. 15/05530/P- Outline planning application for proposed removal of existing single storey office building and provision of four storey mixed used development, comprising office areas to ground floor and student accommodation above. (Major application) GRANTED subject to conditions 5 February 2016.



**Development Control Committee B – 24 June 2020****Application No. 19/02157/F : 31 - 45 Lower Ashley Road St Pauls Bristol BS2 9PZ**

- Outline Planning application ref. 15/00863/P for "Outline planning application for the proposal to remove an existing single storey office building and provision of four storey mixed used development comprising office areas to ground floor and student accommodation above. (Approval being sought for Access, Layout and Scale)" was WITHDRAWN on 28 September 2015 in response to officer concerns.
- Pre-application enquiry ref. 14/04101/PREAPP for "Demolition of redundant building and erection of 4-5 storey structure for residential and/or student accommodation with the possibility of the inclusion for office or retail space at ground floor level"
- Reserved matters planning application ref. 10/01590/M for "Reserved matters application further to outline approval ref. 06/04740/P for approval of soft and hard landscaping to the front and rear of the proposed development" was GRANTED on 8 June 2010
- Outline planning application ref. 06/04740/P for "Outline application for the erection of combined three/four storey building accommodating 24 flats with basement car/cycle parking accessed off Conduit Road and 420 square metres of office floorspace (Use Class B1) with ground floor cycle parking accessed off Gordon Road" was GRANTED on 23 April 2007
- Full planning application ref.05/04471/F for "Erection of combined three/five/six storey building accommodating 24 flats with basement car/cycle parking accessed off Conduit Road, and 260 square metres of office floorspace (Use Class B1) with ground floor car/cycle parking accessed off Gordon Road" was REFUSED on 20 January 2006.

**17-29 Lower Ashley Road (the Yard Arts site) relevant planning history:**

Planning application ref. 18/06646/F- Construction of a 4 storey block of flats to provide 31 units, including affordable housing, with associated parking and amenity space (Major). GRANTED subject to s106 Agreement 29<sup>th</sup> January 2020.

Planning application ref. 17/01898/F- Construction of a 4 storey block of flats to provide 37 units including appropriate level of affordable housing with associated parking and amenity space. (MAJOR). REFUSED (Committee decision- 21 June 2018) on the following grounds (summarised):

1. Harmful impact on residential amenity;
2. Design;
3. Loss of trees;
4. Affordable housing provision;

**APPLICATION**

This application follows a previous permission for outline permission in 2016 (see above) for offices and student accommodation and reserved matters permission for minor aspects of that same development (appearance and landscaping) granted in May 2019. This permission established a number of fundamental principles for the development of the site including: removal of the existing TPO trees along the frontage, footprint and scale of the development and zero-parking on the site.

The outline planning permission included the removal of 5 maple trees within the application site along the street frontage. The outline application's supporting documents included a Unilateral Undertaking committing to a financial contribution for 3 street trees and 17 open-ground trees (total of £22,965.21) payable to the Council upon commencement of the development in order to provide replacement planting either on-street or in public open space within a one mile radius of the application site. Tree matters are covered in further detail at Key Issue (A) below.

**Development Control Committee B – 24 June 2020****Application No. 19/02157/F : 31 - 45 Lower Ashley Road St Pauls Bristol BS2 9PZ**

The current application was submitted in May 2019 and since that time, officers have engaged with the applicant to negotiate improvements to the scheme in order to seek to address all relevant planning policies. A revised scheme was submitted in April/ May 2020.

The differences between the schemes are outlined in Table 1 below:

Table 1

	<b>May 2019 scheme</b>	<b>April 2020 scheme</b>
<b>No. of units</b>	31	28
<b>Net internal area</b>	1932.1 sqm	1680.4sqm
<b>Mix of units</b>	14 x 1-bed, 17 x 2-bed	14 x 1-bed, 14 x 2-bed
<b>Amount of affordable housing</b>	40%	40%
<b>Amount of parking</b>	0 spaces	2 spaces
<b>Maple tree retention</b>	Not retained	Not retained

A letter from the proposed end-user registered housing provider Live West has been submitted (see Affordable Housing Statement) confirming that it would be their intention to deliver the remaining 60% of homes as extra-to-policy affordable housing (i.e. 100%). This element would be outside of the planning application process based on grant funding.

The proposed housing mix of the current proposal is:

- 1 bed 2 person (1B2P) - 14 units
- 2 bed 3 person (2B3P) - 5 units
- 2 bed 4 person (2B4P) – 9 units

The proposal is for a 4-storey block of accommodation with some outside space to the rear (North).

2 parking spaces are provided with access via the existing access from Gordon Road including one accessible disabled bay. The proposed refuse store is accessed from Gordon Road.

Cycle parking is proposed within the basement (24 no. double racks and 4 no. Sheffield stands), with lift access. A plant room is located at ground floor level, opening onto the alleyway/ lane linking Lower Ashley Road and Gordon Road.

Please note that the red line boundary has been changed during the course of the application to include the plot of land known as '2 Gordon Road' (immediately adjacent to 3 Gordon Road). The application proposal would also include the adoption of a strip of the site along its western boundary, to widen the Gordon Road to Lower Ashley Road public footpath.

#### PRE-APPLICATION COMMUNITY INVOLVEMENT

The submitted Community Involvement Statement (CIS) sets out that pre-application engagement with the LPA took place and that public consultation took place in April 2019 with letters sent to over 100 neighbours and St Paul's Planning Group. A meeting was held on site with that group to discuss the proposals and following the meeting, changes were made to remove the proposed parking element (originally 10 spaces were proposed) as had been sought by the group.

In the opinion of officers, the submitted CIS is brief and doesn't fully outline the nature of responses received and any outcomes associated with these responses. However, full consultation has been undertaken through the application process and the issues raised by third parties as representations have been reviewed in detail and are taken into account in the consideration of the application as material planning considerations.

**Development Control Committee B – 24 June 2020****Application No. 19/02157/F : 31 - 45 Lower Ashley Road St Pauls Bristol BS2 9PZ****RESPONSE TO PUBLICITY AND CONSULTATION**

Public consultation was carried out on the application via letters to neighbouring residents in May 2019, July 2019 and site notice/ press notice in May/ June 2019.

At the time of writing, 68 contributors have made representations to the original application with 65 objections, 1 in support and 2 general representations received.

Following submission of a revised proposal, further direct neighbour consultation (via letter/ email, which included all contributors to the application to date) was carried out, with an expiry date of 23<sup>rd</sup> June 2020. A further site notice was carried out in June 2020 as an additional measure, though this is not a statutory consultation requirement. Therefore while the expiry date falls after the Committee meeting date, it was considered by officers to be beneficial and worthwhile to provide additional notification in this way.

At the time of writing there have been a total of 84 representations received to the both the original and revised scheme, with 81 objections, 1 support and 2 general representations. A summary of all comments received is set out below and any additional comments will be summarised on the Committee amendment sheet.

**Objections**

- Inaccurate information submitted (public rights of way, trees, letters cited not made available);
- Loss/ damage of 5 mature trees subject to a Tree Preservation Order (TPO);
  - o The trees are street-trees outside the ownership boundary of the property;
  - o Previous decision allowing loss of trees is invalid as Arboriculture Consultant did not inform the case officer that the trees were the subject of a TPO;
  - o The Arboriculture Consultant's report states that "the extent and frequency of tree reduction necessary to retain these trees would quickly destroy any amenity value that the trees possess"- this is queried;
  - o Climate change/ shading/ wildlife/ surface water flooding impacts;
  - o Air quality and noise impacts;
  - o Character of neighbourhood/ amenity value impact;
  - o New tree planting would not compensate as these are mature trees to be lost;
  - o Application should be landscape-led and incorporate the trees;
- Overdevelopment and excessive height and enclosure/ impact on character of Lower Ashley Road and residential amenity of existing residents. A two-storey building would be preferable;
- Lack of parking spaces:
  - o Combined with other local development/ commuter parking and lack of public transport).
  - o The Brooks site was required to provide one parking space on-site per dwelling.

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- The argument that those in affordable housing schemes cannot afford cars is untrue.
- The existing parking congestion leads to highway safety issues for motorists, pedestrians and emergency vehicles;
- There is no residents parking zone in this location to restrict parking;
- Impact on congestion;
- Impact on residential amenity: overshadowing, loss of light to rooms and gardens, loss of privacy to existing residents (Gordon Road) and accuracy of modelling. Conflict with residents 'Right to Light' and impact on re-sale value \*;
- Wellbeing of future residents (pollution);
- Failure to acknowledge significant risk of flooding
- Construction operation impact on traffic/ noise;\*

\*Note- Issues of 'right to light', impact on re-sale value and construction traffic/ noise are not planning considerations.

*Montpelier Conservation Group* object to the application- see full comment below.

*Bristol Civic Society* object to the application- see full comment below.

*Bristol Tree Forum* object to the application- see full comment below.

**Support**

- Objection to student housing, support for affordable homes;
- Proposal is in line with scale of other development in the area;

**General Representations**

- Bristol Tree Forum wishes to know the details for commenting on the application \*\*\* Check-further response received directly?

*Montpelier Conservation Group* objection (on initial proposal- 9 July 2019):

*"We write with our objections to the above application, which is for "Construction of a 4-storey block of flats to provide 31 units of residential accommodation including affordable housing, cycle parking, refuse storage and amenity space".*

- *This site is currently occupied by an unused single-storey office building.*
- *We would welcome an appropriate redevelopment of the site, but we object to this proposal, as we also objected to a number of past applications for this site.*
- *There is an existing planning consent for student accommodation on the site (15/05530/P & 18/05532/M). The succession of planning applications that led to this consent (05/04471/F – refused; 06/04740/P – granted but lapsed; 15/00863/P – withdrawn) serve to demonstrate what is an appropriate form and scale for any new building on this site.*
- *These applications progressed from overscale monolithic blocks to a development which*

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*echoed the form and scale of the terraced buildings which previously occupied the site. This not only respects the existing streetscape but also allows a high density of occupation without overbearing the smaller scale residential streets to the north of the site.*

- *The building currently proposed would be of inappropriate design and excessive scale and massing. It would be dominant and overbearing not only on Lower Ashley Road but also to the residential streets to the north of the site.*
- *It would stand alone on Lower Ashley Road, and would not relate to its context in scale, form or appearance.*
- *The horizontal emphasis of the facade would not be disguised by the stone panels on the upper floors, and would conflict with the vertical rhythms of the street.*
- *The proposed building would occupy almost all of the site, and the large footprint is carried up through the four storeys, creating an overbearing massing and offering virtually no private or communal amenity space.*
- *The applicants claim that their proposal is informed by the case officer's comments on a Pre-Application submission. These comments included:*

*“A high quality scheme that takes into account the local context and which makes a positive contribution to local distinctiveness is required. Unfortunately the current proposal falls short in design terms in this respect. The scheme is larger than the extant permission and this raises serious concerns in terms of design and residential amenity that would need to be addressed. However, officers are of the view that these matters can be addressed through further discussion.*
- *Of particular concern is the loss of the existing trees on site, albeit previously permitted, and officers would wish to explore whether options exist to now facilitate their retention given their high value to the street scene and local area.”*
- *As we have shown above, the full planning application does not meet these key Pre-Application concerns.*
- *We recognise that both previous and current planning consents allow for the removal of the street trees. We have objected to this aspect of each of the past applications and maintain our stance now. We deplore the recent attempt to remove the trees, particularly as it was carried out under an application that is clearly not going to be otherwise progressed.*
- *Lower Ashley Road is a very busy route for traffic travelling between the north and west of the city and the M32 and Easton Way. There are high levels of traffic pollution and noise. Any development of this site must take this into account. At present the street trees in front of the site mitigate these problems and their loss would be damaging to the health and amenity of existing residents. We do not agree that these trees are inappropriate, rather they contribute positively to the present character of this part of Lower Ashley Road.*
- *Planting replacement trees elsewhere, even nearby, would not restore the beneficial effects the trees provide in their current position and we object to their proposed removal.*
- *The public benefit of the trees indicates that a development in the form of the currently consented scheme but set a little further back in the site would not create significant additional harm and would allow the trees to be retained.*

*We object to this application and ask for it to be refused.”*

**Development Control Committee B – 24 June 2020****Application No. 19/02157/F : 31 - 45 Lower Ashley Road St Pauls Bristol BS2 9PZ**Bristol Civic Society objection:

*“Bristol Civic Society acknowledges with appreciation the opportunity the applicants gave it to comment on pre-application drawings. We submitted a number of concerns to the applicants and those concerns remain. The Society does not support this proposal for the reasons stated below.*

*The Society wishes to see this site redeveloped and would support residential development. We are also supportive of the Council's drive to increase the supply of affordable housing in Bristol and the policies it has adopted to implement this. However, we do have a number of concerns about this initial proposal.*

*The site lies just outside the Montpelier Conservation Area. It forms part of an extensive, dense housing development of the second half of the 19th Century. Local buildings and materials should inform the design if the development is to contribute positively to the area's character and to reinforce local distinctiveness.*

*The Lower Ashley Road elevation is divided into two large blocks which do not accommodate the fall in the contour to the east. The Society suggests it would improve the articulation of the elevation if the vertical divisions were smaller to reflect the original plot sizes. Smaller divisions would complement the plot composition of the nearby traditional properties to reinforce the area's distinctiveness. There is an awkward step-down to the house on the opposite side of Conduit Street.*

*The fenestration is developed horizontally. The Lower Ashley Road elevation should be informed by the abundant local vernacular which has a vertical emphasis.*

*The Society suggests that it would improve the design if the ground floor flats front doors opened onto the pavement. The modification would reflect the composition of the traditional properties on the south side of Lower Ashley Road and improve passive surveillance. This modification could not be wholly achieved with your present proposal because part of the Lower Ashley Road elevation and the return Gordon Road elevation are the blank walls of a car park screen.*

*The Society recognises the attempt to articulate the roof line but the proposal does not respond to its architectural context. The Society would welcome an architectural feature that incorporates photo-voltaic panels to signal the development's energy sustainable ambition and to add interest to the roofscape.*

*There is only a small amount of amenity space shown for a development of 28 flats. In the absence of this, we would like to see the provision of more balconies or, at least Juliet balconies, to provide residents with some access to the open air.*

*There are a number of mature trees on the site and we trust the Council will ensure their protection or suitable replacement.*

*In conclusion, the proposal would be harmful to the street scene and would produce a living environment for future residents with sparse amenity space internally or externally.”*

Bristol Tree Forum objection- 23 July 2019

*Bristol Tree Forum opposes this planning application as the trees concerned are protected by Tree Preservation Orders (a fact not mentioned by the developer) and the site could be developed with the trees still present. We have valued the trees at £244,919.*

*Local residents are strongly opposed to the removal of the trees as they offer a pleasing relief to an otherwise highly developed and much-used urban space, and mitigate against the heavy pollution along this road. In addition, the Council and the Mayor (via the One City Plan) have endorsed a*

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*commitment to doubling Bristol's tree canopy by 2046. Cutting down large trees such as these is no way to achieve that policy aim. Also, the government's 25-year environment plan requires developers to demonstrate planning gain – especially environmental gain. Removing these trees and planting just two (as is proposed) in their place cannot achieve this.*

*A pending planning application (18/06646/F) has been made for relating to the immediately adjacent property at Nos. 17-29 Lower Ashley Road for a very similar building to the one applied for in this application. This should be taken into account when considering this application. [NB Officer note-application 18/06646/F has now approved].*

*In addition, we have several comments to make on the "Arboricultural Statement, Revised July 2019" (the Report). Beyond some new introductory text which does not appear to have been written by an arboriculturalist, the report itself has not been substantially revised from that used in the previous Planning Application, **15/05530/P** made in July and August 2015 and revised in January 2016. The Report is out-of-date, no longer valid, and has errors and omissions as detailed below:*

- 1. The Report fails to mention that the trees in question are protected with Tree Preservation Orders (TPO number 941).*
- 2. The Report is out of date and no longer valid. Section 4.3 states that "the condition survey and any recommendations given are valid for a period not exceeding one calendar year from the date of issue of this report". The report is dated 20 January 2016. We understand that in the light of recent events, the developer was asked to provide a new arboricultural report in line with the material in the new planning application. This has not been done.*
- 3. The Report fails to mention that three trees have been hacked to various degrees in July 2019 by operatives with no professional expertise and no concerns for Health and Safety*
- 4. The Indian bean trees on the neighbouring site no longer exist, having been cut down some time last year following the refusal of Planning Application **17/01898/F** made in respect of the adjacent property at Nos. 17-29 Lower Ashley Road. This is not mentioned. Instead the Report recommends that their "crowns will require some cutting back".*
- 5. We do not believe that the supposed problems with canopy cover and loss of light into the new building are insurmountable. A quick walk along many residential roads in Bristol will show many trees in close proximity to buildings where they enhance the houses as they would do here.*
- 6. In addition, it would be possible to design foundations (e.g. screw pile foundations) which would allow the building to be constructed without interfering with the root system of these trees.*
- 7. The report does not include measurements of the trees save for giving a range of between 375 to 540 cm for the five Maples. In any event, these measurements, taken more than three years ago, are now incorrect. In July 2019 we measured the DBH of the trees and calculated the **BTRS** replacement trees that would be required as 21, not the 19 advised in the report.*
- 8. The Report contains a generalised tree bibliography, but it is not clear whether the author has referred to any of the items in the bibliography when writing the report.*
- 9. We have valued the trees using **CAVAT** (Community Asset Valuation of Amenity Trees – full method) at a total of £244,919, so these trees have substantial amenity value which will not be replaced for many years, even if the 21 BTRS replacements are ever planted. If these replacement trees are valued then, using the same CAVAT criteria used for the current trees, they would be worth just £11,197 when planted, a loss of £233,722 of the current amenity value, a useful proxy for calculating planning gain.*

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*These are our BTRS and CAVAT calculations.  
Bristol Tree Forum  
23 July 2019*

**COUNCILLOR REFERRAL**

The application has been referred to Committee by Ward Member Councillor Davies in the event that the proposal is recommended for refusal by officers on the grounds that the proposed development will provide affordable homes that are much needed in this area and that the scheme has their full support. Date- 22 May 2019.

**OTHER COMMENTS**

**The Affordable Housing Delivery Team** has commented in support of the application. Refer to Key Issue (C) for detail.

**The City Design Group** does not object to the application- see Key Issue (F) for full discussion.

**Transport Development Management** object to the proposal on the grounds of lack of parking- see Key Issue (E) for further details.

**Bristol Waste** has commented on the application- see Key Issue (E) for detail.

**The Air Quality Management Team** objects to the application. Key Issue (J) refers in detail.

**The Flood Risk Management Team** has commented on drainage matters and seeks a Sustainable Drainage Strategy. This can be conditioned.

**The Environment Agency** has objected to the application- see Key Issue (D) for details.

**The Arboriculture Officer** has commented as follows – the ‘potential for future street tree planting’ shown on the Proposed Landscape Plan is queried as this cannot be guaranteed and should be omitted from the plans. Further details are required of the raised planting on Conduit Road, which should take place in the soil rather than raised planters to maximise survival. Tree planting should take place within the landscaped strip shown within the proposed site along Lower Ashley Road- an example of a small tree species with a very narrow form that can be managed away from the building and the pavement has been suggested. See Key Issue (A) for full tree considerations.

**The Sustainable City Team** has raised a number of questions/ concerns regarding the submitted Energy Statement. See Key Issue (H) for detail.

**Contaminated Land (Public Protection) Officer** does not object to the proposals subject to conditions. Key Issue (J) refers.

**Police Crime Reduction Officer** does not object to the proposal subject to conditions. See Key Issue (F) for details.

**Avon Fire and Rescue Service** were consulted on 23<sup>rd</sup> May 2019. No response has been received.



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## 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. In this case the design and access to the development have been assessed with particular regard to disability, age and pregnancy and maternity issues.

## 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.

## KEY ISSUES

## (A) ARBORICULTURE/ TREE CONSIDERATIONS

This matter is addressed first within the report on the basis of the significant local objection received to the loss of the trees on the site for the reasons set out above- see 'Response to Publicity and Consultation'. An objection from the Bristol Tree Forum has also been received- see full comment above.

An objection has been received that the application details state that there are no trees (and therefore tree removals proposed) on the site and that this is misleading. The Bristol Tree Forum (BTF) objection states that the submitted Arboricultural Statement, Revised July 2019 has not been substantially revised from that used in planning application 15/05530/P made in July 2015/ revised January 2016. The report is out-of-date, no longer valid, and has errors and omissions as set out in full in the BTF objection and summarised here. The report:-

- Fails to mention the Tree Preservation Order;
- Is out-of-date;
- Fails to mention works to/ removal of trees on the site;
- Omits that the Indian bean trees on the neighbouring site no longer exist, having been cut down some time last year.
- The supposed problems with canopy cover and loss of light into the new building are not insurmountable. It would be possible to design foundations (e.g. screw pile foundations) which would allow the building to be constructed without interfering with the root system of these trees.
- The report does not include measurements of the trees save for giving a range of between 375 to 540 cm for the five Maples. In any event, these measurements, taken more than three years ago, are now incorrect. In July 2019 we measured the DBH of the trees and calculated the **BTRS** replacement trees that would be required as 21, not the 19 advised in the report.
- We have valued the trees using **CAVAT** (Community Asset Valuation of Amenity Trees – full

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method) at a total of £244,919, so these trees have substantial amenity value which will not be replaced for many years, even if the 21 BTRS replacements are ever planted.

A review of the submitted documents indicates that the application form is incorrect as it states that the proposal does not involve tree removal. Officers are satisfied that despite the error on the application form, that the remainder of the application information covers this matter and that this has not prejudiced the ability of third parties to comment on the application. The Design and Access Statement and Arboriculture Statement reference the trees, the Tree Preservation Order and existing permission for their removal.

While the BTF objection is noted; given that permission has already been granted for the removal of the trees, these matters are not material to the application. A financial contribution for the replacement of the trees has already been paid (and partly allocated for expenditure) in relation to application 15/05330/P and it would not be reasonable to seek a further contribution for this again. That the Indian bean trees have already been removed has been taken into account in the consideration of the application.

*Land ownership*

Although land ownership is not a planning consideration, for background information it can be advised that a dispute was raised by third parties regarding the ownership of the land on which the 5 maple trees stand/ stood, arguing that the trees were on Council land and not on the land owner's. However, the Council has reviewed the land ownership query and concluded that the trees are not within its ownership.

*Extant planning permission*

Extant planning permission exists (18/05532/M-Reserved Matters and 15/05530/P- Outline consent) for the demolition of the existing building on the site and redevelopment for student accommodation, including the removal of all 5 existing trees along the site frontage. This was subject to a financial planning contribution to compensate for and provide replacement trees planting within the vicinity of the site, which has been paid and already partly allocated for expenditure on replacement planting within Bristol City Council land within 1 mile of the site.

The Local Planning Authority (LPA) agreed with the land owner that they not remove any trees pending the determination of the current application as acknowledgement of the sensitivity of the matter. Although tree removal was undertaken of 2 of the trees contrary to that agreement, the removal of the trees was carried out in accordance with the extant planning permission.

The extant permission is a material planning consideration and can be implemented at the current time without a requirement for further planning permission.

*Changes in policy/circumstances*

The fact that extant permission exists for the removal of the trees is a material consideration in the determination of the current application. A different decision to that taken in respect of the extant permission could only be justified on the current application if it is demonstrated that there has been a change in circumstances or policy since the time of that decision.

Officers do not consider that circumstances (e.g. pertaining to the site specifics) have changed.

In terms of policy/ legislation/ guidance, the National Planning Policy Framework (NPPF) was updated in 2019 and the National Planning Practice Guidance (PPG) is updated on an ongoing basis. The updated NPPF continues to highlight that planning decisions should take account of the value of existing trees, minimise impacts on and provide net gains for biodiversity and helping to improve local

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environmental conditions such as air quality. The PPG recognises the value of green infrastructure (including trees) in promoting healthy communities and well-being.

The Bristol Core Strategy was adopted in 2011 and the Site Allocation and Development Management Policies in 2014 and therefore local planning policy remains the same as at the determination of the extant permission in 2016 (15/05530/P).

Policy BCS9 of the Bristol Core Strategy states that individual green assets [including trees] should be retained wherever possible and integrated into new development. Loss of green infrastructure will only be acceptable where it is allowed for as part of an adopted Development Plan Document or is necessary, on balance, to achieve the policy aims of the Core Strategy. Appropriate mitigation of the lost green infrastructure assets will be required. Development should incorporate new and/ or enhanced green infrastructure of an appropriate type/ standard and size.

Policies DM15 and DM17 of the Site Allocations and Development Management Policies Document (SADMP) support this objective and Policy DM17 sets out the standard for compensatory tree planting where tree loss is essential to allow for appropriate development.

Bristol has declared a climate and ecological emergency in recent months, as well as other measures such as a Clean Air Zone for parts of the city. The 'One Tree per Child' scheme has existed for some time prior to the grant of the extant outline permission.

In summary, it is the view of your officers that the policy changes have not been so significant as to justify a different decision being taken as to the retention of the trees, although it is for Members to determine the weight to be given to such policies in considering the balance of planning issues and in light of the climate/ ecological declaration.

However, that the extant permission can be implemented is a material consideration that must also be weighed in the balance, as well as any other planning benefits that the current scheme may offer compared to the extant permission (and 'fall-back' position).

#### *Tree retention/ replanting*

At the pre-application stage, even taking into account the extant permission, officers sought for the applicant to consider the retention of the trees within the site and that the scheme be designed around the trees.

The applicant advised that pursuing this option would lead to a reduction of the amount of accommodation achieved on this tightly constrained site and would threaten scheme viability and therefore delivery. Given that the scheme offers a policy compliant level of affordable housing, the application has not been the subject of viability assessment; scheme viability has not been tested. Taking into account the many other site constraints to be accommodated by a redevelopment scheme and space available, officers consider that it is reasonable to expect that this would be the case.

Officers concluded that continuing to seek retention of the trees would be unreasonable given the extant permission and that a scheme involving replacement tree planting should be pursued.

In terms of replanting, three trees are proposed to be planted on Conduit Road within the application site. The Arboriculture Officer has advised that prior discussions have revealed that planting street trees within the pavement outside the site isn't likely to be possible due to space constraints and visibility considerations relating to the highway crossing. However, replanting very small and fastigate species of trees (with a columnar form) within the set-back space at the western end of the site may be possible with the implementation of specially-designed tree pits and should be explored. A condition to seek further consideration of this option is recommended, should Members be minded to grant permission. Further conditions relating to securing the proposed Landscape plan and tree

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maintenance would be sought.

**(B) LOSS OF EMPLOYMENT LAND**

The application property was last in use for employment use, with a floor area of 260sqm.

Bristol Local Plan Policies BCS8 and DM12 require the retention of employment land where it makes a valuable contribution to the economy and employment opportunities, unless it can be demonstrated that at least one of the specified criteria is met. In this case, the most relevant is if there is any demand for employment use on the site.

Loss of some employment land from this site was established under the extant outline/ reserved matters permission (18/05532/M and 15/05530/P), which resulted in a reduction in employment land space on the site from 260sqm to 183sqm of floorspace in the form of two ground floor level commercial units.

The current proposal would result in the full loss of employment floorspace from the site. The submitted Economic and Marketing Statement for the application sets out that the site has been vacant for many years and that the fact that previous permissions have not been taken forward demonstrates a lack of interest in a mixed-use proposal. No recent marketing evidence has been submitted with the application. It argues that the proposal for affordable and market housing would contribute to meeting the city's identified housing need.

Despite the lack of marketing evidence presented, taking into account all considerations, including period of vacancy, location and nature of the site, previous planning history and the proposed policy-compliant affordable housing provision; it is the view of officers that the loss of employment land would be acceptable.

The site is within a predominantly residential area and therefore a wholly residential use would be acceptable within this context. It is also within an accessible location within the Ashley Road/ Grosvenor Road local centre and along access routes into the city centre.

**(C) HOUSING AND AFFORDABLE HOUSING PROVISION OBJECTIVES**

The proposal would provide residential accommodation on a brownfield site in need of regeneration and would meet policy objectives to make more efficient use of land in a location close to an existing centre (the city centre). As a windfall site, it would provide housing over include policy compliant affordable housing provision.

*Policy*

Section 5 of the NPPF (2019) reflects the need to significantly boost the supply of housing and to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

Policy BCS17 seeks provision of 40% affordable housing within Inner East Bristol and states that residential developments should provide a mix of affordable housing units and contribute to the creation of mixed, balanced and inclusive communities. The tenure, size and type of affordable units will reflect identified needs, site suitability and economic viability.

Policy BSC18 of the adopted Core Strategy reflects this guidance and states that "all new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities", with reference to the

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evidence provided by the Strategic Housing Market Assessment. It also notes that 'developments should contribute to a mix of housing types and avoid excessive concentrations of one particular type'. The policy wording states that development 'should aim to' contribute to the diversity of housing in the local area and help to redress any housing imbalance that exists.

Bristol comprises a diverse range of residential neighbourhoods with significant variations in housing type, tenure, size, character and quality. A wide range of factors influence the housing needs and demands of neighbourhoods. Such factors include demographic trends, housing supply, economic conditions and market operation. The inter-relationship between these and other factors is often complex and dynamic. In the circumstances, housing requirements will differ greatly across the city and will be subject to change over time. With this in mind an overly prescriptive approach to housing mix would not be appropriate. However, it has been possible to identify broad housing issues that are applicable to many neighbourhoods.

Analysis of the city's general housing needs and demands has identified a number of indicative requirements for each of 6 city zones. The zones reflect sub-market areas used in the Strategic Housing Market Assessment (SHMA). The intention is to provide a strategic steer for all sizes of residential scheme within each zone. A local area-based assessment is required to assess the development's contribution to housing mix as a smaller scale will not provide a proper understanding of the mix of that area; a larger scale may conceal localised housing imbalances. As a guide the neighbourhood is defined as an area equivalent to the size of a Census Lower Level Super Output Area (average of 1,500 residents).

#### *Census Analysis*

The application site is located within the St Agnes LSOA within Ashley Ward. A picture of the proportion of different residential accommodation types in the LSOA can be obtained by assessing the 2011 Census data. The St Agnes (LSOA) has a proportion of flats to houses at 22% flats and 60% houses, whereas in Ashley Ward the proportion is 51% flats and 49% houses.

Overall, the above census data would lead to the conclusion that in this instance, there is an imbalance between flats and houses within the LSOA and that there is more of a need for flatted accommodation. The proportion of 1 and 2-bedroom dwellings for the LSOA (67%) is higher than the city and national figure (45%) and the proportion of larger units (3-bedroom and above) is generally lower (33%). The statistics for gross dwelling completions 2006-2015 (excluding conversions) shows that 85% of completions were flats, with 53% of all completions being 2-bedroom dwellings, 30% 1-bedroom dwellings and the remainder 3-bedroom or over. No affordable dwellings were completed within that period.

The proportion of owner occupied, social rented and private rented accommodation is fairly evenly split within the LSOA and Ashley ward compared to the city and England & Wales statistics, showing a lower rate of home ownership.

The proposal to construct a building containing 28 flats is therefore considered acceptable in relation to the creation of a mixed and balanced community in this instance. However this is subject to the development achieving acceptable standard in terms of the living accommodation provided and overall design. These matters are set out below.

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2011 CENSUS STATISTICS (%)				
	ST AGNES	ASHLEY	CITY	ENGLAND & WALES
Houses	60	49	66	78
Flats etc.	22	51	34	22
Owned	32	39	55	64
Social rent	35	26	20	18
Private rent	32	34	24	17
1bed	28	28	17	12
2bed	39	32	28	28
3bed	24	21	41	42
4 bed	7	12	10	14
5 + bed	2	7	5	5

*Housing Mix*

Policy BCS18 states that all new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. BCS18 states that residential development should provide sufficient space for everyday activities and to enable the flexibility and adaptability by meeting appropriate space standards.

The proposed housing mix (dwelling size is as follows): 14 x 1-bed, 14 x 2-bed flats.  
40% affordable housing with the potential to increase to 100% affordable housing through grant.

The Housing Delivery Team (HDT) has commented that in their view, the proposed mix can be accommodated in this area with significantly altering the overall mix of housing in the Ashley Ward, although in the St Pauls area, as in Supplementary Planning Document (SPD) 10, there is a greater demand for more family type housing. They go on to highlight that there are currently approximately 12,000 households registered on Home Choice Bristol lettings system currently reflecting a high demand for smaller accommodation, as demonstrated by the bids placed on such smaller properties.

The HDT states that the scheme provides no family-sized accommodation and could be mono-tenure towards Social Housing would be in conflict with the objectives of the St Pauls SPD10. However, it must be noted that approval was given previously for a high-rise student accommodation to be constructed on this site. As well as the unsuitableness of this site for family accommodation, the financial viability of developing this site for residential development is predicated on a flatted scheme with an optimum number of flats.

The HDT outlines that landlords will be required to agree a lettings plans with the 'Home Choice Bristol Team' in order to seek to create a mixed and balanced community through the allocation process. Full details are set out within the HDT's full comments, available online.

*Summary*

Officers are of the view that the proposed scheme provides an appropriate mix of housing subject to planning obligations and conditions to secure the details.

The full details of the affordable housing provision should be secured through a legal agreement and conditions should Members be minded to approve the application.

**Development Control Committee B – 24 June 2020****Application No. 19/02157/F : 31 - 45 Lower Ashley Road St Pauls Bristol BS2 9PZ****(D) FLOOD RISK AND DRAINAGE**

Core Strategy Policy BCS16 states that development will be expected to be resilient to flooding through design and layout, and incorporate mitigation measures including on-site defence works as appropriate to ensure that development remains safe from flooding over its lifetime.

The Local Plan Review- Annex- Draft Development Allocations (*Consultation March 2019* version) sets out a draft allocation for this site and the adjacent site (Ref. BDA0102 – 17- 47 Lower Ashley Road). This is currently being reviewed following consultation. In respect of flood risk, the draft allocation states that development on the site should “Be supported by a site-specific flood risk assessment and a drainage strategy, which will be expected to prioritise sustainable drainage systems and ensure no increased flood risk, as the site is subject to flood risk and surface water drainage issues.” The Environment Agency (EA) commented on the allocation that as part of the site falls within Flood Zone 2, that the sequential layout of the site needs to be carefully considered with ‘More Vulnerable’ uses in Flood Zone 1 or located on upper floors.”

The Environment Agency (EA) would not normally be consulted on this scheme based on the current flood risk- the site is within Flood Zone 2 (Medium probability of flooding 0.1% to 1.0% per year) due to the proximity to the River Frome 250m to the southeast of the site. The proposed residential use is ‘more vulnerable’ under the national classification system. However, during the course of the application, new data became available which shows an increased flood risk on the site in the future. The latest emerging SFRA maps/ data show the site to be within Flood Zone 3 in 2080 and 2120.

*Environment Agency (EA) response*

In the absence of an acceptable Flood Risk Assessment (FRA), the EA objects to this application and recommends that planning permission is refused.

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- Take the predicted impacts of climate change into account over the lifetime of the development (100 years for residential uses);
- Consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event;
- Consider how a range of flooding events (including extreme events) will affect people and property;
- Address the Sequential Test (reasonably available sites at lower flood risk i.e. Flood Zone 1).

It is for the local planning authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk.

*Sequential Test*

The EA’s Local Flood Risk Standing Advice (LFRSA) for the area states that the Local Planning Authority must apply the Sequential Test to applications within this category.

The National Planning Practice Guidance (NPPG) sets out that the sequential, risk-based approach to development is designed to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. The aim should be to keep development out of medium and high flood risk areas (Flood Zones 2 and 3) and other areas affected by other sources of flooding where possible.

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The Council's Flood Risk Sequential Test Practice Note states that for sites where the Council is satisfied that the existing use is no longer viable and a conversion to alternative use is necessary to bring it back into use, the Council will consider the regeneration benefits of bringing it back into use versus the implications of remaining vacant. If the Council is satisfied that the benefits that would arise from bringing the building back into use cannot be provided by development on an alternative site, then the search area for the Sequential Test can be the application site alone and the Sequential Test thereby passed.

The Practice Note goes on to state that the replacement of an existing building with a new, suitably flood-resilient design is likely to be preferable to the conversion of an existing building if the exposure of people and property is to be minimized. In such cases, the sequential test search area can be limited to the application site and the sequential test passed... In some cases, it will not be possible to bring the building back into use without some increase in floorspace, such as through the provision of additional floors or some degree of extension. In such cases, the search area for the Sequential Test may still be the site alone, but the proposed additional floorspace should not be significantly more than is required for a deliverable scheme.

In this case, it is possible that the existing building could be converted from the existing office use to residential use through the government's prior approval process. While it is noted that the proposal is for additional accommodation compared to the existing use, the site already benefits from extant planning permission (15/05530/P) for residential use of increased intensity.

The site was subject to the Sequential Test in relation to extant permission 15/05330/P. The current application does not include a Sequential Test assessment but is accompanied by a Flood Risk Assessment (FRA). Officers consider this approach to be appropriate to the site given that there are clear regeneration benefits through the redevelopment of this site, including providing additional floorspace, with a more flood-resilient design. This would mean that the sequential test could be limited to the site alone and considered passed. This is provided that the matters raised by the EA in terms of the FRA are addressed. A detailed sustainable drainage strategy (SUDS) would also be sought via condition (underground storage tanks and permeable paving are proposed, but require further justification).

In summary, the scheme is not considered acceptable without the provision of an updated FRA to address the Environment Agency's concerns, however this information could be provided following the committee meeting should Members be minded to recommend approval otherwise.

**(E) TRANSPORT, MOVEMENT AND HIGHWAY SAFETY**

Policy BCS10 of the Bristol Core Strategy states that proposals should minimise the need to travel, especially by private car, and maximise opportunities for the use of walking, cycling and public transport and sets out a user hierarchy for transport priorities with pedestrians then cyclists at the top.

Policy DM23 of the Site Allocations and Development Management Policies Document (SADMP) highlights that development should not give rise to unacceptable traffic conditions and will be expected to provide safe access to the highway network, access to public transport, improvements to overcome unsatisfactory conditions, enhanced pedestrian and cycle network- it also sets out parking standards (these are maximum standards for car parking).

*Transport and parking*

The proposal is for 28 flats with two parking spaces provided, one of which would be disabled parking provision. Access would be via the existing access on Gordon Road.



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The site is within proximity of the city centre, approximately a 25 minute walk to the Old City or 10 minute bicycle trip. The nearest railway station is Stapleton Road, approximately a 10-15 minute walk away, which is on the route to Bristol Temple Meads Station with connections beyond. The nearest bus stop a few minutes' walk away on Ashley Road, serves the no. 5 bus route, with a service running every 30 minutes. Stapleton Road is better served by more frequent bus services and is a 10-15 minute walk away. In summary, although bus services close to the site are not as frequent as other parts of the city centre, overall this would be considered to be a sustainable location, where residents could be expected to live without the need for a car. There are car club vehicles available nearby on Conduit Place and at 138 Lower Ashley Road.

Trip data indicates that the proposal would result in an increase in the number of trips compared to the existing office use, of which 40% would be by car, 40% on foot and 20% by public transport (based on travel to work data in Ashley ward from the 2011 census). The applicant argues that the number of two-way cycle trips is likely to increase for the site due to the provision of cycle parking, and the location in relation to Concorde Way and Frome Greenway cycle links.

The site is not within a Residents Parking Scheme (RPS) area but lies immediately to the north of the St Pauls RPS (the boundary of which runs along Lower Ashley Road). The surrounding area outside the RPS therefore experiences significant parking pressure due to overflow parking and due to commuter parking as well as residential parking. The area is densely developed with residential dwellings and much of the housing stock is terraced housing without off-street car parking, all of which contributes to the parking demand. The majority of the public comments received to the application highlight the issues around parking pressure in the area and the difficulties that existing residents experience in parking.

Due to the site being outside of the RPS, there would be no means of preventing future residents from owning a car (i.e. through restricting future residents from obtaining residents' parking permits), though it could be advised that were a future RPS to be implemented in the area, that residents not be eligible for parking permits.

According to the Transport Development Management Team (TDM), car ownership data per household indicates that up to 25 vehicles could be generated by residents of the development. This is likely to therefore mean an impact on the amenity of existing residents through increased parking pressure.

A parking survey has been submitted with the application; however it is only a basic level survey and lacks detail regarding the methodology used. The Transport Development Management Team (TDM) has raised objections to the methodology used. It would not be possible to carry out further parking surveys at the current time due to the Covid-19 situation, and it could be some time in the future before it would be possible to do so again.

Transport Development Management object to the application on the basis that, based on their knowledge of the area, it is unlikely that there would be sufficient on-street parking spaces available to accommodate the parking requirements of this development, which would lead to an impact on the amenity of local residents and highway safety of surrounding streets through unsafe parking.

An extant scheme for student accommodation exists for the site (with zero parking provision). TDM consider the extant permission to be materially different than the current proposal given that students tend to own fewer cars than other residents. Nonetheless, this consent is a material consideration.

Other points to consider are that the site itself is of a limited size and a constrained shape/ layout. Provision of more parking on the site would require either a substantially reduced building footprint or parking to be provided at the ground floor level. This may impact on scheme viability and ultimately delivery of a redevelopment scheme.

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Community consultation was carried out in early 2019 on a scheme comprising 28 flats in a 4-storey block, with 10 parking spaces (see Community Involvement Statement for details). This scheme had a significantly larger building footprint/ extent than the proposed scheme and no outside amenity space.

Pre-application enquiry 18/04955/PREAPP (November 2018) was for a scheme of 28 units within a 4-storey block incorporating 12 off-street parking spaces. Responses to this pre-application scheme received from St Pauls Planning Group stated that the proposed parking was considered to be excessive for this sustainable location. The Bristol Civic Society commented that the provision of car parking spaces in this city centre location appeared to be over-generous and that they would support a car-free development in this location.

Through application discussions, options were considered for including parking onsite but this raised various issues relating to access, highway safety, urban design and provision of external amenity space. Officers consider that the site is highly constrained in order to accommodate parking. Basement parking for a scheme of this scale is deemed highly unlikely to be viable as costs are known to be significant. The flood risk on the site would also render that option problematic.

Other considerations include whether redevelopment for alternative use, e.g. office would mean less demand for additional parking. Any commercial redevelopment would likely require an increase in floor area in order to be considered worthwhile and to meet local planning policy regarding the efficient use of land, and this may increase parking demand compared with the existing situation (though possibly still less than a residential proposal). In addition, it has already been established that there is a question of demand for such a use in this location, meaning that such an option is unlikely to be viable.

Balanced against these concerns, the proposal offers substantial public benefits in terms of the regeneration of the site in what is deemed to be a sustainable location, improvement of the urban design of the area (albeit noting significant objection to the loss of trees) and the provision of much needed affordable housing and additional housing generally as a contribution to citywide housing need. Disabled parking provision requirements are met.

*Parking summary/ conclusion:* - It is the view of officers that the site is within a sustainable location where low-car/ car-free development on this site would be appropriate, subject to a Travel Plan to encourage the use of more sustainable modes of transport than private vehicle.

#### *Highway safety*

Transport Development Management has raised no objections on the grounds of highway safety.

The proposed parking spaces would involve vehicles exiting the site across the public footpath and cycle route, however officers are satisfied that the design and layout has taken account of visibility for drivers and that as vehicle and pedestrian/ cycle speeds would be low that this should not pose a highway safety risk.

Servicing is proposed to take place from Gordon Road. The doors to the refuse/ recycling store is proposed within an acceptable distance from the highway. Concerns raised by residents regarding additional noise and disruption due to servicing from this point are noted. However, this is the existing point of servicing for properties on Gordon Road and while servicing would increase, this would not be considered to be unacceptably detrimental to residential amenity, particularly given the frequency. In addition, servicing along Lower Ashley Road would mean either holding up the flow of traffic which would be wholly unacceptable on this busy road, or the creation of a loading bay resulting in the loss of parking spaces. Given the parking pressure and infrequency of use of such a servicing bay (meaning it would remain empty a large proportion of the time), this option would not be deemed the optimal solution.

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Cycle parking storage is proposed within the basement, with lift access. While it is proposed in the form of tiered stands rather than Sheffield stands, as preferred, refusal would not be recommended on this basis when weighed against the other scheme benefits.

*Other matters*

The application proposes the adoption of a strip of the site along its western boundary to contribute to the widening of the footpath/ cycle link to Gordon Road. This route should be resurfaced and new lighting and suitable bollards provided to be delivered via Section 278 Agreement. The footway to Lower Ashley Road should be resurfaced; along with the footway on Conduit Road during development should permission be granted.

Double yellow lines and waiting restrictions are required around the end of the turning head adjacent to the site on Gordon Road to ensure access to the proposed parking bays and servicing access; this will require an amendment to the existing Traffic Regulation Order (TRO) for the area. The cost of the TRO would be £5,724 to be sought through Section 106 agreement as well as the separate cost for lining.

A Construction Management Plan and Highway Condition Survey would also be sought via condition.

**(F) URBAN DESIGN**

Policy BCS21 of the Bristol Core Strategy states that development should deliver high quality urban design, and sets out the ways in which development should achieve this.

Policies DM26, DM27, DM28 and DM29 of the Bristol Local Plan- Site Allocations and Development Management Policies document (SADMP) apply and set out more detailed design criteria by which developments will be judged. The key principles being that the design of development will be expected to contribute towards local character and distinctiveness and result in the creation of quality urban design, making efficient use of land and resulting in healthy, safe and sustainable places. The Urban Living Supplementary Planning Document (SPD) sets out further considerations for major scale development in the urban context.

Objections have been received to the application including on design grounds from the Montpelier Conservation Group and Bristol Civic Society- please see 'Response to Publicity and Consultation' section for full comments.

*City Design Group comment*

The Council's City Design Group is satisfied that the urban design matters raised in terms of the original submission have been addressed. Further improvements could be made in terms of securing tree planting along the Lower Ashley Road frontage and also improving the aspect/ daylight/ ventilation/ access to outside space to ground and first floor units through removing the enclosed corridor on the north (rear) elevation. There should be no requirement for this corridor to be enclosed at ground and first floor levels (in terms of Building Regulations) and opening it up would offer benefits in terms of the amenity of future residents, without resulting in privacy issues to neighbouring residents.

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The existing building and site overall have a harmful impact on local character given the nature of the office building and modern construction. The proposal has been designed to respect the building lines and scale of existing historic development surrounding the site, as well as the local grain of development. It responds to the different characters and functions of the surrounding streets Lower Ashley Road, Gordon Road and Conduit Road.

The development is based on a four-storey, flat roof design with a block form and set-back top-storey. While the flat roof form is in contrast to much of the historic pitched roof development in the immediate area, it is deemed to be appropriate given the stepped-back top-storey, which relieves the massing. It also allows the incorporation of solar photovoltaic panels atop the flat roof. The scale respects that of existing and permitted development (at 17-29 Lower Ashley Road), while optimising the density of development and making the most efficient use of land.

In terms of the grain of development, the bulk of the building could be further broken down to reflect the proportions of the terraced buildings opposite, however this would not reflect the internal layout. Instead, the proposal has been divided into two main blocks to reflect the site topography and the massing broken down to reflect the grain of local development with a strong vertical emphasis and detailing to window surrounds, in a contemporary way.

The proposal balances considerations such as provision of external amenity space for future residents, unit aspect, privacy and outlook for existing/ future residents, parking level and scale of development. The overall approach is deemed to be appropriate. Further details will be provided of the child yield calculation requirement for outside space; however as set out above, the overall external amenity space provision has been arrived at through the balancing of a number of different issues.

The proposed materials are predominantly a grey brick material with render to window details and the top storey. While this grey brick is not a local material, it has been selected to reflect the terraced development opposite and on Gordon Road of grey rubble stone and on balance is deemed appropriate. Samples of the proposed materials would be sought by condition.

A narrow landscaped strip is provided to Lower Ashley Road providing defensible semi-private space to residents of ground floor units and an enhancement of local character at pedestrian level. This strip does not include new tree planting, as it has been stated that to do so would require the building line of the development to be pushed back, constraining the development unacceptably. Tree planting has been provided along the Conduit Road frontage however, within a wider landscaped area within the development site. These are significant improvements to the local street scene, provided that maintenance is carried out regularly. A condition to this effect would be recommended. A condition would also be sought to explore options for planting of small tree species along the Lower Ashley Road frontage.

Overall the proposed development would be considered to be appropriate to the local context and a significant improvement compared with both the existing situation and previous and extant planning permissions. The proposal has been assessed against the relevant planning policy and is deemed to meet the design policy objectives.

*Crime reduction considerations*

Police Crime Reduction Unit (CRU) recommendations:

- All entrances and gates to be via access control system with video entry phones and electronic lock release with video to be capable to being captured and stored for at least 30 days.
- The cycle store should be lit, gated and lockable.
- Ground floor glazing should meet the requirements of BS EN 356:2000 P1A.
- Access control throughout the building to prevent unlawful free movement throughout the

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building.

- Communal surface mounted letterboxes should meet the requirements of TS009.
- Affordable housing schemes are expected to obtain 'Secured by Design' certification wherever possible.
- Treatment of the development to the alleyway elevation with anti-graffiti paint would be recommended. Conditions are recommended to secure the above details.

**(G) RESIDENTIAL AMENITY**

Policy BCS21 states that new development will be expected to safeguard the amenity of existing development and create a high quality living environment for future occupiers. Policy DM27 of the Site Allocations and Development Management Policies Document (SADMP) states that development will enable existing and proposed development to achieve appropriate levels of privacy, outlook and daylight.

*Impact on Existing Residents*

The site is situated within a residential area and surrounded on all sides by existing residential properties and to the North West, the permitted redevelopment of the site 17-29 Lower Ashley Road is a consideration.

The proposal has a revised scale compared to extant permission 18/05532/M, which incorporated a fourth storey of accommodation within a pitched roof form, whereas the current proposal is for a fourth storey within a flat roof form- set back from the front and side edges of the development- please refer to 'Proposed Third Floor Plan'.

The building footprint and building lines have also been amended. The current proposal now wraps around the Conduit Road and alleyway/ Gordon Road frontages to a greater degree providing a more formal street frontage in these locations.

Privacy

The extant student permission included a full elevation of windows to the rear. The current application proposes enclosed access corridors to the rear with limited windows. This offers benefits in terms of privacy for residents to the rear.

In summary, it is concluded that privacy would be improved under the proposals and the main consideration would be whether the proposal would result in an unacceptably increased sense of enclosure, overbearing and impact on daylight/ sunlight.

Enclosure, overbearing

The current proposal is clearly of a larger scale than the consented scheme both in terms of height but also building footprint- which now extends to more than one storey to meet existing properties on Gordon Road and Conduit Road. This would result in a greater degree of enclosure than the extant permission and a greater sense of overbearing. It is the view of officers that the proposal is at the limit of what could be considered acceptable on this site. Compared to the consented scheme there would be an additional impact.

On balance, officers consider that the additional impact compared to the extant permission would not be so significant that refusal of permission would be recommended on this basis.

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The applicant has submitted a Daylight Sunlight Assessment, which is deemed to be in line overall with the Building Research Establishment's (BRE) guideline methodology for such analyses. These are guidelines rather than a mandatory standard and must be considered in terms of the site context.

The guidelines state that living rooms, dining rooms and kitchens should be assessed, whereas bedrooms should be assessed but are less important in terms of requirement for daylight/ sunlight. Non-habitable rooms such as bathrooms, W.Cs, storage and circulation areas do not require assessment. The approved schemes at Tudor Road and 17-29 Lower Ashley Road (Yard Arts site) have also been assessed.

Questions have been raised by neighbouring occupiers regarding the methodology and accuracy of the modelling undertaken in the assessment. The Assessment report sets out that a digital three-dimensional model of the study area has been created. This is based on certain assumptions given that neighbouring properties were not surveyed, which is standard methodology. Where possible, the layout of neighbouring properties has been checked via online property website information and if not available, then a conservative estimate has been used.

**Vertical Sky Component (VSC)**

The BRE Guideline- is that VSC should exceed 27% or the ratio of change should be 0.8 or above. The Assessment identifies that the main impacts of the development would be to the following sensitive properties:

- 1-5 Conduit Road (adjacent flats): BRE criteria met.
- 2 Conduit Road: Daylight likely to be affected to one window- although the transgression would be minor (a ratio of change in VSC of 0.74- the target is 0.8). The use of the room is unknown but assumed to be a habitable room, it is unknown if this room has other windows. This dwelling appears to only have an aspect onto Conduit Road and not to the rear. However, the proposal would maintain a similar relationship as existing buildings on the street and overall the outlook of this dwelling would be improved. Room dimensions have been assumed and a potentially conservative approach taken.
- 49 Lower Ashley Road: Daylight likely to be affected to one window- although the transgression would be minor (a ratio of change in VSC of 0.74- the target is 0.8). The use of the room is unknown but assumed to be a habitable room. Planning application 03/02125/F for conversion of the public house to flats indicates that the affected window would be the sole window to a bedroom. The proposal would maintain a similar relationship with this property as existing buildings on the street and overall the outlook of this dwelling would be improved. This property has a south facing elevation that would be unaffected. Room dimensions have been assumed and a potentially conservative approach taken.
- 3 Gordon Road- BRE criteria would be met (including to the kitchen window).
- 17- 29 Lower Ashley Road approved scheme: most windows within the east elevation would be unlikely to be significantly affected, with the exception of Window 5 of Room 4 (bedroom) on the 1<sup>st</sup> floor, which would experience a significant reduction in daylight- Daylight affected. Due to the narrow facing elevation across lane, it is considered by the assessment that it would be almost impossible to develop the site without a noticeable degree of change and that it equates to unneighbourly development).

The urban context is also a consideration and that any development on this site would have an impact on these windows. Existing VSC of windows at 2 Conduit Road and 49 Lower Ashley Road currently

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have a very good VSC (over 30%), which is significantly higher than would be expected in such an environment given that the application site is under developed.

**Annual Probable Sunlight Hours Assessment – Internal Rooms**

All properties would meet the BRE guidelines in respect of the annual and winter sunlight hours received to internal rooms, though some rooms would experience a reduction in values.

**Annual Probable Sunlight Hours Assessment – External Amenity Space (Sun on the Ground)**

The BRE Guidelines recommend that at the spring equinox (21<sup>st</sup> March) at least 50% of the amenity area should receive at least 2 hours of sunlight or the area which receives 2 hours of direct sunlight should not experience more than a 20% reduction (i.e. if the ratio of change is less than 0.8 then the loss of sunlight would be noticeable).

As would be expected, the main affected properties would be those immediately to the north of the application site:

- 1-5 Conduit Rd- would experience a ratio of change of 0.7, however the area would still benefit from two hours or more of direct sunlight to 55% of the area). This is a communal hard landscaped area and it is unclear to what extent this space is used.
- 3 Gordon Rd – would experience a ratio of change of 0.6- from 50% of the existing area lit for 2 hours or more on the 21<sup>st</sup> March to 29% of the existing area lit.

This property also has a raised terrace area to the rear (east) of the kitchen as observed by officers on site, which does not appear to have been factored into the assessment. Taking that area into account would potentially improve the assessment outcome.

The assessment states that in March the low angle of the sun makes some gardens very sensitive to any change in sky obstruction. Therefore same test was also applied to 3 Gordon Road on 21<sup>st</sup> June and in that case 92% of the area would be lit for 2 hours or more under the existing or proposed situation.

The BRE Guidelines state some degree of transient overshadowing should be expected from new development.

**Daylight/ sunlight assessment conclusion**

The proposal would affect the windows/ rooms of only a few properties; however it should be noted that these currently experience higher daylight/ sunlight levels due to adjacency to this underdeveloped/ gap site, than would normally be expected from such an urban context where land is typically more densely developed. In addition, the extant permission for student accommodation is a material consideration and would also have an impact on daylight/ sunlight levels.

Taking all considerations into account, officers recommend that the impact on residential amenity in terms of daylight/ sunlight impacts would be acceptable.

*Future Residents***Space Standards**

Policy BCS18 of the Bristol Core Strategy requires residential developments to provide sufficient space for everyday activities and to enable flexibility and adaptability by meeting appropriate space standards, as set out within the Council's Space Standards Practice Note.

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The proposal has been assessed and would meet the national space standards.

**Single aspect/ dual aspect units**

The creation of dual aspect units (that is flats with views out on more than one frontage) is desirable in order to achieve a high quality living environment, improved outlook for residents, improved thermal and ventilation performance, improved daylight and sunlight, and to address issues such as air quality and noise.

The proportion of single aspect units within the scheme would be 50%.

Although the Daylight Sunlight Assessment does not model the levels within the proposed development, it is expected that the units would have reasonable standards of daylight and outlook due to larger south-facing windows.

*Summary- residential amenity*

Officers consider the proposals to be acceptable on balance in respect of residential amenity.

**(H) SUSTAINABILITY AND CLIMATE CHANGE**

The Bristol Core Strategy contains specific policies relating to sustainability as follows: Policy BCS13: Climate Change, BCS14: Sustainable Energy, BCS15: Sustainable Design and Construction and BCS16: Flood Risk and Water Management. These policies now require developers to demonstrate through Sustainability Statements and Energy Statements how they have addressed the objectives of these policies, on a proportional basis relative to the size of the development. Development should demonstrate how it has considered and would adapt to climate change through measures that include seeking to mitigate overheating impacts.

Policy BCS14 states that development will be expected to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%.

An Energy Statement has been submitted. The Sustainability Officer has highlighted that no energy efficiency measures over baseline Part L (Building Regulations) are specified. It is therefore not possible to calculate the residual energy use or establish if the proposal has taken every opportunity to reduce energy demand/ maximise energy efficiency. This information will be sought, preferably prior to the Committee meeting with an update to be given via the Amendment Sheet.

**Renewables**

Within the Energy Statement, approximately 58sqm of solar photovoltaic panels are identified as being required to achieve a 20% reduction in carbon dioxide emissions compared to the baseline energy demand/ emissions based on Part L Building Regulations (i.e. without additional energy efficiency measures).

Were energy efficiency measures to be identified, this would reduce carbon dioxide emissions overall and therefore reduce the amount of PV panels required to achieve a 20% reduction. Solar photovoltaic panels are not shown on the proposed roof plans, however there is considered to be appropriate space available on the roof to provide this level of PV panels with suitable orientation.

**Overheating assessment**

Paragraph 150 of the NPPF states that new development should avoid increased vulnerability to the



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range of impacts arising from climate change... in areas that are vulnerable... care should be taken to ensure that risks can be managed through suitable adaptation measures.

The Council's Urban Living Supplementary Planning Document (SPD) states that developments should be considered in terms of reducing the risk of overheating and that this should be an integral part of their design. Thermal Comfort (overheating) Assessments should be utilised.

The Council's Sustainability Team has requested an overheating assessment on the basis of there being certain units that would be vulnerable to overheating in future climate change scenarios i.e. the single aspect South facing units of Floors 2 and 3. This equates to 4 units in total, with another 2 units with dual aspect south and west that may also be vulnerable. These units may not have sufficient air flow if purge ventilation is the chosen method of cooling due to being single aspect.

It should be noted that a number of the single aspect units front Lower Ashley Road have been specified as having sealed shut windows to mitigate against air quality levels at certain levels. Conditions would be recommended to secure further details of which windows this would apply to.

The submitted Energy Statement states that brise soleil (solar shading) will be installed over south and west facing windows. It states that external shading is recommended- vertical shading will be more effective than horizontal shading to protect from lower level sun. Setting the glazing back in deep reveals will help limit solar gains.

Horizontal brise soleil are shown on the detailed elevation drawing for the top floor of the proposed development (south and west elevation). This also demonstrates that the windows are inset slightly (by approximately 160mm) due to the proposed window surrounds, which would provide some solar shading at certain times of day. The installation of these features should be secured by condition.

#### District Heating connection

The proposal is to incorporate a community heating system (boiler) with wet radiators. The Council's Energy Services Team has advised that although there is no district heating system available currently to connect to, that this is an area of high demand identified for future district heating networks. They therefore seek that the development be made 'district heating' ready to ensure that it could connect in the future.

The space available (plant room) for future plant equipment necessary to connect to a district heating system should be assessed – further information is to be sought. The further detail of this arrangement could be secured via section 106 agreement.

#### (I) NATURE CONSERVATION

The site has limited nature conservation value in its current state and therefore the proposal would constitute an enhancement through the proposed landscaping scheme. The provision of bat and bird boxes could be secured by condition to further enhance the biological diversity potential of the site.

Tree matters are covered at Key Issue (A) of the report.

#### (J) AIR QUALITY, POLLUTION CONTROL AND CONTAMINATED LAND MATTERS

##### Air Quality

The NPPF states at paragraph 181 that " Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking

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into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement... Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.”

Core Strategy policy BCS23 and Site Allocation and Development Management Policy (SADMP) DM33 make clear that development proposals must take account of the impact of existing sources of pollution on the new development and mitigate its impact on future occupiers.

SADMP policy DM14 states that development should contribute to reducing the causes of ill health, improving health and reducing health inequalities within the city through addressing adverse health impacts, providing a healthy living environment, promoting healthy lifestyles and providing good access to health facilities and services. Developments that will have an unacceptable impact on health and wellbeing will not be permitted.

The Council is introducing two Clean Air Zones (CAZ); this site sits within the outer CAZ where non-compliant commercial vehicles would be charged to enter. Private vehicles would not be charged.

The Local Air Quality Action Plan (adopted 2004) is contained within the West of England Joint Local Transport Plan however this is in the process of being updated through the current CAZ process and the work that the Air Quality Team are carrying out on developing plans for reducing particulate pollution from solid fuel and construction machinery. The over-arching legal requirement for national compliance with roadside nitrogen dioxide (NO<sub>2</sub>) in preparing air quality plans is that plans must aim to reach compliance as soon as possible, to start reducing exposure as soon as possible and ensure that compliance is likely, not just possible.

#### *Air Quality Assessment*

The submitted Air Quality Assessment sets out that existing air quality conditions close to the proposed development are poor, given the busy nature of the road and canyon-like features resulting in limited dispersion, with measured nitrogen dioxides concentrations (NO<sub>2</sub>) exceeding the annual mean objective along Lower Ashley Road. The site is within an Air Quality Management Area.

Computational Fluid Dynamic (CFD) modelling has been used to predict the NO<sub>2</sub> concentrations at the façade of the development and nearby sensitive receptors (properties). The report states that a worst-case scenario has been assessed by assuming that the development has been completed in 2017 and that this will have led to concentrations and impacts being overstated, since pollutant concentrations are expected to reduce in future years.

While the proposed development itself would not be considered to significantly impact on air quality through energy demand or traffic movements, the introduction of a four-storey development onto the currently low-rise site has the potential to affect air flow, thereby changing the air quality at other receptors. This would be the case for any development of an increased scale above the existing one-storey building height.

The assessment has been run taking into account the approved development opposite the site at the junction of Lower Ashley Road and Tudor Road (which it is understood is being implemented). The Yard Arts scheme (17-29 Lower Ashley Road ref. 18/06646/F) was not been included in the assessment given that permission for that site had been refused at the time of the assessment. Including that (now approved) scheme within the assessment may give different, and potentially worse, results in terms of air quality given that it would further enclose Lower Ashley Road.

The assessment considers firstly impacts on existing properties and secondly the impacts on future occupiers of the development.

**Development Control Committee B – 24 June 2020****Application No. 19/02157/F : 31 - 45 Lower Ashley Road St Pauls Bristol BS2 9PZ***Impact on existing properties*

The results of the Air Quality Assessment (AQA) take into account the degree to which air quality levels already exceed the air quality objective of  $40 \mu\text{g}/\text{m}^3$  (Table 3 of the AQA refers). For Lower Ashley Road, at ground floor and first floor level receptor properties in particular, the air quality objective level is already exceeded to a significant degree.

The development would be predicted to result in between a 1-5% increase in Annual Mean  $\text{NO}_2$  concentrations for the worst affected properties compared to the objective level. When taking into account the degree to which this would exceed the objective level, this would be categorised as being a substantial adverse impact according to the relevant methodology.

The modelling shows that in terms of neighbouring properties, the air quality would deteriorate (due to changes in air flow) at more properties than air quality would improve. Table 5 in the AQA sets out the relative impacts, some of which are a substantial adverse impact. The Air Quality Team would normally object when a development has an impact that is worse than negligible.

Table 5 states that 10 properties would experience a positive impact on air quality as a result of the development (though all would still exceed the objective level) and 15 properties would experience a negative impact on air quality (12 of which would exceed the objective level). There would be 14 impacts deemed negligible.

The range of increase in annual mean  $\text{NO}_2$  concentration, for the 12 properties that would experience an exceedance of the  $\text{NO}_2$  concentration objective level of  $40 \mu\text{g}/\text{m}^3$ , would be between 1 and 5% compared to the objective level. Refer to Air Quality Assessment for full analysis.

The report argues that because there are some improvements in air quality (albeit fewer), this can be weighed against the deterioration and thus overall the impact is neutral and negligible. The report states that "When considering the significance, it is important to take into account that the latest EPUK/IAQM guidance states that "a moderate or substantial impact may not have a significant effect if it is confined to a very small area". Adverse impacts may only occur at 7 to 15 properties in total, and the adverse impacts are thus considered to only affect a relatively small number of properties."

The Air Quality Team (AQT) has responded that while the adverse impact does affect a smaller number of properties, because the scale of the impact ranges from slight adverse to substantial adverse, that an objection is appropriate, particularly as they would normally object to any impact worse than negligible. The Air Quality Team does not think that some residents should experience a worsening of air quality, and the health impacts that that brings, because some other residents experience an improvement. In any case, the worsening of air quality is acknowledged in the report to outweigh the improvement.

The Air Quality Team goes on to advise that residents in Lower Ashley Road experience some of the worst air quality in the city and that they believe that this development has the potential to worsen air quality further at relevant receptors. Inadequate mitigation has been proposed to deal with this significant issue. The Air Quality Team therefore objects to this development as it runs counter to BCS23. Furthermore, changes to the scheme since the report and modelling were carried out have the potential to be important factors in predicting air quality.

The applicant's Air Quality Consultant responds that the design changes to the proposed scheme are very minor (they do not affect the scale or massing significantly but mainly relate to façade adjustments) that would not substantially influence the outcome of the modelling hence they have opted not to re-run the modelling based on the amended scheme.

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The report states at para. 6.3- 6.4 that “Mitigation measures to reduce pollutant emissions from road traffic are principally being delivered in the longer term by the introduction of more stringent emissions standards, largely via European legislation (which is written into UK law). The local air quality plan that Bristol City Council is required to produce in order to address limit value exceedances in its area will also help to improve air quality; the proposed implementation of a Clean Air Zone can reasonably be expected to lead to improvements in the study area... It is also worth noting that the road traffic emissions used in the model do not reflect the Government’s ambitions as set out in the Road to Zero Strategy (see Paragraphs 2.3 and 2.4), predicting a relatively low proportion of zero tailpipe emission vehicles in years up to and including 2030. If the Government’s ambitions relating to the uptake of zero tailpipe emission vehicles are realised then the emissions are likely to be overly-conservative for the latter part of the 2020s, if not the entire decade.”

The Air Quality Team has advised that mitigation must reduce the impact of the development, so that acceptable mitigation would involve redesigning the building to ensure that the impact at nearby facades fall into negligible or below categories.

The planning assessment should not take into account future improvements e.g. through the CAZ or reduced emission vehicles, but should be based on the current situation.

*Impact on future proposed properties within the development*

The assessment has been reviewed by the Council’s Air Quality Team, which has commented that the future occupants of the proposed building are not predicted to be exposed to illegal levels of nitrogen dioxide (NO<sub>2</sub>).

Nevertheless, the report sets out that the proposed development will include sealed windows on the façade fronting onto Lower Ashley Road and will incorporate mechanical ventilation, taking cleaner air from the roof or rear of the building.

*Summary*

As set out above, the Air Quality Team objects to the proposals on the basis of the predicted adverse impact on existing properties. There are also a number of shortcomings of the current Air Quality Assessment that should be considered including the failure to include the recently permitted adjacent redevelopment scheme at 17-29 Lower Ashley Road and to repeat the modelling based on the revised application scheme.

However, the extant permission (15/05530/P) for a three-storey student accommodation block on the site is another material consideration that officers advise should be given weight in the consideration. Although air quality modelling was never carried out in relation to that permission, it is the view of your planning officers that it is likely that the extant scheme would have a comparable impact on air quality as the current application given its footprint, scale and overall enclosure of the road. This would require additional modelling to verify however.

It is also the view of the planning officer that any development above the existing single storey level building is likely to have some adverse impact on the air quality of the area compared to the existing, given that this would have an enclosing effect on Lower Ashley Road, though similarly, this cannot be quantified without further modelling.

This raises the consideration that in order to bring this site forward for more efficient land use in this sustainable location and address the ‘gap’ nature of the site within the street frontage (and regeneration/ urban design considerations); some degree of negative impact on air quality would likely have to be accepted. To require no change to air quality to be demonstrated could effectively ‘blight’ the delivery of a scheme on this site.

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The consideration before Members is therefore whether the regeneration benefits of the proposed development and provision of housing/ affordable housing when weighed together with the likely impact of the extant permission for student accommodation, would outweigh the air quality objection. The current proposal offers the opportunity to ensure that future residents of the development would benefit from a better situation arising from sealed shut windows and mechanical ventilation than the extant scheme.

Having carefully weighed up these considerations and given the air quality objection and potential health/ wellbeing impacts of the proposal considerable weight; officers are of the view that the other benefits of the proposal would outweigh the predicted impact in terms of air quality in this particular instance.

Noise

The site is situated along a busy road subject to heavy traffic. An Acoustic Assessment has been carried out and reviewed by the Council's Pollution Control Officer, who has confirmed that the methodology followed is acceptable.

Noise levels at the rear of the property, away from the road are lower and no enhanced scheme of sound insulation required. The front of the building facing Lower Ashley Road requires slightly higher sound insulation specification than is required to the sides of the building. Suitable attenuated means of ventilation will be required on the front and side facades and recommended internal noise levels will only be achieved when windows are closed. From the noise point of view, the Pollution Control Officer would not require that windows should be non-openable but the windows would need to be suitably sealed when shut and suitable alternative ventilation is required. Conditions would be required to secure the appropriate level of sound insulation and means of ventilation.

Contaminated Land

The Public Protection Team (Land Contamination) has confirmed that the proposed use is sensitive to contamination and the site is land, which could be a potential source of contamination.

The following report held in this office from earlier applications has been reviewed in relation to the application: Earth Environmental & Geotechnical Ltd. November 2016. Phase 1 Geo-Environmental Assessment. 31 - 45 Lower Ashley Road Bristol. A1641/16

Given the proposed development and identified sources of potentially contamination on and off site the desk study report advises further intrusive investigation's will be required. These should be secured by appropriate planning condition.

**(K) HEADS OF TERMS FOR PLANNING OBLIGATIONS**

The following planning obligations would be sought by legal agreement should Members be minded to recommend approval of the application:

- Affordable Housing requirements
- Future district heating connection
- Traffic Regulation Order financial contribution
- Adoption of strip of land along western boundary
- Travel Plan monitoring (if required)

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It is the view of officers that there are a number of key considerations with the current application – flood risk and air quality.

Although recognised as being a controversial matter locally, officers do not recommend refusal on the grounds of tree matters given the material consideration of the extant planning permission and that the trees can be removed without any requirement for further planning permission.

Officers consider that approval can be recommended subject to the submission of further information to seek to address the Environment Agency's written objection in terms of flood risk.

Material considerations in terms of air quality include the objection by the Air Quality Team on the grounds of adverse impact on air quality for existing properties (as identified in the submitted Air Quality Assessment), the 3-storey extant planning permission for student accommodation and the other planning benefits of delivering the proposed scheme on this site (including delivering affordable housing), which may only be realised through the provision of a building of this scale on the site.

Planning officers, having given considerable weight to all of these considerations, consider the other planning benefits of the proposed development to outweigh the degree of adverse impact in terms of air quality, taking into account the 'fall-back' position of the extant student permission, which is a further material consideration. It is also the view of these officers that while reducing the scale of the proposed development may reduce the extent of adverse air quality impact, that it is unlikely to remove the adverse impact all together.

**(M) COMMUNITY INFRASTRUCTURE LEVY (CIL)**

The CIL liability for this development is £123676.92, however social housing relief may be claimed on those residential dwellings included in the development that are to be managed by a Housing Association for the provision of affordable housing.

**RECOMMENDED** APPROVAL SUBJECT TO A) REMOVAL OF THE OBJECTION FROM THE ENVIRONMENT AGENCY AND B) SUBJECT TO PLANNING AGREEMENT AND CONDITIONS

Proposed conditions and advice notes are to follow (they are expected to be included on the Amendment Sheet to Committee). It is anticipated that these would cover the following matters (many of which are referenced within the above report):

**Trees**

- Revised landscape details investigating tree replanting options along Lower Ashley Road frontage to include tree pit specifications, tree species and size specifications, revised plan, maintenance considerations.
- Landscape Plan implementation and maintenance
- Tree Planting maintenance

**Housing**

- Plan and further details of affordable housing location and details

**Flood risk/ drainage**

- Sustainable Drainage (SUDs) strategy;

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Transport

- Secure 2 off street parking spaces (in full in accordance with approved details i.e. disabled bays) prior to occupation and retention in perpetuity;
- Servicing- prior to occupation provision of refuse etc store. To be made open and available to refuse crews
- Secure cycle parking prior to first occupation;
- Footpath works- resurfacing/ Travel Plan
- Construction Environmental Management Plan (CEMP)
- Highway condition survey
- Advice note removing rights of residents to parking permits in the event of a future Resident Parking Zone being introduced.

Design

- Large scale details
- Samples/ sample panels
- Crime reduction measures

Residential Amenity

- Obscure glazing
- Secure details of sealed shut windows and mechanical ventilation
- Secure details of noise insulation (perhaps glazing specification)

Sustainability

- PV panels plan needed
- Secure details including solar shading
- District heating- plant room space constraints

Other Matters

- Bird and bat boxes condition
- Contaminated land investigations

# Amendment Sheet

24 June 2020

## Item 1: - 31 - 45 Lower Ashley Road St Pauls Bristol BS2 9PZ

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5	<p data-bbox="296 472 1401 674">At the time of finalising the Amendment Sheet, 143 further public objections (including The Conservation Advisory Panel, Bristol Tree Forum, Montpelier Conservation Group and Bristol Clean Air Alliance below) have been received to the application objecting on the following grounds (in addition to those reasons already listed in the officer report). <b>The total number of contributors to the application is 235 (229 objections in total, 3 in support and 3 general representations).</b></p> <ul data-bbox="344 707 1401 2083" style="list-style-type: none"><li data-bbox="344 707 759 741">- The site is contaminated land.</li><li data-bbox="344 775 1382 875">- The land that the trees are on is not in the ownership of the developer. There are unresolved land ownership issues with the site- in relation to Bristol City Council owning some of the land;</li><li data-bbox="344 909 1398 976">- The original buildings on the site were set back from the main road, roughly where the existing building is.</li><li data-bbox="344 1010 1401 1133">- Each tree, if felled, would require up to 49 saplings to mitigate the carbon lost by 2030 (Bristol's target date to be carbon neutral)- see Bristol Tree Forum calculator. Tree density is chronically low in this area, tree removal would contravene BCC's One City Plan to double the tree canopy by 2046.</li><li data-bbox="344 1167 1401 1301">- An alternative plan has been drawn up by third parties, which demonstrates that the trees could be retained along with a viable scheme. A smaller scale, mixed-use scheme with a level of affordable housing that includes the retention of the existing trees should be sought.</li><li data-bbox="344 1335 1286 1402">- The area is already densely populated with several new developments in progress;</li><li data-bbox="344 1435 1110 1469">- The proposal would look out of place with its surroundings;</li><li data-bbox="344 1503 1382 1570">- The development offers no lasting social housing provision and is pushing social housing rents up and families out of the area;</li><li data-bbox="344 1603 1401 1872">- There are concerns regarding the Air Quality report- it is stated that "it appears this has manipulated the figures in their favour by turning continuous quantitative data into categorical data, thereby losing the magnitude of deteriorating air quality, and have made their %age increases related to 40ug/m3 rather than the starting point. . . Based on the actual data, some properties are way over 10% increase." Another cause for concern is that, according to Prof Tarlton, their modelled air quality figures are centred around 40ug/m3 (the 'legal' limit for air pollution), whereas last year's MEASURED average in that street was 53.4ug/m3."</li><li data-bbox="344 1906 1142 1939">- The Council's own Air Quality officer objects to the proposals;</li><li data-bbox="344 1973 919 2007">- The proposal would worsen noise pollution</li><li data-bbox="344 2040 1401 2083">- The proposals would be contrary to Core Strategy Policies BCS9, BCS13, BCS16 and BCS23. It takes no account of the Councils One City Plan. It contravenes</li></ul>



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	<p>development management policy DM33.</p> <p><u>The Conservation Advisory Panel</u> commented “Please don't remove trees as it's imperative that they are not destroyed at this time when we need more trees, and the inner city pollution is out of control.”</p>
6	<p><u>Montpelier Conservation Group has commented- Updated comment 18.06.20</u></p> <p>“We write with our objections to the revised drawings for above application, which is for “Construction of a 4-storey block of flats to provide 28 units of residential accommodation including affordable housing, cycle parking, refuse storage and amenity space”.</p> <ul style="list-style-type: none"> <li>□ We objected to the initial drawings for this proposal, and we are disappointed that the amended details do not respond to our objections.</li> <li>□ We will state only our objections to the revised design, to be read in conjunction with our earlier letter.</li> <li>□ The design continues to be for a monolithic bloc, albeit with a narrow vertical recess in the facade. The vertical detailing linking the windows on the first and second floors would not disguise the horizontal emphasis given by the continuous bands above and below these windows.</li> <li>□ The continuous, unbroken top storey, where the windows do not correspond to those on the lower floors, indicates the true form of the building.</li> <li>□ It is particularly disappointing that the applicants have persisted with this building form when the consented application for this site and that for the adjoining Yardarts site have facades which have a vertical emphasis which reflects the building context of Lower Ashley Road.</li> <li>□ We note the view of the Air Quality Team that there are positive benefits of the scheme which outweigh the harmful effects on Air Quality. However, given the identified high levels of pollution, it is questionable whether the site is currently suitable for residential accommodation.</li> <li>□ Certainly, it is essential that any building on the site incorporates the highest level of mitigation, such as non-openable windows and a positive air pressure ventilation system.</li> <li>□ Many of the objections to this proposal focus on the street trees. We have argued for their retention in this and previous applications for the site and we will restate our arguments on this key issue for the local community.</li> <li>□ The case officer's comments on a Pre-Application submission included:  “Of particular concern is the loss of the existing trees on site, albeit previously permitted, and officers would wish to explore whether options exist to now facilitate their retention given their high value to the street scene and local area.”</li> <li>□ We recognise that both previous and current planning consents allow for the removal of the street trees. We have objected to this aspect of each of the past applications and maintain our stance now. We deplore the recent attempt to remove the trees, particularly as it was carried out under an application that is clearly not going to be otherwise progressed.</li> <li>□ We note that the City Design Group has advised that “Further improvements could be made in terms of securing tree planting along the Lower Ashley Road frontage”,</li> </ul>

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	<p>but no such provision is made in the application..</p> <ul style="list-style-type: none"> <li>□ Lower Ashley Road is a very busy route for traffic travelling between the north and west of the city and the M32 and Easton Way. There are high levels of traffic pollution and noise. Any development of this site must take this into account. At present the street trees in front of the site mitigate these problems and their loss would be extremely damaging to the health and amenity of existing residents.</li> <li>□ Planting replacement trees elsewhere, even nearby, would not restore the beneficial effects the trees provide in their current position and we strongly object to their proposed removal.</li> <li>□ The Applicant's intransigence over the trees, coupled with the Local Planning Authority's failure to maintain the position set out in their Pre-Application response has resulted in widespread opposition to what could and should have been a commendable proposal to provide much-needed affordable housing.</li> </ul> <p>We continue to object to this application in its current form and ask for it to be refused."</p>
8-9	<p><u>The Bristol Tree Forum has commented- Updated comment received 12 June 2020</u></p> <p>"The Bristol Tree Forum (BTF) strongly opposes this planning application as it will result in the <a href="#">unnecessary removal of three important trees</a>. The application fails to mention the five TPO Norway maple trees of which two were felled some months ago. Indeed, of the seven important trees in the photograph [<i>officer note- for photograph see full comment online</i>], only three now remain.</p> <p>This is an area which already exceeds air pollution limits and has low tree canopy cover. Bristol must retain the trees and implement its own policies:</p> <ul style="list-style-type: none"> <li>• <b>Bristol Planning Policy DM15</b> states, "Many tree species absorb gaseous pollutants and also capture particulate matter."</li> <li>• <b>The One City Plan</b> is for a 25% increase in canopy cover by 2035; 100% by 2046. Cutting down important trees is not the way to achieve this. Few of the replacement trees will be planted close by in the resident area. Any loss of carbon, canopy and ecosystems will not be recovered for decades. This is a crucial staging post in the wildlife corridor, providing ecological services in line with Ecological Emergency and One City Plan (double wildlife abundance by 2045)</li> <li>• <b>Bristol's Planning Policy BCS9</b> states "Individual green assets should be retained wherever possible and integrated into new development". These trees are on the edge of the development site and therefore can be retained. Alternative designs have been provided to the developer, which keep the trees, and the BTF is very disappointed that these have been ignored.</li> </ul> <p>Bristol has declared climate and ecological emergencies. Given the significant community concern over the trees and the local and national media coverage, we urge the Committee to think very carefully about the message your decision will send out about Bristol's Green credentials."</p>
8-9	<p><u>Bristol Clean Air Alliance has commented- 18<sup>th</sup> June 2020</u></p> <p>"Bristol Clean Air Alliance objects to this planning application on air quality grounds.</p> <p>We draw the Committee's attention to the comment from council officer Steve Crawshaw:</p>

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	<p>"The report argues that because there are some improvements in air quality (albeit fewer), this can be weighed against the deterioration and thus overall the impact is neutral and negligible. I disagree. I do not think that some residents should experience a worsening of air quality," and "Residents in Lower Ashley Road experience some of the worst air quality in the city. I believe this development has the potential to worsen air quality further at relevant receptors. Inadequate mitigation has been proposed to deal with this significant issue. I therefore object to this development as it runs counter to BCS23."</p> <p>We note from Table 5 in the Air Quality Assessment that 15 of the properties would be adversely impacted as a result of the development."</p>
22	<p><u>Children's Play Space considerations</u></p> <p>The Urban Living Supplementary Planning Document) asks whether schemes creatively integrate children's play space. It recommends that schemes that are likely to accommodate children and young people should facilitate opportunities for play and informal recreation and enable children and young people to be independently mobile. Under 5s should be within 100m of a suitable play facility/ area, and all other children should be within 400m of a suitable play space. Providing 10sqm of play space for each child that is expected to live within a scheme, which should normally be integrated into a scheme.</p> <p>The child yield calculator sets out in relation to this SPD estimates a total of 5.8 children at this site (based on 10 affordable housing units, 5 no. 1-bed and 5 no. 2-bed) and a recommendation to provide 10sqm of play space per child. This equates to a total of 58sqm. The amenity space to the rear of the site measures 49sqm in size.</p> <p>While it is the view of officers that the amenity space to the rear would not be considered to 'creatively integrate play space', it does provide an enclosed outside space for informal recreation. It is understood that the layout of this space (and provision of ramped access) is to enable disabled and fire escape access.</p> <p>In addition, the site is within approximately 100m of the edge of Ashley Street park, which is reported to contain some very limited play equipment and within 200m of the entrance to Mina Road park, which includes a playground.</p> <p>It is the view of officers that the proposal meets the recommendations of this guidance.</p>
32	<p><b>Approval of the application is recommended subject to the following conditions and advice notes:</b></p> <p><b>Time limit for commencement of development</b></p> <p>1. Full Planning Permission</p> <p>The development hereby permitted shall begin before the expiration of three years from the date of this permission.</p> <p>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.</p>

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	<p><b>Pre commencement condition(s)</b></p> <p>2. Variations to the landscaping scheme</p> <p>No development shall take place until detailed drawings showing the following modifications to the scheme have been submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>a) Removal of reference to 'potential for future street trees' outside the site on Lower Ashley Road from Drawing P17-2959.004 'Landscape Masterplan'.</p> <p>b) Inclusion of small trees within the rear amenity space planting areas;</p> <p>c) Inclusion of small tree species along the Lower Ashley Road frontage (refer to relevant Advice Note);</p> <p>d) Inclusion of gated access to ground floor units from Lower Ashley Road (if not already proposed);</p> <p>e) Trees on Conduit Road to be planted within the ground rather than raised planters (refer to relevant Advice Note);</p> <p>f) Ground floor enclosed corridor to the north elevation to be opened up (i.e. not enclosed) as additional amenity space;</p> <p>g) All ground floor units to have door access and openable windows (including high-level windows/ fanlights) immediately onto the rear amenity space;</p> <p>These parts of the development shall be completed only in accordance with the modification thus approved.</p> <p>The hard landscaping scheme shall be carried out prior to the first occupation of the dwellings hereby approved. The soft landscaping proposals hereby approved shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials shall be maintained for five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced with others of similar size and species to those originally required to be planted.</p> <p>Reason: The landscaping scheme requires enhancement and this needs to be addressed before work starts on site to ensure that the appearance of the development is satisfactory.</p> <p>3. Further Details before commencement</p> <p>No development (excluding demolition and site preparation works) shall take place until detailed drawings of the following have been approved in writing by the Local Planning Authority. The detail thereby approved shall be carried out in accordance with that approval prior to the occupation of the development and shall thereafter be retained as approved in perpetuity.</p> <p>(a) All typical windows and doors (including porches, entrance details, bay windows and rooflights) - to include details of surrounds, profiles, cills and reveals;</p> <p>(b) Details of all roof edges, including parapets and rainwater goods;</p>

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	<p>(c) Details of all walling material junctions, including any window surrounds, set back walling panels, external and internal corners, car parking undercroft, return walls and soffits, lift core cladding;</p> <p>(d) Boundary railings/ gates / walls/ means of enclosure (including to undercroft);</p> <p>(e) Solar shading;</p> <p>(f) Any balustrades/ guard rails to roof parapets;</p> <p>(g) Utility boxes</p> <p>(h) Outdoor lighting (including details of siting, technical specifications, illumination levels, aiming angles), including to parking undercroft;</p> <p>(i) All mechanical system outside plant, terminal, grilles etc.</p> <p>(j) Details of anti-graffiti coating to ground floor brickwork west elevation and all front and side boundary walls;</p> <p>(k) Details of ground floor window/ door security specifications (to be toughened laminated glazing);</p> <p>(l) Details of all access control systems to entrances and gates and internally within the building;</p> <p>Reason: In the interests of visual amenity and the character of the area.</p> <p>4. Material samples</p> <p>Notwithstanding any materials noted on any approved plans, sample panels of all the external materials and finishes to all new building elements including boundary treatments and all landscaping surfaces, demonstrating the colour, texture, face bond, coursing, jointing and pointing to the masonry, are to be erected on site and approved in writing by the Local Planning Authority prior to the commencement of the relevant work, unless otherwise agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details prior to the first occupation of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure that the external appearance of the building is satisfactory.</p> <p>5. Details of solar panel system</p> <p>1) Prior to the commencement of the development hereby approved (excluding demolition and site preparation works), details of the proposed solar panel system including location, dimensions, design/ technical specification together with calculation of annual energy generation (kWh/annum) and associated reduction in residual CO2 emissions shall be provided within the Energy Statement.</p> <p>2) Prior to the first occupation of the development hereby permitted, the following information shall be provided:</p> <ul style="list-style-type: none"> <li>- Evidence of the solar panel system as installed including exact location, technical specification and projected annual energy yield (kWh/year) e.g. a copy of the MCS installer's certificate.</li> <li>- A calculation showing that the projected annual yield of the installed system is sufficient to reduce residual CO2 emissions by the percentage shown in the approved Energy Statement.</li> </ul> <p>Reason: To ensure that the development contributes to mitigating and</p>

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	<p>adapting to climate change and to meeting targets to reduce carbon dioxide emissions.</p> <p>6. Energy Statement</p> <p>Prior to the commencement of the development hereby approved, a revised Energy Statement shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing. The revised Energy Statement shall cover the following:</p> <ul style="list-style-type: none"> <li>i) Details of measures to improve the energy efficiency of the building compared to Building Regulations requirements;</li> <li>ii) Roof Plan indicating the layout of the solar panels;</li> <li>iii) Detailed plan indicating solar shading measures;</li> <li>iv) Details of proposed building heating system;</li> <li>v) Details of plant space requirements within the plant room;</li> </ul> <p>The development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the revised, approved energy statement, prior to the first occupation of the dwellings hereby approved, unless otherwise agreed in writing by the Local Planning Authority. A total 20% reduction in carbon dioxide emissions below residual emissions through renewable technologies shall be achieved.</p> <p>Reason: To address matters raised in the determination of the planning application and to ensure that the development incorporates measures to minimise the effects of, and can adapt to a changing climate.</p> <p>7. Heat Networks - Future proofing</p> <p>Prior to commencement, detail demonstrating proposed measures to future-proof the development for connection to a future district heat network shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed and thereafter maintained in accordance with the approved details.</p> <p>Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate.</p> <p>8. Noise Insulation Scheme</p> <p>No development 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.</p> <p>The scheme of noise insulation measures shall take into account the recommendations detailed in the Noise Assessment submitted with the application and the provisions of BS 8233: 2014 "Guidance on sound insulation and noise reduction for buildings".</p> <p>The approved details shall be implemented in full prior to the first commencement of the use permitted and be permanently maintained</p>

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	<p>thereafter.</p> <p>Reason: To safeguard the amenities of future occupiers and to ensure that appropriate noise insulation is incorporated within the scheme from the outset.</p> <p>9. Details of Extract/Ventilation System</p> <p>No development shall take place until detail of the ventilation and extraction system, including details of its method of construction, siting, appearance, noise levels, attenuators and filters to remove outside pollutants has been submitted to and been approved in writing by the Local Planning Authority. The ventilation system should be designed and commissioned by a suitable qualified engineer in accordance with the domestic ventilation compliance guide. The approved scheme shall be installed before the use hereby permitted commences and thereafter shall be permanently retained in perpetuity.</p> <p>Reason: These details need careful consideration and formal approval and to safeguard the amenity of adjoining properties and to protect the general environment and health of future occupants. The details are needed prior to the start of work so that measures can be incorporated into the build.</p> <p>10. Sustainable Drainage System (SuDS)</p> <p>No development shall take place 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.</p> <p>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.</p> <p>11. Land affected by contamination - Submission of Remediation Scheme</p> <p>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.</p> <p>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</p>

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	<p>can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.</p> <p>12. Land affected by contamination - Implementation of Approved Remediation Scheme</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>13. Highway Condition Survey</p> <p>No development shall take place (including investigation work, demolition, siting of site compound/welfare facilities) until a survey of the condition of the adopted highway has been submitted to and approved in writing by the Local Planning Authority. The extent of the area to be surveyed must be agreed by the Highways Authority prior to the survey being undertaken. The survey must consist of:</p> <ul style="list-style-type: none"> <li>o A plan to a scale of 1:1000 showing the location of all defects identified;</li> <li>o A written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey.</li> </ul> <p>No building or use hereby permitted shall be occupied or the use commenced until any damage to the adopted highway has been made good to the satisfaction of the Highway Authority.</p> <p>Reason: To ensure that any damage to the adopted highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer.</p> <p>14. Temporary Access to the Site</p> <p>No development shall take place until a plan that shows any temporary access from the adopted highway and the routes construction traffic will use has been submitted to and approved in writing by the Local Planning Authority.</p>



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	<p>Reason: In the interest of highway safety.</p> <p>15. Structure Adjacent To/Within 6m of the Highway</p> <p>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.</p> <p>Reason: To ensure the works safeguard the structural integrity of the adopted highway during the demolition and construction phase of the development.</p> <p>16. Highway works - General arrangement plan</p> <p>No development shall take place until general arrangement plans to a scale of 1:200 showing the following works to the adopted highway has been submitted to and approved in writing by the Local Planning Authority demonstrating how the following works would be carried out to an adoptable standard.</p> <ul style="list-style-type: none"> <li>i) Dedication of land adjacent to path between Gordon Road and Lower Ashley Road as highway and the extent of any other stopping up, diversion or dedication of new highway (including all public rights of way shown on the definitive map and statement);</li> <li>ii) Associated ancillary works including but not limited to lighting, signing, lining, drainage, resurfacing and street furniture;</li> <li>iii) Introduction of double yellow lines to the turning head at the end of Gordon Road through Traffic Regulation Order and alterations to any other waiting restrictions or other Traffic Regulation Orders to enable the works;</li> <li>iv) Existing levels of the finished highway tying into building threshold levels;</li> <li>v) Structures on or adjacent to the highway;</li> </ul> <p>No development shall take place over the route of any public right of way prior to the confirmation of a Town &amp; Country Planning Act 1990 path diversion/stopping up order.</p> <p>These works shall then be completed to the satisfaction of the Highway Authority and approved in writing by the Local Planning Authority to a timetable to be agreed with the Local Planning Authority prior to the commencement of the development hereby approved.</p> <p>Reason: In the interests of public safety and to ensure that all road works associated with the proposed development are: planned; approved in good time (including any statutory processes); undertaken to a standard approved by the Local Planning Authority and are completed before occupation.</p>

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	<p>17. Construction Environmental Management Plan - Major Development</p> <p>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:</p> <ol style="list-style-type: none"> <li>1. A construction programme including phasing of works and construction methodology;</li> <li>2. 24 hour emergency contact number;</li> <li>3. Hours of operation (including deliveries and removal of plant, equipment, machinery and waste from the site) plus procedure for emergency deviation from permitted hours;</li> <li>4. Expected number, type and size of vehicles accessing the site including cranes;</li> <li>5. Details of management of deliveries, waste, equipment, plant, works, visitors- the use of a consolidation operation or scheme for the delivery of materials and goods;</li> <li>6. On-site facilities (i.e. portacabins) and locations for storage of plant/waste/construction materials;</li> <li>7. Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;</li> <li>8. Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;</li> <li>9. Arrangements for the turning of vehicles, to be within the site unless completely unavoidable. Arrangements to receive abnormal loads or unusually large vehicles and swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;</li> <li>10. Any necessary temporary traffic management measures;</li> <li>11. Measures to protect vulnerable road users (cyclists and pedestrians);</li> <li>12. Arrangements for temporary facilities for any bus stops or routes;</li> <li>13. Method of preventing mud being carried onto the highway;</li> <li>14. Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):</li> <li>15. Travel planning: car sharing, use of local workforce, parking facilities for staff and visitors, a scheme to encourage the use of public transport and cycling;</li> <li>16. Methods of communicating the Construction Environmental Management Plan to staff, visitors and neighbouring residents and businesses and procedures for maintaining good public relations including complaint management, public consultation and liaison. Bristol City Council encourages all contractors to be 'Considerate Contractors' when working in the city by being aware of the needs of neighbours and the environment.</li> <li>17. Arrangements for liaison with the Council's Pollution Control Team;</li> <li>18. 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.</li> <li>19. 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.</li> </ol>

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	<p data-bbox="389 255 1369 320">20. Measures for controlling the use of site lighting whether required for safe working or for security purposes.</p> <p data-bbox="389 356 1390 488">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 and in the interests of the amenities of surrounding occupiers during the construction of the development.</p> <p data-bbox="296 524 687 555"><b>Pre occupation condition(s)</b></p> <p data-bbox="296 591 895 622">18. Travel Plan Statement - Not Submitted</p> <p data-bbox="389 658 1406 857">No building or use hereby permitted shall be occupied or use commenced until a Travel Plan Statement comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and approved in writing by the Local Planning Authority. The Approved Travel Plan Statement shall be implemented in accordance with the measures set out in therein.</p> <p data-bbox="389 893 1353 1025">Within three months of occupation, evidence of the implementation of the measures set out in the Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority unless alternative timescales are agreed in writing.</p> <p data-bbox="389 1061 1382 1160">Reason: To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling.</p> <p data-bbox="296 1196 1347 1227">19. Completion of Vehicular Access and Parking - Shown on Approved Plans</p> <p data-bbox="389 1263 1406 1529">No building or use hereby permitted shall be occupied or use commenced until the means of vehicular access (including dropped kerbs) and car/ vehicle parking area has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be retained for access purposes only for the lifetime of the development. Thereafter the parking area shall be kept free of obstruction and available for the parking of vehicles associated with the development only and not for any other purpose.</p> <p data-bbox="389 1565 1406 1798">Any access point opening onto the adopted highway shall include suitable drainage provision within the curtilage of the site, to prevent the discharge of any surface water onto the adopted highway. Driveways/vehicle parking areas accessed from the adopted highway must be properly consolidated and surfaced, (not loose stone, gravel or grasscrete) and subsequently maintained in good working order at all times thereafter for the lifetime of the development.</p> <p data-bbox="389 1834 1315 1899">Reason: To ensure that the vehicular access point is safe and includes adequate drainage and is constructed to an acceptable standard.</p> <p data-bbox="296 1935 1390 1966">20. Completion and Maintenance of Cycle Provision - Shown on approved plans</p> <p data-bbox="389 2002 1406 2098">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</p>

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	<p>parking of cycles only.</p> <p>Reason: To ensure the provision and availability of adequate cycle parking.</p> <p>21. Implementation/Installation of Refuse Storage and Recycling Facilities – Shown on Approved Plans</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>22. Waste Management Plan</p> <p>No building or use hereby permitted shall be occupied or use commenced until a waste management plan setting out how waste will be stored and collected has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved waste management plan for the lifetime of the development.</p> <p>Reason: To ensure appropriate waste management facilities are provided to accommodate all waste generated by the development.</p> <p>23. Artificial Lighting (external)</p> <p>No building or use hereby permitted shall be occupied or use commenced until a report detailing the lighting scheme and predicted light levels at neighbouring residential properties has been submitted to and been approved in writing by the Local Planning Authority.</p> <p>Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E2 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005.</p> <p>Reason: In order to safeguard the amenities of adjoining residential occupiers.</p> <p>24. Broadband</p> <p>No building or use hereby permitted shall be occupied or use commenced</p>

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	<p>until evidence of the provision of 'next generation broadband' has been submitted to and approved in writing by the Local Planning Authority. This should be in the form of evidence that the development has been registered with BT on the BT Openreach website, with Virgin Media on the Virgin Media website, or an alternative provider. Registration should show the speed rating/specification of the connection. Prior to occupation, the development shall be connected to the broadband infrastructure to achieve the speeds stated.</p> <p>Reason: To show that residents and businesses will have access to ultrafast broadband from occupation.</p> <p>25. Bird boxes/bricks and bat roosting opportunities</p> <p>Prior to the first occupation of the development hereby approved, details provided by a qualified ecological consultant shall be submitted to and approved in writing by the Local Planning Authority providing the specification, orientation, height and location for built-in bird nesting and bat roosting opportunities integrated within the building and shown on a site plan with compass directions marked on it. This shall include six built-in swift bricks or boxes and two built-in bat boxes. Development shall be undertaken in accordance with the approved details prior to the first occupation of the development.</p> <p>Reason: To help conserve legally protected bats and birds which include priority species.</p> <p>26. Land affected by contamination - Reporting of Unexpected Contamination</p> <p>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 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 12, which is to be submitted to and be approved in writing by the Local Planning Authority.</p> <p>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 12.</p> <p>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.</p> <p>27. Flood Evacuation Plan - Residential Property</p> <p>No building or use hereby permitted shall be occupied or the use commenced until the applicant has submitted to and had approved in writing by the Local Planning Authority a Flood Warning and Evacuation Plan (FEP). This Plan shall include the following information:</p>

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	<p data-bbox="389 253 916 286">During Demolition/Construction Process</p> <ul style="list-style-type: none"> <li data-bbox="389 322 1318 387">* command &amp; control (decision making process and communications to ensure activation of FEP);</li> <li data-bbox="389 389 1374 454">* training and exercising of personnel on site (H&amp; S records of to whom and when);</li> <li data-bbox="389 456 1259 521">* flood warning procedures (in terms of receipt and transmission of information and to whom);</li> <li data-bbox="389 524 983 557">* site evacuation procedures and routes; and,</li> <li data-bbox="389 560 1315 624">* provision for identified safe refuges (who goes there and resources to sustain them).</li> </ul> <p data-bbox="389 660 852 694">During Occupation of Development</p> <ul style="list-style-type: none"> <li data-bbox="389 730 1356 763">* occupant awareness of the likely frequency and duration of flood events;</li> <li data-bbox="389 766 959 799">* safe access to and from the development;</li> <li data-bbox="389 801 1356 866">* subscription details to Environment Agency flood warning system, 'Flood Warning Direct'.</li> </ul> <p data-bbox="389 902 1402 967">Reason: To limit the risk of flooding by ensuring the provision of a satisfactory means of flood management on the site.</p> <p data-bbox="296 1003 718 1037"><b>Post occupation management</b></p> <p data-bbox="296 1072 568 1106">28. Walls/Fences</p> <p data-bbox="389 1137 1398 1296">Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no fences, gates or walls shall be erected within the curtilage of the dwellinghouse(s) hereby permitted forward of any wall of the dwellinghouse(s) which fronts onto a road.</p> <p data-bbox="389 1332 1326 1366">Reason: In the interests of visual amenity and the character of the area.</p> <p data-bbox="296 1402 660 1435">29. No Further Windows</p> <p data-bbox="389 1467 1398 1671">Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no windows, other than those shown on the approved plans shall at any time be placed in any elevation of the building hereby permitted without the grant of a separate planning permission from the Local Planning Authority.</p> <p data-bbox="389 1706 1270 1771">Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy.</p> <p data-bbox="296 1807 727 1841">30. Restriction of use of roofs</p> <p data-bbox="389 1872 1390 1973">The flat roof areas of the building hereby permitted shall not be used as balconies, roof gardens or similar external amenity areas without the grant of further specific planning permission from the Local Planning Authority.</p> <p data-bbox="389 2009 1209 2042">Reason: To safeguard the amenities of the adjoining premises.</p>

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	<p>31. Restriction of noise from plant and equipment</p> <p>The rating level of any noise generated by plant &amp; equipment as part of the development shall be at least 5 dB below the background level as determined by BS4142: 2014 Methods for rating and assessing industrial and commercial sound.</p> <p>Reason: To safeguard the amenity of nearby premises and the area generally.</p> <p><b>List of approved plans</b></p> <p>32. List of approved plans and drawings</p> <p>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.</p> <p>1270-2019-002A Site location plan, received 15 May 2020  L(SK)000 E Ground floor plan, received 21 April 2020  L(SK)001 E First floor plan, received 21 April 2020  L(SK)002 F Second floor plan, received 21 April 2020  L(SK)003 F Third floor plan, received 21 April 2020  P17-2959.004A Landscape masterplan, received 22 June 2020  L(SK)010 C South and West elevations, received 21 April 2020  L(SK)011 C North and East elevations, received 21 April 2020  Energy statement, received 15 May 2020  L(SK) B01 Proposed Basement Plan, received 21 April 2020  L(SK) 004 A Proposed Roof Plan, received 21 April 2020  SK 015 A Proposed Sections, received 21 April 2020  L(SK)014 Proposed Fragment Elevation, received 21 April 2020</p> <p>Reason: For the avoidance of doubt.</p> <p><b>Advices</b></p> <p>1 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.</p> <p>2 Contaminated land: It is suggested that the certificate of remediation referred to in Condition No. 12 should be along the lines of:-</p> <p>"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)".</p> <p>The certificate should be signed and dated.</p>

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	<p data-bbox="304 286 1390 421">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.</p> <p data-bbox="304 456 1398 723">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, &amp;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).</p> <p data-bbox="304 759 783 790">5 Works on the Public Highway</p> <p data-bbox="392 826 1406 992">The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the council, which would specify the works and the terms and conditions under which they are to be carried out.</p> <p data-bbox="392 1028 1398 1162">Contact the Highway Authority's Transport Development Management Team at <a href="mailto:transportDM@bristol.gov.uk">transportDM@bristol.gov.uk</a> allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the council's costs in undertaking the following actions:</p> <ul style="list-style-type: none"> <li data-bbox="392 1198 794 1229">I. Drafting the Agreement</li> <li data-bbox="392 1232 1358 1263">II. A Monitoring Fee equivalent to 15% of the planning application fee</li> <li data-bbox="392 1265 879 1296">III. Approving the highway details</li> <li data-bbox="392 1299 874 1330">IV. Inspecting the highway works</li> </ul> <p data-bbox="392 1366 1398 1498">NB: Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.</p> <p data-bbox="304 1534 804 1565">6 Traffic Regulation Order (TRO)</p> <p data-bbox="392 1601 1398 1800">You are advised that a Traffic Regulation Order (TRO) is required. You must submit a plan to a scale of 1:1000 of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straightforward; involving the public advertisement of the proposal(s) and the resolution of any objections.</p> <p data-bbox="392 1836 1398 2002">You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process.</p> <p data-bbox="392 2038 1302 2096">We cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway</p>



Page no.	Amendment/additional information
	<p data-bbox="392 255 1145 315">Authority's Transport Development Management Team at <a href="mailto:transportdm@bristol.gov.uk">transportdm@bristol.gov.uk</a></p> <p data-bbox="392 353 1374 454">N.B. The cost of implementing any lining, signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.</p> <p data-bbox="304 492 1378 593">7 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 <a href="http://www.wessexwater.co.uk">http://www.wessexwater.co.uk</a>.</p> <p data-bbox="304 629 1394 757">8 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.</p> <p data-bbox="392 792 1291 853">Further information is also available on the Coal Authority website at: <a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a></p> <p data-bbox="304 891 1066 925">9 Impact on the highway network during construction</p> <p data-bbox="392 963 1401 1294">The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at <a href="mailto:traffic@bristol.gov.uk">traffic@bristol.gov.uk</a> before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions 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.</p> <p data-bbox="304 1332 1366 1393">10 Restriction of Parking Permits - Future Controlled Parking Zone/Residents Parking Scheme</p> <p data-bbox="392 1431 1401 1630">You are advised that the Local Planning Authority has recommended to the Highways Authority that on the creation of any Controlled Parking Zone/Residents Parking Scheme area which includes the development, 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.</p> <p data-bbox="304 1668 1406 1767">11 Wales and West Utilities gas pipelines may be at risk during construction and you should contact <a href="mailto:PlantProtectionEnquiries@wwutilites.co.uk">PlantProtectionEnquiries@wwutilites.co.uk</a> before starting any work.</p> <p data-bbox="304 1805 1394 1839">12 You are advised that the planting season is normally November to February.</p> <p data-bbox="304 1877 1394 2004">13 A felling licence may be required for the felling of over 5 cubic metres of wood. Exemptions from the requirement to obtain a felling licence are set out in Section 9 of the Forestry Act 1967. For more information please go to <a href="http://www.gov.uk/guidance/apply-online-for-a-felling-licence">www.gov.uk/guidance/apply-online-for-a-felling-licence</a>.</p> <p data-bbox="304 2042 1406 2103">14 Please note that this planning application has been assessed against current planning legislation only. The applicant (or any subsequent owner or</p>

Page no.	Amendment/additional information
	<p>developer) is therefore reminded that the onus of responsibility to ensure the proposed cladding installation meets current fire safety regulations lies fully with them and that they are legally obliged to apply for the relevant Building Regulations.</p>
15	<p>Highway Condition Survey</p> <p>The development hereby approved includes the carrying out of a Highway Condition Survey. To agree the extent of the area to be surveyed contact the Highway Authority's Transport Development Management Team at <a href="mailto:transportDM@bristol.gov.uk">transportDM@bristol.gov.uk</a></p>
16	<p>Street Name and Numbering</p> <p>You are advised that to ensure that all new properties and streets are registered with the emergency services, Land Registry, National Street Gazetteer and National Land and Property Gazetteer to enable them to be serviced and allow the occupants access to amenities including but not limited to; listing on the Electoral Register, delivery services, and a registered address on utility companies databases, details of the name and numbering of any new house(s) and/or flats/flat conversion(s) on existing and/or newly constructed streets must be submitted to the Highway Authority.</p> <p>Any new street(s) and property naming/numbering must be agreed in accordance with the Councils Street Naming and Property Numbering Policy and all address allocations can only be issued under the Town Improvement Clauses Act 1847 (Section 64 &amp; 65) and the Public Health Act 1925 (Section 17, 18 &amp; 19). Please see <a href="http://www.bristol.gov.uk/registeraddress">www.bristol.gov.uk/registeraddress</a></p>
17	<p>Sustainable Drainage System (SUDS)</p> <p>The development hereby approved includes the construction/provision of a sustainable drainage system. You are advised to contact the Highway Authority's Flood Risk Management Team at <a href="mailto:flood.data@bristol.gov.uk">flood.data@bristol.gov.uk</a> before any works commence.</p>
18	<p>Structure Adjacent To/Within 6m of the Highway</p> <p>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.</p> <p>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 <a href="mailto:bridges.highways@bristol.gov.uk">bridges.highways@bristol.gov.uk</a></p>
19	<p>Travel Plan Statement / Travel Plan - Not Submitted</p> <p>You are advised that a Travel Plan Statement / Travel Plan is required to be prepared and submitted using the Travel Plan Guide for New Developments and the associated templates at <a href="http://www.bristol.gov.uk/travelplans">www.bristol.gov.uk/travelplans</a></p>
20	<p>Construction site noise: Due to the proximity of existing noise sensitive</p>

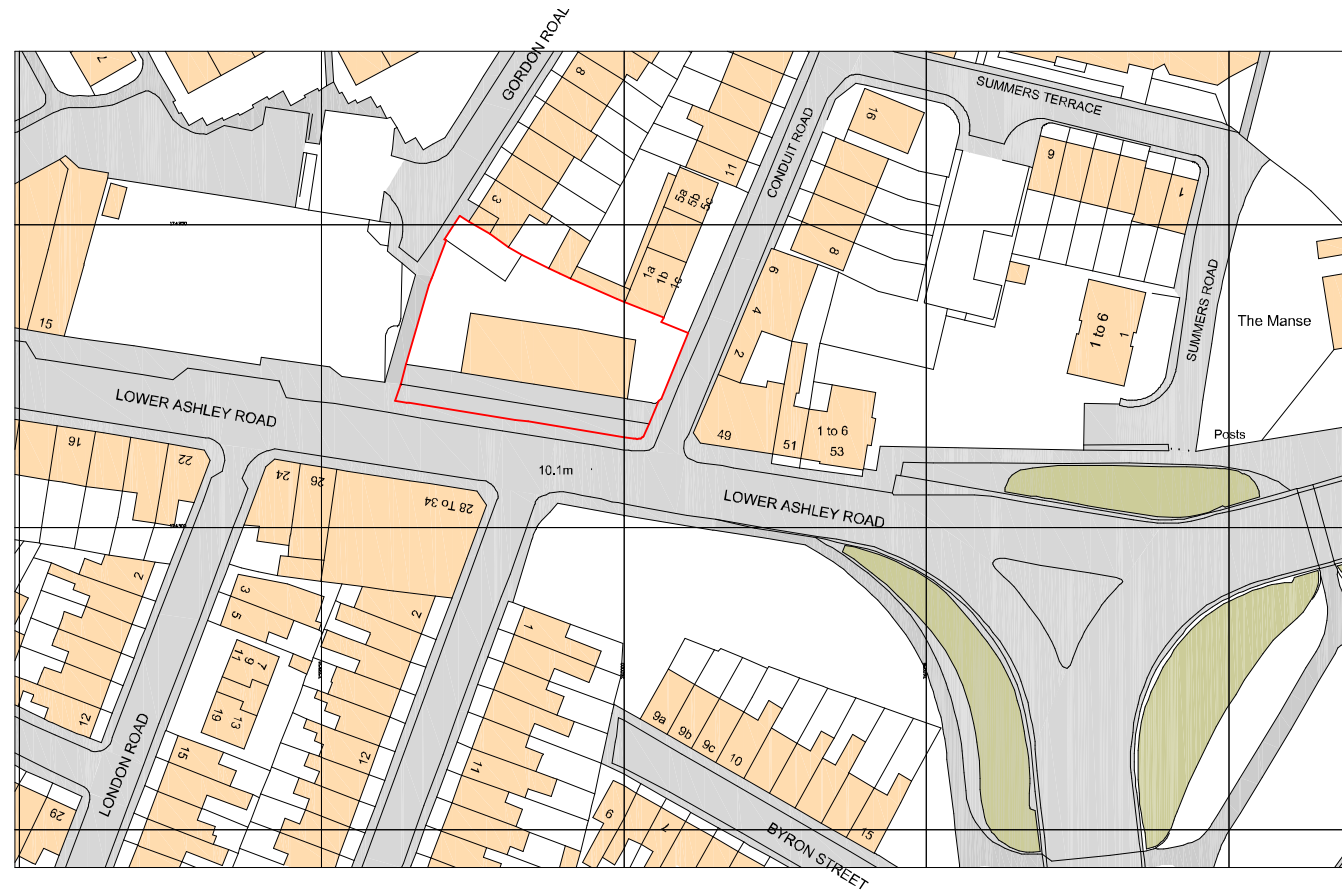
Page no.	Amendment/additional information
	<p>development and the potential for disturbance arising from contractors' operations, the developers' attention is drawn to Section 60 and 61 of the Control of Pollution Act 1974, to BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and 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.</p>
21	<p>District Heating future-proofed connection</p> <p>Details to demonstrate how a development has been future-proofed to connect to a heat network should include:</p> <ul style="list-style-type: none"> <li>o Provision of a single plant room, located adjacent to the planned (or if not planned, likely) heat network route, producing all hot water via a communal heating system, including engineering measures to facilitate the connection of an interfacing heat exchanger;</li> <li>o The design of space heating and domestic hot water services systems in order to achieve consistently low return temperatures in line with the CIBSE: Heat Networks Code of Practice for the UK (or other future replacement standard)</li> <li>o Space identified for the heat exchanger;</li> <li>o Provisions made in the building fabric such as soft-points in the building walls to allow pipes to be routed through from the outside to a later date; and</li> <li>o External (where detail is available) and internal district heat pipework routes identified and safeguarded.</li> <li>o Provision for monitoring equipment as specified by the DH provider.</li> <li>o Provision of contact details of the person(s) responsible for the development's energy provision for the purpose of engagement over future connection to a network.</li> </ul>
22	<p>PV System</p> <p>The projected annual yield and technical details of the installed system will be provided by the Micro-generation Certification Scheme (MCS) approved installer.</p> <p>The impact of shading on the annual yield of the installed PV system (the Shading Factor) should be calculated by an MCS approved installer using the Standard Estimation Method presented in the MCS guidance.</p>
23	<p>Noise - plant &amp; equipment</p> <p>Anti vibration mounts should be used to isolate plant from fixed structures and a flexible connector used to connect the flue to the fan if there is a potential to transmit vibration to any noise sensitive property. Any systems will also need regular maintenance so as to reduce mechanical noise.</p>
24	<p>Tree planting</p> <p>- Tree planting on Conduit Road should be at ground floor level with uninterrupted access to the soil (i.e. the area to be undivided without walls is to be maximised. Details must be supplied);</p>

Page no.	Amendment/additional information
	<p>- Tree planting on Lower Ashley Road: Further advice is to be sought from the Council's Arboriculture Team regarding tree pit requirements and creating excellent soil environments on constrained sites. It is estimated that the planting of 3 small tree species can be achieved in this location. A recommended example species would be Crataegus monogyna Stricta - a small tree - 3-5m, hardy, salt spray tolerant, native (wildlife benefits) with a very narrow form, which can be managed away from the building and pavement.</p>
25	<p>Flues, ducts and extract systems: The technical details of the flues, ducting, extract system, filters etc. and their continuing operation should be the subject of detailed discussion and agreement with council officers. These areas of operation come within the controls of the Environmental Protection Act 1990, and it is important to establish and implement the requirements of this legislation.</p>
26	<p>The Crime Prevention Advisor recommends that:</p> <ul style="list-style-type: none"> <li>o The entrance gate on the west elevation undercroft parking area should be incorporated into the access control system and meet LPS 1175 SR2.</li> <li>o Ground floor glazing should meet requirements of BS EN 356:2000 P1A.</li> <li>o Developments of over 25 flats, apartments, bedsits or bedrooms can suffer adversely from anti-social behaviour due to unrestricted access to all areas and floors of the building. Therefore we would advise the use of access control to prevent unlawful free movement throughout the building (Secured by Design - Homes 2019 document).</li> <li>o The Council's Urban Living Supplementary Planning Document advises that 'Where access cores serve 4 or more dwellings, an access control system with entry phones linked to a main front door with electronic lock release should be provided in all dwellings'. We would add that the visitor door entry system should also allow the resident to see the caller on a colour monitor and be capable of capturing (recording) images in colour of people using the door entry panel and store for those for at least 30 days.</li> <li>o The entrance lobby appears to show communal surface mounted letter boxes, we would recommend that these meet the requirements of TS 009.</li> <li>o The affordable housing element will have to satisfy the Local Planning Authority's Affordable Housing Practice Note (April 2018), which needs to meet the Housing Corporations 'Design and Quality Standards (published April 2007). This states 'ensure that the scheme design reflects advice obtained from local crime prevention design advisors...' and 'obtain Secured by Design certification wherever possible'.</li> </ul>

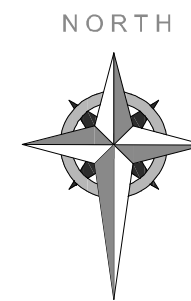
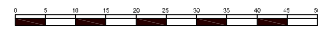
## Supporting Documents

### 1. 31-45 Lower Ashley Road

1. Location plan
2. Proposed landscape plan
3. Proposed basement plan
4. Proposed ground floor plan
5. Proposed first floor plan
6. Proposed second floor plan
7. Proposed third floor plan
8. Proposed roof plan
9. Proposed South & West elevations
10. Proposed East & North elevations
11. Proposed sections
12. Proposed 3D image – S & E elevations
13. Proposed 3D image – S & W elevation
14. Approved elevations – extant student scheme – 18.05532.M & 15.05530.P
15. Approved landscape plan – extant student scheme – 18.05532.M & 15.05530.P



Location Plan  
(Scale 1:1250)



Revision	Date	Revision Details
Rev.A	-	-
Rev.B	-	-
Rev.C	-	-
Rev.D	-	-
Rev.E	-	-
Rev.F	-	-
Rev.G	-	-
Rev.H	-	-
Rev.I	-	-
Rev.J	-	-

CLIENT: Claywater Homes  
Lower Rolleston  
Harracott  
Barnstaple  
EX31 3JF

Drawn: IB

KEY:

NOTE: FIGURED DIMENSIONS TO BE WORKED FROM ONLY.  
REPORT ANY DISCREPANCIES TO THE SURVEYOR BEFORE  
PROCEEDING. DO NOT SCALE DRAWING.

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CPG Claywater Planning Group

Lower Rolleston  
Harracott  
Barnstaple  
EX31 3JF  
01237 421985

Location Plan  
31-45 Lower Ashley Road.

Scale: 1:1250 | Date: Apr 2020 | Rev  
Drawing Number: 1270-2019-002 | A

**LANDSCAPE PRINCIPLES**

The proposed landscape elements wrap around the building providing a buffer to the street and an element of privacy to the ground floor. Planting of varying texture and colour with year round interest is contained within brick walls. On conduit road the street scene is enhanced with fastigate varieties of tree within low shrub beds. Block paving complementing the buildings materials, marks the entrances to the building.

The amenity space to the rear is centrally located across 3 levels to accommodate topographic changes. It is fully accessible via a ramped path that wraps around the outer edge providing access to all parts of the space. Raised planting beds enclose the space and retain the paths across the level changes, as well as accommodating seating. These will be planted with a variety of low growing shrubs along with larger specimen shrubs and climbers trained up the boundary walls to provide height and interest.

Area surfaced to match existing

Low brick wall (min 450mm) Planted with evergreen shrub/herbaceous mix providing buffer to ground floor windows and greenery to street scene.

Specimen shrubs give height and variation to planting



**KEY**

- Application site boundary
- Existing boundary wall at rear to be made good as necessary and rendered to match building. New sections, where required, to be brick topped with timber panels.
- Rear amenity space - ground cover shrub planting within walled bed. Planting medium at no less than 200mm below top of wall. (Refer to indicative species list)
- Rear amenity space - new wall and gated access between parking and amenity space. 1800mm high brick wall
- Rear amenity space - shade tolerant climbing plants trained against wall. (Refer to indicative species list)
- Rear amenity space - seating to edge of raised planting beds, FSC hardwood slats.
- Conduit Road - proposed trees located in low level beds containing ground cover shrubs, edged with Marshall's Conservation Kerb 255 x 205 x 450mm or similar approved.
- Wall wraps around building at front and sides containing private amenity space & shrub planting. Material: matching building bricks. Wall topped with black metal vertical railing in places.
- Raised planted, formed from wall, between units. Planted with specimen shrubs.
- Specimen shrubs/trees planted within ground cover shrubs in walled beds. (Refer to indicative species list)
- Paving - blend of 4no. colours laid in stretcher bond. Marshalls 'La Linea' concrete textured paving 300 x 200 x 60mm or similar approved.
- Paving - single colour laid in stretcher bond. Marshalls 'La Linea' concrete textured paving 400 x 400 x 60mm or similar approved.
- Ramp paving - single colour laid in stack bond. Marshalls 'La Linea' concrete textured paving 400 x 400 x 60mm or similar approved.
- Proposed fixed decorative panel
- Proposed hinged decorative panel forming access gate
- Decorative aggregate/gravel strip
- Existing city map/info-board
- Existing pedestrian crossing



Paving Examples



Variety of colour and texture to be provided by evergreen shrubs and herbaceous planting

**INDICATIVE PLANTING**

**Lower Ashley Road/Gordon Road Access**

**SHRUB/HERBACEOUS MIX - Low Wall**

Plant Species	Size/height/spread (cm)	Density m <sup>2</sup>
Choisya x dewitteana 'White Dazzler'	5L 30-40cm	4
Euphorbia amygaloides 'Robbiae'	5L 30-40cm	5
Lonicera nitida 'May Green'	5L 30-40cm	4
Potentilla frutosa 'Abbotswood'	5L 30-40cm	4

**SPECIMEN SHRUBS - High Planter**

Plant Species	Size/height/spread (cm)
Phormium cookianum 'Tricolour'	10-12L triple crown
Hedera helix 'Green Ripple,'	3L min 3 shoots

**TREES - Corner Lower Ashley Rd/Gordon Rd Access**

Plant Species	Size/height/spread (cm)
Juniperus scopulorum 'Skyrocket'	15L 150-180cm ht

**Conduit Road**

**SHRUB/HERBACEOUS MIX**

Plant Species	Size/height/spread (cm)	Density m <sup>2</sup>
Bergenia cordifolia 'Silberlicht'	3L cover pot	6
Gaultheria procumbens	2L 15cm	6
Helleborus argutifolius	5L cover pot	5
Heuchera 'Palace Purple'	3L cover pot	6
Skimmia japonica 'Rubella'	5L 40-60cm	4
Vinca minor 'Alba'	2L cover pot	6

**TREES**

Plant Species	Size/height/spread (cm)
Carpinus betulus 'Frans Fontaine'	20-25cm girth, 450cm ht, min 250cm clear stem

T	E	g	e	g
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**Amenity Space to Rear of Building**

**SHRUB/HERBACEOUS MIX**

Plant Species	Size/height/spread (cm)	Density m <sup>2</sup>
Ajuga reptans	3L cover pot	6
Bergenia cordifolia 'Silberlicht'	3L cover pot	6
Gaultheria procumbens	2L 15cm	6
Helleborus argutifolius	5L cover pot	5
Heuchera 'Palace Purple'	3L cover pot	6
Pachysandra terminalis	5L cover pot	5
Vinca minor 'Alba'	2L cover pot	6

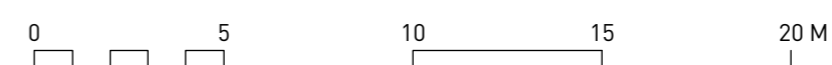
**SPECIMEN SHRUBS & CLIMBING PLANTS**

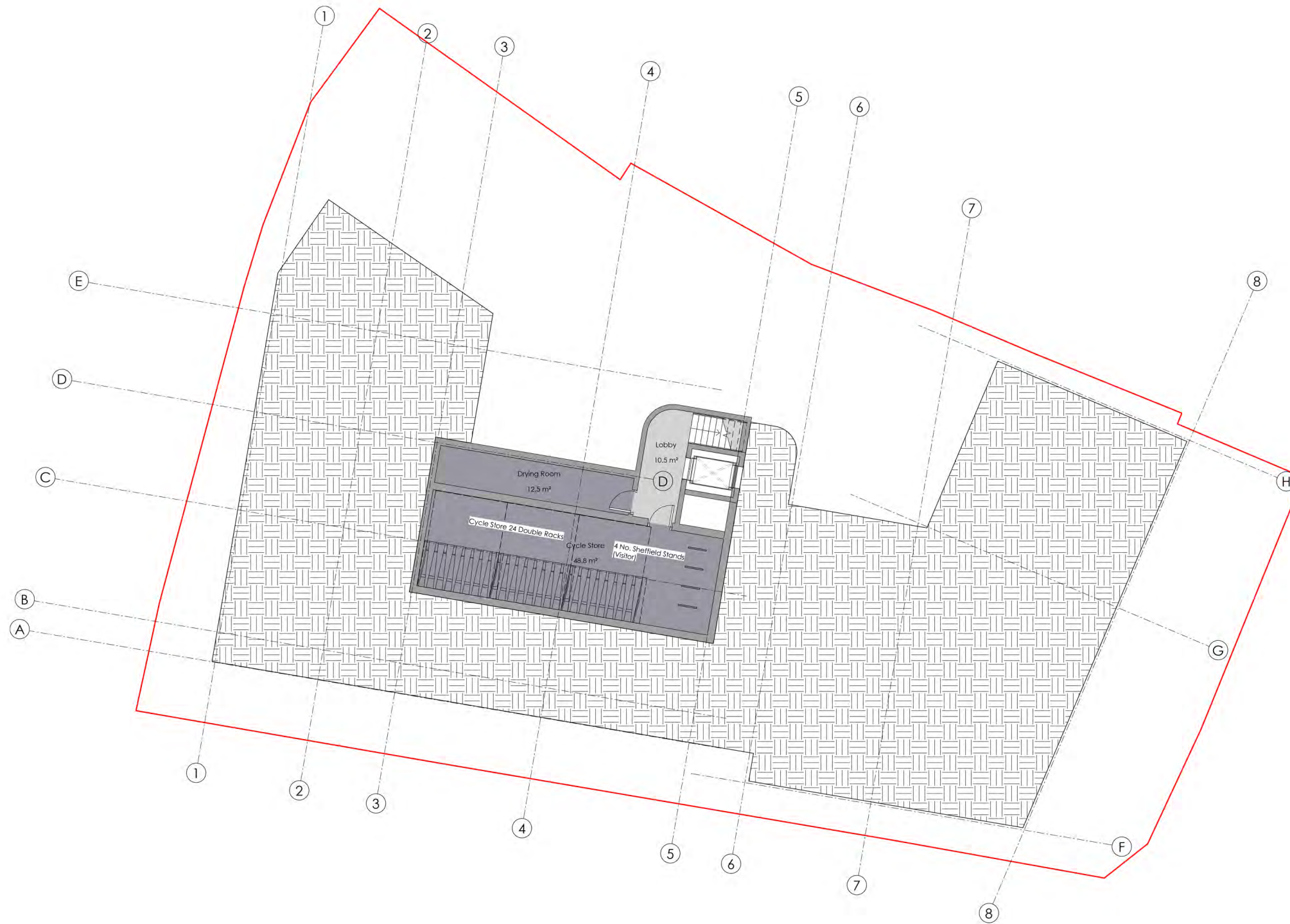
Plant Species	Size/height/spread (cm)
Fatsia japonica	10-12L 60-80cm
Mahonia x media 'Charity'	10-12L 60-80cm
Skimmia japonica 'Rubella'	10-12L 60-80cm
Clematis montana var. Grandiflora	5-7.5L min 3 shoots
Hydragea seemanii	7.5L min 4 breaks

Rev	Date	By	Note
A	09.12.19	LB	Boundary treatment amends
-	12.11.19	LB	Initial draft

**Lower Ashley Road, St Pauls, Bristol**  
Landscape Masterplan

Client: Claywater Homes Ltd  
 DRWG No: P17-2959.004 REV: A  
 Drawn by: LB Approved by: FH  
 Date: 12/11/2019  
 Scale: 1:200 @ A2





Overall GIA: 72.5m2

One Bed Apartment

Two Bed Apartment



REV - - Planning Amendment - 24.11.2019

<b>BLOCK<sup>3</sup> ARCHITECTS</b> <small>HOLLY COTTAGE, BAVENEY WOOD, NR KIDDERMINSTER, DY14 8JB  T +44 (0)1299 841111    E info@b3a.co.uk    W www.b3a.co.uk</small>	<small>TITLE:</small> L.A.R. 31-45 Lower Ashley Road, St Pauls, Bristol Part Basement Level Plan - For Planning Approval	
	<small>DRG. NO:</small> L (Sk) B01	<small>SCALE:</small> 1:200 @ A3
<small>DATE:</small> November 2019	<small>REV:</small> -	





Overall GIA: 513.7m2

One Bed Apartment
  Two Bed Apartment



REV E - Planning Amendment - 24.11.2019  
 REV D - For Planning Approval - 28.04.2019  
 REV C - For Information - 18.03.2019  
 REV B - For Information - 11.03.2019  
 REV A - For Information - 20.02.2019

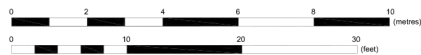
<b>BLOCK<sup>3</sup> ARCHITECTS</b> <small>HOLLY COTTAGE, BAVENEY WOOD, NR KIDDERMINSTER, DY14 8JB          T +44 (0)1299 841111 E info@b3a.co.uk W www.b3a.co.uk</small>	<small>TITLE:</small> L.A.R. 31-45 Lower Ashley Road, St Pauls, Bristol Ground Floor Plan - For Planning Approval	
	<small>DRG. NO:</small> L (Sk) 000	<small>SCALE:</small> 1:200 @ A3
<small>DATE:</small> February 2019	<small>REV:</small> E	



Overall GIA: 553.9m2

One Bed Apartment

Two Bed Apartment



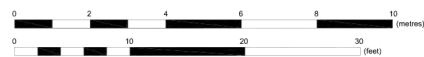
REV E - Planning Amendment - 24.11.2019  
 REV D - For Planning Approval - 01.05.2019  
 REV C - For Information - 18.03.2019  
 REV B - For Information - 11.03.2019  
 REV A - For Information - 20.02.2019

<b>BLOCK<sup>3</sup> ARCHITECTS</b>	TITLE: L.A.R. 31-45 Lower Ashley Road, St Pauls, Bristol First Floor Plan - For Planning Approval	
	DRG. NO: <b>L (Sk) 001</b>	SCALE: <b>1:200 @ A3</b>
HOLLY COTTAGE, BAVENEY WOOD, NR KIDDERMINSTER, DY14 8JB T +44 (0)1299 841111 E info@b3a.co.uk W www.b3a.co.uk	DATE: February 2019	REV: E



Overall GIA: 574.3m2

One Bed Apartment
  Two Bed Apartment



REV F - For Planning Approval - 27.03.2020  
 REV E - Planning Amendment - 24.11.2019  
 REV D - For Planning Approval - 01.05.2019  
 REV C - For Information - 18.03.2019  
 REV B - For Information - 11.03.2019  
 REV A - For Information - 20.02.2019

<b>BLOCK<sup>3</sup> ARCHITECTS</b> <small>HOLLY COTTAGE, BAVENEY WOOD, NR KIDDERMINSTER, DY14 8JB          T +44 (0)1299 841111 E info@b3a.co.uk W www.b3a.co.uk</small>	<small>TITLE:</small> L.A.R. 31-45 Lower Ashley Road, St Pauls, Bristol Second Floor Plan - For Planning Approval	
	<small>DRG. NO:</small> L (Sk) 002	<small>SCALE:</small> 1:200 @ A3
<small>DATE:</small> February 2019	<small>REV:</small> F	



Overall GIA: 414.5m2

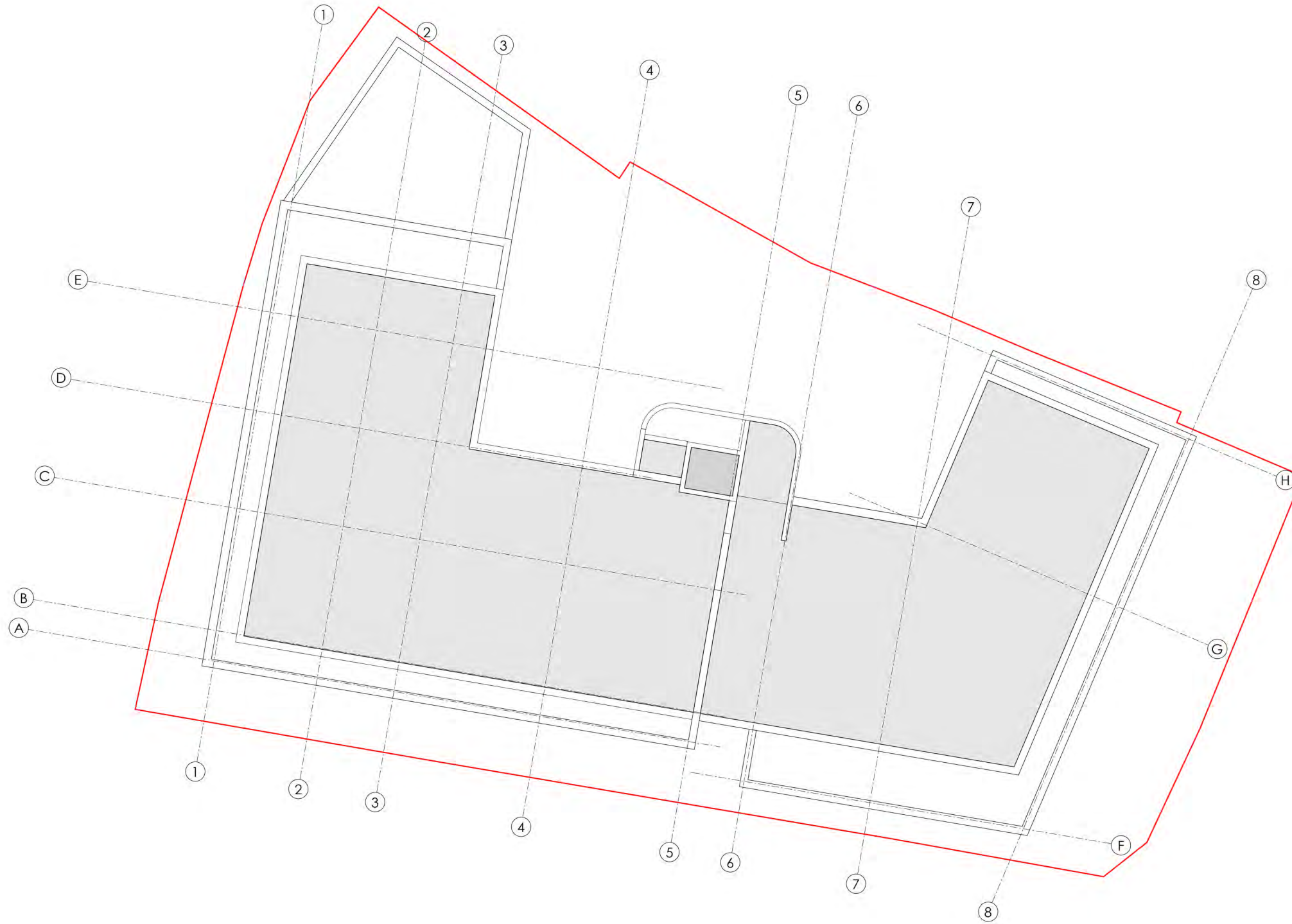
One Bed Apartment

Two Bed Apartment



REV F - For Planning Approval - 27.03.2020  
 REV E - Planning Amendment - 24.11.2019  
 REV D - For Planning Approval - 01.05.2019  
 REV C - For Information - 18.03.2019  
 REV B - For Information - 11.03.2019  
 REV A - For Information - 20.02.2019

<b>BLOCK<sup>3</sup> ARCHITECTS</b> <small>HOLLY COTTAGE, BAVENEY WOOD, NR KIDDERMINSTER, DY14 8JB</small> <small>T +44 (0)1299 841111    E info@b3a.co.uk    W www.b3a.co.uk</small>	<small>TITLE:</small> L.A.R. 31-45 Lower Ashley Road, St Pauls, Bristol Third Floor Plan - For Planning Approval	
	<small>DRG. NO:</small> L (Sk) 003 <small>DATE:</small> February 2019	<small>SCALE:</small> 1:200 @ A3 <small>REV:</small> F



REV A - For Planning Approval - 27.03.2020  
REV - - Planning Amendment - 24.11.2019

<b>BLOCK<sup>3</sup> ARCHITECTS</b>	TITLE: L.A.R. 31-45 Lower Ashley Road, St Pauls, Bristol Roof Plan - For Planning Approval	
	HOLLY COTTAGE, BAVENEY WOOD, NR KIDDERMINSTER, DY14 8JB T +44 (0)1299 841111 E info@b3a.co.uk W www.b3a.co.uk	DRG. NO: <b>L (Sk) 004</b> SCALE: <b>1:200 @ A3</b>
	DATE: November 2019	REV: A



SOUTH ELEVATION



WEST ELEVATION



REV C - For Planning Approval - 27.03.20  
 REV B - Planning Amendment - 24.11.19  
 REV A - For Planning Approval - 01.05.19

<b>BLOCK<sup>3</sup> ARCHITECTS</b> <small>HOLLY COTTAGE, BAVENEY WOOD, NR KIDDERMINSTER, DY14 8JB</small> <small>T +44 (0)1299 841111    E info@b3a.co.uk    W www.b3a.co.uk</small>	<small>TITLE:</small> L.A.R. 31-45 Lower Ashley Road, St Pauls, Bristol Elevations - Preliminary Proposed	
	<small>DRG. NO: L (Sk) 010</small>	<small>SCALE: 1:100 @ A1</small>
<small>DATE: March 2019</small>	<small>REV: C</small>	

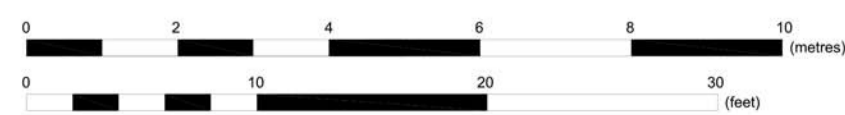


EAST ELEVATION

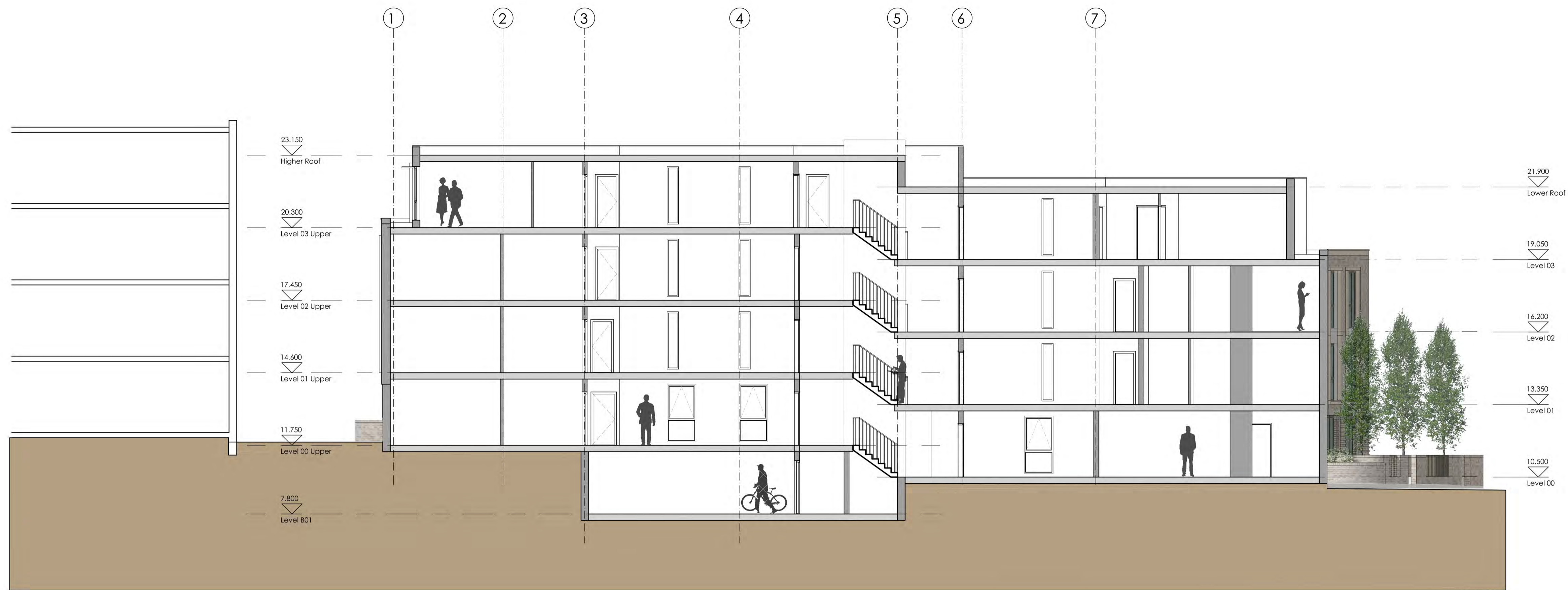


NORTH ELEVATION

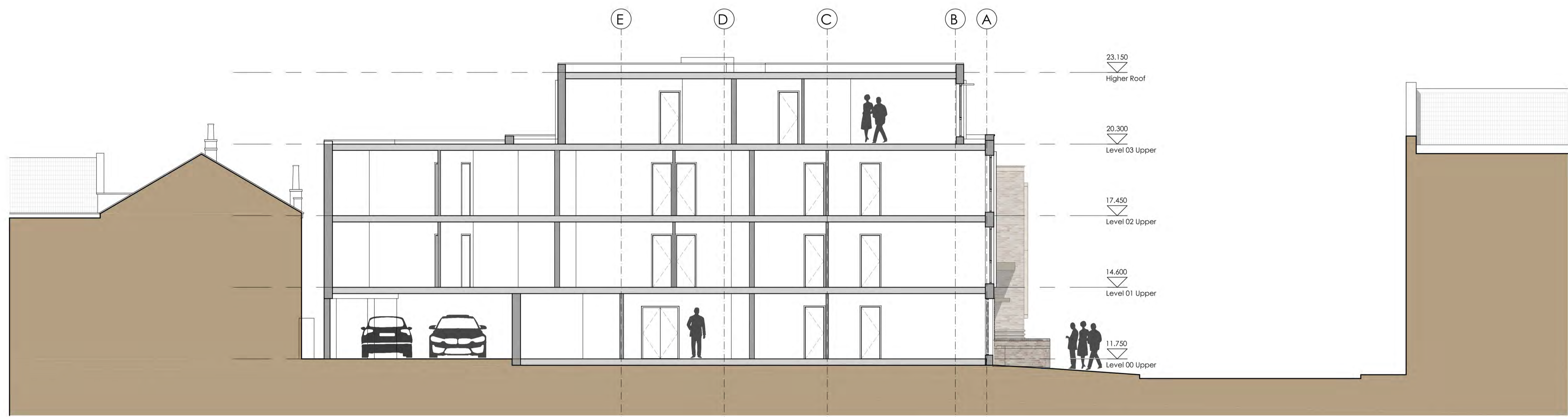
REV C - For Planning Approval - 27.03.20  
 REV B - Planning Amendment - 24.11.19  
 REV A - For Planning Approval - 01.05.19



<b>BLOCK<sup>3</sup> ARCHITECTS</b> <small>HOLLY COTTAGE, BAVENEY WOOD, NR KIDDERMINSTER, DY14 8JB          T +44 (0)1299 841111 E info@b3a.co.uk W www.b3a.co.uk</small>	<small>TITLE:</small> L.A.R. 31-45 Lower Ashley Road, St Pauls, Bristol Elevations - Preliminary Proposed	
	<small>DRG. NO: L (Sk) 011</small>	<small>SCALE: 1:100 @ A1</small>
<small>DATE: March 2019</small>	<small>REV: C</small>	

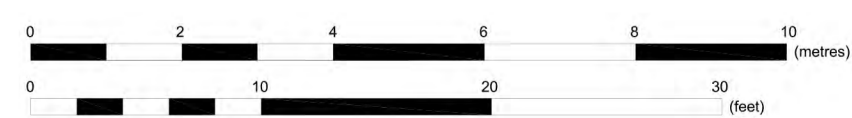


SECTION A-A



SECTION B-B

REV A For Planning Approval - 27.03.20  
 REV - - For Planning Approval - 24.11.19



<b>BLOCK<sup>3</sup> ARCHITECTS</b> <small>HOLLY COTTAGE, BAVENEY WOOD, NR KIDDERMINSTER, DY14 8JB</small> <small>T +44 (0)1299 841111    E info@b3a.co.uk    W www.b3a.co.uk</small>	<small>TITLE:</small> L.A.R. 31-45 Lower Ashley Road, St Pauls, Bristol GA Sections	
	<small>DRG. NO:</small> L (Sk) 015 <small>DATE:</small> Nov 2019	<small>SCALE:</small> 1:100 @ A1 <small>REV:</small> A





Rev A - For Information - March 2020

<b>BLOCK<sup>3</sup> ARCHITECTS</b>	TITLE: <b>L.A.R. 31-45 Lower Ashley Road, Bristol Massing Model Development</b>	
	DRG. NO: L(MD)002	SCALE: N.T.S
HOLLY COTTAGE, BAVENEY WOOD, NR KIDDERMINSTER, DY14 8JB	DATE: March 2020	REV: A
T +44 (0)1299 841111    E info@b3a.co.uk    W www.b3a.co.uk		



Rev A - For Information - March 2020

<b>BLOCK<sup>3</sup> ARCHITECTS</b>	TITLE: <b>L.A.R. 31-45 Lower Ashley Road, Bristol Massing Model Development</b>	
	DRG. NO: L(MD)001_ADS	SCALE: N.T.S
HOLLY COTTAGE, BAVENEY WOOD, NR KIDDERMINSTER, DY14 8JB	DATE: March 2020	REV: A
T +44 (0)1299 841111    E info@b3a.co.uk    W www.b3a.co.uk		



Proposed South Elevation  
(Scale 1:100)



Proposed East Elevation  
(Scale 1:100)



Proposed North Elevation  
(Scale 1:100)



Proposed West Elevation  
(Scale 1:100)



Location Plan  
(Scale 1:1250)

Revision	Date	Revision Details
Rev. A	-	-
Rev. B	-	-
Rev. C	-	-
Rev. D	-	-
Rev. E	-	-
Rev. F	-	-
Rev. G	-	-
Rev. H	-	-
Rev. I	-	-
Rev. J	-	-

CLIENT: Claywater Homes  
Lower Rolleston  
Harracott  
Barnstaple  
EX31 3JF

Drawn: ??      Checked: ??

STATUS:  
????  
???

NOTE: FIGURED DIMENSIONS TO BE WORKED FROM ONLY.  
REPORT ANY DISCREPANCIES TO THE SURVEYOR BEFORE  
PROCEEDING. DO NOT SCALE DRAWING.

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KEY:

CPG Claywater Planning Group

Lower Rolleston  
Harracott  
Barnstaple  
EX31 3JF  
01237 421985

31-45 Lower Ashley Road.  
Proposed Elevations &  
Location Plan

Scale: 1:100      Date: Sept 2018      Rev  
Drawing Number: 1270-RES-2018-001      G

LANDSCAPE SPECIFICATION:

TOPSOILING:

ALL TOPSOIL TO BE SUPPLIED AND SPREAD BY MAIN CONTRACTOR IN ACCORDANCE WITH BS3882:1994. GENERAL PLANTING AREAS TO HAVE A MINIMUM DEPTH OF 450 MM WITH TREE PITS TO BE A MINIMUM OF 1200 MM WIDTH X 1000 MM DEPTH. GRASS AREAS TO RECEIVE A MINIMUM OF 150 MM DEPTH. HEDGE BUNDS TO BE CONSTRUCTED AS PER DIAGRAM 1

PLANTING:

ALL PLANT MATERIAL SHALL BE PROVIDED IN ACCORDANCE WITH BS3936 PART 1:1992 'NURSERY STOCK SPECIFICATION FOR TREES AND SHRUBS'.

ALL PLANTING SHALL BE CARRIED OUT IN ACCORDANCE WITH BS4428:1989 'GENERAL LANDSCAPE OPERATIONS'.

ALL SHRUBS TO BE PLANTED IN SPECIES GROUPS, AT APPROXIMATELY 2 PLANTS PER M2, UNLESS OTHERWISE STATED. EACH PLANTING PIT TO HAVE 20 LT COMPOST AND 25 g BONE MEAL INCORPORATED.

ALL TREES TO BE PLANTED AS ILLUSTRATED. EACH PLANTING PIT TO HAVE 75 LT COMPOST AND 50 g BONE MEAL INCORPORATED. EACH TREE TO BE SECURED WITH 1 NO. 1.8 M X 60 MM DIAMETER MACHINE ROUND TIMBER STAKE AND 1 NO. RUBBER BUCKLE TIE. ANY TREE PLANTED WITHIN 5M OF ANY DWELLING OR MAJOR DRAIN SHALL HAVE PROPRIETARY ROOT BARRIER TREE PITS.

ALL PLANTING TO BE CARRIED OUT DURING THE PLANTING SEASON OF OCTOBER TO MARCH UNLESS EXTRA ESTABLISHMENT PROCEDURES ARE TO BE USED.

WEED CONTROL:

WEED CONTROL TO BE CARRIED OUT IN ACCORDANCE WITH BS4428:1989 'GENERAL LANDSCAPE OPERATIONS' BY APPLICATION OF BARK MULCH TO ALL TREE AND SHRUB AREAS AND AT THE BASE OF NEW HEDGEROWS, TO A DEPTH OF 50 MM.

MAINTENANCE:

ALL PLANTING TO BE MAINTAINED FOR 12 MONTHS FROM PRACTICAL COMPLETION, THIS TO INCLUDE: CONTROL OF WEED GROWTH VIA HAND OR HERBICIDE APPLICATION

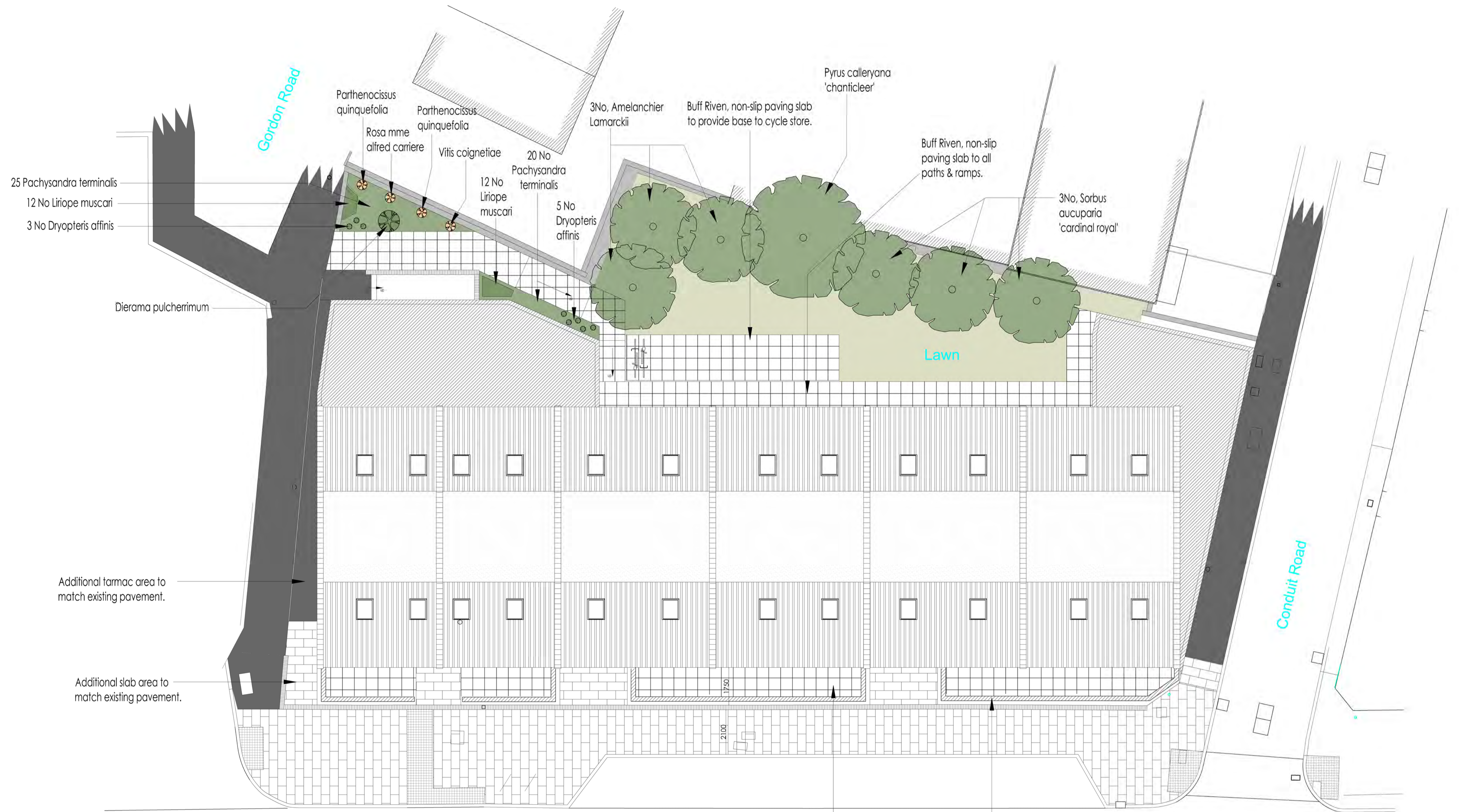
FERTILISER APPLICATION AS REQUIRED.

PEST AND DISEASE CONTROL.

LITTER PICKING

FORMATIVE PRUNING IF REQUIRED.

ANY PLANT FAILURES WITHIN 5 YEARS OF PLANTING MUST BE REPLACED WITH THE SAME SPECIES AND SPECIFICATION



Lower Ashley Road

Landscape Plan  
(Scale 1:100)

Plant List

Feature Shrub  
Cytisus battandieri, 10 litre, 1.2-1.5m high

Climbers  
Parthenocissus quinquefolia, 10 litre  
Rosa mme alfred carriere, 10 litre  
Vitis coignetiae, 10 litre

Shrubs  
Pachysandra terminalis, 2 litre  
Rosmarinus lavandulaceus, 1 litre

Herbaceous  
Dierama pulcherrimum, 2 litre  
Dryopteris affinis, 5 litre  
Liriope muscari, 3 litre

Additional tarmac area to match existing pavement.

Additional slab area to match existing pavement.

Revision	Date	Revision Details
Rev A	-	-
Rev B	-	-
Rev C	-	-
Rev D	-	-
Rev E	-	-
Rev F	-	-
Rev G	-	-
Rev H	-	-
Rev I	-	-
Rev J	-	-

CLIENT: Claywater Homes  
Lower Rolleston  
Harracott  
Barnstaple  
EX31 3JF

STATUS:  
???

KEY:

Drawn: ??

Checked: ??

NOTE: FIGURED DIMENSIONS TO BE WORKED FROM ONLY. REPORT ANY DISCREPANCIES TO THE SURVEYOR BEFORE PROCEEDING. DO NOT SCALE DRAWING.

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CPG Claywater Planning Group

Lower Rolleston  
Harracott  
Barnstaple  
EX31 3JF  
01237 421985

Landscape Plan  
31-45 Lower Ashley Road.

Scale: 1:100 Date: Sept 2018 Rev  
Drawing Number: 1270-RES-2018-002 B

**Development Control Committee B – 22 July 2020**

ITEM NO. 2

**WARD:** Bedminster

**SITE ADDRESS:** 27-31 North Street Bedminster Bristol BS3 1EN

**APPLICATION NO:** 19/04932/F Full Planning

**DETERMINATION DEADLINE:** 2 June 2020

**Demolition of existing buildings and erection of four-storey building with additional set back floor containing 99m<sup>2</sup> of A1/A2/B1a uses on the ground floor, plus 20 co-living apartments (sui generis) above.**

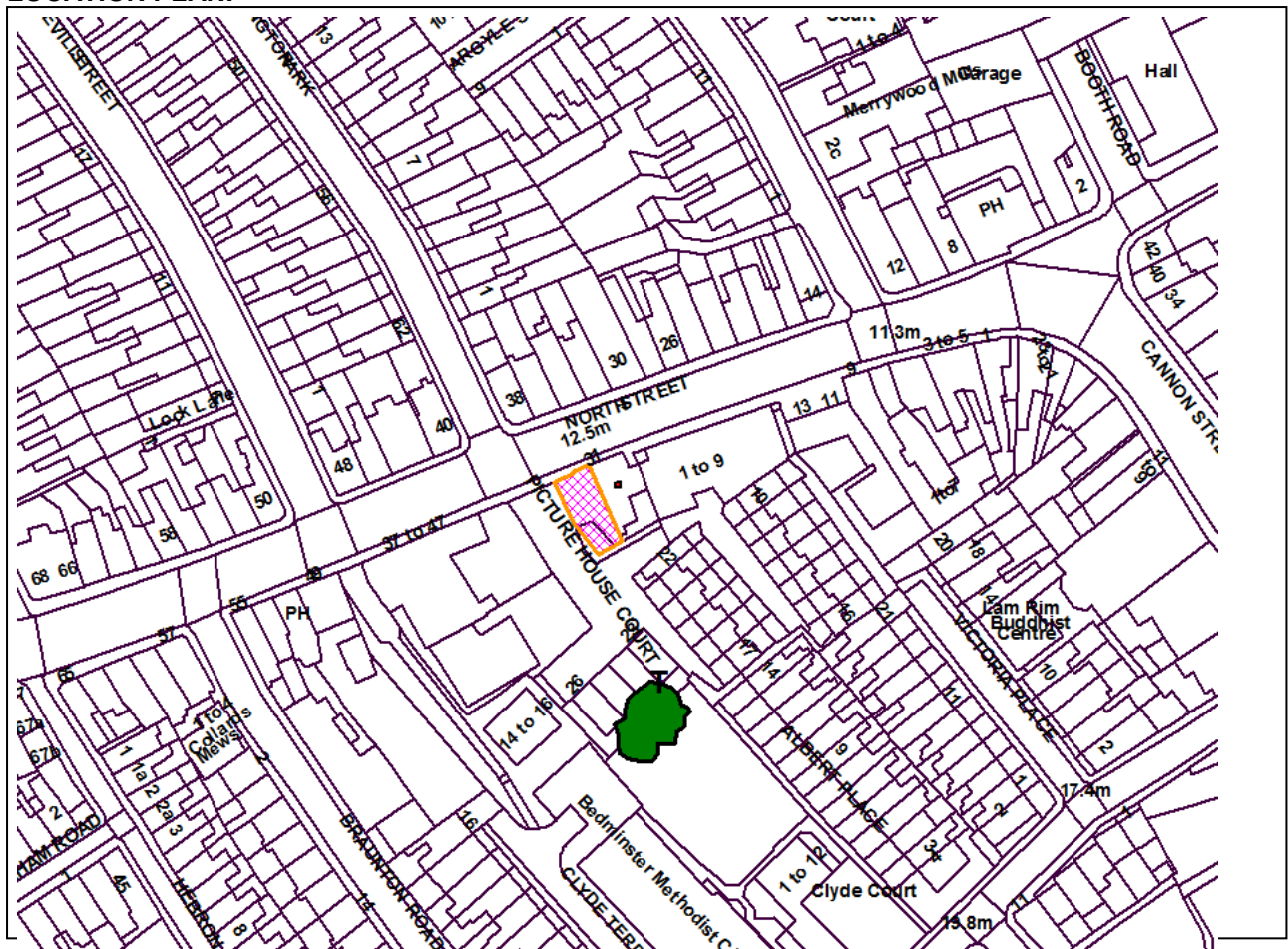
**RECOMMENDATION:** Refuse

**AGENT:** Nash Partnership  
25 King Street  
Bristol  
BS1 4PB

**APPLICANT:** Laurel Accountancy Limited  
c/o Agent

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

**LOCATION PLAN:**



**Development Control Committee B – 22 July 2020**  
**Application No. 19/04932/F : 27-31 North Street Bedminster Bristol BS3 1EN**

## BACKGROUND REGARDING OWNERSHIP

During the course of the application it has become apparent that a small area of land within the red line site is outside the applicant's ownership. No development is proposed on or over this piece of land, although access to the building proposed would be across this land, as is the case with the existing building. The owner of this land is unknown and therefore a notice has been placed within the Bristol Evening Post newspaper, in accordance with planning regulations in this regard, with the consultation period in relation to this notice expiring on 24th July 2020. An amended application form and ownership declaration has also been provided in this regard. As such, please be aware that it will not be possible to issue the decision on this application until this notice period has expired. It is considered that the resolution by members at planning committee can still take place, with a slight delay to the decision pending the outcome of the ownership advertisement.

## SITE DESCRIPTION

The application site is set on the southern side of North Street, adjacent to Picture House Court, and is located within the Bedminster Conservation Area. The immediate surrounding context is of predominantly two to three storeys, with variety in style/form and buildings generally grouped accordingly. Development generally comprises ground floor commercial units fronting North Street, with residential uses above. The application site is occupied by a cluster of historic two-storey buildings, which are identified within the Bedminster Conservation Area Character Appraisal as grouped buildings of merit, and are of pre-Victorian origin. The buildings are currently vacant, but were last in use as a solicitors office (A2 use).

## APPLICATION

The application proposes the demolition of the existing buildings on site and the construction of a five-storey building that would provide a replacement commercial unit on part of the ground floor, with the remainder of the building comprising residential use in the form of 20 units of co-living accommodation with associated communal living space. See plans and supporting documents for full details.

## RELEVANT PLANNING HISTORY

27 North St:

19/02259/F - Change of use of part of office building to one two storey residential unit.  
PERMISSION GRANTED.

03/04490/F - Change of use of ground floor from a shoe repair shop (Use Class A1), to offices used for financial or professional services (Use Class A2). PERMISSION GRANTED.

91/00427/F - Change of use from shoe repair shop and workshop to office accommodation -  
PERMISSION GRANTED

85/03376/F - Conversion of 2nd & 3rd floors of 3 storey building to use as offices, with new separate access from pavement - PERMISSION GRANTED

**Development Control Committee B – 22 July 2020**

**Application No. 19/04932/F : 27-31 North Street Bedminster Bristol BS3 1EN**

29 North St:

71/03932/P\_U - Change of use from Opticians Practice to the use for the wholesale and retail sale of motor accessories and general merchandise with part used as offices. PERMISSION GRANTED.

59/03106/P\_U - Use of the ground floor of the premises as Insurance Office and upper floors as storage. PERMISSION GRANTED.

31 North Street:

75/02156/P\_S - Change of use to solicitors office. PERMISSION GRANTED.

Former Gala Bingo site, 15-25 North St:

10/03955/F - Proposed demolition of existing buildings and redevelopment of site comprising 257 sqm of commercial floorspace (Use Classes A1, A2 & B1) and 22 no. dwellings (12 no. houses and 10 no. apartments), with associated car parking, ancillary servicing and new access arrangements. (Major application). PERMISSION GRANTED.

The above planning permission was subsequently varied under applications 13/03533/X; 18/03169/X, and; 18/03166/X.

13/03536/X - Minor amendment to approved details under 11/04054/F for the Erection of 4 self-contained townhouses with associated parking and access, comprising: i) retention of vehicle and pedestrian access ramp at existing gradient; ii) increase in finished ground level and ridge height of plots 1-4 (phase 2) by 600mm; Variation of conditions Nos. 2, 7, 8, 9, 10, 11 and 18. Deletion of conditions No 12. PERMISSION GRANTED.

The above planning permission was subsequently varied under application 11/04054/F.

#### PRE-APPLICATION COMMUNITY INVOLVEMENT

Process:

A statement of community involvement was submitted in support of the proposal, expressing that briefings and consultation were held with BS3 Planning Group; Bristol Civic Society; Picture House Court Management Company, and; local Ward Councillors. From the information submitted there appears to have been some dialogue between the BS3 Planning Group and the developers' team, although otherwise the community engagement appears to be in the form of briefings by the developers' team rather than the gathering of views to inform the evolution of the proposal.

Outcome:

No detail was provided in relation to any changes made to the scheme as a result of pre-application community involvement.

#### 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. There is

**Development Control Committee B – 22 July 2020****Application No. 19/04932/F : 27-31 North Street Bedminster Bristol BS3 1EN**

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 / refusal of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

**RESPONSE TO PUBLICITY AND CONSULTATION**

The application was advertised via press and site notices along with letters sent to surrounding properties. 23 written responses were received from surrounding occupiers, which raised objections that can be summarised as follows:

**Residential Amenity (see key issue B)**

- o Poor quality living environment for future occupiers
- o Mental health impacts upon future occupiers due to the cramped accommodation proposed
- o Overlooking of surrounding properties (windows and external space)
- o Overshadowing
- o Noise and disturbance during occupation, including in relation to use of the roof terrace
- o Noise from proposed Air Source Heat Pump
- o Noise and disruption during construction
- o Odour from internal refuse/recycling store accessed via a recessed area adjacent to the property entrance as well as that of Picture House Court
- o The submitted shadow study is inaccurate

**Design (see key issue C)**

- o The proposed building is too tall. Its height should not exceed that of surrounding buildings.
- o The proposed development does not respect the local context
- o The scale, massing and proportions of the building are out of character for the area
- o Negative impact upon the Conservation Area
- o The demolition of the characterful historic buildings on site is unacceptable
- o Proposed densities are well above those set out as optimum within the Urban Living SPD
- o Overdevelopment of the site
- o The application references buildings on land several metres higher than the application site to define proposed building heights, which is not appropriate
- o A five storey building is proposed, and should be referred to as such
- o Height of development would increase further if the solar panels were correctly angled
- o Inadequate visual impact analysis has been undertaken as part of the application submission

**Highways (see key issue D)**

- o Increased pressure for on-street parking
- o Highways impacts associated with vehicles servicing the development
- o Poorly designed cycle storage for the flats
- o Wall hung cycle storage for the commercial unit is impractical and would not be used
- o Outward opening refuse/recycling storage doors represent a hazard to pedestrians

**Sustainability (see key issue E)**

- o The solar panels drawn at an angle of 3 degrees contradicts the 30 degrees within the sustainability statement, and would be inefficient
- o Overshadowing of adjacent solar panels at the neighbouring building (Picture House Court)



**Development Control Committee B – 22 July 2020**  
**Application No. 19/04932/F : 27-31 North Street Bedminster Bristol BS3 1EN**

Other

- o A high turnover of residents would fail to build community
- o Light pollution, including from 10 square metres of rooflights proposed

Amendments were subsequently made to the scheme, with alterations to the form of the building at top floor level, along with layout alterations to increase the amount of communal living space and reduce the number of bedrooms by one, to 20. A further public consultation was undertaken, with 25 written responses received from surrounding occupiers. Concerns raised generally reiterated those listed above. Additional comments can be summarised as follows:

Residential Amenity (see key issue B)

- o Multi-occupancy and shared facilities is a dangerous and irresponsible idea. Social distancing would be impossible.
- o Negative implications for the mental wellbeing of future residents by virtue of the cramped living conditions
- o The revised scheme increases overlooking of Picture House Court due to the roof terraces proposed
- o Communal servicing areas are inadequate and unacceptably cramped

Design (see key issue C)

- o The local building height study provided does not enhance the case for this scheme
- o The plot is not a true corner plot, with the driveway to the side of the site being private, serving Picture House Court
- o The proposal would prejudice the ability to build above the driveway serving Picture House Court, by introducing windows and balconies on the proposed west elevation.

Highways (see key issue D)

- o Negative impacts upon highway safety due to increased occupancy of the site

Other

- o The red line site encroaches onto neighbouring private land owned by Picture House Court Management Co. The development has no right of access over this land and this would prevent access to the entrance doors and mini recycling centre proposed
- o Lack of affordable housing

Comments in support of the proposal were received from one member of the public, expressing comments that can be summarised as follows:

- o The development would offer community to people who may otherwise find themselves isolated.
- o The sustainable and central location of the site is such that a car would be of little use and therefore not necessary.
- o The proposal would offer opportunity to individuals whose current options are far less attractive.

**Development Control Committee B – 22 July 2020****Application No. 19/04932/F : 27-31 North Street Bedminster Bristol BS3 1EN****Councillor Mark Bradshaw has commented as follows (17.01.2020):**

"The proposed development would mean the loss of one of the oldest surviving buildings left on North St - an important element in the character of the area. A scheme utilising the existing building, with modifications, would have been better received.

The housing market is changing and Bristol has a crisis in terms of available affordable homes. This objection is not to resist any residential development in the area, of which there has been much in recent years. My concern is that the proposals are not good enough and may lead to problems for neighbouring people, services and safety.

Many of the objections relate to the impact on the new homes in Picture House Court. I will not rehearse these but they are reasonable comments which, if left unaddressed, could undermine the quiet enjoyment of local homes, impact on their security and the Passivehaus credentials of that development. Given the scale of this concern, this application should be considered by Committee.

The proposals focus on the creation of 21 bedroom 'apartments' with shared facilities. The built-to-rent market in Bristol has been growing and this type of housing asset meets particular market needs. There are examples where such developments provide decent sized living space at, close to or exceeding BCC adopted space standards. Sadly, this proposal has room sizes below this standard which I view as unacceptable - as should the Council. Furthermore, the shared amenity space is woefully inadequate - 21 'apartments' does not equate to 21 people living in the building - it could be many more. This concern is both a practical one in providing people with a decent liveable private space, but also relates to the mental health and well-being of people living there. The proposed communal roof-top terrace will become a party destination for residents and visitors - adding to noise and disturbance for others and unregulated unlike nearby licensed premises. Additionally, there is no co-working area or similar space (unless I've overlooked this) which would help reduce commuting journeys.

Parking and travel considerations are also important given local pressures. In my opinion, no new Southville RPS permits should be issued to the residents of any approved development. Additionally, there should be a contribution towards local car club provision, EV-charging and also a much needed safer (pedestrian-activated) crossing across North Street given the busy traffic, route to school and complicated junction nearby.

I have read the comments from the Crime Reduction team which must be highlighted as the residents of the development would be pre-dominantly younger people. There are serious concerns regarding the layout of the building and controls on access. As mentioned above, local residents living nearby also have security concerns.

Bristol Waste have asked for changes to the planned servicing for waste and recycling as these are inadequate. There are too many bins on the streets locally, impeding pedestrian access, and an under-sized bin store will exacerbate this - particularly as the pavement is pinched in this part of North Street.

I reiterate my strongly held view that this application should be heard by Committee and not delegated to officers. Such is the level of concern that I would find it difficult to contemplate BCC approving this scheme in its current form."

**Councillor Mark Bradshaw has commented as follows (28.02.2020):**

"I had a meeting with the developer/owner on 14th February to discuss the proposals and the various concerns/objections that had been raised, including my own.

**Development Control Committee B – 22 July 2020****Application No. 19/04932/F : 27-31 North Street Bedminster Bristol BS3 1EN**

There have been significant amendments to the proposals in response to the objections and I was pleased to see this. The scheme would provide a new housing tenure type in the area (although I understand a larger scale scheme elsewhere in Bristol, based on a similar operating model was recently consented).

I think what they are proposing in terms of conservation is innovative in working with Avon Archaeologists and would help to identify any hidden features of merit during the 'soft strip'.

Providing an EV car club bay, vehicle and charging point for public use would be a great asset for the local area and help encourage lower car ownership (added to this the non-availability of RPS permits for residents in the scheme).

The position of the terrace has altered; there is a larger communal area and some adjustment to sleeping space accommodation as a result. I have urged the developer to engage with nearby residents about issues raised such as over-shadowing of PVs etc.

Taking all this into account, and the security access and management support provision and the installation of a heat source pump which will help Bristol reduce both carbon emissions and energy bills, I am withdrawing my request that this scheme should be considered by Committee.

Can I also add that I want to see more space for pedestrians to walk without having to pass by in the road. A car club EV, space and charging point available for public use is a gain for the area. But I do not want to see a build out at this narrow point of North St not further cycle racks impeding pedestrian access."

**Councillor Mark Bradshaw has commented (following re-consultation as follows (13.05.2020):**

"The applicant has kept me informed as one of the local Cllrs and I've been updated on how the various concerns raised about the previous details have been addressed; for example on security, refuse and recycling access and the design and layout of the terrace. There has also been some adaptation of the living space to increase the shared amenity area. This is a new type of rented accommodation (of which there are larger scale examples in Bristol and elsewhere) and it clearly meets a demand for flexible living space close to transport links and employment.

I also welcome the commitment to zero carbon energy and the provision of an EV community shared vehicle with an on-street charging facility. These will help residents to reduce emissions in their travel.

I recognise and have been contacted with concerns about amenity and impact raised by neighbouring residents and how the proposals may affect their living conditions. Officers need to fully understand this aspect.

While the building itself appears to have limited historical value (and the applicant proposes a rolling investigation of any features to be protected), the physical scale and fit of the developed building is also of some local concern. I know the applicant has made further proposals to mitigate this.

I do support new, quality accommodation for people in the area as this helps meet housing demand and also underpins the commercial regeneration of Lower North and East Streets. I would hope that if the design, scale and local impact issues can be addressed, that this current empty and derelict building can provide homes in our area.

**Development Control Committee B – 22 July 2020****Application No. 19/04932/F : 27-31 North Street Bedminster Bristol BS3 1EN**

My neutral position reflects both the need for new homes, the need to reuse the empty building and the positive sustainability approach, but balanced against the impact on nearby residents and the fit of the revamped building on North St."

**The BS3 Planning Group has commented as follows (27.01.2020):**

"We can confirm that we "own" the comments attributed to us in the application and following consultation with the developer overall BS3 Planning Group consider the benefits of the proposal to outweigh loss of the existing property, with the benefits being:

- A modern energy efficient building
- Actively managed affordable (compared to other market options) co-living space.
- Car free living in a sustainable location
- New commercial space, with an identified occupier, bringing further employment to North Street.
- Generation of further spending in the area.

Additionally, highway changes (if delivered) would narrow North Street to encourage traffic calming and provide further cycle parking provision to support adjacent businesses.

Beyond being old we see no great merit in the extant building, which now stands as a "broken tooth" on North Street. We have stated that our view would change should the site be determined to have any actual heritage value. We concur that the building should not receive any RPZ permits, but the very location and target occupier tend toward those not owning cars. The site is on a major bus route and highly accessible to Bedminster Station on foot and the city centre either on foot or by bicycle.

Whilst it may be preferable to some to bring the existing building back to life the reality is that no developer would do that without seeing a clear route to profit. It would appear that that is unlikely to be achievable and hence bringing more life to North Street (both business and residential) is the preferable option.

We note that many of the objections emanating from Picture House Court were raised about that very development, for example traffic (PHC does provide vehicle parking on site and hence contributes directly to vehicle movements) and parking."

**The BS3 Planning Group has commented as follows (30.04.2020):**

"Whilst previously supporting this application, on reflections we no longer feel that we can fully support it. Our reasons being;

- The size of the rooms proposed and hence overall density of occupation
- The height of the proposed development in relation to those around it"

**The Conservation Advisory Panel has commented as follows (24.02.2020):**

"The application does not contain a sufficient assessment of the heritage value of this site. These are some of the oldest buildings on North Street and within the Conservation Area. The proposed loss of these buildings is extremely regrettable. Not only would the loss of these buildings adversely affect the character and appearance of this part of the Bedminster Conservation Area but demolition is contrary to relevant heritage policies contained within the Local Plan and the NPPF. Should permission be granted then conditions requiring archaeological excavations are required."

**Development Control Committee B – 22 July 2020****Application No. 19/04932/F : 27-31 North Street Bedminster Bristol BS3 1EN****Bristol Civic Society has commented as follows (06/01/20):****"Summary**

1.1 The Society regrets that it cannot support the proposed redevelopment which would demolish a surviving block of unlisted, early-19th century buildings which make a significant contribution to the character of this part of the Bedminster Conservation Area.

1.2 If there is a recommendation that the value of redevelopment outweighs the retention of this the group of buildings, the Society does not support a redevelopment that is not policy compliant. The accommodation would offer poor shared amenities that would not compensate for private space below current space standards. The development would not provide enough space for everyday activities.

**The site**

3 The site is occupied by a cluster of three irregularly fronted pre-Victorian buildings numbered 27, 29 and 31 North Street described as a "Grouped Buildings of Merit" in the North Street Character Area of the Bedminster Conservation Area Character Appraisal (adopted 2013). Together with the listed No 49 North Street, these are the oldest surviving buildings in the character area. 20th and 21st century buildings predominate the inside curve from North Street to Canon Street. Mainly late 19th century buildings survive on the opposite side of the street. The first 'Know your place' entry is Ashmead 1825 indicates a continuous ribbon of development. The 1840 tithe map shows an irregularly fronted development on the site. The first edition ordinance survey shows evidence of the current layout. Archaeology on the adjacent Rex Cinema site suggests the buildings may even be 18th Century. They are plausibly 200 years old. There is an extant planning permission - 19/02259/F - for #27 North Street, the largest of these three buildings, for change of use of part of the office building to one two storey residential unit.

**Demolition**

4 The Society requests the case officer to obtain Conservation Team advice about the proposed demolition of these buildings that form a group of merit. If, without prejudice to the Society principal objection, there is a demolition recommendation, we make these comments about the proposed replacement building.

**Uses**

5 The proposed uses appear to be policy compliant.

**Mass, height, design and materials**

6 A key view is defined for North Street Character Area #8 As "Views east along North Street to the Salvation Army/ Bristol South Baths and chimney " The Society suggests that the view down North Street should be investigated. A building of similar height to the four-floors of the new development to the east would be appropriate. The Society suggests that to conform with the character of the area, a new building should not exceed that of the new terrace to the east. If the Council supports a fifth floor it should have coherent form. A Mansard or pitch roof could provide a satisfactory result. The Society broadly supports the lower part of the design of the street facing elevations and, subject to sample, brick and seamed brass at the upper level and powdered metal coated window frames would be suitable materials.

The critical planning question - does the scheme offer its residents adequate space?

7.1 Policy BCS18 of the Core Strategy requires developments to contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. Residential developments are required to provide enough space for everyday activities to be flexible and adaptable to meet the Government's Technical Housing Standards - the nationally described space standard (2015). Other cooperative living schemes that the Society has seen occupy larger buildings. In this modest sized building, it will be difficult to provide adequate shared living space to mitigate the sub-space standard private living areas.

7.2 The Design Statement acknowledges that the residential unit areas would not comply with the

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Council's adopted space standards. The units offer between 23 - 24 square metres of private space. The Council's minimum standard for a one bed-space is 30 - 35 square metres. The Society understands that the Council does not support one bedroom, one person dwellings, as they are not offer sufficiently flexible and adaptable.

7.3 To mitigate the lack of space for everyday activities the scheme offers a communal laundry and shared space in a 37 square metre kitchen/dining room on the fifth floor. This space would be shared between the residents of 21 flats whose population would certainly exceed 21 persons. The drawing of the shared accommodation shows a dining table with 8 places, one armchair and one two-seat sofa. First floor residents must walk up four floors to reach the communal space. Cluster student accommodation usually offers better facilities. In student accommodation the kitchen-diner is the same floor as the associated bed-spaces and is shared between fewer residents. Any resident who finds the top floor shared space uninviting will have only sub-standard private space. The inclusion of built in storage is token. As a minimum, the one bedroom, two-person standard of 50sqm should be met. The Society doubts that the 'green' external roof space would be usable and would not mitigate the shortcomings of the proposal

**Conclusion**

8. The proposal fails to justify the loss of an attractive group of buildings that form part of the character of this part of the Bedminster Conservation Area. The accommodation offered fails to satisfy the Council's policy standards."

**The City Council Urban Design Officer has commented as follows (30/01/20):****Summary:**

CDG objects to the principle of demolishing the existing buildings of Merit within the Conservation Area without clear and convincing justification.

The massing and height of the proposed buildings is considered too great within the context of the prevailing height of 2-3 storeys.

The scheme proposes 21 [subsequently reduced to 20] co-living units, these are up to around 50% smaller than these national standards. The community facilities are not of sufficient quality and quantity to compensate for such undersized units.

**Context**

The buildings at 27-31 North Street are identified as being buildings of merit contributing to character and appearance of the Conservation Area. The site includes buildings of a varied scale and roof form which is a key characteristic of the streetscape. The loss of the existing built fabric would erode the special interest of the area and undermine the character of the Conservation Area.

The principle of this project to deliver a mixed used development optimizing density in this area of Bristol is accepted. This can be achieved with the retention of the existing buildings, which will need to be explored as it is felt:

- a) The buildings have intrinsic historic value and are part of the positive architectural attributes of North Street. Some of recent developments in the immediate area have impacted the setting of the Conservation Area. To avoid further undermining of Conservation Area these buildings should be retained.
- b) The council promotes adaptive reuse of buildings. Sustaining the embodied energy inherent in our building stock can help to reduce the city's carbon footprint.
- c) The existing architecture offers the opportunity to bring the building up to the aimed contemporary standards of a new proposal.

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This approach would ensure compliance with Policy DM26, which states; 'Development should retain existing buildings and structures that contribute positively to the local character and distinctiveness'.

The Heritage statement has failed to understand the contribution these character buildings no 27-31 North Street make to the character and appearance of the Conservation Area. These are buildings of Merit due to their historic interest. It is contrary to policy to remove these buildings. Therefore, the loss of these buildings causes harm to the heritage asset of the Bedminster Conservation Area. Any harm to the heritage asset needs clear and convincing justification and this has not been provided. It is therefore recommended that the existing buildings be retained.

**Scale Massing and Height**

This area is characterized by fine grained development of varying heights in proximity of the site. The proposed development appears coarser in grain and massing than the design solution needed on site.

The prevailing height of the immediate context is 2-3 storey (ground floor retail with residential/office above) with the exception of the adjacent building which is 4 storeys.

The height of the proposed scheme is four storeys with a fifth floor set back. This challenges the existing context and is considered too great within the context of the prevailing height of 2-3 storeys.

The proposed 5 storey building along North Street represents an overbearing massing in relation to the street character and fails to respond to the subservience of the building massing required within the backland area of the site.

The justification for the scale, height and massing given within the Design and Access statement is that the massing of the building is derived from the density required to make a co-living scheme viable. To comply with DM27, the scale, height and massing of a proposed building should be appropriate to the local context and its prevailing character. DM27 which states the following;

'The height, scale and massing of development should be appropriate to the immediate context.' The proposed building footprint is built along the existing building line which sits forward of the adjacent building. Should a replacement building be accepted, the building should seek to increase the footway width and create a uniform building line with the neighbouring building.

**Communal/amenity space and landscaping**

The amenity space for the residents is limited to two small narrow roof terrace areas and area largely taken up as an outdoor dining space. One length of roof terrace will be compromised by the noise generated by the Air Source Heat Pump unit.

These roof terraces areas are;

- o not of sufficient quality to be considered usable amenity space for residents and
- o provide no meaningful opportunities for landscaping that contributes to the street scene.

In accordance with the Urban Living SPD a minimum of 5sqm of private outdoor space should be provided for a 1-2 person dwelling. This has not been achieved within this scheme.

**Liveability considerations**

The proposed Co-living scheme delivers a scheme of 21 units between 21sqm and 31 sqm. As a co-living scheme it is classed as Sui Generis in planning terms, they are not required to conform to nationally prescribed space standards attributed to mainstream housing. The units proposed are up to around 50% smaller than these standards.

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Additional to the sub-standard units, the proposed development fails to meet other liveability aspirations set out Urban Living SPD for the following reasons;

- o The development comprises of predominantly single aspect units, some of which are north facing
- o The lack of any amenity/private open space;
- o Internal stairway with no natural light.

The scheme proposes 21 sub housing standard units described as a 'co-living' type residential offer. The Co-living concept is generally a temporary tenure up to 12 months, with a focus on generous areas of shared facilities such as high quality designed shared spaces including lounge, dining and BBQ areas with events spaces, superfast internet and concierge. The provision of a single communal kitchen/ dining area on the fourth floor does not warrant this scheme being considered as sufficient quality or quantity of shared facilities to be considered to adhere to the co-living offer.

**Design of New buildings**

While the principle of demolishing the building of Merit is not accepted comments on the design of the proposed buildings are as follows.

The fenestration of the 1st, 2nd and 3rd floors of the main building facade is a modern interpretation of the historic buildings with regularly spaced windows with deep reveals, this approach is sympathetic to the local context. The ground floor could be improved to better reflect the rhythm of the upper floors and a continuously active frontage along North Street.

The playful roofscape with varied roof forms delivers incoherence along the frontage and should be revised. The recessed element which incorporates the Co-living entrance isn't sufficiently legible as the main entrance for the 21 units and should be upgraded.

**Public Art**

The public art is tokenistic. It is recommended that the applicant negotiate a public art strategy with the Public Art officer.

**Conclusions**

The current proposal gives rise to a number of significant concerns and does not address a number of policy considerations. The key issue is the significant impact on the Conservation Area due to the removal of the buildings of merit. Other issues relate to the building scale, massing and grain of development; single aspects units; sub-par liveability and amenity arrangements.

**The City Council Highways Officer has commented as follows (24/01/20):**

The site is situated in a sustainable location with access to approximately nine frequent bus services. North Street is also a popular busier cycle route that offers access to segregated cycle infrastructure towards the City Centre. Local amenities are situated in a walkable distance however the site is situated within, but on the edge of the Southville Residents Parking scheme.

**Cycle Parking**

TDM raise concerns with the provision of semi vertical cycle parking. This is not considered to be a suitable form of cycle parking and as such TDM recommend this is amended and replaced with Sheffield Stands. This may result in a reduction in cycle parking.



**Development Control Committee B – 22 July 2020****Application No. 19/04932/F : 27-31 North Street Bedminster Bristol BS3 1EN****Car Parking**

No vehicular parking has been proposed as part of the development. Given the type of residential dwellings that are proposed these have less of a parking requirement when compared to conventional dwellings. Residents will also not be eligible for residents parking permits and the relevant advice will be applied. The lack of car parking has been mitigated, in part, by the inclusion of cycle parking at a ratio above 1:1.

**Waste & Servicing**

Refuse and recycling collection will take place from North Street and the bin stores are proposed towards the frontage of the building to accommodate this. TDM are content this will provide a suitable location for access by refuse collectors however confirmation from Bristol Waste is required.

Servicing provision for the ground floor office and for residential deliveries is unclear and further information is required given on street parking is situated at the frontage.

**S278 Highway**

The proposed plans indicated a lighting column to be relocated. This will be included within the s278 highway works agreement. Subsequently a lighting design will be required and approved at this stage which may involve the upgrade of lighting columns and lighting heads.

A dashed line has been shown on the ground floor plan. It is unclear if this is the line of existing pavement or if this will be altered. In any case TDM would not accept the alteration of the existing kerbline alignment. Furthermore the proposed footway does not measure 2m in width and amended plans are required to demonstrate this. A plan is therefore required demonstrating the area of footway to be resurfaced, land to be dedicated as highway and a continuous footway of minimum 2m width.

**Travel Planning**

The measures outlined within the travel plan statement are deemed to be acceptable. Evidence the measures have been delivered within 3 months of occupation is required and a condition will be applied to secure this.

**Construction Management**

Due to the impact this proposal would have on the highway network during the demolition/construction period the applicant should be required to produce and submit a construction management plan or construction method statement in writing for approval to the Local Planning Authority before work commences.

**Recommendation**

Before TDM are able to recommend approval of the application the following information is required:

A plan demonstrating the area of footway to be resurfaced and land to be dedicated as highway

The amendment of the proposed cycle parking is required to include Sheffield Stands.

Servicing provision for the ground floor office and for residential deliveries is unclear and further information is required.

**The City Council Highways Officer has commented as follows (11/05/20):**

No s278 Highway works plan has been submitted. Given the development requires the movement of highway infrastructure this is critical. Again the requirement for a 2m footway is reiterated in line with Manual for Streets and the need to maximise walking as a form of transport.

In regards to the car club space I have contacted the car club co-ordinator and our highways engineers team to determine whether this is required and feasible.

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No response to the issue regarding the semi vertical cycle parking has been forthcoming. I note there are spatial constraints however the semi vertical spaces should be removed and replaced with more accessible spaces.

**Bristol Waste has commented as follows (30/12/19):**

The accompanying plans show only six containers for refuse and recycling however from the table above seven are needed. Bristol Waste considers the refuse store to be too small to accommodate up to 3 large 4-wheeled 'Eurobins' and x 4 wheeled bins. [Scheme subsequently amended to accommodate 7 bins within the store].

The service door to the store opens directly into the main resident's foyer access area. Although this is off the main pavement it does mean this area is very congested and may present problems for collection crews interacting and conflicting with residents entering and leaving the building. As with the recent development of the adjacent Picture House Court where the refuse store opens out onto North Street we request a dropped kerb is installed directly outside the collection point and double yellow lines or hatching are installed to prevent vehicles blocking access and for provide a clear route from the store to the collection vehicle which will have to park in the roadway while the bins are being emptied.

**The City Council Pollution Control Officer has commented as follows (14/01/20):**

Usually for such applications I would want to see information as to how the property will be managed in order to control any noise or antisocial behaviour from residents particularly as the property includes external outdoor amenity areas which can be a source of noise nuisance if inconsiderately used. Without such information it is difficult to make a fully reasoned judgement on this application. I would have to object to this application [on this basis].

The application also proposes the use of air source heat pumps but no specific details have been given. If my concerns above can be resolved I would be happy for further information regarding heat pumps to be provided by condition.

Finally I have some concerns regarding the potential for noise nuisance from the proposed ground floor commercial use, particularly if this is to be A1 use. Again I feel that my concerns can be suitably dealt with by condition.

Therefore if suitable information can be provided in the application with regards to the management of the premises I would ask for the following conditions should the application be approved: Plant noise level restriction; time restrictions for collections and deliveries; opening hours of the ground floor commercial unit.

**The City Council Flood Risk Officer has commented as follows (06/01/20):**

We object to this application as not enough information has been provided to fully assess this application. The applicant has not provided a full sustainable drainage strategy as outlined in our West of England Sustainable Drainage Developers Guide, this is a requirement for all major applications.

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**The City Council Sustainability Officer has commented as follows (02/07/20):**

Building height and shading of neighbouring building

The Design and Access Statement (Oct 2019) (Over-shading pages 11-13) shows shading of the roof of the neighbouring building, on which solar collectors are installed, in the afternoon on the winter solstice.

My recommendation is that height of this scheme is reduced such that the adjacent roof (and solar panels) is not shaded at any time of year. If this cannot be achieved the reduction in solar gain on the adjacent building should be modelled prior to determining appropriate mitigation measures.

Fabric and ventilation

The improvement in fabric efficiency and air-permeability is noted and supported.

Please clarify whether the whole scheme will be served by MVHR and provide further details, including access to air filters and how frequently these need to be cleaned/changed by householders and occupants.

Space heating

Further information is required on the type of ASHPs to be used for space heating and the method of heat distribution which is taken to be warm air via the ventilation system but which should be clarified.

Details of the system for detecting and monitoring refrigerant leakage from the heat pumps should be included in the Energy Statement.

The applicant is strongly encouraged to specify heat pumps with refrigerants with lowest available global warming potential (GWP) and which comply with forthcoming change in EU legislation on refrigerant use and GWP.

Domestic hot water

Point of use water heaters would be acceptable in the non-residential elements of the scheme for the businesses uses specified in the application (given the minimal demand for hot water) but may not be acceptable for other business uses such as A3, A4, and A5 (were the uses to change).

Point of use heaters are excluded from the heat hierarchy in policy BCS14 and would not be policy-compliant/acceptable in the residential parts of the scheme (due to the higher domestic hot water consumption).

The energy strategy should be revised to provide a domestic hot water system (e.g. air source heat pumps) which meets the heat hierarchy in BCS14.

Roof-mounted PV

The use of a roof-mounted PV system to reduce residual emissions is compliant with BCS14. However, the proposed tilt angle (inclination) of 3 degrees (from horizontal) is too shallow for the panels to self-cleaning. To maintain the energy yield modelled in the Energy Statement the panels will need regular and frequent cleaning throughout their operational life, which I do not regard as practical or realistic. The mounting should be redesigned to increase the tilt angle to at least 20 degrees from horizontal (though 30 degrees would be preferable from the perspective of solar yield).

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Overheating

The reduction in glazing g-value is noted. However, given projected changes in average and peak summer temperatures over the life-time of the scheme - taken to be 60 years - and the proposed improvements in fabric efficiency and air permeability, I would like to request assurance that the development will not be liable to overheating. This should be demonstrated with dynamic thermal modelling of the scheme under current and future weather files (i.e. to 2080) with the risk assessment made using a recognised methodology such as CIBSE TM52/59. Any 'fails' should be addressed through amendments to the design.

Parking and car club - electric vehicle

The proposal to provide a Co-Cars Renault Zoe is noted and supported.

Please clarify whether the EconetiQ charge point can charge vehicles connected to the DC and 22kW-AC outlets simultaneously.

To ensure the Co-Car vehicle has sufficient charge to be usable when booked by members, the state of charge of the car should be accessible remotely without having to visit the vehicle. How this will be done should be clarified in the Energy Statement.

Whether other parking will be provided should be confirmed in the Energy Statement.

**The City Council Air Quality Officer has commented as follows (29/12/19):**

This development is unlikely to result in substantial air quality impacts. New exposure will not be introduced as nearby existing monitors show that the concentration of NO<sub>2</sub> is well below the objective. No car parking is proposed and the development is in an accessible location, so traffic generated should not be significant.

**The City Council Contaminated Land Officer has commented as follows (22/01/20):**

The applicants were advised at pre-application that a Phase 1 Desk Study should be submitted with the application if at all possible, this has not been produced and it is proposed intrusive investigation takes place post demolition.

We do recommend the applicants start with a desk study, utilising information from previous investigations in the local area.

Standard conditions B11, B12, B13 and C1 should be applied to any planning consent, these can be worded to facilitate post demolition investigation upon request.

**The Police Crime Reduction Officer has commented as follows (07/01/20):**

I have viewed the planning application and have the following comments.

Where a Design and Access Statement (DAS) is required CABE does recommend that the statement includes a section that shows that security and safety have been considered and demonstrates how this will be achieved. The DAS provided with this application does make reference to cycle security, but fails to mention how the building as a whole will be treated

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- o There is a lack of defensible space around the building, this could be problematic especially on the west elevation where there is also a lack of natural surveillance. We would recommend that ground floor, or easily reached glazing, is toughened/laminate to BSEN356:2000 PIA. In addition a finish is applied to brick/block work that would allow for the easy removal of graffiti.
- o There should be audio and visual access control into the building. The Bristol City Council document Urban Living SPD (adopted November 2018) provides the following information, where access cores serve 4 or more dwellings, an access control system with entry phones linked to a main front door with electronic lock release should be provided in all dwellings.
- o Communal post boxes should meet the requirements of TS 009.
- o The door into the cycle store should have a localised alarm sounder incorporated into the access control system to activate if forced or left insecure.
- o There appears to be free movement through the building, we would strongly recommend the use of compartmentalisation to prevent the unlawful free movement throughout the building by using an access control system.

**The City Council Archaeological Officer has commented as follows (06/01/20):**

There is no assessment of the potential archaeological impact posed by this development.

Given that this proposed development site lies within the vicinity of known medieval and earlier occupation in Bedminster, an understanding of the potential for surviving archaeology should be provided in accordance with policies BCS22, DM31 and SPD7.

The heritage statement should be amended to set out the likely development impact to the significance of any archaeology, how this impact has been kept to a minimum and suggested mitigation for any impact.

**The City Council Archaeological Officer has commented as follows (28/05/20):**

I have considered the report and find it acceptable. It does not present any additional justification for the demolition of the buildings or the impact on the character and appearance of the conservation area.

As character buildings within the conservation area, the existing buildings through virtue of their scale and form define part of the special interest of this part of the conservation area. Completely removing them and replacing them with buildings of greater scale and mass and without reference to the historic development of the area causes harm to the significance of the asset (ie the Bedminster Conservation Area). I accept that this harm is less than substantial, but it is significant harm.

Any proposal should seek to preserve or enhance the character and appearance of the conservation area. I have seen no clear and convincing justification for the level of harm proposed and it has not been demonstrated that the applicant has sought to minimise this harm. These requirements are set out in the NPPF that, along with the recently published National Design Guide promotes a meaningful design process that embeds a thorough understanding and appreciation of heritage, local character and distinctiveness.

However, if in your view there are adequate public benefits to outweigh this level of harm, appropriate mitigation through a programme of archaeological works will be required. These works, secured by conditions should include; building recording, archaeological fieldwork to include some level of excavation and monitoring of development ground works.

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The archaeological report does indicate that the existing buildings do have a level of heritage significance that has not been factored into the applicant's assessment of heritage impacts. Also given that we are in a climate emergency, adaptive reuse should always be the starting point of a project like this.

**RELEVANT POLICIES**

Planning Obligations - Supplementary Planning Document - Adopted 27 Sept 2012  
 Urban Living SPD - November 2018  
 Bedminster Conservation Area Character Appraisal  
 Planning (Listed Buildings & Conservation Areas) Act 1990  
 National Planning Policy Framework – February 2019  
 Bristol Local Plan comprising Core Strategy (Adopted June 2011)  
 Site Allocation and Development Management Policies (Adopted July 2014)

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

**KEY ISSUES****(A) NATURE OF PROPOSED USES**

Core Strategy policy BCS1 outlines the priority for south Bristol to deliver development including the provision of around 8,000 new homes of a mix of type, size and tenure and around 60,000sqm of net additional office floor space focused on centres and major regeneration areas.

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. Policy BCS20 seeks the efficient use of land, particularly in and around the city centre, in or close to other centres and along or close to main public transport routes.

Policy BCS7 expresses that retail development, offices, leisure and entertainment uses, arts, culture and tourism uses will be primarily located within or, where appropriate, adjoining the centres in the identified network and hierarchy serving Bristol. The policy also accepts higher density forms of residential development at identified centres, subject to the centre being suitable and that there is a high level of accessibility by public transport, cycling and walking. The vitality, viability and diversity of centres must also be safeguarded by development through the provision of appropriate uses. Active ground floor uses are expected throughout centres. Policy DM7 shares the same sentiment with regard to town centre uses.

Policy DM2 relates to shared and specialist housing and expresses that such proposals will not be supported where residential amenity or local character would be harmed through a number of factors, or where developments would reduce the choice of homes in the area by changing the housing mix. The policy also expresses that where development is permitted it must provide a good standard of accommodation by meeting relevant requirements and standards set out in other development plan policies.

**Ground Floor Commercial Use**

The application site is positioned within a secondary shopping frontage within the Bedminster Town Centre. The proposals detail the provision of an office unit at ground floor level. As can be seen from the planning history above, the existing property has been operated as offices under A2 use,

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which is appropriate within a designated centre given the active nature of the uses through the provision of a publicly accessible offer as part of a wider shopping centre offer. The continued provision of an A2 unit is supported.

The floorspace of the A2 unit has been reduced significantly under the proposed scheme, which gives rise to some concern, however it is considered on balance that the proposed A2 unit would be of adequate dimensions to reasonably support a future A2 use, or another appropriate use compatible with the function of the designated centre. As such is considered that the proposal would not undermine the vitality and viability of the centre.

### Residential Use

The form of residential accommodation proposed in this instance is co-living, which is a relatively new concept, particularly in the UK. The concept is to provide small units of personal accommodation with built-in furniture, along with a generous communal space that can include kitchen and living room facilities; cinema; games rooms; gymnasium; bar/café, etc. along with servicing facilities such as laundries. The units are generally serviced in terms of cleaning, and there are organised events and social occasions for residents to partake in.

The location of the site within an identified centre, and with good access via sustainable transport means, is such that the provision of higher density residential development could be accepted in principle as part of mixed use development. This is however subject to meeting the requirements of interrelated policy, including in terms of design, amenity, sustainability and flood risk. There are a number of issues which do give rise to some concern, and will be discussed further elsewhere within this report. Considerations as to whether the proposed co-living accommodation is acceptable in principle hinges around residential amenity issues, and as such this will be discussed in more detail in the key issue to follow.

### (B) AMENITY

Policy BCS18 requires residential development to provide sufficient space for everyday activities and enable flexibility and adaptability by meeting appropriate space standards. Policy BCS21 expects development to create a high quality environment for future occupiers while safeguarding existing surrounding development. Policy DM29 expects new buildings to safeguard the amenity of the host premises and neighbouring occupiers. The Urban Living SPD sets out requirements for achieving good quality residential developments at higher densities.

Policy BCS23 expresses that in locating and designing new development, account should be taken of the impact of existing sources of noise or other pollution on the new development. Policy DM35 expects noise sensitive development in locations likely to be affected by existing sources of noise to provide an appropriate scheme of mitigation to ensure adequate levels of amenity for future occupiers.

Policy DM2 relates to shared and specialist housing and expresses that such proposals will not be supported where residential amenity would be harmed through a number of factors, including noise and disturbance, and inadequate servicing facilities. The policy also expresses that where development is permitted it must provide a good standard of accommodation by meeting relevant requirements and standards set out in other development plan policies.

### Future Occupiers

There is no current local plan policy in Bristol that relates specifically to co-living accommodation, however there are established policies, including in relation to housing standards and residential amenity, which are directly relevant. From wider reading around the subject it is understood that

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co-living is designed to offer relatively short term accommodation targeted generally at a young-adult demographic. As has been briefly mentioned previously, within co-living developments small individual units are supplemented by communal spaces that can include kitchen and lounge areas, as well as leisure and servicing facilities.

In terms of the residential accommodation proposed, 20 co-living units are proposed, with floor areas ranging between 20.84 square metres and 32.07 square metres. The average individual room size is 25.19 square metres. Small private balconies are proposed for 3 of the co-living units. The individual private rooms are supplemented by communal living space comprising a kitchen/living/dining room on the top floor, measuring just under 50 square metres in total, which averages at 2.5 square meters of internal communal living space per co-living room. An external shared terrace is also proposed, which measures approximately 51.5 square metres (including planters) in total, although in reality represents approximately 35 square metres useable space (or 1.75 square metres per room on average). At ground floor level a laundry is located, along with communal racked cycle storage. The refuse/recycling store is also located at ground floor level.

The individual rooms fall well below national space standards requirements (37 square metres for a 1 person flat, and 50 square metres for a two person one-bedroom flat), and even when factoring in the proportion of communal space, the units still fall short of national space standards. From research of other schemes across the UK, the type of accommodation proposed is however generally accepted as being sui-generis use (i.e does not sit comfortably within another defined use class), and therefore given that the space standards only apply to C3 the residential use class, they cannot be applied in this instance. What remains relevant however, is whether an acceptable quality of accommodation is provided and whether it adequately safeguards the amenity of future occupiers and surrounding occupiers (policies BCS18, BCS21 and DM29).

The majority of units (12) are single aspect, with 8 having dual aspect. The emphasis on single aspect accommodation and small individual room sizes does give rise to concern in terms of occupier amenity and wellbeing. Within the co-living concept good quality communal facilities are required to compensate for the limited space available within individual private rooms. Due to concerns raised in relation to the quality of accommodation proposed, the communal living space on the top floor has been enlarged and reconfigured during the course of the planning application with one private room removed from the scheme to facilitate this. The space would provide a combined internal kitchen, living and dining area, which would be triple aspect, and would adjoin external terrace areas fronting North Street. Following the revisions to the scheme this is considered to represent a good quality communal space. While the communal space available per resident would be limited, it is considered unlikely that all residents would be using the communal space at the same time (although this could well occur), and as such the space on offer is likely to be greater than 2.5 square metres (per room) at a time. This would however be the only communal cooking, eating and socialising space available within the development, and as such choice is not available for residents in terms of where to be and with whom, which may be considered a shortfall of the co-living concept at the scale proposed.

During the course of the application the case officer has given consideration to whether there may be a critical number of units needed before a co-living scheme can become feasible in terms of the number of residents needed to make the provision of facilities possible, and at the same time the ability to provide adequate communal spaces and ancillary uses to justify the below-space-standards individual accommodation offered. Indeed, investigating emerging policy elsewhere within the country, it appears that the need for a critical mass has been identified in formulating the London Plan (Intend to Publish Version) 2019, which details a need for co-living schemes to comprise a minimum of 50 units.

In response to this the developer's team has expressed that the small scale (in terms of co-living) scheme put forward would represent the scale of a friendship group, fostering relationships between residents as a result, whereas a larger scale scheme can result in anonymity and isolation



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of residents within a development. This point is taken, and it is agreed that a small group of residents is likely to result in stronger community relationships between residents, although this is not a given. On the flip side however, the smaller scale limits the available space and potential range of communal facilities that the development can offer to supplement the small individual rooms.

The developers' team has put forward a number of other co-living examples from elsewhere in the UK, including small scale schemes, setting out that the space proposed within the North Street development exceeds that approved on schemes elsewhere. Indeed, in many cases the individual private room sizes are smaller than those proposed, however that does not necessarily demonstrate that an adequately good quality of accommodation is proposed, especially in the context of a policy vacuum where there are no current adopted standards (local or national) to set out acceptable minimum requirements.

In terms of comparisons to other similar schemes, so far in Bristol there has been one co-living development approved, located in Old Market and containing 107 co-living units in clusters of 7-10 units. This was one element of a larger scale development, with the layout resembling that of student accommodation, and indeed the other accommodation blocks within the development provided student accommodation. Whilst perhaps not an exemplary co-living scheme, identifiable differences when compared with the proposal for 27-31 North St, are: significantly more accommodation units; a greater amount of communal accommodation with shared kitchen/dining/living room facilities for every cluster 7-10 flats, and; a choice of communal spaces for residents to use. Whilst useful for the sake of comparison, it is however considered that successful co-living schemes should go further than this and also provide a variety of facilities and activities for residents.

As previously mentioned, the proposed scheme would provide private rooms averaging 25.17 square metres, supplemented by an average 2.5 square metres of communal space. The Old Market Scheme provided private rooms averaging 20.42 square metres (which is comparable to various other UK examples), supplemented by an average of 4.1 square metres of communal space. As such, the North Street proposal would provide on average more space per unit, although with less generous communal space.

In terms of occupancy, issues of occupancy levels and tenancy durations were raised by the case officer during the course of the application in order to glean clear understanding of whether rooms are proposed purely as single occupancy, and what the minimum and maximum tenancy durations would be. In response the developers team provided a statement in relation to this, however it does not provide any commitments in relation to either of these issues. Whilst it is envisaged that rooms would be generally single occupancy, the developers team also expressed that "rooms would also be available to couples where requested on a limited basis", with no specific limitations put forward. In relation to tenancy durations it has been expressed that "Lease terms would be on an assured shorthold tenancy (AST) basis of a minimum of 6 months with no limit on the maximum duration. However, in the interest of flexibility for residents, shorter leases would be available on circumstantial bases." On this basis there are no guarantees for occupancy numbers or tenancy durations. At present there is no guidance available as to what is acceptable in this regard, however if planning permission is to be granted, a premises management plan would need to be conditioned, which could include limitations in relation to occupancy levels and tenancy terms to ensure that they are kept within appropriate parameters.

In terms of the facilities, services and activities available to future residents, beyond the private and communal spaces shown, no firm details have been provided in relation to this, yet in theory the co-living concept involves activities and events as part of the living experience. The developers' team has expressed "Bedrock Co-Living values itself on connecting people to the community that they're living in. As well as organising social events and activities in the building (e.g. pasta making evenings, quizzes, yoga), it deliberately strives to support local businesses by forming partnerships

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that encourage residents to use them (e.g. local gyms, and fitness/cycle/running clubs). The Community of Life Survey (2017-18) reported that 45% of young people do not feel connected to their neighbourhood. Connecting people and giving back to the community is therefore one of Bedrock's missions. For example, the North Street site has four locally run gyms within 200m of the site. Though the exact nature of partnerships with the chosen gym is yet to be determined, this will include subsidised memberships or special deals for residents. The aspiration is to achieve the same with other local services such as laundry, cleaning, cycle repair/hire and groceries." As such it appears that there are aspirations for enhancements to the living experience in this regard, however no assurances are explicitly made within the application.

Overall the proposal is considered to represent cramped residential accommodation, which cannot be considered flexible or adaptable, and there are concerns regarding negative effects upon the amenity of future occupiers as a result. Even the largest units fall well short of the national space standards requirements for a one person one-bedroom residential unit, and it should be noted that one-person units in Bristol are generally resisted as they do not provide adequate flexibility or adaptability to occupiers. In addition to the limited size of individual units, it is noted that the majority are single aspect, and a number of these single-aspect units are north-facing. This gives rise to further amenity concerns in terms of daylighting and ventilation. Further, the communal space on offer to supplement the small individual room sizes is also limited in terms of quantity and functionality.

There is evidence to suggest that the development proposed offers a better standard of accommodation in some respects to other examples of similar developments in the UK, however the lack of national or local planning policy or guidance in relation to co-living accommodation is such that at present appropriate parameters for the concept is relatively untested and not yet defined.

The recommendation that the principle of the co-living scheme put forward is supported is very much reached as an on-balance position. This position is reached in no small part due to the recent approval by members at planning committee of the co-living scheme on Unity St, Old Market, and therefore that co-living is supported in principle by Bristol as Local Planning Authority. This is not to say that the quality of accommodation is considered 'good' however, but on the basis that this new accommodation is supported (if indeed it is) as a diversification of Bristol's housing offer. Under current local planning policies however, it is considered that refusal could also reasonably be justified on residential amenity grounds if members see fit.

### Neighbouring Occupiers

Overlooking of the adjacent development at Picture House Court was raised as a concern within objection comments received. The proposed development includes 12 rear-facing windows, with 3 each at first, second, third and fourth floor levels. A small private terrace is also proposed at fourth floor level. The aforementioned windows would face the northern end elevation of number 17 Picture House Court. This end elevation is blank with the exception of three windows to its western end, each being a secondary window serving a half landing to a stairwell. The nearest windows at the proposed development would be set approximately 7 metres from the neighbouring staircase windows, and as such overlooking (inward and outward) would be afforded at relatively close proximity. Given however that the neighbouring windows do not serve habitable living space, and that they are not the only windows serving the staircase (main staircase windows are west-facing) it is considered that this close interrelationship could be accepted on balance.

Other window inter-relationships are better spaced, and set at an angle, with the nearest windows 23 Picture House Court being in excess of 18 metres away for example. Overall the relationships are considered in line with what would be expected within an urban setting. The rear roof terrace proposed at fourth floor level would enable views over surrounding properties, however the

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relationships are not considered unacceptable in the urban setting.

Relationships of proposed front and side-facing windows and external terraces with surrounding buildings accord with established local characteristics, such that overlooking is not a concern. The proposed front elevation would be set approximately 13 metres from the building opposite on North Street, which is characteristic for the area.

When considering overshadowing, only limited information has been provided in terms of a shadow study, which is set out within the Design and Access statement provided. The scale of the building proposed is such that there would be some additional overshadowing at surrounding properties, with nearby properties on the Northern side of North Street likely to be most affected in this regard due to their position to the north of the development proposal. There are also concerns of overshadowing of neighbouring roof mounted solar collectors at Picture House Court, which was designed to Passivhaus principles, which will be discussed further within the sustainability key issue below.

Noise has been raised as a concern within objection comments, in terms of the use of the roof terraces as part of the proposed development, as well as in relation to proposed plant/equipment and noise associated with the construction phase. Conditions can be imposed to restrict plant noise levels and also set out acceptable parameters for construction works. In relation to the use of the external roof terrace, the City Council Pollution Control Officer also raised concern of the potential for noise in the absence of property management plan. It is considered that if planning permission is granted, the provision of a management plan could be conditioned, which would include detailed measures to be taken to safeguard surrounding occupiers from noise associated with the occupation of the development.

In relation to odour, concern has been raised with regard to the location of the communal bin store directly adjacent to the residential entrances to the proposed development as well as that of the existing neighbouring residential development. There is potential for nuisance from odour within this recessed area, which will need to be addressed through the provision of an appropriate ventilation system to mitigate against nuisance from odour. This could reasonably be secured by condition as necessary.

### (C) DESIGN AND CONSERVATION

Policies BSC22 and DM31 relate to heritage assets (including Listed Buildings and Conservation Areas) and seek to preserve or enhance heritage assets. The NPPF defines 'conservation' as 'the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance'. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 express the need for special regard to be given to preserving or enhancing the character and appearance of Conservation Areas

Local plan policies BCS21, DM26, DM27, DM28 and DM29 set out the design requirements that new buildings should achieve. Policy DM26 requires development to contribute towards local character and distinctiveness, in relation to various factors including pattern and grain of development, scale, character, function and architectural styles. The policy expresses that development should retain buildings and structures that contribute positively to local character and distinctiveness.

The application site is located within the Bedminster Conservation Area, within the identified Character Area 8 'North Street'. The existing buildings on the application site are identified as grouped buildings of merit of pre-Victorian origin, and are considered to positively contribute to the character and appearance of the Conservation Area. In accordance with current local and national planning policy, it is considered that the starting point for any redevelopment of the site be based on

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the assumption that the existing buildings on site should be retained, with any development adapting the buildings in order to maintain the positive contribution that they give to the character and appearance of this part of the Bedminster Conservation Area. This view is shared by officers within the City Design Team who object to the demolition of the existing buildings on site.

The City Design Officer has expressed that the submitted Heritage statement has failed to understand the contribution existing buildings make to the character and appearance of the Conservation Area. These are buildings of Merit due to their historic interest, and it is contrary to policy to remove these buildings without clear and convincing justification. Clear and convincing justification and this has not been provided.

The proposal however seeks to demolish all existing buildings on site and replace with a new five-storey building, with the developers' team expressing that redevelopment of the existing buildings on site is not a viable option.

Without prejudice to the concerns raised regarding demolition of the existing buildings on site, any new development on the site should respond to the existing context. In terms of scale and massing the established context is for development of between two and three stories, with a prevailing building height of two storeys and occasional three-storey accentuations. In the immediate context there is only one exception to this, which is the recent development on the neighbouring site to the north, which is four-storeys in height, the top floor of which is set back and within a pitched roof form to the front. The proposed five-storey building does not accord with the established character of 2-3 storey development (and exceeds the one identifiable local anomaly to this prevailing character) which is considered unacceptable. The submitted supporting documentation seeks to justify the increased scale/height in comparison to the immediate context by referencing development elsewhere along North Street and elsewhere nearby within the vicinity, however the development site will not be read visually against the examples given, especially not at the pedestrian scale. The proposal also seeks to justify the scale of building proposed through referencing nearby buildings set on higher land as a comparison, which again is considered irrelevant as skylines are expected to vary with changes in topography, not to have a level roofscape set at a fixed level above ordinance datum irrespective of local topography. It has also been attempted to justify the proposed five-storey scale by expressing that the building is set on a corner plot and would punctuate the junction, however the site is not a true corner plot, being located beside a private shared drive at a break in built form along North Street, rather than being in a position where a landmark or focal building would be expected. Indeed, City Council Urban Design Officers object to the scale of the proposed building (putting aside objections to the demolition of the historic buildings on site) and even when taking account of established local variations in building height, the proposal would be out of character in this regard.

It is acknowledged that development should maximise the development potential of available land, however this must be achieved within appropriate parameters. The Urban Living SPD details that the application site is set within Bristol's 'inner urban' area, with the SPD setting out that the optimum density for redevelopment in such an area is 120 dwellings per hectare. Taking each co-living unit proposed to represent a dwelling, based on the calculation methodology for mixed use developments set out within the Urban Living SPD, the proposed development represents a density of 749 dwellings per hectare. Whilst there is no defined cut off point in terms of maximum density, excessively high density can lead to poor quality development in terms of successful place-making and liveability considerations, and indeed there are concerns in this regard which have been set out within key issue B above.

During the course of the application revisions were made to the scheme, with the top floor amended in terms of its extent and form, which is considered an improvement. The building style and fenestration layout is considered broadly acceptable in principle, and materials finishes could be secured via condition if planning permission is granted. These considerations do not however override the significant design/conservation objections set out above.

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Overall it is considered that the scheme put forward has not been designed in acknowledgement of local context, particularly in relation to established building heights/scale and in recognition of the Conservation Area and its features of merit, and it is considered that the proposal would result in harm to the character and appearance of the street scene, and result in harm to the Conservation Area without adequate justification. It is recommended that the proposal should be refused on this basis.

**(D) HIGHWAYS AND SERVICING**

Core Strategy policy BCS10 sets out a transport hierarchy for the design of developments, with pedestrians first, followed by cyclists then public transport. The private car is lowest on the hierarchy. The policy also expresses that development should be located where sustainable travel patterns can be achieved; should minimise the need to travel; and maximise opportunities for the use of walking, cycling and public transport. It is also expressed that developments should be designed and located to ensure the provision of safe streets.

Policy DM23 expresses that development should not give rise to unacceptable traffic conditions and will be expected to provide: safe and adequate access onto the highway network; adequate access to public transport; transport improvements where necessary; adequate provision for pedestrians and cyclists. The policy also requires the provision of adequate servicing facilities, and safe accessible and usable parking in accordance with the parking standards schedule. Policy DM32 requires adequate refuse and recycling provision in new development.

The development is designed as car-free, which is supported by Highways officers given the sustainable location of the site. City Council Highways officers have expressed that residents would not be eligible for parking permits.

A total of 24 cycle parking spaces are proposed within the internal store to serve the co-living units, with 8 semi-vertical spaces proposed, along with a two-tier racking system comprising 16 spaces, the lower level of which would be suitable for e-bike charging. The City Council highways officer has raised concerns of the types of racks proposed being awkward to access, and expressing that Sheffield stands should be provided. Whilst the proposed cycle storage is not ideal, the alternative would be a lower level of cycle parking provision in the form of Sheffield stands. There is also some concern regarding the usability of the wall hung cycle storage proposed for the commercial unit. The limited available space is however such that on balance the proposed cycle storage could be accepted if planning permission is granted.

An increase in width of the pavement to the front of the site is incorporated into the scheme put forward, and whilst the 1910mm (at its narrowest point) wide path proposed is below the 2 metre width of that sought by BCC highways, this is an improvement over the existing pavement which has a pinch point at 1260mm wide, and as such can be seen as a benefit. An electric vehicle charging point is also proposed to the front of the property, which would serve a proposed car club space and a publicly accessible electric vehicle charging space, which again can be seen as benefits of the proposal. These alterations to the highway would need to be secured via a Traffic Regulation Order with associated financial contributions being secured via section 106 legal agreement, along with the need for a separate section 278 Highways agreement. The electric car club vehicle would be provided and operated by Co-cars, and the electric vehicle charger would be provided and operated by EconetiQ.

A refuse/recycling store is proposed, which would have separate areas for residential and commercial waste. The store has been amended to account for comments from Bristol Waste, and is now sized to adequately cater for the waste requirements of the development. A dropped kerb is also proposed to the pavement edge to assist the servicing of the development, in accordance with

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comments from Bristol Waste.

**(E) SUSTAINABILITY AND FLOOD RISK**

Current planning policy (BCS13-16) within the adopted Bristol Local Plan, Core Strategy (2011) requires new development to be designed to mitigate and adapt to climate change and meet targets to reduce carbon dioxide emissions. This should be achieved, amongst other measures, through efficient building design, the provision of on-site renewable energy generation to reduce carbon dioxide emissions by at least 20% based on the projected residual energy demand of new buildings and extensions to existing buildings, and for new development to mitigate against the risk of flooding.

**Sustainability**

Neighbouring residents have raised concern of the proposed building shading neighbouring rooftop solar collectors serving the Picture House Court development, and this has also been raised as a concern by the BCC Sustainability Officer. The Picture House Court development was designed to Passivhaus standards, and whilst this was not quite achieved, the shading of the rooftop solar collectors would have a negative impact. The proposal for 27-31 North Street was amended during the course of the application, with the form and extent of the top floor altered, and whilst the top floor was moved off the shared boundary line, no amended shadow study was provided to demonstrate that the shading of neighbouring solar collectors were avoided. The BCC Sustainability Officer has recommended that the proposed building should be reduced in height to prevent impact upon the sustainability credentials of the existing neighbouring development.

The proposal incorporates the provision of a rooftop solar PV array adequate to meet the requirements of policy BCS14. The 3-degree tilt angle has however been raised as a concern by the BCC Sustainability Officer as this is not adequate to enable self-cleaning of the panels, and the extent of necessary regular and frequent cleaning is not considered practical or realistic. A minimum tilt angle of 20 degrees is therefore required, with 30 degrees being optimum. This would further increase the overall height of the development, which is already of significant concern, as has previously been set out within this report.

From the information provided it is unclear whether the whole scheme would be served by a Mechanical Ventilation and Heat Recovery (MVHR) system, and details of servicing regime will be required to ensure effective operation. Clarification is also required in relation to the specification of the Air Source Heat Pumps proposed.

In relation to domestic hot water, point of use water heaters are considered acceptable in the non-residential elements of the scheme for the businesses uses specified in the application, however point of use heaters are excluded from the heat hierarchy in policy BCS14 and the BCC Sustainability Officer has expressed that these would not be policy-compliant in the residential parts of the scheme due to the higher domestic hot water consumption, and that the energy strategy should be revised to provide a domestic hot water system (e.g. air source heat pumps) which meets the heat hierarchy in BCS14.

The Sustainability Officer has also requested assurance that the development will not be liable to overheating. This should be demonstrated with dynamic thermal modelling of the scheme under current and future weather files (i.e. to 2080) with the risk assessment made using a recognised methodology such as CIBSE TM52/59. Any 'fails' should be addressed through amendments to the design.

The proposal to provide a Co-Cars Renault Zoe is supported, although clarification is required as to whether the proposed EconetiQ charge point can charge vehicles connected to the DC and 22kW-

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AC outlets simultaneously. To ensure the Co-Car vehicle has sufficient charge to be usable when booked by members, the state of charge of the car should be accessible remotely without having to visit the vehicle. How this will be done should also be clarified.

There is therefore currently a deficit of information to demonstrate that the proposal adequately meets the requirements of current sustainability policies.

**Flood Risk**

The application site is located within flood zone 1 and as such is in an area at low risk of tidal or fluvial flooding.

In relation to surface water the site lies within drainage driver zone 12 and as such the development should aim to reduce and limit surface water discharge to existing levels or lower, and use infiltration where possible. No Sustainable Drainage System (SuDS) has however been proposed, which has given rise to objection from the BCC Flood Risk Officer, and the scheme is therefore not policy compliant. During discussions with the developers' team it was expressed that a SuDS system for the site is feasible in the form of tanked storage with attenuated flow, which the developers team has confirmed that they would be happy to have a pre-commencement condition requiring such provision if planning permission were to be granted.

**(F) AIR QUALITY**

Policy BCS23 requires development to avoid adversely impacting environmental amenity in terms of various forms of pollution, including air pollution, and to take account of the impact of existing sources of pollution on new development. Policy DM33 requires development within designated Air Quality Management Areas to take account of existing air pollution and include measures to mitigate its impact upon future occupiers.

The application site is set within an Air Quality Management Area (AQMA), and as such the City Council Air Quality Officer was consulted, expressing that the development is unlikely to result in significant air quality impacts. The development is proposed to be car free, and when combined with the sustainable location of the site, traffic generation and hence air pollution associated with the proposal should not be significant. The Air Quality officer has also expressed that new exposure to unacceptable air pollution will not be introduced as nearby existing monitors show that the concentration of NO<sub>2</sub> is well below the objective levels.

**(G) SAFETY AND SECURITY**

Policies BCS21, DM27, DM29 include consideration of safety and security. A number of measures have been suggested by the Police Crime Reduction Officer, comprising toughened or laminate glazing to ground floor and other easily reached windows; an audio and visual access control system; localised alarm linked with the cycle store door, and; secure post boxes. These measures, along with detailed specifications can be secured by condition if planning permission is granted. Compartmentalisation of the building was also recommended by the police, however this approach does not fit with the co-living offer proposed, given the need for residents to have access to the shared facilities, and as such is not considered appropriate in this instance.

**(H) CONTAMINATION**

Policy BCS23 expresses that in locating and designing development, account should be taken of the impact of existing sources of noise and other pollution on the new development. DM34(i)

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expresses that new development should demonstrate that any existing contamination of the land will be addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use and that there is no unacceptable risk of pollution within the site or in the surrounding area.

The proposed development is sensitive to contamination, however the application is not supported by an assessment in this regard. If planning permission is granted, a phase 1 desk study looking into contamination will be required as a minimum, which can be secured via condition. If the desk study identifies a requirement for a phase 2 intrusive assessment, then this, along with subsequent remediation as necessary will also be required, and can be secured by condition if planning permission is granted.

**(I) ARCHAEOLOGY**

Policies BCS22 and DM31 include archaeological considerations. The City Council Archaeologist found the archaeological information initially submitted to be inadequate. A further report was submitted during the course of the application, which was found acceptable in terms of site archaeology, however it was observed that the report does not present any additional justification for the demolition of the buildings or the impact on the character and appearance of the conservation area, as has also been expressed by the BCC Urban Design officer.

The Archaeological Officer did express however that if there are considered to be adequate public benefits to outweigh this level of the identified harm, appropriate mitigation through a programme of archaeological works will be required. These works, secured by conditions should include; building recording, archaeological fieldwork to include some level of excavation and monitoring of development ground works.

**(J) PUBLIC ART**

Core Strategy policy BCS21 includes an expectation that development will deliver public art. The proposal details an area on the west elevation designated for a mural/street art. The public art proposal is however not presented in any detail and as such would need to be secured by condition if planning permission is granted.

**(K) PLANNING OBLIGATIONS**

New development often creates a need for additional or improved community services and facilities, without which there could be a detrimental effect on local amenity and the quality of the environment. Planning obligations are the mechanism by which measures are secured to enhance the quality of both the development and the wider environment, to help ensure that the development makes a positive contribution to sustainable development providing social, economic and environmental benefits to the community as a whole.

The legislative framework for planning obligations is set out in Section 106 of the Town and Country Planning Act 1990 as amended by Section 12 of the 1991 Planning and Compensation Act. Further legislation is set out in the Community Infrastructure Levy CIL Regulations (2010) (as amended). The NPPF reiterates the tests (at paras 54, 56 and 57) that are required to be met when planning obligations are sought, namely that they should be necessary to make the development acceptable in planning terms; directly related to the development and, fairly and reasonably related in scale and kind to the development.

Supplementary Planning Document entitled 'Planning Obligations' (2012) sets out the Council's overall approach to planning obligations and the types of obligation that the Council may seek to



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secure and complements BCS11.

In addition to the required CIL payment of £59,886.01 necessary planning obligations relate to the provision of financial contributions to cover monitoring of the Travel Plan and necessary Traffic Regulation Orders. The requisite fees for these elements have not yet been confirmed by BCC Highways.

A section 106 agreement has not been drafted in this instance due to the recommendation for refusal, however if members determine that the application should be approved, then this would need to be subject to, and following the formulation of, a section 106 legal agreement to cover the above. The developer would also be liable for the Council's legal costs associated with the assessment of the s106 and its registration as a local land charge.

The nature of the sui-generis residential accommodation proposed is such that under the provisions of the adopted policy BCS11 and associated planning obligations SPD, affordable housing unfortunately cannot be required, and indeed is not being offered by the developer.

## CONCLUSION

The scheme is based on a requirement to remove character buildings of merit, identified as such within the Bedminster Conservation Area Character Appraisal, which would result in harm to the character and appearance of the Conservation Area, yet the development proposed cannot be considered to justify the harm that would be caused.

The proposed five storey replacement building is of excessive scale which far exceeds the strong prevailing character of two to three storey development locally and as a result would appear as an incongruous feature that would harm the character and appearance of the Conservation Area. It is noted that the neighbouring three-and a half storey building is itself an anomaly of greater scale than surrounding development, the existence of which does not justify the scale of the building proposed.

The residential accommodation proposed, whilst arguably providing better living conditions in some respects than other available examples of UK co-living schemes, does give rise to concern in relation to the residential amenity of future occupiers. It must be noted that local and national planning policy and guidance has not yet reacted to this relatively new type of residential accommodation such that parameters of acceptability have not yet been set out or adopted, however even when assuming the acceptance of co-living in principle as an expansion of the available housing offer within Bristol, the proposed co-living accommodation is considered to represent cramped accommodation that is not of adequate quality to justify the identified harm that would be caused to the street scene and wider Conservation Area.

There is also a deficit in information relating to sustainability and flood risk issues, such that the proposal fails to demonstrate that the requirements of relevant policy in this regard.

On the basis of the above it is considered that the proposal should not be supported.

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

**Reason(s)**

1. The proposals comprise the demolition of numbers 27 - 31 North Street in their entirety which is a recognised group buildings of merit within the designated Bedminster Conservation Area. The proposed replacement development by reason of its height, scale and massing, fails to accord with the established characteristics of the locality. As such the proposals would result in harm to the character and appearance of the street scene, as well as causing less than substantial harm to designated and non-designated heritage assets without adequate public benefits to justify this harm. The proposal is therefore contrary to policies BCS21 and BCS22 of the Bristol Local Plan, Core Strategy (2011), and; policies DM26, DM27, DM29 and DM31 of the Bristol Local Plan: Site Allocations and Development Management Policies (2014).
2. The proposal fails to demonstrate incorporation of adequate on-site renewable energy generation; adherence to the heat hierarchy, and that the development would not be liable to overheating. The information submitted also fails to demonstrate the provision of a viable scheme of sustainable drainage that is fit for purpose. As such, on the basis of the information provided, the proposal cannot be considered to accord with the provisions of policies BCS13, BCS14, BCS15 and BCS16 of the Bristol Local Plan, Core Strategy (2011).
3. In the absence of an appropriate agreement under s106 of the Town and Country Planning Act 1990, the proposed development fails to provide for appropriate provision of highways contributions in order to mitigate the impacts of the development, contrary to the requirements of policies BCS10 and BCS11 of the Bristol Local Plan: Core Strategy (2011); policy DM23 of the Bristol Local Plan: Site Allocations and Development Management Policies (2014), and: the Planning Obligations SPD (Adopted 2012).

**Advice(s)**

1. Refused Applications Deposited Plans/Documents

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

Archaeological Report, received 21 February 2020  
 3170 - L(00)100revD Proposed Ground Floor Plan, received 9 April 2020  
 3170 - L(00)104revD Proposed Fourth Floor Plan, received 9 April 2020  
 3170 - L(00)105revE Proposed Roof Plan, received 9 April 2020  
 3170 - L(00)300revB Proposed Front (North) Elevation, received 9 April 2020  
 3170 - L(00)301revC Proposed Rear (South) Elevation, received 9 April 2020  
 3170 - L(00)302revB Proposed Side (West) Elevation, received 9 April 2020  
 3D Model Views, received 9 April 2020  
 Supplementary Information, received 9 April 2020  
 Accommodation details, received 9 April 2020  
 Local Building Heights Analysis, received 9 April 2020  
 Affordable Housing statement, received 5 December 2019  
 Statement of Community Involvement, received 5 December 2019  
 Suds statement, received 5 December 2019  
 Transport and travel statement, received 5 December 2019  
 L(00)001 Site location plan., received 5 December 2019  
 L(00)003 Existing building plan., received 5 December 2019  
 L(00)101 Proposed first floor plan., received 5 December 2019  
 L(00)102 Proposed second floor plan., received 5 December 2019

**Development Control Committee B – 22 July 2020**

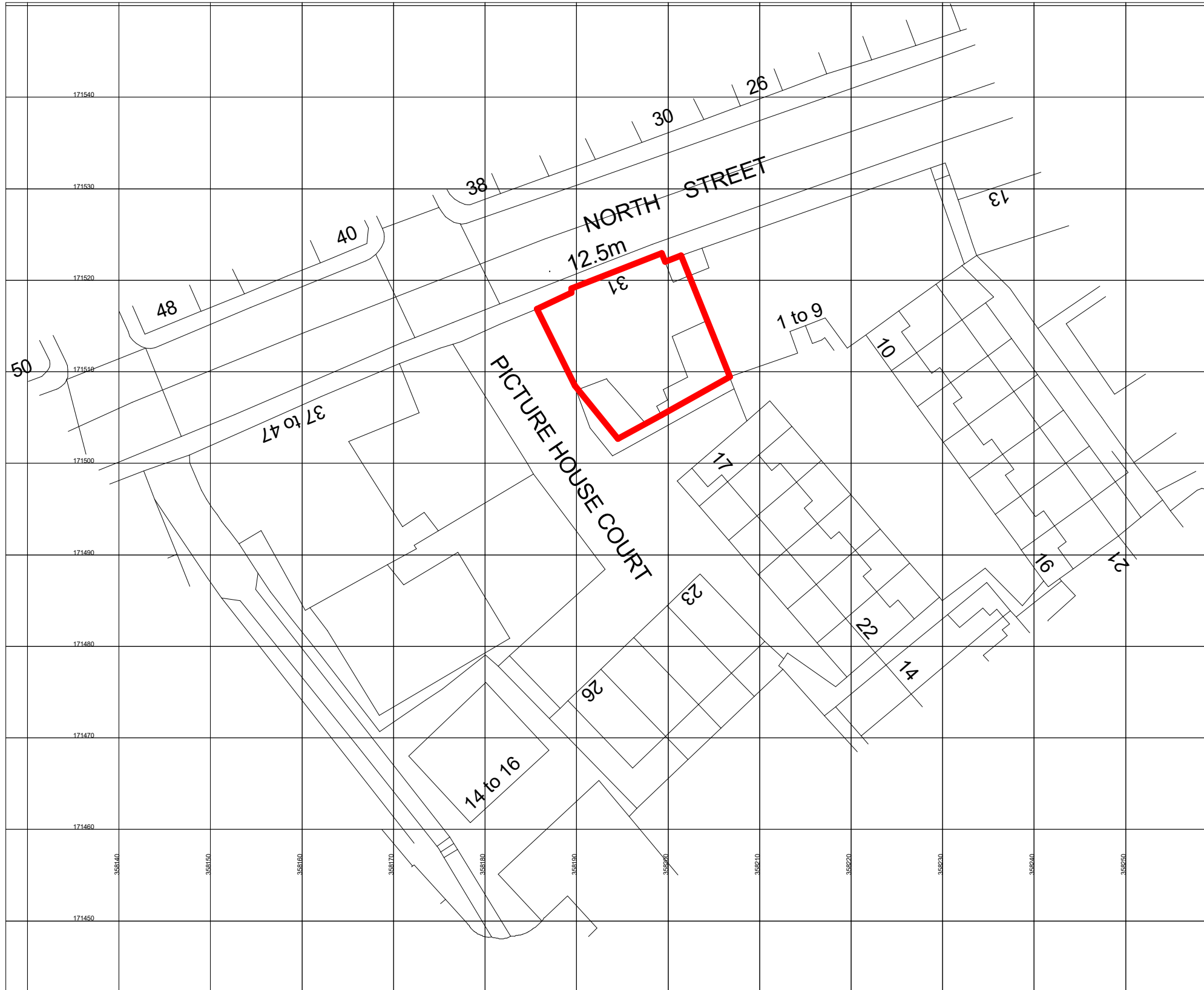
**Application No. 19/04932/F : 27-31 North Street Bedminster Bristol BS3 1EN**

L(00)103 Proposed third floor plan., received 5 December 2019  
L(00)200 Existing north street (north) elevation., received 5 December 2019  
L(00)201 Existing rear (south) elevation., received 5 December 2019  
L(00)202 Existing side road (west) elevation., received 5 December 2019  
Broadband statement., received 5 December 2019  
Energy Statement rev P3, received 10 February 2020  
Heritage statement., received 5 December 2019  
Co-living- a climate emergency perspective, received 10 February 2020  
Co-living- a well being perspective, received 10 February 2020

## Supporting Documents

### 2. 27-31 North Street

1. Site location plan
2. Proposed ground floor plan
3. Proposed first floor plan
4. Proposed second floor plan
5. Proposed third floor plan
6. Proposed fourth floor plan
7. Proposed roof plan
8. Proposed North elevation
9. Proposed South elevation
10. Proposed West elevation



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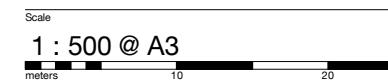
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Drawn	Checked	Date
AM	GR	03/10/19
Job No	Drawing No	Rev
3170	L(00)001	
Status		

**PLANNING**

Drawing Title  
Site Location



Client's Name  
Laurel Accountancy Ltd

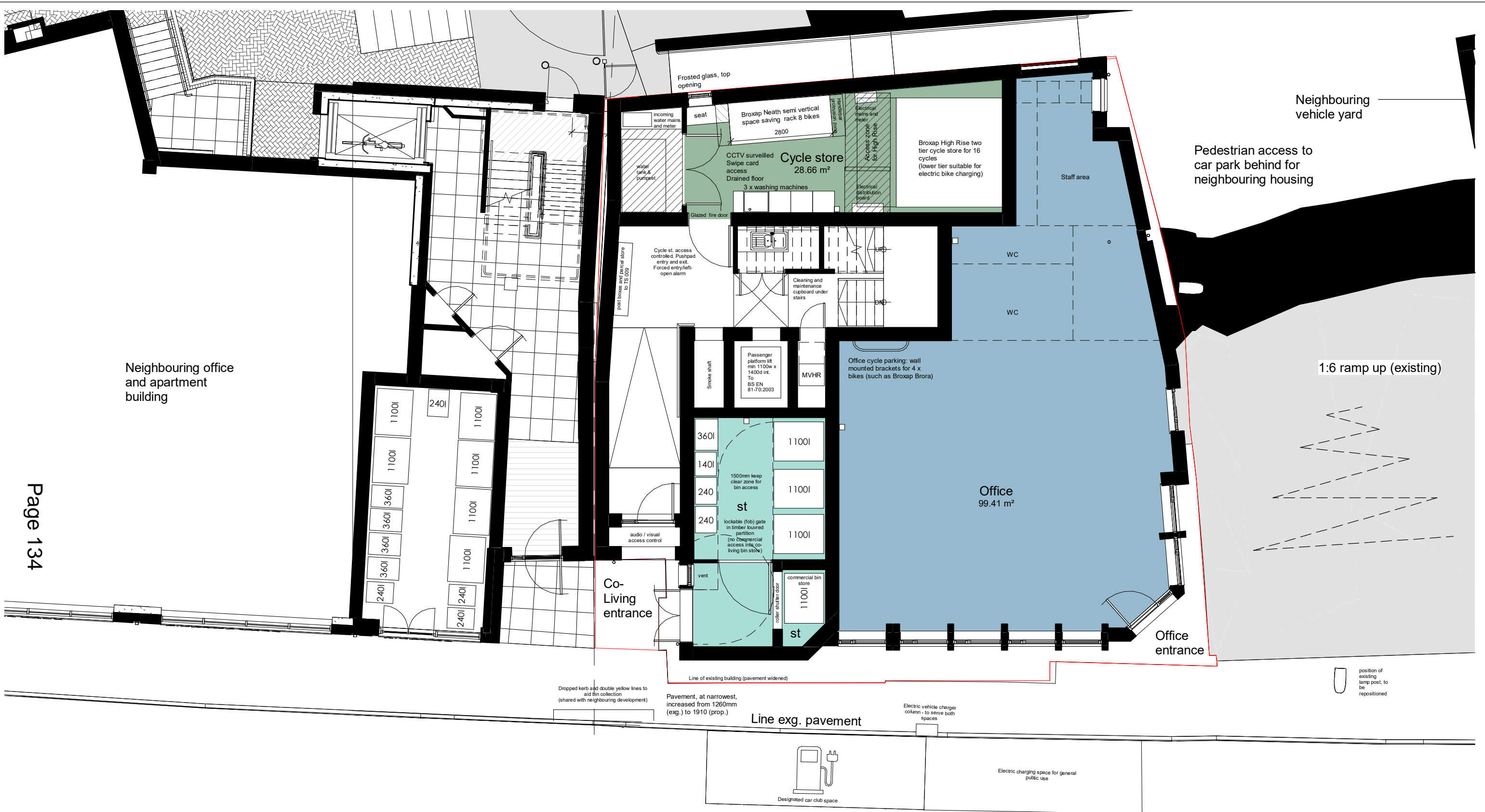
Job Title  
31 North Street

Rev Revision Details Dr Date



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NORTH STREET

D	Cycle parking build-out removed, parking bays and dropped kerb moved	27 02 20
C	Cycle bypass to build-out removed	25 02 20
B	Public parking space added	04 02 20
A	Amendments to bin store and roadside	30 01 02

REV Revision Details Dr Date

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Drawn	Checked	Date
AM	GR	03/10/19
Job No	Drawing No	Rev
3170	L(00)100	D
Status		

PLANNING

Drawing Title  
**Proposed ground / entry level plan**

Scale  
**1 : 100 @ A3**

Client's Name  
**Laurel Accountancy Ltd**  
 Job Title  
**31 North Street**

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First Floor Plan 1:100

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Drawn	Checked	Date
AM	GR	03/10/19
Job No	Drawing No	Rev
3170	L(00)101	
Status	<b>PLANNING</b>	

Drawing Title  
**Proposed first floor plan**

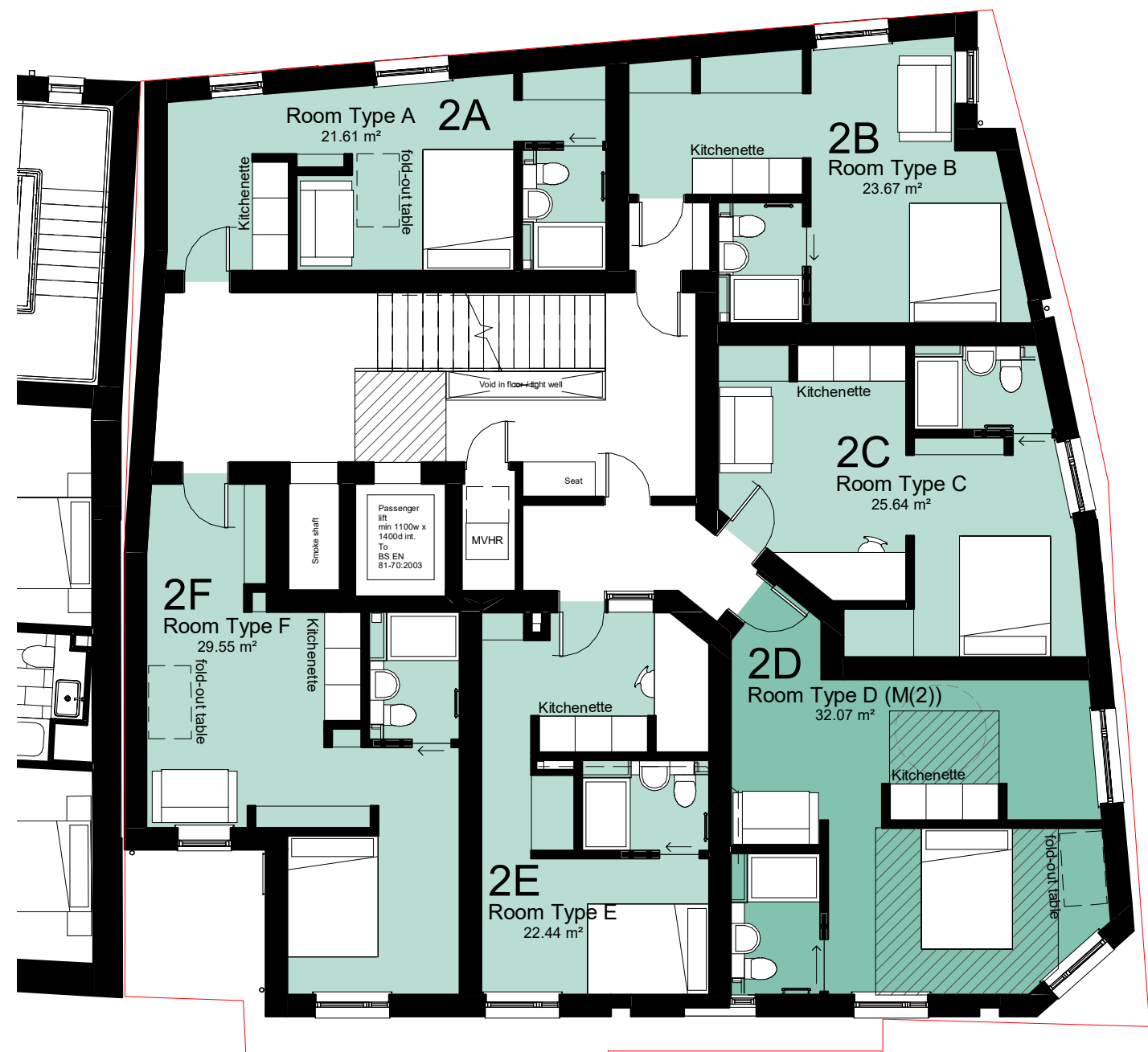
Scale  
**1 : 100 @ A3**

Client's Name  
**Laurel Accountancy Ltd**

Job Title  
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Second Floor Plan 1:100

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Drawn	Checked	Date
AM	GR	03/10/19
Job No	Drawing No	Rev
3170	L(00)102	
Status	<b>PLANNING</b>	

Drawing Title  
**Proposed second floor plan**

Scale  
**1 : 100 @ A3**

Client's Name  
**Laurel Accountancy Ltd**

Job Title  
**31 North Street**

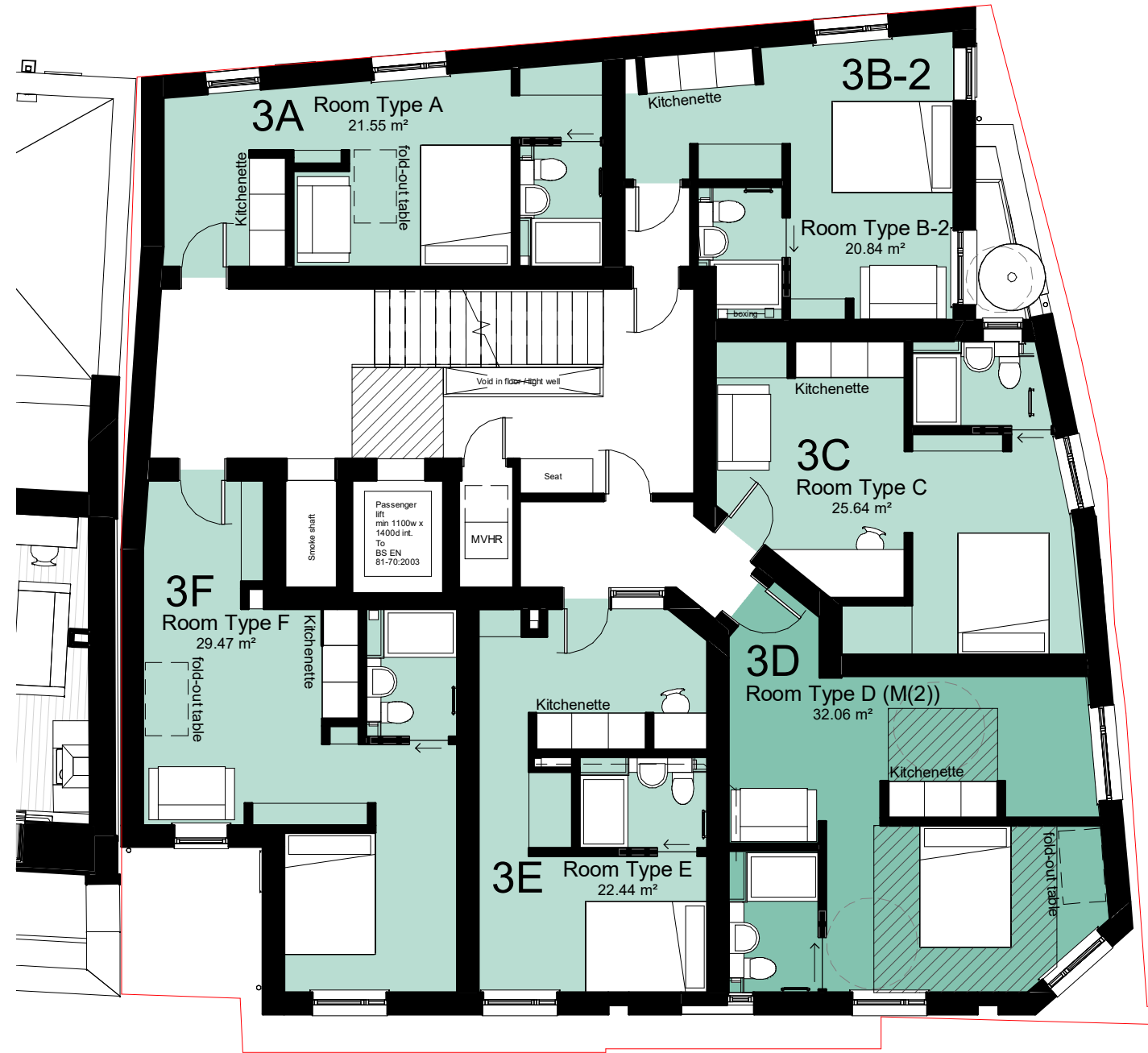
REV	Revision Details	Dr	Date

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Third Floor Plan 1:100

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Drawn	Checked	Date
AM	GR	03/10/19
Job No	Drawing No	Rev
3170	L(00)103	
Status	<b>PLANNING</b>	

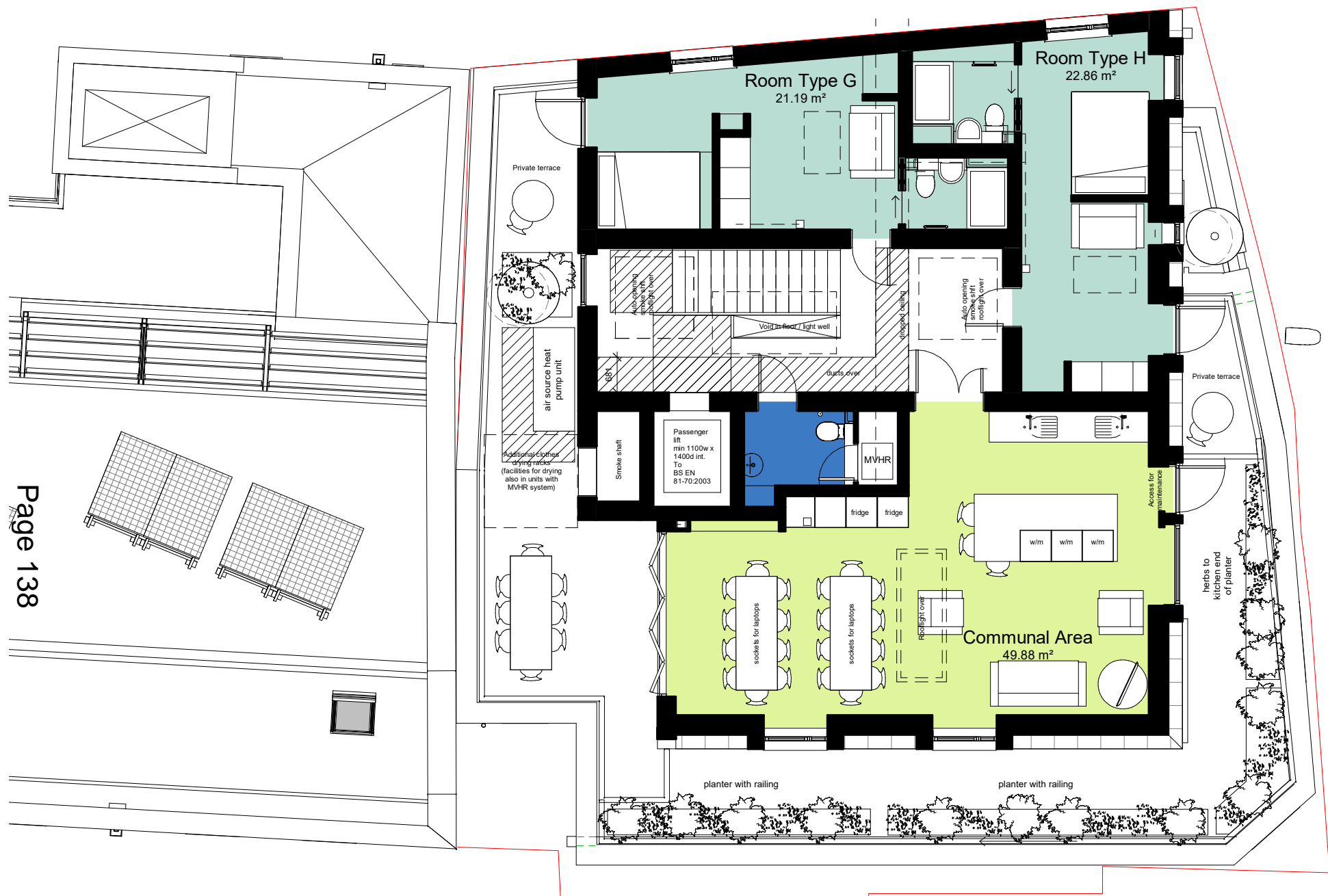
Drawing Title
Proposed third floor plan
Scale
1 : 100 @ A3

Client's Name
Laurel Accountancy Ltd
Job Title
31 North Street

REV	Revision Details	Dr	Date

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Page 138

Fourth Floor Plan 1:100

D	Top floor level updated following comments	08 04 20
C	Amendments following planning comments	03 02 20
B	Further amendments to fourth floor	30 01 20
A	Fourth floor and roof amended	28 01 20

REV Revision Details Dr Date

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Drawn	Checked	Date
AM	GR	03/10/19
Job No	Drawing No	Rev
3170	L(00)104	D
Status		

**PLANNING**

Drawing Title  
**Proposed fourth floor plan**

Client's Name  
**Laurel Accountancy Ltd**

Job Title  
**31 North Street**

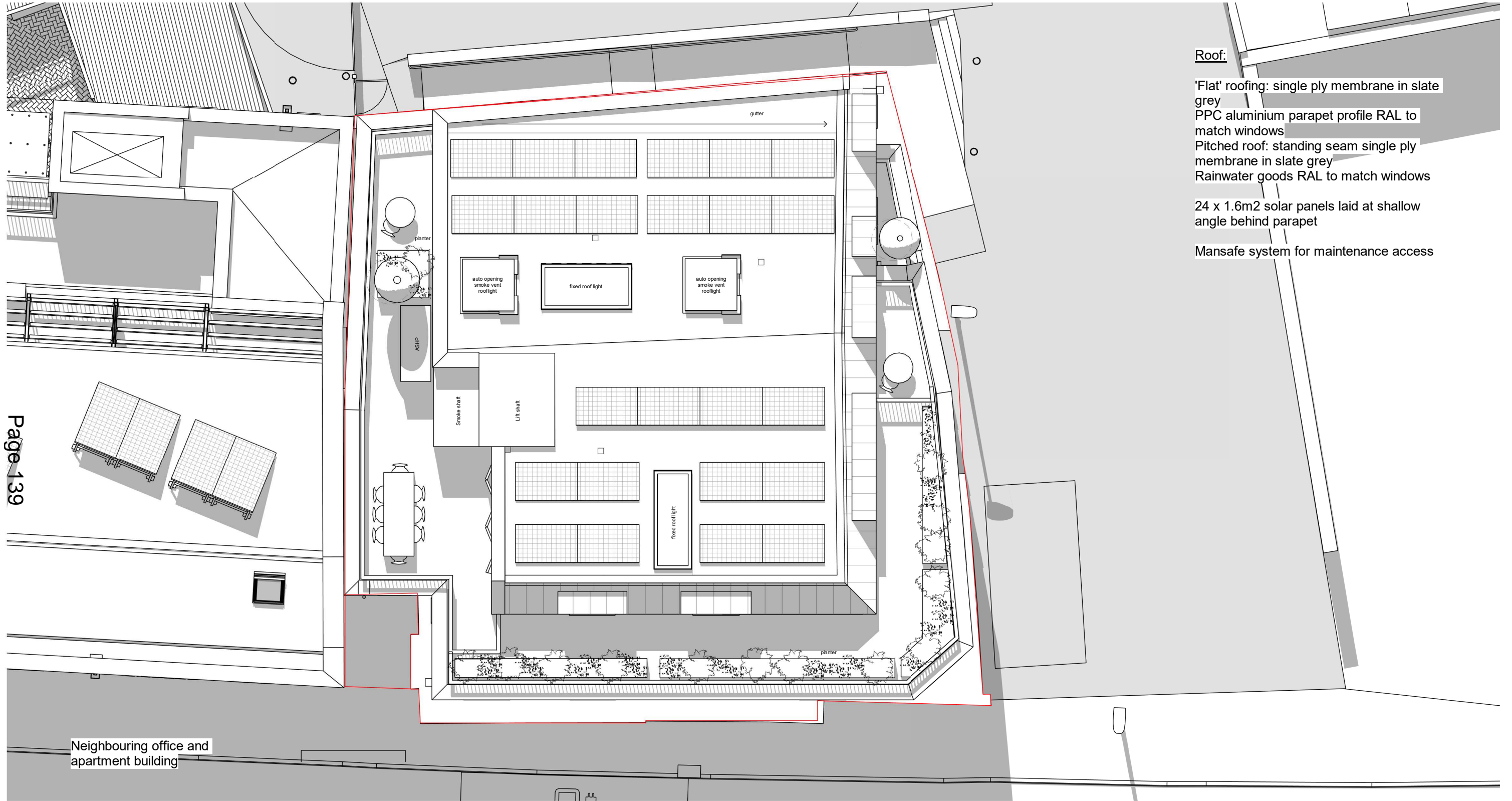
Scale  
**1 : 100 @ A3**



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08/04/2020 13:47:48



**Roof:**  
 'Flat' roofing: single ply membrane in slate grey  
 PPC aluminium parapet profile RAL to match windows  
 Pitched roof: standing seam single ply membrane in slate grey  
 Rainwater goods RAL to match windows  
 24 x 1.6m<sup>2</sup> solar panels laid at shallow angle behind parapet  
 Mansafe system for maintenance access

Page 139

Neighbouring office and apartment building

## Roof Plan 1:100

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Drawn	Checked	Date
AM	GR	03/10/19
Job No	Drawing No	Rev
3170	L(00)105	E
Status		

**PLANNING**

Drawing Title  
**Proposed roof plan**

Scale  
**1 : 100 @ A3**



Client's Name  
**Laurel Accountancy Ltd**

Job Title  
**31 North Street**

REV	Revision Details	Dr	Date
E	Top floor level updated following comments		08 04 20
D	CDM markers added		13 03 20
C	Amendments following planning comments		03 02 20
B	Further amendments to roof		30 01 20
A	Fourth floor and roof amended		28 01 20

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08/04/2020 13:48:17



North Elevation  
(North Street)

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Drawn	Checked	Date
AM	DR	
Job No	Drawing No	Rev
3170	L(00)300	B
Status	<b>PLANNING</b>	

Drawing Title  
**Proposed North (North Street) Elevation**

Scale  
**1 : 100 @ A3**

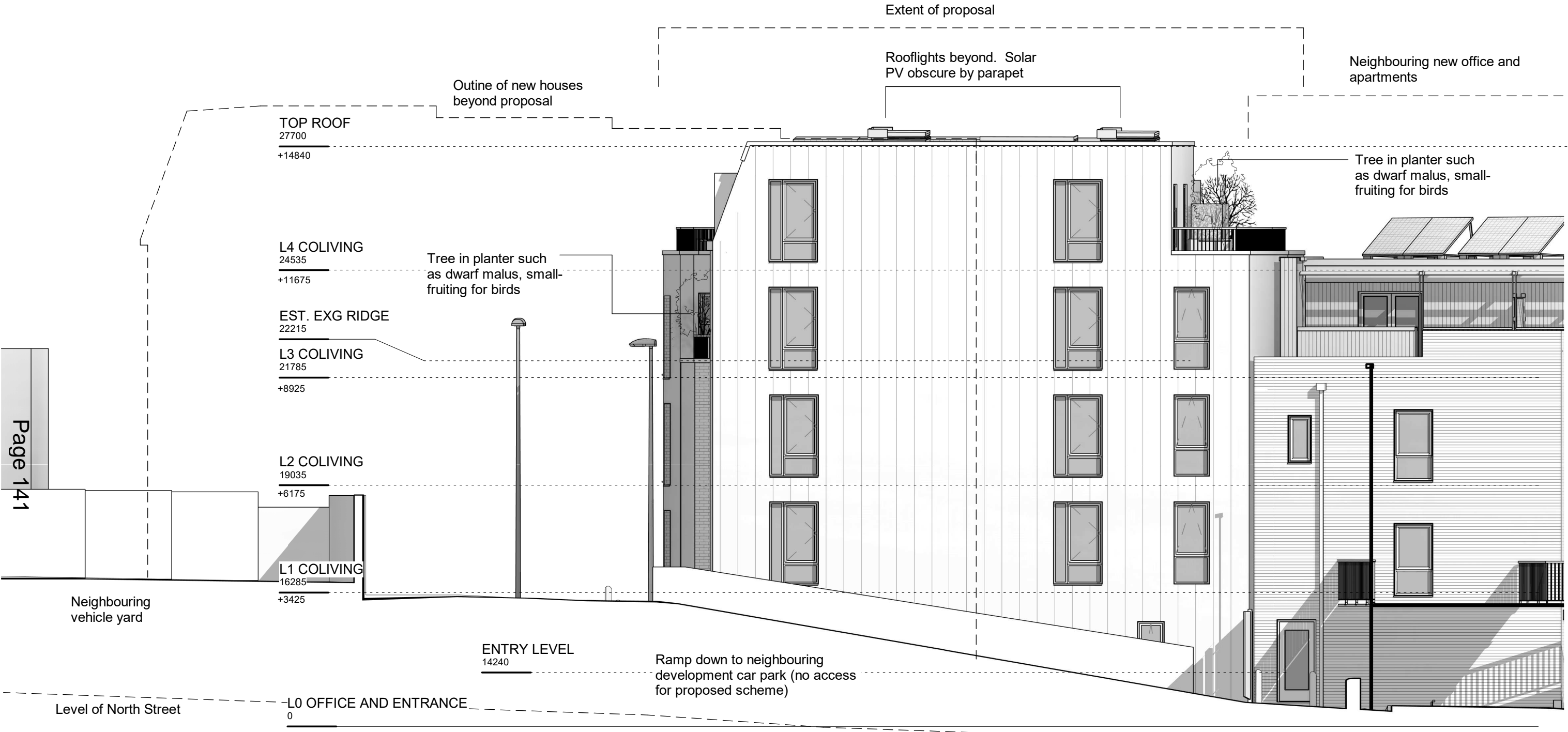
Client's Name  
**Laurel Accountancy Ltd**

Job Title  
**31 North Street**

REV	Revision Details	Dr	Date
B	Top floor level updated following comments		08 04 20
A	Amendments following planning comments		03 02 20

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SOUTH ELEVATION (REAR VIEW) 1:100

C	Top floor level updated following comments	08 04 20
B	Exg. wall removed	04 02 20
A	Amendments following planning comments	03 02 20

REV Revision Details Dr Date

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Drawn	Checked	Date
AM	DR	
Job No	Drawing No	Rev
3170	L(00)301	C
Status		

PLANNING

Drawing Title  
**Proposed Rear (South) Elevation**

Client's Name  
**Laurel Accountancy Ltd**

Job Title  
**31 North Street**

Scale  
**1 : 100 @ A3**

Extent of proposal

neighbouring new build housing behind

Tree in planter such as dwarf malus, small-fruiting for birds

TOP ROOF  
27700

+14840

L4 COLIVING  
24535

+11675

L3 COLIVING  
21785

+8925

L2 COLIVING  
19035

+6175

L1 COLIVING  
16285

+3425

ENTRY LEVEL  
14240

L0 OFFICE AND ENTRANCE  
0

Roof top planters: containing a low maintenance; insect and bird friendly mix to include flowering grasses & heather. With Railing incorporated into planted zone.

Zone identified for Street Art "mural" to be developed through condition with local artist.

Page 1 of 2

North Street

West Elevation (side street)



West Elevation 1:500 for context

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# West Elevation (side street) context

1 : 500

Drawn	Checked	Date
AM	DR	
Job No	Drawing No	Rev
3170	L(00)302	B
Status		

**PLANNING**

Drawing Title  
**Proposed side road (West) Elevation**

Scale  
**As indicated @ A3**

Client's Name  
**Laurel Accountancy Ltd**

Job Title  
**31 North Street**

REV	Revision Details	Dr	Date
B	Top floor level updated following comments		08 04 20
A	Amendments following planning comments		03 02 20



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## Development Control Committee B – 22 July 2020

ITEM NO. 3

**WARD:** Westbury-on-Trym & Henleaze

**SITE ADDRESS:** 51 - 53 Westbury Hill Bristol BS9 3AD

**APPLICATION NO:** 19/05300/F Full Planning

**DETERMINATION DEADLINE:** 24 July 2020

**Provision of a first and second floor extension to no. 51 Westbury Hill and the change of use of the upper floors of no. 53 Westbury Hill to provide two apartments.**

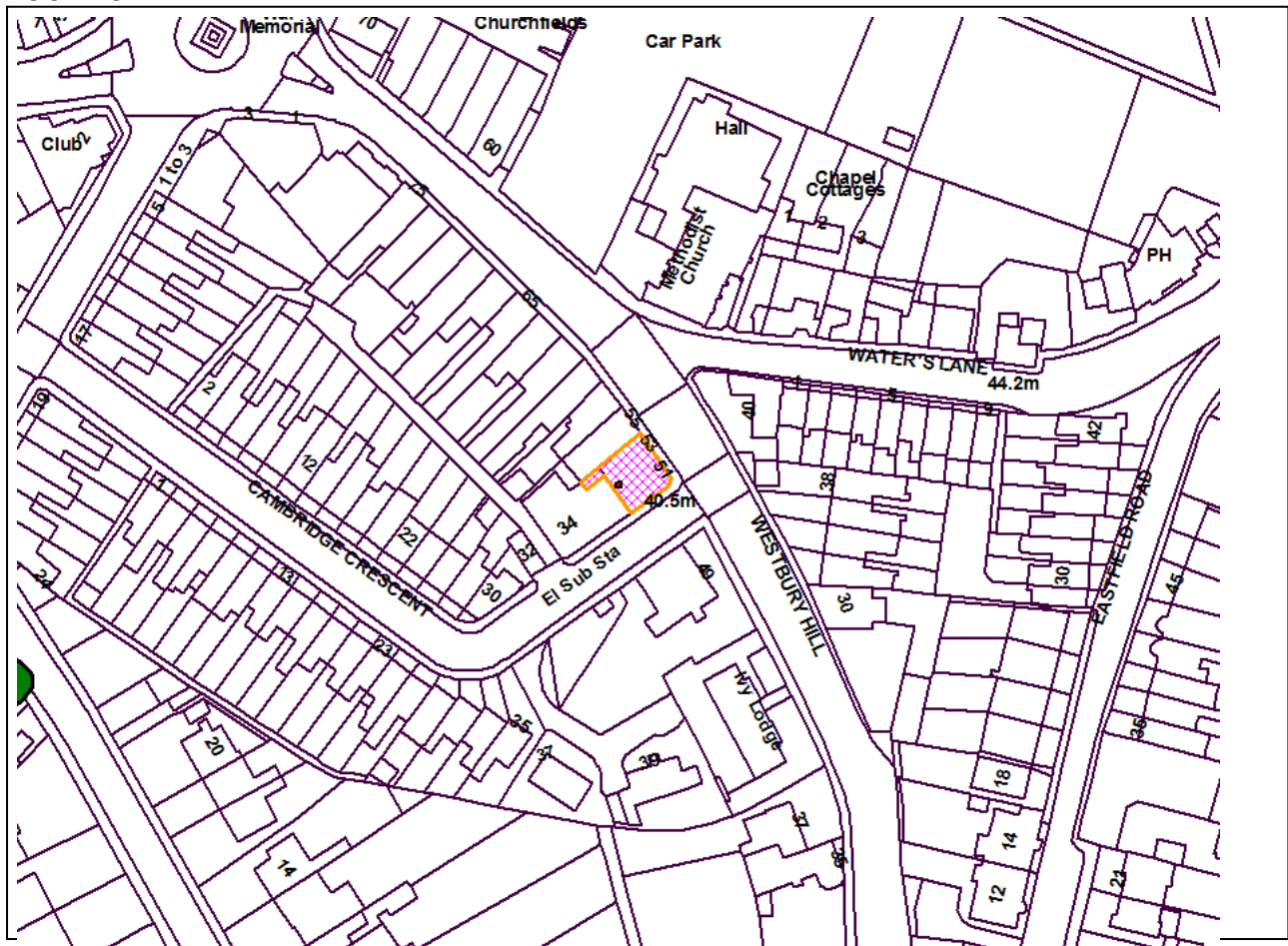
**RECOMMENDATION:** Grant subject to Condition(s)

**AGENT:** Sennitt Planning  
The Newport  
Newport Lane  
Braishfield  
Romsey  
SO51 0PL

**APPLICANT:** Brightbeech Westbury Limited  
12 Latimer Walk  
Romsey  
BS9 8LA

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

**LOCATION PLAN:**



**Development Control Committee B – 22 July 2020**  
**Application No. 19/05300/F : 51 - 53 Westbury Hill Bristol BS9 3AD**

## **SUMMARY**

The application site relates to 51-53 Westbury Hill, Westbury-on-Trym north Bristol. The site is currently occupied by a part single storey building at 51 Westbury Hill and part three storey building at 53 Westbury Hill.

The ground floor of both 51 and 53 Westbury Hill is currently operating as a shop (Use Class A1) and the first and second floors of 53 Westbury Hill are currently operating as an office (Use Class B1). However in 2019, 53 Westbury Hill was given Prior Approval under application 19/03572/COU for the change of use of the first and second floor from office to residential.

The site is located within the Westbury-on-Trym Town Centre, the Westbury-on-Trym Primary Shopping Area and the Westbury-on-Trym Conservation Area.

The application seeks full planning permission for a proposed first and second floor extension above 51 Westbury Hill and the change of use of the upper floors of 53 Westbury Hill to provide 2no. flats.

The application would retain the shop at ground floor level and would convert the office floor space above to residential. The application proposes 2no. 3 bedroom, 5 bed space flats located over each storey.

The two storey extension at 51 Westbury Hill has been designed to take its proportions and references from the adjacent two storey element at 53 Westbury Hill, however it is not an exact copy and has been designed with a slightly more modern vernacular which is supported by the City Design Group. The application does not propose any dedicated off street car parking for the 2no. flats but does include dedicated separate bin and bike stores at ground floor level for each flat.

12no. objections have been received from members of the public and the Westbury-on-Trym Society raising concerns about the scale and massing of the proposed development, existing parking pressures, impacts on the Conservation Area, loss of employment and concerns for amenity for existing residents surrounding the site and future occupiers.

The application has been referred to Committee by Councillor Steve Smith, Councillor Geoff Gollop and Councillor Liz Radford.

Key issues for the Committee Report concern the principle of development, design and impact on the Conservation Area, impact on amenity of existing and future residents, transport and access and sustainability.

In relation to the principle of development, it is considered that the change of use and the loss of employment is justified given the fall-back position of the Prior Approval and the fact that the development would not lead to any further loss of employment. The development would also retain the shop floor use at ground floor within the Town Centre and Primary Shopping Area and it is considered that residential development in this location is acceptable and the development would positively contribute to the housing mix within the area.

In terms of design, harm to the Conservation Area and residential amenity it is considered that the application would be acceptable in the Conservation Area and would align with the predominate material palette and scale and massing within the Commercial Core. The development would not give rise to unacceptable impacts of overlooking or overbearing.



**Development Control Committee B – 22 July 2020**  
**Application No. 19/05300/F : 51 - 53 Westbury Hill Bristol BS9 3AD**

The site is also considered to be acceptable from a transport and access perspective and sustainability perspective. The development would not include any off street car parking spaces but Transport Development Management have confirmed they would not recommend refusal of the application on the basis of lack of car parking. The application meets the requirements for reduction in residual carbon emissions and proposes separate and secure bin and bike storage at ground floor level.

Having carefully considered the technical information submitted in support of the application and the policy context, specifically against the Core Strategy and Site Allocations and Development Management Policies, the application is recommended for approval subject to the conditions attached to this Committee Report.

### **SITE DESCRIPTION**

The application site relates to 51-53 Westbury Hill, Westbury-on-Trym north Bristol.

The site is currently occupied by a part single storey building at 51 Westbury Hill and part three storey building at 53 Westbury Hill. The buildings date from the Victorian period and the elevations mainly constitute red brick with local stone banding and stone dressed sash windows.

The ground floor of both 51 and 53 Westbury Hill is currently operating as a shop (Use Class A1) and the first and second floors of 53 Westbury Hill are currently operating as an office (Use Class B1).

However in 2019, 53 Westbury Hill was given Prior Approval under application 19/03572/COU for the change of use of the first and second floor from office (Use Class B1) to residential (Use Class C3).

The area surrounding the site includes a mix of uses including residential to the south, east and west and commercial to the north. The site is located within the Westbury-on-Trym Town Centre and the Westbury-on-Trym Primary Shopping Area.

The site is also located within the Westbury-on-Trym Conservation Area and is identified as a Character building within the Westbury-on-Trym Conservation Area Character Appraisal.

### **RELEVANT HISTORY**

The relevant planning history for the site is outlined below:

19/03572/COU - Application for Prior Approval - Change of use of first and second floors from office to residential (1 no. three bed flat, at first and second floor levels). Prior Approval GIVEN 17 September 2019

A pre-application enquiry was also submitted for the site and the site to the rear as follows:

19/02059/PREAPP - Redevelopment of 34 Cambridge Crescent to provide 3 x three-bedroom houses. Extensions to No 51 Westbury Hill, and the change of use of upper floors of no 53 Westbury Hill from office to residential - to provide 2 x three-bedroom apartments. CLOSED 18 June 2019

### **APPLICATION**

The application seeks full planning permission for a proposed first and second floor extension above 51 Westbury Hill and the change of use of the upper floors of 53 Westbury Hill to provide 2no. flats.

**Development Control Committee B – 22 July 2020**  
**Application No. 19/05300/F : 51 - 53 Westbury Hill Bristol BS9 3AD**

The application would retain the shop at ground floor level and would use the existing office entrance at 53 Westbury Hill for the 2no. flats.

The application proposes 2no. 3 bedroom, 5 bed space flats located over each storey, with the floor space for each flat extending over both the proposed extension and existing first and second floors of 53 Westbury Hill.

The two storey extension has been designed to take its proportions and references from the adjacent two storey element at 53 Westbury Hill, however it is not an exact copy and has been designed with a slightly more modern vernacular. The materials have been chosen to match the existing building with red brick, horizontal reconstituted stone banding and a red pantile roof with hipped ends. The window openings would also match the size of 53 Westbury Hill but the stone dressing would be slightly simplified without a splayed top and bottom.

Three vertical window components are also proposed on the extension, one adjacent to the existing 53 Westbury Hill, one on the corner of the proposed extension fronting onto the corner of Westbury Hill with Cambridge Crescent and one at the rear of the proposed extension. The vertical windows are proposed to emphasise a break between the old and new as well as accentuate the corner.

All proposed windows would be of the same slim proportions but would be contrasting in colour and are proposed in gunmetal aluminium to provide a modest contemporary feel. The extension would also retain the existing stone coping above the shop following a request from the City Design Group (CDG).

The application does not propose any dedicated off street parking for the 2no. flats but does include dedicated separate bin and bike stores at ground floor level for each flat.

## **RESPONSE TO PUBLICITY AND CONSULTATION**

Site notices were issued, a press notice published and letters sent to neighbouring properties.

## **GENERAL RESPONSE FROM THE PUBLIC**

The application received 11no. responses from local residents and 1no. response from the Westbury-on-Trym Society, all responses were received in objection.

The following issues were raised for the scheme:

- Concerns regarding the scale and massing of the development;
- Concerns related to existing parking pressures and the lack of off street parking for the application;
- Concerns about the impact on the Conservation Area due to the scale and design of the proposed development;
- Concerns about the loss of employment uses;
- Concerns about overlooking, overshadowing and overbearing for nearby residential properties; and
- Concerns about lack of amenity space for future occupiers in the context of the Urban Living Supplementary Planning Document (SPD).

A number of objections also raised concerns about the overdevelopment of the site within the context of a now withdrawn application for Cambridge House to the rear (20/01298/F). The Cambridge House application was also submitted by the Applicant and proposed the demolition of the existing building

**Development Control Committee B – 22 July 2020**  
**Application No. 19/05300/F : 51 - 53 Westbury Hill Bristol BS9 3AD**

and the redevelopment of the site to provide 3no. 3 bedroom (5 bedspace) terraced houses. That application was withdrawn on the 31 May 2020 following the Local Planning Authority (LPA) raising a number of concerns about the proposed development.

**WARD COUNCILLORS**

Councillor Steve Smith, Councillor Geoff Gollop and Councillor Liz Radford have jointly referred the application to Committee for the following reasons. The application was originally called in alongside the Cambridge House application to the rear.

“We recognise that these are two separate applications, but as they are adjoining sites in the same ownership we think it is appropriate that they be considered simultaneously by a committee so have called them in together.

- 1) Parking – these applications together create a total of 15 bedrooms of residential accommodation in an area which is already under-provided with parking. Existing residents on Cambridge Crescent face significant daily struggles to park near their homes and either or both of these proposals would make that situation worse.
- 2) Overbearing – 19/05300/F in particular would significantly change the profile of the corner of Westbury Hill and Cambridge Crescent, narrowing the profile of what is currently an open junction and significantly overbearing and overlooking existing properties.”

Following the withdrawal of the Cambridge House application, confirmation was sought from the Councillors on whether they still wanted the current application to be referred to committee and they confirmed they did.

**INTERNAL CONSULTTEES**

The City Design Group – No objection

The application was taken to the internal Design Surgery, where the CDG raised no objection to the proposed development. During the pre-application stage the CDG requested that the proposed corner extension to 51 Westbury Hill took its proportions and references from the adjacent building and if this was achieved, a sensitively designed modern façade could be considered acceptable.

The CDG are satisfied that this request has been met through the application. They have raised no objection to the modern aluminium windows or the vertical window elements. During determination they did however request that the stone coping above the shop frontage was retained and the Applicant has amended their plans to accommodate this.

Transport Development Management – No objection

Transport Development Management (TDM) has raised no objection to the proposed development. TDM commented on the application proposals at the pre-application stage and raised concern about the lack of car parking for the proposed 5no. dwellings which included the 2no. proposed dwellings at 51-53 Westbury Hill and 3no. proposed dwellings at Cambridge House. However, as the current application only proposes 2no. dwellings and the Cambridge House application has been withdrawn TDM commented as follows.

**Development Control Committee B – 22 July 2020**  
**Application No. 19/05300/F : 51 - 53 Westbury Hill Bristol BS9 3AD**

“TDM would not recommend refusal of the application on the basis of car parking given there is a reduction in the number of units, however the location of the bins and bikes on the first floor would be unacceptable and TDM would recommend refusal of the application on this basis. This arrangement is contrary to policies DM23 and DM32 of the Bristol Local Plan.”

Following receipt of the TDM comments the Applicant has relocated the bike and bin store to the ground floor and provided revised plans.

Land Contamination – No objection

There is no material change to land use at ground floor, as this relates to 51 & 53 Westbury Hill only, no conditions are required in relation to contamination.

### **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).

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

### **EQUALITIES ASSESSMENT**

During the determination of this application due regard has been given to the impact of this scheme in relation to the Equalities Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs, experiences, issues and priorities in relation this particular proposed development. Overall, it is considered that the approval of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

### **KEY ISSUES**

#### **(A) IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN PRINCIPLE?**

##### *Loss of employment use*

As the site is currently partly in employment use (Use Class B1), in accordance with Policy BCS8 of the Bristol Core Strategy the loss of employment uses at the site is a key consideration in determining the principle of development for the site. Policy BCS8 states that employment land outside of the Principle Industrial and Warehousing Areas should be retained where it makes a valuable contribution to the economy and employment opportunities.

Policy DM13 of the Site Allocations and Development Management Policies (SADMP) further states that employment sites should be retained for employment use unless it can be demonstrated that:

- i. There is no demand for employment uses; or

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- ii. Continued employment use would have an unacceptable impact on the environmental quality of the surrounding area; or
- iii. A net reduction in floorspace is necessary to improve the existing premises; or
- iv. It is to be used for industrial or commercial training purposes.

Therefore, in accordance with the above policies in normal circumstances the LPA would expect evidence of marketing activity to be submitted with the application to demonstrate that the land is no longer viable or valuable for employment uses.

However, in this case a Prior Approval (19/03572/COU) was recently given for the site which permits the change of use of the first and second floors of 53 Westbury Hill from office (Use Class B1) to residential (Use Class C3). The application for Prior Approval was made and assessed against the Town and Country Planning (General Permitted Development) Order 2015 namely Schedule 2, Part 3, Class O which provides permitted development rights for the change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule.

This Prior Approval could be implemented until 2022 and therefore presents a valid fall-back position. Within this context the current application for the change of use of the first and second floors of 53 Westbury Hill from office to residential, would not lead to any further loss of employment use. As such the loss of employment use at the site is considered acceptable in accordance with Policy BCS8 and Policy DM13.

*Location within Primary Shopping Area and Town Centre*

The application site is located both within the Westbury-on-Trym Town Centre and the Westbury-on-Trym Primary Shopping Area.

Policy BCS7 of the Bristol Core Strategy deals with Town Centres and states that uses which contribute to maintaining the vitality, viability and diversity of centres will be encouraged. Active ground floor uses will be maintained and enhanced throughout the centres.

Policy DM7 of the SADMP outlines that retail and other main town centre uses should be located within the centres identified on the Policies Map.

Policy DM8 further states that within Primary Shopping Areas and Secondary Shopping Frontages identified on the Policies Map development will be expected to maintain or provide active ground floor uses.

The ground floor use at the site is currently a shop (Use Class A1). In accordance with the Bristol Core Strategy and the SADMP active ground floor uses will be maintained in Primary Shopping Areas and retail uses are promoted in Town Centres. The planning application proposes to retain the shop at ground floor level, which is actively promoted through the Local Plan and raises no concerns for the application.

It is therefore considered that the proposed development aligns with the requirements of Policy BCS7 and Policy DM7.

*Proposed Residential Use*

In considering the principle of development and redevelopment of the site, it is also important to consider whether the site would be appropriate for residential use.

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Policy BCS5 concerns housing provision and states the Core Strategy aims to deliver new homes within the built up area to contribute towards accommodating a growing number of people and households in the city. Provision of new homes will be in accordance with the spatial strategy for Bristol set out in this Core Strategy and it is envisaged that 30,600 new homes will be provided in Bristol between 2006 and 2026.

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

By proposing residential development, in a sustainable location on a previously developed site, it is considered that the proposed development would accord with Policy BCS20. The site is considered to be in a sustainable location with access to a variety of local amenities and public transport offerings including bus routes.

The proposed development would also deliver 3no. three bedroom flats within an existing mixed use area where residential and commercial are the prominent land uses. Census data shows that the Westbury-on-Trym ward where the site is located comprises approximately 80% houses and 20% flats which is higher than the Bristol average for houses approximately 66% and lower than the Bristol average for flats approximately 34%. On this basis, the application would positively contribute to the housing mix within the area and no objections are raised to the mix of housing proposed.

It is therefore considered that proposed residential development in this location is acceptable and would accord with Policy BCS5 and Policy BCS20.

**(B) WOULD THE PROPOSED DEVELOPMENT BE OUT OF SCALE OR CONTEXT WITHIN THE CONSERVATION AREA?**

The application site is located within the Westbury-on-Trym Conservation Area and is identified as a Character building within the Westbury-on-Trym Conservation Area Character Appraisal.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard 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].

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

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

Policies DM26-29 (inclusive) of the Site Allocations & Development Management Policies require development to contribute to the character of an area through its layout, form, public realm and building design.

In accordance with the Westbury-on-Trym Conservation Character Appraisal the application site is located within the Commercial Core. The Character Appraisal outlines that the townscape within the Commercial Core is generally consistent with grouped buildings of merit and many traditional shopfronts adding to the character of the street scene. Predominant materials include red brick and

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red clay double-Roman pantile roofs. The predominant scale and massing for the area is 2-3 storeys terraces with retail ground floor frontage and residential above.

During determination the application was discussed with the CDG and no objection was raised to the proposed development. At the pre-application stage the CDG did not raise any concerns about a two storey extension to 51 Westbury Hill but asked that the Applicant took its proportions and references for the proposed extension from the adjacent building at 53 Westbury Hill.

It is considered that the Applicant has achieved this. The proposed extension matches the form and massing of the adjacent three storey building at 53 Westbury Hill. The proposed materials have also been chosen to match the existing with red brick, horizontal reconstituted stone banding and a red pantiles roof with hipped ends, which also aligns with the predominate material palette in the Conservation Area Commercial Core.

The window openings would also match the size of 53 Westbury Hill but the stone dressing would be slightly simplified and aluminium frames are proposed to provide a more contemporary vernacular. No concerns have been raised by the CDG about the proposed vertical windows and it is considered that they effectively emphasise a break between the old and new as well as accentuate the corner. The Applicant has also provided revised elevations which now retain the existing stone coping above the shop following a request from the CDG.

It is therefore considered that the proposed development is acceptable from a design and heritage perspective and would not harm the character of the Conservation Area or its setting in accordance with Policy BCS21, Policy BCS22 and Policies DM26-29 (inclusive).

**(C) WOULD THE PROPOSED DEVELOPMENT HAVE ANY ADVERSE IMPACT ON THE AMENITY OF RESIDENTS SURROUNDING THE SITE?**

Policy BCS21 of the Core Strategy states that high quality design should consider the amenity of both existing and future residents.

Policy DM29 states that new buildings should be designed to a high standard of quality, responding appropriately to their importance and reflecting their function and role in the public realm.

A number of comments have been made by members of the public relating to the impact of the proposed development on their amenity, particularly in terms of overlooking and overbearing.

*Overlooking*

In terms of overlooking, the nearest residential properties to the proposed development are 49 Westbury Hill which is located to the south of the site on the other side of Cambridge Crescent and the properties to the rear along Cambridge Crescent.

In terms of overlooking to the south of the site, 49 Westbury Hill contains one side window at first floor level, which due to the existence of a single storey garage on this elevation is located approximately 15m from the application site. The proposed extension would contain six windows on its side elevation, two of which would directly front onto the existing window at 49 Westbury Hill. However, these proposed windows would be in the same location as existing windows on 53 Westbury Hill but set forward on the new extension.

Whilst the 15m separation distance between the existing and proposed windows is less than the optimal 21m separation distance, it is considered that on balance this would not warrant the overall refusal of the application. The windows would be located in broadly the same location as the existing

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and a 15m separation distance between windows and habitable rooms is common in the area as evidenced further along Cambridge Crescent.

In terms of overlooking to the rear, the proposed development is located approximately 20m from the nearest residential dwellings and Cambridge House is located to the rear between this and the dwellings. The roof line of Cambridge House would screen any direct views into the properties and it is considered that the separation distance in this instance is acceptable.

It is therefore considered that the impact of overlooking is acceptable.

*Overbearing*

In terms of overbearing it is considered that the scale of the proposed development is acceptable and would not be out of keeping within the immediate context. The proposed extension has been designed to match the height, scale and massing of the existing building at 53 Westbury Hill and the Conservation Area Appraisal acknowledges that 2-3 storey buildings are predominant in the Commercial Core. The extension would also be separated from surrounding residential development by both Cambridge Crescent and Cambridge House.

It is therefore considered there would be no detrimental impact in terms of overbearing.

Overall it is considered that the proposed development is located so as to avoid adverse impacts on the amenity of existing residents in accordance with Policy BCS21 and Policy DM29.

**(D) WOULD THE PROPOSED DEVELOPMENT HAVE ANY ADVERSE IMPACT ON THE AMENITY OF FUTURE OCCUPIERS?**

The adopted Bristol Core Strategy Policy BCS15 outlines that sustainable design and construction will be integral to new development in Bristol. In delivering sustainable design and construction, development should ensure flexibility and adaptability, allowing future modification of use or layout, facilitating future refurbishment and retrofitting.

Policy BCS18 makes specific reference to residential developments providing sufficient space for everyday activities and space which should be flexible and adaptable, by meeting appropriate space standards. The Core Strategy states that building to suitable space standards will ensure new homes provide sufficient space for everyday activities.

Policy BCS21 further outlines that development in Bristol is expected to safeguard the amenity of existing development and create a high-quality environment for future occupiers.

The Core Strategy is supported by the Bristol City Council Space Standards Practice Note which outlines that the Council has established the principle of applying The UK Government's Technical housing standards – nationally described space standard (March 2015) ('housing space standards') to new residential development through the Bristol Development Framework.

The Note outlines that the provision of sufficient living space within new homes is an important element of good housing design and a pre-requisite for basic living. Potential residents of new homes should be provided with sufficient space for basic daily activities and needs.

The proposed development meets the nationally described space standards for both flats. Neither would have access to outdoor private or communal amenity space but would have access to amenity space in the surrounding area which is deemed acceptable. Furthermore, given the site's 'minor



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application' status the 5sqm requirement for private outdoor space in the Urban Living SPD does not apply for this application.

It is therefore considered that the proposed development would be acceptable in terms of amenity for future occupiers and accord with Policies BCS15, BCS18 and BCS21.

**(E) WOULD THE PROPOSED DEVELOPMENT SATISFACTORILY ADDRESS TRANSPORT AND MOVEMENT ISSUES?**

Policy BCS10 and Policy DM23 require that development does not give rise to unacceptable traffic conditions. These policies support the delivery of improvements to transport infrastructure to provide an integrated transport system, which improves accessibility within Bristol and supports the proposed levels of development. With regards to parking and servicing, it requires that development proposals provide an appropriate level of safe, secure, accessible and usable provision having regard to the Council's adopted parking standards.

Policies DM27, DM28 and DM32 in turn deal with layout and form, public realm and recycling and refuse provision in new developments.

The application has been reviewed by TDM and they have raised no objection. During the pre-application stage TDM raised some concern about the lack of off street parking at the site but this was in the context of a proposal for 5no. dwellings including 3no. dwellings to the rear of the site at Cambridge House.

The current application only proposes 2no. dwellings and the proposals for Cambridge House have been withdrawn. TDM have therefore confirmed they would not recommend refusal of the application on the basis of lack of car parking.

They did however raise initial concerns about the location of the bin and bike storage at first and second floor. To address this concern the Applicant has relocated the bin and bike storage to the ground floor.

It is therefore considered that the proposed development is acceptable from a transport and movement perspective and accords with Policy BCS10 and Policy DM23.

**(G) DOES THE PROPOSED DEVELOPMENT ADOPT AN APPROPRIATE APPROACH TO SUSTAINABLE DESIGN AND CONSTRUCTION?**

Policies BCS13, BCS14 and BCS15 of the adopted Core Strategy give guidance on sustainability standards to be achieved in any development, and what measures should be included to ensure that development meets the climate change goals of the development plan. The policies require development in Bristol to include measures that reduce carbon emissions from residual energy use by at least 20%. Sustainable design and construction should be integral to new development.

The Sustainability Statement submitted in support of the application confirms that through a number of energy efficiencies measures and proposals for Solar Photovoltaics (PV) on the southern roof pitches, the application could achieve a 22.33% reduction in residual carbon emissions.

The application is therefore considered to adopt an appropriate approach to sustainable design and construction in accordance with Policies BCS13-BCS15 (inclusive).

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## **CONCLUSION**

The proposed development is considered to be in accordance with all relevant policies in the Core Strategy and SADMP.

The proposed development would deliver 2no. flats which would contribute to the housing mix and supply within the locality. The change of use and loss of employment use is considered acceptable given the recent Prior Approval for the site. The application would also retain a shop at the ground floor level which is supported within the Town Centre and Primary Shopping Area.

It is further considered that the design of the proposed development would be acceptable and would not harm the Conservation Area. The proposed development is also considered to be acceptable in terms of amenity for existing residents and future occupiers and from a transport and sustainability perspective.

Given the existing use and location of the site, the proposed development has been assessed under a broad range of headings within this report and having carefully considered the technical information and policy context, the application is recommended for approval subject to the conditions attached to this Committee Report.

## **COMMUNITY INFRASTRUCTURE LEVY**

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

The CIL chargeable is £11,221.88.

## **RECOMMENDED GRANT subject to condition(s)**

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.

2. Construction management plan

No development shall take place including any works of demolition until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:

- 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.
- Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.

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- Control measures for dust and other air-borne pollutants.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.
- Parking of vehicles of site operatives and visitors.
- Routes for construction traffic.
- Method of preventing mud being carried onto the highway.
- Pedestrian and cyclist protection.
- Proposed temporary traffic arrangements including hoardings and/or footway closures.
- 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 highway and amenities of surrounding occupiers in the lead into development both during the demolition and construction phase of the development.

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

The development shall not be occupied or the use commenced until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.

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

4. Completion of Pedestrian and Cyclists Access - Shown on approved plans

No building hereby permitted shall be occupied or the use commenced until the means of access for pedestrians and cyclists have been constructed in accordance with the approved plans and shall thereafter be retained for access purposes only.

Reason: In the interests of highway safety.

5. Completion and Maintenance of Cycle Provision – Shown on approved plans

No building 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.

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6. No Further Windows

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no windows, other than those shown on the approved plans shall at any time be placed in the southern wing elevation of the building facing Bartley Court hereby permitted 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.

7. 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:

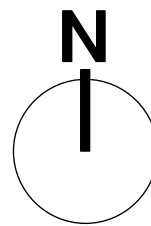
- 7957/ P02 Site Plan, received 31 October 2019
- 7957 / POS Location Plan, received 31 October 2019
- 7957 / P13a Proposed Ground Floor Plan, received 9 July 2020
- 7957 / P14a Proposed First Floor Plan, received 9 July 2020
- 7957 / P15a Proposed Second Floor Plan, received 9 July 2020
- 7957 / P16a Proposed Roof Plan, received 10 July 2020
- 7957 / P17b Proposed South East Elevation, received 10 July 2020
- 7957 / P18a Proposed North East Elevation, received 3 July 2020
- 7957 / P19a Proposed North West Elevation, received 3 July 202

Reason: For the avoidance of doubt.

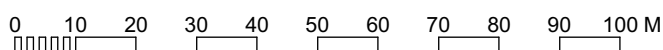
## **Supporting Documents**

### **3. 51-53 Westbury Hill**

1. Location Plan
2. Proposed Ground Floor Plan
3. Proposed First Floor Plan
4. Proposed Second Floor Plan
5. Proposed North East Elevation
6. Proposed South East Elevation
7. Proposed North West Elevation



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7957/ POS

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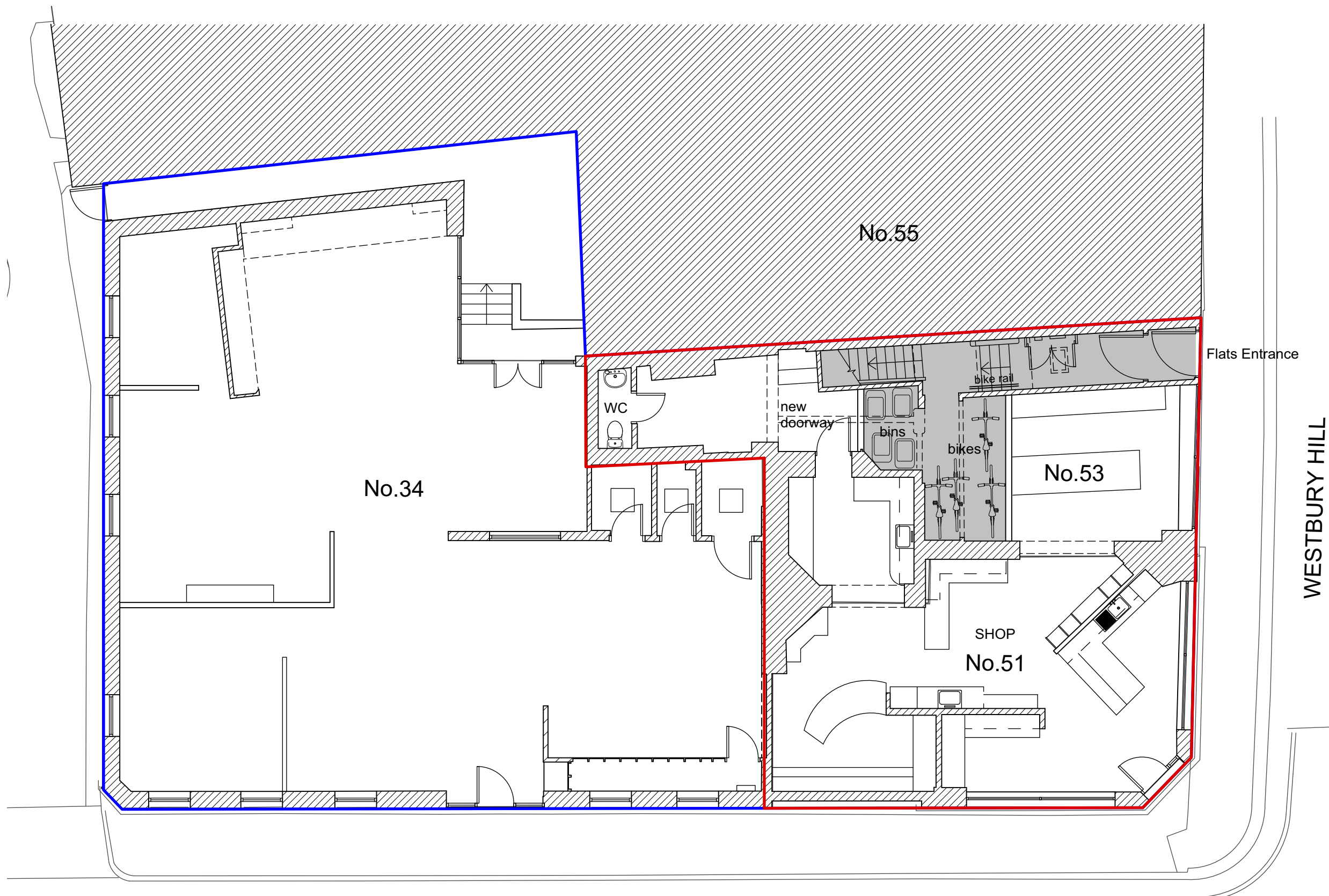
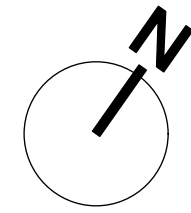
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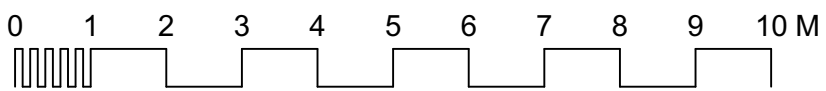
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WESTBURY HILL

CAMBRIDGE CRESCENT

PROPOSED GROUND FLOOR PLAN

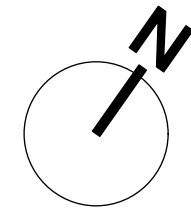


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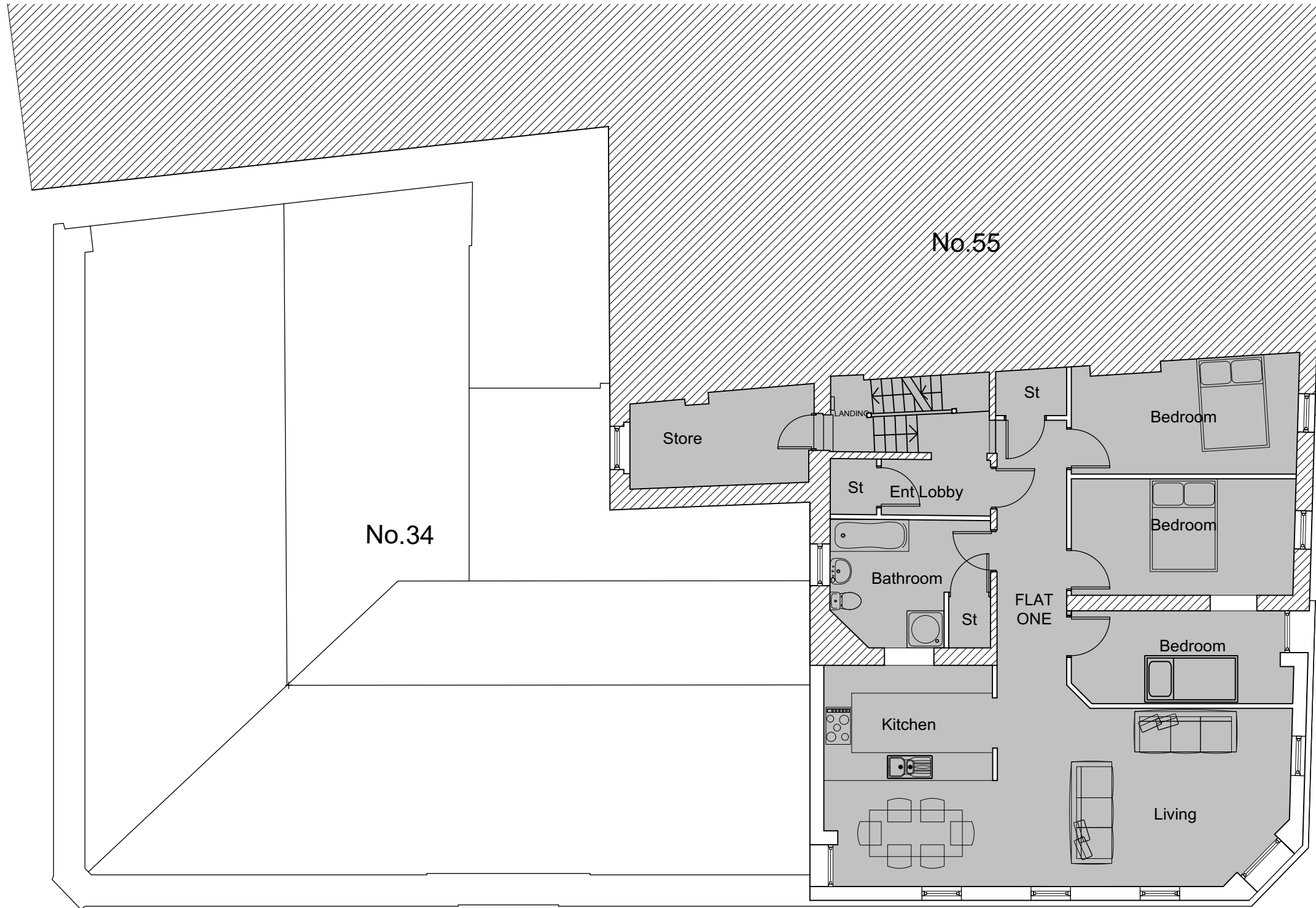
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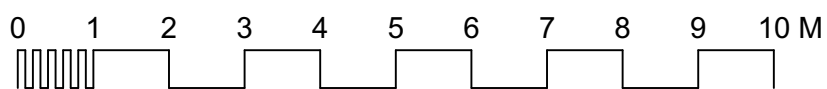
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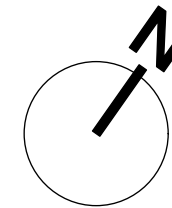
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### PROPOSED FIRST FLOOR PLAN



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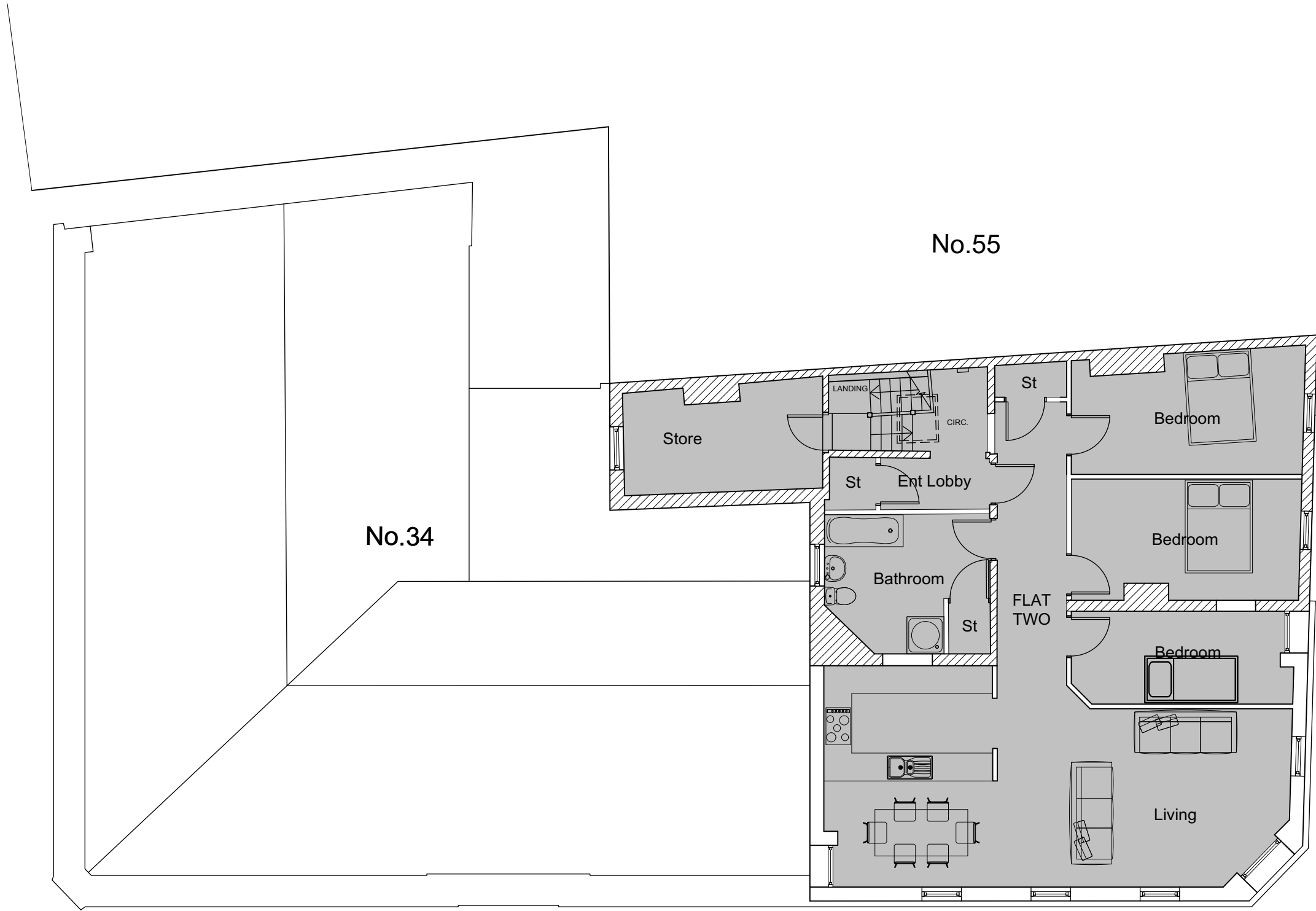
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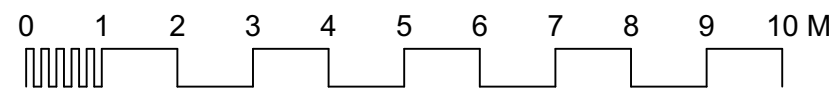
Proposed Second Floor 1:100@A3

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# PROPOSED SECOND FLOOR PLAN

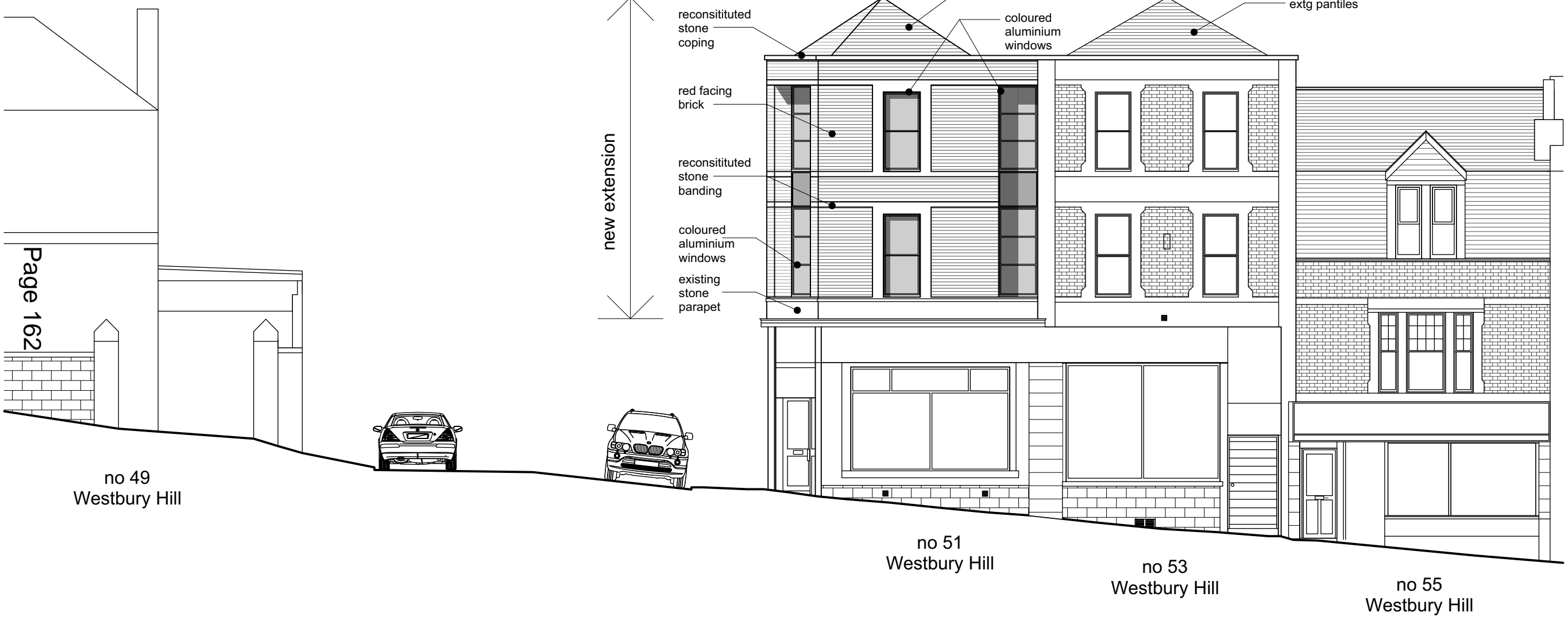


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new extension

new extension

reconstituted  
stone  
coping

red facing  
brick

reconstituted  
stone  
banding

coloured  
aluminium  
windows

existing  
stone  
parapet

pantiles

coloured  
aluminium  
windows

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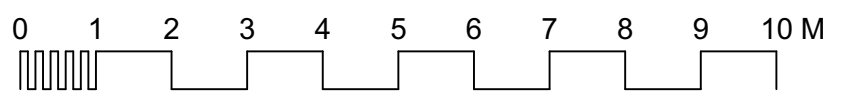
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Westbury Hill

### PROPOSED NORTH EAST ELEVATION



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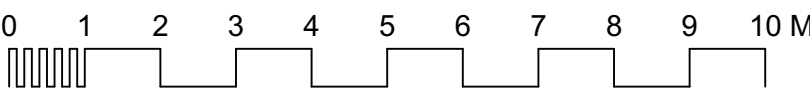
### PROPOSED SOUTH EAST ELEVATION

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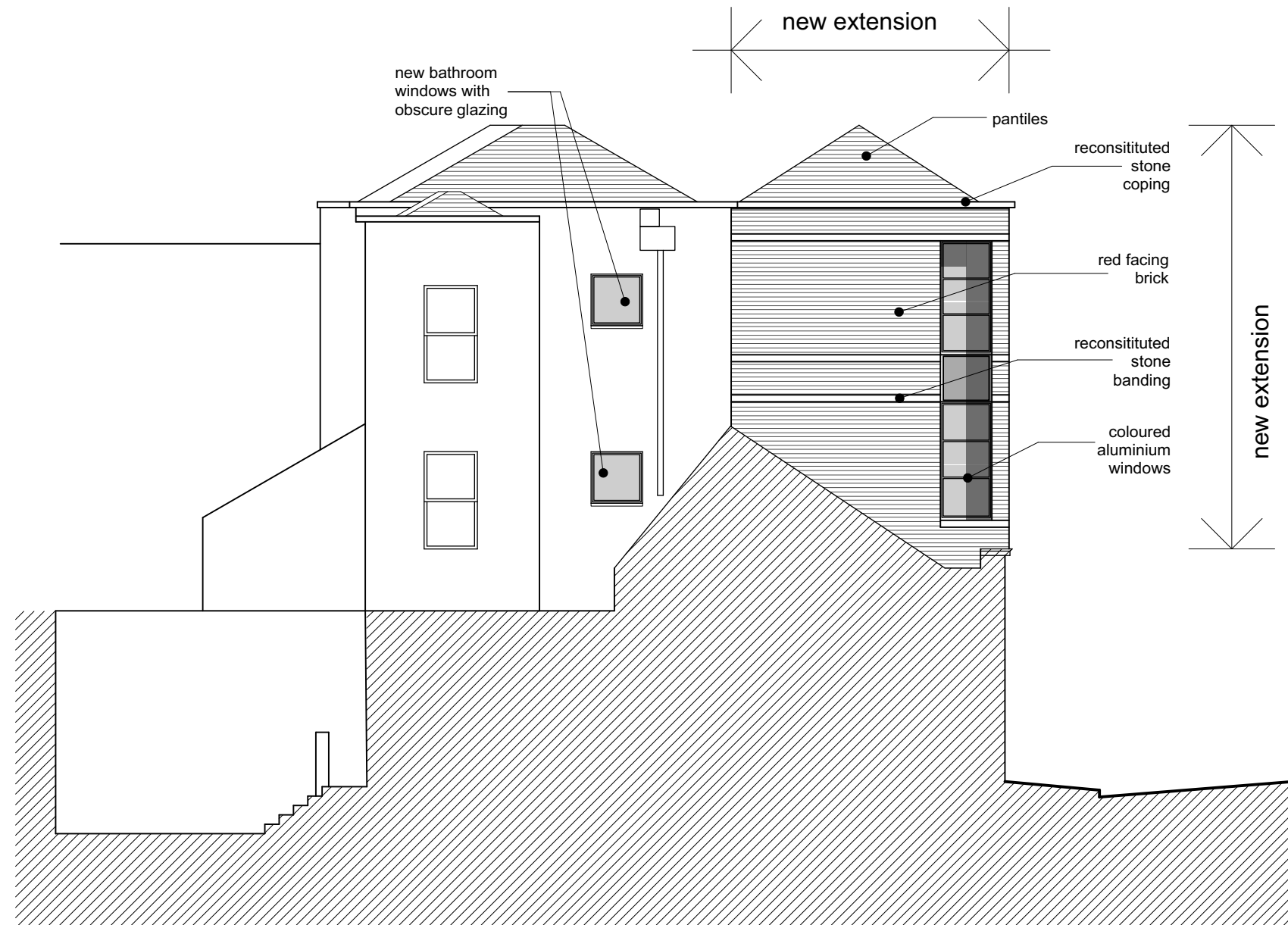
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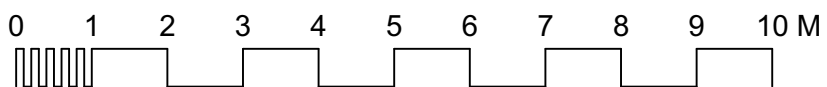
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no 34  
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