

# Development Control A Committee

## Agenda



**Date:** Wednesday, 28 April 2021

**Time:** 2.00 pm

**Venue:** Virtual Meeting - Zoom Committee Meeting  
with Public Access via YouTube

### **Distribution:**

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

**Copies to:** Zoe Willcox (Director: Development of Place), Gary Collins, Matthew Cockburn, Laurence Fallon

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**Date:** Tuesday, 20 April 2021



# Agenda

## 1. Welcome, Introductions and Safety Information

(Pages 5 - 7)

## 2. Apologies for Absence and Substitutions

## 3. Declarations of Interest

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

## 4. Minutes of the previous meeting

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

(Pages 8 - 14)

## 5. Appeals

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

(Pages 15 - 24)

## 6. Enforcement

To note recent enforcement notices.

(Page 25)

## 7. Public Forum

Up to 30 minutes is allowed for this item.

Any member of the public or Councillor may participate in Public Forum. The detailed arrangements for so doing are set out in the Public Information Sheet at the back of this agenda. Public Forum items should be emailed to [democratic.services@bristol.gov.uk](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 5 pm on **22 April 2021**.



Petitions and Statements - Petitions and statements must be received on the working day prior to the meeting. For this meeting this means that your submission must be received in this office at the latest by 12.00 noon on **27 April 2021**.

Members of the public who wish to present their public forum statement, question or petition at the zoom meeting must register their interest by giving at least two working days' notice prior to the meeting by **2pm Monday 26 April 2021**.

**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. Practice Notes - Information Item**

**(Page 26)**

## **9. Planning and Development**

**(Page 27)**

- a) 20/01655/F - Former Railway Depot Clange Road Bristol (Pages 28 - 57)**
- b) 20/01150/F & 20/04633/LA - Soapworks Broad Plain Bristol BS2 0JP (Pages 58 - 121)**
- c) 20/03286/F - Swift House Albert Crescent Bristol BS2 0UD (Pages 122 - 154)**
- d) 21/00770/F - 170 Glenfrone Road Bristol BS5 6XE (Pages 155 - 182)**

## **10. Date of Next Meeting**

To be determined.



# 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 will always 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 will be no more than one minute, and you may need to be muted if you exceed your allotted time.**
- If there are a large number of submissions on one matter, a representative may be requested to speak on the group's behalf.
- If you do not attend the meeting at which your public forum submission is being taken your statement will be noted by Members.

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

### Webcasting/ Recording of meetings

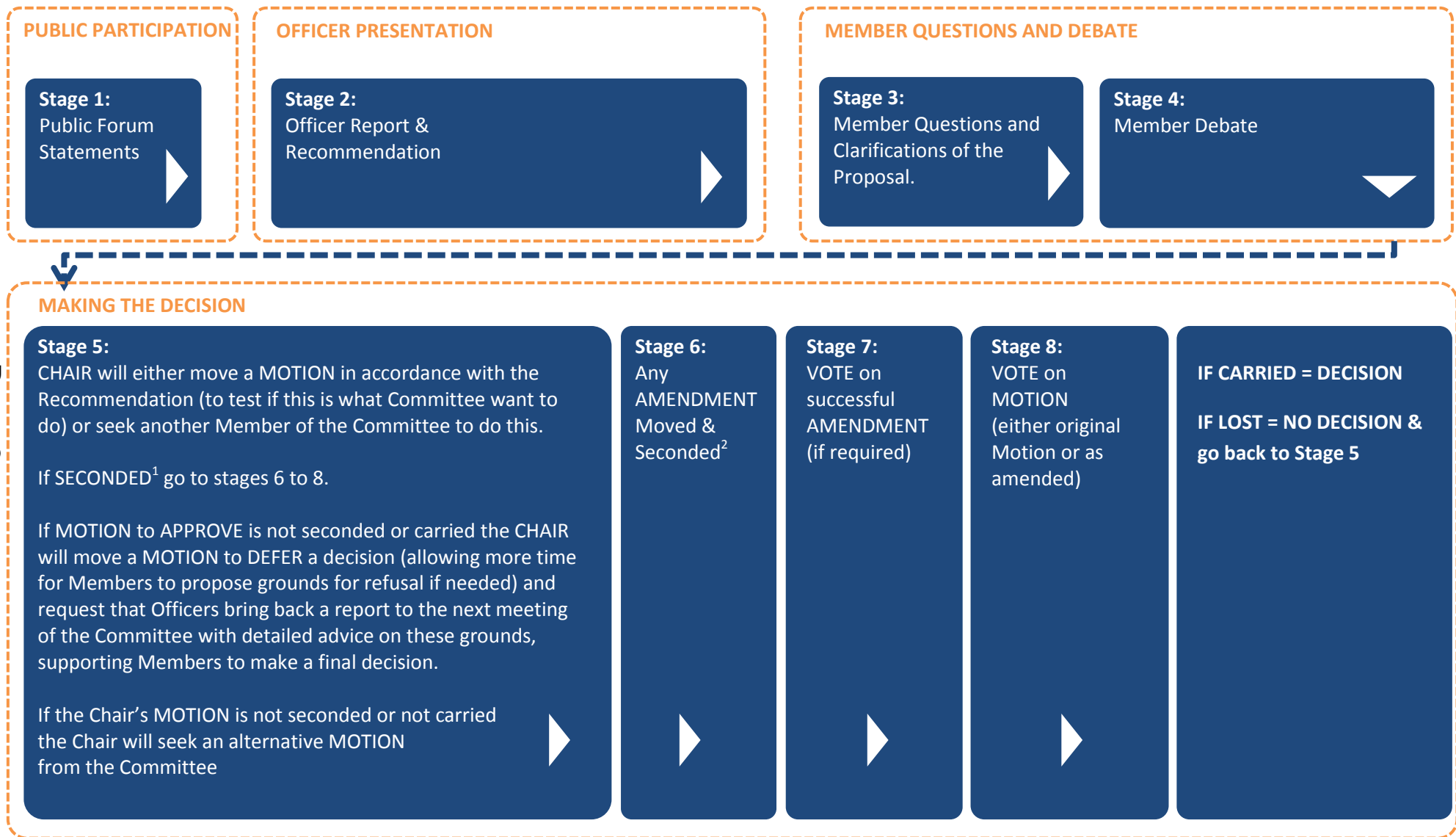
Members of the public attending meetings or taking part in Public forum are advised that all virtual public meetings including Full Council and Cabinet meetings are now broadcast live via the council's [webcasting pages](#). The whole of the meeting will be broadcast (except where there are confidential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

### Other formats and languages and assistance for those with hearing impairment

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



# Development Control Committee Debate and Decision Process



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<sup>1</sup> A Motion must be Seconded in order to be formally accepted. If a Motion is not Seconded, the debate continues

<sup>2</sup> An Amendment can occur on any formally approved Motion (ie. one that has been Seconded) prior to Voting. An Amendment must itself be Seconded to be valid and cannot have the effect of negating the original Motion. If Vote carried at Stage7, then this becomes the Motion which is voted on at Stage 8



## Bristol City Council Minutes of the Development Control A Committee



31 March 2021 at 2.00 pm

### **Members Present:-**

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

### **Officers in Attendance:-**

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

### **1. Welcome and Introductions**

The Chair welcomed all parties to the Meeting.

### **2. Apologies for Absence and Substitutions**

Apologies received from Councillor Davies with Councillor Mead as substitute.

### **3. Declarations of Interest.**

There were none.

### **4. Minutes of the previous meeting held on 4 March 2021.**

The minutes were agreed as a correct record.

**RESOLVED – That the minutes of the meeting of 4 March 2021 be agreed as a correct record.**



## **5. Appeals**

The Head of Development Management introduced the report and highlighted the following:-

1. Items 11 and 12 – Land at Silverthorne Lane. This had been called in by the Secretary of State on the grounds of flooding primarily and other issues. The Inquiry date had now been set for 11 – 25 May. The Council would receive the Inspector’s report and the Secretary of State’s decision together near the end of year;
2. Item 13 – Police Dog and Horse Training Centre, Clanage Road. Officers had recommended refusal but the Committee had granted approval. The had been called in and the Inquiry would take place on 20 July;
3. The Silverthorne Lane Inquiry would be held online. Clanage Road would probably be online but this would be determined in early May.

## **6. Enforcement.**

It was noted that one enforcement notice had been served since the last Committee. There were no questions.

## **7. Public Forum**

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

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

## **8. Planning and Development**

The Committee considered the following Planning Applications:



## 9. 20/01150/F & 20/04633/LA- Soapworks, Broad Plain, Bristol.

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

The Planning Officer summarised the application as follows:-

1. The application was for the redevelopment of the Gardiner Haskins site, including demolition works and refurbishment of listed Soap Pan building to provide mixed use development comprising 243 residential dwellings, new flexible retail, leisure and commercial space, business space together with associated plant space, amenity space, parking and vehicular servicing arrangements, public realm, landscaping and associated works (Option A);
2. The application provided the option for an Apart hotel rather than flats fronting Russ Street, resulting in 168 residential dwellings and new flexible retail, leisure and commercial space (Option B);
3. There was a small change to the recommendation in the report. The planning application was recommended for approval and if approved the Listed Building Consent element would be referred to the Secretary of State because of the Historic England objection;
4. There was also an amendment to the Heads of Terms of the legal agreement not found on the Amendment Sheet regarding the carbon offset contribution which was higher than originally calculated and was now as follows:-

- Option A - £383, 185.35;
- Option B – £263,408.40.

5. There were two further neighbour representations, one in support and one objection, as set out in the Amendment Sheet;
6. The Amendment Sheet also set out clarification of Historic England's objection regarding the removal of the historic fabric of the building and the Environment Agency's objection being withdrawn subject to certain conditions;
7. In coming to a decision on the application, the Committee would need to balance the benefits of the development against the undoubted harm that would result from the proposal. It was noted that the proposal would provide much needed housing, including affordable housing, would preserve the primary heritage asset on the site, and would deliver significant improvements to the public realm and residential routes;
8. Officers assessed that there was a high degree of less than substantial harm, noting that not all of the site was of great value but much of it was.

The following points arose from questions:-

1. It was considered unusual to receive such a large application with such flexibility regarding the options of Apart hotel or residential development but there was nothing in planning law to prevent it;
2. An Apart hotel was a fairly new concept. It was a hotel for customers who wished to stay for a few weeks but not for long-term residency. The rooms were therefore larger with a kitchenette;



3. If the application was approved the developer would decide which option to pursue. Officers would condition the permission so that it was not possible to change or swap the option chosen;
4. The Committee was given reassurance that the housing would be affordable based on the BCC definition and would be delivered within a quick timescale and would be allocated from the housing waiting list. Whilst the full details were not yet resolved if the housing was deemed not affordable officers would bring the matter back to Committee;
5. A high degree of less than substantial harm meant that the application was at the top of that level and would not take much more to become substantial harm;
6. Officers had not considered a scheme to retain the shell of the building. The evidence gave comfort to officers that the development would be difficult and unviable in that respect;
7. It was confirmed that the façade on New Thomas Street would not be retained;
8. It was noted that there had been many strong objections to the development from Statutory Consultees but it was only Historic England (in association with heritage and amenity societies) that could refer the application to the Secretary of State;
9. The amount of affordable housing provided for the Apart hotel option was approximately 30 units and increased to approximately 45 units for the residential option;
10. There was no indication that the developer would still proceed if the Committee deferred the application. The developer's view was that the market for hotels was tenuous with Covid and had wanted greater flexibility post-Covid in relation to the economy;
11. The Head of Development Management added that the Committee might have reservations regarding the flexibility provided with approval or might favour one option more than the other. If this proved to be the case he advised that a decision to defer would be a helpful decision as it would help all parties focus on a way forward. It was noted that this could come back to the last DC A Committee at the last meeting of the municipal year on 28 April. If deferred the application would be considered as a fresh application.

The following points arose from discussion:-

1. Councillor Wright had assessed the pros and cons and believed that the loss of so much of the frontages was outweighed by the significant benefits. He felt that the developer had not listened to the heritage objections and a better proposal without the loss of frontages could be achieved;
2. Councillor Goggin understood the significant benefits but was concerned that there was less affordable housing with the Apart hotel option. If the number for affordable housing was higher it would tip the benefits to outweighing the harm. He was minded to defer and was not looking to refuse;
3. Councillor Smith stated it was a delicate balance as he liked the scheme but was concerned regarding the heritage aspects, the height and density and the lack of affordable family housing and he was therefore minded to refuse;
4. Councillor Clarke was concerned at the tower and Apart hotel elements but was willing to be convinced about the tower but not the hotel as this reduced the numbers of affordable housing;
5. Councillor Mead supported some elements of the development but was concerned about the level of harm and reduced number of affordable housing with the hotel option;

6. Councillor Breckels supported the scheme and either option noting that the area needed regeneration. He was not concerned at the tower as it was not jarring on the landscape but regretted the loss of heritage frontages. He suggested that lighting and CCTV should be conditioned;
7. Councillor Hickman supported the scheme as the benefits it brought to the area by regenerating it and providing jobs outweighed the loss of heritage. The applicant had confirmed that the lighting provided was exceptional and a small convenience store provided for local residents. She would not support the hotel option if that meant the affordable housing was reduced. On balance she would vote for approval;
8. Before moving a motion, The Head of Development Management confirmed that the Committee was voting on granting planning permission including the flexibility on the Apart hotel or residential units and to refer the listed building consent to the Secretary of State regarding the Historic England objections;
9. Councillor Mead moved the officer recommendation and it was seconded by Councillor Breckels on being put to the vote it was lost – 3 for, 6 against;
10. Councillor Clarke was advised that a motion which was for approval of the scheme minus the Apart hotel would be a deemed refusal which might not be acceptable to the developer. If the Committee was so minded the motion should be to defer;
11. Councillor Clarke moved and Councillor Goggin seconded that the application be deferred and that the Committee was minded to accept the residential option and to refuse the Apart hotel option. On being put to the vote it was:-

**Resolved – (6 for, 2 against and 1 abstention)**

- 1. That the application be deferred;**
- 2. That the Committee was minded to accept the residential option and to refuse the Apart hotel option.**

Councillors Clarke and Wright stated that they would be leaving the meeting before the next application was determined.

**11. 21/00334/F & 21/00335/LA - 8 Harley Place Bristol.**

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

The Planning Officer summarised the application as follows:-

1. The proposal seeks to convert the existing annex above the garage into a separate one bedroom self-contained dwelling with separate bin and bike storage area;
2. The application was before Committee for three reasons:-
  - It had previously been refused by Committee in September 2020;





- The previous application and the one before Committee had received a high level of public scrutiny and the Planning Authority had received a high number of objections;
- The application had been called in by the Ward member, Councillor O'Rourke;

3. The application was in a sustainable location and was car and cycle policy compliant;
4. It would be car free as there would be no parking permit;
5. The road was private and therefore not adopted highway;
6. Transport Development Management (TDM) had no concerns regarding the location of the waste receptacles;
7. TDM offered a waste management plan condition if members still had concerns regarding waste;
8. The application was recommended for approval subject to conditions in the report and as set out in the Amendment Sheet.

The following points arose from questions:-

1. The previous application had contained parking but this application was deemed car free. However, it was noted that the road was private and therefore the Planning Authority had no jurisdiction over parking as it was a civil matter;
2. The Planning Authority could not control tenancy lengths but Housing legislation would determine the minimum length of tenancies.

There was no discussion and Councillor Breckels moved the officer recommendation and this was seconded by Councillor Goggin. On being put to the vote it was:-

**Resolved (6 for, 1 abstention) - That the application be granted subject to conditions in the report and a further condition as set out in the Amendment Sheet.**

## **11. Date of next meeting.**

The next meeting is 28 April at 2pm.





Meeting ended at 4.35pm.

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



## DEVELOPMENT CONTROL COMMITTEE A

28th April 2021

### REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE

#### LIST OF CURRENT APPEALS

##### Householder appeal

Item	Ward	Address, description and appeal type	Date lodged
1	St George Troopers Hill	42 Nicholas Lane Bristol BS5 8TL A single storey extension is proposed to the rear of the property with a roof terrace accessed from the rear bedroom. Appeal against refusal Delegated decision	12/10/2020
2	Clifton	Goldney Lodge Worlds End Lane Bristol BS8 4TQ Demolition of outhouses and construction of a two storey side extension. Construction of garden studio. Appeal against refusal Delegated decision	09/04/2021
3	Westbury-on-Trym & Henleaze	28 South Croft Bristol BS9 4PR Proposed hip to gable roof alteration and rear dormer roof extension. Appeal against refusal Delegated decision	09/04/2021
4	Stoke Bishop	13 Avon Grove Bristol BS9 1PJ Proposed detached garage. Appeal against non-determination Delegated decision	12/04/2021
5	Redland	53 Logan Road Bristol BS7 8DS Roof extensions. Appeal against refusal Delegated decision	15/04/2021

## Informal hearing

Item	Ward	Address, description and appeal type	Date of hearing
6	Central	Public Realm Colston Avenue Bristol BS1 4RD Temporary art installation for a period of 2 years (retrospective) entitled, 'A Surge of Power (Jen Reid) 2020' on the plinth of the former statue of slave trader Edward Colston (grade II listed). Appeal against non-determination	TBA
7	Central	Public Realm Colston Avenue Bristol BS1 4RD Temporary art installation for a period of 2 years (retrospective) entitled, 'A Surge of Power (Jen Reid) 2020' on the plinth of the former statue of slave trader Edward Colston (grade II listed). Appeal against non-determination	TBA

## Public inquiry

Item	Ward	Address, description and appeal type	Date of inquiry
8	Lawrence Hill	Land And Buildings On The South Side Of Silverthorne Lane Bristol BS2 0QD Phased development of the following: site wide remediation, including demolition; (Plot 1) outline planning permission with all matters reserved aside from access for up to 23,543m2 GIA of floor space to include offices (B1a), research and development (B1b), non-residential institution (D1) and up to 350m2 GIA floor space for cafe (A3); (Plots 2 and 3) erection of buildings (full details) to provide 371 dwelling houses (C3), offices (B1a), restaurants and cafes (A3); (Plot 4), redevelopment of 'Erecting Sheds 1A and 1B' (full details) to provide offices (B1a); (Plot 5) erection of buildings and redevelopment of 'The Boiler Shop' (full details) to provide a 1,600 pupil secondary school (D1); (Plot 6) erection of buildings (full details) to provide 693 student bed spaces (Sui generis); infrastructure, including a new canal side walkway and associated works.  Committee	11/05/2021

9	Lawrence Hill	<p>Land And Buildings On The South Side Of Silverthorne Lane Bristol BS2 0QD</p> <p>Redevelopment of the site for: (Plot 1) Removal of the Shed 4 western gable wall; (Plot 2) Removal of Shed 4 (excluding wall to canal), insertion of opening into boundary wall and lowering/removal of material; (Plot 3) Removal of Shed 3, removal of Sheds 2a-c; (Plot 4) Insertion of pedestrian access opening into the northern boundary wall of shed 1b, alterations to the South wall of Shed 1b/north wall of Shed 2b, Restoration/rebuild of Shed 1a; (Plot 5) Reduction in height of the walls attached to the North Gateway, removal of western Hammer Forge Wall, reduction of Northern Hammer Forge Wall, demolition and rebuild of Eastern Hammer Forge wall. Works to the Boiler Shop, including new openings in the Western gable end, replacement of asbestos cement roof, removal of post-war cladding and glazing between piers, internal works including new floor level; (Plots 2-5) Potential stabilisation to the early 19th century Feeder Canal rubble stone wall.</p> <p>Committee</p>	11/05/2021
10	Bedminster	<p>Police Dog &amp; Horse Training Centre Clange Road Bristol BS3 2JY</p> <p>Proposed change of use from training centre (Use Class D1) to touring caravan site (Use Class D2), consisting of 62 pitches and associated buildings and works.</p> <p>Committee</p>	20/07/2021

**Written representation**

<b>Item</b>	<b>Ward</b>	<b>Address, description and appeal type</b>	<b>Date lodged</b>
11	Frome Vale	<p>67 Symington Road Bristol BS16 2LN</p> <p>One bedroom single storey dwelling in the rear garden of the existing property.</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	19/05/2020
12	Clifton Down	<p>41 Alma Vale Road Bristol BS8 2HL</p> <p>Enforcement notice appeal for use of ground floor and basement levels of building as domestic storage.</p> <p>Appeal against an enforcement notice</p>	14/08/2020
13	Henbury & Brentry	<p>The Lodge Carriage Drive Bristol BS10 6TE</p> <p>Sycamore Tree T3 - Crown reduce canopy by a maximum of 30%. TPO 1148</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	07/09/2020

14	Avonmouth & Lawrence Weston	6 Springfield Lawns Station Road Shirehampton Bristol BS11 9TY 6 x Lawson Cypress - Felling including stubbing out to the rear of 6 Springfield Lawns. TPO 097. Appeal against refusal Delegated decision	28/09/2020
15	Eastville	12 Lodge Causeway Bristol BS16 3HY Change of use from existing family dwellinghouse (C3) to a House of Multiple Occupation (HMO) with 8 bed-spaces (sui generis), incorporating a single-storey rear extension and all associated works. Appeal against refusal Delegated decision	12/10/2020
16	Clifton	31 West Mall Bristol BS8 4BG Application for a Certificate of Existing Use/Development - use of upper floors as self contained maisonette. Appeal against refusal Delegated decision	02/11/2020
17	Eastville	15 Bridge Street Eastville Bristol BS5 6LN Enforcement notice appeal for the erection of a two storey rear extension with door access onto the roof from first floor level to rear without planning permission. Appeal against an enforcement notice	01/12/2020
18	Southville	215 North Street Bedminster Bristol BS3 1JH Demolishing existing single storey building and replacement with new two storey residential unit. Appeal against refusal Delegated decision	15/12/2020
19	Westbury-on-Trym & Henleaze	7A North View Bristol BS6 7PT Erection of rear roof extension to create 1 no. new flat (Class C3) - resubmission of planning application ref: 19/05608/F. Appeal against refusal Delegated decision	07/01/2021
20	Hengrove & Whitchurch Park	32 Widcombe Bristol BS14 0AS Erection of new 2 bed dwelling attached to side of existing house. Appeal against refusal Delegated decision	18/01/2021

21	Westbury-on-Trym & Henleaze	Orange Mast Lime Trees Road Bristol BS6 7XW Application to determine if prior approval is required for a proposed - Monopole and cabinets to be installed. Appeal against refusal Delegated decision	18/01/2021
22	Central	6 Pipe Lane City Centre Bristol BS1 5AJ Proposed single storey rear extension, replacement rear windows, addition of secondary glazing and internal alterations. Appeal against refusal Delegated decision	26/01/2021
23	Central	6 Pipe Lane City Centre Bristol BS1 5AJ Proposed single storey rear extension, replacement rear windows, addition of secondary glazing and internal alterations. Appeal against refusal Delegated decision	26/01/2021
24	Clifton Down	Whiteladies Residential Home 22 Redland Park Bristol BS6 6SD Proposed demolition of coach house and conversion of Nursing Home into one 1 bedroom (2 bedspace) flat four 2 bedroom (3 bed space) flats, two 2 bedroom (4 bed space) flats, one 3 bedroom (6 bed space) flat and the rebuilding of the two storey coach house to form a new 2 bedroom (4 bed space) cottage, with associated bin and cycle storage and parking. Appeal against refusal Delegated decision	03/02/2021
25	Redland	125 Redland Road Bristol BS6 6XX Replace existing upvc top hung dormer windows at second floor level and replace with enlarged dormer windows with side hung timber windows. Appeal against refusal Delegated decision	08/02/2021
26	Ashley	The Jamaica Inn 2 - 4 Grosvenor Road Bristol BS2 8XW Outline planning application (including consideration of Access, Appearance, Layout and Scale) for the demolition of the existing building and the erection of 10 no. self-contained flats (Use class C3) with associated cycle storage, private amenity space and refuse storage. Appeal against refusal Delegated decision	08/02/2021

27	Bishopston & Ashley Down	7 Selborne Road Bristol BS7 9PH Enforcement notice appeal for development not in accordance with the plans approved as part of planning permission 19/00729/H. Appeal against an enforcement notice	08/02/2021
28	Henbury & Brentry	The Hazels Sheepwood Road Bristol BS10 7BS T3 conifer cypress - Fell.(TPO 398) Appeal against refusal Delegated decision	10/02/2021
29	Horfield	TA Centre Dorian Road Bristol BS7 0XL The installation of supporting steelwork accommodating 6no antenna apertures and 2no transmission dishes, plus 4no equipment cabinets and ancillary development thereto. As part of this application, 2no existing telecommunications flagpoles (measuring 5m and 7m, respectively), and two existing equipment cabinets, will be removed. Appeal against refusal Delegated decision	17/02/2021
30	Hartcliffe & Withywood	60 Gatcombe Road Bristol BS13 9RD New attached dwelling to existing terrace. Appeal against refusal Delegated decision	23/02/2021
31	Avonmouth & Lawrence Weston	The Glebe House 1 McLaren Road Bristol BS11 9FE Demolition of The Glebe House and the erection of five townhouses and three self-contained flats (Use Class C3) with associated car parking, cycle storage, refuse storage and private amenity space. Appeal against refusal Delegated decision	25/02/2021
32	Southville	6 Albany Buildings Bristol BS3 1BT Works and a change of use to facilitate the conversion of an existing building to two residential units. Appeal against non-determination Delegated decision	25/02/2021
33	Knowle	100 Newquay Road Bristol BS4 1DS Change of use from vacant off-licence (A1) to a Hot Food Takeaway (Sui Generis). Appeal against refusal Delegated decision	01/03/2021

34	Westbury-on-Trym & Henleaze	32 Parrys Lane Bristol BS9 1AB Partial change of use from residential C3 to D1 for dentistry purposes on the ground floor. Proposed part single storey/part double storey extension and alterations the existing house to maintain C3 dwelling unit above. Creation of new access from Elmlea Avenue and alteration of existing access from Parrys Lane. Creation of car park to front and side of property. Appeal against refusal Delegated decision	10/03/2021
35	Southmead	Greystoke Avenue Repton Grange Bristol BS10 5NZ Application to determine if prior approval is required for a proposed telecommunications installation: 15m high Phase 8 monopole, C/W wraparound Cabinet at base and associated ancillary works. Appeal against refusal Delegated decision	12/03/2021
36	Brislington West	57 West Town Lane Brislington Bristol BS4 5DD New single storey dwelling. (Self Build). Appeal against refusal Delegated decision	15/03/2021
37	Clifton Down	41 Alma Vale Road Clifton Bristol BS8 2HL Change of use from D1 (pre-school care) to C3 flat. (Ground floor and part basement). Appeal against refusal Delegated decision	25/03/2021
38	Eastville	4 Island Gardens Bristol BS16 1BU Application for Outline Planning Permission With Some Matters Reserved for two dwelling houses. Approval sought for Access, landscaping, Layout, Scale. Appeal against refusal Delegated decision	30/03/2021
39	Bishopsworth	Telecommunication Cabinet Lake Shore Drive Bristol BS13 7BA Proposed telecommunications installation: Proposed 20m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works. Appeal against refusal Delegated decision	30/03/2021



40	Stockwood	Land Front Of Stockwood Precinct Stockwood Road Stockwood Bristol Application to determine whether prior approval is required for the proposed installation of a 20 metre high telecommunications column supporting 6 no. antennas, together with ground-based equipment cabinets and ancillary development. Appeal against refusal Delegated decision	13/04/2021
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### List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
41	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	Appeal dismissed 25/03/2021  Costs not awarded
42	Easton	77 - 83 Church Road Redfield Bristol BS5 9JR Outline application for the erection of a four-storey building comprising 2no. ground floor retail units and 9no. self-contained flats at first, second and third floor levels, with matters of scale, layout and access to be considered (landscaping and design reserved). Appeal against refusal Delegated decision	Appeal dismissed 25/03/2021
43	Westbury-on-Trym & Henleaze	47 Henleaze Avenue Bristol BS9 4EU Retrospective application for removal of wall and formation of vehicular access and hardstanding. Appeal against refusal Delegated decision	Appeal dismissed 24/03/2021
44	Westbury-on-Trym & Henleaze	47 Henleaze Avenue Bristol BS9 4EU Enforcement notice appeal for the removal of boundary wall and formation of parking space. Appeal against refusal	Appeal dismissed 24/03/2021
45	Southville	Former Pring And St Hill Ltd Malago Road Bristol BS3 4JH Redevelopment of the site to provide 74 No. student cluster units and 40 No. affordable housing units (social rented), flexible ground floor community/commercial use (Use class A1-A5/D1/B1). Landscaping , access and public realm works and associated works to the Malago Road. (Major Application) Appeal against refusal Committee	Appeal dismissed 01/04/2021

46	Southville	Former Pring And St Hill Ltd Malago Road Bristol BS3 4JH Redevelopment to provide student accommodation across four development blocks, landscaping, access, public realm works and associated works to the Malago River. Appeal against non-determination Delegated decision	Appeal dismissed 01/04/2021
47	Hengrove & Whitchurch Park	84 Westleigh Park Bristol BS14 9TQ First floor extension to form new 1 bed dwelling. Appeal against refusal Delegated decision	Appeal allowed 31/03/2021
48	Southville	Unit A & B Baynton Road Bristol BS3 2EB Erection of building three storey building containing 7no. residential flats, and associated works. Appeal against refusal Delegated decision	Appeal allowed 31/03/2021  Split cost decision
49	Frome Vale	Open Space Gill Avenue Bristol Proposed telecommunications installation: Proposed 20m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works. Appeal against refusal Delegated decision	Appeal dismissed 31/03/2021
50	Clifton Down	175 Whiteladies Road Bristol BS8 2RY Proposed replacement the current valley roof with a new attic roof, to form two bedrooms and to form a new bathroom over the present rear extension. Appeal against refusal Delegated decision	Appeal dismissed 30/03/2021
51	Bishopsworth	58 Dancey Mead Bristol BS13 8DF To erect an attached house. Appeal against refusal Delegated decision	Appeal allowed 25/03/2021
52	St George Troopers Hill	3 Northfield Road Bristol BS5 8PA Two storey side extension, to provide additional living space. Appeal against refusal Delegated decision	Appeal dismissed 31/03/2021
53	Southmead	26 Charlton Road Brentry Bristol BS10 6NG Demolition of outbuilding and erection of two storey side extension. Appeal against refusal Delegated decision	Appeal dismissed 31/03/2021

54	Redland	8 Zetland Road Bristol BS6 7AE Erection of single-storey rear extension and external alterations to sui generis HMO. Appeal against refusal Delegated decision	Split decision 22/03/2021
55	Clifton Down	23 Burlington Road Bristol BS6 6TJ Replacement of 3no. aluminium windows to the front elevation, at mansard roof level, with 3no.double glazed single pane sliding aluminium windows. Replacement of rear first and second storey aluminium windows with 6no. six pane double glazed timber sash windows. Appeal against refusal Delegated decision	Appeal dismissed 31/03/2021
56	Clifton Down	23 Burlington Road Bristol BS6 6TJ Replacement of 3no. aluminium windows to the front elevation, at mansard roof level, with 3no.double glazed single pane sliding aluminium windows. Replacement of rear first and second storey aluminium windows with 6no. six pane double glazed timber sash windows. Appeal against refusal Delegated decision	Appeal dismissed 31/03/2021
57	Hillfields	6 Esson Road Bristol BS15 1NP Proposed two storey rear extension. Appeal against refusal Delegated decision	Appeal dismissed 13/04/2021
58	Eastville	4 Island Gardens Bristol BS16 1BU Application for a Certificate of Proposed Development - detached outbuilding. Appeal against refusal Delegated decision	Appeal allowed 09/04/2021
59	St George Central	278 Two Mile Hill Road Bristol BS15 1AT Formation of dropped kerb. Appeal against refusal Delegated decision	Appeal allowed 13/04/2021
60	Stockwood	211 Whittock Road Bristol BS14 8DB Proposed 2 bed, two storey single dwelling house, attached to the side of the existing property. Appeal against refusal Delegated decision	Appeal dismissed 09/04/2021
61	Cotham	Ground Floor Flat 3 Victoria Walk Bristol BS6 5SR New window to side elevation. Appeal against refusal Delegated decision	Appeal dismissed 12/04/2021

**DEVELOPMENT CONTROL COMMITTEE A**  
**28th April 2021**

**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	Avonmouth & Lawrence Weston	130 Nibley Road Bristol BS11 9XN  Use of building to rear for operation of motorbike repair business. Enforcement notice	24/03/2021
2	Frome Vale	Strathmore Pound Lane Bristol BS16 2EP  High hedge at 4 metres in height and evergreen in rear garden. Remedial notice - high hedge	31/03/2021



## Development Control A Committee

**PURPOSE:** For noting

**DATE:** 15 April 2021

<b>TITLE</b>	<b>Practice Notes information</b>
<b>Ward(s)</b>	<b>All</b>
<b>Purpose of Report:</b> To advise the Committee about recent planning practice notes.	
<p><b>Details:</b></p> <ol style="list-style-type: none"> <li>The Council publishes a number of practice notes to provide technical guidance to help applicants for planning permission make sure their development meets the requirements of the Local Plan. The current <a href="#">practice notes</a> available on the Council's web site are: <ul style="list-style-type: none"> <li>•Space Standards Practice Note March 2021</li> <li>•Government's Housing Standards Review: Operation of Bristol Local Plan policies</li> <li>•Climate change and sustainability practice note</li> <li>•Broadband Connectivity practice note</li> <li>•Affordable Housing practice note</li> <li>•Flood risk sequential test practice note</li> <li>•Assessing the health impacts of development practice note</li> <li>•Waste and recycling: collection and storage facilities</li> <li>•A guide to cycle parking provision guidance</li> <li>•Marketing guidelines for a change of use planning application</li> <li>•Travel plan guide for new developments</li> <li>•Bristol City Council Transport Department Schedule of Fees 2020 to 2021</li> </ul> </li> <li>The Committee's attention is drawn to the most recently published practice note on <a href="#">space standards</a>. The note gives advice on how local plan space standards are applied to different types of residential accommodation.</li> <li>Attention is also drawn to the <a href="#">climate change and sustainability practice note</a> . This note was updated last year and offers advice to applicants on the implementation of Bristol Local Plan policies as they relate to sustainability, climate change and resilience. The note was updated to cover PassivHaus; an explanation of why the council generally resists non-renewable electric heating, and; gives new guidance on how to connect to heat networks and what to do when a heat network may be available in the future.</li> </ol>	
<b>Recommendation:</b> To note the practice guidance	

## Development Control Committee A 28 April 2021

### Report of the Director: Development of Place

#### Index

#### Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Bedminster	Grant subject to Legal Agreement	20/01655/F - Former Railway Depot Clangage Road Bristol Redevelopment of the site to provide residential apartments including affordable housing (social rented and shared ownership) across nine buildings between 3 - 5 storeys, flexible retail/café space (Use Class A1-A5 and D1), public realm, landscaping including ecological mitigation measures, access and associated groundworks.
2	Lawrence Hill		20/01150/F & 20/04633/LA - Soapworks Broad Plain Bristol BS2 0JP Proposed redevelopment of the site, including demolition works and refurbishment of listed Soap Pan building to provide mixed use development comprising: 243 residential dwellings (Class C3); 2,790 sqm GIA of new flexible retail, leisure and commercial space (Class A1, A2, A3, A4 and D2); 15,467 sqm GIA business space together with associated plant space, amenity space, parking and vehicular servicing arrangements, public realm, landscaping and associated works.
3	Lawrence Hill	Grant	20/03286/F - Swift House Albert Crescent Bristol BS2 0UD Erection and operation of a waste transfer station and ancillary structures, including a trailer shelter, a weighbridge and weighbridge office.
4	Lockleaze	Grant	21/00770/F - 170 Glenfrome Road Bristol BS5 6XE Erection of 2 no. residential dwellings (Class C3); associated amenity space; landscaping; parking and bin and bicycle storage.

1

**Development Control – 28 April 2021**

ITEM NO. 1

**WARD:** Bedminster

**SITE ADDRESS:** Former Railway Depot Clange Road Bristol

**APPLICATION NO:** 20/01655/F Full Planning

**DETERMINATION DEADLINE:** 31 August 2020

*Redevelopment of the site to provide residential apartments including affordable housing (social rented and shared ownership) across nine buildings between 3 - 5 storeys, flexible retail/café space (Use Class A1-A5 and D1), public realm, landscaping including ecological mitigation measures, access and associated groundworks*

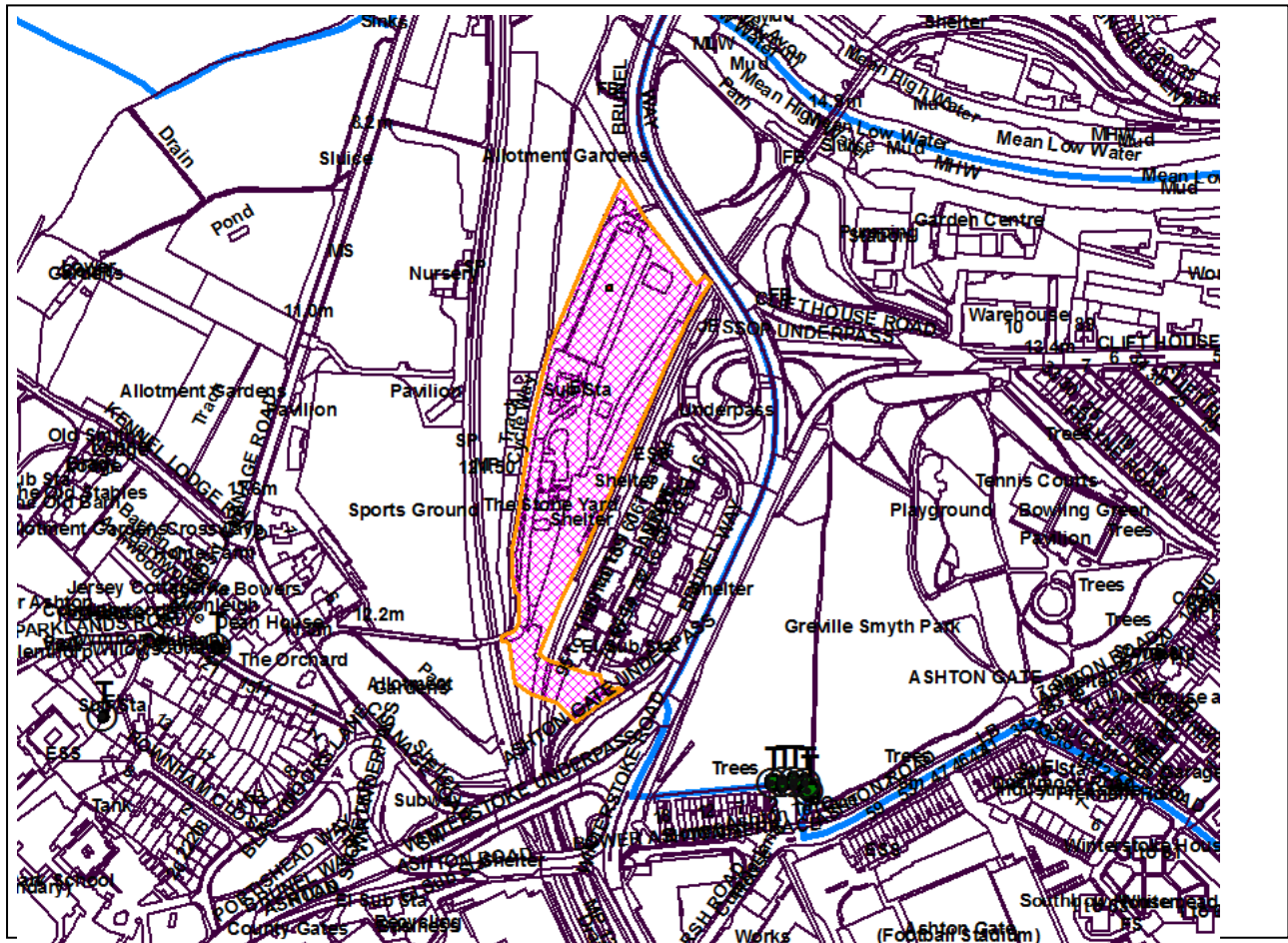
**RECOMMENDATION:** GRANT subject to Planning Agreement

**AGENT:** Avison Young  
St Catherine's Court  
Berkeley Place  
Bristol  
BS8 1BQ

**APPLICANT:** Vistry Partnerships T/a Galliford Try  
Partnerships  
C/o Agent

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

**LOCATION PLAN:**



**Development Control – 28 April 2021****Application No. 20/01655/F : Former Railway Depot Clanage Road Bristol**

## Application Site

The land which is the subject of this application is an area of former railway sidings, roughly triangular in shape, which lies on the far western edge of the city. The land is largely underlain by hard standing, there are two single storey buildings towards the middle part of the site and a mix of shrubs and trees concentrated around the margins and on the eastern half. The ground slopes up from north to south. The land was most recently used as a stone masons business, it is now vacant.

The eastern boundary of the site is marked by the Metrobus route, which is at a slightly lower level than the site, the other side of which is the Paxton Drive development of flats, which is mostly four storey with a recessed fifth floor.

Along the western boundary is the Festival Way cycle route, which is part of the National Cycleway Network and falls within the application site. To the west of this is an area of allotments, which lie between the site and the Portishead railway line.

To the north is the elevated Brunel Way, which is separated from the site by a narrow area of public open space. At the time of the initial submission of the planning application there was a row of hybrid poplars in this space but these have now been largely removed due to poor health.

The existing vehicular access to site is a narrow road off Clanage Road, which also accommodates the cycle way, this crosses a bridge over the railway line after which it splits to become a road to the allotments and the cyclepath.

A licence was granted to the city council to allow the construction of the cycle path in 2009.

The land was purchased from Railtrack by the Homes and Community Agency in 2013, (now Homes England)

## Planning Policy background

In 2014 A Planning Concept Statement was published on behalf of the agency, which was produced in conjunction with the city council and the community. To inform the statement a number of surveys were undertaken. The statement anticipated the site being developed as largely residential with commercial subject to viability testing and included a development framework that should be followed to include consideration of how to sensitively respond to site context, views and topography in terms of height, scale and massing as well as maintaining a balance between built development and mitigation of ecological assets. It is stated that the Paxton Drive development will act as a guide to development and one cross section shows development slightly lower than that at Paxton Drive aside from a slightly higher element shown to the north of the site where land levels fall.

In the Site Allocation and Development Management Local Plan, adopted July 2014, an area that includes a strip along the eastern side of the site is identified as important open space and a site of nature conservation interest. Some of this is now part of the metro bus route.

The northern boundary coincides with that of the City Docks Conservation Area.

To the west of the allotments is the boundary to the Bower Ashton Conservation Area, much of this conservation area is Green Belt and the western section falls within the Grade II Registered Historic Garden of Ashton Court which flanks the Grade I Ashton Court Mansion House.

The Grade II listed bonded warehouses are sited to the east of the site.



**Development Control – 28 April 2021****Application No. 20/01655/F : Former Railway Depot Clanage Road Bristol**

The site was included as a draft allocation for residential in the Bristol Local Plan Review, which was consulted on between March and May 2019. This allocation listed a number of development considerations to include the need to provide a contextual, heritage –led response which has regard to long distance views including views of the Avon Gorge and Suspension Bridge from Bedminster Down and which respects the visibility of the site, including in the setting of Ashton Court, takes account of the city docks conservation area and provided a coordinated approach which connects with the Western Harbour Growth and Regeneration area, which was shown indicatively.

There were three responses to the draft allocation to include the current applicant and the environment agency.

There was significant objection and comment on the Western Harbour allocation.

That plan is in abeyance following the withdrawal of the Joint Structure Plan and a revised timetable for a further consultation draft has been provided which includes consultation on issues and options in 2021, with adoption in 2023.

A document entitled ‘Progressing Bristol’s Development’ was published in October 2020 which sets out the policy basis that should be used when making planning decisions in the interim to include the adopted local plan, presumption of sustainable development as outlined in the NPPF where policies are out of date, the policy direction in the 2019 review and all other material planning considerations to include supplementary planning documents and frameworks.

#### Pre-application Enquiry

In August 2019 a pre-application enquiry was submitted for the development of 252 dwellings, (238 apartments and 14 town houses) and retail/café floor space up to 532m<sup>2</sup>- ref. 19/03890/PREAPP

The apartments were in the form of six blocks, facing onto a looped access road, from the south to the north they were shown at following heights; Block A- 4&5, B 5+, C 5+, D 5 &6, E 7 and F 9. There were 211 car spaces, most of which were undercroft.

Vehicular access was from the south taken off the underpass to Ashton Way, cutting across the southern tip of the Paxton Drive site and the Metrobus route.

A detailed response was issued setting out key policy issues but also observing that there was insufficient information for officers to be satisfied that the development would have an acceptable impact on the identified heritage assets.

Concerns were raised about the height of the proposed blocks and the impact on the character of the area. The implications of the higher ground was unclear. It was commented that the 5 storey element of the proposal could be acceptable but the taller elements particularly the 9 storey building would be unacceptable. Insufficient evidence was presented to that this would have an acceptable impact on important views and the character of the area. The location of the site on the fringe of the city meant that any development will have an impact particularly on medium to short views from the river, and open space around the site. A Landscape and Historic Visual Impact assessment would be required.

Issues about relationship to the communal open space and the number of single aspect units were raised.

Comments were made about the impact on personal safety that may arise as a result of the town house gardens backing onto the cycle way.

Ecology, flood risk and sustainability were other key areas that needed to be addressed.

**Development Control – 28 April 2021****Application No. 20/01655/F : Former Railway Depot Clangage Road Bristol**

## Planning Application

The proposal has been amended twice since the initial submission, illustrations of which are included in Appendix A Consultation was undertaken one each.

## Initial submission

The initial submission included 239 apartments in x 2 four storey blocks, x1 five storey block, x1 seven storey block and x1 nine storey block with x 14 three storey town houses towards the western boundary- a total of 253 units. The Festival Way cyclepath was diverted through the site taking a right angle turn onto a route alongside the Metrobus corridor.

180 objections were received.

## First revision

The first change, received at the beginning of December 2020, involved the removal of the town houses and replacement by x3, three storey blocks- all with brown roofs and PV panels, the increase in height of x2 blocks to five storeys, increase in height of x1 block to six storeys and a reduction in its footprint, the merging of the two higher blocks and reduction to seven and eight storeys- a total of 242 units. The cycleway was relocated to follows the western boundary.

135 Objections were received.

## Second revision- Current Proposal

The second change received at the end of March 2021 involves the reduction in height of all blocks previously over five storeys to five storeys with the block that had been merged in the context of the first change separated again to be two blocks with a larger foot print. This version forms the basis of this report.

A total of 220 apartments are proposed with an area of commercial floor space, which measures 228m<sup>2</sup> gross and for which Use Class A1 –A5 and D1 are applied for, (n.b. the submission of the application pre-dates the change in the use classes). It is stated that 50% will be affordable. The apartments are made up of 84 one bed units and 136 two bed units.

The development is in the form of 9 blocks facing a central shared amenity area.

The blocks aligned with the eastern boundary are all 5 storeys in height aside from the closest to the entrance which is 4 storeys in height, the upper floors to these are recessed. The blocks aligned with the northern boundary are 5 storeys and those aligned with the western boundary are 3 storeys.

A total of 124 car spaces are proposed, 385 private secure cycle parking spaces and 70 secure public cycle parking spaces.

In appearance the blocks are flat roofed, modern in design with balconies to a number of apartments.

Vehicular access is taken from the Ashton Road underpass and involves the reconfiguration of the existing junction with Paxton Drive site, it crosses the metro bus route.

Internally the principle road runs along the western part of the site, other connecting vehicular routes within the site are indicated as paved and shared surfaced.

The existing cycle way is moved 6m into the site and is aligned with the road from which it is separated by a line of trees. It is 3.0m wide. A landscape bund forms the western boundary.

**Development Control – 28 April 2021****Application No. 20/01655/F : Former Railway Depot Clanage Road Bristol**

Two central areas of open space are proposed separated by a plaza area, one space includes a childrens play area.

A pedestrian route to the Metrobus stop linking to the existing vehicular access has been created adjacent to A.

The application is accompanied by a suite of supporting documents.

### Community Engagement

The Statement of Community Engagement refers to consultation with stakeholders and a public exhibition taking place in November 2019 with an anticipated attendance of 100. A summary of comments refers to support in principle and for the affordable housing. There was opposition to the height- maximum height proposed at this stage being 11 storeys, comments that there should be greater articulation, interest and response to local context.

The developers responses to these comments are tabled to include a reduction of the height of the tallest block to 9 storeys, an increase in the amount of affordable housing to 50%, introduction of greater articulation into the scheme.

### Response to Publicity and Consultation to the Planning Application

For each iteration of the scheme 309 letters of consultation were issued, the most recent closing date being the 21<sup>st</sup> April.

There were 185 objections received to the first consultation, 144 to the second at the time of writing 15 received to the second. Committee will be informed of comments received subsequently.

Many of the comments received on the first two iterations will be little influenced by the change in the scale and appearance of the proposal. Accordingly they are precised below.

Housing Provision- it is appreciated that housing is required in Bristol and that the development includes affordable housing. The proposed plans do not cater for families in the area, with most being 1 and 2 bedroom, more 3 flats and additional town houses will increase accommodation for families in the need of affordable housing. There are too many flats this should be a balanced community. The principle of development is supported.

Loss of Green Space- the importance of green space to health is highlighted during the pandemic, this should not be lost to the city in an area where there is a shortfall in green space. The access road will mean the loss of limited adjacent green spaces at the top end of Paxton Drive. The removal of views of green space will remove peoples connection to those spaces. Trees will be destructed.

Tenure-Social housing on the edge of cities in areas of limited or distant access to social facilities can lead to anti-social behaviour and creation of slums of the future.

Ground Floor use -Why not provide a much needed community centre/space as part of the development. If it has to be retail why not create a multi-use market space. It is questioned whether there is a need for another coffee house or restaurant.

Comprehensive Approach-Until decisions are made with regard to Brunel Way and western approach to the city before designing new access points to it. All developments should be looked as one.

**Development Control – 28 April 2021****Application No. 20/01655/F : Former Railway Depot Clanage Road Bristol**

Impact on neighbours at Paxton Drive-

Loss of light and privacy- There will be a significant loss of privacy given the height of the proposed buildings, the residents of Paxton Drive whose balconies and bedroom windows overlook the metrobus route will be severely encroached upon. They will block natural light. Neighbours will be affected by increased noise.

Views will be blocked.

Noise- there will be increased noise from traffic. There is an absence of natural noise barriers in the new plans, there are no evident proposals for internal cooling systems. The high buildings on the other side of the metro bus route will create an echo chamber. There will be years of noise and disruption arising from the development.

Flooding- the flood modelling needs to be reviewed. Global warming will increase flood risk. The River Avon is recording extremely high tides. The submitted information should be scrutinised. The access road could be flooded. Paxton Drive is highlighted as being in an area of high flood risk. The owners of town houses may have problems with house insurance. The development could lead to more flooding and potentially lead further to more frequent groundwater flooding, contamination of the surrounding land and harmful effect on Avon ecology.

Air Quality- construction work and enhanced traffic congestion will expose people locally to poorer air quality. Asbestos fibres may be released during excavations. The site is in an Air Quality Management Area there will be additional traffic pollution, it is already heavily polluted affecting Paxton Drive and Bower Ashton. There has been an increase in volume of traffic since the south Bristol bypass was created. There is concern over air pollution due to construction activities.

Contamination- the asbestos, which is understood to be on site, could enter the local atmosphere and have major health implications. The proposed capping of all soft landscaping and hard standing with 0.6m does not account for the mobilisation of asbestos fibres during excavation and construction. Significant ground works are detailed to include the 4m deep excavation for the access road.

Highway safety- Access to and from Paxton Drive is challenging as there is a need to merge into a very busy and complicated one way system, first merge with traffic from the A3029 Ashton Gate Underpass, which can travel at speed, then almost immediately merge with the A370 Brunel Way dual carriageway, there is no filter lane and visibility is poor, this junction is particularly poor as A370 traffic is pulling across the dual carriageway at this point to exit via the Jessop underpass to travel east along Coronation Road, another very busy route. At peak times the congestion and queues causes long delays.

To travel south out of Paxton Drive it is necessary to first turn north and follow the oneway system across the bridge to Hotwells before we can turn and travel back up the other side of the dual carriageway. This is a lengthy detour especially when traffic is at a standstill.

New residents will be adding to the traffic negotiating this road system and existing traffic problems for residents of Paxton Drive will increase.

Additional traffic hazards will result; first to access the development a new left turn will be required off the Ashton Gate underpass at this tight junction at the exit from Paxton Drive.

Second this traffic leaving the Ashton Gate underpass to enter the new development will frequently be held up by traffic controls for the metrobus, leading to queueing back into the traffic stream.

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A number of children attending Ashton School come through Paxton Drive on foot and bike and cross the currently quiet exit to Paxton Drive, if the current junction is increased in size and has more traffic this will be an increased hazard.

Parking- There is concern about the lack of parking provision for the new development, the site is not within reasonable working distance to amenities for many – elderly, disabled and young families, which will mean that people will be reliant on car usage. The metro bus does not go to all required destinations and finishes at 9pm. This may encourage residents and visitors to park on Paxton Drive, where parking is already problematic. Has electrical charging points for all spaces been considered.

Surface car parking should be reduced to a minimum – visitors and disabled. There should be sufficient spaces for car club to off set any perceived disadvantage to reduced spaces.

Pedestrian route- Paxton Drive is referenced as an accessible route for pedestrians and cyclists, this is a very over parked area with cars parked on footways forcing pedestrians and cyclists onto the road which is dangerous.

Trees- none of the trees and shrubs will be retained, in particular those parallel to the Metro bus route. The application refers to strong landscape boundaries which will act as buffer zones but these are not shown on the plans. The 185 saplings that are proposed will take decades to mature. The dense vegetation alongside the metrobus route will be replaced by 4 small trees.

Social infrastructure- there is no apparent effort to increase infrastructure like GP surgeries. Schools and GP's should be consulted. Local services are already oversubscribed.

Responses received to Current proposal

Comments received in part reiterate those previously made but are repeated to ensure committee are aware that issues referred to remain of concern.

Design- the revisions do nothing to address the totally inadequate level of design, it is gross overdevelopment and treats Festival Way as an inconvenience, it is a generic design. Even with the reduction in height it will still negatively impact the views to and from important features in Bristol's heritage and landscape. The use of natural stone would improve appearance. The building style is urban industrial.

Commercial floorspace- the viability of a café here is questioned, small local shops should be considered instead.

Green space- there is further loss of green space and habitat provision to accommodate the larger footprint. Incorporating space for people to have their own allotments would be of benefit. The landscaping is no substitute for what is to be lost.

Impact on neighbours- the blocks positioned opposite still appear to be one storey taller than Paxton Drive- they will block all views, afternoon and evening light will be lost, even smaller blocks will tower above Paxton Drive because the proposed development is on raised ground. There will be a loss of privacy.

Parking- the amount does not reflect car ownership per household in the south west, primary and secondary roads in the development would likely to become car parks without enforcement, there are insufficient electric vehicle parking places

Access- the proposed access arrangements will be disruptive in terms of traffic flow and will cause noise and light pollution to Paxton Drive.

**Development Control – 28 April 2021**

**Application No. 20/01655/F : Former Railway Depot Clanlage Road Bristol**

Cycle Path- this is too narrow, the opportunity should be taken to implement a wider path and separate cyclists and walkers

Flooding- there are concerns about drainage and flooding. There is concern that the water storage capacity will be insufficient and consequently the flood risk is significantly reduced.

Facilities- there is no mention of additional schools or doctors being built but the area is earmarked for 2000 new homes. Can it be guaranteed that drainage of the site will not lead to water infiltration into the contaminated land.

Contamination- BCC should insist of further investigation of ground contaminants and associated risk before making a final decision. There is concern about inhalation of asbestos fibres during excavation and building.

Strategic Planning- this site should not be considered of the much larger developments being considered strategically.

Comments from national and local interest bodies.

In addition to the comments made by the community, a number of national and local interest groups have made comments on the earlier iterations of the scheme.

This includes the following; Historic England, Gardens History Trust, North Somerset District Council, Bristol Civic Society, BS3, Clifton and Hotwells Improvement Society, Bristol Tree Forum, Bristol Walking Alliance and Bristol Cycling Campaign.

At the time of writing not all have commented on the current scheme.

As the following do not refer to the height of the scheme they remain relevant;

Bristol Tree Forum

The proposal should not be allowed to proceed until it has properly addressed how it will replace and build upon the Green Infrastructure. The constraints of the site and the omissions identified in the tree survey mean that the Net Gain calculation in Biodiversity Metric 2 should be used to calculate the appropriate level of compensation needed to replace what will be lost not the BTRS.

There is no evidence that these proposals will achieve biodiversity Net Gain.

In the 30 years the site has not been in use tree canopy cover has become established. It is estimate that half were removed some time in 2019.

Bristol Cycling Campaign

We are pleased that the revised plan restores the route of Festival Way to roughly its current alignment, it is essential that it is upgraded to 5m to allow for segregated provision for walking and cycling in line with design standards set out in LTN/1/20.

Bristol Walking Alliance

We welcome the revised version of these proposals that leaves the route of Festival Way largely unchanged but still object on the basis that the path is too narrow , it should be a 5m fully segregated route.

**Development Control – 28 April 2021****Application No. 20/01655/F : Former Railway Depot Clanage Road Bristol**

Other walking facilities in the area are poor and should also be upgraded as part of this development. Walking links could be improved with another direct link under or over the A370 to Greville Smyth Park to create the most direct walking link to North Street.

Comments on current scheme

Bristol Civic Society

We continue to support the development in principle but consider that the quality of the layout and building design needs to be improved. We no longer object to the height of the scheme. The design of the residential blocks is uninspiring and monotonous in terms of massing and roof heights.

Historic England

Previously wrote expressing strong concerns at the potential impact of the previous proposals on the setting of Ashton Court's Grade II\* registered landscape, the relationship between Ashton Court and St Mary Redcliffe church, and the setting of Bower Ashton and the City Docks Conservation Areas. The proposals have been revised and a significant reduction made to the scale and massing of the apartment blocks. Concerns about the impact on the relationship between Ashton Court and St Mary Redcliffe church are addressed. The harm to the setting of the registered landscape is also reduced. There is still a degree of harm through the introduction of built form into the green setting of Ashton Court when viewed from the deer park but the level of harm is now modest.

Adverse impacts on the setting of the conservation areas are similarly weakened by the reduction in height of block E. At 5 storeys the development will no longer dominate the green, open, character of Ashton Meadows which form part of the City Docks CA. Impacts on the setting of the Bower Ashton CA are also moderated.

There remain concerns about the quality of the design. This is a key gateway and the design fails to respond to the unique, transitional and semi-rural character of its surrounds. If sensitively designed it could provide a key piece of green infra structure linking Ashton Court with Greville Smyth Park, North Street and Bedminster. It could re-integrate Ashton Court with its lost historic context. There is an opportunity to mend some of the damage done by the successive infra structure projects that have bisected the area. The rectilinear, grid-iron layout fails to maximise this opportunity.

Historic England still has concerns on heritage grounds. Amendments should be sought.

Key Issues

A. Is the principle of residential development with commercial floor space acceptable?

i) Uses

The previous use of the site as railway sidings and subsequently use as a stone masons has ceased and the work undertaken by Homes England, in conjunction with the city council in 2014, acknowledged the principle of a residential lead redevelopment of the site. This is reflected in the site allocation in the draft review of the Bristol Local Plan, which remains relevant.

Technically Policy EC4, which seeks to retain employment land unless it can be demonstrated that it is no longer feasible or viable for employment purposes, would require the loss of the employment use of the site to be demonstrated by a comprehensive and appropriate marketing exercise. However taking into account the above background it is not considered that it would be reasonable to object to the proposal on the grounds of loss of employment land.

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With regard to the commercial floor space, a flexible consent spanning use classes A1-A5 and D1 is sought hence a number of town centre uses as set out in the NPPF, to include retail, as well as a community use. The site falls outside of a designated centre and at 228m<sup>2</sup> the proposed floor space is approximately 10% larger than the 200m<sup>2</sup> which would generally be accepted as small scale retail or leisure serving a local need as set out in DM7. A Statement has been submitted which refers to alternative similar uses being 900 to 1000m distance and that there is no dedicated parking, accordingly the proposed floor space will principally serve local need with limited passing trade.

Taking this into account and that the floor area represents a small increase on the 200m<sup>2</sup> no objection is raised on these grounds.

i) Contamination

As residential is a sensitive end use, it is important that any health risk arising from contamination is known and suitably addressed.

Given the potential for contamination arising from previous uses, a number of samples have been taken on site from 2013 and reports provided. From human health perspective this investigation is considered sufficient. The contamination found on site includes asbestos containing materials.

The outline remedial strategy, which includes the introduction of clean material across the site, is considered satisfactory though this would not necessarily be required beneath hard standings and buildings. Details of the strategy can be required by condition and this should include a Materials Management Plan clearly showing proposals for moving any contaminated materials around the site.

There is also the matter of possible contamination of ground waters, which if they constitute aquifers fall to be controlled by the Environment Agency. The potential for contamination of ground waters is referred to in the reports. The agency has commented on the proposals and noted that the previous use presents a medium risk of contamination that could be mobilised during construction to affect controlled waters, which are sensitive in this location because the site is located over the Redcliffe Sandstone Secondary Aquifer and the Longmoor Brook main river. The agency has advised that more detailed information will be required prior to development but that this can be addressed by conditions as they consider to require the information at this stage would present an unreasonable burden on the developer.

This includes the need to support any proposals for the infiltration of surface waters to be supported by an assessment of the risks to controlled waters.

This has formed the basis for the proposed SUDs for the site, which are considered below.

ii) Flood Risk

Some objectors have expressed concerns about the flood risk on the site.

The Strategic Flood Risk Assessment for the city has recently been remodelled, to take account of climate change, this is now adopted and must form the basis for determining development proposals.

The Flood Risk Assessment,(FRA), included with the application was based on the previous modelling which showed part of the northern section of the site as falling within Flood Zone 2. The revised model shows this as Flood Zone 3, the extent of which will significantly extend in future with climate change.

Given this designation, and that residential use is proposed- classed as more vulnerable in the technical note to the NPPF, there is a requirement for the applicant to demonstrate that the



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Sequential Test has been satisfied in that there is no other site that the development could take place on that is less prone to flood risk. Following this there is also a need to pass the exceptions test and demonstrate the value of developing the site.

Had the site allocation in the draft revised local plan proceeded to the consultation stage, i.e. the version being put before the secretary of state, this flood risk testing would have taken place but this is not the case and consequently these documents are a requirement and have been provided.

In accordance with the advice in the Flood Risk Sequential Test Advice Note the consideration of alternative sites is limited to South Bristol. As a major proposal the draft revised local plan and supporting evidence to include the SHLAA, (Strategic Housing Land Availability Assessment – drawn up by Strategic and Citywide Policy Team), has been used to identify alternative sites, which must be reasonably available, i.e. deliverable and developable as defined by the NPPF.

The assessment concluded that many sites in the revised local plan were too small, many of those in the SHLAA were unavailable by virtue of existing uses or approved redevelopment schemes, to include some that had already come forward. Consequently there were no reasonably available alternative sites.

Based on the information submitted it is concurred that this is a reasonable conclusion.

There is reference to the exceptions test in the FRA and the need to demonstrate that the 'development would provide wider sustainability benefits to the community that outweigh the flood risk; and; the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.'

With regard to the former, the provision of housing to include affordable housing in an accessible location with community/commercial space is referred to and the benefits of achieving this on a brown field site are acknowledged.

In respect of the latter, the FRA refers to the provision of dry access and egress routes based on 1 in 200 year tidal flood levels in 2080 being provided across the site to serve all uses. This includes the use of the existing access to the site from Clanage Road and is considered acceptable.

The issue of whether there will be any increase in flood risk elsewhere has been a concern of the Environment Agency given that the Longmoor Brook tunnel runs along the west of the site. This tunnel, which empties into the River Avon, is a major element of the storm drainage network for south Bristol and any damage could have major implications for flooding upstream. This matter has been discussed with the applicant and a layout that removes nearly all development within the adopted wayleave either side of the tunnel and includes access points for future maintenance has been agreed subject to appropriate conditions.

Information on the Sustainable Urban Drainage proposals that have been included takes into account the contamination of the site and does not include infiltration but proposes run off being stored in underground storage areas with controlled release into existing public rainwater sewers. Permeable areas are proposed within the site which will drain to the storage areas and slow the process. This is considered acceptable in principle and a condition is recommended to require full details.

B. Is the loss of trees acceptable?

C.

An Arboricultural Impact Statement has been provided based on survey work. Policy BCS9 requires that existing green infrastructure be retained wherever possible and new included. DM17 sets out that all new development should integrate important existing trees and includes the basis for calculating the number of new trees required to compensate for those lost through development.

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The proposals on site will result in the loss of nearly all existing trees with some also affected by creation of the access. Those to be retained fall either side of the access as well as to the south and north of the site, where trees rooted in an area of council owned land impinge on the site.

A tree survey has been undertaken and identified those to be lost to include a number of groups of trees that are classed as U and therefore in poor condition and not worthy of retention as specimen trees, noting that these groups will however as value as habitats- see below consideration of ecology. Other groups to be lost are classed as C, of low value and four individual trees as B, of moderate quality. The trees to be retained are largely category B.

Based on the BTRS calculation it is stated that the result will be that 32 replacement trees are to be required. It is stated that 185 new trees are proposed in the landscape strategy and although some idea of species types and what size they may be planted at is included in the landscape strategy no actual specification of what and where is provided. This is important as it will inform the degree to which the new trees will thrive and provide satisfactory green cover as replacement for that being lost. Notwithstanding, the landscape concept scheme indicates sufficient trees in areas where there is space and hence potential for them to grow and be of landscape value.

A condition is recommended that will require full details of proposed landscaping and this will make specific reference to trees. A Landscape Environmental Management Plan will also be required by condition and this will specify the need to include details of watering of new trees as this is of key importance.

An Arboricultural Method Statement has been provided which provides details of how the few retained trees are to be protected during construction and makes recommendations for how any works should be undertaken within their root protection zone, to include supervision by a qualified arboriculturist.

The position of protective fencing and other recommended measures will be subject of conditions.

C. Is the impact on the ecology of the site acceptable?

The proposals will result in the loss of all habitats on site to include pioneer woodland and scrub habitat along the eastern boundary, a small number of mature willows present to the south of the site and the mix of plants that have become on the former railway platforms. The loss is not only a result of construction but also the proposed capping of the site to address the contamination.

There have been previous ecological surveys undertaken on the site and an updated version submitted which recommended further surveys of protected species to include badgers, reptile and bat emergence, these have been subsequently carried out.

There was one low status badger sett identified and tunnels a small number of which might be used by badgers. A good population of slow worms was encountered mainly towards the east of the site and there is evidence of low number of bats to include mostly pipistrelle and noctule and also limited use of the site by lesser horse shoe bats.

The information available about the ecological value of the site in connection with its partial SNCI designation refers to it containing areas of open mosaic habitat. This falls to be a Habitat of Principal Importance under Section 41 of the Natural Environment and Rural Communities Act (2006) and therefore a material planning consideration. The survey work supports this assessment.

The landscape strategy is designed to address the loss of habitats and impact on species. It includes a new area of open mosaic habitat towards the entrance to the site and away from the shared areas of amenity space plus green roofs have now been introduced to the four, three storey blocks and two, five storey blocks on the western part of the site, which will be constructed and planted to support open mosaic habitat.

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Along the western boundary of the site a loose wooded area 6m wide is proposed to form a dark area to act as bat corridor to accommodate commuting and foraging bats to include the lesser horse shoe bats, which are particularly sensitive to light. This will be augmented by a hedgerow though gaps are to be needed to enable maintenance access to the Longmoor Tunnel. This feature will also allow the passage of badgers. The external lighting of the site is designed to ensure lighting levels of this corridor is no more than 0.5 lux. This is considered to create an acceptable bat corridor

Further information beyond what has been supplied is required for these features as well as details of a Landscape and Environmental Management Plan to address how the landscape should be managed to maximise biodiversity value. Interpretation boards are recommended.

There will be a need for further badger monitoring of the site and if setts are identified that need to be closed this will have to be undertaken under a licence from Natural England.

Although there will be potential to create a habitat that is suitable for slow worms on site, in the short term this will not be available and there will be a need to translocate the on site population. Outline proposals have been included for this work and a receptor site identified to the east of the railway line. This land is in the ownership of Homes England who have confirmed that where practical they will enable the developer to discharge any responsibilities with regard to protected species.

A Biodiversity Net Gain calculation has been undertaken in connection with the current proposals and reveals a 0.2% loss. As the Environment Bill is yet to be enacted, which will introduce a legal requirement for a 10% uplift, the approach is being taken that will require proposals to balance loss and gain. Hence at present the proposals fall just shy of this target though it is stated that new hedges have potential to address this. It is recommended that the detail landscape scheme that is required is supplemented to include a revised BNG calculation.

**D. Is the mix and tenure of the proposed dwellings acceptable?**

The development is solely 1 and 2 bed apartment where as previously it contained a small number of three bed units, which could accommodate a family. The loss of these is to be regretted however the mix is similar to other flatted developments within the city and will include a minimum of 30% affordable units in a policy compliant format i.e. 51 social rented units and 11 affordable rented, these will be covered by an agreement under Section 106 of the Planning Act. The applicant has stated the intention to work with their registered provider partner to achieve an additional 45 shared ownership units provided grant aid from Homes England is available. The remaining 113 units will be for sale.

Accordingly while there is a limited mix of unit size, there is a good mix of tenure with an emphasis on affordable products. The Strategic Housing Team have been in discussion with the applicant with regard to the proposals. It is known that there is a city wide demand for smaller affordable units .

**E. Is the scale and massing of the proposal acceptable?**

This has been a key objection to the proposal due to concern about the impact on nearby heritage assets and the landscape on this transitional area between open country side and urban development.

With each iteration of the proposed scheme, visual impact assessments (VIAs), have been provided to include those specifically designed to illustrate the impact on heritage assets. The location of which having been agreed with Historic England and the conservation officer.

The location of the site renders it visible from a number of key heritage assets to include the Grade I Ashton Court Mansion, Grade II\* Ashton Court Historic Estate, Grade I Suspension Bridge, Grade II Bonded Warehouses, Bower Ashton and City Docks conservation area. There is also Greville Smyth Park which is designated as a local historic park in the adopted local plan.

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From the VIA's showing the earlier iterations of the scheme it was considered that while the impact on views from the suspension bridge was not great, there were concerns particular regarding impact on views out from Ashton Court Mansion and Estate. Part of the original design concept drawn up by Repton were the views out from the higher land across the surrounding landscaped area and the spire of St Mary Redcliffe. It was considered that the proposal had an urbanising effect on these views and impinged on the view of the spire.

The height of the proposal competed with the iconic bonded warehouses whose setting derives from the low lying buildings and land in their vicinity, forming as they do a key feature from the western entrance to the city.

The proposal also had an impact on one of the key views out from the City Docks conservation area identified in the conservation area character appraisal and impinged on views out from Greville Smyth Park.

A number of objections were received on the grounds that the development was over-scaled and many referred to the fact that the allocation in the draft review of the local plan referred to 150 dwellings and the scale was a direct result of the increase in the number of units being proposed.

It has been emphasized that this number of dwellings does not have to be strictly adhered to, the efficient use of brown field sites is fully supported and there can be no objection to the principle of a higher density development. The important issue is the form and appearance of the development is acceptable and the quantum does not have unacceptable impact with regard to matters such as highway safety.

The scheme as now proposed is reduced to a maximum of five storeys with those blocks towards the western boundary three storeys. While the footprint of the blocks are slightly deeper than those at the Paxton Drive development, it is now comparable in height so reflects the guidance in the 2014 concept statement that Paxton Drive could be seen as a bench mark.

The density currently proposed is 81 dwellings per hectare. The site falls within an area identified for higher density development in the core strategy.

Revised Visual Impact Assessments have been provided and these show that the removal of the high block significantly reduces the visual impact of the development in all directions. This is reflected in the comments that have been received from Historic England who previously wrote expressing strong concerns at the potential impact of the previous proposals on the setting of Ashton Court's Grade II\* registered landscape, the relationship between Ashton Court and St Mary Redcliffe church, and the setting of Bower Ashton and the City Docks Conservation Areas. They advise that the concerns about the impact on the relationship between Ashton Court and St Mary Redcliffe church are addressed and the harm to the setting of the registered landscape is also reduced plus while there is still a degree of harm through the introduction of built form into the green setting of Ashton Court when viewed from the deer park but the level of harm is now modest.

Historic England are also of the view that adverse impacts on the setting of the conservation areas are similarly weakened and the development will no longer dominate the green, open, character of Ashton Meadows which form part of the City Docks CA. Impacts on the setting of the Bower Ashton CA are also moderated.

The proposal will still result in the urbanisation of this transitional edge of the city and be highly visible from Clanage Road, it however no longer visually competes with the listed bonded warehouses from this view point or other entry points to the west of the city.

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On balance there will be some harm to the setting of heritage assets but this can be considered less than substantial and outweighed by the benefit arising from new housing to address established housing need of which almost half will be affordable in line with Para 127 of the 2019 NPPF.

It is also necessary to assess whether the proposal enhances or preserves the character or appearance of the heritage assets in line with the statutory duty as set out in the Section 66(1)1990 Planning (Listed Buildings and Conservation Areas) Act. It is considered that the reduced visual impact will mean that both character and appearance of the nearby listed buildings, gardens and conservation areas is preserved.

F. Is the proposal design acceptable- layout, external, internal and landscape ?

Layout- Historic England has expressed concerns about the design and that in this key gateway it fails respond to the unique, transitional and semi-rural character of its surrounds. They comment that if sensitively designed it could provide a key piece of green infra structure linking Ashton Court with Greville Smyth Park, North Street and Bedminster and re-integrate Ashton Court with its lost historic context. The damage done by the successive infra structure projects that have bisected the area is referred to and that the rectilinear, grid-iron layout fails to maximise this opportunity.

Notwithstanding these comments it falls to determine the application as submitted. The layout as proposed is influenced by the access point and internal gradient. By including a central shared amenity space edged by shared use carriageway use of this space by residents is facilitated which will engender ownership plus the layout allows for overlooking of this space so adding to personal security and safety.

#### External

As above, the reduction in height of the scheme overall has reduced the visual impact to a point where it can be accepted.

The external appearance however has been the subject of a number of objections. The Design and Access Statement refers to the traditional dock architecture being the main reference for the design.

The illustrative information shows the elevations predominantly faced in brick, with clear articulation included on the frontages of blocks G-E emphasized by a mix of materials. These have a number of balconies mostly contained within flanking walls.

Blocks A-D are less articulated but a mix of materials is proposed to introduce visual breaks. Each has a hierarchy of windows with and the top floor to blocks B-D is with dark cladding, balconies to these blocks extend outwards beyond the façade.

The result is a scheme that subject to details and samples has potential to achieve a high quality finish and while an alternative design approach might be an improvement, no specific advice has been given with regard to what this might be and it falls to determine the application on the basis of what has been submitted.

#### Internal

Included with the submission is an assessment of the proposal as set out in the Urban Living Supplementary Planning Document. This covers a detailed analysis of the internal layout of the proposal. From this it is shown that the in line with recommendations within that document the internal access to the larger blocks is broken down to limit the number of dwellings served to three. However the enlarged block to the north shows eight flats being accessed from the one corridor.

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All the one bed units exceed the national described space standard for two person occupancy, the two bed units either exceed the standard for three person or that for four person occupancy. This is considered an acceptable balance.

The analysis reveals that a third of the apartments are single aspect units of which a small number are north facing. While this is not supported by the SPD nearly all in question benefit from large balconies and windows to all rooms.

Of the units, 12% will be fully wheelchair accessible, (PartM4(3) of Bregs), this is in excess of the 2% that would be required by DM4 and to be welcome.

#### Landscaping

The central area is split into two and one side is to incorporate a children's play area. It is bounded by structural planting using a mixture of native and ornamental planting.

The planting is relevant to the issues of trees and ecology and are considered under the relevant sections.

Bunds of trees are proposed around the boundaries of the site to include alongside the proposed cycle path and access road, the proposed bat corridor and land adjacent to the metrobus route. Trees in these locations have potential to thrive and become significant landscape features.

Green roofs are proposed to blocks G-E and this will help green the site contributing to biodiversity and offsetting the urban heat island.

A full planting scheme has yet to be provided and although the area as a whole will fall to be managed by the development, it is important that full detail is given to ensure a satisfactory scheme both visually but also one that contributes to the biodiversity of the area. As referred to above this and a full management and maintenance scheme will be required by condition.

#### G. Is the noise environment acceptable?

Also of relevance is the existing noise environment taking into account the metro bus, the traffic from the flyover to the north, the railway and potential future noise environment given the commercial floor space.

A Noise Risk Assessment is included with the application which also addresses overheating and ventilation given the interrelationship between these matters. This recommends sound insulation measures for the apartments which may be vulnerable to noise to include those in vicinity of the flyover and the south of the site where there is noise from the existing road network.

With regard to the railway, the Metrowest Project will increase the amount of passenger train movements which will increase the amount of noise from the railway and this is considered in the environmental statement accompanying the project. Notwithstanding the level of increase in noise is not considered to be significant and does not alter the conclusions reached with regard to the proposal.

The recommendations in the assessment are to be required by condition. Conditions are also recommended to cover noise from future plant and equipment, details of extract ventilation should it be required for the commercial floor space, hours of use and hours of deliveries.

Noise will be specifically referred to when setting out the remit of the Construction Management Plan.

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H. Does the proposal have an unacceptable impact on the amenities of neighbours?

A number of objections have been received from the residents of Paxton Drive who on the grounds that they will lose light, privacy and experience noise nuisance from traffic. Objections have also been received from allotment holders concerned about loss of sunlight and the impact this would have on plant growth with longer periods of frost resulting.

It is fully recognised that the residents of the two blocks of Paxton Drive who directly face the site will have a very different aspect and some will receive shadow fall from the development mid to late afternoon. The proposed development will be to the west of Paxton Drive and minimum intervening distance will be 27m and therefore sufficient to retain a satisfactory level of privacy but recognising it as a change from the existing situation.

Cross sections and Shadow Diagrams are included as Appendix B to illustrate the future relationship.

When considering this matter, it is relevant to take into account the fact that development of any form on this site will have some impact on Paxton Drive plus the internal relationship between existing and proposed blocks at both Paxton Drive and the proposal site creates a similar pattern of impact.

In respect of the allotments, there will be some limited additional shadow fall early mornings but otherwise they will be unaffected.

I. Does the proposal satisfactorily address the matter of climate change?

A Sustainability Statement, Energy Strategy, Broadband Assessment and Overheating Assessment have been provided.

As a development of more than 100 dwellings, in line with BCS15 a BREEAM communities assessment should be provided. However it is recognised that many housing sites do not have a large or complex impact and accordingly these assessments are not always merited. To test this a set of questions is posed, in this instance the response is such that demonstrates an assessment is not needed.

The proposed energy strategy for the site prioritises energy efficiency measures and proposes a central shared power plant, initially to be gas powered but will be designed in a way that can be replaced by a renewable system such as a heat pump. This addresses the heat hierarchy as set out in BCS14 and the applicant has confirmed that the internal connections will be designed to enable connection to the heat network at a future date when it extends to serve this part of the city.

It is concluded that these will combine to result in a 32% reduction in CO2 emissions below baseline. PV panels are introduced onto the three storey apartment blocks and calculations show that these will provide a 20% reduction in CO2 emissions from residual energy use in new development.

The Broadband Assessment is acceptable in principle but further detail will be needed.

The overheating analysis is included with the ventilation and noise risk assessment, this takes into account the impact of climate change. Where acoustic measures are deemed necessary to offset potential for noise pollution there will be a need to introduce mechanical ventilation where there is also a risk of overheating. This will require careful design and specification.

Appropriate conditions are recommended to require implementation of approved items and additional information as appropriate.

J. Is the proposed layout acceptable on highway safety grounds?

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The proposed access, impact on the existing highway and the perceived low amount of car parking have all been grounds for objecting to the scheme.

The application is supported by a Transport Assessment. This includes an estimate of the number of car trips that will be generated by the development using evidence from other developments at a maximum of 60 car trips during the peak hour in the morning and 63 in the peak afternoon hour. However it is considered that the reality will be a lower number of trips due to the combined effects of the Clean Air Zone, which will extend to the site and mean the use of diesel vehicles will attract a charge, the opportunity for active travel citing the cycle way, access to the metrobus system, limited on street parking plus the fact that the residents of the affordable units will be less likely to own cars.

Based on the predicted number of trips it is concluded that it will have limited impact on the surrounding highway network.

Looking at the junctions between the site access and Ashton Gate Underpass, Paxton Drive and the Metrobus guided busway, even with the additional usage it was revealed that these junctions would continue to operate within capacity and have a minimal impact on the surrounding highway network.

This assessment is concurred with.

In respect of the vehicular access to the site, while this would be possible from Clanage Road, the connecting minor road is too narrow and the width and weight restrictions of the existing railway bridge inadequate to accommodate the predicted level of additional traffic plus land ownership would preclude the widening of the road. Access through Paxton Drive would not be possible as this is in private ownership. Accordingly while it is recognised that depending on destination drivers may have to take a significant diversionary trip to leave or access the site, the proposed access point is accepted as the only viable option. The design of the access provides satisfactory visibility for all vehicular manoeuvres, to include motorists passing the site access, and safely accommodates pedestrians. Details of the works to the existing highway will need to be agreed by condition and also be subject to an agreement under S278 of the Highways Act. The crossing of the metrobus route will be designed as an unsignalised priority give-way junction based on two similar existing junctions that were designed into the route.

The construction management plan that will be required in connection with the scheme will have to address the impact of construction related vehicles on the existing highway.

Discussions have taken place regarding the design of the routes within the site which are acceptable in principle. Further detail will be required by condition and agreement secured under S38 of the Highways Act for the main vehicular access which is to be adopted.

The internal roadway allows for the use by refuse vehicles so refuse can be collected and includes a layby, parking should be prevented within this area and a Traffic Regulation Order will be needed to achieve this, a Traffic Regulation Order will also be required to extend the 20mph speed limit, which is imposed on surrounding residential streets in the area, to the new road.

Cost of Traffic Regulation Orders being £6,067 each.

Where it will be necessary for refuse vehicles to access routes which are not to be adopted an indemnity agreement will have to be entered into with the city council to cover any damage caused by vehicles. The location and design of the refuse stores comply with adopted guidance with regard to the distance from the highway and design.

Three new fire hydrant points will be needed at a cost of £4,500.



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The cycle parking provision complies with adopted standards and a store is included close to the metrobus route which will allow visitors and members of the public to park here while using the bus.

A total of 124 car spaces are provided of which 25 will be within a proposed undercroft car park within the central area, 11 spaces will be blue badge and 28 Electrical Vehicle Charging Points, (EVCP's) will be provided, there will be a need to extend passive provision throughout the site for future use.

This number of car spaces is significantly less than which would be required to comply with the parking standards, which would require 254 spaces though this is a maximum.

The perceived lack of parking spaces has been grounds for objection to the scheme with concerns that there will be high levels of car ownership and overflow car parking into adjoining areas, existing problems with unsafe parking on footways within the adjacent Paxton Drive development are referred to. However other commentators have suggested that the development should not accommodate cars to the extent that it does

When considering this, the features of the scheme referred to above with regard to the number of vehicular movements generated are relevant in that the cycle way will provide a safe and convenient route for cyclists and pedestrians into the city centre, there are good public transport links, that the proposed clean air zone, which includes Brunel Way, will deter use of any diesel vehicles and also that car ownership is found to be lower in connection with affordable accommodation.

On this basis a reduced number of parking spaces is considered acceptable in principle but measures will be required to offset any impact on highway safety that may be caused by overflow car parking on or off the site.

On site it is proposed that the parking be privately managed, which will in turn prevent car parking that might be caused on match day. Details of the proposed Car Park Management Plan will be required. Off site there are existing parking controls within Paxton Drive, which are privately enforced, and Bower Ashton has a residents parking scheme. To prevent parking on parts of Clanage Road and Festival Way that fall outside of managed parking and which may be hazardous to other road users a Traffic Regulation Order will be imposed.

A robust travel plan will be required to support the proposal and alternative modes of transport to the private car, a draft has been included with the submission but full details will be required by condition. £5,335 will be required to enable the council to manage and audit the travel plan once approved. A car club space will be required.

Conditions are recommended as appropriate and contributions will be included in the 106 agreement.

#### Festival Way?

The Festival Cycle way is an important means of access from and to the site for non car users and is already well used as a commuter route and recreationally. It forms part of the National Cycleway Network, (NCN) away from the site to the west it shares the private road from Clanage Road which also serves the allotments and to the east it links into the path through public open space, from which there is also access to the tow path. At present the route is permitted through the site by the land owner on the basis that the city council maintain it and carryout any repairs, that permission could be withdrawn at short notice. The application provides an opportunity to formalise the route safeguarding it for the future, potentially through adoption.

Transport Development Management have highlighted the well used nature of the route and the risk of pedestrian and cyclist conflict should the path be left as 3m wide. The role that sustainable modes of transport play in tackling climate change is underlined.

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As part of the NCN in line with the DoT Guidance Note 1/20 on Cycle Infrastructure Design it is strongly advised that the path should be 5m wide. For it to be adopted there will also need to be an agreed level of lighting.

The section on ecology above has underlined the need for a bat corridor to be created through the site for commuting and foraging bats and the identification of a 6m wide strip alongside the western boundary for this purpose that will be planted up to add to enhance its ecological value to bats and other species on the site. This width is deemed acceptable on the basis of the information on light spill into the strip being no greater than 0.5 lux. It should not be reduced in width.

The proposed layout of the site includes the main access road also running towards the western boundary, allowing the central area to be set within shared space roads and routes that are to be used predominantly by pedestrians. The main access road is separated from the proposed cycle way by a bund of trees, which add to the landscape and ecological value of the site, augmenting the value of the bat corridor.

Widening the cycleway to 5m would reduce the bat corridor to 4 m, at which point it would no longer function as intended.

It has been suggested that the bund of trees be removed to allow additional width for the cyclepath, commenting that the trees would have potential to decrease visibility for those using the cycleway but also that without root barriers, roots may damage the highway at a future date.

This approach would enable a 4m path to be created if the 6m bat corridor were to be retained.

When considering this option it must be taken into account that the proposed trees could thrive satisfactorily with the introduction of root barriers as is the case with many other trees planted in the vicinity of streets. Tree trunks in their own right have limited impact on casual surveillance and the loss of these trees would result in an uninterrupted wide strip of hard surfacing of up to 11m, creating an unsightly feature along this edge.

There is therefore a conflict between achieving a cycle path of a width to comply with current guidance and retaining a dark corridor of sufficient width to accommodate commuting and foraging bats.

Given the presence of bats within this area and that the cycle way to the east is 3m wide the balanced recommendation specific to this site is that a 3m wide path be accepted and the proposed bat corridor retained as proposed.

This width accompanied by a method of lighting that minimises light spill may mean that it cannot be adopted however it would be possible to condition its provision. It would fall to be managed privately.

Transport Development Management have retain their objection on the basis of the unsatisfactory width.

K. What are the health implications of the proposal?

As a development of more than 100 dwellings, a Health Impact Assessment,(HIA), has been included with the submission. This document includes consideration of the features of the scheme and its location with regard to access to healthy travel options and open space, provision of good quality and affordable housing. There is also a resume of local health care providers to include GPs and dentists. The paucity of this provision has been referred to by some objectors however the information provided states that a number are receiving new patients.

**Development Control – 28 April 2021****Application No. 20/01655/F : Former Railway Depot Clange Road Bristol**

An Air Quality Assessment has been included in the application which based on the initial number of units proposed, which is now reduced by 34. This initially predicted moderate adverse air quality at a number of receptor locations along Clift House Road however new vehicle emission factors have been published for use in air quality dispersion modelling based on real world vehicle emissions. The use of these based on a commencement year of 2024 shows the impact to be negligible at all receptor locations for that year. The use of a Travel Plan and active travel infrastructure have potential to reduce this impact further though dust must be factored into the required construction management plan.

In conclusion the proposal will have positive health benefits for incoming residents and will not have any undue impact on the health of existing population.

L. Does the proposal comply with the provisions of the 2010 Equalities Act?

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

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

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

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

The proposal includes 12% wheelchair accessible units, a minimum of 30% affordable units with proposals to increase this to 50% and provide a fully accessible external environment with blue badge parking spaces. The mix of apartments reflects known need for affordable units. The site is accessible by non vehicular modes of transport to include the metrobus and cycle way.

It is not considered that there will be any adverse impact on equalities.

#### Conclusion

The reduced height of the scheme to be between 5 and 3 storeys will mean that the tall block to the northern end of the site is lost and with it the most harmful element of the scheme with regard to impact on heritage assets.

It is clear that the scheme will still be highly visible particularly from the west on entry to the city but the harm on heritage assets – significantly views out from Ashton Court across the borrowed landscape – is now less than significant and must be weighed up against the benefit arising from the development of this brown field site for a scheme that will be up to 50% affordable. The 220 dwellings will make a significant contribution towards achieving housing targets for the city on a site that has been accepted as suitable for housing.

A number of comments have been made about the appearance of the scheme in that it fails to respect the location that is transitional between town and country side and is of a generic design. These comments have been made on each version of the proposals.

**Development Control – 28 April 2021**

**Application No. 20/01655/F : Former Railway Depot Clanage Road Bristol**

It is an admittedly contemporary design with brick facing and detailing that will provide interest.

Changes have been made to the scheme away from the use of cladding materials originally proposed to a predominantly brick treatment. The development must fall to be considered as proposed.

On balance, approval is recommended.

Conditions to follow.

## **Supporting Documents**

### **1. Former Railway Depot, Clanage Road.**

1. Appendix A
2. Appendix B

# Appendix A

## Illustrative material

### 1. Application as submitted April 2020



View point from Ashton Court

### 2. Application as revised Nov/Dec 2020





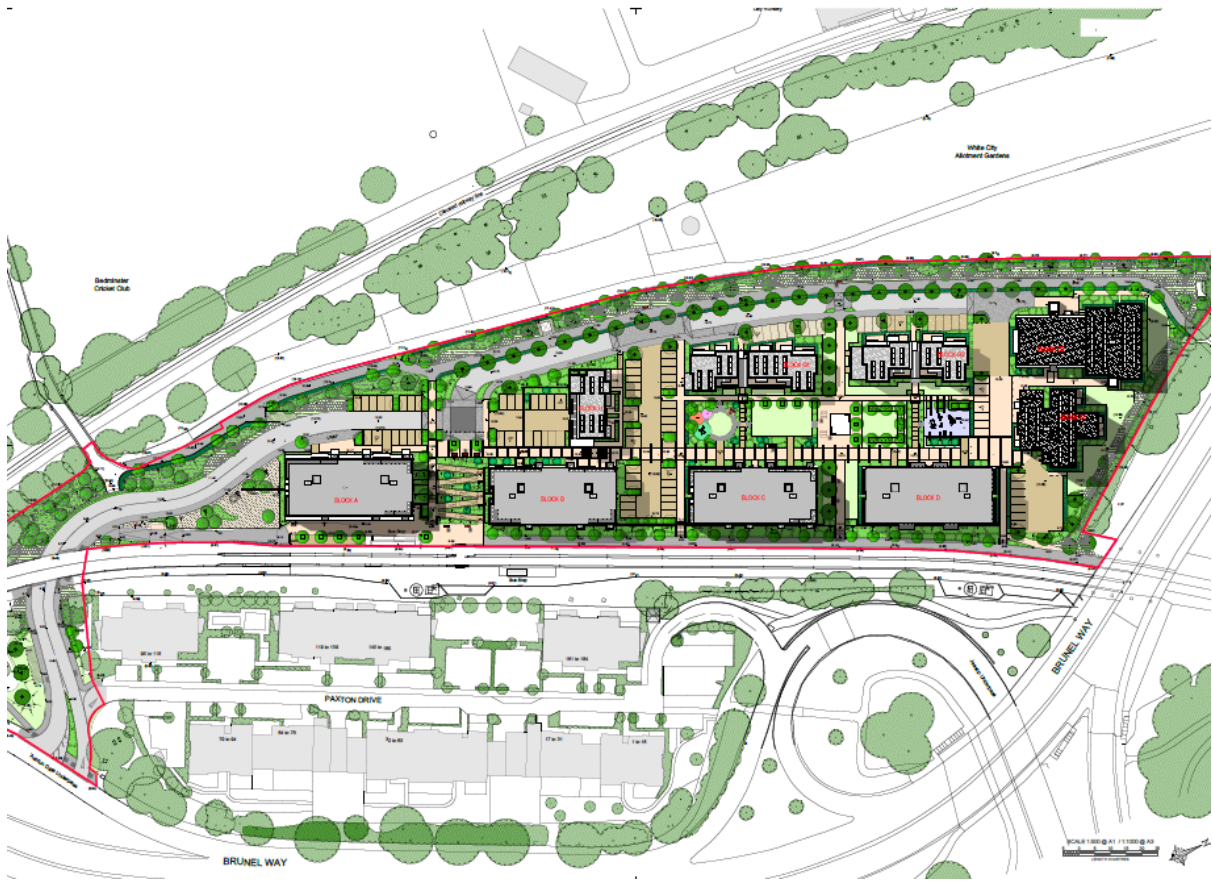


View Point from Clanlage Road

3. Application as proposed March 2020







View Point from Clange Road

## Appendix B

### Relationship with Paxton Drive

#### Cross Sections





ALLEYWAYS  
 PUBLIC FOOTWAY  
 PLANTING AREA  
 ELEVATION  
 PLANTING AREA  
 ACCESS ROAD  
 PLANTING AREA  
 FOOTWAY  
 PLANTING AREA  
 COMMONS STAR AND MAP  
 FOOTWAY  
 METROBUS STOP  
 FOOTWAY  
 FUTURE DEVELOPMENT





Shadow Fall Diagrams



**Development Control Committee A – 28 April 2021**

**ITEM NO. 2**

**WARD:** Lawrence Hill

**SITE ADDRESS:** Soapworks Broad Plain Bristol BS2 0JP

**APPLICATION NO:** 20/01150/F & 20/04633/LA Full Planning & Listed Building Consent (Alter/Extend)

**DETERMINATION DEADLINE:** 30 November 2020

*Proposed redevelopment of the site, including demolition works and refurbishment of listed Soap Pan building to provide mixed use development comprising: 243 residential dwellings (Class C3); 2,790 sqm GIA of new flexible retail, leisure and commercial space (Class A1, A2, A3, A4 and D2); 15,467 sqm GIA business space together with associated plant space, amenity space, parking and vehicular servicing arrangements, public realm, landscaping and associated works.*

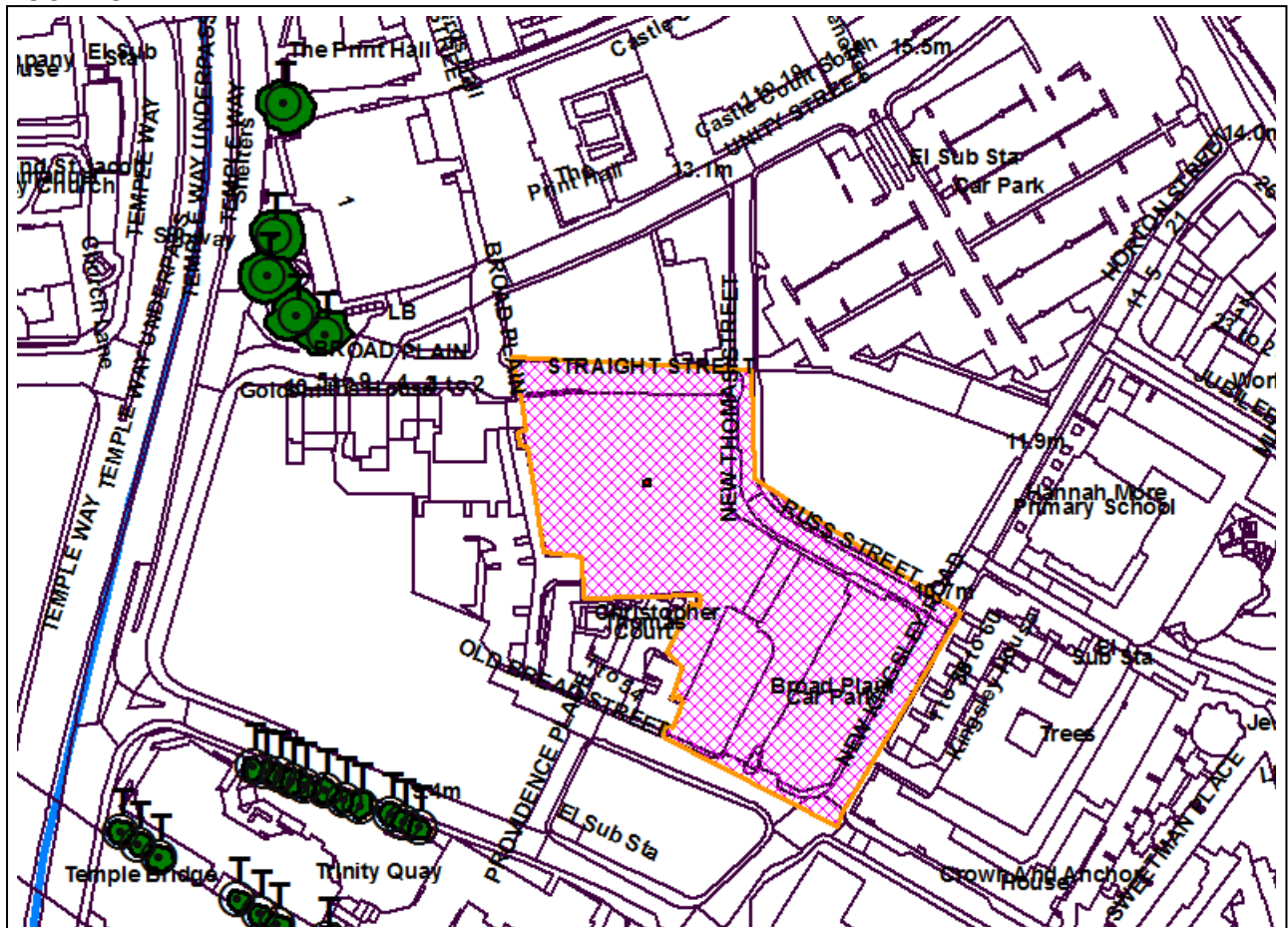
**RECOMMENDATION:** Refer to the Secretary of State

**AGENT:** Cushman & Wakefield  
Rivergate House  
70 Redcliff Street  
Bristol  
BS1 6AL

**APPLICANT:** Soapworks Development S.a.r.l.  
And Soapworks Development.  
C/o Agent

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

**LOCATION PLAN:**



**Development Control Committee A – 28 April 2021****Application No. 20/01150/F & 20/04633/LA : Soapworks Broad Plain Bristol BS2 0JP****SUMMARY**

This report refers to application for full planning permission and listed building consent for a significant scale mixed use development in a central location, on part of the site previously occupied by the Gardiner Haskins department store, adjacent to the Temple Quarter Enterprise Zone. The applicant is seeking planning permission for a development to include build-to-rent residential accommodation, offices and employment floorspace, and ground floor commercial space, along with a significant element of new public realm. The proposal includes the provision of a 20 storey tower, and given the scale and nature of the proposal, would be transformative of the character of the area.

The application was originally reported to planning committee on 31<sup>st</sup> March 2021, where it was reported that the proposal would have a flexible element, to allow the option of developing part of the site as an Aparthotel or as further residential flats. After debate on the proposed scheme Members voted to defer the application, stating that the Committee were minded to accept the residential scheme (Option A as originally proposed) and reject the Aparthotel, on the basis that the scheme including the Aparthotel would not offer the level of public benefits required to offset the impact of the development, particularly in relation to harm to listed buildings and other heritage assets.

As a consequence, the application has agreed to remove the potential Aparthotel from the proposal (Option B). The recommendation therefore remains to approve the application, subject to an amended s106 agreement. The original report is appended below, which includes the full assessment of the development.

**APPLICATION**

This report covers two applications, one for full planning permission and one for listed building consent, for the redevelopment of the site for a mix of residential, employment and commercial development. Following the previous resolution of the committee, the description of development has been altered to remove reference to the Aparthotel.

As such, the revised development would allow the following development:

**\* Block A (unchanged)**

Block A takes up the northern part of the site, including the frontage of the site facing Straight Street. This includes the curtilage listed former shop. It is proposed to demolish most of this building, apart from much of the Straight Street elevation and parts of the western elevation fronting Sles Lane. It is proposed to incorporate these facades into a new building of 6/7 stories (which is two stories taller than the existing building).

It is proposed to use this largely as commercial floorspace. This includes around 15,000 sq m of open plan employment floorspace (B1 uses). In addition to this it is proposed to provide a mixture of retail (to the south) and food beverage uses (to the north) on the ground floor.

**\* Block B**

This block is located to the east of the site, located where the existing car park and service yard is. This element of the site contains the principle residential element of the scheme. The proposal would be between ground plus 5 stories, up to ground plus 19 stories, with the tallest element being in the south east corner of the site.

The ground floor of the proposal would be a mixture of retail, food and beverage, and servicing for the residential scheme. The commercial units largely surround a new public route through the centre of

**Development Control Committee A – 28 April 2021****Application No. 20/01150/F & 20/04633/LA : Soapworks Broad Plain Bristol BS2 0JP**

the site, running north to south through the site. This is accessed via a tunnel to the south of the site. The main entrance to the residential element is in the south east corner of the site, which would provide access to all of the proposed flats. Also included on the ground floor is a cycle store, with provision for 257 cycle parking spaces. The proposed building would be clad in brick.

The proposal would provide 243 flats, which includes 36 studios, 131x 1 bedroom units, 72 x 2 bedroom and 4 x 3 bedroom units.

## \* Building C (Unchanged)

Building C is the Soap Pan building, and as such is the principle heritage asset on the site. It is proposed to remove the attached buildings to the north of the building, so that the entire building will be revealed. The external fabric will be refurbished, and new windows introduced into the north elevation of the building. It is proposed to use the building as open plan offices on the upper floors, with food and beverage offer on the ground floor.

The proposal would also provide around 2000 sq m of new public realm. This is centred around the retained Soap Pan building, essentially providing a new pedestrian square at the centre of the site. It is not proposed to provide on site car parking, although the proposed plans indicate 4 on street parking spaces, as well as servicing bays. These will be designated for disabled users.

## RESPONSE TO PUBLICITY AND CONSULTATION

The application was advertised by the erection of site notices around the site, an advert in the local press, and by writing to 329 neighbouring properties. The application was re-advertised following the submission of amended plans in September 2020, and again in November 2020.

In the original report it is reported that 32 supporting comments were received and 29 objections are listed. Following this, a further 3 representations have been received, including 2 objections and 1 supporting comment.

The supporting comment has been made on behalf of Hannah Moore Primary School, noting that the developer has demonstrated a commitment to the school and the local community. The concerns of local residents and the Old Market Community Association are recognised, particularly around the transformative nature of the development and the impact on heritage buildings. However, it is considered the proposal will bring additional vibrancy to the area, which have not been delivered by other developments.

The objections are on the following grounds:

- The new building is described as 'ugly' and should be redesigned before it can be supported (see comments in the original report).
- It is reported that bats have been spotted in the area, and it appears that they may be roosting on the application site.

In relation to the comments regarding bats, a survey for bats was carried out in August 2019, and the results submitted with the application, and whilst this recorded bats in the area, did not record any emerging from the building.

Officers have sought the advice of the Council's ecological advisor regarding the additional report. The Chartered Institute of Ecology and Environmental Management CIEEM have provided guidelines (CIEEM 2019) and they recommend that baseline data is relevant for between 12-24 months. This is based on the fact that many species of wildlife are highly mobile by nature and will routinely take advantage of new opportunities, which arise within their home ranges (CIEEM, 2019). Over time this will alter the baseline conditions present at a site. Should there be delays in the delivery of this

**Development Control Committee A – 28 April 2021****Application No. 20/01150/F & 20/04633/LA : Soapworks Broad Plain Bristol BS2 0JP**

project/assessment of the application/ granting of planning etc, it is possible that the baseline ecology will change.

The bat emergence survey was undertaken 14/08/2019 (following standard best practice guidelines) and therefore the data is 20 months old, and within the guideline period, albeit nearing the end of what would be acceptable. However, just because there is evidence of bats being in the area does not mean that they will be roosting in the buildings, and this does not therefore form the basis for an objection to the application. However, given this report, and the period of time that has passed since the survey was undertaken, it is suggested that an additional condition be attached to ensure that an update to the survey is carried out immediately before any work is undertaken at the site.

**Comments Received**

In addition to the comments reported originally, the following additional comments have been received (these were referred to in the amendments sheet when the application was previously reported to committee):

**Historic England** have sought to clarify their objections to the application.

Whilst they remain concerned about the scale of the new build element, given the impact of this is on the setting of grade II assets, and the Conservation Area, this remains the task of the LPA to assess.

The primary concern of HE relates to the demolition of grade II listed buildings on the site. HE are not content that the options for repurposing of the historic buildings have been fully considered, and repurposing of the historic buildings remains the best way to significantly reduce the amount of harm. It is considered that a more heritage-led scheme, would result in better place making for the city without necessarily reducing the quantum of development proposed. It is therefore concluded that the level of demolition has not been sufficiently justified, and therefore would fail the requirements of paragraph 194 of the NPPF, which requires that 'Any harm to, or loss of, the significance of a designated heritage asset, should require clear and convincing justification.'

(Officer comment: The heritage impacts of the development are addressed in key issue C of the original report. Officers agree with HE that the demolition works would result in a high degree of less than substantial harm to the heritage asset, and provides commentary on options to reuse the buildings and also provides details of the public benefits that should be weighed in balance against the harm).

A further representation from the **Environment Agency** have been received, making the following comments:

In contrast to other proposals in the Temple Quarter and St Phillip's Marsh, the proposed development now incorporates appropriate flood risk mitigation, including raised Finished Floor Levels and passive Flood Doors set at levels which would avoid dangerous, hazardous flood depths. Furthermore, as the site is located away from the Floating Harbour, flood depths are likely to be lower than the design in-channel levels and are lower than other areas of the Temple Quarter.

We note that a safe access egress route has been proposed from the North side of the site. We advise you consult your local authority emergency planner and the emergency services for further advice in this regard.

The applicant has undertaken flood modelling. The outputs of this exercise showed small impacts elsewhere. In response, site storage mitigation has been provided to prevent increased flood risk to others. In developing this mitigation, the applicant has fully and appropriately considered all possible alternative solutions, safety and maintenance. The local planning authority must be satisfied this can be adequately secured by planning condition or legal obligation as appropriate.



**Development Control Committee A – 28 April 2021****Application No. 20/01150/F & 20/04633/LA : Soapworks Broad Plain Bristol BS2 0JP**

As such the EA remove their objections subject to the following conditions:

- The development shall be carried out in accordance with the approved flood risk assessment;
- No phase of the development shall commence until a scheme of flood resilience and resistance measures has been submitted for approval;
- No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority;
- Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority.

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. The proposed development is appropriate provided that the site meets the requirements of the exception test. Our comments on the proposals relate to the part of the exception test that demonstrates the development is safe. The local planning authority must decide whether or not the proposal provides wider sustainability benefits to the community that outweigh flood risk.

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/ users covered by our flood warning network. The planning practice guidance (PPG) to the National Planning Policy Framework (NPPF) states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. We remind you to consult with your emergency planners and the emergency services to confirm the adequacy of the evacuation proposals.

(Officer note: Flooding issues are addressed in key issue H of the report, which includes reference to the sequential test and to the provision of safe access. Given the EA have now confirmed that they are satisfied that the development is safe, it is considered that the development is acceptable on flooding grounds.)

## DISCUSSION AND CONCLUSIONS

The key consideration in this case is whether the public benefits of the development would outweigh the harm that would result, including harm to heritage assets. As stated in the original report the public benefits of the proposal are as follows, and Officers concluded that they would outweigh the harm:

- The proposal would secure the long term maintenance of the grade II listed soap pan building. Furthermore, it would provide significant improvements to the public access to this building.
- It would deliver significant improvements in respect of pedestrian permeability through the area, including the provision of a north/south route between Temple Meads and Cabot Circus. Indeed, this area is considered to be a high quality area of public realm, fronted by active uses such that it is likely to be a vibrant contribution to the area.
- The proposal would deliver much needed housing, including the provision of 20% affordable housing, in a sustainable location, with good accessible to a wide range of modes of transport.
- The applicant has also sought to demonstrate the social value of the development. It is noted that this ward has high levels of deprivation, and the proposed development would bring new homes and jobs to this area. It is estimated that the proposal will provide between £96 million and £199 million additional value to the area. It is noted from the consultation that the developer has worked with local charities and businesses to develop their social programme,

**Development Control Committee A – 28 April 2021****Application No. 20/01150/F & 20/04633/LA : Soapworks Broad Plain Bristol BS2 0JP**

to deliver these targets;

- The developer is committed to providing a sustainable development, including connection to the Local Heat Network.

In the debate Members considered that the flexible nature of the scheme would not offer the level of benefits, specifically given the potential for an Aparthotel to replace residential properties. The applicant has confirmed the removal of the Aparthotel option from the proposal, and therefore the Officer recommendation previously put before committee stands, albeit with amended package of planning obligations that would need to be secured.

**PLANNING OBLIGATIONS**

In order to offset the impact of the amended development it is considered that a package of planning obligations is required, as follows:

- The provision of 49 affordable housing units;
- A financial contribution of £14,405 towards monitoring of a travel plan;
- A contribution of £5,913 per required Traffic Regulation Order;
- A contribution of £150,000 towards Broad Plan and Unity Street Public Realm works;
- A contribution of £3,000 to fund the provision of 2 fire hydrants on the site;
- A contribution of £383,185.35 towards CO2 offsetting programmes.

The applicant has agreed this package, and the Council's legal officers are current drafting a section 106 to secure these planning obligations.

**COMMUNITY INFRASTRUCTURE LEVY**

The CIL liability for Option A is **£1,486,795.95**, and the CIL Liability, however social housing relief may be claimed on those residential dwellings included in the development that are allocated for the provision of affordable housing.

**RECOMMENDED****Application no. 20/01150/F****Recommendation - GRANT subject to Planning Agreement (the terms of which are set out in the original report)**

A) The applicant be advised that the Local Planning Authority is disposed to grant planning permission, subject to the completion, within a period of six months from the date of this committee, or any other time as may be reasonably agreed with the Service Director, Planning and Sustainable Development and at the applicant's expense, of a planning agreement made under the terms of Section 106 of the Town and Country Planning Act 1990 (as amended), entered into by the applicant, Bristol City Council and any other interested parties to cover the following matters:

- The provision of 49 affordable housing – to be reviewed after 18 months should the residential element not be implemented;
- A financial contribution of £14,405 (Option A) towards monitoring of a travel plan;
- A contribution of £5,913 per required Traffic Regulation Order;
- A contribution of £150,000 towards Broad Plan and Unity Street Public Realm works;
- A contribution of £3,000 to fund the provision of 2 fire hydrants on the site;
- A contribution of £383,185.35 towards CO2 offsetting programmes;
- Connection to the District Heat Network.

**Development Control Committee A – 28 April 2021**

**Application No. 20/01150/F & 20/04633/LA : Soapworks Broad Plain Bristol BS2 0JP**

(B) That the Head of Legal Services be authorised to conclude the Planning Agreement to cover matters in recommendation (A).

(C) That on completion of the Section 106 Agreement, planning permission be granted, subject to relevant conditions (final wording of which to be delegated to officers).

**Application no. 20/04633/LA**

**Recommendation - Refer to the Secretary of State**

That the application together with responses to the publicity and consultations, the committee report and members comments be referred to the Secretary of State for Housing, Communities and Local Government.

If the Secretary of State makes no comment within the 21 day period from receipt of notification, then GRANT permission subject to relevant conditions drafted by officers.

**Development Control Committee A – 31 March 2021****Application No. 20/01150/F & 20/04633/LA : Soapworks Broad Plain Bristol BS2 0JP**

## APPENDIX 1(Original Report)

## SUMMARY

This report refers to application for full planning permission and listed building consent for a significant scale mixed use development in a central location, on part of the site previously occupied by the Gardiner Haskins department store, adjacent to the Temple Quarter Enterprise Zone. The applicant is seeking planning permission for a development to include build-to-rent residential accommodation, offices and employment floorspace, and ground floor commercial space, along with a significant element of new public realm. The proposal includes the provision of a 20 storey tower, and given the scale and nature of the proposal, would be transformative of the character of the area.

Whilst the proposal would provide significant benefits, there are a number of concerns with the proposal. Most significant is the impact on heritage assets, both in terms of the removal of historic fabric and the setting of the buildings. In addition, compromises have been made in respect of residential amenity and the fact that the development will be car free. In addition, the proposal is on a site which is subject to flooding, and as such there is a need to provide flood compensation or mitigation as part of the development.

In respect of public responses to the scheme, there is a mixture of responses. Whilst a number of concerns have been raised about the impact on residential amenity, the scale of the development and this impact on the historic buildings, there is also support for the economic and social benefits that the development will bring. There is also some support for the design of the proposal.

As such, in coming to a decision on the application, Members will need to balance the benefits of the development against the undoubted harm that would result from the proposal. In this regard, it is noted that the proposal will provide much needed housing, including affordable housing, will preserve the primary heritage asset on the site, and will deliver significant improvements to the public realm and residential routes. Ultimately, the site is currently an underused site within a sustainable location, and given the benefits of the development it is recommended by officers that the scheme can be supported.

## SITE DESCRIPTION

This application relates to the site of the former Gardiner Haskins Home Centre, and the service yard and car park immediately to the south east of it, located in Central Bristol. It is bounded by Straight Street to the north, Sles Lane to the west, New Thomas Street, Russ Street and New Kingsley Street to the east, and Old Bread Street to the south. The site shares a party wall along Sles Lane with the terraced buildings on Broad Plain, as well as a party walls with Christopher Thomas Court on the south and west. Overall, the site covers an area of just short of a hectare.

The store itself was vacated in 2019, with the retail floorspace being consolidated in the northern building. Gardiner Haskins have occupied the site for retail since the late 1950s. Prior to this the site was occupied for industry, primarily for making soap. It appears that the site was in use for soap making since the early 19th Century, although the iconic Soapworks building (Soap Pan building) dates from 1882. There are also the remnants of another factory building of a similar age in the north west corner of the site, although this has been much altered, and is notable for the modernist curtain walling frontage on Straight Street, which appears to have been constructed in the 1950s/1960s. The main store frontage on Straight Street dates from the early part of the 20th century, with the infill element (recognisable from the saw tooth roof) dates from a period between 1912 and 1919.

The buildings on site benefit from statutory grade II listing. It is noted that only the Soap Pan building is referred to directly in the statutory listing description, although the other structures on site benefit

**Development Control Committee A – 31 March 2021****Application No. 20/01150/F & 20/04633/LA : Soapworks Broad Plain Bristol BS2 0JP**

from listing by virtue of being attached to the Soap Pan building. It is also notable that there are a number of other listed buildings in the area, including the original part of Christopher Thomas Court to the south of the site, the terrace of buildings immediately to the east of the site, and the retained Gardiner Haskins building to the north. These buildings are all listed at grade II. The north west part of the site (excluding the car park) is also within the Old Market Conservation Area.

The application site is within an area that has undergone significant levels of change in recent years. This has resulted in the introduction of significant levels of residential uses in the area, whereas previously the site was characterised by industrial/commercial uses. This is illustrated by the fact that immediately to the south of the site are three new large scale blocks, all of which are close to completion, two of which are residential and one office. To the east, and south west there are also residential blocks that have been completed in the last 20 years. Immediately to the west of the site is a car park, although this has extant permission for an office development. There is also a school, and the retained Gardiner Haskins retail offer close to the site.

The site is at the boundary between the Temple Quarter Enterprise Zone and the Old Market Neighbourhood Planning Area. The site is covered by the Neighbourhood Plan, although it does not include any site specific guidance (albeit, the car park is identified as having long term development potential). The large blocks currently under development referred to above are located within the Enterprise Zone.

As well as the above designations the application site is within the Bristol Air Quality Management Area. A very small part of the site is also identified as being within Flood Zone 2, as identified by the Environment Agency. However, the latest flood modelling suggests that large areas of the site (mostly the car park area) is at high risk of flooding, and therefore should be treated as being within Flood Zone 3.

## RELEVANT HISTORY

It is noted that there have been a number of planning permissions historically that relate to the retail use of the site. This includes listed building consent for internal alterations to the buildings on the site, advertisement consents and temporary use of the car parks. These applications do not relate to the current application on the site.

There have been two previous pre-application submissions for the mixed use redevelopment of the site. The first submission (ref. 18/04209/PREAPP) was submitted with the intention of setting out the development parameters of the site, and was included as part of the marketing of the site. Whilst this was largely silent on quantum, it did set out a range of uses and scale that was considered appropriate as part of the development.

This pre-application was followed by a further submission under reference no. 19/03492/PREAPP. This was submitted by the current applicant and was largely for the same development as currently proposed.

## APPLICATION

This report covers two applications, one for full planning permission and one for listed building consent, for the redevelopment of the site for a mix of residential, employment and commercial development. The application is also designed to allow some flexibility in the floorspace, to allow part of the residential element to be used as aparthotel.

The proposal is divided into three blocks, as follows:

\* Block A

**Development Control Committee A – 31 March 2021****Application No. 20/01150/F & 20/04633/LA : Soapworks Broad Plain Bristol BS2 0JP**

Block A takes up the northern part of the site, including the frontage of the site facing Straight Street. This includes the curtilage listed former shop. It is proposed to demolish most of this building, apart from much of the Straight Street elevation and parts of the western elevation fronting Sless Lane. It is proposed to incorporate these facades into a new building of 6/7 stories (which is two stories taller than the existing building).

It is proposed to use this largely as commercial floorspace. This includes around 15,000 sq m of open plan employment floorspace (B1 uses). In addition to this it is proposed to provide a mixture of retail (to the south) and food beverage uses (to the north) on the ground floor.

**\* Block B**

This block is located to the east of the site, located where the existing car park and service yard is. This element of the site contains the principle residential element of the scheme. The proposal would be between ground plus 5 stories, up to ground plus 19 stories, with the tallest element being in the south east corner of the site.

The ground floor of the proposal would be a mixture of retail, food and beverage, and servicing for the residential scheme. The commercial units largely surround a new public route through the centre of the site, running north to south through the site. This is accessed via a tunnel to the south of the site. The main entrance to the residential element is in the south east corner of the site, which would provide access to all of the proposed flats. Also included on the ground floor is a cycle store, with provision for 257 cycle parking spaces. The proposed building would be clad in brick.

The proposal would provide 243 flats, which includes 36 studios, 131 x 1 bedroom units, 72 x 2 bedroom and 4 x 3 bedroom units.

As stated above, there is an alternative proposal for the site, which would allow the northern wing of the building B to be used as an Aparthotel. In effect, this would not require any external alterations to the building, but instead would require some changes to the internal arrangements. As such, it is considered reasonable to deal with these alternatives as part of a single application, although it will require additional conditions/clauses within a section 106 agreement, to ensure that the implications of alternative uses are addressed.

In terms of the residential element of the site, this will reduce the number of flats from 243 to 168 units.

**\* Building C**

Building C is the Soap Pan building, and as such is the principle heritage asset on the site. It is proposed to remove the attached buildings to the north of the building, so that the entire building will be revealed. The external fabric will be refurbished, and new windows introduced into the north elevation of the building. It is proposed to use the building as open plan offices on the upper floors, with food and beverage offer on the ground floor.

The proposal would also provide around 2000 sq m of new public realm. This is centred around the retained Soap Pan building, essentially providing a new pedestrian square at the centre of the site. It is not proposed to provide on site car parking, although the proposed plans indicate 4 on street parking spaces, as well as servicing bays. These will be designated for disabled users.

**Amendments to the Plans**

It is noted that a number of amendments have been made to the plans during the course of the application. Whilst the proposed changes have not resulted in significant changes to the form of the proposal, the most substantial changes were as follows:

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\* As originally submitted the proposal for block B included the Aparthotel and 166 residential units. The scheme was altered to allow for additional residential units instead of the Aparthotel (albeit with the option of reinstating the Aparthotel).

\* Various alterations to the design of the proposal include the dropping of the 'shoulder' height of elements of the scheme, to give the tower a more slender appearance, and to improve the relationship with the Soap Pan building. This includes setting back the top two stories of building A.

\* Changes to the materiality of the proposals, to make the tower element more distinct, and also to provide a clearer visual indicator of the route through the site from the south.

\* The reduction in size of the ground floor pavilion building to provide additional public space and improve the setting of the Soap Pan building.

\* The provision of an additional residential core, as well as additional balconies and roof top amenity. This results in 52% of units having access to a balcony, including Juliette balconies (only approximately 14% in the original proposal had access to a balcony).

**PRE APPLICATION COMMUNITY INVOLVEMENT****i) PROCESS**

The application was accompanied by a report of Community Involvement, which outlines the measures taken to engage with local communities prior to the submission of the application. The following measures were identified:

\* The applicant states that a number of meetings were held with stakeholder groups during 2019. This included key Councillors and Officer of the Council, Old Market Community Association, Plan-EI, Bristol Civic Society, Bristol Industrial Archaeology Society, Destination Bristol, Bristol Cycling Campaign, as well as representatives of local business and charities.

\* A public exhibition was held in July 2019, and informal street stall set up, as well as the proposals being advertised in the press.

\* A project website was set up, providing details of the proposals, and inviting feedback through the 'Give My View' platform. It is reported that there were 3,704 visits to the website resulting in 3,757 individual users providing feedback.

\* A second round of consultation was carried out towards the end of 2019 and beginning of 2020. This included further meetings with the parties referred to above, as well as over 2000 leaflets being sent out to nearby residential properties.

\* The second round of consultations resulted in 2,240 individual users providing feedback through the website.

The reported results of the consultation is as follows:

\* 79% of respondents to the original consultation and 83% to the second consultation were in support of the scheme.

\* Strongest support for retail/food and drink and residential elements of the proposal.

\* Respect for the heritage of the site and the provision of usable open space seen as important in the design of the proposals.

\* In terms of housing, the highest priority is considered to be the provision of affordable housing on the site.

\* Specific responses included requests for the provision of a grocery store in the area, concerns about the height of elements of the scheme and concerns about the provision of car parking within the proposal.

**ii) Fundamental Outcomes**

As part of the statement the applicants have responded to the issues raised as follows:

\* The provision of 20% affordable housing provision in the development.

\* The proposal has been designed to sensitively restore the Soap Pan building and the new build element has been designed to respect the historic setting of the site.

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- \* The proposal will provide space for independent retailers and food and drink provision.
- \* The proposal will link to the Bristol Heat Network and is committed to meeting BREEAM excellent.
- \* The proposal will provide a range of flexible employment space.
- \* Accessible open space is at the centre of the development.
- \* Given the central location the scheme has been designed to encourage cycling and walking, rather than the use of the private car.
- \* Space will be made available for a Grocery store, although this will be dependent on an operator to express an interest in the space available.
- \* The open space will be accessible, provide a range of spaces, including green space.

Comments on the Community Involvement Statement have been received from the Neighbourhood Planning Network Administrator, as follows:

The Community Involvement exercise has been poor; the developer has carried out the consultation in such a way that he has failed to be open and honest about options, and what is open for change. The CIS does not set out what comments were made and how the design has been changed to take account of those comments, 'and if not, why not... ' The developer has consulted the local NPN groups and the Civic Society, but their comments receive only passing references in the CIS, nor does the CIS contain any response to these comments. It became apparent that consultation was held when the design was already advanced in preparation; this was not explicit at the meetings with the consultees. The vast majority of the CIS refers to general public consultation, which, while useful at the later stages of CI does not amount to Community Involvement as described in the BCC CI Guidelines. The applicant has therefore failed to take account of any community input in the development of the design, in contravention of the SCI.

**RESPONSE TO PUBLICITY AND CONSULTATION**

The application was advertised by the erection of site notices around the site, an advert in the local press, and by writing to 329 neighbouring properties. The application was re-advertised following the submission of amended plans in September 2020, and again in November 2020.

In relation to the original submission a total of representations were received. This includes 10 objections raising the following concerns:

Mix of Uses on the site (see key issue A):

- \* The proposal disregards the need for additional family accommodation in the area.
- \* The provision of retail space within the development may impact on the retail economy at Old Market.
- \* The Aparthotel would bring limited value to the area, and it would be preferable for more residential to be provided.

Impact on Heritage (see key issue C):

- \* The proposal would obliterate views of retained Soap Pan building.
- \* The original shop complements the historic character of the area, and should not be demolished to facilitate the development.

Impact on Character and Appearance of the Area (see key issue D)

- \* The proposal would be of a height and scale that would be harmful to the character of the area.
- \* The proposed development would be homogenous, impersonal and not of a human scale.
- \* The scale of the development would result in surround streets being a dark canyon.

Impact on Residential Amenity (see key issue E)

- \* The proposal would lead to a significant loss of daylight from neighbouring properties, which has already been significantly impacted by neighbouring development.
- \* The proposal would lead to the loss of privacy for neighbouring properties.



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- \* The proposal would lead to the loss of views from neighbouring properties.
- \* Construction work would add to existing proposals caused by other development in the area, and would cause addition noise, disturbance, dust and traffic disruption.
- \* Much of the open space will be private, and would not be of value to the wider community.

Amenity for the Proposed Development (see key issue F)

- \* The proposal will create an unpleasant residential environment for the proposed residents.

Highway Impacts (see key issue G)

- \* Parking in the area is already problematic, and the lack of car parking would further exacerbate this issue.
- \* Additional traffic adjacent to Hannah Moore School would potentially lead to an increase in incidents.

Other Issues

- \* The engagement with existing residents has been poor.
- \* The proposal would devalue neighbouring properties (Officer comment: Impact on property values is not a material planning issue, and therefore cannot be given weight in the decision on this application).
- \* The proposal will impact on the Party Wall of neighbouring properties, and should not be permitted until there is clarity to the works required (Officer comment: This issue is covered by other legislation, and will require the applicant to enter into a Party Wall agreement with the neighbours of the site affected).

In addition, a total of 10 supporting comments have been received, with the following points made:

- \* The proposal is a sensitive redevelopment of an underused plot.
- \* The footfall associated with the development will help support other business in the area.
- \* The amount of jobs created for the area would be a significant benefit – the developer should be required to employ local people/companies in the construction works.
- \* The flexible employment space is and residential development would meet local need.
- \* The open space is well designed and will provide safe space for the community.
- \* The applicant has engaged well with local charities in the area.

It is also noted that 2 neutral comments were received, raising no comments on the proposals.

Following the first round of consultation, a further 16 objections have been received. These largely confirm that the amendments to the scheme would not overcome previous objections to the proposals. However, the additional following comments have been made:

Mix of Uses on the site (see key issue A):

- \* Given the change in work culture it is questioned whether or not large open plan offices are the best use for the site.

Affordable Housing (see key issue B)

- \* Provision should be made for more affordable housing within the development.

Residential Amenity (see key issue E)

- \* The proposal would be detrimental to the health of neighbouring properties, particularly in relation to additional air pollution.
- \* Disabled person access will be effected by the development (Officer comment: It is presumed from the context of the comments that this relates to the impact on access to existing properties).

Sustainability (see key issue I)

- \* The sustainability performance of the development is a disappointing, given the climate emergency.
- \* The Council should ensure that the proposal meets the sustainability claims of the developer.

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Impact on Green Infrastructure (see key issue J)

\* The proposal would lead to the loss of trees.

**Other Issues**

\* Concern has been raised about hazardous materials at the site (Officer comment: it is not clear what this objections is referring to but there is no indication from the proposal that there were be any requirement to store or process hazardous substances on the site).

A further 9 supporting comments have also been received, emphasising the regeneration value of the proposal.

Finally, as a result of the third consultation 13 further supporting comments and 3 objections have been received. These largely echo comments received previously, particularly in relation to the regeneration value of the scheme, both economically and culturally, and the importance of this location as a link between Temple Meads and Cabot Circus/Old Market. The sustainability credentials of the proposed development are also supported.

One objector raised concerns about not being able to view the plans of the development, and they have been contacted to let them know where plans can be viewed. No further comments have been received since.

- Other Consultee Responses

**Bristol Civic Society** have made the following comments:

The public engagement on this application has been disappointing. Whilst the proposals were presented to stakeholders on the basis that nothing had been decided, it is evident that the scheme had already been presented to the Bristol Urban Design Forum and the City Council. The results of previous pre-application discussions were not disclosed and there is no evidence that the stakeholder comments influenced the development.

The Society supports the redevelopment of the site, and the public square connected to north/south and east/west routes is considered to be planning gain. The scheme has the potential to add to the economic and social regeneration of the area.

However, the Society object to the level of demolition, as well as the two storey extension to buildings 2 and 4. There is no reasoned justification for this level of intervention. In addition, it is considered that the 20 storey tower overdevelops the site. There is also a concern about the lack of clarity about the ground floor commercial uses, which could draw business from the Old Markey economy.

It is considered that the former showrooms are an integral part of the Grade II listed group of buildings. The two listed buildings on site have significance, distinctiveness, quality and value to the Conservation Area. A terrace of domestically scaled grade II listed buildings continues this group along Broad Plain.

It is not considered that the developer's heritage statement gives the appropriate weight to buildings 2 and 4. The developer's argument to support demolition is unconvincing when there is no exploration of any option to retain the original fabric. In principle the Society support the addition of the Mansard extension. However, this should be reduced by a storey and pulled back from the flank elevations to make an elegant and subservient addition to the buildings. The proposed glass replacement for the 1960s screen would appear too dominant. The proposals to demolish buildings 3, 5 and 6 is supported.

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The Society give weight to the spatial framework established for the area by application no. 01/01606/P. This envisioned this area increasing in scale from the domestic scale to the north east to a larger scale fronting the water. It is noted that other development in the area has breached this framework, and this has resulted in the environment of Avon Street being unfriendly, and dominated by large commercial buildings. As such, the Society object to the 20 storey tower, which would dominate the listed building, and the Old Bread Street/New Kingsley Road corner. The proposal would extend the hostile character and inhuman scale of the development to the south, and does not give consideration to the ration between building heights and street widths. The proposal would be at a density of 1,320 dwellings per hectare, which is considered to be hyper density, and does not respond to the Eastern and Lawrence Hill housing needs survey 2007.

The site already has a landmark building, in the former soapworks building, and any further development should be subservient to it.

The development should be designed to not inhibit the future development of the Gardiner Haskins car park.

The Society supports the new public realm, but would question how well used this would be, given other routes and public spaces in the area.

Given the reliance on a single core the applicant should take advice over a fire prevention strategy, to ensure that an adequate means of escape is provided.

The reliance on roof level of amenity, even if well maintained, have practical difficulties. They are weather dependent, particular in relation to wind, and are not attractive for use by families.

In relation to the submission of amended plans, it is noted that the Civic Society have confirmed that these have not overcome the principle concerns raised above. Whilst there is support for the replacement of the hotel with residential, an additional concern is raised about the high proportion of north facing, single aspect units in this wing of the building.

The **Old Market Community Association** have written to object to the application on the following grounds:

The proposal was subject to pre-application engagement with the Association. It is noted that as part of that engagement no reference was made to the results of previous pre-application discussions on the site, the Old Market Neighbourhood Development Plan, or any constraints related to the site.

The application presents confusing information about the extent of listing, with reference being made to only the Soap Pan building being listed, but the historic buildings report conceding that the rest of the building could be listed. It is also not clear how much of the interior of the Soap Pan building is retained. As such, it is considered that there is merit in having the listing reviewed by Historic England, as potentially the site may merit a higher listing. There is currently inadequate information to make a full assessment on these elements.

**Building A**

This part of the site has a substantial basement, and this could provide additional amenity (e.g. Cycle parking or plant).

In order to facilitate changes in the floor levels, it is proposed to change the position of a number of windows in the retained facades (19 of 29 on Straight Street and all of the windows on Sles Lane). It is also proposed to extend upwards by around 5 metres. These changes are considered to be more than 'slight' The double height mansard is considered to be overscaled, and the proposed changes would be harmful to the grade II listed buildings.

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In relation to the retention of more of the historic fabric, it is stated in the Historic Building Report that many options have been considered in consultation with the local community, BCC etc, however no evidence of these other options have been presented. No assessment is made of the sustainability benefits of retaining more of the existing fabric.

The large open plan floor plates of building A are more suited to large corporate operators, rather than providing flexible accommodation. As such, the proposal is contrary to policy C1.

**Building B**

One of the key concerns raised through the public consultation is the lack of car parking on the site, and is required by policy T3 of the Neighbourhood Plan. Given the sewer crossing the site has now been moved provision should be made for underground car parking below the development.

Most of the ground floor of the development facing New Kingsley Road and Russ Street would be taken up by bin stores and plant room. As required by policy the existing streets should be lined with active uses.

Additional cores should be provided to reduce the length of the corridors serving the residential units. This would better meet the aspirations of the Urban Living SPD, and would also address concerns about compliance with part B of the Building Regulations regarding fire safety.

The neighbourhood plan establishes an appropriate relationship between the width of the road and the acceptable height of any development adjacent to the road. This suggests an acceptable scale of development of 5 stories fronting Russ Street, and 4 stories facing Old Bread Street and New Kingsley Road. The proposed development significantly exceeds these parameters, and would be overbearing on Christopher Thomas Court. There is no justification for the 20 storey tower in the corner.

The building elevations of building B are 'corporate', lacking vitality and vigour, and do not respond in any meaningful way to the internal arrangement of the building. As such, the proposal does not accord with the design codes set out in the Neighbourhood Plan.

Concerns are raised about the practicality of children's play space on the roof of the buildings. In addition, the courtyard gardens should include substantial tree planting.

Policy C5 of the Neighbourhood plan seeks the provision of family housing to address the imbalance of accommodation in the area. The application does not provide convincing justification for the provision of just 5 family units.

**Building C**

The introduction of double height opening on the ground floor and changes in the roof height to provide insulation would be contrary to good conservation principles. There appears to be the opportunity to open up former rooflights to provide additional daylight to the top floor.

Alterations to the core at the western end of the building will result in the loss of original fabric. In addition, the provision of a single staircase requires a fire suppression system which requires Building Regulations approval. It would be more prudent to provide an additional staircase, and to use the location of the existing lift as an additional core.

The lack of detailed drawings of the proposed works to the listed building is of significant concern.

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## Transport Impacts

The proposals fail to comply with policies T2 and T3 of the Neighbourhood Plan as they provide inadequate car parking for the development, and would result in the reduction of on street bays.

Financial contributions should be sought in support of the application should include a contribution to improvements to Broad Plain.

## SCI

The results of the community engagement has flagged up 3 key issues, supported by the Neighbourhood Plan, which the development fails to address: lack of car parking; provision of additional green space and the provision of a grocery shop/small supermarket.

**Bristol Cycle Campaign** have commented that given the importance of the cycle infrastructure in meeting the transport requirements of the development, Bristol City Council should seek a financial contribution to fund cycle infrastructure close to the site.

**Bristol Walking Alliance** have made the following comments on the application:

Whilst the Alliance support the potential for a new route through the site but object to the current application because it is considered that the quality of the route will be compromised by the height of the surrounding buildings. The route will be in shadow for much of the day, not receiving the amount of sunlight recommended by the BRE guidelines for outdoor amenity space. The Environmental Wind Report also suggests that the proposed development would result in additional windiness, with the most effected spaces being the pedestrian routes.

It is also considered that improvements should be sought to Sles Lane, to the west of the site. This is acknowledged to be a route of significant pedestrian flows, and is identified in the Central Area Plan. There is an opportunity to widen this route, and provide active frontages, green spaces and tree planting.

**Destination Bristol** have made the following comments in support of the application:

The area is currently unwelcoming and unattractive and in need of regeneration. The developer has consulted local business and the community and the development of the site will provide new jobs homes, retail, and work space, as well as places to eat and drink. It is also encouraging to see that the development will be car free, and include plans to improve walking and cycling, as well as other measures to reduce carbon emission.

The **Conservation Advisory Panel** have objected to the application on the following grounds:

There was concern that the stakeholder process was inadequate.

The Heritage Assessment is incredibly weak. It is being used to justify the scheme and not inform it. As such there is limited understanding of the value of the site's heritage assets and the impact on surrounding heritage assets. Palmer & Neaverson in one of the few books mentioned by the author of the heritage report describes it as 'One of Bristol's most striking industrial buildings...!'

The Gardiner Haskins complex was the last of a long line of Bristol soap works and its history reflects impressive innovation and growth in the late-Victorian era of a consumption-based industry promoted by advertising and packaging followed by 20th century decline and acquisition by a rival (Lever Bros) that is so typical of the city's industrial history. The remaining complex - some of the listed buildings on Straight Street were also occupied by the firm - could play an important part in the regeneration of an

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area that has already suffered significant demolition and change. If handled sympathetically the site could preserve something of the unique character of this area.

The proposal is over intensive development for the site and will adversely affect the character and appearance of the Old Market Conservation Area. Little opportunity has been taken to incorporate the site's existing buildings. The principal building within the site has been completely subsumed and no longer remains the principal anchor building. The approach to 'facadism' is completely wrong and is a regressive step in terms of the approach to development. It's a classic example of 'anywhere architecture' that does not relate to the quality of its context.

The 20 storey residential tower would dominate the site and the listed buildings causing harm to these heritage assets. The excessive height would extend the overbearing character of Avon Street. The height and scale would not be in accordance with the guidelines of the Old Market Quarter Building Code or even the SPD, Urban Living. The site already contains a landmark building in the Soapworks Building.

The Design and Access Statement refers to a Landscape Report but this could not be found. There is not any explanation of the rationale for the landscape design or a species schedule, these must be provided. The provision of children's play areas on first and sixth floor roof terraces was questioned in terms of safety and suitability.

This application proposal does not meet the requirements of relevant design and heritage Local Plan policies nor the requirements of the relevant paragraphs of the NPPF, consequently this application cannot be supported in its current form.

- National Amenity Societies and Statutory Consultees

**Historic England** have commented on the application as follows:

We see this site as a great opportunity to create a place which retains the legacy of its industrial heritage while delivering dynamic and exciting spaces in which people can live, work and visit. We do not consider that the proposed development, as submitted, would sustain the significance of heritage assets within the site or preserve or enhance the character and appearance of the Conservation Area.

We are concerned over the impact of the proposed development on the character and appearance of the Conservation Area and object to the proposed extent of demolition of designated heritage assets. As it stands, we object to the application.

The significance of the site and its component parts are appraised in a proportionate manner in the submitted Historic Building Report. We do differ slightly in our own assessment of the significance of individual elements of the site, as summarised in Appendix II. Buildings that have undergone material changes to suit their continued uses or are considered to hold less aesthetic/artistic heritage value does not necessarily render them to be of lower significance. During the pre-application stage, we advocated that historical, evidential and communal values should also be a consideration, together with innovation in construction types and how building uses and manufacturing processes contributed to the wider operating site.

We consider the significance of the site derives from the former industrial building components, their individual contributions to the soap manufacturing process, providing a narrative for the surviving elements of the site and in the case of Buildings 2 and 3, the technological/historic value of the relatively early steel-frame construction. Construction of the replacement buildings following the 1902 fire started less than ten years after the completion of the first steel-framed building in the country (Royal Insurance Building, Liverpool). The significance of the principal soap pan building would be severely eroded without the ancillary structures that served the industrial process, although for a limited number of decades after Lever Brothers took over the site in the early 20th century. There is a

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degree of aesthetic value, particularly in regard to the brick elevations of Buildings 2 and retained aspects of Building 4 that contribute to heritage significance. Lever Brothers' architects adopted an industrial aesthetic of the time and this later styling is visually distinct from the 'Bristol Byzantine' of the 19th century soap pan building. This also contributes to the architectural evolution of the site and the consequences resulting from the loss of former buildings during the fire.

Group value and the industrial legacy of the site also contribute to significance of the historic building complex and that of the Conservation Area. The submitted assessment includes a more robust assessment of heritage values and concludes that the significance of Building 2 and 3 is moderate and that Buildings 4, 5 and 6 are of no/little significance. The Heritage Report also concludes that the proposed demolition of Buildings 2-6 would result in harm to heritage significance (to a less than substantial degree).

The list entry for the Soap Works describes the principal five-storey building and notes that this is a prominent townscape feature. We understand that you have deemed the adjoining 1912-19 factory and works building to the north to be curtilage listed to the principle building. However, we advise that consideration is given to Section 1(5)a of the Planning (Listed Buildings and Conservation Areas) Act 1990 which would prescribe these additional structures as part of the listed building. Therefore, as it stands, we base our advice on the presumption that all attached and pre-1948 structures are afforded statutory protection.

While this is a particularly complex industrial site, our statutory remit are those aspects of the development which includes substantial demolition of Grade II structures and secondly, the impact of the development upon the character and appearance of the Old Market Conservation Area. With this in mind, we would task your conservation specialist in considering the proposed material alterations to the Grade II Soap Works and the setting of other nearby Grade II buildings.

The potential to enliven the Straight Street elevation by lowering first floor openings would result in a degree of loss, but would also have some benefits. However, we oppose the proposed extent of demolition of Building 2 (leaving the Straight Street façade), Building 4 (leaving the rear façade) and all of Buildings 3, 5 and 6, without clear and convincing justification. Where the retention of the Straight Street and some elements of the west facades are proposed, we consider this to be tokenism and seek a design that better sustains the conservation of the historic buildings. The proposed height of the replacement buildings for Buildings 2, 3 and 4 would leave the retained historic facades without the context of the industrial narrative of the building group.

The justification offered for the demolition is summarised in Section 5.2 of the Historic Building Report. Challenges faced by options to convert Buildings 2-6 include fire/acoustic separation between floors, loading of the existing construction and light/ventilation across deep floor plates. As we have advocated as part of our pre-application advice, we would seek further work to be carried out on options for adapting the existing structures as part of the justification for demolition. Further detailed evidence of the issues facing the conversion of the existing building should also be submitted, so that we can consider whether or not this would amount to clear and convincing justification.

The proposed master-planning for the site would seek to reinstate the extended historic route of New Thomas Street to provide a new north-south connection linking Old Market and Temple Meads. Where the existing connectivity is rather weak, particularly for pedestrians, this is a positive opportunity for the site as an activity hub at the intersection of two principle routes. While we fully support this aspiration, the form of development along the Old Bread Street elevation would visually interrupt this route, with only a covered access being proposed under the block. This appears quite defensive in the proposed Old Bread Street elevation. We advocate that a full break in the building mass is needed here to create a successful and legible north-south route.

With regard to the impact upon the character and appearance of the Conservation Area, the photographic and map evidence presented in the Historic Building Report highlights the physical and

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architectural primacy of the Soap Works buildings within the wider cityscape. It was clearly conceived as a landmark building in the late 19th century, and its strident verticality remains very much evident today, despite the loss of its ventilation towers and the number of taller buildings being constructed along the north side of the Floating Harbour. We advise that for the preservation and enhancement of the character of the Conservation Area, the primacy and legibility/visibility of this great industrial survival is preserved, creating the focus for the new development. Also, the wider group of associated industrial buildings contribute positively to this particular character area of the Conservation Area. While part of the very different characteristics of Old Market, the industrial aesthetic of the site contributes to the significance of the Conservation Area and should be preserved or enhanced.

The proposed development, by virtue of the massing and height of Block B and replaced massing of Buildings 2 and 3, would unduly dominate the architectural and visual primacy of the Soap Works, which would no longer be considered as the focal building and centrepiece. If the development is to be heritage-led, the retained and enhanced prominence of the listed building must be the key driver. While we are concerned over the impact of Block B upon the setting of the Conservation Area, we believe that the south-east corner of the site can accommodate a higher building, but not to the extent that it dominates the Soap Works.

With this in mind, the height, design and massing of Block B should also be guided by the council's Urban Living SPD and in particular Part 3, which relates to the visual quality of tall buildings. Q3.1d advocates that 'The capacity of an area to accommodate a tall building is heavily influenced by an area's underlying character. This should be understood at the scale of the city, neighbourhood, and street.' Where the proposed height of Block B would be excessively higher than the ambient height of existing and consented buildings, we do not consider that this responds positively to the character of the setting of the Conservation Area.

The principle of development of the site, the re-purposing of the soap pan building and re-establishing the historic urban grain of the site, knitting it back into the surrounding city has potential to deliver heritage benefits for designated assets and the Conservation Area. However, where these benefits are weighed against the harm resulting from the proposed extent of demolition and impact from Block B, we do not consider that the harm is outweighed. The degree of harm is towards the upper end of less than substantial. Heritage significance is harmed to the extent that we object to the demolition and loss of Grade II structures, and concerned over the height and massing of Block B. The retention of Buildings 2-6 with sensible modifications would allow us to withdraw our objection.

Central to our consultation advice is the requirement of the Planning (Listed Buildings and Conservation Areas) Act 1990 in Section 66(1) for the local authority to "have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses". Section 72 of the act refers to the council's need to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area in the exercise of their duties. When considering the current proposals, in line with Para 189 of the NPPF, the significance of the asset's setting requires consideration. Para 193 states that in considering the impact of proposed development on significance great weight should be given to the asset's conservation and that the more important the asset the greater the weight should be. Para 194 goes on to say that clear and convincing justification is needed if there is loss or harm.

Following the submission of amendments and further information, HE have confirmed that the proposed amendments do very little in improving the setting of the Grade II building and taking the opportunity for good place-making. The loss of a high proportion of the historic industrial buildings on the site and the density and height of the proposed development have not been addressed or resolved. We therefore maintain our objection to the application.

Historic England objects to the LBC application on heritage grounds and retains strong concerns over the impacts of the proposed development on the character and appearance of the Conservation Area. We consider that the application does not meet the requirements of the NPPF, in particular paragraph



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numbers 194 and 200. In determining this application you should bear in mind the statutory duty of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

The **Association of Industrial Archaeology** have commented on the application as follows:

The Association acknowledges the need to reuse these industrial buildings and regenerate the whole area. However, the demolition of buildings 2 to 6 (apart from the facades of buildings 2 and 4), will compromise the integrity of the soapworks buildings and how they developed. The whole site is important from an industrial archaeology perspective. As such, efforts should be made to retain more of the buildings on the site, in particular buildings 2 and 4 are not without merit.

In addition, the new build element will result in buildings that will become the dominant ones on the site. The existing Gardiner Haskins building should remain dominant, and therefore the Association object to the application.

The **Victorian Society** have objected to the application on the following grounds:

The principle cause for concern is the scale of block B, which impacts on the setting of both the Conservation Area and numerous listed assets. The construction of this large development, rising to 20 storeys would clearly have an adverse impact on all of these heritage assets, by overshadowing them and obscuring the prominence of the soap works complex. The former soap works building itself was built with pretensions to be a landmark, taking inspiration from the Uffizi Palace. Although aspects of its original design, such as the characterful corner turrets, have been long since lost, the building still dominates the site, and should continue to do so going forward. As such, although we do not object to the principle of developing the area to the south east of the site, we stress the need to keep a respectful scale, and no development here should rise above the roof line of the Former Soap Works building.

The same applies to the proposed 'Block A' which occupies a similarly sensitive position within the conservation area and setting of several listed buildings. The CGIs and plans of the proposed building make it clear that it would visually compete with the Former Soap Works in terms of height, as well as greatly overshadowing the listed buildings to the west, and this therefore needs to be reduced by at least one storey. We also feel that a more delicate architectural treatments of the roof extension is required to further reduce the potential impact.

Moving on to the design, we are concerned that the proposed 'Block B' is generally bland and takes little inspiration from the soap works complex. The efforts that have been made in other areas of the site to replicate the character, have not been made here, and a serious revision to the design approach is needed.

Finally, regarding the former soap works itself, we view the general treatment to be acceptable in principle, with the exception of the proposed enlarged openings on the northern elevation which appear incongruous and unnecessary. Additionally, we feel that an opportunity has been missed to reinstate the highly characterful corner towers, a key aspect of the original design, and a feature which would help to entrench the building's landmark status within this area of Bristol.

As such, the proposal is considered to be contrary to paragraph 200 of the NPPF. Rather than better revealing the significance of these heritage assets the construction of both new blocks would have an adverse impact, dominating the site, and obscuring the significance of the soap works complex within the Old Market Conservation Area. They would become the dominant features on the site, rather than the original buildings. This harm to both the conservation area and the Grade II former soap works

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must moreover be weighed against the potential public benefits of the scheme in accordance with paragraph 196 of the NPPF.

The **Council for British Archaeology** have objected to the application for the following reasons:

The CBA objects to the proposed scheme as it would cause a high and unjustified degree of harm to the Listed former Gardiner Haskins soapworks, its curtilage listed buildings, the setting of neighbouring listed buildings and the character and appearance of the Old Market Conservation Area.

The CBA strongly recommends that an iterative heritage strategy is developed, utilising the tangible and intangible heritage of this ex-industrial site and its archaeology. This should be required by your Local Planning Authority in order to enhance and conserve the considerable heritage value of the site and to maximise the considerable social value that the re-development of this site has the potential to deliver.

### Significance

The principal building on site, the Grade II Listed former Gardiner Haskins Soapworks (List number 1202607) may contain the most heritage significance, but the group value of the other buildings on site, with their historically interrelated functions are central to the listed building's significance, as well as the site's, significance. All pre-1948 structures within the site meet the criteria to be considered as curtilage listed. Curtilage listed buildings, structures and objects are afforded the same protection, and restrictions imposed, as a listed building with its own listing entry; the entire site should therefore be considered as listed at Grade II within the planning process.

In order to meet the requirements of the relevant legislation the degree of demolition should minimise harm to the evidential value of the multi-phased development of the industrial ranges, which illustrate innovations in building design and shifts in use resulting from technological progression – a key significance of industrial sites. Industrial sites, by dint of employing a large workforce and occupying prominent, often landmark buildings within a locality, carry substantial communal value, which not only enhances their significance but also presents many opportunities for including considerable public benefit through their re-development.

The pursuit of social value for the Lawrence Hill ward of Bristol, which this application contains, could be greatly enhanced by incorporating a heritage based strand to the re-development of this industrial site. Enhancing and better revealing significance need not be solely considered as visual enhancement, but rather as encompassing experiential opportunities for the local community to interact with their local industrial heritage.

The CBA have read and agree with the comments of Historic England regarding the unjustified degree of demolition and the opportunity to make better re-use of existing buildings on site. These opportunities should be explored and treated preferentially in order to satisfy the requirements of paragraphs 193 and 194 of the NPPF. The CBA also agree that the proposed new build components are over-scaled and would result in unjustified harm to the character and appearance of the Old Market Conservation Area as well as the setting of multiple Grade II listed buildings.

The CBA notes with interest the inclusion of a 'Social Value Strategy' with this application. We thoroughly support this approach to re-development of urban areas, however we believe it could be improved upon by considering potential social value earlier than the construction phase of a development. There is a wealth of research and findings concerning the positive social impact for local communities from heritage-led regeneration, in terms of both place shaping and wellbeing, generated by participation.

The former Gardiner Haskins soapworks is a physically dominant feature within the locality, and as such a local landmark. Its significance within the locality is noted in the associated documentation as

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a last surviving remnant of this area of Bristol's industrial past. The re-use of redundant sites can create a sense of resilience of place that can renew a sense of pride of place.

The archaeological desk based assessment (DBA), drawn up by RSK, suggests that there is likely to be post-medieval and modern archaeological deposits found on site during any permitted ground works. The CBA suggests that genuine community participation in excavating the site could be a catalyst for other creative community responses to the heritage value associated with the former soapworks. Community involvement at an early stage can lead to continued involvement throughout the lifecycle of the project, as defined by Social Value Portal.

The CBA recommend that the potential for social value, through the redevelopment of this site, can be vastly increased through the production of a heritage strategy which involves interaction between the local community and the tangible and intangible heritage of the soapworks site much earlier than at the construction phase. The opportunity for using heritage and archaeology as part of a place-shaping strategy should enable the re-development of this site to achieve genuine public benefits, as required by the NPPF.

Whilst the CBA support the re-development of the former Gardiner Haskins soapworks we believe the current scheme would result in a high degree of unjustified harm the designated proposal site, its setting, the setting of neighbouring Grade II Listed buildings and the Old Market Conservation Area. The CBA recommend this application be either withdrawn and revised or otherwise refused by your Authority.

**Transport Development Management** have commented as follows:

There are many successful precedents in this area for a high density, mixed use, car free development and so we do not have an objection to the principle of this type of development in this location.

To the north are Broad Plain and Unity St. There has been significant change to these streets associated with the New Hawkins St development. Furthermore, Bristol City Council is presently developing proposals to reduce traffic on Broad Plain and improve cycling facilities. One option would see Unity St made one way eastbound thereby freeing up substantial space to the south of the Broad Plain Triangle for public realm. The other option would see the Broad Plain Triangle made in to a gyratory system with the Broad Plain junction with Temple Way closed. This would enable all vehicles to enter and leave from the east via Unity Street. Whilst this option would also see substantial public realm improvements, the amount of land freed would be less.

There is also a key cycle route (National Cycle Network Route 4) in the vicinity of the site, passing through the underpass under Temple Way, via Broad Plain, to Straight Street and then on to the Bristol to Bath Railway Path.

To the south, the ND6 development includes detailed highway works for the block surrounded by Avon St, New Kingsley Road, Old Bread St and Providence Place. These have a direct impact on this development and so should be considered when finalising the Old Bread St and New Kingsley Road highway works.

The site benefits from excellent accessibility being close to a number of main shopping areas, city centre services and a wide range of public transport. Whilst there is a need for a number of localised improvements, the site is well-suited to high density urban living.

The site is on the crossroads of significant north-south and east-west pedestrian and cycle links. We would recommend considering whether the site could make even better use of this excellent accessibility and permeability.

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The development proposes to widen footways around the site with the exception of Straight St and New Thomas St where the building line remains as existing. This will lead to a substantially better pedestrian experience as the area has a number of very narrow footways and blind corners.

The network around the site should be built with cyclists in mind and ideally additional things like cycle parking and other facilities should be provided along the route.

The TA notes that there are Sheffield stands located near the site as follows:

Straight Street 12

New Thomas Street 4

Glass Wharf 28

Linear Park 4

Temple Back E 28

The site is within easy reach of a large number of high frequency bus routes on Old Market ((five minutes / 350m walk) and Temple Way (two minutes / 160m walk). Temple Meads is located 480m (six minutes) from the site.

The site does not provide any car parking on site however the TA identifies eight car club vehicles within 500m of the site. The TA also notes that there are three EV charging facilities within 600m of the site. The proposal includes 3 disabled bays on New Kingsley Road. The site would be serviced from four loading bays on Old Bread St, New Kingsley Road, Russ St and New Thomas St.

Whilst we would have preferred to see an element of on-site car parking and servicing to cater for disabled bays, EV car charging, car clubs and loading, we accept that the constrained nature of the site mean that this has not been possible. Instead the developer has identified a range of on street facilities that will allow the site to be serviced.

The application has submitted revised plans, to replace the Aparthotel with further residential flats. The Design and Access Statement, Transport Statement and Travel Plan have all been updated. As such there are now two options being considered:

**Option A:**

- \* 250 residential dwellings (Class C3) – now reduced to 243;
- \* 3,610sqm GIA of new flexible retail, leisure and commercial space (Class A1, A2, A3, A4 and D2);
- \* 15,503 sqm GIA business space (Class B1).

**Option B:**

- \* 166 residential dwellings (Class C3);
- \* 6,258sqm GIA aparthotel (Class C1);
- \* 3,208sqm GIA of new flexible retail, leisure and commercial space (Class A1, A2, A3, A4 and D2);
- \* 15,503sqm GIA business space (Class B1).

The Transport Assessment reviews its modelling of the impact of the development. It uses the same modes shares as previously used and the same rates per sqm for different use classes, however, because of the change in area of different uses, this results in some change in predicted movements.

**AM peak hour**

Option B is predicted to generate 1,080 additional two-way trips. Option A is predicted to generate 1,108 additional two way trips, an increase of 28 trips.

**PM peak hour**

Option B is predicted to generate 796 additional two-way trips. Option A is predicted to generate 889 additional two way trips, an increase of 93 trips.

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The TA suggests a strong shift away from private car and towards walking, cycling and public transport. These high levels of non-car mode share are considered plausible for a car free development in a highly sustainable and accessible location in the city centre. Nonetheless we consider that a range of measures will be required to ensure that these targets are met including local improvements and Travel Plan measures.

The development would be expected to have a substantial net positive impact (compared to previous use) on the surrounding highway network congestion and hence road safety and air quality. Servicing will be important for the car trips that will be generated by servicing vehicles, taxis/ private hire, deliveries, as well as drop off.

This increase in walking and public transport trips in Option A, on top of the large numbers associated with Option B, reinforces the importance of improving the public realm around the site to encourage walking and access to public transport. As such, the previously requested contributions to the public realm are considered to even more important than with the previous scheme.

The TA includes an assessment of collision data for the area bounded by Temple Way/ Avon St/ Chimney Steps cycle link/ Midland Road/ Old Market. It found there had been 40 collisions of which 5 were serious and 35 slight (Oct14 – Sep 19). Collisions involved: 1 motorcycle, 27 cyclists, 8 pedestrians, 4 children and 3 OAPs and were distributed throughout the area although there was a concentration on Old Market and Midland Rd. There were no collisions immediately adjacent to the site. These figures reflect the large variety of users of the highway network in the vicinity of this site and the importance of continuing to improve pedestrian and cycle facilities in the area.

The developer has reworked the cycle parking calculations to take account of the new floor areas. The total number of cycling spaces across the development goes from 415 for previous proposal (Option B) to 515 for current proposal (Option A). This is considered satisfactory and the new cycle parking should be conditioned.

Short stay cycle parking would be in the form of 28 Sheffield stands (56 spaces) on Straight St.

An updated Travel Plan has been submitted (reference : Soapworks Framework Travel Plan, OSW-ARP-XX-XX-RP-TR-00012, Revision P05, 14 August 2020). This later version should be secured by condition.

**Block A**

Block A has flexible commercial units on the Lower Ground Floor with access on to the new courtyard and Ground Floor with access from Straight St. The cycle store is accessed from the western end via a ramp. Service access is from New Thomas St.

Will the escape stair on Sless Lane be removed?

It is not quite clear what has happens in the NE corner where there is currently a curved wall. Does the development move back in to the site here?

The height difference of about 1.5m between the office and New Thomas St could be problematic. We will not consider raising the footway so level differences will need to be adjusted within the site.

**Block B**

Block B contains an aparthotel on the north side with residential units in the southern block. Three commercial units are proposed, accessed from Old Bread St and from the courtyard.

The flexible ground floor use is expanded to use the space that was previously part of the aparthotel.

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It no longer needs services and stair core associated with aparthotel.

Option A also has an extra pedestrian access and fire escape at the northern end of New Kingsley Road façade.

The cycle and bin stores have been expanded to meet the new needs of the residential development.

The access arrangements for options A and B are largely the same but there is an extra pedestrian access from the courtyard for option A. The uses fronting Old Bread St are largely unchanged.

### Block C

Block C is in the soap pan building. It would contain food/ drink on ground floor, commercial on 1st floor, and B1 office on remaining floors. Access to café would be from courtyard on north and east sides. Service access would be from NW corner. Cycle parking for employees of this building is provided in Block A. In line with pre-app advice, the developer is not proposing to use the existing service access from Sles Lane but will instead transfer the servicing between Block C and A to use New Thomas St loading bay.

The doors on to public highways (other than fire exits and utility rooms) cannot open outwards. They should be replaced with inward opening doors or shutters/ sliding doors.

This development removes the large service yard on Old Bread St. This has two consequences: Old Bread St could potentially be locally narrowed and servicing for the remaining store will need to be considered (from Unity St or New Thomas St?). Old Bread Street is estimated to be about 8.3m wide outside the site so there should not be a problem with the proposed layout which means putting car parking and loading bays on the development side of the street. This replaces the area which is currently kept clear to allow large vehicles to access the service yard. The removal of the need for large vehicles to access the service yard could mean that other changes could be made to Old Bread St such as localised narrowing or provision of additional car parking or possibly additional Sheffield stands.

A raised table is proposed as part of the ND6/7 works at the junction of Anvil St/ Old Bread St/ New Kingsley Road. The proposed layout should show this and consider how it will integrate with it. We would also want to see a clear desire line for pedestrians crossing through the site such that they have dropped kerbs either side of Old Bread St. We would expect that the natural desire line is to use New Kingsley Road rather than Providence Place to reach Valentines Bridge.

### Car Parking

There is a large public car park immediately to the east of the site which charges £3 for one hour and £16 for 7-12 hours.

The TA carried out a survey of the availability of on street car parking near the site. It surveyed 112 parking spaces every 30 minutes between 0700 and 2200. It found that the average “parking stress” was 68% with a peak of 73% at 1500. This would suggest that whilst car parking in the area is well used there is not a shortage of spaces.

In line with Council policy for car free developments and to protect the impact on those using the Residents Parking bays and the Pay & Display bays, residents of the new development will not be eligible for parking permits and so advice I044A should be applied.

A revised General Arrangement has been submitted showing the proposed parking restrictions around the whole site, and is supported.

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There will be a need for this development to dovetail with neighbouring schemes including the ND6/7 works and the Broad Plain works. Our recommendation is that on Old Bread St, New Kingsley Road, Russ St and New Thomas St the works should be carried out as s278 Highway Works. We consider that a contribution to the wider Broad Plain and Unity St works would be more appropriate as, whilst this development will benefit substantially from them, they are not yet defined enough to allow these to be incorporated in to the s278 works. We consider that a contribution of £150,000 towards the Broad Plain and Unity St works would be appropriate. This would go towards the works to upgrade the public realm in the vicinity of the Broad Plain Triangle, improve the pedestrian and cycle environment in the underpass and towards the provision of a segregated cycle route along Broad Plain and Unity St.

In addition, Travel Plan audit and management fees of £5,335 for business space, £5,335 for aparthotel, £5,335 for residential dwellings, £3,735 for flexible retail, leisure and commercial space, should be secured.

The following should also be secured by condition:

- \* Construction Management Plan
- \* Approval of Road works
- \* Highway to be adopted
- \* Agreement in Principle for works adjacent to the highway
- \* Completion of pedestrian/Cyclist access
- \* Completion of cycle parking
- \* Travel Plans

The **Environment Agency** has commented as follows:

The application fails to demonstrate that the proposed development will not increase flood risk elsewhere. We advised that the applicant should either quantitatively demonstrate that this increase in built footprint does not increase flood risk elsewhere (i.e. using a hydraulic model) or provide appropriate compensatory storage on a level for level, volume for volume basis to address any adverse impacts.

We note the FRA acknowledges the proposed storage mitigation does not provide compensation on a level-for-level / volume-for-volume basis. In the absence of a compensation solution that operates on a level-for-level / volume-for-volume basis, we do not have confidence that adverse flood risk impacts will be avoided elsewhere and hence are unable to remove our objection. This is in line with national planning policy.

Furthermore, as discussed above, the measures put forward are mitigation as opposed to compensation. We generally resist the use of voids due to the difficulties in securing ongoing maintenance. It is also important to note the site may be impacted by considerable, hazardous flood depths in excess of 1 metre which are likely to remain on the site.

However, it is noted that additional flood modelling, as well changes to the ground floor level, of the proposed building have been submitted, following these comments. The Environment Agency have confirmed that, given the flood depths involved, and the fact that the site is at the edge of the flood zone, in principle this demonstrated that an appropriate flood mitigation scheme can be provided at the site. Members will be made aware of the final comments on the revised submission prior to the meeting.

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- Other consultee comments

The **Council's Conservation Area** has commented as follows:

The Grade II Listed Soapworks building is a tall landmark structure within the Old Market Conservation Area. It is surrounded by lower-scale Victorian and early 20th century industrial buildings. The collected industrial buildings that reduce down to a domestic scale along Broad Plain with an attractive and informal terrace of Georgian properties on Broad Plain.

The main structure of the Listed site complex is the tall brick-built mill-type structure that has been altered progressively since its mid-Victorian origins, but continues to have an assertive and attractive appearance on the skyline from numerous aspects. It has an elaborate skyline evoking Tuscan fortifications and, previously, was more ornamental. The buildings attached to it, stretching between it and Straight Street are all part of an incremental, but unified, development as a soap factory, and are integral to the significance of the main building significance. Collectively the buildings contribute to the special character of the Conservation Area through their traditional industrial character and as a well preserved collection of historic industrial structures; their materiality, scale and massing are all significant in this respect.

The landmark soap works building is visible from within the Old Market Conservation Area and further afield, meaning that its setting is extensive. The architectural, historic and landscape and legibility make it part of an important legible historic landscape.

Development would also be within the setting of Grade II Listed buildings immediately to the North and facing onto Broad Plain. These latter buildings are an important remnant of Eighteenth Century domestic development of Bristol. The current Gardiner Haskins Building to the immediate north matches those on the south of Straight Street in scale, period and bold architectural treatment, contributing to the overall group value.

The development proposals have failed to address key issues during the pre-application processes. Development scale is excessive, the massing clumsy and overbearing, and the impact on the Listed buildings significant and negative. Development would rob the principle Listed building of the landmark status that is a key aspect of its significance. The Soap Works building would not be the centrepiece of a sustainable and sensitive development, but be obscured almost entirely with only glimpsed views from within and at close-quarters. The setting of the Grade II Listed building would be severely impaired from locations identified to the applicant as important. From what we can ascertain from the submission the landmark visibility of the Listed landmark building will be reduced only to a view across the currently open car park, and nowhere else outside of the site.

The demolition of all curtilage buildings, but for the façade on Straight Street and a small return portion has not been adequately justified. In line with our pre-application advice the proposals should be conservation-led, and seek to reuse and refurbish existing structures to ensure the development is both sensitive to its heritage setting, and have sustainable environmental credibility. The scale of demolition is not a responsible approach to development and poses permanent harm to the Curtilage Listed buildings and the special character of the Conservation Area.

The reformulation of the “retained” façade is a major intervention into the historic building. The existing openings would be altered to add further floors within the existing footprint. This was, again, identified as an issue in the approach adopted at pre-application stage and without amendment remains unjustified and unsupported.

It has been further demonstrated by the applicant's own assessment that the increased massing and scale of Block A will have a negative impact on the Conservation Area when experienced from Broad Plain. Here the row of Grade II Listed Georgian properties would become overshadowed, by an overbearing and over-scaled new development on this site. The additional two storeys on Block A,



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and the proposed tower block, have a clear and harmful relationship with the Listed Buildings, their setting, and the special character of the Conservation Area.

The proposed architectural treatment of new elements is bland and un-contextual. The elevations fail to respond in a meaningful way to the local character and distinctiveness of the Conservation Area or city as a whole. The proposed lanes and alleys through development are narrow and will be uncomfortably tight, with little direct sunlight and poor contribution to the experience of the pedestrian. The overall design quality is poor and fails to respond or contribute to the heritage assets.

The development poses harm to the statutory protected heritage assets in the following ways

- \* Extensive demolition of curtilage Listed buildings of significance
- \* Significant reconfiguration of facade elements
- \* Excessive scale and massing and an overbearing impact on setting and character of Listed buildings and Conservation Area
- \* Loss of important landmark status of core Listed building by over-scaled curtain of new-build development
- \* Poor quality and un-contextual architectural treatment that fail to promote local distinctiveness

We assess that the scale of harm is consistent with the definition of “Substantial harm” under the definitions of the National Planning Policy Framework (NPPF) where such a serious impact on the significance of the collected asset that their significance was either “vitiating altogether or very much reduced.” We consider that the setting of the Listed buildings, significance of the listed building and curtilage protected structures, and the special character of the Conservation area would indeed be “very much reduced”.

The NPPF requires that there is clear and convincing justification for any degree of harm to heritage assets. The question that must be posed here is there another way in which the purported benefits can be delivered in a way that reduces the harm? The public benefits suggested by the document are not dependant in any way on the development form as proposed, and could be achieved with a more appropriate scheme. The document describes “heritage benefits” that conflict with basic conservation principles and do not constitute tangible public benefits of the scale suggested; Rather the proposed “townscape enhancements” are considered harmful.

In line with Historic England’s comments there should be a strong objection to the proposed development. We are required to place “great weight” in the conservation of designated heritage assets and their setting, including Listed Buildings and their setting, and the Conservation Area. The site includes designated buildings which are, by definition, of national significance and have statutory protection under the Planning (Listed Building and Conservation Areas) Act 1990. The NPPF requires that “Where a proposed development will lead to substantial harm to a designated heritage asset, local planning authorities should refuse consent”. The application fails to meet the requirements set out in the NPPF.

**City Design** have commented as follows:

In connection with the original submission, it is considered that the proposed building height is not justified and will pose harm to heritage assets. While the public realm benefits are noted, the scale of intervention, while greater than what is currently on site, is under-scaled for scheme of this intensity. The insular nature of the proposals also fails to provide meaningful improvements along Anvil Street. Concern remains around the daylight/sunlight access to the public realm for the majority of the year. The urban living assessment shows the scheme scoring poorly under all 4 heading areas.

The proposed architectural treatment of new elements is bland and un-contextual. The elevations fail to respond in a meaningful way to the local character and distinctiveness of the Conservation Area. The proposed lanes and alleys through development are narrow and will be uncomfortably tight, with

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little direct sunlight and poor contribution to the pedestrian experience.

## Urban Living Assessment –

1. Height, scale and massing: The scheme proposes a height, scale and massing in excess of the parameters set out at pre-application stage. The quantum driven approach to the site undermines a number of key principles established through planning policy and UL SPD guidance resulting in sub-standard conditions for both existing residents of adjacent properties and new residents.
2. Response to context and heritage considerations: The proposals fail to respond appropriately to the transitional nature of the site, responding more to the emerging character of Avon and Anvil Street.
3. Principle of a tall building: While the potential for a 12 storey building had been previously identified on the site, there is little narrative or justification provided to support a tall building of the scale now proposed.
4. Provision of and access to private open space: The scheme proposes a very intense use of the site, and while providing new public realm to serve all users (not just residential) and private communal amenity space for residents, there is very limited access to private amenity space. Where balconies are provided they tend to be located on the north side of the block in heavily shaded areas. The general amenity of these areas is questioned beyond limited periods during the summer, and given the lack of public open space in the vicinity challenges the liveability of the scheme for residents.
5. Internal configuration and quality of dwellings: The composition of the residential element follows a standard 'double-stacked' approach, resulting in the majority of units being single aspect, lacking in sunlight and natural ventilation. The number of units served from a single core and single entrance also reduces opportunities for neighbours to get to know each other and foster a sense of community.

## Landscape / public realm -

6. While there is broad support for aspects of the internal landscape/public realm treatment, the scale and massing is likely to minimise enjoyment of the new spaces and pedestrian routes at ground level. The limited information provided in relation to sunlight incidence does little to counter this view.
7. The capacity of the exterior public realm – footways - is not proportional to the increased amount of footfall likely to arise from the development.
8. The lack of close by play facilities and the questionable suitability of a roof terrace to locate them remains a problem; the comments of the Civic Society in this regard are relevant.
9. The proposals lack sufficient detail relating to surface treatments and finishes within the open spaces, planting details and street furniture proposals: - these are sufficiently important within the scheme to be required as a package within this submission.

The additional views close to the development site illustrate the dominant, overbearing nature of the architectural proposals.

## Public Art

No clear Public Art Plan submitted nor detailed consideration of, or commitment to, an embedded approach to culture in the scheme. Specific mention to public art provision referenced in context of public realm e.g ' Soapworks Square.' Overlapping concerns with wider CDG team around the 'publicness' and 'usability' of this amenity space as a location for public art, as a result of extremely limited sunlight in winter months. There is no indication of scale of financial commitment against vast cultural opportunities this site offers.

Following the submission of further information and amendments to the design the further additional comments have been received:

The additional core is welcomed, in that it reduces the number of units per core. However there is a missed opportunity; the location and configuration does not improve the % of dual aspect units. There

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is particular concern with regard to the 3 bed single aspect units, with a small balcony space located off the bedrooms- this is unlikely to be practical for families.

It is considered that the internal configuration could be revised to make better use of the additional core, in response to UL liveability recommendations.

The additional residential lobbies are noted.

However the treatment of the main residential entrance at the base of the building remains unconvincing. There are also concerns over the microclimate of this area, particular wind effects from the tall building.

The location of the bin store along the main pedestrian route through the site is unfortunate. There is an opportunity to enliven this frontage by flipping the bin and cycle store and taking opportunity to activate this route through the use of bike supper lobby.

The revised architectural treatment of massing above pedestrian link is noted, and helps break up the building mass. However remain unconvinced that this fully mitigates the legibility of route cutting through the building at street level, instead of a fully expressed street-link.

**Air Quality** has commented as follows:-

The proposed development is located in a central location within the Bristol air quality management area. It is however located away from the immediate roadside of the busiest roads within the area and as a result it is considered that the air quality at the development site is acceptable for the proposed residential use without mitigation.

The development is predicted to reduce vehicle flows in the area and will be connected to the district heat network being developed. Connection to the heat network will negate the need for on-site combustion plant to be installed at the site and as a result, increased emissions from these two potential sources of air pollution will not occur and are therefore not significant. Should changes be made to the development, which lead to the requirement of on-site combustion plant, an application and assessment of emissions may be required.

Construction phase impacts have been considered in relation to the potential release of dust to the atmosphere. The air quality assessment identified the required level of dust mitigation and must be conditioned in a DMP/CEMP in order to ensure emissions of dust from the site are effectively managed.

**Sustainable Cities Team** has commented as follows:-

Heating and hot water: The proposal to provide heat and hot water across the scheme complies with BCS14 and is supported. I recommend that connection is confirmed via the 106 agreement.

The secondary system should be designed and installed in accordance with the CIBSE Code of Practice and BCC Connection Pack (parts 1 and 2). I would like to request further details on the secondary system and the measures that will be taken to reduce unwanted heat gain from distribution pipework and in particular measures to minimise the length of lateral pipe-runs.

PV: The inclusion of the 771m<sup>2</sup> PV system is noted and supported.

The Energy Statement shows a 7.6% and 5.9% reduction in residual emissions (for options 1 and 2 respectively), against a requirement of 20%.

The applicant should confirm whether it is possible to increase the size of the PV array. If not the shortfall between the residual emission reduction (for the appropriate option) and the 20% policy

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requirement should be addressed through an Allowable Solutions payment, secured via the 106 agreement.

Further details of the PV system will be required prior to commencement. This can be secured by condition if required.

Overheating assessment: The results of the overheating assessment against the 2020 weather file (using CIBSE TM59 methodology) are noted. However, I am unclear about the results of the assessment under the 2050 and 2080 scenarios, and this requires further clarification.

EV charging: Please provide details of the EV charging to be provided in the disabled parking spaces. We recommend that charge points should have a minimum power output of 7kW and be designed to facilitate 'smart' and 'V2G' charging.

Broadband: Details of broadband provision, and how the scheme will meet the requirements set out in the Broadband and Connectivity Practice Note should be provided.

**Highways England** has commented as follows:-

No Objections.

**Flood Risk Manager** has commented as follows:-

The drainage strategy proposed is good, implementing many SuDS measures, reducing existing run off rates and eventually discharging to a watercourse, fed through the storm sewer connection.

**Avon Fire & Rescue Service** has commented as follows:-

The additional residential and commercial developments will require additional hydrants to be installed and appropriately-sized water mains to be provided for fire-fighting purposes. This additional infrastructure is required as a direct result of the developments and so the costs will need to be borne by developer.

Avon Fire & Rescue Service has calculated the cost of installation and five years maintenance of a Fire Hydrant to be £1,500 per hydrant, with two being required in this case.

Importantly, these fire-fighting water supplies must be installed at the same time as each phase of the developments is built so that they are immediately available should an incident occur and the Fire & Rescue Service be called.

**Bristol Waste Company** has commented as follows:-

We would urge at this stage of the planning process that the developers refer to the Planning Guidance for Waste and Recycling produced by Bristol Waste Company. Provision should be made for collection vehicles to safely pull in and make collections from New Kingsley Road without hindrance to traffic flows.

**Arboricultural Team** has commented as follows:-

I have reviewed the arboricultural report and Landscape plans. The proposed site has 3 existing trees; all of which will be retained. T01 has not been identified within the arboricultural report is located within the centre of the site; tree protection fencing has been specified to protect the tree during the development process. T02 & T03 Norway maple are BCC highways trees located on the eastern edge of the proposed development at the junction of Russ Street and New Thomas Street. Air spade excavations and root pruning have been specified to reduce the encroaching root system from the

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development site along with re-surfacing over the trees root protection area.

The proposed tree planting consists of 9 *Amelanchier Lamarckii* and 1 *Ulmus 'New Horiszon'* at ground level and 2 *Amelanchier Lamarckii* on the roof terrace adjacent to New Kingsley Road. No additional compensation is required.

No objections, but should planning permission be granted the following conditions should be attached:

1. Prior to commencement of development foundation design should be submitted.
2. No work of any kind shall take place on the site until the protective fences have been erected around the retained trees.
3. Prior to the commencement of development, a pre-commencement site meeting shall be held and attended by the developer's arboricultural consultant and the designated site foreman to discuss details of the working procedures.
4. The Planting proposals hereby approved shall be carried out no later than during the first planting season following construction.

**Contaminated Land Environmental Protection** has commented as follows:-

With respect to contaminated land risk assessment and the proposed development we are satisfied that further assessment and remedial actions are not currently required.

Some imported soils will be required and there is also the potential for unexpected issues to be discovered during the course of the development. Therefore the following two conditions are recommended to be applied to any future planning consent:

1. Imported Soils

For each phase any topsoil (natural or manufactured) or subsoil to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation.

2. Reporting of Unexpected Contamination

In the event that contamination is found at any time that had not previously been identified when carrying out the approved development, it must be reported immediately to the Local Planning Authority.

**Crime Reduction Unit** has commented as follows:-

- Where a Design and Access Statement 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 not make reference to security and safety.
- The plans do suggest that a courtyard will be created which could be considered to be a 'crowded place'. As such the force Counter Terrorism Security Advisor would need to see evidence that measure are in place to protect the public.
- The site is designed with a high level of permeability, we find that too much permeability of a development makes controlling crime very difficult, as it allows easy intrusion around the development by potential offenders. All planned routes should be needed, well used by

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generating adequate footfall at all times, well overlooked and well integrated. If areas lack natural surveillance then consideration should be given to cctv. Any system should be able to provide 'identification' quality on at least one point, identification is defined in the surveillance commissioners' document, The CCTV Buyers Toolkit.

- The undercroft formed by building B lacks surveillance, this can result in anti-social behaviour and inappropriate loitering, consideration should be given to the use of cctv to provide formal surveillance.
- Audio and visual access control will need to be used in building B, there should also be a facility to capture (record) images in colour of people using the door entry panel and store for those for at least 30 days.
- Compartmentalisation should be used to prevent unlawful free movement throughout the building through the use of an access control system.
- Communal mail boxes should meet TS 009.

**Pollution Control** has commented as follows:-

I would confirm that I have looked at the above application and have no objection to it.

I do have some concerns regarding the proposed commercial uses at the development, particularly A3 and A4, and would therefore ask for the following conditions should the application be approved:

1. Construction Management Plan
2. Sound insulation of residential properties from external noise

All recommendations detailed in the Noise Assessments submitted with the application with regards to sound insulation and ventilation of residential properties shall be implemented in full.

3. Noise from plant & equipment

No commencement of use shall take place until an assessment to show that the rating level of any plant & equipment, as part of this development, will be at least 5 dB below the background level has been submitted to and approved in writing by the Council.

4. Details of Extraction/Ventilation System (A3 & A4 use)
5. Odour Management Plan (A3 & A4 use)
6. Artificial light (external)

No commencement of use of the development shall take place until a report detailing the lighting scheme and predicted light levels at neighbouring residential properties has been submitted to and approved in writing by the Council.

7. Noise from plant & equipment affecting residential

Activities relating to the collection of refuse and recyclables and the tipping of empty bottles into external receptacles shall only take

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8. Deliveries (commercial uses only)

Activities relating to deliveries shall only take place between 08.00 and 20.00.

9. Opening hours

The use of any A1, A2, A3 or A4 use shall not be carried out outside the hours of 08:00 to 23:00 Monday to Sunday

10. Outside seating /external terraces

Any outside seating area associated with any A3, A4 or B1 use shall not be used by customers outside the hours of 08.00 to 22:00 Monday to Sundays.

11. A4 use

Any A4 use at the development shall be limited to a maximum of 800 m2

**Nature Conservation Officer** has commented as follows:-

Ecologically this is a relatively simple development. It does however provide ample opportunity for ecological enhancements and biodiversity net gain within the city centre. As such, it is recommended that the following conditions are attached to any approval:

1. A landscape planting scheme should be submitted and approved in writing by the local planning authority.
2. Prior to the commencement of development hereby approved, including all site clearance, an ecological mitigation and enhancement strategy, will be prepared by a suitably qualified ecological consultant, and shall be submitted to and approved in writing by the Local Planning Authority.
3. Prior to commencement of development, a method statement provided by a qualified ecological consultant shall be submitted to and approved in writing by the Local Planning Authority for the creation of living roofs on site which include wildflowers and do not employ a significant area of Sedum (Stonecrop).
4. No demolition of structures suitable for nesting birds, shall take place between 1st March and 30th September inclusive in any year without the prior written approval of the local planning authority.

In addition, advice notes should be added in relation to bats, cotoneaster, nectar-rich planting, and living roofs.

**Archaeology Team** has commented as follows:-

Within the submitted assessment they have not considered the recent results of the archaeological work that Cotswold Archaeology have undertaken in the area. These have identified rich archaeological evidence for the early brick making activities in the area. This industry played a significant role in the development of Bristol in the 18th century and the impacts of the proposed development on this significance will need to be assessed.

In order to understand this impact fieldwork prior to determination may be required. It is not enough at this stage to assume that we can just condition a watching brief and building recording.

Whilst further information has been submitted during the course of the application, this is not considered adequate. Whilst it would be preferable for further assessments to be carried out at this

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stage, in order to limit the scope of any archaeological works, in the absence of the further assessment a full archaeological assessment prior to development should be conditioned.

**Landscape** has commented as follows:-

The masterplan proposal incorporates a number of public realm benefits that are supported; increased permeability n-s through the site linking New Thomas Street to Old Bread Street; an e-w link to the north of the Soap Works building linking Russ Street to Sles Lane; provision of new urban spaces within these links that vary in scale, shape and orientation to open, reveal or conceal the Soap Works building; incorporation of structural tree and islands of vegetation to break up and soften the hard landscape; bold ramped access and steps from Russ Street into the new square; public realm improvement on New Kingsley Road; varied building roof scape treatments to provide for residential needs.

While broadly supportive of these elements a couple are called into question: -

- The height of the development could affect the microclimate and shade could reduce the attractiveness of the internal spaces.
- The degree to which the arcade access from Bread Street into the n-s link invites public use. The view also begs the question of how this gateway will be managed on a 24 hour basis.
- The suitability of a roof terrace to provide children's playing facilities.

Views assessment

These comments should be read in conjunction with those of the Senior Historic Environment Officer regarding impacts on heritage assets. Generally there is agreement regarding conclusions relating to visual effects arising from the proposals; most have a slight adverse effect; the higher value 'moderate adverse' given to viewpoint 8 is correct given the complete occlusion of the soap pan building gable elevation. In the case of the view location in Castle Park, there is a concern that a viewpoint slightly to the east and at a higher level - might reveal a greater effect though probably only moderate adverse at worst. With regard to these wider views there are no significant disputes in relation to the conclusion reached in the TVIA.

## RELEVANT POLICIES

Planning (Listed Buildings & Conservation Areas) Act 1990

National Planning Policy Framework – February 2019

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

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

## KEY ISSUES

### (A) IS THE PROPOSAL ACCEPTABLE IN LAND USE TERMS?

Whilst the application site lies directly adjacent to the Temple Quarter Enterprise Zone, it is currently unallocated in the development plan. It is, however, within the Old Market Neighbourhood Planning Area, and as a consequence the Old Market Quarter Neighbourhood Development Plan forms part of the adopted development plan for the site. Within that document the site is similarly not allocated, although the car park to the south east of the site is identified as a Long Term Development Site, as well as there being numerous other policies that are relevant to the decision on this application.



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The application site was last used for retail and associated storage (A1 use). Whilst it is proposed to retain an element of retail as part of active uses at ground floor level at the site, the proposal involves a substantial redevelopment of the site, largely based on providing mixed use residential (build to rent) and employment floorspace. This will see the loss of around 10,000 sqm of retail floorspace from the site. The aim of planning policies on retail is direct retail provision to designated centres, and in this case both Old Market and Cabot Circus are within walking distance of the application site. In particular, the Old Market neighbourhood plan seeks to boost the viability of the designated Old Market frontage. Whilst BCS7 of the core strategy offers some protection to retail units where they serve a specific local need, given the location close to large retail centres it is not considered that there is justification for seeking to retain the existing quantum of retail floorspace on the site.

The proposal will introduce some replacement retail floorspace on the site as part of flexible ground floor use. It should be noted that changes to the use class legislation mean that any new application would have to be assessed on the basis of the more flexible 'E' use classes, but given the application was submitted prior to the change in legislation, it has to be assessed on the basis of the former use classes (A1, A2, A3, A4 etc). Similarly, whilst the site is within the City Centre as identified, given that it is not designated for retail use officers would normally seek to control any additional retail so that it would not draw business away from designated centres. However, in this case, given the proposal would result in a significant reduction in retail floorspace it is not considered that any such control would be justified. It is also noted that the desire for a larger format superstore/grocery store in the area has been expressed. However, planning legislation does not allow the control of the type of shop, only the general use class.

In relation to residential development, section 5 of the National Planning Policy Framework (NPPF) outlines that housing applications should be considered in the context of the presumption in favour of sustainable development. The Local Planning Authority (LPA) should deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

Policy BCS5 (Housing Provision) of the Core Strategy outlines that delivery of housing to meet the Council's housing targets will primarily be focused on previously developed sites. The strategy by which the Council will allow development of open space is set out within the Site Allocations & Development Management Policies (SADMP) Local Plan. Policy BCS18 (Housing Type) of the Core Strategy 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. Policy DM1 (Presumption in Favour of Sustainable Development) of the SADMP outlines that the city's approach to development proposals will generally be positive and reflective of the presumption in favour of sustainable development as referenced throughout the NPPF.

On 19 January 2021, the government published the results of its 2020 Housing Delivery Test, which aims to measure how effectively each local authority is delivering housing against NPPF requirement to demonstrate a five-year supply of deliverable housing sites plus five per cent land supply buffer as standard. Bristol was found to be delivering only 72% of the housing requirement. The penalties for this will be that Bristol will have to provide a "buffer" of sites for 20% more homes than are needed to meet their five-year target, will be required to produce a Housing Action Plan, and the presumption in favour of development in the NPPF will apply.

In view of the fact that the LPA is not able to demonstrate a five year housing land supply, paragraph 11(d) of the NPPF is engaged, and the tilted balance applies. There are two aspects to understanding whether planning permission as prescribed by Paragraph 11(d) should be granted and whether policies which are most important to determining the application are out of date:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed [6]; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when

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assessed against the policies in this Framework taken as a whole

It is noted that in respect of paragraph i. heritage assets, including listed buildings and conservation areas are included as 'assets of particular importance', and therefore the tilted balance does not apply where these are harmfully impacted by the development.

Notwithstanding this, the application site is a previously developed site, considered to be a sustainable location for development, with good access to shops, services and public access routes. Given the car park is not allocated for other uses, and the identified need to bring forward windfall housing development, the principle of provision of housing on the south east part of the site is considered acceptable.

The other significant element of the proposal is the provision of employment floorspace on site, largely in buildings A and C. This is described as B1 floorspace, which would allow a degree of flexibility, including offices, light industrial or research and development (again the application has to be decided on the basis of the previous use classes rather than the updated 'E' use classes).

It is noted that both policy BCAP1 of the Central Area Plan and policy C1 of the Old Market Neighbourhood Plan, encourage the provision of employment floorspace as part of mixed use development. Furthermore, policy BCS2 states that around 150,000 sqm of office floorspace will be provided within the Central Area Plan area. As such, the provision of flexible employment floorspace, including office space, accords with this policy.

It is noted that the submitted plans include some flexibility for the northern wing of building C, such that it can be used either as residential or an aparthotel. Whilst the format of aparthotel would allow some degree of extended facilities within rooms (kitchenette etc), it is clear in the submission that this would fall under use class C1. Hotel uses are encouraged within the Central Area Plan area by policy BCAP10, subject to providing active ground floors, and therefore in principle the proposal accords with policy. Given the degree of flexibility a condition will be required to ensure that when the development is constructed either one or other scheme is developed. However, for clarity, this would not impact on the external appearance of the building, and other issues, such as affordable housing would need to be specifically referenced in the section 106 agreement.

This proposal also includes commercial floorspace at ground floor, which could at its maximum provide just under 3,000 sq. m. of A3/A4 uses. Whilst these uses are allowed for by policy, by virtue of being within the Central Area Plan area, they also need to be considered against policy DM10. This policy permits such uses, subject to the development not harming the character of the area, residential amenity or public safety, either individually or as a result of the concentration of uses. These issues are dealt with specifically in the key issues below. However, in respect of the concentration of uses, whilst there is not a significant concentration currently, it is noted that there are a number of other developments ongoing in the area, many of which have flexibility in relation to the ground floor uses, such that it will be possible to provide a number of food and drink uses in the area. However, in each case the use of these ground floor units is constrained in the interests of residential amenity, and most on their own are relatively small. The new developments will lead to significant increase in residential density, and this provision of a mix of amenities is considered necessary to support a vibrant community. Therefore, subject to the impacts on amenity being controlled, it is not considered that resisting the ground floor uses in principle is justified.

It is considered that the application site represents a significant opportunity for a high density, mixed use development in a sustainable location. Given the site is not allocated, this is considered to be a windfall development, but clearly meets the locational criteria for the types of uses proposed. Therefore, the proposed development is supported in respect of the land uses proposed.

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The efficient use of land is integral to creating sustainable patterns of development and this is central to the focus on sustainable development in the NPPF. Indeed, the NPPF allows Local Planning Authorities to set their own approach to housing density to reflect local circumstances. Policy BCS20 of the Core Strategy sets a minimum development density of 50 dwellings per hectare. The overall density of the proposed development would be in excess of 550 dwellings per hectare. The site is located in the City Centre, as identified by the Urban Living SPD, where higher densities will be supported - the SPD identifies an optimum density of 200 dwellings per hectare. However, it is noted that very high densities such as this can prove challenging in respect of harmful impacts on amenity, character of the area and highway impacts, and this is considered in more detail in the key issues below. However, there is no maximum density set out in policy.

In addition, Policy BCS17 of the adopted Bristol Core Strategy (2011) requires affordable housing to be provided in residential developments of 15 dwellings or more at a percentage target of 40% in the Inner East area. Such residential developments should provide a mix of affordable housing units and reflect identified needs, site suitability and economic viability. However, in April 2018, the Council published an Affordable Housing practice note. This offers an additional 'Threshold' approach, which allows for an offer of 20% to be accepted in the Inner East and the Inner West areas, subject to conditions including that work starts within 18 months of the grant of permission and the tenure mix in accordance with the Council's policy.

In this case, the application is for 100% build to rent development. The NPPF states that where it is the intention that the landlord will manage the whole block, it will normally be expected that the tenure of the affordable housing would be affordable private rent (otherwise referred to as discount market rent).

It has been agreed with the applicant that 49 units would be provided as discount market rent for option A, and 34 for option B. This would represent 20% of the relevant proposed development. It is also noted that the proposed affordable housing units would represent a mix of size of units across the development, and would also be pepper potted through the development. As such, the housing enabling team are content with the affordable housing offer, subject to terms being agreed and being secured through a section 106 agreement. For clarity, the terms will include a review in 18 months, if the development has not been implemented.

Policy BCS18 also requires development to contribute to the mix of housing tenures, types and sizes in an area. In addition, policy BCAP3 requires the provision of family sized homes (which for flats requires three bedroomed flats), as part of any development within the City Centre. This is reiterated in the Old Market Neighbourhood Plan, which states that 'dwellings suitable for occupation by families and having at least three bedrooms will be encouraged'.

According to the 2011 Census figures the area around the application site is also dominated by smaller units of accommodation, although it is noted the Dings area, as well as the Lawrence Hill Ward generally, two bedroom units tend to be more prolific than single bedroom units. However, in the area immediately adjacent to the site, including Old Market itself, there is a significant over provision of single bedroom units.

Around 70% of the accommodation for option A is single bedroom or studio units (it is noted that the proportion is lower for option B). As such, it does not contribute positively to the overall housing mix in the area. However, this mix is reflective of the constraints of the site, and is similar to what has been accepted in other build to rent schemes in this area. The application does include the provision of family accommodation into the scheme, but this represents less than 2% of the development. In light of the mix of accommodation in the area the very small number of family units proposed is disappointing. It is noted that these type of high density proposals are not traditionally considered to be very attractive to families moving in. Whilst this is not in itself a reason not to include family

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accommodation in the development, the failure to provide it must be weighed against the other benefits of the proposal.

(C) WOULD THE PROPOSED DEVELOPMENT PRESERVE OR ENHANCE DESIGNATED AND UNDESIGNATED HERITAGE ASSETS, BOTH ON THE SITE AND NEIGHBOURING THE SITE?

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The case of R (Forge Field Society) v Sevenoaks DC [2014] EWHC 1895 (Admin) (Forge Field) and in Barnwell Manor Wind Energy Ltd v East Northants District Council, English Heritage, National Trust and Secretary of State for Communities and Local Government [2014] EWCA Civ 137 it is made clear that where there is harm to a listed building or a conservation area the decision maker 'must give that harm considerable importance and weight' [48].

Section 16 of the national guidance within the National Planning Policy Framework (NPPF) 2018 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with any harm or loss requiring clear and convincing justification. Paragraph 195 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Paragraph 196 states that where there is less than substantial harm, this harm should be weighed against the public benefits of the proposal. These tests are relevant here as it is considered that the proposal would be harmful to heritage assets.

Policy BCS22 of the Core Strategy requires development to safeguard or enhance heritage assets, which includes historic buildings, both nationally and locally listed, and conservation areas. In addition, policy B1 of the Old Market Neighbourhood Plan requires development to pay special regard to the historic and visual interest of heritage buildings.

In this case the proposals would impact on a number of heritage assets, including directly impacting the Grade II listed assets on site, and the setting of the Grade I listed Temple Mead Complex, St Mary Redcliffe Church and St Philip and St Jacob Church. In addition, the site is partly within the Old Market Conservation Area, and adjacent to grade II listed buildings on Broad Plain, and Christopher Thomas Court.

- On Site Heritage Assets

The main heritage asset on the site is the grade II former soap pan building. This building dates from c1882, although it is noted that there was a significant fire around 1902, which resulted in the need for the roof to be rebuilt, and the towers in each corner to be reduced in height. Internally, the building is largely structurally complete, although it appears that the upper floors have been altered post the 1902 fire and rebuilding. The building represents a significant local landmark, and an aid to wayfinding in the area, as well as having significance given its importance to the development of industry in Bristol.

With regards to the works to this building, it is intended to retain and refurbish this building, without significant intervention into the form and layout of the building. The removal of the building to the north will reveal the ground floor in this location, although it is not clear whether or not this element of the building would have been visible historic. The proposal would bring the building into active use, and also allow public access to the ground floor, which is considered to be heritage gain, and are supported.

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The other existing buildings on site, described by the applicant as buildings 2 to 6, all benefit from statutory protection given being attached to the principle asset. However, it is acknowledged by all parties that the value of these buildings are mixed. Most of the buildings date from the early 20<sup>th</sup> century, with the exception of building 4 (the north west corner of the site), and whilst this dates from the 19<sup>th</sup> century, it has been refaced with 1950s curtain walling. However, the buildings are considered to have group value. They demonstrate the evolution of industry on the site, as well as having an important public profile, given its place in the history of retail development in this part of Bristol.

Whilst it is proposed to retain the western façade of building 4, facing on to Sles Lane, and the northern façade of building 2 on Straight Street, the rest of the buildings are proposed to be removed and replaced. It is argued by the applicant that in order to convert the building to the needs of 20<sup>th</sup> century business would result in significant changes to the rest of the built, such that anything of significance internally would be lost. It is noted that a structural survey has been submitted with the application, which indicates that in large part the buildings are sound, although are suffering from lack of maintenance. The most significant concern appears to be that there are a number of level changes within the building, and as such significant levels of demolition would be required in order to meet the required vertical circulation space and servicing of a modern office space.

The response of both Historic England and the Council's conservation officer is that this approach lacks the flexibility required in dealing with historic buildings. Whilst it appears to be reasonable to consider that the optimum office development of the site would require significant levels of intervention in the existing fabric, a less optimum approach, or even a different use, would result in a less significant degree of intervention. Notwithstanding this, the building has a very deep plan, and the options for conversion without a significant degree of intervention appears to be limited.

As stated above, paragraph 194 of the NPPF states that any harm to heritage assets requires clear and convincing justification. In this case, that clear and convincing justification is only available on the basis that the optimum use of the building is a high quality office space. In any case, the proposal would result in a high degree of harm to the asset, albeit the asset is considered to be of lower significance than the main soap pan building. The Council's conservation officer contends that this constitutes a substantial degree of harm, although Historic England have concluded that this would constitute a higher degree of less than substantial harm (the importance of this is that substantial harm requires further assessment against paragraph 195 of the NPPF).

The Planning Policy Guidance makes clear that the level of harm attributed to a proposal will be a judgement for the decision maker. However, it does state that it is a high bar, with an example of substantial harm being 'whether the adverse impact seriously affects a key element of its special architectural or historic interest'. In this case, officers view is that the proposed retention of two facades of buildings 2 and 4 would allow the retention of some historic interest, particularly with regards to building 4, where the elevation appears to be the only historic element remaining. In addition, the greatest impact would be on the least significant buildings, with the soap pan building being retained in full. As such, officers are content that the level of harm is less than substantial, albeit of a high degree of less than substantial harm, and as such the test in paragraph 196 is the appropriate one.

The replacement building for building 2 to 6, building B, whilst incorporating two of the original facades, these would be subsumed within a larger bulk and massing. Most significantly, the proposed building would be two stories higher than the existing, and would also require alterations to the fenestration of the building fronting Straight Street, in order to meet the requirements of the new levels in the building. Whilst the proposal does detract from the heritage aspects of the site, it is considered to be an interesting building, with a clear design rationale. Overall, the proposed development is considered to result in a high degree of less than substantial harm, but the building that replaces it is of good design quality.

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- Impact on Setting of On Site Heritage Assets

In addition to the impact on heritage asset, it is noted that Historic England have also raised concerns about the impact on the setting of on site listed buildings, particularly the soap pan building. Currently the building has a high degree of visibility in the surrounding area, and acts as a landmark structure. However, it is noted that currently the developments being constructed to the south does impact on the level of visibility. However, the structures around the base of the building have a rather cluttered appearance, and mean that the public access to the building is very limited.

The proposed development would include the provision of a public square to the front of the building, and will significantly increase the access to the building. Further details of the landscape proposals have been provided following the original submission, and in general, are considered to be a high quality piece of public realm. It is noted that building would not have historically had this relationship with the public realm, given that it was historically an industrial building, and indeed it is not clear whether or not the northern elevation of the building was ever complete, i.e. would it have originally gone down to ground level, or would it have always been subsumed within other buildings. Notwithstanding this, the proposal would provide a new element of public realm, with the significant retained listed building at the heart of it, which will give a public presence to the building that it does not currently have.

However, the main part of the significance of the building previously comes from the fact that it was taller than the surrounding buildings, and had a characteristic roof form, which clearly marked it out from the background buildings surrounding the site. This will be lost as a result of the proposed development, with the listed building being significantly smaller than the surrounding buildings. Clearly, this is a sustainable development site and a development which does not increase the scale on the site, and would allow the existing views, would not make best use of the site. As such, officers have considered what are the key views of the building and how best these can be maintained.

The visual impact assessment submitted with the original proposal indicated that very limited views of the building were available from outside of the site. However, revisions have been submitted to the development in an attempt to improve this relationship. The most significant element of this is the top floors of buildings A and B have been set back to the north of the site. This allows for a greater span of views of the heritage asset from the north and east, particular of the characteristic roof form. However, the scale of the proposed buildings will still challenge the height of the listed building. In addition, the proposed change would not allow views of the building from the south. It is noted that any building to the south of the site is likely to have some impact on these views, but the proposal would remove any opportunity for glimpsed views from the south and east. Again, therefore, it has to be concluded that the proposal would be harmful to the setting of this building.

- Impacts on the conservation area

As stated above the western part of the site is located within the Old Market Conservation Area. The site marks out the southern boundary of the conservation area, with the conservation area appraisal particularly referencing the terrace of listed buildings along Broad Plain, and the Bristol Byzantine buildings that housed Gardiner Haskins, including those on the application site. It is considered that the increase in scale of the building facing Straight Street will detract from the groups of listed buildings on Broad Plain, by virtue of being a dominant scale in the street scene.

In addition, the new build element of the proposal would be visible in a number of significant views into and out of the Conservation Area. This part of the application site is a transitional area between the Conservation Area to the north and the more commercial style of architecture to the south. It is clear from the commentary provided from consultees that many see that it would be more appropriate if the scale of the proposed development followed the transitional nature of the site. However, with the exception of the retained facades, the scale and architecture is considered to be more reflective of the context of the style of architecture to the south, rather than the finer grain and smaller scale

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development to the north. Notwithstanding this, it is considered that the proposed architecture of the development has improved from the original submission, and in that respect would not detract significantly from the Conservation Area. However, given the scale of the proposal, it is considered that it would give undue prominence to this new development, and overshadow the heritage assets. Again, therefore, it is considered that the proposal would result in less than substantial harm to the Conservation Area.

- Off-Site Assets

**TEMPLE MEADS STATION (grade I)**

The visual impact assessment submitted with the application confirms that no part of the development would be visible against the skyline when viewed from the east of the station. It also confirms that the proposal will not have a harmful impact on any significant views from elsewhere.

**ST. MARY REDCLFFE CHURCH (grade I)**

It is noted that in distant views from the east the proposal will be viewed in the same context as the spire. However, these views do suggest that the taller element of the proposal would be viewed as part of a cluster of taller buildings, clearly to the east of the spire. Giving the clustering of these buildings, the level of impact is reduced, such that the level of harm is considered to be of low degree.

**ST PHILIP AND ST JACOB CHURCH (grade I)**

The Visual Impact Assessment submitted with the application indicates that the proposed tower would be in conflict with the spire of the church from certain viewpoints, although the spire would remain as the dominant element. Again, therefore, there is considered to be a low degree of harm with regards to the impact on the setting of the church.

**OTHER GRADE II ASSETS**

It is considered that the proposal will directly impact on the setting of listed buildings on Broad Plain, as well as Christopher Thomas Court on Old Bread Street. As stated above, given the scale of the proposal, it would have an overbearing visual impact on these properties from certain viewpoints. As a consequence, there would be a degree of harm to the setting of these buildings.

Overall, officers in discussion with Historic England, are of the view that the level of harm would be a high degree of less than substantial harm. In this regard, it is considered that in order to make material changes to the level of harm could be achieved, but only with a significant reduction in the quantum of development. Any such reduction would impact on the ability of the scheme to provide the level of benefits that it is considered that the current proposal would. However, in order to approve a scheme with this level of harm, it is required that the development demonstrates public benefits that outweigh this level of harm.

- o Heritage gains

Whilst it is concluded that proposal will result in a degree of harm to the heritage assets, in accordance with paragraph 196 of the NPPF this harm should be weighed against the public benefits of any development. This can include, but is not limited to, heritage benefits. In this case, the following heritage gains should be acknowledged:

- The refurbishment and bringing to viable use of the soap pan building. It is noted that this building was, until quite recently, in use, however only for storage in association with retail, and the proposed commercial use is considered facilitate a higher degree of maintenance and a longer potential lifespan for the building.
- The proposal will also result in better public accessibility to the heritage assets, both internally

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and externally.

- The provision of improvements to the immediate setting of the building. Whilst this needs to be balanced against the fact that the building would not have historically been seen in this context, it is material that the proposals will allow public space with the building at the centre, which will improve the profile of the building.

As such, it is acknowledged that the proposal will result in a high degree of harm to heritage assets, and in accordance with policy, this must be given great weight in the decision on the application. However, there are also heritage benefits to be provided from the development, and in particular the proposal to retain and refurbish the principle listed buildings on the site. This must be added to the other benefits of the development, as outlined in the following key issues, when reaching the decision on the application.

(D)            WOULD THE PROPOSED DEVELOPMENT HARM THE CHARACTER OR APPEARANCE OF THIS AREA?

Policy BCS21 of the Core Strategy promotes high quality design, requiring development to contribute positively to an area's character, promote accessibility and permeability, promote legibility, clearly define public and private space, deliver a safe, healthy and attractive environment and public realm, deliver public art, safeguard the amenity of existing development and future occupiers, promote diversity through the delivery of mixed developments and create buildings and spaces that are adaptable to change. The adopted development management policies reinforce this requirement, with reference to Local Character and Distinctiveness (DM26), Layout and Form (DM27), Public Realm (DM28) and the Design of New Buildings (DM29). The design policies in the Central Area Plan refer to issues that specifically relate the City Centre. Of particular relevance to this application is BCAP31, which requires active ground floor uses adjacent to the public realm.

In addition, policy B2 of the Old Market Neighbourhood Plan states that 'new buildings should be designed to be sympathetic to the height and design of neighbouring buildings, street width and frontage lines. Development proposals should also have regard to the Old Market Quarter Design Code'

As referred to above, the application site is considered to be a transitional area, between the large scale corporate architecture to the south, and the Conservation Area to the north. It is argued by the applicant that the proposed development takes its architectural cues from the Bristol Byzantine style of the buildings on the site. Whilst it is accepted that the materiality of the development does respond to the existing brick buildings, the scale, mass and detailing of the proposed development is more in line with the design of the corporate architecture to the south.

However, officers do note that through negotiations on the development significant improvements to the appearance of the architecture have been made. Whilst the tower is of significant scale, it has been accepted that there is scope for a taller building to the south east corner of the site, and in town scape terms this is the most appropriate location on the site, particularly given that it will contribute to legibility and wayfinding in the area. The revisions to the proposal have removed some of the bulk from the higher levels of the tower, to give it a more slender appearance. Also, changes to the base of the tower will make it more distinct, and better express the tower at street level. Similar, other changes to facades of the building better express the separate elements of the design. Other changes to the facades, notably the provision of a significant increase in the number of balconies, helps to provide more interest to the elevations, and reduces the flatness that was criticised in the original submission. Furthermore, the cycle store and bin store fronting New Kingsley Road has been re-arranged to allow for a greater degree of activity on this road frontage.

One of the key design elements of the proposal that was established at the outset was the provision of a new north/south route through the site. This is a long held aspiration of the Council, as it follows a natural desire line between Temple Meads and Cabots Circus. In this case, it is proposed to provide



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this route as a high quality area of public realm running through the centre of the site. It is intended that this area of public realm will be lined by active uses, to provide for a vibrant heart to the site. It is noted that concerns have been raised about this area, in respect of the legibility and the access to daylight. In the original submission the ‘tunnel’ access to the public realm was considered rather mean and uninviting, and officers maintain the view that in legibility terms this would be better served by having a physical break in the building. However, it is acknowledged that a break in the building is not unproblematic, particularly given it would be difficult to avoid large, blank elevations facing into the break, which would in-itself be rather uninviting. The revised plans show the access being better articulated through the building, such that this will become a more obvious access point. Furthermore, the changes at high level will make this a more obvious, and inviting route when viewed from the north. With regards to the environmental quality of that area, an assessment has been carried out by the developer. Whilst this shows good levels of daylight in the public realm in high summer (around 10 hours at summer solstice), this will be significantly reduced at other times of the year, with less than 3 hours sunlight in winter. However, it is noted that the layout of the building would have the advantage that this area would be largely screened against wind. Therefore, it is likely that public realm with a more southerly aspect would provide a more pleasant area to linger, this in itself is not considered a reason to reject the application.

It is noted that the police architectural advisor has raised concerns that the proposed public square would be a target for terrorist activity, as it would encourage people to congregate in a relatively small area. To a degree, whilst free access to this area for pedestrians and cyclists is encouraged, the change in levels across the site would make any sort of vehicle access difficult. In addition, further details within the design can discourage anti-social activities. Should the application be approved it is recommended that a condition is added to provide a strategy for defending the public area.

With regards to the general design approach for the development, it is considered that the overall scale of the development is challenging, largely for reasons of impact on heritage assets. However, the design of the proposal does show a clear logic, and does reference the context, albeit this includes the emerging more corporate context to the south of the site. In addition, the revisions to the scheme have resulted in significant improvements to the design and architecture proposed.

#### Urban Living Assessment

The Urban Living Supplementary Planning Document establishes a set of criteria against which major developments are to be assessed, the aim being to create successful high density neighbourhoods. The guide is split into three sections, the first of which applies to all major developments, the second to residential developments and the last to tall buildings. All of the sections apply to at least elements of this development.

Council officers have undertaken the assessment for the whole development, although with a specific focus on elements that are particularly relevant to certain parts of the scheme. The results of this have informed the discussion in other parts of the report, so will not be repeated in detail here. However, it is worth noting that nature of the scheme is such that different parts of the scheme perform at different levels against the criteria, resulting in relatively moderate scores against some of the criteria.

As stated above, whilst it is acknowledged that the development will contribute to making this area a more vibrant community, the concerns have been raised about to what degree this is a contextual response, particularly in relation to the Conservation Area context to the north of the site and the transitional nature of the site.

Also, of concern is the nature and layout of the proposed accommodation. The SPD promotes development that better responds to the needs of local community, in particular the identified need for larger family units of accommodation set out in the Old Market Neighbourhood Plan. It also recommends ‘double stacked’ single aspect flats be avoided. As originally designed the proposal would only have had a single core for the residential units, with the applicant stating that this had the

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benefit of being entirely blind to tenure. Whilst this would have allowed for some household mixing at the entrance, it would have been dominated by long corridors served entirely by artificial light. However, revisions to the application during the course of the application have resulted in the provision of two additional cores, and consequently, more dual aspect units. However, over 60% would still be single aspect, and more than 15% units would have a northerly aspect. It should be noted that whilst the number of family units are disappointing, the three bedroom units are all dual aspect, and have access to balconies facing both north and south. With regards to the provision of private amenity space, again the scheme performs relatively poorly, with only around 21% of units providing the level of amenity referred to in the policy. Notwithstanding this, many more units do have access to a balcony, albeit a relatively small one, and the scheme performs well against the requirements for communal open space. This includes the provision of children play space within the development.

Whilst these concerns are noted, the scheme performs no worse than other build to rent schemes currently being constructed in the area. Notably, the scheme performs much better against these criteria than the ND6 site, directly to the south of this application, which was also determined after the adoption of the SPD (albeit it was reported to committee shortly before the adoption).

Overall, however, these concerns are considered to be justified, and should be given due regard in the decision on the application. Again, however, in coming to a balanced view on the proposal, these concerns should be weighed against the benefits of the proposal. Whilst it is the view of officers that a less intensive scheme would be likely to achieve a more successful and contextual design, officers also accept that such a scheme would not achieve some of the benefits that the current proposals do. In particular, it is acknowledged that this is a sustainable development site in an area allocated for development, and providing high density development would meet other development plan aims, particularly in light of the current performance against the relevant housing delivery targets. Consequently, and acknowledging the significant weight that must be given the heritage issues, officers are satisfied that the design concerns are outweighed by other benefits of the scheme, and the design of the scheme can be supported.

**(E) WOULD THE PROPOSAL UNACCEPTABLY AFFECT THE AMENITY OF THE AREA?**

Policy BCS21 of the Core Strategy, as well as requiring development to be of a high quality design, also requires new development to safeguard the amenities of existing residents. In addition, policy BCS23 also requires development to be designed so as not to have a detrimental impact on the surrounding environment.

- Residential Amenity

There are existing residential properties to the east and west of the development site that will be affected by the proposed development. Objections have been received to the development from residents on either side of the development. It is also noted that there is residential development currently under construction to the south of the site. Representatives of the developers for those sites have been consulted, but no comments have been received.

It is noted that concerns have been expressed by a number of parties about the level of disruption that has resulted from the existing development sites. However, whilst these concerns are understandable, this issue is covered by other legislation, and therefore a refusal on these grounds is not considered to be justified. However, the impacts of the construction work do need to be managed, particular in relation to ensuring that an acceptable access to residential properties is maintained and there would be no detriment to air quality, and therefore the requirement for a construction management plan secured by condition is recommended, should the application be approved.

The site is within an area of high density, relatively closely packed development. The separation distances between the front of developments is commonly around 14 to 15 metres (across Avon

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Street the separation distances tend to be closer to 13 metres). The proposed development would be around 14 metres away from the building immediately to the south, across Old Bread Street, and 15 metres to the East, across New Kingsley Road. As such, the separation distances is characteristic of the area. As a result, there is a degree of intervisibility between units, but this is regarded reasonable, given the context of the area.

The application has been supported by a daylight and sunlight report, which assesses the impact of the development on nearby residential properties. With regards to the properties currently being constructed to the south there would clearly be no direct overshadowing of these properties. However, there would be some impact to the properties to the east and west. The assessment has been carried out in respect of the tests set out in the BRE guidance, which is specifically referenced in the Urban Living SPD. This tests the impact on overshadowing against the maximum Annual Probable Sunlight Hours (APSH). In order to meet the requirements of the guidance the resident should expect to receive 25% of the APSH, and at least 5% during the winter months. Of the windows tested of the properties to the east 100% met the requirements in Crown and Anchor House, and 13 of 16 in Kingsley House. It appears that the main living accommodation for Kingsley House is to the rear, facing away from the proposed development. As such, the windows impacted would be bedrooms, and the guidance suggests that less weight is given to bedrooms, as occupants tend to spend limited daylight hours in these rooms.

The building to the west of the site is Christopher Thomas Court. The main living accommodation for this development fronts the road, and therefore the impact of the development on direct sunlight to these rooms would be relatively limited. It is also noted that a number of units are already impacted by other developments in the area. The assessment suggest that there would be a degree of overshadowing beyond the BRE targets to two living areas in this development, one on the first floor and one on the second. In both cases the rooms are to the centre of the site, which get limited access to direct sunlight, and in these circumstances the actual impact of the development is relatively limited. Bedrooms on the ground floor, second and fifth floors would be similarly impacted. This includes a balcony serving the bedroom on the fifth floor. However, as stated above, the weight given to the consideration of bedrooms is lower, given the fact that most of the time spent in bedrooms is outside of daylight hours.

In terms of the impact on visual amenity and access to daylight, this is measured on the basis of how much of the sky is visible from the neighbouring developments. As such, this allows assessment of two factors, visible sky component (how much of the sky is visible from a window), and no sky line (from what proportion of an affected room no sky line is visible). In the assessment of the impact, it should be noted that the existing site adjacent to the residential development is a car park, and therefore any development on the site would result in significant impacts on outlook. The context is also relevant, given that the area is a high density residential area, and the Urban Living SPD allows for some degree of flexibility, on the basis of context.

Broadly speaking, all of the neighbouring residential developments will be affected to some degree in this regard. Crown and Anchor House and Kingsley House, to the east of the application site, would be most impacted. It is noted that a number of living room windows in Crown and Anchor House which would lose significant areas of visible sky. However, these windows tend to have deep recessed balconies, which by their nature limit the amount of sky that is visible. The living rooms that are served by these windows tend to also be served by other windows that are less impacted by the development, and as a result only one of six living rooms would lose more than 20% of the area of the rooms affected with views of the sky, and the impacted room would only be slightly in excess of the target value. With regards to Kingsley House, again a large proportion of windows would be affected to some degree, up to around 70%. However, again, it should be noted that affected rooms are largely bedrooms, and to a lesser degree circulation space, and indeed any development on the application site would impact on these rooms.

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Christopher Thomas Court, to the west of the site, appears to be less affected in this regard. The assessment suggests that less than a quarter of the windows would be affected by a noticeable reduction in daylight. Again, the most significant impacts on this blocks is to windows with deep recessed balconies. Overall, only three rooms fail all the tests, two bedrooms and one living area. Again, the living room already has limited outlook, such that the proportionate impact of the development is reduced.

With regards to buildings ND6 and ND7, to the south of the application site, these developments are not yet occupied. However, there would be impact on these properties, albeit the impacts on ND7 tend to be relatively marginal. With regards to ND6, whilst the assessment suggests that 70 windows would be affected by the development, given the relationship between the two sites it is considered reasonable to take an approach of comparing the proposal to a 'mirror image' of the other development. In comparing the two, 25 windows would be additionally affected in comparing the proposed development and the 'mirror image' development. In each case, the additional impact is relatively marginal, and as such, it is considered that the difference between the two schemes would be marginal.

Overall, in relation to the impact on access to daylight on neighbouring properties, it is clear that the proposal would have a noticeable impact in access to daylight and sunlight at neighbouring properties. However, the assessment has been carried out on the basis of comparison with a car park, and any development of the site would have an impact in this regard. Ultimately, it is suggested from the assessment that the scale of the development would need to be reduced by a significant degree in order to have a material impact on the level of daylight to those properties would require a very significant reduction in the scale of the development. Therefore, given the context of the site, the level of impact is not considered to be unreasonable, and can be balanced against the other impacts of the developments.

- Noise

The application site is in a transitional area, between more commercial properties to the north, and more residential to the south. The previous use of the building is retail, and whilst this would have resulted in a degree of noise and disturbance, the main access was to the north of the site, and therefore for much of the day the impacts on the nearby residential units would have been limited. However, the eastern part of the site was used for serving the development, and there would have been a degree of noise associated with this.

The proposal involves a significant area of floorspace proposed to be commercial, which could include retail uses, and food and drink uses, including those uses that contribute to the nighttime economy. It is noted that much of the commercial frontage is internal to the site, and therefore the impact on the neighbouring residential properties is likely to be limited. However, it would impact on the proposed residential properties, unless the impacts are controlled. It is noted that the Council's Pollution Control Officer is content with the proposal, subject to conditions controlling the hours of use (including hours of servicing), and restricting the floorspace of any A4 use (drinking establishment). In addition, details will be required of the ventilation and odour extraction for any proposed food and drink type uses, but given the speculative nature of these uses it is considered acceptable to deal with this by conditions. Therefore, subject to the relevant conditions, it is not considered that the commercial uses will have a harmful impact on the amenities of nearby residents.

**(F) WILL THE PROPOSED DEVELOPMENT RESULT IN AN ACCEPTABLE RESIDENTIAL ENVIRONMENT FOR THE NEW RESIDENTS?**

As well as protecting the amenities of existing residents, policy BCS21 also requires that development create a high-quality environment for future occupiers. Policy BCS18 also requires that proposed residential accommodation provides sufficient space for everyday activities. The Urban Living SPD expands on this further, by requiring that the individual residential units meet the nationally described

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space standards, and also setting standards for access to open space and play space as part of the development.

As referred to in key issue C above, the layout of the proposal means that much of the residential accommodation is double stacked, served by a long internal corridors. It is accepted that the proposed dwellings would meet the space standards as set out in the Nationally Described Space Standards. However, the scheme is dominated by single aspect dwellings, albeit this has been improved in revised plans, where additional cores have been added. This does mean that some of the units have restricted access to daylight. The primary assessment for the quality of access to daylight is the Average Daylight Factor, and around 5% of the development would not meet the BRE targets in this respect. However, it is noted that this is largely because of the perimeter block layout, rather than this being a product of the northern aspect of some of the units. The northern aspect of the flats does have an impact on the other BRE test, the Annual Probable Sunlight Hours, where around 40% do not meet the target.

In regards to access to amenity, the majority of units are not provided with private amenity space, the proposal is well provided for in terms of communal open space, albeit a large proportion of it is at high level. The advantage of long corridors is that it ensures equitable access to the amenities, including the communal open space.

It is recognised that the proposal represents a high density development, and some compromises have been made with the layout, and as a result some of the units have better amenity quality than others. However, it is considered that significant improvements to the scheme have been made in this respect and as a mixed use development, with significant commercial floorspace, the proposal does provide a number of benefits for those living there. As such, it is considered that the proposal is acceptable in this regard.

**(G) WOULD THE PROPOSED DEVELOPMENT SATISFACTORILY ADDRESS TRANSPORT AND MOVEMENT ISSUES?**

Development Plan policies are designed to promote schemes that reflect the list of transport user priorities outlined in the Joint Local Transport Plan, which includes pedestrian as the highest priority and private cars as the lowest (BCS10). In addition, policy DM23 requires development to provide safe and adequate access to new developments.

The site is considered to be in a sustainable location, in close proximity to the city centre, and Temple Meads station. This is a focus for public transport, not only the railway, but also busses and ferries. The location of the site therefore means that the development would be accessible by multiple modes of transport, other than the private car, and this meets with the above policy aims. It is acknowledged that policy T3 of the Old Market neighbourhood plan states that car parking should be provided at a ratio of one space per two dwellings for any residential development more than 100 metres from Old Market. This would apply to this site.

The development would not provide any on site car parking, although pay and display and disabled parking spaces are indicated on the street. On street parking in the area is generally either controlled by a residents parking scheme or by pay and display bays. The site is directly opposite a public car park with additional capacity. The transport assessment also identifies scope for on street parking in the area, and it is noted that new residents would not be eligible for residential parking permits. Therefore, whilst the policy may indicate the need to provide on site car parking spaces, in order to refuse the application on this basis, officers would still need to demonstrate there is some degree of harm. Given that there is no scope for free car parking in the area it is unlikely that residents will bring cars to the area, and even if they do the impacts would be controlled by other mechanisms. The lack of car parking also has advantages in respect of the high quality of public realm, and improving the facilities for pedestrians and cyclists. As such, it is not considered that the proposal warrants refusal on these grounds.

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The transport assessment submitted with the application predicts a significant increase in the number of trips to and from the site as a result of the application. However it is predicted that over 70% of those trips will be by pedestrians or by public transport. Given the accessibility of the site and the fact that the residential is designed to be car free, it is considered that this prediction is plausible. Whilst it is considered that pedestrians are well provided for on site, in order to meet these targets will also put pressure on pedestrian and cycle provision in the surrounding streets. Given the other developments in the area, there has already been significant investment in the infrastructure to the south of the site. To the north of the site the Council has undertaken consultation on improvements to the public realm in Broad Plain to the north of the site. The applicant has agreed to a contribution of £150,000 to the Broad Plain improvement works, in line with the results of the consultation. This would need to be secured by section 106 agreement, should the development be approved.

The revised submission shows a total of 515 cycle parking spaces for option A and 415 for option B. These would largely be provided in an internal store in building B. In addition it is proposed to provide additional stands within the public realm. The proposal includes servicing areas on Old Bread Street, New Kingsley Road and Russ Street. This will include access to bin stores, the requirements for which have been designed in consultation with Bristol Waste Company. As such, the Council's Transport Development Management officer has confirmed that they are satisfied with the proposal. As such, there are no objections to the proposal on these grounds.

(H) WOULD THE PROPOSED DEVELOPMENT BE AT RISK FROM FLOODING, HAS A SEQUENTIAL APPROACH BEEN TAKEN TO LOCATING THE DEVELOPMENT, AND WOULD IT INCREASE THE RISK OF FLOODING ELSEWHERE?

At the time of submission the application site was shown as being within Flood Zone 1 in the flood plain models identified by the Environment Agency, being at low risk of flooding. However, the more recent modelling used to inform the 2020 update to the Strategic Flood Risk Assessment has updated the predictions, incorporating updated climate change allowances, suggests that the southern part of the site would be at high risk of flooding. This would impact on much of building B.

The NPPF and policy BCS16 require that a sequential approach is taken to the location of development, locating developments in areas with the lowest risk of flooding first. In this regard it is noted that discussions on the site pre-date the increased flood risk, so the assessment on this has changed since the application has been submitted. In addition, recent changes to the Housing Delivery test have increased the requirements for housing delivery within the city, and demonstrates that these targets cannot be met from allocated sites alone. It is also noted that much of the nearest allocated site (the Enterprise Zone which is directly adjacent to this site) is at least as high a risk of flooding as the application site, if not higher. It is certainly the case that this site is significantly underused and that there are no available sites as large as this one in a location with similar access to services and public access. As such, officers are content that there are no sequentially preferable sites which are available for a development of this nature.

In addition to the need for a sequential test, the relevant planning policies also require that applications demonstrate that the development will be safe from flooding in a design flood event, for the lifetime of the development, taking account of the impacts of climate change. For reference, the lifetime of the development in respect of residential is considered to be 100 years, the other uses would be 60 years. It is in this regard that the Environment Agency have raised an objection to the original proposal, on the basis that it had not been demonstrated that the proposal would be safe for its lifetime and it would not impact on flood levels elsewhere.

Given the existing site is in use as a car park, it is noted that any development in this area is likely to displace some flood water. Whilst consideration has been given to raising the whole site to protect it, this will make flooding worse elsewhere, so instead it is proposed to provide compensation on site for displaced flood water. This would be by provision of voids below the building. Whilst concerns have

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been raised about the maintenance of the voids, it is noted that as a build to rent scheme, it would be under single management, and a maintenance scheme is proposed. Subject to the voids being acceptable it has been demonstrated that this will provide adequate compensation for the displaced floodwater.

In terms of the safety of users of the site, all of the residential properties would be at least 3 metres above the predicted flood level in 100 years' time (i.e. the end of the lifespan of the residential development). There would be potential for the ground floor commercial uses to flood, although these areas will be protected with flood resilient measures. It is noted that the Planning Practice guides suggests that such measures are only effective up to about 600mm. However, the floor levels of much of the commercial uses have been raised such that they are within the acceptable limits. There is a small element fronting Old Bread Street that is below that level, but this is considered as a sacrificial areas, and in each case there are higher levels with the units that would allow dry storage. In terms of safe access and egress, all of the residential units will have access to the norther entrance on New Kingsley Road, which is above the predicted flood level, and will allow access and egress to dry areas to the north. This will also allow emergency service access to the building. As such, safe access will be available to all residents of the development.

It is noted that at the time of writing the Environment Agency are still reviewing the details of the amendments to the scheme, although they have indicated that the revisions are acceptable in principle. Members will be updated on final comments at the meeting.

(I) WILL THE PROPOSED DEVELOPMENT MAKE AN ADEQUATE CONTRIBUTION TO THE SUSTIANABILITY AND CLIMATE CHANGE GOALS OF ADOPTED PLANNING POLICIES?

Policies BCS13, BCS14 and BCS15 of the adopted Core Strategy give guidance on sustainability standards to be achieved in any development, and what measures to be included to ensure that development meets the climate change goals of the development plan. Applicants are expected to demonstrate that a development would meet those standards by means of a sustainability statement. In addition, policy BCAP 20 requires development of this scale to reach BREEAM 'Excellent' standards, and BCAP21 requires that account is taken of the opportunity to connect to nearby heat networks.

It is noted that the Council are developing a heat network in the area of the site, providing the opportunity for this development to connect into it. It appears that day one connection is available, and the applicant has confirmed the intention to connect. As such, the proposal would accord with the heat hierarchy part of policy BCS14 and BCAP21, subject to the connection being secured.

With regards to BREEAM, the submission confirms that the proposal is targeting BREEAM 'Excellent' for the commercial parts of the development, which would accord with this part of the policy. For the residential element of the proposal it is proposed to target a three star rating against the BTR Homes Quality Mark. Negotiations are ongoing to assess whether or not a higher rating can be achieved, and this will be secured by condition.

In regard to reduction in CO2 emissions against the Building Control baseline, the development has taken a fabric first approach. This would result an energy saving of around 15%. However, the policy requires a 20% reduction through renewable technologies, and in this case the statement suggests a saving from PV panels of around 6 to 8%. Whilst consideration has been given to increasing the provision of PV on the development, it does not appear that there is scope to increase the performance significantly. As such, the applicant has offered a financial contribution to offset the short fall against the policy. The contribution offered is £242,011 for option A and £166,363 for option B. This is currently being considered by the Sustainable Cities team, and Members will be updated on this issue at the meeting.

(J) WILL THE PROPOSAL HAVE A HARMFUL IMPACT ON TREES, WILDLIFE AND

**Development Control Committee A – 31 March 2021****Application No. 20/01150/F & 20/04633/LA : Soapworks Broad Plain Bristol BS2 0JP****ECOLOGY IN THE SURROUNDING AREA?**

Policy BCS9 of the Core Strategy states that 'Individual green assets should be retained wherever possible and integrated into new development'. It also states that 'Development should incorporate new and/or enhanced green infrastructure of an appropriate type, standard and size. Where on-site provision of green infrastructure is not possible, contributions will be sought to make appropriate provision for green infrastructure off site.'

The application site is within a densely developed urban area. As such, there are no existing trees on site, and limited scope for green assets. There are three trees directly adjacent to the site, including two street trees. However, an arboricultural impact assessment has been carried out, which confirms that the proposed development will not impact on the trees. In addition, the proposal includes the planting of 12 trees on site, and as such there would be a significant improvement in tree cover as a result of the application.

In relation to ecological impact of the development, an ecological assessment has been carried out, and officers are satisfied that the site has low potential for protected species, and the development provides significant opportunities for ecological enhancement. This will largely result from the additional soft landscaping on site, which can be secured by condition. As a result, the proposal is considered to provide enhancements of green assets on site, compared to the existing situation.

**(K) DOES THE PROPOSAL ADEQUATELY ADDRESS CONTAMINATED LAND ISSUES?**

Policies BCS23 and DM34 relate to the need for any development to address and mitigate contamination, and to ensure that it does not impact on future occupiers or neighbours of the site. A ground investigation has been submitted with the application, which demonstrates that the site is suitable for the type of development proposed. The contaminated land officer has recommended conditions relating to a watching brief, and the importation of top soil, and subject to such conditions the development is considered acceptable on these grounds.

**(L) BENEFITS OF DEVELOPMENT AND CONCLUSIONS**

The application represents a significant redevelopment of a current retail site, and results in a number of complex considerations. In particular, officers are concerned about the impact of the development on heritage assets, quality and design of the accommodation, and the impact on the site of flooding.

With regards to the impact of the proposal on heritage assets, officers have concluded that the proposal would result in a high level of less than significant harm. This will need to be given considerable weight when considering whether or not the proposal merits approval. In addition, as a high density build to rent proposal, certain compromises have also been made in respect to the layout and nature of the accommodation. The lack of on site parking is also a specific concern for the Old Market Community. However, it is considered that the proposal will provide significant benefits, and it is considered that the following issues merit consideration:

- The proposal would secure the long term maintenance of the grade II listed soap pan building. Furthermore, it would provide significant improvements to the public access to this building.
- It would deliver significant improvements in respect of pedestrian permeability through the area, including the provision of a north/south route between Temple Meads and Cabot Circus. Indeed, this area is considered to be a high quality area of public realm, fronted by active uses such that it is likely to be a vibrant contribution to the area.
- The proposal would deliver much needed housing, including the provision of 20% affordable housing, in a sustainable location, with good accessible to a wide range of modes of transport.
- The applicant has also sought to demonstrate the social value of the development. It is noted that this ward has high levels of deprivation, and the proposed development would bring new homes and jobs to this area. It is estimated that the proposal will provide between £96 million



**Development Control Committee A – 31 March 2021****Application No. 20/01150/F & 20/04633/LA : Soapworks Broad Plain Bristol BS2 0JP**

and £199 million additional value to the area. It is noted from the consultation that the developer has worked with local charities and businesses to develop their social programme, to deliver these targets;

- The developer is committed to providing a sustainable development, including connection to the Local Heat Network.

At the time of writing, there is an outstanding objection from the Historic England on heritage grounds. Therefore, should it be resolved to approve the development, it will be necessary to refer the decision to the Secretary of State for potential call-in. However, officers are now of the view that the benefits of the development outweigh the harm identified, and can be supported.

**PLANNING OBLIGATIONS**

In order to offset the impact of the development it is considered that a package of planning obligations is required, as follows:

- The provision of 49 affordable housing units (Option A) or 34 affordable housing units (Option B) on site;
- A financial contribution of £14,405 (Option A) or £19,740 (Option B) towards monitoring of a travel plan;
- A contribution of £5,913 per required Traffic Regulation Order;
- A contribution of £150,000 towards Broad Plan and Unity Street Public Realm works;
- A contribution of £3,000 to fund the provision of 2 fire hydrants on the site;
- A contribution of £242,011 (Option A) and £166,363 (Option B) towards CO2 offsetting programmes (to be confirmed).

The applicant has agreed this package, and the Council's legal officers are current drafting a section 106 to secure these planning obligations.

**CONDITIONS**

There is a requirement for a complex suite of planning conditions to enable the delivery of the application and as Members will be aware that there is a requirement to agree the pre-commencement conditions with the applicant before the application is determined. As such, Officers are in discussions with the applicant with regard to a draft list of conditions, which cover the following issues:

- o Standard time limits and phasing of delivery of the proposal;
- o Highway works;
- o Construction Management Plans;
- o Contamination;
- o Materials;
- o Noise impacts – including controls over ground floor commercial uses;
- o Sustainable Drainage;
- o Retention of historic fabric and archaeology;
- o Public Art;
- o Flood protection and evacuation;
- o Travel Plans.

**COMMUNITY INFRASTRUCTURE LEVY**

The development will be liable for the Community Infrastructure Levy (CIL). However, given late changes to the floorspace the final CIL figures are currently being calculated. Members will be updated with the relevant CIL figures at the meeting.

**Development Control Committee A – 31 March 2021****Application No. 20/01150/F & 20/04633/LA : Soapworks Broad Plain Bristol BS2 0JP****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 this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

It is noted that concerns have been raised that impacts on air quality and access during construction would have a discriminatory impact on some local residents. However, the assessment demonstrates that any impacts on air quality would be within acceptable limits. In addition, it will be necessary as part of any Construction Management Plan to demonstrate how access to the area can be maintained. As such, subject to the condition, the proposal is considered not to impact unacceptably on any groups with protected characteristics.

**RECOMMENDED****Application no. 20/01150/F****Recommendation - Refer to the Secretary of State**

That the application together with responses to the publicity and consultations, the committee report and members comments be referred to the Secretary of State for Housing, Communities and Local Government.

If the Secretary of State makes no comment within the 21 day period from receipt of notification, then:

A) The applicant be advised that the Local Planning Authority is disposed to grant planning permission, subject to the completion, within a period of six months from the date of this committee, or any other time as may be reasonably agreed with the Service Director, Planning and Sustainable Development and at the applicant's expense, of a planning agreement made under the terms of Section 106 of the Town and Country Planning Act 1990 (as amended), entered into by the applicant, Bristol City Council and any other interested parties to cover the following matters:

- The provision of 49 affordable housing units (Option A) or 34 affordable housing units (Option B) on site – to be reviewed after 18 months should the residential element not be implemented;
- A financial contribution of £14,405 (Option A) or £19,740 (Option B) towards monitoring of a travel plan;
- A contribution of £5,913 per required Traffic Regulation Order (TDM to confirm number);
- A contribution of £150,000 towards Broad Plan and Unity Street Public Realm works;
- A contribution of £3,000 to fund the provision of 2 fire hydrants on the site;
- A contribution of £242,011 (Option A) and £166,363 (Option B) towards CO2 offsetting programmes;
- Connection to the District Heat Network.

(B) That the Head of Legal Services be authorised to conclude the Planning Agreement to cover matters in recommendation (A).

(C) That on completion of the Section 106 Agreement, planning permission be granted, subject to the condition (final wording of which to be delegated to officers).

**Development Control Committee A – 31 March 2021**

**Application No. 20/01150/F & 20/04633/LA : Soapworks Broad Plain Bristol BS2 0JP**

**Application no. 20/04633/LA**

**Recommendation - Refer to the Secretary of State**

That the application together with responses to the publicity and consultations, the committee report and members comments be referred to the Secretary of State for Housing, Communities and Local Government.

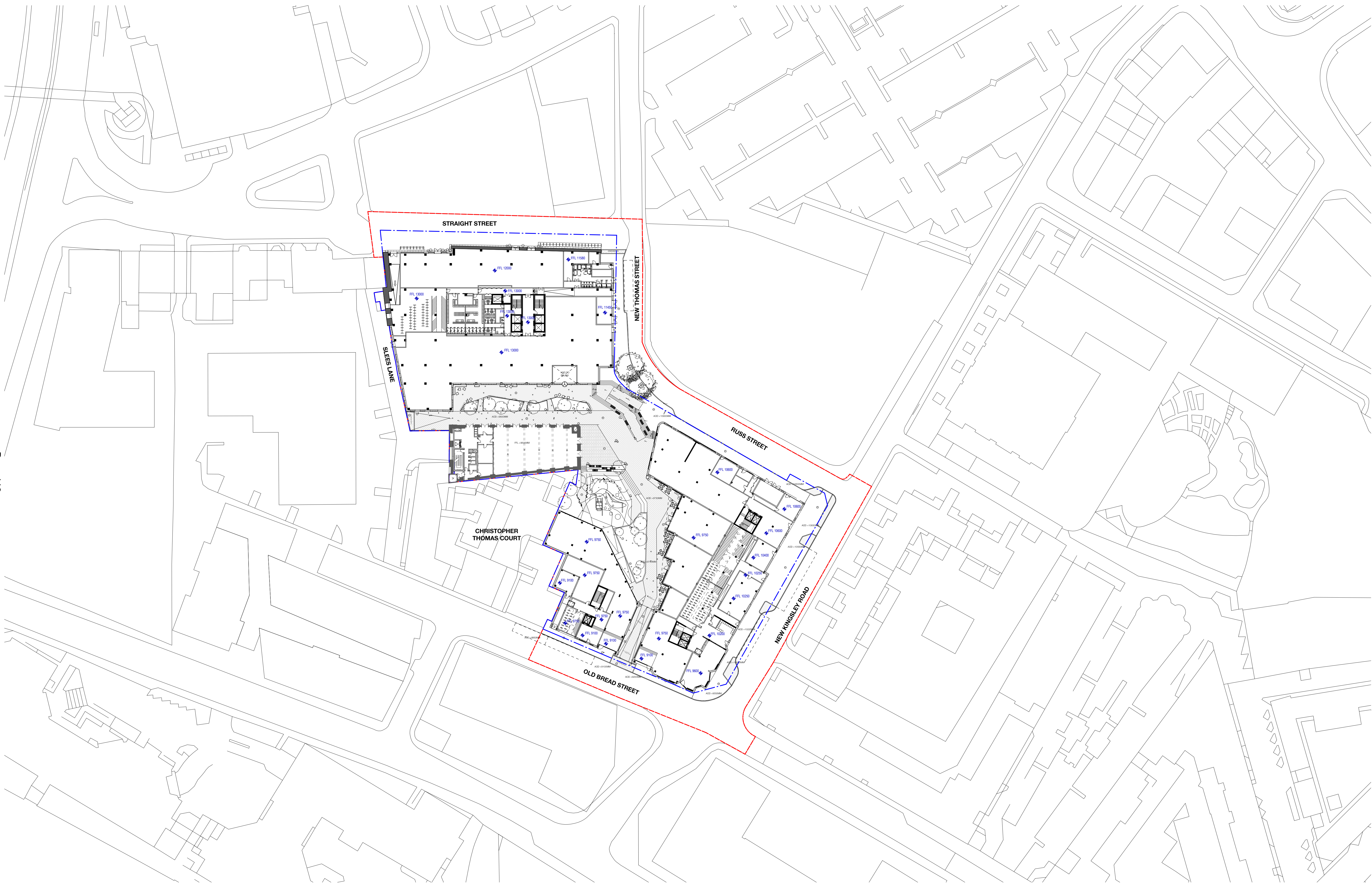
If the Secretary of State makes no comment within the 21 day period from receipt of notification, then the following GRANT permission subject to relevant conditions drafted by officers.

## Supporting Documents

### 2. Soapworks Broad Plain, BS2 0JP.

1. Proposed site plan
2. Proposed site elevations
3. Proposed site elevation
4. Building A – Level 00
5. Building B – Level 02
6. Building B – Level 06
7. Building C – Floor plans
8. Building C - Elevations





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1	Stage 2+ For planning application	28.02.20	Copyright © Woods Bagot 2018 All Rights Reserved
2	Stage 2+ Planning amendments	19.06.20	No material may be reproduced without prior permission
3	Stage 2+ Planning addendum	19.11.20	
4	Stage 2+ Revised levels retail units Old Bread street (EA)	23.02.21	Contractor must verify all dimensions on site before commencing work or preparing shop drawings.

Contractor must verify all dimensions on site before commencing work or preparing shop drawings.

Do not scale drawings.

**NOTES AND LEGEND**

- Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.
  - Drawings are subject to completion of site investigation and approved inspectors review/comments on building regulations compliance assessment.
  - Refer to Gillespies material for the Public Realm and terraces.
  - For block A refer to drawings A-A2200 to A-A2207 typical levels floor plans and A-A3205 sections.
  - For block B refer to drawings A-B2200 to A-B2207 typical levels floor plans and A-B3205 sections.
  - For the listed building refer to drawings A-C2201 floor plans and A-C3025 sections.
  - For the terraces access, refer to block A and block B plans, as listed on items 4 & 5.
- SITE BOUNDARY      --- BLOCK B  
--- OWNERSHIP BOUNDARY

**ACCESS LEGEND**

- ▲ PEDESTRIAN ACCESS
- ▲ BIKE ACCESS
- ▲ FIRE ESCAPE
- ▲ SERVICE ACCESS
- ▲ TERRACE ACCESS

Project  
**The Old Soapworks**

Applicant  
**Soapworks Development S.a.r.l. and Soapworks Development II S.a.r.l. and Soapworks Development III S.a.r.l.**

Issuer  
**WOODS BAGOT**

Project number  
**440780**

Checked  
VK

Approved  
VK

Size check  
25mm

Sheet size  
A1

Scale  
1 : 500

Sheet title  
**Proposed Site Plan**

Sheet number  
**A-1120**

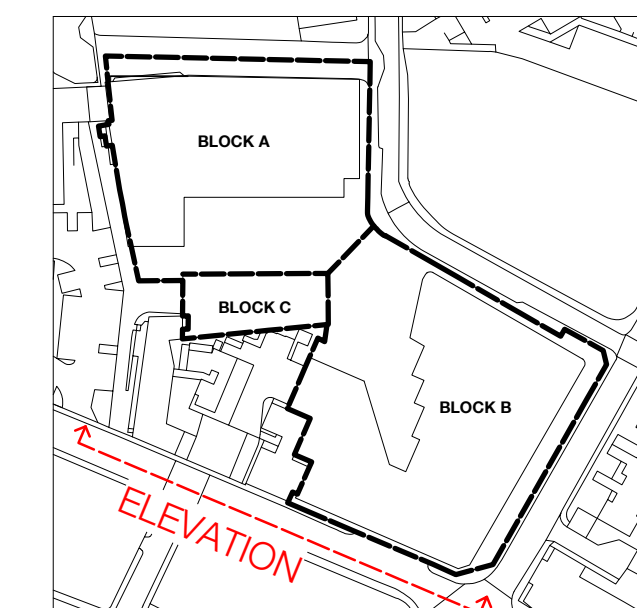
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**STAGE 2+**

Revision  
**4**





1 Site Elevation Old Bread Street  
SCALE 1 : 250

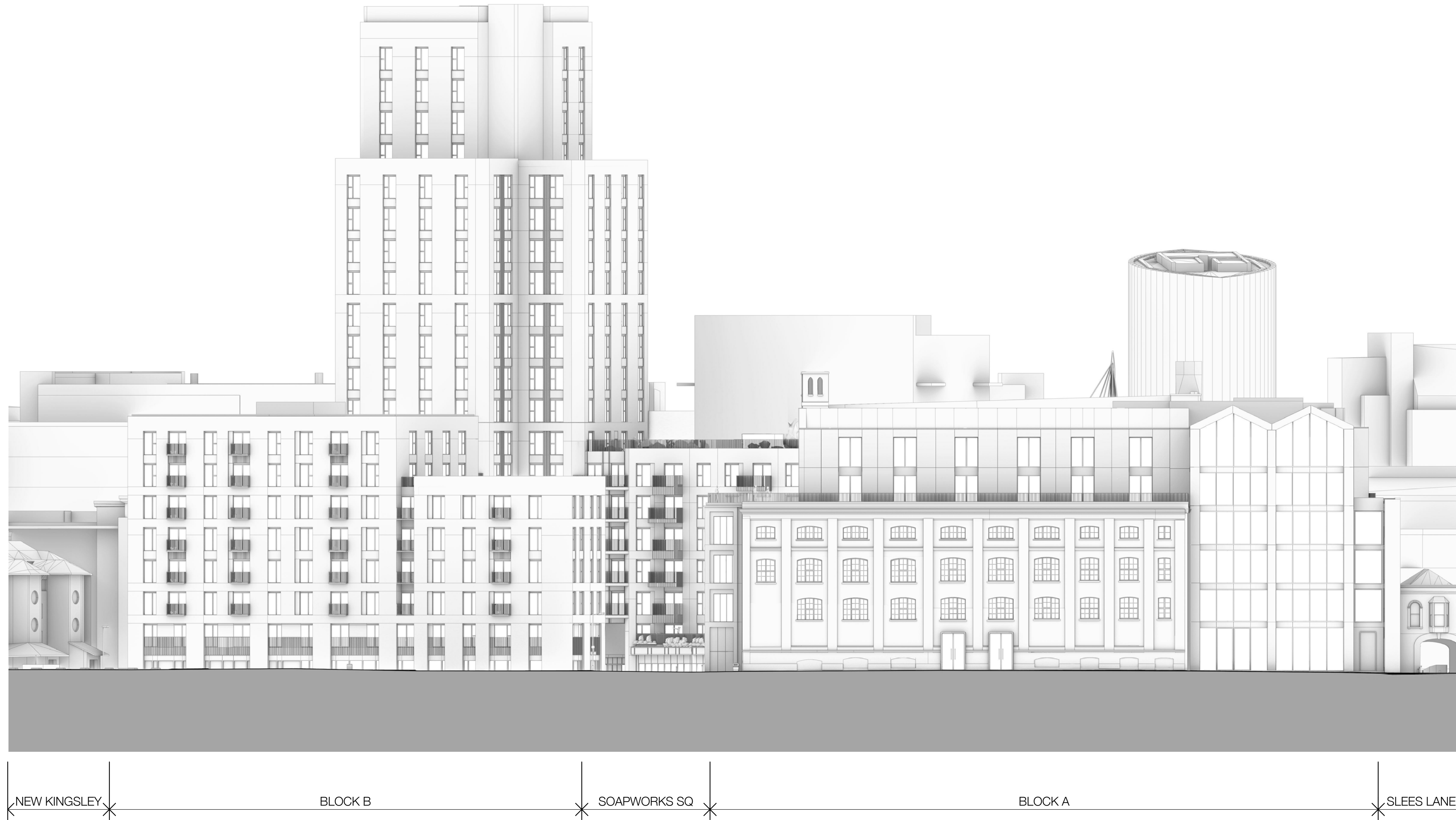


Recent revision history			Notes
#	Status	Description	Date
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2	Stage 2+	Planning amendments	19.06.20
3	Stage 2+	Planning addendum	19.11.20

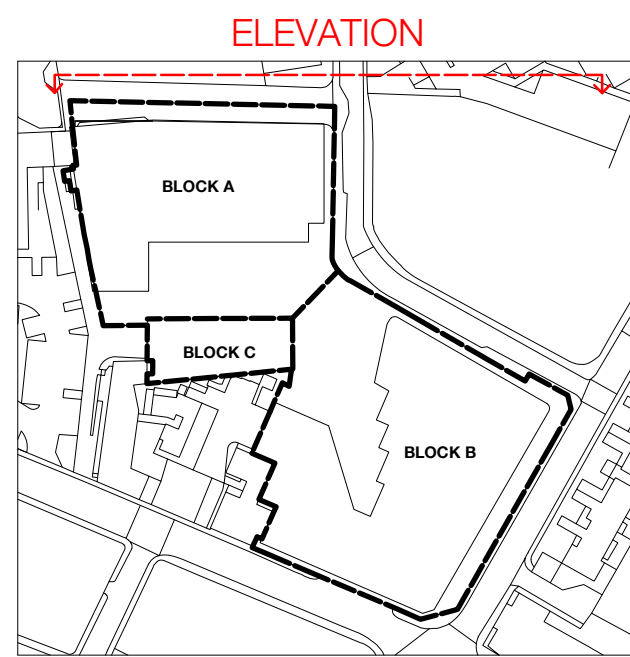
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<b>Project</b> The Old Soapworks  <b>Applicant</b> Soapworks Development S.a.r.l. and Soapworks Development II S.a.r.l. and Soapworks Development III S.a.r.l.	<b>Issuer</b> <b>WOODS BAGOT</b>  Project number 440780 Checked VK Approved JC Sheet size A1 Scale As indicated	Size check 25mm Scale As indicated	<b>Sheet title</b> Proposed Site Elevations SHT2  Sheet number <b>A-1321</b> Status STAGE 2+  Revision 3
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1 Site Elevation Straight Street  
SCALE 1 : 250



Recent revision history			Notes
#	Status	Description	Date
1	Stage 2+	For planning application	28.02.20
2	Stage 2+	Planning amendments	19.06.20
3	Stage 2+	Planning addendum	19.11.20

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Project number  
**440780**

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Sheet title  
**Proposed Site Elevation SHT4**

Sheet number  
**A-1323**

Status  
**STAGE 2+**

Revision  
**3**



**GENERAL NOTES AND LEGENDS**

1. Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.
2. Drawings are subject to completion of site investigation and approved inspectors review/comments on building regulations compliance assessment.
3. For the Listed Building (Building C) refer to the following drawings:  
- A-C2201 Building C - FLOOR PLANS  
- A-C3205 Building C - SECTIONS
4. For the structures, refer to ARUP documentation.
5. For the servicing refer to HL documentation.

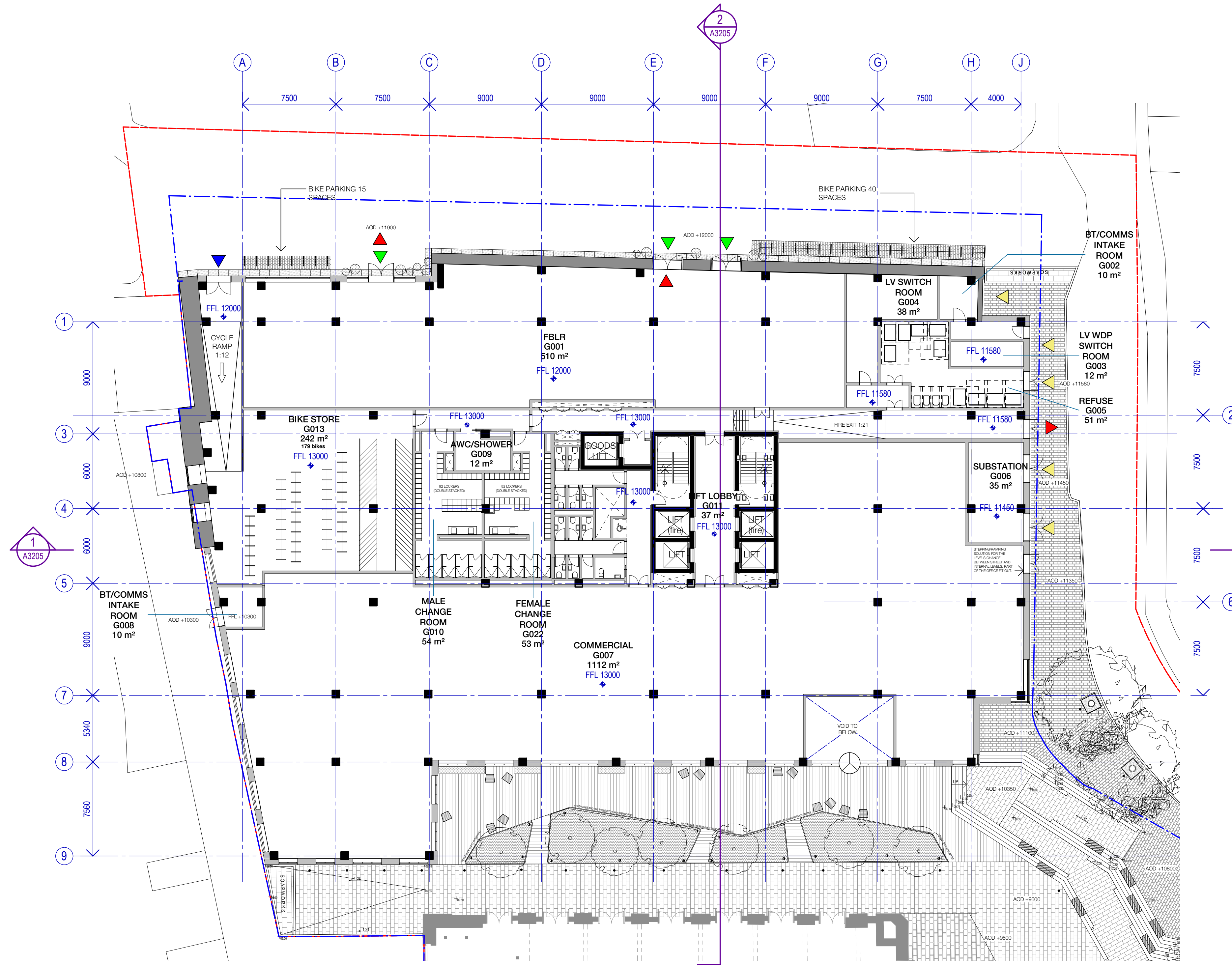
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- OWNERSHIP LINE

**TYPICAL LEVELS**

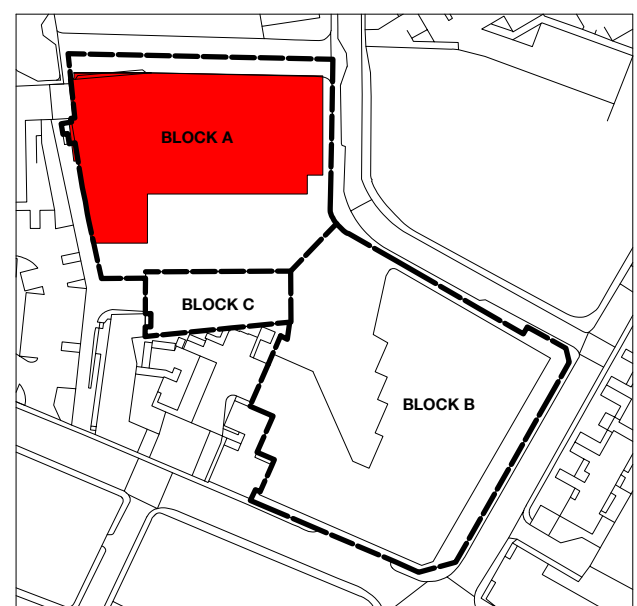
- LG
- GF
- L01 to 03
- L04
- L05
- ROOF

**ACCESS TYPES**

- ▲ PEDESTRIAN ACCESS
- ▲ BIKE ACCESS
- ▲ FIRE ESCAPE
- ▲ SERVICE ACCESS
- ▲ TERRACES ACCESS



1 BUILDING A - LEVEL 00  
SCALE 1 : 200



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1	Stage 2+ For Planning Application	26.02.20	Copyright © Woods Bagot 2018 All Rights Reserved
2	Stage 2+ Planning Amendments	19.06.20	No material may be reproduced without prior permission
3	Stage 2+ Planning addendum	19.11.20	Contractor must verify all dimensions on site before commencing work or preparing shop drawings.  Do not scale drawings.

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**Soapworks Development S.a.r.l. and Soapworks Development II S.a.r.l. and Soapworks Development III S.a.r.l.**

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Sheet title  
**Building A - LEVEL 00**

Sheet number  
**A-A2201**

Revision  
**3**

Status  
**STAGE 2+**



**NOTES AND LEGENDS**

- Contractor must verify all dimensions on site before commencing work or preparing shop drawings. Do not scale drawing.
- Drawings are subject to completion of site investigation and approved inspectors review/comments on building regulations compliance assessment.
- Further coordination required with ARUP structures and HL MEP services. For all Plant rooms/MEP areas/risers, refer to HL documentation/schedules.
- For the Listed Building (Building C) refer to the following drawings:  
 - A-C2201 Building C - FLOOR PLANS  
 - A-C3205 Building C - SECTIONS
- Fire strategy, refer to HL documentation.

- RED BOUNDARY LINE
- OWNERSHIP LINE

**TYPICAL LEVELS RESIDENTIAL**

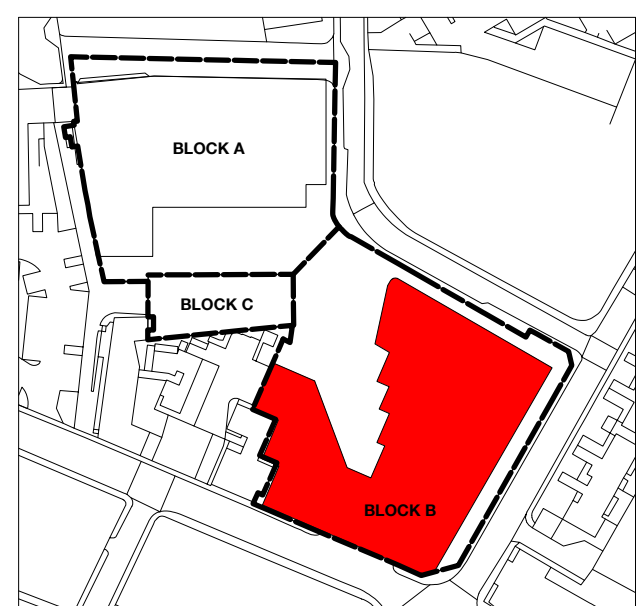
- GF
- L01
- L02
- L03-05
- L06
- L07
- L08-15
- L16-19
- L20 ROOF

**ACCESS TYPES**

- ▲ PEDESTRIAN ACCESS
- ▲ BIKE ACCESS
- ▲ FIRE ESCAPE
- ▲ SERVICE ACCESS
- ▲ TERRACES ACCESS



1 Building B -LEVEL 02  
SCALE 1 : 200



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1	Stage 2+	For Planning Application	28.02.20	Copyright © Woods Bagot 2018 All Rights Reserved
2	Stage 2+	Planning amendments	19.06.20	No material may be reproduced without prior permission
3	Stage 2+	Planning addendum	19.11.20	
4	Stage 2+	Revised units	11.12.20	Contractor must verify all dimensions on site before commencing work or preparing shop drawings.
5	Stage 2+	Revised GF and 3BED updates	08.01.21	Do not scale drawings.

Project  
The Old Soapworks

Applicant  
Soapworks Development S.a.r.l. and  
Soapworks Development II S.a.r.l. and  
Soapworks Development III S.a.r.l.

Issuer  
**WOODS BAGOT**

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Sheet title  
Building B - LEVEL 02

Sheet number  
A-B2202  
Status  
STAGE 2+  
Revision  
5





**NOTES AND LEGENDS**

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- Drawings are subject to completion of site investigation and approved inspectors review/comments on building regulations compliance assessment.
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- For the Listed Building (Building C) refer to the following drawings:  
 - A-C2201 Building C - FLOOR PLANS  
 - A-C3205 Building C - SECTIONS
- Fire strategy, refer to HL documentation.

- RED BOUNDARY LINE
- OWNERSHIP LINE

**TYPICAL LEVELS RESIDENTIAL**

- GF
- L01
- L02
- L03-05
- L06
- L07
- L08-15
- L16-19
- L20 ROOF

**ACCESS TYPES**

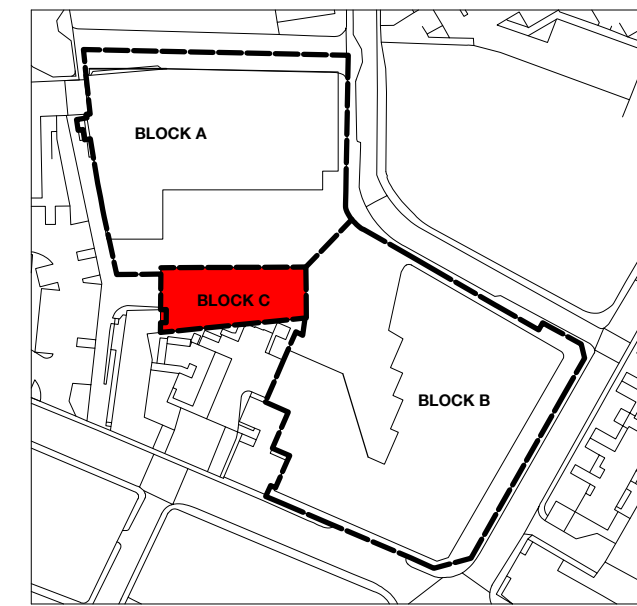
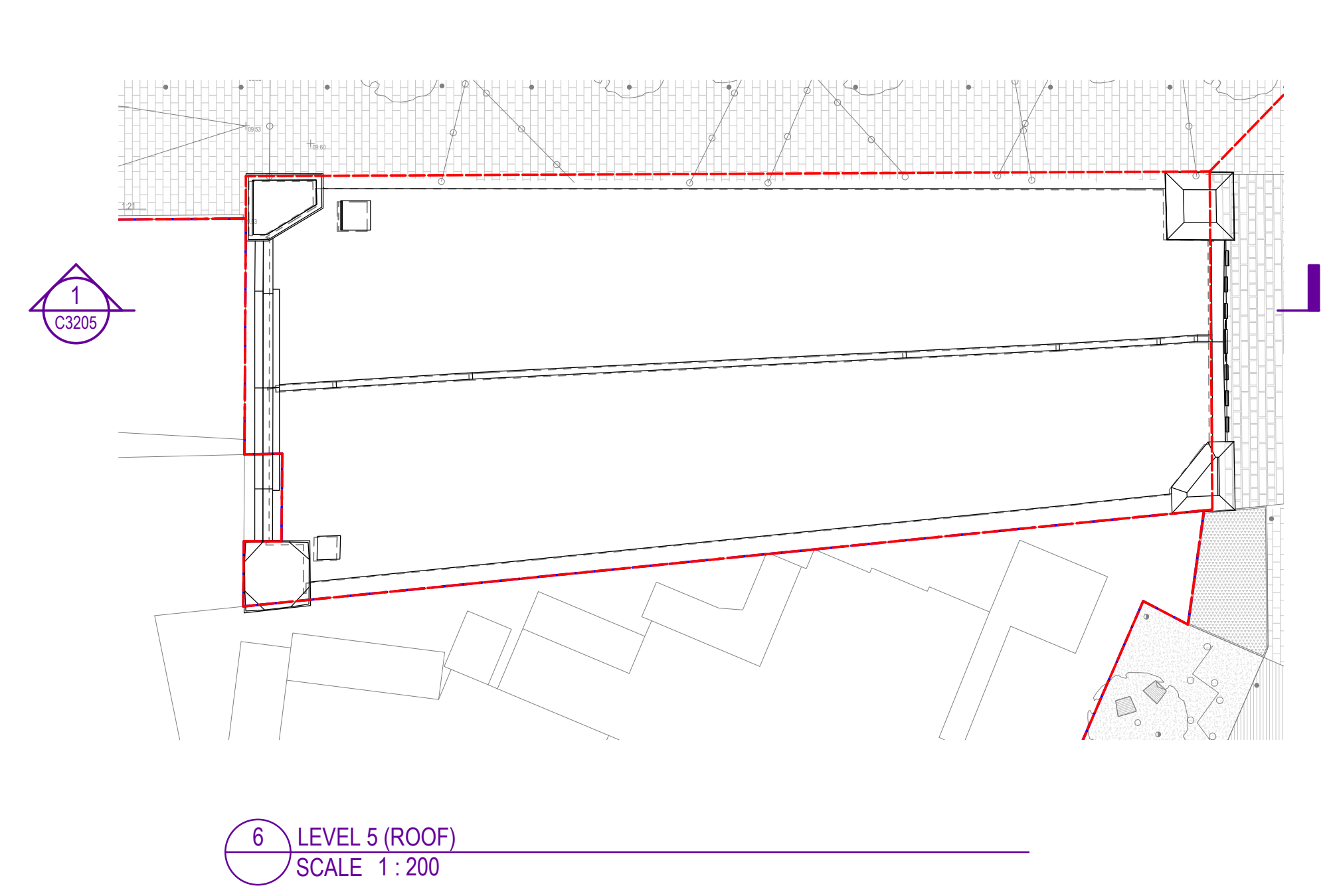
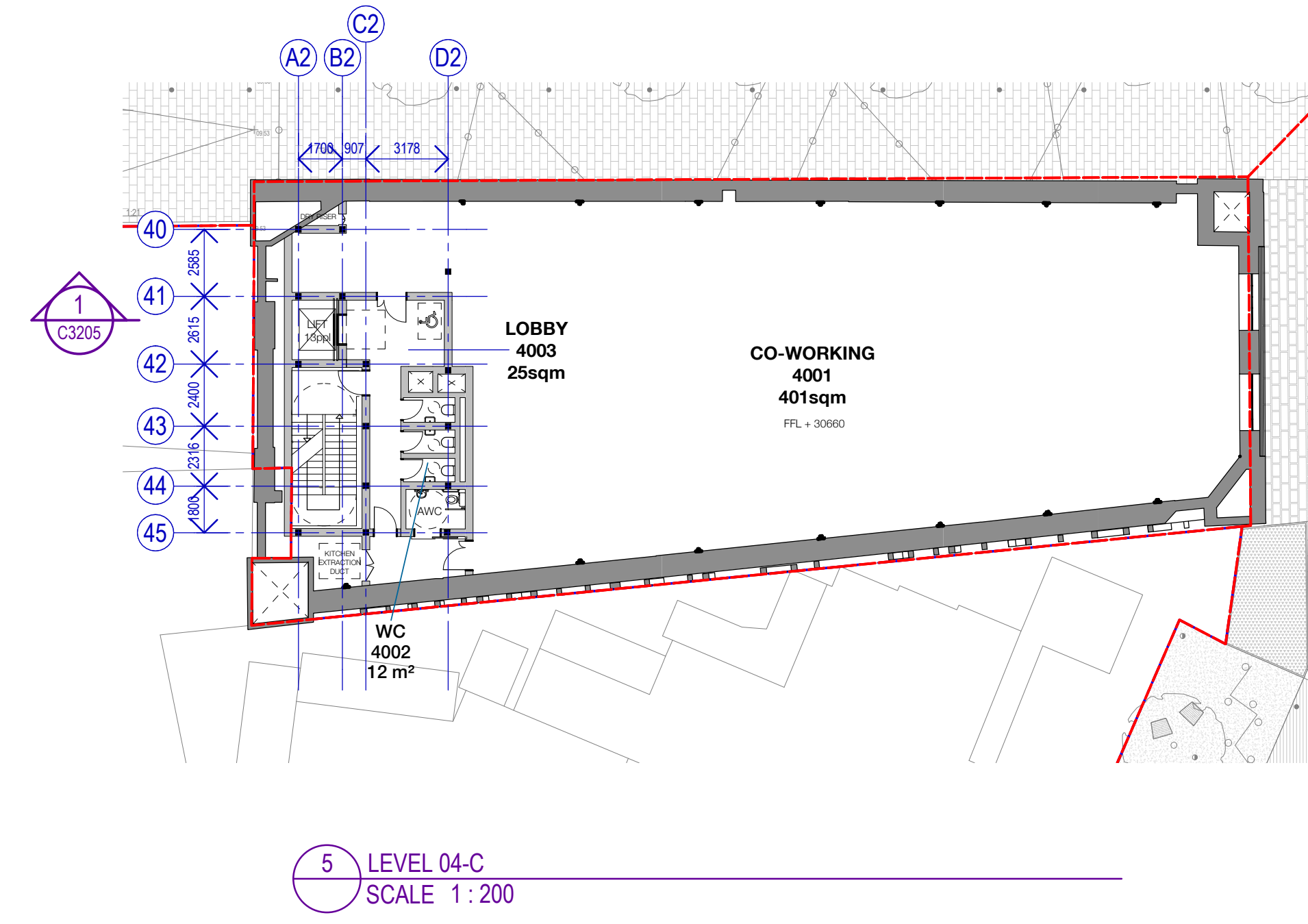
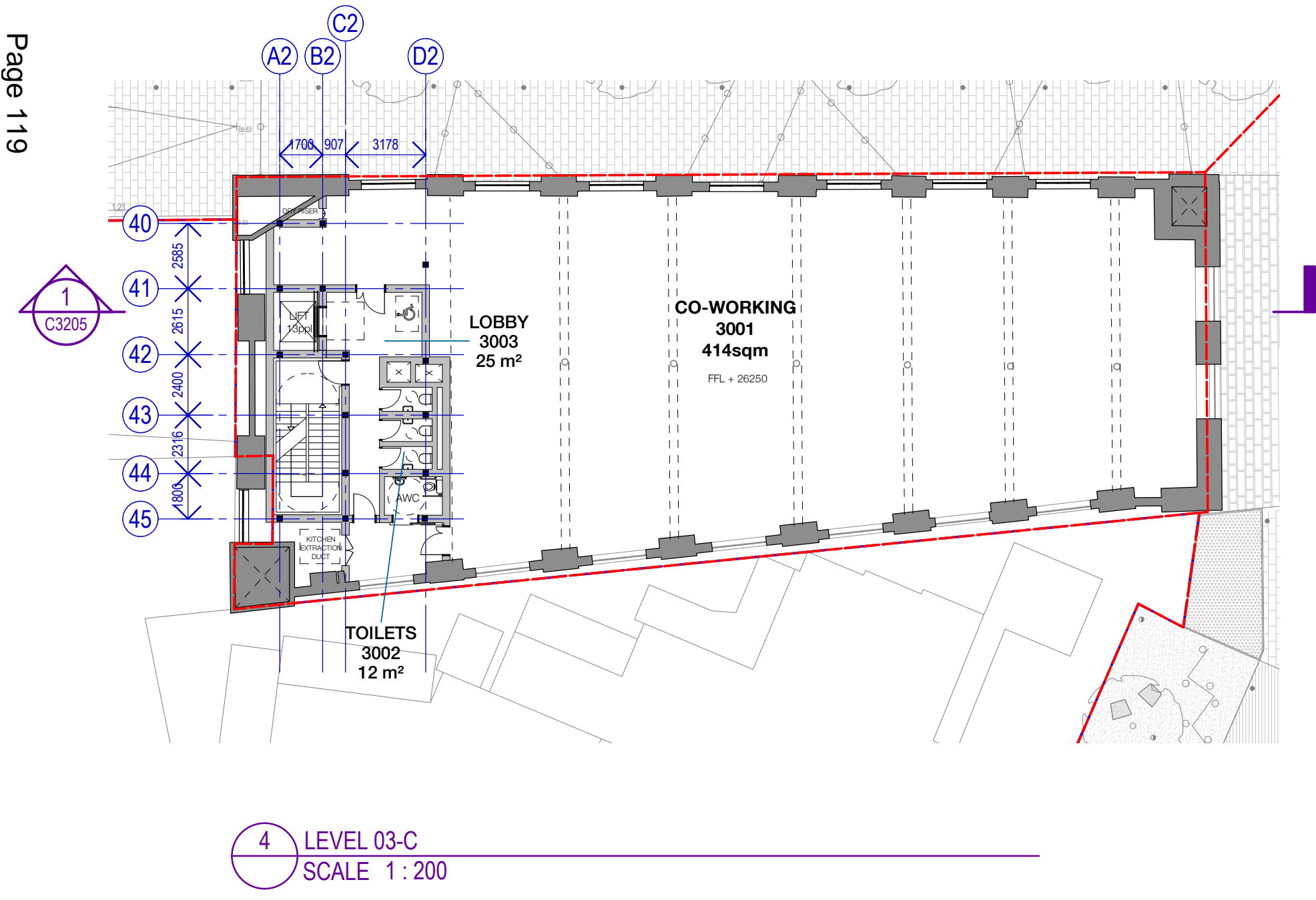
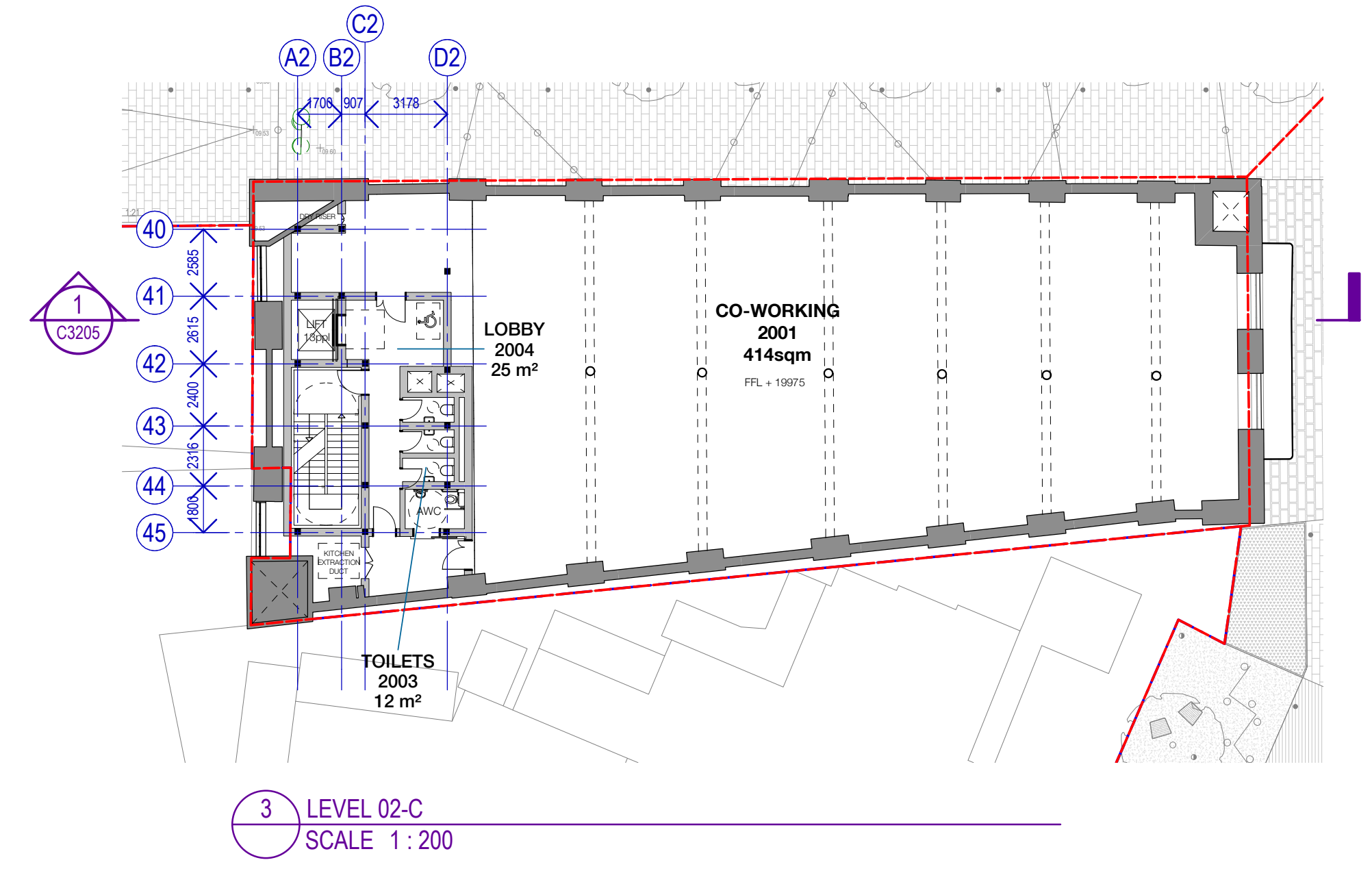
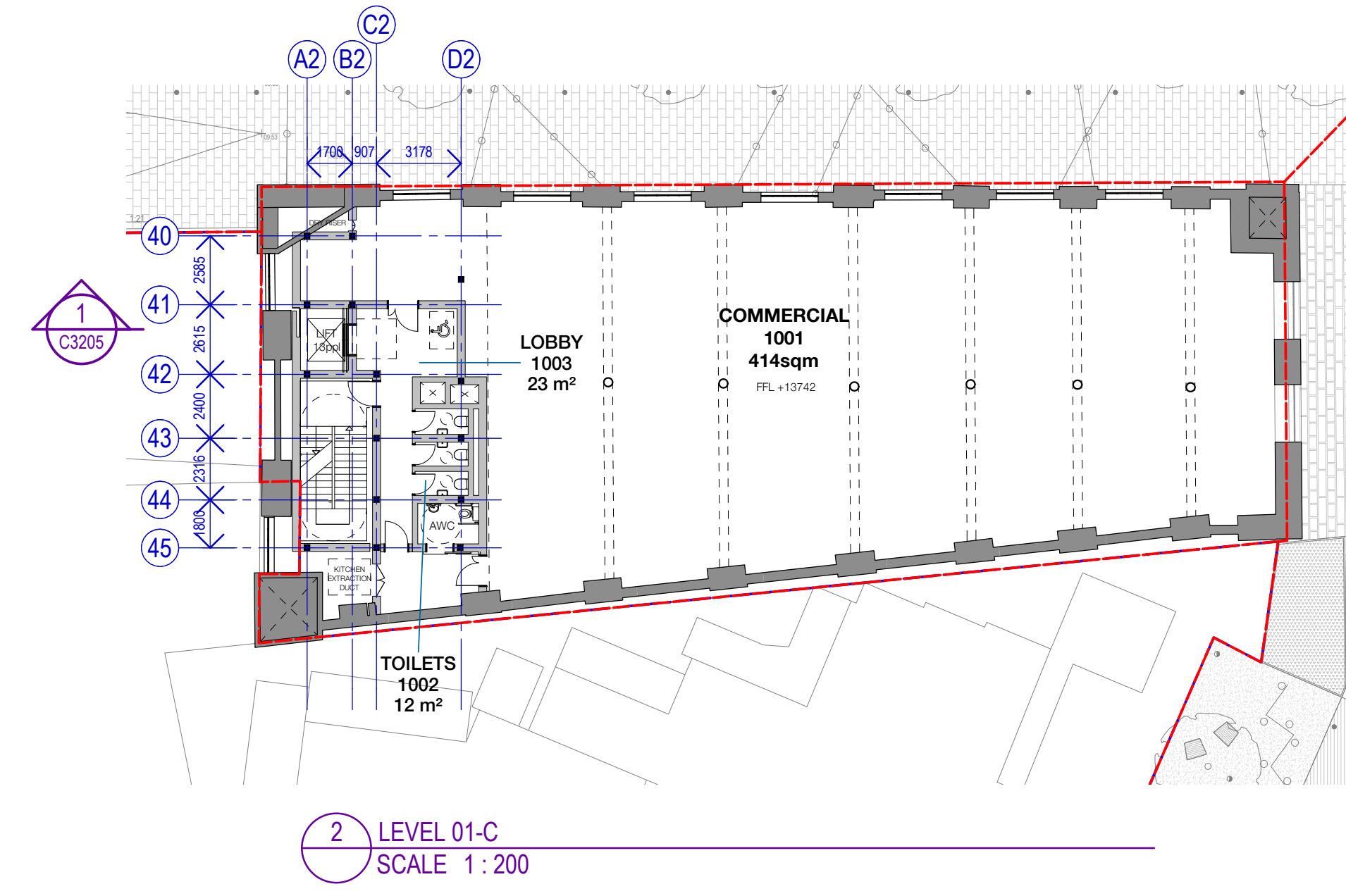
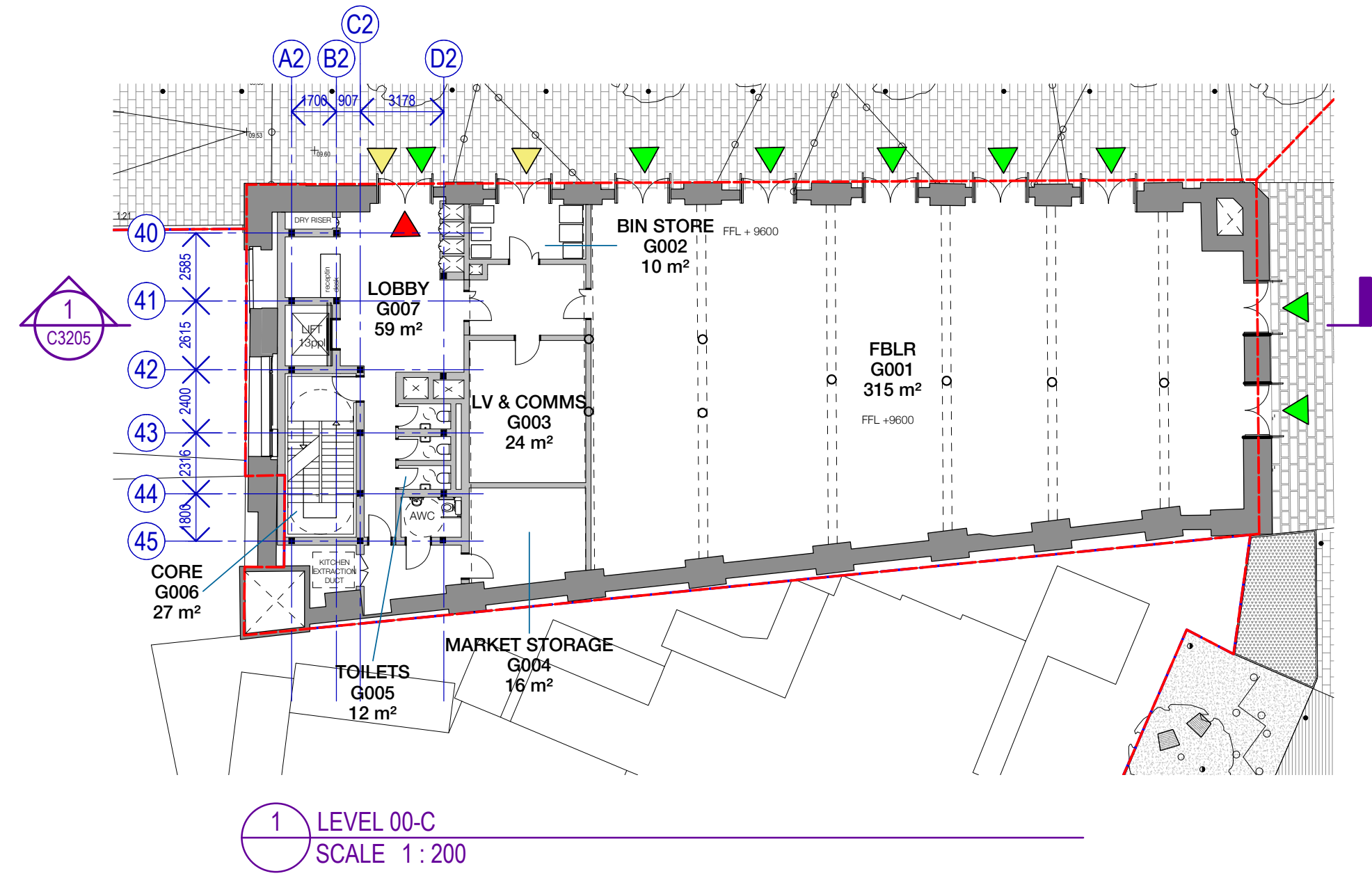
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3	Stage 2+	Planning addendum	19.11.20	
4	Stage 2+	Revised units	11.12.20	Contractor must verify all dimensions on site before commencing work or preparing shop drawings.
5	Stage 2+	Revised GF and 3BED updates	08.01.21	Do not scale drawings.

Project <b>The Old Soapworks</b>	Issuer <b>WOODS BAGOT</b>	Sheet title <b>Building B - LEVEL 06</b>
Applicant <b>Soapworks Development S.a.r.l. and Soapworks Development II S.a.r.l. and Soapworks Development III S.a.r.l.</b>	Project number <b>440780</b>	Sheet number <b>A-B2206</b>
Checked VK	Approved VK	Status <b>STAGE 2+</b>
Size check 25mm	Scale As indicated	Revision <b>5</b>





Page 119

Recent revision history		
#	Status	Description
1	Stage 2+	For Planning Application
2	Stage 2+	Planning amendments

Notes	
1.	Drawings are based on survey received on 06.04.2019. All information and dimensions to be verified on site.
2.	Furniture layout indicative only.
3.	GF FBLR, kitchen equipment and layouts, to be further studied on later stage by kitchen specialist.

Notes	
---	SITE BOUNDARY
---	OWNERSHIP BOUNDARY

Contractor must verify all dimensions on site before commencing work or preparing shop drawings.  
Do not scale drawings.

- ACCESS LEGEND**
- ▲ PEDESTRIAN ACCESS
  - ▲ BIKE ACCESS
  - ▲ FIRE ESCAPE
  - ▲ SERVICE ACCESS
  - ▲ TERRACE ACCESS

Project  
**The Old Soapworks**

Applicant  
**Soapworks Development S.a.r.l. and Soapworks Development II S.a.r.l. and Soapworks Development III S.a.r.l.**

Issuer  
**WOODS BAGOT**

Project number  
**440780**

Checked  
VK

Approved  
JC

Size check  
25mm

Sheet size  
A1

Scale  
As indicated

Sheet title  
**Building C - FLOOR PLANS**

Sheet number  
**A-C2201**

Revision  
**2**

Status  
**STAGE 2+**





1 Building C - North Elevation  
SCALE 1 : 200



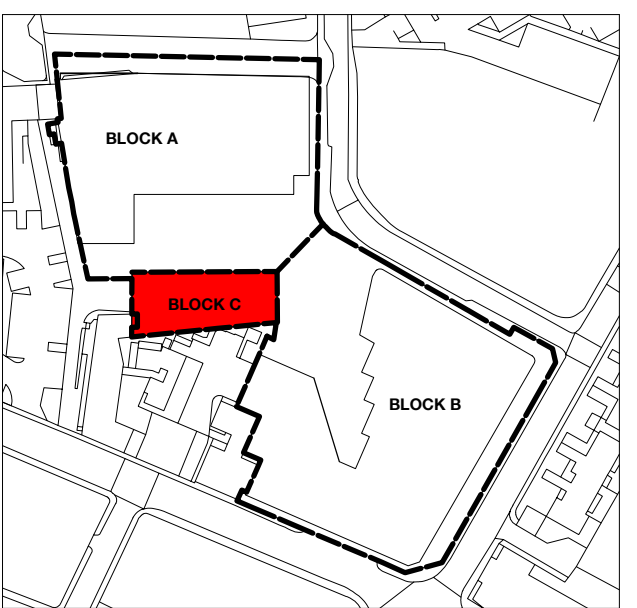
2 Building C - South Elevation  
SCALE 1 : 200



3 Building C - East Elevation  
SCALE 1 : 200



4 Building C - West Elevation  
SCALE 1 : 200



Recent revision history		Notes	
#	Status	Description	Date
1	Stage 2+	For Planning Application	28.02.20
2	Stage 2+	Planning amendments	19.06.20

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Do not scale drawings.

Project		Issuer		Sheet title	
The Old Soapworks		<b>WOODS BAGOT</b>		Building C - Elevations	
Applicant Soapworks Development S.a.r.l. and Soapworks Development II S.a.r.l. and Soapworks Development III S.a.r.l.		Project number 440780	Size check 25mm	Sheet number <b>A-C3202</b>	Revision 2
Checked VK	Approved JC	Sheet size A1	Scale As indicated	Status STAGE 2+	



**Development Control Committee A – 28 April 2021**

**ITEM NO. 3**

**WARD:** Lawrence Hill

**SITE ADDRESS:** Swift House Albert Crescent Bristol BS2 0UD

**APPLICATION NO:** 20/03286/F Full Planning

**DETERMINATION DEADLINE:** 11 March 2021

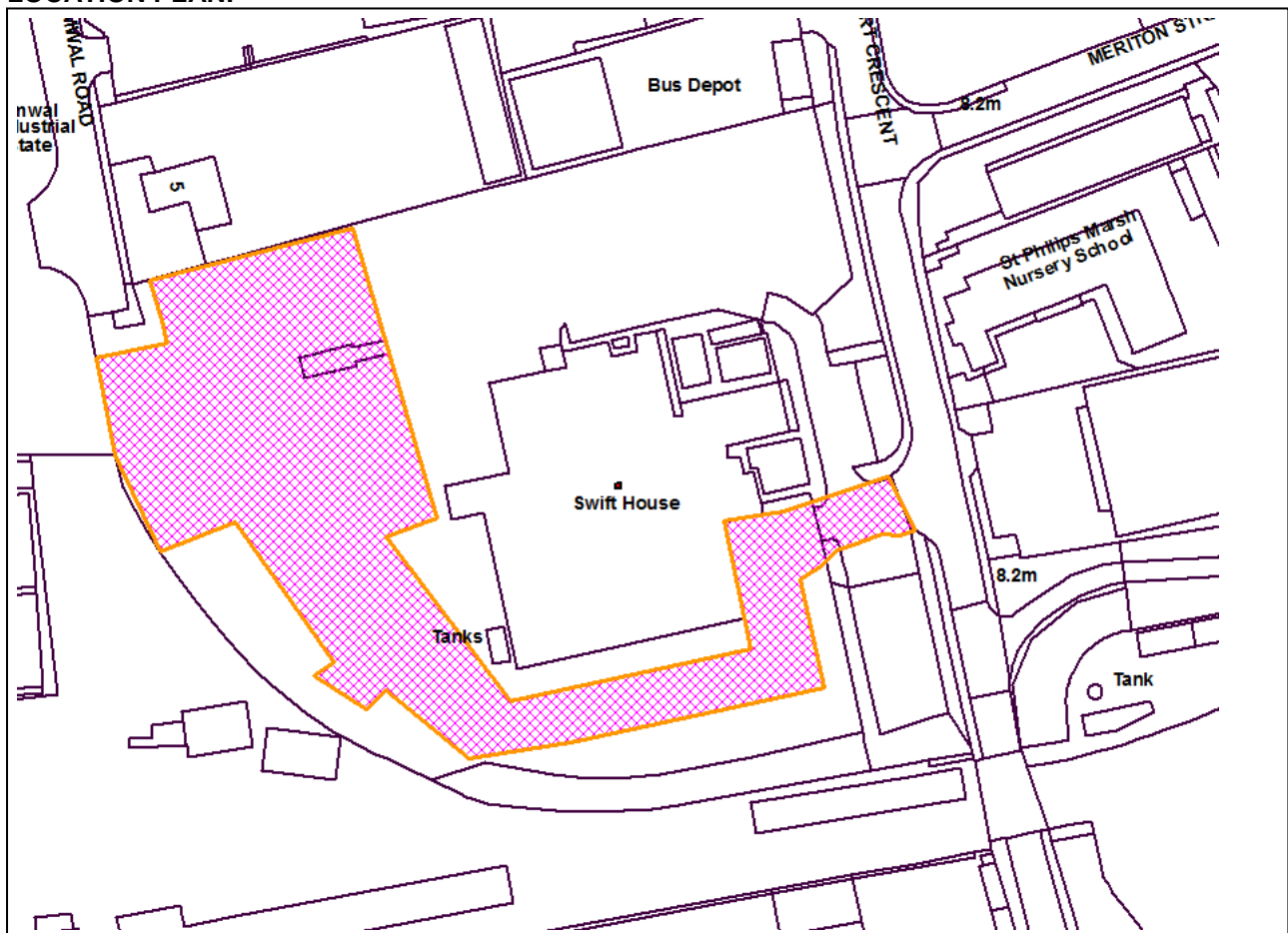
**Erection and operation of a waste transfer station and ancillary structures, including a trailer shelter, a weighbridge and weighbridge office.**

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

**APPLICANT:** Grundon Waste Management Limited  
 Estates Office  
 Grange Lane  
 Beenham  
 Reading  
 RG7 5PY

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

**LOCATION PLAN:**



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## SUMMARY

The application is for full permission planning for a waste transfer station in the St. Philips Marsh area of Bristol. The application has been subject to considerable concern in the local community, particularly with reference to the potential impacts on the St. Philip's Nursery, which is adjacent to the access. As a result, the application was called to committee by Councillor Jama to allow consideration of the amenity impacts.

The application was previously reported to planning committee on 4<sup>th</sup> March 2021, with a recommendation for approval. However, the Members debated the application and had outstanding concerns regarding odour, vermin and air quality, and deferred the application to allow further consideration of these issues. The previous report is attached as an appendix to this report.

In response to these concerns Officers are of the view that the previous recommendation was sound. However, this update report provides further guidance on the issues raised by Members, and the relative merits of refusing the application on the suggested grounds.

## RESPONSE TO PUBLICITY AND CONSULTATION

The application was advertised by a site notice erected close to the site, by advertisement in a local newspaper and by writing to 15 neighbouring properties. As a result, 92 representations were recorded in the original report, including 74 objections and 18 supporting comments. In addition to this a further 49 objections and 1 supporting comment was received (including those previously listed on the amendment sheet).

In large part the objections reiterate concerns that were expressed through the original consultation, particularly in relation to the environmental and traffic impacts of the development, particularly with regard to the impact on the nearby day nursery and education centre. In addition, the following comments were made:

- Given the lack of community involvement any decision should be conditional on the establishment of a community liaison group, to include clear responsibilities on the applicant to Monitor and resolve impacts. (Officer comment: Having discussed this with the applicant, they are intending to introduce a Community Liaison group in relation to this facility).
- Any permission should be conditional on the provision of a road crossing at the site (Officer comment: there is already an informal crossing in this location, and given the transport statement shows no significant increase in traffic movements, any upgrade would be difficult to justify).
- The air quality assessment relies on monitoring stations outside St. Phillips, and underestimates the impacts, especially the impacts of particulates (Officer comment: the submitted air quality assessment has been carried out in accordance with best practice, and includes an assessment of the impact of particulates – as such the air quality officer is satisfied that this is fit for purpose).
- The proposal would employ relatively few staff, and therefore the benefits of the proposal are overstated (Officer comment: this is not considered to justify the rejection of the application).
- The highway assessment fails to take into account highway works associated with other development in the area (Officer comment: It is noted that the highway network in the St. Philips Marsh area is considered appropriate for industrial vehicles, and any changes to the network would not impact on this. On this basis, highway officers are satisfied that the impact on the highway network has been appropriately assessed).

In addition, a comment has been received from Cllr Tony Carey (Brislington East Ward). Whilst this does not specifically object to the application, it does emphasis the value of the nursery adjacent to the site, and states that consideration must be given to moving the day nursery should the development go ahead. (Officer comment: This is beyond the scope of a planning application).

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KEY ISSUE

WOULD THE PROPOSAL UNACCEPTABLY AFFECT THE AMENITY OF THE AREA?

As referred to above, at the previous committee, Members raised concerns about the impact of the proposals on amenity, with particular relevance to Odour, Vermin and Air Quality. Officers have sought further advice from the Council's pollution control team, and would advise as follows:

**Odour**

Paragraph 6.5 of the Air Quality Assessment details that organic waste would be handled at the premises and that this could be the source of odour dependent on the type of waste, environmental conditions and how long it is stored. Paragraphs 6.12 & 6.13 show that, due to underlying wind conditions, there is a very effective pathway between the proposed waste transfer station and the nursery which is of high sensitivity to odour

Taking in to account the source odour, the effectiveness of the odour pathway and the sensitivity of the nursery school paragraphs 6.14 to 9.19 find that the likely odour effect at the nursery (without mitigation) is deemed as being moderate.

The proposed mitigation measures are given in paragraph 7.3, including re-orientation of the building and the use of odour neutralising sprays. With this in place the assessment finds that the risk of odour effects at the nursery will be reduced as far as practicable, and the overall effects will be 'not significant'. It has to be noted that the risk is only reduced as far as practicable and a 'not significant' odour effect does not mean that there will be no odour from the development at the nursery.

There are a number of factors involved here that cannot be controlled at all, such as weather conditions. There are also other factors such as the amount of organic waste handled that could in theory be controlled but would be difficult to control through the planning process. Indeed, the impacts of odour are, to some degree, subjective, and even a very limited impact may have some harmful impacts.

Whilst the operation of the site will be controlled by an Environmental Permit, paragraph 3.2.1. of the 'Standard rules SR2015 No4\_75kte - household, commercial and industrial waste transfer station' does require that odour levels not cause pollution 'unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable, to minimise, the odour'. Again this does not mean there will be no odour especially if appropriate measures have been taken.

Ultimately, therefore, whilst officers are satisfied that all reasonable efforts have been made to mitigate the impacts of odour, some harmful impacts cannot be entirely ruled out. As such, Members could reasonably conclude that potential impacts from odour associated with the proposed development could not be ruled out, and as such the proposal would be contrary to policy BCS23 of the Core Strategy.

Suggested reason for refusal:

Given the sensitive nature of nearby receptors and the fact that impacts from odour cannot be ruled out, despite the proposed mitigation measures, the proposal would have a harmful impact on the nearby receptors, and as such is contrary to policy BCS23 of the Bristol Local Plan: Core Strategy, 2011.

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In addition to concerns over odour, Councillors also expressed concerns with regards to the potential for nuisance from flies from the site. Again the control of insects would be covered under the sites Environmental Permit. However since 2013 Bristol City Council has been in receipt of a large number of complaints about flies in the Avonmouth area of the city. It is very difficult to positively establish the source of fly infestations though permitted waste premises have widely been thought to be sources or contributors to the fly complaints. Similar to the conditions that will cause odours, factors such as the type of waste, environmental conditions and how long it is stored will influence how well flies will breed and these factors are not ones that can be easily controlled via the planning process.

The control measures adopted would depend on the hazard presented by the waste streams and handling/storage times i.e. would waste attract flies and then would the process support and allow time for the full fly lifecycle so as to sustain a population of flies at the site. More active controls would therefore be necessary (and required by the EA) at sites accepting food waste, unwashed food containers or if a specific process involving decaying organic matter such as composting were to take place. If waste streams change there is likely to be a need for approval from the EA so as to ensure commensurate controls are adopted. Measures may extend, for the highest risk processes such as composting, to be enclosed.

Pollution Control Officers do not consider that the proposed development would represent a significant risk, however could not rule out any impact from the proposed development. Similarly to the impacts of odour the degree of harm that would result is subjective, so again, in the absence of an agreed level of 'impact' Members could conclude that the potential impacts would be harmful, and contrary to planning policy.

Suggested reason for refusal:

Given the sensitive nature of nearby receptors and despite the proposed mitigation measures, the potential for increases in flies associated with the proposed development cannot be ruled out, and on these grounds the proposal would have a harmful impact on the nearby receptors, and as such is contrary to policy BCS23 of the Bristol Local Plan: Core Strategy, 2011.

**Air Quality**

Unlike odour and vermin, for air quality there are established criteria against which the application should be assessed. These standards take into account impacts on those with protected characteristics, including breathing impairments. The assessment has been carried out in accordance with the appropriate industry standard, and takes account of the best available data. The results, specifically in relation to nursery, are as follows:

Nitrogen Dioxide Concentrations:

Objective	40µg/m <sup>2</sup>	Without Development	30.3 µg/m <sup>2</sup>	With Development	30.8 µg/m <sup>2</sup>
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Particulates PM10

Objective	32 µg/m <sup>2</sup>	Without Development	15.1 µg/m <sup>2</sup>	With Development	15.2 µg/m <sup>2</sup>
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Particulates PM2.5

Objective	25 µg/m <sup>2</sup>	Without Development	10.2 µg/m <sup>2</sup>	With Development	10.2 µg/m <sup>2</sup>
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On this basis, whilst it is acknowledged that the proposal does have potential to increase pollutants, the results are well within accepted limits. Indeed, the results of the assessment suggests that even with the development the resulting pollutant levels would still be lower than existing levels in a number of nearby locations, such as those closer to Bath Road. On this basis, officers can find no justification for refusing the application on air quality grounds.

### **Agent of Change**

Policy BCS23 requires development to be designed so as not to have a detrimental impact on the surrounding environment, and not impact on the viability of existing uses through additional pollution. The responsibility lies with the developer to ensure that their development does not impact on existing levels of amenity.

In addition, paragraph 182 of the NPPF introduces the 'agent of change principle'. In effect, this means that where a development would introduce a new use into the area which has the potential to be sensitive to the existing uses, the applicant (the 'agent of change') is responsible for mitigating the impact of that development such that those businesses do not have unreasonable restrictions placed on them. However, for clarity, this paragraph in the NPPF relates specifically to the introduction of new 'sensitive' uses, and therefore is not directly relevant to this application.

### **EQUALITIES IMPACT ASSESSMENT**

During the determination of this application due regard has been given to the impact of this scheme in relation to the Equalities Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

For clarity, it has been argued by others that the application is discriminatory, because it would have additional impacts on those with protected characteristics. As such, to approve an application which would impact on those protected characteristics would be a failure of the Public Sector Equalities Duty. In this case, that duty would be triggered if, for example, it was found that the impacts on air quality were such that people with breathing impairments would be unduly impacted. However, because the air quality targets are precautionary, and take into account those with breathing difficulties, and given the proposal would meet the targets, it is concluded that the approval of this application would not have any significant adverse impact upon that specific group. Similarly, given that it has been concluded that the impacts of the developments are within accepted criteria, it is considered that due regard has been had for those with protected characteristics, and the proposal would have no implications for the Equalities Act 2010.

### **CONCLUSION**

The previous report concluded that the development would comply with the relevant policies for the following reasons:

This area is currently allocated as a Principle Industrial and Warehousing Area, and the Local Waste Plan for the area directs such developments to previously developed land allocated for industrial uses. Notwithstanding the allocation, it is acknowledged that there are sensitive uses close to the site. However, Council Officers are satisfied that the environmental impacts will be limited, or can be successfully mitigated. It is also noted that the use of the site will be subject to an Environmental Permit, which will monitor and regulate any potentially polluting activities at the site. In relation to highway impacts it is noted that the previous use of the site was for commercial vehicle hire, and that the nature and volume of the impacts would not change significantly (indeed the transport statement suggests that the volume of traffic would significantly reduce).

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It is noted that this area has been identified as a future redevelopment area, and the Council are currently considering ways to increase the density and diversity of development in the St. Philips Marsh area. Whilst this has been referred to in the draft local plan, at this stage this has limited weight, and it is not at all clear that it would restrict such uses in this area.

As such, it is considered that the application is in accordance with current planning policies, there are no detrimental environmental impacts that would warrant the refusal of the application, and there are no emerging policies with sufficient weight to warrant refusal. As such, the application is recommended for approval, subject to relevant conditions.

In view of officers the previous recommendation is sound, and the recommendation remains to approve the application.

Notes on Conditions:

Following the original drafting of the conditions officers sought further advice from the Environment Agency and the Lead Local Flood Authority. As such condition 5 has been added, and the original condition 11 has been removed.

This development is liable for CIL, however the CIL rate for this type of development, as set out in the CIL Charging Schedule, is £nil and therefore no CIL is payable.

**RECOMMENDED GRANT subject to condition(s)**

**Time limit for commencement of development**

1. Full Planning Permission

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

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

**Pre commencement condition(s)**

2. Further details of office before relevant element started

Detailed drawings or specific illustrative material of the proposed office building shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The detail thereby approved shall be carried out in accordance with that approval.

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

3. Energy Statement

Prior to commencement of development an Energy Statement shall be provided demonstrating how energy demand for heating and power will be minimised through improvements in fabric efficiency, air permeability and controlled ventilation, the selection of energy efficient lighting and appliances, and heating and lighting controls. The development shall be constructed and operated in accordance with the approved statement.

Reason: To minimise energy demand and associated carbon dioxide emissions as required under BCS14.

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4. Bird nesting opportunities

The development hereby approved shall not be carried out until details of bird nesting opportunities, either incorporated into the buildings or provided elsewhere within the site, have been submitted and approved in writing by the Local Planning Authority. The bird nesting opportunities shall be constructed in accordance with the approved plans prior to the occupation of the development.

Reason: To enhance biodiversity at the site.

5. No development shall take place until a proportionate Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the site has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall demonstrate how the proposed site makes improvements to the existing surface water drainage system for the site. The approved drainage strategy shall be implemented in full prior to the development being brought in to operation, and shall be maintained thereafter, in accordance with the approved details.

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.

**Pre occupation condition(s)**

6. Flood Risk Assessment

The development shall be constructed and operated in accordance with the submitted flood risk assessment note by Enzygo dated 24 November 2020 (ref CRM.049.020.HY.L.001) and the following mitigation measures it details:

- o Buildings designed to flood freely
- o Retention of waste in the building during a flood

These mitigation measures shall be fully implemented prior to first operation. They shall thereafter be retained and maintained throughout the lifetime of the development.

Reasons: To reduce the risk of flooding to the proposed development.

7. Reporting of Unexpected Contamination

In the event that contamination is found at any time that had not previously been identified when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the Environment Agency's 'Land Contamination: risk management' guidance and BS 10175:2011 + A2:2017: Investigation of Potentially Contaminated Sites - Code of Practice. Where remediation is necessary a remediation scheme must be prepared which ensures the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

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Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

## 8. Noise and Odour

The development hereby approved shall only be operated in accordance with the recommendations of the following reports:

- \* Noise Assessment Report by WBM Acoustic Consultants (dated 9th July 2020)
- \* Noise Technical Note by WBM Acoustic Consultants (dated 22nd October 2020)
- \* Air Quality Assessment by Air Quality Consultants (dated September 2020)
- \* Odour additional note by Air Quality Consultants (dated 4th November 2020)

Reason: To protect the amenity of nearby developments.

## 9. Operational Management Plan

Prior to the occupation of the development an Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall provide details waste management operations outside of 07.00-18.00 Monday to Friday and 08.00-1300 Saturday, including providing details measures to limit noise impacts on nearby residents and details of the complaints management procedure.

The site shall only operate in accordance with the Operational Management Plan, unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of nearby residents.

## 10. C26 Flood Evacuation Plan - Commercial Property

No building or use hereby permitted shall be occupied or the use commenced until the applicant has submitted to and had approved in writing by the Local Planning Authority a Flood Warning and Evacuation Plan (FEP). This Plan shall include the following information:

- \* command & control (decision making process and communications to ensure activation of FEP);
- \* training and exercising of personnel on site (H& S records of to whom and when);
- \* flood warning procedures (in terms of receipt and transmission of information and to whom);
- \* site evacuation procedures and routes; and
- \* provision for identified safe refuges (who goes there and resources to sustain them).

The FEP shall be reviewed at intervals not exceeding 3 years, and will form part of the Health & Safety at Work Register maintained by the applicant.

Reason: To limit the risk of flooding by ensuring the provision of a satisfactory means of flood management on the site

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11. Completion and Maintenance of Cycle Provision

No building or use hereby permitted shall be occupied or the use commenced until provision for two cycle parking spaces, in accordance with details submitted to and approved in writing by the Local Planning Authority, have been completed. Thereafter, the Cycle Parking Spaces shall be kept free of obstruction and available for the parking of cycles only.

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

**Post occupation management**

12. Maximum Weight of Refuse

The development hereby approved shall store and process no more than 50,000 tonnes of waste in any single calendar year.

Reason: In accordance with the submission and to ensure the impacts of the development is no greater than set out in supporting statements in respects of highways and amenities.

13. Restriction of the use of open Areas of the site

No open storage or display of goods, materials, finished or unfinished products or parts, crates or refuse shall take place on any open area of the site without the written permission of the council.

Reason: To ensure that vehicle movements are not obstructed and to ensure that the appearance of open areas of the site is acceptable.

**List of approved plans**

14. 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.

DG\_EST\_BRI\_WTS\_01 Location plan, received 25 August 2020  
 DG\_EST\_BRI\_WTS\_02 Planning application and ownership areas, received 25 August 2020  
 DG\_EST\_BRI\_WTS\_03 Proposed layout plan, received 25 August 2020  
 012819-4 Office unit plan and details, received 25 August 2020  
 A08901015 Transportable weighbridge, received 25 August 2020  
 DG.EN.BRI.WDL.1157 Proposed waste transfer building, received 25 August 2020  
 DG.EN.BRI.WDL.1158 Proposed trailer shelter, received 25 August 2020  
 DG.EN.BRI.WDL.1161 Proposed lighting layout, received 25 August 2020

Reason: For the avoidance of doubt.

**Advices**

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

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- 2 This development will require an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016, Regulation 12.

In circumstances where an activity/operation meets certain criteria, an exemption from permitting may apply, more information on exempt activities can be found here:  
<https://www.gov.uk/guidance/register-your-waste-exemptions-environmental-permits>

The applicant is advised to contact the Environment Agency on 03708 506506 discuss the issues arising from the permit application process.

- 3 Any works on this land shall be undertaken following engagement with Network Rail Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3months notice before works start. Initially the applicant should contact [assetprotectionwestern@networkrail.co.uk](mailto:assetprotectionwestern@networkrail.co.uk).

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APPENDIX 1 (Original Report)

SUMMARY

The application is for full permission planning for a waste transfer station in the St. Philips Marsh area of Bristol. The provision of waste facilities in this area, which is allocated for industry and warehousing, is considered to be in accordance with the development plan policies.

Notwithstanding compliance with the allocation policies, the Local Planning Authority are required to consider the environmental impacts of the development. The nature of the operation, with most of the activities being carried out inside of the buildings, is considered to limit the environmental impacts, and where there are external impacts, such as odour, it is considered that these impacts can be mitigated. The Council's Pollution Control, Air Quality and Transport teams have found no material reasons to object to the application. It should also be noted that operations on the site would be subject to Environmental Permit to monitor the impacts.

The application has been subject to considerable concern in the local community, particularly with reference to the potential impacts on the St. Philip's Nursery, which is adjacent to the access. As a result, the application was called to committee by Councillor Jama to allow consideration of the amenity impacts. However, Officers have found no reason to object to the application, and therefore the proposal is recommended for approval, subject to relevant conditions.

SITE DESCRIPTION

The application relates to the former Gulliver's truck hire site within the St. Philips Marsh area of Bristol. The overall site measures around 1.5 hectares and currently contains a large warehouse type building, surrounded on all sides by hard standing. The application itself only relates to the area of hardstanding, mostly to the west of the site, although utilising the existing access from Albert Crescent to the east of the site. As such, it measures around 0.62 hectares. It is understood that the rest of the former Gulliver's truck hire site is also under the ownership of the applicant, and will partly be used for vehicle maintenance or be leased out to a third party.

The site is currently allocated as Primary Industrial and Warehouse Area (PIWA). The site has also been identified as being within an area of flood risk. According to the Environment Agency flood mapping the site is partly within Flood Zone 2, with a small area around the vehicle entrance to the site being in Flood Zone 3. However, it is acknowledged that the Council has recently published a revised Strategic Flood Risk Assessment, which contains revised modelling reflecting the potential impact of Climate Change. This suggests that by 2080 (reflecting the approximate lifespan of the development) much of the site will be at high risk of flooding, apart from the area around the western boundary of the site.

RELEVANT HISTORY

It appears that the use of the site for commercial vehicle distribution, including service and repair shop, was originally permitted in the later 1960s. Numerous applications for minor developments have been made since then, including applications for advertisement consent. However, these are not considered to be directly relevant to the current application.

It is noted that planning permission has been granted for an additional access to the site, from Camwell Road, in the early 1980s (ref. 81/02621/P). It is not clear if this permission was implemented, but the access is not currently in use.

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## APPLICATION DETAILS

The application is for full planning permission to use the eastern part of the site as a Waste Transfer Station. In effect, this will involve waste collected from local commercial sources being sorted, and then transferred elsewhere.

As a consequence the main element proposed is a Waste Transfer Station Building, which would be located in the north east corner of the site. The building would measure 42 metres long, 26 metres wide and 12 metres to the ridge. The building would be clad in grey cladding, and open fronted to the south to allow for access. The open elevation will be fitted with a PVC curtain.

It is also proposed to provide a smaller, open sided, building to act as trailer store. This will allow for the storage of 6 trailers. It is also proposed to provide a weigh bridge and small office (housed in a single portacabin) adjacent to the western boundary of the site.

No dedicate parking is proposed within the application site, but it is understood that there are 30 car parking spaces on the wider site (within the blue line), and it is understood that those parking spaces will be used in association with this development.

## PRE APPLICATION COMMUNITY INVOLVEMENT

A Statement of Community Involvement has been submitted with the application, which highlights the following process:

### i) Process

The statement makes reference to the fact that there are no residential properties near to the site, and the fact that the application was largely prepared during the Covid pandemic, and as such a public engagement event was not undertaken.

However, it is noted that Grundon (the applicant) operate Community Liaison groups where there is significant public interests, and would consider establishing one here, if it were considered to be beneficial.

### ii) Fundamental Outcomes

Given that no public feedback was sought no changes to the plans resulted from community engagement.

## RESPONSE TO PUBLICITY AND CONSULTATION

The application was advertised by a site notice erected close to the site, by advertisement in a local newspaper and by writing to 15 neighbouring properties. As a result, 92 representations were received. This included 74 objections and 18 supporting comments.

In objection to the application the following issues were raised:

Principle of Development (see key issue A)

\* Development of the site should be subject to an Environmental Impact Assessment.

Land Use Issues (see key issue B)

\* The area has been identified for further residential development, and other sensitive development has been permitted in the area, and the introduction of a waste transfer station would be incompatible with this;



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- \* The proposal risks the future of the nearby Day Nursery, which is an important local amenity;
- \* The proposal could lead to significant job losses through blighting the area, particularly in relation to food preparation businesses in the area;
- \* There are already Waste Transfer facilities in the area, and an additional one is not required.

Impact on Amenity (see key issue C)

- \* Concerns relating to amenity largely relate to the impact on the nearby Day Nursery (located adjacent to the access of the site), as well as the Adolescent Learning Centre (next to the Nursery);
- \* The proposal would result in the introduction of further heavy vehicles, which would lead to detrimental impacts on air quality;
- \* The proposal would lead to additional dust;
- \* The proposal would lead to additional noise and disturbance, including outside of normal working hours, and the assessments carried out are inadequate;
- \* The proposal would lead to unpleasant smell;
- \* The proposal will encourage flies and vermin to the area;
- \* Information from the Residents Against Dirty Energy (RADE) monitoring suggest that the air quality in the area is worse than stated in the submitted reports;
- \* The proposal would lead to light pollution.

Flood Impacts (see key issue D)

- \* The submitted flood risk assessment fails to take account of the impact of climate change;
- \* Flood water could be easily polluted by waste stored on site.

Transport Impacts (see key issue E)

- \* The proposal would lead to additional HGV movements, which would be dangerous given the location adjacent to the Day Nursery, and would lead to traffic jams;
- \* There can be no guarantee that the source of waste will be local, and may come from further afield;
- \* Areas for parents to drop off and pick up children should be safeguarded;
- \* The type of traffic is likely to make the roads unpleasant for pedestrian, and push more people into cars.

Ecology (see key issue H)

- \* The proposal would have a negative impact on wildlife, by attracting vermin to the site.

Other Issues

- \* The pre-application public engagement was poor (Officer comments: It is acknowledged that the public engagement from the applicant in this case has been poor, however, this could not be supported as a reason for refusal on the application, and instead reference must be made to the planning merits of the scheme);
- \* The application should make provision for a financial fund to improve the fabric of the Nursery building, and allow excursions from the Nursery (Officer comments: The Local Planning Authority has no mechanism to secure such a contribution between two private operators).

Supporting Comments Include:

- \* The proposal represents a significant investment in Bristol and will bring employment opportunities;
- \* The proposal will reduce the need to transport waste long distances, and therefore reduce CO2 emissions;
- \* The proposal would be a modern facility on an existing industrial site, and therefore would have a reduced impact;
- \* The applicant is a family run business, with a good reputation and environmental record;
- \* There is a requirement for additional waste handling facilities in Bristol.
- \* The site is within an industrial area, and is already likely to be subject to a lot of the concerns that have been raised in objection to the application;
- \* Bringing the site back into use will reduce the risks associated with anti-social behaviour.

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An objection has been received from the Arnos Vale Resident's Association on similar grounds to those raised above. This includes that the development should be subject to Environmental Impact Assessment, that there would be impacts on the amenities of the Day Nursery and other sensitive receptors, the Flood Risk Assessment does not take into account the impacts of climate change and additional vehicle movements would lead to traffic jams and would be detrimental to air quality.

It is noted that the application has been called to committee by Councillor Jama. In her commentary to this she has raised a number of issues outlined above, specifically the following:

- \* The need for EIA;
- \* Noise;
- \* Additional flies and vermin;
- \* Light pollution;
- \* Flooding;
- \* Additional vehicle movements;
- \* Lack of community engagement;
- \* Source of waste.

#### OTHER COMMENTS

**Pollution Control** have commented as follows:

As stated in the Planning Application Supporting Statement if granted suitable management of noise, odour, dust and pests would be controlled in accordance with an Environmental Permit issued and enforced by the Environment Agency. This permit would also control the emission of noise from the site. I note that the Environment Agency has commented on the application but only with regards to flooding and not any pollution issues that would be covered by the Environmental Permit.

With regards to concerns over the potential for noise and odour issues from the site I would comment as follows:

#### Noise

The acoustic report says that 'normal' operating hours for the site for general waste management operations will be 07.00-18.00 Monday to Friday and 08.00-1300 Saturday. The report further says that the site will operate 24 hours/day for bulk HGV movements and some waste deliveries that would just tip in the building and leave.

I am satisfied that the noise assessment suitably covers the potential for noise from the site affecting neighbouring businesses, although there is still potential impact at night. A condition is therefore recommended to control activities during the night.

Much of the control of noise is based on materials only being tipped and loaded within the confines of the waste transfer building. If granted then this would need to be conditioned.

#### Odour

The air quality report finds that the effects of odour at the nursery are judged to be significant. This is based on the findings of a risk assessment that have identified moderate adverse effects from odour at the nursery. The report notes that the nursery school will only be occupied during school hours and thus the exposure to odours will be limited to approximately six to eight hours each day, with no exposure on weekends. Whilst this is true I do not feel it can justify any odour at the nursery from the site.

The report details however that if the measures detailed below are implemented and maintained and

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the waste transfer station can be operated in accordance with an Odour Management Plan and implements best-practice measures for odour mitigation, then the risk of odour effects at the nursery will be reduced as far as practicable, and the overall effects will be 'not significant'. The measures are:

- if possible, orientate WTS building away from the nursery, so that the main vehicle entry door is facing to the south;
- utilise an odour neutralising spray both on the tipped waste, and across the vehicle entry opening; and
- ensure that the stand containers, when stored outside, are tightly sealed to minimise odour releases.

The applicant has confirmed that these measures will be incorporated in the development.

**Transport Development Management** have commented as follows:

#### Local Conditions

The site is on Albert Crescent, an unclassified road within the St Philips Marsh Industrial area that acts as one of the main distributor routes for HGVs in the area.

St Philip's Marsh Nursery School is located on the opposite side of Albert Crescent from the proposed development. It caters for children aged 2-5 years and as such we would not expect there to be any unaccompanied minors accessing the school but instead children would be accompanied by their parents/ carers. The school has guardrailing on the footway adjacent to it as well as a designated crossing point with dropped kerbs and tactile paving and School Keep Clear markings. Visibility is good and the site is within a 20mph zone. Furthermore, the proposal would not be expected to result in significantly different vehicle movement patterns to the previous site use. As such we do not consider that the proposal poses any greater risk than the existing use.

The TA analyses the collision data for 1/10/16 to 30/9/19 for the area bounded by (and including) Feeder Rd, Albert Crescent, Albert Rd and a short section of Bath Rd either side of Totterdown Bridge. It finds 15 collisions resulting in 18 casualties (16 slight/ 0 serious/ 2 fatal). The TA concludes; "Given the traffic intensity in the local area, the number of accidents recorded can be considered to be low. There were no accidents in the last three years involving trucks of the type that will operate from the proposed WTS." We consider that this is a reasonable conclusion and so there is nothing in the pattern of collisions that would make the proposal, which would only have a minor traffic impact compared to the existing use, unacceptable.

#### Trip Generation

The application is for a Waste Transfer Station with capacity to handle 50,000 tonnes per annum. The site will accept deliveries throughout the day, mostly consisting of RCVS and roll on/ roll off trailers. Bulked waste will then be loaded on the stand trailers which will be moved around the site by shunters. Trucks will collect the trailers from the site mostly during the evenings and at night.

The TA estimates, based on the TRICS database, that the current use (on just the development site) could have resulted in 530 staff trips and 329 visitor trips. These estimates appear high for a site of this size.

However, the traffic generation of the previous use of this site is academic and does not alter our conclusions as the TA then goes on to assess the gross impact of the development (ie without discounting for the previous use) so looks at the whole impact of the new site added to the network. This is considered a robust approach. It predicts 94 RCV and 22 bulk trips resulting in 116 HGV trips per day.

These figures are plausible given the maximum of 50,000 tonnes of throughput for the site. The maximum throughput would need to be conditioned.

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The number of staff movements would be small. The trips have been assigned to the network taking in to account height restrictions. The development is found to have minimal impact at the two main junctions where the traffic would meet the network.

For the priority junction at Feeder Rd/ Short St the TA shows that the junction would operate within capacity with the development. As set out above these figures are considered to be robust as the modelling has been done with gross figures (ie without offsetting the impact of the existing use on the site) and so the impact of the site would be less than this when the existing use is taken in to account. The impact on the local highway network of the development is therefore considered to be acceptable.

#### Access

The site would reuse an existing industrial access on to Albert Crescent. This is considered acceptable. The TA has acceptable swept paths for the maximum articulated truck size (16.5m and 44 tonnes).

#### Parking

The proposal is to reuse the parking spaces associated with the previous use. This is considered appropriate. There will also be parking for 6 stand trailer spaces. The application is for 1,486 sqm of Sui Generis Use Class. If the B8 cycle parking standard were applied then there would be a requirement for secure parking for 2 cycles.

#### Travel Planning

The site has reasonable access to a range of public transport in the form of buses and proximity to Temple Meads railway station. It is also close to a number of main cycle routes. However, the nature of the site is that most trips will have to be made by HGV. The number of staff on site is small and likely to be similar to the previous use so the additional impact is likely to be negligible.

#### Conditions

A condition would be required limiting the maximum tonnage that passes through the site annually to 50,000 tonnes as this is the basis on which the trip generation has been calculated and considered to be acceptable.

#### **Environment Agency (Sustainable Places)** has commented as follows:-

Following the submission of a revised Flood Risk Assessment the EA have removed their objection to the application, subject to a condition that the development shall be constructed in accordance with the FRA. In addition, the development has been designed to have a 40 year life span, and therefore this should also be limited by condition.

Whilst the EA do not normally comment on the adequacy of flood emergency response procedures the PPG and NPPF state that the ability of users to safely access and exit the site in a design flood, and evacuate before an extreme flood needs to be considered.

The findings of the FRA in relation to the likely duration, depth, velocities and flood hazard rating indicates that there will be danger for all in a flood event. In the event of where warnings and emergency response is fundamental to managing flood risk, we advise Local Planning Authorities to formally consider the emergency planning and rescue implications of new development.

#### **Air Quality** has commented as follows:-

I have reviewed the air quality assessment for this development, which concludes that the impact of

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the development on air quality is negligible. The modelling is conducted according to the relevant guidance and uses an accepted dispersion model and modelling approach. The receptors are characterised appropriately and the nearby nursery school is included as a receptor.

While the additional local traffic generated by the development will cause a small increase in concentrations of nitrogen dioxide, this is below the threshold that would cause the impact to be described as adverse and would likely raise an objection from us. I therefore do not have an objection on the grounds of air quality.

**Contaminated Land Environmental Protection** has commented as follows:-

We have reviewed the desk study we have to advise the applications that the description of the landfill is incorrect.

'4.14.1 The Groundsure report indicates there is one historic landfill within 250m of the site, which is 168m NE. This was identified within the historical maps. The area has since been redeveloped for a sports ground and industrial use and given the distance this is not considered a risk.'

The closest landfill is 168m away to the East but it is not a sports ground (the nearest landfill that is a sports ground is Netham Road)

We do acknowledge that the site will be hardstanding and all drainage will be going to the sewer network (and controlled in essence by the future permit). Section 6.4.3 states that the building designs will have open sides meaning risks from ground gases/vapours are mitigated.

Nonetheless this is a development in an industrial area so the following condition is recommended to be applied to any future planning consent:

**Reporting of Unexpected Contamination**

In the event that contamination is found at any time that had not previously been identified when carrying out the approved development, it must be reported immediately to the Local Planning Authority.

**Nature Conservation Officer** has commented as follows:-

There is some vegetation on the boundary of the site. It is recommended that an advice note is attached to any permission granted to advise the developer that any site clearance should be carried out outside the bird nesting season.

Floodlights are proposed as part of this proposal and this is considered acceptable on ecological grounds in this location.

In accordance with Policy DM29 in the Local Plan, the provision of a living (green/brown) roof which does not include Sedum, perhaps located on the proposed weighbridge office portakabin, is recommended to provide habitat for wildlife.

**Network Rail** has commented as follows:-

Network Rail has no objection in principle to the above proposal but due to the proposal being next to Network Rail land and our infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we have included asset protection comments which the applicant is strongly recommended to action should the proposal be granted planning permission.

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Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3 months' notice before works start.

**Sustainable Cities Team** has commented as follows:-

Given the limited impact of the development and scope to secure improvements, it is recommended that an additional Energy Statement is secured by condition, to demonstrate how energy demand for heating and power will be minimised through improvements in fabric efficiency, air permeability and controlled ventilation, the selection of energy efficient lighting and appliances, and heating and lighting controls.

**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.

West of England Joint Waste Core Strategy 2011.

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

**KEY ISSUE****(A) DOES THE APPLICATION REQUIRE ENVIRONMENTAL IMPACT ASSESSMENT?**

It is noted that a number of objectors to this application have stated that the application should be subject to an Environmental Impact Assessment. The regulations that relate to EIA are the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. These divide significant development proposals between schedule 1 developments, which require an Environmental Statement, and schedule 2 development, which may require an ES, depending on their characteristics and impacts.

The proposal is not covered by schedule 1 of the regulations. Schedule 2 includes under part 11(b), Installations for the disposal of waste. However, in this case the proposal does not involve any actual disposal of waste, but instead the processing and transportation of the waste. In addition, the indicative thresholds included under this part of the schedule include the following:

- (i) The disposal is by incineration; or
- (ii) the area of the development exceeds 0.5 hectare; or
- (iii) the installation is to be sited within 100 metres of any controlled waters.

The proposal does not involve incineration, and would fall below the other thresholds.

As a consequence, it is considered that the proposal would not require an Environmental Statement. However, it is noted that notwithstanding this the Local Planning Authority have to assess the environmental impacts of the proposed development, and the applicant are required to provide an adequate level of information to allow this.

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The application site is located within the St. Philips Marsh area, which is currently allocated as Principal Industrial and Warehousing Area (PIWA) in the adopted Local Plan. In accordance with policy BCS8 of the Core Strategy, these areas are identified to be retained for employment uses. Policy DM17 of the Development Management Policies sets out that uses including B1(b)-B8 uses are acceptable on these sites, as are other uses including 'Essential Public Utilities Development'.

In this case, whilst the proposed use is classified as a Sui Generis use, outside of the usual use classes, it does share many of the characteristics of the relevant 'B' class uses, and Officers are satisfied that this would be classed as an 'Essential Public Utility'.

In addition, the West of England Joint Waste Core Strategy (2011) includes policies relevant to the location of waste handling facilities. Policy 2, which refers to non-residual waste facilities, including waste transfer stations, should be located on land allocated for industrial or storage use, on previously developed land or on existing waste management sites. In this case, therefore, the proposed development would comply with this part of the development plan.

It is noted that the 2019 Draft Local Plan identifies St. Philips Marsh as a major regeneration area, which will include provision being made for residential development, as well as a range of employment uses. To facilitate this work is ongoing on a Spatial Framework. However, it is clear that in making the decision on this application the starting point is the adopted development plan, indeed section 38(6) of the Planning and Compulsory Purchase Act 2004 (2004 Act) requires that, where regard is to be had to the statutory development plan in determining an application for planning permission, the determination shall be made in accordance with the development plan unless material considerations indicate otherwise. Whilst the emerging policy has some weight in determining the application, that weight is currently limited, and would not exclude the use of parts of the area for industrial uses. The Spatial Framework is not currently in a format that is considered to have any significant weight in the decision making process, and therefore would not supersede the current development plan policies.

As such, it is considered that the proposal would comply with the locational policies in the adopted development plan, which indicate that this site would be appropriate for the type of use proposed, subject to other policies in the plan.

**(C) WOULD THE PROPOSAL UNACCEPTABLY AFFECT THE AMENITY OF THE AREA?**

Policy BCS21 of the Core Strategy, as well as requiring development to be of a high quality design, also requires new development to safeguard the amenities of existing development. In addition, policy BCS23 also requires development to be designed so as not to have a detrimental impact on the surrounding environment, and not impact on the viability of existing uses through additional pollution.

- Residential Impacts

The site is relatively central to the St. Philips Marsh employment area. As such, the nearest residential area currently would be at Paintworks, which is over 300 metres to the south of the site. It is noted that objections have made reference to existing waste processing businesses being a source of noise and disturbance to existing residents, however, these are generally closer, being towards the south of St. Philips, and having less in the way of screening.

Reference is also made in the objections to the application to other proposed and permitted residential development in the area. Of those in the area only the proposed student flats on Temple Island currently benefit from planning permission. There is also a resolution to grant planning permission for residential development at Silverthorne Lane, to the north of the site, although this is subject to call-in from the Secretary of State. However, both of these sites are a similar distance from

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the site to Paintworks, and therefore it is considered that the impacts would be similar.

- Other impacts

Most of the other neighbouring uses are industrial, and therefore are not considered to be sensitive to the introduction of a use of this nature. However, the main exception to this is the St. Philip's Marsh nursery, which is directly opposite the access. Also nearby is the Learn@MAT facilities, which appear to offer training to young people. With regards to planning policy, both of these facilities are encouraged within industrial areas, because they can support the functioning of that industrial area. However, these facilities are sensitive to pollution, and therefore the impacts on these of the proposed development are material to the decision on the application.

In addition, it should be noted paragraph 182 of the NPPF introduces the 'agent of change principle'. In effect, this means that where a development would introduce a new use into the area which has the potential to be sensitive to the existing uses, the applicant (the 'agent of change') is responsible for mitigating the impact of that development such that those businesses do not have unreasonable restrictions placed on them.

- Air Quality

In this regard the application is supported by an Air Quality Assessment. Whilst concerns have been raised about existing Air Quality in the area, it is noted that the site does lie outside of the existing Air Quality Management Area. The assessment submitted measures the impact of the development in respect of Nitrogen Dioxide and Particulates, and compares the scenario of no development of the site against the impacts of the development. This is measured at a number of locations, including at the nursery, and the residential properties on Bath Road.

This found that the highest concentrations of pollutants tended to be in the Bath Road area, mostly related to road traffic, however no exceedances of the relevant standards were predicted in any locations. The impact of the development was found to be negligible (an increase of less than 1%), taking into account the worst case assumptions in the model.

This has been reviewed by the Air Quality team of the Council, who confirm that given the impacts are negligible, and there would be no exceedances, there are no grounds for objection on these grounds.

- Noise

The noise assessment submitted with the application is based on noise readings taken at two sites close to the site (one directly outside of the nursery). These indicate that the noise levels around the site are already relatively high, both from industrial sources and road traffic (the nursery being more affected by road traffic currently).

The noise assessment goes on to provide an indication of the noise levels predicted in connection with the development, which are likely to be lower than the background noise levels. This assessment is predicated on the fact that most of the activities will be contained within the building, which can be secured by a condition on any permission. The Council's Pollution Control Officer is satisfied with this assessment, although it is noted that the assessment is largely based on day time noise levels, whereas it is the intention to operate the facility, albeit on a limited capacity, throughout 24 hours. Clearly, any operations outside of normal working hours would not impact on the nursery, or other commercial properties nearby. However, whilst it is not expected that these activities would impact on the residents nearby, any intensification of these activities may do. However, the operations of the site could be limited by a suitability worded condition, and therefore it is not considered that the proposal would warrant refusal on these grounds.



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- Odour

The submitted Air Quality Assessment includes an Odour Risk Assessment, which considers the potential of odour from the development impacting on nearby land uses. This considers the same receptors as the Air Quality Assessment above, including the potential to impact on the nursery. Considering issues such as prevailing wind direction and sensitivity of the receptor this concludes that there is risk of odour having a moderate adverse impact on the nursery, although all other impacts are considered to be negligible (either on the basis that the receptor is of low sensitivity, or that odours are unlikely to carry to the other locations identified).

As a consequence, the report suggests mitigation that could be employed to limit the impact on the nursery. Broadly, this includes the orientation of the building, with the entrance facing south, the use of odour neutralising spray and ensuring that any external containers are steeled. Subject to these measures, which can be secured by condition, the Pollution Control Officer is satisfied that the impacts on the nearby nursery will be mitigated.

- Lighting

Concerns have also been raised about the impact of external lighting at the site. The submitted plans show a number of LED floodlights on the site, set at nine metres high. The plans indicated that the lighting would be angled to reduced light spill to other areas. It is noted that external lighting is not uncommon on employment sites in the area, many of these are closer to existing residential development. It is also noted that these would only come into use outside of normal working hours, and therefore would not impact on other commercial properties in the area. As such, it is not considered that these would warrant the refusal of the application.

- Vermin

In addition to the management issues referenced above, it is also apparent that the applicant's management strategy for the site includes mitigation for vermin (rodents/flies/birds). Again, this involves keeping the waste inside of the building, or in sealed containers. In addition, it is material that the intention is to keep the waste on site for a limited period only.

- Environment Agency Permits

It should also be noted that the operation of the site would be subject to a Permit from the Environment Agency. It is understood that the applicant is yet to apply for a permit, but this would largely cover such issues as odour, dust and vermin. Whilst the Local Planning Authority must still consider land use issues in deciding a planning application (i.e. is this an appropriate location for an activity or development), the individual polluting activities that result from the management of the site fall under the remit of the Environment Agency to determine and monitor.

Therefore, officers are satisfied that a waste transfer station can be located on this site without an unacceptable impact on the amenities of nearby residents and businesses. It has been identified that there is potential for odours from the proposed development to impact on the neighbouring nursery, and for the intensification of activities outside of normal business hours to impact on nearby residents. However, in both cases a way of mitigating this has been identified, and officers are satisfied that mitigation can be secured through a condition requiring an appropriate site management plan. As stated above, the site will also require an Environmental Permit, and as such the individual polluting impacts of the development would be for another regime to consider, and as such there are no planning grounds to refuse the application for amenity reasons.

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(D) WOULD THE PROPOSED DEVELOPMENT BE AT RISK FROM FLOODING, HAS A SEQUENTIAL APPROACH BEEN TAKEN TO LOCATING THE DEVELOPMENT, AND WOULD IT INCREASE THE RISK OF FLOODING ELSEWHERE?

The application site is largely in flood zone 1 (present day) as identified by the Environment Agency, although parts of the access and areas to the east of the site are within flood zones 2 and 3 (being medium to high risk of flooding). However, the more recent modelling undertaken to inform the 2020 revision of the Strategic Flood Risk Assessment suggests that in 2080, when account is taken of climate change, the whole site would be at risk of flooding.

The NPPF and policy BCS16 require that a sequential approach is taken to the location of development, locating developments in areas with the lowest risk of flooding first. However, the site is also allocated as a Principle Industrial and Warehousing Area, as referred to in policy BCS8 of the Core Strategy, and that allocation in itself has been sequentially tested. Whilst the actual use class of the site is Sui Generis (rather than Industrial or Warehousing use class) it is noted above that the use shares many of the characteristics of these uses, and indeed the Waste Plan for the area suggests that such waste transfer stations should be located on sites allocated for industry. The applicant has undertaken a search of available sites for the proposed development, and has identified a number of sites in Avonmouth as being suitable for the development. However, none of these sites are sequentially preferable, given that these are at the same or greater risk of flooding as the application site.

In addition to the need for a sequential test, the relevant planning policies also require that applications demonstrate that the development will be safe from flooding in a design flood event, for the lifetime of the development, taking account of the impacts of climate change. It is usually regarded that the lifetime of a commercial development would be 60 years, and therefore the use of the 2080 modelling, as referred to above, is relevant. However, in this case the applicant has argued that the specific nature of the use of the site suggests a lifespan of 20 to 40 years. Therefore, a flood event is likely to be less severe than suggested in the 2080 modelling. It is also noted that the proposed structures are on the part of the site at lowest risk of flooding, and are designed such that water could flow freely through the buildings, meaning that any displacement of flood waters would be kept to a minimum. The threshold of the waste transfer building would also be above the maximum flood depth (even in 2080), and therefore the waste would be kept out of any flood water.

It is noted that the access to the site would be subject to significant depths of flood water in an extreme flood event (potentially in excess of 1.5 metres). As such, the site would not be accessible in a flood event. Therefore, it would be proposed that users of the site would sign up for relevant flood warnings, which would usually provide 24-48 hours warning of a flood event, and the site would be evacuated in good time for any flood event. At the time of writing, the evacuation procedures are being reviewed, but final details can be secured by condition, and therefore there is no objection to the development on these grounds.

Given the scale of the site, the policy does require a reduction in surface water flows. However, the nature of the site and development, being dominated by existing hardstanding, means that a significant reduction in flows would not be possible to achieve without significant intervention. The applicant has suggested mitigation, which is being reviewed by the Council's flood team, and can be secured by condition if appropriate.

As such, whilst the Environment Agency originally raised some concerns about the proposal, these objections have been withdrawn. Officers considered that revised flood risk assessment has demonstrated that the site can be made safe in a flood event, and access and surface water details can be secured by condition. As such, there are no objections to the application on these grounds.

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Development Plan policies are designed to promote schemes that reflect the list of transport user priorities outlined in the Joint Local Transport Plan, which includes pedestrian as the highest priority and private cars as the lowest (BCS10). In addition, policy DM23 requires development to provide safe and adequate access to new developments.

The site is considered to be in a sustainable location, in close proximity to the city centre, and Temple Meads station. However, the nature of the use is such that it will depend on motor vehicles, including Refuse Collection Vehicles and HGVS, and therefore these vehicle movements will be added to the network. It is noted that the site was previously used for commercial vehicle hire, and the transport assessment for the site suggests that there were over 800 vehicle trips a day in connection with that use, and significantly less in connection with the proposed use. Officers are not satisfied that this estimate of the previous use is sufficiently evidenced to be given significant weight in the decision on the application, although it is clear that the previous use would have generated vehicle movements. However, the transport assessment does assess the impact of development (without discounting for the previous use), so concerns over the previous use are largely academic.

On the basis of the site processing 50,000 tonnes of waste per year the transport assessment predicts a total of 116 HGV trips per day. The site would be run with limited staff numbers so the number of staff trips associated with the development would be very small. On this basis the assessment shows that there is capacity on the existing road network for the number of vehicle trips proposed. It is noted that the intention is to collect refuse locally by refuse collection vehicle and then transfer waste to larger vehicles in order to transport it for processing/disposal. Theoretically, this should be more efficient than transporting waste longer distances in smaller vehicles. However, as has been referred to in objections to the proposals, it is very difficult to control the source of the waste through the planning process. However, it is considered reasonable to limit the amount of waste processed at the site by condition, to 50,000 tonnes, which is likely to limit the number of vehicle movements around the site in line with that set out in the transport assessment.

It is noted that the number of vehicle movements associated with the development would impact on road safety, particularly in relation to the nearby nursery. In this respect it is noted that the previous use of the site would have resulted in HGVs using the access. Visibility at the access is generally considered to be very good, and there is nothing in the accident records for the area to suggest that the vehicle movements associated with the site would result in any additional danger to road users. Whilst the location of the nursery does suggest particularly vulnerable road users, it is noted that the nature of the road use in the area of the nursery would not significantly change from the historic position. As such, it is not considered that there are any highway grounds to reject the application.

**(F) WOULD THE PROPOSED DEVELOPMENT HARM THE CHARACTER OR APPEARANCE OF THIS AREA?**

Policy BCS21 of the Core Strategy promotes high quality design, requiring development to contribute positively to an area's character, promote accessibility and permeability, promote legibility, clearly define public and private space, deliver a safe, healthy and attractive environment and public realm, deliver public art, safeguard the amenity of existing development and future occupiers, promote diversity through the delivery of mixed developments and create buildings and spaces that are adaptable to change. The adopted development management policies reinforce this requirement, with reference to Local Character and Distinctiveness (DM26), Layout and Form (DM27), Public Realm (DM28) and the Design of New Buildings (DM29).

The area is currently characterised by utilitarian industrial buildings, and there are no heritage assets of buildings of architectural interest nearby. Many of the existing buildings are large scale sheds

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constructed from a mixture of brick and metal cladding. The proposed buildings, also large scale, metal clad sheds, would be in keeping with the current context. The buildings would be located in what is currently a large area of hardstanding, previously used for storage of commercial vehicles. Therefore, the proposal would not impact on any existing features of merit, including green infrastructure. As such, it is considered that the proposal responds appropriately to the context, and meets the policy requirements listed above.

**(G) WILL THE PROPOSED DEVELOPMENT MAKE AN ADEQUATE CONTRIBUTION TO THE SUSTIANABILITY AND CLIMATE CHANGE GOALS OF ADOPTED PLANNING POLICIES?**

Policies BCS13, BCS14 and BCS15 of the adopted Core Strategy give guidance on sustainability standards to be achieved in any development, and what measures to be included to ensure that development meets the climate change goals of the development plan. Applicants are expected to demonstrate that a development would meet those standards by means of a sustainability statement.

In this case the proposed buildings would be largely open and would not be heated. Overall, the power requirements of the development are very low, largely related to lighting, and therefore the scope to reduce CO2 emissions is limited. The only heating requirements for the development relate to the pre-fabricated weigh-bridge office, and as this is an 'off the shelf' product at this stage it is not clear what improvements could be made. As such, the sustainable city team have advised that the best way of meeting the policy requirements, and ensuring energy demands and CO2 emissions are kept to a minimum, is through a condition requiring an additional Energy Statement prior to development. Subject to such a condition, there are no objections to the development on these grounds.

**(H) WILL THE PROPOSAL HAVE A HARMFUL IMPACT ON TREES, WILDLIFE AND ECOLOGY IN THE SURROUNDING AREA?**

Policy BCS9 of the Core Strategy states that 'Individual green assets should be retained wherever possible and integrated into new development'. It also states that 'Development should incorporate new and/or enhanced green infrastructure of an appropriate type, standard and size. Where on-site provision of green infrastructure is not possible, contributions will be sought to make appropriate provision for green infrastructure off site.'

Currently there is limited scrub vegetation, mostly around the boundaries of the site. This vegetation will not be impacted by the development. Whilst concerns have been raised that pollution (including light pollution) or vermin associated with the development would impact on wildlife in the area, there is no evidence that this would be the case, and the Council's nature conservation officer is satisfied that there would be no harmful impacts of the development.

It is noted that the nature conservation officer has recommended the use of living roofs to improve the biodiversity of the site. However, the applicant has responded to this by suggesting that the lightweight construction of the proposed buildings would not support the additional weight of a living roof. Instead, it has been suggested by the applicant that they could incorporate bird boxes as part of the proposed development. Given the ecological impact of the development is considered to be limited, this is considered to be a reasonable compromise, and can be secured by condition.

**(I) DOES THE PROPOSAL ADEQUATELY ADDRESS CONTAMINATED LAND ISSUES?**

Policies BCS23 and DM34 relate to the need for any development to address and mitigate contamination, and to ensure that it does not impact on future occupiers or neighbours of the site. A ground conditions report and contamination risk assessment has been submitted with the application. In this case, the development site is largely hardstanding, any drainage will be going to the sewers (and will be covered by the Environmental Permit), and the buildings will be open sided to mitigate against ground gas. As such, subject to a condition requiring the reporting of any unexpected

**Development Control Committee A – 4 March 2021**  
**Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD**

contamination, it is considered that the risks associated with the development will be adequately mitigated.

#### EQUALITIES IMPACT ASSESSMENT

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

#### CONCLUSION

The application is for full permission planning for a waste transfer station in the St. Philips Marsh area of Bristol. This area is currently allocated as a Principle Industrial and Warehousing Area, and the Local Waste Plan for the area directs such developments to previously developed land allocated for industrial uses. Notwithstanding the allocation, it is acknowledged that there sensitive uses close to the site. However, Council Officers are satisfied that the environmental impacts will be limited, or can be successfully mitigated. It is also noted that the use of the site will be subject to an Environmental Permit, which will monitor and regulate any potentially polluting activities at the site. In relation to highway impacts it is noted that the previous use of the site was for commercial vehicle hire, and that the nature and volume of the impacts would not change significantly (indeed the transport statement suggests that the volume of traffic would significantly reduce).

It is noted that this area has been identified as a future redevelopment area, and the Council are currently considering ways to increase the density and diversity of development in the St. Philips Marsh area. Whilst this has been referred to in the draft local plan, at this stage this has limited weight, and it is not at all clear that it would restrict such uses in this area.

As such, it is considered that the application is accordance with current planning policies, there are no detrimental environmental impacts that would warrant the refusal of the application, and there are no emerging policies with sufficient weight to warrant refusal. As such, the application is recommended for approval, subject to relevant conditions.

This development is liable for CIL, however the CIL rate for this type of development, as set out in the CIL Charging Schedule, is £nil and therefore no CIL is payable.

#### **RECOMMENDED GRANT subject to condition(s)**

##### **Time limit for commencement of development**

1. Full Planning Permission

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

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

**Development Control Committee A – 4 March 2021****Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD****Pre commencement condition(s)**

2. Further details of office before relevant element started

Detailed drawings or specific illustrative material of the proposed office building shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The detail thereby approved shall be carried out in accordance with that approval.

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

3. Energy Statement

Prior to commencement of development an Energy Statement shall be provided demonstrating how energy demand for heating and power will be minimised through improvements in fabric efficiency, air permeability and controlled ventilation, the selection of energy efficient lighting and appliances, and heating and lighting controls. The development shall be constructed and operated in accordance with the approved statement.

Reason: To minimise energy demand and associated carbon dioxide emissions as required under BCS14.

4. Bird nesting opportunities

The development hereby approved shall not be carried out until details of bird nesting opportunities, either incorporated into the buildings or provided elsewhere within the site, have been submitted and approved in writing by the Local Planning Authority. The bird nesting opportunities shall be constructed in accordance with the approved plans prior to the occupation of the development.

Reason: To enhance biodiversity at the site.

**Pre occupation condition(s)**

5. Flood Risk Assessment

The development shall be constructed and operated in accordance with the submitted flood risk assessment note by Enzygo dated 24 November 2020 (ref CRM.049.020.HY.L.001) and the following mitigation measures it details:

- o Buildings designed to flood freely
- o Retention of waste in the building during a flood

These mitigation measures shall be fully implemented prior to first operation. They shall thereafter be retained and maintained throughout the lifetime of the development.

Reasons: To reduce the risk of flooding to the proposed development.

6. Reporting of Unexpected Contamination

In the event that contamination is found at any time that had not previously been identified when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the Environment Agency's 'Land Contamination: risk management' guidance and BS 10175:2011 + A2:2017: Investigation of Potentially Contaminated Sites - Code of Practice.

**Development Control Committee A – 4 March 2021****Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD**

Where remediation is necessary a remediation scheme must be prepared which ensures the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

## 7. Noise and Odour

The development hereby approved shall only be operated in accordance with the recommendations of the following reports:

- \* Noise Assessment Report by WBM Acoustic Consultants (dated 9th July 2020)
- \* Noise Technical Note by WBM Acoustic Consultants (dated 22nd October 2020)
- \* Air Quality Assessment by Air Quality Consultants (dated September 2020)
- \* Odour additional note by Air Quality Consultants (dated 4th November 2020)

Reason: To protect the amenity of nearby developments.

## 8. Operational Management Plan

Prior to the occupation of the development an Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall provide details waste management operations outside of 07.00-18.00 Monday to Friday and 08.00-1300 Saturday, including providing details measures to limit noise impacts on nearby residents and details of the complaints management procedure.

The site shall only operate in accordance with the Operational Management Plan, unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of nearby residents.

## 9. C26 Flood Evacuation Plan - Commercial Property

No building or use hereby permitted shall be occupied or the use commenced until the applicant has submitted to and had approved in writing by the Local Planning Authority a Flood Warning and Evacuation Plan (FEP). This Plan shall include the following information:

- \* command & control (decision making process and communications to ensure activation of FEP);
- \* training and exercising of personnel on site (H& S records of to whom and when);
- \* flood warning procedures (in terms of receipt and transmission of information and to whom);
- \* site evacuation procedures and routes; and
- \* provision for identified safe refuges (who goes there and resources to sustain them).

The FEP shall be reviewed at intervals not exceeding 3 years, and will form part of the Health & Safety at Work Register maintained by the applicant.

**Development Control Committee A – 4 March 2021****Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD**

Reason: To limit the risk of flooding by ensuring the provision of a satisfactory means of flood management on the site

## 10. Completion and Maintenance of Cycle Provision

No building or use hereby permitted shall be occupied or the use commenced until provision for two cycle parking spaces, in accordance with details submitted to and approved in writing by the Local Planning Authority, have been completed. Thereafter, the Cycle Parking Spaces shall be kept free of obstruction and available for the parking of cycles only.

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

**Post occupation management**

## 11. Limited period (temporary) permissions - uses

The use hereby permitted shall be discontinued and the land restored to its former condition prior to 40 years from the date of this planning permission.

Reason: In accordance with the application and because the impact of climate change to potential flooding at the site will cause unacceptable risks after this period.

## 12. Maximum Weight of Refuse

The development hereby approved shall store and process no more than 50,000 tonnes of waste in any single calendar year.

Reason: In accordance with the submission and to ensure the impacts of the development is no greater than set out in supporting statements in respects of highways and amenities.

## 13. Restriction of the use of open Areas of the site

No open storage or display of goods, materials, finished or unfinished products or parts, crates or refuse shall take place on any open area of the site without the written permission of the council.

Reason: To ensure that vehicle movements are not obstructed and to ensure that the appearance of open areas of the site is acceptable.

**List of approved plans**

## 14. 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.

DG\_EST\_BRI\_WTS\_01 Location plan, received 25 August 2020

DG\_EST\_BRI\_WTS\_02 Planning application and ownership areas, received 25 August 2020

DG\_EST\_BRI\_WTS\_03 Proposed layout plan, received 25 August 2020

012819-4 Office unit plan and details, received 25 August 2020

A08901015 Transportable weighbridge, received 25 August 2020

DG.EN.BRI.WDL.1157 Proposed waste transfer building, received 25 August 2020

DG.EN.BRI.WDL.1158 Proposed trailer shelter, received 25 August 2020



**Development Control Committee A – 4 March 2021**

**Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD**

DG.EN.BRI.WDL.1161 Proposed lighting layout, received 25 August 2020

Reason: For the avoidance of doubt.

**Advices**

- 1 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.
- 2 This development will require an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016, Regulation 12.

In circumstances where an activity/operation meets certain criteria, an exemption from permitting may apply, more information on exempt activities can be found here:  
<https://www.gov.uk/guidance/register-your-waste-exemptions-environmental-permits>

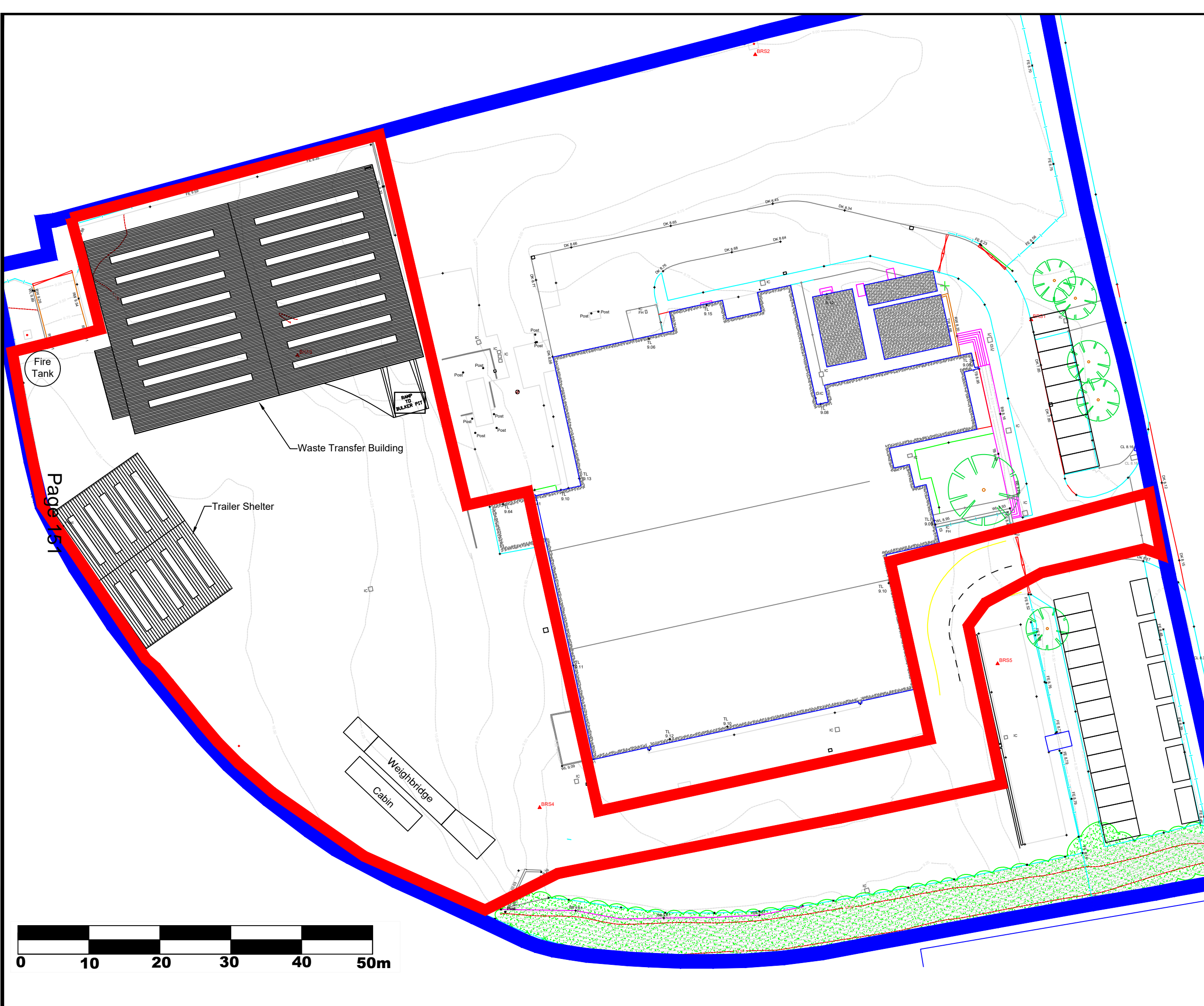
The applicant is advised to contact the Environment Agency on 03708 506506 discuss the issues arising from the permit application process.

- 3 Any works on this land shall be undertaken following engagement with Network Rail Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3months notice before works start. Initially the applicant should contact [assetprotectionwestern@networkrail.co.uk](mailto:assetprotectionwestern@networkrail.co.uk).

## **Supporting Documents**

### **3. Swift House Albert Crescent, BS2 0UD.**

1. Proposed Site Layout
2. Planning Application & Landownership Area
3. Proposed Waste Transfer Building



Key

Application Area

Other Land in Control of the Applicant

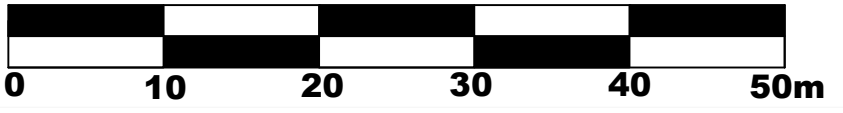
Issue	Date	Comments
Notes		

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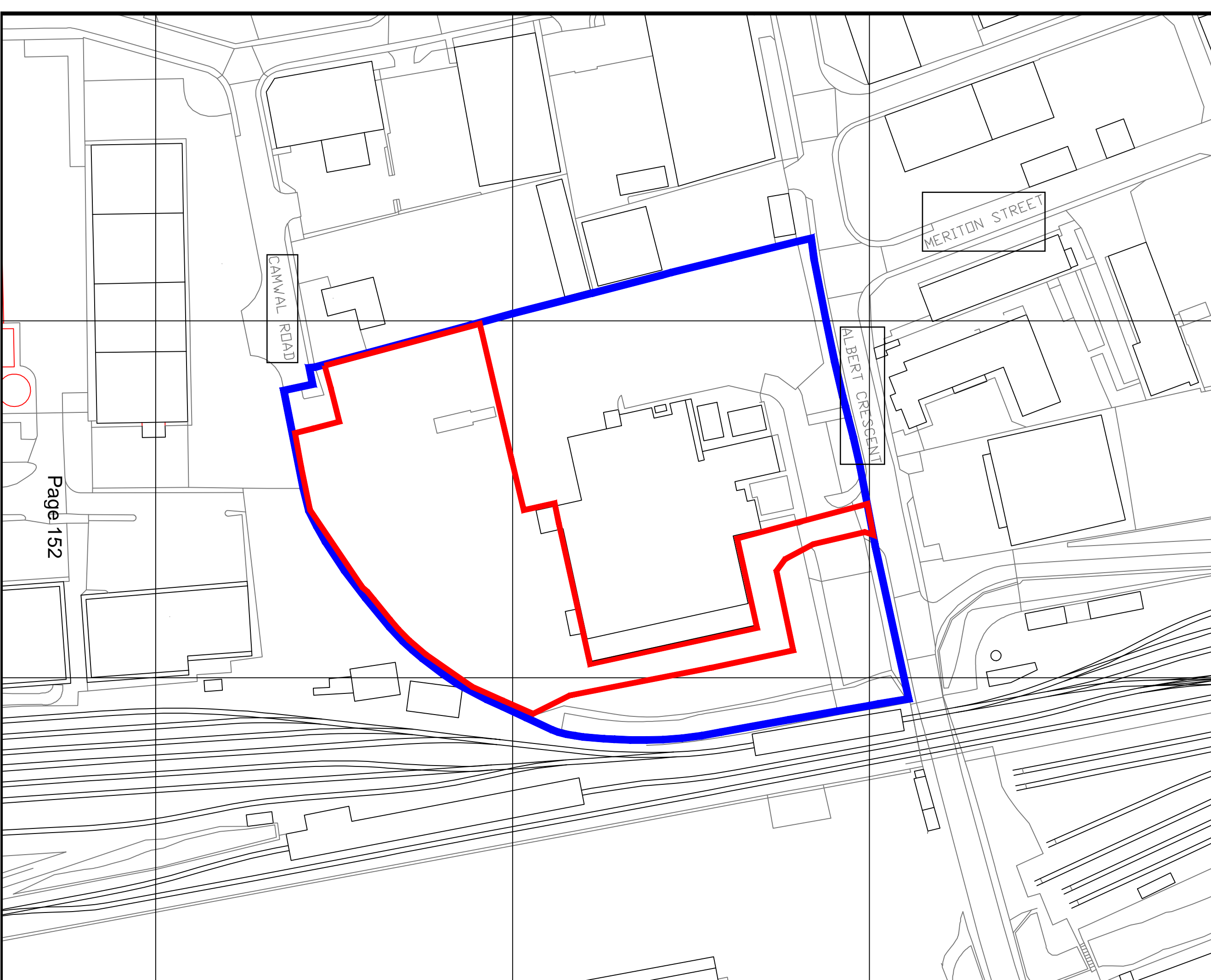
**GRUNDON**

Grundon Waste Management Ltd  
 Estates Department, Grange Lane  
 Beenham, Reading, Berks RG7 5PY  
 Tel 01189 714040 estates@grundon.com

Site BRISTOL	
Project ALBERT CRESCENT WTS	
Title PROPOSED SITE LAYOUT	
Scale 1:500@ A3	Date JUNE 2020
Drawn By MG	Checked By VB
Drawing No DG/EST/BRI/WTS/03	



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Page 152

Key



- Application Area
- Other Land in Control of the Applicant

Issue	Date	Comments
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Notes

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**GRUNDON**

Grundon Waste Management Ltd  
 Estates Department, Grange Lane  
 Beenham, Reading, Berks RG7 5PY  
 Tel 01189 714040 estates@grundon.com

Site  
 BRISTOL

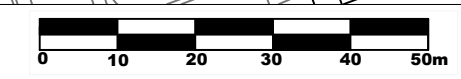
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 ALBERT CRESCENT WTS

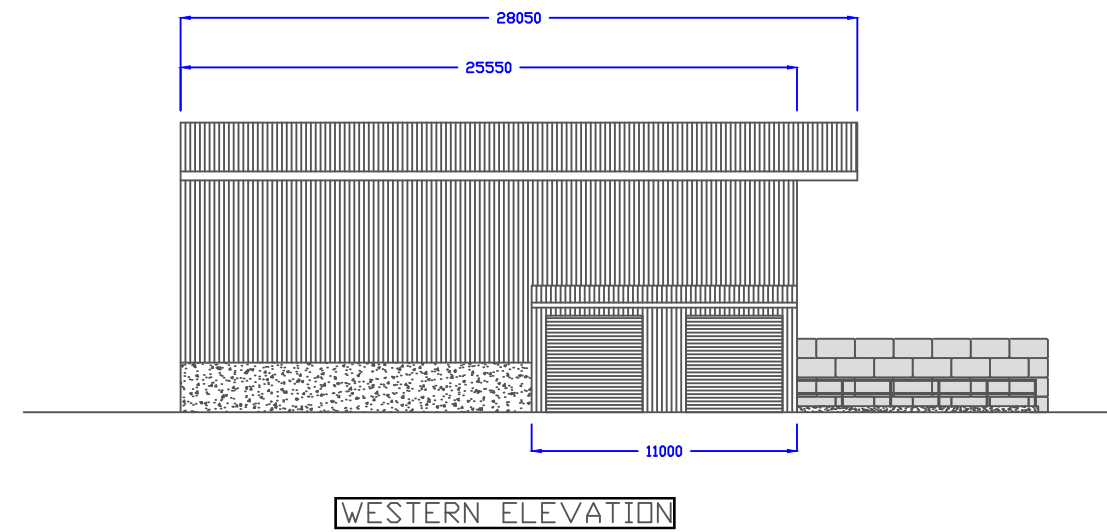
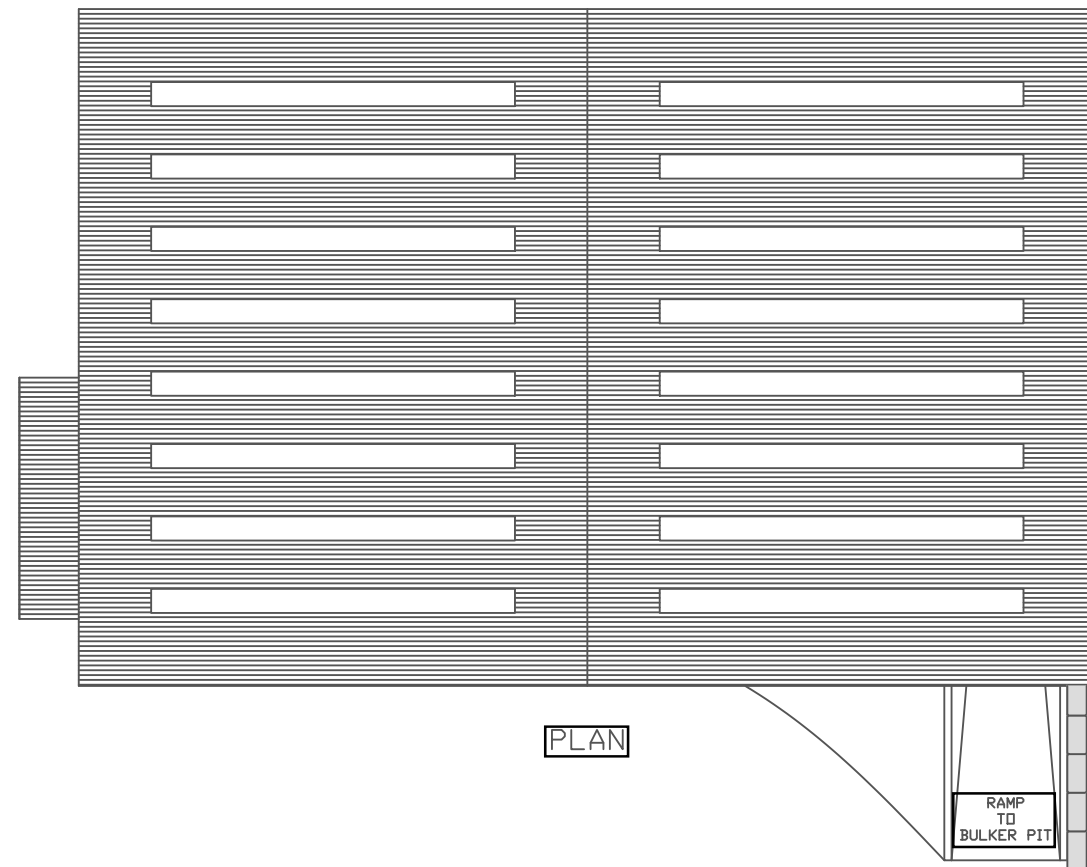
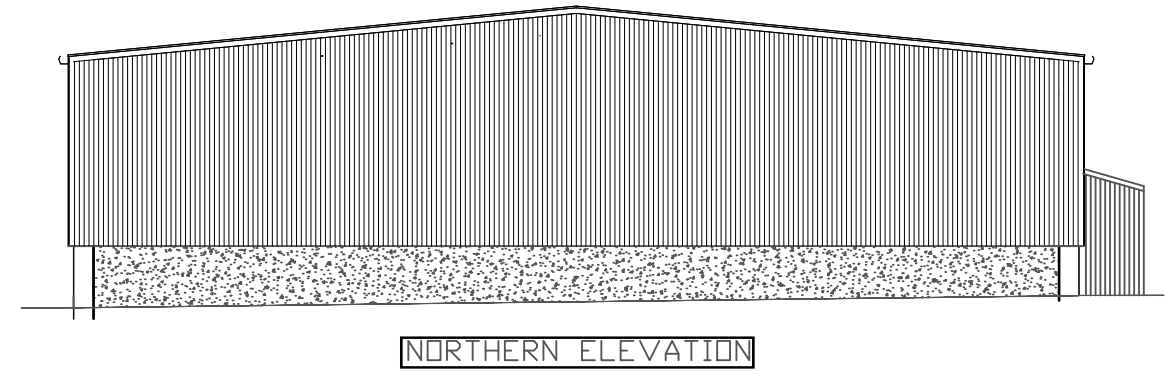
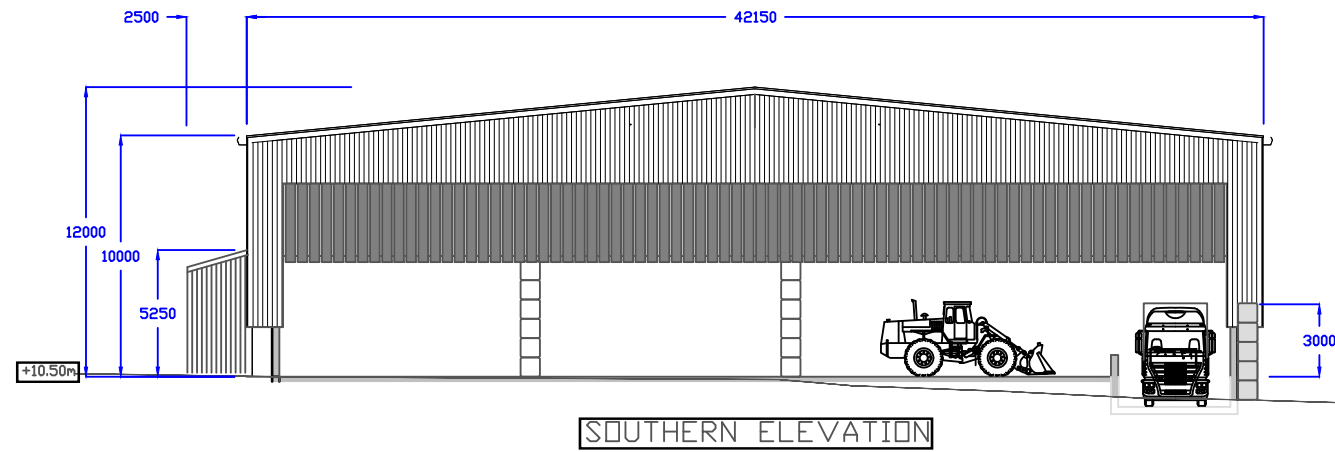
Title  
 PLANNING APPLICATION &  
 LANDOWNERSHIP AREA

Scale 1:1000@ A3	Date JUNE 2020
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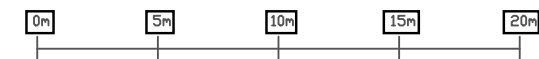
Drawn By MG	Checked By VB
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Drawing No  
 DG/EST/BRI/WTS/02





- Notes:
- Building to be clad in goosewing grey profiled cladding
  - The rear (Northern) elevation to be insulated either by composite sheet or built-up construction. External finish to be goosewing grey profiled cladding
  - Cast in situ concrete push walls to remain exposed up to 2m high
  - The southern elevation shall be fitted with PVC strip curtain from 5m above finished floor level up to the gable
  - A legblock wall of height approximately 3m above finished floor level shall run along the eastern edge of the bulker pit.
  - Roof to have 15% translucent panels



ISS.No.	DESCRIPTION	DATE
Issue 2	8/6/2020	

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Lakeside Road, Colnbrook,  
Slough. SL3 0EG

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TITLE  
Bristol  
Proposed Waste Transfer Building

DRAWN	CHECKED	DATE	SCALE
EWFF	--	6/03/2020	---@A3
DRG.No. <b>DG/EN/BRI/WDL/1157</b>			



**Development Control Committee A – 28 April 2021**

**ITEM NO. 4**

**WARD:** Lockleaze

**SITE ADDRESS:** 170 Glenfrome Road Bristol BS5 6XE

**APPLICATION NO:** 21/00770/F Full Planning

**DETERMINATION DEADLINE:** 29 April 2021

**Erection of 2 no. residential dwellings (Class C3); associated amenity space; landscaping; parking and bin and bicycle storage.**

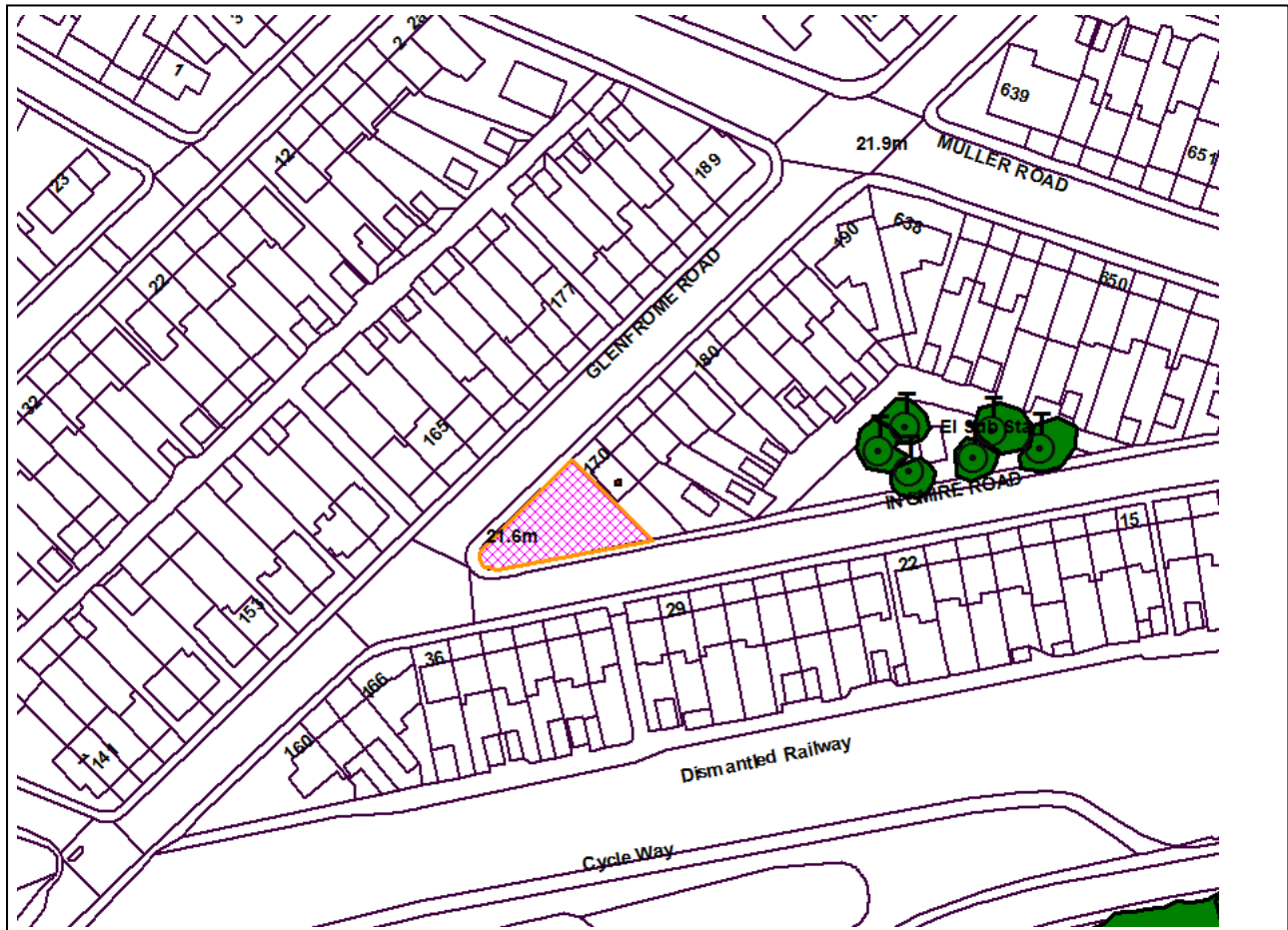
**RECOMMENDATION:** Grant subject to Condition(s)

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

**APPLICANT:** Glenfrome Ltd  
 C/o Agent

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

**LOCATION PLAN:**



**Development Control Committee A – 28 April 2021**  
**Application No. 21/00770/F : 170 Glenfrome Road Bristol BS5 6XE**

## BACKGROUND AND SUMMARY

This planning application is for the construction of 2 no. residential dwellings (Use Class C3); associated amenity space; landscaping; parking and bin and bicycle storage.

In terms of the planning application, objections have been received from 22 properties. These objections predominantly raise concerns in relation to the principle of development, loss of greenery, impact on local parking provision, impact on highway safety at the junction and impact on residential amenity during the construction period (see full details of the objections below and on the BCC website).

6 letters of support have also been received, alongside a letter of support from Councillor Gill Kirk (Lockleaze Ward), who requested that this planning application to be considered by Committee if it is to be recommended for refusal.

The application is not recommended for refusal, however due to the level of public interest it is considered appropriate for this application to come before Committee.

A previous planning application to construct two semi-detached residential dwellings at the site was refused by the Local Planning Authority in January 2021 under delegated powers. It was considered that the proposed dwellings by virtue of their design, scale and siting would have appeared unusual features within the streetscene; out of keeping with the immediate context and surrounding properties. It was also considered that the cramped and awkward positioning would have intruded on the spacious nature and important gap created by the existing garden.

The current application has sought to address the previous reason for refusal following advice provided by Officers. Overall it is considered that the dwellings will appear in keeping with the townscape and surrounding properties and retain a sufficient amount of space to the side to maintain the spacious and open character of the corner plot.

Issues related to parking and highway safety have been considered by the Council's Transport Development Management Team, who are satisfied that no adverse impacts will arise with regards to local parking provision and highway safety at the junction given the small scale of development and set back from the boundary. Issues related to noise, pollution, ecology, design and amenity have been considered by Officers, who are satisfied that no detrimental harm will arise following the development.

Approval is therefore recommended to Members, subject to conditions.

## SITE DESCRIPTION

The application site currently garden space located to the side of existing residential dwelling No.170 Glenfrome Road. The site is triangular plot measuring approximately 375m<sup>2</sup>. The site is bordered to the north by Glenfrome Road and to the south by Ingmire Road. The junction of these roads is just to the east of the site and the existing property forms the western border.

No. 170 Glenfrome Road is an end of terrace, two-storey dwelling. It consists of rendered elevations with a tiled roof and UPVC windows/doors. The surrounding area comprises predominantly terraced and semi-detached two-storey dwellings.

**Development Control Committee A – 28 April 2021**  
**Application No. 21/00770/F : 170 Glenfrome Road Bristol BS5 6XE**

#### RELEVANT HISTORY

20/05733/F: Erection of 2 no. residential dwellings (Class C3); associated amenity space; landscaping; parking and bin and bicycle storage. APPLICATION REFUSED on 22.01.2021 for the following reason:

The proposed dwellings by virtue of their design, scale, shape, form, footprint, massing and siting would appear as unusual, incongruous and overly prominent features within the streetscene; out of keeping with the immediate context and surrounding properties; and failing to respect local pattern, architectural styles, distinctiveness and grain of development. The cramped and awkward positioning within a prominent and highly visible corner plot along with the overall quantum of development proposed will exacerbate the incongruous and out of keeping nature of the development and would also intrude on the spacious nature and important gap created by the existing garden within the open corner plot to the detriment of the visual amenity of the surrounding area. The application is therefore recommended for refusal due to conflict with the National Planning Policy Framework (2019); Core Strategy (2011) Policy BCS21 and Site Allocations and Development Management Policies (2014) DM21, DM26, DM27 and DM29.

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

#### STATEMENT OF COMMUNITY INVOLVEMENT

The proposed development is classed as 'minor' development; therefore there is no requirement for the applicant to demonstrate community engagement prior to submitting the application.

#### APPLICATION

Planning permission is sought for the construction of 2 no. residential dwellings (Class C3); associated amenity space; landscaping; parking and bin and bicycle storage.

#### RESPONSE TO PUBLICITY AND CONSULTATION

Application advertised in press and via site notice, expiry date 07.04.2021. Neighbours were consulted via individual letters sent 08.03.2021.

Objections received from 24.no neighbouring properties, which in summary raised the following concerns:

- The proposed garden plots are inappropriate for residential development in principle.
- The proposal is too large; a single dwelling would be acceptable not two.
- The proposed development would result in a harmful loss of green space and landscaping.
- The development would impact negatively on wildlife.
- The development would result in fewer parking spaces for existing residents.
- The development would result in highway safety issues through the potential for reduced visibility at the junction.



**Development Control Committee A – 28 April 2021**  
**Application No. 21/00770/F : 170 Glenfrome Road Bristol BS5 6XE**

- The development would result in noise and light pollution.
- The proposed development would result in noise and traffic during the construction period, which would have a negative impact on the mental health of existing residents.
- The development would have a negative impact on drainage.
- The development would overlook surrounding properties.
- The proposed tree at the corner of the plot is not a suitable replacement for the cultivated garden that it replaces.
- The development would impact negatively on views from surrounding properties.

6.no letters of support received, which in summary stated that:

- There is a need for additional housing in the area.
- The development will appear in keeping with surrounding properties.
- The proposal is a good example of infill housing in a highly sustainable area.
- The development is acceptable with regards to parking and sustainability impacts.
- The submitted landscaping plan will enhance this corner plot providing foliage and trees that will be prominent in the streetscene improving this section of Glenfrome Road.
- There is a shortage and demand for housing in Bristol in general.
- We need to support the growth of the property market and small developers employing local trades.

#### OTHER COMMENTS

**Councillor Gill Kirk (Lockleaze Ward)** has requested that this planning application to be considered by a Development Control Committee if it is proposed to be recommended for refusal, and has commented as follows:-

'I believe the amended plans have addressed the previous concerns raised by the planning department and are now much more in keeping with the nearby properties, keeping a clearer line of sight on this corner. This small scale development of family homes will help meet the demand for new housing in the area.'

**Bristol City Council Transport Development Management** has commented as follows:-

'The application site is located within an existing residential area within walking distance to adequate services, facilities and public transport links. The proposed site is located within approximately 550 metres of the designated Stapleton Road District Centre and is within walking distance to good public transport links to the city centre via Muller Road (100 metres away) and Stapleton Road, as well as shops and services at nearby Eastgate Retail Park (200 metres away). Subsequently from a transportation perspective the application site is considered to be located in a sustainable location, and therefore the principle of residential development in this location is acceptable.

TDM acknowledge the concerns over parking congestion raised by surrounding residents, however there is no minimum standards for parking provision only a maximum standard which neither property exceeds. TDM consider that the introduction of two additional dwellings in the area will not have a harmful impact on the local availability of on street parking, with vehicles for the new dwellings benefitting from their own dedicated off street parking areas. Whilst it is recognised that this will limit the amount of on-street parking available for existing residents, overall it is considered that a sufficient amount of on-street parking will remain in the local area. It should be noted however that if a Controlled Parking Zone/Residents Parking Scheme were to be brought in in the future then the new dwellings should not be eligible for parking permits; this should be secured via an advice note.

The off-street parking spaces for each property meet the required dimensions of 2.4m length x 4.8m in width; however 500mm buffers will be required where the spaces are situated near a wall or structure to allow doors to be opened. This further detail is secured via condition. Sufficiently sized bin

**Development Control Committee A – 28 April 2021**  
**Application No. 21/00770/F : 170 Glenfrome Road Bristol BS5 6XE**

and bike storage will be provided within the curtilage of each site, which is considered acceptable.

It is recognised that a number of objections have raised concern that the development would result in highway safety issues through the potential for reduced visibility at the junction between Glenfrome Road and Ingmire Road. TDM have considered this, and can confirm that the existing junction is not overly dangerous, with only one slight Personal Injury Accident (PIA) being recorded in 2018. The siting and scale of development would also have no harmful impact on sightlines or visibility at the junction, being set back from the boundary so that a clear line of visibility will be maintained to ensure there will be adequate inter-visibility between vehicles. It is also considered that the increase in trips associated with the development (two new houses) will be minimal, and will not have any perceptible impact on the operation or queuing levels at the junction.

Due to the proximity of the development to the junction however, which is less than 10 metres of the proposed new driveways, visibility splays of 2.4m x 43m (required for 30mph in Manual for Streets) will be required to ensure there will be adequate inter-visibility between vehicles. Pedestrian intra-visibility splays of 2m x 2m will also need to be incorporated into the development. This should be secured via condition.

Should an approval be forthcoming, and Construction Management Plan would be required via condition. This would ensure that any vehicle movement and parking associated with the construction phase will be appropriately managed, alongside noise and pollution.'

**Bristol City Council City Design Group** has commented as follows:-

Verbal comments: 'The proposed development is an improvement to the previous scheme at this site. Overall the dwellings will appear in keeping with surrounding properties and will maintain a sufficient set back from the open corner. I therefore have no concerns or objections to the application.'

**The Coal Authority** has commented as follows:-

'The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.'

**Bristol City Council Contaminated Land Environmental Protection** has commented as follows:-

'The proposed development is sensitive to contamination but is situated on land not thought to have been subject to a potentially contaminating land use. In light of this and the small nature of the development the following condition is recommended:

Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and BS 10175:2011 + A2:2017: Investigation of Potentially Contaminated Sites - Code of Practice. Where remediation is necessary a remediation scheme must be prepared which ensures the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

**Development Control Committee A – 28 April 2021**  
**Application No. 21/00770/F : 170 Glenfrone Road Bristol BS5 6XE**

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

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

**Bristol City Council Arboricultural Team** has commented as follows:-

'Whilst some small trees and vegetation are located on site this appears to be relatively low value and doesn't require mitigation as per the requirements of the Bristol Tree Replacement Standard in this instance.'

**Bristol City Council Nature Conservation Officer** has commented as follows:-

'The development would have no adverse impact on any protected or priority species however this proposal will involve the removal of vegetation. The following advisory note is recommended. All species of wild birds are legally protected including their eggs, nests and chicks until the young have fledged. If site clearance or tree or hedge removal is undertaken on site whilst birds are nesting, which is typically between 1st March and 30th September inclusive, then a check is recommended beforehand by a qualified ecological consultant. Where checks for nesting birds are required they should be undertaken by a qualified ecological consultant no more than 48 hours prior to the removal of vegetation or the demolition of, or works to buildings.'

#### 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) WOULD THE PROPOSED DEVELOPMENT BE ACCEPTABLE IN PRINCIPLE IN LAND USE TERMS?

The application site is currently garden space belonging to existing property No.170 Glenfrone Road. Planning permission is sought for the construction of 2 no. residential dwellings at the site.

The development of private gardens is assessed against policy DM21 of the Site Allocations and Development Management Policies (2014), which states that development will not be permitted unless:

- (i) the proposal would represent a more efficient use of land where higher densities are more appropriate; or
- (ii) the development will result in a significant improvement to the urban design of the area; or
- (iii) the proposal is an extension to an existing dwelling.

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The policy also states that in all cases any development of garden land should not result in harm to the character and appearance of the area.

Policy states that higher densities of development are appropriate in and around the city centre, in or close to other centres and along or close to main public transport routes. The proposed site in this instance is located within approximately 550 metres of the designated Stapleton Road District Centre and is within walking distance to good public transport links to the city centre via Muller Road and Stapleton Road, as well as shops and services at nearby Eastgate Retail Park (200 metres away). In this case, it is subsequently considered that the proposal would result in the more efficient use of land in an area where higher densities are appropriate.

The loss of garden space and creation of new dwellings is therefore considered acceptable in regard to criterion i) of Policy DM21 in principle in this instance. However the policy also requires that in all cases any development of garden land should not result in harm to the character and appearance of the area. This is addressed further under Key Issue C.

**(B) MIXED AND BALANCED COMMUNITY ISSUE**

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 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 evidence provided by the Strategic Housing Market Assessment, 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).

The application site is located within the Eastgate LSOA within the Lockleaze Ward. An up-to-date picture of the proportion of different residential accommodation types in the LSOA can be obtained by assessing the 2011 Census data. The Eastgate (LSOA) has a proportion of flats to houses at 5.8% flats and 94.2% houses.

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It can subsequently be concluded that the area around the application site is dominated housing rather than flats. The proposed development will introduce 1.no two bedroom dwelling and 1.no three bedroom dwelling to the site.

With regards to the two bedroom dwelling, whilst this type of accommodation may be unsuitable for families (given that it doesn't include at least 3.no bedrooms), there is a need for smaller residential accommodation in the area. Further, with regards to the three bedroom dwelling, it is considered that higher densities of larger units are appropriate in the area and that there is a city wide need for family sized housing generally. The proposed dwellings will also be constructed on currently vacant land, meaning there will be no loss of smaller units in the LSOA. Subsequently given the above the proposal as a whole is considered acceptable with regards to the mix and balance of housing types.

**(C) WOULD THE PROPOSAL BE ACCEPTABLE IN DESIGN TERMS AND WOULD IT HARM THE CHARACTER OR APPERANCE OF THE SURROUNDING AREA?**

Bristol Core Strategy Policy BCS21 (2011) 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 DM26 in the Site Allocations and Development Management Policies (2014) expands upon BCS21 by outlining the criteria against which a development's response to local character and distinctiveness will be assessed. This policy states that the design of development proposals will be expected to contribute towards local character and distinctiveness by responding appropriately to the height, scale, massing, shape, form and proportion of existing buildings, building lines and set-backs from the street, skylines and roofscapes. Development should also reflect locally characteristic architectural styles, rhythms, patterns, features and themes taking account of their scale and proportion. Development will not be permitted where it would be harmful to local character and distinctiveness or where it would fail to take the opportunities available to improve the character and quality of the area and the way it functions. Infill development will be expected to have regard to the prevailing character and quality of the surrounding townscape. The higher the quality of the building group and the more unified the character of the townscape, the greater the need to reproduce the existing pattern, form and design of existing development. Infill developments on return frontages should be compatible with the open character of corner sites and be subservient in height, scale and massing to the primary frontage building.

Policy DM27 in the Site Allocations and Development Management Policies expresses that the layout, form, pattern and arrangement of streets, buildings and landscapes should contribute towards to creation of quality urban space and that the height, scale and massing of development should be appropriate to the immediate context, site constraints, character of adjoining streets and spaces and setting. DM27 further states that the layout and form of development, including the size, shape, form and configuration of blocks and plots, will be expected to establish a coherent and consistent building line and setback that relate to the street alignment.

Policy DM29 in the Site Allocations and Development Management Policies 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 relation to the public realm. This policy further states that proposals for new buildings will be expected to be clearly organised in terms of their form and internal layout and circulation to reflect the hierarchy of function they will accommodate, the uses they will serve and the context they will address.

In addition to the above, Policy DM21 in the Site Allocations and Development Management Policies states that in all cases, development of garden land should not result in harm to the character and appearance of an area. Development involving gardens should ensure that the character of the street is not harmed and that appropriate boundary treatments and planting are retained.

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Planning permission is sought for the construction of 2 no. residential dwellings; with associated amenity space; landscaping; parking and bin and bicycle storage.

The proposed development concerns a plot currently occupied by garden space belonging to No. 170 Glenfrome Road, which is an end of terrace property in a prominent corner location on a junction.

The properties within the surrounding area are varied in appearance; however the terrace to which the proposed dwellings will be located beside (and subsequently read in visual conjunction with) consists of two storey rendered properties of a consistent size, style and design. The application site currently benefits from a spacious open garden to the side with a low hedge along the perimeter boundary. The application site is highly visible from a number of public vantage points from the front (north), side (west) and rear (south) given the corner location. The spacious, open character of the corner plot and consistency of design and scale of dwellings in the local area contributes positively towards local character and distinctiveness.

A previous planning application to construct two semi-detached residential dwellings at the site was refused by the Local Planning Authority in January 2021 (ref: 20/05733/F). It was considered that the proposed dwellings by virtue of their design, scale, shape, form, footprint, massing and siting would have appeared as unusual, incongruous and overly prominent features within the streetscene; out of keeping with the immediate context and surrounding properties; and failing to respect local pattern, architectural styles, distinctiveness and grain of development. It was also considered that the cramped and awkward positioning within a prominent and highly visible corner plot would have exacerbated the incongruous and out of keeping nature of the development and would have also intruded on the spacious nature and important gap created by the existing garden within the open corner plot to the detriment of the visual amenity of the surrounding area.

The current application has sought to address the previous reason for refusal and take on Officer advice regarding the siting and design of the dwellings. Overall it is considered that the dwellings now proposed will appear in keeping with the townscape and surrounding properties and retain a sufficient amount of space to the side to retain the spacious and open character of the corner plot as explained below.

The proposed dwellings will be two storey attached, terraced properties, located to the side of No.170 Glenfrome Road which is an end of terrace property. The predominant character, layout, form, pattern and arrangement of buildings within the street is that of terraced dwellings. The proposal will therefore be in keeping with neighbouring dwellings and continue the terrace and thus and the consistent pattern of development evident within the wider terrace rather than the incongruous semi-detached proposal previously proposed.

The development will now also reflect locally characteristic architectural styles including fenestration, features and patterns. Specifically, the number, location and design of windows (including bay windows) will be in keeping with adjoining dwellings within the terrace and the dwellings will include chimneys. The dwellings will be faced in render, with a tiled roof and uPVC windows which will appear in keeping with other properties within the street (subject to further detail secured via condition in the form of material samples).

The overall design, scale, massing, shape and footprint of the new dwellings will also respond appropriately to surrounding properties, with the height and depth of the dwellings appearing consistent with one another and consistent with neighbouring properties within the terrace. It is recognised that the width of the dwellings differ from one another slightly (the two bed unit being 5.3 metres wide, the three bed unit being 6.2 metres wide), which will also differ from the width of the existing dwelling No.162 (6 metres wide). However, it is not considered that this difference in width would be overly noticeable within the streetscene, nor would it result in the new dwellings appearing noticeably out of keeping.



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The dwellings follow the existing rear building line, and will be set back sufficiently from the boundary with the street/pavement (by approximately 2.5 metres) to ensure that the development will not appear cramped. This will further ensure that the development would not harmfully intrude on the spacious nature and important gap created by the large side garden within the corner plot, which will be retained at a sufficient level to offer some landscaping and relief in the built form at the prominent corner. A low level hedgerow will bound the majority of the site, as per the existing situation, which is welcomed as it will allow views across the open garden at the corner. This hedgerow is shown on the landscaping plan submitted as part of the application and is secured by relevant conditions as set out below.

It is therefore considered that the development as a whole as responded to the previous reason for refusal, and the proposed dwellings will appear acceptable additions to the terrace, streetscene and corner plot. The application is subsequently recommended for approval on this basis, subject to conditions.

**(D) DOES THE PROPOSAL PROVIDE A SATISFACTORY LEVEL OF RESIDENTIAL ACCOMMODATION?**

Site Allocations and Development Management (2014) Policy DM27 expects proposals to enable existing and proposed development to achieve appropriate levels of privacy, outlook and daylight; enable the provision of adequate appropriate and usable private or communal amenity space, defensible space, parking and servicing where necessary. Policy DM14 in the same document requires developments to deliver a healthy living environment.

The adopted Bristol Core Strategy 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. Under the 2015 Housing Standards Review a new nationally described space standard was introduced and in March 2015 a written ministerial statement to parliament confirmed that from 1 October 2015 existing Local Plan policies relating to internal space should be interpreted by reference to the nearest equivalent new national technical standard.

Policy DM29 in the Site Allocations and Development Management Policies (2014) also states that new development should be dual aspect where possible, particularly where one of the aspects is north-facing. This policy, as well as DM27, further states that new buildings will be expected to ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight.

The proposed development will introduce 1.no two bedroom, three bed space dwelling and 1.no three bedroom, four bed space dwelling to the site.

In accordance with Core Strategy Policy BCS18 and national space standards, all new 3-bed space, two storey residential units with two bedrooms should contain 70 square metres internal floor space as a minimum in order to meet space standards. The proposed three bed space dwelling will have an internal floor space of approximately 72 square metres.

In accordance with Core Strategy Policy BCS18 and national space standards, all new 4-bed space, two storey residential units with three bedrooms should contain 85 square metres internal floor space as a minimum in order to meet space standards. The proposed four bed space dwelling will have an internal floor space of approximately 84 square metres.

It would therefore appear that the new dwellings would meet the minimum space standards and consequently the application will provide sufficient space to meet everyday activities and to enable an adaptable and flexible environment and the application is considered acceptable on these grounds.

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In relation to outlook and light levels, the properties contains an acceptable amount and size of windows to both front, rear and side elevations, at all floors.

**(E) WOULD THE PROPOSAL UNACCEPTABLY AFFECT THE RESIDENTIAL AMENITY OF NEIGHBOURING RESIDENTIAL PROPERTIES?**

Policy BCS21 in the Bristol Core Strategy (Adopted 2011) advocates that new development should deliver high quality urban design and safeguard the amenity of existing development. Policy DM29 in the Site Allocations and Development Management Policies (2014) states that proposals for new buildings will be expected to ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight. This policy, as well as DM27, further states that new buildings will be expected to ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight. Policy BCS23 in the Bristol Core Strategy and Policy DM35 in the Site Allocations and Development Management Policy also state that new development should also not lead to any detrimental increase in noise levels.

The proposed dwellings will include no extensions or protrusions which could have any harmful impact on the amenity of surrounding residential properties by virtue of overshadowing, overlooking or overbearing. Adjacent property No.170 Glenfrone Road also contains no windows to the side elevation which will be impacted upon by the new development being built across the side boundary.

It is considered that any light given off by the proposed development will be residential in nature and would therefore cause no harm to the amenity of surrounding properties. Whilst it is accepted that the dwellings will include upper floor windows which will face surrounding properties given the separation distances involved it is not considered that any harmful overlooking will arise.

Any noise or disturbance caused by the construction of the development would be managed via a construction management plan, which would be secured via condition if an approval was forthcoming.

No further amenity issues are identified, and the application is therefore considered acceptable on this basis.

**(F) HIGHWAY SAFETY, TRANSPORT AND MOVEMENT ISSUES**

Policy BCS10 in the Bristol Core Strategy (2011) states that development proposals should be located where sustainable travel patterns can be achieved, with more intensive, higher density mixed use development at accessible centres and along or close to main public transport routes. Proposals should minimise the need to travel, especially by private car, and maximise opportunities for the use of walking, cycling and public transport. Policy DM23 within the Site Allocations and Development Management Policies (2014) states that the provision in new development of secure, well-located cycle parking can be very important in encouraging people to cycle regularly. It is important that development proposals incorporate these facilities and parking at the outset of the design process. Applicants should refer to the council's 'Guide to Cycle Parking Provision' for guidance on this matter.

Policy BCS15 in the Bristol Core Strategy (2011) states that all new development will be required to provide satisfactory arrangements for the storage of refuse and recyclable materials as an integral part of its design. Policy DM32 in the Site Allocations and Development Management Policies (2014) states all new developments will be expected to provided recycling facilities and refuse bins of sufficient capacity to serve the proposed development. This policy further states that the location and design of recycling and refuse provision should be integral to the design of the proposed development. In assessing recycling and refuse provision, regard will be had to the level and type of provision, having regard to relevant space standards; and the location of the provision, having regard to the need to provide and maintain safe and convenient access for occupants, while also providing satisfactory access for collection vehicles and operatives.

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*Car Parking*

The application site is located within an existing residential area within walking distance to adequate services, facilities and public transport links. The proposed site in this instance is located within approximately 550 metres of the designated Stapleton Road District Centre and is within walking distance to good public transport links to the city centre via Muller Road (100 metres away) and Stapleton Road, as well as shops and services at nearby Eastgate Retail Park (200 metres away). Subsequently from a transportation perspective the application site is considered to be located in a sustainable location, and therefore the principle of residential development in this location is acceptable.

The proposal incorporates one off street parking space per dwelling and whilst the Council's Transport Development Management Team (TDM) acknowledge the concerns over parking congestion raised by surrounding residents, however there is no minimum standards for parking provision only a maximum standard which neither property exceeds. TDM further confirmed that the introduction of two additional dwellings in the area will not have a harmful impact on the local availability of on street parking, especially with vehicles for the new dwellings benefitting from their own dedicated off street parking areas. Whilst it is recognised that this will limit the amount of on-street parking available for existing residents, overall it is considered that a sufficient amount of on-street parking will remain in the local area. It should be noted however that if a Controlled Parking Zone/Residents Parking Scheme were to be brought in in the future then the new dwellings will not be eligible for parking permits; this is secured via an advice note.

The off-street parking spaces for each property meet the required dimensions of 2.4m length x 4.8m in width; however 500mm buffers will be required where the spaces are situated near a wall or structure to allow doors to be opened. This further detail is secured via condition.

*Cycle Parking and Refuse and Recycling*

Sufficiently sized bin and bike storage will be provided within the curtilage of each site, which is considered acceptable.

*Highway Safety*

It is recognised that a number of objections have raised concern that the development would result in highway safety issues through the potential for reduced visibility at the junction between Glenfrome Road and Ingmire Road. Following assessment, the Council's Transport Development Management Team confirmed that the existing junction is not considered overly dangerous, with only one slight Personal Injury Accident (PIA) being recorded in 2018. It was further confirmed that the siting and scale of development would have no harmful impact on sightlines or visibility at the junction, being set back from the boundary so that a clear line of visibility will be maintained to ensure there will be adequate inter-visibility between vehicles. It is also considered that the increase in trips associated with the development (two new houses) will be minimal, and will not have any perceptible impact on the operation or queuing levels at the junction.

Due to the proximity of the development to the junction however, which is less than 10 metres of the proposed new driveways, visibility splays of 2.4m x 43m (required for 30mph in Manual for Streets) will be required to ensure there will be adequate inter-visibility between vehicles. Pedestrian intra-visibility splays of 2m x 2m will also need to be incorporated into the development. This is secured via condition.

A Construction Management Plan is also secured via condition. This would ensure that any vehicle movement and parking associated with the construction phase will be appropriately managed, alongside noise and pollution.

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No further highways issues are identified, and the application is subsequently considered acceptable on this basis and is recommended for approval, subject to conditions.

**(G) SUSTAINABILITY AND CLIMATE CHANGE**

Current planning policy within the adopted Bristol Development Framework, Core Strategy (2011) requires new development to be designed to mitigate and adapt to climate change and meet targets to reduce carbon dioxide emissions. This should be achieved, amongst other measures, through efficient building design, the provision of on-site renewable energy generation to reduce carbon dioxide emissions by at least 20% based on the projected residual energy demand of new buildings. The approach proposed should also be supported by the provision of a sustainability statement and an energy strategy.

Policy BCS14 states that new development will be expected to demonstrate that the heating and cooling systems have been selected according to the following heat hierarchy:

1. Connection to existing CHP/CCHP distribution networks
2. Site-wide renewable CHP/CCHP
3. Site-wide gas-fired CHP/CCHP
4. Site-wide renewable community heating/cooling
5. Site-wide gas-fired community heating/cooling
6. Individual building renewable heating

A Sustainability Statement accompanies the proposals and commits to the provision of a PV array to provide a 20.17% reduction in CO2 emissions. Notwithstanding this, the heating system is proposed to be served by gas boilers. This system does not accord with the heat hierarchy set out in Policy BCS14 and is therefore not a policy compliant heating system. However the applicant has provided evidence that other forms of heating systems have been considered (such as Combined Heat and Power, community heating and Air Source Heat Pumps) and included justification for why these systems have been discounted.

Given the justification and evidence provided, and given that the development as a whole will incorporate renewable energy measures which would reduce carbon dioxide emissions by over 20% it is considered that this policy conflict does not amount to sufficient harm to warrant refusal in this instance subject to relevant conditions as set out below.

**(H) FLOOD RISK**

Bristol Core Strategy (2011) Policy BCS16 states that all development will also be expected to incorporate water management measures to reduce surface water run-off and ensure that it does not increase flood risks elsewhere. This should include the use of sustainable drainage systems (SUDS).

The applicant has provided evidence which demonstrates that all new hardstanding will be permeable. It is considered that no harmful increase in surface runoff will therefore occur following the development.

**(I) DO THE PROPOSALS ADEQUATELY ADDRESS ANY CONTAMINATION ISSUES RELATING TO THE SITE?**

Policy DM34 in the Site Allocations and Development Management Policies (2014) states that new development should demonstrate that:

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- i. Any existing contamination of the land will be addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use and that there is no unacceptable risk of pollution within the site or in the surrounding area; and
- ii. The proposed development will not cause the land to become contaminated, to the detriment of future use

Following consultation, the Council's Contaminated Land team confirmed that the proposed development is sensitive to contamination but is situated on land not thought to have been subject to a potentially contaminating land use. In light of this and the small nature of the development no objections were raised, subject to condition requiring that in the event that contamination is found at any time when carrying out the development it must be reported immediately to the Local Planning Authority.

**(J) WOULD THE PROPOSED DEVELOPMENT RAISE ANY ARBORICULTURE ISSUES?**

Policy BCS9 in the Bristol Core Strategy (2011) states that the integrity and connectivity of the strategic green infrastructure network should be maintained, protected and enhanced. Individual green assets should be retained wherever possible and that development should incorporate new or enhanced green infrastructure of an appropriate type, standard and size. Policy DM17 in the Site Allocations and Development Management Policies (2014) states that all new development should integrate important existing trees. Where tree loss or damage is essential to allow for appropriate development, replacement trees of an appropriate species should be provided in accordance with the tree compensation standard. Policy DM15 in the same document states that green infrastructure provision facilitates a positive effect on people's health by providing space and opportunities for sport, play, and social interaction. The provision of additional and/or improved management of existing trees will be expected as part of the landscape treatment of new development.

The Council's Arboricultural Team have noted that whilst some small trees and vegetation are located on site this appears to be relatively low value and doesn't require mitigation as per the requirements of the Bristol Tree Replacement Standard in this instance.

**(K) ECOLOGY**

Policy DM19 in the Site Allocations and Development Management Policies (2014) seeks to protect habitat, features and species which contribute to nature conservation, and developments are expected to be informed by appropriate surveys.

Following consultation, the Council's Nature Conservation Officer confirmed that the development would have no adverse impact on any protected or priority habitat, features and species.

**CONCLUSION**

The application is considered to have addressed the previous reason for refusal, and is therefore recommended for approval, subject to conditions.

**COMMUNITY INFRASTRUCTURE LEVY**

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

The CIL liability for this development is £11,669.87

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

**RECOMMENDED GRANT subject to condition(s)**

**Time limit for commencement of development**

1. Full Planning Permission

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

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

**Pre commencement condition(s)**

2. Construction Management Plan

No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall demonstrate the adoption and use of the best practicable means to reduce the effects of traffic, noise, vibration, dust and site lighting and must provide for:

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



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- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

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

3. Further details of before relevant element started

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

- a) Pedestrian visibility splays
- b) Vehicular visibility splays
- c) Car parking plan

Reason: In the interests of highway safety.

4. Material samples

Prior to the commencement of relevant works samples of the following (detailing their intended colour, texture, and workmanship) are to be erected on site and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

- a) Render
- b) Roof tiles
- c) Brick

Sample panels shall incorporate these materials in areas of no less than 1m square per material. The sample panels shall be retained on site during construction to act as a reference. The development shall be completed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the buildings is satisfactory.

5. Renewable energy (Solar Panels)

Prior to the commencement of the relevant part of the works hereby approved details of the renewable energy technology (including the exact location, dimensions, design/ technical specification and method of fixing) together with calculation of energy generation and associated CO2 emissions to achieve the reduction on residual emissions from renewable energy in line with the approved Energy Statement Ref: Y1-06 prepared by Therm Energy Limited and dated 14 October 2020 should be submitted to the Local Planning Authority and approved in writing. The renewable energy technology shall be installed prior to the occupation of the dwellings and thereafter retained in perpetuity.

Reason: To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

**Pre occupation condition(s)**

6. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An investigation

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and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and BS 10175:2011 + A2:2017: Investigation of Potentially Contaminated Sites - Code of Practice. Where remediation is necessary a remediation scheme must be prepared which ensures the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

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

No building or use hereby permitted shall be occupied or use commenced until the refuse store and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans.

Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the buildings that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the adopted highway (including the footway), except on the day of collection.

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

8. Completion of Vehicular Access - Shown on Approved Plans

No building or use hereby permitted shall be occupied or use commenced until the means of vehicular access has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be retained for access purposes only for the lifetime of the development. Any access point opening onto the adopted highway shall include suitable drainage provision within the curtilage of the site, to prevent the discharge of any surface water onto the adopted highway.

Reason: To ensure that the vehicular access point is safe and includes adequate drainage.

9. Completion of Pedestrians/Cyclists Access - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the means of access for pedestrians and/or cyclists have been constructed in accordance with the approved plans and shall thereafter be retained for access purposes only.

Reason: In the interests of highway safety.

10. Installation of vehicle crossover - Shown on Approved Plans

No building or use hereby permitted shall be occupied or use commenced until drop kerbs has been installed at the carriageway edge and a vehicle cross-over constructed across the

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footway fronting the site in accordance with the approved plans and retained in that form thereafter for the lifetime of the development.

Reason: In the interests of pedestrian safety and accessibility

11. Completion and Maintenance of Car/Vehicle Parking - Shown on Approved Plans

No building or use hereby permitted shall be occupied or use commenced until the car/vehicle parking area (and turning space) shown on the approved plans has been completed and thereafter the area shall be kept free of obstruction and available for the parking of vehicles associated with the development. 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.

Reason: To ensure that there are adequate parking facilities to serve the development constructed to an acceptable standard.

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

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

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

13. Completion and Maintenance of Sustainable Drainage System (SuDS) - Shown on Approved Plans

No building or use hereby permitted shall be occupied or the use commenced until the SuDS scheme for this site has been completed in accordance with the approved Sustainable Drainage Strategy. The SuDS scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

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

14. Provision of Pedestrian Visibility Splays

No building or use hereby permitted shall be occupied or use commenced until pedestrian visibility splays of 2 metres x 2 metres to the rear of the footway, shall be provided at the proposed access (or drive). Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.6 metres to the rear of the footway which would obstruct the visibility splay. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.

Reason: To ensure motorists have clear and unrestricted views of approaching pedestrians when pulling out onto the adopted highway, in the interest of highway safety.

15. Provision of Vehicular Visibility Splays

No building or use hereby permitted shall be occupied or use commenced until visibility splays 2.4 metres back from the centre line of the access and extending 43 metres on the nearside carriageway edge shall be provided at all accesses/junctions, as shown on the approved

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plans. Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.6 metres above the nearside carriageway level which would obstruct the visibility splay. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.

Reason: To ensure motorists have clear and unrestricted views of approaching cyclists/vehicles in the interest of highway safety.

**Post occupation management**

16. Landscape (planting) works - shown

The planting proposals hereby approved as shown on plan P19-0578\_100-B shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation. 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.

Reason: To ensure that the appearance of the development is satisfactory.

17. Restriction of parking level on site

Parking within the development site is to be restricted to the areas allocated on the approved plans and shall not encroach onto areas allocated on the plans for other uses.

Reason: To control the level of parking on the site and to safeguard the uses of other areas.

18. Energy and Sustainability in accordance

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 Energy Statement Ref: YI-06 prepared by Therm Energy Limited and dated 14 October 2020.

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

19. Use of Refuse and recycling facilities

Activities relating to the collection of refuse and recyclables and the tipping of empty bottles into external receptacles shall only take place between 08.00 and 20.00 Monday to Saturday and not at all on Sundays or Bank Holidays.

Reason: To safeguard the amenities of nearby occupiers

**List of approved plans**

20. 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.

P19-0578-04-01 Illustrative existing streetscene, received 15 April 2021

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P19-0578-04C Illustrative proposed streetscene, received 15 April 2021  
 P19-0578\_05 Materials plan, received 19 March 2021  
 P19-0578\_02-EX Existing elevations, received 19 March 2021  
 P19-0578\_02-2.2 C Proposed plans and elevations, received 19 March 2021  
 P19-0578\_02-3.1 C Proposed plans and elevations, received 19 March 2021  
 Location plan, received 4 March 2021  
 P19-0578\_03H Proposed site layout, received 19 March 2021  
 P19-0578\_100-B Soft landscape proposals, received 19 March 2021  
 P19-0578-001 -REV-A SW strategy, received 4 March 2021

Reason: For the avoidance of doubt.

### Advices

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

2 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.

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

3 All species of wild birds are legally protected including their eggs, nests and chicks until the young have fledged. If site clearance or tree or hedge removal is undertaken on site whilst birds are nesting, which is typically between 1st March and 30th September inclusive, then a check is recommended beforehand by a qualified ecological consultant. Where checks for nesting birds are required they should be undertaken by a qualified ecological consultant no more than 48 hours prior to the removal of vegetation or the demolition of, or works to buildings.'

4 Restriction of Parking Permits - Future Controlled Parking Zone/Residents Parking Scheme

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.

5 Excavation Works on the Adopted Highway

The development hereby approved includes the carrying out of excavation works on the adopted highway. You are advised that before undertaking any work on the adopted highway you will require a Section 171 (Excavation) Licence from the Highway Authority which is available at [www.bristol.gov.uk/highwaylicences](http://www.bristol.gov.uk/highwaylicences)

## Supporting Documents

### 4. 170 Glenfrome Road, BS5 6XE.

1. Site Location Plan
2. Existing Street Scene
3. Proposed Street Scene
4. Proposed Plans and Elevations
5. Proposed Layout Plan



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**KEY: SITE LOCATION PLAN**

- APPLICATION BOUNDARY
- DWELLING/LAND IN OWNERSHIP BOUNDARY

170, GLENFROME ROAD, EASTVILLE - SITE LOCATION PLAN



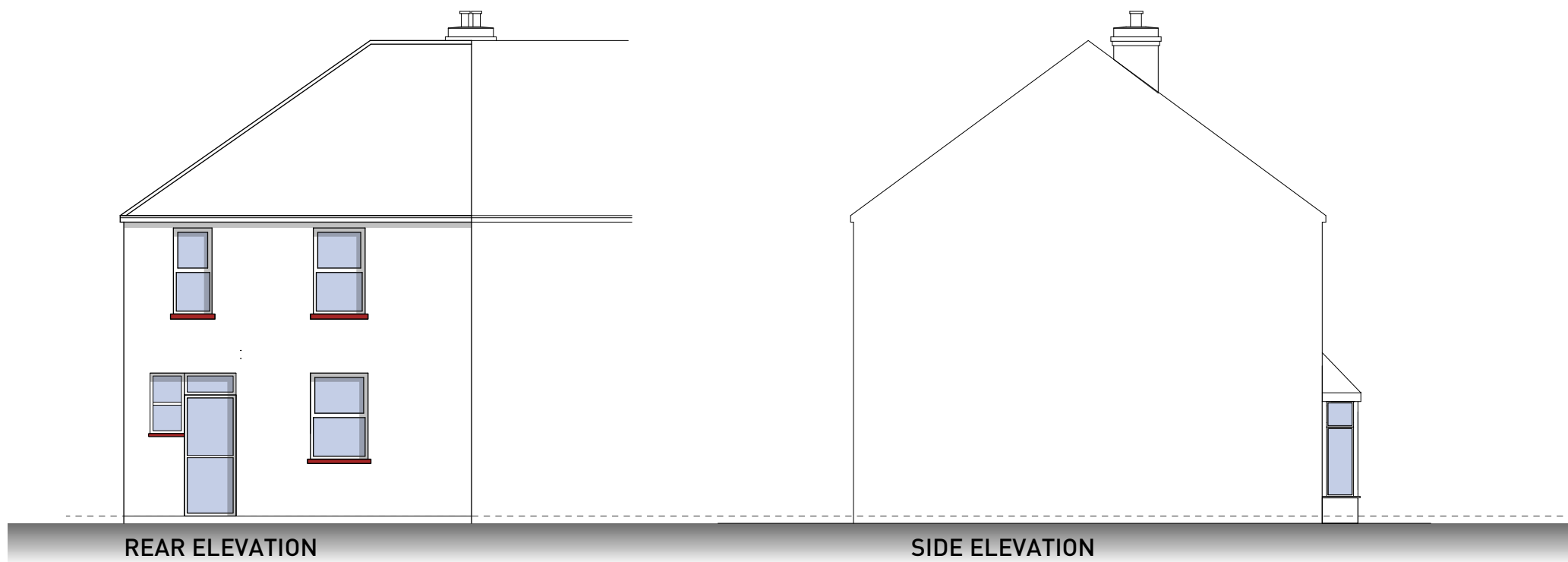
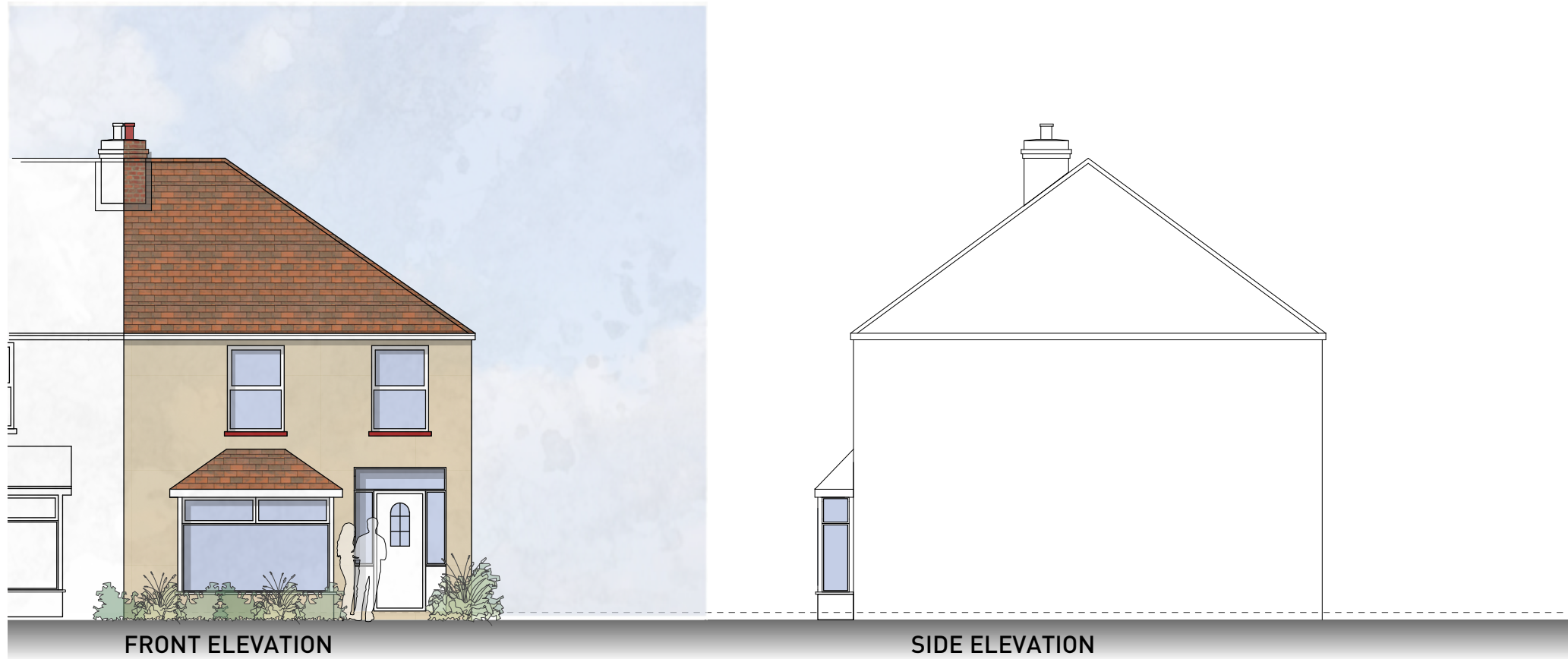
SITE LOCATION PLAN (NOT TO SCALE)

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# 170, GLENFROME ROAD, BRISTOL - ILLUSTRATIVE EXISTING STREETSCENE







170 GLENFROME ROAD, EASTVILLE

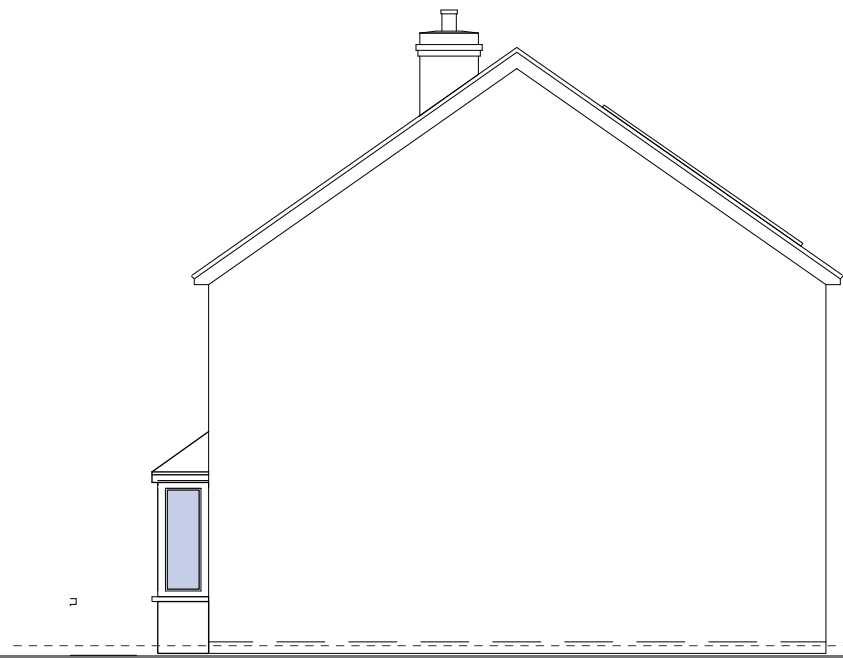
**EXISTING ELEVATIONS**



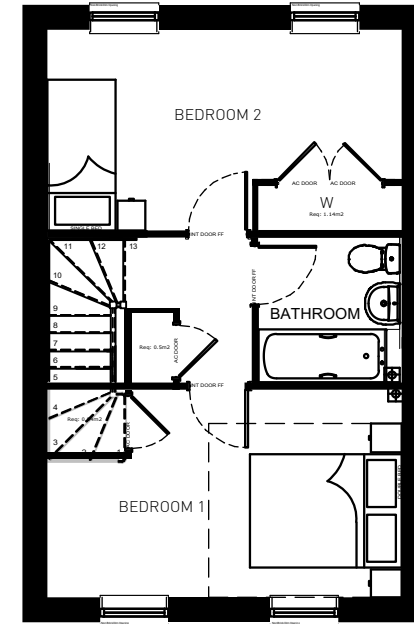




FRONT ELEVATION

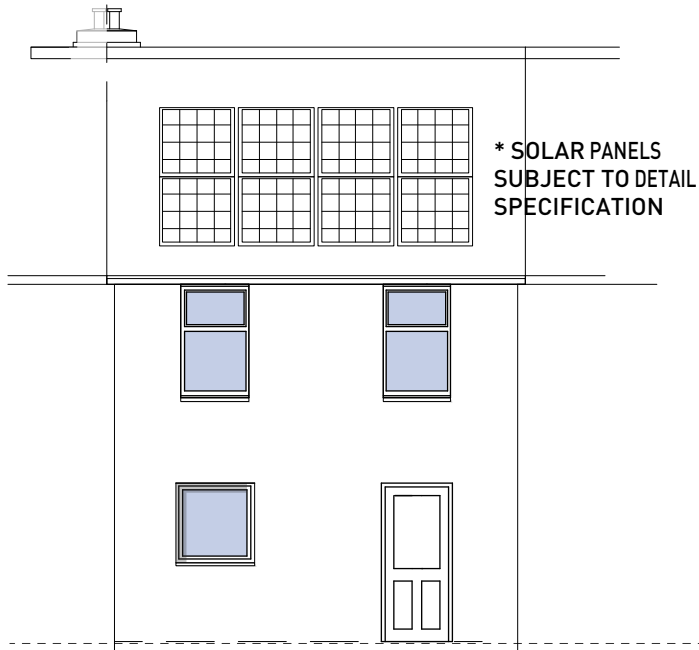


SIDE ELEVATION

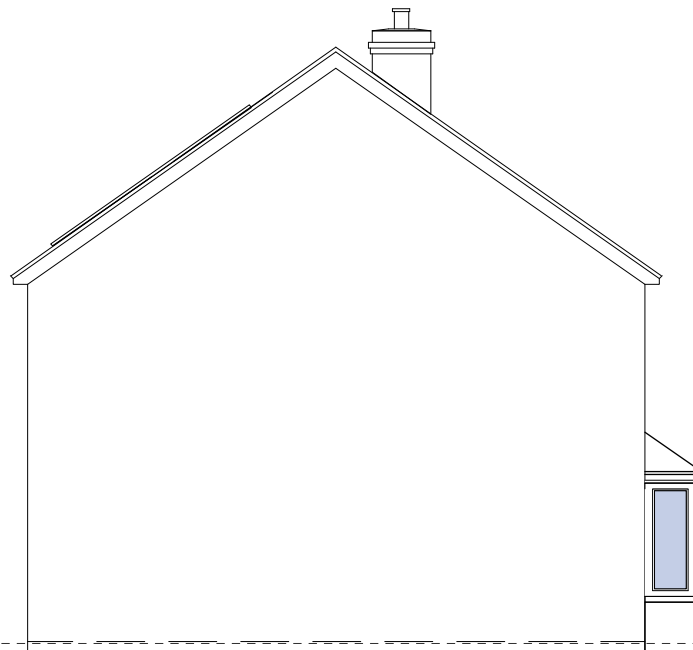


FIRST FLOOR

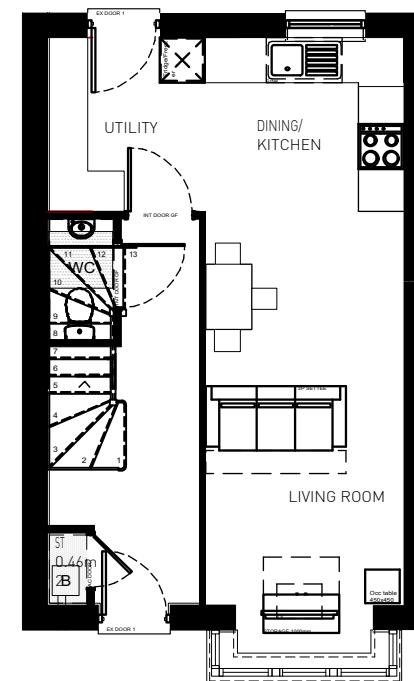
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REAR ELEVATION



SIDE ELEVATION



GROUND FLOOR



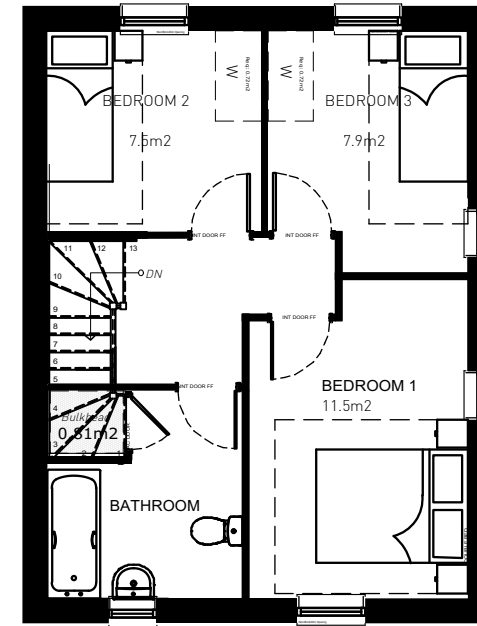
170 GLENFROME ROAD, EASTVILLE



FRONT ELEVATION



SIDE ELEVATION

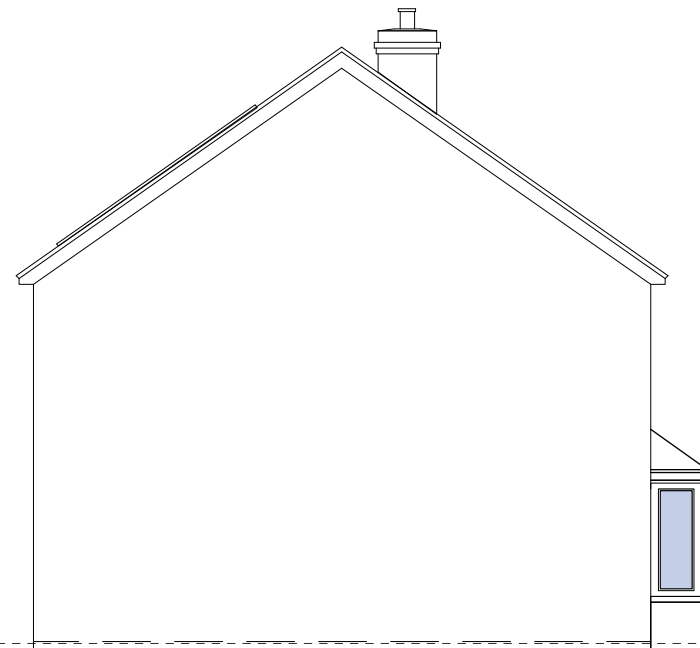


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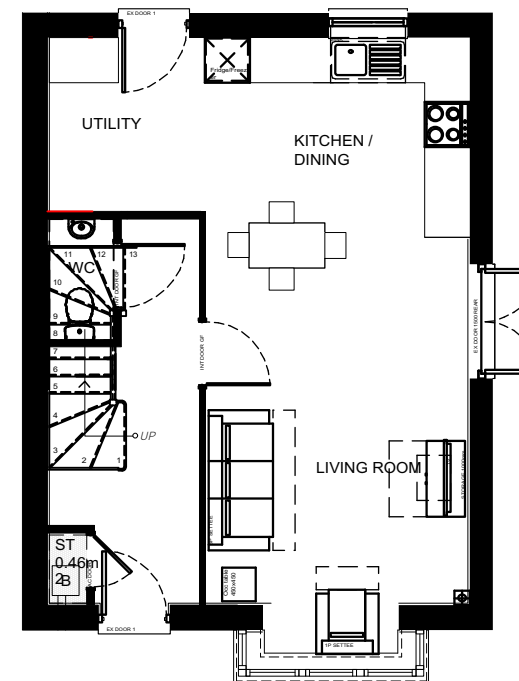
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REAR ELEVATION



SIDE ELEVATION



GROUND FLOOR



170 GLENFROME ROAD, EASTVILLE







- KEY: SITE LAYOUT**
- APPLICATION BOUNDARY
  - LAND IN OWNERSHIP
- SURFACE MATERIALS:**
- GARDEN/POS/HIGHWAY VERGE  
(SEE DETAILED LANDSCAPE PROPOSALS)
  - TARMACADUM
- ENCLOSURE DETAILS:**
- 1.8M HIGH BRICK WALL
  - 1.8M HIGH CLOSE BOARDED FENCING
  - LOW LEVEL HEDGEROW  
(SEE DETAILED LANDSCAPE PROPOSALS)
- OTHER:**
- GATE/PERSONNEL DOOR
  - INDICATIVE TREE PLANTING

### 170 GLENFROME ROAD, EASTVILLE - SITE LAYOUT

