

Development Control A Committee Agenda



Date: Wednesday, 30 June 2021

Time: 2.00 pm

Venue: The Council Chamber - City Hall, College Green, Bristol, BS1 5TR

Distribution:

Councillors: Richard Eddy (Chair), Donald Alexander (Vice-Chair), Tony Dyer (substitute for Fi Hance), John Geater, Paul Goggin, Tom Hathway, Philippa Hulme, Ed Plowden and Andrew Varney

Copies to: Zoe Willcox, Gary Collins, Laurence Fallon, Matthew Cockburn, Jeremy Livitt

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Date: Monday, 21 June 2021



Agenda

1. Welcome, Introductions and Safety Information

(Pages 6 - 9)

2. Confirmation of Chair

The Committee is requested to note that Councillor Richard Eddy was appointed as Chair of the Development Control A Committee for 2021/22 Municipal Year by Annual Full Council at its meeting on Tuesday 25th May 2021.

3. Confirmation of Vice-Chair

The Committee is requested to note that Councillor Don Alexander was appointed as Vice-Chair of the Development Control A Committee for 2021/22 Municipal Year by Annual Full Council at its meeting on Tuesday 25th May 2021.

4. Membership of the Committee

The membership of the Development Control A Committee for 2021/22 Municipal Year is set out below:

Councillor Richard Eddy (Chair)
Councillor Don Alexander (Vice-Chair)
Councillor John Geater
Councillor Paul Goggin
Councillor Fi Hance
Councillor Tom Hathway
Councillor Phillipa Hulme
Councillor Ed Plowden
Councillor Andrew Varney

5. Terms of Reference

The Terms of Reference for Development Control Committees are attached. These were approved by Full Council at its meeting on Tuesday 25th May 2021.

(Pages 10 - 13)

6. Date of Future Meetings for the 2021/22 Municipal Year

The Committee is requested to consider the following dates for future meetings of the 2021/22 Municipal Year:



(all at 2pm or 6pm on Wednesdays as indicated)

6pm on 11th August 2021
2pm on 22nd September 2021
6pm on 3rd November 2021
2pm on 15th December 2021
6pm on 2nd February 2022
2pm on 16th March 2022
6pm on 27th April 2022

7. Apologies for Absence and Substitutions

The Committee is requested to note that Councillor Tony Dyer is substituting for Councillor Fi Hance at this meeting.

8. Declarations of Interest

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

9. Minutes of the previous meeting held on Wednesday 28th April 2021.

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

(Pages 14 - 21)

10. Appeals

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

(Pages 22 - 32)

11. Enforcement

To note recent enforcement notices.

(Page 33)

12. Public Forum

Public Statements

Due to Covid Safety requirements we have put the following measures in place:



- All attendees to Full Council are asked to have a Covid lateral flow test 24 hrs prior to the day of the meeting and show the results of a negative test. It's important that you report the results of your test and that you get confirmation sent to your phone. Reception staff will ask to see this on the day of the meeting. If you have a positive test or if you develop any Covid 19 symptoms - high temperature, a new continuous cough, or a loss or change to your sense of smell or taste, you should book a test on GOV.UK and self-isolate while you wait for the results.
- You are required to wear a face mask at all times unless you are exempt. Social distancing rules remain in place.
- Members of the press and public who wish to attend City Hall are advised that you will be asked to watch the meeting on a screen in another room as due to the maximum occupancy of the venue.

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 and please note that the following deadlines will apply in relation to this meeting:-

Questions - Written questions must be received 3 clear working days prior to the meeting. For this meeting, this means that your question(s) must be received in this office at the latest **by 5pm on Thursday 24th June 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 Noon on Tuesday 29th June 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 clear working days' notice prior to the meeting **by 2pm on Monday 28th June 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.



13. Planning and Development

The Committee is requested to consider the following planning applications: **(Page 34)**

- a) **Planning Application Number 20/05811/F - Plot 3, Dalby Avenue and Whitehouse Lane Bristol (Pages 35 - 137)**
- b) **Planning Application Number 20/00968/F - 349 to 351 Gloucester Road Bishopston (Pages 138 - 203)**
- c) **Planning Application Number 21/00746/F - 6 Clyde Park (Pages 204 - 240)**

14. Date of Next Meeting

Subject to the decision made under the Agenda Item concerning Dates of Future Meetings, the next meeting is scheduled to be held at 6pm on Wednesday 11th August 2021.



Public Information Sheet

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

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

Covid-19: changes to how we hold public meetings

Following changes to government rules, public meetings including Cabinet, Full Council, regulatory meetings (where planning and licensing decisions are made) and scrutiny will now be held at City Hall.

Covid Safety Measures for Attendance at City Hall

Due to Covid Safety requirements we have put the following measures in place:

- All attendees to this meeting are asked to have a Covid lateral flow test 24 hrs prior to the day of the meeting and show the results of a negative test. It's important that you report the results of your test and that you get confirmation sent to your phone. Reception staff may ask to see this on the day of the meeting. If you have a positive test or if you develop any Covid 19 symptoms - high temperature, a new continuous cough, or a loss or change to your sense of smell or taste, you should [book a test on GOV.UK](https://www.gov.uk/booking-a-test) and self-isolate while you wait for the results.
- You are required to wear a face mask at all times unless you are exempt. Social distancing rules remain in place.
- Members of the press and public who wish to attend City Hall are advised that you may be asked to watch the meeting on a screen in another room as due to the maximum occupancy of the venue.

Other formats and languages and assistance for those with hearing impairment

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

Committee rooms are fitted with induction loops to assist people with hearing impairment. If you require any assistance with this please speak to the Democratic Services Officer.

Public Forum

Members of the public may make a written statement ask a question or present a petition to most meetings. Your statement or question will be sent to the Committee Members and will be published on the Council's website before the meeting. Please send it to democratic.services@bristol.gov.uk.



The following requirements apply:

- The statement is received no later than **12.00 noon on the working day before the meeting** and is about a matter which is the responsibility of the committee concerned.
- The question is received no later than **5pm three clear working days before the meeting**.

Any statement submitted should be no longer than one side of A4 paper. If the statement is longer than this, then for reasons of cost, it may be that only the first sheet will be copied and made available at the meeting. For copyright reasons, we are unable to reproduce or publish newspaper or magazine articles that may be attached to statements.

By participating in public forum business, we will assume that you have consented to your name and the details of your submission being recorded and circulated to the Committee and published within the minutes. Your statement or question will also be made available to the public via publication on the Council's website and may be provided upon request in response to Freedom of Information Act requests in the future.

We will try to remove personal and identifiable information. However, because of time constraints we cannot guarantee this, and you may therefore wish to consider if your statement contains information that you would prefer not to be in the public domain. Other committee papers may be placed on the council's website and information within them may be searchable on the internet.

During the meeting:

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

For further information about procedure rules please refer to our Constitution

<https://www.bristol.gov.uk/how-council-decisions-are-made/constitution>



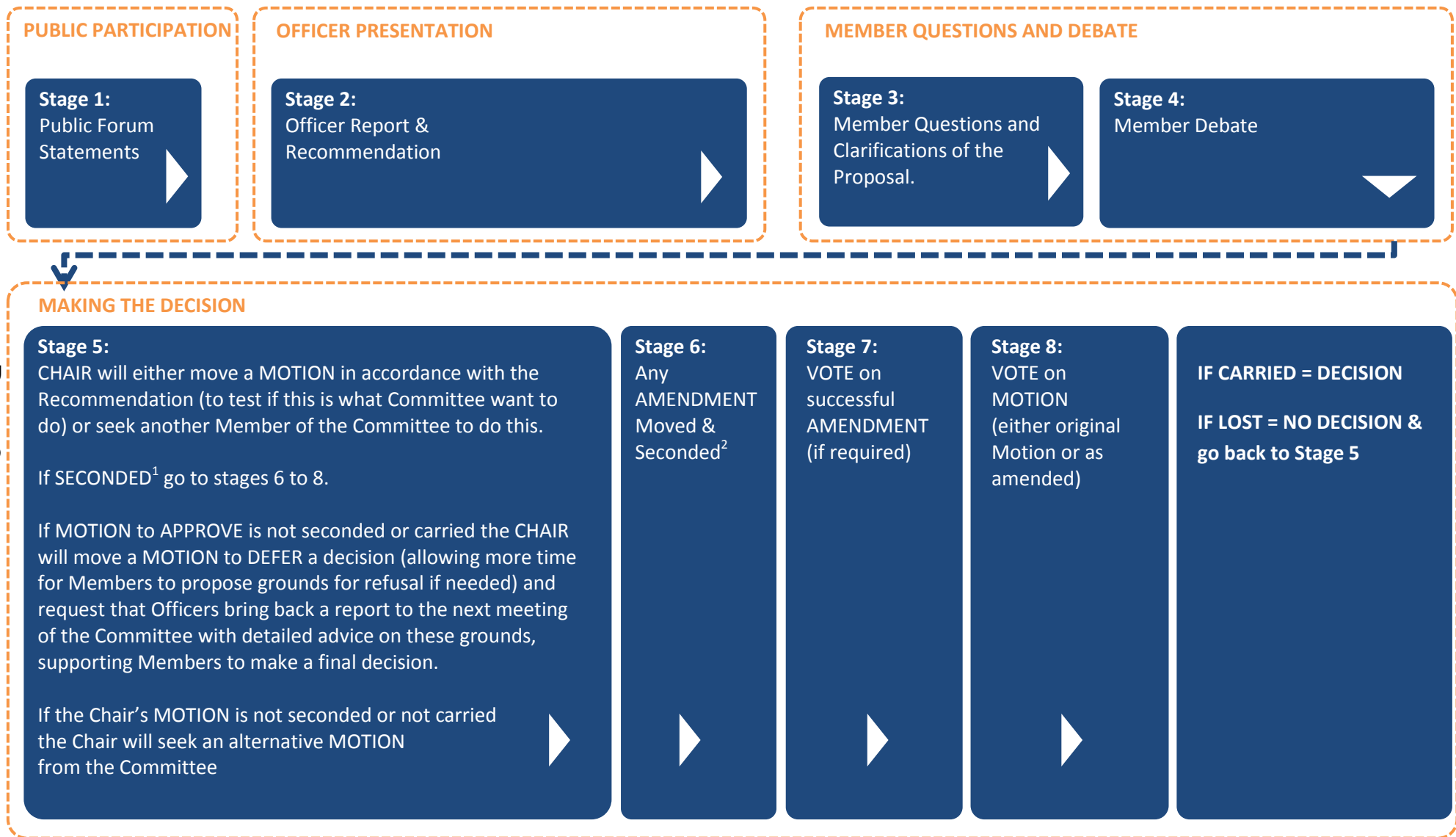
Webcasting/ Recording of meetings

Members of the public attending meetings or taking part in Public forum are advised that all Full Council and Cabinet meetings and some other committee meetings are now filmed for live or subsequent broadcast via the council's [webcasting pages](#). The whole of the meeting is filmed (except where there are confidential or exempt items). If you ask a question or make a representation, then you are likely to be filmed and will be deemed to have given your consent to this. If you do not wish to be filmed you need to make yourself known to the webcasting staff. However, the Openness of Local Government Bodies Regulations 2014 now means that persons attending meetings may take photographs, film and audio record the proceedings and report on the meeting (Oral commentary is not permitted during the meeting as it would be disruptive). Members of the public should therefore be aware that they may be filmed by others attending and that is not within the council's control.

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



Development Control Committee Debate and Decision Process



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

² 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



DEVELOPMENT CONTROL COMMITTEES

Terms of Reference

Arrangements

There are two Development Control Committees:

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

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

Functions

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

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

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

23. Duties relating to applications for listed building consent and Certificates of Lawful Works and conservation area consent (sections 13(1) and 14(1) and (4) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and regs 3 to 6 and 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 S.I. 1990/1519) and paragraphs 8, 15 and 26 of the Department of Environmental, Transport and the Regions circular 01/01).
24. Power to serve a building preservation notice and related powers (sections 3(1) and 4(1) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990).
25. Power to issue enforcement notice in relation to demolition of listed building in conservation area (section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990).
26. Powers to acquire a listed building in need of repair and to serve a repairs notice (section 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990).
27. Power to apply for an injunction in relation to a listed building (section 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990).
28. Power to execute urgent works to unoccupied listed buildings (section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990).
29. Power to authorize stopping up or diversion of highway (section 247 of the Town and Country Planning Act 1990).
30. Power to authorise stopping-up or diversion of footpath, bridleway or restricted byway (section 257 of the Town and Country Planning Act 1990).
31. Power to extinguish public rights of way over land held for planning purposes (Section 258 of the Town and Country Planning Act 1990).
32. Powers relating to the protection of important hedgerows (the Hedgerows Regulations 1997 (S.I. 1997/1160)).
33. Powers relating to the preservation of trees (sections 197 to 214D of the Town and Country Planning Act 1990 and the Trees Regulations 1990 (S.I. 1999/1892)).
34. Powers relating to complaints about high hedges (Part 8 of the Anti-Social Behaviour Act 2003).
35. Power to include modifications in other orders (Section 53A of the Wildlife and Countryside Act 1981).
36. Power to revoke or modify planning permission (Section 97 Town and Country Planning Act 1990).
37. Duty to enter land in Part 2 of the brownfield land register (Regulation 3 of the Town and Country Planning (Brownfield Land Register) Regulations 2017).

38. The making of Local Development Orders under Article 5 of the Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2006.

39. Power to exercise functions relating to Nationally Significant Infrastructure Projects and Development Consent Orders as contained in the Planning Act 2008.

Code of Conduct

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

Bristol City Council
Minutes of the Development Control A
Committee



28 April 2021 at 2.00 pm

Members Present:-

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

Officers in Attendance:-

Gary Collins, Jeremy Livitt and Stephen Rockey

1. Welcome, Introductions and Safety Information

The Chair welcomed all parties to the meeting.

2. Apologies for Absence and Substitutions

Apologies were received from Councillor Mark Wright (Councillor Sultan Khan substituting) and Councillor Mike Davies (Councillor Olly Mead substituting)

3. Declarations of Interest

There were no Declarations of Interest.

4. Minutes of the previous meeting

RESOLVED – that the minutes of the previous meeting held on 31st March 2021 be approved as a correct record.



5. Appeals

Officers drew members attention to the following:

Items 45 and 46 - Former Pring And St Hill Ltd Malago Road Bristol BS3 4JH – Plots 4 and 2 in Bedminster Green had been approved but Plot 1 had been refused in September 2019 due to height, scale, mass, flooding and lack of maintenance access to the River Malago following an objection by the Environment Agency, and had been appealed. It was noted that Plot 3 would be submitted to a future Committee.

Following this, a revised scheme for Plot 1 had been submitted which was 100% student accommodation. Shortly after the deadline passed, the applicants had appealed against non-determination. The hearing for both appeals had taken place in early December 2020 and the decisions had recently been received.

The Inspector had dismissed both appeals on the grounds given by the Committee in their decision except for the issue of lack of maintenance access and drainage concerns which the Inspector felt could be covered by a condition.

Officers awaited further contact from the developers concerning any future steps.

The Chair expressed his appreciation for the work carried out by officers on these applications.

Items 6 and 7 - Public Realm Colston Avenue Bristol BS1 4RD – In relation to the proposal, officers confirmed that a conscious decision had need taken to not determine these applications pending the History Commission that had been set up by the Council.

6. Enforcement

Officers advised that there were no further issues of enforcement to report since the last meeting.

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. Practice Notes - Information Item

The Committee noted Practice Notes that were used by officers in applying the Council's policies in Development Control. It was noted that policies had been updated to include climate change, space standards and a sustainability practice note form last year.



It was also noted that these practice notes would be brought back to Committee as they were refreshed.

9. Planning and Development

The Committee considered the following applications:

a. 20/01655/F - Former Railway Depot Clange Road Bristol

Officers presented the report and made the following points:

- Use Classes A1 to A5 and Class D had been used rather than the Use classes indicated in the report since it had been submitted before the introduction of new classes
- The Ashton Sidings Railway Land had been purchased by Homes England in 2013
- The area had previously been a stone mason ground but had now been vacated and had been allocated for housing in the 2019 Draft Local Plan
- The layout was determined by the vehicular access point which had been referred to by some of the objectors
- It was predicted that at peak travel time, there would be 55 vehicles per hour travelling through the site
- The original proposed access point had been amended to provide greater visibility for all users of the site and pedestrian users
- Proposal to increase the width of the shared use path were complicated due to ecological issues. A bat survey had determined that there was evidence of lesser horseshoe bats foraging and commuting across the site. Since they were particularly sensitive to light, a bat corridor was proposed along the western boundary which would require low level light along the cycle path to achieve satisfactory lux levels
- The path was only 3 metres wide. The proposed removal of the trees that would be required to deliver would be detrimental to the appearance
- Example of where good intervisibility exists between path and road in spite of trees along is The Bristol/Bath path in Fishponds
- Officers proposed that the path remained at 3m.
- There would be very small biodiversity net loss but advised that this could be addressed through changes in planting
- Details of the height of the development were outlined
- Illustrations showed the visual impact
- The site would be visible but would be below the landscape. It was not intrusive and did not compete with the bonded warehouses
- Details of worst case scenarios were indicated and showed that the green hill would still be visible. Historic England was of the opinion that the view is acceptable, although they still had concerns. They felt that this was a modern response to this part of the city
- 30% of the proposed properties were single aspect and would all have significant balconies, 12% would be wheelchair accessible
- Officers acknowledged that residents of Paxton Drive still had concerns about the loss of light and the change in outlook.



- Officers recommended approval subject to a requirement for affordable housing with delegated authority to agree conditions

Officers responded to questions by the Committee as follows:

- It was hoped that the landscape strategy would enable biodiversity net gain once a net gain assessment had been made to address the situation concerning the meadows
- Sustainable Cities accepted the current proposal for a gas boiler which could be converted in future into a heat pump. However, this could be pursued with the developer if the application was agreed with a view to installing a heat pump in accordance with the heat hierarchy
- Analysis had indicated that any shading of the allotments would be very limited due to the trees and distance and would primarily be in the morning
- In relation to the concentration of dwellings per hectare, the Policies in the Core Strategy indicated that this fell within the recommendation for a high density development and therefore 81 dwellings per hectare was appropriate. This development is in a good quality environment with a large shared use space
- The existing cycle path width was the same as the proposed width following the development
- Highways advised that the most appropriate arrangement was for a separate segregated cycle facility. This was a national cycle route with shared use with pedestrians. Since there were a significant number of pedestrians in the Ashton Court Estate, the concern was that it could create a significant conflict between cyclists and pedestrians. There should be capacity to provide a 5 metre corridor from the start. Guidance for new infrastructure was that this should be a requirement where any path was used by more than 300 cyclists
- Whilst the updated policy would seek to ensure a path width of 5 metres, the current situation on the site meant that this could not be achieved with this proposal
- Officers could include a condition requiring a suitably ambitious strategy to investigate the provision of heat pumps on the site
- Once the change in policy concerning biodiversity net gain and national legislation came into force through the Environment Act, this could be taken account of in making decisions. In the meantime, officers had to rely on the existing policy of no net loss until the new legislation comes into force
- Any change in the cycle route would require a different scheme. However, a requirement for the developers to examine the heat hierarchy could be achieved through a condition

Councillors made the following points:

- The shared path worked satisfactorily at the moment. The proposal for widening the path was an aspiration for the future
- This application would not impact too badly and therefore should be supported
- Whilst the application was not aesthetically pleasing, it had benefits

Councillor Paul Goggin moved, seconded by Councillor Steve Smith and upon being put to the vote, it was



RESOLVED (9 for, 0 against) – that the application be approved subject to a condition requiring the establishment of a heat hierarchy system with a view to establishing heat pumps on the site.

In accordance with the Code of Conduct for Councillors on Planning Issues, Councillor Olly Mead did not vote on this application as he was not present for the whole item.

b. 20/01150/F & 20/04633/LA - Soapworks Broad Plain Bristol BS2 OJP

Officers presented this report and made the following points:

- Following the decision at the last Committee to defer this application, the applicant had removed the Apart Hotel from the description/ The new proposal consisted of 243 residential properties and 49 affordable ones which was 20% of provision
- Any approval for the listed building consent would require the matter to be referred to the Secretary of State, whereas the approval of planning permission could be made by the Local Planning Authority.
- Details of the Listed Building Consent were set out
- A plan showing what parts of the building would be demolished and what would be preserved was shown
- The test for the Committee is that they must have special regard to the preservation of the Listed Buildings, and their setting, and whether the public benefit of the development outweighed the harm. This had been assessed as less than substantial but at a high level within this category

In response to members questions, officers made the following points:

- The Committee needed to consider the balance of harms and benefits which were exactly as before but only in respect of Option A following the change to the description of the application
- The report set out the impact of the proposed development on access to daylight for neighbouring properties. There would be a degree of overshadowing but no case where the property would be impacted in entirety
- Many Councillors expressed support for the application. It was noted that this would be of good public benefit as it would provide decent housing. It was hoped that any outstanding issues could be resolved with the Residents Group.

One Councillor indicated that, on balance, he still remained concerned and would therefore vote against the proposal.

Councillor Fabian Breckels moved, seconded by Councillor Paul Goggin and upon being put to the vote it was **RESOLVED (8 for, 1 against) – that the revised application be approved.**



In accordance with the Code of Practice for Councillors on Planning Matters, Councillor Sultan Khan did not vote as he was not present for the duration of the item.

Following this item, Councillor Chris Windows left the meeting and was not present for the remaining items.

c. 20/03286/F - Swift House Albert Crescent Bristol BS2 OUD

The Committee was reminded that it had deferred a decision on this application as it was minded to refuse it. However, this did not fetter its discretion in any way in making its decision.

Officers presented the report and made the following points:

- Members' attention was drawn to the amendment sheet which set out the proposed conditions to mitigate highway and environmental impacts
- Air Quality – Members had expressed concern about this issue at the previous Committee. A Table setting out an Air Quality Assessment was included which was an objective test that could be applied to air pollution resulting from any development. It was noted that the development would result in a very small increase in pollutants which was well within the required standards.
- Officers had indicated that there wouldn't be a harmful impact in Air Quality, it would be very difficult to support a refusal in the event of any appeal
- Odour and Vermin – Any assessment in this area was more subjective. There was no mechanism for making an objective assessment. However, officers believed that any impact could be mitigated and tightly controlled – not through the Planning Process but through the issuing of an Environment Agency Permit
- Local Authority Equality Duty – whilst there is a duty to take this into account, it was considered that the development could only be regarded as discriminatory if there was demonstrated to be a degree of harm. Officers' view was that this could be managed and mitigated
- Area allocated for employment use –
- Condition 11 had been removed and an additional Condition 5 added

In response to Councillors' questions, officers made the following points:

- The data indicated that air quality was much worse where a development was located next to busy roads which is reflected in the assessment of this site.
- On a local level any management of odour and vermin depends on how the site is managed. The site would handle some organic waste, including dried waste from businesses. Sprays would be used to dampen down odours with external containers being sealed
- An Environmental Impact Assessment had not yet been made. This application falls below the criteria for requiring this. However, most of the information which would form part of an EIA had been provided as part of this application



- The level of air pollution was well below the level at which there would be any concern in an objective assessment
- Councillors' concerns were noted that the air quality assessment needed to take account of all factors including the impact on young people as well as adults and in addition the increased traffic arising from the development. However, officers pointed out that the targets were precautionary and were there to protect everyone of all ages
- Whilst there may be organic waste handled on site, there would not be large quantities. Wastewater would always be done in the building and would be the only time that the containers were opened
- The issue of odour was subjective and would be managed through the Environment Agency Permit

Councillors made the following comments:

- It was important to respect the important work that the waste industry carried out. Whilst the officers' recommendations in respect of Air Pollution Levels should be accepted, there may well be a gap between how the Local Authority and the Environment Agency would provide enforcement. Therefore, issues relating to odour and vermin were a serious cause for concern, particularly since it was close to a school
- The children of Lawrence Hill deserved the same consideration as the rest of the city. Traffic, noise, odour and vermin will all increase. Therefore, the application should be refused
- Regardless of the applicant, the proposed development would have an additional impact on the situation that already existed in the area. Any children going to hospital to get their lungs checked would find the situation worsened and could trigger an asthma attack. On balance, this was too big a gamble with children's health and should be opposed
- The problems caused by odour and vermin were good reasons to oppose this application
- Whilst it was understandable that officers have made their recommendations since they were strictly following the guidance, it seemed counter intuitive to suggest that this development would not cause harm
- Whilst the Committee should show respect for small businesses such as the applicant, this application should be refused

The Chair called for a motion to approve the application in accordance with the Committee's agreed procedures. However, there was no mover for such a motion.

Then, Councillor Don Alexander moved, seconded by Councillor Margaret Hickman and upon being put to the vote, it was

RESOLVED (9 for, 0 against) – that the application be refused on the grounds of odour and vermin set out below:

Odour - 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.

Vermin: 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.

d. 21/00770/F - 170 Glenfrome Road Bristol BS5 6XE

Officers introduced this report and made the following points:

- The application consisted of a proposal for two new houses alongside amenity space, landscaping and bike storage
- The previous application had been refused under delegated powers in January 2021. However, the applicant had worked hard to address this in the new application
- The Committee was shown a street level view showing the wider site and the extent of the garden, as well as a final view of the application site
- The application was considered spacious and contributes to the area. Each house would consist of two storeys at an appropriate scale and height, two bedrooms and with a street parking space
- The application will retain sufficient garden space
- A detailed landscape plan would be required as a condition to ensure compliance
- Most opposition that had been received related to garden space. There was also concern about reduced visibility at the junction. 6 letters of support had also been received

Councillors made the following comments:

- This application seemed fairly uncontentious and should be supported
- The proposal fitted in well with the existing surrounding and housing was required. It should be supported
- The proposal was for excellent quality accommodation and should be supported
- There was no reason to oppose this application

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

RESOLVED (9 for, 0 against) – that the application be approved.

At the end of the discussion, the Chair thanked all Councillors for their contributions to the Committee and to officers for their support during the 2020/21 Municipal Year.

10. Date of Next Meeting

It was noted that there were no further meetings for 2020/21 Municipal Year.

Dates for Development Control Committees for 2021/22 Municipal Year would be confirmed following the upcoming local elections.

Meeting ended at 5.25 pm

CHAIR _____



DEVELOPMENT CONTROL COMMITTEE A**30th June 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	Hillfields	95 Gorse Hill Bristol BS16 4PL Replacement of an existing garage with annexe for ancillary accommodation. Appeal against refusal Delegated decision	10/05/2021
4	Redland	48 Redland Court Road Bristol BS6 7EH Raise the height of roof pitch. Appeal against refusal Delegated decision	18/05/2021
5	Stoke Bishop	22 Old Sneed Avenue Bristol BS9 1SE Alterations and extensions to the property on the north (rear), west and south (road) elevations to provide additional residential accommodation. Appeal against refusal Delegated decision	18/05/2021
6	Stoke Bishop	96 Sylvan Way Bristol BS9 2LZ Proposed two storey extension Appeal against refusal Delegated decision	19/05/2021

7	Stoke Bishop	1 Ellbridge Close Bristol BS9 1BU Single storey side /rear and front extension with raised terrace. Appeal against refusal Delegated decision	19/05/2021
8	Brislington West	40 Runswick Road Bristol BS4 3HY Single storey rear extension and loft conversion. Appeal against refusal Delegated decision	14/06/2021

Informal hearing

Item	Ward	Address, description and appeal type	Date of hearing
9	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	08/07/2021
10	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	08/07/2021
11	Lawrence Hill	1 Milsom Street Bristol BS5 0SS Enforcement notice appeal for the erection of rear extension without planning permission. Appeal against an enforcement notice	TBA

Public inquiry

Item	Ward	Address, description and appeal type	Date of inquiry
12	Lawrence Hill	<p>Land And Buildings On The South Side Of Silverthorne Lane Bristol BS2 0QD</p> <p>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.</p> <p>Committee</p>	11/05/2021
13	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
14	Bedminster	<p>Police Dog & Horse Training Centre Clanage 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

Item	Ward	Address, description and appeal type	Date lodged
15	Clifton Down	41 Alma Vale Road Bristol BS8 2HL Enforcement notice appeal for use of ground floor and basement levels of building as domestic storage. Appeal against an enforcement notice	14/08/2020
16	Henbury & Brentry	The Lodge Carriage Drive Bristol BS10 6TE Sycamore Tree T3 - Crown reduce canopy by a maximum of 30%. TPO 1148 Appeal against refusal Delegated decision	07/09/2020
17	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
18	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
19	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
20	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
21	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

22	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
23	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
24	Brislington West	57 West Town Lane Brislington Bristol BS4 5DD New single storey dwelling. (Self Build). Appeal against refusal Delegated decision	15/03/2021
25	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
26	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
27	Bishopsworth	Telecommunication Cabinet Lake Shore Drive Bristol BS13 7BA Proposed telecommunications installation: Proposed 20m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works. Appeal against refusal Delegated decision	30/03/2021
28	Stoke Bishop	13 Avon Grove Bristol BS9 1PJ Proposed detached garage. Appeal against non-determination Delegated decision	12/04/2021

29	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
30	Lockleaze	39 Stothard Road Bristol BS7 9XL x2 two storey 2 bedroom, 3 person semi-detached dwellings to front of site and x2 single storey 2 bedroom, 3 person dwellings to rear of site as well as access and x6 car parking spaces, bin and cycle storage. Appeal against refusal Delegated decision	10/05/2021
31	Clifton Down	All Saints Court All Saints Road Bristol BS8 2JE Refurbishment of existing building. Conversion of garages to form 2no. (1bedroom 2 bedspace) Use Class C3 residential units. Extension to form 2 (1bedroom 2 bedspace) Use Class C3 residential units at roof level. Erection of bin and cycle stores. Appeal against non-determination Delegated decision	10/05/2021
32	Avonmouth & Lawrence Weston	130 Nibley Road Bristol BS11 9XN Enforcement notice appeal for use of building to rear for operation of motorbike repair business. Appeal against an enforcement notice	17/05/2021
33	Bedminster	1 - 21 Bedminster Down Road Bristol BS13 7AB Removal of 4no. hoarding panels and installation of 1no. single sided, illuminated, sequential, landscape display. Appeal against refusal Delegated decision	18/05/2021
34	Filwood	10 Melvin Square Bristol BS4 1LZ Part demolition of existing building and erection of 6no. apartments (use class C3) with secure cycle parking and refuse/recycling store. Appeal against refusal Delegated decision	21/05/2021

35	St George Central	75 New Queen Street St George Bristol BS15 1DE Demolition of existing garage and outbuildings. Two storey side extension to form separate dwellinghouse (Use Class C3) including new vehicle access and driveway with 4no. off-street parking spaces. Appeal against refusal Delegated decision	25/05/2021
36	Avonmouth & Lawrence Weston	Garage Hung Road Site Adjacent To 125 Nibley Road Bristol Creation of a 1 x 2 bedroom property within the side plot of no.125 Nibley Road. Appeal against refusal Delegated decision	25/05/2021
37	Clifton Down	Beer Garden For Brewhouse And Kitchen Cotham Hill Bristol BS6 6JY Retrospective Application for the installation of new retractable awning to existing beer garden opposite Brewhouse & Kitchen. Appeal against refusal Delegated decision	25/05/2021
38	Avonmouth & Lawrence Weston	Beaumont Court Avonmouth Road Bristol BS11 9FL Creation of additional apartments at third-floor. Appeal against refusal Delegated decision	26/05/2021
39	Bishopsworth	Esso Filling Station Hartcliffe Way Bristol BS3 5RH Installation of internally illuminated 48-sheet digital advertisement hoarding (6m by 3m). Appeal against refusal Delegated decision	01/06/2021
40	Horfield	23 St Lucia Crescent Bristol BS7 0XR Demolition of existing bungalow and construction of a pair of semi-detached bungalows, (one 2 bedroom and one 1 bedroom). Appeal against refusal Delegated decision	02/06/2021
41	Horfield	232 Filton Avenue Bristol BS7 0AZ Change of use from dwelling house (C3a) to a large house in multiple occupation (Sui Generis) for up to 7 people, including a hip-to-gable and rear roof extension, and the conversion of existing garage to habitable rooms. Appeal against refusal Delegated decision	02/06/2021

42	Clifton Down	Garden Flat 15 Aberdeen Road Bristol BS6 6HT Proposed single storey rear extension and garden landscaping. Appeal against refusal Delegated decision	08/06/2021
43	Clifton Down	Garden Flat 15 Aberdeen Road Bristol BS6 6HT Proposed single storey rear extension, garden landscaping and minor structural works. Appeal against refusal Delegated decision	08/06/2021
44	Knowle	48 Tavistock Road Bristol BS4 1DN Proposed two bedroom dwelling. Appeal against refusal Delegated decision	14/06/2021
45	St George Troopers Hill	Trooper Court 303 Crews Hole Road Bristol BS5 8BQ Enforcement Notice Appeal for installation of timber enclosure without planning permission. Appeal against an enforcement notice	14/06/2021
46	Hotwells & Harbourside	63 Park Street City Centre Bristol BS1 5NU Retention of storage container, at the rear of the building. Appeal against refusal Delegated decision	15/06/2021
47	Hotwells & Harbourside	63 Park Street City Centre Bristol BS1 5NU Enforcement notice appeal for the installation of shipping container. Appeal against an enforcement notice	15/06/2021

List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
48	Frome Vale	67 Symington Road Bristol BS16 2LN One bedroom single storey dwelling in the rear garden of the existing property. Appeal against refusal Delegated decision	Appeal dismissed 22/04/2021

49	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	Appeal dismissed 21/04/2021
50	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	Appeal allowed 19/05/2021 Costs not awarded
51	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	Appeal allowed 27/04/2021
52	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	Appeal dismissed 18/05/2021
53	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	Appeal dismissed 24/05/2021
54	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	Appeal allowed 24/05/2021
55	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	Appeal allowed 29/04/2021

56	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	Appeal dismissed 27/04/2021
57	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	Appeal dismissed 29/04/2021
58	Henbury & Brentry	The Hazels Sheepwood Road Bristol BS10 7BS T3 conifer cypress - Fell.(TPO 398) Appeal against refusal Delegated decision	Appeal dismissed 17/05/2021
59	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	Appeal allowed 24/05/2021
60	Hartcliffe & Witherwood	60 Gatcombe Road Bristol BS13 9RD New attached dwelling to existing terrace. Appeal against refusal Delegated decision	Appeal dismissed 22/04/2021
61	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	Appeal dismissed 15/06/2021

62	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	Appeal allowed 19/05/2021
63	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	Appeal allowed 15/06/2021
64	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	Appeal allowed 21/05/2021
65	Redland	53 Logan Road Bristol BS7 8DS Roof extensions. Appeal against refusal Delegated decision	Appeal allowed 16/06/2021

DEVELOPMENT CONTROL COMMITTEE A
30th June 2021

REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE

LIST OF ENFORCEMENT NOTICES SERVED

Item	Ward	Address, description and enforcement type	Date issued
1	Ashley	58 Banner Road Bristol BS6 5LZ Use of basement (formation) of separate flat without planning permission. Enforcement notice	11/05/2021
2	Hillfields	113 Thicket Avenue Bristol BS16 4EQ The erection of two canopy structures to the front of the property. Enforcement notice	18/05/2021
3	Hotwells & Harbourside	63 Park Street City Centre Bristol BS1 5NU Installation of shipping container. Enforcement notice	18/05/2021
4	St George Troopers Hill	Trooper Court 303 Crews Hole Road Bristol BS5 8BQ Installation of timber enclosure without planning permission. Enforcement notice	05/05/2021

Development Control Committee A 30 June 2021

Report of the Director: Development of Place

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Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Southville	Grant subject to Legal Agreement	20/05811/F - Plot 3 Dalby Avenue And Whitehouse Lane Bristol Proposed redevelopment of the site, including demolition works, to provide mixed use development comprising student accommodation (up to 82 cluster units and amenity spaces) and ground floor business space (628sqm GIA) together with associated parking and vehicle servicing arrangements, public realm and landscaping, and associated works. (Major)
2	Bishopston & Ashley Down	Grant subject to Legal Agreement	20/00968/F - 349-353 Gloucester Road Horfield Bristol BS7 8TG Change of use of retail unit (Use Class E) to public house (Sui Generis) including external alterations, extension and creation of an external roof terrace.
3	Cotham	Grant	21/00746/F - 6 Clyde Park Bristol BS6 6RR Demolition of existing residential garage and erection of 2no. bed two storey mews house, with front and rear courtyards.

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Development Control Committee A – 30 June 2021

ITEM NO. 1

WARD: Southville

SITE ADDRESS: Plot 3 Dalby Avenue And Whitehouse Lane Bristol

APPLICATION NO: 20/05811/F Full Planning

DETERMINATION DEADLINE: 30 April 2021

Proposed redevelopment of the site, including demolition works, to provide mixed use development comprising student accommodation (up to 82 cluster units and amenity spaces) and ground floor business space (628sqm GIA) together with associated parking and vehicle servicing arrangements, public realm and landscaping, and associated works. (Major)

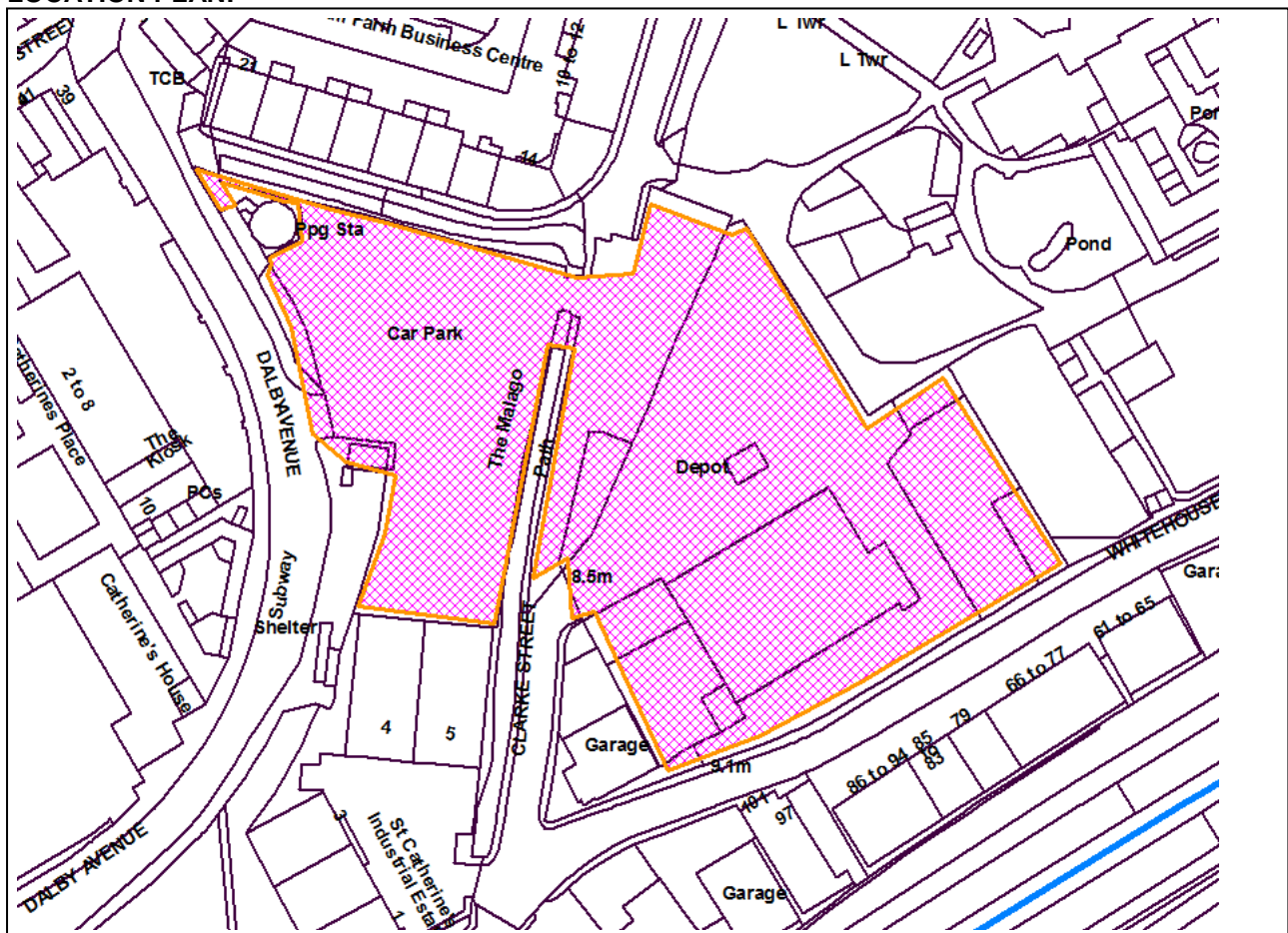
RECOMMENDATION: GRANT subject to Planning Agreement

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

APPLICANT: Sydney Freed (Holdings)
C/o Agent

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

LOCATION PLAN:



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20/05811/F: Plot 3 Dalby Avenue and Whitehouse Lane, Bristol

BACKGROUND

This site forms one of five key sites identified within the Bedminster Green Framework. In response to a request from the Council for a holistic overview for the Bedminster Green area, the developers (including the developer for this application) produced a Framework, which was reported to and noted by Cabinet in March 2019.

The Framework is a high-level document that sets broad principles and parameters to help shape and integrate individual site-based development proposals, as they come forward through the planning and design process to create a high quality new urban quarter. In terms of planning decisions, the Bedminster Green Framework is a material planning consideration in relation to the determination of planning applications for each site in the Bedminster Green area.

SITE DESCRIPTION

The application site ('Plot 3' of the Bedminster Green Framework) extends to an area of circa 1 hectare, situated upon two parcels of land between Dalby Avenue, Whitehouse Lane and Phillip Street in Bedminster, south Bristol. The application site is intersected by the River Malago and Clarke Street.

The application site located adjacent to Dalby Avenue is currently in use as a privately-run pay and display car park. East of the River Malago, there are two motor trade businesses occupying premises fronting Whitehouse Lane.

The application site fronts Dalby Avenue on its western boundary and is bounded at its northern boundary by the River Malago. The Windmill Farm Business Centre is located to beyond the River Malago to the north of the application site, and the Windmill Hill City Farm and City Farm Café are situated to the immediate north east of the application site.

The application site fronts Whitehouse Lane on its southern boundary and is bounded by a by a motor repair businesses (Use Class B1(c) Industrial processes replaced by the new Class E(g)) located on Whitehouse Lane and light industrial units in St Catherine's Trading Estate (Use Class B2 on land known as 'Plot 5' of the Bedminster Green Framework) accessed at the junction of Clarke Street/Whitehouse Lane.

The application site is within walking distance of retail and leisure amenities on East Street and central Bedminster, situated 200 metres to the north. The nearest forms of public transport are located at Bedminster train station, situated approximately 100 metres to the south, and a bus stop situated on Dalby Avenue adjacent to the site.

In terms of the adopted development plan, the site falls wholly within a designated 'Principal Industrial and Warehousing Area' (PIWA0074-W) concentrated on land adjacent to Clarke Street, Bartley Street, Whitehouse Lane and Dalby Avenue.

The majority of the application site is within Flood Zone 2 (Medium Risk) with a significant proportion of the western side within Flood Zone 3 (High Risk).

The application site is located adjacent to but not within the Bedminster Conservation Area.

In reviewing historic maps of the area, the application site was formerly a Smelting Works through the later 19th and early 20th centuries, which depict tanks and chimneys, weigh bridges, engines and a sluice gate. The buildings were predominantly of wood or brick and

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20/05811/F: Plot 3 Dalby Avenue and Whitehouse Lane, Bristol

stone at this time, with some smaller metal buildings. Four chimneys were shown, of which two were within the application site area at 120 feet and 100 feet high respectively.

Terraced houses in the eastern part of the application site appear to have been cleared for redevelopment in the 1960s and early 1970s, with a depot established between Clarke Street and Whitehouse Lane at some time prior to 1990. The Smelting Works closed in 1963 and were demolished by 1973 to make way for the construction of the current surface car park and Dalby Avenue. The River Malago channel and sluice, and the alignment of the adjacent Clarke Street, all survive today despite these radical changes.

The Windmill Farm Business Centre, which comprises two-storey commercial premises was constructed at some time between Ordnance Survey maps of 1973 and 1990. Windmill Hill City Farm is reported to have opened in 1976.

RELEVANT HISTORY

Set out below is the relevant planning history for the application site.

PLANNING HISTORY		
APPLICATION SITE:		
Reference	Application	Decision
19/04297/PREAPP	Purpose-built student accommodation providing circa 730 bedspaces across two buildings and associated works.	Pre-application enquiry.
13/02129/F	Replacement of entrance canopy to front and single storey extension to rear of reception area.	Granted
02/00806/F	Erection of 1no. new steel framed transfer station and associated prefabricated buildings.	Refused
00/02221/F	Extension and refurbishment of existing unit.	Granted
90/00266/F	Storage/warehousing & offices (Opposite No.79)	Withdrawn
90/00734/F	Change of use from light industrial to automotive bodywork & spraying including installation of spray booth	Granted

A number of applications have come forward in the wider Bedminster Green area over the past 10 years. For the benefit of Members, set out below is the relevant planning history for the most recent applications and decisions for each Plot within the Bedminster Green Framework.

Bedminster Green Plot	Site Name	Application	Description of development	Planning Status
Plot 1	Pring & St Hill	19/05740/F	Redevelopment to provide student accommodation across four development blocks, landscaping, access, public realm works and associated works to the Malago River.	Appeal against the non-determination submitted, 17 March 2020 Appeal dismissed, 1 April 2021
		19/00267/F	Redevelopment of the site to provide 74 No. student	Refused, 6 September

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Bedminster Green Plot	Site Name	Application	Description of development	Planning Status
			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.	2019 Appeal dismissed, 1 April 2021
Plot 2	St Catherine's Place	20/04934/P	Hybrid application for phased comprehensive redevelopment of the site to provide mixed use regeneration comprising: Phases 1- 4 inclusive - Full application for up to 180 residential dwellings (Class C3) and 815 sqm new commercial floorspace (Class E), parking and amenity space, public realm, vehicular access servicing arrangement, landscaping and associated works; Phases 5 - 7 inclusive - outline application for access only - residential and commercial floorspace (Class E) (reserved matters to comprise scale, layout, appearance and landscaping).	Resolution to grant subject to conditions and planning agreement
		18/05310/F	Full planning application for comprehensive redevelopment of the site to provide mixed use development comprising 205 residential dwellings (Class C3), 1288sqm of new retail, leisure and commercial space including a cinema (Class A1, A3, D2), refurbishment of existing retail facilities together with parking and amenity space, vehicular access, servicing arrangements, public realm, landscaping and associated works.	Refused, 2 February 2020 Appeal dismissed, 19 February 2021
		17/05699/F	Two storey extension and	Granted

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Bedminster Green Plot	Site Name	Application	Description of development	Planning Status
			external alterations to St Catherine's House to provide an additional 14 residential units.	subject to conditions, 1 May 2018
		17/03849/C OU	Prior approval for the change of use from office floor space within use Class B1(a) to residential accommodation falling within Class C3 (40.no. Flats).	Prior Approval Given, 6 September 2017
		13/05616/P	Hybrid outline application for demolition of existing buildings on the site and phased redevelopment of site, comprising full application for Phase 1 and outline application for Phase 2.	Granted subject to conditions, 21 June 2017
Plot 3 (this application)	Plot 3 Dalby Avenue and Whitehouse Lane, Bristol	20/05811/F	Proposed redevelopment of the site, including demolition works, to provide mixed use development comprising student accommodation (up to 82 cluster units and amenity spaces) and ground floor business space (628sqm GIA) together with associated parking and vehicle servicing arrangements, public realm and landscaping, and associated works.	Pending consideration (this application)
		19/04297/PR EAPP	Purpose-built student accommodation providing circa 730 bedspaces cross two buildings and associated works.	Pre-application enquiry
Plot 4	Little Paradise	18/06722/F	Demolition and redevelopment to provide 2 new buildings (3-16 storeys) comprising 295 no. build-to-rent residential apartments (Use Class C3) including flexible gym, flexible activity space, concierge and residents lounge and 21 residential apartments for affordable housing (Use Class C3) and landscaping, public realm, bin storage, plant areas and cycle	Resolution to grant subject to conditions and planning agreement

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20/05811/F: Plot 3 Dalby Avenue and Whitehouse Lane, Bristol

Bedminster Green Plot	Site Name	Application	Description of development	Planning Status
			parking.	
Plot 4b	Little Paradise Car Park	20/02647/F B	Proposed development of a new public car park on the existing Little Paradise car park site.	Resolution to grant subject to conditions and planning agreement
Plot 5	Plot 5 - land bounded by Hereford Street, Clarke Street, Whitehouse Lane	21/01091/P REAPP	Mixed use redevelopment comprising residential dwellings (including affordable housing) and ancillary residential areas, commercial space and associated landscaping/open space.	Pre-application enquiry

APPLICATION

This application 20/05811/F was received and validated on 2 December 2020. This application is for full planning permission.

Overview

The application by Sydney Freed (Holdings) is for:

“Proposed redevelopment of the site, including demolition works, to provide mixed use development comprising student accommodation (up to 82 cluster units and amenity spaces) and ground floor business space (628sqm GIA) together with associated parking and vehicle servicing arrangements, public realm and landscaping, and associated works.”

The application proposes the development of two buildings (Building A and Building B) within the site for the provision of purpose-built student accommodation of up to 82 cluster units for 819 bed spaces, of which 25 bed spaces are fully accessible.

A detailed breakdown of the proposals is provided below.

Building A would be between 3-9no. storeys, providing 296 no. student bed spaces. Building A would provide 74 no. cycle parking spaces within a designated internal cycle storage area at the rear ground floor.

In summary, Building A contains:

- 33 student cluster units (ranging from 5 – 12 bed clusters)
- 296 bed spaces
- 445 square metres (sqm) for social, meeting and study space
- 145 sqm for the reception and back of house facilities (office, laundry, WCs etc)
- 113 sqm for a cycle store
- 131 sqm for plant
- 64 sqm for refuse

Building B would be between 4-9no. storeys, providing circa 523 no. student bed spaces. Building B would provide 162 no. cycle parking spaces within a designated internal cycle storage area at the ground floor.

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In summary, Building B contains:

- 49 student cluster units (ranging from 7 – 12 bed clusters)
- 523 bed spaces
- 628 sqm of flexible workspace
- 603 sqm for social, meeting and study space
- 198 sqm for the reception and back of house facilities (office, laundry, WCs etc)
- 244 sqm for a cycle store
- 157 sqm for plant
- 119 sqm for refuse

The application proposes the following landscape and public realm improvements:

- A new pedestrian and cycle link between Whitehouse Lane to Clarke Street.
- Public realm improvements on Dalby Avenue which ties in with and helps facilitate the wider transport improvements along Dalby Avenue/Malago Road.
- Public realm improvements and 'linear park' along Clarke Street improving the entrance to the rear of the Windmill Hill City Farm.

The proposed development would require the removal of 1no. tree . A total of 41no. new trees species and 12no. shrubs species are to be provided as part of the application.

In terms of access, the development would provide:

- Three vehicular access points; one from Dalby Avenue, one from Clarke Street and one from Whitehouse Lane to the on-site parking.
- Three pedestrian/cycle access points: one from Dalby Avenue, one from Clarke Street and one from Whitehouse Lane.

In terms of car parking the development will provide:

- Four disabled parking spaces.
- Two staff spaces for the student hub.
- No dedicated car parking facilities are proposed for the flexible workspace located on Whitehouse Lane.

In terms of cycle parking, the development will provide:

- 236 secure cycle parking spaces for students
 - Building A would provide 74 no. cycle parking spaces.
 - Building B would provide 162 no. bicycle spaces.
- 14 cycle parking spaces for the flexible workspace units
- Visitors cycle parking spaces located across the development

PRE-APPLICATION COMMUNITY CONSULTATION

The Applicant submitted a Report of Community Involvement (November 2020) with the application, which details of the extent of the community engagement with the local community and stakeholders. The report notes that introductory engagement meetings took place with Windmill Hill and Malago Community Planning Group (WHaM), the Cabinet member for Strategic Planning & City Design and Windmill Hill City Farm during 2017 – 2019.

Consultation activities undertaken:

The key consultation activities reported on took place during 2019 – 2020. In summary, the Applicant held two key stakeholder workshops in 2019 and public consultation with a further key stakeholder workshop in 2020.

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This is summarised as follows:

- Initial key stakeholder workshop on 25 February 2019:
 - It was reported that 14 individuals attended representing: Avon & Somerset Police Crime Prevention Design Team, Bristol City councillors for Southville and Windmill Hill wards, Bedminster BID, Bristol Civic Society Major Sites planning group, Bristol Cycling Campaign, BS3 Planning Group, WHaM and Windmill Hill City Farm.
- Second key stakeholder workshop on 25 September 2019:
 - It was reported that 12 stakeholders attended representing: Bedminster BID, Bristol City Council Windmill Hill ward, Bristol Civic Society Major Sites planning group, University of Bristol, WHaM and Windmill Hill City Farm.
- Full public consultation (16 March – 18 April) including third key stakeholder workshop and drop-in public exhibition on 16 March 2020:
 - The consultation was launched at an event on 16 March at Windmill Hill City Farm. The first session, from 2 – 3.30pm, comprised a round table presentation and discussion workshop for key stakeholders. This was followed by a more informal drop-in style, public exhibition, from 3.30 - 7pm, for neighbours and wider public.
 - Invitations to key stakeholders and a neighbour mailing were sent out to over 580 addresses. A further 1,500 further addresses in the surrounding area were leafleted through the Pigeon Magazine. This notification was undertaken prior to the increasing uncertainty around Covid-19.
 - As the Covid 19 restrictions on gatherings had not yet come into force the team took the decision to proceed with the consultation events. However, it was clear that some concerns about meeting face-to-face had an impact on the number of attendees.
 - It is reported that 5 people attended the round table workshop and presentation/discussion session representing; Bedminster BID, Bristol Civic Society Major Sites planning group, WHaM and Windmill Hill City Farm.
 - It is reported that 14 local residents attended from nearby addresses, including further representatives of WHaM.
 - The consultation period was extended until 18 April with a further notification to key stakeholders and neighbours.
 - A postcard informing residents of the consultation extension and providing the web page link to view the plans online, was mailed to the same catchment of 580 addresses. A news item was included in the April edition of The Pigeon.

In addition to the above the Applicant also:

- Held a briefing with Cabinet member for Strategic Planning & City Design on 11 October 2019.
- Held a meeting with the Police Crime Prevention Design Advisor meeting on 23 October 2019.
- Participated in a Bedminster Community Charter workshop on 6 December 2019.
- Participated in the Design West Review on 31 March 2021.

Changes made in response to consultation:

The Report notes that minor changes were made to Building A following consultation to include:

- Reducing the building height and massing adjacent to the proposed public space to Dalby Avenue.

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- Introduction of a curved entrance that reflects the existing circular pumping station opposite and encourages views and pedestrian movement towards the River Malago and the City Farm beyond.
- Replacing the front terrace with a 'green' roof.

The Report notes that changes were made to Building B following consultation to include:

- New public pedestrian / cycle route linking Clarke Street to Whitehouse Lane.
- Relocated entrance along the new pedestrian route, opposite a proposed public green space.
- Introduction of an open-sided private courtyard linked to Clarke Street.
- Re-configuration of the ground floor layout with a reduction in student social/meeting space and the addition of some student study bedrooms.
- Reduction of massing adjacent to boundaries at the east and particularly the west in order to respect the scale of the City Farm
- Increased area of green roofs, for both a biodiversity and ecology benefit and also to enhance the lower roof scape when viewed from Windmill Hill.
- Setting back the upper floors, bringing forward the ground floor units on Whitehouse Lane to follow the line of the footway and enhance the streetscape.
- Removing the podium car parking resulting in alterations to the ground floor.

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. In this case the design and access to the development have been assessed with particular regard to disability, age and pregnancy and maternity issues. Access and movement through and across the site have been considered at detail and help facilitate new connections to Dalby Avenue/Clarke Street/Whitehouse Lane. There is vehicular access provided for four disabled parking spaces adjacent to the entrances of both buildings. The number of disabled parking spaces has been provided in accordance with Policy DM27 and Appendix 2 of The Bristol Local Plan – Site Allocations and Development Management Policies – Adopted July 2014.

ENVIRONMENTAL IMPACT ASSESSMENT

In respect of Environmental Impact Assessment (EIA), in April 2021, the Local Planning Authority provided a Screening Opinion confirming that the development is NOT EIA Development requiring an Environmental Statement.

RESPONSE TO PUBLICITY AND CONSULTATION

General response from the public

In response to the application as submitted in December 2020, a total of 78 public comments were received. This includes comments received from local interest groups and organisations, which are detailed below.

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Of the 78 responses received, 70 responses were in objection to the scheme, 4 responses were in support of the scheme, with 4 neutral responses.

In summary, the comments in objection to the scheme raised the following concerns:

- Height, scale and massing.
- Sunlight impact on Windmill Hill City Farm.
- Effect on public amenity space used by families and children.
- Number/concentration of students and impact on services such as GPs and schools.
- Sustainability concerns (tall buildings use more energy; heat network does not exist).
- No affordable or social housing included.
- Internal daylighting concerns and amenity of future occupiers.
- Public Realm: the canyon effect of high buildings and impact on river to shade, and wind.
- Conflict between delivery trucks and pedestrian/cyclist use on Clarke Street.
- Impact on volume of traffic and increased pressure on parking.
- Architectural design unsympathetic to the area.
- Lack of need for student housing; other housing types needed (e.g. family housing).

In summary, the comments in support of the scheme cited the following reasons:

- The public realm improvements and the increased pedestrian permeability.
- Support the creation of flexible employment space.
- Trees and new public spaces and the linear park along Clarke Street.
- The opening-up and improvements to the Malago River.
- Benefits of purpose-built student accommodation in reducing demand on other housing stock for student residences.
- Modern design and choice of materials.
- Area in need of regeneration.

Revisions were made to the scheme and revised details were provided on 22 March 2021 and reconsulted on from 24 March 2021.

In summary, the changes to the proposed development were:

- Redesign of Building B to reduce height adjacent to Windmill Hill City Farm.
- Redesign of Building B to accommodate improvements to public realm and movement along Whitehouse Lane, in coordination with the Council's proposals.
- Reconfiguration of the ground floor layout to both buildings to change bedroom space to amenity space to address privacy concerns, improve cycle parking provision, and provide an additional accessible bedroom.
- Changes to the elevations of the buildings to add variety to materials and colour.
- Alterations to the main entrance to Building B to improve visibility and wayfinding.
- Reduction in student clusters from 84 to 82.
- Reduction in student bed spaces from 837 to 819.
- Reduction in flexible workspace from 686 sqm to 628 sqm.

In response to the revised details as submitted in March 2021, a total of 81 public comments were received. This includes comments received from local interest groups and organisations, which are detailed below.

Of the 81 responses received, all 81 responses were in objection to the scheme.

In summary, the comments in objection to the scheme raised the following concerns:

- Height, scale and massing concerns not resolved through design changes.

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- Sunlight impact on Windmill Hill City Farm.
- Effect on public amenity space used by families and children.
- Number/concentration of students and impact on services such as GPs and schools.
- No affordable or social housing included.
- Internal daylighting concerns and amenity of future occupiers.
- Impact on volume of traffic and increased pressure on parking.
- Architectural design unsympathetic to the area.
- Lack of need for student housing; other housing types needed (e.g. family housing).
- Impact on wildlife such as bats.
- Impact on local business at Whitehouse Lane.
- Cumulative impacts of proposed developments in Bedminster Green area.

Response from interest groups and organisations

WINDMILL HILL CITY FARM – NEUTRAL COMMENT

We welcome the development of this site which is currently run-down and offers no real value to the community. The proposals on the ground (landscaping etc) are a very positive addition to the environment and the improvements to the Malago stream and public realm are very welcome.

We have some concern that the number of units has increased from initial consultation and wonder if the increased efficiency in internal organisation could allow for a reduction in massing. The introduction of so many students will bring challenges as well as opportunities in terms of the level of activity in the area.

The views from the city farm indicate a very solid 'wall'. If it were possible to mitigate that by arranging buildings to allow a view of the sky between them or with more features (eg vertical gardens) or greenery that would be of benefit.

We welcome the inclusion of ground floor space that has potential for commercial or community use.

We are sensitive to the impact of the construction phase of the development and welcome continued discussions with the developer as to how to mitigate those impacts.

UNIVERSITY OF BRISTOL – SUPPORT

I write to outline the University of Bristol's support for the proposed development at Dalby Avenue, Bristol.

The applicant has engaged well with the University, allowing input into the proposals. Further consultation is scheduled to continue through detailed design, when more exacting compliance with our recently published Minimum Design Requirements (MDRs) will be confirmed.

Our engagement considers the proposals validated on 2nd December 2020, and our support focuses on four principal criteria that form the basis of this response. These are:

New Student Accommodation: Does the University support the product, price and type of accommodation?

Yes.

While we have not agreed final commercial terms, initial discussions are favourable and in line with our rent framework that offer students facilities at an appropriate rent point.

Provision is compliant with our MDR for clusters of between 6 and 12 bedrooms. While

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proposals are at the upper end in this range, as this development is intended to be a value product in terms of rent, larger clusters assist with the economics of the scheme. Since the application has been made, we have asked for 5 Chief/Senior Residents units which we understand can be accommodated on the ground floor of building A, where 7 standard rooms are currently proposed.

Planning and Placemaking: Does the University support the planning use and quantum on this site?

Yes.

The proposals meet the University's criteria, which include being 1 mile from the University's Clifton Campus and providing a minimum requirement of 200 new bedrooms in any one location. They also respond to emerging planning policy H7, the general provision of which are: to ensure that there will be no adverse impacts on surrounding communities and areas; to be subject to an appropriate management regime; to be car-free and deter occupants from the parking of cars elsewhere in the city; to make provision for disabled access and disabled parking for occupants and visitors; to include active frontages and incorporate active ground floor uses wherever possible and appropriate.

User Experience and Wellbeing: Does the University support the proposed operation and service provision?

Yes.

The proposals are supported in relation to our MDRs, as they include; en-suite rooms of 11.85sqm, against MDR of 11 sqm/room; a total of 276 bike spaces; a 24/7 365 day a year reception; space allocation for communal study spaces of 1.285sqm against an MDR of at 1sqm/room and 25 fully adaptable rooms which meets our MDR of 3%.

Architecture and Design: Does the University consider the architecture and design to be of sufficiently high standard?

Yes.

Taking on key quality indicators as set out in the City Council's Urban Living Assessment, the University is satisfied by the standard of design in these proposals. These relate to the proposal's response at the scale of City, Neighbourhood, Block and Street. We have been particularly interested in placemaking and how the two buildings contribute to the creation of a new settlement. To this end, we encouraged the landscape design of the new link between Whitehouse Lane and Clarke Street to be enhanced through the creation of two new pocket parks or urban clearings – which we look forward to seeing further development of as detailed design progresses.

BS3 – OBJECT

BS3 submitted two responses in objection to the application. Set out below is the most recent comments in relation to the revised details submitted in March 2021.

Our previous objections included issues of massing and this revised proposal does not address this issue - merely appears to change the look of the building.

The local requirement is for family homes not student accommodation as this is - also given the delay in the developments proposed by the university there will be no need for this accommodation in this form for a number of years in any case.

Student accommodation provisions are already noted in other parts of the city not too distant from this application further adding to our objections in the grounds that this is not what is required and not necessary here.

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It would be helpful to know the overall council policy for local student provision as this is not readily available it seems.

One final point is relating to access to East Street and beyond - is there access across this site for non-residents?

WINDMILL HILL AND MALAGO COMMUNITY PLANNING GROUP (WHAM) – OBJECT
WHaM has submitted three responses in objection to the application. Set out below is the most recent comments in relation to the revised details submitted in March 2021.

Despite the recent revisions, WHaM remains opposed to this application. The group does not consider that the revisions make any material difference to our reasons for opposing the application, all of which still stand.

Furthermore, we would like our objections to the height and massing to be considered in the light of the April 2021 report from Planning Inspector, Jonathon Parsons, in his refusal of planning permission for the Plot 1 site (Pring & St. Hill; Appeal Ref 3249159): His comments about the harm which would be caused to the area by such a development can be applied to Plot 3 equally as much as Plot 1, if not more so:

The Inspector said, in paragraph 49: "There would be harm to the character and appearance of the area, in conflict with the CS and SADMP policies". The harm which would be bestowed on the surrounding area is, in fact, one of the two key reasons cited as grounds for refusing the planning permission of Plot 1 - not only harm to the Conservation Area, but also other parts of the surrounding area which he specifically mentions, including: Malago Road flats, Church Road, and Windmill Hill (see paragraph 19 and 21). He talks about the harm which would be bestowed in some depth: "The blocks appear as one substantial building" and, "Such intensity of development would adversely affect the important low rise qualities of the surrounding area". He goes on to say that "The developments would not function well, add to the overall quality of the area, be sympathetic to local character, including the surrounding built environment . . . Consequently, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits." (paragraph 45).

Furthermore, he says in paragraph 46 that: "There would be harm to the character and appearance of the area in general, which the Conservation Area would be part of. There are historic and architectural qualities to the Conservation Area, notably its low-lying residential character and appearance, that contribute positively to it. "

All this equally applies to this Plot 3 development as much as it does to Plot 1.

Furthermore, despite the recent urban design revisions, we concur with the Inspector in his thoughts on Plot 1, and consider that the same is true of Plot 3: "[This] proposal would not be high quality urban design due to the abrupt and dominating adverse impact of the blocks which would harm the character and appearance of the area". (Paragraph 33).

The fact that this application meets the floor parameters of the Bedminster Green Framework does not mean that permission should be given. The Inspector says: "These parameters [in the Bedminster Green Framework] are indicative only and have not been subject to testing through proposal led design process. Assessing high quality design involves the assessment of considerations other than floor levels only. Therefore the parameter guidance of is of limited relevance to the assessment of the appeal proposals." (Paragraph 30).

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Furthermore, the WHaM 'Malago Green Community Planning Brief' for Bedminster Green is of a similar material consideration to that of the Bedminster Green Framework, and yet planners and councillors consistently ignore it. This document, developed through many hours of consultation with the local community (unlike the Bedminster Green Framework, in which community opinions were sought, but ignored) states that: "Buildings should reflect the existing context in terms of footprints and heights . . . The peripheries of the site should match the adjacent context, this is typically 2-3 storey blocks. The centre of the site can rise to 5 storeys with no detracting of visual amenity from Victoria Park or Windmill Hill. Keeping heights of blocks low is essential to allow daylight into open spaces to create an inviting urban environment. Daylight provision should be considered as an essential part of new developments. Efforts should be made to avoid depriving any neighbouring developments of light". This is still as relevant now as when it was written, and we ask planners and councillors to consider this document when making their decision.

WHaM also has some additional concerns about sunlight reaching Windmill Hill City Farm, as follows: BRE guidance, Paragraph 3.3.3 states that: "the availability of sunlight should be checked for all open spaces where it will be required. This would normally include: children's playgrounds, gardens....."

The Daylight and Sunlight Amenity (Neighbouring) Study only investigates the impact on the indoor buildings of Windmill Hill City Farm, and not of the outdoor space; whilst the Design and Access Statement (Part Eight), provides a visualisation of the shadows but only on the Summer Solstice, when shadows are at a minimum.

WHaM's initial investigation leads us to the conclusion that Windmill Hill City Farm will be significantly overshadowed, and sunlight blocked, in the afternoons of the Spring, Winter, and Autumn. We would therefore like to request a professional assessment of the overshadowing caused by the development on the Winter Solstice and both Equinoxes. This should be presented in a pictorial manner so that it can be understood by a lay person.

In many ways, the ability for families to find areas to play in the sunshine during the Winter, Spring and Autumn is in fact more important than that of the Summer, because sunshine is more difficult to find during these months.

On those clear sunny days of Winter, Spring and Autumn, it is important for the mental and physical health of children and families (many of whom live in the small, dark terraced houses and flats of this area) to be able to find some outdoor sunshine. We therefore consider any overshadowing to the outdoor areas of Windmill Hill City Farm to be an unacceptable detriment to public amenity.

Finally, the following list is intended to summarise our objections to the scheme: Please see our previous comment, as well as this one, for further details.

- Height and Massing unacceptable
- Sunlight blocked to Windmill Hill City Farm
- Unacceptable negative effect on public amenity space used by families and children
- Number of Students
- Sustainability concerns (tall buildings use more energy / heat network does not exist)
- Tall thin window concerns
- No affordable or social housing included
- Internal daylighting concerns
- Public Realm: the canyon effect of high buildings on either side will consign the riverbank to shade, and possibly wind; plus the clash in use between delivery trucks and pedestrian/cyclist use on Clarke Street will be problematic given the increased use of home delivery, and may result in the riverbank being a rather unpleasant and polluted place to be.

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BEDMINSTER BUSINESS IMPROVEMENT DISTRICT (BID) – NEUTRAL

The Bedminster BID made comments neither objecting to, nor supporting the Planning Application:

The Bedminster BID and Town Team has spent nearly a decade trying to reinvigorate East Street, once the thriving retail heart of South Bristol. We have had wonderful support and involvement from the local community - and enjoyed some successes. However, it remains a huge challenge, with a much worsening retail outlook given the current crisis - sadly reflected in dozens of empty shops, and a proliferation of charity shops, pawnbrokers, vapes shops etc.

Given the impact of austerity over the past ten years and now Covid, the prospect of significant and much needed investment by the public sector continues to be bleak. We believe therefore the best prospect for East Street and the many small business owners and their employees is to turn the area around via significant new local demand. An ongoing challenge for the businesses here is the low level of immediate catchment - for several years this has been our number one priority to address hence our firm support for developers whose buildings collectively will bring several thousand new regular shoppers.

The proposed development of this largely unused NCP carpark is critical to the future of East Street given. The various developments outlined in the Bedminster Green Framework, of which the student housing is a crucial part, will create up to an estimated £5m worth of additional economic demand and transform the prospects for existing businesses and their employees and create the incentive for others to open here and finally turn the tide. The continued growth and impact of the internet on retailing, the impact and consequences of Covid, plus the recent closure of four of the five largest retailers on East Street means the time to act on East Street is indisputably now - because if not then soon when you do go there... there will be no there there!

However, with all of that said we do have reservations over aesthetics, the massing and sympathy with residents on Windmill Hill concerning loss of views and wonder if the development may be revised in terms of its height/massing and the treatment of the front elevation in particular and how it meets Dalby Avenue. With this in mind the BID wishes to support the principle of the development but with revisions to meet the above concerns and as such on balance hold a neutral stance. We do hope the council and developers can find a way to move forward quickly with a scheme that delivers for East Street and the wider area whilst not unduly offending the preferences of some local residents in terms of scale, massing, aesthetics etc.

BRISTOL CIVIC SOCIETY - OBJECT

The Bristol Civic Society stated the following in objection to the application:

Bristol Civic Society continues to object to these proposals The Society's representations (dated 18 January 2021) are still valid despite the largely cosmetic revisions to the designs.

On the 18 January 2021, the Bristol Civic Society stated the following in objection to the application:

Summary

The Society is disappointed by the height, massing, elevational treatment and choice of materials in the current development proposals. When we were consulted at the preapplication stage, the scheme looked significantly different and the presentation did not include the visuals now included with the planning application; we concluded that we

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“strongly support this development proposal”. We cannot support the present proposals. The impact of the massing on Victoria Park and on Windmill Hill, on City Farm and on Dalby Avenue, are all unacceptable.

Context

Most of the site is cleared and ready for development. There are some small but interesting heritage elements such as the former sluice gate and stone wall. An important feature is the River Malago which flows NE through the site and turns to form part of the NW boundary. A conspicuous unattractive building which houses a Wessex Water pumping station sits at the northernmost point outside the site boundary.

The Society has supported some of the aims of the Nash Partnership’s Framework Report, though in our March 2020 response we expressed reservations about building heights and remarked that in some ways it represented a missed opportunity. Supported principles include Section 4, p.66 “humanising the (Dalby) Avenue”, “Green Network and River Malago” and “Fronting and Enclosing Streets”. Currently Dalby Avenue is an unattractive through-route for motor traffic with few and badly-sited crossings, no active street frontages and few trees. The development of the public realm and the increased pedestrian permeability is to be welcomed.

Uses

The Society has consistently supported the development of student housing on this site. However, the number of students has increased very considerably over the past year from an initial 500, to 700 at the consultation stage to now 837. The Local Plan (in draft format) suggested 1000 student bed-spaces were appropriate for the area. Taken in conjunction with another plot within the Framework offering 574 bed-spaces, this application would push the area well over that limit. It seems this increase has contributed significantly to the unacceptable massing the current scheme proposes.

We support the creation at the same time of flexible employment space in a part of Bristol where there are many small businesses. There is demand for business space and for local jobs.

The Society expects student development to be adaptable to other uses should there be a change in the market. The spacing of the structural walls and windows should be made to enable purpose-built student housing such as this to be converted into residential apartments in a manner that minimises modification to the external envelope.

Mass height and design

We recognise that the building heights are within those set by the Framework, but on now seeing the visuals, we can see that the sheer mass of all the buildings is overwhelming. The Framework is a material consideration in terms of planning law, but no more than that. The planning decision does not need to be constrained by it.

Fronting Dalby Avenue, a terrace of 7-9 storeys is proposed broadly following the concave curve of the road. This would be tiered down towards the road, and towards the Green.

At pre-app stage we commented that 9 storeys was too high. On seeing the visuals submitted with the application, for instance the view from the bottom of East Street, our reactions have strengthened considerably. The result of such a high, massive block is oppressive. Block B appears as a wall of development which is of excessive height and of monotonous elevational design. The step-downs are barely noticeable.

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The buildings on Whitehouse Lane are also up to 9 storeys high. They have been stepped back so that they do not oppress from street level, but from the hill to the east they appear just as much a wall of development as the building on Dalby Avenue. The manner in which it blocks views of the city centre and Clifton from the lower slopes of Victoria Park is particularly disappointing.

As seen from the Alfred Road viewpoint, the combination of all the buildings cuts across the grain of the topography and in visual terms flattens the slope. It foreshortens views from this part of Bristol and undermines the cascade of buildings mirroring the slope. In doing so, it significantly erodes one of the defining characteristics of Bristol's Victorian suburbs. Views from these important locations are severely damaged and the sense of the city's topography negatively impacted, which as Urban Living stresses, is an important and valued city feature.

The building close to Windmill City Farm rises to 7 storeys and dominates the view from the Farm.

It is not just the height of the various buildings across the site that offends the eye. The multiple steps in height create the appearance of a random arrangement of blocks, with little coherence.

Materials and elevations

A further source of disappointment is the choice of materials, which are dull and unattractive. The Society would like to see bold attractive elevations on both proposed buildings, especially the conspicuous elevations facing both sides of Clarke St and onto Dalby Avenue. At pre-app we urged the architects to seek inspiration from the examples of attractive elevations shown to us in the presentation consultation slides. Our views have been largely ignored. We believe the area deserves better than this unambitious and uninteresting design.

Much of old Bedminster is built in red brick which could be employed here to good effect. Subject to meeting the Council's sustainability requirements, we like the large-scale glass elevations in the curved building on Dalby Avenue and the idea of making a feature of the proposed cycle storage facility on Whitehouse Lane.

Access, streetscape and public realm

We welcome the emphasis on trees and new public spaces and the linear park along Clarke St. This together with the planned opening-up and improvements to the Malago River will help improve the user's experience at street level, despite the damage to the landscape.

We welcome the fact that the developers have discussed with Bristol City Council's Highways on plans to link this development with desired improvements to Dalby Avenue and Whitehouse Lane, but regret that the negatives outweigh the positives.

CONSERVATION ADVISORY PANEL – OBJECTS

The Conservation Advisory Panel objects to the Planning Application:

The Panel maintains its previous objections to this proposal, which are not diminished by the most recent changes. The application site is not in a Conservation Area but would affect the setting of the Conservation Area.

The Panel commends the content of the archaeological desk top study. However, this is an extremely poor application. It is over intensive development that significantly harms the setting of the Bedminster Conservation Area. The monstrous scale, mass and design of this scheme does not relate to the character and context of the immediate area: it serves only to

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dominate and overwhelm it. The Panel supports the objection submitted by Historic England. The views from Victoria Park into the Bedminster Conservation Area will be significantly compromised. The Bedminster Framework appears to have been ignored in relation to this site. Consequently it does not meet the relevant heritage policy tests contained within the Local Plan and the NPPF. The proposal does not generate sufficient public benefits that outweigh the significant harm that it will cause and therefore this application cannot be supported.

Additionally the Panel draws attention to the comments on the impact of height and massing in the recent planning appeal decision on the proposals for Plot 1 and the detailed analysis of this in the 16.4.2021 objection to this application by Windmill Hill and Malago Community Planning Group.

BRISTOL CYCLING CAMPAIGN – OBJECTS

Bristol Cycling Campaign objects to this application on the grounds that the development does not adequately accommodate cyclists. Our response is split into three sections:

Dalby Avenue Corridor

The hard works plan suggests the footway will be shared use. This is an urban area, and therefore as per LTN 1/20 this is a very poor level of provision for both pedestrians and cyclists. If this is intended as a through route then a segregated two way cycle track should be provided, if this is a short section to link the development to East Street this should be made clear through appropriate signage. Where the development meets Dalby Avenue a continuous footway crossing should be installed.

Whitehouse Lane

We strongly welcome the construction of a two way segregated cycle track, but this needs to be integrated into wider plans for Whitehouse Lane to create a continuous route rather than an isolated section. Given the likely pressures on motor vehicle parking in this area, bollards or other features should be used to ensure the proposed cycle track does not get used for or blocked by parking.

Clarke Street

For the avoidance of doubt, whilst this will be exit only to motor vehicles at the south end, this should be two way for cycles. On one way sections the width needs to be sufficient (taking likely parking into account) to ensure a cycle can pass a motor vehicle coming in the other direction. At the north end the section of Clarke Street which currently forms a footpath should be upgraded, with at the absolute minimum a dropped kerb provided in a direct location which allows it to be used by all types of cycles.

Response from external consultees

ENVIRONMENT AGENCY – NO OBJECTION SUBJECT TO CONDITIONS

The response from the Environment Agency (EA) on the revised details submitted is provided below:

Environment Agency position

We withdraw our objection the proposed development, subject to the comments outlined in this letter and the inclusion of the following conditions and informative in any grant of planning consent.

Conditions were requested relating to:

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- Flood Risk: To reduce the risk of flooding to the proposed development and future occupants. To ensure a programme of riparian maintenance of the River Malago, in the interests of flood risk management.
- To ensure operational access to the River Malago is maintained in the interests of flood risk management.
- Remediation strategy and a verification report.
- A remediation strategy if, during development, contamination not previously identified is found.
- Drainage systems for the infiltration of surface water to the ground.
- Piling.
- Pollution prevention.

HISTORIC ENGLAND

Whilst Historic England has not formally objected to the application, they have raised concerns regarding the application on heritage grounds.

On the 29 March 2021, the Historic England stated the following in response to the application:

Further to our letter of 4th January 2021, the proposed development for Plot 3 has been amended to include some changes to elevations and some marginal height reductions. While we have fully supportive of the principle of re-development of this site and re-establishing the urban grain of the wider area, we were not persuaded that the previous designs would deliver a contextual approach.

The amended scheme presents some positive moves to vary the palette of external materials and addresses the format and proportions ascribed to principal elevations. However, there is still little positive response to the site context and therefore the proposed blocks would still be considered discordant with their setting. As we previously advised, the post-industrial aesthetic identified in the Heritage Statement would seem to be a perfectly valid steer to deliver successful place-making in the area of the city.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraph 200 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) 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, 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 and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

On the 4 January 2021, the Historic England stated the following in response to the application:

The application site is within the setting of the recently enlarged Bedminster Conservation Area, and also has potential to affect the setting of a number of other designated and undesignated assets. Historic England's statutory remit is primarily concerned with the setting of the highly graded listed buildings (Grade I and II*), Scheduled Monuments and the

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Conservation Area. With regards to impacts on other heritage assets, we would recommend that you take advice from your own conservation and design experts.

The site is part of the Bedminster Green Placemaking Framework and includes St Catherine's Place Shopping Centre immediately to the west and other plots on either side of Dalby Avenue. Historic England fully supports the principle of re-development of this site and given the opportunities for place-making and re-establishing the urban grain of the wider area, there are clear benefits of the scheme in broader urban design terms.

East Street, immediately to the north of the site, is part of the Bedminster Conservation Area, which is a long, linear conservation area covering much of the commercial and retail core of the neighbourhood from Bedminster Parade through to North Street. The character and appearance of the conservation area is derived from the varying street frontages of its buildings, which are predominately Victorian. There is variety in building heights, details, and materiality. The conservation area has a tight urban grain, focussed on the main shopping street but with historic alleys and side roads running off to either side. The creation of Dalby Avenue in the 1960s removed much of the traffic from the High Street, but savagely truncated the land South of the High Street and North of the railway line, which remains a post-industrial no-mans land.

Historic England is presently focussing on the agenda of place-making in the historic environment and has outlined the public value benefits, economic successes and wellbeing in a new Places Strategy document (<https://historicengland.org.uk/content/docs/planning/he-places-strategy-2018>). We believe that a site such as this has the potential to deliver a development that draws upon the characteristics, architectural variety and management aspirations of the local historic environment. While we do not consider that the impacts of the proposed development would result in unacceptable harm to the setting of the Conservation Area, we are not persuaded that the proposed development delivers a contextual approach and should be adjusted to represent a more positive response to the historic environment. While we certainly endorse a contemporary and forward-thinking approach to design, it must be conceived from its context and delivery a clear and apparent response to the local historic character. The former industrial aesthetic of the area, as described and appraised in sections 2.18-2.25 of the submitted Heritage Statement, would be a valid steer and basis for the design of the proposed development.

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.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraph 200 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) 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

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interest which they possess, 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 and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

AVON FIRE AND RESCUE – NO OBJECTION TO OBLIGATION

Further to the planning application reference 20/05811/F – Plot 3, Dalby Ave & Whitehouse Lane, Bristol. Avon Fire & Rescue Service will have additional Hydrant requirements associated with this application, please see attached plan as to our hydrant requirements. The costs will need to be borne by developers through developer contributions.

Avon Fire & Rescue Service has calculated the cost of installation and five years maintenance of a Fire Hydrant to be £1,500 + vat per hydrant. 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.

Avon Fire & Rescue Service has requested three hydrants to be installed as part of this application.

[Full comments are available on the BCC online planning portal.]

BRISTOL WASTE – NO OBJECTION

The bin numbers provided in the submission are correct. It should be noted that currently not all Bristol sites receive a weekly collection service for dry recycling – paper, plastic, cans & glass. With such large buildings planned it would be prudent to allow additional space for additional containers. This could also be used for bulky waste items for disposal. From our experience large volumes are produced at the end of each academic year or rental period.

For both buildings we would need to ensure good access is maintained for collections and does not block the flow of other traffic. With up to 19 bins emptied at any one time this can take a considerable time to collect. Kerbs should be dropped and either end and at the centre points of collection bays to allow bins to be brought to road level both for RVC rear end loaders and Top loaders which are serviced from the side of the vehicle.

[Full comments are available on the BCC online planning portal.]

Response from internal contributors

CITY DESIGN GROUP – NO OBJECTION

The student accommodation scheme on this plot has undergone an intense pre-application process and Design Review by Design West. Following a thorough design process, CDG comments below are for the final submission of revised documents. The design concept offers clear opportunities for place-making, and re-establishing the urban grain of the wider area. Whilst adhering to the height parameters in the Bedminster Green Place Making Framework (March 2019) concern still raised at the cumulative impact of the proposals and their visual impact.

Site in Context

As part of the Bedminster Green Placemaking Framework, the 1 hectare brownfield site sits between Dalby Avenue and Whitehouse Lane, intersected by the Malago River which flows NE and turns to form part of the NW boundary. The site is within the setting of the mainly 2 to 3 storey buildings of the Bedminster Conservation Area. It also has diverse and important

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facilities in close proximity: East Street, Bedminster train station, Windmill Hill City Farm and Victoria Park. Low rise light industrial use buildings are along Whitehouse Lane and at the Windmill Farm Business Centre. On Dalby Avenue the current use is for a car park. On Whitehouse Lane the tenancy is for car repair businesses.

Design concept

From the broader urban design terms the scheme is offering opportunities for place-making and re-establishing the urban grain of the wider area. This will bring clear benefits to the neighbourhood.

Design Development

In terms of street and places it is welcome to have the basis of the scheme as the following:

East-west and north-south linkages:

- Opening connection from Dalby Avenue to Whitehouse Lane
- Extending and reconnecting Clarke Street

Incorporating Blue-Green infrastructure:

- Contributing to 'Avenue with Street Trees' along Dalby Avenue
- Integrating river restoration work as positive visual amenity space
- Creating new green public and semi-private spaces at ground floor level
- Assimilating sustainable drainage in the landscape
- Street tree planting along Whitehouse Lane

In terms of layout and grain, the scheme develops two blocks for student accommodation: 296-bed-spaces Building A to the west; and 523-bed-spaces Building B to the east. The configuration and constraints of the site determined the siting of the two buildings. The layout and form of the proposed blocks have evolved in a satisfactory manner when in tight relationship to the landscape masterplan, access and movement, active frontages and function, amenities, and activities in the public realm.

Multifunctional Versatile Routes:

- Pedestrian
- Cycling
- Street markets and place event
- Servicing
- Emergency
- Students' arrival
- Temporary and accessible car bays

In terms of Architecture Quality, Local Distinctiveness and UL SPD, within the scope of this planning application CDG worked with the applicant to reach positive resolutions of further design amendments. The only outstanding point of disagreement is in the TLVIA professional judgement done by CDG which differs from the one submitted by the applicant.

In terms of Height, Scale and Massing, although it is BG Framework compliant, the scheme seems excessive, even in the emerging context. Along Dalby Avenue, the location of the 9 to 7 storey high Building A and its massing is broadly acceptable due to:

- Urban hierarchy of the Malago Road/Dalby Avenue.
- Well-recessed and legible podium following the A38 alignment reduces the scale at pedestrian level.

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- Taller component of the building emphasises the corner as urban marker at the positively re-established crossing point along the Malago River.

Improvements along the frontage of Whitehouse Lane were achieved within the application as follows:

- Changes of materials and fenestration to break down the massing.
- The building line adjustment of the podium to break down the scale.
- The introduction of raingardens and street tree planting onto the public realm.

However, despite of the above, the improvements only partially mitigate the negative impact of the 8, 9 and 5-storey height finger blocks in this urban context.

Summary

The design concept developed in this scheme offers clear opportunities for place-making, and re-establishing the urban grain of the wider area. Significant urban design improvements have been achieved during both the extensive pre-application process and the current full application. Whilst adhering to the height parameters in the Bedminster Green Place Making Framework (March 2019), CDG still have concern about the cumulative impact of the proposals and their visual impact.

While the issue of height remains unresolved, taking into consideration the significant design improvements that have been brought to the scheme, CDG does not object to the approval of the scheme subject to conditions.

TRANSPORT DEVELOPMENT MANAGEMENT – NO OBJECTION SUBJECT TO CONDITIONS AND OBLIGATIONS

Principle

Following TDM's initial comments dated the 21st January 2021 the applicant has provided amended plans and a transport addendum addressing the concerns raised. It is noted the development mix has now been amended to 628m² (previously 686m²) of flexible workspace provided along the Whitehouse Lane frontage. There has also been a reduction in the number of student beds reducing from 837 to 819 and the number of clusters reducing from 84 to 82. This has not changed since TDM's revised comments dated 13th May 2021.

BCC Whitehouse Lane Frontage

The applicant has now provided an adoption plan 0864-043 which details the area of land to be adopted as highway. This enables the provision of landscaping and an adequately sized footway as well as a segregated cycle route along the Whitehouse Lane frontage. This will be adopted through a s38 adoption agreement and a suitably worded condition will be required. This ensures the footway provision is maintained and free from closure given its critical nature and it will form part of the public highway. To note this would be maintained at public expense.

The Whitehouse Lane frontage will be serviced by a loading bay which has been demonstrated to be of adequate size to accommodate an 11.4m refuse vehicle whilst ensuring traffic along Whitehouse Lane remains unimpeded.

Highway Works and adoption

The applicant will be required to enter into a section 278 Highway Agreement to deliver improvements to the adopted sections at each end of Clarke Street to ensure that a consistent quality of public realm is delivered. The applicant is aware that this has been requested from the outset of this application and prior to then from the pre-application stage.

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However, at this moment in time, an adequate general arrangement (GA) plan of these works upon which both the applicant and BCC can rely upon post-permission has yet to be submitted. As stated previously these works and any GA plan must represent a continuation of the design set out within Hardworks and Softworks plans and provide detail on the layout, materials to be used and the parking level, particularly to the South.

These works are required to entail the following:

- Southern end of Clarke Street:
 - Widened block paved footway on the western side measuring 3.3m
 - Installation of street trees in the western footway
 - Installation of Bollards on the western footway
 - Block paving of the footway on the eastern side
 - Appropriate tactile paving throughout Clarke St
 - Resurfacing of carriageway
 - Installation of streetlighting, to provide very good levels of lighting coverage
 - Lining associated with all TRO's and on street parking
- Northern end of Clarke Street (from site boundary to Philip Street):
 - Upgrade to lighting along the full length, to provide very good levels of lighting coverage
 - Widened footways along both sides of Clarke Street utilising slabs, with the eastern footway at 2.3m width, and the western footway at 2.8m -3.0m width (to leave carriageway width of 4m)
 - Block paved carriageway
 - A continuous footway across the junction of Clarke St with Philip St, to match BCC standard detail
 - Installation of appropriate trees and tree pits
 - Any associated lining
 - Removal of parking spaces and Pay and Display machine

It should be noted the unadopted section of Clarke Street will form a permissive route and further detail will be required on how this will be kept open, free from obstruction, in a safe condition for use by members of the public in perpetuity and clearly marked to indicate there is no intention to dedicate as part of the adopted highway. The normal mechanism for this is to enter into a section 35 agreement under the Highways act 1980.

Access

The main vehicular access to both buildings is proposed via a two-way access on the A38 Dalby Avenue frontage. This is located to the South of the existing Wessex Waste pumping station. A second exit is proposed via Clarke Street (South) to the south, leading to Whitehouse Lane.

Refuse and other heavy vehicles serving Building A are proposed to enter the site using the Dalby Avenue access and exit via Clarke Street (South), to remove the need to turn within the site. Smaller delivery and other vehicles will be able to turn on site adjacent to the entrance to Building A and exit via Dalby Avenue. Vehicles will be prohibited to travel Northbound along the private section of Clarke Street.

Cycle Parking

Following the revision of the quantum of development and TDM's previous concerns raised regarding cycle parking the applicant has revised plans to reflect this.

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As per minimum policy standards set out in the local plan for student Halls of Residence the minimum requirement is for one cycle parking space for every four bed spaces, plus an additional one cycle space for visitors for every 12 bed spaces. For the 819 student units, this equates to a minimum of 205 student cycle parking spaces plus 68 visitor spaces.

The development proposals include 236 secure cycle spaces for students which will be provided in two cycle stores, with 74 spaces in Building A and 162 in Building B. There is to be the provision of 22 Sheffield Stand spaces in the Building A cycle store and 44 spaces in the Building B cycle store. This is welcomed and no further concerns regarding cycle parking are raised.

The applicant has provided revised plans which include details on the cycle parking provision for the flexible employment element. There are 7 covered Sheffield Stands (14 spaces) provided for staff west of Building B in an area secure from public access. TDM acknowledge a further 3 Sheffield Stands will be provided for visitors to the flexible workspace units which again is welcomed.

Vehicular Parking

There is a total of six on-site parking spaces as part of the development. Four of these spaces will be allocated to disabled users with the remaining two spaces to be utilised by operational staff, not students. All parking spaces shall either be EV or passive EV spaces, with conduits made available for future conversion to full EV charge points in the future.

Student Movement Plan

The applicant has proposed the following management strategy to address the impact of students moving into/out of the development:

- Students will be allocated a specific arrival/departure slot when they will be able to bring their vehicles onto the site. To enable this, normal parking and servicing arrangements within the site will be suspended.
- It is proposed therefore that 4 spaces are utilised to accommodate people missing their slot. There are 2 disabled and 1 management permanent car park spaces proposed adjacent to Building A.
- It is proposed that an additional 18 temporary spaces are used on drop off day as shown on drawing 0864-028B provided in Appendix H. Vehicle tracking is shown on drawing 0864-036A, also provided in Appendix H.

Following TDM's concern regarding the use of Clarke Street for student pick up/ drop off and the subsequent impact a revised plan, 0864-028F, has been provided which demonstrates alternative locations for parking. There will still be 21 on site spaces which was deemed to be acceptable previously and therefore no concerns are raised.

It is proposed that the 2 disabled spaces adjacent to Building A together with 14 other spaces adjacent to Building A or on Clarke Street would be used for allocated arrivals as set out in the Transport Statement. The 5 spaces adjacent to Building B would be for students that miss their allocated times. As set out in the TS this allows 30 minute turnover for each space.

The temporary parking spaces are proposed to be marked using temporary road marking tape or similar. Each space will be numbered, and a map issued to students with details of their allocated space, directions, and details of offsite car parking, as cars will need to leave the site as soon as they are unloaded. Staff will also be on site to assist students find parking.

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This student management plan is considered to be acceptable and will be secured via condition.

Contributions Schedule

Contributions have been proportioned to account for the 819 residents (82 Units) that are proposed to occupy the application site, with the total required contributions confirmed below. This is consistent with the contribution factors agreed by plots 1, 2 and 4 of Bedminster Green, and which indicate the recognition by other developers of the wider infrastructure needs of the development, and most importantly its occupiers. TDM strongly regard students as much as permanent residents should deserve and expect to use the active travel linkages and infrastructure that these contributions will help deliver. Where not already stated above, the total s106 requirements for this development are calculated on the basis of the number of new residents that are proposed to be accommodated in each scheme.

Item	Total Cost	Total Units/Person	Cost per person	Requirement
Residents Parking Scheme	£700,000	819 persons	£219 person	£179,361
EV Electric Vehicle Car Club (six vehicles)	£43,000	819 persons	£81 person	£66,339
Travel Plan (delivery by BCC)	£118	82 units	£118 unit	£9,676
TRO	£6,067	n/a	n/a	£12,134
Windmill Hill Traffic Management	£100,000	819 persons	£31 person	£25,389
Dean Lane Cycle improvements	£315,000	819 persons	£98 person	£80,262
Total				£373,161

TDM acknowledge the applicant has accepted the above s106 contributions.

Recommendation

TDM recommend approval of the application subject to the s106 contributions outlined above and conditions.

Conditions were requested relating to:

- Approval of road works necessary
- Highway to be adopted
- Structure Adjacent To/Within 6m of the Highway
- Construction Management Plan
- Highway Condition Survey
- Implementation/Installation of Refuse Storage and Recycling Facilities – Shown on Approved Plans
- Completion of Vehicular Access – Shown on Approved Plans
- Completion of Pedestrians/Cyclists Access – Shown on Approved Plans
- Completion and Maintenance of Car/Vehicle Parking – Shown on approved plans
- Completion and Maintenance of Cycle Provision – Shown on approved plans
- Management and Maintenance of Private Streets
- Permissive Routes
- Access Entry/Exit Only
- Electric Vehicle Charging Points
- Delivery & Servicing Plan

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- Traffic Management Plan
- Waste Management Plan
- Car Park Management Plan
- Restriction of Parking Level on site
- Protection of Parking and Servicing Provision
- Travel Plan – Implemented by the Highways Authority
- Existing resident parking scheme (RPS) / future RPS permit informing future owners / tenants

The full detailed TDM comments (17 pages) are attached to this Report.

FLOOD RISK TEAM – NO OBJECTION SUBJECT TO CONDITIONS

The proposed drainage strategy is acceptable. Since there are still unknowns however about which scenario shall be pursued, based on the delivery of the river restoration, applying the following condition would ensure the final drainage details are confirmed:

Conditions were requested relating to:

- Detailed Sustainable Drainage System (SuDS)

PUBLIC PROTECTION (CONTAMINATED LAND) – NO OBJECTION

The Public Protection (Contaminated Land) Officer stated:

The Dalby Avenue site has very high levels of contamination associated from the smelter which historically operated on this site, as an example arsenic guideline criteria 40 mg/kg and the highest level recorded was 20000 mg/kg. I note there is some talk of using DoWCoP, but I am unsure as to the suitability of the soils from this site being reused anywhere without treatment. It is recommended that the applicants contact the Environment Agency waste teams to discuss further.

We suspect there might be petroleum tanks on the Whitehouse Lane side of the site (when looking at historical planning applications it is frequently mentioned). Some of the aerial photography shows signs of manhole covers associated with petroleum infrastructure. There is no record in the petroleum register here but we do not have a complete record of historical tanks as we have only been the petroleum authority since ca. 2010.

We would also like consideration be made to further investigation post demolition on the Whitehouse Lane side of the development was limited spatially on the borehole distribution.

Considering the Environment Agency's recommended conditions in relation to contaminated land we have no objection to these being used but do ask that the reason is amended to reflect the requirements to protect human health.

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.

AIR QUALITY – NO OBJECTION

The Air Quality officer stated:

I have reviewed the air quality assessment for this planning application. The assessment methodology used is considered to be acceptable. The proposed development will not

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generate significant additional traffic movements, therefore the assessment focussed on dust emissions from demolition and construction activities and assessment of the suitability of the development site for the proposed residential use in terms of future air pollution levels.

During demolition and construction there is the potential for dust emissions to be generated. This risk has been assessed using the Institute of Air Quality Management methodology which identified a medium risk of adverse impacts without mitigation. Section 7.1 of the air quality assessment provides details of the required mitigation measures needed to reduce this risk to negligible. The Institute of Air Quality Management guidance also provides 'highly recommended' dust mitigation measures, as provided within Appendix B of the air quality assessment. Given that there is the possibility of multiple developments happening at the same time in this area it is considered important that the both the dust mitigation measures in 7.1 and the highly recommended mitigation in Appendix B are conditioned should planning permission for the development be granted.

The air quality assessment has concluded that the air pollution levels at the Dalby Avenue façade of the proposed development will meet air quality objectives and therefore it is considered acceptable for this type of use without the need for mitigation.

The air quality assessment provided justification that the proposals will not cause a street canyon and potential worsening of air pollution as the façade of proposed building is 20m from the roadside.

The applicant has stated that the development will be connected to a local district heating network and as a result, there will not be a need for any on-site combustion plant that would have the potential to release significant emissions to air. Should at any point on-site gas boilers or CHP be proposed it will be necessary to consider the potential impact that this could have on local air quality.

Based on the conclusions of the air quality assessment I can confirm that I do not object to the development proposal on the grounds of air quality.

ARCHAEOLOGY – NO OBJECTION SUBJECT TO CONDITIONS

The Archaeology Officer stated:

The submitted written scheme of investigation (WSI) sets out a programme of archaeological works that will enable the preservation by record of any surviving archaeology on site. The completion of this programme of works will need to be conditioned as a standard pre-occupation condition (C17) referring back to the submitted WSI.

POLLUTION CONTROL (ENVIRONMENTAL HEALTH) – NO OBJECTION SUBJECT TO CONDITIONS

The Pollution Control (Environmental Health) Officer commented as follows:

I would confirm that I am content with the acoustic report and its recommendations. The report gives preliminary advice on the sound insulation and ventilation design but as the report recommends that 'The scheme of mitigation measures should be developed as the design progresses' I would need to see further information provided by condition regarding the final scheme.

The proposals also include flexible workspace along the Whitehouse Lane frontage. This space could be put to a variety of uses including light industrial uses, office accommodation, or service uses that support economic activity in the wider area such as childcare facilities or

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training centres. Some of these uses potentially being noise generating, noise sensitive or both.

I would therefore suggest the following conditions should the application be approved:

- Construction Management Plan
- Sound insulation
- Noise from business uses
- Noise from plant & equipment affecting residential
- Use of Refuse and Recycling facilities (business uses)
- Deliveries (business uses)
- Opening Times (business uses)

SUSTAINABLE CITIES TEAM – NO OBJECTION SUBJECT TO CONDITIONS AND OBLIGATIONS

I am writing with a response to the amended details provided by the applicant for the development at Plot 3 Bedminster Green (20/05811/F).

Emission reductions: The scheme should be constructed in accordance with the approved Energy Statement. Further emission reductions should be sought where feasible at the detailed design stage and the Energy Statement amended accordingly.

Heating and hot water strategy and location of the energy centres: Details are noted. I recommend that the Energy Services team are consulted regarding the detailed design, location and specification of the energy centres. Connection to the heat network should be secured via a 106 agreement as discussed previously.

PV: Any increase in the capacity of the roof-mounted PV should be noted in a revised Energy Statement following detailed design. The shortfall in the reduction in residual emissions should be addressed through an Allowable Solutions payment secured via the 106 agreement.

BREEAM: BREEAM 'Excellent' should be secured by condition.

Assessment of overheating risk in ground floor business units: I recommend that an assessment of the overheating risk in the ground floor business units is undertaken once use and occupancy are known. This could be secured by condition. The assessment should take account of current and future weather files for the lifetime of the scheme i.e. to 2080, with the risk assessed against a recognised methodology such as CIBSE TM52 or approved equivalent.

Blinds and ventilation panels: Noting the response from the applicant that '*It is confirmed that black out blinds will be installed to the student bedrooms as per University base build requirements and that ventilation panels are part of the main construction*', this should be stated in the final Energy Statement.

EV charge points: Noting the response from the applicant; as a minimum I recommend that each parking space is equipped with ducting and cabling for an EV charge point (with minimum power output of 7kW) to be installed. I also recommend that EV charge points are installed at the time of construction in disabled parking pays – given the anticipated increase in the demand for EV charging.

Allowable Solutions: We have increased the cost per tonne of carbon where an allowable solutions payment is required. The price was £60 per tonne for 30 years i.e. £1,800 per

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tonne. Following advice and an assessment by the Centre for Sustainable Energy as part of the evidence for revised planning policies (under the local plan review) the price has increased to £95 per tonne for 30 years i.e. £2850. This payment will be secured via the s.106 Agreement.

TREE OFFICER – NO OBJECTION SUBJECT TO CONDITIONS

The proposed development site Plot 3 has a limited tree stock and therefore the retention T1 and the additional planting is a benefit to the locality. The 41 replacement tree proposed fulfils the criteria set out in BCS9, DM15; an improved and enhance level of green infrastructure has been proposed. DM17 and the Planning obligations have been exceeded and therefore no financial contribution to mitigate tree loss is required.

Arboricultural Report

27 tree features have been surveyed, 2 are located on site T1 & T2 the remaining are located within the adjacent community farm. T1 is a London plane located on within the footway of Dalby Avenue and has been proposed for retention. T2 is a young self-seeded specimen of limited merit located on site near the boundary with the community farm, this tree has been identified for removal.

T1 is located within the footway of Dalby Avenue and remains outside of the main development area. No tree protection has been proposed due to the constant public access around the tree during the course of development. It is unclear whether the hard surfacing around the tree will be replaced, if so, an arboricultural method statement will be required to provide industry best practise methodologies for this specific operation.

T3 – T27 are located within the site boundary of the city farm. There is the potential of root encroachment into the development site. The arboricultural report has advise a number of trial pits to be excavated prior to commencement of development activities; this needs to be supervised by the project arboriculturist and a site report with tree protection of ground protection methodologies if deemed necessary. The general and specific guidance within the report are reasonable and need to be conditioned.

At this stage the proposed development appears reasonable from an arboricultural perspective due to the limited number of trees on site

Tree Planting Plan

Churchman Thornhill Finch Tree Planting Plan (Dwg 513-CTF-XX-XX-DR-L-5004 Rev P04) has been revised following my previous comments.

In total 41 tree species and 12 shrubs species have been identified. The tree species selected are reasonable for the scale of the proposed development. Revisions have been made relating to specific trees within my earlier comments and I am satisfied that the changes are reasonable a will allow the landscape to mature without significant intervention or the need for cyclic pruning to manage the canopy size of trees in close proximity to the proposed dwellings.

The verge between the cycle route and highway has been revised with 3 scots pine now being proposed rather than the small to medium sized broad leaf species in the earlier iteration. Scots pine provides a native evergreen element to the proposed and is well received.

I have not been able to find a watering maintenance and aftercare schedule for the proposed tree planting and therefore this aspect needs to be conditioned.

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Conditions were requested relating to:

- Arboricultural supervision during key stages of the development which include, but not limited to: Trail pit investigation of the eastern boundary of the site in the root protection area of T3-T27; and lifting and laying of footway surface around T1.
- Arboricultural method statement – to ensure that all works within the root protection area of retained trees, including the installation of the cellular confinement system and Cycle barriers follow the detailed methodology with the Treestats arboricultural method statement.
- Tree planting plan – to ensure the Tree planting plan (Dwg 513-CTF-XX-XX-DR-L-5004 Rev P04) shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation.

NATURE CONSERVATION – NO OBJECTION

On 21 December 2021, the Nature Conservation Officer commented on the application as follows:

Modelled lux levels adjacent to the River Malago of up to 11.6 lux (page 18 of the illumination impact profile) are unacceptably high. The up-lighting of trees is also not supported. According to paragraph 180 (page 52) of the National Planning Policy Framework (2019), *‘Planning policies and decisions should... limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.’* A lux contour plan should be provided which is superimposed on a site plan. This should extend outwards to incremental levels of zero lux and include low lux levels including 0, 0.2, 0.5, 1, 1.5, 2, 3, 4, 5 lux and higher.

If this can be addressed through redesign of the lighting scheme, planning conditions will be required. Sedum green roofs are currently proposed which have few benefits for wildlife. *Please advise the applicant that instead the proposed living roofs on site should avoid the use of Sedum and provide mounds, troughs, bare ground and features for invertebrates and refer them to the guidance below.*

A further 6 swift integrated bricks or boxes should be added (8 are currently shown on page 152 of the Design and Access Statement) and they should be provided in groups or pairs, not individually, to face north, north-east or east if they are boxes rather than bricks and have a clear drop of at least 5 metres below them.

Method statements for the control of invasive Himalayan balsam and Wall cotoneaster will be required. A landscape and nature conservation management plan will also need to be conditioned. A pre-commencement of development precautionary method of working method statement (PMW) should also be conditioned to prevent potential impacts on legally protected and priority species including nesting birds, reptiles and amphibians.

Guidance on the design of living roofs

In accordance with Policy DM29 in the Local Plan, the provision of living (green/brown) roofs are recommended to provide habitat for wildlife. Policy DM29 states that ‘proposals for new buildings will be expected to incorporate opportunities for green infrastructure such as green roofs, green walls and green decks.’

Living roofs can be integrated with photovoltaic panels and also contribute towards Sustainable Urban Drainage Systems (SuDS), air pollution mitigation and reducing the urban heat island effect. Living roofs can be provided on buildings, as well as on bin stores and cycle shelters. The following guidance applies. The roofs should be covered with local low-nutrient status aggregates (not topsoil) and no nutrients added. Ideally aggregates should

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be dominated by gravels with 10 - 20% of sands. On top of this there should be varying depths of sterilised sandy loam between 0 - 3 cm deep. An overall substrate depth of at least 10 cm of crushed demolition aggregate or pure crushed brick is desirable. The roofs should include areas of bare ground and not be entirely seeded (to allow wild plants to colonise) and not employ *Sedum* (stonecrop) because this has limited benefits for wildlife.

The Biodiversity Net Gain Assessment report is welcomed.

The Nature Conservation Officer commented on the revised details as follows:

The numbered points below refer to the Applicants' responses to comments made on 21 December 2021.

1) Modelled lux levels adjacent to the river Malago of up to 11.6 lux (page 18 of the illumination impact profile) are unacceptably high.

Lux plans for the River Malago have now been provided and are acceptable.

2) Up-lighting of trees not acceptable

It is well documented that artificial lighting has the potential to significantly disrupt ecosystems - e.g. *A Review of the Impact of Artificial Light on Invertebrates* (Buglife 2011). However, a compromise could be reached by reducing the number of trees affected with the aim of creating dark(er) areas within the site. The revised proposals submitted (Ref: 513-CTF-XX-XX-RP-L-0021 'Trees to be lit up') are acceptable. These will provide connectivity, albeit limited and at canopy height with railway Wildlife Corridor to the south of the site.

3) Lux contour plan should be provided

This has been provided, see comments above at 1.

4) Sedum Roofs - could these be upgraded to provide greater ecological benefit?

Response noted, but it is requested that the proposals are amended to show more substrate and structural variety on at least one of the proposed green roofs. This detail is to be secured by way of condition.

5) A further 6 swift integrated bricks or boxes should be added

Response noted and welcomed. This detail is to be secured by way of condition.

6) Method statements for the control of invasive Himalayan balsam and wall cotoneaster will be required.

Response noted and welcomed.

7) A landscape and nature conservation management plan will also need to be conditioned.

As 6. above.

8) A pre-commencement of development precautionary method of working method statement (PMW) should also be conditioned to prevent potential impacts on legally protected and priority species including nesting birds, reptiles and amphibians.

As 6. above.

Conditions were requested relating to:

- Living roofs
- Precautionary Method of Working
- Landscape and Ecological Management Plan
- Invasive species

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- Compliance with details submitted as part of the application
- External lighting to ensure compliance with the agreed lighting strategy

RELEVANT POLICIES

National Planning Policy Framework – February 2019.

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

Supplementary Planning Documents: Urban Living SPD (November 2018) and Managing the development of houses in multiple occupation SPD (November 2020).

Other Material considerations: Progressing Bristol's Development (October 2020) and Bedminster Green Framework (March 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 PROPOSED DEVELOPMENT ACCEPTABLE IN PRINCIPLE?

Section 5 of the NPPF sets out the approach to 'Delivering a sufficient supply of homes'. It states the importance of having a sufficient amount and variety of land coming forward to meet housing requirements. The NPPF confirms at Paragraph 61 the assessment of housing needs for different groups to be planned for includes students.

Policy BCS5 sets out that the Core Strategy aims to deliver new homes within Bristol's existing built up areas to contribute towards accommodating a growing number of people and households in the city. Between 2006 and 2026, 30,600 new homes will be provided in Bristol.

Policy BCS1 of the Core Strategy outlines that South Bristol will be a priority focus for development and comprehensive regeneration. Policy BCS20 states that development should maximise opportunities to re-use previously developed land.

The site forms part of an allocation in the Development Plan for a 'Principal Industrial and Warehousing Area' (PIWA). Policy BCS8 of the Core Strategy and Policy DM13 of the Site Allocations and Development Management Policies (SADMP) protect PIWA sites for retention as industrial and warehousing uses, but acknowledge that on some PIWA sites there may be a change in circumstances which would lead to the local planning authority considering a loss of industrial or warehousing floorspace for another use.

Policy DM13 states:

"In addition to industry and warehousing (Use Classes B1b-B8 and sui generis uses of a similar nature), the following uses are also likely to be acceptable on Principal Industrial and Warehousing Areas shown on the Policies Map subject to other relevant development plan policies being satisfied:

- *Industrial or commercial training facilities;*
- *Community facilities;*
- *Specialised leisure uses which cannot be accommodated in centres because of their scale and / or operational impacts;*

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- *Essential public utilities development; and*
- *Ancillary facilities and services which support the functioning of the Principal Industrial and Warehousing Area including childcare facilities, small-scale retail uses, sandwich shops and cafés.*

Development involving the loss of industrial and warehousing floorspace within the Principal Industrial and Warehousing Areas shown on the Policies Map will not be permitted unless the development is for a use referred to above, or:

i. It is demonstrated that there is no demand for:

- The use of the existing site / premises for industry or warehousing; or*
- The redevelopment of the site for new industrial or warehousing premises; and*

ii. The proposal will not prejudice the function or viability of the rest of the Principal Industrial and Warehousing Area.”

The application proposals include the provision of specialist student accommodation in Building A and Building B providing up to 82 student cluster flats containing up to 819 student bedspaces, falling into the ‘Sui Generis’ Use Class; and 628 sqm of flexible working space in the ground floor of Building B fronting on to Whitehouse Lane.

In order to assess whether the principle of the development is acceptable, there are three key policy considerations:

- Is the loss of industrial and warehousing floorspace within the PIWA acceptable?
- Is the use of the site for flexible workspace and specialist student accommodation acceptable?
- Is the site an acceptable location for specialist student accommodation?

These are considered in turn within this section.

A) Is the loss of industrial and warehousing floorspace within the PIWA acceptable?

Criterion (i) of Policy DM13

To address the requirements of criterion (i) of Policy DM13, as per paragraph 2.13.3 of the SADMP, the application should be supported by evidence that the site has been adequately marketed for industrial and warehousing uses in accordance with BCC guidelines. The Council requires this to be submitted to demonstrate that the land is not viable or valuable for industrial or warehouse purposes.

The site in all or part has not been actively marketed by the Applicant. On this issue, on review of the Planning Statement (March 2021) submitted by the Applicant and Officers consideration of the matter:

- The site is currently in a mix of uses comprising a public car park, car body shop, and motor vehicle sales. These uses have been established for at least twenty years.
- The site has functioned in its current form, predating the current PIWA policy.
- No applications for industrial or warehousing development have come forward during the life of the Core Strategy or the SADMP.
- There has been no confirmed interest in bringing forward industrial or warehousing development, or other development for employment generating uses.
- The majority of the active site is given over to car parking, both a public ‘pay and display’ car park and large service yards connected with the motor trade use.
- The existing site has a low overall employment density, the existing buildings on site amount to 1,452sqm gross floorspace and the motor trade use sustains 12 jobs.

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- Plot 3 no longer has the essential characteristics that demand a presumption for its retention for strictly industrial/distribution purposes, and that its future should be guided by a wider approach to Central Bedminster (this is detailed further below in relation to the Local Plan Review).

In terms of mitigation for the loss of floor space, the Planning Statement (March 2021) and , and Officers consideration of the matter:

- The proposals do include 628 sqm of flexible employment space that is suitable for a range of potential occupiers.
- This space can be sub-divided and configured for a range of economic activities including light industrial uses, office space, or supporting services such as childcare or training.
- Depending on the end occupier the flexible workspace could provide ancillary facilities and services to support the functioning of the wider Principal Industrial and Warehousing Area, e.g. childcare facilities, small-scale retail, sandwich shops and cafés.
- The proposals support growth and diversification in employment opportunities through the provision of flexible workspace and those opportunities associated with the operation and management of the new student hub.
- The estimated number of jobs that would be sustained by the proposed workspace could be in the order of 25-50 full time equivalent (FTE) jobs. The student hub is estimated to employ 10 – 15 FTE jobs.
- The Socio Economic Benefits Summary (Hatch, November 2020) submitted by the Applicant estimates that the new student population would generate up to £5.3m expenditure annually with a high proportion of that spending being directed to local facilities.
- The boost in local spending potential arising from those that will live and work at Plot 3 is significant and would help sustain local jobs in the retail and service sectors.

Whilst of limited weight, Officers have also considered the direction of travel of local planning policy, there are three relevant and important points in the Local Plan Review:

- The site is not included within an area proposed to be reserved for continued use, development or redevelopment for industrial or distribution purposes (a replacement of the current PIWA policy) (Draft E4).
- Proposals for the redevelopment of sites and premises currently or recently used for business, industry or distribution should include provision for new workspace as part of mixed-use developments (Draft E7).
- The site is located within the proposed 'Central Bedminster' policy area where development will be a mix of residential, workspace and community uses. The provision of high-quality workspace, providing for a range of business uses, will be part of mixed-use developments (Draft DS8).

In summary:

- Whilst the Dalby Avenue portion of the application would result in the loss of PIWA, this part of the application has been in use as a car park since 1973 and there is no loss of existing employment floorspace or jobs.
- The Whitehouse Lane portion of the application site has been in motor trade use. Factoring in the provision of 628 sqm flexible workspace there would be loss of industrial or warehousing use (824 sqm), and an estimated gain in full time equivalent employees (13 – 48 jobs).

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Criterion (ii) of Policy DM13

To address the requirements of criterion (ii) of Policy DM13, as per paragraph 2.13.4 of the SADMP, it is important to demonstrate that the proposed development would not compromise the function or viability of the wider PIWA. As set out in the response to consultation, the Pollution Control (Environmental Health) Officer has reviewed the Acoustic Report on the sound insulation and ventilation design and has no objection.

The Pollution Control (Environmental Health) Officer has also reviewed the proposals to include flexible workspace along the Whitehouse Lane frontage. This space could be put to a variety of uses including light industrial uses, office accommodation, or service uses that support economic activity in the wider area such as childcare facilities or training centres. Some of these uses potentially being noise generating, noise sensitive or both. As such, the Pollution Control (Environmental Health) Officer has requested conditions relating to Construction Management Plan; sound insulation; noise from business uses; noise from plant & equipment affecting residential; Use of Refuse and Recycling facilities (business uses); Deliveries (business uses); and Opening Times (business uses).

Overall, Officers consider that the proposed development has been designed to ensure that neighbouring businesses can continue to operate so that the application would not compromise the function or viability of the wider PIWA; and the new flexible workspace located at the Whitehouse Lane frontage would provide continuity of commercial use.

B) Is the use of the site for flexible workspace and specialist student accommodation acceptable?

Flexible workspace

The inclusion of the flexible working space within the proposals is supported and in line with Policy BCS1 and BCS8. The units, depending on the end occupier could potentially be considered to be ancillary facilities and services which could support the functioning of the Principal Industrial and Warehousing Area including childcare facilities, small-scale retail uses, sandwich shops and cafés.

Specialist student accommodation

Due weight has been given by Officers to adopted policy, according to its degree of consistency with the NPPF. Paragraph 121(a) states local planning authorities should support proposals to use employment land for homes in areas of high housing demand provided this would (i) not undermine key economic sectors or sites or (ii) the vitality and viability of town centres, and (iii) would be compatible with other policies in the NPPF.

The Progressing Bristol's Development document (October 2020) on page 10 confirms that the LPA does not have a five year deliverable housing supply and therefore the presumption in favour of sustainable development is applicable in Bristol. MHCLG published the Housing Delivery Test (HDT) Results 2020 on Tuesday 19 January 2021. The results showed that Bristol delivered 72% (4,703 homes delivered) of the delivery target (6,505 homes required) over the three year period 2017 to 2020. In summary, the LPA does not have a five year deliverable housing supply; and the delivery of housing in the HDT Results 2020 was substantially below (less than 75% of) the housing requirement over the previous three years.

The NPPF confirms at Paragraph 61 the assessment of housing needs for different groups to be planned for includes students. The Council includes student units within the annual monitoring survey providing information about housing development in the city. This is in line with the Planning Practice Guidance (PPG) on 'housing supply and delivery' in relation to counting other forms of accommodation (Paragraph: 034 Reference ID: 68-034-20190722),

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which confirms that all student accommodation can in principle count towards contributing to an authority's housing land supply.

Taking the above into account, Paragraph 121 is clear that local planning authorities can take a proactive approach for alternative uses of land where this would help meet identified development needs. As set out in the HDT results for the period 2017 – 20, there is an identified need for housing. Whilst this application is for student accommodation, it does contribute to the Council's housing land supply. In line with Paragraph 121(a) the application would use employment land in an area of high housing demand.

It is considered that the proposed development would not undermine the factors cited within Paragraph 121(a) as detailed below.

i) Key economic sectors or sites:

It is considered that the proposed development would not undermine key economic sectors or sites. The emerging development plan (Local Plan Review), the application site falls within the Draft Policy DS8: Central Bedminster, which does identify this as an area of growth and regeneration citing the area's location close to Bristol City Centre, Bristol Temple Quarter and the presence of underused land to support significant new development.

Draft policy H7 in the emerging Local Plan Review sets out the need for specialist student accommodation in Bristol to meet demand expected through growth in student numbers and expansion of the University of Bristol in a new campus adjacent to Temple Meads Station. In conjunction with draft policy DS8, the Local Plan Review sets out that up to 1,000 student bedspaces may be provided in Central Bedminster (in addition to at least 2,500 homes).

It is noted that the 'Proposed Uses' section of the Bedminster Green Framework (2019) states that: *"Student accommodation can contribute towards regeneration and should form part of a mixed housing offer in the interests of mixed and balanced communities."*

ii) Vitality and viability of town centres

It is considered that the proposed development would not undermine the vitality and viability of town centres. New occupiers would add activity, footfall and vibrancy providing business and community benefits. The student accommodation has the support of the university. Future occupiers would also have excellent accessibility to the city centre and employment areas through sustainable transport.

The Socio Economic Benefits Summary (Hatch, November 2020) submitted by the Applicant estimates that the new student population would generate up to £5.3m expenditure annually with a high proportion of that spending being directed to local facilities. The boost in local spending potential arising from those that will come to live and work at Plot 3 is significant and would help sustain local jobs in the retail and service sectors.

(iii) Compatible with other policies in this Framework

Compliance with the full tranche of policies in the Development Plan and policies in the NPPF is set out in subsequent Key Issues B – F.

C) Is the site an acceptable location for specialist student accommodation?

Policy DM2 of the Site Allocations and Development Management Policies document sets out that specialist student housing will be acceptable in locations outside of the city centre where it meets two broad criteria, namely:

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- i) that it would not harm the residential amenity or character of the locality through noise, parking, physical alterations to buildings and inadequate cycle/refuse storage; and*
- ii) that it would not contribute or create a harmful concentration of such uses within a locality through changing housing mix or exacerbating existing harm.*

From a review of the information submitted with the application against the relevant factors cited under Policy DM2(i):

- Noise: As outlined above, the Pollution Control (Environmental Health) Officer has reviewed the Acoustic Report on the sound insulation and ventilation design and has no objection subject to conditions being applied.
- Parking: The level of car parking has been reviewed by TDM and is considered to be acceptable subject to conditions. The Applicant has also agreed to enter into obligations relating to fund Traffic Management and Restrictive Parking measures in the area of Windmill Hill.
- Cycle/Refuse storage: The level of cycle parking has been reviewed by TDM and is considered to be acceptable subject to conditions. Proposals for refuse storage have been reviewed by TDM and Bristol Waste. Both the level of provision and access arrangements are acceptable.

Overall, it is considered that the development would not result in harm to residential amenity and character through the factors cited under policy DM2(i), and that any potential for harm (such as parking and refuse provision) have been adequately mitigated through the design of the proposals as well as through the application of planning conditions and obligations.

In relation to DM2(ii), the 2014 Student Accommodation Topic Paper outlines that UoB and UWE provide a guarantee of accommodation for new full-time undergraduate students. The Topic Paper sets out that future requests for accommodation not subject to guarantees would not be met by the university. These students would be referred to independent private landlords, potentially putting pressure on the existing stock of family housing in Bristol.

The provision of specialist student accommodation, such as the proposed development, would work alongside Policy DM2, Managing the development of houses in multiple occupation SPD (adopted November 2020) and the existing Article 4 Direction removing permitted development rights for dwellinghouse to small HMO conversions. Together, these components can help to improve the choice of housing in the area by reducing pressure on private landlords and HMOs, ensuring that the housing market is more likely to provide for the needs of different groups within the local community.

The need for specialist student accommodation in this location is therefore identified in emerging planning policy through Local Plan Review draft policies H7 and DS8. In accordance with draft policy H7 the application proposals have the support of the University of Bristol, evidenced by a letter submitted during the consideration of the application.

The provision of 82 clusters with 819 student bedspaces would contribute to the aspiration for 1,000 student bedspaces in the Central Bedminster area. It is considered that the site is suitable in principle for specialist student accommodation land use. The proposed development would appear to bring benefits consistent with the policy direction in the Local Plan Review (March 2019) as well as the principles established in the Bedminster Green Framework (March 2019).

Progressing Bristol's Development (October 2020) identifies Central Bedminster as an Area of Growth and Regeneration: "*The area in south Bristol contains a number of sites that are*

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vacant or underused where a wider range of uses can be developed.” This document also promotes planning for a diverse and inclusive economy to support sustainable and inclusive economic growth across the city. New locations for business are identified across the city, of which central Bedminster is identified as a location for new forms of workspace as part of mixed use developments.

As such, it is considered that the proposed development would not result in a harmful concentration of student accommodation.

Summary

On balance, the use of this land for student accommodation and flexible commercial work space is considered to accord with the requirements of Policies BCS1, BCS8, BCS20, DM2, DM13 (in part), Paragraph 121(a) of the NPPF and the Bedminster Green Framework.

B. WOULD THE PROPOSED DEVELOPMENT BE OF A SUFFICIENTLY HIGH-QUALITY DESIGN AND SUPPORT THE AIMS OF THE BEDMINSTER GREEN FRAMEWORK?

Policy BCS21 advocates that new development should deliver high quality urban design that contributes positively to an area's character and identity, whilst safeguarding the amenity of existing development. Policies DM26-29 (inclusive) of the SADMP require development to contribute to the character of an area through its layout, form, public realm and building design. Policy BCS20 sets out that an appropriate density should be informed by the characteristics of the site and the local context.

The Urban Living SPD is clear that an optimal density in new development is considered to be one that balances the efficient and effective use of land, with aspirations for a positive response to context, successful placemaking and liveability.

The NPPF, in Paragraph 124, states that high quality design is a key aspect of sustainable development. The Urban Living SPD advocates a design-led approach to optimising density based on an evaluation of the site's attributes, its surrounding context, capacity for growth and the most appropriate development form, as supported by Paragraph 126 of the NPPF.

The application site lies within an area covered by the Bedminster Green Framework, a non-statutory 'Place-Making Framework' which is a material consideration. The Framework's role is to act as a high-level document which sets broad principles and parameters to help shape and integrate individual site-based development proposals, as they come forward through the planning and design process, to create a high quality new urban quarter.

The Framework has had regard to the Urban Living SPD, which states that the areas with potential for optimising densities are those which are centred on local train stations, including Bedminster. The framework contains indicative 'parameter plans', covering 'Access', 'Public Realm and Landscape', 'Green Infrastructure and Hydrology', 'Ground Floor Land Use', and 'Heights'. This 'Heights' parameter plan shows the intention to have 'Mid – High' buildings (between 6 – 9 storeys) on the Dalby Avenue portion of the application site; and 'Mid – High' buildings (between 6 – 9 storeys) and 'Low Rise' Buildings (between 2 – 5 storeys) on the Whitehouse Lane portion of the application site.

Overall, the City Design Group (CDG) considers proposed development offers clear opportunities for place-making, and re-establishing the urban grain of the wider area. They have noted the significant design improvements that have been achieved during the extensive pre-application process and during the consideration of the full application.

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i) Layout

In terms of layout and the urban grain, the proposed development includes two buildings for student accommodation: Building A to the west; and Building B to the east. The configuration and constraints of the site determined the siting of the two buildings. The layout and form of the proposed buildings have evolved in a satisfactory manner in close relationship to the landscape masterplan, access and movement, active frontages and function, amenities, and activities in the public realm.

The layout is considered to be acceptable.

ii) Height, Scale and Massing

Policies DM26 and DM27 set out the policy expectations for development to respond positively to local character and create healthy, safe, and sustainable places through an appropriate response to the immediate context, site constraints and the character of adjoining street and spaces.

The Urban Living SPD provides further guidance, particularly in areas undergoing significant change with an emerging context and the need to provide an appropriate transition to existing context and communities. The Bedminster Green Framework sets out principles for taller buildings, stating that well-designed tall elements can provide identity, character, and landmark buildings. It emphasises the importance of composition of taller buildings, to 'step down' and transition toward lower adjoining areas.

Building A

The parameters indicated in the Bedminster Green Framework for this part of the application site are six to nine storeys ('Mid-High'). The building heights proposed for Building A range from three to nine storeys. This is within the parameters outlined within the Bedminster Green Framework.

Along Dalby Avenue, the location of the three to nine storeys of Building A and its massing is considered acceptable due to the following factors:

- The prominence of the Malago Road/Dalby Avenue in the area's movement hierarchy (being the primary route).
- A well-recessed and legible podium following the A38 alignment reduces the scale at pedestrian level.
- The taller component of the building at nine storeys emphasises the corner of Building A as an urban marker at the positively re-established crossing point of the Malago River.

The height, scale and massing of Building A is considered to be acceptable.

Building B

The height of Building B ranges from four storeys at Clarke Street adjacent to Windmill Hill City Farm, and five storeys at Whitehouse Lane adjacent to Windmill Hill City Farm, to nine storeys in height. From the south the proposed development will be viewed as consisting of three 'finger' blocks of eight, nine and five storeys. The building heights proposed are within the parameters outlined within the Bedminster Green Framework.

In terms of the initial response to the application as submitted, CDG raised concerns regarding the block adjacent to Windmill City Farm; the building line of Building B on Whitehouse Lane, and on the detailed architecture, seeking variety to the materials and use of colour.

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Improvements to Building B were achieved during the consideration of the application as follows:

- Reduction in height of the block adjacent to Windmill Hill City Farm and a small reduction in the building footprint adjacent to the Windmill Hill City Farm boundary.
- Changes of materials and fenestration to break down the massing.
- The building line adjustment of the podium to break down the scale.
- The introduction of raingardens and street tree planting onto the public realm.

The result of the above has resulted in a more stepped height and massing to upper floors to help mitigate the perception of height from Whitehouse Lane, as well as improved quality and interest to the facades to help break down massing further. Officers have worked through the application proposals for Building B so that the proposed 'finger' blocks break down the massing in elevation and allow views through the site and beyond through separation distances of 13m at podium level and 18m at the upper levels.

Despite of the improvements above, it is accepted that in a number of views these 'fingers' will coalesce, as such CDG consider that these improvements only partially mitigates the impact of the 8, 9 and 5-storey height finger blocks in this urban context.

Taking into consideration the design improvements that have been brought to the scheme, the height, scale and massing of Building B is considered to be acceptable. Officers have reviewed the proposals for Building B and consider that the proposed development would be of sufficient quality and that the height, scale and massing would be in accordance with the parameters indicated in the Bedminster Green Framework, stepping from four and five storeys ('Low Rise') up to nine storeys ('Mid-High').

Summary

There has been much objection to the building heights and attention drawn to the recent Appeal Decisions on the Pring and St Hill site. The frontage of Building A on Dalby Avenue (ca. 65 metres) is shorter than Pring and St Hill frontage (which was ca. 135 metres onto Malago Road). The frontage of Building B on Whitehouse Lane is ca. 95 metres, Officers feedback during the design process was to increase the separation distance between the 'finger blocks' – this has resulted in a separation distances of 13 metres between each finger at the lower level and 18 metres at the upper levels (separation distances between buildings on Pring and St Hill were ca. 9 metres).

Accepting the visual impacts that arise with the proposed development, the separation distances proposed have had beneficial results in terms of sunlight/daylight penetration, allowing some visual permeability and providing a high quality environment for future occupiers, as detailed in part iv) of this Key Issue. The impact of the proposed development on the daylight and sunlight of neighbouring uses and external spaces is covered in Key Issue D of this Report.

In summary, the proposed development is considered to provide a positive response to the local context and emerging context. This is in accordance with Policy BCS21, Policy DM26, Policy DM27, the Urban Living SPD and the Bedminster Green Framework. Overall, the proposed height, scale and massing is considered to be acceptable.

ii) Public Realm

Policy DM27 sets out how development should provide streets and spaces that allow convenient access and choice of movement modes, at a scale appropriate to the size of development. Policy DM28 sets out how development should create high quality public

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realm which is appropriate in terms of space for movement and the relationship with the building edge.

The Urban Living SPD provides further guidance, acknowledging that as densities increase, the need to invest in a high quality public realm grows. This need for high quality public realm is reiterated in the Bedminster Green Framework, and the application site in particular is noted as a key location in the Framework area which would contribute to distinctive character in the area.

The CDG comments note the proposals for the public realm and private amenity space are welcomed and bring great benefit not only to the future occupiers of the scheme, but also the surrounding area.

In terms of street and places, CDG has welcomed the following:

Dalby Avenue:

- Contributing to the 'Avenue with Street Trees' along Dalby Avenue

Clarke Street:

- North-south link: Extending and reconnecting Clarke Street

Whitehouse Lane:

- East-west link: A new connection from Whitehouse Lane to Dalby Avenue
- Street tree planting along Whitehouse Lane

Site wide:

- Incorporating Blue-Green infrastructure
- Integrating the river restoration work as positive visual amenity space
- Creating new public and semi-private green spaces at ground floor level
- Assimilating sustainable drainage into the landscape

In summary, the proposed development is considered to create high quality public realm and meets the requirements and policy aspirations set out in DM27, DM28, the Urban Living SPD and the Bedminster Green Framework.

iii) Amenity Space

Policy DM27 sets out the requirement for *“the provision of adequate appropriate and usable private or communal amenity space”*.

The proposed development includes provision for:

- 4,512sqm of internal amenity space:
 - Building A: 1,688sqm for student social/study space and communal kitchen/living/dining
 - Building B: 2,824sqm for student social/study space and communal kitchen/living/dining
- 1,045sqm of external private amenity space:
 - Building A: 238sqm provided in a terraced area adjacent to the River Malago
 - Building B: 807sqm provided in a courtyard between Block 2 and Block 3 and areas adjacent to Block 1 and Block 4
- 2,898sqm of public realm amenity:
 - Building A: 732sqm provided along Dalby Avenue and the connection to Clarke Street

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- Building B: 2,166sqm provided along Clarke Street and the new connection from Whitehouse Lane

In terms of total amenity space this is 8,455sqm (excluding through roads and parking). This is substantial and therefore it is considered that the quantity of amenity space is in accordance with Policy. The function and quality of these spaces is also an important consideration. The private amenity spaces are easily accessible. The quality and utility of this outdoor amenity space is therefore considered sufficient. The scheme leads to a significant gain in amenity space associated with the public realm, particularly associated with Building B and the associated improvements along Clarke Street and the new connection from Whitehouse Lane.

In summary, the proposed development provides adequate shared amenity provision which has been planned as an integral part of the proposed development. The application is considered to provide quality, safe, useable outdoor spaces to support quiet relaxation and providing a suitably high-quality public realm for future occupiers and those in the wider community, in accordance with Policy DM27, Policy DM28 and the Urban Living SPD.

iv) Amenity For Future Occupiers

Policy BCS21 of the Core Strategy seeks to ensure new development is of a quality design, including safeguarding the amenity of existing development and create a high quality environment for future occupiers.

A Daylight and Sunlight Internal Study was provided with the application as submitted and with the revised details. The revised report (Rapleys, March 2021) concludes that:

- Daylight: In terms of the Average Daylight Factor, satisfactory levels of daylight would be received within 899 of the 900 rooms analysed. This is a very high level of compliance given the urban environment of the application site. The room which did not meet the guideline is a ground floor Living / Kitchen / Dining room within Building A, which was 4% marginally below target. It is considered that all rooms would have good access to daylight.
- Sunlight: In relation to Annual Probable Sunlight Hours, in Building A, 27 out of the 33 rooms (82%) meet the Building Research Establishment (BRE) guidelines and in Building B, 43 out of 49 (88%) rooms meet the guidelines. These results meet BRE criteria and it is recognised that not all rooms can be within 90 degrees of facing due south. It is considered that all rooms would have good access to sunlight.

Overall, all rooms in the proposed development would have good access to daylight and sunlight; as such it is considered that the proposed development would create a high quality environment for future occupiers in accordance with the requirements of Policy BCS21, Policy DM29 and the expectations set out for higher density development in the Urban Living SPD and the Bedminster Green Framework.

v) Conservation Area

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

Section 16 of the National Planning Policy Framework (NPPF) 2019 states that in determining planning applications, local planning authorities should take account of the

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desirability of sustaining and enhancing heritage assets, and the desirability of new development to make a positive contribution to local character and distinctiveness. It also states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with any harm or loss requiring clear and convincing justification.

Policy BCS22 states that development proposals will safeguard or enhance heritage assets and their character and setting. This includes conservation areas and historic buildings, including those locally listed.

Policy DM31 sets out that where a proposed development would impact the significance of a heritage asset (including those locally listed) the Applicant will be required to justify the extent of proposed works and demonstrate how the features of the heritage asset and the local character of the area will be retained.

The application site lies in the immediate setting, but outside the boundary of the boundary of the designated Bedminster Conservation Area, which includes a number of Grade II listed buildings. Historic England have raised no objection to the proposed development, however, in both responses they have raised concerns on heritage grounds. In their original comments they stated:

“While we do not consider that the impacts of the proposed development would result in unacceptable harm to the setting of the Conservation Area, we are not persuaded that the proposed development delivers a contextual approach and should be adjusted to represent a more positive response to the historic environment.”

In their comments in relation to the revised scheme they stated:

“The amended scheme presents some positive moves to vary the palette of external materials and addresses the format and proportions ascribed to principal elevations. However, there is still little positive response to the site context and therefore the proposed blocks would still be considered discordant with their setting. As we previously advised, the post-industrial aesthetic identified in the Heritage Statement would seem to be a perfectly valid steer to deliver successful place-making in the area of the city.”

As outlined above, the CDG worked with the Applicant to improve the proposals, this has included drawing references from both the historic and more recent character of Bedminster, with the intention of providing a development that sits comfortably within its immediate context and the surrounding area. As a result, CDG has considered the amendments made through changes of materials and fenestration to break down the massing has helped improve the setting of the proposed development in its context.

The Heritage Assessment (and Addendum) submitted by the Applicant conclude that there is a slight adverse significance of effect on the Bedminster Conservation area; a neutral significance of effect in relation to listed buildings; and a slight to moderate adverse significance of effect on the locally listed Victoria Park.

In relation to the NPPF and any harm to the setting of the conservation area, there have also been some objections on this point from the Bristol Civic Society and the Conservation Advisory Panel. It is considered by Officers that any harm would be less than substantial harm to the significance of the conservation area.

Considerable weight is attached to such harm. In accordance with NPPF Paragraph 196, any such harm needs to be weighed against the public benefits of the proposed

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development. There would be notable public benefits arising from the proposed development, including the provision of student accommodation, facilitating strategic highway improvements, local transport improvements and attractive and high quality public realm provision, which would be sufficient to outweigh the heritage harm identified. This is also considered to outweigh the harm to the locally listed Victoria Park in accordance with NPPF Paragraph 197.

vi) Trees and Biodiversity

Policy BCS9 requires that an appropriate type and amount of new or enhanced green infrastructure in new development. Policy DM17 of the SADMP sets out that all new development should integrate important existing trees; that development resulting in the loss of ancient woodland, aged or veteran trees will not be permitted; and, that where tree loss or damage is essential for appropriate development, replacement trees should be provided of an appropriate species and in accordance with the tree replacement standard.

Policy DM15 requires that provision of additional trees or improved management of existing trees is an expectation of the landscape treatment of new development.

The Applicant proposes to remove one tree and retain one tree as part of the development. The tree to be removed is a young self-seeded specimen of limited merit. The 41 replacement trees proposed fulfils the criteria set out in Policy BCS9 and Policy DM15. An improved, and enhanced level of green infrastructure has been proposed; as such the requirements for replacement as set out in Policy DM17 have been exceeded.

The high quality proposed Tree Planting Plan, which proposes 41no. trees and 12 shrubs would improve the visual amenity and public realm in the area, in accordance with Policy BCS9, Policy DM15 and Policy DM17.

The scheme excels in delivery of national policy on Biodiversity Net Gain (over 1000% net change); meeting Policy BCS9 on protecting, enhancing and creating habitats and providing species specific provisions for local wildlife, including local priority habitats and species that are of particular value in Bristol.

vii) Summary

The application site is considered suited to a higher density development than its existing use, given its sustainable location and position within the Bedminster Green regeneration area. The proposed development has used sunlight and daylight studies and micro climate to inform the design of the buildings and the landscape.

It is considered that the application has balanced the efficient and effective use of land with aspirations for a response to existing and emerging context, successful placemaking and liveability in accordance with Policies BCS21, DM26, DM27, DM28 and DM29, the Urban Living SPD and Bedminster Green Framework.

It is considered that the proposed development would safeguard the historic environment, in accordance with Policy BCS22 and Policy DM31. There would be notable public benefits arising from the proposed development, including the provision of student accommodation, facilitating strategic highway improvements, local transport improvements, flooding benefits and attractive and high quality public realm provision, which would be sufficient to outweigh the heritage harm identified.

The high quality proposed Tree Planting Plan, which proposes 41no. trees and 12 shrubs proposed would improve the visual amenity and public realm as well as enhancing and creating habitats in the area, in accordance with policies BCS9, DM15 and DM17.

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

The application site is bounded by Dalby Avenue to the north, intersected by Clarke Street and bounded by Whitehouse Lane to the south.

Policy BCS10 of the Core Strategy (2011) states that:

“Land required for the implementation of transport proposals will be safeguarded to enable their future provision. Corridors with the potential to serve as future routes for walking, cycling and public transport will also be safeguarded. Appropriate existing transport facilities such as transport depots will be safeguarded where required.”

The explanatory text for Policy BCS11 of the Core Strategy states:

“Without appropriate measures to mitigate impact and investment to enable the provision of infrastructure improvements, the proposed level of development will be neither sustainable nor acceptable.”

i) Strategic Road Network

The proposed development site forms a significant component of the wider Bedminster Green regeneration. The BG consortium appointed Stantec transport consultants to produce a Strategic Transport Assessment for the wider Bedminster Green area.

The proposed development includes the provision of land for an outbound bus lane to support the delivery of public transport improvements that are relied on by the Applicant and other developments in the Bedminster Green Framework.

In line with local and government policy, TDM requires each of the Bedminster Green developments to play their part through: successful and legible masterplanning, the formulation of layouts that compliment strategic transport objectives, and financial contributions towards the delivery of infrastructure that will provide each new resident with viable travel alternatives to the private car, whilst avoiding detrimental impacts on the surrounding area.

ii) Provision of car and cycle parking

Policy DM23 of the SADMP sets out the requirement for developments in relation to transport, including the parking and cycle parking provision expected to be provided.

The application would provide 4no. disabled car parking spaces, and 2no. staff spaces for the student hub. No dedicated car parking facilities are proposed for the flexible workspace located on Whitehouse Lane given its highly sustainable location. TDM has accepted lower levels of parking within the Bedminster Green area provided appropriate contributions are provided towards parking mitigation, travel planning and sustainable travel measures.

No resident parking scheme (RPS) permits (existing or future) will be available to occupants of the proposed development and a standard advice would apply in this respect, informing the RPS team not to issue these. TDM would seek a condition that obligates the current or any future owner to inform prospective tenants of this as a matter of course.

In relation to cycle parking, 236no. cycle spaces would be provided on the site for the student accommodation, 14 cycle parking spaces for the flexible workspace units, as well as provision for visitors to the student accommodation. Cycle parking for the proposed development and visitors is considered acceptable.

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iii) Recycling and waste provision

Policy DM32 of the SADMP sets out the expectations for development with regards to refuse and recycling storage and collection.

The access and servicing arrangements for the site have been developed in consultation with TDM, during the pre-application stage and during the determination of the application.

The main vehicular access to both buildings is proposed via a two-way access on the A38 Dalby Avenue frontage. This is located to the adjacent of the existing Wessex Water pumping station. A second access/exit is proposed via Clarke Street (South) to the south, leading to Whitehouse Lane.

On TDM's request the Applicant has provided a proposed-on site signage plan (0864-038), no concerns are raised regarding this. Refuse and other heavy vehicles serving Building A are proposed to enter the site using the Dalby Avenue access and exit via Clarke Street (South), to remove the need to turn within the site. Smaller delivery and other vehicles will be able to turn on site adjacent to the entrance to Building A and exit via Dalby Avenue.

The Applicant has proposed a loading bay along Whitehouse Lane adjacent to the access corridor to the Building B refuse store. Refuse collection from Building B will be from a loading bay proposed on Whitehouse Lane. The arrangements for access/servicing are considered to be acceptable.

iv) Student movements

The applicant has submitted a management strategy to address the impact of students moving into/out of the development. On the move in/move out dates, temporary parking spaces are proposed to allow drop off/pick up and 30 minutes turnover for each space. TDM consider that the strategy in place is acceptable, and a condition is to be added to ensure the safe operation of the public highway at the start/end of each semester/academic year.

v) Travel plan

Following review of the submitted Travel Plan no concerns are raised by TDM. BCC will implement the travel plan in line with the wider Bedminster Green framework at a cost of £139 per dwelling. This is secured by way of a planning obligation.

vi) Construction management

A construction management plan will be required which details the impact on the highway of the construction process for each phase. A particular emphasis is placed on the requirement to avoid any damage to the A38 highway corridor. TDM is satisfied this could be secured via a suitably worded condition.

vii) Transport obligations

Contributions sought by way of s.106 Agreement have been proportioned to account for the 819 residents (82 clusters), with the required contributions confirmed below.

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S.106 Obligation	Total cost per item	Cost per person	S106 Contribution
Restrictive parking measures contribution	£700,000	£219	£179,361
Electric vehicle (EV) car club contribution (six vehicles)	£43,000	£81	£66,339
Bedminster Green Travel Plan contribution (delivery by BCC)	£118	£118 per unit	£9,676
Traffic regulation orders (TRO) contribution	£5,913 per TRO required	n/a	£12,134
Windmill Hill traffic management contribution	£100,000	£31	£25,389
Dean Lane Cycle improvements	£315,000	£98	£80,262
Total			£373,161

These obligations have been accepted by the Applicant and secured by the s.106 Agreement.

viii) Summary

TDM consider that the application would be acceptable in terms of transport and highways matters subject to conditions, section 106 obligations and section 278 works.

D. WOULD THE PROPOSED DEVELOPMENT CAUSE ANY UNACCEPTABLE HARM TO THE AMENITY OF NEIGHBOURING USES OR THE ADJOINING WINDMILL HILL CITY FARM?

Policy BCS21 outlines that development in Bristol is expected to safeguard the amenity of existing development and create a high-quality environment for future occupiers. Policy DM29 sets out that new buildings will be designed to ensure that the existing and proposed development achieves appropriate levels of privacy, outlook, and daylight.

Appendix B to the Urban Living SPD provides specific guidance for assessing daylight and sunlight, stating that achieving adequate levels of daylight and sunlight into the buildings and external spaces where we spend most of our time contributes to our health and wellbeing. It confirms that the most commonly used guidance on such matters is that published by the Building Research Establishment (BRE), which contains nationally applicable best practice guidelines on the levels of daylight and sunlight that existing and new development should follow.

Daylight and sunlight and provision of amenity space for future occupiers is considered within Key Issue B.

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This Key Issue focusses on two aspects: i) the impact on the daylight and sunlight of neighbouring uses; and ii) the impact of development on overshadowing of external spaces. In relation to the assessment of this application, particular regard has been given to the impact of the proposed development on the external areas around Windmill Hill City Farm.

i) Neighbouring uses

A Daylight & Sunlight Amenity (Neighbouring) Study was provided with the application as submitted and with the revised details. The Study (Rapleys, March 2021) assessed a total of 64 neighbouring properties including 824 windows and 609 rooms. The results of which, set out within Appendices of that Report, are relied upon within this section of the Committee Report.

Vertical Sky Component (VSC) is a measure of the amount of diffuse daylight reaching a window. In respect of VSC, the BRE guide explains that diffuse daylight may be adversely affected if, after a development, the VSC is both less than 27% and less than 0.8 times its former value.

The assessment reports the VSC results from 824 windows and identifies that only 5% do not meet guidelines, the vast majority of these windows were for 17 properties being used as workshops. To help understand these results better, the Study also undertakes an assessment of the daylight distribution.

The BRE guide explains that the daylight distribution, assessed by plotting the position of the existing and proposed 'No Sky Line' (the point within the affected room where the sky can no longer be viewed) of a neighbouring property may be adversely affected if, after the development, the area of the working plane which receives direct skylight is reduced to less than 0.8 times its former value.

The Daylight Distribution results assessed 609 rooms (not all were considered as being 'habitable' rooms) and only 2 rooms (0.3%) do not meet the BRE guide of 0.8 its former value. The results for those rooms that didn't meet guidelines were marginally below this guideline figure at 0.73 and 0.68 respectively. A substantial proportion of the results showed no change in the levels of light received.

In respect of sunlight, an assessment should take account of the Annual Probable Sunlight Hours (APSH). APSH is amount of sunlight the affected window can receive with and without the new development. The BRE guide explains that sunlight availability may be adversely affected if the centre of the window: receives less than 0.8 times its former sunlight hours during either period (summer or winter).

The APSH results show that all residential properties assessed are in line with BRE guidelines. The APSH results for commercial properties show that all windows meet BRE guidance apart from one. In this case the affected window is to a commercial property. With a workshop, it is considered that the users would place a higher priority for the quality of light being received within the workshop rather than just to the windows.

Overall, it is considered that the proposed development would not cause any unacceptable harm to the amenity of neighbouring residential or commercial properties.

ii) Impacts on amenity space and Windmill Hill City Farm

Paragraphs 5.17 and 5.18 of the Study describe the analysis undertaken relating to overshadowing to gardens and open spaces. The results are contained within Appendices 5 and 6. In particular, Appendix 6 shows a plan of the site and surrounding properties, with all the gardens and open spaces that were included within the scope of the assessment.

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An appropriately sunlit space will achieve greater than or equal to 2 hours sunlight on 21st March across at least 50% of the space. The assessment demonstrates that all gardens and open spaces would meet BRE guidelines.

This assessment includes the external areas around Windmill Hill City Farm, which are labelled 'Ground A1 – A9'. The spaces were assessed individually rather than being grouped. This is because roads, paths and car parks etc, do not fall under the BRE description for the types of space to be analysed. Also, by assessing each area separately, more detailed results can be obtained to show if there are any problem areas requiring further consideration.

The results for these 9 areas are contained within Appendix 5 and the assessment criteria is under paragraph 5.18 of the Study:

“The analysis confirms whether at least half of the amenity area receives at least 2 hours of sunlight on 21 March. The Reduction Factor of 0.8 can be applied but if the area receives more than 50%, the Reduction Factor can be ignored.”

An extract from the table of results for the external areas around Windmill Hill City Farm is presented below. This shows the levels of sunlight received prior to the construction of the development (the area confirmed in square metres and expressed as a percentage), and the levels of light received following construction (presented likewise for comparison).

Floor	Area Ref	Amenity Area		Lit area existing	Lit Area Proposed	Loss?	Meet BRE Criteria?
Ground	A1	Area (sqm)	787.68	773.13	773.13	No	Yes
		Percentage		98%	98%		
Ground	A2	Area (sqm)	787.18	786.57	786.57	No	Yes
		Percentage		100%	100%		
Ground	A3	Area (sqm)	1449.57	1440.95	1435.93	Y – less than 1%	Yes
		Percentage		99%	99%		
Ground	A4	Area (sqm)	572.64	481.08	456.45	Y – 4%	Yes
		Percentage		84%	80%		
Ground	A5	Area (sqm)	238.40	213.08	199.27	Y – 5%	Yes
		Percentage		89%	84%		
Ground	A6	Area (sqm)	721.88	422.72	421.23	Y – 1%	Yes
		Percentage		59%	58%		
Ground	A7	Area (sqm)	622.28	621.79	621.79	No	Yes
		Percentage		100%	100%		
Ground	A8	Area (sqm)	768.54	548.65	519.08	Y – 3%	Yes
		Percentage		71%	68%		
Ground	A9	Area (sqm)	3810.57	3809.16	3809.16	No	Yes
		Percentage		100%	100%		

The results for the 9 areas confirm that all are within the BRE target 'Reduction Factor' and four areas show zero change. Those that experience loss this ranges from less than 1% to 5% loss. Windmill Hill City Farm currently receives good levels of sunlight to the outdoor space, and Officers, having reviewed this issue in detail during the determination of the application, consider that this would continue to be the case should the proposed development be approved.

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The conclusion is that these results meet the BRE assessment criteria, and the requirements of Policy BCS21, Policy DM29 and the Urban Living SPD

iii) Summary

The Urban Living SPD explains that one of the key factors in achieving more intensive forms of development, particularly in city centre and urban areas, is a more flexible approach to achieving daylight and sunlight standards for dense urban environments, while still maintaining liveable environments.

This closely reflects guidance in paragraph 123(c) of the NPPF which requires local planning authorities to take a flexible approach in applying policies or guidance relating to daylight and sunlight when considering applications for housing, where they would otherwise inhibit making efficient use of a site – as long as the resulting scheme would provide acceptable living standards.

Overall, it is considered that the proposed development through the Daylight & Sunlight Amenity (Neighbouring) Study has undertaken a thorough assessment of neighbouring properties and overall, it has demonstrated a high level of compliance with the BRE guidelines. Any impacts identified are limited and relate to commercial properties.

Whilst there is a very limited impact on five of the nine assessed amenity spaces that are associated with Windmill City Farm, the scheme wholly complies with BRE guidelines.

The low level of impact identified on neighbouring uses and amenity spaces is considered to be acceptable given the benefits of providing student accommodation that is considered to provide acceptable living standards (as outlined in Key Issue B) in accordance with the NPPF, Policy BCS21, Policy DM29 and Appendix B of the Urban Living SPD.

E. WOULD THE PROPOSED DEVELOPMENT BE ACCEPTABLE WITH REGARDS TO CONTAMINATION, FLOOD RISK, DRAINAGE AND AIR QUALITY?

i) Contaminated Land

Policy DM34 sets out that new development should demonstrate that any existing contamination on a site would be addressed by appropriate mitigation measures and that there is no unacceptable risk of pollution within the site or surrounding area. The policy also requires that the development will not cause land to become contaminated.

The Environment Agency (EA) has no objection in relation to controlled waters. The EA consider that the information submitted by way of contamination to be sufficient. Conditions have been requested regarding details of the remediation strategy and submitting a verification report. These conditions are attached to this report. The Public Protection (Contaminated Land) officer has reviewed the supporting documents submitted and has confirmed that they are satisfied with the information provided by the Applicant in relation to contamination and protecting human health. They have concurred with the conditions requested by the EA.

The proposed development is considered to meet the requirements of DM34.

ii) Flood Risk and Drainage

Regarding flood risk, Policy BCS16 of the Core Strategy states that developments need to be resilient to flooding through design and layout and incorporate sensitively designed mitigation measures to ensure the proposed development remains safe from flooding over its lifetime. The requirement to incorporate Sustainable Drainage Systems (SuDS) into new development is highlighted, as is the expectation that new development would incorporate

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water management measures to reduce surface water run-off and ensure flood risk is not increased elsewhere.

The Environment Agency has no objection in relation to flood risk. Additional information was submitted during the determination of the application. The EA consider that this has provided a suitably detailed assessment of potential flood risk impacts at the site and appropriate selection of proposed finished floor levels for more vulnerable uses. The proposed development is considered to meet the requirements of the NPPF in relation to flood risk subject to the inclusion of conditions.

The Flood Risk Officer considers that the Drainage Strategy and the incorporation of sustainable drainage measures to be acceptable in line with the aspirations of the Framework Flood Risk Assessment carried out for the Bedminster Green Framework. A condition has been requested to secure the detailed design of the SuDS.

The proposed development is considered to meet the requirements of BCS16 in relation to flood risk and drainage.

iii) Air Quality

Policy DM23 states that development should take account of existing air pollution and include measures to mitigate its impact on future occupiers where possible.

The Applicant has submitted an Air Quality Assessment (AQA) for the proposed development. The Air Quality Officer has considered the assessment methodology used to be acceptable. The proposed development is not considered to generate significant additional traffic movements, therefore the assessment focussed on dust emissions from demolition and construction activities and assessment of the suitability of the development site for the proposed residential use in terms of future air pollution levels. As such, the Air Quality Officer has recommended that the dust mitigation measures listed in the AQA are secured via conditions attached to any consent.

The AQA has concluded that the air pollution levels at the Dalby Avenue façade of the proposed development will meet air quality objectives and therefore it is considered acceptable for this type of use without the need for mitigation. The AQA evidenced that the proposals would not cause a street canyon and potential worsening of air pollution as the façade of proposed building is 20 metres from the roadside.

The proposed development is considered to meet the requirements of DM23 in relation to air quality.

Summary

The proposed development is considered to be in compliance with the policy provisions of DM34, BCS16 and DM23.

F. DOES THE PROPOSED DEVELOPMENT GIVE SUFFICIENT CONSIDERATION OF SUSTAINABLE DESIGN AND CONSTRUCTION?

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

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

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

The Energy Strategy for this application will connect to the proposed district heat network provided by the Council and provide an on-site solar PV array will be provided to supply renewable energy to the site. The proposal to provide heating and hot water across the scheme via connection to the heat network and provide roof mounted PV is supported.

The first part of BCS14 requires a 20% reduction in residual emissions (calculated after emission reductions from energy efficiency measures) through on-site renewables. The maximum extent of PV is determined by the amount of suitable and available roof space for these to be mounted. The level of PV provision has been balanced with the use of green roofs, which have wider sustainable drainage and biodiversity benefits.

The Applicant proposes to include an array of circa 717 sqm is to be provided across the application site, split between the roofs of Building A and Building B. The reduction in residual CO2 emissions associated with the solar PV array would be in the order of ~5.4%. Where there is a shortfall in total CO2 savings on residual emissions as is the case in this application (shortfall of 14.6%) and it is not possible to achieve the 20% reduction from on-site renewables an alternative allowable solution will be considered.

Residual emissions (14.6% of the total) are to be offset using the "Allowable Solutions" mechanism, which is calculated on the basis of the shortfall in total emissions (92.175 tCO2) multiplied by the rate of £95/tonne over 30 years. The Allowable Solution payment would therefore be £262,699. This is agreed to by the Applicant and will be secured by the s.106 Agreement.

In terms of sustainable design and construction, the Applicant seeks to achieve 'BREEAM Excellent'. This is noted and supported by Officers and is secured by way of condition. An overheating assessment of the scheme has been undertaken, and deemed acceptable by Sustainable City Team.

The proposed development subject to conditions and obligations (to secure connection to the district heat network and allowable solution contribution) would adequately mitigate and adapt to climate change and minimising energy requirements in accordance with BCS Policies 13-15.

THE PLANNING BALANCE

The proposed development would give rise to a number of benefits, which are assessed and summarised, before moving on to consider the disbenefits, which arise as a result of conflict with the Development Plan and the NPPF.

In assessing the likely benefits / disbenefits of the proposed development, there has also been regard to how they might assist / impact on fulfilling the economic, social, and environmental objectives of achieving sustainable development, as set out in Paragraph 8 of the NPPF. The NPPF states that the three overarching objectives are interdependent and need to be pursued in mutually supportive ways.

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Benefits

Economic benefits would arise from the construction of the proposed development comprising some temporary benefits to the construction industry including employment, skills and training opportunities. The more permanent benefits would result from increased spending in the local economy by future occupiers supporting local businesses and jobs. New occupiers would add activity, footfall and vibrancy providing business and community benefits for Bedminster. The Socio Economic Benefits Summary (Hatch, November 2020) provided by the Applicant has estimated student expenditure of £5.3 million per annum. The proposed development would assist in achieving the economic objective of helping to build a strong, responsive, and competitive economy.

The proposed development would support growth and diversification in employment opportunities through the provision of flexible workspace and the operation and management of the new student hub. The proposed development would wholly satisfy the economic objective of sustainable development.

The first part of the social objective, as set out in the NPPF, is to support strong, vibrant, and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations. The student accommodation would count towards the Council's housing land supply and has the support of the University of Bristol. The provision of specialist student accommodation would improve the choice of housing in the area by reducing pressure on private landlords and HMOs, ensuring that the housing market can provide for the needs of different groups within the local community.

The social objective also seeks a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.

The proposed development provides a high quality environment for future occupiers. The proposed development would provide new, attractive and high quality public realm provision, much improved for pedestrians and cyclists, on Dalby Avenue and along Clarke Street. This would be of benefit to the wider community. The proposed development includes the necessary quantity and quality of safe and useable external private amenity space to support quiet relaxation and significant amenity space within the public realm for future occupiers and the wider community. This would help meet this part of the social objective.

The proposed development would improve accessibility and provide an additional connections to Clarke Street from Whitehouse Lane and Dalby Avenue. The provision of the additional links through to Clarke Street are seen as an overall benefit. The additional connections and the improvements along Clarke Street would be available to the wider community, and not just occupiers of the proposed development.

The proposed development would broadly satisfy the social objective of sustainable development.

The environmental objective of sustainable development is to contribute to protecting and enhancing the natural, built, and historic environment, including making effective use of land and using natural resources prudently.

In relation to the natural environment, there would be flooding benefits, associated with the integration and facilitation of the restoration proposals for the River Malago and sustainable

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drainage. The public realm improvements along Clarke Street would allow for the enjoyment of the River Malago by future occupiers and the local community.

The proposed development would result in significant gains in biodiversity and tree provision on site. This would help achieve the aspirations of the Bedminster Green Framework for 'Humanising Malago Road', an 'Avenue with Street Trees' and a 'Key Green Street'. These benefits would not be limited to future occupiers and users of the proposed development but would also be of benefit to the wider local population.

As the proposed development would take place on previously developed land, it would accord with the thrust of this objective, and this would be a clear benefit of the proposal.

The proposed development facilitates the provision of land for an outbound bus lane and stop to support the provision of public transport improvements. This bus lane would be available to not just occupiers in the proposed development but other developments in the Bedminster Green Framework and the wider community.

Transport contributions totalling £373,161 would be secured through a Planning Agreement, relating to various transport. As these contributions are necessary to make the proposal acceptable in planning terms, they cannot be seen as specific benefits of the scheme. Weight should however be given to these various contributions in the overall planning balance as these benefits would not be limited to future occupiers and users of the proposed development but would also be available to the wider local population.

The proposed development would broadly satisfy the environmental objective of sustainable development.

Disbenefits

Disbenefits flow from matters where there is conflict with the Development Plan or NPPF, as has been detailed in the consideration of the key issues within this report.

Whilst there is partial conflict with Policy DM13(ii) in relation to the site not being marketed to justify the loss of PIWA, the proposals are considered to be in line with the NPPF at Paragraph 121(a). As such it is considered to be a minor conflict with policy, a minor conflict with the economic objective of sustainable development and of limited weight in the planning balance in light of the HDT Results 2020.

A number of objections have been received regarding the height, scale and massing of the proposed development. Whilst supportive of the scheme, CDG noted concerns regarding the height of Building B, and an aspiration for it to achieve a more appropriate response to context and transition in height. The building heights of Building B are within the parameters of the Bedminster Green Framework; as such it is considered to be a minor conflict with policy. This would conflict with the social objective of sustainable development and weight has been attributed to this in the planning balance.

Concerns have been raised by Historic England on heritage grounds. It is recognised that the proposed development would result in less than substantial harm to the significance of the Bedminster Conservation Area. This would conflict with the environmental objective of sustainable development, and weight has been attributed to this in the planning balance. As detailed in Key Issue B in this report, in accordance with NPPF Paragraph 196 and Paragraph 197, this harm has been weighed against the public benefits of the proposed development, which are considered sufficient to outweigh the heritage harm identified.

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CONCLUSION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that a determination made under the planning acts must be made in accordance with the Development Plan unless material considerations indicate otherwise.

It is considered that the proposed development is in accordance with the Development Plan and the NPPF, when read as a whole. The starting point is therefore that permission should be granted in accordance with the statutory presumption in favour of the Development Plan. The policies of the Development Plan relevant to decision making in this application are considered to be broadly consistent with the NPPF and should therefore be given significant weight.

Applying the presumption in favour of sustainable development as set out in the NPPF Paragraph 11(d)(ii) means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

In the assessment of this application, balancing the benefits and disbenefits detailed in the previous section of this report, Officers consider that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Development Plan and NPPF taken as a whole.

This means that the application would constitute sustainable development, and this is a material consideration in favour of the proposed development. In the assessment above it is considered sufficient to outweigh the conflicts identified with the Development Plan.

With these points in mind it is the Officer Recommendation that planning permission should be granted, subject to the obligations and conditions as listed below.

RECOMMENDED GRANT subject to Planning Agreement

OBLIGATIONS

The following obligations would be sought by way of a Planning Agreement:

- Transport obligations totalling £373,161 consisting of:
 - Restrictive parking measures contribution: £179,361
 - Dean Lane cycle contribution: £80,262
 - Electric vehicle car club contribution: £66,339
 - Windmill Hill traffic management contribution: £25,389
 - Traffic regulation orders contribution: £11,826
 - Bedminster Green Travel Plan contribution: £9,676
- Sustainability and energy obligations:
 - Carbon offset contribution: £262,699
 - Future connection to the district heat network
- Fire hydrant obligation:
 - Three fire hydrants requested by Avon Fire & Rescue Service totalling £4,500.
 - The cost of installation and five years maintenance of £1,500 + vat per fire hydrant.

COMMUNITY INFRASTRUCTURE LEVY

This development is liable for CIL totalling £3,028,908.75.

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CONDITIONS

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. Phasing Plan

Save for works of investigation, site clearance, demolition and other enabling works, the development hereby permitted shall not be commenced until a phasing plan has been submitted to and agreed in writing by the Local Planning Authority. The phasing plan shall identify the phases of construction and occupation of development, including the relevant public realm / infrastructure elements shown on the approved drawings. The development shall be carried out in accordance with the provisions of the approved phasing plan and/or any subsequent amendments to it that have been agreed in writing by the Local Planning Authority.

Reason: In the interests of the proper planning of the site.

3. Construction Environmental Management Plan

No development shall take place, including any demolition works, until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period.

The plan/statement shall provide for:

- A construction programme including phasing of works;
- 24 hour emergency contact number;
- Hours of operation;
- Expected number and type of vehicles accessing the site:
 - Deliveries, waste, cranes, equipment, plant, works, visitors;
 - Size of construction vehicles;
 - The use of a consolidation operation or scheme for the delivery of materials and goods;
 - Phasing of works;
- Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):
 - Programming;
 - Waste management;

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- Construction methodology;
- Shared deliveries;
- Car sharing;
- Travel planning;
- Local workforce;
- Parking facilities for staff and visitors;
- On-site facilities;
- A scheme to encourage the use of public transport and cycling;
- Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- Locations for storage of plant/waste/construction materials;
- Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- Any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Arrangements for temporary facilities for any bus stops or routes;
- Method of preventing mud being carried onto the highway;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.
- Dust mitigation measures in Section 7.1 and the highly recommended mitigation in Appendix B the approved Air Quality Assessment (Hydrock, November 2020).

The submitted CEMP must include safeguarding measures to deal with the following pollution risks:

- the use of plant and machinery
- wheel washing and vehicle wash-down and disposal of resultant dirty water
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes

The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

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.

4. Sustainable Drainage System (SuDS)

Save for works of investigation, site clearance, demolition and other enabling works, no development shall take place until a Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the

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approved Sustainable Drainage Strategy prior to the use of the building commencing and maintained thereafter for the lifetime of the development.”

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

5. Groundwater and Contaminated Land

Prior to each phase of development approved by this planning permission no development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority.

This strategy will include the following components:

1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those offsite.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

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

6. BREEAM

Prior to the commencement of development (save for works of investigation, site clearance, demolition and other enabling works), a design stage BREEAM assessment demonstrating the proposed measures required to achieve a BREEAM 'Excellent' rating should be submitted to the local planning authority and approved in writing. The development shall be constructed in accordance with the approved assessment.

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Within 6 months of first occupation, a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating Excellent has been achieved for the student accommodation unless the Local Planning Authority agrees in writing to an extension of the period by which a Certificate is issued.

Reason: To ensure the development is built in a sustainable manner in accordance with BCS15 (Sustainable design and construction). To ensure that the development achieves BREEAM rating level Excellent (or any such equivalent national measure of sustainability for building design which replaces that scheme) and that this is done early enough in the process to allow adaptations to designs and assessment and certification shall be carried out by a licensed BREEAM assessor and to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

7. Living roofs

Prior to commencement of development the relevant building, a method statement provided by a qualified ecological consultant or landscape architect shall be submitted to and approved in writing by the Local Planning Authority for the creation of living roofs on the site which include calcareous wildflowers and do not employ a significant area of Sedum (Stonecrop). This shall include details of the layout and area, construction, design and maintenance of the living roof. The development shall be carried out in accordance with the method statement or any amendment approved in writing by the Local Planning Authority.

Reason: To conform with Policy DM29 in the Local Plan which states that ‘proposals for new buildings will be expected to incorporate opportunities for green infrastructure such as green roofs, green walls and green decks.’

8. Precautionary Method of Working

Prior to the commencement of development, a Precautionary Method of Working (PMW) with respect to the demolition or refurbishment of any buildings on site, vegetation and site clearance and the potential presence of any protected, priority or notable species shall be prepared by a suitably qualified ecological consultant and submitted to and approved in writing by the Local Planning Authority. This shall also include measures to ensure that construction phase lighting does not affect potential bat roosts, foraging and commuting habitat. The development shall be carried out in full accordance with the approved PMW. The PMW will incorporate the recommendations set out in the Ecological Assessment produced by Ethos Environmental Planning dated November 2020.

Reason: To ensure the protection of legally protected and priority (Section 41) species which are a material planning consideration.

9. Landscape and Ecological Management Plan

Prior to commencement of development (save for works of investigation, site clearance, demolition and other enabling works), a 15-year Landscape and Ecological Management Plan (LEMP) for the site shall be provided by a qualified ecological consultant and submitted to and approved in writing by the Local Planning Authority. This will include a sensitive

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planting scheme using native species or those that provide value for wildlife. The LEMP will include enhancement for wildlife, including 32no swift bricks, 11no bat boxes and other measures as set out in the Ecological Assessment produced by Ethos Environmental Planning dated November 2020. The development shall be carried out in accordance with the LEMP or any amendment approved in writing by the Local Planning Authority.

Prior to substantial occupation, the site shall be inspected by a qualified ecologist and a short letter report shall be prepared for the Local Planning Authority. This will verify that the planning conditions relating to nature conservation have been adhered to and that enhancements have been delivered.

Reason: To conserve and enhance the nature conservation and landscape features of the site.

10. Invasive species

Prior to commencement of development, a method statement for the control and removal of Himalayan balsam (*Impatiens glandulifera*) and other Schedule 9 invasive species shall be submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved method statement.

Reason: To comply with section 14(2) of the Wildlife and Countryside Act (1981).

11. Arboricultural Supervision

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. A schedule of visits shall be drawn up to ensure the Project arboriculturist is present during key stages of the development which include, but not limited to:

- Trail pit investigation of the eastern boundary of the site in the root protection area of T3-T27
- Lifting and laying of footway surface around T1

Site visits must be carried out during the key stages identified above. Copies of written site notes and/or reports detailing the results of site supervision and any necessary remedial works undertaken or required shall be submitted to and approved in writing by the Local Planning Authority, prior to occupancy. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant immediately following that approval.

Reason: In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice.

12. Arboricultural method statement – During construction

The applicant/developer shall ensure that all works within the root protection area of retained trees, including the installation of the cellular confinement system and Cycle barriers must follow the detailed methodology with the Arboricultural Method Statement (Treestats Limited,

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October 2020). In the instance that major roots are found then further consultation with an arboriculturist will be required, any changes to the specified methodology must be agreed in writing by the local planning authority.

Reason: To protect the retained tree from damage during construction and in recognition of the contribution which the retained tree gives and will continue to give to the amenity of the area.

13. Public Art Plan

Prior to the commencement of development (save for works of investigation, site clearance, demolition and other enabling works) or as otherwise agreed in writing by the Local Planning Authority, a Public Art Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall set out the specific commissions developed and programme illustrating how the public art commission for the development would accord with the City Council's Public Art Policy and Strategy. The Public Art Plan shall also contain a timetable for delivery and details of future maintenance responsibilities and requirements. The delivery of public art shall then be carried out in full accordance with the agreed Public Art Plan.

Reason: In order to secure public art as part of the development in the interests of the amenity of the area.

14. Local Employment Opportunities

Save for works of investigation, site clearance, demolition and other enabling works, no development shall take place until the developer/occupier enters into an agreement with the City Council to produce and implement a strategy that aims to maximise the opportunities for local residents to access employment offered by the development. The approved strategy shall be undertaken in accordance with an agreed timetable.

Reason: In recognition of the employment opportunity offered by the early phases of the construction and operation of the development.

15. Further details of the following before relevant element started – Building A

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.

Detailed sectional and elevational drawings at the scale of 1:10 (unless otherwise specified) 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.

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

16. Further details of the following before relevant element started – Building B

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.

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Detailed sectional and elevational drawings at the scale of 1:10 (unless otherwise specified) 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.

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

17. Sample Panels before specified elements started

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

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

18. Highway to be adopted

No development shall take place until plans to a scale of 1:200 showing the following information has been submitted to and approved in writing by the Local Planning Authority.

- Long sections
- General arrangement
- Threshold levels to buildings
- Drainage
- Structures
- Swept path for two directional movement of a 11.4m long refuse vehicle passing a 4.98m long large saloon car

Prior to occupation detailed technical plans to a scale of 1:200 setting out how the internal access road(s) will be constructed to the Highway Authority's adoptable standard shall be submitted and approved in writing by the Local Planning Authority.

These works shall then be completed to the satisfaction of the Highway Authority and approved in writing by the Local Planning Authority.

Reason: To ensure the internal roads are planned and approved in good time to a satisfactory

19. Structure Adjacent To/Within 6m of the Highway

No development shall take place until an Approval In Principle (AiP) Structural Report setting out how any structures within 6 metres of the edge of the adopted highway (and outside of this limit where the failure of any structures would affect the safety of road users) will be assessed, excavated, constructed, strengthened or demolished has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the works safeguard the structural integrity of the adopted highway during the demolition and construction phase of the development.

20. Highway Condition Survey

No development shall take place (including investigation work, demolition, siting of site compound/welfare facilities) until a survey of the condition of the adopted highway has been

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submitted to and approved in writing by the Local Planning Authority. The extent of the area to be surveyed must be agreed by the Highways Authority prior to the survey being undertaken.

The survey must consist of:

- A plan to a scale of 1:1000 showing the location of all defects identified;
- A written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey.

No building or use hereby permitted shall be occupied or the use commenced until any damage to the adopted highway has been made good to the satisfaction of the Highway Authority.

Reason: To ensure that any damage to the adopted highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer.

Pre-occupation condition(s):

21. Implementation/Installation of Refuse Storage and Recycling Facilities – Shown on Approved Plans

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

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

22. Completion of Vehicular Access – Shown on Approved Plans

No building or use hereby permitted shall be occupied or use commenced until the 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.

23. Completion of Pedestrians/Cyclists Access – Shown

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.

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Reason: In the interests of highway safety

24. 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.

25. 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.

26. Permissive Routes

No building or use hereby permitted shall be occupied or use commenced until details of how the permissive route will be kept open, free from any obstruction, in a safe condition for use by members of the public 364 days of the year and clearly marked to indicate that there is no indication to dedicate as part of the adopted highway, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the provision of an unrestricted and safe route for the use of members of the public.

27. Access Entry/Exit Only

No building or use hereby permitted shall be occupied or use commenced until details of restricting the use of the access to "Entry Only"/"Exit Only" has been submitted to and approved in writing by the Local Planning Authority. This shall be retained in that form thereafter for the lifetime of the development.

Reason: In the interests of highway safety.

28. Management and Maintenance of Private Streets

No building or use hereby permitted shall be occupied or use commenced until details of arrangements for the future management and maintenance of proposed carriageways, footways, footpaths and landscaped areas not put forward for adoption within the site has been submitted to and approved in writing by the Local Planning Authority. Following occupation of the first dwelling on the site, the streets shall be maintained in accordance with the approved management and maintenance details.

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Reason: To ensure that all private streets and landscaped areas are appropriately managed and maintained to ensure the safety of all users.

29. Electric Vehicle Charging Points

No building or use hereby permitted shall be occupied or use commenced until details of the total number of car parking spaces, the number/type/location/means of operation and a programme for the installation and maintenance of Electric Vehicle Charging Points and points of passive provision for the integration of future charging points has been submitted to and approved in writing by the Local Planning Authority prior to construction of the above ground works. The Electric Vehicle Charging Points as approved shall be installed prior to occupation and retained in that form thereafter for the lifetime of the development.

Reason: To promote sustainable travel, aid in the reduction of air pollution levels and help mitigate climate change.

30. Delivery & Servicing Plan

No building or use hereby permitted shall be occupied or use commenced until a delivery and servicing plan has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved delivery and servicing plan for the lifetime of the development. The delivery and servicing plan shall include:

- a) The contact details of a suitably qualified co-ordinator;
- b) How vehicle arrivals, departures, parking, stopping and waiting will be controlled to minimise any impact on the adopted highway;
- c) Details of any freight consolidation operation, centre and the delivery and servicing booking and management systems;

Reason: In the interests of highway safety and to minimise the impact of vehicles servicing the development upon congestion.

31. Traffic Management Plan

No building or use hereby permitted shall be occupied or use commenced until a traffic management plan setting out the agreed arrangements for managing student drop off/collection procedures and location, at the start/end of semester/academic year, has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved traffic management plan for the lifetime of the development.

Reason: To ensure the safe operation of the public highway at the start/end of semester/academic year.

32. Waste Management Plan

No building or use hereby permitted shall be occupied or use commenced until a waste management plan setting out how waste will be stored and collected has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved waste management plan for the lifetime of the development.

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Reason: To ensure appropriate waste management facilities are provided to accommodate all waste generated by the development.

33. Car Park Management Plan

No building or use hereby permitted shall be occupied or use commenced until a car park management plan setting out how the car park will be managed has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved car park management plan for the lifetime of the development.

Reason: To ensure the safe operation of approved car park(s).

34. Sound insulation

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

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

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

Reason: To safeguard the amenity of nearby and future occupiers.

35. Noise from business uses

No commencement of use of the business space shall take place until an assessment on the potential for noise from the use affecting existing residential properties as part of this development or other residential properties in the area has been submitted to and approved in writing by the Council. The assessment shall include noise from:

- Plant and equipment
- Deliveries/collections
- Servicing of the premises

If the assessment indicates that noise from the development is likely to affect neighbouring residential properties, then a scheme of noise mitigation measures shall be submitted to and approved in writing by the Council prior to the commencement of the use of the business space.

The noise mitigation measures shall be designed so that nuisance will not be caused to the occupiers of neighbouring noise sensitive premises by noise from the development.

The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS4142: 2014 Methods for rating and assessing industrial and commercial sound, BS 8233: 2014 " Guidance on sound insulation and noise reduction for buildings

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The approved scheme shall be implemented prior to the commencement of the use and be permanently maintained thereafter.

Reason: To safeguard the amenity of nearby and future occupiers.

36. Verification Report

Prior to each phase of development being occupied/brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

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

37. To ensure completion of a programme of archaeological works

No building shall be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation for a Programme of Archaeological Works (Bristol & Bath Heritage Consultancy Ltd, November 2020) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

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

38. Tree planting plan – Landscaping (Tree Planting) works

The Planting proposals hereby approved, Tree Planting Plan (Dwg 513-CTF-XX-XX-DR-L-5004 Rev P04) shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a program, details of which shall be submitted to and agreed in writing by the local planning authority. All planted materials shall be maintained for 5 years and any trees removed, dying, being severely damaged or become seriously diseased within 5 years of planting shall be replaced with others of a similar size and species to those originally required to be planted.

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

39. Hard and Soft Landscape Works - Shown

The landscaping proposals hereby approved, Hardworks Plan (Dwg 513-CTF-XX-XX-DR-L-1003 Rev P13), Landscape Podium Plan (Dwg 513-CTF-XX-XX-DR-L-1001 Rev P08, Planting Plan (Dwg 513-CTF-XX-XX-DR-L-5003 Rev P03) shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials shall be maintained for five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within 5

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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.

40. Artificial light (external)

No phase of development shall be occupied 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 Local Planning Authority.

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

Reason: In order to safeguard the amenity of adjoining occupiers.

41. Flood Risk

The development shall be carried out in accordance with the submitted flood risk assessment (FRA) by Hydrock (ref 11536-HYD-PH1-XX-RP-FR-0001 dated 30 November 2020) and the following mitigation measures it details:

- Finished floor levels shall be set within the range 8.921 to 9.004 metres above Ordnance Datum (AOD) as outlined in FRA Appendix B – Hydrock Hydraulic Modelling Technical Design Note dated 30 November 2020.
- Flood Resilience measures referenced in FRA Appendix B – Hydrock Hydraulic Modelling Technical Design Note dated 30 November 2020 (page 6).
- A regular programme of maintenance on the River Malago during periods of low flow to be undertaken by the riparian owner in accordance with section 6.2.5 of the FRA.

These mitigation measures shall be fully implemented prior to first occupation. They shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants. To ensure a programme of riparian maintenance of the River Malago, in the interests of flood risk management.

42. Sustainability and Energy

The development shall be constructed in accordance with the Sustainability and Energy Strategy (Revision 01 – 26 January 2021) submitted in support of the application (Hoare Lea, 2021) and/or any subsequent amendments to it that have been agreed in writing by the Local Planning Authority. All measures included in the statement, including the provision of Photovoltaic panels, shall be provided and be operational, prior to the occupation of the development hereby approved.

Reason: To ensure the development incorporates measures to minimise the effects of, and can adapt to a changing climate in accordance with policies BCS13 (Climate Change), BCS14 (sustainable energy), BCS15 (Sustainable design and construction), and DM29 (Design of new buildings).

43. Noise from plant & equipment affecting residential

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The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB below the pre-existing background level as determined by BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

Reason: To safeguard the amenity of nearby and future occupiers.

44. Contamination not previously identified

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

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

Post occupation condition(s):

45. Operational access to the River Malago

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order revoking and re-enacting that order with or without modification, no structure shall be erected within 8 metres of the River Malago unless otherwise approved in writing by the local planning authority in consultation with the Environment Agency (or any successor organisation).

Reason: To ensure operational access to the River Malago is maintained in the interests of flood risk management.

46. Demountable fencing

The development hereby approved shall incorporate demountable fencing as outlined in section 8.10 of the submitted Design & Access Statement (AWW, November 2020).

Reason: To ensure operational access to the River Malago is maintained in the interests of flood risk management.

47. External lighting

The development shall be carried out in accordance with the Lighting Design (Hoare Lea, November 2020) for the site, as shown in the following plans:

513-CTF-XX-XX-RP-L-0021 Ecology and Lighting
 16-16675-XX-CALC-02 Rev. 01 (Lighting Calculations | Horizontal Lux Isoline Contours)
 16-16675-XX-CALC-03 Rev. 01 (Lighting Calculations | River - Horizontal lux levels)
 16-16675-XX-CALC-04 Rev. 01 (Lighting Calculations | River - Horizontal lux levels)

Reason: To conserve legally protected bats and other nocturnal wildlife.

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48. Drainage systems

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

49. Piling

Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed foundation construction method does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework.

50. Use of Refuse and Recycling facilities (business uses)

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 amenity of nearby and future occupiers.

51. Deliveries (business uses)

Activities relating to deliveries 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 amenity of nearby and future occupiers.

52. Opening Times (business uses)

The use of the business space shall not be carried out outside the hours of 07.00 to 23.00 on any day.

Reason: To safeguard the amenity of nearby and future occupiers.

53. 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.

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54. Protection of Parking and Servicing Provision

The areas allocated for vehicle parking, loading and unloading, circulation and manoeuvring on the approved plans shall only be used for the said purpose and not for any other purposes.

Reason: To ensure the provision and availability of satisfactory off-street parking and servicing/loading/unloading facilities for the development.

55. Travel Plan – Implemented by the Highways Authority

Prior to occupation or use commenced, evidence that the pre-occupation elements of the approved Travel Plan have been put in place shall be prepared, submitted to and approved in writing by the Local Planning Authority.

The developer shall then enable the Highways Authority to implement, monitor and review the approved Travel Plan to the satisfaction of Local Planning Authority unless agreed in writing by the Local Planning Authority.

Reason: To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling.

56. Existing resident parking scheme (RPS) / future RPS permit informing future owners / tenants

Future buyers, tenants and owners shall be informed by the current owner, landlord, or lease operator prior to the point of exchange / lease or rent that this development has been approved on the basis that it has been recommended to the transport authority that residents of this development shall be exempted from obtaining residents parking permits of the current or any future RPS in this area.

Reason: For the avoidance of doubt and future misunderstanding.

List of approved plans

57. 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.

Site Location Plan	3743A-1000	P1
Demolition Site Plan	3743A-1045	P1
Proposed Ground Floor	3743A-1080	P5
Proposed Roof Plan	3743A-1089	P2
Building A - Ground Floor	3743A-0020	P4
Building A - First/Second/Third Floor Plans	3743A-0021	P2
Building A - Fourth/Fifth/Sixth Floor Plans	3743A-0022	P2
Building A - Seventh/Eighth/Roof Plans	3743A-0023	P2
Building A - Elevations - Sheet 1	3743A-2050	P2

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Building A - Elevations - Sheet 2	3743A-2051	P2
Building A - Elevation Study Sheet	3743A-2071	P2
Building A - Area Plans and Bedroom Numbers	3743A-0026	P2
Building A - Cycle Provision	3743A-0003	P3
Building A - Refuse Area and Bin Provision	3743A-0006	P2
Building B - Ground Floor	3743A-1060	P5
Building B - First Floor	3743A-1061	P3
Building B - Second Floor	3743A-1062	P2
Building B - Third Floor	3743A-1063	P2
Building B - Fourth Floor	3743A-1064	P2
Building B - Fifth Floor	3743A-1065	P3
Building B - Sixth Floor	3743A-1066	P3
Building B - Seventh Floor	3743A-1067	P3
Building B - Eighth Floor	3743A-1068	P3
Building B - Roof Plan	3743A-1069	P3
Building B - Elevations - Sheet 1	3743A-1071	P3
Building B - Elevations - Sheet 2	3743A-1072	P3
Building B - Elevations - Sheet 3	3743A-1073	P3
Building B - Elevations - Sheet 4	3743A-1074	P3
Building B - Elevations - Sheet 5	3743A-1075	P3
Building B - Elevations - Sheet 6	3743A-1076	P3
Building B - Elevation Study Sheet	3743A-2081	P3
Building B - Area Plans and Bedroom Numbers	3743A-1090	P3
Building B - Cycle Provision	3743A-0004	P3
Building B - Refuse Area and Bin Provision	3743A-0007	P2
Hardworks Plan	1003	P13
Landscape Plan (with Adjacent Works)	1004	P03
Planting Plan	5003	P03
Tree Planting Plan	5004	P04
Landscape - Podium Plan	1001	P08
Horizontal Lux Isoline Contours	CALC-02	01
River - Horizontal Lux Levels	CALC-03	01
River - Horizontal Lux Levels (south)	CALC-04	01
Habitats - Ecology and Lighting	0021	P01
Proposed Access on Dalby Avenue	0864-031	F
Whitehouse Lane Proposed layout	0864-034	D
Vehicle Tracking - Dalby Avenue Entrance	0864-022	I
Vehicle Tracking - On site Parking spaces	0864-032	F
Foundations GA - SHT 1 of 3	0010	P2
Foundations GA - SHT 2 of 3	0020	P3
Foundations GA - SHT 3 of 3	0030	P3
Culvert Strengthening Work	0100	P1
Foundation Plan and Wessex Water Tunnel	P01	P1
Section Through Wessex Sewers	P03	P1
Student Arrival and Departure Parking Arrangements	0864-028	G
On Site Signage	0864-038	B
Site Sections - Sheet 1	3743A-0301	P2
Site Sections - Sheet 2	3743A-0302	P2
Site Sections - Sheet 3	3743A-0303	P2
Design & Access Statement (AWW, November 2020)		

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Design & Access Statement Addendum (AWW, Issue 2 – March 2021)
 Air Quality Assessment (Hydrock, 20 November 2020)
 BREEAM communities Pre-Assessment Report (Hoare Lea, 27 November 2020)
 Ecological Assessment (Ethos Environmental Planning, November 2020)
 Lighting Design (Hoare Lea, November 2020)
 Arboricultural Method Statement (Treestats Limited, October 2020)
 Written Scheme of Investigation for a Programme of Archaeological Works (Bristol & Bath Heritage Consultancy Ltd, November 2020)
 Flood Risk Assessment (Hydrock, 30 November 2020)
 Drainage Strategy Update Statement (Hydrock, 9 March 2021)
 Sustainability and Energy Strategy (Hoare Lea, Revision 01 – 26 January 2021)
 Energy & Sustainability Addendum (Hoare Lea, March 2021)
 Remediation Implementation Plan and Foundation risk Assessment (AA Environmental Limited, 25 November 2020)
 Detailed Quantitative Risk Assessment and Outline Remediation Strategy (AA Environmental Limited, September 2020)
 Transport Statement (Key Transport Consultants, November 2020)
 Travel Plan (Key Transport Consultants, November 2020)
 Transport Statement Addendum (Key Transport Consultants, March 2021)

Reason: For the avoidance of doubt.

INFORMATIVE AND ADVICE(S):

Informative

This development will require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the River Malago, designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits>.

Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the Council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Transport Development Management Team at transportDM@bristol.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Councils costs in undertaking the following actions:

- I. Drafting the Agreement
- II. A Monitoring Fee equivalent to 15% of the planning application fee
- III. Approving the highway details
- IV. Inspecting the highway works

NB: Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured, and the

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Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

Traffic Regulation Order (TRO)

You are advised that a Traffic Regulation Order (TRO) is required. You must submit a plan to a scale of 1:1000 of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straightforward; involving the public advertisement of the proposal(s) and the resolution of any objections.

You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process.

We cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway Authority's Transport Development Management Team at transportdm@bristol.gov.uk

N.B. The cost of implementing any lining, signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

Highway to be Adopted

The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's Engineering Standard Details and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980.

Contact the Highway Authority's Transport Development Management Team at DMengineering@bristol.gov.uk You will be required to pay fees to cover the Councils cost's in undertaking the following actions:

- I. Drafting the Agreement
- II. Set up costs
- III. Approving the highway details
- IV. Inspecting the highway works

To discuss the requirement for sewers, contact the Highway Authority's Flood Risk Management Team at flood.data@bristol.gov.uk You should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority.

N.B. The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

Impact on the highway network during construction

The development hereby approved, and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at traffic@bristol.gov.uk before undertaking any work, to discuss any temporary traffic

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management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

Restriction of Parking Permits – Existing Controlled Parking Zone/Residents Parking Scheme

Note that in deciding to grant permission, the Committee/Planning Service Director also decided to recommend to the Council's Executive in its capacity as Traffic Authority in the administration of the existing Controlled Parking Zone of which the development forms part, that the development should be treated as car free / low-car and the occupiers ineligible for resident parking permits.

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.

Highway Condition Survey

The development hereby approved includes the carrying out of a Highway Condition Survey. To agree the extent of the area to be surveyed contact the Highway Authority's Transport Development Management Team at transportDM@bristol.gov.uk

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

Private Road

You are advised that as a result of the proposed layout and construction of the internal access road, the internal access road will not be accepted for adoption by the Highway Authority under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980, unless and until you agree to exempt the access road. The exemption from adoption will be held as a Land Charge against all properties within the application boundary. Contact the Highway Authorities Transport Development Management Team at DMengineering@bristol.gov.uk

Street Name and Numbering

You are advised that to ensure that all new properties and streets are registered with the emergency services, Land Registry, National Street Gazetteer and National Land and Property Gazetteer to enable them to be serviced and allow the occupants access to amenities including but not limited to; listing on the Electoral Register, delivery services, and a registered address on utility companies databases, details of the name and numbering of any new house(s) and/or flats/flat conversion(s) on existing and/or newly constructed streets must be submitted to the Highway Authority.

Any new street(s) and property naming/numbering must be agreed in accordance with the Councils Street Naming and Property Numbering Policy and all address allocations can only

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be issued under the Town Improvement Clauses Act 1847 (Section 64 & 65) and the Public Health Act 1925 (Section 17, 18 & 19). Please see www.bristol.gov.uk/registeraddress

Stopping Up/Diversion of Adopted Highway

You are advised that to facilitate the development an order must be obtained to stop up or divert the adopted highway under sections 247 and 248 of the Town and Country Planning Act 1990. Please see www.gov.uk/government/publications/stopping-up-and-diversion-of-highways or contact the National Transport Casework Team at nationalcasework@dft.gov.uk

Structure Adjacent To/Within 6m of the Highway

The development hereby approved includes the construction of structures adjacent to or within six metres of the adopted highway. You are advised that before undertaking any work on the adopted highway you must prepare and submit an AiP Structural Report.

You will be required to pay technical approval fees (as determined by the proposed category of structure to be assessed) before the report will be considered and approved. Contact the Highway Authority's Bridges and Highway Structures Team at bridges.highways@bristol.gov.uk.

Supporting Documents

1. Plot 3 Dalby Avenue And Whitehouse Lane.

1. The development sites in Bedminster Green
2. Ground floor plan
3. Roof plan
4. Landscape plan (with adjacent works)
5. Building A – Elevations – Sheet 1
6. Building A – Elevations – Sheet 2
7. Building B – Elevations – Sheet 1
8. Building B – Elevations - Sheet 2
9. Detailed comments from Transport Development Management

The Development Sites

Key Sites

There are five key sites within the Framework that in combination are in need of development to create a better city environment and make more effective use of the area, that is approximately 6 hectares in extent. The five key sites and the developers are:

- 1** Pring & Hill Site, Malago Road
A2 Dominion
- 2** St Catherine's Place
Firmstone Consortia One
- 3** Dalby Avenue Car Park
Deeley Freed
- 4** Stafford Street & Little Paradise
Dandara
- 5** Land adjacent to Dalby Avenue
Dandara (owned by Bristol City Council)

Additionally there is an area that could be included subject to further consideration:

- Little Paradise(s) Car Park**

Each developer has its own team of consultants, including different architects. This Framework is led by Nash Partnership, who are not part of the individual teams.

These are the key areas to bringing forward proposals in Bedminster Green. Bristol City Council is a key landowner. There are also areas of third party ownership.

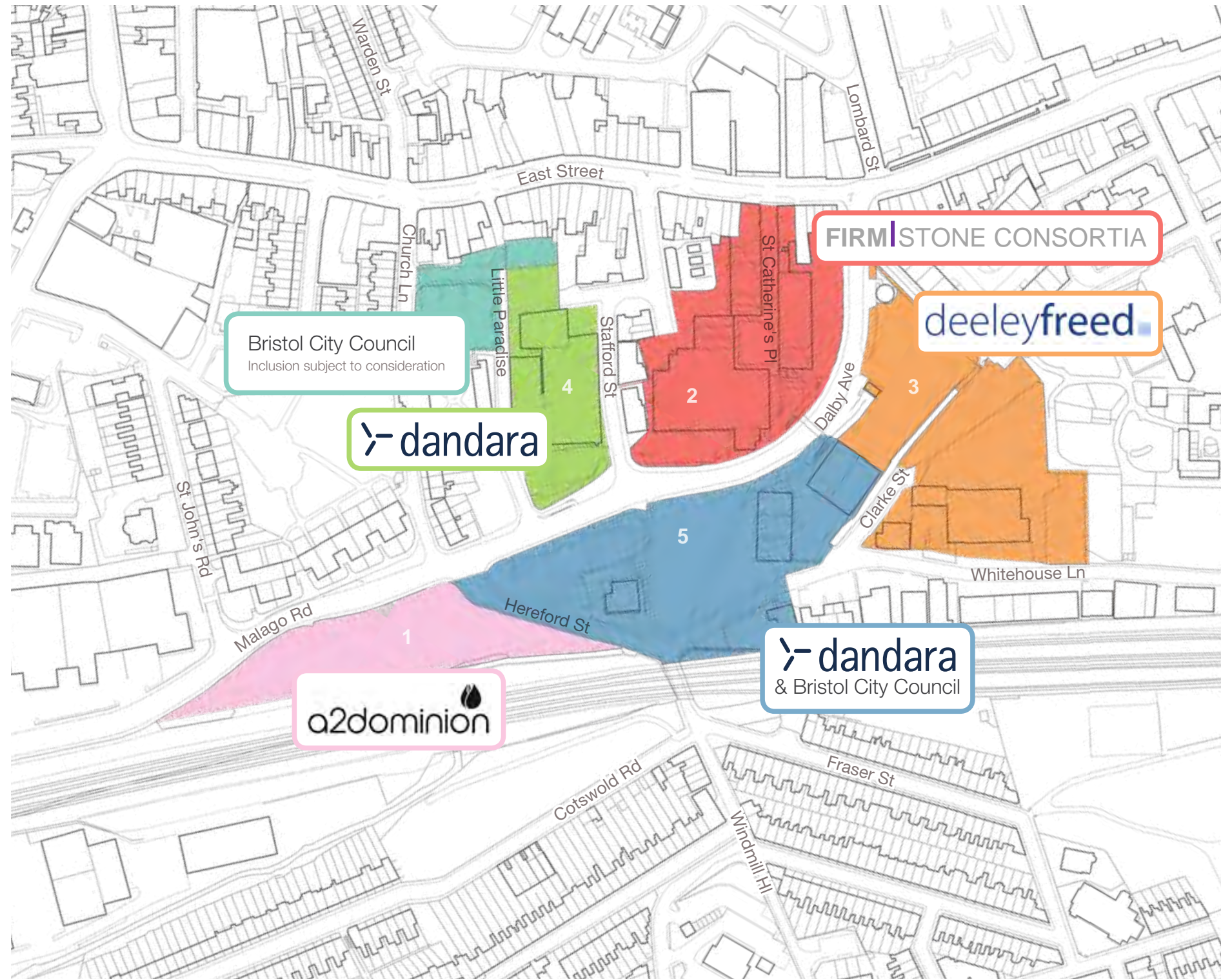
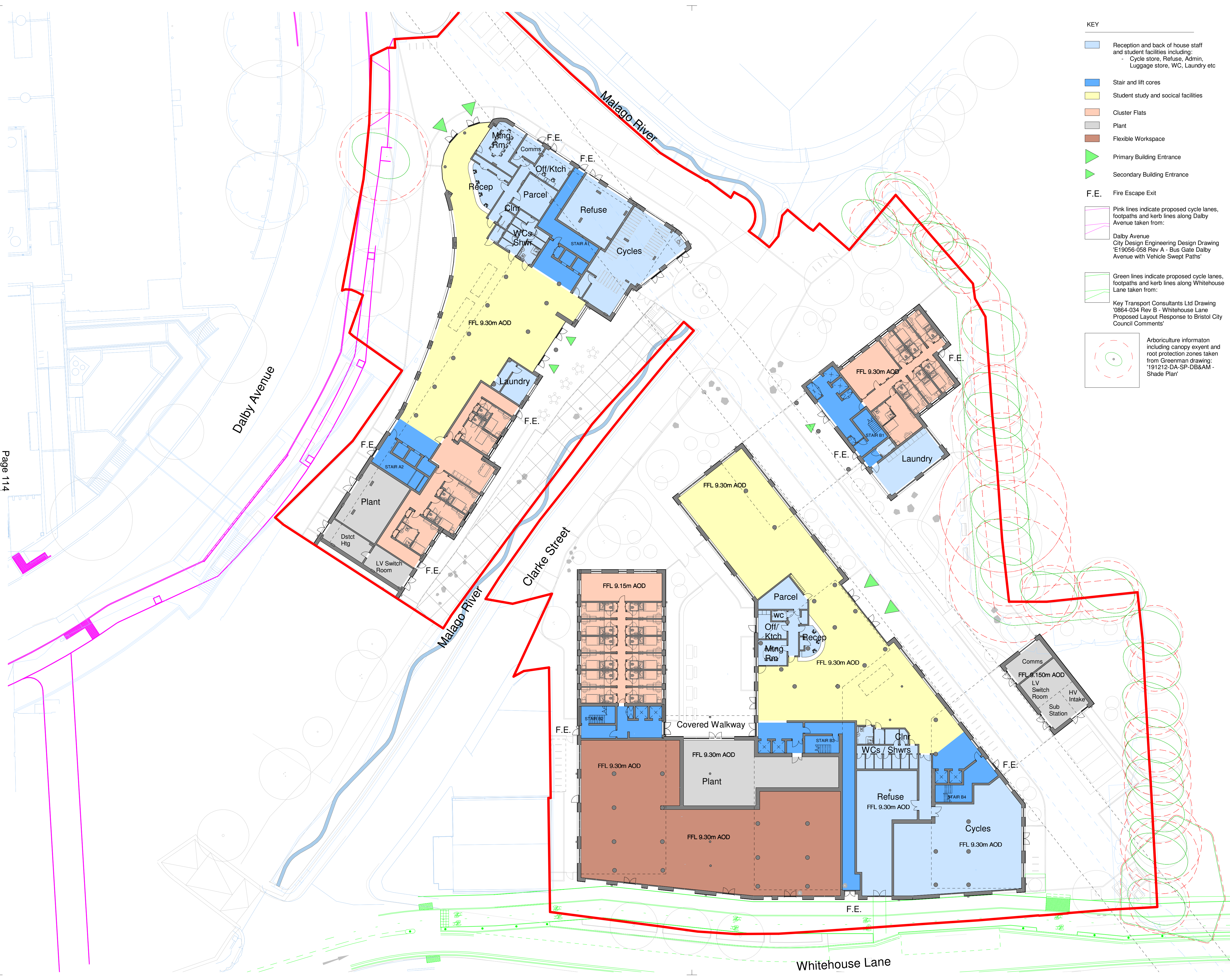


Figure 3 | Bedminster Green Area Five Key Sites



- KEY**
- Reception and back of house staff and student facilities including:
 - Cycle store, Refuse, Admin, Luggage store, WC, Laundry etc
 - Stair and lift cores
 - Student study and social facilities
 - Cluster Flats
 - Plant
 - Flexible Workspace
 - Primary Building Entrance
 - Secondary Building Entrance
 - F.E.** Fire Escape Exit
 - Pink lines indicate proposed cycle lanes, footpaths and kerb lines along Dalby Avenue taken from:
 - Dalby Avenue
 - City Design Engineering Design Drawing 'E19056-058 Rev A - Bus Gate Dalby Avenue with Vehicle Swept Paths'
 - Green lines indicate proposed cycle lanes, footpaths and kerb lines along Whitehouse Lane taken from:
 - Key Transport Consultants Ltd Drawing '0864-034 Rev B - Whitehouse Lane Proposed Layout Response to Bristol City Council Comments'
 - Arboriculture information including canopy extent and root protection zones taken from Greenman drawing: '191212-DA-SP-DB&AM - Shade Plan'

Notes
 This drawing may be scaled for the purposes of Planning Applications, Land Registry and for Legal plans where the scale bar is used, and where it verifies that the drawing is an original or an accurate copy. It may not be scaled for construction purposes.
 Always refer to figured dimensions. All dimensions are to be checked on site. Discrepancies and/or ambiguities between this drawing and information given elsewhere must be reported immediately to the office for clarification before proceeding. All drawings are to be read in conjunction with the specification and all works to be carried out in accordance with latest British Standards / Codes of Practice.

Rev	Date	Init	Notes	Chkd
P5	18.03.21	JDF	Updated to minor change in CTF landscape arrangement.	JF
P4	08.03.21	AJS	Updated with Key Transports latest proposals for Whitehouse Lane and CTF latest landscape layout	JF
P3	02.03.21	AJS	Fire escape door removed from lift lobby adjacent to Stair B4	JF
P2	02.03.21	AJS	Building A laundry relocated and cycle store increased in size. Building A ground floor 7 bed Student Cluster changed to a 5 bed Wardens Cluster. Building B Ground floor Plant, Refuse, Flexible Workspace and Cycle Store layouts re-planned. Building B, Block 1 core and cluster layout updated to reduce massing on upper floors and add natural light to core on all levels. 10 bed Cluster in center of Building B replaced with Social Space at ground floor. Accessible bedroom added to ground floor Cluster in Building B, Block 1. Building B pulled back from Whitehouse Lane. External covered cycle parking added to west side of flexible workspace units	JF
P1	27.11.20	LI	Planning Issue	AJS

Client _____

Drawing Originator
AWW
 London - 106 Weston Street, SE1 3QB 020 7160 6000
 Plymouth - East Quay House, PL4 0HX 01752 261 282
 Bristol - pivot + mark, 48 - 52 Baldwin Street, BS1 1QB 0117 923 2535
 RIBA Chartered Practice aww-uk.com

Project Title
Student Accommodation and Flexible Workspace at Dalby Avenue and Whitehouse Lane, Plot 3, Bedminster, Bristol

Drawing Title
Plot 3 - Proposed Ground Floor

Scale	Sheet	Drawn	Checked	Date
1 : 250	A0	AJS	IJ	01/10/19

Status	Project No.
PLANNING	3743A

Drawing Reference	Drawing No.	Revision
1080		P5

Notes
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P2	02.03.21	AJS	Block 1 footprint amended and heights reduced	JF
P1	27.11.20	LI	Planning Issue	AJS
Rev	Date	Init	Notes	Chkd

Client

Drawing Originator

London - 106 Weston Street, SE1 3QB 020 7190 6000
 Plymouth - East Quay House, PL4 0HX 01752 261 282
 Bristol - pivot + mark, 48 - 52 Baldwin Street, BS1 1OB 0117 923 2535
 RIBA Chartered Practice www-uk.com

Project Title
Student Accommodation and Flexible Workspace at Dalby Avenue and Whitehouse Lane, Plot 3, Bedminster, Bristol

Drawing Title
Plot 3 - Proposed Roof Plan

Scale	Sheet	Drawn	Checked	Date
1 : 250	A0	AJS	IJ	
Status	Project No.			
PLANNING	3743A			
Drawing Reference	Drawing No.	Revision		
	1089	P2		



Page 116

LEGEND:
Paving, Finishes, Kerbs, Edges and Furniture

- PV-01 Dalby Avenue Shared Footway + Cycle Route
Concrete block sub paving
- PV-02 'Malago Park' Paving
Herringbone block paving
- PV-03 Bridge
Precast concrete bridge over swale
- PV-04 Threshold Strips
Resin bound gravel
- PV-05 Whitehouse Lane Footway
Block seal paving
- PV-06 Clarke Street Paving
Block seal
- PV-07 Reinforced Planted Paving
Block paving
- KE-01 Quality concrete kerb (flush)
- KE-02 Quality concrete kerb (upstand)
- KE-03 Quality concrete kerb (with drainage slots)
- KE-04 Quality concrete coping to terrace
- FW-01 Stone Wall
1100mm high to Malago River boundary to match existing
- FW-02 Fencing and gate
1100mm high fat bar railings with flat top
- FW-03 Fencing and double gate
2100mm high fat rail railings with flat top
- FW-04 Guard rail
1100mm high curved post and rail guarding
- FW-05 Planter
Plastic resin planter system
- FW-06 Guard rail and gate on plinth
New stone plinth with stone coping, with 1100mm high curved post and rail guarding fixed to top
- FW-07 Stone wall
Existing wall lowered, made good and topped with stone coping. Height 1500mm
- FF-01 Stone Boulders and Rocks
Natural boulder and rock features within the riparian and basin areas
- FF-02 Benches
With back and arm rests. Durable and maintainable material
- FF-03 Cafe Style Table and Chairs
Movable
- FF-04 Bench
Without back and arm rests
- FF-05 Bench
Circular informal bench
- FF-06 Bench
Picnic bench and tables, for informal dining and recreation
- FF-07 Cycle Stands
Visitor cycle parking (Number TBC)
Stainless Steel - with locking points
- FF-08 Bollard
Timber bollard (fixed)
- FF-09 Information boards
For wildlife and history of the site (tbc)
- FF-10 Bus Stand
By others

- Site Boundary
- Extent of Adopted Highway
3m wide pavement
- Off-site works boundary

NOTES

All information showing on this drawing is work in progress and details are subject and likely to change.

This information should be used for indicative calculations only and used as a guide.

This should not be used for planning or construction purposes.

Do not scale drawings. All dimensions to be checked on site.
Errors to be reported immediately to landscape architect.
To be read in conjunction with all relevant architects, Services and engineers drawings.

Revision Tracker	Status	Date
P01 - For Information	S2	21.05.2021
P02 - For Information	S2	07.06.2021
P03 - For Information	S2	08.06.2021

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Bristol
1.14 Temple Studios,
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mail@churchmanthornhillfinch.co.uk

Date 18.05.2021
Scale 1:500/A1
Drawn RS/DF

Location Bedminster, Bristol
Client Sydney Freed (Holdings)

Student Accommodation and Flexible Workspace
at Dalby Avenue and Whitehouse Lane, Plot 3
Landscape Plan (with Adjacent Works)

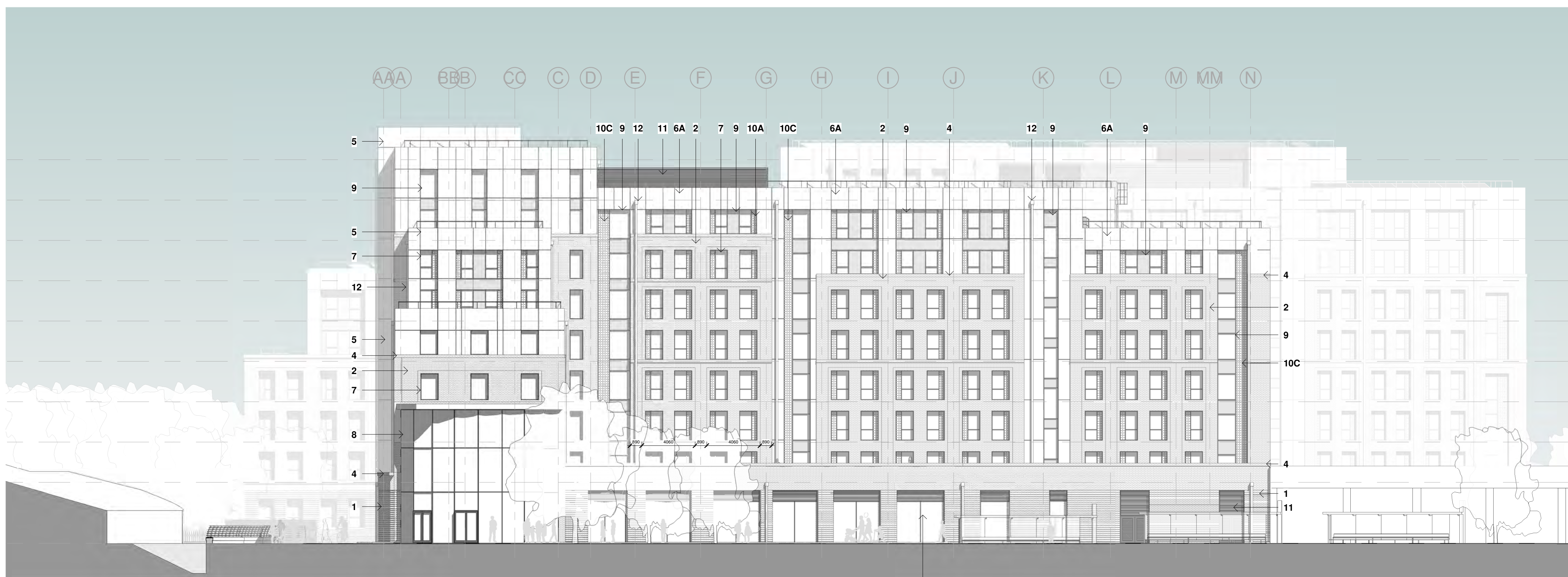
513-CTF-XX-XX-DR-L-1004

Status **S2**

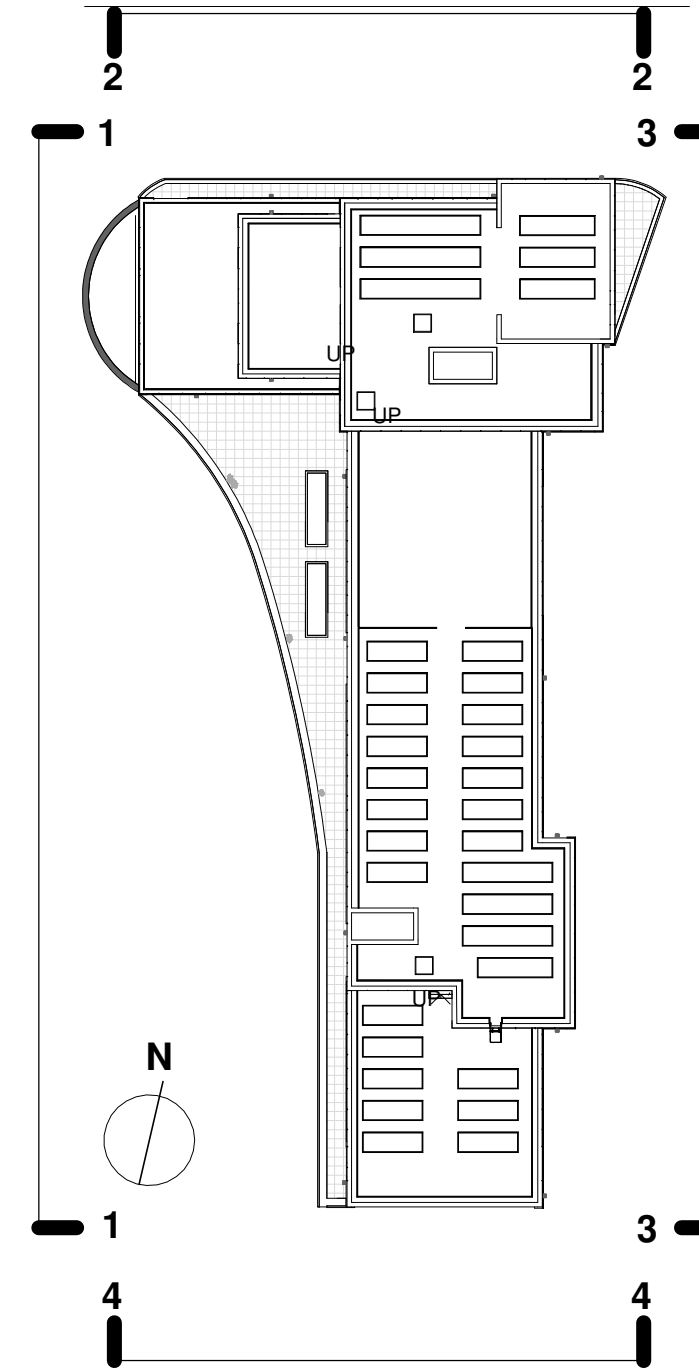
Revision **P03**

Notes
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- 0022 - A09 Roof Plan
38550
- A08 - Eighth Floor
35475
- A07 - Seventh Floor
32400
- 0022 - A06 - Sixth Floor
29325
- 0022 - A05 - Fifth Floor
26250
- A04 - Fourth Floor
23175
- A03 - Third Floor
20100
- A02 - Second Floor
17025
- A01 - First Floor
13950
- A00 - Ground Floor
9300



West Elevation 1-1 Dalby Avenue
1 : 200



Key Plan
1 : 500

P2 02/03/21 JF Contrasting horizontal brick band added at first floor all level across all buildings - Alternating projecting brick course added from ground across all buildings - Top storey parapets lowered with inset handrail behind - Top storey metal cladding increased from 1 to 2 storeys in some instances - Lift and stair core punch hole windows replaced with full height curtain walling with spandrel panels at floor and stair landing levels - Punch hole bedroom windows in metal cladding replaced with 1 and 2 storey high curtain walling with spandrel panels between pairs of bedrooms and at floor levels - Punch hole communal K/L/D room windows in metal cladding increased in width and replaced with full height curtain walling with spandrel panels at floor levels - Metal cladding colours amended to provide a unique colour to each building block - Punch hole communal K/L/D room windows in brick elevations increased in width and replaced with 1, 2 and 3 storey high curtain walling with spandrel panels at floor levels - 1, 2 and 3 storey high brick recess detail added to either side of brick window reveals - Building corner treatment generally updated with brick or metal cladding wrap around - Louvers to bedroom & K/L/D room windows replaced with a perforated metal panel and to communal K/L/D rooms with unique colour to each building block - Alternative brick colour proposed to rear elevation 3-3 between G/Ls J-L.

P1 27/11/20 LJ Planning Issue
 Rev Date Init Notes Crkd

Client

Drawing Originator
AWW
 London - 106 Weston Street, SE1 3QB 020 7160 6000
 Plymouth - East Quay House, PL4 0HX 01752 261 282
 Bristol - pivot + mark, 48 - 52 Baldwin Street, BS1 1QB 0117 923 2535
 RIBA Chartered Practice www-uk.com

Project Title
Student Accommodation and Flexible Workspace at Dalby Avenue and Whitehouse Lane, Plot 3, Bedminster, Bristol

Drawing Title
Building A - Elevations - Sheet 1

Scale	Sheet	Drawn	Checked	Date
As indicated	A0	AJS	IJ	Sept '20
Status	Project No. 3743A			
PLANNING	Drawing No. 2050 Revision P2			

- 0022 - A09 Roof Plan
38550
- A08 - Eighth Floor
35475
- A07 - Seventh Floor
32400
- 0022 - A06 - Sixth Floor
29325
- 0022 - A05 - Fifth Floor
26250
- A04 - Fourth Floor
23175
- A03 - Third Floor
20100
- A02 - Second Floor
17025
- A01 - First Floor
13950
- A00 - Ground Floor
9300



North Elevation 2-2 River Malago
1 : 200

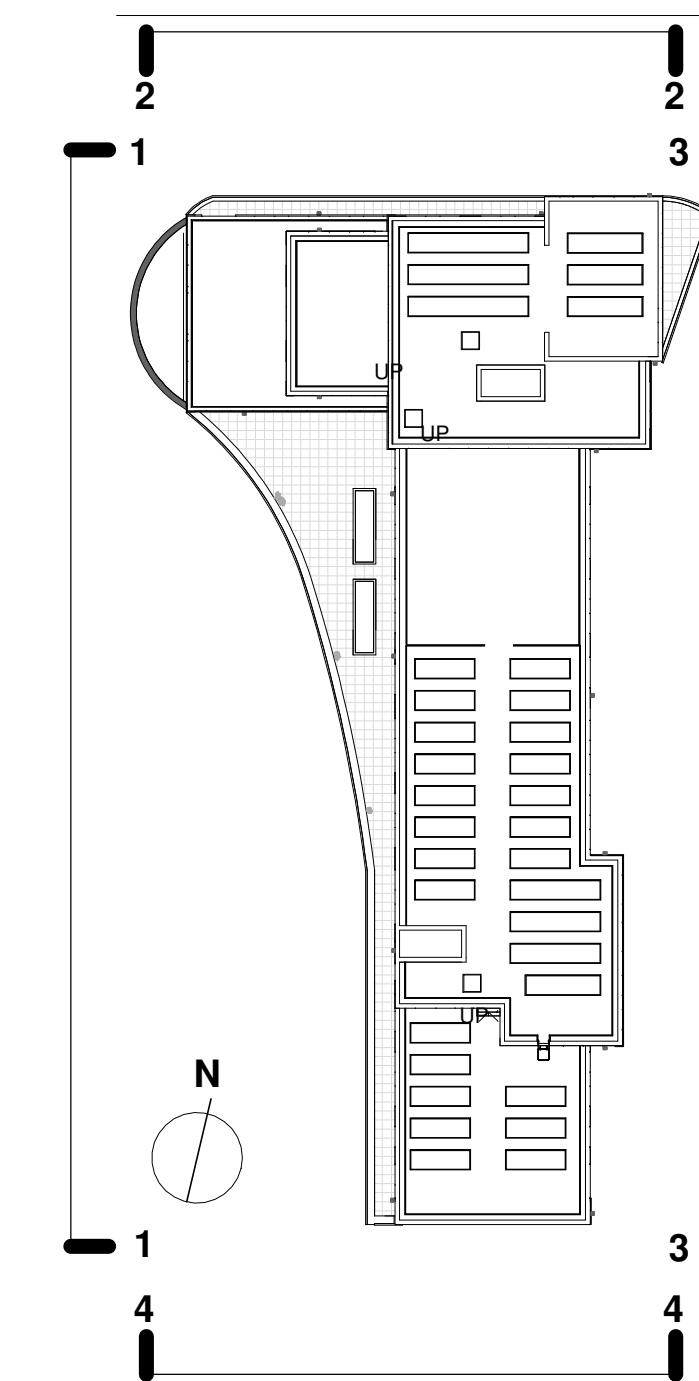
Key

- 1 Alternating Projecting Course Brickwork**
Stretcher / Running Bond Buff/Brown / multi coloured stock brick to ground floor
- 2 Brickwork**
Stretcher / Running Bond Buff/Brown / multi coloured stock brick with recessed detail around windows
- 3 Alternate Brickwork**
Stretcher / Running Bond Buff/Brown / multi coloured stock brick with recessed detail around windows
- 4 Horizontal Brick Band and Coping**
3 courses of contrasting glazed/lighter coloured brick
- 5 Feature Metal Cladding**
Bronze coloured metal cladding panel
- 6 Metal Cladding Panel**
A Grey coloured to Building A
B Brown coloured to Building B Block 1
C Red coloured to Building B Block 2
D Blue coloured to Building B Block 3
E Green coloured to Building B Block 4
F Grey coloured to Building B through-route
- 7 Aluminium Frame Windows**
Dark grey colour frames.
- 8 Curtain Walling**
Dark grey colour frames. Typically with integrated metal louvres at high level to ground floor.
- 9 Curtain Walling**
Dark grey colour frames with reflective spandrel panels typically between floors and between windows where necessary.
- 10 Integrated Perforated Metal Panel**
A Grey coloured to Student Bedrooms
B Grey coloured to Building B Block 1 Cluster K/L/D spaces
C Brown coloured to Building A Cluster K/L/D spaces
D Red coloured to Building B Block 2 Cluster K/L/D spaces
E Blue coloured to Building B Block 2 Cluster K/L/D spaces
F Green coloured to Building B Block 3 Cluster K/L/D spaces
- 11 Grey Coloured Metal Louvres**
Providing ventilation, typically to plant & refuse spaces with integrated door openings.
- 12 Rainwater Pipes**
Square-profile rainwater pipes & hoppers. Coloured to match window frame.

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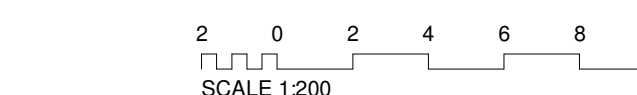
East Elevation 3-3 - Clarke Street
 1 : 200



Key Plan
 1 : 500

P2 02/03/21 JF Contrasting horizontal brick band added at first floor all level across all buildings - Alternating projecting brick course added from ground across all buildings - Top storey parapets lowered with inset handrail behind - Top storey metal cladding increased from 1 to 2 storeys in some instances - Lift and stair core punch hole windows replaced with full height curtain walling with spandrel panels at floor and stair landing levels - Punch hole bedroom windows in metal cladding replaced with 1 and 2 storey high curtain walling with spandrel panels between pairs of bedrooms and at floor levels - Punch hole communal K/L/D room windows in metal cladding increased in width and replaced with full height curtain walling with spandrel panels at floor levels - Metal cladding colours amended to provide a unique colour to each building block - Punch hole communal K/L/D room windows in brick elevations increased in width and replaced with 1, 2 and 3 storey high curtain walling with spandrel panels at floor levels - 1, 2 and 3 storey high brick recess detail added to either side of brick window reveals - Building corner treatment generally updated with brick or metal cladding wrap around - Louvers to bedroom & K/L/D room windows replaced with a perforated metal panel and to communal K/L/D rooms with unique colour to each building block - Alternative brick colour proposed to rear elevation 3-3 between G/Ls J-L.

P1 27/11/20 LJ Planning Issue
 Rev Date Int Notes Crkd



Client

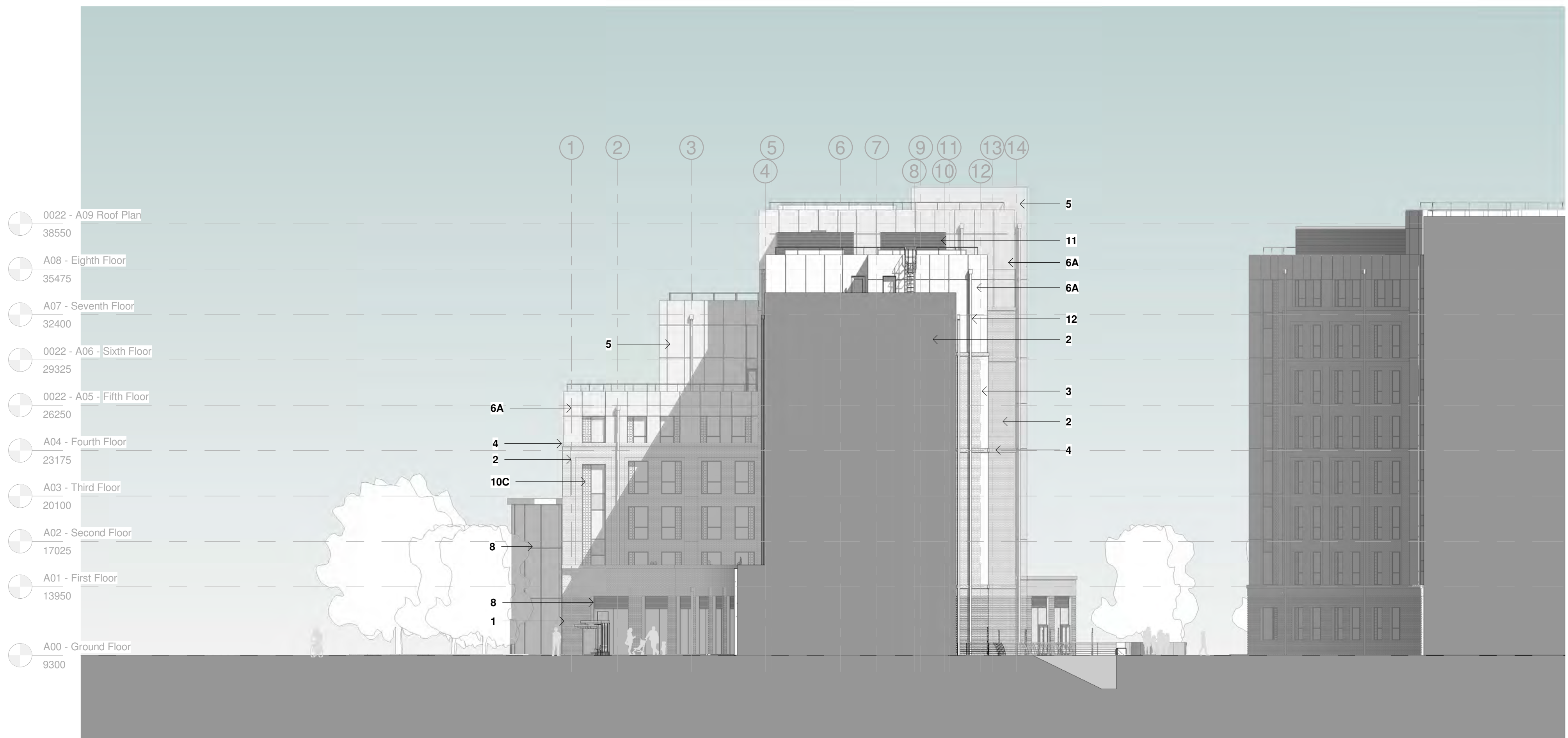
Drawing Originator



Project Title
Student Accommodation and Flexible Workspace at Dalby Avenue and Whitehouse Lane, Plot 3, Bedminster, Bristol

Drawing Title
Building A - Elevations - Sheet 2

Scale	Sheet	Drawn	Checked	Date
1:200	A1	AJS	IJ	Sept '20
Status	Project No.			
PLANNING	3743A			
Drawing Reference	Drawing No.	Revision		
	2051	P2		



South Elevation 4-4
 1 : 200

Key

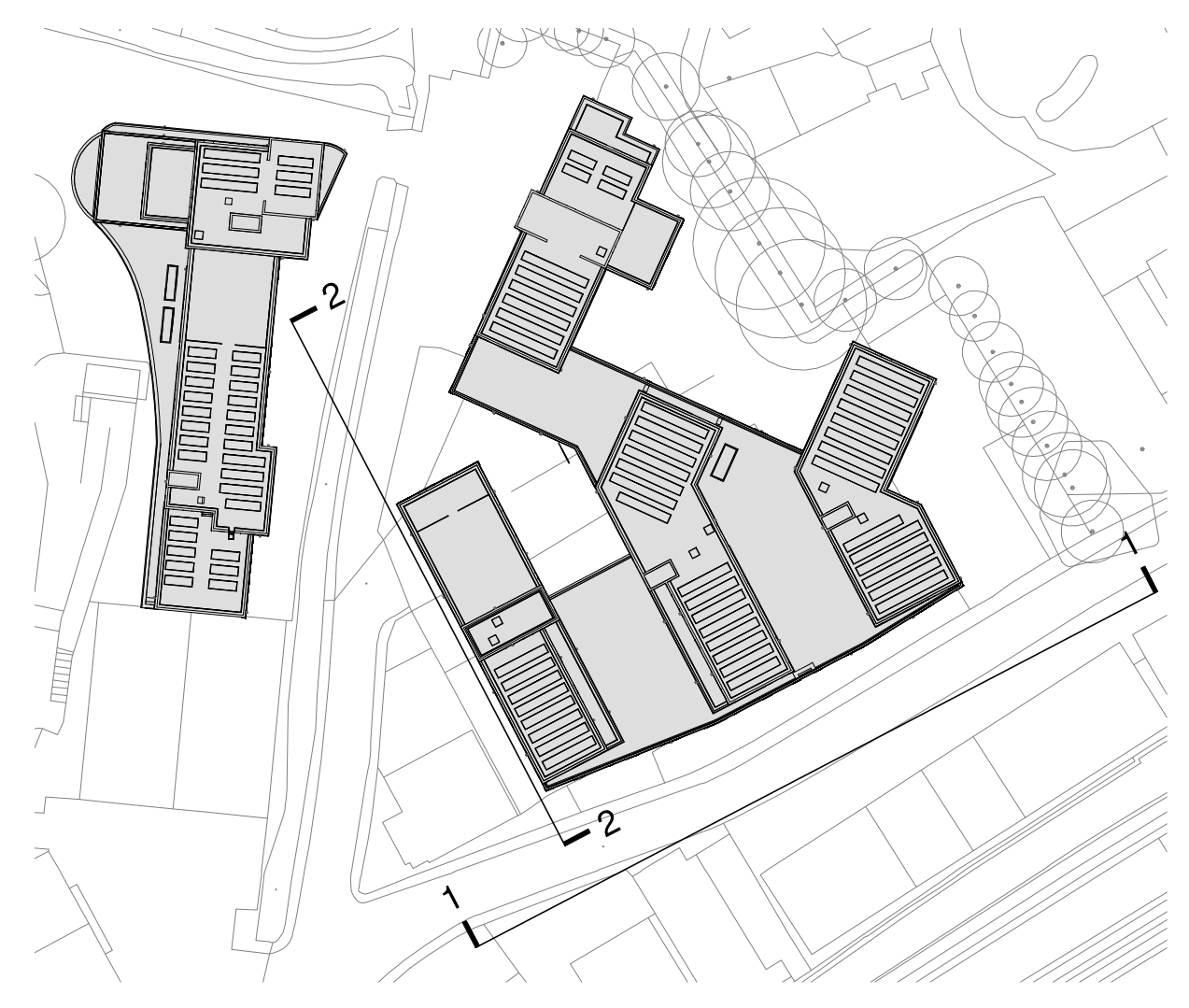
- 1 Alternating Projecting Course Brickwork**
 Stretcher / Running Bond Buff/Brown / multi coloured stock brick to ground floor
- 2 Brickwork**
 Stretcher / Running Bond Buff/Brown / multi coloured stock brick with recessed detail around windows
- 3 Alternate Brickwork**
 Stretcher / Running Bond Buff/Brown / multi coloured stock brick with recessed detail around windows
- 4 Horizontal Brick Band and Coping**
 3 courses of contrasting glazed/lighter coloured brick
- 5 Feature Metal Cladding**
 Bronze coloured metal cladding panel
- 6 Metal Cladding Panel**
 - A Grey coloured to Building A
 - B Brown coloured to Building B Block 1
 - C Red coloured to Building B Block 2
 - D Blue coloured to Building B Block 3
 - E Green coloured to Building B Block 4
 - F Grey coloured to Building B through-route
- 7 Aluminium Frame Windows**
 Dark grey colour frames.
- 8 Curtain Walling**
 Dark grey colour frames. Typically with integrated metal louvres at high level to ground floor.
- 9 Curtain Walling**
 Dark grey colour frames with reflective spandrel panels typically between floors and between windows where necessary.
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 - A Grey coloured to Student Bedrooms
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 - E Blue coloured to Building B Block 2 Cluster K/L/D spaces
 - F Green coloured to Building B Block 3 Cluster K/L/D spaces
- 11 Grey Coloured Metal Louvres**
 Providing ventilation, typically to plant & refuse spaces with integrated door openings.
- 12 Rainwater Pipes**
 Square-profile rainwater pipes & hoppers. Coloured to match window frame.

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Page 119



Elevation 1-1 Whitehouse Lane
 1 : 200



Key Plan



Key

- 1 **Alternating Projecting Course Brickwork**
 Stretcher / Running Bond Buff/brown / multi coloured stock brick to ground floor
- 2 **Brickwork**
 Stretcher / Running Bond Buff/brown / multi coloured stock brick with recessed detail around windows
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 Bronze coloured metal cladding panel
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 E Blue coloured to Building B Block 2 Cluster K/L/D spaces
 F Green coloured to Building B Block 3 Cluster K/L/D spaces
- 11 **Grey Coloured Metal Louvres**
 Providing ventilation, typically to plant & refuse spaces with integrated door openings.
- 12 **Rainwater Pipes**
 Square-profile rainwater pipes & hoppers. Coloured to match window frame.

P2 02.03.21 JF Contrasting horizontal brick band added at first floor all level across all buildings - Alternating projecting brick course added from ground across all buildings - Top storey parapets lowered with inset handrail behind - Top storey metal cladding increased from 1 to 2 storeys in some instances - Lift and stair core punch hole windows replaced with full height curtain walling with spandrel panels at floor and stair landing levels - Punch hole bedroom windows in metal cladding replaced with 1 and 2 storey high curtain walling with spandrel panels between pairs of bedrooms and at floor levels - Punch hole communal K/L/D room windows in metal cladding increased in width and replaced with full height curtain walling with spandrel panels at floor levels - Metal cladding colours amended to provide a unique colour to each building block - Punch hole communal K/L/D room windows in brick elevations increased in width and replaced with 1, 2 and 3 storey high curtain walling with spandrel panels at floor levels - 1, 2 and 3 storey high brick recess detail added to either side of brick window reveals - Building corner treatment generally updated with brick or metal cladding wrap around - Louvers to bedroom & K/L/D room windows replaced with a perforated metal panel and 8 to communal K/L/D rooms with unique colour to each building block - Alternative brick colour proposed to south elevation of Block 1

P1 27.11.20 LJ Planning Issue

Rev	Date	Init	Notes	Chkd

Client

Drawing Originator
AWW
 London - 106 Weston Street, SE1 3QB 020 7180 6000
 Plymouth - East Quay House, PL4 0HX 01752 261 282
 Bristol - pivot + mark, 48 - 52 Baldwin Street, BS1 1QB 0117 923 2535
 RIBA Chartered Practice aww-uk.com

Project Title
Student Accommodation and Flexible Workspace at Daby Avenue and Whitehouse Lane, Plot 3, Bedminster, Bristol

Drawing Title
Building B - Elevations - Sheet 1

Scale	Sheet	Drawn	Checked	Date
	A0	AJS	IJ	June 20

Status	Project No.
PLANNING	3743A
Drawing Reference	Drawing No. / Revision
	1071 / P2

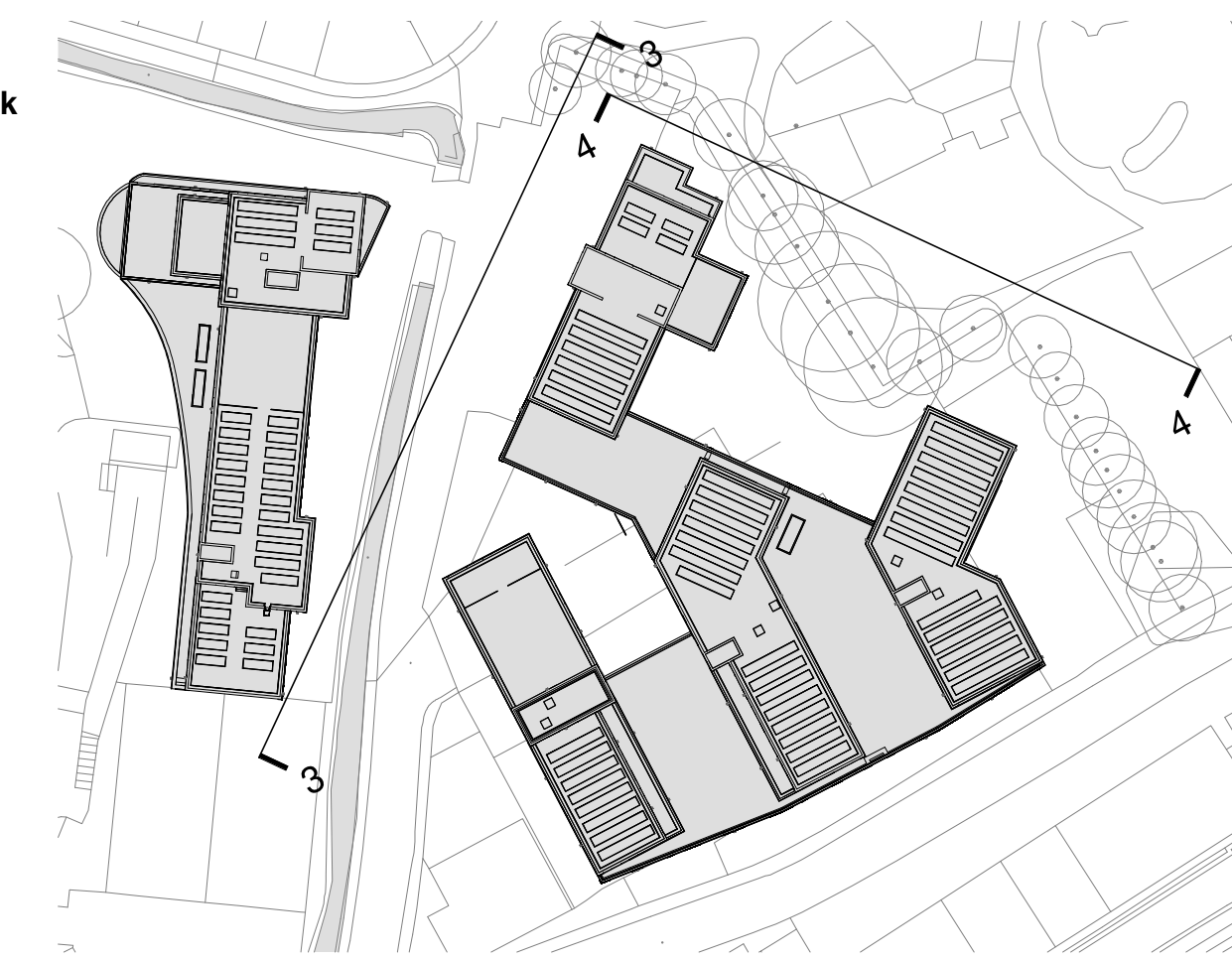
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Elevation 3-3 - Clarke Street (River Malago)
 1 : 200

Key

- 1 Alternating Projecting Course Brickwork**
 Stretcher / Running Bond Buff/brown / multi coloured stock brick to ground floor
- 2 Brickwork**
 Stretcher / Running Bond Buff/brown / multi coloured stock brick with recessed detail around windows
- 3 Alternate Brickwork**
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- 4 Horizontal Brick Band and Coping**
 3 courses of contrasting glazed/lighter coloured brick
- 5 Feature Metal Cladding**
 Bronze coloured metal cladding panel
- 6 Metal Cladding Panel**
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 - D** Blue coloured to Building B Block 3
 - E** Green coloured to Building B Block 4
 - F** Grey coloured to Building B through-route
- 7 Aluminium Frame Windows**
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- 9 Curtain Walling**
 Dark grey colour frames with reflective spandrel panels typically between floors and between windows where necessary.
- 10 Integrated Perforated Metal Panel**
 - A** Grey coloured to Student Bedrooms
 - B** Grey coloured to Building B Block 1 Cluster K/L/D spaces
 - C** Brown coloured to Building A Cluster K/L/D spaces
 - D** Red coloured Building B Block 4 Cluster K/L/D spaces
 - E** Blue coloured to Building B Block 2 Cluster K/L/D spaces
 - F** Green coloured to Building B Block 3 Cluster K/L/D spaces
- 11 Grey Coloured Metal Louvres**
 Providing ventilation, typically to plant & refuse spaces with integrated door openings.
- 12 Rainwater Pipes**
 Square-profile rainwater pipes & hoppers. Coloured to match window frame.



Key Plan

Page 120

P2 02.03.21	JF	Contrasting horizontal brick band added at first floor all level across all buildings - Alternating projecting brick course added from ground across all buildings - Top storey parapets lowered with inset handrail behind - Top storey metal cladding increased from 1 to 2 storeys in some instances - Lift and stair core punch hole windows replaced with full height curtain walling with spandrel panels at floor and stair landing levels - Punch hole bedroom windows in metal cladding replaced with 1 and 2 storey high curtain walling with spandrel panels between pairs of bedrooms and at floor levels - Punch hole communal K/L/D room windows in metal cladding increased in width and replaced with full height curtain walling with spandrel panels at floor levels - Metal cladding colours amended to provide a unique colour to each building block - Punch hole communal K/L/D room windows in brick elevations increased in width and replaced with 1, 2 and 3 storey high curtain walling with spandrel panels at floor levels - 1, 2 and 3 storey high brick recess detail added to either side of brick window reveals - Building corner treatment generally updated with brick or metal cladding wrap around - Louvers to bedroom & K/L/D room windows replaced with a perforated metal panel and 8 to communal K/L/D rooms with unique colour to each building block - Alternative brick colour proposed to south elevation of Block 1	AJS	
P1 27.11.20	LI	Planning Issue	AJS	
Rev	Date	Init	Notes	Chkd



1072 - Elevation 4-4 City Farm Boundary
 1 : 200

Client

Drawing Originator
AWW
 London - 106 Weston Street, SE1 3QB 020 7180 6000
 Plymouth - East Quay House, PL4 0HX 01752 261 282
 Bristol - pivot + mark, 48 - 52 Baldwin Street, BS1 1OB 0117 923 2535
 RIBA Chartered Practice aww-uk.com

Project Title
Student Accommodation and Flexible Workspace at Dalby Avenue and Whitehouse Lane, Plot 3, Bedminster, Bristol

Drawing Title
Building B - Elevations - Sheet 2

Scale	Sheet	Drawn	Checked	Date
As indicated	A0	AJS	IJ	June '20
Status	PLANNING		Project No.	3743A
Drawing Reference	Drawing No.	Revision		
	1072	P2		



Strategic City Transport

Transport Development Management

Application Response

To: David Grattan, Development Management Team
From: Luke Phillips, Transport Development Management
Date: 18th June 2021
Address: Plot 3 Dalby Avenue and Whitehouse Lane Bristol
Application No: 20/05811/F
Proposal: Proposed redevelopment of the site, including demolition works, to provide mixed use development comprising student accommodation (84 cluster units and amenity spaces) and ground floor business space (675sqm GIA) together with associated parking and vehicle servicing arrangements, public realm and landscaping, and associated works. (Major)
Response: **Final**
Recommendation: **Approval subject to s106 and conditions**

Strategic Background

The proposed development site forms a significant component of the wider Bedminster Green regeneration. From a transport perspective, the following matters are of crucial importance if this collection of five major high-density residential developments is to be successful in terms of movement and placemaking:

- Accessibility to the wider area
- Minimisation of negative impacts (i.e. reliance on the private car)
- Encouragement and promotion of sustainable modes of travel
- Delivery of works that enhance the public realm
- Contribution towards wider strategic transport interventions

In line with local and government policy, TDM requires each of the Bedminster Green developments to play their part through: successful and legible masterplanning, the formulation of layouts that compliment strategic transport objectives, and financial contributions towards the delivery of infrastructure that will provide each new resident with viable travel alternatives to the private car, whilst avoiding detrimental impacts on the surrounding area.

The BG consortium appointed Stantec Transport consultants to produce a Strategic Transport Assessment for the wider BG area, and upon which much of the above has been established. Following this, BCC has developed further the wider A38 Malago Road / Whitehouse Lane / Hereford Street infrastructure package and this has been submitted for public consultation. The works are to be delivered via BCC's Strategic CIL (Community Infrastructure Levy) funds.

Principle

Following TDM's initial comments dated the 21st January 2021 the applicant has provided amended plans and a transport addendum addressing the concerns raised. It is noted the development mix has now been amended to 628m² (previously 686m²) of flexible workspace provided along the Whitehouse Lane frontage. There has also been a reduction in the number of student beds reducing from 837 to 819 and the number of clusters reducing from 84 to 82. This has not changed since TDM's revised comments dated 13th May 2021.

BCC Whitehouse Lane Frontage

The applicant has now provided an adoption plan 0864-043 which details the area of land to be adopted as highway. This enables the provision of landscaping and an adequately sized footway as well as a segregated cycle route along the Whitehouse Lane frontage. This will be adopted through a s38 adoption agreement and a suitably worded condition will be required. This ensures the footway provision is maintained and free from closure given its critical nature and it will form part of the public highway. To note this would be maintained at public expense.

The Whitehouse Lane frontage will be serviced by a loading bay which has been demonstrated to be of adequate size to accommodate an 11.4m refuse vehicle whilst ensuring traffic along Whitehouse Lane remains unimpeded.

Highway Works and adoption

The applicant will be required to enter into a section 278 Highway Agreement to deliver improvements to the adopted sections at each end of Clarke Street to ensure that a consistent quality of public realm is delivered. The applicant is aware that this has been requested from the outset of this application and prior to then from the pre-application stage. However, at this moment in time, an adequate general arrangement (GA) plan of these works upon which both the applicant and ourselves can rely upon post-permission has yet to be submitted. As stated previously these works and any GA plan must represent a continuation of the design set out within Hardworks and Softworks plans and provide detail on the layout, materials to be used and the parking level, particularly to the South.

These works are required to entail the following:

- Southern end of Clarke Street
 - Widened block paved footway on the western side measuring 3.3m
 - Installation of street trees in the western footway
 - Installation of Bollards on the western footway
 - Block paving of the footway on the eastern side
 - Appropriate tactile paving throughout Clarke St
 - Resurfacing of carriageway
 - Installation of streetlighting, to provide very good levels of lighting coverage
 - Lining associated with all TRO's and on street parking

- Northern end of Clarke Street (from site boundary to Philip Street)
 - Upgrade to lighting along the full length, to provide very good levels of lighting coverage
 - Widened footways along both sides of Clarke Street utilising slabs, with the eastern footway at 2.3m width, and the western footway at 2.8m -3.0m width (to

- leave carriageway width of 4m)
- Block paved carriageway
- A continuous footway across the junction of Clarke St with Philip St, to match BCC standard detail
- Installation of appropriate trees and tree pits
- Any associated lining
- Removal of parking spaces and Pay and Display machine

It should be noted the unadopted section of Clarke Street will form a permissive route and further detail will be required on how this will be kept open, free from obstruction, in a safe condition for use by members of the public in perpetuity and clearly marked to indicate there is no intention to dedicate as part of the adopted highway. The normal mechanism for this is to enter into a section 35 agreement under the Highways act 1980.

Access

The main vehicular access to both buildings is proposed via a two-way access on the A38 Dalby Avenue frontage. This is located to the South of the existing Wessex Waste pumping station. A second exit is proposed via Clarke Street (South) to the south, leading to Whitehouse Lane. Refuse and other heavy vehicles serving Building A are proposed to enter the site using the Dalby Avenue access and exit via Clarke Street (South), to remove the need to turn within the site. Smaller delivery and other vehicles will be able to turn on site adjacent to the entrance to Building A and exit via Dalby Avenue. Vehicles will be prohibited to travel Northbound along the private section of Clarke Street.

Cycle Parking

Following the revision of the quantum of development and TDM's previous concerns raised regarding cycle parking the applicant has revised plans to reflect this.

As per minimum policy standards set out in the local plan for student Halls of Residence the minimum requirement is for one cycle parking space for every four bed spaces, plus an additional one cycle space for visitors for every 12 bed spaces. For the 819 student units, this equates to a minimum of 205 student cycle parking spaces plus 68 visitor spaces.

The development proposals include 236 secure cycle spaces for students which will be provided in two cycle stores, with 74 spaces in Building A and 162 in Building B. There is to be the provision of 22 Sheffield Stand spaces in the Building A cycle store and 44 spaces in the Building B cycle store. This is welcomed and no further concerns regarding cycle parking are raised.

The applicant has provided revised plans which include details on the cycle parking provision for the flexible employment element. There are 7 covered Sheffield Stands (14 spaces) provided for staff west of Building B in an area secure from public access. TDM acknowledge a further 3 Sheffield Stands will be provided for visitors to the flexible workspace units which again is welcomed.

Vehicular Parking

There are a total of six on site parking spaces as part of the development. Four of these spaces will be allocated to disabled users with the remaining two spaces to be utilised by operational

staff, not students. All parking spaces shall either be EV or passive EV spaces, with conduits made available for future conversion to full EV charge points in the future.

Student Movement Plan

The applicant has proposed the following management strategy to address the impact of students moving into/out of the development:

- Students will be allocated a specific arrival/departure slot when they will be able to bring their vehicles onto the site. To enable this, normal parking and servicing arrangements within the site will be suspended.
- It is proposed therefore that 4 spaces are utilised to accommodate people missing their slot. There are 2 disabled and 1 management permanent car park spaces proposed adjacent to Building A.
- It is proposed that an additional 18 temporary spaces are used on drop off day as shown on drawing 0864-028B provided in Appendix H. Vehicle tracking is shown on drawing 0864-036A, also provided in Appendix H.

Following TDM's concern regarding the use of Clarke Street for student pick up/ drop off and the subsequent impact a revised plan, 0864-028F, has been provided which demonstrates alternative locations for parking. There will still be 21 on site spaces which was deemed to be acceptable previously and therefore no concerns are raised.

It is proposed that the 2 disabled spaces adjacent to Building A together with 14 other spaces adjacent to Building A or on Clarke Street would be used for allocated arrivals as set out in the Transport Statement. The 5 spaces adjacent to Building B would be for students that miss their allocated times. As set out in the TS this allows 30 minute turnover for each space.

The temporary parking spaces are proposed to be marked using temporary road marking tape or similar. Each space will be numbered and a map issued to students with details of their allocated space, directions, and details of offsite car parking, as cars will need to leave the site as soon as they are unloaded. Staff will also be on site to assist students find parking.

This student management plan is considered to be acceptable and will be secured via condition.

Strategic Transport Assessment (STA)

Following the finalisation of the completed Stage 01 and Stage 02 Strategic Transport Assessments late 2019, TDM is in a position where it can make positive recommendations for development at Bedminster Green (BG), alongside the following.

- **CIL-funded Public Transport, walking and cycling improvements to the A38 corridor, Hereford Street and Whitehouse Lane;**
- **The delivery by developers (by condition / s278 agreement) of active travel linkages within and across the area covered by the Bedminster Green development framework masterplan, and**
- **The formulation and agreement of a series of section 106 contributions to the following:**
 - Cycle improvements along Dean Lane between Warden Rd and Coronation Rd
 - Traffic Management in the area of Windmill Hill
 - Restrictive Parking measures in the area of Windmill Hill
 - The delivery of 6no. EV Car Club vehicles to serve the development
 - The delivery (by BCC) of a comprehensive Residential Travel Plan across BG, and:
 - Associated (site-specific) Traffic Regulation Orders to accommodate deliveries

As a recap, the Stage 01 STA provided: a) a review current policy and programmes, b) audited existing infrastructure and c) forecasted the trip generation of the development, whilst the Stage 02 STA took this work further, proposing a series of physical improvement measures, interventions and travel planning initiatives to enhance the aims of the wider regeneration in achieving sustainable development.

BCC Public Consultation

Alongside the proposed enhancements / de-culverting of the River Malago, the Transport aims and proposals referenced above formed part of a public consultation earlier this year where local stakeholders were given the opportunity to scrutinise and respond to the infrastructure proposals that are proposed in the STA (and by BCC) to ensure the prioritisation of sustainable travel in this area, whilst mitigating the potential harmful traffic impacts generated by significant housing growth.

Officers have therefore had the opportunity to build on the feedback of the public consultation and take recommendations forward into our dialogue with developers, with a summary of the infrastructure proposals (as they stand) provided below:

A38 Malago Road / Dalby Avenue Movement Corridor

Highway officers are in continued and regular liaison with BG landowners in order to provide and seek greater detail to ensure that BCC's plans for the corridor guide the building lines and emerging developer proposals.

This is in the interests of protecting BCC's ability to carry out positive change that fulfils our

objectives to reduce bus journey times alongside permeable, safe and direct facilities for pedestrians and cyclists that reflect and compliment new development in this area whilst enhancing existing desire lines. These discussions have also involved Planning DM and colleagues in City Design Group. Secondly, it confirms the widths and extents to which new build development must not encroach in order to meet the above needs, whilst providing developers with the necessary comfort that they are able to proceed in such a way as not to preclude or inhibit the above interventions.

A summary of the key changes to the A38 as part of the wider corridor improvements are provided below:

- i) Continuous northbound bus lane along Malago Rd / Dalby Avenue
- ii) Provision of a northbound bus layby and shelter outside Plot 04
- iii) Shortening of southbound bus lane to accommodate above and protect trees
- iv) Retention / upgrade of pedestrian crossing adjacent to St Catherine's Place
- v) Provision of new pedestrian / cycle crossing of A38 to meet the desire line between Providence Place and Stafford St
- vi) Provision of new pedestrian crossing of A38 north of Hereford St
- vii) Removal of existing pedestrian crossing between Stafford St and Hereford St
- viii) Provision of minimum 3m wide footways along both sides of A38
- ix) Removal of existing pedestrian subway and associated steps and ramp structures

Hereford Street and Whitehouse Lane

As with the A38, the above route bisects the Bedminster Green development and in its current state is unfit to accommodate a growth in active travel and in particular the needs of new residents. Therefore, to leave this route in its current state is not acceptable to TDM and is unlikely to be acceptable to the local community.

A future scheme of improvements for Whitehouse Lane and Hereford Street was subject to much discussion at the public consultation stage as an improvement scheme here needs to take into account the Malago Restoration and could comprise a number of options for which each realises varying degrees of benefit. A more-developed scheme is being shared with stakeholders in the current months as part of the most recent consultation and includes segregated cycling, one-way orders, widened footways and improved crossing points / junction arrangements complimentary to current active travel desire lines and those that will be created by BG development.

Overspill Parking

Whilst some off-street parking is provided as part of this and other BG developments, the requirement to address overspill on-street parking generated by the BG through the implementation of restrictive measures has been successfully made by TDM and agreed by the BG consortium. Within STA 02 an area has been identified that extends south of the development to St John's Lane (and in some cases beyond) based on walking times.

A section 106 contribution is therefore required from each of the developments to allow BCC to devise, consult, design and implement a scheme of measures that will effectively prevent new residents of Bedminster Green from parking in the surrounding area and generating negative transport impacts, thus worsening conditions for existing residents. Such measures will need to

be implemented prior to first occupation of the development.

Further to this, it may also be necessary to review the existing daytime Bedminster RPS with a view to extending its hours of operation, to take account of increased evening residential parking demands. It is only through implementing this type of mitigation that TDM can support such low parking numbers and with it 'lock-in' a low car reliance in line with policy. However, it is acknowledged that these measures will require the necessary political support in order to take forward.

Package of Financial Contributions (CIL / s106)

To support this level of development in the area, it has been necessary for officers to obtain agreement from Cabinet to release specific CIL funds to draw up, consult on and implement the A38 Malago Road / Dalby Avenue scheme alongside further interventions along Hereford Street and Whitehouse Lane, including the Malago river restoration project. A sum of £6m of CIL has been agreed by Cabinet to deliver strategic infrastructure that will be implemented by BCC to support growth in this area. Each of the BG developments is liable to CIL and this is confirmed elsewhere by planning colleagues.

TDM has informed the BG consortium that to fulfil their aspirations to encourage and lock down viable sustainable travel choices for the 3,000 or so new residents that will occupy BG, the following section 106 funding will be required across the totality as follows:

i) Restrictive Parking Measures (Windmill Hill and potential evening restrictions in Bedminster) - £700,000 – This sum is established through an estimation of costs associated with the rollout of the 15 Residents Parking Schemes (RPS) implemented in Bristol between 2014 and 2016.

ii) Electric Vehicle (EV) Car Club – 6 vehicles at £43k = £258,000

The Bedminster Green regeneration scheme is likely to house in excess of 3,000 residents. Whilst we are mindful that car parking is restricted and alternative modes of travel will exist, there are some journeys where the car will be essential, whether someone is a student or permanent resident. Taking into account that the proposed development proposes just 4 disabled parking spaces for its 819 residents, it is reasonable to demand that the applicant contributes to the delivery of the 6 Electric Car Club Vehicles (EVs) that we require to serve the wider development. These are to be delivered in the approved Plot 4b Little Paradise Car Park.

The need for EV is soon to be embedded in both regional (West of England) and Local Plan Policy. The above cost comprises around £25,000 towards the purchase of an electric vehicle with a further £18,000 associated with charging infrastructure, marketing, membership discounts and management of each vehicle.

iii) Travel Plan - £118 per residential unit / student cluster flat

TDM requires that each developer contributes to a site-wide Travel Plan that BCC would produce and manage on the developer's behalf. The benefits of undertaking this holistically are obvious, in that management and promotion of the Travel Plan, alongside incentives and discounts can be much better realised and in offered in much greater numbers where a collection of developers have signed up to a single Travel Plan.

The above contribution is normally £139 per residential dwelling. However, BCC recognises that in addition to the above economies of scale, a discount can be applied where the quantum of overall development is considerable, offering further value to each developer. The alternative to this would be each developer carrying out its own travel plan, which would result in separate and differing travel plans and the need to discharge planning conditions and meet obligations five separate times. TDM do not think this is a sensible use of resources for developers or for BCC.

TDM will require that any commercial / employment uses also sign up to this framework if possible, but this may result in monitoring fees in the event that BCC are unable to undertake these travel plans.

iv) Traffic Regulation Orders (TROs) - £6,067 per order

The wider A38 and Whitehouse Lane / Hereford Street schemes will require numerous TROs and this is covered under the CIL payments referenced above. However, each individual development will have its own specific requirements to protect delivery bays, avoid pavement parking and keep accesses and entrances clear. Any unused funds, where the BCC scheme is implemented in advance of the development will be returned. However, these monies are necessary in the event that the development precedes the wider BCC scheme.

v) Windmill Hill Traffic Management measures - £100,000

The above sum is provided on the basis of a likely cost of implementing traffic management measures across a given area and is expected to accompany any restrictive parking measures. TDM at this stage must ensure that impacts of the development (and its mitigation) are comprehensive in nature so as to prevent negative impacts on the area of Windmill Hill that will be most affected by development.

vi) Dean Lane Cycle Route - Warden Rd to Coronation Rd - £315,000

This route currently suffers from very little and / or poor provision for cyclists and is identified within the developers' STA and the LCWIP as a key active travel link between Bedminster Green and the north and west of the development that requires attention, in particular for journeys towards Coronation Road, Cumberland Road, Wapping Wharf, Harbourside, Hotwells, Ashton Court and other parts of the city that are not served by the Whitehouse Lane cycle route. The need to invest in cycling arises out of the need to foster active travel and wellbeing, and with it physical and mental health.

It is incorrect to assume cyclists from this development will only want to travel along Whitehouse Lane, and the influx of 3,000 new residents to the area demands a *network* of cycle routes, not an intermittent provision of varied quality through areas of accident concentration. This will not encourage cycling and will result in many of the required cycle parking facilities remaining empty for failure to deliver safe, permeable and convenient options for both commuting and leisure purposes.

In terms of policy compliance, this route (as well as Whitehouse Lane) therefore requires to be improved in the interests of encouraging and maximising cycling amongst the new residents that Bedminster Green will generate. Along the route are two sites of accident concentration – the Dean Lane / Catherine Mead Street junction and also the junction of Dean Lane / Coronation Road. A schedule of costs to deliver improvements here has been identified and TDM is happy to share this with the BG developments, given the wider masterplan's likely demands here.

Contributions Schedule

The above contributions have been proportioned as described above to account for the 819 residents (82 Units) that are proposed to occupy the application site, with the total required contributions confirmed below. This is consistent with the contribution factors agreed by plots 1, 2 and 4 of Bedminster Green, and which indicate the recognition by other developers of the wider infrastructure needs of the development, and most importantly its occupiers. TDM strongly regard students as much as permanent residents should deserve and expect to use the active travel linkages and infrastructure that these contributions will help deliver.

Where not already stated above, the total s106 requirements for this development are calculated on the basis of the number of new residents that are proposed to be accommodated in each scheme.

Item	Total Cost	Total Units/Person	Cost per person	Requirement
Residents Parking Zone	£700,000	819 persons	£219 person	£179,361
EV Electric Vehicle Car Club (six vehicles)	£43,000	819 persons	£81 person	£66,339
Travel Plan (delivery by BCC)	£118	82 units	£118 unit	£9,676
TRO	£6,067	n/a	n/a	£12,134
Windmill Hill Traffic Management	£100,000	819 persons	£31 person	£25,389
Dean Lane Cycle improvements	£315,000	819 persons	£98 person	£80,262
			Total	£373,161

TDM acknowledge the applicant has accepted the above s106 contributions.

Recommendation

TDM recommend approval of the application subject to the following s106 contributions and conditions:

S106 Contributions:

Item	Total Cost	Total Units/Person	Cost per person	Requirement
Residents Parking Zone	£700,000	819 persons	£219 person	£179,361
EV Electric Vehicle Car Club (six vehicles)	£43,000	819 persons	£81 person	£66,339
Travel Plan (delivery by BCC)	£118	82 units	£118 unit	£9,676
TRO	£6,067	n/a	n/a	£12,134
Windmill Hill Traffic Management	£100,000	819 persons	£31 person	£25,389
Dean Lane Cycle improvements	£315,000	819 persons	£98 person	£80,262
			Total	£373,161

Conditions

B1B Approval of road works necessary

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

- Southern end of Clarke Street
 - Widened block paved footway on the western side measuring 3.3m
 - Installation of street trees in the western footway
 - Installation of Bollards on the western footway
 - Block paving of the footway on the eastern side
 - Appropriate tactile paving throughout Clarke St
 - Resurfacing of carriageway
 - Installation of streetlighting, to provide very good levels of lighting coverage
 - Lining associated with all TRO's and on street parking

- Northern end of Clarke Street (from site boundary to Philip Street)
 - Upgrade to lighting along the full length, to provide very good levels of lighting coverage
 - Widened footways along both sides of Clarke Street utilising slabs, with the eastern footway at 2.3m width, and the western footway at 2.8m -3.0m width (to leave carriageway width of 4m)
 - Block paved carriageway
 - A continuous footway across the junction of Clarke St with Philip St, to match BCC standard detail

- Installation of appropriate trees and tree pits
- Any associated lining
- Removal of parking spaces and Pay and Display machine

Where applicable indicating proposals for:

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

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

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

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

B2A Highway to be adopted

No development shall take place until plans to a scale of 1:200 showing the following information has been submitted to and approved in writing by the Local Planning Authority.

- Long sections
- General arrangement
- Threshold levels to buildings
- Drainage
- Structures
- Swept path for two directional movement of a 11.4m long refuse vehicle passing a 4.98m long large saloon car

Prior to occupation detailed technical plans to a scale of 1:200 setting out how the internal access road(s) will be constructed to the Highway Authority's adoptable standard shall be submitted and approved in writing by the Local Planning Authority.

These works shall then be completed to the satisfaction of the Highway Authority and approved in writing by the Local Planning Authority.

Reason: To ensure the internal roads are planned and approved in good time to a satisfactory

B36A Structure Adjacent To/Within 6m of the Highway

No development shall take place until an Approval In Principle (AiP) Structural Report setting out how any structures within 6 metres of the edge of the adopted highway (and outside of this limit where the failure of any structures would affect the safety of road users) will be assessed, excavated, constructed, strengthened or demolished has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the works safeguard the structural integrity of the adopted highway during the demolition and construction phase of the development.

B38 Construction Management Plan – Major Developments

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

- A construction programme including phasing of works;
- 24 hour emergency contact number;
- Hours of operation;
- Expected number and type of vehicles accessing the site:
 - o Deliveries, waste, cranes, equipment, plant, works, visitors;
 - o Size of construction vehicles;
 - o The use of a consolidation operation or scheme for the delivery of materials and goods;
 - o Phasing of works;
- Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):
 - o Programming;
 - o Waste management;
 - o Construction methodology;
 - o Shared deliveries;
 - o Car sharing;
 - o Travel planning;
 - o Local workforce;
 - o Parking facilities for staff and visitors;
 - o On-site facilities;
 - o A scheme to encourage the use of public transport and cycling;
- Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- Locations for storage of plant/waste/construction materials;
- Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- Any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Arrangements for temporary facilities for any bus stops or routes;
- Method of preventing mud being carried onto the highway;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

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

B39 Highway Condition Survey

No development shall take place (including investigation work, demolition, siting of site compound/welfare facilities) until a survey of the condition of the adopted highway has been submitted to and approved in writing by the Local Planning Authority. The extent of the area to be surveyed must be agreed by the Highways Authority prior to the survey being undertaken.

The survey must consist of:

- A plan to a scale of 1:1000 showing the location of all defects identified;
- A written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey.

No building or use hereby permitted shall be occupied or the use commenced until any damage to the adopted highway has been made good to the satisfaction of the Highway Authority.

Reason: To ensure that any damage to the adopted highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer.

C5A Implementation/Installation of Refuse Storage and Recycling Facilities – Shown on Approved Plans

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

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

C7A Completion of Vehicular Access – Shown on Approved Plans

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.

C8 Completion of Pedestrians/Cyclists Access – Shown

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

C12A 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.

C13 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.

C29 Management and Maintenance of Private Streets

No building or use hereby permitted shall be occupied or use commenced until details of arrangements for the future management and maintenance of proposed carriageways, footways, footpaths and landscaped areas not put forward for adoption within the site has been submitted to and approved in writing by the Local Planning Authority. Following occupation of the first dwelling on the site, the streets shall be maintained in accordance with the approved management and maintenance details.

Reason: To ensure that all private streets and landscaped areas are appropriately managed and maintained to ensure the safety of all users.

C30 Permissive Routes

No building or use hereby permitted shall be occupied or use commenced until details of how the permissive route will be kept open, free from any obstruction, in a safe condition for use by members of the public 364 days of the year and clearly marked to indicate that there is no indication to dedicate as part of the adopted highway, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the provision of an unrestricted and safe route for the use of members of the public.

C31 Access Entry/Exit Only

No building or use hereby permitted shall be occupied or use commenced until details of restricting the use of the access to "Entry Only"/"Exit Only" has been submitted to and approved in writing by the Local Planning Authority. This shall be retained in that form thereafter for the lifetime of the development.

Reason: In the interests of highway safety.

C36 Electric Vehicle Charging Points

No building or use hereby permitted shall be occupied or use commenced until details of the total number of car parking spaces, the number/type/location/means of operation and a programme for the installation and maintenance of Electric Vehicle Charging Points and points of passive provision for the integration of future charging points has been submitted to and approved in writing by the Local Planning Authority prior to construction of the above ground works. The Electric Vehicle Charging Points as approved shall be installed prior to occupation and retained in that form thereafter for the lifetime of the development.

Reason: To promote sustainable travel, aid in the reduction of air pollution levels and help mitigate climate change.

C39 Delivery & Servicing Plan

No building or use hereby permitted shall be occupied or use commenced until a delivery and servicing plan has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved delivery and servicing plan for the lifetime of the development. The delivery and servicing plan shall include:

- a) The contact details of a suitably qualified co-ordinator;
- b) How vehicle arrivals, departures, parking, stopping and waiting will be controlled to minimise any impact on the adopted highway;
- c) Details of any freight consolidation operation, centre and the delivery and servicing booking and management systems;

Reason: In the interests of highway safety and to minimise the impact of vehicles servicing the development upon congestion

C40 Traffic Management Plan

No building or use hereby permitted shall be occupied or use commenced until a traffic management plan setting out the agreed arrangements for managing student drop off/collection procedures and location, at the start/end of semester/academic year, has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved traffic management plan for the lifetime of the development.

Reason: To ensure the safe operation of the public highway at the start/end of semester/academic year.

C41 Waste Management Plan

No building or use hereby permitted shall be occupied or use commenced until a waste management plan setting out how waste will be stored and collected has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved waste management plan for the lifetime of the development.

Reason: To ensure appropriate waste management facilities are provided to accommodate all waste generated by the development.

C42 Car Park Management Plan

No building or use hereby permitted shall be occupied or use commenced until a car park management plan setting out how the car park will be managed has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved car park management plan for the lifetime of the development.

Reason: To ensure the safe operation of approved car park(s).

D19 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.

D20 Protection of Parking and Servicing Provision

The areas allocated for vehicle parking, loading and unloading, circulation and manoeuvring on the approved plans shall only be used for the said purpose and not for any other purposes.

Reason: To ensure the provision and availability of satisfactory off-street parking and servicing/loading/unloading facilities for the development.

D37 Travel Plan – Implemented by the Highways Authority

Prior to occupation or use commenced, evidence that the pre-occupation elements of the approved Travel Plan have been put in place shall be prepared, submitted to and approved in writing by the Local Planning Authority.

The developer shall then enable the Highways Authority to implement, monitor and review the approved Travel Plan to the satisfaction of Local Planning Authority unless agreed in writing by the Local Planning Authority.

Reason: To support sustainable transport objectives including a reduction in single

Existing resident parking scheme (RPS) / future RPS permit informing future owners / tenants

Future buyers, tenants and owners shall be informed by the current owner, landlord, or lease operator prior to the point of exchange / lease or rent that this development has been approved on the basis that it has been recommended to the transport authority that residents of this development shall be exempted from obtaining residents parking permits of the current or any future RPS in this area.

Reason: For the avoidance of doubt and future misunderstanding.

Advices

- I024A) Works on the Public Highway
- I026A) Traffic Regulation Order (TRO)
- I027A) Highway to be Adopted
- I043A) Impact on the highway network during construction
- I044A) Restriction of Parking Permits – Existing Controlled Parking Zone/Residents Parking Scheme
- I045A) Restriction of Parking Permits – Future Controlled Parking Zone/Residents Parking Scheme
- I052) Highway Condition Survey
- I053) Excavation Works on the Adopted Highway
- I054) Private Road
- I055) Street Name and Numbering
- I056) Stopping Up/Diversion of Adopted Highway
- I059) Structure Adjacent To/Within 6m of the Highway

Development Control Committee A – 30 June 2021

ITEM NO. 2

WARD: Bishopston & Ashley Down

SITE ADDRESS: 349-353 Gloucester Road Horfield Bristol BS7 8TG

APPLICATION NO: 20/00968/F Full Planning

DETERMINATION DEADLINE: 2 July 2021

Change of use of retail unit (Use Class E) to public house (Sui Generis) including external alterations, extension and creation of an external roof terrace.

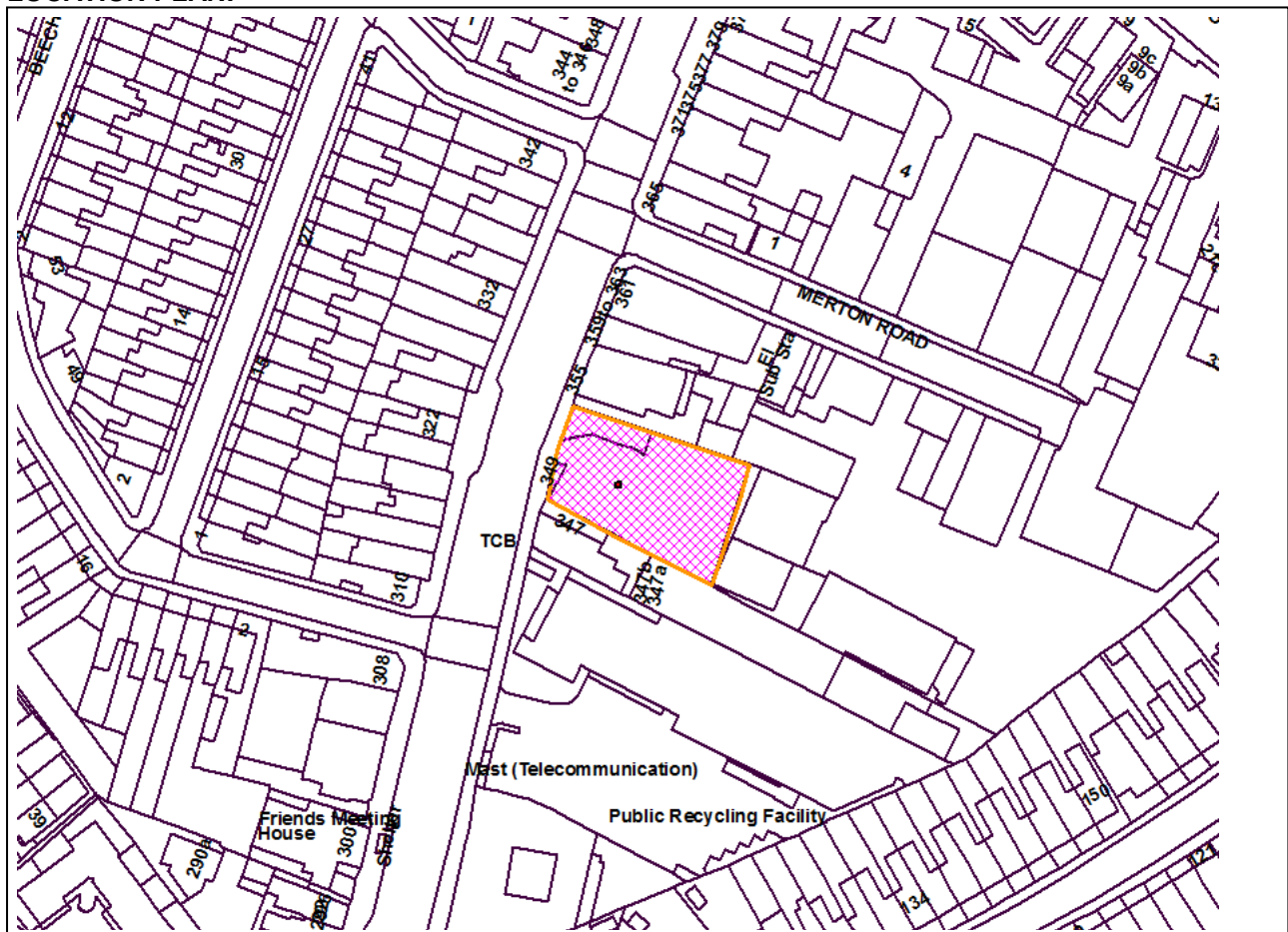
RECOMMENDATION: GRANT subject to Planning Agreement

AGENT: Nineteen47 Limited
106 Micklegate
York
YO1 6JX

APPLICANT: JD Wetherpsoon PLC
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 – 30 June 2021**Application No. 20/00968/F : 349-353 Gloucester Road Horfield Bristol BS7 8TG****SUMMARY**

This application relates to the proposed change of use of a disused retail building to create a large public house (Sui Generis). The site is located to the eastern side of Gloucester Road in Bishopston & Ashley Down ward. The building has been vacant for approximately 15 years however the established planning use of the site is for retailing. Following recent Government changes to legislation, the building is now within the amalgamated commercial, business and service use class (use class E) and could be used for a wide range of commercial purposes without the need for further planning permission.

The application seeks planning permission for change of use of the site to create a large public house. The development would involve comprehensive refurbishment and conversion of the building to make it fit for hospitality use. The proposals include revised layout to create kitchen, bar, seating areas, toilets and staff facilities across ground and first floor levels. Two small extensions are proposed to the building as well as installation of new full height aluminium framed doors and windows throughout the building. These would create new shopfront and entrances from Gloucester Road. A roof terrace area for outdoor drinking and dining would be formed through enclosure of what is currently a first floor flat roof. It is also proposed to install plant and equipment to the roof areas relating to kitchen extraction, refrigeration, heating and cooling as well as solar panels and air source heat pumps for on-site renewable energy generation.

The application has received a significant number of objections (239 comments) but also some support (59 comments). Many comments both in objection and support provide views in respect of the existing business and operations of the applicant (JD Wetherspoon). However this is not material or relevant to determination of the current application. The proposed use must be assessed generically as a public house due to the land use based nature of the planning system. Other concerns relate to the scale of the proposed pub, noise pollution, public safety, impact on adjacent businesses, licensing concerns, public health implications, impact to neighbouring properties and amenity as well as the character of the area.

The site is located within a Town Centre and forms part of the Primary Shopping Area as identified by the Local Plan. This is a policy compliant location for more intensive uses such as a public house and the location would offer good accessibility for staff and customers. The change of use is not found to be harmful to the retail function of the area as a sufficient proportion of retail uses would be maintained, the use would include active frontage and attract people to the area, supporting adjacent sites and the town centre. The proposed use would generate a total of 50 jobs including full time and part time roles which would support employment and the economy locally. The building has been disused for an extended period and re-use and extensive investment and refurbishment as proposed are highly compatible with policy objectives of creating vitality, viability and diversity within the Town Centre and the Primary Shopping Area.

In terms of the impacts associated with the proposed use, the applicant has submitted extensive information regarding potential noise pollution and site management proposals. This includes opening hours limited to 11:30pm Sunday-Thursday and 00:30am Friday-Saturday. The proposed roof terrace would close at 9pm daily. A site management plan has been submitted outlining how the pub will be run responsibly and with due regard for neighbours. Acoustic mitigation is proposed for the kitchen extraction system and associated plant and equipment. Noise impact assessment has been undertaken predicting likely noise levels experienced at neighbouring residential properties. The Council's Pollution Control team have reviewed the submission and confirmed they are now satisfied the use would safeguard an acceptable standard of amenity for neighbouring occupiers.

The proposals would be associated with significant improvements to the external appearance of the building which would in turn enhance the appearance of the street. Subject to further information secured via condition and legal agreement, the development would achieve good accessibility and

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have an acceptable impact on highways surrounding the site.

The building would achieve good levels of sustainable design and energy efficient performance which would meet policy requirements. This includes on site renewable energy generation and a BREEAM "Excellent" rating.

Overall, there is found to be minimal conflict with national and local planning policy and no relevant material considerations identified which would warrant the refusal of planning permission.

The officer's recommendation is therefore that planning permission should be granted subject to safeguarding conditions and a legal agreement to secure a contribution towards the monitoring of a Travel Plan.

SITE DESCRIPTION

The site is situated to the eastern side of Gloucester Road (A38), Bishopston and contains a part single storey, part two storey building. The building dates from the early 1960's and was originally built as a supermarket. The building spans the majority of the existing site, built level with all boundaries except for an area at the front northern side. The site is accessed directly from Gloucester Road to the front of the site, with a secondary entrance to the northern side of the building.

The building is two storeys to the front and northern side, with the remainder single storey. All roofs are flat and the facing elevations are built with a combination of red brick and render. The front elevation includes a shop front at ground floor level. The first floor includes a series of large floor to ceiling windows.

The building has not been in use consistently for approximately 15 years. It is in a poor state of repair including boarded windows for security. The building was temporarily used for retail in 2012 in connection with the furniture sales business situated immediately adjacent to the south (347A Gloucester Road) and the established lawful use of the building is for commercial/retail (use class E).

Gloucester Road predominantly comprises commercial ground floor uses with some residential accommodation at first floor level. The site is located within a designated town centre (Gloucester Road) and forms part of the primary shopping area as designated by Core Strategy Policy BCS7 (Centres and Retailing) and Site Allocations and Development Management Policies Local Plan Policy DM8 (Shopping Areas & Frontages).

Adjacent sites are in mixed commercial and residential use. 347 Gloucester Road located to the south is a betting shop at ground floor and flat at first floor. There is a reclamation yard and used furniture retailer located to the rear of this. 355 Gloucester Road located to the north is a craft/hobby shop at ground floor with flats at first floor. At the rear (east), the site bounds commercial/industrial buildings accessed from Merton Road including vehicle repair garages and gym/dance studios.

PLANNING HISTORY

19/04991/F Change of Use of Disused Former Retail Unit (Use Class A1) to Public House (Use Class A4) including external alterations, extension and creation of an external roof terrace.
WITHDRAWN - 19.12.2019

17/06228/F Change of use of disused former retail unit (Use Class A1) to Public House (Use Class A4) including external alterations, extension and creation of an external roof terrace, external covered terrace to front and recessed pavement seating area.
REFUSED - 30.05.2018

16/03139/F Proposed change of use to A4 including internal alterations, new M & E

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equipment and kitchen extract

WITHDRAWN - 22.12.2016

15/03733/F Change of use from disused two storey retail unit into public house, including internal and external alterations, new M&E equipment, beer garden and enclosed roof terrace
WITHDRAWN - 01.02.2016

15/00081/F Change of use from dis-used two storey retail unit into Public House including internal and external alterations new M & E equipment, beer garden and enclosed roof terrace
REFUSED - 15.05.2015

14/03755/F Proposed change of use from two storey retail unit into a public house including internal & external alterations, new M&E equipment and beer garden
WITHDRAWN - 23.12.2014

62/01792/U_U Erection of supermarket with storage and toilet accommodation over
GRANTED - 17.08.1962

APPLICATION

The application seeks planning permission for the proposed change of use of the building from commercial/retail (use class E) to a public house (Sui Generis) as well as minor extension, installation of plant and equipment, internal and external refurbishment and associated alterations.

The proposed use of the site as a pub would involve comprehensive conversion and refurbishment of the building. This would include installation of new external windows and doors and refurbishment of the building façade. The proposed glazing will be full height aluminium framed windows and doors. The shopfront would be restored and an area for signage created between ground and first floor levels.

Two main entrances are proposed. One would be located in the frontage of the building from Gloucester Road. A secondary entrance is proposed from a gated courtyard area at the northern side of the site. The building would be serviced through separate service entrances and corridors located at the northern and southern side of the building.

A single storey extension is proposed at the northern side to the front of the site. This would include the proposed bin store and an external fire escape. This extension and the fire escape balustrade would be constructed with brick. A low wall with metal railings is proposed beyond the extension at the northern side of the site enclosing the servicing entrance.

The ground floor of the proposed pub would include a kitchen, bar area, cold drinks storage area, toilets and a variety of customer seating areas. A lift and stairs are proposed for access between ground and first floor levels.

At first floor level, a further small extension is proposed to the rear of the existing two storey part of the building at the front of the site. This would measure approximately 3m by 9m and contain a proposed staircase as well as some area for customer seating. The roof would be flat and a roof lantern is proposed over the stairs. The wider existing first floor level would contain further customer seating areas, further toilets, staff changing and welfare areas.

The existing first floor flat roof area is proposed to be enclosed by a 2.5m high brick wall to the southern side. This would be lined with screen planting. A 3m high render walled plant compound is proposed to the eastern side. These structures would enclose the flat roof area for proposed use as an outdoor area for further customer seating. All windows and doors at first floor level would also be

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replaced with new floor to ceiling aluminium framed versions providing light to the building and access to the roof. Proposed booths at the southern side of the roof garden would include steel framed canopies and timber roofs to offer acoustic screening. A pergola and a variety of planting is proposed at roof level also.

The proposed plant enclosure to the rear of the first floor would include air conditioning condenser units. Further plant is proposed for installation to the second floor flat roof also. This would include further condenser units for various heating and cooling functions. Kitchen extraction and ventilation plant would also be installed including filters for smoke and odour removal. Solar panels for on-site renewable energy generation are also proposed to be installed to the second floor flat roof area.

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.

RESPONSE TO PUBLICITY AND CONSULTATION

397 neighbouring properties were directly notified of the application via neighbour notification letter. The application was also advertised via site notice erected near the site, a press advert published locally as well as being listed at the planning section of the council website.

The original deadline for public consultation responses was 26th August 2020. Comments have been accepted up to the point of preparation of this report however.

To date, 239 objections, 59 comments in support and 1 response classified neutral have been received.

A summary of the content of objections is as follows:

- o Object to the introduction of a large chain at this location and would prefer a small chain or independent business
- o Noise pollution from the development including from proposed plant, proposed roof terrace and increased noise outside the venue would cause harm to amenity and living conditions at surrounding residential properties
- o Concerns regarding management of outdoor areas, particularly at street level and potential for crowds to gather causing a hazard to the highway and intimidating public safety issue
- o No need for another pub/restaurant in the area, the area is already well served by existing pubs, cafes and restaurants
- o The pub will negatively impact adjacent businesses who are already struggling due to COVID-19 restrictions on trade
- o A pub of this scale will promote binge drinking and cause anti-social behaviour
- o Object to the business operations of the applicant at their other sites nationally
- o Concerns regarding management of football supporters on match days and potential for increased noise and disturbance on these days
- o Additional car parking pressure and highway safety issues on surrounding streets

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- o The area is a cumulative impact area, the proposal would create licensing issues
- o The scale of the proposed pub is out of character with the area
- o Increased air pollution including cooking fumes and odour
- o The proposed ground floor extension would impact vehicular access to the adjacent site, significantly reducing vehicular visibility when exiting the neighbouring property
- o Loss of light to neighbouring properties
- o Loss of privacy for neighbouring properties

A summary of ground for support is as follows:

- o Support the introduction of an affordable food and drink venue to the area
- o The proposal would bring a disused building back which is an eyesore back into use which would improve the appearance and character of the local area
- o As long as guidelines for roof terrace are followed, it shouldn't disturb neighbours
- o The proposed pub would bring variety in terms of their food and drinks offer, and would particularly cater to families where existing venues are less suited in this regard
- o Site is 70m from nearest houses on Brynland Avenue with buffer of other buildings
- o The proposal would create employment opportunities locally and benefit the economy
- o The closure of a number of other pubs recently would mean that levels of overall pubs would not increase on previous levels
- o Applicant has set out security and management plans for busy times or match days
- o The building is unsuitable for alternative uses and has been empty too long

Officer responses to public consultation

Licensing issues such as the cumulative impact area will be considered under an eventual licensing application. This would be subject of separate consideration and decision under this separate legislative process. Whilst there is a degree of overlap between issues considered under planning and licensing frameworks (particularly matters of noise and general site management), the outcome of one process would not prejudice the consideration of the other.

It is noted that the identity of the applicant, their background, existing operations and trading arrangements at other premises both within Bristol and across the UK cannot be afforded significant weight in the determination of this planning application. The application seeks planning permission for a land use (drinking establishment - Sui Generis) rather than a specific chain/type of pub. As such, the application is assessed on the basis of the characteristics of this site, the change of use, information presented and planning merits of this proposal in accordance with national and local planning policy. Factors specific to the applicant and their operations at other sites are not relevant to this application. The proposed use as a public house must be considered generically.

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A number of objections received focus upon the identity of the applicant as a large corporate chain and their suitability for this particular town centre (Gloucester Road) in light of its reputation for independent businesses and trade. As noted above, the application seeks planning permission for a land use, rather than for a specific end user. It is not the role of the planning system to determine the appropriateness of a particular applicant for any given area, it is only the land use which is being assessed.

A full assessment of the proposed change of use and its impact to the town centre including its retail provision, diversity and vitality will follow within the subsequent section of this report. Comments above in relation to an over proliferation of food and drink uses locally, all benefits with regard to employment and the local economy, bringing a disused building back into use, the impact to the character and appearance of the area, impact to neighbouring living conditions and amenity, transport, access and highways as well as site management with regard to public safety and amenity are acknowledged and will be accounted for in the subsequent assessment.

Elected members interest

Former Bishopston and Ashley Down ward Councillor Tom Brook queried whether the application would progress for decision at Development Control Committee. He did not wish to refer the application to Development Control Committee however as he wished to maintain neutrality in order to partake in the eventual committee decision.

Internal/external planning contributor's comments:

Environmental Health Officer, Pollution Control, Bristol City Council:

The Pollution Control team have been involved extensively reviewing the proposals for the site. A range of queries and concerns have been raised throughout the application process and the applicant has updated their assessment and proposals accordingly. This has related to noise generated by the proposed use of the site itself, noise related to plant and equipment proposed for installation, noise related to the roof terrace and noise related to access to and from the site. Following revisions to the proposed use and development as well as submission of an updated Noise Impact Assessment and Site Management Plan, the Pollution Control team have confirmed the proposals to be acceptable in terms of noise emissions. Safeguarding conditions have been recommended relating to opening hours, premise management and noise levels.

Transport Development Management, Bristol City Council:

Local Conditions

The proposed development is situated on Gloucester Road, a designated 'A' classified road also known as the A38 which adheres to a 20mph speed limit past the site frontage. The development is located within an existing urban area which is lined with commercial properties located within walking distance to suitable public transportation links; as a result TDM consider that the principle of development in this location is acceptable.

In proximity to the application site the adopted highway of Gloucester Road is approximately 19m in width and accommodates pedestrian footway and three lanes of vehicular traffic (bus; private motor vehicle).

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Trip Generation

With regards to trip generation it is noted that the site has not been occupied for over five years, consequently the applicant should not be offsetting this previous use against the proposed use.

As such the proposal should be considered as new trips on the network. Having assessed the proposal it is likely that the majority of movements would be on foot, consequently we do not believe it will have an adverse impact on the highway network.

Highway Works

The applicant will be required to enter into a S278 legal agreement for the following obligatory highway works, a plan is required to be submitted demonstrating the following details/works:

- o Raised kerb height to 125mm over the frontage of the development
- o Re profile and resurface footway to suit levels

Access Arrangements

Pedestrian access onto Gloucester Road has been provided by two access points, TDM raise no objection to these.

Car Parking

The scheme provides no designated off-street vehicle parking provision; which is accepted for this type of development. It would be considered unreasonable for TDM to request customer vehicle parking provision given the location of the site and that it is served by an existing network of public transportation links.

Deliveries/Servicing

Transport Development Management acknowledges that the majority of commercial properties along Gloucester Road are serviced off of the existing highway. Transport Development Management considers that the existing use of the application site would have been serviced in a similar operation. It is also considered that there are sufficient Traffic Regulation Orders (TRO's) in place along Gloucester Road to prevent any adverse traffic implications. There is an enforceable loading ban in place between the times of 7.00am - 9.30am and 4.30pm - 8.30pm this is due to conflicting peak rush hour traffic.

There is no objection to the principle of the proposal to the development being served from Gloucester Road.

A Delivery/Servicing Strategy is required to be submitted to Transport Development Management to include details of timings and refuse collections.

Cycle Parking

TDM are satisfied with the provided cycle parking as it is now compliant with The Bristol Local Plan: Site Allocations and Development Management Policies adopted July 2014.

Travel Planning

Due to the scale of the development a full Travel Plan will need to be prepared and submitted using the Travel Plan Guide for New Developments and the associated Travel Plan Template,

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this is available at www.travelplans.gov.uk/travelplans this should be submitted as part of a full application, although it can be conditioned. The guidance outlines what the Travel Plan should contain, how it should be managed, what fees are applicable, what measures that will be required and how the Travel Plan will need to be monitored. A Travel Plan Management and Audit Fee of £3,735 will apply. A dedicated Travel Plan Coordinator will be required to deliver any agreed measures within the Action Plan as well as monitoring travel patterns through regular travel surveys, which must be reported to the council, with targets and measures amended based upon actual travel behaviour, as the development progresses.

Construction Management

Due to the impact this proposal would have on the highway network during the demolition/construction period, the applicant would be required to produce and submit a highway network construction management plan.

Contaminated Land Environmental Protection, Bristol City Council:

The proposed development is not overly sensitive to contamination but is situated adjacent to land that has been subject to a potentially contaminating land uses. In light of this and the small nature of the development conditions are recommended requiring reporting of unexpected contamination and advice regarding asbestos in the event of permission being granted.

Project Manager, Air Environment, Bristol City Council:

I do not have air quality related concerns with regard to the proposed development.

Bristol Waste Company:

No comment as no residential element to the application.

Crime Prevention Design Officer, Avon & Somerset Police:

Below I have shown recorded crime for the period of 12 months (23.07.19 - 23.07.20) for an area of 400 x 400 metres centred on the site.

CP.TYPE	Incident Count
ASB	42
Violence Against The Person	24
Theft 18	
Arson and Criminal Damage	17
Public Order Offences	15
Others	22
Total	138

This change of use application does fall into a Cumulative Impact Area (CIA) the policy (in part) is shown below.

The area covers a stretch of Gloucester Road from its junction with Pitt Road and Rudthorpe Road to the Arches on Cheltenham Road and also includes a section of Zetland Road.

This stretch of Gloucester Road, which is a major transport route in and out of the city, features a mix of retail and leisure uses with primarily residential areas behind the frontages. The request for a CIA to be introduced was made by the Police and supported by local

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residential amenity groups. The potential for increased public nuisance and crime and disorder arising from further licenses being granted is a major concern for local residents in this area and the Police. In particular the area, which has a significant concentration of alcohol led late night venues, witnesses a high number of assaults and other related crime and disorder including public nuisance and risk to public safety.

The ability to prevent further encroachment into the normal sleeping times of local residents is also a key aspect of this policy. The policy will apply to further applications for the grant of new licenses or significant variations of existing licenses in respect of premises that primarily sell alcohol for consumption on the premises, other late night uses, restaurants and take away outlets. The main focus of the policy is likely to be on alcohol led establishments and premises that keep customers in the area at times when the promotion of the licensing objectives is most challenging (for example late night refreshment from "fast food" outlets). Bristol City Council - Statement of Licensing Policy.

I have viewed the planning application and visited the proposed site and have the following comments;

- o The gate in the chamfered entrance should totally enclose the lobby and preferably meet security standard LPS 1175.
- o There is an access path shown adjacent to the access drive way. If this is not gated at the head of the lane it could result in inappropriate loitering and make any door aperture vulnerable. The height of the low wall topped with railings is not clear, it should be a minimum total height of 1.8 metres with the railings 'cranked' to form a flush finish on the outside face to remove any foot holds.
- o The cycle hoops can form improvised seating and with close proximity of the entrance doors could lead to anti-social behaviour. The area should be under cover of the CCTV system.
- o Ground floor entrance doors should meet the requirements of LPS 1175 SR2 or equivalent any glazing should be laminated to BS EN356 2000 P2A.
- o Ground floor windows should meet the requirements of LPS 1175 SR2 or equivalent glazing should be laminated to BS EN356 2000 P2A.
- o Private areas of the building must have access control with a local alarm set to sound if forced or left insecure.
- o Fire doors should be incorporated into a local alarm set to sound if forced or left insecure.
- o The CCTV system should provide 'identification' quality of any one entering the building and any high risk or flashpoint areas. Identification is defined in the Surveillance Commissioners document CCTV Buyers Toolkit. A clear Operational Requirement (OR) must be created to advise any installer how the system should function. CCTV should function with the lighting scheme. Any installer should be UKAS accredited.
- o An intruder alarm must be installed and must generate a level 1 police response (type A). Any installer should be UKAS accredited.
- o I note that BREEAM 'Excellent' will be achieved, as such we can assist in any security needs assessment.

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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.

ASSESSMENT**Acceptability of Change of Use in Principle**

Section 7, Paragraph 85 of the National Planning Policy Framework (NPPF, 2019) states that:

"Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should:

- a) define a network and hierarchy of town centres and promote their long-term vitality and viability - by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters;
- b) define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre;
- c) retain and enhance existing markets and, where appropriate, re-introduce or create new ones;
- d) allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary;
- e) where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre; and
- f) recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.

Annex 2 (Glossary) of the NPPF defines main town centre uses as including restaurants, bars and pubs amongst a wide range of other more intensive uses.

Policy BCS7 (Centres and Retailing) of the Bristol Core Strategy outlines that retail development, offices, leisure and entertainment uses, arts, culture and tourism uses will be primarily located within or, where appropriate, adjoining town centres identified within BCS7.

Retail shop uses will predominate in the designated primary shopping areas of the Town Centres, supported by a wider range of appropriate uses in the other parts of these centres.

349-353 Gloucester Road is notably located in the designated 'Gloucester Road' Town Centre as

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identified by Policy BCS7.

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

Existing community facilities should be retained, unless it can be demonstrated that there is no longer a need to retain the use or where alternative provision is made.

Where community facilities are provided as an integral part of a development they should wherever possible be within adaptable mixed-use buildings. It is noted that although the primary function is commercial, pubs would represent a community use given their social and community role.

Policy DM7 (Town Centre Uses) of the Site Allocations and Development Management Policies (SADMP) Local Plan outlines that retail and other main town centre uses should be located within the centres identified on the Policies Map.

Policy DM8 (Shopping Areas & Frontages) of the SADMP outlines that within the primary and secondary retail frontage, development will be expected to maintain or provide active ground floor uses. Specific to the primary shopping area, change of use of shops (Use Class A1) to another use will not be permitted unless the proposed use would:

- i. Make a positive contribution to the vitality, viability and diversity of the Primary Shopping Area and centre; and
- ii. Not fragment any part of the Primary Shopping Area by creating a significant break in the shopping frontage; and
- iii. Not result in a loss of retail floorspace of a scale harmful to the shopping function of the centre; and
- iv. Be compatible with a retail area in that it includes a shopfront with a display function and would be immediately accessible to the public from the street.

Policy DM10 (Food and Drink Uses and the Evening Economy) of the SADMP states that food and drink uses will be acceptable provided that they would not harm the character of the area, residential amenity and/or public safety, either individually or cumulatively; and that proposals resulting in a harmful concentration will not be permitted.

It further states that to assess the impact, six criteria need to be considered. These include:

- i. The number, distribution and proximity of other food and drink uses, including those with unimplemented planning permission; and
- ii. The impacts of noise and general disturbance, fumes, smells, litter and late night activity, including those impacts arising from the use of external areas; and
- iii. The availability of public transport, parking and servicing; and
- iv. Highway safety; and
- v. The availability of refuse storage and disposal facilities; and
- vi. The appearance of any associated extensions, flues and installations.

In this case, the site is located within a town centre as designated by Policy BCS7 and contains a large retail unit (formerly use class A1, now use class E) which has been vacant for approximately 15

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years. The building has floor area totalling around 1000m², the majority at ground floor level, with some storage/staff facilities at first floor level. The site also forms part of the primary shopping area on Gloucester Road. The proposed development would result in loss of the established former use of the site for retail purposes and create a new food and drink use. This must therefore meet the criteria as set out within Policies DM8 and DM10 listed above.

It is highlighted that planning land use controls in terms of town centres and retail areas have been relaxed nationally since the introduction of the local Site Allocations and Development Management Policies Local Plan (2014). Retail, financial and professional services, offices, cafes and restaurants, gyms, health centres and nurseries are now amalgamated within a single use class. As such, planning permission is not required for change of use between any of these uses. In this case, the retail use could be changed without intervention by the Local Planning Authority. This is part of the Government's strategy to help support the nation's high streets by allowing greater flexibility to bring unused commercial buildings back into use. It is recognised that retail and high streets in the UK are experiencing significant changes in character as a result of increased internet shopping. The land use flexibility introduced by national legislation is a significant material consideration in assessment of the current proposals, particular in terms of requirements to retain retail uses.

The proposed change of use relates to a building which has been out of use for approximately 15 years. It is recognised that the current applicant who is understood to own the site has been attempting to gain permission for change of use since 2014. This therefore represents a sizable proportion of the time vacant however the building was also vacant for a substantial period prior to this. Due to vacancy and disuse the building is in poor condition and has failed to contribute to the vitality, viability and diversity of the Primary Shopping Area and wider Town Centre for a prolonged period. Loss of a retail use would not be compatible with the traditional character of the centre as a shopping area. However, this is a trend which is being encouraged by national Government and in this particular case the building has not contributed positively to the vitality of the area for a long time.

In light of the significant scale of this particular building (around 1000m²), the Local Planning Authority does question the likelihood and viability of a retail use establishing, particularly in current retail trading conditions. To speculate, it is likely only suitable as a small supermarket and Gloucester Road is already very well served by convenience supermarkets. The absence of on-site car parking makes a larger supermarket less attractive. Due to the current poor condition of the building, any operator would likely need to undertake significant refurbishment. This is demonstrated by the current proposals which involve extensive works to refurbish, refit and modernise the building. The investment required would likely render this unattractive and unviable to most potential operators. This is likely a major factor in the building becoming vacant and remaining so until purchase by the current applicant. The proposed use as a public house appears to offer a viable route to securing the benefits of modernisation as well as a long term tenant which would resolve the amenity and vitality issues associated with vacancy.

The Primary Shopping Area runs from Longmead Avenue/Nevil Road junctions (Sainsburys/Boston Tea Party) to Ashley Down Road (The Royal Oak pub/Tux & Tails). When considering a previous application (17/06228/F) for change of use decided in May 2018, the proposals would have maintained around 50% retail uses within this area. Notably this previous application was not refused on the basis of harmful impact to the Primary Shopping Area and Town Centre. The pattern of uses in the area has not changed significantly since this point and the conclusion reached therefore remains relevant now. It is noted there are a number of retail uses in close proximity of the site including the craft/hobby shop immediately to the north, used furniture retailer beyond this and Co-Op supermarket to the south. The immediate area would maintain a mixture of retail uses following the development and the proposals would not result in a significant break in the shopping frontage. The proposed change of use is therefore not found to cause significant harm to retailing within the Primary Shopping Area.

In relation to diversity for the purposes of Policy DM8 and the number, distribution and proximity of

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other food and drink uses for Policy DM10, there are two other drinking establishments (pubs or bars - Sui Generis) in this section of Primary Shopping Area. These are The Royal Oak approximately 120m to the north and The Anchor approximately 100m to the south. The increase to three venues in this part of the Primary Shopping Area is not found to be an unreasonable level for a Town Centre location where such uses accord with national and local planning policy. Three pubs in this part of the Primary Shopping Area is also not felt to represent an oversaturation.

It is recognised that other pubs can be found nearby such as The Drapers Arms (447 Gloucester Road) further north, The Golden Lion (244 Gloucester Road) further south and other establishments in the residential area to the east (The Sportsman/Annex, Foresters Arms and The Lazy Dog). The later are however outside the Primary Shopping Area and Town Centre. Given the separations retained between existing establishments to the north and south, it is not found that this would amount to an over proliferation. It is also noted that the level of drinking establishments within the Primary Shopping Area would be no greater than previously existed prior to closure of The Old Fox in 2011 (now Wusar Turkish Restaurant). The Queen Vic (426 Gloucester Road) pub which is within the Town Centre but outside the Primary Shopping Area also closed in early 2017. Following development, the level of drinking establishments within the Town Centre and Primary Shopping Area would not be any higher than levels found in the recent past.

The proposed pub includes a sizeable kitchen area (87m²) which would be capable of serving a substantial food offering. The pub also proposes to open from 07:00 which is untypical of other pubs in the area. These aspects offer some differentiation of the proposed pub from other pubs found locally and in this regard the pub would offer some diversity to the Primary Shopping Area and Town Centre.

The proposed use of the site as a public house would bring the building back into active use. This would represent a significant improvement for the Primary Shopping Area and Town Centre in comparison to the building in its boarded up state for the past 15 years. The proposed design would include large areas of glazing to the street which would create an active frontage. The development will also deliver resurfacing of the footway outside the site. These factors would boost the retail area and promote good accessibility from the shopping street. The proposed use would likely attract more people to the area throughout the day which would in turn likely benefit adjacent shops and businesses. In principle the proposed change of use would make a positive contribution and would be compatible with and support the retail character of the area.

The site is located within a designated town centre which is where pubs, bars, cafés, restaurants and more intensive uses including community facilities are appropriate in accordance with national and local planning policy.

The location benefits from being on a main bus route with inbound and outbound stops nearby on Gloucester Road. These are served by a wide range of services to/from the city centre and a wide range of suburbs. The site is therefore easily accessible via public transport. The position within a town centre also makes the site easily accessible on foot by residents living in close proximity of Gloucester Road. Cycle parking facilities for both staff and customers are proposed on site in line with policy requirements. The proposed use and site location are therefore accessible by active, low carbon and sustainable transit modes. The location is therefore acceptable for the proposed use and in accordance with policy requirements to promote active and low carbon transit and minimise private car use.

The proposed change of use is also associated with estimated employment of 50 staff, including a mix of part time and full time roles. This is likely to comprise a site manager, 4 deputy managers, 6 - 8 kitchen staff (chefs), 10 full time bar staff, 15 - 17 part-time bar staff and 4 cleaners. These job roles would be beneficial to local employment and in turn the local economy. It is also noted that employment and economic activity would be associated with refurbishment and works to the building. There would be further economic benefits associated with business rates generated by the use.

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These economic benefits would be entirely net gains given the long term vacancy of the building.

In light of the above, in land use terms the proposed change of use would broadly comply with all relevant policy in relation to loss of retail and change of use in town centre locations. The site is found to be an acceptable location for the proposed use and there are recognisable benefits associated with the development including reuse and refurbishment of the building, employment and economic stimulus. The acceptability of the use does however remain subject to detailed consideration of further detailed planning matters such as the impacts of noise and general disturbance, fumes, smells, litter and late night activity, including those impacts arising from the use of external areas, refuse storage and disposal facilities as well as the appearance of any associated extensions, flues and installations. Detailed consideration of these matters will follow within subsequent sections of this report.

Neighbouring Amenity

Section 12 (Achieving well-designed places), paragraph 127 of the NPPF outlines that planning policies and decisions should ensure that developments create places with a high standard of amenity for existing and future users.

Section 15 (Conserving and enhancing the natural environment), paragraph 170 of the NPPF outlines that planning policies and decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.

Paragraph 180 of the NPPF states: Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life;
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

Policy BCS21 (Quality Urban Design) of the Core Strategy outlines that all new development within Bristol will be expected to strive to achieve high standards of urban design. With regards to amenity it is outlined, that new development is expected to safeguard the amenity of existing development.

Policy BCS23 (Pollution) of the Core Strategy outlines that development should be sited and designed in a way as to avoid adversely impacting upon environmental amenity or biodiversity of the surrounding area by reason of fumes, dust, noise, vibration, smell, light or other forms of air, land, water pollution, or creating exposure to contaminated land. Further to this, in locating and designing development, account should also be taken of the impact of existing sources of noise or other pollution on the new development and the impact of the new development on the viability of existing uses by reason of its sensitivity to noise or other pollution.

Policy DM10 (Food and Drink Uses and the Evening Economy) of the SADMP states that food and drink uses will be acceptable provided that they would not harm the character of the area, residential

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amenity and/or public safety, either individually or cumulatively; and that proposals resulting in a harmful concentration will not be permitted.

Policy DM30 (Alterations to Existing Buildings) of the SADMP states that extensions and alterations to existing buildings will be expected to safeguard the amenity of the host premises and neighbouring occupiers. This will be by means of ensuring extensions would not result in harmful loss of sunlight or daylight through overshadowing of neighbours. Alterations to existing buildings should also leave sufficient usable external private space for the occupiers of the building.

Policy DM33 (Pollution Control, Air Quality & Water Quality) of the SADMP states that development which has the potential, either individually or cumulatively, for an unacceptable impact on environmental amenity, biodiversity or water quality by reason of pollution as set out in the Core Strategy but is considered desirable for reasons of economic or wider social need will be expected to provide an appropriate scheme of mitigation. Development will not be permitted if mitigation cannot be provided to an appropriate standard with an acceptable design, particularly in proximity to sensitive existing uses or sites.

Policy DM35 (Noise Mitigation) of the SADMP outlines that development which would have an unacceptable impact on environmental amenity or biodiversity by reason of noise will be expected to provide an appropriate scheme of mitigation. In assessing such a scheme of mitigation, account will be taken of:

- i. The location, design and layout of the proposed development; and
- ii. Existing levels of background noise; and
- iii. Measures to reduce or contain generated noise; and
- iv. Hours of operation and servicing.

Development will not be permitted if mitigation cannot be provided to an appropriate standard with an acceptable design, particularly in proximity to sensitive existing uses or sites.

The potential impacts of the proposed development to neighbouring amenity and living conditions are wide ranging in this instance. These include the generally increased noise and activity associated with the change of use including from outdoor areas, enlargement and extension of the building, the introduction of noise emitting plant and equipment, odour and smells as well as management of the proposed use from a public safety and security perspective. These matters will be address in turn within the following subsections.

Characteristics of proposed use, noise and disturbance

The existing established lawful use of the building is as a large retail unit, although it is recognised the building has been disused for 15 years. Following recent Government changes to commercial planning land use classification and the introduction of use class E, it is recognised that the building could be lawfully used for a wide range of uses without the requirement for further planning permission. These include retail, financial and professional services, offices, cafes or restaurants, gyms, health centres and nurseries. It is acknowledged that some of these uses would be associated with a level of activity, noise and disturbance which is not insignificant or incomparable to the proposed use as a pub.

The key differences in use would relate to the predominant function as a bar offering sale of alcohol and the opening hours, particularly later at night. The sale of alcohol is a licensable trade which would be associated which management and restrictions via the licensing regime. The planning process seeks to manage impacts associated with land use and development. It is therefore important not to

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replicate licensing functions surrounding the control of the sale of alcohol. Planning control relates more to characteristics of land use and impacts which result from the location and form of development.

It is noted that the site and surrounding environment is sensitive to noise pollution, with first floor flats found directly adjacent to the north and south of the site. Further residential accommodation can be found adjacent at first floor level to the opposite western side of Gloucester Road, approximately 20m from the site. Immediately to the rear of the site are industrial uses accessed via Merton Road. Beyond these are rear gardens and terraced houses located on the western side of Brynland Avenue. The rear gardens are situated at minimum 50m from the site, with the houses a minimum of 65m from the site. In many cases, the distances are greater than this. It is recognised that existing noise conditions at these residential properties will be influenced by their position within, or in close proximity of the town centre including existing commercial uses as well as proximity to a main road (A38) which carries high volumes of traffic.

A Noise Impact Assessment has been submitted relating to predicted noise levels from the site. This relates to noise from external mechanical plant, noise from customers in outdoor areas including the roof terrace, noise generated by customers accessing and departing the site as well as noise related to deliveries and bins.

Noise related to general use and emanating from within the building

The pub would have proposed opening hours of 07:00 to 23:30 Sunday to Thursday and 07:00 to 00:30 Friday and Saturday. These opening hours have been reduced from the previously refused application where closing was proposed at 00:30 Sunday to Thursday and 01:30 Friday and Saturday. This brings the proposed opening hours in line with other pubs within the town centre, reflecting the licensed hours of The Anchor which is 100m to the south. The opening hours would be within 30 minutes of the nearby Royal Oak on Sunday to Thursday. As a result of these factors, the proposed opening hours are not found to be significantly out of character with the surrounding area.

The proposed use of the building would not generate noise significantly outside parameters already established within the Town Centre. The walls and roof fabric of the refurbished building including proposed replacement windows/doors would be sufficient to prevent activities and noise from within the building escaping to impact neighbours. The relationship would be similar to other commercial and residential properties within the Town Centre. It is expected that Town Centres include more intensive uses such as hospitality venues but also more so residential accommodation. It is inevitable that residential uses which benefit from proximity to the Town Centre will experience a higher level of noise and activity. The proposed use would not result in significant differences in comparison to other uses such as a restaurant or gym which could be achieved without the need for planning permission. The proposed opening hours in this instance are found adequate to prevent undue levels of noise and disturbance being experienced by neighbouring residential properties.

Noise from proposed plant and equipment

The local planning authority generally requires that the rating level of noise generated by plant and equipment as part of the development below existing background levels as determined by BS4142: 2014 (Methods for rating and assessing industrial and commercial sound). This should ensure residents are safeguarded from negative impacts of plant and equipment. The supplied Noise Impact Assessment includes measurements for existing ambient noise levels at adjacent first floor flats to the north and south (355-357 and 347 Gloucester Road respectively), the first floor flat to the opposite western side of Gloucester Road (322 Gloucester Road) and the rear of the houses on Brynland Avenue.

It is recognised that a package of noise mitigation measures is required and specified to reduce noise generated by proposed plant and equipment. Predicted noise levels have been modelled including a

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3dB correction for any variance however this is not expected. This is shown at Table 5 of the Noise Impact Assessment. The predicted noise levels following noise mitigation measures would be within existing current noise levels as measured at all neighbouring properties. The noise levels experienced opposite at 322 Gloucester Road would be significantly less than existing background levels. To the rear of the houses on Brynland Avenue, predicted levels are also less than existing background levels, fairly significantly so once kitchen operations cease at 23:00. The flats opposite to the north and south (355-357 and 347 Gloucester Road respectively) will experience the highest noise levels related to plant and equipment. However this still avoids exceeding current background noise levels as measured at these properties.

World Health Organisation Guidelines for Community Noise (1999) offer guidance in relation to acceptable noise levels for sleeping and resting conditions inside dwellings as well as within outdoor areas. WHO recommends internal noise levels of 30dB(A) at night for bedrooms, and 35dB(A) during the day for living-rooms. The guideline levels are based on annual average data. To avoid sleep disturbance in bedrooms during the night time period, it recommends that noise levels from single sound events should not regularly exceed L_{Amax} 45dB(A). WHO defines 'regular' as not more than 10-15 events per night. To protect the majority of people from being seriously annoyed during the daytime, the sound pressure level on balconies, terraces and outdoor living areas should not exceed 55 dB LA_{eq} for a steady continuous noise. To protect the majority of people from being moderately annoyed during the daytime, the outdoor sound pressure level should not exceed 50 dB LA_{eq}.

The predicted noise levels at all neighbouring properties are comfortably lower than the relevant WHO criteria. This includes at night time including consideration and reduction for a partially open window as may be the case in summer. The supplied Noise Impact Assessment and included predictions have been reviewed and are agreed as being acceptable by the Pollution Control team. Conditions are recommended to ensure that the development is implemented in accordance with the mitigation measures and noise levels stipulated in the Noise Impact Assessment. Subject to this measure, it is concluded that plant and equipment associated with the development would preserve an acceptable standard of amenity for neighbouring occupiers.

Roof terrace noise

It is proposed that the outdoor roof terrace area will be closed at 21:00 daily. This has been reduced from 23:00 in comparison to the previously refused 2018 application. This will be secured by staff moving customers inside, clearing the area and locking doors to prevent access in advance of this time. The roof terrace area will be checked and monitored regularly by the Duty Manager and the area will have full CCTV coverage. The capacity for the terrace is stipulated as 120-130 in the supplied Noise Impact Assessment. At peak times, the roof terrace will be monitored by door supervisors who will prevent access to the terrace to avoid overcrowding. Further site management measures are stipulated within the Site Management Plan submitted by the applicant. These include staff taking action against any customers who are causing excessive levels of noise. Signage will be installed reminding customers to behave respectfully of neighbouring residents. Residents will be given contact details for the Duty Manager in order to direct any issues and there will be regular meetings hosted for residents within the first 12 months and once per quarter following. These will provide residents the opportunity to raise any operational issues experienced related to the roof terrace or any other aspect of use of the site.

It is noted that many of the other more intensive uses in the Town Centre such as the adjacent GR Fitness gym, Co-op supermarket and adjacent pubs The Anchor and The Royal Oak with outdoor areas remain operational until 21:00 also. Therefore, levels of activity and resulting background noise levels within the area will remain fairly high at this point. The outdoor closing time of 21:00 would not generally interfere with normal patterns of sleep.

The submitted Noise Impact Assessment considers the likely impact of customer noise from the roof terrace. Average sound levels for human voices have been used to consider likely impacts at

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neighbouring properties depending on number of patrons present at the roof terrace. The LPA has focused on the 'worst case' data provided by the applicant. The applicant suggests that these circumstances would only take place a few times per year. However this cannot be guaranteed and therefore the LPA has used worst case data as the predominant scenario for a busy evening.

Predicted noise levels are compared with the WHO guideline level which is 50dB for daytime annoyance within outdoor areas such as adjacent rear gardens. Under worst case conditions, predicted noise levels at neighbouring properties are all significantly less than the WHO daytime annoyance level (50dB). This is except for 347 Gloucester Road which is expected to experience predicted noise levels of 50dB, therefore level with the WHO daytime annoyance level. However, it is noted that ambient noise levels at 21:00 at this property would be higher than (58dB) the WHO daytime annoyance level in any case. In comparison to actual background measurement levels recorded in the position used to represent the rear of houses on Brynland Avenue, it is also estimated that predicted worst case roof terrace noise would exceed the ambient noise levels by 2dB. This is not a significant exceedance, particularly in the context of background noise levels which are low. This would represent a slight awareness of background noise whilst outdoors and would not be experienced indoors. Neighbouring properties are located within close proximity of a Town Centre and therefore a level of noise from the adjacent commercial area is not deemed unreasonable. The predicted worst case noise levels would also not be to an extent which could be considered significantly harmful. Resultantly, it is not found that this low level of background exceedance would represent sufficient disturbance to neighbouring occupiers to warrant the refusal of planning permission.

Given management proposals outlined within the Site Management Plan, the LPA is reassured that such low exceedances of background noise levels are manageable and will not be commonplace. If this is not the case, there are sufficient protocols in place to resolve issues including the applicants own complaints and neighbour relations forums and via the Council's Pollution Control team. The Pollution Control team have reviewed the proposals and data submitted, and deem the impacts to neighbouring properties to be acceptable. It can therefore be concluded that subject to conditions related to management, the proposed roof terrace area will maintain an acceptable noise environment for neighbouring occupiers.

Customers departing premises

The Noise Impact Assessment addresses impact from customers departing the site late at night using data recorded at the site in January 2020. In measurements taken on a Friday and Saturday night between 23:00 and 01:00 around 250 people walked past the site and noise levels were between 67-69dB on average during this period. This mostly relates to road traffic noise. Levels of noise and activity are significant, particularly given this data was recorded in January when weather is poor and people are more likely to stay in following Christmas and New Year.

Whilst the development would likely increase the intensity of activity immediately surrounding the site late at night, this would quickly assimilate away from the site given existing noise levels and the amount of other activity, comings and goings present surrounding the site late at night. The applicant has shared sales data from their other Bristol sites with the LPA. This generally shows that sales are steady throughout the evening, with no dramatic spikes and sales gradually decline from 23:00. This would suggest that patrons tend to depart gradually, rather than en masse at closing time. Given existing activity and noise levels within the area, it is not found that this process would cause major disturbance to neighbouring occupiers.

Servicing

The supplied Noise Impact Assessment outlines that bottles and recyclable waste would be collected internally at the bar area and then transferred to the main bin store periodically. The main bin store is located to the northern side of the building, enclosed within the ground floor extension. The location

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within the extension would afford some noise attenuation however the LPA will seek to prevent the tipping of recyclable waste into bins at sensitive times of day by condition. The supplied Site Management Plan outlines that deliveries, collections and outside disposal of waste and bottles from the premises will be at times which will not disturb our neighbours. Glass bins will not be emptied between 2100 and 0900 the following day. This would be sufficient to ensure neighbours are not disturbed by movement of waste during normal hours of sleep.

The main bins would be collected by a private contractor and a Waste Management Plan will be required by condition to secure details of this procedure. Bins will be required to be collected in the middle of the day, avoiding the highways loading restrictions from 07:00 to 09:30 and 16:30 to 20:30. A Delivery and Servicing Strategy will also be required by condition to ensure deliveries are undertaken during the day, again avoiding highways loading restrictions. These measures will ensure neighbours are not unduly disturbed by servicing of the site and an acceptable standard of amenity will be maintained as a result.

Site management and security

It is noted that Policy DM10 (Food and Drink Uses and the Evening Economy) of the requires that food and drink uses do not harm the character of the area, residential amenity and/or public safety. It is recognised that the proposed public house in this case would be of significant size with approximately 750m² available seating/bar area, accommodating hundreds of customers at peak times. The pub would be dependent on alcohol sales and would be required to apply for a Premises License separately. As such, detailed consideration of the acceptability of the site to sell alcohol will be established by this separate process.

It is however recognised that there are material planning considerations which transpire as a result of the sale of alcohol and gatherings of large numbers of people. Specifically in relation to this site, it is noted that the site is located approximately 500m or 6 minutes walk from the Memorial Stadium which hosts Bristol Rovers Football Club matches from typically August to May. The site is also 600m or 7-8 minutes walk from the Bristol County Cricket Ground which hosts cricket matches typically through spring and summer at all levels including County and International matches. The public house for which permission is sought would be sizable and likely the largest in the local area. It will likely be attractive to fans prior to and potentially following attending adjacent sports events.

Concerns were raised in relation to the previous application which was not supported with any information regarding management of the site whilst events are taking place locally. Avon & Somerset Police raised concerns regarding this.

The current application is supported by a Site Management Plan which includes a range of measures which would be implemented when events are taking place locally to mitigate impacts. The management plan also includes measures which the venue will take to mitigate anti-social behaviour and public safety issues. These include:

- o Full digital CCTV system proposed
- o Training for staff twice annually regarding alcohol sales to drunk/underage customers
- o 6 SIA licensed security staff proposed on Bristol Rovers match days
- o Pub will be 'home fans only' on football match days
- o Door supervisors also proposed for cricket matches
- o Staff advised to monitor and intervene with excessively loud patrons
- o Complaints procedure for residents

The Police have acknowledged that the site is within an area of additional licensing control due to significant concentration of alcohol led late night venues, witnesses a high number of assaults and other related crime and disorder including public nuisance and risk to public safety. The Police will be involved in the licensing process and may wish to build upon the measures proposed within the Site

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Management Plan above. However for planning purposes, these measures are found to be sufficient to ensure the development would avoid exacerbating issues of public safety.

The Police have also made a series of recommendations regarding the security of the design and fitting building itself. Details to meet these requirements will be sought via condition. Subject to this measure, the development is acceptable in terms of public safety.

Odour

The development includes the proposed installation of a kitchen extraction system to remove smoke, fumes and odour from the kitchen area. This is proposed for installation on the roof of the building. The proposed system includes grease baffle filters in the kitchen canopy and a filter box on the rooftop. The filter box would include pleated filters, bag filters and carbon block filters to remove smoke, fumes and odour prior to emission from the system. The gas supply for cooking appliances would not function if extract fans have failed or are off.

These proposals have been reviewed by the Pollution Control team and are deemed acceptable to ensure that the development will not negatively impact on the environmental quality and amenity of the area through cooking odour and fumes. It is noted that the required maintenance of the system will need to be determined based upon the level of cooking taking place. This is yet to be established and therefore would need to be covered in an Odour Management Plan which would be sought via condition in the event of permission being granted. Subject to this measure, odour control proposals are acceptable.

Extension of building

Extension and enlargement of the existing building are proposed to the northern side at ground floor level, to the rear of the front first floor part of the building, proposed roof terrace enclosing structures, plant and equipment to first and second floor roofs and enclosing structures.

The proposed ground floor extension to the northern side would be situated adjacent to the northern boundary with 355 Gloucester Road. The neighbouring building is in retail use as a craft/hobby shop ground floor level and a flat above at first floor level. At ground floor level, the proposed extension would be situated adjacent to a hard surfaced access lane. There is a single side facing window at ground floor level to the rear of the neighbouring building. This appears to serve a stock/servicing area used in relation to the shop unit. The proposed single storey extension would therefore not result in any harm to neighbouring residential amenity given the use of this part of the adjacent building. Access would not be impeded and the proposed extension would have an acceptable impact to the adjacent site.

A further extension is proposed to the rear of the front two storey part of the building at first floor level. This extension would host the staircase between ground and first floor levels as well as some first floor seating. The extension would be equal to the height of the front two storey part of the building and would be 5m in depth from the existing first floor rear wall. The extension would be located 4m in from the southern edge of the existing flat roof. In line with the extension, a 2.5m high wall would run the length of the building also located 4m in from the southern edge of the existing flat roof. This would mark the southern edge of the roof terrace.

The first floor extension and roof terrace wall would be located adjacent to 347 Gloucester Road which is the neighbouring building to the south. The neighbouring building is in commercial use as a betting shop at ground floor level and a flat above at first floor level. Around 2.7m separates the two sites. The first floor flat includes two windows within the northern side elevation which are in close proximity of, and face the site.

The positioning of the proposed extension and roof terrace wall a total of around 7m from the

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neighbouring north facing windows would ensure a 25 degree angle is retained. The BRE's guidance 'Site Layout Planning for Sunlight and Daylight: A Guide to Good Practice' outlines that where existing development retains an obstruction angle of 25 degrees or less, the proposed development is unlikely to cause a substantial effect on diffuse skylight. As the angle between neighbouring windows, the extension and wall would be less than 25 degrees, acceptable access to light would be maintained in this instance. Outlook from the windows would change moderately however is not found to be harmful to amenity. No overlooking or loss of privacy would be possible given the proposed solid wall enclosing the roof terrace.

To the rear of the site, the roof terrace would be enclosed by the proposed first floor plant enclosure. This would be 3m in height and constructed as a rendered masonry wall. The enclosure would be located a minimum of 2m in from the edge of the roof. The building immediately backs onto industrial and commercial buildings located on Merton Road. The nearest residential properties to the back of the site are on Brynland Avenue which is at minimum 50m further east. This separation is sufficient to prevent any overshadowing, loss of light, loss of outlook or loss of privacy. Therefore the proposed plant enclosure would not negatively impact on amenity and living conditions at neighbouring properties.

The existing two storey part of the building to the northern side of the site would prevent any impact to neighbouring properties to the north. The development would not exceed the height of this, except for roof mounted plant which would not be of a scale capable of causing significant overshadowing or loss of light.

Conclusion

The application is supported by sufficient information that the Local Planning Authority is now satisfied that the proposed change of use would safeguard an acceptable standard of amenity for all surrounding occupiers. The applicant has demonstrated a good level of commitment to ensuring this. The Pollution Control team have been involved throughout and have confirmed they are accepting of this conclusion. Safeguarding conditions will ensure the development will avoid harm to neighbouring living conditions and amenity.

Appearance, Character and Design

Section 12 (Achieving well-designed places) of the NPPF outlines that: "The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities".

Planning policies and decisions should aim to ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

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- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 of the NPPF also states that: "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents".

Policy BCS21 (Quality Urban Design) of the Core Strategy 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 (Local Character & Distinctiveness) of the SADMP outlines that all development is expected to contribute positively to an area's character and identity. The policy builds on policy BCS21 (above) by stipulating the characteristics which development should seek to respond to. General principles include:

- i. Responding appropriately to and incorporating existing land forms, green infrastructure assets and historic assets and features; and
- ii. Respecting, building upon or restoring the local pattern and grain of development, including the historical development of the area; and
- iii. Responding appropriately to local patterns of movement and the scale, character and function of streets and public spaces; and
- iv. Retaining, enhancing and creating important views into, out of and through the site; and
- v. Making appropriate use of landmarks and focal features, and preserving or enhancing the setting of existing landmarks and focal features; and
- vi. 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; and
- vii. Reflecting locally characteristic architectural styles, rhythms, patterns, features and themes taking account of their scale and proportion; and
- viii. Reflecting the predominant materials, colours, textures, landscape treatments and boundary treatments in the area.

The policy states that "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."

Policy DM27 (Layout & Form) of the SADMP outlines that the layout, form, pattern and arrangement of streets, open spaces, development blocks, buildings and landscapes should contribute to the creation of quality urban design and healthy, safe and sustainable places. It should make efficient use of land, provide inclusive access and take account of local climatic conditions.

Proposals should not prejudice the existing and future development potential of adjoining sites or the potential for the area to achieve a coherent, interconnected and integrated built form. Where such potential may reasonably exist, including on sites with different use or ownership, development will be expected to either progress with a comprehensive scheme or, by means of its layout and form, enable

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a co-ordinated approach to be adopted towards the development of those sites in the future.

The policy then proceeds to outline how development will be expected to achieve the above in relation to streets and spaces, blocks and plots, height scale and massing, landscaping design as well as servicing and management.

Policy DM28 (Public Realm) of the SADMP states that development should create or contribute to a safe, attractive, high quality, inclusive and legible public realm that contributes positively to local character and identity and encourages appropriate levels of activity and social interaction.

Development will be expected to:

- i. Provide for or contribute towards an appropriate range of activity within the public realm, including spill-out spaces for trade, events, relaxation and recreation; and
- ii. Sensitively integrate and prioritise appropriate levels of movement infrastructure for different modes, including provision for convenient pedestrian and cycle movement; and
- iii. Provide an appropriate relationship with the building edge and a suitable transition between clearly defined public and private spaces; and
- iv. Reduce crime and fear of crime by creating a well-surveilled public realm that is well managed and cared for; and
- v. Enable easy, inclusive access into and through the public realm and to buildings that provides adequately for the mobility needs of all users having regard to age, gender and disability; and
- vi. Ensure that any car parking and provision for servicing are appropriate to the context and are sensitively integrated so as not to dominate the public realm; and
- vii. Where they are proposed or required by other policies, integrate sustainable drainage systems, natural and historic features and any planting into the design of the public realm; and
- viii. Incorporate appropriate street furniture, lighting and surface materials of high quality, environmental performance and durability that enhance the quality, character and appearance of the public realm through their siting and design; and
- ix. Retain in situ, where possible, traditional surface materials, boundary treatments and street furniture or, where this cannot feasibly be accomplished, reclaim them and reuse them elsewhere in the proposed development.

Policy DM30 (Alterations to Existing Buildings) of the SADMP states extensions and alterations to existing buildings will be expected to:

- i. Respect the siting, scale, form, proportions, materials, details and the overall design and character of the host building, its curtilage and the broader street scene; and
- ii. Retain and/or reinstate traditional or distinctive architectural features and fabric; and
- iii. Safeguard the amenity of the host premises and neighbouring occupiers; and
- iv. Leave sufficient usable external private space for the occupiers of the building.

Extensions should be physically and visually subservient to the host building, including its roof form, and not dominate it by virtue of their siting and scale.

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As previously set out above, the former retail building at 349-353 Gloucester Road has been disused for approximately 15 years. Originally constructed as a supermarket, the building dates from the early 1960s and is of functional modern design. The lack of consistent tenant and period of vacancy over recent years have resulted in the building falling into poor state of repair. The condition of the building and introduction of security measures such as boarded windows and timber hoarding, results in the building detracting from the appearance of the area and contributing a sense of neglect.

The proposed development would return the building to active use which alone would have a positive effect on the area, reintroducing activity and public surveillance over this part of the street. The proposed use would be for food and drink purposes which would generate footfall within the town centre. The development involves installation of a revised shopfront with large glazed windows and doors to the front of the building. These would create an active frontage and strong relationship with the street. The development also involves refurbishment of the facing walls which would rejuvenate the appearance of the building. Particularly when viewed in comparison to the existing situation, the proposals would be highly beneficial for local appearance and character.

Proposed windows and doors would include aluminium frames which will allow for a low profile and high quality appearance, well suited to the modern architectural style. The proposed railings to the front would reflect the modern style also and provide a secure and unobtrusive means of enclosure to the front entrance courtyard area. Conditions would be applied to ensure refurbishment is undertaken with appropriate materials to match the existing building and to secure details associated with new building elements such as windows, doors and railings.

As for the proposed extensions, these would be located to the northern side at ground floor level and to the rear of the front two storey part at first floor level. Plant is also proposed at first and second floor levels. The first floor extension would not be visible from the public realm, located behind the existing two storey part facing the street. The proposed extensions would both be of sensitive scale, form and proportions. Proposed materials and roof forms would match the styles found in the host building. Consequently, these would complement the appearance and character of the building and appear in keeping.

The proposed first floor roof terrace would be enclosed by masonry walls which would be no higher than the adjacent two storey parts of the building. The scale is therefore found to be inkeeping. Proposed first floor plant and equipment would be located within an enclosure which would screen condenser units from view. External materials would match the wider building.

The proposed extraction system and plant would be located at the rear of the building on the existing flat roof and inset from the edge of the roof. The equipment would not project significantly in terms of height from the flat roof. This would ensure the plant would not be visible from ground level in views from the public realm on Gloucester Road. The character of the area to the rear of the site accessed from Merton Road is decidedly more commercial/industrial. Within this context, the proposed roof top extraction system and plant is not found to appear out of character. Given the commercial use of the building and modern, functional appearance, this is not found to be inappropriate. Overall, these proposals are found inkeeping with the appearance and character of the area.

To conclude, the proposals are found to be highly beneficial in terms of improving the condition of the building and reintroducing activity and interest to this part of the Gloucester Road. Extensions and alterations proposed are small scale and sensitive. Materials are inkeeping and quality will be secured by conditions attached to any eventual consent. Subject to these measures, the proposals accord with the requirements of national and local planning policy in terms of appearance, character and design.

Transport, Highways & Access

Section 9 (Promoting Sustainable Transport) of the NPPF outlines that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and

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offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

In relation to sustainable transport, the NPPF states that development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Policy BCS10 (Transport & Access Improvements) of the Core Strategy 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.

Developments should be designed and located to ensure the provision of safe streets and reduce as far as possible the negative impacts of vehicles such as excessive volumes, fumes and noise. Proposals should create places and streets where traffic and other activities are integrated and where buildings, spaces and the needs of people shape the area.

The following hierarchy for transport user priorities is set out:

- a) The pedestrian;
- b) The cyclist;
- c) Public transport;
- d) Access for commercial vehicles;
- e) Short stay visitors by car;
- f) The private car.

Policy DM23 (Transport Development Management) of the SADMP outlines that new development should not give rise to unacceptable traffic conditions and will be expected to provide safe access to the highway network. The policy also outlines that new development should be accessible by sustainable transport methods such as walking, cycling and public transport. Furthermore, the policy sets standards for parking provision which can be found at Appendix 2.

Based upon the standards outlined at Appendix 2, the development would generate minimum cycle parking requirements of 4 cycle parking spaces for customers and 4 cycle parking spaces for staff as well as a maximum car parking provision of 38 car parking spaces. Appendix 2 also requires that the development demonstrates how servicing will be undertaken. Some reduction in the standard may be allowed where justified and in some cases on-street may be appropriate. From a threshold of 1000

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m2, one 3.5m x 26.5m bay and associated off-street manoeuvring space is required for servicing.

In this case, it is noted that the site is located within a designated town centre (Gloucester Road) as well as on a main public transport route. The site location therefore benefits from good public transport access and is within a short walk of a large residential conurbation. As such, the site is easily accessible by active and low carbon means in accordance with the hierarchy in BCS10.

With regards to pedestrian accessibility to the site, it is noted that the pavement outside the building is in poor condition including a number of different surfacing materials, cracked pavements and is not level. The highway may also be subject of further deterioration during construction works. The vehicle cross over to the north of the site can also be reduced in size now that vehicular access will no longer be required. It will therefore be required that the pavement is raised to 125mm across the frontage of the site, re-profiled and resurfaced with existing stone kerbing stored and reused. This will be secured by planning condition attached to an eventual consent. These works will ensure that the footway is safe and accessible for all users following development and provides high quality public realm which contributes positively to the Primary Shopping Area and Town Centre.

In relation to cycle parking, it is noted that a previous application was refused permission on the basis of inadequate provision. The current application however now includes x6 cycle parking spaces for customers and a further x6 cycle parking spaces for staff. These would take the form of x3 Sheffield stands. The levels of both customer and staff cycle parking accord with policy requirements for the scale of commercial use proposed. The customer cycle parking would be located in the gated entrance courtyard area at the front of the site. This would include level and direct access from the public highway and the Sheffield stands would offer cyclists good means of securing bikes in an area with high levels of surveillance. The location directly adjacent to the entrance is also highly likely to be covered by CCTV which will be secured by condition. The staff cycle parking is located internally within the building, accessible via the proposed service entrance. This will offer good long stay security and is supported. Cycle parking will be secured by condition in the event of permission being granted. Overall, proposed cycle parking facilities accord with policy requirements and would offer good access to the site by cycling.

The development does not include proposals for any car parking on site. In this case, this arrangement is deemed acceptable. As noted above, car parking policy standards are maximum provisions and not minimum provisions. Consequently, provision of no car parking for the development is within the policy compliant level in this instance. It is recognised that the existing retail unit does not benefit from any on site car parking. It could be brought back into active use as a retail unit or another use class E purpose without planning permission being required. The proposed development would involve some enlargement of the existing building however this is unlikely to generate significant increases in terms of vehicular traffic associated with the proposed use in comparison to the established use of the site for retail. It is foreseen that customers accessing the site would predominantly use other modes of transport rather than the private car. As recognised above, the site has good public transport, pedestrian and cycling access. Nevertheless, there is some capacity for on street car parking at certain points on Gloucester Road. Proposals which encourage access by pedestrians, cyclists and public transport accord with the hierarchy for transport user priorities as set out in national and local planning policy. In light of these factors, it is found that the proposed development would provide acceptable access and result in harm to the safe and free flow of the highways locally.

The development will generate an estimated 50 job roles on site. It will also be associated with delivery and servicing vehicle movements. In order to ensure access to the site is minimised and access via sustainable modes maximised, a site specific Travel Plan is required by local policy. This has not been submitted but can be sought via condition in the event of permission being granted. The Travel Plan should minimise single occupancy car travel to and from the development and identify measures to maximise the use of non-car travel. It should lead to a change in the travel behaviour of individuals to a sustainable mode of travel and then maintain that change. It should also identify ways

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of reducing the need to travel to and from a development and reduce the number of freight movements or delivery vehicles travelling to and from the site. In order to monitor the implementation of an eventual Travel Plan, a financial contribution (£5,335) will be sought via legal agreement.

It is proposed that deliveries and servicing are undertaken from Gloucester Road (A38). This is the predominant arrangement on Gloucester Road. Two separate service entrances are proposed to the north and south of the building respectively. There are existing highways stopping/loading restrictions along the frontage of the site which restrict loading between 07:00 and 09:30 then 16:30 and 20:30. These restrictions are sufficient to prevent loading and servicing impeding the safe and free flow of the public highway at peak times. Transport Development Management have recommended a Deliveries and Servicing Strategy is sought via condition in the event of permission being granted. Subject to this measure, the LPA is satisfied that the development can be serviced without unduly impacting on highways safety or causing significant congestion.

Policy DM32 (Recycling & Refuse Provision in New Development) of the SADMP outlines that all new development should provide bin and recycling storage facilities fit for the nature of development, with adequate capacity for the proposed development, in a location which is safe and accessible for all users and does not harm the visual amenity of the area or neighbouring amenity.

The proposals include a significant bin store located within the proposed extension to the northern side of the building at ground floor level. The bin store is of sufficient scale to accommodate a high number of bins and would fully enclose them, preventing amenity and sanitation issues. The store would be located in close proximity of the public highway and have direct and level access to the street for collection. Collections would be undertaken by a private waste contractor appointed prior to commencement of use. Waste collections would also be required to comply with the loading restrictions between 07:00 - 09:30 and 16:30 - 20:30. No emptying of bottle/recycling bins will be permitted after 21:00 at night and before 09:00 in the morning. A Waste Management Plan has been recommended by Transport Development Management to be sought via condition in the event of permission being granted. This will secure details of waste management, outlining proposed collection arrangements, times and frequencies. Subject to this measure, the LPA is satisfied that waste can be stored at and collected from the development without unduly impacting on amenity, highways safety or causing significant congestion.

A Construction Management Plan is also recommended by Transport Development Management to minimise and management impacts associated with deliveries to the site and construction traffic if permission were granted.

Subject to conditions, the development is not found to cause any insurmountable access, transport or highways issues. The LPA and Highways Authority are satisfied that outstanding highways issues can be resolved via conditions and legal agreement as discussed above.

Sustainability, Energy & Climate Change

Section 14 of the NPPF states "The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure".

Paragraph 150 of the NPPF outlines that "new development should be planned for in ways that: can help to reduce greenhouse gas emissions, such as through its location, orientation and design".

Core Strategy Policy BCS13 states that "Development should contribute to both mitigating and adapting to climate change, and to meeting targets to reduce carbon dioxide emissions. Development

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should mitigate climate change through measures including:

- o High standards of energy efficiency including optimal levels of thermal insulation, passive ventilation and cooling, passive solar design, and the efficient use of natural resources in new buildings.
- o The use of decentralised, renewable and low-carbon energy supply systems.
- o Patterns of development which encourage walking, cycling and the use of public transport instead of journeys by private car.

Development should adapt to climate change through measures including:

- o Site layouts and approaches to design and construction which provide resilience to climate change.
- o Measures to conserve water supplies and minimise the risk and impact of flooding.
- o The use of green infrastructure to minimise and mitigate the heating of the urban environment.
- o Avoiding responses to climate impacts which lead to increases in energy use and carbon dioxide emissions.

These measures should be integrated into the design of new development. New development should demonstrate through Sustainability Statements how it would contribute to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions by means of the above measures.

Core Strategy Policy BCS14 (Sustainable Energy) provides further objectives for how development will be expected to reduce carbon emissions through use of sustainable energy sources. It is outlined that development should include measures to reduce carbon dioxide emissions from energy use in accordance with the energy hierarchy. Development is also required to reduce carbon dioxide emissions from residual energy use by way of onsite renewable energy generation in buildings by at least 20%. New development will be expected to demonstrate that the heating and cooling systems have been selected following the heat hierarchy.

Core Strategy Policy BCS15 (Sustainable Design and Construction) states that sustainable design and construction will be integral to new development in Bristol. In delivering sustainable design and construction, development should address the following key issues:

- o Maximising energy efficiency and integrating the use of renewable and low carbon energy;
- o Waste and recycling during construction and in operation;
- o Conserving water resources and minimising vulnerability to flooding;
- o The type, life cycle and source of materials to be used;
- o Flexibility and adaptability, allowing future modification of use or layout, facilitating future refurbishment and retrofitting;
- o Opportunities to incorporate measures which enhance the biodiversity value of development, such as green roofs.

New development will be required to demonstrate as part of the Sustainability Statement submitted

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with the planning application how the above issues have been addressed. For major development and development for health or education uses, the Sustainability Statement should include a BREEAM and/or Code for Sustainable Homes assessment. Additionally, in the case of a super-major development, a BREEAM for Communities assessment will be required. From 2016 residential development will be expected to meet Level 6 of the Code for Sustainable Homes. For non-residential development, also from 2016, a BREEAM "Excellent" rating will be expected.

Further guidance on Core Strategy policy requirements and the preparation of Sustainability and Energy Statements is available within the Climate Change and Sustainability Practice Note (2012).

The application is supported by a Sustainability Statement and Energy Strategy for the development. The Sustainability Statement includes commentary on a range of measures which the development will take to address the policies above. This includes construction targeting a BREEAM "Excellent" rating. Proposals include using more sustainable, recycled and low carbon construction materials. The existing site is of little to no biodiversity or ecological value and proposals are understood to include some soft landscaping and planting, mostly in raised beds and planters. This would represent a net gain. As discussed above, the site is well located to provide access via sustainable and low carbon transit modes. The statement outlines U-Values from items of building fabric which improve upon thermal performance and air tightness required by Part L of Building Regulations. This will improve the energy efficiency and reduce the heat demand of the building. Low energy LED light fittings are also proposed to reduce energy demand. These proposals accord with the sustainable design principles required by local policy.

The Energy Strategy outlines that the development will include air source heat pumps as well as solar photovoltaic panels to generate renewable heating and power for the site. These technologies are shown on drawings and are estimated to achieve a 27.5% reduction in carbon emissions in comparison to the improved residual level. This would meet policy requirements for a 20% reduction. Detailed specifications of equipment, all measures stipulated within the Sustainability Statement and Energy Strategy including the proposed reduction in carbon emissions through renewable energy generation and BREEAM "Excellent" rating will be secured by conditions attached to any eventual consent. Subject to these measures, the development will meet policy requirements in terms of sustainability and make an acceptable contribution to reducing the effects of climate change.

Public Health

Paragraph 171 of the NPPF states that "local planning authorities should work with public health leads and health organisations to understand and take account of the health status and needs of the local population (such as for sports, recreation and places of worship), including expected future changes, and any information about relevant barriers to improving health and well-being."

Policy DM14 (The Health Impacts of Development) of the SADMP states that development should contribute to reducing the causes of ill health, improving health and reducing health inequalities within the city through:

- i. Addressing any adverse health impacts; and
- ii. Providing a healthy living environment; and
- iii. Promoting and enabling healthy lifestyles as the normal, easy choice; and
- iv. Providing good access to health facilities and services.

Developments that will have an unacceptable impact on health and wellbeing will not be permitted.

In this instance it is recognised that the proposed development seeks permission for change of use to a large pub and there are health implications associated with the sale and consumption of food and alcoholic beverages. In this case, it is noted that the pub would be situated in a town centre which in planning policy terms is an appropriate location for a pub or restaurant. There are a number of other

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pubs nearby although as noted within the 'change of use' section, this would not be to an extent which would represent an over proliferation.

The applicant has submitted information with regard to various responsible drinks retailing measures which they will employ at the site. Specifically it is noted that happy hours or drinks promotions which encourage excessive consumption of alcohol will not be employed. It is also outlined that the premise will not serve anybody who appears to be drunk or anyone who is trying to purchase alcohol on their behalf. The premise staff will sign a document acknowledging their responsibilities to prevent drunkenness and disorderly behaviour. The premises also sign up to Challenge 21 and Challenge 25 policies in order to prevent the sale of alcohol to under 18s. Consequently, it is not found that the proposed change of use would directly contribute to increased consumption of alcohol and subsequent detriment to public health in this regard.

In terms of sale of food, it is understood that the applicant will offer a wide ranging menu with a variety of choices including calorie content of each menu option. In this regard, the proposed food choice would allow customers to make informed decisions about their food consumption and healthy choices. The premises would be required to comply with any changes to national legislation in relation to food and drink consumption. Overall, it cannot be demonstrated that the proposed development would directly associated with unacceptable impact to health and wellbeing locally.

Land Contamination

Policy DM34 (Land Contamination) of the SADMP states that new development should demonstrate that:

- i. Any existing contamination of the land will be addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use and that there is no unacceptable risk of pollution within the site or in the surrounding area; and
- ii. The proposed development will not cause the land to become contaminated, to the detriment of future use or restoration of the site or so that it would cause pollution in the surrounding area.

The proposed development is not overly sensitive to contamination but is situated adjacent to land that has been subject to a potentially contaminating land uses. In light of this and the small nature of the development a condition requiring the reporting of unexpected contamination is recommended in the event of planning permission being granted. Furthermore, advisory notes regarding the presence of asbestos containing materials and their removal is also recommended in the event of permission being granted.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

The following development types will be liable for CIL:

- i. Development comprising 100m² or more of new build floorspace
- ii. Development of less than 100m² of new build floorspace that results in the creation of one or more dwellings
- iii. The conversion of a building that is no longer in lawful use

The CIL charging rate for the proposed use is at a rate of £120 (plus indexation) per m². The proposed development would create 1191m² internal area for use as a public house (Sui Generis). This is understood to generate CIL liability totalling £212,465.89. A full CIL liability notice would be issued upon the grant of planning permission.

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The current application has successfully overcome all of the Local Planning Authority's concerns relating to previous applications. It is satisfied that the proposed development would meet national and local policy requirements in terms of development within town centre locations and within the Primary Shopping Area. The change of use would not be harmful to the retail function of the area and it is recognised there would be benefits associated with bringing the building back into use following prolonged vacancy. The development is well located for predominant access via sustainable and low carbon modes. The proposals would be associated with generating a total of 50 full time and part time job roles and would be beneficial to the local economy. The Local Planning Authority and Pollution Control team are now satisfied by the applicant's proposals to manage and mitigate noise associated with the use and subject to safeguarding conditions finds the impact of development acceptable in this regard. The proposals would be associated with significant improvements to the external appearance of the building which would enhance the appearance of the street. Subject to further information secured via condition and legal agreement, the development would achieve good accessibility and have an acceptable impact on highways surrounding the site. The building would achieve good levels of sustainable design and energy efficient performance which would meet policy requirements. This includes on site renewable energy generation and a BREEAM "Excellent" rating. Overall, there is found to be minimal conflict with national and local planning policy and no relevant material considerations identified which would warrant the refusal of planning permission. It is therefore the officer's recommendation that planning permission should be granted subject to the conditions beneath and legal agreement related to financial contribution for Travel Plan monitoring.

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 Equality Act 2010.

RECOMMENDED GRANT subject to Planning Agreement**Time limit for commencement of development**

1. Full Planning Permission

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

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

Pre commencement condition(s)

2. Highway works - General arrangement plan

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

- o Dropped kerbs removed and kerb raised to 125mm height across Gloucester Road site

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- frontage
- o Re profile and resurface footway paving on Gloucester Road to suit levels
- o Existing stone kerbs retained and new kerbing in stone to match

Where applicable indicating proposals for:

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

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

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

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

3. Construction Management Plan

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

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

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.

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4. Further details: External materials

No development shall proceed until further details regarding proposed external materials including manufacturer, specification, product information and samples (if necessary), demonstrating appearance, colour and texture of the following elements, are submitted to and approved in writing by the Local Planning Authority.

1. Render
2. Brick
3. Windows
4. Doors
5. Gates and railings
6. Roof level acoustic wall/fencing
7. Roof level metal balustrading
8. Entrance forecourt paving

The development shall then be completed in full accordance with the approved materials unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure the finished appearance of the building is of a high quality and responds appropriately to the character and appearance of the local area, including conservation area, avoiding harm to heritage assets in accordance with Policies BCS21, DM26, DM27, DM28 and DM30.

5. Details of Photovoltaics (PV)

1) Prior to commencement, details of the proposed PV system including location, dimensions, design/ technical specification together with calculation of annual energy generation (kWh/annum) and associated reduction in residual CO2 emissions shall be provided within the Energy Statement.

2) Prior to occupation the following information shall be provided:

- Evidence of the PV system as installed including exact location, technical specification and projected annual energy yield (kWh/year) e.g. a copy of the MCS installer's certificate.
- A calculation showing that the projected annual yield of the installed system is sufficient to reduce residual CO2 emissions by the percentage shown in the approved Energy Statement.

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 and risk assessment must be undertaken in accordance with the Environment Agency 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

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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. This is in line with paragraph 170 of the National Planning Policy Framework.

7. Submission and Approval of Landscaping Scheme

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

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

8. Site security & CCTV

The use hereby permitted shall not commence until a scheme of building security measures including details of proposed CCTV system and signage relating to home fans/respecting neighbours are submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall account for recommendations provided by Avon & Somerset Police Designing Out Crime Officer provided during the course of the application. The approved security measures shall be implemented in full prior to occupation of the building and commencement of use unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to reduce crime and fear of crime by creating a well-surveyed public realm that is well managed, cared for and safe, attractive, high quality, inclusive and legible.

9. Travel Plan – Not Submitted

No building or use hereby permitted shall be occupied or use commenced until a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use and reduce vehicular movements to/from the site has been prepared, submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets to the satisfaction of the council unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling.

10. Deliveries & Servicing Plan

No building or use hereby permitted shall be occupied or use commenced until a delivery and servicing plan has been prepared, submitted to and approved in writing by the Local Planning

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Authority. The measures shall thereafter be implemented in accordance with the approved delivery and servicing plan for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority. The delivery and servicing plan shall include:

- a) The contact details of a suitably qualified co-ordinator;
- b) How vehicle arrivals, departures, parking, stopping and waiting will be controlled to minimise any impact on the adopted highway;
- c) Details of any freight consolidation operation, centre and the delivery and servicing booking and management systems;

Reason: In the interests of highway safety and to minimise the impact of vehicles servicing the development upon congestion

11. Waste Management Plan

No building or use hereby permitted shall be occupied or use commenced until a waste management plan setting out how waste will be stored and collected has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved waste management plan for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure appropriate waste management facilities are provided to accommodate all waste generated by the development.

12. Odour Management Plan

No building or use hereby permitted shall be occupied or the use commenced until there has been submitted to and approved in writing, by the Local Planning Authority, an Odour Management Plan, setting out cleaning, maintenance and filter replacement policies. The plan should include a written recording system to record and demonstrate when all such work is carried out. The approved odour management plan shall be complied with throughout the duration of the use unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenity of nearby premises and the area generally.

13. BREEAM

Prior to occupation, the full BREEAM Post Construction report (prepared by the registered BREEAM assessor together with confirmation that this has been submitted to the BRE (or other approved registration body), including dates/receipt confirmation email from the BRE) shall be submitted to the local planning authority and approved in writing.

Within 6 months of first occupation the final post construction BREEAM certificate(s) indicating that a BREEAM 'Excellent' rating has been achieved shall be submitted to the local planning authority and approved in writing.

Reason: To ensure the development incorporates sustainable design and construction methodology.

14. Noise Impact Assessment

Prior to occupation, all noise mitigation measures including sound insulation and acoustic housing/enclosures for proposed plant and equipment shall be installed to achieve the levels of mitigation as stipulated within the submitted noise impact assessment (Proposed J D Wetherspoon Public House, Planning Noise Impact Assessment by Spectrum Acoustic

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Consultants, reference: RK3044/18492/Rev 4 and dated: 15.01.2021). Use of the site shall not exceed the noise levels predicted within the aforementioned Noise Impact Assessment unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard an acceptable standard of amenity and living conditions at neighbouring residential properties in respect of noise pollution.

15. 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.

16. 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.

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

No building or use hereby permitted shall be occupied or use commenced until the refuse store and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans.

Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the adopted highway (including the footway), except on the day of collection.

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.

Post occupation management

18. Site Management Plan

The use hereby permitted shall operate in strict accordance with all management measures outlined within the supplied site management plan (Management Plan – 349 Gloucester Road, Bishopston by JD Wetherspoon PLC and dated: February 2021) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenity of the area and public safety.

19. 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

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the design and construction of the development in full accordance with the sustainability and energy statement (Sustainability and Energy Statement, 349 Gloucester Road, by Syntegra Consulting and dated: February 2020) prior to occupation or use commenced. A total 59% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy shall be achieved, and a 27.5% reduction in carbon dioxide emissions below residual emissions through renewable technologies (solar photovoltaic panels and air source heat pumps) shall be achieved unless otherwise agreed in writing by the Local Planning Authority.

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

20. Roof terrace customer capacity limit

The first floor roof terrace area hereby approved shall at no time contain more than 130 customers in accordance with details outlined within the submitted and approved Noise Impact Assessment (Proposed J D Wetherspoon Public House, Planning Noise Impact Assessment by Spectrum Acoustic Consultants, reference: RK3044/18492/Rev 4 and dated: 15.01.2021) and the seating layout as shown on approved drawing: PL05 REV K. This shall be monitored by premises staff or security and customer capacity permanently maintained at 130 or less unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development safeguards acceptable amenity for neighbouring residential properties in terms of noise levels.

21. Roof terrace closing time

The first floor roof terrace area hereby approved shall be cleared of all customers by premises staff and all access prohibited from this area from 21:00 until 08:00 the following day unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development safeguards acceptable amenity for neighbouring residential properties in terms of noise levels.

22. Opening hours

No customers shall remain on the premises outside the hours of 07:00; to 23:30; Sunday to Thursday and the hours of 07:00; to 00:30; Friday and Saturday unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the residential amenity of nearby occupiers.

23. Limited hours for refuse and recycling facilities

Activities relating to the collection of refuse and recyclables and the tipping of recycling 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

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24. List of approved plans and drawings

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

PL-03 Existing floor plans, received 17 July 2020
 PL-03-1 Existing floor plans, received 17 July 2020
 PL-04 Existing elevations, received 17 July 2020
 PL-05 K Proposed ground and first floor plans, received 17 July 2020
 PL-06 Proposed elevations, received 17 July 2020
 PL-07 E Proposed roof plan, received 17 July 2020
 PL-08 Proposed section AA, received 17 July 2020
 Filtration data, received 17 July 2020
 Planning statement, received 17 July 2020
 Bag filters, received 17 July 2020
 Carbon filter brochure, received 17 July 2020
 Sustainability statement & energy statement, received 17 July 2020
 Cover letter, received 17 July 2020
 Internal visual image, received 17 July 2020
 Existing and proposed floor plans, received 17 July 2020
 Proposed roof plan, received 17 July 2020
 Noise impact assessment, received 18 January 2021
 Panel pre filters, received 17 July 2020
 Site management plan, received 16 February 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 Noise - plant & equipment

Anti vibration mounts should be used to isolate plant from fixed structures and a flexible connector used to connect the flue to the fan if there is a potential to transmit vibration to any noise sensitive property. Any systems will also need regular maintenance so as to reduce mechanical noise.
- 3 Application for advertisement consent needed: You are reminded of the need to obtain separate consent under the Town and Country Planning (Control of Advertisements) Regulations 1992 for any advertisements requiring express consent which you may wish to display on these premises.
- 4 Odour Management Plan

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Guidance on the above can be gained at `Guidance on the Control of Odour & Noise from Commercial Kitchen Exhaust System¿ Published electronically by Department for Environment, Food and Rural Affairs. Product Code PB10527.
<http://www.defra.gov.uk/environment/noise/research/kitchenexhaust/pdf/kitchenreport.pdf> And 'Odour Guidance for Local Authorities 'Published electronically by Department for Environment, Food and Rural Affairs.
<http://www.defra.gov.uk/environment/quality/local/nuisance/odour/documents/local-auth-guidance.pdf>

- 5 Flues, ducts and extract systems: The technical details of the flues, ducting, extract system, filters etc. and their continuing operation should be the subject of detailed discussion and agreement with council officers. These areas of operation come within the controls of the Environmental Protection Act 1990, and it is important to establish and implement the requirements of this legislation.
- 6 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.
- 7 Bats and bat roosts: Anyone who kills, injures or disturbs bats, obstructs access to bat roosts or damages or disturbs bat roosts, even when unoccupied by bats, is guilty of an offence under the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 and the Conservation (Natural Habitats, &c.) Regulations Act. Prior to commencing work you should ensure that no bats or bat roosts would be affected. If it is suspected that a bat or bat roost is likely to be affected by the proposed works, you should consult English Nature (Taunton office 01823 283211).
- 8 Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Transport Development Management Team at transportDM@bristol.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the council's costs in undertaking the following actions:

- I. Drafting the Agreement
- II. A Monitoring Fee equivalent to 15% of the planning application fee
- III. Approving the highway details
- IV. Inspecting the highway works

NB: Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

- 9 Minor Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking any work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the council.

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You will be required to pay fees to cover the council's costs in undertaking the approval and inspection of the works. Contact the Highway Authority's Transport Development Management Team at transportDM@bristol.gov.uk

NB: Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

10 Impact on the highway network during construction

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at traffic@bristol.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

11 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

12 Travel Plan Statement / Travel Plan - Not Submitted

You are advised that a Travel Plan Statement / Travel Plan is required to be prepared and submitted using the Travel Plan Guide for New Developments and the associated templates at www.bristol.gov.uk/travelplans

13 PV System

The projected annual yield and technical details of the installed system will be provided by the Micro-generation Certification Scheme (MCS) approved installer.

The impact of shading on the annual yield of the installed PV system (the Shading Factor) should be calculated by an MCS approved installer using the Standard Estimation Method presented in the MCS guidance.

14 Asbestos Advisory

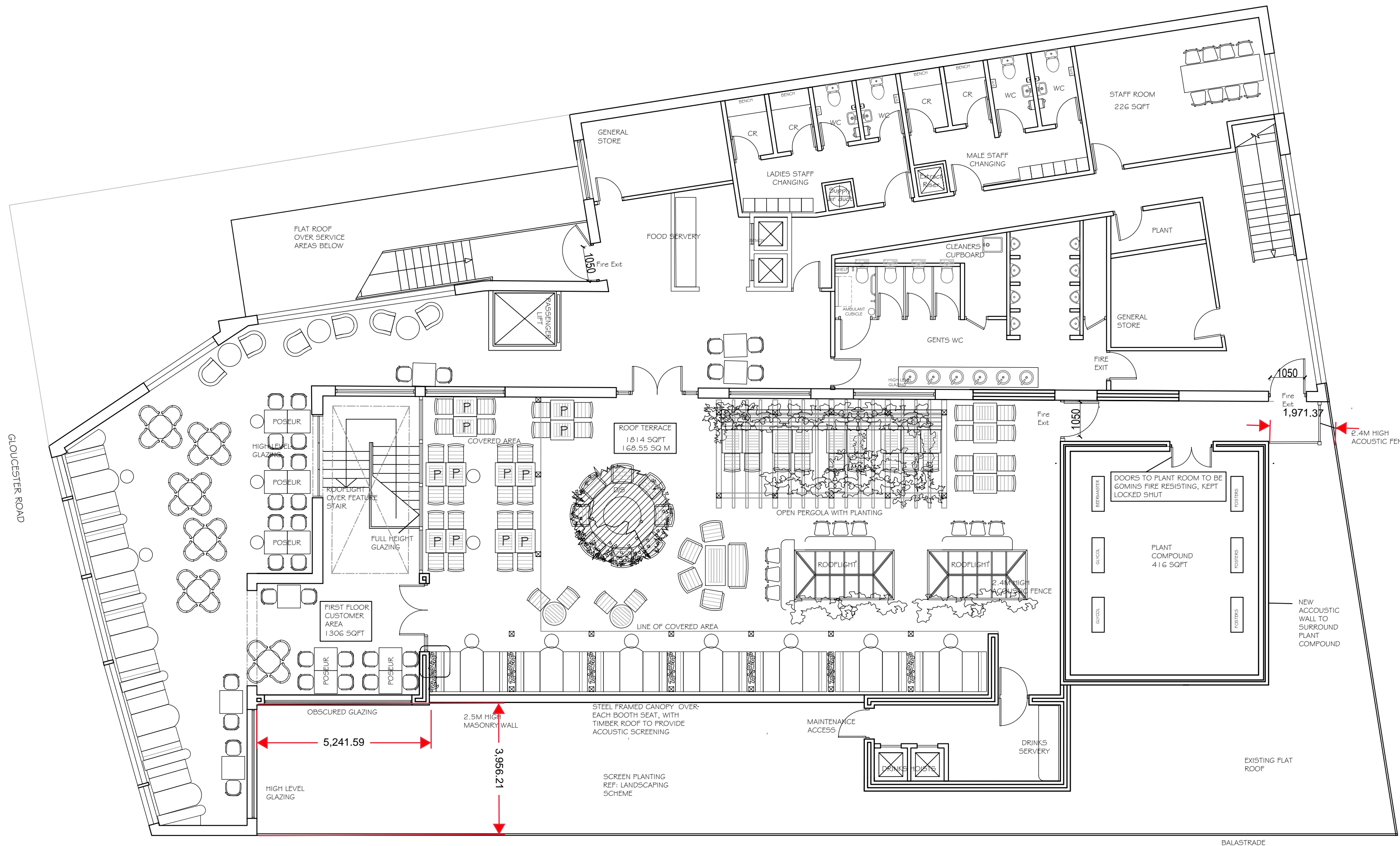
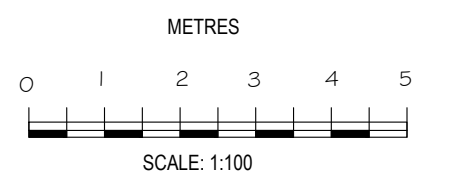
The potential presence of asbestos containing materials (ACM's) on the site is noted. In order to prevent contamination of the site, surrounding highways and to prevent harm to construction workers, surrounding residents, receptors and future site users, we recommend the applicants undertake an asbestos survey prior to the commencement of works. Any asbestos containing materials present on site must be removed in accordance with the Control of Asbestos Regulations 2012.

Supporting Documents

2. 349-353 Gloucester Road, Bishopston, BS7 8TG.

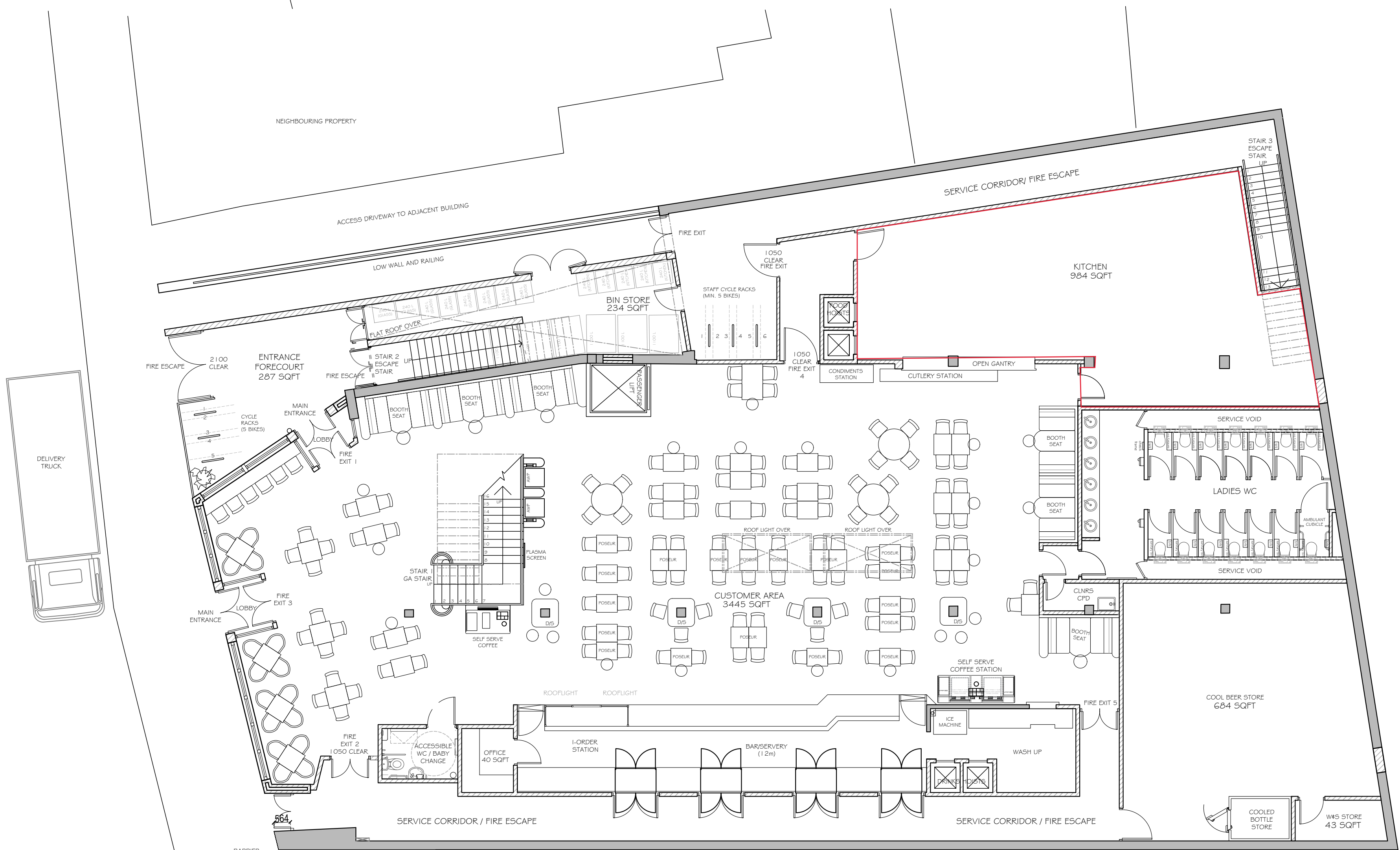
1. Proposed Ground and First Floor Plan
2. Elevations
3. Proposed Visual
4. Site Photos
5. Gloucester Road Bishopston Management Plan

NOTE - Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information should be taken from figured dimensions only



PROPOSED FIRST FLOOR PLAN

APPROXIMATE LOCATION OF EXISTING FIRST FLOOR WINDOWS TO ACCOMMODATION ABOVE ADJACENT PREMISES



PROPOSED GROUND FLOOR PLAN

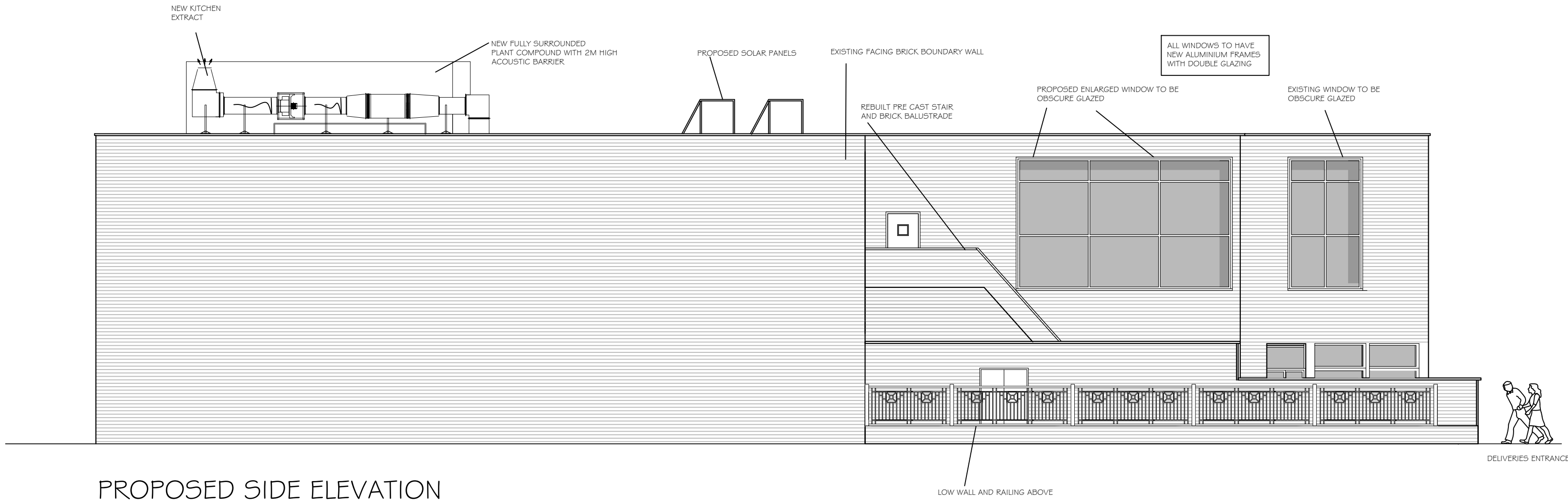
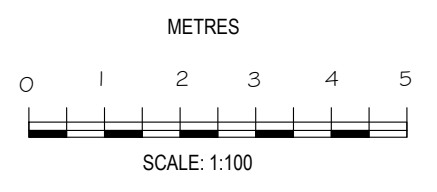
- REVISIONS
- REV K AMENDED IN LINE WITH PLANNERS CONSULTING COMMENTS: RAILING REDUCED FEB 2020 LFC
 - REV J AMENDED IN LINE WITH PLANNERS CONSULTING COMMENTS; M&E EQUIPMENT ADDED. FEB 2020 LFC
 - REV I AMENDED IN LINE WITH M&E COMMENTS JAN 20
 - REV H AMENDED ALONG WITH PLANNERS COMMENTS DEC 19
 - REV G
 - REV F ACCOUSTIC AND M&E AMMDMENTS 09. 19
 - REV E LANDSCAPING ALTERATIONS AUGUST 19
 - REV D INCORPORATE FIRE COMMENTS JUNE 19
 - REV C FURTHER REVISIONS FOLLOWING CONSULTATION JUNE 19
 - REV B FURTHER REVISIONS MAR 19
 - REV A LAYOUTS REVISED AND UPDATED MAR 19

kdpa

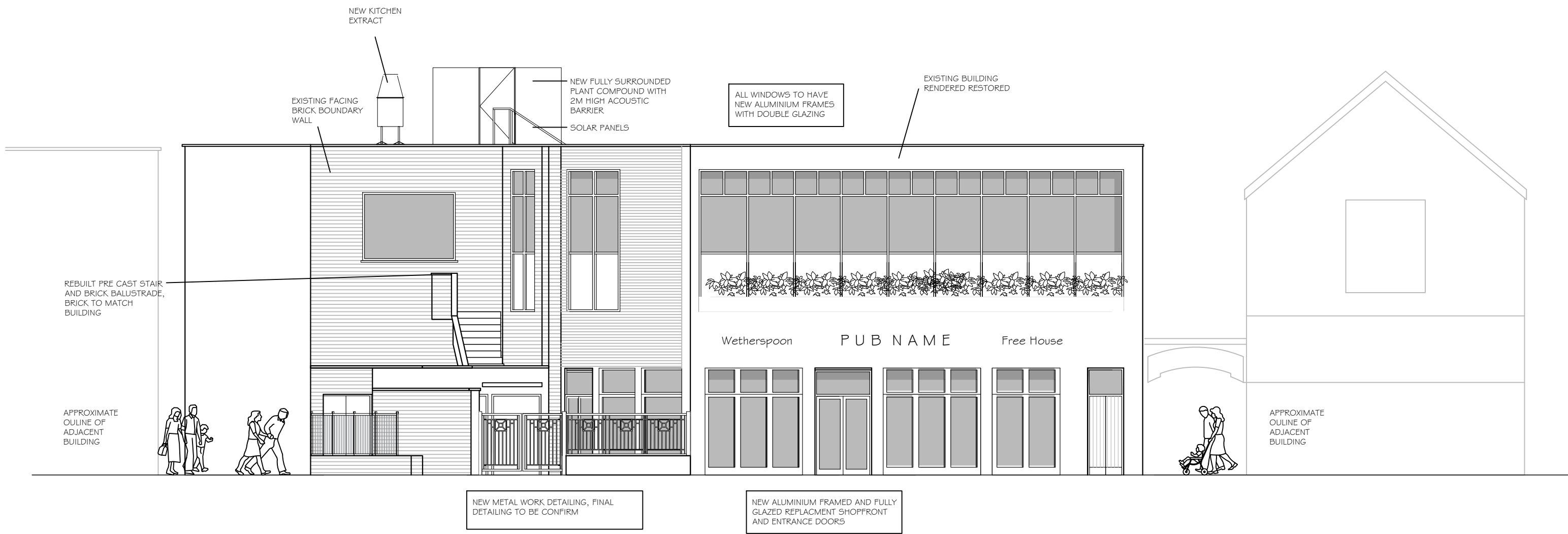
Basepoint Business Centre, Little High Street, Shoreham by Sea, West Sussex BN43 5EG +44 (0)1273 467518 www.kdpaine.co.uk

CLIENT	JD WETHERSPOON PLC	
PROJECT	PUB NO: 7240 349-353 GLOUCESTER ROAD, BISHOPSTON, BRISTOL, BS7 8TG	
DRAWING	PROPOSED ALTERATIONS AND EXTENSIONS PROPOSED GROUND AND FIRST FLOOR PLANS	
SCALE	DATE	DRAWN
A1/1:100	JAN 2019	ALS/BRS
PROJECT No	DRAWING No	REVISION
7465	PL-05	K

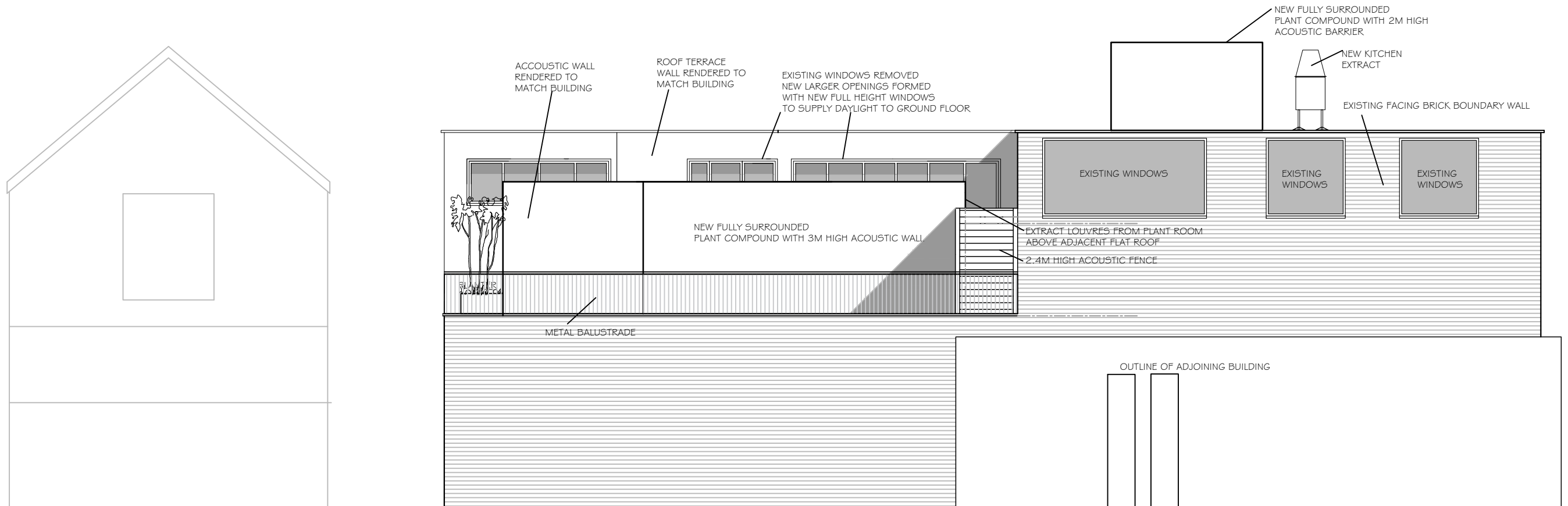
NOTE - Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information should be taken from figured dimensions only



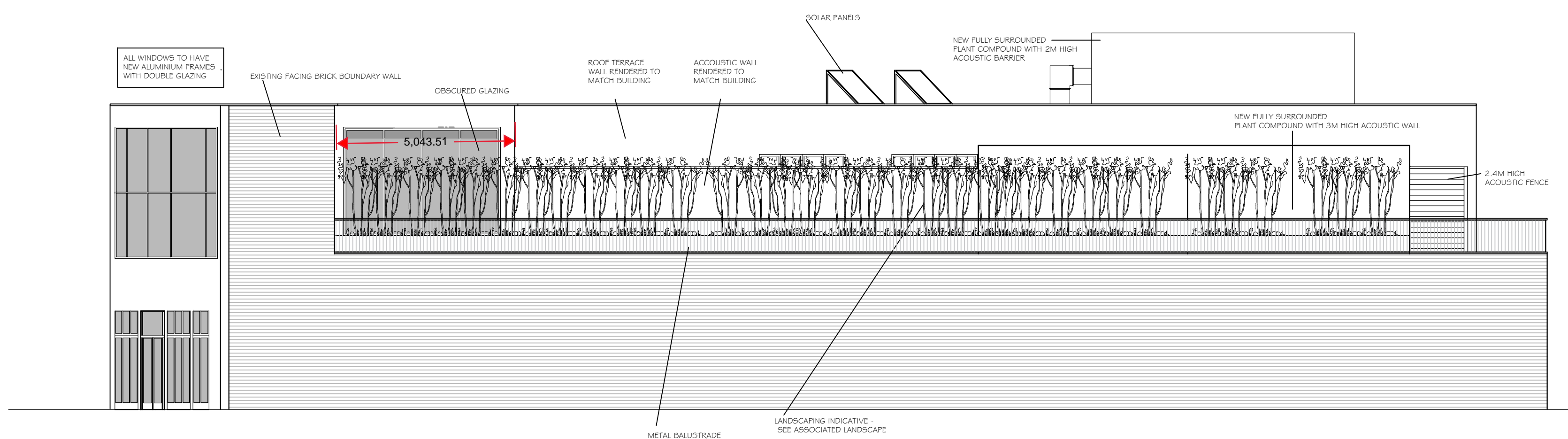
PROPOSED SIDE ELEVATION (FACING NORTH)



PROPOSED FRONT ELEVATION - GLOUCESTER ROAD (FACING WEST)



PROPOSED REAR ELEVATION (FACING EAST)



PROPOSED SIDE ELEVATION (FACING SOUTH)

REVISIONS	
REV J - AMENDED IN LINE WITH PLANNERS CONSULTING COMMENTS - RAILING REDUCED ON SIDE ELEVATION, NOTE AMENDED FOR METAL GATERAILING	FEB 2020 LFC
REV H - AMENDED IN LINE WITH PLANNERS CONSULTING COMMENTS - M&E EQUIPMENT ADDED	FEB 2020 LFC
REV G - AMENDED IN LINE WITH M&E COMMENTS	JAN 20
REV F - AMENDED ALONG WITH PLANNERS COMMENTS	DEC 19
REV E - ACOUSTIC AND M&E AMENDMENTS	SEPT 19
REV D - MATERIAL INFORMATION ADDED	AUGUST 19
REV C - BALUSTRADE ADDED & WINDOW UPDATE	AUGUST 19
REV B - ELEVATIONS UPDATED TO MATCH NEW GARDEN ARRANGEMENTS JULY 19	
REV A - ELEVATIONS REVISED AND UPDATED. PLANT ROOM ADDED APRIL 2019	

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Basepoint Business Centre, Little High Street,
Shoreham by Sea, West Sussex BN43 5EG
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CLIENT	JD WETHERSPOON PLC	
PROJECT	PUB NO: 7240 349-353 GLOUCESTER ROAD, BISHOPSTON, BRISTOL, BS7 8TG	
DRAWING	PROPOSED EXTENSIONS AND ALTERATIONS PROPOSED ELEVATIONS	
SCALE	DATE	DRAWN
A1/1:100	JAN 2019	ALS/BRS
PROJECT No	DRAWING No	REVISION
7465	PL-06	J



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Management Plan

349 Gloucester Road, Bishopston

INTRODUCTION

This plan has been developed to protect all persons who will live, work or engage in other activities in the immediate vicinity of 349 Gloucester Road including noise disturbance from the outside terrace areas and other outside areas ancillary to the operation of the premises.

In formulation of this plan, regard has been had in a particular to the proximity of nearby residential properties surrounding the premises, with a view to ensuring the venue is compatible with them.

Ensuring implementation of this plan will be the responsibility of the Premises Manager and his team with the support of the premises Area Manager and Regional Manager. All staff at the premises will be expected to be familiar with its contents.

COMPANY POLICY

It is the policy of JD Wetherspoon plc that all of our venues will operate in such a way so as to not cause a negative impact on our neighbours. A significant number of our premises have residents, businesses and other noise sensitive uses adjacent to them with no history of complaint. We have always emphasised the importance of building close relationships with our neighbours. Our managers are expected to resolve any complaints from those neighbours quickly and effectively. If they cannot be resolved on a premises level they are referred to an Area or General Manager for resolution. We attach the utmost importance to the careful investigation and prompt resolution of any complaint made in relation to the day-to-day running of any of our premises.

The Company does not offer irresponsible drinks promotions such as Happy Hours, all you can drink for x . The promotions the Company does have are largely linked to food(i.e. a free drink(alcoholic or non-alcoholic) with most main meals, which does not encourage excessive consumption of alcohol over a short period of time which is linked to intoxication and poor behaviour.

The nature of our food and drink offer and the competitive pricing structure encourages a broad range of customers including families and pensioners to our premises which assists in creating an atmosphere in which troublesome customers do not feel comfortable. These premises will not offer music which would encourage a younger clientele.

The above policy has informed the formulation of this plan and will inform its implementation.

THE PLAN

General Arrangements

- The premises will operate as a traditional JD Wetherspoon without music of any type so

there will be no music noise escape when customers exit or enter the premises before or after using the external area.

- The arrangements for smokers will be reviewed with the LPA three months after opening, to confirm that it is operating satisfactorily.
- The premises will open at 0700 each day and will close at 23.30 on Sunday to Thursdays and 00.30 on Fridays and Saturdays.
- There shall be no consumption of food or drink in the roof terrace after 2100 in order to minimise noise disturbance. Signage advising of this restriction will be placed adjacent to the entrance of the roof terrace. Doors onto the roof terrace will be closed at 2100 to prevent customer access. Smokers will be allowed to use the front forecourt area after 2100 up until the close of the premises.. Vertical drinking will be limited in the area by the provision of low level tables and seating which will remain in situ and not be removed to increase capacity at peak times. The roof terrace area will be checked and monitored regularly by the Duty Manager and the area will have full CCTV coverage. The area will be serviced from the ground floor bar and as customers are likely to order via the company's table service Order and Pay App, the area will be constantly visited by members of staff delivering food and drink which will ensure continued supervision. At peak times, the area will be monitored by door supervisors who will prevent access to avoid overcrowding and will also have dedicated members of staff ensuring prompt clearing of tables. JDW will operate a zero-tolerance policy towards poor customer behaviour in this area alongside all areas in the pub. A specific management plan for the area will be drawn up and reviewed on a regular basis..
- Information as to local private hire/taxi operators will be displayed at the premises and customers who have ordered a vehicle will be allowed to wait inside the premises until that vehicle arrives.
- The premises will liaise with local private hire/taxi operators to establish a "pick-up protocol" which will require drivers not to sound horns, leave engines running for prolonged periods of time or play music at levels likely to cause disturbance whilst waiting for customers. A recommended location for 'pick-ups' will be provided.
- A telephone number will be circulated to residents to allow any complaints as to noise from the premises or as to any other elements of its operation to be communicated easily. In the first instance this will be dealt with by the pub manager and if they are unable to resolve the complaint, it will be escalated to the Area Manager
- If any complaints of noise disturbance are received by a member of staff, the complaint will be brought to the attention of the manager on duty and immediate steps will be taken to prevent a recurrence of the situation.
- Deliveries, collections and outside disposal of waste and bottles from the premises will be at times which will not disturb our neighbours. Glass bins will not be emptied between 2100 and 0900 the following day.
- The premises management will ensure that staff are made aware of the need to respect the rights of our neighbours to the quiet enjoyment of their homes, businesses and other activities

and staff will be advised to keep their noise levels to a minimum when they are using the external areas and arriving and leaving the premises at the beginning and end of trading hours. 2 weeks prior to the opening of the public house, contact details of the managers for the public house will be made available to residential properties adjacent to the Site as well as those on the opposite side of Gloucester Road and to the rear on Brynland Avenue. The pub manager will conduct a door to door leaflet drop to neighbouring residents and business to notify of these arrangements

- Regular residents' meetings will be convened unless it is apparent through declining attendance that such meetings are no longer necessary. The meetings will allow for issues which arise from the operational issues of the premises to be discussed. In the first instance meetings will be held every month for the first 12 months following opening of the public house and thereafter once per quarter or as frequently as residents consider necessary.

Safety and Security

- Full digital CCTV coverage of the premises will be provided with images retained for a period of 31 days. Liaison will take place with Avon and Somerset Police as to location should it be necessary. Bodycams are also provided which link into the main CCTV system. Image quality will allow for identification. All management staff will be trained in downloading images from the system on request from the Police or other statutory authority. A planning condition is invited which requires the applicant to submit and agree the CCTV system with the Council in advance of the public house opening.
- Training is provided to all employees commensurate with role and grade. All staff involved with the sale of alcohol receive training in Don't Do Drunk (the Company's policy to prevent excessive consumption of alcohol) and Challenge 21/25 (The Company's proof of age policy). Training is refreshed on a twice yearly basis.
- At peak trading times and during matches/events at the Memorial Stadium and at the Bristol County Ground door staff will be employed who will manage the entrance to the premises and the area to the front of the pub. Customer numbers will be restricted to allow proper management of the area and to minimise the risk of noise disturbance. Our experience is that regular customers soon appreciate the restrictions and compliance becomes second nature. The Company has premises adjacent to a number of large sporting stadiums and is used to preventing over spill of customers into the street. Examples are the Gatekeeper in Cardiff adjacent to the Millennium Stadium, the Coronet in London adjacent to the Emirates Stadium and the William Webb Ellis in Twickenham adjacent to the Twickenham Stadium.
- 'Flash Points' will be avoided during Bristol Rovers FC match days as the pub will be a home fans only pub with entry controlled where necessary by showing a ticket/season ticket or with valid ID showing they are local to the area. Door staff will be on duty controlling entry and exit. Temporary Signage will be put up at the site entrances on match days indicating that the pub is only open to home fans. A planning condition is invited which requires details of these signs to be submitted to and approved in advance of the public house opening. There will be Adequate management and staff on duty to manage the premises and to provide prompt

service to avoid concentrations of customers at the bar. Managers will work closely with local Police and if intelligence is received about the possibility of organised confrontations between fans, then the necessary precautions will be taken including closing the pub where necessary. This is extremely rare.

- In advance of the public house opening, JD Wetherspoon will liaise with Bristol Rovers FC and the Police for them to use their social media channels to communicate that on match days, the public house will not be open to away fans.
- On Bristol FC match days 6 SIA licensed security staff will be at the public house, 2 on each of the 2 entrances and another 2 within the venue. Typically, where a 3pm kick off is proposed, security staff will be at the Site from midday and for 2 hours after the match. The public house will be in regular contact with the Police Football Liaison officer and will ensure security arrangements are specific to the match and its timings.
- An appropriate management plan will also be put in place for cricket matches at Bristol County Ground which will include the provision of door supervisors appropriate to the nature and time of the match concerned.
- Signage will be erected within the outside terrace areas and by all exits to the premises to remind customers of the need to respect the rights of our neighbours to the quiet enjoyment of their homes, businesses and other activities.
- If on occasion customers are found to be making excessive noise a member of staff will take immediate action to rectify the situation, e.g. ask the customer to talk more quietly or if problems persist, ask them to return inside the premises or leave the premises entirely.

ONGOING OBLIGATIONS

This plan will be reviewed by the Premises Manager on a regular basis and where it is identified upon review that amendments are necessary, it will be updated.

JD Wetherspoon PLC

February 2021

WARD: Cotham
SITE ADDRESS: 6 Clyde Park Bristol BS6 6RR

APPLICATION NO: 21/00746/F Full Planning

DETERMINATION DEADLINE: 27 April 2021

Demolition of existing residential garage and erection of 2no. bed two storey mews house, with front and rear courtyards.

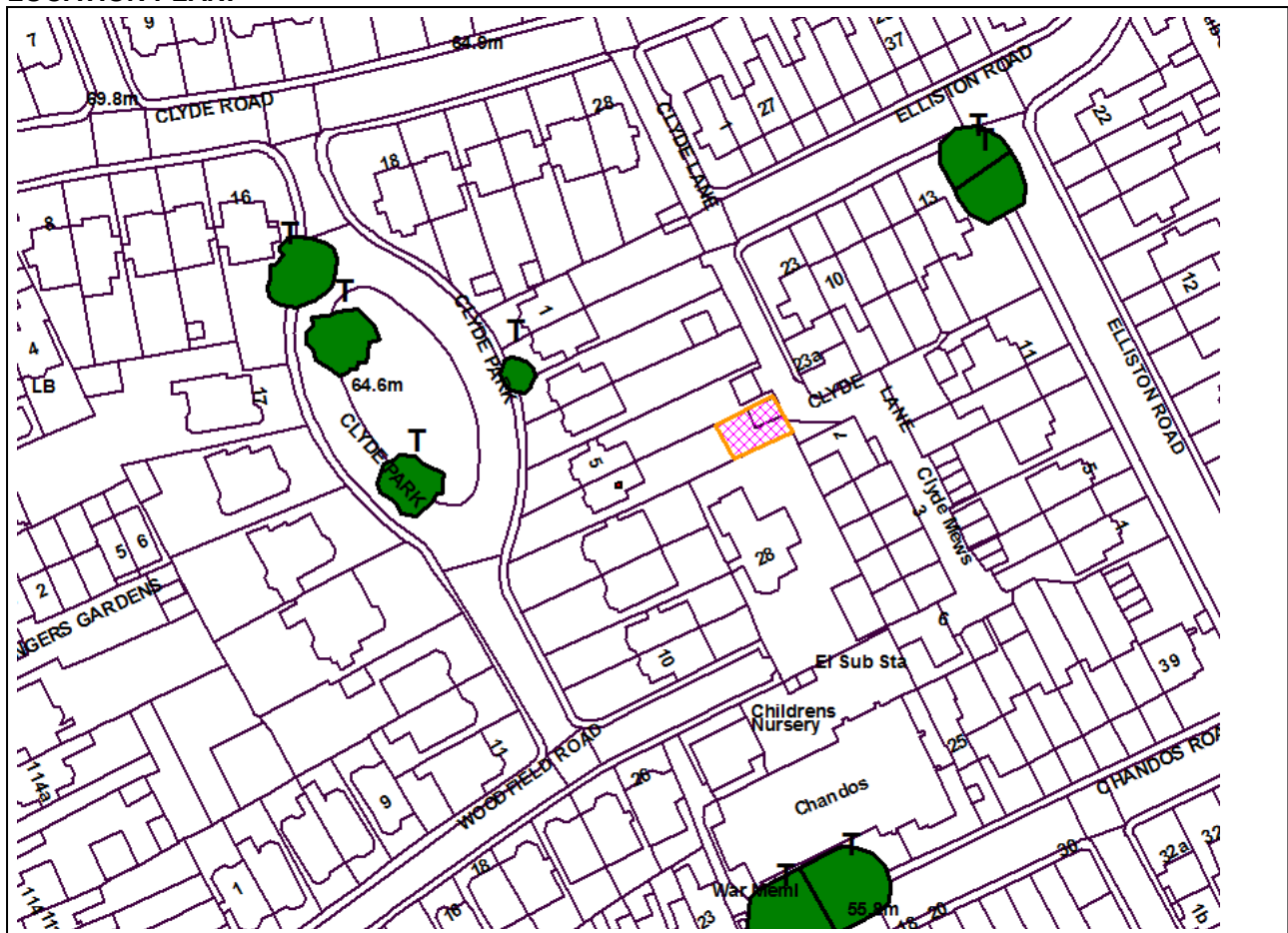
RECOMMENDATION: Grant subject to Condition(s)

AGENT: Robbie Thompson Design Ltd
 7 Barossa Place
 Redcliff
 Bristol
 BS1 6SU

APPLICANT: Rob Flanagan
 6 Clyde Park
 Bristol
 BS6 6RR

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

LOCATION PLAN:



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BACKGROUND AND SUMMARY

This planning application is for the demolition of the existing residential garage and erection of a 2no. bed, two storey mews house, with front and rear courtyards.

In terms of the planning application, objections have been received from 24 properties. These objections predominantly raise concerns in relation to the principle of development, loss of greenery, urban design and impact on conservation area, impact on surrounding residential properties with regards to amenity, highway safety and impact on local parking provision (see full details of the objections below and on the BCC website).

Due to the level of public interest it is considered appropriate for this application to come before Committee.

Initial concerns were raised by Officers in relation to the design, impact on conservation area, impact on surrounding residential properties with regards to amenity, highway safety issues and impact on local parking provision. As such, revised plans were provided, with the scale and design of the dwelling amendment and further detail provided in order to address the concerns raised.

Following amendment Officers are now satisfied that proposal would have no harmful impact on the character and appearance of the conservation area. The application site is located in a sustainable location and as such the introduction of higher densities of residential development is acceptable in principle planning policy terms. Further, this part of the conservation area is an intimate street, characterised by smaller mews style properties and outbuildings as identified in the Cotham and Redland Conservation Area Character Appraisal. The overall principle of mews development in this part of the conservation area is therefore already established, and the principle of removing the garage and garden land and introducing a subservient, traditional mews property is considered appropriate and acceptable in this context.

Following amendment, Officers are also satisfied that the dwelling will have no harmful impact on the amenity of surrounding residential properties with regards to overlooking, overshadowing and overbearing given the limited scale of development and minor increase in height, separation distances and inclusion of a louvered privacy screen to the front elevation first floor window.

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 given the small scale of development and existing context (a no through road, subject to a 20mph speed limit within a Residents' Parking Scheme area).

Issues related to noise, pollution, ecology, arboriculture have been considered by Officers, who are satisfied that no detrimental harm will arise following the development, subject to conditions.

Approval is therefore recommended to Members, subject to conditions.

SITE DESCRIPTION

The application site is located to the rear of No.6 Clyde Park, which is a large semi-detached property located within the Cotham and Redland Conservation Area.

The application site is currently occupied by a single storey garage which backs onto Clyde Lane, which is an adopted highway which (along with adjacent Clyde Mews) includes some existing small scale mews developments and ancillary outbuildings.

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RELEVANT HISTORY

No relevant site history.

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 demolition of the existing residential garage and erection of a 2no. bed, two storey mews house, with front and rear courtyards.

RESPONSE TO PUBLICITY AND CONSULTATION

Application initially advertised in press and via site notice; expiry date 07.04.2021. Neighbours were consulted via individual letters sent 12.03.2021.

Objections were received initially from 24 surrounding properties, which in summary stated that:

- The proposal would set an unwelcome precedent for similar development in the area
- The development would impact on the sense of openness along the lane, would appear out of keeping and would harm the character and appearance of the conservation area
- The loss of garden space and introduction of residential accommodation is unacceptable and inappropriate in principle
- The proposed materials are out of keeping with the character of the conservation area
- The development would block views of St Saviour's Church
- The development is cramped and represents overdevelopment
- The development would overlook surrounding residential properties
- The development would overshadow surrounding residential properties
- There will be inadequate access to the site for refuse and emergency vehicles, particularly during the construction period
- The development would result in additional cars in the local area and fewer parking spaces for existing residents
- The development would encourage dangerous parking leading to accidents and a danger to human life
- The development could result in bins being left on the pavement
- The development would exacerbate existing problems associated with overcapacity (pressure on public services, utilities and street parking)
- The excavation required for the proposal is unacceptable in terms of environmental cost
- The development would result in a harmful removal of trees from the site, and could impact on the vitality of existing street trees
- The development would represent poor quality housing accommodation

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- The development would have a harmful impact on biodiversity and wildlife, including bats.
- The proposal does not mention the issue of disabled access
- The development would result in noise pollution during the construction period
- The submitted information is incorrect and/or misleading

Following these comments and concerns raised by officers the applicant submitted revised plans and additional detail to seek to address the issues raised. As a result those who were originally consulted and those who already commented on the application were re-consulted via individual letters sent on 07.05.2021. A new site notice was also published on 05.05.2021.

Objections were received from 24 surrounding properties following this re-consultation, which in summary stated that:

- The proposal would set an unwelcome precedent for similar development in the area
- The development would impact on the sense of openness along the lane, would appear out of keeping and would harm the character and appearance of the conservation area
- The loss of garden/recreational space and introduction of residential accommodation is unacceptable and inappropriate in principle
- The scale of the dwelling is too large for the plot and does not sympathetically relate to the architectural context
- The development is contrary to the Cotham and Redland Conservation Area Character Appraisal
- The development would block views of St Saviour's Church
- The development is cramped and represents overdevelopment
- The development would overlook surrounding residential properties
- The development would overshadow surrounding residential properties
- No off street parking or garden/recreational area is provided
- The development would result in additional cars in the local area and fewer parking spaces for existing residents
- The development would encourage dangerous parking leading to accidents and a danger to human life
- The excavation required for the proposal is unacceptable in terms of environmental cost
- The development would result in a harmful removal of trees from the site, and could impact on the vitality of existing street trees
- The development would result in the introduction of two bed accommodation of which there is already a high concentration in Cotham
- The proposed development does not meet national space standards
- The proposed bedrooms do not meet national space standards
- Access from the front of the house would be straight on to the lane where there is no pavement, resulting in safety issues
- There will be inadequate access to the site for refuse and emergency vehicles, particularly during the construction period
- The development could result in bins being left on the pavement
- The development would exacerbate existing problems associated with overcapacity (pressure on public services, utilities and street parking)
- The development would represent poor quality housing accommodation
- The development would have a harmful impact on biodiversity and wildlife, including bats
- The privacy screen is unacceptable as there is nothing to prevent future owners from removing it
- The proposal does not mention the issue of disabled access
- The development would result in noise pollution during the construction period
- The submitted information is incorrect and/or misleading

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OTHER COMMENTS

Councillor Cleo Lake has commented as follows:-

'I do not currently support this application as I believe the implications of such a housebuild would impinge upon the aesthetics and ecological environment.'

Councillor Guy Poultney has commented as follows:-

'I am writing to raise areas of significant concern raised with me by residents of Clyde Park and Cotham ward, including residents' and planning groups in relation to a proposed development at 6 Clyde Park (21/00746/F).

The proposed development is felt to be harmful to the character of the surrounding area, as well as raising numerous other concerns affecting the amenity of nearby residents. Also of significant concern to local residents is the signal that permitting such a development would send to potential developers of similar sites.

The concerns I wish to raise on their behalf include:

- The bulking, overdevelopment and inappropriate densification of this development.
- The lack of (and reduction of) amenity space
- The problem of overlooking and the significant reduction of neighbours' privacy
- The need for such a development to preserve and enhance the character of the Conservation Area
- Reduced distance between adjacent buildings
- Lack of appropriate space for refuse storage
- Lack of appropriate space for bicycle storage
- The effect on local on-street parking and responses
- Presentation to street frontage and the effect on footways
- Presentation to adjacent garden and house
- Access for building and maintenance

I also have significant concerns relating to the use of this property if development were to be permitted. Yet another House in Multiple Occupation or short-term rental property in this area would dramatically worsen the problems listed above - problems from which the neighbourhood as a whole is already suffering, and be massively detrimental to the quality of life of neighbouring properties.

I would also note that had I been a member of Bristol City Council within the relevant timescale I would certainly have called this application into Development Control Committee - I would respectfully request that the chairman asks the committee to consider this application, and the objections and concerns listed above.

It would also be remiss of me not to convey the diligence and dedication former Councillor Anthony Negus has shown representing the residents of Cotham in relation to this application (and many others).'

The Redland and Cotham Amenities Society commented as follows:-

Initial comments:

'A 2 storey building on this site will change the character of the area significantly. The current single storey garages and garden walls allow views into the rear gardens along Clyde Park towards the converted church on Chandos Road. Views through gardens are identified as an important element of the conservation area and loss of these views as a threat. Cotham and Redland Conservation Area

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Character Appraisal p 49 SWOT analysis. RCAS therefore objects on these grounds:

Overdevelopment.

Failure to preserve and enhance conservation area.

Loss of local views and adverse impact on verdant character of the conservation area'

Final comments:

'RCAS objects to the revised application which fails to address the issues identified for the previous application.

'A 2-storey building on this site will change the character of the area significantly. The current single storey garages and garden walls allow clear views into the rear gardens along Clyde Park houses towards the converted church on Chandos Road. Views through gardens are identified as an important element of the conservation area and loss of these views as a threat. (see Cotham and Redland Conservation Area Character Appraisal p 49 SWOT analysis.) RCAS therefore objects on these grounds:

Overdevelopment.

Failure to preserve and enhance conservation area.

Loss of local views and adverse impact on verdant character of the conservation area.

Loss of off street parking.'

Bristol City Council Transport Development Management has commented as follows:-

Highway Network

The site is located on Clyde Lane, a no through road which is subject to a 20mph speed limit and is within Cotham North Residents' Parking Scheme. This operates Monday to Friday between 9am to 5pm. There are double yellow lines further along the carriageway. There have been no recorded accidents within the immediate vicinity of the site.

Structures

As the proposed boundary wall and the foundations of the building will be within 6 metres of the adopted highway, Approval in Principle is likely to apply. The applicant will be required to submit a structural report to the Council, for which a separate fee will apply. The amount will depend on the classification of the structure. This should be secured via condition.

Adopted Highway/Access

The extent of the adopted highway must be clearly delineated by a kerb which must follow the alignment of the existing kerb adjacent to the telegraph pole. The applicant will be required to enter into a Minor Section 278 Agreement with the Highways Authority in order to undertake this work to the adopted highway as well as obtaining an Excavation Licence which is available on the Council's website.

Cycle Parking

In respect of cycle storage the applicant proposes sufficient storage space for two cycles within the site boundary. This is considered acceptable.

Car Parking

Permission is sought for the demolition of the existing garage, although this does not appear to be

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used at present. It is recognised that the proposed dwelling will not have any dedicated off street parking. Given the area already experiences parking stress due to insufficient parking, any additional vehicles associated with future residents will make this worse for existing residents in the local area. As such, an advice note should be attached to this permission to ensure that future residents of the approved dwelling will not be eligible for parking permits.

Waste

The proposed development includes a refuse store to accommodate a refuse bin, two dry-recycling boxes (44ltr & 55ltr), a kitchen waste bin (29ltr) and a cardboard sack (90ltr). A separate entrance with a sliding timber gate has been provided to the bin storage area to allow for collection of the waste and recycling. A Waste Management Statement has also been provided, which sets out that the sliding timber gate will be lockable, however it is anticipated that this would be left unlocked to allow for collection operatives to access the bins while keeping the rest of the property secure. On collection days the occupants can leave the gate of the bin storage area open allowing direct access from Clyde Lane by collection operatives. This will ensure that bins are never left on the pavement. This is considered acceptable, and compliance with the Waste Management Statement should be secured via condition.

Construction Management

A number of objections have been raised regarding how the site will be developed; how construction materials will be delivered and stored and how access for service and emergency vehicles will be maintained to the adjacent properties. TDM understands these concerns and therefore requires that a Construction Management Plan is secured by condition. This will enable Highways Network Management Team to assess how the building can be safely constructed whilst ensuring access is maintained. They will also be able to advise on all relevant licences that will need to be obtained.'

Bristol City Council Nature Conservation Officer has commented as follows:-

'There are no records of legally protected or priority species on site. A number of advice notes should however be added to this permission referring to legal requirements under wildlife legislation which operate independently of planning permission with regards to nesting birds and bats to ensure they are protected if necessary.'

Bristol City Council City Design Group has commented as follows:-

'No objections following amendment. The proposed dwelling will be an appropriate and acceptable addition to the mews setting, in keeping with the adjoining properties, which will preserve the character and appearance of the wider conservation area. I would advise that material samples and detail of design features are secured via condition.'

Bristol City Council Arboricultural Team has commented as follows:-

'I've reviewed the proposals and the supporting arboricultural report. The proposals will require the removal of T1 -Apple and T5 - Cherry. The subject trees are small, situated in the rear garden and do not merit a TPO.

The proposals will require mitigation in line with the BTRS (Policy DM17) - the arboricultural report correctly calculates that two trees will be required to mitigate tree loss. There appears to be adequate space on site to plant replacements on site.

I therefore have no objections, subject to conditions requiring that the ground protection is installed as approved, and evidence of this is provided to the Council. I would also ask that a landscape plan including tree planting is secured via condition.'

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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 I raise no objection, subject to a condition requiring that 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. I would also attach an advisory note in relation to the potential presence of asbestos containing materials (ACM's).'

RELEVANT POLICIES

Cotham and Redland Conservation Area Character Appraisal
 Planning (Listed Buildings & Conservation Areas) Act 1990
 National Planning Policy Framework – February 2019
 Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site 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) PRINCIPLE OF DEVELOPMENT

The application site is currently occupied by a single storey garage and garden space located to the rear of No.6 Clyde Park, fronting Clyde Lane.

Government policy in the National Planning Policy Framework (2019) promotes more sustainable patterns of development, including development on previously developed land. There is subsequently no objection to the principle of removing the existing garage at the site and constructing new residential accommodation in place as the land has already been developed. The local area is also predominantly residential in character, and contains a number of small mews type houses in place of previous garages and outbuildings.

The development would however also result in the loss of some private garden land. Policy DM21 of the Site Allocations and Development Management Policies states that development of private gardens 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.

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.

In respect of Policy DM21 the proposal is for a new dwelling (not an extension), and the impact on the character of the area is covered further below under Key Issue C. The issue for consideration at present is whether or not the area is one where higher densities are considered appropriate.

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Policy DM21 states that higher densities of development are appropriate in and around the city centre, in or close to other designated centres and along or close to main public transport routes. Whilst the development in this instance would result in some loss of garden space the site is located in a highly sustainable location, within walking distance to a number of local centres and amenities (the Chandos Road Local Centre is located approximately 100 metres to the south of the site). The principle of removing private garden space and introducing residential development in land use terms alone is therefore acceptable subject to all other relevant policy considerations being satisfied.

(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 Clyde Road Lower Super Output Area (LSOA) within the Cotham Ward of Bristol.

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 Clyde Road LSOA has a proportion of flats to houses at 78% flats and 22% houses.

The above census data would lead to the conclusion that in this instance, there is an imbalance between flats and houses within the local area and that there is a need for larger, family sized accommodation (at least 3 bedrooms with outside amenity space) rather than smaller flats. The proposal in this instance seeks to introduce a new two bedroom, four bed space dwelling at the site. It is therefore considered that the new dwelling would not be suitable or attractive for families given the limited space available. However it is recognised that in this instance the proposal is constrained by the existing site layout and mews context. It is considered that it would be unlikely that a large, family sized dwelling could actually be accommodated on the site without harming the character of the

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conservation area, or the amenity of surrounding properties. The creation of a family sized unit is therefore considered unfeasible in this instance. Given this and the fact that the proposal will not result in the loss of an existing larger unit, the provision of this type of residential accommodation (two bedroom, four bed space) is considered acceptable with regards to mix and balance of housing types.

(C) WOULD THE PROPOSAL BE ACCEPTABLE IN DESIGN TERMS AND WOULD IT PRESERVE OR ENHANCE THE CHARACTER OR APPEARANCE OF THIS PART OF THE COTHAM AND REDLAND CONSERVATION AREA?

The site is located within the Cotham and Redland Conservation Area.

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

Section 16 of the national guidance within the National Planning Policy Framework (NPPF) 2019 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Para 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Para 196 further states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Para 197 also states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

In addition, Bristol Core Strategy Policy BCS22 (adopted June 2011) states that development proposals should safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including Conservation Areas. Policies DM30 and DM31 in the Site Allocations and Development Management Policies (adopted July 2014) express that alterations to buildings should safeguard the amenity of the host premises and neighbouring occupiers, and preserve or enhance historic settings.

Policy BCS21 also requires new development in Bristol to deliver high quality urban design and sets out criteria to measure developments against including the need for development to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness. Policy DM27 expresses that the layout, form, pattern and arrangement of streets, buildings and landscapes should contribute towards to creation of quality urban space and that the height, scale and massing of development should be appropriate to the immediate context, site constraints, character of adjoining streets and spaces and setting.

Policy DM26 expands upon BCS21 by outlining the criteria against which a development's response to local character and distinctiveness will be assessed. Development will not be permitted where it

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would be harmful to local character and distinctiveness or where it would fail to take the opportunities available to improve the character and quality of the area and the way it functions. This policy states that development should also respond appropriately to the height, scale, massing, shape, form and proportion of existing buildings, building lines and set-backs from the street, skylines and roofscapes. Policy DM29 further states that the design of new buildings should be of high quality. Policy DM26 in addition to the above states that backland development will be expected to be subservient in height, scale, mass and form to the surrounding frontage buildings. It should not prejudice the opportunity to develop the adjoining land of similar potential nor should the proposed access arrangements cause adverse impacts to the character and appearance, safety or amenity of the existing frontage development.

In addition to the above, Policy DM21 in the Site Allocations and Development Management Policies (2014) 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.

The Cotham and Redland Conservation Area Character Appraisal (2011) states that new development or infill that fails to respect the character of an area, or ignores the predominant building lines, scale, proportions, details or materials etc. can cause serious harm to the special interest of the Conservation Area. As such, it is stated that any new development must ensure that predominant height, scale, massing, footprint, layout, materials, details, roofscape and front and rear building lines are respected. The character appraisal further states that whilst building materials give texture and interest to individual buildings, they also characterise an area. The strong material palette seen in the area subsequently unites it and also gives an indication of building ages and patterns of development. Where infill or new developments most successfully preserve or enhance the conservation area, they respect their context and the dominant local materials. It is noted that Pennant and Brandon Hill stone predominate in the conservation area, though limestone, brick and render are also prevalent.

In addition to the above, the character appraisal notes that occasionally intimate streets of mews or cul-de-sacs are set behind the principal Victorian streets within the conservation area. An identified example is Clyde Lane. These are 'characterised by their smaller scale of development, with properties accessed via narrow routes and directly addressing the street, never higher than two storeys.'

The application site is located to the rear of No.6 Clyde Park, which is a large semi-detached property. The site is currently occupied by a small amount of garden space and a single storey garage which backs onto Clyde Lane, which is an adopted highway which (along with adjacent Clyde Mews) includes some existing small scale mews developments and ancillary outbuildings. All mews properties that have been built have typically sought to retain a small scale, mews character to the area, in accordance with the character of the conservation area as noted above.

Planning permission is sought for the demolition of the existing single storey garage/store and construction of part single storey, part two storey dwelling. As noted above, the site is located in a sustainable location and as such the introduction of higher densities of residential development is acceptable in principle planning policy terms. Further, this part of the conservation area is an intimate street set behind the principal Victorian streets, characterised by smaller mews style properties and outbuildings as identified in the conservation area character appraisal. The overall principle of mews development in this part of the conservation area is therefore already established, and the principle of removing the garage and introducing mews style development at the site is subsequently acceptable in principle design terms. In order to be acceptable however any development must respond appropriately to the immediate context, streetscene and character of the conservation area.

Initial concerns were raised regarding the scale, height and form of development. Therefore, in order to limit the visual impact, reduce the scale to an appropriate level and allow the development to more closely match the existing townscape the scheme was amended with the roof pitch of the two storey

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element lowered so that it will more closely replicate the existing garage. Following this amendment it is accepted that the two storey element of the scheme will be of a greater height than the existing garage, with the eaves height increasing from 2.8 metres to 3.8 metres and the ridge height increasing from 3.6 metres to 5.3 metres. However, this total increase in height will not be overly significant in this instance, and the overall form of the two storey element will appear similar to the existing garage. The height of the two storey element (both eaves and ridge height) will be consistent with that of surrounding mews properties within the lane. The single storey element of the scheme will only be marginally taller than the existing boundary wall which will be retained, and will therefore not appear overly prominent or visible from public view. As such, it is considered that the overall scale, height and form of the development will be appropriate within the immediate context, and in keeping with the character of adjoining properties, streets and spaces.

In addition, as set out the proposed new dwelling will be part single storey, part two storeys however overall will be of a height, scale, mass and form which will be subservient to that of the main frontage buildings along Clyde Park. The footprint and plot coverage will also be modest in relation to the wider site, and will be in keeping with that of surrounding outbuildings and mews properties. The dwelling will be set back from the street, and will respect the existing building line created by the adjoining garage. This will ensure that the transition between adjacent plots can be successfully managed in the future, and a uniform building line can be created to allow for the area to achieve a coherent, interconnected and integrated built form should the adjoining rear gardens come forward for residential development. The development will also contain no windows in the side facing elevations which could prejudice the opportunity to develop the adjoining land of similar potential.

It is recognised that a number of concerns have been raised following public consultation that if permitted this development could set an unwelcome precedent for residential development along Clyde Lane. As noted above, the overall principle of mews development in this part of the conservation area is already established, and therefore the LPA would not object in principle terms if any of the adjoining rear gardens came forward for residential development in the future. Any future planning applications for such developments however would be assessed on their individual merits, and, as per this proposal, would need to be appropriate in the context of the conservation area and surrounding properties. It is recognised that it may not be possible to successfully develop all adjoining sites fronting Clyde Lane.

The overall design of the new dwelling will appear as a subservient, traditional mews property which will be appropriate for the setting. Initial concerns were raised regarding the materials, and therefore following Case Officer advice the scheme was amended so the two storey element of the dwelling will be constructed of natural rubblestone with brick detailing, with a red clay tiled roof. The single storey element will be faced in timber cladding and will have flat green roof. A number of surrounding mews properties have been constructed of similar materials, and therefore following amendment the proposed materials are considered acceptable and in keeping with the context and dominant local materials. Sample panels of the materials are secured via condition to ensure they are of a suitable, high quality. In addition, the intricacies of design features (such as windows, doors, privacy screening, rooflights, roof eaves, soffits, verges, parapets, copings, rainwater goods and material junctions) will be important with regards to delivering a successful development at the site. Large scale detailed drawings of these features are therefore also secured via condition to ensure they are of a suitable, high quality.

The proposed development will result in no loss of front boundary treatment at the site, with the new dwelling being set back and sited behind the existing stone boundary wall facing Clyde Lane. Two sliding timber gates will be inserted into the wall (one for main access, one for access to the refuse store) with new stone boundary wall introduced to match the existing where the garage has been removed. Large scale detail and material samples of the new boundary treatment are secured via condition.

It is recognised that a number of concerns have been raised following public consultation that the

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development would restrict views of the former St Saviours Church from Clyde Lane. The Cotham and Redland Conservation Area Character Appraisal (2011) identifies that within the conservation area local views are numerous and that many of the key local views include views along streets where the siting, height and mass of the buildings channel views to specific buildings or groups of buildings. The Character Appraisal further identifies that the former St Saviours Church is a landmark owing to its size and distinctive materials compared to the surroundings. As such, the view of the former St Saviours Church from Clyde Lane is considered to be an important key local view which should be preserved. Following assessment, the LPA is satisfied that the overall scale of the proposed development is not significant enough to negatively restrict or impact views of the former St Saviours Church from Clyde Lane as the height of the two storey element (both eaves and ridge height) will be consistent with that of surrounding mews properties within the lane and considerably smaller than that of No.28 Woodfield Road which is located between the application site and the former St Saviours Church.

In conclusion it is considered that the proposed dwelling, following the amendments that were requested by Officers, will be an appropriate and acceptable addition to the mews setting, in keeping with the adjoining properties, which will preserve the character and appearance of the wider conservation area. The application is subsequently considered acceptable and is recommended for approval on this basis, subject to conditions.

(D) DOES THE PROPOSAL PROVIDE A SATISFACTORY LEVEL OF RESIDENTIAL ACCOMMODATION?

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, 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.

Planning permission is sought for the demolition of existing single storey garage at the site and construction of a two storey, two bedroom, four bed space dwelling.

In accordance with Core Strategy Policy BCS18 and national guidance, the required minimum gross internal floor area for a 2 bedroom, 4 bed space residential unit set over two storeys is 79 square metres. The proposed new dwelling will have a gross internal floor area of approximately 90 square metres. The minimum floor to ceiling height will also be 2.3 metres for at least 75% of the Gross Internal Area, with overall floor to ceiling height never being less than 1.7 metres.

The rear bedroom will measure approximately 11.5 square metres, which meets the national space standard requirement for a two bed space bedroom. Whilst the front bedroom will only measure approximately 10 square metres (1.5 square metres short of the space standard required for a two bedspace bedroom) it is recognised that this bedroom will significantly exceed the space standard required for a single bedroom (7.5 square metres). Given this, and given that the dwelling as a whole will have a gross internal floor area in excess of that required by national space standards, the

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proposed accommodation is overall on balance considered to be acceptable and would not result in a living environment so detrimental to warrant refusal on this basis and in this instance.

It is recognised that the development is constrained by the limited space available within the site, and as such the living environment for future occupants in respect of the second bedroom is not ideal. However, the dwelling will be dual aspect, and all habitable rooms will include windows. The ground floor living space at the rear will face onto a small courtyard of approximately 16.5m square metres, which will offer some external amenity space for future residents and would allow for sufficient outlook and light to the rear windows. The front boundary wall will be sited in close proximity to the ground floor windows to the front elevation; however it is evident that a 25 degree vertical angle taken from the centre of the windows will be unobstructed, and therefore it is considered that these rooms will achieve adequate daylight/sunlight and outlook.

In order to ensure that no harmful overlooking occurs between the first floor bedroom window facing Clyde Lane and the coach house on the opposite side of the lane at No.23A Elliston Road a privacy screen with fixed louvred blades with overlapping edges is proposed to this window. This privacy screen will ensure that the bedroom receives adequate light however outlook will be restricted down the lane to Clyde Mews as opposed to the coach house. It is not considered that this restricted outlook would have any harmful impact on the amenity and living environment of future occupants. This is secured by relevant conditions.

(E) WOULD THE PROPOSAL UNACCEPTABLY AFFECT THE RESIDENTIAL AMENITY OF NEIGHBOURING RESIDENTIAL PROPERTIES?

Policy BCS21 in the Bristol Core Strategy (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.

Impact on No.6 Clyde Park

The proposed new dwelling will be sited approximately 18.8 metres away from the main frontage property on Clyde Park (No.6). Given this significant separation distance, and given that the proposed dwelling will be of a relatively small scale it is considered that the development would have no harmful overbearing or overshadowing impact on No.6 Clyde Park.

It is accepted that No.6 Clyde Park includes a number of habitable room windows which will directly face the application site, and it is recognised that the proposed new dwelling will include habitable room windows to the rear elevation which will in return face No.6 Clyde Park. However, the separation distance in this instance is considered to be relatively substantial, and as such it is considered that any overlooking between residential properties will not be harmful enough to warrant refusal.

Impact on the Coach House at No.23A Elliston Road

The proposed new dwelling will be sited on the opposite side of the Clyde Lane to the Coach House located at No.23A Elliston Road. The separation distance between the two properties across the lane will be approximately 8 metres, which is typical of the distance found between developments of similar height to the opposite sides of a tight, urban, mews style street such as Clyde Lane. Whilst the Coach House contains habitable room windows (at ground and first floor level) facing the lane they will not directly face the ridge of the proposed new dwelling, meaning the overall impact of the increased

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scale associated with the development will not directly impact upon the habitable room windows of that property. As a whole, the separation distance across the lane, siting of the development and overall limited scale are such that any overbearing or overshadowing caused by the proposed development on the Coach House located at No.23A Elliston Road would not be harmful enough to warrant refusal.

Initial concerns were raised that the new dwelling would offer the potential for future residents to overlook the Coach House at No.23A Elliston Road from the bedroom window at first floor level. Therefore, in order to ensure that no harmful overlooking occurs the scheme was amended following Case Officer advice to include a privacy screen to the first floor window with fixed louvred blades with overlapping edges. This privacy screen will ensure that the bedroom receives adequate light however outlook will be restricted down the lane to Clyde Mews as opposed to the coach house windows. Following this amendment and subject to a condition to ensure that the privacy screen is installed and maintained in perpetuity it is considered that the proposed development would result in no harmful overlooking of the Coach House at No.23A Elliston Road. As set out above this is secured by relevant conditions.

Impact on No.28 Woodfield Road

The proposed development will be built along the boundary with neighbouring property No. 28 Woodfield Road directly to the south. This property contains habitable rooms located at first floor level which directly overlook the application site at a distance of approximately 13 metres. At ground floor level there is a rear conservatory which is approximately 6.5 metres from the boundary. The ground floor element of the proposed new dwelling will only be marginally taller than the existing boundary wall (approximately 0.5 metres taller). It is not considered that this increase in height will be significant enough to result in any harmful overbearing or overshadowing. The proposed two storey element was reduced in scale following Case Officer advice, and will be set back from the boundary with No.28 Woodfield Road by approximately 3.8 metres. As such, the two storey element of the new dwelling will be sited approximately 10.2 metres from the rear conservatory of No.28 Woodfield Road, and approximately 16.5 metres away from the rear elevation of the property itself. Windows to both the conservatory and main dwelling will retain a 25 degree unobstructed vertical angle view of the sky. Given the above it is considered that no harmful overbearing or overshadowing will arise.

No windows are proposed to the side elevations of the new dwelling at first floor level and any windows located at ground floor level will have no direct line of sight of No.28 Woodfield Road give the presence of existing boundary treatment. Whilst 1.no roof window is proposed in the side (south) elevation facing No.28 Woodfield Road it is not considered that the outlook associated with this window would result in any harmful overlooking.

It is recognised that concerns have been raised by the occupier of No.28 Woodfield Road regarding the potential demolition and re-build of the shared boundary. This is considered to be a party wall issue, which is a private matter which should be addressed between any interested parties outside of the planning process.

Noise and Disturbance

Following consultation the Council's Pollution Control Team confirmed that the introduction of a two bedroom property to the site is unlikely to result in any significant increase in harm from noise or disturbance. An Air Source Heat Pump (ASHP) is proposed to provide the domestic hot water and heating system. The Council's Pollution Control Team raised no objections to the use of an ASHP in this location in principle; however further detail including noise levels and any noise mitigation measures are secured via condition to ensure that no harm is caused to surrounding properties by way of noise or disturbance. To ensure no harm is caused to surrounding residential properties in the area during the construction period with regards to noise and disturbance a Construction Management Plan is also secured via condition.

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Following amendment the proposed development is considered acceptable on amenity grounds and is recommended for approval on this basis, subject to conditions.

(F) HIGHWAY SAFETY, TRANSPORT AND MOVEMENT ISSUES

Policy BCS10 in Bristol Core Strategy (2011) advocates that new development should be designed and located to ensure the provision of safe streets and states that proposals should create places and streets where traffic and other activities are integrated and where buildings, spaces and the needs of people shape the area. Policy DM23 in the Site Allocations and Development Management Policies (2014) states that development will be expected to provide an appropriate level of safe, secure, accessible and usable parking provision having regard to the parking standards, the parking management regime and the level of accessibility by walking, cycling and public transport. Policy DM23 also 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.

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 provide 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 the above requirements and 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. DM32 also states that poorly sited or designed refuse storage can also be harmful to the health and amenity of the occupiers of development by reason of odours or loss of privacy or outlook. This can be avoided by ensuring that recycling and refuse storage is separate from all habitable areas and key circulation areas and is independently ventilated.

The application proposes to demolish the existing garage and in its place construct a two bed, two storey house with associated cycle parking and waste storage. Following a number of revisions Bristol City Council Transport Development Management Team (TDM) considers the proposals acceptable on highway safety grounds.

Highway Network

The site is located on Clyde Lane, a no through road which is subject to a 20mph speed limit and is within Cotham North Residents' Parking Scheme. This operates Monday to Friday between 9am to 5pm. There are double yellow lines further along the carriageway. There have been no recorded accidents within the immediate vicinity of the site.

Structures

As the proposed boundary wall and the foundations of the building will be within 6 metres of the adopted highway, Approval in Principle is likely to apply. The applicant will be required to submit a structural report to the Council, for which a separate fee will apply. The amount will depend on the classification of the structure. This is secured via condition.

Adopted Highway/Access

The extent of the adopted highway must be clearly delineated by a kerb which must follow the alignment of the existing kerb adjacent to the telegraph pole. The applicant will be required to enter

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into a Minor Section 278 Agreement with the Highways Authority in order to undertake this work to the adopted highway as well as obtaining an Excavation Licence which is available on the Council's website.

Cycle Parking

In respect of cycle storage the applicant proposes sufficient storage space for two cycles within the site boundary. This is considered acceptable.

Car Parking

Permission is sought for the demolition of the existing garage, although this does not appear to be used at present. It is recognised that the proposed dwelling will not have any dedicated off street parking. Given the area already experiences parking stress due to insufficient parking, any additional vehicles associated with future residents will make this worse for existing residents in the local area. As such, an advice note is attached to this permission to ensure that future residents of the approved dwelling will not be eligible for parking permits.

Waste

The proposed development includes a refuse store to accommodate a refuse bin, two dry-recycling boxes (44ltr & 55ltr), a kitchen waste bin (29ltr) and a cardboard sack (90ltr). A separate entrance with a sliding timber gate has been provided to the bin storage area to allow for collection of the waste and recycling. A Waste Management Statement has also been provided, which sets out that the sliding timber gate will be lockable, however it is anticipated that this would be left unlocked to allow for collection operatives to access the bins while keeping the rest of the property secure. On collection days the occupants can leave the gate of the bin storage area open allowing direct access from Clyde Lane by collection operatives. This will ensure that bins are never left on the pavement. This is considered acceptable, and compliance with the Waste Management Statement is secured via condition.

Construction Management

A number of objections have been raised regarding how the site will be developed; how construction materials will be delivered and stored and how access for service and emergency vehicles will be maintained to the adjacent properties. TDM understands these concerns and therefore requires that a Construction Management Plan is secured by condition. This will enable Highways Network Management Team to assess how the building can be safely constructed whilst ensuring access is maintained. They will also be able to advise on all relevant licences that will need to be obtained.

(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

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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 58.13% reduction in CO2 emissions. The application is therefore considered acceptable on these grounds, however a condition is attached requiring further detail of the renewable measures to be submitted to and approved by the Council prior to the occupation of the development.

An Air Source Heat Pump (ASHP) is proposed to provide the main heating system and domestic hot water. This heating system is a policy compliant heating system, in accordance with the BCS14 heat hierarchy as noted above. Further detail is again secured via condition.

The application is therefore considered acceptable and is recommended for approval on this basis, subject to conditions.

(H) 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 of damage is essential to allow for appropriate development, replacement trees of an appropriate species should be provided in accordance with the tree compensation standard. Policy DM15 in the same document states that green infrastructure provision facilitates a positive effect on people's health by providing space and opportunities for sport, play, and social interaction. The provision of additional and/or improved management of existing trees will be expected as part of the landscape treatment of new development.

A number of trees are located within the site, and adjacent within the rear gardens of surrounding properties. These are visible from the public realm and contribute positively towards the character and appearance of the conservation area.

An Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan has been submitted to support the application.

The proposed development will require the removal of two trees from the site; T1 (apple tree) and T5 (cherry tree). Following consultation, the Council's Arboricultural Officer confirmed that these subject trees are small, situated in the rear garden where they are not overly visible and therefore do not merit Tree Preservation Order protection.

The removal of these trees will however require mitigation in line with the Bristol Tree Replacement Standard as set out in Policy DM17. The submitted arboricultural report correctly calculates that two trees will be required to mitigate the tree loss. The Council's Arboricultural Officer confirmed that there is adequate space on site to plant replacements. As such, the application is considered acceptable, subject to the submission of a Tree Planting Plan which is secured via condition.

To ensure that all other trees surrounding the application site are not harmed by the development ground protection measures are proposed, which are deemed acceptable by the Council's Arboricultural Officer. Compliance with these protection measures as detailed in the submitted Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan is secured via condition.

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(I) LAND CONTAMINATION

Policy DM34 in the Site Allocations and Development Management Policies (2014) states that new development should demonstrate that:

- i. Any existing contamination of the land will be addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use and that there is no unacceptable risk of pollution within the site or in the surrounding area; and
- 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) 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.

The Council's Nature Conservation Officer raised no objections to the proposal, confirming that there are no records of legally protected or priority species on site. A number of advice notes are however added to this permission referring to legal requirements under wildlife legislation which operate independently of planning permission with regards to nesting birds and bats to ensure they are protected if necessary.

A green roof is proposed, which is welcomed. Further detail of this is secured via condition.

(K) 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 proposed development is located within surface drainage discharge zone where the priority is to reduce the existing discharge rate and provide water quality improvements. The proposed development of a degree of previously undeveloped garden land would likely result in some increase to the discharge rate, however it is evident that the front and rear courtyard surface will be permeable, landscaping is proposed, alongside a living roof. A water butt will also be installed, to collect rainwater from the pitched roof. Subject to these measures it is considered that the development would avoid causing any significant increase in flood risk locally.

CONCLUSION

Following amendment the application is considered acceptable and is recommended for approval, subject to conditions.

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COMMUNITY INFRASTRUCTURE LEVY

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

The CIL liability for this development is £6868.13

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 Equality 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. Protection of Retained Trees During the Construction Period

No work of any kind shall take place on the site until the ground protection has been installed in the position and to the specification shown on the approved Tree Protection Plan referenced 201204-6CP-TPP-Rev A-NB and as detailed in the approved Arboricultural Impact Assessment and Arboricultural Method Statement Version 1.0 prepared by Hillside Trees Ltd and dated 5 December 2020. The Local Planning Authority shall be given not less than two weeks prior written notice by the developer of the commencement of works on the site in order that the council may verify in writing that the approved tree protection measures are in place when the work commences.

Reason: To protect the retained trees from damage during construction, including all ground works and works that may be required by other conditions, and in recognition of the contribution which the retained trees give and will continue to give to the amenity of the area.

3. 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:

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- 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.
- 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.

4. Highway works - General arrangement plan

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

- Extension of existing kerb to delineate the extent of the adopted highway

Where applicable indicating proposals for:

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

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

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

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

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5. Structure Adjacent To/Within 6m of the Highway

No development shall take place until an Approval In Principle (AiP) Structural Report setting out how any structures within 6 metres of the edge of the adopted highway (and outside of this limit where the failure of any structures would affect the safety of road users) will be assessed, excavated, constructed, strengthened or demolished has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the works safeguard the structural integrity of the adopted highway during the demolition and construction phase of the development.

6. Details of air source heat pump

Prior to the commencement of the relevant part of the works hereby approved detail of the Air Source Heat Pump, including details of its method of construction, appearance, noise levels and any noise mitigation measures has been submitted to and been approved in writing by the Local Planning Authority.

Reason: Reason: To safeguard the amenity of nearby premises and the area generally.

7. Renewable energy (Solar Panels and Air Source Heat Pump) - where further detail is required

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) 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 version 2.0 dated 1st March 2021 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 dwelling 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.

8. Material samples

Prior to the commencement of the relevant part of the works hereby approved 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) Natural rubblestone to main dwelling (1m square panel)

b) Natural rubblestone to boundary wall (1m square panel)

c) Clay roof tiles

d) Cedar cladding (1m square panel)

e) Brick

f) Timber for privacy screen

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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 building is satisfactory and that the character and appearance of this part of the Cotham and Redland Conservation Area would not be harmed.

9. Large scale detail

Prior to the commencement of the relevant part of the works hereby approved drawings to a minimum 1:10 scale (also indicating materials, treatments, and finishes) of the following items shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

(a) All new windows, doors, rooflights and privacy screening (including sectional profiles, cills, surrounds and depth of external reveals)

(b) Roof eaves, soffits, verges, parapets and all other walling junctions including rainwater goods and flues

(c) Boundary wall (including sectional profile)

The detail thereby approved shall be carried out in accordance with that approval.

Reason: To ensure that the external appearance of the building is satisfactory and that the character and appearance of this part of the Cotham and Redland Conservation Area would not be harmed.

10. Detail of green roof

Prior to the commencement of the relevant part of the works hereby approved details of the green roof as shown on the approved plans shall be submitted and approved in writing by the Local Planning Authority. The details shall include a section across the whole roof at a minimum scale of 1:10 and a strategy to include details relating to the extent, specification, installation method and the management and maintenance of the living roof unless otherwise agreed in writing by the Local Planning Authority. The approved scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the details of the green roof are acceptable with regard to ecology and surface water run off reduction.

Pre occupation condition(s)

11. 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 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.

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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. This is in line with paragraph 170 of the National Planning Policy Framework.

12. Submission and Approval of Landscaping Scheme

No building or use hereby permitted shall be occupied or the use commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which should be in line with the Bristol Tree Replacement Standard (Policy DM17) and include:

- a. A scaled plan showing vegetation to be retained and trees and plants to be planted:
- b. Proposed hardstanding and boundary treatment:
- c. A schedule detailing sizes and numbers of all proposed trees/plants
- d. Sufficient aftercare advice to ensure successful establishment and survival of new planting.

The approved scheme shall be implemented so that planting is carried out no later than the first planting season following the occupation of the building or the completion of the development whichever is the sooner, or in accordance with a program details of which shall be submitted to and agreed in writing by the Local Planning Authority.

All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

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

13. Solar panels installed as approved

No building or use hereby permitted shall be occupied or the use commenced until evidence has been submitted to and approved in writing by the Local Planning Authority that the PV system has been installed as approved, including exact location, technical specification and projected annual energy yield (kWh/year) e.g. a copy of the MCS installer's certificate. A calculation showing that the projected annual yield of the installed system is sufficient to reduce residual CO2 emissions by the percentage shown in the approved Energy Statement version 2.0 dated 01/03/2021 must also be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

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

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No building or use hereby permitted shall be occupied or use commenced until the refuse store and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans.

Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building 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).

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.

15. 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.

16. 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.

17. Privacy screen

No building or use hereby permitted shall be occupied or the use commenced until the privacy screen has been installed in the position and to the specification shown on approved plan 092 DD-01. The privacy screen shall thereafter be maintained in perpetuity.

Reason: to protect the residential amenity of neighbouring properties.

Post occupation management

18. No Further Windows

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no windows, other than those shown on the approved plans shall at any time be placed in any elevation of the building hereby permitted without the grant of a separate planning permission from the Local Planning Authority.

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

19. No further extensions

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no extension or enlargement (including additions to roofs) shall be made to the dwellinghouse

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hereby permitted, or any detached building erected, without the express permission in writing of the council.

Reason: The further extension of this (these) dwelling(s) or erection of detached building requires detailed consideration to safeguard the amenities of the surrounding area.

20. Restriction of use of roof

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

Reason: To safeguard the amenities of the adjoining premises.

21. 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 version 2.0 dated 01/03/2021.

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

22. Arboricultural Impact Assessment

The development permitted by this planning permission shall be carried out in complete accordance with the Arboricultural Impact Assessment and Arboricultural Method Statement Version 1.0 prepared by Hillside Trees Ltd and dated 5 December 2020 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the retained trees from damage during construction and in recognition of the contribution which the retained trees give and will continue to give to the amenity of the area.

23. Waste Management Statement

The development permitted by this planning permission shall be carried out in complete accordance with the Waste Management Statement submitted on the 26 April 2021 unless otherwise agreed in writing with the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved Waste Management Statement for the lifetime of the development.

Reason: To ensure appropriate waste management facilities are provided to accommodate all waste generated by the development.

24. Restriction of noise from plant and equipment

The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB below the background level as determined by BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

Reason: To safeguard the amenity of nearby premises and the area generally.

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List of approved plans

25. 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.

092 DD-01 Proposed privacy screen, received 26 April 2021
 092 GA-11 Daylight Sections, received 20 April 2021
 Waste Management Statement, received 26 April 2021
 201204-6CP-TPP-Rev A-NB Tree Protection Plan, received 2 March 2021
 Energy Statement version 2.0 dated 01/03/2021, received 28 April 2021
 Arboricultural Impact Assessment and Arboricultural Method Statement Version 1.0 prepared by Hillside Trees Ltd and dated 5 December 2020, received 2 March 2021
 092-EX-01 Existing plans, received 2 March 2021
 092-EX-02 Existing elevations, received 2 March 2021
 092-GA-01 Rev C Proposed ground floor plan, received 26 April 2021
 092-GA-02 Rev B Proposed 1st floor plan, received 20 April 2021
 092-GA-03 Rev B Proposed roof plan, received 20 April 2021
 092-GA-04 Rev B Proposed Clyde Lane (front) elevation, received 26 April 2021
 092-GA-05 Rev B Proposed rear elevation, received 26 April 2021
 092-GA-06 Rev B Proposed south elevation, received 26 April 2021
 092-GA-07 Rev B Proposed north elevation, received 26 April 2021
 092-GA-08 Rev B Proposed section AA, received 20 April 2021
 092-GA-09 Rev A Street scene elevation, received 8 June 2021
 092-LP-01 Location and block plan, received 2 March 2021

Reason: For the avoidance of doubt.

Advices

- 1 The potential presence of asbestos containing materials (ACM's) on the site is noted. In order to prevent contamination of the site, surrounding highways and to prevent harm to construction workers, surrounding residents, receptors and future site users, we recommend the applicants undertake an asbestos survey prior to the commencement of works. Any asbestos containing materials present on site must be removed in accordance with the Control of Asbestos Regulations 2012
- 2 The site falls within a radon referral area, the applicant is advised to undertake a radon risk assessment to establish if radon protection measures are required as part of the development. An initial risk assessment can be undertaken by visiting <http://www.ukradon.org/> or contacting UK Radon on 01235 822622.
- 3 Nesting birds: Anyone who takes, damages or destroys the nest of any wild bird whilst that nest is in use or being built is guilty of an offence under the Wildlife and Countryside Act 1981 and prior to commencing work you should ensure that no nesting birds will be affected.
- 4 Bats and bat roosts: Anyone who kills, injures or disturbs bats, obstructs access to bat roosts or damages or disturbs bat roosts, even when unoccupied by bats, is guilty of an offence under the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 and the Conservation (Natural Habitats, &c.) Regulations Act. Prior to commencing work you should ensure that no bats or bat roosts would be affected. If it is suspected that a bat or bat roost is likely to be affected by the proposed works, you should consult English Nature

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(Taunton office 01823 283211).

- 5 Living roofs can be integrated with photovoltaic panels and also contribute towards Sustainable Urban Drainage Systems (SuDS), air pollution mitigation and reducing the urban heat island effect. Living roofs can be provided on buildings, as well as on bin stores and cycle shelters. The roof should be covered with local low-nutrient status aggregates (not topsoil) and no nutrients added. Ideally aggregates should be dominated by gravels with 10 - 20% of sands. On top of this there should be varying depths of sterilised sandy loam between 0 - 3 cm deep. An overall substrate depth of at least 10 cm of crushed demolition aggregate or pure crushed brick is desirable. The roof should include areas of bare ground and not be entirely seeded (to allow wild plants to colonise) and not employ Sedum (stonecrop) because this has limited benefits for wildlife. To benefit certain invertebrates the roof should include local substrates, stones, shingle and gravel with troughs and mounds, piles of pure sand 20 - 30 cm deep for solitary bees and wasps to nest in, small logs, coils of rope and log piles of dry dead wood to provide invertebrate niches (the use of egg-sized pebbles should be avoided because gulls and crows may pick the pebbles up and drop them). Deeper areas of substrate which are at least 20 cm deep are valuable to provide refuges for animals during dry spells. An area of wildflower meadow can also be seeded on the roof for pollinating insects. Please see www.thegreenroofcentre.co.uk and <http://livingroofs.org/> for further information and the following reference: English Nature (2006). Living roofs. ISBN 1 85716 934.4

- 6 Minor Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking any work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the council.

You will be required to pay fees to cover the council's costs in undertaking the approval and inspection of the works. Contact the Highway Authority's Transport Development Management Team at transportDM@bristol.gov.uk

NB: Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

- 7 Impact on the highway network during construction

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at traffic@bristol.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

- 8 Restriction of Parking Permits - Existing Controlled Parking Zone/Residents Parking Scheme

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

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9 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

10 Street Name and Numbering

You are advised that to ensure that all new properties and streets are registered with the emergency services, Land Registry, National Street Gazetteer and National Land and Property Gazetteer to enable them to be serviced and allow the occupants access to amenities including but not limited to; listing on the Electoral Register, delivery services, and a registered address on utility companies databases, details of the name and numbering of any new house(s) and/or flats/flat conversion(s) on existing and/or newly constructed streets must be submitted to the Highway Authority.

Any new street(s) and property naming/numbering must be agreed in accordance with the Councils Street Naming and Property Numbering Policy and all address allocations can only be issued under the Town Improvement Clauses Act 1847 (Section 64 & 65) and the Public Health Act 1925 (Section 17, 18 & 19). Please see www.bristol.gov.uk/registeraddress

11 Structure Adjacent To/Within 6m of the Highway

The development hereby approved includes the construction of structures adjacent to or within six metres of the adopted highway. You are advised that before undertaking any work on the adopted highway you must prepare and submit an AiP Structural Report.

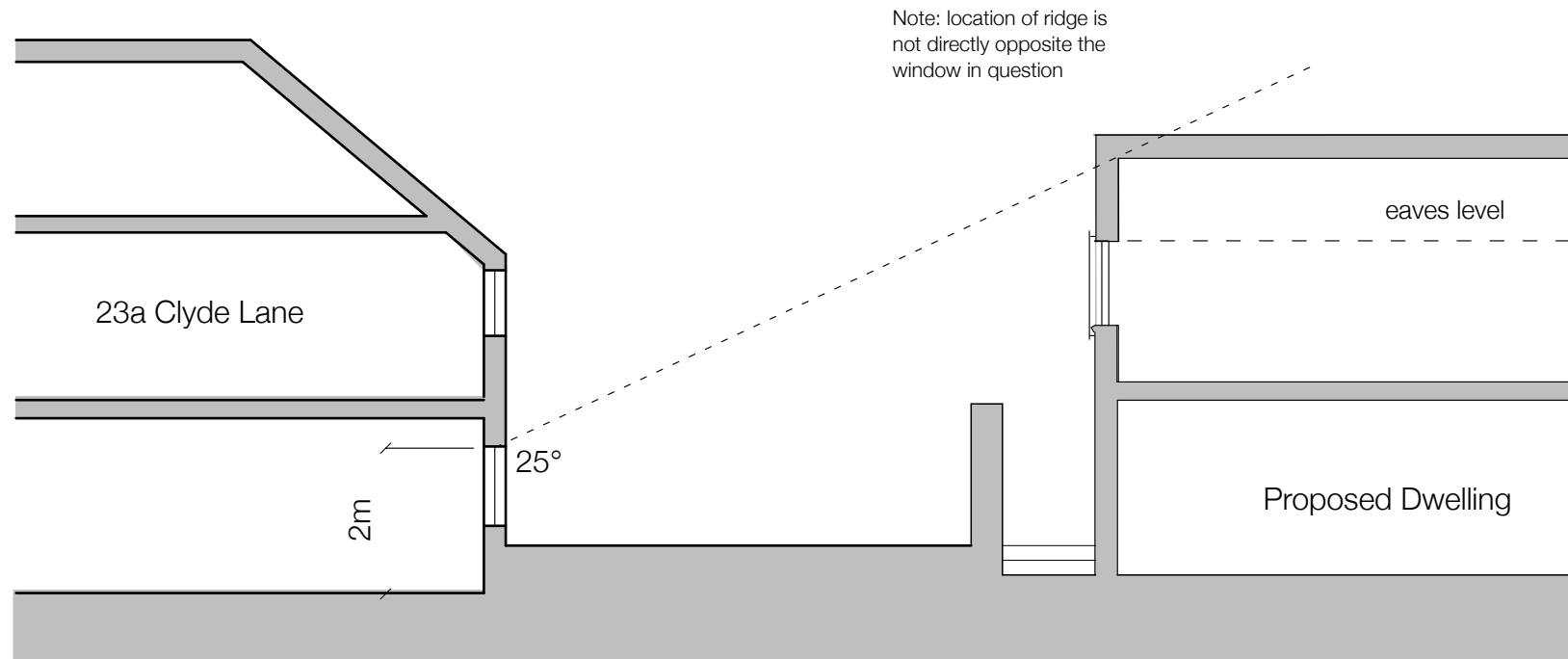
You will be required to pay technical approval fees (as determined by the proposed category of structure to be assessed) before the report will be considered and approved. Contact the Highway Authority's Bridges and Highway Structures Team at bridges.highways@bristol.gov.uk

12 The applicant is reminded that any Party Wall matters should be addressed with any interested parties outside of the planning process.

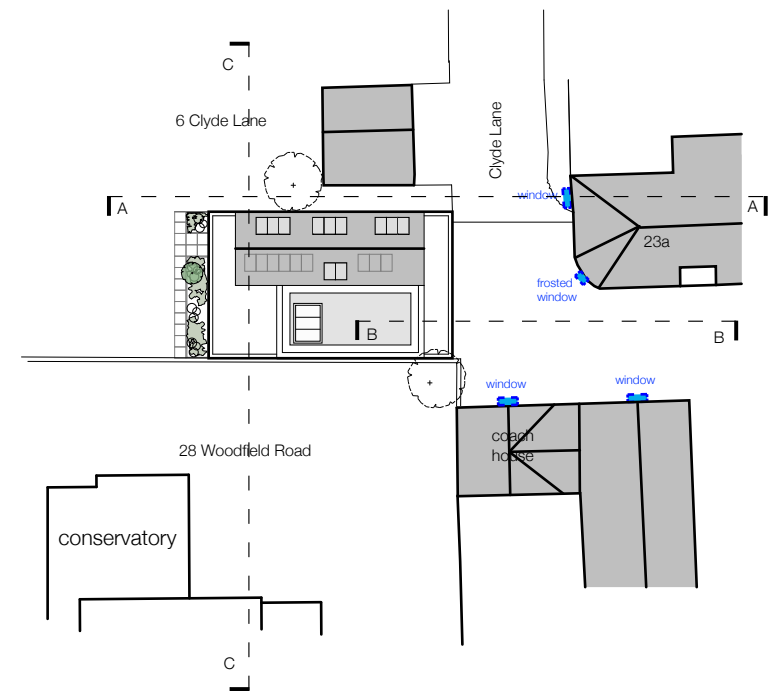
Supporting Documents

3. 6 Clyde Park, BS6 6RR.

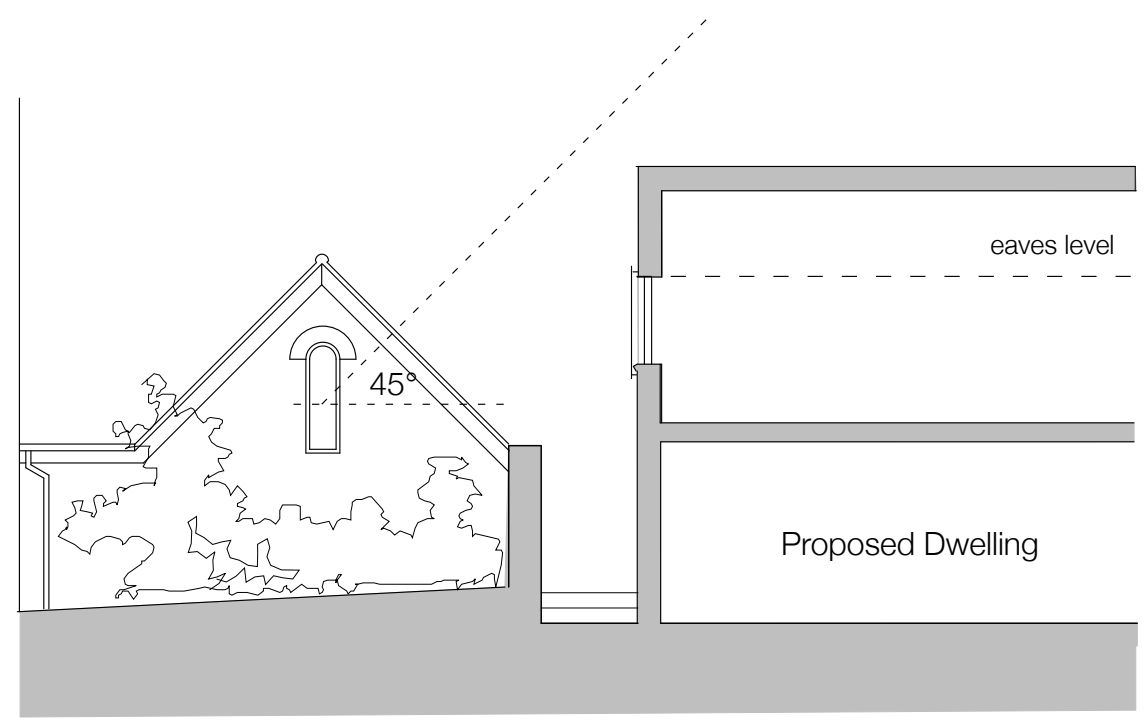
1. 092-GA-11 Daylight Sections, received 20 April 2021
2. 092-LP-01 Location and block plan, received 2 March 2021
3. 092-GA-09 Rev A Street scene elevation, received 8 June 2021
4. 092-GA-02 Rev B Proposed 1st floor plan, received 20 April 2021
5. 092-GA-04 Rev B Proposed Clyde Lane (front) elevation, received 26 April 2021
6. 092-GA-01 Rev C Proposed ground floor plan, received 26 April 2021
7. 092-GA-05 Rev B Proposed rear elevation, received 26 April 2021



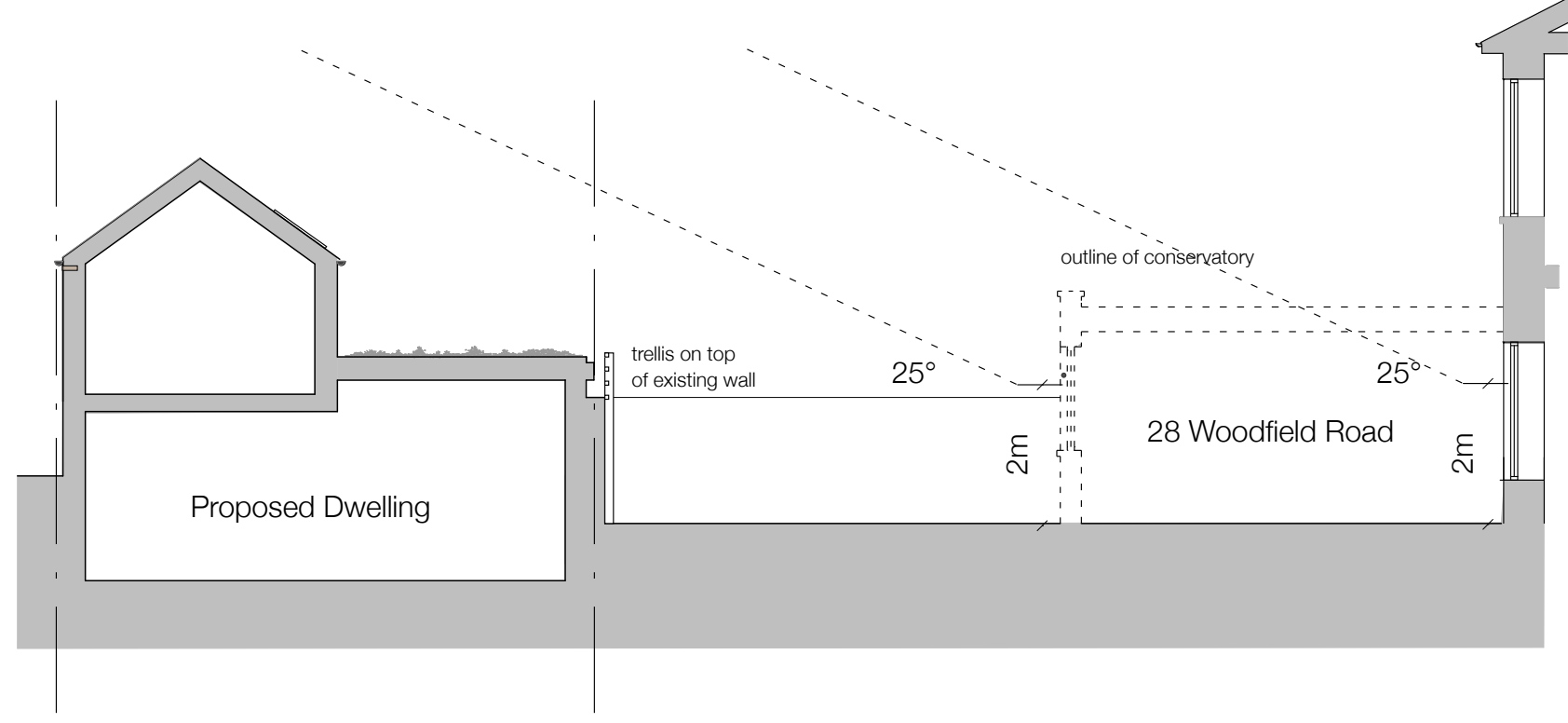
SECTION A-A



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coach house
SECTION B-B



SECTION C-C

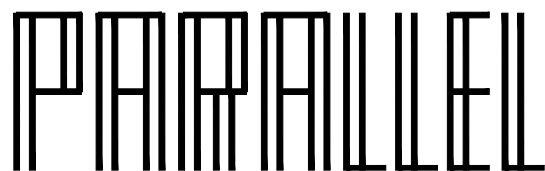
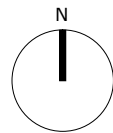
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	Drawn RT	Date April 2021	Current Stage PLANNING	Scale A/S	Dwg No. GA-11	Rev.



Existing Location/Block Plan
1:500



Proposed Block Plan



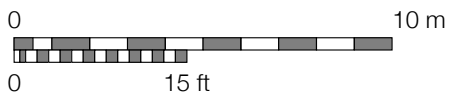
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Drawn RT	Date Jan 2021	Current Stage PLANNING

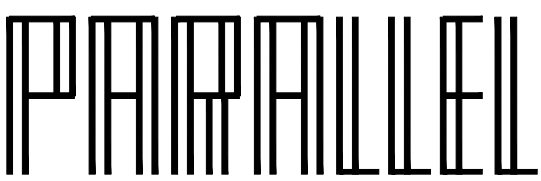
Dwg Title Location and Block Plans		Rev.
Scale 1:200 @ A3	Dwg No. 092-LP-01	
Revision Notes:		



Existing



Proposed



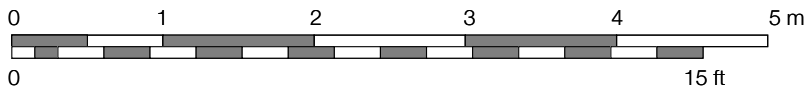
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Project Clyde Lane 6 Clyde Park, Bristol		
Drawn RT	Date June 2021	Current Stage PLANNING

Dwg Title Street Scene Elevations		Rev. A
Scale 1:200 @ A3	Dwg No. 092-GA-09	
Revision Notes:		



First Floor Ceiling Height
 minimum 1.70m (eaves)
 max 3.15m (ridge)

9,985mm

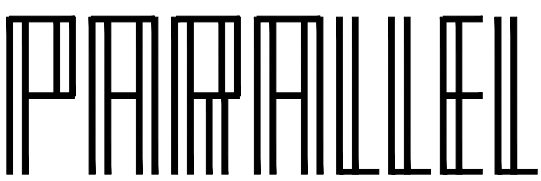
3,900mm

Window located to face down
 open lane opposite
 timber screen over

No windows in either side facing neighbours

Flat green roof

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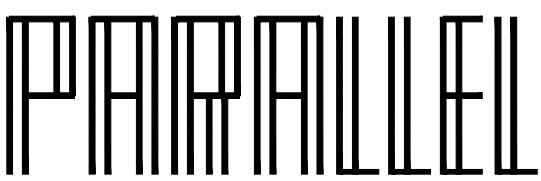
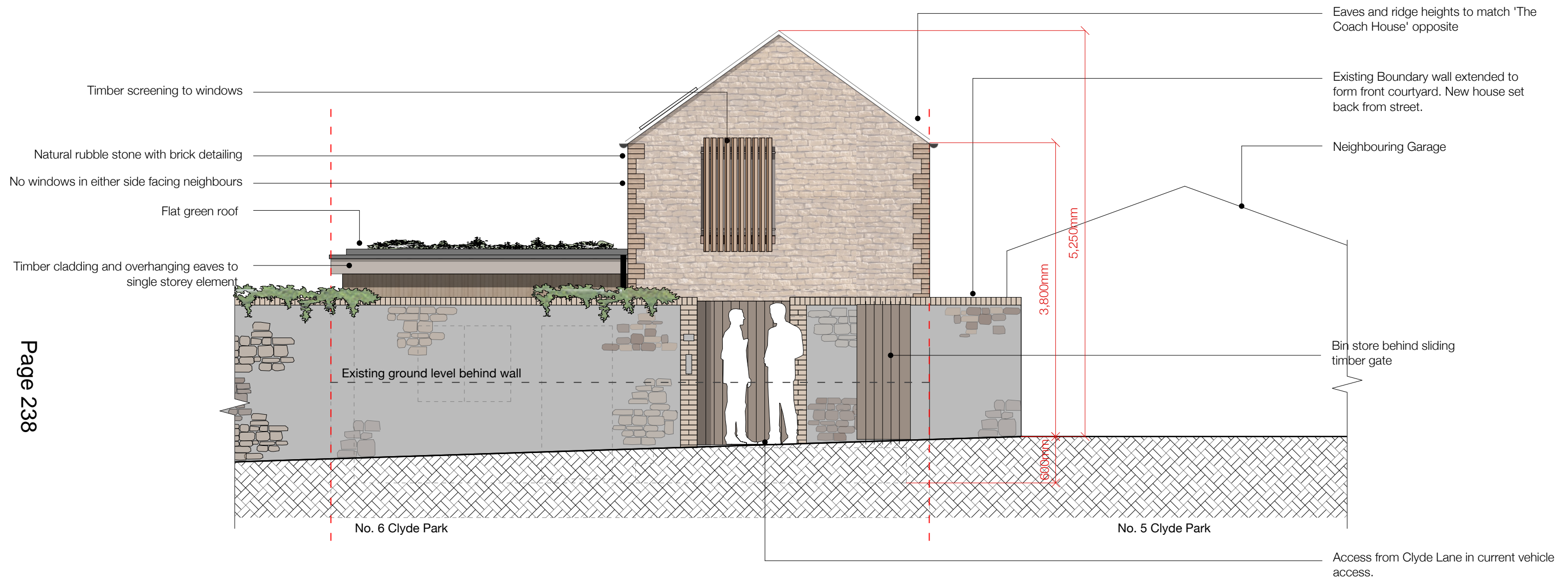
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Project Clyde Lane 6 Clyde Park, Bristol		
Drawn RT	Date April 2021	Current Stage PLANNING

Dwg Title Proposed 1st Floor Plan	Scale 1:50 @ A3	Dwg No. 092-GA-02	Rev. B
Revision Notes:			



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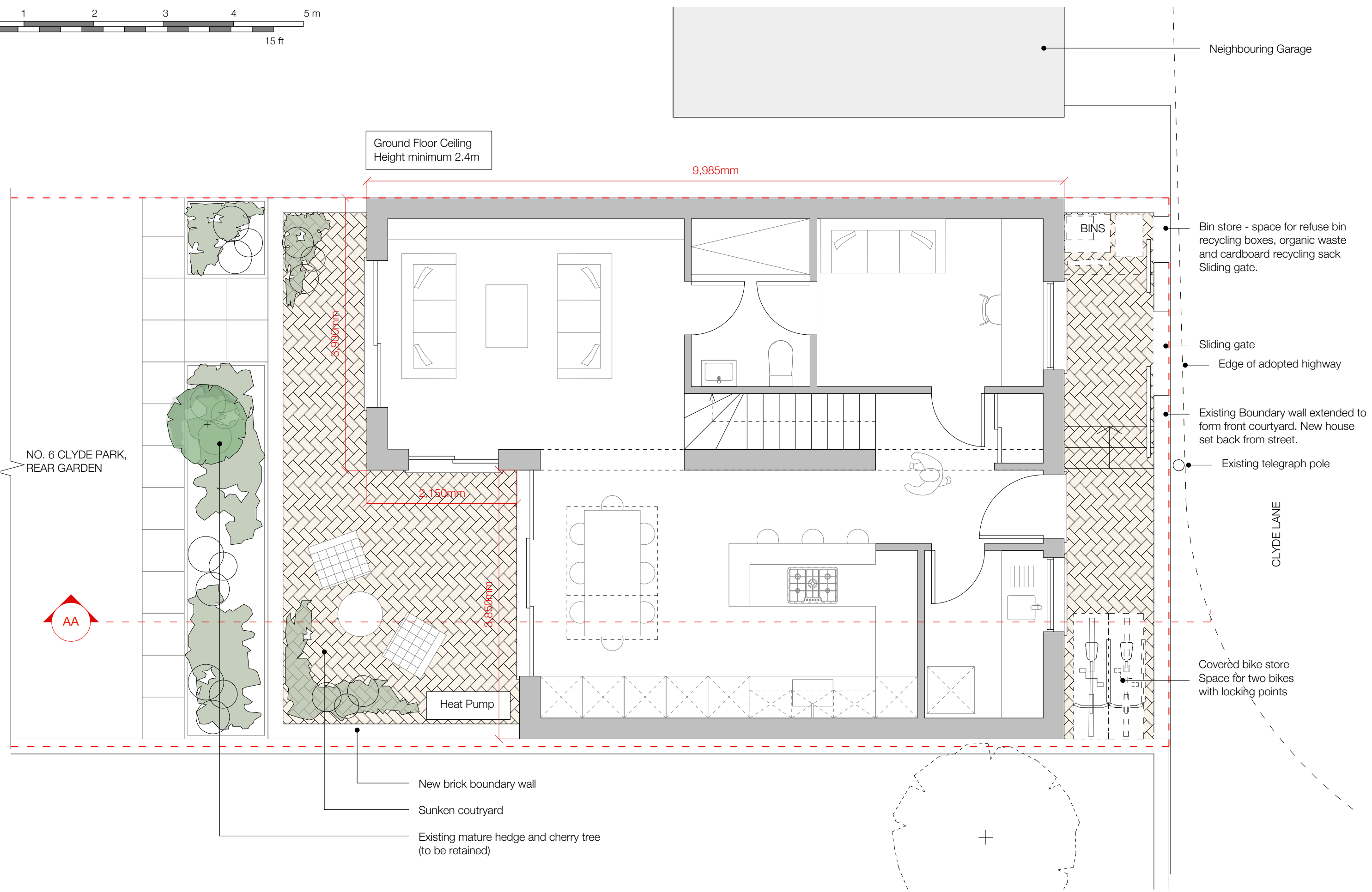
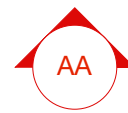
Project Clyde Lane 6 Clyde Park, Bristol		
Drawn RT	Date April 2021	Current Stage PLANNING

Dwg Title Proposed Clyde Lane Elevation		Rev. B
Scale 1:50 @ A3	Dwg No. 092-GA-04	
Revision Notes:		



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NO. 6 CLYDE PARK,
REAR GARDEN



Ground Floor Ceiling
Height minimum 2.4m

9,985mm

3,650mm

2,150mm

3,650mm

Heat Pump

- New brick boundary wall
- Sunken courtyard
- Existing mature hedge and cherry tree (to be retained)

Neighbouring Garage

BINS

Bin store - space for refuse bin recycling boxes, organic waste and cardboard recycling sack Sliding gate.

Sliding gate

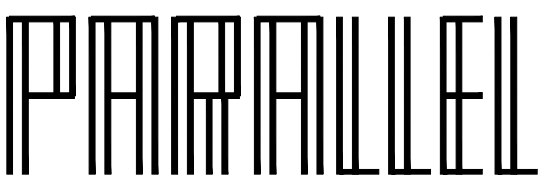
Edge of adopted highway

Existing Boundary wall extended to form front courtyard. New house set back from street.

Existing telegraph pole

CLYDE LANE

Covered bike store
Space for two bikes with locking points



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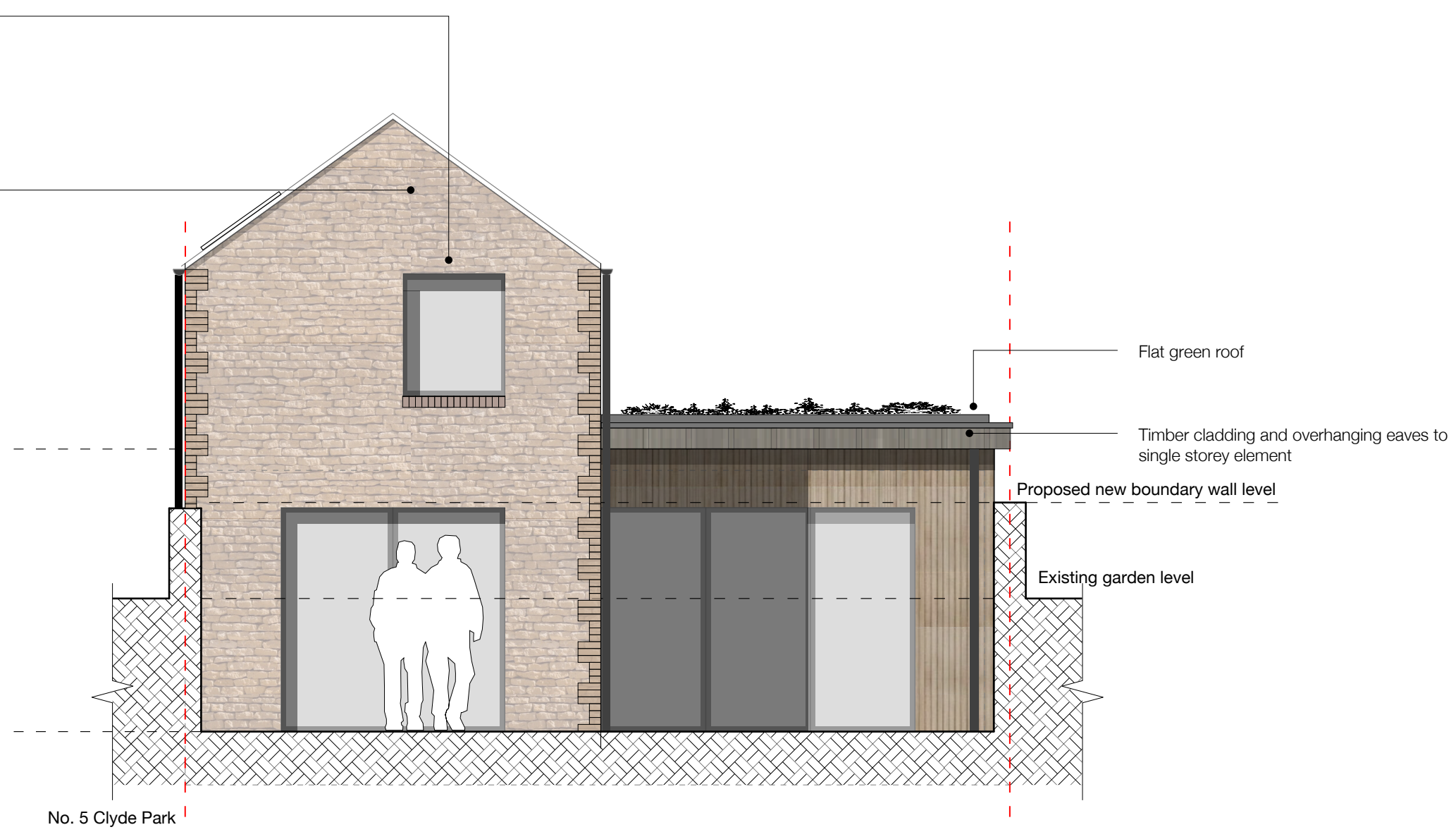
Project Clyde Lane 6 Clyde Park, Bristol		
Drawn RT	Date April 2021	Current Stage PLANNING

Dwg Title Proposed Ground Floor Plan		Rev. C
Scale 1:50 @ A3	Dwg No. 092-GA-01	
Revision Notes:		



Window facing into existing rear garden of No. 6. Mature hedge and cherry tree obscure view.

Natural rubble stone with brick detailing



Flat green roof

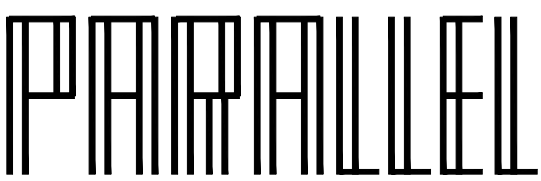
Timber cladding and overhanging eaves to single storey element

Proposed new boundary wall level

Existing garden level

No. 5 Clyde Park

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Project Clyde Lane 6 Clyde Park, Bristol		
Drawn RT	Date April 2021	Current Stage PLANNING

Dwg Title Proposed Rear Elevation		Rev. B
Scale 1:50 @ A3	Dwg No. 092-GA-05	
Revision Notes:		