

WARD: Easton **CONTACT OFFICER:** Kate Cottrell
SITE ADDRESS: Former Chocolate Factory Greenbank Road Easton Bristol BS5 6E

APPLICATION NO: 15/06400/F Full Planning
EXPIRY DATE: 3 May 2016

Mixed use development comprising conversion of existing remaining buildings (labelled Blocks C, D and F) and erection of new buildings to provide: 135 dwellings (91 apartments; 44 houses) (Blocks A, B, D, E, F, G and terraces); 485 sq m Class B1 floorspace (Block D); 726 sq m of commercial floorspace (Use Class B1/A1/A2) (Blocks B and C); 332 sq m of flexible community/business/health/leisure floorspace (Class B1/D1/D2) (Block C); 412 sq m flexible Class A3 or A4 floorspace (Block D); and associated accesses including a new pedestrian/cycle link onto the Railway Path, parking and landscaping. (Major Application)

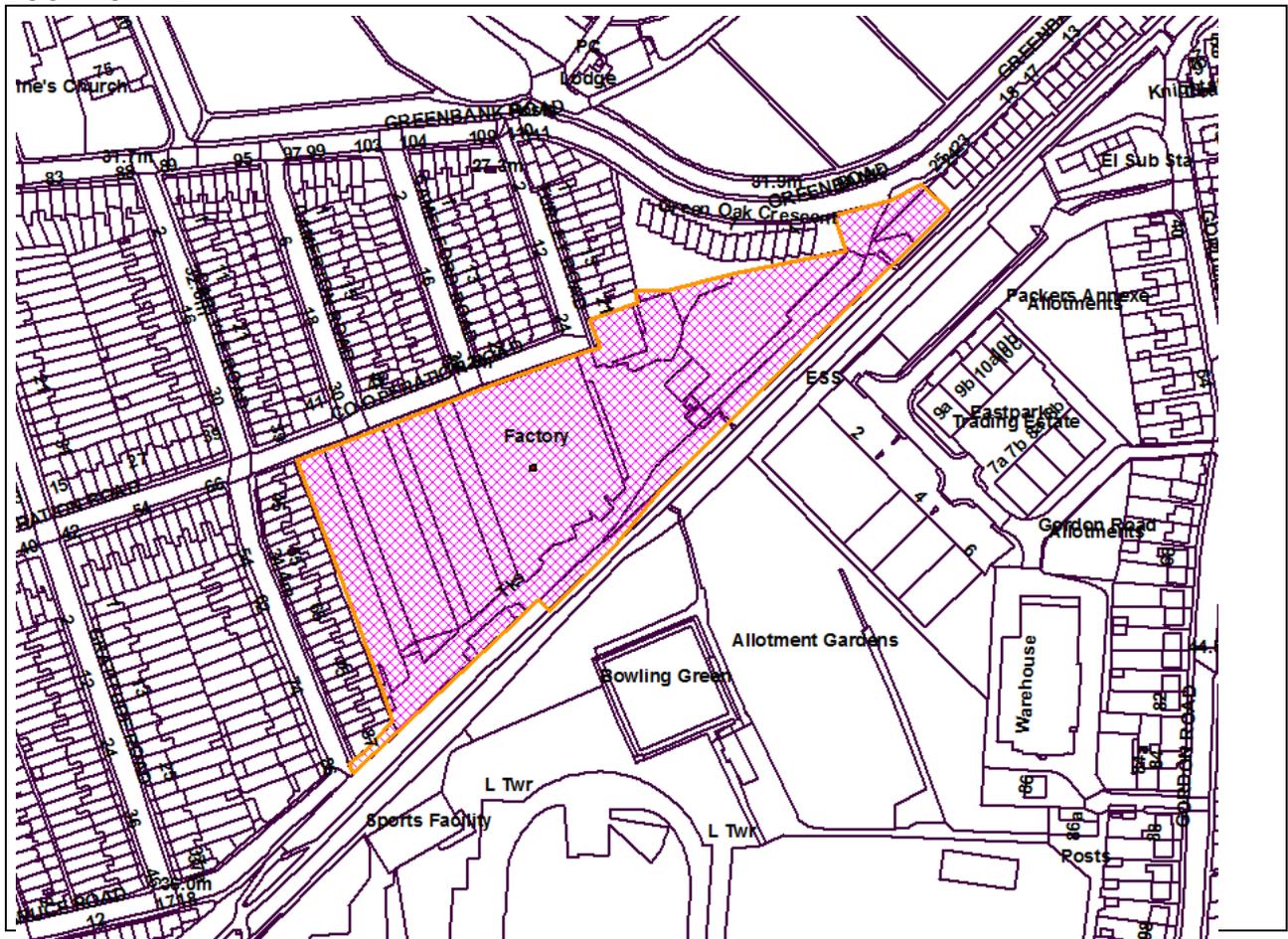
RECOMMENDATION: Other

AGENT: Pegasus Planning Group
First Floor South Wing
Equinox North
Great Park Road
Almondsbury
Bristol BS32 4QL

APPLICANT: Generator (Chocolate Factory) LLP
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 – 22 February 2017
Application No. 15/06400/F : Former Chocolate Factory Greenbank Road Easton Bristol BS5 6EL

Background

Members originally considered this application at the Development Control Committee A meeting which took place on 30 November 2016. At the meeting, Members raised concerns regarding the level of affordable housing provided on the site and the highway impacts with regard to parking and traffic which were discussed, and 2 reasons for deferral were put forward as a motion and seconded.

These were as follows:

- (A) Further consultation with local stakeholders about the need for more affordable housing on the site including discussions about:
- (i) the possibility of a trade-off between the need for retaining the existing buildings and provision of further affordable housing on the site;
 - (ii) further analysis of the viability appraisal reports used in the assessment process as appropriate;
 - (iii) negotiations with the developers about the mix of uses on site and potential flexibility with the site allocation policy
- (B) Further discussions with the developers about parking and traffic.

The Committee resolution was that these issues should be looked at by the applicant and officers before being brought back to Committee in a revised form for a decision.

The applicant however notified planning officers on 10 January 2017, that they had submitted an appeal against non-determination to the Planning Inspectorate. To date, the Planning Inspectorate has yet to formally start the appeal, and therefore there is no appeal reference. From the appeal information that was forwarded to the Council we are aware that the appellant has chosen the written representation format, that the 6 affordable units ultimately put forward are proposed to be delivered through a legal undertaking, and that an application for costs against the Council will be made.

An appeal against non-determination is made when the statutory period for the Council to make a decision has passed and the applicant decides to place the application in the hands of the Secretary of State for Communities and Local Government (via the Planning Inspectorate). In these circumstances the original application is treated as a “deemed refusal”.

In appeals against non-determination, the Council is required to put forward to the Planning Inspectorate, reasons on which the planning application WOULD have been refused if a decision had been taken, in order that the Planning Inspectorate may consider the merits of the application and reach a decision on the appeal.

However in this instance, due to the specific issues and conclusions involved, namely:

- The independent conclusion reached by DVS that the scheme is unviable in planning terms and therefore would not be able to make an affordable housing contribution;

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- The applicants offer to provide 6 affordable units despite the accepted viability shortfall (to be secured by a s106 agreement); and
- The advice of BCC Transport Development Management Team regarding the parking levels proposed being acceptable and the proposed highway mitigation measures (to be secured by s106 agreement and conditions).

It is the advice of your officers that for the above reasons (more fully set out in the Officer's Report to Committee on 30th November 2016, the associated Amendment Sheet and as within the Officers presentation to Committee) there would be no reasonable planning case to be made regarding refusal of this application on the viability of delivering additional affordable housing on the site or on parking and traffic grounds.

Officers advise that the Committee should now act to limit the Council's potential financial exposure in this situation. Additional costs would be incurred in appointing consultants to prepare the Council's written appeal statement and to prepare further evidence regarding viability (which, as set out above, is already clear in the context of existing national policy). The appellant would also prepare further evidence as a rebuttal to anything that the Council puts forward and, bearing in mind the existing application for costs, there is a risk that the Council itself may have to cover all of those costs.

RECOMMENDED

1. To resolve that, if the Committee had the power to determine the application it would have GRANTED planning permission, subject to the obligations (including the delivery of 6 affordable units) set out in the Officer's Report to Committee on 30th November 2016 and the associated Amendment Sheet, to be secured by an agreement or undertaking under s106 of the Town & Country Planning Act 1990, and all of the proposed conditions.
2. To authorise the Head of Development Management to advise the Planning Inspectorate of this resolution and that in the circumstances of this resolution the Council do not intend to defend this appeal.

Item 1: - Former Chocolate Factory Greenbank Road Easton Bristol BS5 6EL

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| 40 | <p>Key Issue B (IS THE PROPOSED DEVELOPMENT VIABLE AND DOES IT PROVIDE AN APPROPRIATE LEVEL OF AFFORDABLE HOUSING) is updated as follows:</p> <p>The viability appraisal has been re-run to reflect the final amended scheme, and the associated conditions that set the minimum and maximum floorspaces for various community, commercial and retail uses. This shows the following non-residential floorspaces:</p> <table border="1" data-bbox="470 801 1364 940"> <tbody> <tr> <td>Office (Use Class B1)</td> <td>5,221 sqft (485 sqm)</td> </tr> <tr> <td>Retail (Use Class A (various))</td> <td>12,120 sqft (1,126 sqm)</td> </tr> <tr> <td>Community Uses</td> <td>3,574 sqft (332 sqm)</td> </tr> <tr> <td>Total</td> <td>20,915 sqft (1,943 sqm)</td> </tr> </tbody> </table> <p>When these figures are incorporated, the financial situation of the scheme improves in that the Residual Land Value (RLV) of the scheme increases to approximately £650,000 from £100,000. However, as the Site Value is £1,720,000, the RLV is still approximately £1,070,000 lower. Consequently, officers remain of the view that the scheme is unviable in planning terms and therefore unable to make an affordable housing contribution.</p> <p><u>However, the applicants have reviewed their commercial position within the last 48 hours and have now offered to provide six on-site affordable units for rent, which will be secured by the s106 agreement. As a result, the applicants have withdrawn their proposed contribution of £46,496 for an enhanced bus stop. Whilst the enhanced bus stop was considered to be an important piece of mitigation, by making the site more accessible by public transport, officers could not justify refusing planning permission on this ground. The site is still served by public transport and the provision of affordable housing is considered to be paramount. The recommendation has been amended to reflect this.</u></p> | Office (Use Class B1) | 5,221 sqft (485 sqm) | Retail (Use Class A (various)) | 12,120 sqft (1,126 sqm) | Community Uses | 3,574 sqft (332 sqm) | Total | 20,915 sqft (1,943 sqm) |
| Office (Use Class B1) | 5,221 sqft (485 sqm) | | | | | | | | |
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| Community Uses | 3,574 sqft (332 sqm) | | | | | | | | |
| Total | 20,915 sqft (1,943 sqm) | | | | | | | | |
| 49 | <p>Key Issue E (AMENITY CONSIDERATIONS OF THE FUTURE OCCUPIERS OF THE SITE AND THOSE OF NEIGHBOURING OCCUPIERS) insofar as it relates to the Existing Premises to the North East (Green Oak Crescent) is updated as follows:</p> <p>The updated modelling and shadow diagram has now been undertaken and the results of this this have confirmed that the resultant remaining shading of the system will not affect the ability for the system to deliver heat to the impacted homes and that the resultant impact on the efficiency of this system is minimal.</p> <p>The system is a hybrid solar, heat pump and store system that has a relatively complex relationship between energy used within the property and the stored energy within the ground, in which the endothermic panels are part of the mix in maintaining the stores temperature. The system uses a hot store and cold store and in the midwinter at the time the shading will occur the cold store will be in use, therefore utilising the heat pump to provide heat to the residences. The cold store temperature at this time of year is managed primarily through utilising ground and air temperatures along with the solar gain from the roof. So the small loss in solar gain, which is only one element of the system, will have an even lower % impact on actual store temperatures. This in turn needs to go through a heat pump the efficiency of which is driven</p> | | | | | | | | |

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through the temperature differential between the store the buildings internal water heating system.

This small difference in store temperature is considered to be negligible as to have even less of an impact on reducing the actual co-efficient performance of the heat pump itself. Effectively leaving the system running at the same efficiency as it was before even in the worst affected units (No's 7, 8 and 9 Green Oak Crescent).

The modelling provided has assumed a single string system across all roof which is the worst case impact scenario across each property on the terrace. The table below sets out the impact which is between 1% and 4% (if the PV tiles of each roof are however split into a two or more string system (which is likely but unconfirmed) then the percentage scores would likely halve).

| House No | Annual Solar Irradiation (Pre-development) (kWh/m ²) | Annual Solar Irradiation (Post-development) (kWh/m ²) | Delta | % Difference |
|----------|--|---|-------|--------------|
| 1 | 991 | 975 | 16 | 1.6% |
| 2 | 993 | 979 | 14 | 1.4% |
| 3 | 993 | 983 | 10 | 1.0% |
| 4 | 993 | 978 | 15 | 1.5% |
| 5 | 993 | 973 | 20 | 2.1% |
| 6 | 993 | 974 | 19 | 1.9% |
| 7 | 1010 | 970 | 40 | 4.0% |
| 8 | 998 | 970 | 28 | 2.8% |
| 9 | 960 | 941 | 19 | 2.1% |
| 10 | 960 | 942 | 18 | 1.9% |
| 11 | 960 | 944 | 17 | 1.7% |
| 12 | 960 | 944 | 16 | 1.6% |
| 13 | 960 | 945 | 15 | 1.6% |
| 14 | 960 | 947 | 13 | 1.3% |

BCC's Sustainability Officer has commented that they are pleased that the height of Block B has been reduced and that this does clearly improve the situation, but the fact remains that there will still be an impact on Green Oak Crescent (albeit minimal), which in principle cannot be supported from a sustainability perspective as it would be preferable to reduce Block B height to eliminate shading altogether.

Overall it is recognised that the preference would be for shading to be eliminated altogether and the applicant has been asked to further amend the scheme accordingly, however the fact remains the proposal remains as submitted.

Therefore whilst it is acknowledged there is a minimal degree of harm regarding the minor shading impacts on Green Oak Crescent, given that the system's ability to heat the houses and the efficiency at which it would do so would not be unduly impacted, this harm is weighed against the wider benefits in planning terms of the proposal. The proposals would facilitate the redevelopment of a large and prominent site and would deliver housing and associated uses. The proposals would also positively develop a site that has been vacant and increasingly derelict for a significant period of time and thus would bring the site back into active use generally in line with the site's allocation in the Bristol Local Plan (Site Allocation & Development

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| 56 | <p>Management Policies). In this instance, it is concluded that the wider benefits outweigh the minor harm caused.</p> <p>The officer recommendation to Members is amended as set out below following the satisfactory resolution as considered by the LPA regarding the shading impact of the development on the efficiency of the renewables system installed on the rear roof slopes of Green Oak Crescent.</p> <p>RECOMMENDED GRANT subject to Planning Agreement.</p> <p>(A) Subject to agreement, within a period of one month from the date of this Committee meeting, of Heads of Terms for an Agreement under S106 of the Town and Country Planning Act 1990 (as amended) and subject to the completion within a period of six months from the date of this Committee meeting and at the applicants expense, of such a Planning Agreement made under the terms of S106 of the Town and Country Planning Act 1990 (as amended), entered into by the applicant, Bristol City Council and any other interested parties to cover (inter alia) the following matters:-</p> <p>(i) The provision of six on-site affordable housing units for rent (precise tenure to be confirmed);</p> <p>(ii) A viability review to be undertaken if the scheme has not commenced with 18 months of planning consent being granted, to assess whether the viability of the scheme has improved to an extent that it enables additional affordable housing to be provided either on-site or in the form of an off-site contribution;</p> <p>(iii) Payment of the sum of £15,000 for the construction of central pedestrian refuge on Rose Green Road, between its junctions with Greenbank Road and Clay Bottom (index linked to the date of Committee);</p> <p>(iv) Payment of the sum of £13,000 for the alteration and provision of 3no. Traffic Regulation Orders, (index linked to the date of Committee);</p> <p>(v) Payment of the sum of £9,957 for the provision of 3no. street trees on site in the adopted highway (index linked to the date of Committee);</p> <p>(vi) Payment of the sum of £4,500 for the provision of 3no. fire hydrants (index linked to the date of Committee);</p> <p>(B) That the Head of Legal Services be authorised to conclude the Planning Agreement to cover matters in recommendation (A)</p> |
| 59 | <p>Condition 8 is amended within the relevant sections as follows below (changes in bold):</p> <p>8. Ecological Mitigation Strategy</p> <p>Prior to the commencement of development (including any demolition or strip out works to any retained buildings) and notwithstanding any approved plans or documents, an ecological mitigation strategy prepared by a suitably qualified ecological consultant shall be submitted to and approved in writing by the Local Planning Authority. The strategy should include the following provisions:</p> |

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| 71 | <p>(e) A precautionary pre-construction bat dusk emergence (or dawn re-entry) survey (which will need to be undertaken between May and August when bats are active) prior to commencement of works;</p> <p>Condition 49 is amended following the provision of updated statements (amendments in bold):</p> <p>49. Accordance with Sustainability and Energy Statements</p> <p>The development shall be carried out in complete accordance with the Sustainability Statement C151570_HYD-BPE-REP-004 P05 and the Energy Statement C151570_HYD-BPE-REP-003 P06 both prepared by Hydrock dated 29 November 2016 and maintained as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure that the development makes sufficient contribution towards mitigating and adapting to climate change.</p> |
| 72 | <p>Condition 50 is amended following the provision of updated statements (amendments in bold)</p> <p>Condition 50 List of approved plans and drawings</p> <p>C151570_HYD-BPE-REP-004 P05 Sustainability Statement prepared by Hydrock dated 29 November 2016</p> <p>C151570_HYD-BPE-REP-003 P06 Energy Statement prepared by Hydrock dated 29 November 2016</p> <p>Plus others to be confirmed</p> |
| | |

Development Control Committee A – 30 November 2016**Application No. 15/06400/F: Former Chocolate Factory Greenbank Road Easton Bristol BS5 6EL**

SUMMARY

This application has been brought to the Development Control (A) Committee due to the prominent and important nature of the site; the scale of the development and the resultant impacts on the surrounding area as well as the viability issues surrounding the proposals. The application was also called to committee by Cllr Shah Ward Member for Easton due to the lack of affordable housing proposed by the developer. Full reasons for the call in are set out in Cllr Shah's formal comment below.

The development comprises 135 dwellings and therefore it should comply with Core Strategy Policy BCS17, which requires the provision of up to 40% affordable housing subject to scheme viability. The applicant has claimed that, to remain viable in planning terms, the scheme is unable to provide any affordable housing. A detailed viability appraisal and supporting commentary has been submitted in support of this claim.

Government policy and guidance is very clear that scheme viability is a key consideration in determining the level of affordable housing that a development can provide, and that Councils should not require a level of affordable housing that would render a development unviable. The Government's Planning Practice Guidance states as follows: Where affordable housing contributions are being sought, obligations should not prevent development from going forward. (Para 004 Reference ID: 23b-004-20140306)

In simple terms, a development is considered to be viable if the Residual Land Value (RLV) of the development is greater than the Site Value. The RLV is calculated by ascertaining the value of the completed development, and subtracting from this all the costs involved in bringing the development forward (e.g. build costs, professional fees, legal costs, financing costs etc.) and the developer's profit. All inputs are based on present day costs and values.

The applicant has claimed that, to remain viable in planning terms, the scheme is unable to provide any affordable housing. A detailed viability appraisal and supporting commentary has been submitted in support of this claim. Officers commissioned DVS (the property arm of the Valuation Agency) to assess the viability information and advise the Council as to whether the applicant's claim is reasonable. Having assessed the values and costs associated with the development, and undertaken their own appraisal, DVS conclude (whilst not agreeing with all the applicant's inputs) that the scheme is unviable in planning terms and therefore would not be able to make an affordable housing contribution.

Overall, the proposal would facilitate the redevelopment of a large and prominent site and would assist in bringing a vacant site back into active use generally in line with the site's allocation as set out the site description below. It is acknowledged that the development of such a large site will have an impact on local residents and the surrounding area and the applicant has tried to address the concerns of officers and third parties. Revisions to the scheme have now resulted in a form of development that whilst substantial in size has adequately addressed issues relating to proposed uses, residential mix, amenity, sustainability, flood risk, highways, security and ecology subject to relevant conditions and a S106 agreement.

Consequently, given the clear advice from DVS (see supporting documents), officers recommend to Members that the scheme is approved with no affordable housing. However it is recommended that if the scheme has not commenced with 18 months of planning consent being granted, a viability review is undertaken to assess whether the viability of the scheme has improved to an extent that it enables affordable housing to be provided either on-site or in the form of an off-site contribution. This viability review would be secured by way of a Section 106 Agreement.

Development Control Committee A – 30 November 2016**Application No. 15/06400/F: Former Chocolate Factory Greenbank Road Easton Bristol BS5 6EL****SITE DESCRIPTION**

The current application site relates to the former Elizabeth Shaw Chocolate Factory which originally was a group of factory buildings that had occupied the site since the early 1900's. The factory was closed in September 2006 and the majority of these existing buildings have now been demolished (see relevant planning history below) with the three buildings that have been retained being as follows:

- A 5 storey concrete frame factory building built circa 1915 (Block D on the submitted plans)
- A 3-4 storey red brick factory building running along the majority of the western boundary (Block F on the submitted plans)
- A two storey Bath stone former office building is located on the north eastern side of the site facing onto Turley Road (Block C on the submitted plans)

The site itself is allocated within the Bristol Local Plan - Site Allocations and Development Management Policies Document (Adopted July 2014) (site reference BSA0805) for a mix of uses including housing, business, community use and small scale retail. It should be noted that the allocation also includes an additional piece of land to the north east that does not form part of this application as it has been separately been built out for housing, ref: 12/03849/F (now known as Green Oak Crescent).

The site is bounded by the Bristol and Bath Railway Path running (north-east to southwest) to the south of the site and which is designated as an important open space and in part as a Site of Nature Conservation Interest (SNCI); the residential street of Co-operation Road is to the north; Greenbank Road to the north east, (which includes the relatively recent development of 14no. houses known as Green Oak Crescent referred to above); and finally Carlyle Road directly abutting the western boundary of the site.

The wider context to the site comprises a predominantly residential environment, with mainly two storey terraced streets characterising the area to the north and west of the site. The Railway Path forms a strong physical boundary to the south, with allotments and the Whitehall Playing Fields (formerly Packers' Fields) beyond the railway path to the south. Greenbank Cemetery is located to the north-east, with some industrial/warehouse buildings further to the west.

The access to the site is currently gained via a vehicular access from Greenbank Road via Royate Hill and Gordon Road to the east. Greenbank Road itself is a no through road that has been stopped up to the north of the site to prevent vehicular through traffic. Pedestrian/cycling access is additionally gained from Carlyle and Cooperation Roads and via the Bristol and Bath Railway Path.

RELEVANT HISTORY**Site Itself:**

06/03218/F: Mixed use development comprising 108 no. dwellings, 1591.2 sq.m. of office accommodation (Use Class B1) and 32 sq.m. of Use Class A3; retention of existing office building and demolition of existing factory buildings. 23 October 2006 REFUSED. A subsequent appeal was DISMISSED following a Public Inquiry on 26 June 2007.

08/03862/F: Conversion and part demolition of existing factory buildings to provide 186 no. houses and flats (comprising 111 no. one-bed flats, 64 no. two-bed flats, 8 no. three-bed flats and 3 no. three-bed houses), 6213 sqm of business floorspace (Use Class B1), 800 sq.m. of retail/café/restaurant/bar (Use Classes A1, A3 or A4), 330 sq.m. of community floorspace (Use Class D1) and construction of 66 no. new build houses and flats (comprising 11 no. one-bed flats, 14 no. two-bed flats, 29 no. three-

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bed houses and 12 no. four-bed houses), a twenty-bed youth hostel/hotel (Use Class C1), a public square, open space, parking for 246 no. cars and associated cycle parking, vehicular access from Greenbank Road and Co-operation Road, refuse and recycling areas, and landscaping, including re-landscaping and formation of access ramps on land adjacent to existing hard-surfaced Bristol and Bath Railway Path.

At the 18 February 2009 South and East Area Development Control Committee, members were minded to approve this application subject to the completion of a Section 106 Agreement. However the S106 was never completed and the application was closed via disposal on 2 November 2010.

14/05712/SCR: Request for a Screening Opinion as to whether an Environmental Impact Assessment is required for redevelopment of site to mixed use residential, commercial and community use. (Please note that this is not a planning application and therefore we are not carrying out public consultation on the proposal at this stage). 19 December 2014 EIA NOT REQUIRED

14/06330/N: Application for Prior Notification for demolition - removal of majority of buildings on the site. 26 January 2015 GIVEN

15/00737/COND: Application to approve details in relation to condition 1 (Highway information) 2 (buildings on site should be fully recorded by photographs) and 3 (Ecology and bat Survey) of permission 14/06330/N Application for Prior Notification for demolition - removal of majority of buildings on the site. 18 March 2015 CONDITION DECIDED

15/02171/N: Application for Prior Notification for demolition of the majority of the building located to the rear of the terrace facing onto Carlyle Road. 28 May 2015 GIVEN

Neighbouring site to North East (now Green Oak Crescent):

14/00193/X: Application for removal or variation of a condition following grant of planning permission 12/03849/F - Erection of two attached terraces of 14 no. two storey houses (Class C3) with accommodation in the roof space, with associated car parking, landscaping and refuse and cycle storage facilities (Re-submission of 10/05295/R) (major development) 2 June 2014 GRANTED

12/03849/F- Erection of two attached terraces of 14 no. two storey houses (Class C3) with accommodation in the roof space, with associated car parking, landscaping and refuse and cycle storage facilities (Re-submission of 10/05295/R) (major development) 26 November 2012 GRANTED

10/05295/R- Renewal of planning permission number 07/04497/F - Erection of two attached terraces of 14 no. two storey houses (Class C3) with accommodation in the roofspace, with associated parking, landscaping and refuse and cycle facilities. GRANTED 17 March 2011

07/04497/F: Erection of two attached terraces of 14 no. two storey houses (Class C3) with accommodation in the roofspace, with associated parking, landscaping and refuse and cycle facilities. GRANTED 19 December 2007

06/05494/F - Construction of 16 no. three-bed semi-detached sustainable houses arranged into four blocks of four, with associated parking. Refused 25.05.2007.

EQUALITIES ASSESSMENT

During the determination of these applications due regard has been given to the impact of the schemes in relation to the Equalities Act 2010 in terms of 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

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indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs, experiences, issues and priorities in relation these particular proposed developments. Overall, it is considered that neither the approval nor refusal of these applications would have any significant adverse impact upon different groups or implications for the Equalities Act 2010."

APPLICATION DETAIL

The application as originally submitted sought:

A mixed use development comprising conversion of existing remaining buildings (labelled Blocks C, D and F) and erection of new buildings to provide 135 dwellings (91 apartments; 44 houses); 485 sq m Class B1 floorspace; 726 sq m of commercial floorspace (Use Class B1/A1/A2/D1); 332 sq m flexible community floorspace (Class B1/D1/D2); 204 sq m flexible Class A3 or A4 floorspace; and associated access, parking and landscaping.

Following the initial public consultation and assessment by officers and statutory consultees a number of concerns regarding the proposals were identified and set out to the applicant. This resulted in a full re-submission of revised proposals by the applicant in October.

The current application before Members for consideration following revisions therefore seeks:

A mixed use development comprising the conversion of the remaining existing buildings (labelled Blocks C, D and F) and erection of new buildings to provide: 135 dwellings (91 apartments; 44 houses) (Blocks A, B, D, E, F, G and terraces); 485 sq m Class B1 floorspace (Block D); 726 sq m of commercial floorspace (Use Class B1/A1/A2) (Blocks B and C); 332 sq m of flexible community/business/health/leisure floorspace (Class B1/D1/D2) (Block C); 412 sq m flexible Class A3 or A4 floorspace (Block D); and associated accesses including a new pedestrian/cycle link onto the Railway Path, parking and landscaping. (Major Application).

The mix of dwellings proposed is as follows:

Apartments:

1 bed - 32no.

2 bed - 59no.

Houses:

3 bed - 33no.

4-bed - 11no.

No Affordable Housing provision is offered (please refer to Key Issue B below).

A total of 117no. residential car parking spaces; 20no. car parking spaces for visitors/commercial units together with a single car club space are proposed

COMMUNITY INVOLVEMENT

The applicant has undertaken significant Community Consultation since 2014 as set out in the Statement of Community Involvement (SCI) submitted in support of this application and which included the following:

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- Press statements
- Dedicated Website and Twitter Feed
- Written Stakeholder and Community Briefing Documents
- Stakeholder Workshop events
- Meetings with Amenity Groups
- Public Consultation Events
- Meetings with MP
- Meetings with local Councillors
- Notification Postcards to local residences and businesses

The SCI submitted by the applicant does not include any clear narrative on how the comments received have influenced the design of the proposals specifically but has provided a section entitled 'Response to Feedback' setting out the applicant's response to common issues raised.

The Bristol Neighbourhood Planning Network has also commented on the community involvement undertaken by the applicant as follows:

'Thorough consultation has taken place and the applicant has responded in the CIS to the issues raised.'

RESPONSE TO PUBLICITY AND CONSULTATION

The application was initially publicised through 6no. site notices and an advert in a local paper. In addition, individual notification letters were sent out. As set out above, a number of concerns were raised by officers and via public consultation and a revised submission was received by the LPA in October. Due to the scale of changes the revisions were subject to a full formal re-consultation exercise which comprised 6no. site notices and 386no. individual notifications.

Overall, 397no. responses were received objecting to the revised scheme and 20no. responses in support. The issues raised in these responses are hereby summarised below:

Objections

Affordable Housing and Impact on Community Character

General Comments on Impact on Bristol's Housing Provision

- Proposal does not meet Bristol City Council's stated policy that 40% of new developments should be affordable housing as it does not include any affordable housing. This should be enforced
- Proposal does not include any social housing
- The requirement for 40% of houses in developments of over 15 units must be upheld of this 40%, at least 50% must be social housing.
- The mayor and council have a clear, strong agenda regarding social housing in Bristol
- Refer to Affordable Housing Framework - 2015-2020
- The consultation on the Bristol City Councils Corporate Strategy has just been released. The strategy document recognises that: "High housing costs and high demand for homes makes securing suitable, affordable housing difficult, or even impossible, for many households." (BCC 2016 p.36) and that, "The private rented sector continues to grow as households find it harder to own their own homes or

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to access social housing. There are many households struggling to pay high deposits and rents, or in some cases struggling in poor conditions....Welfare reforms, in particular the reductions in benefits, are making it harder for households to afford rent, council tax and living costs." (ibid.)

- The document further recognises that: "Between April 2013 and March 2016, a total of 3,011 new homes were built (excluding student housing). Of these only 515 were affordable. Welfare reforms and changes in social housing policy are having significant impacts in the provision of affordable housing. The supply of affordable homes from housing associations is affected by the lack of direct investment in housing development, the social housing rent reduction affecting housing association's income and changes to the Right-to-Buy policy." (BCC 2016 p.37)

- This is a responsibility for every large housing developer and to excuse the developer of this project from doing that is completely immoral, especially when land such as this could be used directly by self-builders who would not have a profit motivation

- People who are in supported accommodation and ready to move on have nowhere to go because according to the Homechoice website "Around 2000 properties become available each year and over 10,000 people are registered on HomeChoice Bristol

- Renting has become something that far outstrips the income of most people cause them no choice between a roof over their head and other basic human needs such a good and balanced diet and warm and security. This with cause Bristol to over develop areas and under invest in the majority of the people who make up the soul of Bristol

- Proposal does not help Bristol's housing crisis

- Bristol City Council spend huge amounts of money on emergency accommodation and this would do nothing to reduce homelessness

- Without social and permanently affordable housing, this leads to increasing housing bills for the council.

- While there are also severe budget pressure on the councils own budget then other sector must start supporting the requirement for the increase in social and truly affordable housing that is so severely needed.

- Affordable properties need to be spread across the city to promote social inclusion and avoid ghettoisation of already deprived areas.

- Do not support a proposal that does not include affordable housing or that allows for affordable housing to be bought by speculators wishing to rent to tenants as this is not in line with BCC policy, and does not help overcrowding and housing issues for local people.

Specific Comments regarding the Proposal and Local Area of Easton

- Generator's claims of "not being able to make enough profit" if they include affordable housing should be thrown out of court, as Persimmon's claims were over-turned the last time around.

- Perhaps they now feel that they paid too much for the site assuming that they could by-pass the 40% minimum. In that case it is hardly the council's role to compensate them for a poor commercial decision.

- The developers in recent communications have suggested this has become unviable due to the company spending more money to meet community need. However, the consultation was never

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presented as a prioritisation exercise, where either design features or affordable / social housing could be provided. On these grounds challenge the developer's consultation process and statement of community involvement

- If the developers are unable make this happen the site should be CPO'd by the council and handed over to a housing association for appropriate development

- Developer needs to be transparent about their finances if they are trying to prove a case to reduce the amount of affordable homes.

- Lack of transparency over calculations re affordability and profit margin.

- Proposal will force more local people out of the area as many groups can no longer afford to buy or rent in Easton

- Easton is in a period of transition just now and by pricing lower income people and families out of the area we risk losing the community that makes Easton special.

- If the development is allowed to go ahead with no affordable housing as the demographic will change and the diversity which is the hallmark of Easton will be replaced with yet another area that is not integrated

- Appalled that there is not a local group who can develop this site with more sympathy and support from our community

- Easton does not need more expensive flats which will only further inflate rents and house prices and put further pressure on local schools, health centres, parking and services

- Easton has seen one of the highest increases in house prices in the last few years with local house prices rose by 24.5% in what is a traditionally working class area. (Evening post 2016)

- This space is perfect for more high density housing units which the area desperately needs.

- Many of the plans sound good and if more consideration can be given to the community and not just the finances then this could be a great development for the community and Bristol.

- Need the chocolate site to work for everyone, both new and known, and this proposal in no way caters for the needs of the community as a whole.

- Easton and Greenbank don't need gentrifying and there isn't the space for this many more vehicles. Instead, give us low cost housing and shared community spaces to benefit all

- After demolishing large swaths of architecturally significant buildings to make room for more profitable new-builds, to include no affordable housing is utterly unacceptable

- Should remove expensive to restore Victorian factory building and replace with modern, affordable houses

General Comments on Housing Need/Issues

- To not make any more affordable social housing is to keep people homeless for longer

- Need affordable and social housing, not more opportunities for landlords and speculators to make even more money

- Housing is needed for local people who have been trapped in private rentals for years.

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- The consequences will doom a generation to renting and poor living standards due to over inflated living cost due the dire lack of afford housing both to rent and buy
- It is important that any new development in the area has both affordable housing and community facilities
- Social segregation is bad for everyone. Everyone does better on a range of indicators (health, crime, well-being etc.) if society is more inclusive. Affordable housing is an important measure in planning against segregated communities.

Case Officer Note: Please refer to Key Issue B below

Highways and Parking

-The surveyed parking results have obviously been so selective as to be laughable parking is one of the most divisive issues in our modern society's and the increase in vehicle owners in the area will seriously affect us the local residents.

- This housing development is far too large for the surrounding infrastructure. It is in a virtual cul-de-sac with the only access into this area being via the already congested Greenbank Road, Robertson Road or Co-operation Road. These roads are often reduced to a single lane as there are so many cars parked in the area.

- There appears to be no provision for parking. It is likely that this development will bring upwards of 120 new vehicles into an area that is stretched to breaking point in terms of parking available.

- Have major issues with the transport assessment, specifically the statement that "no material queuing occurs at the Greenbank Road junction with Rose Green Road in the peak hours" (in 3.9) Anyone who lives here knows that the queues on the B4469 emanating from the Royate Hill bridge can easily add 10 minutes or more to a journey, and often block access to Greenbank Road. This is an order of magnitude more than the 10 -12 second delay mentioned in table 10.4. It is noted (in 2.20) that the one way system under this bridge that causes these queues was put in place in 2004 by the council as a "traffic calming measure" which has quite clearly backfired. The assertion that 10% more traffic on this road "does not materially affect" the traffic doesn't mean that everything is ok. It is already bad, and this development will make it worse, which is unacceptable.

- We would like to see evidence of where these 26 parking spaces within 50 metres of the site were located as we are suspicious that many were counted along the current Co-operation hoarding to the current site where there are currently no residential houses.

- The residential terrace houses linking Greenbank Road and Co-operation road are always congested during peak times (pre-8am and post-5pm). It is often impossible to park on our street forcing many residents to park on street corners restricting both vehicle and pedestrian access and lines of sight. This situation is only going to be exacerbated with the limited number of parking bays available on the new site.

- This is going to serve to have a negative impact on my family when we already regularly have to park some distance from our home and navigate two small children from the car to our house.

- Due to the pressures on parking spaces, it means that residents of the new development are also going to suffer the same problems. So, who does it benefit by not providing adequate on site spaces? This really needs to be properly and sensibly reconsidered.

- We would strongly urge a follow-up parking survey is conducted and would request that the survey results (including photograph evidence of available parking) is made public prior to any final decisions

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on the parking provision being made.

- The neighbouring roads in Greenbank and Lower Easton cannot cope with the current level of traffic. There needs to be some sort of consultation with the situation as it is. If you add a further 100+ inhabitant cars plus visitors, servicing, delivery vehicles then the situation will become a source of danger and irritation for local residents for years to come.

- The junction with Devon Road is already unworkable and dangerous. This will spread to further worsen the situation on Robertson road, Hinton road, Bellevue road and the other smaller arteries around the site.

- Access to the site makes more sense from the Greenbank road side but even then this will cause problems on the B4469 which already struggles at peak times.

- Turley Road is a one way street in the direction of travel towards Co-operation road. Given that the roads in this small enclave of Greenbank are already so congested, it is clear that Turley Road will become a natural and preferred access route to the new site as there will be no oncoming traffic to encounter.

- The change of traffic flow towards the Co-operation Road entrance of the site is a failure of the revised plans.

- Rose Green Road which is currently a quiet, wide road, rarely double-parked on both sides of the street.

- Reconsider this element of the plans and adjust the weighting of access back to the sensible option of the Rose Green side of the site.

- Note Block C community space has no parking attached which seemed absurd given the likelihood to attendees driving to this event space. Surely there should be addressed with additional on-site parking for this building

- The streets surrounding the factory are quiet with children often playing on them the new routing of access will send many more cars through them creating a danger to those children who have been encouraged to "play out" by the council's very own scheme.

- Traffic volume will increase greatly as will the risk of cars travelling at speed. This will clearly negatively impact the residents of Turley Road; increasing the risk of accidents, increasing traffic noise and air pollution.

- Looking at the cost of properties in the local area (180-200K for a flat) and due to there being no social/affordable housing I think it would be naïve and dishonest not to assume that most of the dwellings will have 1-2 vehicles, pushbikes and/or motorbikes and a wealth of other commodities associated with them even if they are a 1-2 bed flat.

- There are two primary schools within a quarter of a mile of this development both of which have an intake of up to and over 1000 children across the local area. It is unfair and unscrupulous to risk the safety of our children over the management of rush hour traffic on the B4469.

- In addition we have a thriving Muslim community who come and use the Easton Islami Darasgah mosque at the end of Kingsley road. This has a large regular attendance which can cause congestion on the surrounding streets, which would be made much worse if adequate parking on this new development is not delivered

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- Object to the fact that this developer is even allowed again to propose the use of spaces for exclusive parking on the public road as spaces just for Terrace 2 and Block E.
- Concern is that parking space for visitors or houses with more cars than one per house is limited. This again would increase traffic and reduce parking space on the streets surrounding the development.
- If access via Cooperation Road is conceded, action needs to be taken to ensure that the streets leading from the development to major highways do not become "rat runs". Options here include street signage/painting, planting, and raised crossings; all of which can encourage people to drive more considerately. Funding needs to be provided to develop and implement these options in consultation with local residents, and they need to be deployed throughout the streets radiating from the development (for instance, Co-operation, Camerton, Carlyle, Kingsley and Hinton Roads.)
- Object to the excess of noise caused by refuse trucks reversing into the new roads on Cooperation Road as the entrance is too narrow and the trucks cannot drive through, as shown in the Swept Path Analysis. The proposed junction from both proposed accesses onto Cooperation Road is not wide enough to allow refuse trucks to turn with cars, vans and especially trucks parked on Cooperation Road. Both the entrances to the site opposite Camelford Road and Camerton Road need to be widened to allow sufficient turning of refuse trucks.
- Public transport links are lacking - the only nearby bus routes run east-west making life without a car difficult.
- Trains from Stapleton Road are infrequent and the need to change trains for most destinations makes for long journey times
- Object that there are no charging points for electric cars in any of the new apartment blocks.
- Object to Block C having no allocated parking, no allocated refuse area, and no storage of bicycles.
- It would make sense to provide a road route through the site for residents to reduce use of surrounding roads.
- Integration of the development with the Bristol-Bath Cycleway not only leaves something to be desired in terms of cycle (and pedestrian) access to and routes through the site, but Bristol City Council's TDM department has concluded the existing plan is "to the detriment of the safety of all users of the [cycle] path", and that the developers have "not incorporated advice provided by strategic transport officers during...site meetings with regard to the access from the site
- Proposed car parking is completely inadequate unless the site is designed and marketed to appeal to people who don't use cars as their primary means of transport.
- Would welcome a reduction in the car parking provision if this resulted in a scheme that worked better for non-car users e.g. reassigning the car parking to the SW of Block D as outside seating for the café
- The travel plan needs ambitious targets and a specified and adequate budget.
- Concerned that almost no provision for servicing appears to have been considered for 'Block C'
- Suggest that a small home zone outside Block C at the corner of Turley Rd would enhance this entrance.

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- The retail space in Block B should be designated for a small scale 'corner shop' to reduce shopping journeys from the site.
- Oppose additional access points to the railway path - there are adequate point of access either side of the site and you should minimise the potential collision points of multiple access points along a section of the path with many entrances already
- Cycle parking provision is low
- Gordon Avenue, the tailbacks past this road, where the chocolate factory flats are to be built, is usually half an hour at least as there is a single lane flow system which doesn't really work

Case Officer Note: Please refer to Key Issues C and D below

Design and Layout

- The quality of the design is very disappointing, given the historic importance and architectural potential of the site. The row of housing alongside the cycle path and the signature 'gateway' building on Greenbank Road, in particular, take little account of the surrounding environment or existing architecture.
- The gestures towards community space are perfunctory.
- The proposed cafe has been located in a position where its outside space will be in shade most of the time, which is likely to severely limit its use.
- More thought should be given to how use of the central square could be encouraged (given that it too will be in shade much of the time) and to providing more communal space available on the 'other' side of block D (which will get more sunlight). As things stand, there is a very real risk that anti-social spaces are being created: the 'central square' may end up being little used and there is a risk that the alleyways either side of block D - which feed on to Co-operation Road - will receive little or no footfall and become problematic as a consequence.
- Access to Block D and Block B apartments is not on the square so that residents arriving and leaving do not use the central square
- There is no active frontage onto the square after office hours.
- Cyclists and pedestrians will tend to opt for more direct routes through the site, meaning they won't pass through the square and wonder if this area will end up as an anti-social area as a result.
- There is no innovation, no green quality additions, no imagination and virtually no real social housing and now no work live
- The design of the houses is generally red brick and does not reflect the local character of the area.
- This developer went against the strong desires of the local community for the retention of the majority of the Victorian buildings and demolished them. I think that even having done this they could have recovered support had they come forward with a scheme that took advantages of the different options available once the buildings were demolished, but they have signally failed to do this.
- Object to Terrace 05 which presents a very harsh face to the Railway Path that is out of keeping with the otherwise green nature of this section. This terrace should be redesigned to allow the houses to grow cascading terraces of vegetation to green and soften their appearance.

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- Object to the design of Block A which is not in keeping with any of the nearby terraces.
- Cannot read the Public Art plan but am pretty sure it will not be ample for the size and scope of this development.
- Prefer to look at the rubble for longer and have quiet and peaceful streets for longer until they get this right
- There is no provision for a safe and secure children's play area in the development plan. Especially considering the young demographic of the Greenbank-Whitehall area, this is not acceptable for a development of this scale.

Case Officer Note: Please refer to Key Issue C below:

Amenity

- From the revised designs, it still looks as though 13 windows in commercial or residential use will overlook 24 Turley Road, from block D, potentially affecting the privacy and security of the house (which has windows facing Co-operation Road) and garden.
- Block E, in spite of a reduction in height, will continue to overlook houses and gardens as on Turley and Camelford Roads. Cannot see from the latest plans that any mitigating steps have been proposed, such as frosted or limited-view windows, which would be appropriate and has been suggested for residents affected by block F.
- Object to the overshadowing and overlooking of houses and gardens by the new-build four-storey Block E; Block E is too tall and should be a maximum of two storeys.
- Object to the overshadowing and overlooking of houses and gardens by the five-storey Block D, which will receive a new, sixth-storey extension under the current development plan. Block D needs to be reduced in height to create a high-quality environment for future occupiers
- Concerned about the windows in the end of block F that look out on to Carlye rd and Camerton rd gardens. If they were clear windows all our gardens would be horribly overlooked so maybe there could be some frosting
- Object to air-pollution odour caused by the positioning on Cooperation Road of communal refuse storage and collection for Block D.

Impact on Green Oak Crescent

- Concerned that the height of Block 'B' will be such that it will block the light falling onto houses, despite revisions. As stated previously, "our homes are designed to be as carbon neutral as practicable. We have a solar PV installation on the roof as do the neighbouring houses on Green Oak Crescent. It our sole form of heating in Green Oak Crescent. We are concerned that the proposal will result in a shadow on part of the solar installation which in turn will lead to lower solar yields - so we won't be able to heat our home
- Like to highlight a comment in the letter (dated 30th August) from the Watts Group to Pegasus: "It therefore follows, IF we are to take the BRE target values for windows as suitable, that the solar panels (at higher levels) SHOULD continue to enjoy more than adequate levels of daylight/sunlight with the proposed development in place". Are the BRE targets suitable? Apparently not in respect of photovoltaic panels.

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- Object to two hours of sunlight on 21st March; the Solar Report 'sunlight assessment methodology' relates to windows only and not to solar/PV panels. The Solar Report also does not include the recently added 'T1 Block 1' (in-between Terrace 01 and Block A), adjacent to Green Oak Crescent houses on Greenbank Road. A solar report needs to be done for effectiveness of PV for Green Oak Crescent PV panels.

- Block B remains two storey too high and the proposal continues condemn properties to a loss of amenity, both of sunlight and privacy (given the large number of directly overlooking windows). Please be mindful of the difference in site ground levels between ourselves and the Chocolate Factory.

- Homes were deliberately designed to have the maximum number of windows on the south facing elevation - towards the Chocolate Factory site - to ensure the maximum solar gain.

- Finally, to reduce our carbon footprint, we use our rear gardens for food production, the loss of light on our garden will result in a reduction of yield.

Case Officer Note: Please refer to Key Issue E and F

Sustainability

- Too few details on how this proposal makes a genuine contribution to the legacy of Bristol as 'Green capital' - how does this design minimize embodied energy? or use resources sustainably?

- Block C is in full shade winter solstice 1pm. A solar report needs to be done for effectiveness of PV for Block C (being overshadowed by block D) and for Green Oak Crescent PV panels.

- This application appears to do no more than the absolute minimum. It does nothing to enhance Bristol's Green credentials or push forward the ideals that won us Green Capital status for 2015.

Case Officer Note: Please refer to Key Issue F below

Trees, Landscape and Ecology

- Oppose the further removal of trees, vegetation and grass areas adjoining the site, in particular on the railway path side.

- We need to protect our green spaces and wildlife using them too.

- Still no information with regards the ecology of the site. Observation have been made this year of bats using the site. To ensure the development does not result in an offence against current UK legislation developer should produce a full ecological appraisal of the site that should include bat surveys undertaken at the correct time of year. Bats are also a material consideration and to grant planning permission with information with respect this species will not be legal

Case Officer Note: The developer has undertaken a full ecological appraisal of the site, but this is not publically available due to confidential information regarding habitats of protected species. Please refer to Key Issue C below for an assessment of this issue.

Proposed Uses and Mix on the Site

- The plans indicate a lack of provision of community services to support the introduction of new residents in the area. Local education and health services are stretched and the development should include some form of provision including space for childcare / a school / doctors surgery.

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- Don't want any soulless chain stores so any independent, local shops/cafes would be great like down on Wapping Wharf.

- The consultations and surveys carried out by Choc Box 2.0 in 2014 demonstrated a clear desire by local residents for a mixed use development that provided a substantial amount of local employment.

- The accepted application by Square Peg 08103862IF, was forecast by BCC to provide around 400 jobs. The Local Plan allocates the site as 'Housing, business, community use and small-scale retail'. The only reference I have found to employment no's for the current application is an estimate of 31 in the 'foul water drainage addendum'. I regard this as completely inadequate by comparison with the previous application and the levels of previous employment on the site.

-The provision for public facilities in the area is unsatisfactory and that this development will only put further strain on this. We need not only public outside spaces, for play etc, but we could do with more medical and community spaces.

- We do not need small apartments in this area we need family homes

Further provision should be made for a cafe/restaurant unit. Although there is provision for small one, it would be a real shame to miss out on the opportunity for a local sustainable company to come in here and provide facilities for the thousands of passing cyclists from the cycle path as well as the community around.

Case Officer Note: Please refer to Key Issue A below. However the planning process has no control over which companies move into commercial units, this is the choice of the owner.

- I agree to the solar panels fitted to the roof of the community area in the former reception building at the end of Turley road but worry that it may be turned into a café. I would be strongly against any sort of café next to an existing residential property, when it has only been offices in the past. I am also happy that the windows will have obscured glazing since we would not want to be overlooked in our gardens.

Case Officer Note: Any proposals to change the use of this building in the future would require planning permission and would be assessed accordingly.

- There are very few spaces for the community to gather and spend time together. We should encourage a sensitive treatment and consideration of bringing people together and not dividing the community further which this development currently has a high probability of doing.

Case Officer Note: Please refer to Key Issues A and C below:

-A new free Steiner school proposed for Bristol could be built on the site of the former Elizabeth Shaw chocolate factory in Easton.

Case Officer Note: The proposed Steiner School was located at the St Matthias site in Fishponds. Also the LPA must consider the submitted proposals on its merits and not on potential alternative schemes that may or may not come forward. It is also noted that the site allocation does not include any specific reference to this site being needed for education purposes. Please refer to Key Issue A below.

General Comments

- The developer has at each stage undertaken consultation with local people and say they have listened. They have not. It would and will probably cost a lot less money if they listen to local people

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and respond accordingly.

Case Officer Note: The LPA is unable to comment on this matter other than the comments made above in the Community Involvement Section.

Support

General Comments

- The new plans and documents appear to address many of the previous concerns re shading etc.
- Let's get on with renovating this site.
- These development plans seem considerate and thought through and I look forward to the new amenities.
- These plans appear to me to be well thought out, and I appreciate the effort the developers have made to deal with any objections that arose

Design and Layout

- The quality of the materials used, and their relation to the retained brick structures will be important to the success of the design. As will the materials in the new units. Ensure that developers do not use poor cladding that ages badly.

Case Officer Note: Please refer to Key Issue C and conditions below.

- The cycle path is great but would benefit from more overwatch. Windows should face on to the path. Proper bins on the cycle path would be good. The Council can access them via the development.

Case Officer Note: Please refer to Key Issues C below.

- Can the developers contribute to Greenbank Cemetery. The cemetery is often closes early and some gates are never opened.

Case Officer Note: Please refer to Key Issue H below. The applicant has no control over access to the Cemetery and it would not be reasonable to insist on this via the planning process.

- Expect the developer to submit evidence that 'as built' fabric standards meet consented proposals.

Case Officer Note: Please refer to Conditions set out below.

- The proposed green space as a welcome development for the community. This aspect of the plans is crucial, and should be retained, or even developed further. It will be welcomed by local children and their parents as a place to stop on the way home from school, and should be developed with this in mind.

Case Officer Note: Please refer to Key Issue C below.

Sustainability

- Houses on Green Oak Crescent have integrated solar roofs. Ensure that new structures do not reduce annual sun hours substantially.

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Case Officer Note: Please refer to Key Issue E and F below.

Highways

- Lots of cycle storage, public and private, in the development.

Case Officer Note: Please refer to Key Issue D below.

- Pleased about the retention of the existing buildings on the site and like the layout of the development.

- This kind of community housing is needed now and will be amazing for the local people and businesses in this area

- Support the principle of development at the Chocolate Factory site and am in favour of a mixed development that includes housing with other facilities for residents in the area.

- Where the planning application makes reference to the proximity of and access to the Bristol to Bath Cycle Path I expect that developers will make allowance for increased traffic on the BaBCP from the new development, should it go ahead and will make adequate arrangements for safety of cyclists and pedestrians on this well used section, especially during commuter hours. Safety of children during school run hours is a major issue and should receive special attention

Case Officer Note: Please refer to Key Issues D and H below.

- Support the application on the basis that respect will be shown for all users of both Greenbank Cemetery and allotments adjacent to the cycle path, and that current use by families and as an green space continues without interference.

Case Officer Note: Please refer to Key Issues C below.

- Where the application makes reference to increased vehicle traffic, or suggests the need for an increased number of parking places, on roads around the site I expect that the developers will make adequate arrangements by including parking within the development and ensuring safety of drivers, passengers, cyclists and pedestrians in this built up area.

Case Officer Note: Please refer to Key Issue D below.

Affordable Housing

- Understand it is not financially viable to include affordable housing. This is sad but rather something was done with this site than leaving it in the current state for many more years

- The independent financial review has accepted the case that including affordable housing would make this plan financially unviable. I would vigorously oppose a denser development, which an affordable housing clause would lead to.

- Also on affordable housing - housing costs have skyrocketed in Greenbank over the past year anyway (see Bristol post feb 04 2016), so it would have made much more financial sense for all the future residents of this development to just let the developer get on with it months ago.

- Ideally the development should incorporate low cost housing but in an area with soaring property prices an increased supply of housing is going to help a larger number of people. Finally the site is no use to anyone as a pile of rubble.

Case Officer Note: Please refer to Key Issue B below.

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OTHER COMMENTS

Ms Thangam Debbonaire MP has commented as follows:

I note that there have been an extremely high number of public comments on this application, which demonstrates the strength of feeling around this application and what it represents.

This neighbourhood is experiencing the highest increases in housing costs in Bristol (30% in the last year alone). We desperately need more affordable housing and developers have a duty to make a contribution.

I find it difficult to believe that any provision for affordable housing would make this development unviable. If no contribution can be secured I do not believe the proposal should gain approval. I hope that the Development Control Committee considering this application will give due regard to these concerns.

Councillor Ruth Pickersgill, Ward Member for Easton has commented as follows:

Due to the strength of feeling of so many people in the ward of Easton that I represent, I do not feel I can support this application as it stands.

The general view is that local residents want to have the site built on as soon as possible, and are tired of the delays and living near a demolition site. They recognise that there were some attempts to include local people in the design process, but are still not totally happy with the final plans.

There are significant concerns about the low number of parking spaces when it is likely that there will be at least one car per dwelling, and there is already a significant problem with parking in adjacent roads where many will end up. There is also a major concern about the revised proposal to allow so much of the traffic to enter the site via Cooperation Road, as this side of the development has small streets and dense housing with on-going problems relating to traffic volumes and a lack of calming measures. The entrance via Royate Hill and Greenbank Rd would not have the same problems.

There are still concerns about the impact of the development on local services and amenities. The impact of so many family homes on a local Whitehall School, which is already oversubscribed, has not been addressed, and there is disappointment that there are no medical facilities on site. It is also felt that there should be more thought given to the communal part of the development. The public square is in the shade and lacks a focus for people to want to come and use it. It is very disappointing there is no children's play area included, as there is nowhere locally that young children can use.

There is strong feeling that the development will contribute to a further increase in the use of the railway path by commuting cyclists, and that this needs to be mitigated by the developers. This could be done through a range of measures designed with local people to slow down the cyclists and to make this area of the path more attractive for family usage, also attracting people into the square and reflecting the desire for it to be a shared space and not a highway.

However, the more significant issue that has been raised with me as a local councillor has been the lack of social housing. Greenbank house prices have doubled in the last ten years, rents have soared and it is an area with significantly high number of privately rented homes. Local people are being evicted or forced to leave as they are unable to afford to continue to live here and few can afford any housing to buy. There is a view that these homes will be bought up by people from outside the area and will not help local people in any way. The Council policy of 40% affordable housing was brought in to tackle this issue. Any development on this site will allow the developer to have a high profit margin due to the unusually high increases in the local housing market over the past few years. It is totally unacceptable that no discussions have taken place with social housing providers to try and include a proportion of affordable housing in the development.

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There is a significant issue with homelessness in the ward, and also an increasing number of squatted properties and people living in caravans as they have no other options. This is the only chance many of my local residents will have in the next few years to buy or rent in the ward and they will not accept a development that does not make any effort to enable them to do this.

Councillor Afzal Shah Ward member for Easton has commented as follows (comments received in respect of the original submission, no further comments have been received following the revisions)

Whilst there are many positive aspects to this application, I am extremely concerned the developers have ignored any aspect of affordable housing provision (affordable housing, by BCC's own definition, is described as being "80% of market-value"). According to Bristol City Council's own policy, "Policy BCS 17: Affordable Housing Provision –

Affordable housing will be required in residential developments of 15 dwellings or more. The following percentage targets will be sought: through negotiation:

- 40% in North West, Inner West and Inner East Bristol;
- 30% in all other locations".

During several meetings with the developers, Generator Group, I discussed the importance of sustainable-neighbourhoods, the need to ensure the development is pedestrian-friendly and bike-friendly, as well raising concerns about how the development will put a strain on local infra-structure needs, I made it abundantly clear that affordable-housing must be an absolute priority! It is shocking to note that the developers have a complete disregard to the fact local people are experiencing huge difficulty to get onto the housing ladder. I cannot support the application in its current form, and I will be asking for the matter to be referred to the relevant planning committee.

Former Ward Councillor for Easton Anna McMullen made the following comments on the originally submitted scheme prior to Local Elections held in May:

My primary concern is the total lack of affordable housing in the development. In particular, affordable housing to rent, or social housing, is desperately needed in Greenbank. Given the rapidly rising house prices I'm sure the developer will be making enough profit to afford to put some of this in, in partnership with a housing association or similar. Our quotas in Inner East Bristol are for 40% affordable housing - higher than the requirement for the rest of the city due to demand - so to have none is not acceptable.

My second concern is to do with the loss of light and privacy to houses along Green Oak Crescent, many of which have solar panels that will be overshadowed, losing them power generation capacity and money.

The parking and traffic proposals in their current form are causing some concern to residents. A number of people fed in the idea for underground parking into the consultation but this hasn't been taken up. There are already parking issues in this area and additional cars parking on the surrounding streets is likely given the scale of the build. I would like to see a condition on the CIL money generated from this project, to be directly spent on road infrastructure improvements in Greenbank, including traffic calming measures and a consideration for a residents parking zone.

In general, the latest edition of the plans don't seem to have taken into account residents' concerns and hopes. As such, I see no option but to object to this scheme, and to call for the application to be deferred so some revisions can be made.

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Councillor Cleo Lake Ward Member for Cotham has commented as follows:

I am concerned about the lack of affordable housing as part of this development and I fear that rental prices will soar in the surrounding neighbourhood which will add to the current housing crisis. It feels unethical and wrong for the area.

The Choc Box 2.0 Community Association has commented as follows:

The following is a response to the amended plans for the site known as the former Elizabeth Shaw Chocolate Factory prepared by the Choc Box 2.0 Community Association. The association has been formally constituted since October 2013 and has been working for several years to represent the views of the local community in respect to redevelopment of the site.

We stress that our Association fully supports redevelopment of this important and strategic site but we continue to argue for a plan that more fully reflects local needs. We draw your attention to our previous detailed response (dated 2 March 2016) to the original application, which fully sets out both the problems and suggests solutions, also to our Community Plan (2014), which clearly states the results of our own public consultation and highlights local priorities.

In the light of the considerations set out below Choc Box 2.0 Community Association recommends that the planning application should be REFUSED.

1. Statement re: Affordable Housing

As stated in our March 2016 response to the original application Choc Box 2.0 finds it impossible to support a development that does not include any kind of affordable housing provision, as this clearly fails to meet local need for inexpensive rents and property available at a price within the range of local residents. We also believe that a proportion of any affordable housing should be provided by Registered Social Landlords with suitable expertise and local knowledge.

We strongly challenge the assertion by Generator made in recent publicity material that it is not commercially viable for them to include affordable housing on the site after making alterations to their plans following consultation. At no stage in the consultation process did they make reference to the possible inclusion of affordable housing and we do not believe that was ever their intention.

There are currently large numbers of people in Bristol who are in emergency housing and the local authority has an obligation to provide appropriate family housing for those in need. We note also the significant rise in house prices in Greenbank and the wider Easton area since Generator acquired the site, which is now pricing Bristol residents out of the housing market while offering a developer even greater financial gain.

Local councillors and housing action groups have actively engaged with Generator regarding suitable affordable housing solutions but the developer has refused to consider them. Choc Box 2.0 fully supports those councillors and action groups in their intention to investigate and challenge the Viability Report, and we wish to see any discussion of the arguments put forward by Generator on their justification carried out in the public domain.

2. Comments on the Transport Assessment

2.1 Volume of traffic

2.1.1 Access

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Our primary objection remains the volume of traffic that this application will create in the residential streets of Greenbank due to the access on Cooperation Road. We have seen no evidence in the amended plans that Generator have sought to address this matter.

2.1.2 Traffic Surveys

We again stress our concern that the traffic survey information is inaccurate and that surveying was insufficient. As local residents we know only too well the level of congestion that already exists in the network of streets in Greenbank and beyond in to the wider Easton area.

Referring to the Transport Assessment conducted by Transport Planning Associates (TPA) for Generator (Chocolate Factory) LLP we note that in Appendix A there are two communications from Bristol City Council Transport Development Management (TDM) to the Inner Area Planning Team (dated 31 March 2016 and 2 August 2016).

In March, under the heading of Car Parking they state:

"TDM does not consider that informal parking surveys carried out for 30 minutes [on 10 Feb.] and 45 minutes [on 11 Feb.] demonstrate an accurate picture of on-street car parking available in the general vicinity of the application site. The applicant's transport consultant relies on the results of the surveys as justification for proposing 17 of the car parking spaces required by the development be located on the adjacent adopted public highway. Car parking associated with the development needs to be contained wholly within the application site. Under no circumstances does the Highway Authority permit off-street car parking calculations to include spaces that may or not be available on the adjacent adopted public highway and for these reasons the applicants proposed car parking provision for both Block E and Terrace 02 is unacceptable."

In August, after revisions by the developer, TDM reiterated the same point.

We note that the Transport Assessment still does not contain any survey of the traffic flows relevant to access via Cooperation Rd. All the surveys and analysis relate to the Royate Hill/Rose Green Road access, which is clearly unacceptable

2.2 Parking on site

It remains clear that despite a slight reduction in the number of properties on site the amount of onsite parking is unacceptable and will inevitably result in more on-street parking. We believe that the ratio of on-site parking allocated in this development falls below that required by Bristol City Council itself.

Some specific points we would make include:

- Parking for Terrace 06 is provided by way of enclosed garage areas. Evidence suggests that unless such integrated garages meet minimum space standards that allow for general household storage, and providing there is cycle storage elsewhere, the majority of these garages will not be used for car parking
- Parking for Terraces 03 & 04 is by way of an open driveway. Parking a car in this space will impede pedestrian access to the house
- Parking for the apartments is at 75%, less than one per unit
- There is minimal parking for visitors.

We repeat the conclusion in our response to the original application that the Transport Assessment is completely deficient and inadequate in regard to the current application.

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3. Comments on the Cycle Parking Strategy

We refer to cycle parking not storage as the concept should be focused on use not storage. The cycle parking provision for residents, described in section 7.44 of the Transport Assessment, is very good but visitor parking should be higher for the location.

Cycle parking provision is generally low, particularly for commercial/community buildings, public areas and Terrace 05.

4. Comments on Loss of Privacy, Light and Overshadowing

Choc Box 2.0 Community Association made many detailed comments concerning loss of privacy, light and overshadowing in our previous response. We note that these revised plans make some minor concessions but we still have major concerns, including:

- The first floor terraces at the east end of Terrace 05 will overlook gardens and rooms of Terrace 04
- Blocks D and E, fronting Cooperation Road, will overlook houses/gardens on Camelford Road and Turley Road. Block D is currently five storeys but is planned to be extended to six storeys, while Block E is a four storey new-build
- Overshadowing of Green Oak Crescent homes' solar panels is not acceptable with the newbuild Block B and changes to Block D. In addition there are overlooking concerns for the houses and/or gardens on Green Oak Crescent, and at the ends of Turley, Camelford, Camerton and Carlyle Roads. These are change-of-use and new-builds respectively, so changes to existing privacy, security, light and overshadowing are relevant to this application.

5. Comments on Design and Appearance

5.1 Overlooking

As mentioned in the previous section the apartments on the north edge of Blocks D and E have potential to cause overlooking issues to the gardens of existing houses. The type of overlooking that usually happens in terraced houses is accepted as a normal and unavoidable. However, perpendicular overlooking, where the main aspect of a dwelling is not to the street and opposing frontages, or to its own garden, but is directly into a neighbour's garden, is generally a situation designers should avoid. There are many circumstances with apartment blocks where this situation occurs.

5.1.1 Request for Impact Assessment on Overlooking

Given the proximity of the flats to the gardens, it would be reasonable to request an impact assessment.

5.2 Other housing design issues

Generally and despite lots of talk about materials and character, the residential area is almost entirely red brick, which doesn't reflect the diversity of stone, brick and painted render on the surrounding streets.

In addition to our previous comments regarding the original application we would highlight the following:

- 'Gateway' block A is dull, uninspiring and a wasted opportunity for the entrance to this significant site

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- The south end of Block B is considered one storey too high and at risk of visually overpowering existing Block D
- Terrace 05 is again uninspiring on this important visual link to the railway path. Gardens are very small for three-storey houses
- Terraces 03 and 04 have parking at the front which, as previously discussed, means vehicles block entrances to buildings creating access mobility issues
- The large houses of Block F have limited garden area.

5.3 Daylight and Shade in Community Space

The central square/community space remains at risk of overshadowing leading to cooler, uninviting area. The proposed café breakout is in a shadowed area. The issue of overshadowing of this space has still not been addressed sufficiently. Choc Box 2.0 has made repeated comments in relation to the provision of a community space that is largely in shade. The projections provided by Generator, which they have suggested overcomes this problem, show that there are only very limited periods when there is sunshine on the space where people would be more likely to congregate and relax. The area is always in shade in the afternoon, and there is only one small area in which sun will shine in late morning.

5.4 Open space and play areas

We stress again that the central square is not best practice in terms of being a 'defensible space' and is at high risk of attracting anti-social behaviour. Active residential frontage to the square is first floor and above. Access to apartments in Block D and Block B are away from the square so that residents coming and going do not use the central square. There will be no active frontage onto the square after office hours and with no desire line for pedestrian or cycle movement (see 5.5 below) the square is likely to be largely deserted in the evening and overnight.

5.5 Desire line for pedestrian/cyclist crossing of site

The 'desire line' from the Bristol to Bath railway path to Greenbank (except to Turley Road and the cemetery), still does not run through the central square but instead remains through a parking area west of Block D. A more suitable connection to the railway path could improve this.

The vitality of the square will suffer as both cyclists and pedestrians will tend to opt for the more direct route, which takes them away from the public space.

Plan-EL has commented as follows:

"Plan-EL the Neighbourhood Planning Group for the area of this development are keen to see the proposed Chocolate Factory development contribute to our wider local community (in which we hope the new residents will play a full part). However we have two concerns.

- 1) By investing in remodelling and improved signage of the Bristol to Bath Railway Path as it runs alongside the development site.

This should mitigate against the impact of this development increasing the number and frequency of pedestrians and cyclists entering the path both from the development and from Greenbank behind it. For residents of the development this will reduce danger from speeding cyclist and increase the amenity of the path to them and others in this area of Easton. Too often cyclists' expectations and behaviour while they travel at speed and without consideration, causes problems for other users of

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the Railway Path. The current inappropriate treatment of the curtilage and entrance and egress to the path from and through the development from Greenbank, will exacerbate this

"The Bristol & Bath Railway Path is a 13 mile off road route between the cities of Bristol and Bath. The path is open to walkers and cyclists and access is provided for disabled users." The BBRP has long been adopted as a Park, managed by Bristol Parks team for the Avon Valley Partnership, yet only cycling officers are mentioned in the documentation with respect to the development, which is presented as providing a "major attractor" for passing cyclists. While pedestrians are mentioned in the transport assessment it is worrying that it is as a highway, and as a strategic one at that, that the path is largely being assessed.

The BBRP is already being used at rush hour by more commuters than was the expectation at its development, often at speeds of over 20mph, just as pedestrians are walking to work and children to school. While broadening the path may reduce risk of harm at some places it will inevitably prioritise longitudinal users (out of town commuters etc.) to the disadvantage of local users, who traverse as much as they travel along the path. Therefore whole path in this locale should be given consideration, not a piecemeal approach to different discrete locations.

The Chocolate Factory development will in itself have an impact on this aspect of local life therefore we propose that Up our Street and the Railway Path Stewardship Group enter into discussions about how that impact can be a positive one. Residents of the development will need commuting and sport cyclists to realise that they are leaving the "trunk road" and entering into the village street" with better integration of the needs of different stakeholders, especially our new neighbours.

2) The absence of Affordable and Social Housing.

This is contrary to the Council's own policies, and fails to recognise the housing stress in the area. However, without the Viability information it is not possible to assess the Developers claim that the scheme is not viable with Affordable, or Social Housing. We have requested the viability information in the light of the judgement of the First-tier Tribunal: General Regulatory Chamber (Information Rights) decision "Clyne, Jeremy EA-2016-0012 AMENDED", which found that such information should be public under Freedom of Information provisions. Until that information is available and has been assessed, we reserve the right to make further comments on the mix of housing proposed in the development.

Design Comments: We endorse the views of the local group ChocBox 2.0 Community Association.

We do, of course, reserve our right and express our willingness to engage further in relevant conversations with the developers and other interested parties as the development process continues.

Case Officer Note: a copy of the viability advice provided to the Council has been made available online, with only minor redactions

The Easton Green Party has commented as follows:

We would like to object to the plans for the Former chocolate factory.

Our largest concern is the total lack of affordable housing in the proposed development. A zero figure on affordable rented housing, or offers on affordable shared ownership schemes, and no social housing included, is not acceptable. We would require some change on this, to include in particular affordable rented housing, in order to offer the scheme our support.

Policy BCS17 says that residential developments of 15 dwellings or more should have 30-40% affordable housing. This is backed up by government planning guidelines which require local authorities to "use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area" (National Planning

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Policy Framework paragraph 47). There is desperate need for affordable housing in this area.

In the planner viability report (section 4.2) the report authors say that the development will provide properties that exceed the market rate and are likely to push local housing prices up. This is of great concern to us. House prices are already rising at alarming rates in this area. This is leading to rising rents, people being pushed out of the area and even a rise in homelessness (an issue we know the council is keen to tackle following homelessness awareness week). This rising market is unstable and bad for the community and reiterates the need for affordable housing to be provided. To really reflect the needs of the community, we would also like to see housing association and social housing as part of this development.

Another issue is loss of light and loss of privacy to nearby houses. Four stories, towering over the little terraced houses. This is detrimental to these properties and the well being of the residents. Not only this but several houses close by have invested in solar panels, overshadowing of which will negatively impact their electricity generation and thus impact them financially.

The Greenbank area has a large proportion of young families. It is thus very disappointing that there is no designated play area included in the development. This will be of great concern to residents.

With regard to parking and traffic; there are already big parking issues in this area and we are concerned that as the number of cars increase parking will become even more problematic for residents. The increase in cars will also add to congestion which could decrease highway safety and worsen local air quality. We would like to see a condition on the CIL money generated from this project, to be directly spent on road infrastructure improvements in Greenbank, including traffic calming measures and a consideration for a residents parking zone.

The removal of hedgerow as a result of the development is of some concern. It would be good for specific consideration to be given to additional planting to offset this loss along the cycle path.

Overall, we are supportive of the development of the chocolate factory site, but the above concerns should be addressed before progressing.

The Neighbourhood Partnership Coordinator - Ashley, Easton and Lawrence Hill NP has commented as follows:

"The Chocolate Factory development has been discussed at AELH Environment and Traffic and Transport sub-groups and last week members of the Railway Path working group agreed that the following be passed to planning via yourself for consideration as part of any highway works/S106 contributions. The group have been waiting for this application to come in in order to raise long standing issues and help develop a longer term stewardship plan for the Railway path, in particular in relation to Easton which is the most densely populated section of the path.

The Railway path group discussed the issues relating to this new development and are concerned that existing issues between pedestrians, dog walkers, cyclists, school children will be exacerbated at the point where the Chocolate Factory development enters/exits the Railway path due to increase usage at this point as a result of new housing.

Measures that:

-Mitigate conflict caused by the development in terms of increased usage of the path by pedestrians and cyclists which could exacerbate existing conflicts, for example by reducing speed, improved signage, widening slightly or improving segregation in some way. Andrew Spicer has been working up a 'shared use' design pilot that may be suitable at or near this section of the Railway Path if you need rough costs.

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-Improving access for disabled people - there are many tree roots in this section of the path and a lack of seating /rest points.

-Measures that create a focal/entry feature on the Railway Path at this point to remind users of the path that they are entering a section of the path that is a community space not just a 'route through' to encourage more considerate cycling/walking/dog walking.

-Enhancing the value of the path for local people (adults and children) through provision of new facilities for informal play for example

Finally, the group wish to be consulted on any access arrangement being designed as part of planning application.

We understand there is limited funding for additional measures and one option we would like considered is funding for a feasibility study to determine local issues and design options to design out some of the conflict which will be exacerbated by this development.

Easton Community Children's Centre has commented as follows:

Situated a little over half a mile from the development site and directly accessible via the railway path, Easton Community Children's Centre provides childcare and Early Years education for children aged between six months and five years. We are the largest local setting and the only setting near the proposed development that takes children below the age of two. Despite increases to capacity, we are already unable to meet more than a small proportion of the local demand. This area has unusually large numbers of young families and all local settings now operate extensive waiting lists, with many families unable to access private provision or even the universal funded pre-school provision. The serious shortage in supply also extends to local primary school provision, with places at desirable Whitehall Primary school oversubscribed by 160 places last September. Our current waiting list totals over 50 children, with around three times that figure in refused enquiries each year, where there is no possibility of requirements being met.

For these reasons, it is unacceptable for such a large, high density residential development to be approved on the proposed basis. If impact-neutral self-sufficiency cannot be assured through the addition of on-site childcare services, then it will be necessary to dramatically reduce the number of dwellings planned. We are also extremely concerned about the road safety issues that will be presented by a new development on this scale. The parking and traffic assessments submitted with the planning proposal do not in any way reflect the real experience of the local community and are presumably either highly massaged or entirely fictitious. The roads leading to the site are already highly congested, with passing impossible in most parts of even the major routes. These roads are not suitable access routes for a large scale development. Parking on corners is ubiquitous and even the current traffic flows presents a serious threat to the safety of children, cyclists and other users.

As we cannot see that any serious effort has been made to address the amenity or traffic management issues that were raised repeatedly during consultation, this setting must formally object to the plans in the current form and assert that it is our professional and expert opinion that the current proposal would be severely deleterious to the quality and volume of children's services available, both in the site's immediate vicinity and in the wider surrounding area.

If the developer was willing to engage meaningfully with these issues, we would be more than happy to provide free consultation and other support to assist them in designing and delivering an on-site childcare service to meet the needs of the large number of families they wish to introduce to the area

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ACORN Bristol has commented as follows:

1500 local people who have signed our petition calling for 40% affordable housing of which 50% to be social housing to be included on this site.

As the Planning Officers will be aware, Council policy is for this site to have 40% affordable housing and we expect this to be upheld.

Bristol is experiencing its most severe housing crisis due in large part to the lack of housing at social and below market rates. With house prices and rents rising exponentially (including a 30% increase in the immediate area of the proposed development in 2015 alone) this development will have a severe negative impact on the local community.

Housing insecurity has well-documented negative effects on physical and mental health, educational attainment and workplace performance. On these grounds ACORN is objecting in the strongest possible terms to this application as it currently stands.

Case Officer Note: The petition mentioned above has not been sent to the LPA

Avon and Somerset Constabulary Crime Reduction Officer has commented as follows:

I notice that the Design and Access statement makes no mention of how crime prevention measures have been considered in the design of the proposal, and how the design reflects the attributes of safe sustainable places, there is no mention of any security standard or how they will lessen the impact of crime and disorder and the fear of crime.

Sections 58 and 69 of the National Planning Policy Framework March 2012 both require crime and disorder and fear of crime to be considered in the design stage of a development. Due to the crime risk I would like to reiterate and add to some of my comments previously made which I believe should be considered to enhance overall security of this development.

I believe that there is excessive permeability into the site. Too much permeability of a development makes controlling crime very difficult, as it allows easy intrusion around the development by potential offenders. All planned routes should be visually open, direct, well used and not undermine the defensible space of neighbourhoods by generating adequate footfall at all times, well overlooked and well integrated.

The terrace houses overlooking the cycle path indicate that there are 2 side access areas between these properties which I recommend should be gated at the building line there is little or no natural surveillance over these areas. This would prevent unauthorised access to the rear of these properties.

All external parking areas should be overlooked by residential properties and must be well lit and not hidden from view by hedges/planting

Street furniture and the design of the community square area should incorporate a design that would discourage skate boarding and anti-social behaviour. Secure by Design (SBD) philosophy should be embedded where practical into the overall public realm design.

Crime is always easier to commit where offenders cannot be recognised. Consequently, they will take opportunities to offend where they are likely to benefit from this anonymity. People expect to see strangers in public space, so there is a natural tendency to ignore them, providing the offender with the anonymity, and thus opportunity, to commit offences.

This problem tends to be at its worst where fully public space directly abuts private space, with no intermediate 'buffer zone' spaces in between. In public spaces, everyone has a legitimate excuse to

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be there, and wrongdoers become indistinguishable from legitimate users. Because of this, many people are less inclined or able to recognise problems or, more significantly, to intervene when they occur. It is much easier to ignore anti-social behaviour in public areas over which individuals have little control than in more private areas

Advice was also given regarding basement areas, internal door and communal area security, cycle store security, mail delivery systems, avoiding recessed accesses, bin store security, commercial window and door standards, lighting requirements, avoiding windowless elevations and blank walls adjacent to public spaces and the design of vehicle and pedestrian routes.

Advice regarding the Secured by Design initiative was also given which is attached as an advice below.

Full comments are available on the website.

The Bristol Tree Forum has commented as follows:

Tree removal to T1 and areas, A1, A2 and encroachment into A3 and A4 needs to be assessed to BTRS please. We see approx. 55 replacements on the landscape plan which may or may not be enough. Please ensure the works to A3, A4 and A5 is good arboricultural management as these are both graded B as tree groups.

Wessex Water has commented as follows:

The existing surface water sewers crossing the site should be accurately located on site and marked on deposited drawings. We have provided previous advice to the applicant as follows:

The site will be served by separate systems of drainage constructed to current adoptable standards please see Wessex Water's S104 adoption of new sewer guidance DEV011G for further guidance.

According to our records there are existing 600mm diameter public surface water sewers crossing the site. The exact location of these sewers should be determined by private on site survey. The sewers will attract a 4m - 6.5 metre easement from new building depending upon depth; there must be no tree planting within 6 metres. On site survey should also determine connection points and discharge rates of current surface water disposal from the site.

Redevelopment of the site will provide the opportunity to consider the disposal of Surface Water via SuDs arrangements. Wessex Water will support a strategy which shows a reduction in overall drainage flows from the site (subject to LLFA approval). It is noted that the downstream public surface water system will divert flows (via 16234 Greenbank View CSO) to the local foul sewer network during storm events.

Please discuss arrangements with our development engineer to consider if the diversion of the surface water sewers will be possible to achieve easements. Our preference is always for easements to be adhered to within proposed site layouts.

Subject to agreement of the distribution of foul flows and rates there is adequate current available capacity within the existing sewer network to accommodate predicted foul flows. Connection may be considered to the head of the sewers serving Camerton, Camelford and Turley Roads:

No invert levels are recorded, details to be confirmed by private survey. The building is in a derelict condition and it is unlikely that any existing connections can be re-used. Any redundant connection must, however, be sealed at the point of connection to downstream systems to halt any ingress of surface water.

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Any basement connections must be pumped.

As a full planning application we believe the applicant should submit a drainage layout for "approval in principle" to show that appropriate space is available for Suds measures and point(s) of connection to the public foul sewer can be achieved by gravity (otherwise space for a pumping station may be required). Site layout should take into account the easements for the existing surface water sewers. Diversion may be possible subject to application, engineering agreement and at the developers cost.

In accordance with the SuDs hierarchy the applicant must prove that infiltration at this site is not possible prior to a proposed connection to the existing surface water sewers. We note the discharge rate of 9 l/s proposed in the submitted FRA which appears reasonable subject to the hierarchy and no diminishment of surface water capacity subsequent to any agreed diversion.

The Urban Design Forum has commented as follows:

The initial review some time ago provided some key points that addressed a number of fundamental urban design and architectural issues that have now been addressed. The Panel agreed that this had largely been successful and, together with some demolition, retention of one building formerly proposed for demolition and regrading of the site, the scheme had been improved to a great extent.

It was explained that the following ideas have been incorporated:

- Improved the connectivity of the layout to avoid cul-de-sac and thereby reduced the extent of vehicle movement.
- Sought to introduce a 'home zone' arrangement, which while laudable and the correct approach for such a development, requires further detailed design work to be fully convincing and workable.
- The design of the central 'square' has been revised to create a more open aspect with direct pedestrian connection to the cycle path.
- The cycle path connection has been designed in some detail, which seeks to facilitate ease of access to the heart of the development. This seeks to meet the requirements of the consulted cycle group. However, this gave some residual cause for concern to the Panel. It appears that the principle of the design is modal separation, an idea that has now been found to give rise to unexpected safety issues. This has led to experiments over a number of decades in finding ways to introduce 'shared space', which, together with a number of associated design measures, creates uncertainty among roadway users and thereby reduces accidents by raising awareness of potential danger.
- The scheme now has coherent and legible streets with proper frontages and natural surveillance with, in most cases, protected private space to the rear of homes.
- The scheme now addresses the adjacent existing street in an appropriate manner.
- Introduced a richer planting regime across the site.

There remain, however, some aspects of the design that would benefit greatly from further design consideration. In addition to the points set out above, the Panel agreed on the following:

1. Careful consideration of the levels across the site could seek to avoid the amount of retaining walls, some of which are unacceptably high.
2. The retaining walls, where required, would benefit from being constructed in a range of materials, avoiding the propensity of dark brick and creating more scope for wildlife habitat, 'softer' appearance

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and visual variety. Latest theory and practice on biophilic design would be worth reviewing in this regard.

3. The useful area of the central square should be enlarged to make it suitable for a wider range of activities and be enhanced by more tree planting and other interventions to create shade. Food growing areas should be considered. It should also be enhanced with a sensitive and well-designed lighting scheme.

4. The public art competition you are planning should follow the exemplary arts policy of the City Council on the incorporation of artists into design teams, rather than the addition of a piece of art. This should happen as soon as possible to ensure the optimum benefit.

5. The Panel agreed that the architectural language was appropriate and consistent - it is simple and legible. However, it was agreed that the overall impression was of a relentless application of dark brick with dark painted window frames. There is scope here, which should be pursued, to enliven the development with lighter and livelier colours and materials, including vegetation (ground-planted climbers on support systems for example).

6. The 'home zone' measures should follow best practice and seek to improve on successful precedents in Bristol and beyond. The most successful of these attractively integrate soft estate in a variety of ways to provide a range of urban ecosystem services.

7. The landscape design should embrace and fully incorporate a network of (ideally vegetated) Sustainable Drainage interventions. In line with Council climate change policy it should also embrace the principles of Water Sensitive Urban Design and exploit the opportunity to utilise rainwater to enhance the design and to provide interest and seek out opportunities for storage and re-use as part, for example, of the landscape maintenance regime.

8. The proposed square should be designed to foster opportunities for interaction between visitors, residents and potential commercial users in the surrounding premises. This should have the aim of creating a destination that can be accessed via the cycle path.

9. The connection with the cycle path should be positive in terms of enticing users to access the events and activities in and around the square; to seek to moderate cyclist speed and increase danger awareness at this interface; and also to enhance the landscape of the path in such a way as to reinforce the idea that this is a place to pause. Furthermore, the ecological value and effectiveness of the wildlife corridor that the path creates, should be enhanced in every aspect of the landscape design and choices of planting. Where tree lines extend from the cycle path through the site, the canopy connections should be as continuous as possible to encourage use by bats.

10. The interface with the surrounding neighbourhood should be enhanced by the introduction of measures that, whilst improving the neighbouring streetscape, announces the development to approaching drivers, cyclists, etc. and suggests the need for moderated behaviour.

In summary the Panel agreed that the proposals demonstrate a clear understanding of basic urban design principles. They also indicate that the design detail, whilst appropriate, requires further work to make this the exemplary scheme it could be. It is to be expected that this will form an outstanding approach to the provision of new sustainable mixed-use development on difficult brownfield sites in the City.

BCC City Design Group has commented as follows:

The revised design which is now under planning consideration has resolved the issues in principle. However, details of some of the aspect are pending final/detailed resolution and are recommended to

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be resolved via planning conditions. CDG has no objection to the proposed application and recommends following condition to safeguard the appropriate resolution of details post planning decision.

Please refer to Key Issue C below

BCC Public Art has commented as follows:

The planning submission 15/06400/F is for a development of scale that triggers Policy BCS21 of BCC's Core Strategy which states Major Developments should deliver high quality urban design and: - enable the delivery of permanent and temporary public art, promoting a multi-disciplinary approach to commissioning artists in the design process.

The planning submission includes a policy compliant public art plan for the scheme drawn up by Scott Farlow and Walter Jack Studio. This plan was submitted to planning in September and lays out an approach to public art for the site including a physical integrated art work in a vision called 'Plant'.

Comments were provided on the art plan in September, however it does not appear that further work has taken place in terms of the integration of public art in the landscape design or the wider site, as suggested in the art plan. The plan lacks information on how the work by artists will be integrated and how the development of the public art will take place with the wider design team. Is the landscape design to be superseded by a further design post planning and pre commencement, or is the proposal for the public art to be placed into the landscape designed. If the latter then there appear to be some issues around the capacity or space for this to take place. Furthermore comments provided earlier in the process about the integration of public art in the central square, and community space, appear to have not been acknowledged.

The budget provided is adequate however there is scope to look for how this can be enhanced by collaborating and therefore accessing further funds from the landscape budget as noted above. Publicness is also an important aspect here, the works must be publicly accessible and visible, and it is unclear how the art works developed would be visible and available to residents and the wider public which is an essential requirement.

A public art condition will be provided to the case officer to apply to case in pursuance of the designs for the public art

BCC Pollution Control has commented as follows:

An acoustic report has been submitted with the application and this mainly deals with the insulation needed for the residential part of the development (makes recommendations regarding this) as well as giving noise limits for any plant and equipment. The development also includes a number of commercial uses. No assessment for noise has been made of these uses and I understand that the exact end uses for each block are not currently known.

Therefore ask for the following conditions if the application is to be approved:

- Construction Management Plan
- Sound Insulation Residential
- Assessment on the potential for noise from the development affecting residential properties from commercial units
- Odour (A3 and A4 uses)
- Artificial light
- Noise from plant & equipment affecting residential
- Use of Refuse and Recycling facilities Commercial

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- Deliveries Commercial
- Opening hours

Without knowing what the actual uses are to be it is difficult to decide what opening hours should be conditioned. But due to the types and location of uses suggest the following:

A1, A3 & A4 - 08.00 to 23.00

A2, B1, D1 & D2 - 08.00 to 21.00

- Outside Areas: there shall be no consumption of food or beverages outside any A3 or A4 use after 21.00.

BCC Nature Conservation has commented as follows:

The Nature Conservation Officer (Planning) has attended two meetings with the applicant and on the basis that his concerns have now been at least partially addressed now removes his objection to the scheme. Subject to conditions requiring:

- Ecological mitigation strategy to include legally protected and priority (Section 41) species. Most, but not all of the requested items follow the recommendations in the ecological update survey dated December 2015 - some additional requirements have been specified.
- Revised details of the landscape treatment of the section of the Bristol-Bath railway path within the proposal which is designated as a Site of Nature Conservation Interest (SNCI), Easton - Staple Hill Disused Railway

Please also refer to Key Issue C below.

BCC Arboriculture has commented as follows:

Agree with the comments made from Landscape design and Nature conservation. Have reviewed the most recent arboricultural statement, which identifies the need for 145 replacement trees on site. With the proposed internal designed landscape of the site and the improvements along the northern side of the cycle path within the SNCI consider the Bristol tree replacement standard obligation fulfilled.

A condition for further detail regarding the planting of the northern side of the cycle path to secure mitigation and improvements to the green infrastructure and nature conservation network in line with DM17: Development Involving Green Infrastructure and DM19: Development and Nature Conservation is necessary as this has not yet been satisfactorily addressed.

BCC Air Quality has commented as follows:-

Reviewed the application and can confirm that the predicted changes to vehicle flows are not considered significant in those locations on the surrounding road network where compliance with air quality objectives is not being achieved. As a result, I do not object to this development proposal on air quality grounds.

It is important that the Site Allocations and Development Management Policies Appendix 2 parking standards schedule is applied through condition in order to ensure that the required number of electric vehicle charge points are provided on site given the level of on-site parking provision proposed.

The Coal Authority has commented as follows:-

The Coal Authority concurs with the conclusion of the Ground Condition Desk Study Report; that coal

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mining legacy potentially poses a risk to the proposed development. It is considered that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

The Coal Authority recommends that the LPA impose a Planning Condition should planning permission be granted for the proposed development requiring these site investigation works prior to commencement of development.

In the event that the site investigations confirm the need for remedial works to treat any areas of shallow mine workings to ensure the safety and stability of the proposed development, these should also be conditioned to be undertaken prior to commencement of the development.

A condition should therefore require prior to the commencement of development (or a particular phase of development):

- * The submission of a scheme of intrusive site investigations for approval;
- * The undertaking of that scheme of intrusive site investigations;
- * The submission of a report of findings arising from the intrusive site investigations;
- * The submission of a scheme of remedial works for approval; and
- * The implementation of those remedial works.

The Coal Authority therefore has no objection to the proposed development subject to the imposition of a condition to secure the above which is required to ensure that the application site is, or can be made, safe and stable for the proposed development as required by the NPPF.

Contaminated Land Environmental Protection has commented as follows:-

I have reviewed the ground conditions study prepared by Hydrock, this was a desk study only and has come to the conclusion of a medium risk to future users of the site with respect to land contamination and further intrusive works are recommended. We concur with these findings.

We therefore recommend standard conditions B12 B13 and C1 with an amended B11 condition

1. Site Characterisation

An intrusive investigation will be required to establish site conditions at the site. The results of this investigation should be considered along with the Desk Study prepared by Hydrock, dated January 2016 (Ref R/151570/001 Rev 3). A site specific risk assessment should be carried out to assess the nature and extent of the contamination on the site, whether or not it originates on the site. The contents of the scheme should be submitted to and be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced.

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

Reason: To ensure that risks from land contamination 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

Please note we are still awaiting a validation report for the removal of the tanks from the site with respect to the condition on the previous prior approval notice for the demolition works. This must be submitted prior to the commencement of development.

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Natural England has commented as follows:-

Natural England has no comments to make on this application.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

Environment Agency (Sustainable Places) has commented as follows:-

We do not consider this proposal to be high risk in respect of risk to controlled waters. We are however unable to provide detailed site-specific advice relating to land contamination issues at this site and recommend that you consult with your Environmental Health / Environmental Protection Department for further advice.

Where necessary we would advise that you seek appropriate planning conditions to manage both the risks to human health and controlled waters from contamination at the site. This approach is supported by Paragraph 109 of the National Planning Policy Framework.

We would appreciate being informed if contamination is subsequently identified that poses a significant risk to controlled waters. The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination.

BCC Flood Risk Management has commented as follows:-

Confirmation of which type of drainage technique will be used must be provided. Confirming if soakaways will be used or the proposal to have attenuation storage with an outlet to the storm water sewer instead. Greater detail would be needed to support either option, whichever one is pursued.

The run off calculations including the discharge rate and storage estimate proposed will be acceptable if following the attenuation storage with sewer outlet alternative. This would require approval from Wessex Water though who can be contacted via: planningliaison@wessexwater.co.uk.

Avon Fire & Rescue Service has commented as follows:-

Confirm requirement for 3 hydrants at a cost on £1500 each to be provided by the developer

BCC Transport Development Management has commented as follows:-

Please refer to Key Issue D below. Full comments are on the website

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RELEVANT POLICIES

National Planning Policy Framework – March 2012**Bristol Core Strategy (Adopted June 2011)**

| | |
|-------|--|
| BCS3 | Northern Arc and Inner East Bristol - Regeneration Areas |
| BCS7 | Centres and Retailing |
| BCS8 | Delivering a Thriving Economy |
| BCS9 | Green Infrastructure |
| BCS10 | Transport and Access Improvements |
| BCS11 | Infrastructure and Developer Contributions |
| BCS12 | Community Facilities |
| BCS13 | Climate Change |
| BCS14 | Sustainable Energy |
| BCS15 | Sustainable Design and Construction |
| BCS16 | Flood Risk and Water Management |
| BCS17 | Affordable Housing Provision |
| BCS18 | Housing Type |
| BCS20 | Effective and Efficient Use of Land |
| BCS21 | Quality Urban Design |
| BCS22 | Conservation and the Historic Environment |
| BCS23 | Pollution |

Bristol Site Allocations and Development Management Policies (Adopted July 2014)

| | |
|------|---|
| DM1 | Presumption in favour of sustainable development |
| DM4 | Wheelchair accessible housing |
| DM5 | Protection of community facilities |
| DM7 | Town centre uses |
| DM9 | Local centres |
| DM10 | Food and drink uses and the evening economy |
| DM12 | Retaining valuable employment sites |
| DM14 | The health impacts of development |
| DM15 | Green infrastructure provision |
| DM16 | Open space for recreation |
| DM17 | Development involving existing green infrastructure |
| DM19 | Development and nature conservation |
| DM23 | Transport development management |
| DM26 | Local character and distinctiveness |
| DM27 | Layout and form |
| DM28 | Public realm |
| DM29 | Design of new buildings |
| DM30 | Alterations to existing buildings |
| DM31 | Heritage assets |
| DM32 | Recycling and refuse provision in new development |
| DM33 | Pollution control, air quality and water quality |
| DM34 | Contaminated land |
| DM35 | Noise mitigation |
| DM37 | Unstable land |
| SA1 | Site Allocations |

Supplementary Planning Documents

Planning Obligations - Supplementary Planning Document - Adopted 27 Sept 2012

Development Control Committee A – 30 November 2016**Application No. 15/06400/F: Former Chocolate Factory Greenbank Road Easton Bristol BS5 6EL****KEY ISSUES**

- (A) ARE THE PROPOSED USES APPROPRIATE AND IS THE PROPOSED DENSITY AND HOUSING MIX APPROPRIATE

Loss of the Factory Use (Use Class B1/B2)

In terms of the land use itself, as stated above the site is allocated within the Local Plan for development for a mixture of housing, business, community use and small scale retail, and as such this establishes that the principle of these uses in land use terms as well as the loss of the site for wholesale employment use. The allocation makes no comment however on how much of each use is appropriate, but the explanation given to the allocation is that this reflects the mix of uses the Council was minded to approve in 2008. As such the mix of uses in 2008 was as follows:

- 186 no. houses and flats (comprising 111 no. one-bed flats, 64 no. two-bed flats, 8 no. three-bed flats and 3 no. three-bed houses),
- 6213 sqm of business floorspace (Use Class B1),
- 800 sq.m. of retail/café/restaurant/bar (Use Classes A1, A3 or A4),
- 330 sq.m. of community floorspace (Use Class D1)
- 66 no. new build houses and flats (comprising 11 no. one-bed flats, 14 no. two-bed flats, 29 no. three-bed houses and 12 no. four-bed houses),
- twenty-bed youth hostel/hotel (Use Class C1).

Therefore, given the explanation in the updated Local Plan Site Allocations Information the above uses and quantum of development is considered to be materially relevant when considering the current proposals, albeit these need to be assessed against the new policy framework also.

Residential (Use Class C3)

In respect of the quantum of development proposed, the site allocation refers to the estimated number of dwellings as being 250. The proposed development incorporates fewer than this at 135 dwellings. It is noted however that the allocation site is larger than the current application site as part of the allocation was developed separately under application reference: 12/03849/F (now known as Green Oak Crescent) and therefore less space is now available to deliver units so many units.

That said, as the dwelling numbers are lower than the allocation, it is appropriate to then consider if the amount of dwellings being proposed now constitutes an efficient use of land. Efficient use of land is integral to creating sustainable patterns of development and this is central to the focus on sustainable development in the NPPF. Indeed, the NPPF allows Local Planning Authorities to set their own approach to housing density to reflect local circumstances. Policy BCS20 of the Core Strategy sets a general minimum development density of 50 dwellings per hectare. The overall density of the proposed development would be around 72 dwellings per hectare. This therefore exceeds the requirement of Policy BCS20, and therefore is considered an efficient density for the site.

Furthermore as set out in the Key Issues below it is considered that the lower amount of units proposed is appropriate given the competing issues relating to highways; parking and amenity.

Mixed and Balanced Communities

Section 6 of the NPPF 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

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communities" Paragraph 4.18.5, 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. BCS3 also requires developments in the Inner East area (which includes Easton) to ensure a mix of new housing to meet local needs.

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 Whitehall LSOA within the Easton Ward. An up-to-date picture of the proportion of different residential accommodation types in the LSOA can be obtained by looking at the 2011 Census data. The Whitehall (LSOA) has a proportion of flats to houses at 22% flats and 78% houses. It can subsequently be concluded that the area around the application site is dominated by family housing and that there is a need for smaller accommodation in the immediate area.

As set out above the proposed mix of residential dwellings is as follows:

Apartments:

1 bed - 32no.

2 bed - 59no.

Houses:

3 bed - 33no.

4-bed - 11no.

As such the proposed mix of accommodation as part of the application is acceptable given that it addresses the need for a greater number of smaller dwellings in the locality, meets the requirements of Core Strategy Policy BCS3 but also reflects the continued need for family houses city wide.

Use Class A1 (Shop)

Policy BCS7 of the Core Strategy 2011 states that retail development, offices, leisure and entertainment uses, arts, culture and tourism uses will be primarily located within or, where appropriate, adjoining the centres in the identified network and hierarchy serving Bristol. The policy outlines the hierarchy of centres, and Bristol City Centre is at the head of the hierarchy; to be the principal destination for shopping and leisure in the city. The policy does allow for the provision of new small scale retail facilities outside these areas where they would meet local need and would not be

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harmful to the viability and diversity of any nearby centres. Furthermore, Development Management Policy DM7 requires an impact assessment for proposed retail uses of over 500m². Although 'small scale' is not defined in the Core Strategy the supporting text to Policy DM7 defines it as a floorspace of generally no more than 200m².

The application proposes with regard to Use Class A1, 726 sq m of commercial floorspace (Use Class B1/A1/A2) to be provided within Blocks B and C. Whilst the site is allocated for small scale retail and therefore this is acceptable in principle land use terms, the proposed 726 sq m if used in its entirety for retail shop usage (Use Class A1) would be considered as a larger scale retail development. In light of the policy and in the absence of any Sequential Test or Impact Assessment being submitted to demonstrate otherwise, the use of the ground floor commercial space wholly for a A1 use would cause harm to designated primary shopping areas in the vicinity and would therefore not be supported.

In addition, highway safety concerns would be raised in respect of larger retail units as these can generate frequent and intensive servicing. Given the highways and access issues set out in Key Issue D below, any larger lorries visiting the site frequently would create significant highway problems. The proposed floorspace if not subdivided, would be of a size which would create a unit that would generate the requirement for larger delivery lorries and intensive servicing (generally 250m² and above). Therefore a large A1 use would also be unacceptable from a highways perspective.

Therefore, having consideration of the subdivision of units shown on the proposed ground floor plan, a condition is added requiring the delivery of Use Class A1 floorspace, but restricting this to no more than 226m² to ensure highway safety and to ensure a mix of uses within the site in accordance with the allocation.

Use Classes A3 (Cafe/Restaurant); A4 (Drinking Establishments); and B1 (Business)

Again Policy BCS7 of the Core Strategy 2011 states that retail development, offices, leisure and entertainment uses, arts, culture and tourism uses will be primarily located within or, where appropriate, adjoining the centres in the identified network and hierarchy serving Bristol. Furthermore, Development Management Policy DM7 requires an impact assessment for these proposed uses of over 1,500m² for Uses A2-A5 and 10,000m² for business uses. Policy DM10 requires that food and drink uses will be acceptable providing they do not harm the character of an area, residential amenity or public safety individually or cumulatively.

Core Strategy Policy BCS3, also states that new development in Inner East Bristol and the Northern Arc, will be encouraged that provides new employment premises, especially flexible and small business floorspace which is considered can stimulate enterprise and deliver new employment opportunities.

The current development proposes

- 485 sq m Class B1 floorspace (Block D);
- 726 sq m of commercial floorspace (Use Class B1/A1/A2) (Blocks B and C);
- 332 sq m of flexible community/business/health/leisure floorspace (Class B1/D1/D2) (Block C);
- 412 sq m flexible Class A3 or A4 floorspace (Block D)

With regard to Uses A4 and A3, given the previous application, the principle of these uses is considered acceptable on this site in land use terms subject to the provisions of Policy DM10 which are assessed in Key Issues D and E below. The proposals set out that 412m² of floorspace would be delivered and this is generally considered in line with the previous quantum considered appropriate. However concern is raised regarding the potential scenario that all 412m² could be used as a drinking establishment (Use Class A4) as this type of use is considered to be a significantly more intensive use

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than a cafe or restaurant and could cause detrimental impacts with regard to residential amenity especially given the out of centre location of the site. Therefore, having consideration of the subdivision of units shown on the proposed floor plans, a condition is added restricting the amount of commercial floorspace that can be used for Use Class A4 purposes to 206m².

With regard to B1 uses, the applicants state that the amount of employment floorspace proposed responds to pre-application consultation and discussion with potential occupiers. The applicants also state that they have had discussions with Bristol Spaceworks, and that it is hoped that they will be able to commit to the site once planning permission has been granted. Bristol Spaceworks is a not for profit social enterprise which provides a range of practical services and facilities, from start up businesses through to larger organisations, wishing to establish themselves in the area. They provide a range of types and sizes of workspace including offices, workshops, artist's studios and individual desks. The applicants state that Bristol Spaceworks offer affordable rents, flexible terms and high quality management services to provide opportunities for small businesses to be part of a wider business community sharing great facilities, giving access to resources, advice and networking events through a hub at Easton Business Centre.

Given the previous employment use of the site, the allocation and the previous proposals for the site, the amount of floorspace that could be provided under a B1 use is accepted in principle. However in light of the requirements of Policy BCS3 for flexible and small business floorspace and the information above from the applicants, a management strategy for the delivery of small flexible workspaces on the site is conditioned accordingly.

In addition Policy BCS11 of the adopted Bristol Core Strategy sets out that development and infrastructure provision will be coordinated to ensure that growth in the city is supported by the provision of infrastructure, services and facilities needed to maintain and improve quality of life and respond to the needs of the local economy. The Council's Planning Obligations Supplementary Planning Document (SPD) also advocates the need to provide obligations towards business support initiatives. Given the significant construction involved as a result of the application and that the development results in a loss of employment floorspace a commitment from the developer/occupier to enter 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 is triggered. This requirement is secured via a suitably worded condition.

Use Class D1 (Non Residential Institutions)

The other use within the site allocation is for community floorspace (Use Class D1). Policy BCS12 of the adopted Core Strategy requires community uses to be located in sustainable locations, preferably existing centres, and should be part of adaptable mixed-use buildings. In this case, whilst the site is not within an existing centre, the site has been allocated for such uses in this instance and is located within a large residential population, which this development will contribute to. It will also be provided in an adaptable building, which is shown to be able to accommodate other uses as part of the application proposals.

However, the applicant has applied for a flexible permission and as such it would be technically possible for no community uses to be delivered. As such it is considered reasonable to specifically condition the provision of some D1 floorspace and having consideration of the subdivision of units shown on the proposed floor plans for Block C, a condition is added requiring at least 332m² to be occupied by a D1 use to ensure a mix of uses within the site in accordance with the allocation.

Use Class D2 (Assembly and Leisure) & Use Class A2 (Financial and Professional Services)

The current application also proposes additional uses which are not included in the allocation or the previous application. These are Use Class D2 (Assembly and Leisure) & Use Class A2 (Financial and

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Professional Services). With regard to the proposed D2 use, this class covers a wide range of uses ranging from cinemas to gymnasiums. Development Management Policy DM7 sets out that leisure developments outside of designated centres will not be permitted if it would have a significant adverse impact on the vitality, viability and diversity of an existing centre or impact on existing, committed and planned investment and that an impact assessment for these proposed uses of over 1,500m² for (Uses A2-A5) and 2,500m² for leisure developments (Use Class D2) would therefore be required.

The application proposes:

- 726 sq m of commercial floorspace (Use Class B1/A1/A2) (Blocks B and C);
- 332 sq m of flexible community/business/health/leisure floorspace (Class B1/D1/D2) (Block C);

It is considered that any proposed operation within these use classes given the amounts stated above, would be of a relatively small scale and as such would not lead to any detrimental harm to surrounding amenity or vitality, viability and diversity of St Marks Road or other designated centres in the wider area. However as above, there is concern if just one single use other than were to occupy the entire space within Blocks B and C and as such the A2 use will be subject to the imposition of appropriate restrictive condition.

Conclusion

Overall the proposed uses are acceptable in strict land uses terms and the proposed uses would represent a mix of uses generally in line with the identified adopted site allocation, subject to all the other relevant planning issues set out below and relevant conditions also set out below.

(B) IS THE PROPOSED DEVELOPMENT VIABLE AND DOES IT PROVIDE AN APPROPRIATE LEVEL OF AFFORDABLE HOUSING

As set out above, the proposed development incorporates residential accommodation under Use Class C3 of the Use Classes Order, meaning that it is required to address the Council's Affordable Housing Policies. It comprises 135 dwellings and therefore it is required to comply with Core Strategy Policy BCS17, which requires the provision of up to 40% affordable housing subject to scheme viability.

Government policy and guidance is very clear that scheme viability is a key consideration in determining the level of affordable housing that a development can provide, and that Council's should not require a level of affordable housing that would render a development unviable. The Government's Planning Practice Guidance states as follows:

Where affordable housing contributions are being sought, obligations should not prevent development from going forward. (Para 004 Reference ID: 23b-004-20140306)

In simple terms, a development is considered to be viable if the Residual Land Value (RLV) of the development is greater than the Site Value.

The RLV is calculated by ascertaining the value of the completed development, and subtracting from this all the costs involved in bringing the development forward (e.g. build costs, professional fees, legal costs, financing costs etc.) and the developers profit. All inputs are based on present day costs and values.

The applicant has claimed that, to remain viable in planning terms, the scheme is unable to provide any affordable housing. A detailed viability appraisal and supporting commentary has been submitted in support of this claim.

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Officers have commissioned DVS (the property arm of the Valuation Agency) to assess the viability information and advise the Council as to whether the applicants claim is reasonable. Having assessed the values and costs associated with the development, and undertaken their own appraisal, DVS conclude (whilst not agreeing with all the applicants inputs) that the scheme is unviable in planning terms and therefore would not be able to make an affordable housing contribution.

The DVS report (which is available as a public document on the BCC website) concludes as follows:

The DVS appraisal of a 100% OMV [Open Market Value] scheme with a fixed land value of £400,000 per acre and providing CIL sums as specified results in a deficit of some £1.6m. This concludes that the scheme is unviable, and indeed may be undeliverable unless significant cost savings are found or profit expectations are lowered.

The DVS appraisal inputs can be summarised as follows:

Residential sales values: In excess of the highest sales values currently being achieved in Easton.

Build Costs: Base Build Costs are reflective of industry norms. Significant abnormal build costs of approximately £2,000,000 due to costs associated with the refurbishment of the existing buildings.

Fees: Reflective of industry norms.

Finance costs: Reflective of current returns required by lenders.

Developers profit: Reflective of industry norms.

The appraisal results in a RLV for the Core Scheme of approximately £100,000.

Site Value can be calculated by identifying the Existing Use Value of a site and applying a premium (usually 20% on brownfield sites) to incentivise the owner to bring the site forward for development. Alternatively, the price paid for the site can be considered as the Site Value, provided that the purchaser did not pay an overly inflated price. However in the case of the application site there is no Existing Use Value as the site is derelict, and the sum paid for the site by the applicants is unknown.

Consequently, the Site Value has been based on comparisons with comparable sites in the City. These are sites in suburban locations that have changed hands in recent years and provided affordable housing as part of their planning consents. In the case of the application site, it is agreed that a Site Value of £400,000 per acre is appropriate, giving an overall Site Value of £1,720,000.

As the Site Value is approximately £1,620,000 higher than the RLV of the proposed scheme, officers are satisfied that the scheme is unviable in planning terms and therefore unable to make an affordable housing contribution.

Conclusion

Given the clear advice from DVS, officers recommend that the scheme is approved with no affordable housing. However it is recommended that if the scheme has not commenced with 18 months of planning consent being granted, a viability review is undertaken to assess whether the viability of the scheme has improved to an extent that it enables affordable housing to be provided either on-site or in the form of an off-site contribution. This viability review would be secured by way of a Section 106 Agreement as set out in the Heads of Terms below.

Development Control Committee A – 30 November 2016**Application No. 15/06400/F: Former Chocolate Factory Greenbank Road Easton Bristol BS5 6EL****(C) DESIGN AND LAYOUT CONSIDERATIONS (INCLUDING ISSUES OF LANDSCAPE, TREES, NATURE CONSERVATION)**

Policy BCS21 of the Core Strategy promotes high quality design, requiring development to contribute positively to an area's character, promote accessibility and permeability, promote legibility, clearly define public and private space, deliver a safe, healthy and attractive environment and public realm, deliver public art, safeguard the amenity of existing development and future occupiers, promote diversity through the delivery of mixed developments and create buildings and spaces that are adaptable to change. The adopted development management policies reinforce this requirement, with reference to Local Character and Distinctiveness (Policy DM26), Layout and Form (Policy DM27), Public Realm (Policy DM28), the Design of New Buildings (Policy DM29) and Alterations to Existing Buildings (Policy DM30).

In addition part of the north-western side of the Railway Path is designated as part of the Easton-Staple Hill disused railway Site of Nature Conservation Interest. Policy BCS9 of the Core Strategy states that 'Individual green assets should be retained wherever possible and integrated into new development'. It also states that 'Development should incorporate new and/or enhanced green infrastructure of an appropriate type, standard and size. Where on-site provision of green infrastructure is not possible, contributions will be sought to make appropriate provision for green infrastructure off site. Policies DM17 and DM19 also apply with respect to the SNCI and with regard to the impact on green infrastructure and habitats.

Overall, the site presents an opportunity for a unique development given the location adjacent to the Bristol-Bath Railway Path which forms an important corridor in the city for ecology and sustainable movement. Further the historic buildings lend a unique character to the site and create opportunity for characterful and innovatively designed scheme. The prior demolition of the majority of the factory structures is unfortunate as these gave character and history to the site, and more retention would have given a strong sense of identity to the area. However it is recognised that this is no longer an option and that some retention has been undertaken of a section of the range on the western boundary and two further existing buildings which provide elements of the original form of the factory on the site.

The BCC City Design Group (Urban Design, Landscape and Public Art) has assessed the proposal in tandem with BCC Nature Conservation and Arboriculture Officers and the development on the site in principle is welcomed. However when the scheme was first submitted, issues were raised that required further consideration and revision. These issues broadly covered:

- The design of the Central Community Space;
- The way in which development addresses the edges of the site, especially the embankment/green corridor along Railway path and neighbouring properties;
- The configuration and subdivision of the access and movement framework;
- Providing overlooking and active frontage to public routes and areas;
- Relation between fronts and backs of the development blocks;
- Character of the architecture.
- Loss of green infrastructure

A series of revisions have been made to the design of the scheme following significant officer involvement to address the issues raised previously. These include;

- Reconsideration of the movement network;
- Design of the edge along Railway path;
- Less formal and more minimal and naturalistic approach to the landscape treatment of the SNCI

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- Resolution of fronts and backs of the buildings;
- Changes to the design of several buildings;
- Confirmation of public art provision;

Conclusion

The City Design Group and Arboricultural and Nature Conservation Officers consider that revised design which is now under consideration has resolved the concerns in principle and the loss of vegetation and trees is considered to be able to be adequately mitigated on or adjacent to the site. It is also considered that protected species are adequately considered. However, details of some of the landscape and ecology issues still require detailed resolution and as such are to be resolved via conditions requiring the submission of revised landscape proposals for the Railway Path Bank interface and SNCI, the main Central Square and associated non adopted access/parking area to the south as well as the requirement for an ecological mitigation strategy that reflects the recommendations in the submitted ecological update survey. Other conditions requiring the submission of large scale architectural details, public art proposals and material samples are also added. As such matters of design, ecology, trees, public art and landscape are considered acceptable subject to conditions as set out below.

(D) HIGHWAY CONSIDERATIONS

Core Strategy Policy BCS10 expects developments to 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. DM23 expects development to provide a safe secure, accessible and usable level of parking provision having a regard to parking standards, as well as secure and well-located cycle parking and facilities for cyclists. The BCC Transport Development Management Team (TDM) have assessed the proposals and following significant negotiation and revisions have concluded the following in respect of highways and parking issues raised by the proposed development.

Transport Assessment and Impact on Highway Network

A Transport Assessment (TA) prepared by Transport Planning Associates (tpa) was submitted in support of the planning application. It considers the forecast number of trips generated by the proposed development and uses the census data for Lower Easton to allocate the trips to each mode of transport.

The TA provides a comparison of the trips generated by the previous factory use (assuming that 20% of the existing floorspace can be reoccupied); the extant 2008 planning permission for a mixed-use development; and the proposed development. The TA demonstrates that the proposed development will generate less two-way trips than either the previous factory use or the mixed-use development for which planning permission was granted in 2008.

The applicant was requested to model the impact that the traffic generated by the proposed development would have on the existing Greenbank Road/Rose Green Road priority junction. TDM is aware that the priority narrowing on Rose Green Road, as it passes underneath the railway bridge, does cause some queuing on the local highway network.

Modelling of the Greenbank Road/Rose Green Road priority junction demonstrates that the existing junction operates within capacity for all scenarios assessed: 2105 base flow; 2015 base flow plus development traffic; 2020 base flow; and 2020 base flow plus development traffic, with a maximum Ratio of Flow to Capacity (RFC) of 0.13 in the 2020 am peak period plus development traffic scenario. TDM considers this to be an acceptable impact on this part of the highway network.

Development Control Committee A – 30 November 2016**Application No. 15/06400/F: Former Chocolate Factory Greenbank Road Easton Bristol BS5 6EL****Access and Layout**

Historically Greenbank Road was used as an east-west short cut by motorists looking to avoid congestion on the adjacent local highway network. This led Bristol City Council to introduce a prohibition of motor vehicle restriction on Greenbank Road at its junction with Turley Road, retaining access for cyclists. From the initial receipt of the planning application, TDM's advice has been that the site should be served by two vehicle access points: Greenbank Road; and Co-operation Road to prevent all traffic generated by the development being loaded onto the surrounding highway network via a single point of access. TDM also advised that, under no circumstances, were there to be a link through the development to avoid the re-creation of a rat run.

Submitted plans indicate a single vehicular access to the site from Greenbank Road, which TDM considers to be acceptable. It also indicates two vehicular access points to the site from Co-operation Road, which is also considered to be acceptable. The plan indicates that vehicular access between the east and west parcels of the site will be prevented by row of rising bollards, the maintenance of which will be the responsibility of the applicant. The bollards will only be activated to permit access between the east and west parcels for emergency vehicles responding to an emergency call, which TDM considers to be acceptable and addresses the issues set out above.

The submitted TA demonstrates that junction visibility from the proposed site access onto Greenbank Road of 2.4 metres x 25 metres can be achieved, which is acceptable for a road subject to a speed limit of 20mph and the submitted TA also demonstrates that junction visibility from the proposed site accesses onto Co-operation Road of 2.4 metres x 25 metres can be achieved, which is acceptable for a road subject to a speed limit of 20mph.

The site is also considered acceptable with regard to accommodating emergency and delivery vehicles safely.

Accessibility of the Site by Public Transport / Walking / Cycling*Public Transport*

The submitted Transport Assessment forecasts that the proposed development will generate a total daily (0700-1900) number of 57no. public transport trips spread across a number of local public transport routes. The two closest existing bus stops to the site, providing direct access into the city centre are considered to be on Whitehall Road eastbound and westbound located on Lyppiatt Road, are not considered to be fit for purpose and require upgrade (provision of a shelter, RTI etc). TDM initially sought a financial contribution of £92,994.00 towards the upgrading of both the existing eastbound and westbound stops. The financial contribution has been the subject of negotiations between Bristol City Council Officers and the applicant who has agreed to contribute a sum of £46,496.50 towards the upgrading of the westbound (inbound) bus to improve the infrastructure for future residents travelling towards central Bristol, which TDM considers to be acceptable as it is the most appropriate way to mitigate the impacts of the development (given the majority of residents are more likely to want to access the city centre than Staple Hill or Kingswood on the outbound route). The sum is secured via a S106 agreement as set out in the heads of terms below.

Walking and Cycling

The existing walking infrastructure in the vicinity of the site is considered to be good with lit footways existing on both sides of the majority of the surround residential streets. However, there are limited opportunities for pedestrians to safely cross Rose Green Road, between its junctions with Greenbank Road and Clay Bottom, and TDM seeks a financial contribution of £15,000.00 towards the construction of a central pedestrian refuge in this location that will therefore provide a safe pedestrian crossing point. The sum is secured via a S106 agreement as set out in the heads of terms below.

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The applicant is also proposing a new pedestrian and cycle link from the site to the adjacent Bristol-Bath Railway Path, which TDM considers is acceptable in principle and is welcomed. Given that the link from the Bristol-Bath Railway Path provides access to a privately owned, privately maintained parcel of the site, it will not be adopted as public highway and its future maintenance will be the responsibility of the applicant, albeit with access rights for pedestrians and cyclists entering/exiting the site. Full design and maintenance details of this link are therefore secured by conditions. The applicant also intends to retain and refurbish the existing stepped access to the site from the adjacent Bristol-Bath Railway Path, which is also welcomed. The future maintenance of the stepped access will be the responsibility of the applicant and again this will be secured by condition.

The applicants will also be expected to upgrade and refurbish the existing footway on the south side of Greenbank Road and Co-operation Road and these off-site highway works are secured by condition. The existing pedestrian and cycle link to the site from Carlyle Road has been improved and there is a commitment to resurface and illuminate this link which will then be adopted. All works will also require that applicant to enter in highways agreements (Section 38 and Section 278) with the Council.

Car Parking / Car Club(s) / Cycle Parking*Car Parking*

The submitted TA states that motor vehicles associated with Apartment Block E (8no. units) and Terrace 02 (7no. units) will be required to park on-street on Co-operation Road. TDM acknowledges that there is likely to be an element of on-street parking associated with Apartment Block E and Terrace 02 and this is something that has been accepted elsewhere within the city.

Currently on-street car parking on sections of Co-operation Road and the surrounding residential streets occurs on both sides of the carriageway with opportunities for opposing vehicles to pass one another. Whilst limited on-street car parking currently occurs on the south side of Co-operation Road, along the site frontage, TDM does not consider that additional on-street car parking is detrimental to highway safety, but requires the developer to fund an area wide on-street waiting restriction Traffic Regulation Order (TRO).

TDM has maintained that on-street parking on Co-operation Road for Apartment Block E and Terrace 02 will only be acceptable if the applicant achieves parking within the site for the remaining units at the previously agreed ratios of:

- 0.75 spaces per flat; and
- 1.5 spaces per house

Based on these ratios, the remaining residential units require a total number of 119 parking spaces within the site. The latest revision of the Schedule of Accommodation demonstrates that the applicants propose to provide a total number of 117 car parking spaces which represents a shortfall of 2 spaces. TDM considers the proposed number of 117 car parking spaces for the remaining residential units to be acceptable given the minimal shortfall. Of the proposed 117 residential car parking spaces within the site, 31 will include the provision of an electric vehicle charging point.

In addition, the plan indicates that the applicant proposes to provide 20 car parking spaces for visitors/commercial units together with a single car club space, both provisions are considered to be acceptable.

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In order to accord with Bristol City Council's adopted parking standards the residential element of the proposed development requires a total number of 262 secure cycle parking spaces. The applicants have confirmed that each of the proposed houses will have secure cycle parking in accordance with the City Council's requirements in the form of either a garage or a shed, which is acceptable. Secure cycle parking for the apartment blocks, in accordance with the City Council's requirements, will be provided in the form of communal internal and external cycle stores which is also acceptable. The applicants provide covered secure cycle parking for residents' visitors and 24 secure cycle parking spaces for the commercial and community uses which is also considered to be acceptable. Cycle storage will be secured by relevant conditions.

Refuse & Recycling

The proposed locations of the private and communal refuse and recycling stores, together with the proposed refuse and recycling collection points are indicated on submitted plans and are accepted.

Submitted drawings demonstrate the eastern parcel of the proposed development is fully accessible for an 11.4 metre long refuse collection vehicle. The plan indicates that a five-point turn will be required in order to access the road between Apartment Block B and Terrace 01. Whilst this is not ideal, TDM considers that it is acceptable in highway terms as it enables the vehicle to exit the site in a forward gear. The plan also demonstrates that the western parcel of the proposed development is also fully accessible for an 11.4 metre long refuse collection vehicle including turning facilities that enable the vehicle to exit the site in a forward gear, which is acceptable

The removal of the previously proposed street tree from the road running between Terrace 03 and Terrace 04 creates a loop for the refuse collection vehicle which TDM are satisfied with.

Travel Planning

A Travel Plan (TP) prepared by Transport Planning Associates (tpa) was submitted in support of the planning application. However, the submitted TP was considered to be very vague and it was suggested that the document be renamed "Framework Travel Plan" and that a Travel Plan Action Plan be requested from the applicants. As BCC is still awaiting the submission of a Travel Plan Action Plan, the requirement for the applicants to prepare and submit a Travel Plan is conditioned.

Conclusion

Subject to conditions and obligations as set out, the development is considered acceptable with regard to the impact of the existing highway network and parking levels.

(E) AMENITY CONSIDERATIONS OF THE FUTURE OCCUPIERS OF THE SITE AND THOSE OF NEIGHBOURING OCCUPIERS

Good design and protection and enhancement of the environment are critical components of central government guidance, as identified in the NPPF. 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. In addition, Policy BCS21 sets out criteria for the assessment of design quality in new development. Development will be expected to safeguard the amenity of existing developments and create a high-quality environment for future occupiers. Furthermore, Core Strategy Policy BCS15 requires development to address issues of flexibility and adaptability, allowing future modification of use or layout, facilitating future refurbishment and retrofitting. Policy DM30 in the Site Allocations and Development Management Policies (2014) also expresses that alterations to buildings should safeguard the amenity of the host premises and

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neighbouring occupiers.

Impact on Existing Neighbouring PremisesExisting Premises to the West (Carlyle Road)*Block F*

Block F is the existing building that runs along the majority of the western boundary and immediately abuts the gardens of the existing residential premises on the eastern side of Carlyle Road is a retained existing factory building. As such the impact on these properties will be largely as existing with regard to daylight/sunlight, overshadowing and overbearing.

With regard to windows it is recognised that there are a number of large existing window openings within the existing western elevation of this retained building that directly face the rear of the properties on Carlyle Road. These windows are proposed to be retained and used to serve the new residential units. Whilst these are existing windows, it was considered that the proposed residential use would result in an intensified level of activity and overlooking when compared to the existing situation and when the factory was in use. Following Case Officer concerns regarding such intensification of privacy issues the applicants have proposed a scheme of boundary treatments and obscure glazing along the entirety of this elevation that will ensure an appropriate level of privacy to the existing residential premises and also ensure appropriate outlook and light levels to the new dwellings. It is acknowledged that new roof lights are proposed within the roof slopes of the western elevation but given their siting and upward orientation it is not considered that any detrimental overlooking/privacy issues to Carlyle Road would occur from these features.

Conditions are added below to secure the height and construction of boundary treatments and extent of obscure glazing shown on the submitted elevations along with the removal of permitted development rights to the town houses regarding the installation of additional windows in this elevation.

Terrace 05

Concern was also raised by the Case Officer regarding the originally submitted proximity and associated height and mass of Terrace 05 to the end properties on the eastern side of Carlyle Road (closest to the Railway Path) and thus the impact created with regard to overbearing and overlooking. As a result, revised plans have been received which have pulled the siting and bulk of Terrace 05 further away from the boundary of these premises and also reduced the height of the buildings at this point. This has in turn has widened the pedestrian access way in the south west corner of the site which is welcomed. The proposed unit at Plot 125 closest to Carlyle Road has also been amended to include a privacy screen along the proposed external terrace to ensure privacy is maintained from this amenity space. This is secured by a condition set out below. As such the impact on these existing properties is considered acceptable with regard to daylight/sunlight, privacy, overbearing and overshadowing in this instance

Existing Premises to the North (Co-Operation Road and Beyond)*Block D*

Concern has been raised by residents of Turley Road, Camelford Road and Co-Operation Road regarding the increased accommodation to retained Block D with regard to privacy and overbearing. It is accepted that Block D is to be extended at roof level to create an additional storey of residential accommodation above the existing building height. However it is also acknowledged that there are existing features/storage tanks on the roof of Block D that already increase the height of the building

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in some areas across the span of the building. In considering this issue, following case officer concerns the additional accommodation and external terrace has been further set back from the north elevation of Block D (i.e. adjoining Co-Operation Road) and as such the additional height and bulk will not be perceived from street level nor will it result in such additional detrimental levels of overlooking or overshadowing or loss of daylight sunlight to the existing premises to the north to warrant refusal given the resultant angles, orientation and set back of the additional accommodation involved.

With regard to the windows proposed in the north elevation of Block D, it is acknowledged that these will have an impact on the properties closest to Co-Operation Road (i.e. those to the southern end of Camelford Road (east) and Turley Road (west)) due to the increased use of the building from the current vacant situation. However it is also again acknowledged that this is an existing building with existing openings and it would be unreasonable to not allow any fenestration in this elevation. Having considered this impact carefully it is considered reasonable to require the windows within Block D that would directly face the gardens of the properties set out above to be obscure glazed. As such a condition is added requiring the windows closest to the eastern edge of the north elevation of Block D (first to fourth floor) to be obscure glazed or have privacy baffles installed.

Block E

Similarly to the above, this proposed building is similar in size and location to the factory buildings that were in place until recently, therefore the scale and bulk of Block E is considered acceptable in principle with regard to daylight/sunlight outlook, overbearing and overshadowing of the properties closest to Co-Operation Road (i.e. those to the southern end of Camelford Road (east) and Turley Road (west)). However with regard to the overlooking as with Block D is it considered reasonable to require the windows within Block E that would face the gardens of the properties set out above to be obscure glazed. As such a condition is added requiring the windows closest to the western edge of the north elevation of Block E to be obscure glazed. The applicants in this case have proposed privacy baffles to this building and as such these are secured by condition.

Block F

Concern has also been raised by residents of Camerton Road, Carlyle Road and Co-Operation Road regarding the north elevation of Block F with regard to privacy. As with Blocks D and E, it is acknowledged that the use of this building for residential use will have an impact on the properties closest to Co-Operation Road (i.e. those to the southern end of Carlyle Road (east) and Camerton Road (west)) due to the increased use of the building from the current vacant situation. However it is also again acknowledged that this is an existing building with existing openings and it would be unreasonable to not allow any fenestration in this elevation. Having considered this impact carefully it is considered reasonable to require the windows within Block F that would directly face down the middle of the gardens of the properties set out above to be restricted to some degree to reduce overlooking. As such a condition is added requiring the windows closest to the middle of the north elevation of Block F (first to second floor) to be obscure glazed or have privacy baffles installed. The dormer window on this elevation is considered to be a sufficient height to avoid direct overlooking.

Terrace 02

Given the scale and design of Terrace 02 especially when compared to the recently demolished factory buildings no detrimental amenity issues would result with regard to these buildings.

Block C

It is noted that retained building Block C has existing windows in the north elevation that look directly into the gardens of properties along Turley Road. Whilst these are existing windows, it is considered reasonable that these windows are obscure glazed to protect residential amenity as this will not

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detrimentally harm light levels or outlook from this building given the number of alternative windows and the non-residential use proposed. The obscure glazing is secured by condition set out below. No alterations are proposed to the building so the impact relating to daylight/sunlight, overbearing and overshadowing is as existing.

Existing Premises to the North East (Green Oak Crescent)

A number of objections from the residents of Green Oak Crescent have been received regarding the impact of the development on their homes in terms of loss of privacy, overbearing impact (due to building heights and level changes) and also with regard to overshadowing and the impact on light levels and the efficiency of the installed renewables system on their rear roof slopes. Officers have also raised consistent concerns of the same nature with the applicants. Revised plans have been received reducing the height and mass of part of the rear section of Block B which is the large block adjacent to the north boundary and the reduction of windows in this section. In addition more sectional and perspective details showing the relationship between Green Oak Crescent and this part of the application site have been provided.

It is acknowledged that the relationship of Green Oak Crescent with the adjoining application site is tight at the eastern end of the crescent and that the level change doesn't help this. It is also accepted that the outlook from Green Oak Crescent will be significantly changed. However it is also acknowledged that the application site is an allocated site and previous development proposals for the site were in the public domain before the construction and sale of the properties on Green Oak Crescent. Therefore it is considered that it would have been reasonable to expect the site to be developed in the future.

Where the relationship between both sites is at its most acute at the eastern end, the application proposes 2 storey residential houses set back from the northern boundary. As such given the scale of these houses and the separation distance, the impact on Green Oak Crescent with regard to privacy distances, overshadowing, overbearing and light levels is acceptable.

As you move away from the eastern end of the crescent the separation distances from the application boundary increases as the crescent follows the road form. As such the premises within crescent as it moves North West are separated from Block B from between 24-37m. Following the reduction in height of the rear section of Block B so that it is approximately 2.5-3 storeys when viewed from the rear of Green Oak Crescent and the rationalisation of windows in these facing elevations, the impact of the Block B on Green Oak Crescent with regard to daylight and sunlight levels, privacy and overbearing is considered acceptable.

However due to the scale of Block B as a whole, it has been demonstrated on the shadow diagrams requested by officers, that the development will cause some overshadowing of the adjacent Green Oak Crescent terrace during the winter months. Having carefully assessed this shadowing, it was concluded that the shading of the gardens to Green Oak Crescent would not have such detrimental impacts to warrant refusal on this matters alone due to the limited times of day and year the shading will occur. However Green Oak Crescent was designed to be extremely sustainable and as thus includes a renewable energy tile system (the Minus 7 endothermic system) which essentially incorporates the rear roof plane of every house in the terrace. These renewable energy tiles generate low energy heating, hot water and electricity, and a water-water heat pump is used to upgrade the hot water to a usable temperature. As a result of the development as proposed, this tile system would be shaded in winter which would impact on the efficiency of the heating systems within the houses.

This impact was of significant concern to officers and as insufficient information had been submitted regarding this aspect, the applicants were asked to demonstrate the extent to which energy generation efficiency would be impacted relating to the specific Minus 7 system given that there will be a reduction in the amount of sunlight falling on the roof, and what impact this would have on the

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energy running cost of the system. The applicant was also asked to identify what actual part of Block B was causing the shading of the tiles and to look at design amendments accordingly.

As a result of this officer request, the applicants have identified that it is the upper most portion of Block B that is causing the shadow to the roof slopes. As a result they have considered amendments to the roofline of this part of the building and have thus reduced the parapet height by 1,200mm. This amended scheme has then been modelled using a full year weather simulation to assess the new impact on the efficiency of the Green Oak Crescent system to generate energy.

However, the full results of this updated modelling and an updated shadow diagram are still awaited by the LPA at the time of writing this report and therefore the full impact on the efficiency of the renewable system has not been cannot be ascertained. Therefore whilst a recommendation to approve this application has been set out below, this is fully subject to the satisfactory resolution (as considered by the LPA) of this matter. This will be reported to Committee via the amendment sheet.

Existing Premises to the East (Greenbank Road)

Block A is to be constructed adjacent to the existing property at No. 25 Greenbank Road which although has no windows in the flank elevation facing the site, does have a garden that wraps around the side of the premises immediately adjacent to the eastern boundary of the application site.

Given the separation distance and orientation of the premises it is concluded that the impact of Block A is acceptable and will not result in such an overbearing relationship to warrant refusal in this instance. Some shadowing of the side garden will occur in late afternoon during the spring and autumn however this is again accepted.

Windows are proposed in the eastern elevation facing the flank of No. 25. These mostly serve non habitable rooms (stair cores and bathrooms) and these are to be obscure glazed and either top or bottom hung to reduce the perception of overlooking (secured by condition). Those windows that do serve habitable rooms (and are at upper levels) total 4 and due to their size and the separation distance involved separation distance are not considered to result in detrimental levels of overlooking to warrant refusal of the application on this ground.

Other Premises to the South

Given the nature of the uses to the south of the site and the separation distance created by the Railway Path, no detrimental impacts are identified.

Living Environment to Buildings within the SiteOutlook/Light Levels

It is considered that reasonable measures have been made by the applicants to ensure that all future occupants will have sufficient levels of privacy and would not live in an overbearing environment bearing in mind future residents will choose to live in this development. Outlook and light levels to all the proposed units are considered appropriate.

Space Standards

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. The National Space Standards which came into force on 1 October 2015 provide standards for new

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residential development, and are applied to all new dwellings across all tenures.

Following assessment of all the proposed new dwellings concern was raised by the case officer that 9 units would not meet the national space standards from a range of between 0.6m² - 4.3m². The applicants have responded to this concern by stating that this situation is a result of the following

- Constraints imposed with working within the existing fabric and structure of the former factory buildings

- Required changes within Block B, to enhance the relationship with the adjacent Green Oak Crescent properties.

Overall whilst some units do not fully meet the criteria outlined within the National Space Standards which is not ideal, it is not considered pertinent to recommend refusal on this basis given that the applicants have strived as far as possible to work with the retained buildings which is welcomed and that although some units are deficient in some part of the criteria, they exceed in others. It is therefore concluded that all the new units will provide sufficient space to meet everyday activities and to enable an adaptable and flexible environment. The application is therefore on balance considered acceptable on these grounds.

Environmental Access Standards, Lifetime Homes and Wheelchair Accessible HousingLifetime Homes

The applicant has stated that the design of all individual houses and apartments has been developed to comply with the 16 No. design criteria contained within Lifetime Homes (July 2010). These criteria ensure all dwellings offer an inviting internal environment which is easy to access by all residents and visitors, including those in wheelchairs. They also ensure all dwellings can be easily adapted if an occupants physical condition changes in the future.

Provisions identified within the 16 design criteria cover car parking, access to and into the dwellings, general access within the dwelling including future adaptability to allow access to the first floor of multiple level houses, specific room layout and size requirements and the specification of window, lighting controls, fixtures and fitting heights. The applicants state that all factors have been carefully considered in the development of the proposed dwelling layouts to maximise ease of access into and around the dwellings and to ensure future adaptability.

Wheelchair Accessible Housing

Policy DM4 of the Site Allocations and Development Management Policies Document identifies the needs of a changing population and identifies the future need for flexibility and adaptability to provide sufficient levels of wheelchair housing. The policy identifies that for residential developments of 50No. dwellings or above, 2% of these dwellings should be designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. These accessible units are to be designed to the standards outlined within the Wheelchair Housing Design Guide developed by Habinteg.

In response to this policy, the applicants, rather than identifying the exact position of the required 2% (3No. dwellings) to be designed as wheelchair units have stated that a range of dwellings have been instead been designated as being 'adaptable'.

These adaptable units are stated as being sufficient in size to accommodate the minimum internal layout criteria set out within the Wheelchair Housing Design Guide. These units are also located in a number of the proposed apartment buildings and provide a choice of either 1 or 2 bedroom layouts with the aim being that they provide a range of options for a range of different wheelchair users.

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In total 9 units have been identified across 3 apartment buildings. As well as offering 1 and 2 bed layouts, these units also offer a range of ground and upper floor locations with a mix of balcony and roof terrace or private external space.

The units which have been identified as being adaptable are:

- Block A; Apartment 0.1 - Ground floor 1 bed apartment
- Block B; Apartments 2.2 & 2.3 - Upper floor 2 bed apartments
- Block D; Apartments 2.1, 3.1, 5.6 & 5.7 - Upper and roof level 1 bed apartments
- Block D; Apartments 2.5 & 3.5 - Upper floor 2 bed apartments

As such it is considered that the proposals meet the requirements of Policy DM4.

Environmental Access Standards

Bristol City Council is working to ensure that the built environment is accessible to all. The 'Environmental Access Standards 2001' have been produced to give guidance to how the physical environment should be shaped and to provide details on the standards of accessibility which must be achieved in Bristol.

The applicants have stated that the existing topography of the proposed site has meant that the current design proposals have been driven by the access requirements for all users including those with disabilities. Also how the extensive level changes across the site have been resolved has been the most critical design aim and has guided the development of the design proposals from an early stage. The applicants also state that this has ensured that the proposed layout ties in with the various entry points from the surrounding areas, while creating attractive and usable external public amenity spaces which can be easily accessed by all users. The mix of different building uses within the proposed new build and refurbished buildings with their differing access requirements has also required careful consideration throughout the development of the design proposals to ensure that ease of access is provided in all instances and that suitable facilities are provided throughout.

The applicants further state that the requirements identified in the Environmental Access Standards have been key to assessing the suitability of the design solutions and have guided the development of the current design proposals. This document will remain a key guidance tool in the development of the detailed working drawings at the next stage of the project to ensure compliance is maintained and the final built environment achieves the high standards set by Bristol City Council.

Overall it is considered that the applicants have had sufficient regard to the Environmental Access Standards in the development and as such the proposals can be supported on this ground.

Refuse and Recycling

Sufficient storage is provided for each residential and commercial unit on the site. Conditions requiring the stores to be provided and maintained as well as the provision of a refuse collection strategy for the commercial units (Units within A1, A2, A3, A4, D1, D2 and B1 uses) are added.

Noise

Policy BCS23 of the adopted Core Strategy and Policies DM10 and DM35 require consideration to be given to noise pollution and the impact on residential amenities. Where proposed development is sited in areas of existing noise, such as commercial areas or near electricity sub-stations, sound insulation measures may be necessary.

An acoustic report has been submitted with the application and this mainly deals with the insulation needed for the residential part of the development and makes recommendations regarding this, as

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well as giving noise limits for any plant and equipment. Subject to conditions securing these elements it is not considered that the residential element of the site will give rise to detrimental noise impacts over those expected for such a site size and use.

However the development proposed includes a number of commercial uses in a relatively quiet location. No assessment for noise has been made for these uses and the exact end uses and associated quantum for each block are not currently known. Given the lack of detail submitted at this stage, there is concern over the potential size of the units and the cumulative impact on surrounding residential uses (including the accommodation proposed on upper floors) in terms of noise and disturbance from people entering and exiting the building at late night, servicing, music etc.

Having considered the proposal it is concluded that in the absence of any operational information submitted with the application, but taking into account the site allocation, conditions restricting opening hours would be reasonable to protect surrounding amenities at this time. If when more details regarding the type and extent of the proposed uses for each unit are available, future occupiers can apply to vary these hours if they see fit and which would be consulted on and assessed on their merits. Additional conditions requiring the submission of full details of sound insulation, mechanical ventilation, refuse, recycling and servicing arrangements, use of external seating areas, as well as management statements regarding the commercial units are also added.

Odour

There is also potential for odour nuisance generated by the proposed A3/A4 uses to surrounding occupiers and the future occupiers to upper floors. Conditions are therefore added requiring the submission of details relating to odour control. It should be noted however, that any additional flues or external alterations other than those shown on the submitted plans as a result of such measures may generate the need for further planning permissions.

Construction

As with any redevelopment scheme the construction works are likely to result in some disturbance to local occupiers. Construction is an expected occurrence in urban areas and detrimental levels of disturbance to properties cannot be assumed or controlled through the planning process. However, given that a number of residential uses and amenity facilities located either side of the site, a construction management plan is required in this instance to ensure satisfactory access is retained amongst other considerations. This is therefore conditioned along with an Environmental Management Plan and with a method statement to ensure the Railway Path is protected and supported during and after construction

Contamination and Coal Mining Risk

Policy BCS23 of the adopted Core Strategy 2011 and Policy DM34 of the Site Allocations and Development Management Policies Document requires remedial measures to be included in any proposal for development upon contaminated land.

The Pollution Control Contamination Team and The Coal Authority have reviewed the submitted site investigation report and have concluded that an intrusive investigation should be undertaken prior to any works commencing, as there is an identified medium risk to future users. Conditions requiring an intrusive investigation and risk assessments and remedial works as well as reporting of unexpected contamination are to be added.

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Policy BCS23 of the adopted Core Strategy 2011 and Policy DM33 of the Site Allocations and Development Management Policies Document requires development that has the potential for significant emissions to the detriment of air quality to include an appropriate scheme of mitigation measures.

The BCC Air Quality Team has reviewed the proposals and considers that the predicted changes to vehicle flows are not considered significant in those locations on the surrounding road network where compliance with air quality objectives is not being achieved. As such no objection was raised with regard to this development proposal on air quality grounds.

Light Levels

It is recognised that development of this size requires significant artificial lighting to make developments useable and safe. The impact of artificial lighting can however have detrimental impacts on existing areas including residential amenity and wildlife habitats. As such a condition is added requiring the details of artificial lighting to be submitted to ensure the development is safe but not harmful with regard to artificial lighting requirements.

(F) SUSTAINABILITY CONSIDERATIONS

Policies BCS13, BCS14, BCS15 of the adopted Core Strategy set out the criteria for the sustainability standards to be achieved in any development, and what measures to be included to ensure that development meets the climate change goals of the development plan. Applicants are expected to demonstrate that a development would meet those standards by means of a sustainability and energy statement.

Good energy efficiency measures are proposed to reduce CO2 emissions below the building regulations baseline. Renewable energy (PV) will be used to further reduce emissions by an additional 20% in accordance with BCS14. The total CO2 reduction beyond Part L of the building regulations through energy efficiency and renewable energy will be 27.7%. Construction of the dwellings in terms of energy efficiency measures are acceptable and are secured in accordance with the approved Energy Statement by condition. Good sustainable design and construction measures are also proposed and are secured in accordance with the approved Sustainability Statement, by condition. The development will achieve a BREEAM communities 'excellent' rating, and this is also secured by condition. There are some outstanding concerns associated with the proposed locations and orientations of the PV panels, as such a revised PV layout is secured by condition.

(G) FLOOD RISK AND DRAINAGE CONSIDERATIONS

The NPPF and Policy BCS16 requires that a sequential approach is taken to the location of development, locating developments in areas with the lowest risk of flooding first, and that surface water runoff on the site should be appropriately managed. The site is in Flood Zone one and therefore is not at risk from flooding. Policy BCS16 also states that all development will be expected to incorporate water management measures to reduce surface water run-off. This is to ensure that it does not increase flood risks elsewhere and that the use of sustainable drainage systems (SUDS) are included.

Some details have been submitted regarding a scheme for surface water drainage within the submitted FRA but not sufficient detail. As such a condition requiring the submission of a detailed SUDS scheme is added to ensure the development would not increase flood risks elsewhere.

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Policy BCS11 of the Core Strategy requires that planning obligations should be secured through the planning process in order to offset the impact of the proposed development on the local infrastructure. The development will be subject to the Community Infrastructure Levy (CIL), as set out below. The levy process is intended to provide infrastructure to support the development of an area, rather than making individual planning applications acceptable in planning terms as previously secured by s106. Therefore comments made regarding the need for the development to fund nearby improvements to parks and green spaces, and general improvements to the Railway Path simply cannot be secured via this planning application. However CIL money could be used for these matters outside of this application. However there are identified site specific obligations required by this development and which cannot be funded by CIL and these are set about below:

Affordable Housing

See Key Issue B above. A viability review to undertaken if the scheme has not commenced with 18 months of planning consent being granted, to assess whether the viability of the scheme has approved to an extent that enables affordable housing to be provided either on-site or in the form of an off-site contribution (to be secured by Section 106 Agreement, please refer to Heads of Terms below)

Local Employment Initiatives

As set out in Key Issue A above. This requirement is secured via a suitably worded condition.

Public Art

The proposal would result in a major development and as such triggers a contribution towards Public Art. In this instance it is considered that the public art provision with regard to the site can be secured via a suitably worded condition.

Landscape/Public Realm Scheme

See Key Issue C above. Secured via conditions.

Travel Plan

See Key Issue D above. Secured via condition.

Highway Works

- Junction and highways upgrades. See Key Issue D above. Secured via Conditions
- Bus Stop Upgrade Works to the westbound (inbound) bus stop on Whitehall Road eastbound adjacent to Lyppiatt Road, (sum of £46,496.50) (to be secured by Section 106 Agreement, please refer to Heads of Terms below);
- Construction of central pedestrian refuge on Rose Green Road, between its junctions with Greenbank Road and Clay Bottom (sum of £15,000) (to be secured by Section 106 Agreement, please refer to Heads of Terms below);
- 3no. Traffic Regulation Orders (sum of £13,000) (to be secured by Section 106 Agreement, please refer to Heads of Terms below);
- Provision of 3no. street trees on site in adopted highway (sum £9,957)(to be secured by Section 106 Agreement, please refer to Heads of Terms and Conditions below);

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Fire Hydrants

- Provision of 3no. fire hydrants (sum £4,500)(to be secured by Section 106 Agreement, please refer to Heads of Terms and Conditions below);

CONCLUSION

The proposals would facilitate the redevelopment of a large and prominent site and would deliver housing and associated uses. The proposals would also positively develop a site that has been vacant and increasingly derelict for a significant period of time and thus would bring the site back into active use generally in line with the site's allocation in the Bristol Local Plan (Site Allocation & Development Management Policies).

Local housing need and Core Strategy Policy BCS17 clearly set out the requirement for development sites to deliver affordable housing (up to 40% in this location). However, BCS17 states that this is subject to scheme viability and this caveat is reinforced through the National Planning Policy Framework and associated national guidance. Having assessed the values and costs associated with the development, and commissioned an independent appraisal, officers agree that the scheme is unviable in planning terms and therefore would not be able to make an affordable housing contribution. Officers are satisfied that the applicants have fully explored the options of delivering affordable housing on this site and, whilst the applicants are continuing to explore this, officers cannot recommend refusal on this ground.

Overall the applicants have tried to address the concerns of officers and third parties. As a result revisions to the scheme have been made and the proposals are for a form of development that whilst substantial in size has adequately addressed issues relating to proposed uses, residential mix, overall amenity, sustainability, flood risk, highways, security and ecology subject to relevant conditions and the S106 agreement.

However as set out in Key Issue E above, there remains an outstanding matter relating to the full impact of proposed Block B shading the existing renewable system incorporated into the rear roof slopes of Green Oak Crescent. It is acknowledged that revisions have been made by the applicants to minimise the amount of shading caused, but at the time of writing this report the full results of the impact on the efficiency of the renewable system has not been submitted to the LPA. Therefore whilst a recommendation to approve this application has been set out below, this is fully subject to the satisfactory resolution (as considered by the LPA) of this matter.

COMMUNITY INFRASTRUCTURE LEVY

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

The Bristol Community Infrastructure Levy (CIL) came into effect from the 1st January 2013 on all existing and new planning applications. This replaces all but site-specific requirements such as affordable housing and highway works. The CIL liability for this development is £978,913.94 which is non-negotiable.

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RECOMMENDED GRANT subject to Planning Agreement and subject to the satisfactory resolution as considered by the LPA regarding the shading impact of the development on the efficiency of the renewables system installed on the rear roof slopes of Green Oak Crescent.

(A) Subject to agreement, within a period of one month from the date of this Committee meeting, of Heads of Terms for an Agreement under S106 of the Town and Country Planning Act 1990 (as amended) and subject to the completion within a period of six months from the date of this Committee meeting and at the applicants expense, of such a Planning Agreement made under the terms of S106 of the Town and Country Planning Act 1990 (as amended), entered into by the applicant, Bristol City Council and any other interested parties to cover (inter alia) the following matters:-

(i) A viability review to be undertaken if the scheme has not commenced with 18 months of planning consent being granted, to assess whether the viability of the scheme has improved to an extent that it enables affordable housing to be provided either on-site or in the form of an off-site contribution;

(ii) Payment of the sum of £46,496.50 for Bus Stop Upgrade Works to the westbound (inbound) bus stop on Whitehall Road adjacent to Lyppiatt Road, (index linked to the date of Committee);

(iii) Payment of the sum of £15,000 for the construction of central pedestrian refuge on Rose Green Road, between its junctions with Greenbank Road and Clay Bottom (index linked to the date of Committee);

(iv) Payment of the sum of £13,000 for the alteration and provision of 3no. Traffic Regulation Orders, (index linked to the date of Committee);

(v) Payment of the sum of £9,957 for the provision of 3no. street trees on site in the adopted highway (index linked to the date of Committee);

(vi) Payment of the sum of £4,500 for the provision of 3no. fire hydrants (index linked to the date of Committee);

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

Note: failing either of the deadlines referred to in (A) being met the application be referred back to Committee for consideration of any extension of time.

(C) That on completion of the Section 106 Agreement, planning permission is granted subject to the following conditions:-

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 Act 2004.

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Pre commencement condition(s)

2. Vegetation Clearance

No clearance of vegetation or structures suitable for nesting birds, shall take place between 1st March and 30th September inclusive in any year without the prior written approval of the Local Planning Authority. The authority will require evidence that no breeding birds would be adversely affected including by disturbance before giving any approval under this condition. The applicant may wish to consider measures to temporarily discourage birds from roosting on or in buildings.

Reason: To ensure that wild birds, building or using their nests are protected.

3. Employment Opportunities

No development shall take place including any works of demolition 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 development.

4. Contamination

Prior to the commencement of development an intrusive investigation to establish site conditions at the site shall be submitted and approved in writing by the Local Planning Authority (in addition to any assessment provided with the planning application). The results of this investigation should be considered along with the Ground Conditions Desk Study prepared by Hydrock, dated January 2016 (Ref R/151570/001 Rev 3) and a site specific risk assessment then should be carried out to assess the nature and extent of the contamination on the site and whether or not it originates on the site. The contents of the scheme should then be submitted to and be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced.

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

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

5. Land affected by Contamination - Submission of Remediation Scheme

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

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

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

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

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

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

7. Construction Management

No development shall take place including any works of demolition until a Construction Management Plan and a Site Specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Local Planning Authority. The Management Plan must include the following:

(a) Technical evidence to demonstrate the FULL protection of the integrity and stability of the Railway Path during and after construction of the development hereby approved. The evidence should identify construction risks and, where risks are identified, appropriate mitigation measures shall be included to the satisfaction of the Local Planning Authority.

(b) Condition Survey of the existing public highway, public accesses and the Railway Path

(c) Demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting on the surrounding area including the adjacent Easton-Staple Hill disused railway Site of Nature Conservation Interest, Railway Path amenity route and all surrounding premises and infrastructure.

(d) Details of parking of vehicle of site operatives and visitors

(e) Routes for construction traffic

(f) Method of prevention of mud being carried onto highway

(g) Pedestrian and cyclist protection

(h) Proposed temporary traffic restrictions

(i) Arrangements for turning vehicles

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The development shall be carried out in strict accordance with the approved Management Plans and their recommendations and any damage occurring as a result of this development is to be remedied by the developer to the written satisfaction of the Local Planning Authority.

Reason: In the interests of safe operation of the highway and amenity routes in the lead into development both during and after the construction phase of the development and to safeguard residential amenity, the safety and security of adjacent, infrastructure and ecological designations and protected species and public amenity assets.

8. Ecological Mitigation Strategy

Prior to the commencement of development and notwithstanding any approved plans or documents, an ecological mitigation strategy prepared by a suitably qualified ecological consultant shall be submitted to and approved in writing by the Local Planning Authority. The strategy should include the following provisions:

- (a) Production of a nature conservation and landscape management plan;
- (b) Details of the planting of a new native species-rich hedgerow on top of the proposed gabion wall along the south-eastern boundary of the site;
- (c) Confirmation that all works to take place in accordance with the submitted method statement for a monitoring programme for works within 20 metres of any badger sett;
- (d) Measures to prevent badgers being trapped in open excavations and pipes;
- (e) A precautionary pre-construction bat dusk emergence (or dawn re-entry) survey (which will need to be undertaken between May and September when bats are active) prior to commencement of works;
- (f) A lighting contour plan extending to incremental levels of zero lux;
- (g) The incorporation into landscape proposals, planting that will aid the conservation of bats; include a wildlife pond and the provision of 15 x 15 cm gaps under any close boarded fencing to allow the movement of hedgehogs;
- (h) A method statement for the avoidance of impacts on nesting birds (birds typically nest between March and September inclusive) as well as hedgehogs, reptiles and amphibians including common toad;
- (i) An updated check for badger setts within two months of the start of development;
- (j) Method for the careful removal of materials by hand under the supervision of a suitably qualified ecologist which have the potential to support roosting bats on Block F, the remaining Victorian factory building;
- (k) The provision of 5 bat tubes integrated within buildings, 10 bat boxes on trees and 20 bird boxes integrated within buildings to include at least 10 swift boxes or bricks and two artificial hedgehog houses; and
- (l) The provision for living roofs with wildflower meadow (non sedum) and features for invertebrates on them into the development.

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The development shall then be undertaken in full accordance with the approved strategy

Reason: To conserve legally protected and priority species.

9. Detailed Railway Path Bank Landscape Scheme

Notwithstanding notations on any approved plans or documents, a detailed design of hard/soft landscaping and structures within the landscape areas along the entirety of the interface of the site and the Railway Path shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The scheme shall include details of species selection of plants and trees, planting numbers, stock size, spacing and also provide full sectional details through the Railway Path Bank. The development shall be completed in accordance with the approved scheme and implemented so that planting can be carried out during the first planting season following the first occupation of the building(s) or the completion of the development whichever is the sooner.

Reason: To retain the value of the designated Site of Nature Conservation Interest, Easton – Staple Hill Disused Railway and deliver a high quality landscape design.

10. Detailed Central Square Landscape Scheme

Notwithstanding notations on any approved plans or documents, a full detailed design of hard/soft landscaping and structures within the proposed Central Square area shall be submitted to and approved by the Local Planning Authority prior to the commencement of the relevant element of the development. The scheme shall include details of species selection of plants and trees, plant numbers, stock size, spacing and also include sectional details of all the main structural features (levels, steps retaining walls) The scheme shall also investigate alternative landscape proposals for the car parking/access area to the south of the Central Square in order to optimise the efficient use of this area following its non-adopted status. The development shall be completed in accordance with the approved scheme and implemented so that planting can be carried out during the first planting season following the first occupation of the building(s) or the completion of the development whichever is the sooner.

Reason: To deliver a high quality and inclusive external space and to make the most efficient use of the public space.

11. Sustainable Drainage System (SuDS)

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

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

12. Artificial Light

Prior to the commencement of development a detailed lighting scheme and predicted light levels by a suitably qualified Lighting Engineer shall be submitted and approved in writing by the Local Planning Authority (any light created by reason of the development shall not exceed

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5Lux as calculated at the windows of the nearest residential properties). The report should include details of all external lighting (including any decorative lighting and security lighting within external amenity/access area) and associated light spill plans unless otherwise agreed in writing by the Local Planning Authority.

Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E2 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005.

Reason: In order to safeguard the amenities of adjoining occupiers, to make the development safe and secure and to ensure protected species are not harmed.

13. Approval of Road and Infrastructure Works Necessary

No development shall take place until details of the following works have been submitted to and approved in writing by the Local Planning Authority:

(a) Refurbishment and upgrade of existing footway to south side of Greenbank Road and Co-Operation Road for the full length of red line boundary;

(b) Extension of the existing build-out on the south side of Greenbank Road east of the new vehicular access road;

(c) Improvements to existing street lighting on Greenbank Road and Co-operation Road;

(d) Detailed design drawings of the proposed new and refurbished pedestrian and cycle links to the site from the adjacent Bristol-Bath Railway Path to include plans and sections at a scale of 1:10 and to include a gradient that is DDA compliant; and

(e) AiP submission of gabion basket walls adjacent to the Bristol-Bath Railway Path to accord with requirements of the Design Manual for Roads and Bridges (DMRB).

No buildings hereby permitted shall be occupied until these works have been completed in accordance with the approved details.

Reason: To ensure that all road works associated with the proposed development are planned and approved in good time to include any Highways Orders, and to a standard approved by the Local Planning Authority and are completed before occupation.

14. Highway to be Adopted

No development shall take place until construction details of the internal access road(s) (including the upgrade and refurbishment of the existing pedestrian and cycle link into the site from Carlyle Road) to achieve an adoptable standard have been submitted to and been approved in writing by the Local Planning Authority. The building(s) hereby permitted shall not be occupied or the use commenced until the road(s) is/are constructed in accordance with the approved plans.

Reason: To ensure the internal access roads are planned and approved in good time to include any Highways Orders and to a satisfactory standard for use by the public and are completed prior to occupation.

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15. Large Scale Details

Notwithstanding any notations on any approved plans, detailed drawings (including plans, elevations and sections also indicating materials, treatments and finishes) to a minimum 1:5, 1:10 or 1:20 scale whichever is appropriate or as requested by the Local Planning Authority of the following items shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of work is begun unless otherwise agreed in writing by the Local Planning Authority:

(a) Details of the junctions between the different materials; door/windows reveals, cills and lintels, how the building meets the ground, entrance canopies/soffits below projections; and parapet coping details for the following buildings:

- Block E and Terrace-02 front and side elevation;
- Block G and Terrace 5 elevations facing the railway path and the gable end to the west;
- Block D – all elevations;
- Block B – all elevations;
- Terrace 01 – Front elevation;
- T1-Block 1 and Block A – All elevations;

(b) Details of the dormer windows for Block F;

(c) Details of the Box extension for Apartments 2.6, 3.6 and 4.6; and

(d) Details of all privacy baffles and screens.

Reason: To ensure that the external appearance of the development is satisfactory.

16. Samples

Notwithstanding any materials noted on any approved plans, sample panels of all the external materials and finishes to all buildings, stores, associated plant areas, walls, hard landscape features including paved surfaces, demonstrating coursing, jointing and pointing to the masonry, are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced, unless otherwise agreed in writing by the Local Planning Authority. 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 site is satisfactory

17. PV Panel Details

Prior to the commencement of the relevant element of the development, details (including the exact location (to include the optimisation of positioning), dimensions, design/ technical specification and method of fixing) relating to the PV panels shall be submitted to and agreed in writing by the Local Planning Authority. The approved equipment shall be installed and operational prior to the first occupation of the use which they serve and retained as operational thereafter in perpetuity.

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Reason: To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

18. Sound Insulation Residential Units - Use Class C3

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of noise insulation measures for all residential accommodation, (this scheme shall also include details of ventilation). The scheme of noise insulation measures shall take into account the recommendations detailed in the HYD-ACO-REP-20151117 Rev 002 Noise Planning Report prepared by Hydrock dated December 2015.

The approved details shall be implemented in full prior to the first commencement of the use in each development block hereby permitted and be permanently maintained. The works will need to be regularly checked by a competent acoustic consultant throughout the construction of the development and inspected by an authorised officer of Bristol City Council's Pollution Control Team prior to the first commencement of the use of each development block

Reason: To safeguard residential amenity.

Pre occupation condition(s)**19. Land affected by contamination - Reporting of Unexpected Contamination**

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

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

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.

20. Management and Maintenance Strategy

Prior to the first occupation of any building on the site, a maintenance and management strategy for all non-adopted but publically accessible areas shall be submitted to and agreed in writing by the Local Planning Authority. The strategy must include the following features:

- (a) Central Square and associated parking and access areas to the south;
- (b) The new cycle and pedestrian link from the Railway Path into the site;
- (c) Refurbished existing pedestrian link from the Railway Path into the site;
- (d) Railway Path Bank Interface; and
- (e) All other areas landscaped areas on the site including trees.

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The development shall then be maintained and managed in full accordance with the approved strategy thereafter.

Reason: To ensure responsibility for these areas and to ensure public safety.

21. BREEAM

Prior to first occupation (or unless an alternative phased timetable is agreed in writing by the with the Local Planning Authority), the final post construction BREEAM communities' certificate 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 is built in a sustainable manner in accordance with BCS15.

22. Confirmation of the Operation of Commercial Units (Use Class A1, A2, A3, A4, D1 D2 and B1)

Prior to the first occupation of each of the commercial unit(s) by any A1, A2, A3, A4, D1 D2 or B1 use (or combination thereof) hereby permitted a management strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy should to include the following unless otherwise agreed in writing by the Local Planning Authority:

(a) Confirmation of the tenant mix and use of floorspace in each block; and

(b) How the tenants will manage their servicing requirements (including confirmation of refuse and recycling storage within the units and how this will be accessed, the number and type of vehicles arriving at the site each day to deliver and collect goods and what refuse and recycling items are to be collected from where and when.

The floorspace shall be occupied in accordance with the approved details and strategies in perpetuity. Any subsequent occupiers of the commercial unit(s) (in perpetuity) shall submit a new management strategy to the Local Planning Authority for approval prior to occupation

Reason: To ensure responsibility for the management of these facilities and to safeguard the appearance of the development, highway safety and the amenities of future and existing residents and businesses.

23. Delivery of Small Flexible Workspaces

Prior to the first occupation of any commercial unit hereby approved within Use Class B1 (Business), a management strategy setting out a method for the delivery of small, flexible workspaces on site shall be submitted and approved in writing by the LPA. The strategy should include the location and extent of floorspace of the flexible workspace within the development and how this workspace is to then be managed and maintained. The development shall then be managed in full accordance with the approved strategy in perpetuity.

Reason: To meet the identified in Inner East Bristol for flexible and small business floorspace to stimulate enterprise and deliver new employment opportunities.

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24. Noise from Commercial Premises - Units within Use Classes A1, A2, A3, A4, D1, D2 and B1 only

No commencement of each use of any commercial premises in Blocks, B, C or D (Units within Use Classes A1, A2, A3, A4, D1, D2 and B1 only) shall take place until an assessment on the potential for noise from the development affecting residential properties as part of this development and existing residential properties in the area has been submitted to and approved in writing by the Council.

The assessment shall include noise from:

- (a) Music
- (b) Customers (including customers in any outside area)
- (c) Ventilation, refrigeration and air conditioning plant or equipment
- (d) Servicing (deliveries and refuse collections)

If the assessment indicates that noise from the development is likely to affect neighbouring residential or commercial properties then a detailed scheme of noise mitigation measures shall be submitted to and approved in writing by the Council prior to the first commencement of each unit within Use Classes A1, A2, A3, A4, D1, D2 and B1.

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 and of BS 8233: 2014 "Guidance on sound insulation and noise reduction for buildings".

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

Reason: To safeguard the amenity of occupiers of nearby premises and the surrounding area.

25. Odour Management - Commercial Units Use Classes A3 and A4 only

No commencement of use of each individual commercial unit for either Use Class A3 or A4 hereby approved shall take place until there has been submitted to and approved in writing, by the Local Planning Authority, details of ventilation/extraction equipment serving the unit. The details shall include the following:

- a) Specification of equipment
- b) Method of ensuring that plant fumes and smells do not affect residents or neighbouring occupiers
- c) Management/maintenance schedule.

The details provided shall be in accordance with Annexe B of the 'Guidance on the Control of Odour & Noise from Commercial Kitchen Exhaust System'.

The equipment shall then be installed as approved prior to the first occupation of each unit and maintained thereafter so as to perform as approved.

Reason: To safeguard the amenity of occupiers of nearby premises and the surrounding area.

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26. Travel Plans - Not submitted

No building or use hereby permitted shall be occupied or the use commenced until a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and been approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed travel Plan Targets to the satisfaction of the council.

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.

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

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

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

28. Completion and Maintenance of Vehicular Servicing facilities - Shown on approved plans

No building or use hereby permitted shall be occupied or use commenced until the facilities for loading, unloading, circulation and manoeuvring have been completed in accordance with the approved plans. Thereafter, these areas shall be kept free of obstruction and available for these uses.

Reason: To ensure that there are adequate servicing facilities within the site in the interests of highway safety.

29. Completion and Maintenance of Car/Vehicle Parking - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the car /vehicle parking area 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

Reason: To ensure that there are adequate parking facilities to serve the development.

30. Completion of Vehicular Access - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the means of vehicular access has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be retained for access purposes only.

Reason: In the interests of highway safety.

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31. 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 (including the upgrade and refurbishment of the existing pedestrian and cycle link to the site from Carlyle Road) 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.

32. 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.

33. Reinstatement of Redundant Accessways - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the existing accesses to the development site has been permanently stopped up and the footway reinstated in accordance with the approved plans.

Reason: In the interests of highway safety.

Post occupation management

34. Limitation of Uses - Retail

Notwithstanding the provisions of the Town and Country Planning Use Classes Order 2010 (or any Order revoking and/or re-enacting that Order) or any notations on the approved plans, 226 sq m (but no more) of the commercial floor space within either Blocks B or C shown on approved Drawing No's CF-519-D-00-DR-A-20040 Rev 6 and CF 519 C 00 DR A 20030 Rev 5 shall be used for the purposes of A1 (shops) as defined in the Town and Country Planning Use Classes Order 2010 (or any Order revoking and/or re-enacting that Order) unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect the vitality of existing identified centres, to provide a suitable mix of uses to meet the allocation and to ensure highway safety.

35. Provision of Uses - Community Use (Use Class D1)

Notwithstanding the provisions of the Town and Country Planning Use Classes Order 2010 (or any Order revoking and/or re-enacting that Order) or any notations on the approved plans, at least 332m² of the commercial floorspace within Block C as shown on approved Drawing CF 519 C 00 DR A 20030 Rev 5 shall be used for Community Use (Use Class D1) as defined in the Town and Country Planning Use Classes Order 2010 (or any Order revoking and/or re-enacting that Order) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide a suitable mix of uses to meet the allocation.

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36. Limitation of Use Class A2 (Financial and Professional Services)

Notwithstanding the provisions of the Town and Country Planning Use Classes Order 2010 (or any Order revoking and/or re-enacting that Order) or any notations on the approved plans, no more than 226 sq m of the commercial floor space within either Blocks B or C shown on approved Drawing No's CF-519-D-00-DR-A-20040 Rev 6 and CF 519 C 00 DR A 20030 Rev 5 shall be used for the purposes of Use Class A2 (Financial and Professional Services); as defined in the Town and Country Planning Use Classes Order 2010 (or any Order revoking and/or re-enacting that Order) unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect the vitality of existing identified centres, to provide a suitable mix of uses to meet the allocation.

37. Limitation of Uses - Use Class A4 (Drinking Establishment)

Notwithstanding the provisions of the Town and Country Planning Use Classes Order 2010 (or any Order revoking and/or re-enacting that Order) or any notations on the approved plans, no more than 206 sq m of the commercial floor space within Block D shown on approved Drawing No CF 519 D 00 DR A 20040 Rev 6 shall be used for the purposes of Use Class A4 (Drinking Establishment) as defined in the Town and Country Planning Use Classes Order 2010 (or any Order revoking and/or re-enacting that Order) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of residential amenity both in the development and surrounding the site.

38. Retention of garage/car parking space(s)

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) the garage/car parking space(s) hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with the residential occupation of the property and ancillary domestic storage without the grant of further specific planning permission from the Local Planning Authority.

Reason: To retain garage/car space for parking purposes.

39. 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.

40. Hours open to customers Monday - Sunday (Units within Use Classes A1, A2, A3, A4, D1, D2 and B1 only)

In respect of the commercial units (units within Use Classes A1, A2, A3, A4, D1, D2 and B1) hereby approved, no customers shall remain on the premises outside the hours as set out below:

-Units within Use Classes: A1, A3 & A4 - 08.00am to 23.00pm Monday to Sunday

-Units within Use Classes: A2, B1, D1 & D2 - 08.00am to 21.00pm Monday to Sunday

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Reason: To safeguard residential amenity.

41. External Seating Areas - (Units within Use Classes A3, A4 only)

There shall be no consumption of food or beverages outside (including any external terraces or balconies) any commercial unit within the Use Classes A3 or A4 use after 21.00pm.

Reason: To safeguard residential amenity.

42. Noise from plant & equipment

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: 1997- "Method of rating industrial noise affecting mixed residential and industrial areas".

Reason: In order to safeguard the amenities of future and adjoining occupiers.

43. Refuse and Servicing - Units within Use Classes A1, A2, A3, A4, D1, D2 and B1 only

Activities relating to the collection of refuse and recyclables and the tipping of empty bottles into external receptacles (units within Use Classes A1, A2, A3, A4, D1, D2 and B1 only) shall only take place between 08.00am and 20.00pm Monday to Saturday and not at all on Sundays or Bank Holidays.

Reason: In order to safeguard the amenities of future and adjoining occupiers.

44. Deliveries - Units within Use Classes A1, A2, A3, A4, D1, D2 and B1 only

Activities relating to deliveries (units within Use Classes A1, A2, A3, A4, D1, D2 and B1 only) shall only take place between 08.00am and 20.00pm Monday to Saturday and not at all on Sundays or Bank Holidays.

Reason: In order to safeguard the amenities of future and adjoining occupiers.

45. No Further Extensions

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) no extension or enlargement (including additions to roofs) shall be made to the dwellinghouse(s) 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 and adjoining/adjacent premises.

46. Privacy Restrictions

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) or any notations on any plans hereby approved, the following privacy measures shall be installed as follows and to a design specification to be agreed with the Local Planning Authority prior to the first occupation of each of the units specified and thereafter shall be permanently maintained as approved unless otherwise agreed in writing by the Local Planning Authority.

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- (a) The windows serving the Bathrooms and Stair Core in the North Eastern elevation of Block A (as shown on Drawing No's CF-519-A-XX-DR-A-21010 REV 4 Block A Proposed Elevations and Sections) facing No. 26 Green Bank Road shall be obscure glazed and either top or bottom opening only;
- (b) The windows in the Western Elevation of Block F facing Carlyle Road shown as hatched on Drawing No's CF-519-F-XX-DR-A-21060 REV 7 Block F - Proposed Elevations_Apartments and CF-519-F-XX-DR-A-21061 REV 5 Block F Proposed Elevations Town Houses shall be obscure glazed and to the extent of opening as shown only;
- (c) The boundary treatment along the Western Boundary of Block F facing Carlyle Road shall be visually impermeable and installed to the heights as shown on Drawing No's CF-519-F-XX-DR-A-21060 REV 7 Block F - Proposed Elevations_Apartments and CF-519 F-XX-DR-A-21061 REV 5 Block F Proposed Elevations Town Houses;
- (d) The 2no. large panes of Curtain Walling in the middle of the North Elevation of Block F shown on Drawing No CF-519-F-XX-DR-A-21060 REV 7 Block F - Proposed Elevations_Apartments (First and Second floor only) shall be non-opening and Obscure Glazed;
- (e) The privacy baffles on the North Elevation of Block E shown on Drawing No. CF-519-E-XX-DR-A-21050 REV 9 Block E - Proposed Sections and Elevations;
- (f) The windows within the North elevation of Block C as shown on Drawing No's CF-519-C 00-DR-A-20030 REV 5 Former Reception Building - Proposed Floor Plans and CF-519-C-XX-DR-A-21030 REV 4 Former Reception Building - Proposed Elevations facing the rear gardens of Turley Road shall be obscure glazed and top opening only;
- (g) The windows closest to the eastern edge of the north elevation of Block D (first to fourth floor) shown on Drawing No. CF-519-D-XX-DR-A-21041 REV 6 Apartment Block D (Building 5) Proposed Elevations shall be obscure glazed or have privacy baffles installed; and
- (h) The privacy screen treatment along the Western Boundary of the external terrace to Plot 125 facing Carlyle Road shall be visually impermeable and installed to the height as shown on Drawing No.CF-519-S-XX-DR-A-20007 REV 5 House Type 7 - Proposed Floor Plans / Typical Elevations and Ga Section.

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

47. 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 (including any windows in the roof), other than those shown on the approved plans shall at any time be placed in the following elevations of the buildings hereby permitted without the grant of a separate planning permission from the Local Planning Authority.

- (a) The Western Elevation of Block F Townhouses facing the rear of Carlyle Road; and
- (b) The North Western Elevation (rear) of any of the units within Terrace 01 facing the rear of Green Oak Crescent

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

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48. Roof Access

Access to all roof areas (other than those areas specifically shown as external amenity space or balconies on the approved plans) shall be for the purposes of maintenance and emergency access only and not be used as external amenity space or roof terraces.

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

49. Accordance with Sustainability and Energy Statements

The development shall be carried out in complete accordance with the Sustainability Statement C151570_HYD-BPE-REP-004 and the Energy Statement C151570_HYD-BPE-REP-003 both prepared by Hydrock dated 10 November and maintained as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development makes sufficient contribution towards mitigating and adapting to climate change.

List of approved plans

50. 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.

CF-519-S-XX-DR-A-01001 REV 3 - Site Location Plan
 CF-519-S-XX-DR-A-01002 REV 3 - Site Boundary Plan
 CF-519-S-XX-DR-A-90001 REV 8 - Proposed Masterplan - Roof Plan
 CF-519-S-XX-DR-A-90005 REV 7 - Proposed House Type Allocation Plan
 CF-519-S-XX-DR-A-90010 REV 8 - Proposed Illustrative Masterplan
 CF-519-S-XX-DR-A-93001 REV 8 - Proposed Refuse Strategy
 CF-519-S-XX-DR-A-93002 REV 2 - Communal Refuse Store Layouts
 CF-519-S-XX-DR-A-94001 REV 9 - Proposed Cycle Storage Strategy
 CF-519-S-XX-DR-A-94002 REV 8 - Proposed Car Parking Strategy
 CF-519-S-XX-DR-A-94003 REV 8 - Proposed Access and Movement Strategy
 CF-519-S-XX-DR-A-94004 REV 3 - Communal Cycle Store Layouts
 CF-519-S-XX-DR-A-21001 REV 6 - Proposed Street scenes - Sheet 1 of 7
 CF-519-S-XX-DR-A-21002 REV 6 - Proposed Street scenes - Sheet 2 of 7
 CF-519-S-XX-DR-A-21003 REV 6 - Proposed Street scenes - Sheet 3 of 7
 CF-519-S-XX-DR-A-21004 REV 6 - Proposed Street scenes - Sheet 4 of 7
 CF-519-S-XX-DR-A-21005 REV 7 - Proposed Street scenes - Sheet 5 of 7
 CF-519-S-XX-DR-A-21006 REV 4 - Proposed Street scenes - Sheet 6 of 7
 CF-519-S-XX-DR-A-21007 REV 3 - Proposed Street scenes - Sheet 7 of 7
 CF-519-S-XX-DR-A-21010 REV 1 - Greenoak Crescent Relationship Layout
 CF-519-S-XX-DR-A-SK001 REV 1 - Railway Path Connection Ga
 Typical Refuse Internal Elevation Sketch - dated 17/11/16/DC
 05214.00001.16.005.11 Site Wide: Landscape Design Strategy and Tree Plan
 CF-519-S-XX-DR-A-02001 REV 3 - Existing Site Plan
 CF-519-S-00-DR-A-04001 REV 2 - Reception Building - Existing Floor Plans
 CF-519-S-00-DR-A-04002 REV 2 - Former Factory Buildings 1 & 5 - Ground Floor Plan
 CF-519-S-01-DR-A-04003 REV 2 - Former Factory Buildings 1 & 5 - First Floor Plan
 CF-519-S-02-DR-A-04004 REV 2 - Former Factory Buildings 1 & 5 - Second Floor Plan

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CF-519-S-03-DR-A-04005 REV 2 - Former Factory Buildings 1 & 5 - Third Floor Plan
CF-519-S-04-DR-A-04006 REV 2 - Former Factory Buildings 1 & 5 - Fourth Floor Plan
CF-519-S-05-DR-A-04007 REV 2 - Former Factory Buildings 1 & 5 - Roof Plan
CF-519-S-XX-DR-A-02020 REV 2 - Existing Street Scene_Existing Building Elevations - Sheet 1 of 2
CF-519-S-XX-DR-A-02021 REV 2 - Existing Street Scene_Existing Building Elevations - Sheet 2 of 2
CF-519-S-XX-DR-A-02025 REV 2 - Existing Site_Building GA Sections - Sheet 1 of 2
CF-519-S-XX-DR-A-02026 REV 2 - Existing Site_Building GA Sections - Sheet 2 of 2
CF-519-S-XX-DR-A-20001 REV 3 - House Type 1 - Proposed Floor Plans Typical Elevations and GA Section
CF-519-S-XX-DR-A-20004 REV 4 House Type 4 - Proposed Floor Plans Typical Elevations and GA Section
CF-519-S-XX-DR-A-20005 REV 3 - House Type 5 - Proposed Floor Plans Typical Elevations and GA Section
CF-519-S-XX-DR-A-20006 REV 4 - House Type 6 - Proposed Floor Plans Typical Elevations and GA Section
CF-519-S-XX-DR-A-20007 REV 5 - House Type 7 - Proposed Floor Plans Typical Elevations and GA Section
CF-519-T1-XX-DR-A-20080 REV 1 - Terrace 01 Apt Block - Proposed Plans and Elevations
CF-519-A-00-DR-A-20010 REV 5 - Block A - Proposed Floor Plans
CF-519-A-XX-DR-A-21010 REV 4 - Block A - Elevations and Sections
CF-519-B-00-DR-A-20020 REV 6 - Block B - Proposed Floor Plans 00 & 01
CF-519-B-01-DR-A-20021 REV 6 - Block B - Proposed Floor Plans 20, 03 & 04
CF-519-B-05-DR-A-20022 REV 6 - Block B - Proposed Floor Plans 05 & Roof
CF-519-B-XX-DR-A-21020 REV 6 - Block B - Proposed Elevations - 1 of 2
CF-519-B-XX-DR-A-21021 REV 5 - Block B - Proposed Sections
CF-519-B-XX-DR-A-21022 REV 2 - Block B - Proposed Elevations - 2 of 2
CF-519-C-00-DR-A-20030 REV 5 - Former Reception Building – Proposed Floor Plans
CF-519-C-XX-DR-A-21030 REV 4- Former Reception Building – Elevations and Sections
CF-519-D-00-DR-A-20040 REV 6 - Apartment Block D - Ground & First Floor Plans
CF-519-D-02-DR-A-20041 REV 3 - Apartment Block D - Second & Third Floor Plans
CF-519-D-04-DR-A-20042 REV 4 - Apartment Block D - Fourth & Fifth - Floor Plans
CF-519-D-06_DR-A-20043 REV 5- Apartment Block D - Roof Plan
CF-519-D-XX-DR-A-21040 REV 6 - Apartment Block D - Proposed Elevations
CF-519-D-XX-DR-A-21041 REV 6 - Apartment Block D - Proposed Sections
CF-519-E-00-DR-A-20050 REV 7 - Block E - Proposed Floor Plans
CF-519-E-XX-DR-A-21050 REV 9 - Block E - Proposed Elevations and Section
CF-519-F-XX-DR-A-20060 REV 6- Block F - Proposed Apartment Plans 00 & 01
CF-519-F-XX-DR-A-20061 REV 6 - Block F - Proposed Apartment Plans 02, 03 & Roof
CF-519-F-XX-DR-A-20062 REV 6 - Block F - Proposed Townhouse Floor Plans
CF-519-F-XX-DR-A-21060 REV 7- Block F - GA Elevations - 1 of 2
CF-519-F-XX-DR-A-21061 REV 5 - Block F - GA Elevations - 2 of 2
CF-519-F-XX-DR-A-21062 REV 5 - Block F - GA Sections - 1 of 2
CF-519-F-XX-DR-A-21063 REV 1 - Block F - GA Sections - 2 of 2
CF-519-G-00-DR-A-20070 REV 7 - Block G - Proposed Floor Plans
CF-519-G-XX-DR-A-21070 REV 5- Block G - Proposed Elevations and Section
160901_BREEAM Pre Assessment Report - Elizabeth Shaw Chocolate Factory.docx Rev 1 prepared by Carbon Consult Limited dated 01.09.2016
C151570_HYD-BPE-REP-004 Sustainability Statement prepared by Hydrock dated 10 November
C151570_HYD-BPE-REP-003 Energy Statement prepared by Hydrock dated 10 November 2016
R/151570/001 Rev 3 Ground Conditions Desk Study prepared by Hydrock dated January 2016

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Reason: For the avoidance of doubt.

Advices

1. Highway Advice

Structures

All proposed retaining structures, including gabion basket walls adjacent to the Bristol-Bath Railway Path must have full Approval in Principle (AiP) submission approval from the Technical Approving Authority (TAA). The gabion structures must accord with the requirements of the Design Manual for Roads and Bridges (DMRB)

Street Lighting

The applicant will be expected to upgrade the existing street lighting on Greenbank Road and Co-operation Road to BCC specification. All new adoptable areas/roads, including the cycleway links, to include new street lighting. All street lighting to conform to BCC Lighting Specification 2012 Version 2 and BS5489 Standard. The environment lighting class is E3

2. New Sewers

You are advised that where a development includes new sewers and pumping stations which serve more than one property, adequate arrangements must be in place to ensure that there is clear responsibility for clearing any blockages, carrying out repairs, and maintenance. It is recommended that where there is more than one property served by the sewer or pumping station that you seek a Section 104 agreement (Water Industry Act 1991) with Wessex Water to ensure that new sewers and pumping stations are operated and maintained as a public asset.

In the event that a Section 104 agreement is not sought, the responsibility for maintenance and keeping the drainage network clear from obstruction would be the collective responsibility of all the owner(s) of the properties which are served by the system. Failure to properly maintain and keep clear the private drains could lead to legal action being taken against responsible owner(s) under the Public Health Act 1961, Local Government (Miscellaneous Provisions) Act 1976 or Building Act 1984. Please contact the Private Housing Team on 0117 352 5010 for further information.

3. Environment Agency Advice

Due to the former land use(s), soil and /or groundwater contamination may exist at the site and the associated risks to controlled waters should be addressed by:

1. Following the risk management framework provide in CLR11, Model procedures for the management of land contamination

<https://www.gov.uk/government/publications/managing-land-contamination>

2. Referring to the Environment Agency guiding principles for land contamination and the land contamination sections in the Environment Agency's Groundwater Protection: Principles and Practice

<https://www.gov.uk/government/publications/managing-and-reducing-land-contamination>

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<https://www.gov.uk/government/publications/groundwater-protection-principles-and-practice-gp3>

3. Further information may be found on the land contamination technical guidance pages on the direct.gov website

<https://www.gov.uk/government/collections/land-contamination-technical-guidance>

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with BS 10175 (2001) Code of practice for the investigation of potentially contaminated sites. The competent person would normally be expected to be chartered member of an appropriate body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites. The Specialist in Land Condition (SiLC) qualification administered by the Institution of Environmental Management provides an accredited status for those responsible for signing off LCR's. For further information see -

www.silc.org.uk

Where the remediation / redevelopment of the site will involve waste management issues we offer the following advice:

Waste on site:

The CLAIRE definition of waste: development code of practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and /or land development works are waste or have ceased to be waste. The code of practice is available at: <http://www.claire.co.uk>

Under the Code of practice:

Excavated materials that are recovered via a treatment operation can be re-used on site providing they are treated to a standard such they are fit for purpose and unlikely to cause pollution

Treated materials can be transferred between sites as part of a "hub and cluster" project
Some naturally occurring clean material can be directly transferred between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically and that the permitting status off any proposed operations are clear. If in doubt the Environment Agency should be contacted on 03708 506 506 or at enquiries@environment-agency.gov.uk for advice at an early stage to avoid any delays.

Waste to be taken off site:

Contaminated soil that is, or must be, disposed of is waste. Therefore it's handling, transport and disposal is subject to waste management legislation which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

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Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 "characterisation of waste" - sampling of waste materials - framework for the preparation and application of a sampling plan" and the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid delays on 03708 506 506 or enquiries@environment-agency.gov.uk for further advice and to discuss the issues likely to be raised. You should be aware that any permit may not be granted. Additional 'Environmental Permitting Guidance' can be accessed via the government website at:

<https://www.gov.uk/environmental-permit-check-if-you-need-one>

If the total quantity of waste material to be produced or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer.

4. Construction site noise & Construction Environmental Management Plan

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, Brunel House, Bristol City Council, PO Box 3176, Bristol BS3 9FS.

The Construction Environmental Management Plan should also include but is not limited to reference to the following

Procedures for maintaining good public relations including complaint management, public consultation and liaison

Arrangements for liaison with the Council's Pollution Control Team

All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:

08 00 Hours and 18 00 Hours on Mondays to Fridays and
08 00 and 13 00 Hours on Saturdays and;
at no time on Sundays and Bank Holidays.

Deliveries to, and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.

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.

Bristol City Council encourages all contractors to be 'Considerate Contractors' when working in the city by being aware of the needs of neighbours and the environment.

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Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants

Measures for controlling the use of site lighting whether required for safe working or for security purposes.

5. 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.

6. Details of extraction/ventilation system

It is recommended that any flues for the dispersal of cooking smells shall either:

(a) Terminate at least 1 metre above the ridge height of any building in the vicinity, with no obstruction of upward movement of air or:

(b) Have a method of odour control such as activated carbon filters, electrostatic precipitation or inline oxidation.

Guidance on the above can be gained at 'Guidance on the Control of Odour & Noise from Commercial Kitchen Exhaust Systems' available from www.defra.gov.uk by searching for Product Code PB10527.

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.

7. Odour Management Plan

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>

8. Right of light:

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

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9. Tree Protection:

You are advised to refer to BS5837: 2012 Trees in relation to construction for detailed information on types of tree protection, protection zones and other relevant matters.

10. 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.

11. 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).

12. Alterations to vehicular access

There is a requirement to make alterations to vehicular access(es). Applicants should note the provisions of section 184 of the Highways Act 1980. The works should be to the specification and constructed to the satisfaction of the Highway Authority (Telephone 0117 9222100). You will be required to pay fees to cover the councils costs in undertaking the approval and inspection of the works.

13. Oversailing

Where new structures overhang or cross a highway an oversailing agreement must be obtained from the Local Highway Authority before any works commence. (Telephone 0117 9222100).

14. Works on the public highway

The development hereby approved includes the carrying out of work on the public highway. You are advised that before undertaking work on the highway you must enter into a formal agreement with the council which would specify the works and the terms and conditions under which they are to be carried out. You should contact City Development, Wilder House, Wilder Street, Bristol, BS2 8PH or telephone 0117 903 6846, allowing sufficient time for the preparation and signing of the agreement. You will be required to pay fees to cover the councils cost's in undertaking the following actions:

- 1) Drafting the agreement
- 2) A monitoring fee equivalent to 15% of the planning application fee
- 3) Approving the highway details
- 4) Inspecting the highway works.

15. Traffic Regulation Order (TRO):

In order to comply with the requirements of conditions attached you are advised that the implementation of a TRO is required. The TRO process is a lengthy legal process involving

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statutory public consultation and you should allow an average of 6 months from instruction to implementation. You are advised that the TRO process cannot commence until payment of the TRO fees are received. Telephone 0117 9036846 to start the TRO process.

16. Highway to be adopted

All or part of the highway to be constructed in accordance with planning approval hereby granted is to be constructed to an adoptable standard and subsequently maintained at public expense. It is necessary for the developer to comply with the Highway Engineer's specification and terms for the phasing of the development, in accordance with section 38 (Adoption of highway by agreement) or section 219 (the Advance Payments code) of the Highways Act 1980. You must also contact the Engineering Design and Main Drainage Design section of City Transport to discuss the requirements for adopted roads or sewers and in due course submit a separate application in respect of these works. You are reminded of the need for early discussions with statutory undertakers to co-ordinate the laying of services under highways to be adopted by the Highway Authority. Telephone 0117 9222100.

17. Public Right of Way

The above application site abuts a Public Access

Public Accesses should remain open and safe for public use at all times. The developer should therefore be made aware of his/her obligations not to interfere with the public right of way either whilst development is in progress or on completion, as any interference may well constitute a criminal offence.

Due to the close proximity of the development site to the Railway Path it may be necessary to advise as follows:-

During construction works,

- * Public Accesses should remain open, unobstructed and safe for public use at all times;
- * no materials are to be stored or spilled on the surface of the PROW;
- * there must be no encroachment onto the width of the PROW;
- * no vehicles are to use the PROW without lawful authority;
- * any scaffolding and/or skips placed over or adjacent to the right of way must not obstruct public access or inconvenience the public in their use of the way and must be properly licensed (for a permit application form, contact the Highway Asset Management Group, tel. 0117 922 3838);
- * if construction works are likely to temporarily affect the right of way, the developer may need to apply for a temporary Traffic Regulation Order to close or divert the PROW for the duration of the works on the grounds of safety of the public. For further advice, or to apply for a TTRO, contact the Highway Network Management team, Tel. 0117 903 6838). N.B. Any damage caused to the surface of the right of way during development works must be made good to the satisfaction of the Highway Authority.

18. Wessex Water requirements

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

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19. Highway Network

The development hereby approved is likely to impact on the highway network during its construction. The applicant is required to contact Highway Network Management to discuss any temporary traffic management measures required, such as footway, Public Right of Way or carriageway closures, or temporary parking restrictions. Please call 0117 9036852 or email traffic@bristol.gov.uk a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

20. Future Parking Zones

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 that if any future Restricted / Controlled Parking Zone area which includes the development is proposed, that the development should be treated as car free / low-car and the occupiers ineligible for resident permits.

21. Gas Pipelines

Wales and West Utilities gas pipelines may be at risk during construction and you should contact PlantProtectionEnquiries@wwutilites.co.uk before starting any work.

22. Planting Season Trees

You are advised that the planting season is normally November to February.

23. Coal Authority Advice

Where development is proposed over areas of coal and past coal workings at shallow depth, The Coal Authority is of the opinion that applicants should consider wherever possible removing the remnant shallow coal. This will enable the land to be stabilised and treated by a more sustainable method; rather than by attempting to grout fill any voids and consequently unnecessarily sterilising the nation's asset. Prior extraction of surface coal protecting the public and the environment in mining areas requires an Incidental Coal Agreement from The Coal Authority.

Further information can be found at: www.gov.uk/get-a-licence-for-coal-mining

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action.

Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:
www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

24. Contamination - Tank Removal

The applicant is reminded that BCC Contaminated Land are still awaiting a validation report for the removal of the tanks from the site with respect to the condition on the previous prior approval notice for the demolition works ref: 14/06330/N and 15/02171/N. This must be

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submitted and approved prior to the commencement of development.

25. Avon and Somerset Constabulary Advice

Avon and Somerset Constabulary operates the Secured by Design initiative. This is an ACPO and Home Office scheme, which promotes the inclusion of architectural crime prevention measures into new projects. I would suggest that consideration should be given to applying for Secured by Design (SBD) certification as this would ensure minimum standards of physical security. Implementing Secured by Design has proved to reduce the number of burglaries where it has been implemented. Further information on the Secured by Design initiative which includes both residential and commercial developments may be found at www.securedbydesign.com.

Once a development has been completed, the main opportunity to incorporate crime prevention measures has gone. Careful design needn't cost more if considered from the outset.

Approved Document Q1 of the building regulations 2010 that came into force on October 1st 2015, creates security requirements in relation to windows and doors including those that are easily accessible. Windows and doors must reach the required PAS 24:12 certification and standards as set out in this document. Should the developer apply for SBD then the SBD accreditation would exceed the requirements of Approved document Q.

BACKGROUND PAPERS

| | |
|--|------------------|
| City Centre Projects (Public Art) | 24 October 2016 |
| Air Quality | 25 February 2016 |
| The Coal Authority | 25 February 2016 |
| Contaminated Land Environmental Protection | 3 March 2016 |
| Crime Reduction Unit | 16 February 2016 |
| Natural England | 9 February 2016 |
| Environment Agency (Sustainable Places) | 11 February 2016 |
| Nature Conservation Officer | 15 November 2016 |
| Pollution Control | 14 November 2016 |
| Neighbourhood Partnership Areas | 15 November 2016 |
| Wessex Water | 10 March 2016 |
| Landscape | 15 November 2016 |
| Flood Risk Manager | 22 February 2016 |
| Avon Fire & Rescue Service | 16 February 2016 |
| Transport Development Management | 16 November 2016 |
| Urban Design | 16 November 2016 |
| Arboriculture | 18 November 2016 |

Supporting Documents

1. Former Chocolate Factory Greenbank Road

1. Site location plan
2. Proposed site masterplan

THE RED LINE DEFINES THE LAND TO WHICH THE FULL PLANNING APPLICATION RELATES.
 THIS DRAWING SHALL NOT BE USED TO DEFINE LEGAL BOUNDARIES.
 ALL LEGAL BOUNDARIES SHALL BE CONFIRMED BY THE APPLICANT / LAND OWNERS.

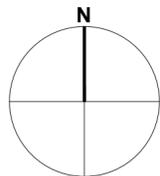
— SITE BOUNDARY



SITE LOCATION PLAN

1 : 1250

0 50 m 100 m



| | | | | |
|---|----------|---------------------------|-----|----|
| 3 | 11.12.15 | ISSUED FOR PLANNING | DTC | DC |
| 2 | 09.12.15 | BOUNDARY LINE UPDATED | DTC | DC |
| 1 | 04.12.15 | ISSUED FOR DRAFT PLANNING | DTC | DC |

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architecture519



The Studio, Candle House, 1 Wharf Approach,
 Granary Wharf, Leeds, LS1 4GH
 E: Leeds@architecture519.com
 W: www.architecture519.com
 T: 0113 213 5656

Client:
GENERATOR (CHOCOLATE FACTORY) LLP

a519 Ref: Project Name:
 2085 ELIZABETH SHAW CHOCOLATE FACTORY, BRISTOL

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| Document Reference: | | | | | | |
| Project | Originator | Zone | Level | Type | Role | Number |
| CF - 519 - S - XX - DR - A - 01001 | | | | | | |
| SITE LOCATION PLAN | | | | | | |
| Status: | Code | Suitability description | | | | |
| Revision: | Code | Revision status | | | | |
| | 3 | PLANNING | | | | |

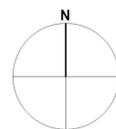
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PROPOSED ILLUSTRATIVE MASTERPLAN

1 : 500



--- SITE BOUNDARY

ALL BOUNDARIES ARE BASED ON INFORMATION SUPPLIED BY OTHERS AND ARE TO BE CONFIRMED ON SITE PRIOR TO DETAILED DESIGN.

ALL PROPOSED LEVELS ARE BASED ON TOPOGRAPHICAL INFORMATION SUPPLIED BY OTHERS AND ARE TO BE CONFIRMED PRIOR TO DETAILED DESIGN.

THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL RELEVANT A519 DRAWINGS. LANDSCAPING IS SHOWN INDICATIVELY AS LANDSCAPE ARCHITECTS DESIGN & DETAILS. ROAD LAYOUT IS SHOWN INDICATIVELY AS HIGHWAYS ENGINEERS DESIGN AND DETAILS. ELEMENTS OF STRUCTURE ARE SHOWN INDICATIVELY AS STRUCTURAL ENGINEERS DESIGN & DETAILS.

| | | | | |
|---|----------|---|-----|-----|
| 9 | 09.11.16 | SITE LAYOUT UPDATED TO ACCOMMODATE BCC COMMENTS PARKING, CYCLE PROVISION, ROAD LAYOUT, PV ARRAY AMONGST THE UPDATES | DTC | AB |
| 8 | 24.08.16 | JUNCTIONS TO EXISTING HIGHWAYS UPDATED IN ACCORDANCE WITH HIGHWAY ENGINEERS INPUT | DTC | DC |
| 7 | 18.08.16 | TERRACE 01, SITE ENTRANCE AND RETAINING STRUCTURE UPDATED IN ACCORDANCE WITH BCC COMMENT | DTC | DC |
| 6 | 06.07.16 | BLOCK A, BLOCK B AND TERRACE 05 FOOTPRINTS UPDATED IN LINE WITH REVISED DESIGN | DC | AB |
| 5 | 30.06.16 | MASTERPLAN UPDATED FOLLOWING CONSULTATION WITH BCC | DC | DTC |
| 4 | 14.12.16 | RED LINE BOUNDARY AMENDED | DTC | DC |
| 3 | 11.12.15 | ISSUED FOR PLANNING | DTC | DC |
| 2 | 08.12.15 | SOLAR PANELS AND SUB-STATION INDICATED | DTC | DC |
| 1 | 03.12.15 | ISSUED FOR DRAFT PLANNING | DTC | DC |

Rev: Date: Description: By: Rvw:

architecture519

The Studio, Candle House, 1 Wharf Approach,
Granary Wharf, Leeds, LS1 4GH
E: Leeds@architecture519.com
W: www.architecture519.com
T: 0113 213 5656

Client:
GENERATOR (CHOCOLATE FACTORY) LLP

Project No: **ELIZABETH SHAW CHOCOLATE FACTORY, BRISTOL, 2085**

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| Status: | Code | Suitability description | | | | |
| Revision: | Code | Revision status | | | | |
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| Created By: | Reviewed By: | Date: | Scale at A1: | | | |
| DL | DTC | 02.12.15 | 1 : 500 | | | |

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