

WARD: Central **CONTACT OFFICER:** Alison Straw
SITE ADDRESS: Old Bristol Royal Infirmary Building Marlborough Street (South Side) City Centre Bristol BS1 3NU

APPLICATION NO: 17/02413/F Full Planning

DETERMINATION DEADLINE: 28 July 2017

Demolition of the existing buildings and redevelopment of the site to provide a part 7, 8 and 9 storey building fronting Marlborough Street, comprising 715 student bedspaces; communal areas and central courtyard; and erection of part 4, 5 and 6 storey building to the rear to accommodate a mix of uses, including office floorspace (Use Class B1) and/or medical school (Use Class D1) equating to 6,860sqm and a small commercial unit; associated access road, landscaping, public realm improvements, undercroft car parking and cycle parking. (MAJOR).

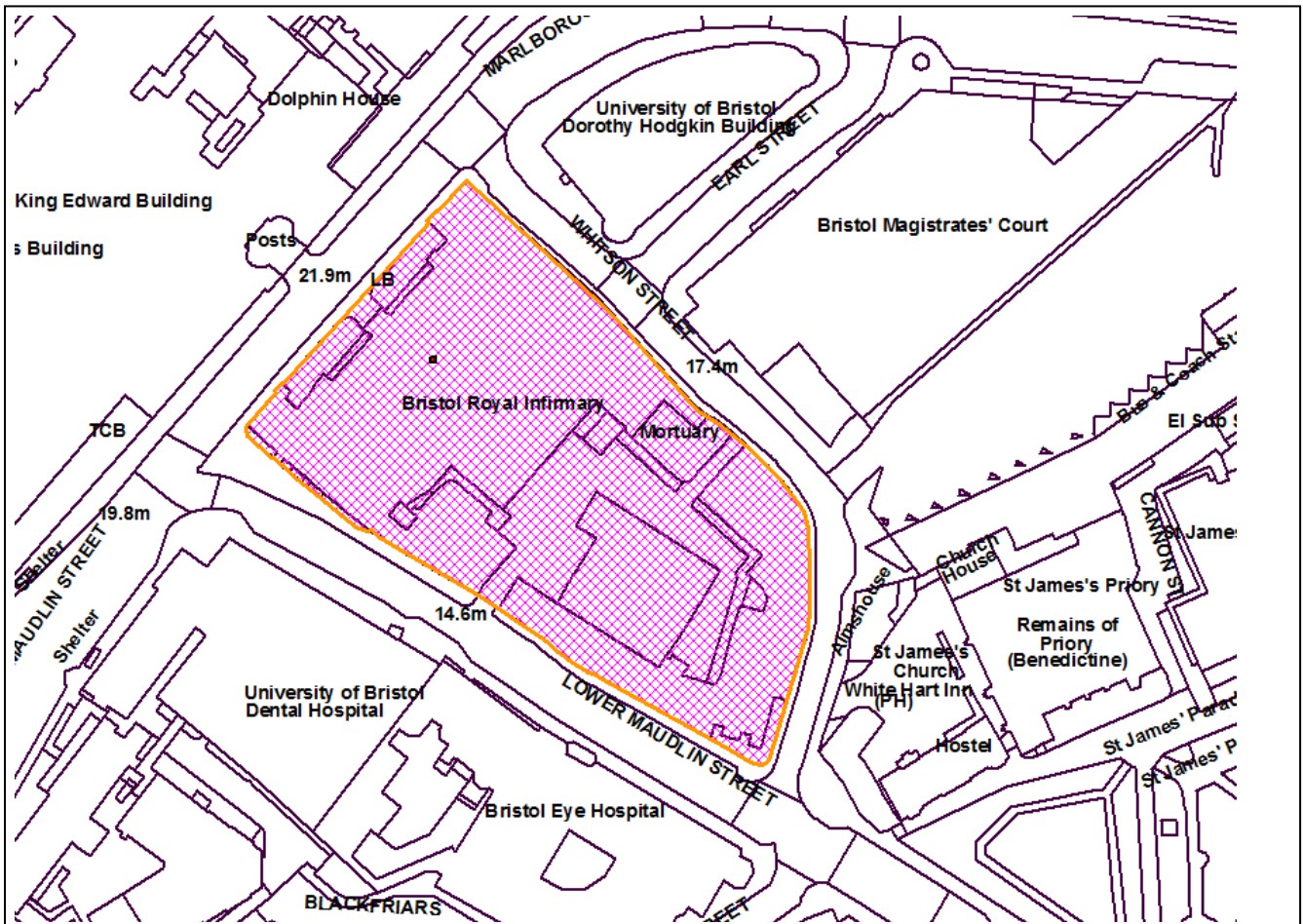
RECOMMENDATION: Refuse

AGENT: RPS CgMs
 7th Floor
 140 London Wall
 London
 EC2Y 5DN

APPLICANT: UNITE Group Plc
 5th Floor
 Swan House
 17-19 Stratford Place
 London W1C 1BQ

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

LOCATION PLAN:



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THE PROCESS

Members will be aware that the development proposals on this site were due to be considered at the Development Control Committee B held on 27th September 2017. Prior to this date, on 25th September 2017, the Hospital chapel, which sits on part of the site, was designated a Grade II listed building. As such a material change of circumstance had occurred which warranted the withdrawal of the report from that committee, given it did not reflect the recent listing and the subsequent weight that is required to be attached to it. The applicants have requested that the listing be reviewed and as such the Public Inquiry, which was due to be held in November 2017, was postponed and put into abeyance pending the outcome of this review. To date there has not been any decision but it is anticipated that Public Inquiry could be re convened either in March or April this year.

As before, the proposals are brought before members in order to ascertain what the decision of the LPA would have been should they have had the jurisdiction to determine the application and should the proposals not be supported, to determine what reasons are to be defended by Officers at the forthcoming Public Inquiry. Other than the listing of the Chapel, there has been no other material change in circumstance and no further information and / or amended plans have been submitted by the applicant since the listing.

In light of the above there are now two potential scenarios which require two separate decisions. The first, Scenario 1, reflects the previous position, before the Chapel was listed and would be relevant should it be de listed as a result of the challenge. The second, Scenario 2 reflects the current situation where the Chapel is and remains a Grade II listed building.

Members will see that the recommended reasons for refusal 1 – 5 are the same for both Scenario 1 and 2, but with regard to Scenario 2 there is an additional reason for refusal which specifically relates to the loss of the Chapel.

SCENARIO 1) THE PROPOSED DEVELOPMENT WHERE THE HOSPITAL CHAPEL IS NOT A GRADE II LISTED BUILDING

In this scenario members are asked to revert to the original report which is attached (updated to reflect the Amendment Sheet at that time).

Officers would also advise that under Section D ii) upon further consideration the impact of the proposals on the setting of the adjacent St James's Parade Conservation Area is now considered to represent a high degree of not substantial harm rather than substantial harm and with regard to Church House, a moderate degree of not substantial harm, rather than a moderate to high degree of not substantial harm. The Conclusion has also been amended to reflect this. Other than those amendments the report remains as it was written in September 2017 and the recommendation remains the same which is as follows:-

RECOMMENDED:

THAT HAD THE LOCAL PLANNING AUTHORITY BEEN IN A POSITION TO DETERMINE THE DEVELOPMENT PROPOSALS IT WOULD HAVE REFUSED THEM ON THE FOLLOWING GROUNDS: -

1) The proposed development by reason of its overall urban design and architectural quality would be unacceptable, failing to respond positively to the existing city centre context and failing to

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preserve the special interest and setting of relevant heritage assets contrary to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990; Sections 7 and 12 of the National Planning Policy Framework (March 2012); Policies BCS21 and BCS22 of the Bristol Core Strategy (June 2011); Policies DM26, DM27, DM28, DM29 and DM31 of the Site Allocations and Development Management Policies (July 2014); and Policy BCAP43 of the Bristol Central Area Plan (March 2015).

2) The proposed development, by reason of siting, fails to provide for adequate road space to make improvements to the local and wider transport network which will have adverse impacts upon the quality and safety of pedestrian and cycle routes around the site; congestion; public health; highway safety and will prejudice the delivery of wider strategic growth within the vicinity and central area. As such the proposals are contrary to advice contained within Section 4 of the National Planning Policy Framework (March 2012); Policies BCS10, BCS13 and BCS21 of the Bristol Core Strategy (June 2011); Policies DM23, DM27 and DM28 of the Site Allocations and Development Management Policies (July 2014) and Policy BCAP30 of the Bristol Central Area Plan (March 2016).

3) The proposals fail to provide adequate footway widths in order to provide for the significant increase in pedestrian movements around the site to the severe detriment of pedestrian safety and accessibility, contrary to guidance contained within Section 4 of the National Planning Policy Framework (March 2012); Policies BCS10, BCS13 and BCS21 of the Bristol Core Strategy (June 2011); Policy DM23, DM27 and DM28 of the Site Allocations and Development Management Policies and Policy BCAP29 and BCAP43 of the Bristol Central Area Plan (March 2016).

4) The proposal fails to provide adequate cycle parking and thereby adequate provision of sustainable travel facilities contrary to guidance contained within Section 4 of the National Planning Policy Framework (March 2012); Policies BCS10 and BCS 13 of the Bristol Core Strategy (June 2011); Policy DM23 of the Site Allocations and Development Management Policies (July 2014) and Policy BCAP29 of the Bristol Central Area Plan (March 2016).

5) In the absence of information to the contrary, the proposed development would result in an unacceptable substantial adverse impact upon air quality in the locality and is therefore contrary to Policy BCS23 of the Bristol Core Strategy (June 2011) and Policy DM33 of the Site Allocations and Development Management Policies (July 2014).

(SCENARIO 2) THE PROPOSED DEVELOPMENT WHERE THE HOSPITAL CHAPEL REMAINS A GRADE II LISTED BUILDING – to be read in conjunction with the original report (Scenario 1) as attached.

In light of the listing of the Hospital Chapel, officers re – consulted a number of statutory and non - statutory bodies and the following further responses, specific to this issue are set out below.

RESPONSE TO RE -CONSULTATION.

Historic England – Strongly Objects to the application, (the full response can be viewed on the website) but the following is particularly relevant:-

“In terms of consideration to be given to the wholesale demolition and loss of a designated heritage asset, this can only be considered under the requirement of paras 132 and 133 of the NPPF. The loss of the entire heritage asset would result in total loss of significance and substantial harm. Substantial harm to or loss of a grade II listed building should be exceptional. Para 133 advises that ‘Where a proposed development will lead to substantial harm to or total loss of significance of a

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designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

In the absence of any further information that demonstrates both ‘clear and convincing justification’ and that the above test has been applied, we would now strongly object to the application as it now stands”.

The Council’s City Design Group (Urban Design; Conservation; Archaeology; Public Art; Landscape)

The summary is as follows, (full details can be viewed on the website):-

The application fails to demonstrate adequate understanding of the heritage context in which it sits. The minimum requirements of the National Planning Policy Framework (NPPF) are not considered to have been met and no assessment of impact, or justification of tangible public benefits has been clearly stated.

The proposed demolition of the former Bristol Royal Infirmary (BRI) chapel represents substantial harm to a Grade II Listed building under the definitions of the NPPF. Additionally the demolition of the attached Locally Listed hospital building is not supported by national or local policy.

The scale, massing, design, and materiality of the proposed buildings on the site will have a negative impact to nationally designated heritage assets surrounding the site and harm their setting and group value. We do not consider that there is satisfactory demonstration of public benefits that can adequately outweigh the significant harm to their special interest.

We are required to place “great weight” on the conservation of heritage assets. This application should be strongly opposed by this Local Authority as failing to conform to national or local policy designed to protect the historic environment including, but not limited to NPPF paragraphs 128, 131, 132 and 137, as well as Bristol City Council policies BCS22, DM26, and DM31.

KEY ISSUE D) WOULD THE PROPOSED DEVELOPMENT PRESERVE THE SPECIAL INTEREST OF DESIGNATED AND LOCAL NON DESIGNATED HERITAGE ASSETS.

ii) The impacts

Demolition of Old BRI Building and Fripp’s Chapel – The application proposes the demolition of the C18th and C19th Old BRI building and the hospital chapel. The listing of the chapel clearly represents a material change in planning circumstance which must be fully considered in the re - assessment of the proposals. The chapel is a significant mid Nineteenth Century building and an early example of Northern – Italian revival style with attractive polychromy facades. It has national significance by virtue of its Grade II Listing designation. Not only does it have architectural and historic interest but the listing description makes clear that part of the building’s significance lies in the group value with the Grade II Listed Eye Hospital, Grade I Listed St James’ Church, and the other Grade II Listed assets to the south; further enhanced by the Locally Listed former Hospital

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building. There are clear visual connections between these buildings that cross through the site as well as other close relationship connections which provide essential context and setting value.

Para 133 of the National Planning Policy Framework (NPPF) 2012 states that “where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset local planning authorities should refuse consent, unless it can be demonstrated that substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss or all of the criteria at para 133 are met (see above in Historic England’s response).

The loss of the entire heritage asset would result in the total loss of significance and substantial harm. No further information has been submitted with the application in order to demonstrate a clear and convincing justification for the loss.

CONCLUSION

The proposals are considered to fall short of the policy aim to achieve high standards of urban design, (to include architectural quality), whilst safeguarding or enhancing the historic environment. For the reasons set out in the report it is considered that the proposals particularly fail to contribute positively to the area’s character and identity, creating or reinforcing local distinctiveness. In so doing the proposals also represent substantial harm to a number of the designated heritage assets, namely the setting of the Grade II listed White Hart Inn and the total loss of the Grade II listed Hospital Chapel and in terms of locally designated heritage assets, the total loss of the BRI old building. The proposals also represent varying degrees of not substantial harm to the setting of other designated heritage assets. There is significant level of objection from amenity groups and third parties on this issue which are well documented in the report.

It is recognised that there are a number of public or other benefits of the scheme, beyond the generic benefits of a city centre mixed use scheme on brownfield land, in that the proposals will address to a degree the undersupply of student accommodation and provide a medical school which the applicant’s state would be linked to the University of Bristol and the Bristol Royal Infirmary. It is however considered that these are not substantial and as such do not outweigh the varying levels of harm, both substantial and not substantial to both the designated and non-designated heritage assets.

In addition to the above and to be weighed in the balance of considerations are the issues raised with regard to the transport and movement, one of which is a principle issue regarding the building line along Marlborough Street and the opportunities lost in terms of the wider highway network and providing a safer environment for all highway users. With regard to the more detailed considerations of footway widths and cycle storage, ultimately this relates back to the design quality of the scheme.

A final outstanding issue is that of the matter of air quality. At the current time the proposals, through the modelling submitted within the Air Quality Assessment, indicate that the development will result in an unacceptable substantial adverse impact upon air quality in the locality. In the absence of any evidence to the contrary (through re modelling) or amendments to the scheme to address this issue, the proposals in this regard are not policy compliant.

In light of the above officers are unable to support the proposals as they stand; the opportunity to address these issues in a collaborative manner is not now available to officers. As such it is recommended that officers defend a refusal of the scheme at the forthcoming Public Inquiry for the reasons set out below.

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1) The proposed development by reason of its overall urban design and architectural quality would be unacceptable, failing to respond positively to the existing city centre context and failing to preserve the special interest (including group value) and setting of relevant heritage assets contrary to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990; Sections 7 and 12 of the National Planning Policy Framework (March 2012); Policies BCS21 and BCS22 of the Bristol Core Strategy (June 2011); Policies DM26, DM27, DM28, DM29 and DM31 of the Site Allocations and Development Management Policies (July 2014); and Policy BCAP43 of the Bristol Central Area Plan (March 2015).

2) The proposed development, by reason of siting, fails to provide for adequate road space to make improvements to the local and wider transport network which will have adverse impacts upon the quality and safety of pedestrian and cycle routes around the site; congestion; public health; highway safety and will prejudice the delivery of wider strategic growth within the vicinity and central area. As such the proposals are contrary to advice contained within Section 4 of the National Planning Policy Framework (March 2012); Policies BCS10, BCS13 and BCS21 of the Bristol Core Strategy (June 2011); Policies DM23, DM27 and DM28 of the Site Allocations and Development Management Policies (July 2014) and Policy BCAP30 of the Bristol Central Area Plan (March 2016).

3) The proposals fail to provide adequate footway widths in order to provide for the significant increase in pedestrian movements around the site to the severe detriment of pedestrian safety and accessibility, contrary to guidance contained within Section 4 of the National Planning Policy Framework (March 2012); Policies BCS10, BCS13 and BCS21 of the Bristol Core Strategy (June 2011); Policy DM23, DM27 and DM28 of the Site Allocations and Development Management Policies and Policy BCAP29 and BCAP43 of the Bristol Central Area Plan (March 2016).

4) The proposal fails to provide adequate cycle parking and thereby adequate provision of sustainable travel facilities contrary to guidance contained within Section 4 of the National Planning Policy Framework (March 2012); Policies BCS10 and BCS 13 of the Bristol Core Strategy (June 2011); Policy DM23 of the Site Allocations and Development Management Policies (July 2014) and Policy BCAP29 of the Bristol Central Area Plan (March 2016).

5) In the absence of information to the contrary, the proposed development would result in an unacceptable substantial adverse impact upon air quality in the locality and is therefore contrary to Policy BCS23 of the Bristol Core Strategy (June 2011) and Policy DM33 of the Site Allocations and Development Management Policies (July 2014).

6) The proposed development would result in the total loss of the Grade II Hospital Chapel resulting in substantial harm. It has not been sufficiently demonstrated that this loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Neither has it been demonstrated that the nature of the chapel prevents all reasonable uses of the site; that no viable use of the chapel can be found in the medium term; that conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible and that the harm or loss is outweighed by the benefit of bringing the site back into use. As such the proposals would be contrary to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990; Section 12, (notably paras 132, 133) of the National Planning Policy Framework (March 2012); Policy BCS22 of the Bristol Core Strategy (June 2011); and Policy DM31 of the Site Allocations and Development Management Policies (July 2014).

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THE PROCESS

This application for the redevelopment of the site is now the subject of an appeal to The Planning Inspectorate (Appeal ref: APP/Z0116/W/17/3181920). The applicants have lodged an appeal (9 August 2017) against the non – determination of the application within the 13-week statutory period, which expired on 28th July 2017 and as such the final decision now rests with the Inspectorate. This scheme was in the process of being assessed by the Local Planning Authority (LPA) and a clear position statement had been set out to the applicant; a limited response was received one day before the appeal was lodged.

The proposals are brought before members in order to ascertain what the decision of the LPA would have been should they have had the jurisdiction to determine the application and, should it be refused, to determine what reasons, if any, are to be defended by Officers at the forthcoming Public Inquiry.

Members will be aware that an earlier scheme on this site (LPA ref: 16/01888/F), which sought to retain the existing buildings and was a greater mass, was refused at the Development Control Committee (B) held on 28th September 2016; the decision was issued 5th October 2016. This was until recently, the subject of a 12 day Public Inquiry (Appeal ref: APP/Z0116/W/17/3168993) to be held in November 2017 and this newly lodged appeal was to be heard at the same time. The applicants have however now withdrawn the first appeal and as such it is only this scheme that will be heard at the Inquiry.

SUMMARY

The application site (0.7 ha) is in the City Centre within an area designated as Hospital Precinct. The site was formerly owned by the hospital Trust but has been acquired by Unite Group Plc. (student accommodation providers), in September 2015. The buildings on the application site are not listed buildings but the Old BRI Building and chapel are 'locally listed'. The site is not within a conservation area but is adjacent to the St James Parade Conservation Area.

The application proposes the demolition of both the Old BRI Building and the chapel with the redevelopment of the site for student accommodation (715 spaces); office floor space (Use Class B1) and / or a medical school (Use Class D1) equating to 6860 sqm of floorspace and a small scale commercial unit, with an associated access road, landscaping and public realm works.

Significant objection from local residents (950 + letters) on grounds which include the loss of the locally listed buildings; the poor architectural quality of the replacement scheme; its massing and scale; the level and quality of the proposed student accommodation in the locality and the need for key worker and affordable housing. Historic England has raised no objection to the proposals; they are broadly content with the impact of the proposals on the highly graded heritage assets. They do however raise real concerns with regard to the architectural quality of the scheme as others have. Significant and comprehensive objections

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from amenity groups such as the Georgian Society; Civic Society; Conservation Advisory Panel and the Christmas Steps Arts Quarter have been received, all of which are set out in full in the report.

Members will see from the report that officers concur with the issues raised by Historic England; amenity groups and third parties in respect of the quality of the replacement scheme and the consequent impact that it has upon the heritage assets of the site and the locality. Whilst it is recognised that there are a number of public benefits, ultimately these are not outweighed by the significant concerns raised. Regrettably it is concluded that the proposed development does not contribute positively towards local character and distinctiveness of the area and fails to take the opportunities available to improve the character and quality of the area and the way it functions; nor does it have due regard to the designated and non designated heritage assets.

In addition to the above, members will see that there is a fundamental objection to the scheme from the Authorities Transport Development Management Team. There is a principle issue with regard to the 'building line' on Marlborough and a number of other significant detailed matters which are key as to how the site will ultimately function. There is also an objection from the Council's Air Quality Officer as the applicant has failed to demonstrate that the air quality impact of the scheme is acceptable.

Notwithstanding the above officers remain clear, as was the case in the earlier scheme now the subject of an appeal, that the principle and amount of student accommodation, which is another key issue raised by third parties, would be acceptable on policy grounds. There is no evidence that it would result in a harmful concentration of such accommodation on grounds of reduced housing choice or harm to the residential amenity of the area.

SITE BACKGROUND

The application relates to a site situated within Bristol City Centre as defined by the Bristol Central Area Plan (BCAP). The site is designated by the BCAP as being within the Hospital Precinct area of the St Michael's neighbourhood. The site was formerly owned by the hospital Trust but has been acquired by Unite Group Plc. (student accommodation providers). The area surrounding the site is mixed in character including hospital buildings, the courts, the bus station, St James Priory, office buildings and a public house.

The application site contains buildings that are not listed- the Old BRI building and chapel are 'locally listed'. The site is not within a conservation area, but immediately adjacent to the St James Parade Conservation Area. The site is in Flood Zone 1 and a Coal Authority Low Risk Area.

Demolition of a number of buildings on the site has taken place under a separate permission and the prior approval for the demolition of the remaining Old BRI building and the chapel is imminent; likely to be granted (17/03964/N) - refer to the Relevant Planning History section below.

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RELEVANT PLANNING HISTORY

Demolition – Prior Notifications

16/03447/N- Prior approval for demolition of the buildings, boundary walls and ancillary structures on the lower half of the site. Approval was given on 25th July 2016. This excluded the old BRI building and the chapel.

17/02572/N – Application for prior notification of proposed demolition of all remaining buildings. Refused on 13th June 2017 given the application did not provide enough information with regard to a number of impacts upon protected species; surface water drainage; site levels and boundary treatment.

17/03964/N – Prior Notification of Proposed Demolition – all remaining buildings. Approval given on 14th September 2017.

Pre Application Enquiries and Planning Applications

15/00872/PREAPP- Pre-application enquiry by hospital Trust for the ‘Redevelopment of site to provide medical school and student residential accommodation’ involving demolition of the existing structures and physical features on the site and the erection of a medical school (approximately 2000 sqm) comprising teaching accommodation and ancillary accommodation; and circa 800-835 bed student residential development and associated support spaces including communal student uses.

15/04110/PREAPP- Pre-application enquiry for the “Redevelopment of site to provide purpose-built student accommodation, medical centre and offices”, involving the demolition of existing buildings (partial retention of boundary walls); a medical school (in partnership with the University of Bristol) circa 2000sqm fronting Whitson Street; a 742 bed student residential development (approx. 89 cluster flats providing 673 bed spaces and 69 studios); new office accommodation (circa 3000sqm) at the junction of Whitson Street and Lower Maudlin Street; retail uses (circa 440sqm) fronting Marlborough Street. Response issued on 6th November 2015.

15/06495/PREAPP- Pre application enquiry for the “Redevelopment of site to provide purpose-built student accommodation (750 bedspaces), a medical school and offices”. Responses were given on the 25th January 2016 and 19th April 2016.

16/01888/F - “Amended proposal Conversion of the Old BRI Hospital building including two upper storey additions and partial demolition to accommodate 6283sqm Office floorspace (Use Class B1) and 4031sqm Medical School (Use Class D1); and part 6, part 7, part 8, part 12, part 14, part 16, and part 20 storey building to the rear for student accommodation (Sui Generis) comprising 738 student bedspaces; communal areas and refurbishment of Fripps Chapel for communal student facility with ground floor commercial use (Use Class A3); associated landscaping, car parking and cycle parking”.

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Refused at Development Control Committee held on 28th September 2016 for the following two reasons:-

- 1. The proposed development by reason of its height, scale, massing, overall design quality and appearance would be unacceptable in design terms and would fail to preserve the special interest and setting of relevant heritage assets contrary to Sections 66 and 72 of the Planning (Listed building and Conservation Areas) Act 1990; Sections 7 and 12 of the National Planning Policy Framework (March 2012); Policies BCS21 and BCS22 of the Bristol Core Strategy (June 2011); Policies DM26, DM27 and DM31 of the Site Allocations and Development Management Policies (July 2014); Policy BCAP43 of the Bristol Central Area Plan (March 2015) and Supplementary Planning Document 1: Tall Buildings (January 2005).*
- 2. The proposed development would have a detrimental impact on the amenity of neighbouring residential properties at St James Priory by reason of its overbearing effect and noise and disturbance impact and would be contrary to Policies BCS21 and BCS23 of the Bristol Core Strategy (June 2011); and Policies DM2 (i), DM27 and DM29 of the Site Allocations and Development Management Policies (July 2014).*

The Notice of Decision was issued on 5th October 2016.

17/00251/PREAPP – Pre application enquiry for the “Redevelopment of the site to provide purpose built student accommodation, medical centre and offices”. The proposals included the demolition of the remaining buildings on the site – namely the Old Bristol Royal Infirmary and Fripp’s Chapel; the redevelopment of the front, north of the site for a new purpose built student block (option 1_G.4) for 714 + bedspaces, including 9% studio flats and a mix of cluster flats with communal areas; bin and cycle storage and 16 undercroft car parking spaces for the proposed offices and medical school; to the rear a new medical school to be utilized by the UH Bristol NHS Foundation Trust (approx. 3,000 sqm) and speculative commercial office space, (approx. 2, 000 sq m); an area of public space / realm to the south in front of the proposed Medical School and offices; the creation of a service / access road through from Lower Maudlin Street to Whitson Street; commercial units fronting Lower Maudlin Street (approx. 297 sqm) as part of the northern block and in the south western corner (135.17 sq m), in part fronting the area of public realm, as part of the southern block. Response provided on 4th April 2017 which concluded that Officers were unable to support the proposals as submitted.

COMMUNITY INVOLVEMENT

Submitted with the application was a Community Involvement Statement (April 2017).

Process: With regard to Community Involvement on this scheme it advises that, given the background the decision was made to “focus activities on key stakeholders, particularly the amenity groups as well as the BUDF and Historic England”. Briefings were also held with local ward / cabinet members and the Councils’ Strategic Director of Place. A Key Stakeholder workshop was held on 22nd February to discuss the current proposals and invite

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feedback. It goes on to explain the further briefings and meetings were held with Historic England; BUDF; Avon and Somerset Police and Central Ward councillors. A project website was also available and kept updated. The Statement provides the feedback, either in a précised version or appended in full as an Appendix.

Outcomes: The Community Involvement Statement advised that “Following the key stakeholder consultation Unite and the project team have continued to refine the proposals with input from Council officers”. Unfortunately it does not set out how the scheme has evolved in response to any of the feedback and so the real outcomes of the process are not fully understood. It is also regretted that the Community Involvement did not involve the wider public who have clearly shown an interest in this submission.

THE APPLICATION

The application proposals comprise the following:-

The demolition of the remaining existing structures on the site; the Old Bristol Royal Infirmary and Fripp’s Chapel.

A total of 715 student bedspaces (96 cluster flats and 92 studio flats within a part 7, 8 and 9 storey building fronting Marlborough Street (perimeter block with a central courtyard). Office floorspace (B1) (4,212 sqm) and / or medical school (D2) (2, 648 sq m) within a part 4, 5 and 6 storey building.

Commercial unit (A1 / A3) at ground floor fronting Whitson Street - 111 sq m.

23 car parking spaces to include 6 disabled spaces for office and medical staff.

457 cycle parking spaces, for office; medical staff, students and visitors in various locations and in various forms.

With regard to the proposed demolition of the remaining buildings on the site, members should be aware that these are not listed or within a conservation area and therefore have no statutory protection from demolition; planning permission is not required for their demolition. Prior approval has now been given for the demolition of all the buildings on the site under two permissions; the first in July 2016 under 16/03447/N and the second more recently under permission 17/03964/N. These “Prior approval” applications are required in such circumstances but may only consider method of demolition and restoration/ aftercare of the site.

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RESPONSE TO PUBLICITY AND CONSULTATION

A site notice and press notice were issued and neighbours consulted by individual letter. The following comments have been received: -

MEMBERS OF THE PUBLIC

The Authority has received a total of 980 objections to the proposals and one response in support, which are précised below: -

a) The letter of **support** relates to the principle of the demolition of the buildings, citing the view that the greying of the walls of the BRI building has created a far less attractive façade than many of the public comments would suggest. This has resulted in an area that is dark and imposing. The buildings height, the narrow road and the local traffic all further perpetuate this. Demolition is agreed.

b) The **974 letters of objection** refer to the following matters:-

(i) Process - It unacceptable for Unite Group plc, or their agent to try and pre-empt the conclusions of the forthcoming Public Inquiry by a further application, or threat (issued in the form of an ultimatum to the Council, dated 9th May) to demolish the buildings of historic and architectural value.

(ii) Loss of the old BRI and Fripps Chapel - Both buildings are fine, unique and valued heritage assets, culturally, socially and architecturally important to Bristol; they are assets of the people of Bristol and they represent an irreplaceable resource.; a heritage led redevelopment is required; there are many other sites that can provide student accommodation without the need to lose this unique piece of Georgian architecture; the destruction of Georgian and Victorian buildings is never looked back on with satisfaction; don't destroy one of the last beautiful buildings on that road to replace it with that square monstrosity; the quality of the PFI's built for them in recent years has been disgraceful, you would be demolishing a sturdy old building in need of a bit of love to replace it with a cardboard box; this fine old building is being sacrificed in such a callous way, disregarding the history and majesty of the building; it is a unique piece of Georgian architecture and should be preserved for future generations; the Old BRI building is the fourth largest hospital in England; too much of Bristol has been turned into faceless characterless monstrosities; the BRI subsequent re modelling are part of that history, the building is of good quality construction and sound structural integrity; they are Bristol landmarks which should be saved for future generations; the Old BRI could be lifted from its dark and unloved frontage into something to be proud of. Let us not repeat the mistakes of the 60's and 70's; Bristol can't keep losing its history; overlooked by important listed buildings and conservation areas, the area would be impoverished by their demolition; part of our history it should be kept for tourist and Bristolians alike to enjoy for years to come.

The proposal to demolish the Chapel is unforgiveable; an alternative viable use should be sought. It is a handsome historic landmark which if it was refurbished could rival The Sugar House or Browns Restaurant as an example of repurposing and regeneration.

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The proposed demolition of these local listed building would fly in the face of the wishes of Bristol City Council and the Conservation Department and also against the wishes of local amenity groups, historical societies and the majority of the wider Bristol residents.

This is Bristol's largest Georgian building, a rare survivor in a city where so many Georgian buildings have been demolished. We cannot afford to lose another, let alone the largest. This wanton, mindless destruction of the historic fabric of our city has been continuous since the 50s, we are in danger of having few historic buildings to hand down to the next generation.

Often historic buildings influence students' choices of university and accommodation. As a significant portion of the building will be marketed as student accommodation, it would be beneficial to the subsequent owners to maintain the original facade. Students are more likely to choose to rent accommodation in the building if it retains its original character. The precinct from the BRI walking up Maudlin Street is already an ugly embarrassment of hospital buildings that have no design element. Please do not waste another opportunity to retain a tiny bit of architectural history for this area.

Conversion of the 18th Century Hospital Building into flats (such has recently been most successfully done at the former General Hospital) is a far preferable scheme which keeps the existing (restored?) building for us all to appreciate and enjoy.

(iii) Setting of Listed Buildings and Conservation Areas

There will be a negative impact upon the setting of the Grade I listed Church of St James (priory) and the Grade II* listed Church House as well as the setting of other Grade II listed buildings - White Hart Inn and the Eye Hospital and the St James Parade Conservation Area.

The Fripp chapel makes a positive contribution to the Whitson Street streetscape.

(iv) Extension of St James Conservation Area

The conservation area should be extended to protect these two much cherished buildings. The 900 + letters of objection demonstrate the strength of community feeling which must carry weight with Bristol City Council and Historic England.

(v) Relationship with St James Priory

The proposals will overshadow James's Priory.

(vi) Daylight and Sunlight

The proposals would cause unacceptable harm to St James Almshouses and Walsingham House.

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(vii) Scale and Massing

The proposals represent overdevelopment of the site; overpowering mass and scale, rising to 9 storeys it would overshadow the entire surrounding area; the massing results in a negative effect on neighbouring listed buildings; the upper Maudlin Street view shows has bad the impact will be; it will make a canyon of Marlborough Street blocking out daylight and increasing the noise level from the traffic as it reverberates between the buildings at this spot (especially braking and starting at the pedestrian crossing).

The nearby 19 storey premier Inn is already totally out of character and dominates the area so should not be used as a precedent, rather a warning.

(viii) Quality of Architecture / Design and Urban Design

The proposed scheme is of a poor design quality and the scheme fails to achieve the standard of expectation for a city of Bristol. It is oversized, characterless, badly designed; future generations deserve a richer environment; the proposal is a vile glass box building that all look the same; no more than vandalism masquerading as development; a scheme with creative vision and historic understanding is required; we need to preserve our beautiful historic city otherwise we will just be a facsimile of a bland city that won't attract tourists; Bristol is becoming a city of concrete boxes with no character.

The building has obviously been designed in complete isolation from its placement and with no consideration for the current building or those surrounding it. If the existing building is so wholly unsuitable for the new purpose proposed, then why cannot at least the facade be preserved? If that is not an option, then why is it that a new building, designed entirely from scratch, cannot pay at least some homage to the history of the site and the city?

(viii) Construction Disruption

The years of disruption during demolition and construction will cause traffic chaos and may delay ambulances and patients going to and from the nearby hospitals. There will also be considerable noise during this work, again in a hospital environment.

(ix) Proposed Uses

Student Accommodation

An overconcentration of students in this area is contrary to policy; the area has reached saturation point; there is a need for affordable housing; housing for the homeless; keyworker housing for medical staff; the redevelopment should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities, adding another 715 student bedspaces is not a balanced community; there will be a loss of the sense of community.

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(x) Quality of Accommodation Provided

Substandard (rabbit hutch) living at its worst and an appalling advertisement for Unite student housing. The actual size and limited space provision in the student units also seems incredibly restrictive with up to 10 sharing a kitchen in some of the groupings, rooms with not much more size than a single bed and tiny work space though on the bedsit spaces the square metre space isn't provided on the drawings.

(xi) Transport Considerations

The access road for this would also seem to interfere on the exit with the adjacent bus station and taxi rank with possible detrimental public transport issues. Private vehicle bus passenger and taxi drop off and collection is important for this public transport hub, the plans will make this more difficult.

St James Priory – “In our opinion this planning application represents a significant movement away from the inappropriate and totally unacceptable previous application that was rejected. The applicant has clearly taken notice of the reasons for the refusal of their initial application. From our Heritage Protection and Vulnerable People's Housing Support perspectives this application is more acceptable but still with some concerns.

The Grade 1 heritage site of St James Priory has been recognised for what it is - a protected historic site which deserves recognition of its special status. The current plan does not overpower the Priory now. Also the movement of buildings in front the Priory and St James House (Almshouses) represents an understanding of the vulnerabilities and needs of the residents of this building who our charity supports and also those residents in Walsingham House. The plans include an open aspect area at the convergence of Whitson Street and Lower Maudlin Street which will create and allow more light and space immediately in front of the Priory and for the residents of St James House.

These changes do come at a price though. In this application - there is a proposal to demolish the locally listed historic buildings - the old BRI building and the Fripps chapel. As supporters of heritage assets these actions would be viewed as regrettable.

Furthermore, while the student accommodation has been moved away from the St James Priory site in the new application we still have concerns regarding the total number of student units required. Another 715 students concentrated in an area already crowded with student accommodation could be problematic. Key worker housing or some form of social housing mix would be more acceptable”.

Councillor Anthony Negus – “The existing building and especially the chapel should be retained and this should have been taken into account when deriving the site value. This was cited as the reason for the heights of the new buildings but these are still excessive with the original buildings demolished and it is clear that permission is being sought for a very high and intensive solution to recover the inflated price paid for the site. Further the proposal for a huge number of student bedsits, in an area where there are already many others, may

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suit the funders and the Universities who leave the provision of housing for their students to the market to provide but it is not good for Bristol that desperately needs more homes for non-students or for Bristol City Council that will have to provide more services to more people who pay no council tax for those services.”

Councillor Paul Smith – “My objection to this development is one of principle and relates to the impact of this project on the wider housing market. Student housing comes with no requirement for affordable housing, either as part of a development or through an offsite contribution. This means that this housing scheme does not contribute to dealing with Bristol's housing crisis. My preference would be for a development which provides a housing mix which assists with our housing challenge. This scheme actually creates more housing stress than it alleviates. The response of the planning officers is that specialist housing should be supported as it reduces the pressure on other housing within the city. They have failed to produce evidence to back this claim up. Clearly if student numbers were static new specialist accommodation of this nature would assist. However, student numbers are rising and the provision of this specialist housing scheme facilitates that growth: as most students only stay in specialist accommodation for their first year, with three years 715 units creates a demand in the wider housing market for 1,400 bedspaces, this would take between 280 and 350 homes out of the general housing market. I would hope that planning committee would reject this application on the basis that the city can no longer accommodate the growth in student numbers and its impact on Bristol's housing market which this application facilitates.

In my view this development contravenes the vision set out in the Core Strategy for a City with sustainable economic and housing growth. It also sits outside policies BS517 and BS518”.

Conservation Advisory Panel - The Panel strongly objects to this application. The revised proposal has reverted to an earlier ambition of the developer to completely clear the site and put up replacement buildings. The current application remains of distinctly poor quality and, once again, would involve the demolition of the two locally listed buildings, whose significance and potential has been rightly emphasised by many others.

It is ironic that now most of the boundary walls and all structures on site have been removed (apart from these two buildings) views into the site allow a better appreciation of the formerly partly concealed chapel. Neither the Old Building nor the chapel should be lost. Their survival should inform any application for this site and the failure of the current proposal to make the most of such heritage assets has emphasised the vacuous nature of the proposed replacement buildings.

The Panel is very concerned about the negative impact of the proposed new structure on adjoining listed buildings and their setting, the St James's Parade Conservation Area and, of course, St James's Priory itself. The excessive, overall height of the new buildings, especially to the southerly part of the site, would be problematic. The architectural context of neighbouring buildings and the broader cityscape would be substantially harmed by the mass and scale of the proposed development.

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Furthermore, the elevations were mere pattern making and without underlying principle. Such modish architectural detailing should be avoided.

The Panel refers to the reasons for refusal of the previous planning application ref 16/01888 which still applied:

The proposed development by reason of its height, scale, massing, overall design quality and appearance would be unacceptable in design terms and would fail to preserve the special interest and setting of relevant heritage assets contrary to Sections 66 and 72 of the Planning (Listed building and Conservation Areas) Act 1990; Sections 7 and 12 of the National Planning Policy Framework (March 2012); Policies BCS21 and BCS22 of the Bristol Core Strategy (June 2011); Policies DM26, DM27 and DM31 of the Site Allocations and Development Management Policies (July 2014); Policy BCAP43 of the Bristol Central Area Plan (March 2015) and Supplementary Planning Document 1: Tall Buildings (January 2005).

The proposed development would have a detrimental impact on the amenity of neighbouring residential properties at St James Priory by reason of its overbearing effect and noise and disturbance impact and would be contrary to Policies BCS21 and BCS23 of the Bristol Core Strategy (June 2011); and Policies DM2 (i), DM27 and DM29 of the Site Allocations and Development Management Policies (July 2014).

Kingsdown Conservation Group – 1st comments. The developer's attempt to defy the intention of the City Council's listing of both buildings is insupportable. Furthermore, it should not be overlooked that the entire site was identified in the Consultation Draft of the St James's Parade Conservation Area Character Appraisal, dated February 2011, to be included in the Conservation Area under a proposed extension of its boundaries as they were declared in October 1982. The Group is unsure why the proposed extension has not been formalised.

2nd comments - Regarding the above application site, various members of Kingsdown Conservation Group (the Group) have participated in the pre-application consultation process, attended presentations and responded to earlier applications submitted by Unite. In view of these events the Group cannot support the current application.

Further to its letter of 6th June 2017 (which is attached below), the formal opinion of Kingsdown Conservation Group remains adamantly opposed to the complete demolition of the Thomas Paty's Old Building and of Samuel Charles Fripp's Chapel.

Despite observations to the contrary (no doubt made in error) in the Officer's Report responding to 17/02572/N, both buildings were added to Bristol's Local List of Valued Buildings (ID No. 225) on 24th September 2015, which the Group understands was before Unite acquired the buildings. That listing represents the implicit wishes of the citizen of Bristol and should be honoured by all. The remarkable number of comments lodged objecting to the demolition proposed in the current application reflects the virtue of the Local List and the considerable affection in which these buildings are held.

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Furthermore, (despite observations to the contrary, no doubt made in error, as mentioned above) reading the published Consultation Draft of the St James's Parade Conservation Area Character Appraisal, dated February 2011, will confirm the proposal to extend the boundaries of the conservation area to include the entire site of the present application. It is accepted that the proposed extension has not yet taken place.

Such matters are dynamic, as are planning law and the public's increasing appreciation of Bristol's historic environment.

It is understood that the Old Building was built and funded by local subscription. It is likely the Chapel was similarly funded.

While it takes imagination to see the potential of the Old Building as it stands, certain elements are conspicuously attractive. The pedimented and gilded entrance on Marlborough Street is charming; the west front is monumental and dramatic, even to the point of being somehow reminiscent of Charles Rennie Macintosh's Glasgow School of Art. Illustrations of its handsome original appearance have been circulated.

Now that the site has been cleared of more recent buildings, the inventively elevated Chapel and its under structure can be seen as a remarkable and unusual building; its polychromatic character leans towards Bristol Byzantine.

To attempt to defy these realities by applying for planning permission to demolish the buildings would require replacement building to be of the highest standard. The current proposals do not begin to approach the standard required to contemplate their loss. Criticism of the superficial, commonplace appearance of the proposed massive building is legion; the flat roofs, which would become part of the cityscape to be seen from Kingsdown and elsewhere, are as offensive as those of any old business park in the flatlands of East Anglia.

Immediately adjacent to the proposed building stands Bristol's oldest surviving church, the Grade I listed St James's Priory, and other listed buildings: The White Hart and those on Lower Maudlin Street. Looming over them the proposed building would all but fill the available land and to a height that hovers around the limit defined by Bristol's Supplementary Planning Document 1. It is obvious that developers should not carry on pulling down Bristol's buildings, save those found on the National Register of Listed Buildings, in order to rebuild to a height determined by SPD 1.

Town planning should not be a box-ticking exercise, solely restrained by legislation; it should be an art: the most public, democratic, elegant and rewarding.

Bristol must not resuscitate the sacking of the Parish of St James undertaken in the post-war years. Kingsdown Conservation Group objects to the application.

Christmas Steps Arts Quarter Introduction - As the site's immediate neighbour, Christmas Steps Arts Quarter's community agrees with Cllr. Anthony Negus and others that the main problem all along with this site has been that that the applicant appears to have overpaid for

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it and is trying to retrieve the situation by over-developing. Bristol would be greatly damaged by the demolition of the two much cherished historic buildings, and the second main objection is to the size of the proposed massive monolithic accommodation for 700+ students which, we have consistently maintained, is about double the mass that the site can comfortably hold.

Proposed Demolition of the Georgian 1792 Old BRI and Fripp's Chapel. - Throughout, we have objected to both historic buildings being demolished because they are both fine, unique and valued heritage assets to Bristol. The Old B.R.I. is the fourth-oldest hospital in the England. The pair is on a site overlooked by important listed buildings and conservation areas which would be impoverished by their demolition. The proposed demolition of these locally listed buildings would fly in the face of the wishes of Bristol City Council and the Conservation Department and also against the wishes of the local amenity groups, historical societies and the majority of the wider Bristol residents.

Without prejudice to the widespread campaign to save two historic buildings - In the very regrettable event that the above campaign fails, then we comment on the proposed scheme to redevelop the entire site:

Building Line - The one and only benefit of losing the old BRI is the opportunity to push back the facade's existing building line to align with the neighbouring Dorothy Hodgkin Building (left) and Dental Hospital (right): (plan emailed to the planning case officer).

The benefits would be to:

1. Lessen the claustrophobic "Canyon" effect with the equally tall King Edward VII opposite.
2. Remove the narrow traffic "Pinch Point" on the highway. Either side, Marlborough Street is four lanes, but at the pinch point it squeezes down to only three lanes which interferes with smooth running of the Outer Scope Route.
3. Allow a broader pavement along the front of the new complex.
4. Allow safer traffic visibility by removing protruding mass on the inside of a busy curve.

The planning case officer has already written to us "Your comments do align with the thoughts of my highway colleagues. This needs to be broached with the applicants at an early stage". Despite this, the proposed footprint still shows a protruding facade, and the visuals still show a pinch-point with only three lanes of traffic.

Quality of Design of the new Buildings - The overall design of the proposals look bland 'Any city, anywhere' and later could appear dated and worn. We look for high quality and a distinctive inspirational (Gherkin or the Ark or the Shard) 'Timeless' quality. With others, we called for a distinctive main entrance, but this has also gone unheeded.

Distribution of Uses within the Complex - For the city's pride, we suggested that it would be better to put the Medical School prominently fronting Marlborough Street, linking it in with the

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BRI and the adjacent landmark medical buildings. Also, the connecting tunnel to the B.R.I. could then be used.

Mass, Scale and Height - Unite's previous planning application received almost 100 objections, all saying with one voice that it was far too big for the site. That Unite no longer needs to include their Headquarters in the complex reduces the proposed mass and height somewhat.

Nevertheless, our membership feels that the site can only comfortably accommodate about half of the proposed mass of student accommodation.

Student Numbers - Unite have virtually ignored the torrent of previous objections to the number of students beds. Bristol City council's own policy states "Specialist student housing schemes that contribute to the diversity of uses within the local area will be acceptable within the Bristol City Centre unless it would create or contribute to a harmful concentration of specialist student housing within any given area." The surrounding area contains about 2000 student beds and is already becoming a "Harmful concentration" of students. Growing armies of them are causing considerable nuisance and disturbance to our residents as they noisily pass through the Christmas Steps Arts Quarter on their way to and from the city's nightlife around Park Street and Whiteladies' Road.

Unite's proposed reduction from 738 to 715 is only a token gesture. These scores of objectors might be more inclined to support the *scheme* if the students were to be significantly reduced by about half.

Growing resistance to student monoculture instead of housing / mixed uses. In addition to the above objections to the demolition of the historic buildings and to the design of the proposed replacement buildings, there is another rising groundswell of opinion which does not wish for any more student accommodation around the city *centre*, preferring to see affordable housing or key workers' flats created to retain a mixed and balanced community. Two champions of this view are our Association's Dr Charles Stirling (his article and his comments emailed to the planning case officer) and our Ward Councillor Paul Smith.

Bristol has an acute housing crisis and the provision of student housing is helping the university expand its numbers and see more homes being passed over to student accommodation. As almost all students only stay in purpose built blocks for one year 715 homes will create a need for 1,400 homes around Bristol in the *following* two years. Student housing is also exempt from making a contribution to affordable housing, unlike other housing developments and student housing is also exempt from council tax. Student exemptions currently cost Bristol City Council £9.5m per year in lost income, a growing student population means more cuts to council services.

Ever rising opposition to Unite's proposals - Unite's previous planning application 16/01888/F proposing a massive 738 bedrooms was met with almost 100 objections from associations, societies and the community, and it was refused. Their current application 17/02413/F proposes a token reduction from 738 to 715 bedrooms. To date, 328 objections have already been submitted on the planners' website. This indicates that *far* from being

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appealed, the community is becoming ever more opposed to the loss of the historic buildings and to the massive over-development of this key site. We trust that the Planning authority will take full account of Bristol's overwhelming flood of objections and will steadfastly refuse this universally unpopular application.

Civic Society - Introduction - The Society regrets Unite's commercial decision to demolish and not to reuse and restore the historic hospital Old Building. The interested public will strongly regret the loss of these locally *listed* buildings of merit. The public believes that the Old Building and Frith's mortuary chapel are listed and have statutory protection. Unite's insistence on the density of development created a scheme (16/01888/F) whose height and mass the Development Management Committee rejected.

Change of use - The Society supports mixed uses. The proposed mass of new building concerns the Society. In its *pre-planning* application response to 16/01888/F the Society said:

"A multi-storey, multi-block site built to the back of the pavement would change the character of the area. The Society submits that an 830 (now 715) student bed scheme would not produce a balanced and sustainable development. The proposal conflicts with Policy BCS21 – Quality Urban Design. The inclusion of a small medical school does not compensate for the overlarge mass of student accommodation. This large and important city centre site merits uses that are more inventive. The inclusion of ordinary flatted accommodation would dilute the mass of student accommodation and be a modest improvement."

Height and mass - The Society recognises that the heights and mass of the current scheme broadly *meets* the reasons given by the Planning Committee for refusal of the 2016 planning application, which were that, *"The development's height, scale, massing, overall design quality and appearance would be unacceptable, and would fail to preserve the special interest and setting of relevant Heritage assets"*. And that the scheme *"would have a detrimental impact on the amenity of neighbouring residential properties overbearing effect and noise and disturbance impact"*. The removal of the medical school and offices on the lower part of the site attends to the concerns of Historic England about the impact on the Grade I listed St. James Priory as well as the need for a secluded sanctuary for those recovering from addiction. The Council must decide whether the introduction of 715 more students in an area with a substantial existing student density would *"Promote diversity and choice through the delivery of a balanced mix of compatible buildings and uses. And, create buildings and spaces that are adaptable to changing social, technological, economic and environmental conditions."*

Design – accommodation units - Policy requires development to create buildings and spaces that are adaptable to changing social, technological, economic and environmental conditions. It is necessary for bespoke student development to be adaptable to other uses both outside of term dates and in the event of a fall in demand for student accommodation. To ensure that purpose built student housing can be easily converted into residential accommodation in the event of a fall in the student accommodation market it necessary for the rooms in student flats to comply with the Council's residential space standards.

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Design – street elevations - If Unite demolish the Old Building planning policy requires that the architecture of the replacement building needs to be of the highest quality. This is a critical and prestigious site. Quality urban design has a key role to play in place shaping and enhancing the city's positive features. Through quality urban design, development can help to create distinctive, linked, sustainable places that support social inclusion and community cohesion, which engenders a sense of ownership and belonging. By adopting Policy BCS21 the City announced its ambition to raise design standards. The Society is particularly concerned about the Marlborough Street elevation. The development must deliver a high quality urban design that reflects the surrounding architectural context, which has a strong civic character.

Does the new building contribute positively to the area's character and identity, creating or reinforcing local distinctiveness?

The Old Building, although spoiled by removable alterations, is a dignified design that contributes to the area's strong civic character. The Old Building is articulated into a central block with recessed bays that link the projecting wings to the centre. The horizontal hierarchy of the floors completes the Old Building's visual logic. To design a replacement building that houses mass student accommodation and which achieves the same quality of design as the Old Building is a difficult commission. The nature of student accommodation tends to produce rows of standard windows set in an elevation without a horizontal hierarchy. To achieve a design that contributes positively to the area's civic character and identity requires a high degree of architectural creativeness. Unfortunately, this design fails to achieve the necessary standard, it does not satisfy the quality that policy BCS21 demands.

Among other matters, these are examples of the design's shortcomings.

(i) The new building stands forward, almost in continuous line, to the back of the pavement. This narrows Marlborough Street and loses the interest created by the recession of the shallow courtyards in front of the Old Building. The Society supports the slightly wider pavement along the Marlborough Street frontage that the scheme would deliver.

(ii) The design is a typical frame and clad solution. The design attempts to articulate the elevations with some 'facade dressing' that includes some seven materials. The student block elevations on Marlborough Street, Lower Maudlin Street and Whitsun Street have oversized superimposed elements that fail to break down the mass or relieve the monotonous rows of small windows. It is appreciated that fenestration of student accommodation has to accommodate the inevitable pairing of identical windows. There is some attempt here, but such treatment needs to be more robust and consistent.

(iii) There are too many arbitrary changes of form and material. These attempts to break down the scale are superficial. There is no relationship between the plan and these variations. They increase the visual complexity in ways that damage the overall impact, increase the feeling of bulk and do not contribute to coherent streetscapes. For example, the change of material and form on the NE corner is apparently introduced to give "emphasis" in

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the urban context, but for no clear reason. The “projected window surrounds” are extremely weak features of no architectural quality – their arbitrary nature highlighted by the random use of yellow ones.

(iv) The plan layout of the student blocks is unsatisfactory, with three parallel corridors creating a poor experience for the occupants and adding to the width of the blocks. There is no consistent grouping of rooms, or placing of kitchens.

(v) The double access doors are insignificant for the size of the proposed building. The massing and exterior articulation fails to indicate the entrances. A new building that is to be home to more than 700 should present an impressive and distinctive entrance onto Marlborough Street.

(vi) The roof form is unsatisfactory, is fashionably derived from King's Cross but in this context, contributes nothing to the city skyline.

This is one of the city's most prominent sites; thousands pass it every day. The site deserves a building that is equal to or better than the degraded but restorable Old Building. In place of a popular land mark building the applicant proposes an unambitious commercial design that fails to enhance or preserve the civic character of the area or contribute to local identity. This building would not say ‘you have arrived in Bristol’, it could be in a business park anywhere. If Unite propose to demolish the Old Building the large prominent replacement building must have true architectural merit. It should be a landmark building; a building of which Bristol can be proud.

The same remarks apply, mutatis mutandis to the contrast between Frith's Chapel and its proposed replacement in Whitsun Street.

Conclusion - The Society supports the redevelopment of the site to make more efficient use of land in a sustainable location but is disappointed that the scheme falls short of the architectural quality expected for this prominent city centre civic site. The proposed development is unacceptable because of its failure to create and reinforce local distinctiveness. The massing, shape and form as well as skyline/roofline proposed are unsympathetic and fail to present a visually organised scheme that is well-proportioned and provides visual interest. The scheme is bland and overly bulky in its architectural arrangement.

This proposal should be considered as a test of policy BCS21 that demands that new development in Bristol should deliver high quality urban design. This proposal is an example of ‘value’ architecture that produces bland uninspiring buildings. It would be inappropriate to permit standard commercial architecture to replace a much appreciated, historic building in a prominent part of the centre of the city. This proposal has attracted a massive public response to support the reuse of the historic hospital building. Unless the Council refuses this planning application because it fails to meet the new policy standards, Bristol's inner-city vernacular will become a self-fulfilling context of industrial materials and anonymous

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architecture. The quality of the design must stand the test of time. This site demands a building of greater architectural imagination and ambition.

Bristol Urban Design Forum – The applicants submitted one of the last iterations of their scheme to the BUDF in April 2017, prior to the submission of this application. The comments in relation to that submission can be viewed in full online, but the conclusions are set out below: -

“We considered that the location of the Medical School in a purpose-built structure on Whitson Street provided an opportunity to create a more sympathetic response to the scale of the adjacent buildings and provide a meaningful open space in an area with a high level of pedestrian traffic. We also supported the argument that the function will provide less disturbance to the adjacent residents.

However the orthogonal design of this element and of the adjoining blocks appeared schematic and made no concession to the existing urban grain; you provided studies showing more radical alignments, however we considered that this required a subtler response. The entrances at either end of the building also reinforced the symmetrical nature of the design, although it should be possible to address this and introduce some animation to the open space by relocating the south-western entrance to the south-east frontage. There may also be elements of the brief of this specialist building that generate a more appropriate form, expressing its function as a Medical School and create a more sensitive relationship to the existing urban grain.

In developing the design, we also urged you to look in more detail at the alignment of the access route between the two parts of the development relative to the adjacent buildings, including the entrance to the Eye Hospital. In general, although you provided an excellent model and comprehensive verified views, a proper character appraisal would not only have assisted the Panel but also helped to inform your own design development.

The designation of this route through the site was unclear; while we recognised the need to accommodate deliveries, we strongly urged that this be treated as an integral part of the public realm and exploited to increase the permeability of the site for the public. In general we suggested that there was a need to consider all open spaces in and around the site, including the highway, as an entity and encouraged you to work together with a landscape architect and the City Design Group to improve the experience of Lower Maudlin Street and Whitson Street, both of which suffered from cramped footpath, poor surfaces and inadequate provision for cyclists. Here the active use of the ground floor and the relationship to the pedestrian activities will be fundamental to the improvement of the immediate area.

We noted your intention to collaborate with an artist on the design and while we support this in principle, the proposed strategy of applying artwork to the elevations, which are already somewhat elaborate, is more appropriate to recent installations on un-loved post-war buildings in the city. You could perhaps consider integrating this with the external works and landscape design, where installations could make a more direct contribution to the experience of the users and the public.

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The review was able to touch only briefly on the sustainability strategy of your proposals and suggested that your ambitions were supported by a comprehensive approach that included the landscape design and which might include a 'greening of roofs' and exploitation of the southerly aspect of the site for passive energy. In this respect we also questioned the decision to glaze fully the south-east elevation of the Medical School and place more limited openings on the opposite side. The strategy illustrated in your precedent studies of employing vertical solar screening on a predominantly south facing aspect did not appear totally convincing. We would in any event expect any application of this nature to be fully supported by a comprehensive environmental strategy that covers all these issues and provides a rationale for the face design.

Given the time dedicated to the fundamental urban design issues, our discussion touched only briefly on the elevational treatment. If, as you propose, the main part of the historic building is to be demolished, its replacement on Upper Maudlin Street should be a building of similar 'gravitas', possibly incorporating salvaged stone at lower level and perhaps ordered with a degree of symmetry. This frontage could then be differentiated from the elevations on the side frontages. Here you also proposed a highly-patterned treatment to flank elevations of the Medical School, which appear to have little relationship to the remainder of the development or its neighbours. We suggested that a more rigorous and simpler approach be adopted to the elevational design and that greater consideration should be given to the oblique views along Lower Maudlin Street and Whitson Street, where the 'true elevation' will not be visible.

On balance the Panel concluded that significant improvements in the quality of the urban realm and the amenity of those using the buildings and their surroundings were material considerations in support of your strategy. This conclusion was arrived at only on the assumption that you are able to establish that the proposed density of development and usage are integral to the financial viability of the scheme. Our comments were also made without a more detailed response from Historic England regarding the retention of the old Royal Infirmary. We noted that you originally proposed to refurbish the Mortuary Chapel 'for communal student facility with ground floor commercial use'; and suggested that irrespective of the decision to demolish, this element of the building should be retained for such a purpose.

Any development of this size demands a sensitive response that takes account of the character and the grain of the city but in such a case, where it is proposed to demolish an historic asset, there should be a presumption of a higher standard. In such cases design cannot be driven solely by commercial imperatives; your very comprehensive presentation demonstrated that you are on a journey in your understanding of the site and its constraints and in balancing the potential conflicting demands of commerce and urban design; the Panel would be pleased to review the scheme again in its subsequent development".

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OTHER COMMENTS

Historic England – No objection to the application on heritage grounds.

“Although the loss of the locally listed buildings on site is regrettable, the impact on the setting of the highly graded assets previously listed has been greatly reduced. There will be some impact on the setting of those assets, by virtue of the greater scale of the proposals than those that previously existed on the site, but overall we are broadly content that the impacts have been greatly reduced.

Although the amendments have largely addressed our concerns, in urban design terms scale may still be an issue. Given the proposed loss of the locally listed building, we have real concerns about the architectural quality of the scheme; particularly to Marlborough Street where the proposals appear to lack the articulation, design quality and character of the existing building. Any proposal should be a positive enhancement of this important/prominent piece of streetscape”.

The Council’s City Design Group (Urban Design; Conservation; Archaeology; Public Art; Landscape) have raised serious concerns with regard to the application – refer to Key Issues C and D.

The Council’s Transport Development Management Team – raise objections to the proposals and recommend refusal - refer to Key Issue F.

Sustainability Team – No objections subject to conditions.

Pollution Control – No objections subject to conditions re sound insulation and the requirement for a construction management plan.

Land Contamination – No objections subject to conditions.

Air Quality Team - Raise objection to the proposals given that the applicant has failed to show that the air quality impact of the scheme is acceptable in relation to Core Strategy policy BCS23 – refer to Key Issue H.

Avon and Somerset Constabulary - no objections, albeit would suggest that consideration be given to applying the Secure by Design certification.

Wessex Water – No objections in principle.

First Group (Bus) - “Imperative to the flow of the bus station we would like to stress the importance of keeping Whitsun Street open as much as possible and keep any required closures to an overnight basis. As you may be aware daily closures would have a signification impact upon service delivery and passenger journeys”.

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RELEVANT POLICIES

National Planning Policy Framework – March 2012

Bristol Core Strategy (Adopted June 2011)

BCS2 Bristol City Centre
BCS5 Housing Provision
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
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
DM2 Residential sub-divisions, shared and specialist housing
DM4 Wheelchair accessible housing
DM5 Protection of community facilities
DM7 Town centre uses
DM10 Food and drink uses and the evening economy
DM14 The health impacts of development
DM15 Green infrastructure provision
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
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

Bristol Central Area Plan (Adopted March 2015)

BCAP1 Mixed-use development in Bristol City Centre
BCAP3 Family sized homes

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BCAP4 Specialist student housing in Bristol City Centre
BCAP6 Delivery of employment space
BCAP11 University and hospital development
BCAP15 Small scale retail developments and other related uses in Bristol City Centre
BCAP20 Sustainable design standards
BCAP21 Connection to heat networks
BCAP26 Old City - reducing traffic in the heart of Bristol City Centre
BCAP29 Car and cycle parking
BCAP30 Pedestrian routes
BCAP31 Active ground floor uses and active frontages in Bristol City Centre
BCAP34 Coordinating major development in Bristol City Centre
BCAP36 Bristol shopping quarter
BCAP43 The approach to St Michaels

Supplementary Planning Documents

SPD1 Tall Buildings (January 2005)
SPD5 Sustainable Design and Construction (February 2006)
SPD7 Archaeology and Development (March 2006)
Planning Obligations - Supplementary Planning Document - Adopted 27 Sept 2012

Supplementary Planning Guidance

Kingsdown Conservation Area Character Appraisal
St James Parade Conservation Area Character Appraisal
St Michaels Hill & Christmas Steps Conservation Area Character Appraisal
GPA 2- Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015)
GPA 3- The Setting of Heritage Assets (Historic England, 2015)
City Centre and Public Realm Movement Framework - emerging
City Centre Movement Strategy - draft

Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990
The Town and Country Planning Act 1990
Planning and Compulsory Purchase Act 2004

Equalities Impact Assessment

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

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KEY ISSUES

(A) EXISTING AND PROPOSED LAND USES

i) Existing land use

The National Planning Policy Framework (NPPF) advises that: “Local Planning Authorities (LPAs) should work with public health leads and health organisations to understand and take account of the health status and needs of the local population (such as for sports, recreation and places of worship), including expected future changes, and any information about relevant barriers to improving health and well-being.” (paragraph 171).

The site is located within the area designated as Hospital Precinct in the Bristol Central Area Plan (BCAP), which is to “*be developed for healthcare and ancillary uses associated with the University Hospitals Bristol Trust.*” (Policy BCAP11 refers). Local Policy BCS2, provides for the continuing consolidation and expansion of the BRI site, reflecting the contribution it has to the economy and mix of uses in the city centre. It does not allow development which would impede such consolidation and expansion of the hospital facilities within the precinct.

The site was formerly owned by the University Hospitals Bristol NHS Foundation (Trust) (UHBT) but has now been acquired by Unite Students. The Old BRI site was last used by the Trust for ancillary office facilities with some non-clinical services. All services have been moved off the site into new or existing Trust accommodation as a part of a long term rationalisation of the overall UHBT estate, the site having been deemed surplus to requirements through the UHB Trust’s Estate Strategy 2015-2020 and Estate Strategic Plan 2014-2020. This forms part of the wider Bristol Health Services Plan, a major capital programme that seeks to replace old accommodation that is redundant and no longer serves adequately modern day healthcare use. The Estate Strategy focuses on removal of ancillary and non-clinical estate provisions such as the Old BRI building site, which could not support modern operational healthcare service and is no longer economically viable due to high maintenance and running costs.

In light of the above the loss of the health facility as expressed in the application is considered acceptable; the proposals will not impede the consolidation and expansion of hospital facilities. The provision of a medical school (2,648 square metres) would fall within the definition of ‘healthcare and ancillary uses’ and continues the link / relationship of this site with both the hospital and university.

ii) Proposed land uses

The proposed uses have been previously accepted on this site given the earlier scheme which was refused on design and amenity grounds only (16/01888/F). Notwithstanding this, in brief the following is advised:-

The application is for a mixed use, (predominantly residential), scheme on the site in accordance with Policy BCAP1 which seeks mixed use schemes in the City Centre, and in

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St Michael's 'neighbourhood' (as designated in the BCAP) predominantly residential development given the low flood risk.

Medical School - A medical school linked with the University of Bristol is proposed to be accommodated within the lower buildings which would fall within the definition of 'healthcare and ancillary uses' permitted by Policy BCAP11. This use ensures that part of the site continues to operate for hospital services, consolidating as the applicants state, "links to the site for both the University of Bristol +and the Bristol Royal Infirmary". Given that the application states that the proposals are for office and /or medical school, it is considered necessary that any permission has attached to it a condition which secures the medical school in order to comply with policy.

Offices - Policy BCAP6 seeks the delivery of new employment floorspace in the City Centre on all sites in the BCAP boundary unless designated for other uses. Specifically, policy (BCS2 & BCS8) seeks the provision of 150,000sqm net additional high quality office floorspace by 2026 in the city centre. Clearly this has to be balanced against the Hospital Precinct designation and thus the proportion justified. The application proposal is for 4, 212 square metres of office space, which is considered an acceptable use.

Ground floor commercial use (A3) - A small scale unit of 111sqm floorspace is proposed fronting Whitson Street. Policy BCAP15 states that new small-scale retail uses (Use Classes A2-A5) outside of *designated* shopping frontages/ areas in the City Centre would be acceptable where they would contribute to the vitality of the area. The unit would contribute to the activity and vitality of this ground floor frontage.

Food and drink uses are acceptable provided they would not harm the character, residential amenity or public *safety* of the area taking into account concentration of other similar uses, impact of noise, activity, fumes/ smells, litter; transport considerations, refuse storage and flues. The proposals are deemed acceptable in relation to these criteria, subject to appropriate conditions to control matters including opening hours, servicing, extraction equipment, plant noise levels and odour.

Purpose built student accommodation (PBSA) - Policy BCS2 states that development up to 2026 will include the provision of 7400 new homes. Student accommodation contributes towards citywide housing delivery targets in accordance with national guidance (the NPPG) on the basis of the number of cluster units and studio flats proposed, in this case 715 student bedspaces comprising 96 cluster flats and 92 studio flats.

The applicants have submitted a Student Accommodation Supply and Demand Analysis (April 2017), which clearly explains that there is currently a significant demand for and undersupply of purpose built student accommodation (PBSA) in the city. This supports the LPA's pre-existing understanding of this situation through discussions with higher education establishments.

The report indicates that there are currently over 41,000 full time students in Bristol and this is set to reach over 44,000 by 2017/18. Of these some 21,000 currently and up to 23, 000 students in the future are without access to purpose-built student accommodation which

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does not compare favourably to other regional cities. These figures are said to be on the conservative side given that the projection does not include the anticipated growth of the University of Bristol at Temple Meads. The student numbers at the University of the West of England are projected to be more stable.

The report identifies a number of other benefits that the provision of PBSA will bring. Given the majority of students who do not live in a PBSA live in Houses in Multiple Occupation (HMOs) the further provision will free up housing stock for young people and families; for every 1,000 students in HMOs this takes around 200 homes out of the local housing supply. More specifically the location is well placed to serve both Universities being adjacent to the University campus and near to the bus network up to UWE; will be a managed and safe environment and bring greater spending power to the area.

The principle of student accommodation in this location is considered by your officers to be acceptable as contributing to the housing supply and meeting a clear demand for purpose built student accommodation in the city subject to consideration of detailed policy requirements (see below). Furthermore, beyond their contribution to the city's higher education establishments, students bring considerable economic benefits to the city through support of existing services. As such the student accommodation is acceptable in principle on the basis of local policy requirements (Policies BCAP4 and DM2) and offers benefits in removing pressure on other housing stock.

(B) TYPE, MIX AND AMOUNT OF HOUSING**i) Type of housing**

Policy BCAP4 of the Bristol Central Area Plan (BCAP) is clear that specialist student housing schemes that contribute to the diversity of uses within the local area will be acceptable in Bristol City Centre unless it would create a harmful concentration of such housing in any given area. Policy DM2 of the SADMP goes on to define, amongst other things, what a 'harmful concentration' might be. It is written out in full below for ease of reference.

DM2 states that specialist student accommodation (and other forms of residential sub-divisions/ conversions/ shared/ specialist housing) "*will not be permitted where:*

i. The development would harm the residential amenity or character of the locality as a result of any of the following:

Levels of activity that cause excessive noise and disturbance to residents; or

Levels of on-street parking that cannot be reasonably accommodated or regulated through parking control measures; or

Cumulative detrimental impact of physical alterations to buildings and structures; or Inadequate storage for recycling/refuse and cycles.

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ii. The development would create or contribute to a harmful concentration of such uses within a locality as a result of any of the following:

Exacerbating existing harmful conditions including those listed at (i) above; or

Reducing the choice of homes in the area by changing the housing mix.

Where development is permitted it must provide a good standard of accommodation by meeting relevant requirements and standards set out in other development plan policies.

Specialist Student Housing – Location Criteria

Specialist student housing schemes will be acceptable within the city centre. Other locations may be suitable subject to the general criteria set out above.”

The application site is situated within a mixed use area and is surrounded by a variety of uses including: the bus station, courts, university buildings, hospital services, offices, public house, residential flats, other PBSA developments, places of worship and temporary residential uses (both short stay and longer stay uses) at St James Priory.

The submitted Student Accommodation Supply and Demand Analysis (April 2017), includes listings of PBSA in the city either provided by both universities, leased by them or purpose-built and directly let. It is apparent that the application proposal if built would be the largest single student accommodation block in the City Centre by a significant margin. The next largest (Marketgate, Unite), accommodates 490 students. Fusion Tower close by to the site (run by Collegiate) accommodates 438 students. The recently completed Orchard Heights on Trenchard Street (also Unite) accommodates 399 students. A map is to be found at the end of the report (page 34) which shows that the nearest PBSA to the site is within 100m of the site in a cluster of 4 sites around Marlborough Street where it meets St James Barton roundabout and Dighton Street/ Cherry Lane. This comprises Blenheim Court (231 beds), Cherry Court (176 beds), King Square Studios (243 beds) and iQ Marlborough Street (361) - a total of 1011 student bedspaces. Another local cluster of units exists around Rupert Street/ Nelson Street around 150-200m away from the site- an area where planning policy has encouraged such uses in recognition of the regeneration benefits these schemes offer. The cluster includes Fusion Tower (438 beds), New Bridewell (499 beds), The Courtrooms (224), Fitzhardinge House (47), Nelson & Drake House (301) - a total of 1509 student bedspaces.

There is therefore a clear pattern of student residences located within the City Centre, as would be expected given that this is the main area of demand close to the UoB and public transport links to UWE. This is concluded to be an appropriate location for student accommodation, away from areas with a predominantly residential character, where they are surrounded by and contribute to a diverse mix of uses and in accordance with Policy BCAP4.

In light of the above the remaining question is whether or not the proposals would result in a harmful concentration of uses based on either demonstrable harm to residential amenity or harm to housing choice.

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While there is not a high residential population immediately surrounding the site, both St James Priory residential accommodation and the hospital facilities are noise sensitive uses. There would be an increase in footfall around the site due to the development, but that would not be anticipated to be a level that would cause unacceptable disturbance to neighbouring occupiers given the location in the city centre with high existing levels of background noise. It is recognised that the nature of the St James Priory site, which faces towards the application site, currently enjoys a degree of separation from the busy character of other parts of the city centre, however any development on this site beyond the previously very low level existing hospital accommodation blocks would have an impact on the relationship with this site and would be likely to result in increased footfall and activity around the site. The creation of an area of public space in this scheme has alleviated this relationship to a certain extent. In addition the site would be managed with a staff presence and security on site 24 hours a day (see submitted Housing Management Plan) to avoid any noise issues or conflict with residential uses. Free on street parking does not exist in this location, and resident/controlled parking exists in neighbouring areas thereby restricting students from bringing cars to the city. In terms of the character and visual appearance of the area, this is highly varied, not residential in character and therefore would be less sensitive to the physical change of development.

The proposals are considered to be in accordance with the other criteria of Policy DM2. The choice of homes in this area would not be reduced but increased as there would be no loss of existing housing stock. The proposal would also improve the prospects of housing stock in other parts of the city (particularly family-sized homes) remaining available for family uses.

ii) Mix of housing

Policy BCS18 of the Core Strategy expects new development to maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. While the proposal is for student housing only, the evidence above sets out how this would contribute to addressing the demand in the city for this type of accommodation and to a degree freeing up the existing housing stock for family homes within the City Centre to which policy BCAP 3 refers.

iii) Amount of housing

Policy BCS20 states that new development will maximise opportunities to re-use previously developed land. Opportunities will be sought to use land more efficiently throughout the city. Imaginative design solutions will be encouraged at all sites to ensure optimum efficiency in the land use is achieved and higher densities of development will be sought in the City Centre.

The density of housing on the site would be 268 dwellings per hectare (capacity divided by hectare - $188/0.7 = 268.6$). Given that the size of each cluster unit is between 3-10 bed spaces, (though with lower levels of communal space)- care should be taken when comparing this figure with market development. In reality it is likely that this would equate to a higher density of market housing. However even so, higher densities of up to 200

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dwelling per hectare (Wapping Wharf) and 150 dwellings per hectare (The Zone, St Phillips) are typical and expected of new development in the City Centre to ensure efficient use of land- Policy BCAP20 refers.

iv) Affordable housing/ Key Worker Housing

Student accommodation is exempt from the local policy seeking affordable housing provision from new residential development as it is recognised that such a requirement may make these schemes unviable and the LPA recognises the strong need for student housing in the City Centre to support Bristol's role as a thriving university city. Purpose built student accommodation provision also alleviates the pressure on the private housing stock elsewhere in the city for conversion to student residences- an issue that the LPA has sought to address through a planning mechanism known as an Article 4 Direction, which requires an application for planning permission for changes of use of homes to houses in multiple occupation (HMOs) in those areas of the city most under pressure.

The question has been raised whether the accommodation should be key worker housing for healthcare workers/ students. While the site is within the Hospital Precinct, this designation applies to healthcare and ancillary uses and does not seek to include healthcare worker housing. There is no policy requirement to require provision of this housing type on the site.

v) Summary

Local planning policies BCAP4 and DM2 are clear that specialist student housing schemes will be acceptable in the City Centre provided that they wouldn't result in a harmful concentration through harm to residential character or reduction in housing choice through changing the housing mix.

There is a clear and serious demand for purpose built student accommodation in the city and policy directs such specialist student housing to the City Centre, which helps to relieve the pressure on the private rental housing stock and offers a sustainable location.

While officers acknowledge the public perception that there is an excess of student housing in the city, they are satisfied that this application has demonstrated that it would:

- Help to address the serious undersupply of student accommodation in the city;
- Make efficient use of previously developed land in the City Centre;
- Be an appropriate location for student accommodation within a mixed use area that is not predominantly residential and is close to the University of Bristol (UoB) campus;
- Be a sustainable location close to local services and facilities and the UoB;
- Would not result in loss of existing housing stock that would reduce the choice of homes in the area and this site would be unlikely to have potential for family-sized housing;
- Not result in harm to residential amenity or the character of the area through noise and disturbance to residents, parking issues, inappropriate structural additions to buildings or inadequate refuse and cycle storage;
- Not result in a harmful concentration of student uses; and

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- Offer significant economic benefits to the city.

Officers are therefore satisfied that the proposals would meet all of the policy tests in this respect and strongly advise Members to support the principle of the proposed use on this basis as was previously the case on the earlier scheme – 16/01888/F.

(C) NEW BUILDING - HEIGHT/ SCALE AND MASSING/ ARCHITECTURAL TREATMENT / URBAN DESIGN CONSIDERATIONS

i) Policy Context

The NPPF and NPPG identify good design as a key aspect of sustainable development and establish the importance of local distinctiveness. Development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, local man-made and natural heritage and culture, while not preventing or discouraging appropriate innovation.

The Bristol Core Strategy contains a number of policies relating to design that require development in the city centre to be of the highest standard in terms of appearance, function, conservation of heritage assets, sustainability and maintaining and enhancing green infrastructure and protecting key views (BCS2). In particular policy BCS21 'Quality Urban Design' requires development to deliver high quality urban design that contributes positively to an area's character and identity, through creating or reinforcing local distinctiveness. Policy DM26 'Local Character and Distinctiveness' further reinforces the importance of local character and distinctiveness; it lists a number of general design principles that contribute towards this.

Also material to assessing the design of the proposal are policies DM27 'Layout and Form' which requires development to have a quality urban design that results in healthy, safe and sustainable places; DM28 'Public Realm' which requires that development creates or contributes to safe, attractive, high quality, inclusive and legible public realm that contributes positively to local character and identity and DM29 'Design of New Buildings' which requires new buildings to be designed to a high standard, setting criteria to assist in achieving this. Overall both local policy and national guidance (section 7 of the NPPF) recognises the importance of good design meaning development will not be permitted where it would be harmful to the local character and distinctiveness.

Finally, the Bristol Central Area Plan (BCAP) contains specific policies relating to this area or 'neighbourhood' within the city centre. Section 8.21-8.24 outlines the importance of considering impacts on views and landmarks in the city centre, particularly in consideration of tall buildings and outlines the relevant policies. The site lies within St Michael's neighbourhood (as identified within the BCAP) where development should protect the area's historic assets and respond strongly to the area's topography through its design; preserving or enhancing local and long distance views respecting the dominance within the townscape and skyline of existing historic landmarks. A flexible approach will be taken to the redevelopment of sites within the university and hospital precincts, although higher standards of urban design will continue to be sought. Regard should be had however to the

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impact of proposed development on the skyline of the city and the historic environment. Opportunities should be taken to improve the public realm and accessibility. The design of new development should take account of the distinctive scale and character of the key historic streets with the neighbourhood.

ii) The Proposals – massing, layout and building design

The site sits on the southern edge the wider hospital precinct. The Old Hospital and associated Fripps Chapel are locally listed buildings that sit within the site. The site is adjacent to the bus station and the grade 1 listed buildings associated with St James Priory. In addition the White Hart public house and the historic building adjacent to the Bristol Eye Hospital on Lower Maudlin Street are grade II listed.

In light of the above policies officers concur with the City Design Group (CDG) comments in that “the design should aim to conform to the prevailing city scale and grain of buildings and in particular respect the setting of St James Church and Priory. The layout of buildings should aim to reinforce the alignment of the existing street frontages characteristic of the proper definition of urban blocks within the city centre.

The quality of new buildings on the site should seek to provide an appropriate response to the city centre context and the prominence of the site. Buildings frontages should establish an appropriate design quality that complement the context and provides wider visual interest within the townscape, particularly at the corners of the site and in response to views along Marlborough Street, Earl Street and lower Maudlin Street. The location of entrances, lobbies, common areas and ancillary street frontage uses should help to further establish activity at ground floor level and help to reinforce an appropriate streetscape. Consideration should be given to the creation of an attractive and varied skyline in response to a number of identified longer and middle-distant views.

The area suffers from limited and unattractive public realm that results in a poor pedestrian environment and significantly reduces the opportunity for walking and cycle movements. This is particularly problematic given the proximity of hospital uses and the bus station which generate high levels of traffic and movement, as well as the role of Marlborough Street as a corridor for through traffic. As such any scheme should seek to provide a significant improvement to the public realm and ensure an improved direct relationship between buildings and public space”.

The application proposes the demolition of all the buildings on the site. The proposed replacement scheme comprises two main elements, the student halls at the **northern end**, which comprises a substantial perimeter block of student flats around an internal courtyard, and at the **southern end** a freestanding ‘pavilion’ building containing the medical school and office arranged around a central atrium.

With regard to the **northern end** the current design for the student hall includes 11 floors of accommodation, with individual building elements rising 9 storeys above the street level taking into consideration the topography and fall of the site. Small elements fall within the

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Tall Building Assessment threshold (SPD1) and this has been assessed using the agreed viewpoints, the same that were used on the earlier scheme (16/01888/F).

The CDG comments on the proposals are as follows: -

“The scheme includes just over 700 student bedspaces, with communal spaces and reception to provide active frontages onto Marlborough Street, with potential for some commercial space fronting Lower Maudlin Street. Whilst the scheme does not currently incorporate any elements or recognition of locally listed building it is felt that there is greater scope to do so. It is noted that the Marlborough Street façade appears to be set back from the existing side wings, but brings the building line forward of the existing recessed front section containing the main entrance portico.

The scheme recognises the scale of the surrounding buildings and does seek to respond to a more desirable scale overall than the previous proposal. An attempt has been made to break up the mass of the student hall, which is treated in a way that seeks to present a group of buildings rather than a single block. The importance of maintaining uses on the ground floor that better respond to the street and seek to provide activity is welcomed, along with the introduction of main entrances into the complex from each of the street frontages i.e. Marlborough Street, Lower Maudlin Street and Whitson Street.

The pre-application comment recognised that broad approach has helped to move toward a suitable scale of buildings, however the scheme should seek to take this further and better emphasise common areas and entrances to better articulate the building and take it further away from the contemporary office or budget hotel vernacular that the current design still evokes. It was considered that this was particularly true onto Whitson Street where the ground floor treatment and entrance are less convincing with regard to creating an attractive and welcoming street frontage. The loss of the chapel on this elevation is particularly regrettable given the apparent lack of visual richness, and the less engaging treatment at the corners of what is described as the ‘central service road’.

The amendments to the pre-application scheme have made an attempt to increase the prominence of the common room areas to better articulate the architecture and relieve the inherent grid of study bedrooms. Whilst this has resulted to some improvements the broad characteristics of the student block as a large uniform building of student study bedrooms is difficult to integrate within the street without a more genuine subdivision of the accommodation into a series of buildings. The setting back of entrances and some of the common rooms e.g. onto Lower Maudlin Street, does tend to underplay these opportunities to add visual interest and articulate the facades. A more dispersed pattern of development into individual buildings would make it possible to retain existing fabric such as the Chapel and better respond to the alignment of the existing street pattern.

The pre-application comment that the Marlborough Street elevation would also benefit from greater articulation and relief to the eight storey horizontal section of building, within which the main entrance to the block is rather lost below the overriding brick treatment, has been responded to by breaking the main brick elevation and removing part of the street colonnade to reveal the entrance through to the central courtyard. The main entrance is still however

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underplayed in the oblique views along the street and the upper floor facade design does relatively little to highlight the location of the way through.

The pre-application comments relating to the plan form being overly orthogonal and should better respond to the alignment of the street, has not been addressed. Changes to the south facing elevation essentially vary and lighten the design treatment of the central block of the facade however relatively little has changed with regard to the concern that the elevation suffers from being a less important public elevation onto the 'central service road'. Whether or not the route acts as a way to service the buildings, given the potential of this space to provide an additional public route it should be designed as a public front. As such this remains a weakness of the current design.

The pre-application points referring to early discussions about responding to the use and potential life of the student hall need to come from the articulation of the distinctive arrangements of the cluster flats and common areas it still to be demonstrated. The suggested use of public art and creative design to establish a more relevant and distinct typology away from the modern office or budget hotel remains a challenge. Whilst the proposal indicates the potential for public art applied to areas of the facade this potential is far from demonstrated in the current proposal as to how this can help to deliver a more responsive design solution.

The overall design approach to the student block ultimately provides a building that aims to break down the scale and mass of the building but struggles to fully deal with the repeated monotony of standardised study bedroom windows by underplaying the potential for using common room clusters, circulation areas and entrances to ultimately break up and articulate the scheme in a way that compensates for the loss of the existing buildings. As it currently stands the Old Hospital and Fripp's Chapel contribute to a greater degree in terms of articulating the corners of the site and proving a more satisfying response to views along streets such as Earl Street.

The ongoing adjustment to this basic approach does not help to resolve a number of broader design concerns related to high density living in the city centre such as responding to the traditional grain of the area, single aspect north facing living accommodation, common areas that are restricted in terms of natural light, and the delivery of usable private amenity spaces in higher density schemes, which should for example make better use of areas such as flat roofs".

With regard to the **southern end** the medical School / offices the CDG are of the view that despite the applicants statement, the building does not positively address the south facing space created by the layout, and given the prominence of this elevation in the broader townscape as well as the sensitive relationship with adjacent listed buildings this remains a significant issue. The CDG state that "the proposed building containing the offices and medical school currently raises concerns in the way that it responds to the shape of the site, and as such potentially creates some awkward spaces onto Lower Maudlin Street and Whitson Street. The layout responds poorly to its context giving the impression that the design has been imported from a less urban setting. Whilst both the scale and layout of the

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building potentially provide a more appropriate response to the area, there is level of refinement and realignment needed, as well as a rethink in terms of the way that the building addresses the public realm. The medical school function of the building should be more explicit within the scheme adding character and distinctiveness to the site. The education use seems to currently be lost within the combined building which seems much more office than prestigious educational facility. The medical school elements should more confidently respond to the adjacent public realm and the building finishes should perhaps incorporate a more distinctive identity to the building, similar in spirit to the Eye Hospital opposite.

The space to the south is a valid approach and responds to lessening the impact of the development onto St James Priory and the White Hart public house. A slight adjustment to the angle of the building in addition to including an active edge and entrance to the medical school would help to provide a more vibrant character and animation of the space. Better incorporating the space with the building will help to provide a more memorable and positive function to the space which currently reads as space left over in the current design.

The 'central service road' to the north of the building has a relationship with the building on the opposite site of Lower Maudlin Street, although again this could be one that has a more positive and definite response by realigning the building to address the Lower Maudlin frontage and making the central space more perpendicular to the listed building, strengthening the vista. Setting back the entrances of the building on the side elevations does offer some level of interest from the street and into the central atrium, although the current design appears to underplay the contribution that the entrances potentially make to the public realm, and does not fully address the opportunity to contribute to longer views from the bus station or from Lewins Mead.

The initial palette of materials provides a mix of contemporary elements alongside reused stone to form a plinth has some merit, although the design should not seek to use the solid plinth material where the building would better serve the public realm by greater transparency and activity. The initial design facing on the 'central service road' appears as a largely blank rear façade which a concern given its likely visual prominence within the street".

iii) Public Realm and Landscape Design

"One benefit of the scheme is the potential contribution of public realm. The intensive use of the site should however seek to maximise the extent of high quality public realm including a more positive approach and consideration of the 'central service road' which can better serve the development that currently indicated. Greater generosity of the pavements onto Marlborough Street, Lower Maudlin Street and Whitson Street should aim at significantly improving the pedestrian environment with greater opportunity for tree planting that is currently indicated.

The space to the south has greater potential than the lawn and tree planting shown on the initial drawings and the general aim should be to integrate a more comprehensive landscape design alongside improved streets and the central cross space.

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Since the pre-application stage there has been a genuine attempt to respond positively to CDG's assessment of the public realm opportunities; the central road has a shared space and small courtyard sitting area that will soften the development somewhat on the Lower Maudlin Street frontage; the Whitson Street frontage displays a landscape scheme incorporating an open plaza, retained lawn, seating steps and tree planting. Street tree planting along Whitson Street and Lower Maudlin Street will soften the impact of built form on these elevations.

The degree to which these proposals successfully respond to the pre application comments, however, is less positive. With regard to the central road, leaving aside the sitting area, the quality of the walking route provided is not high as it passes through little more than a car park. With regard to the public realm on the Whitson Street / Lower Maudlin Street junction, the proposed pedestrian route involves climbing and then descending flights of steps - quite simply, this will not be used as the steps and their proximity to the building frontage will act as a deterrent to the legibility of the route as public access. It should be noted that this route is highlighted as part of primary access route 3 in the Public Realm and Movement Framework. A more simple scheme that pushed the retaining structure back towards the building and kept the public realm at a level with the highway would read better and provide greater accessibility. A more minor issue concerns the street trees. The species selected are unlikely to provide an effective foil to the building massing as they are generally small trees and short lived; larger growing trees are more typical of Bristol's city centre and responds more to the character of the neighbouring St. James Parade Conservation Area".

iv) Public Art

Policy BCS21 states that major developments should deliver high quality design including the delivery of public art. Given the scale of the proposed scheme as well as the use and location there is an expectation that public art will play a significant role in the design of the scheme, helping to articulate the buildings and animate the public realm.

The LPA would expect to see a Public Art Plan / Strategy to be submitted with the application, however the public art report submitted as part of the application is instead a tender document to develop a public art proposal rather than any firm approach at this stage. The appointment of a public art consultant is welcomed and the LPA would encourage the further development of a public art scheme to animate the site and also to help address the identity and articulation of both new buildings and public spaces.

It is preferable that the development of a public art scheme is integral to the further design considerations that are required in terms of the scheme overall, however public art can be secured via an appropriate planning condition should this become necessary.

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**(D) WOULD THE PROPOSED DEVELOPMENT PRESERVE THE SPECIAL INTEREST
OF DESIGNATED AND LOCAL, NON DESIGNATED HERITAGE ASSETS**

i) Policy Context

A 'heritage asset' is defined in the NPPF (Annex 2: Glossary) as: "A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest." 'Significance' is defined (also in Annex 2) as "the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting."

Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (in particular sections 16, 66 and 72) as well as satisfying the relevant policies within the National Planning Policy Framework and the Local Plan.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Authority is also required (under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The case of R (Forge Field Society) v Sevenoaks DC [2014] EWHC 1895 (Admin) ("Forge Field") has made it clear where there is harm to a listed building or a conservation area the decision maker "must give that harm considerable importance and weight." [48].

Section 12 of the national guidance within the National Planning Policy Framework (NPPF) 2012 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with any harm or loss requiring clear and convincing justification. Paragraph 132 of the NPPF states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Further, paragraph 133 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Finally, paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The Setting of a heritage asset is defined within the NPPF (Annex 2) as: "The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative

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contribution to the significance of an asset, and may affect the ability to appreciate that significance or may be neutral.”

In addition, the adopted Bristol Core Strategy 2011, within Local Policy BCS22 of the Bristol Core Strategy (BCS) states that: “Development will safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including historic buildings both nationally and locally listed... and conservation areas.” Policy DM31 of the SADMP requires that “proposals affecting locally important heritage assets should insure they are conserved having regard to their significance and the degree of harm or loss of significance”. It goes on to state that: “Conserving heritage assets: Where a proposal would affect the significance of a heritage asset, including a locally listed heritage asset, or its wider historic setting, the applicant will be expected to:

- i. Demonstrate that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset; and
- ii. Demonstrate that the works proposed are the minimum required to secure the long term use of the asset; and
- iii. Demonstrate how those features of a heritage asset that contribute to its historical, archaeological, social, artistic or architectural interest will be retained; and
- iv. Demonstrate how the local character of the area will be respected.”

The NPPF divides heritage assets into two categories: designated heritage assets and non – designated heritage assets. The heritage assets relevant to this site can be summarised as follows:-

Designated Heritage Assets	Non – designated Heritage Assets
Listed Buildings	
Church of St James, Whitson Street (Grade 1)	Old BRI building and chapel (Local List ref. 225)
Church House, Whitson Street (Grade II*)	King Edward VII Memorial Wing (Local List ref:224)
Churchyard walls and gates (Grade II)	
Listed walls and railings, Whitson St (Grade II)	
The White Hart Inn, Lower Maudlin Street (Grade II)	
Bristol Eye Hospital, Lower Maudlin Street (Grade II)	
7, Bridewell Street, (Grade II)	
Former Fire and Police Stations, Silver Street (Grade II)	
Conservation Areas	
St James Barton - adjacent	
Kingsdown	
St Michaels Hill and Christmas Steps	

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The term non-designated heritage asset is explained by the National Planning Policy Guidance (NPPG) as: “...buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets...”

ii) The Impacts

A Heritage Assessment was submitted with the application with the aim of addressing the heritage issues relating to proposed development and its surrounding environs.

Impact Upon Setting of Adjacent Conservation Area(s)

The Church of St James Priory sits within the St James's Parade Conservation Area, a building of exceptional interest and a focal building within the conservation area; a landmark as such. The applicants are of the view (paragraph 3.7) that the application site “has relatively little contextual connection” with the Church of St James and its attendant group of listed buildings. It is concluded that the proposed demolition and redevelopment will “cause no harm to the significance of the St James's Conservation Area or to the Grade I listed Church of St James Priory or to the grade II* listed Church House.

Officers from the City Design Group (CDG) however disagree with this conclusion and are of the view that the “proposed building is in marked contrast to the character and scale of the St James Parade Conservation Area and fails to respond to its context and as such the proposals represent a high degree of not substantial harm to its setting. Although outside of the Conservation Area it is within its immediate setting. It is not considered to preserve that setting, and the unresponsive design is unlikely to enhance it. There is a close grouping of Listed buildings within the Conservation Area around the intimately scaled parvise (the courtyard) at the west end of Grade I Listed St James Priory church. Whilst the new structures will have only limited impact from within the enclosed area it will be visible to some extent. As part of the setting, that area within which the asset might be enjoyed, it represents an over-dominant massing with elevations immediately facing the assets that are architecturally arbitrary and of an un-contextual materiality. The formation of a new area of public space on the southern corner of the site fails to provide enclosure to the north side of Whitson Street that might better address the intimacy of the parvise and the Listed entrance gates and walls”.

St James Priory

The Grade I Listed church tower and the architecturally significant west front, are a clear landmark when viewed from Lower Maudlin Street. It is considered that the loss of this visual connection, and the consequential harm to the legibility of this asset are considered to pose a moderate to high degree of not substantial harm to its legibility within the urban landscape. New development should seek to enhance and better expose the significance of heritage assets and these proposals fail to address this aspect of policy.

Church House

Church House is a Grade II* Listed building attached to the north aisle of St James's Church. A complex building; its special interest is mainly on extant work of the C17th. It enjoys an intimate location tucked in the north corner of the parvise. Views from the parvise northwards

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will be negatively impacted upon by the proposed development. Presently the chapel of the Old BRI building represents a backdrop to these views, and its loss, and the negative impact of the proposed redevelopment is considered to pose a moderate degree of not-substantial harm.

The White Hart Inn

The White Hart Inn is a Seventeenth Century building of two and two and a half storeys that terminates the west end of the Conservation Area. The applicants accept that the “degree of change will be noticeable, but will be entirely consistent with any city centre situation where a site is being redeveloped near a listed building”. They consider that the proposals will result in a “dramatic improvement” in terms of the surroundings of this listed building and that the “depressing effect of the rear elevation of the Old BRI will be removed and the new surroundings of the listed building will better reveal its significance”. Officers have a contrary view and consider that the proposed building and the intended open space would appear incongruous as the setting of this building and pose a high degree of not-substantial harm to it through poorly considered scale and massing and a generic architectural treatment that lacks local distinctiveness or understanding of context. This negative impact would be particularly harsh when viewed from the south-east when viewing the assets up Lower Maudlin Street with the proposed building volume looming behind it.

The chapel of the Old BRI is now a legible landmark within the setting of the White Hart Inn when viewed from Lower Maudlin Street. The loss of this character building, the design and materiality of the new structures, and the poorly considered open space adjacent to the inn pose substantial harm to its setting.

Lower Maudlin Street

Two grade II Listed buildings on the south side of Lower Maudlin Street, now the Bristol Eye hospital, are an attractive pairing of C18th dwellings with a clear design ambition and quality of materials. The adjacent unlisted C20th structures respond in both scale and materiality to these buildings in a responsive manner. The scale of the proposed dwelling in close proximity on the east side of the street is considered to be over-dominant upon the heritage assets and to pose a moderate to high degree of not-substantial harm to those assets; the applicants consider that this is a “typical juxtaposition of facades such might be found in any inner urban environment and the listed building will be no less significant as a result”. It is also considered that the setting is further harmed by the obstruction of the clear sightline between these buildings and St James’s church tower, the parish within which these houses sat. Whilst the new buildings will be significantly taller than the Listed structures; their location on the opposite side of the road and the denser urban character of this street limit the degree of negative impact. The harm posed is a moderate degree of not substantial harm.

Demolition of Old BRI Building and Fripp’s Chapel - Non – designated Heritage Assets

The application proposes the demolition of the C18th and C19th Old BRI building and chapel, 1858, which are not listed or within a Conservation Area, but are identified on the city’s Local List as being a valued building in heritage terms; of architectural/ aesthetic, historical and communal importance, and are categorised as a non-designated heritage

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asset. The NPPF states that: *“In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”* (paragraphs 135 & 136).

The Bristol Royal Infirmary is one of the earliest hospitals founded in the country outside of London (1736) though the Old Building on the site dates from a later period (1784-1814) by architect Thomas Paty. The chapel was added in 1858-60 by local architect S.C.Fripp. Two applications (one in 2010 and one in 2015) were made to Historic England (formerly English Heritage) that the buildings be listed but both were declined.

The submitted Heritage Statement considers that the Old BRI building “has a degree of local historical interest, but in architectural terms it is relatively uninspiring” the heritage significance/ value of the site as being generally of low or moderate value with the Old Building having high historical and communal value and Fripp’s Chapel as having moderate/ high aesthetic value. It describes The Fripp Chapel as “a small building of relatively little intrinsic architectural and historic interest that might not be considered for local listed if it were not attached to the Old BRI” (paragraph 3.26).

Historic England have previously advised that: “The loss of the locally listed building, including the chapel, conflicts with Bristol City’s Core Strategy Policy BSC22; and as such would entail the loss of a distinctive and locally-valued historic building which contributes to the overall street-scene and Bristol’s wider identity. It will be up to the local planning authority to consider the justification for this and to weigh up the complete loss of significance of this heritage asset.” They continue to in effect leave the issue of the demolition to the Local Planning Authority. It is clear from the high level of objections to the loss of the buildings that both buildings are highly valued within the community and wider area.

It is the view of officers that the design approach to the site involving the complete demolition of the Old Hospital and Fripps Chapel fails to recognise the importance or relevance of the locally listed buildings. The Council’s City Design Group (CDG) have previously and continue to advise that the Old Building has high community and streetscape value, and plays a key role in defining the history and sense of identity to the area, thus disagreeing with the Heritage Assessment. The independent panel considering nominations for local listing has given a good score to the building for its architectural interest and historic importance. It is important to retain the key aspects of the building i.e. original external fabric, the H-form plan, floor slabs and any other notable features that contribute to the significance of the heritage asset. The hospital chapel is a key feature in the streetscape. It is essential that the historic assets on the site are responded to in a positive way, although it is acknowledged that there are a number of ways in which this can be done involving various degrees of retention, adaption and alteration.

It is maintained that there are a number of alternative strategies to retaining the buildings in full or in part or indeed a more explicit response to the evolution and reuse of historic fabric. It is accepted that the Old Hospital building has been much altered. Some parties including

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the applicant consider it to be a relatively unattractive building which only serves to create an oppressive canyon onto Marlborough Street. CDG maintain the view that the building is of historic merit with regard to its association with the development of the hospital precinct. In design terms the building has some merit in the potential for a more restored and repaired elevation, and it is maintained that there is scope to maintain, rework or reuse the building fabric as part of the wider scheme. In particular, the formal entrance façade onto Marlborough Street, and the strong plinth and lower parts of the corner wings have great potential to further contribute to this part of the city centre.

With regard to Fripps Chapel, the recent site clearance has further exposed what is an attractive building of considerable townscape merit, and given the small footprint on the site as a whole should be retained in its entirety and incorporated fully into the development scheme. The chapel is an early example of a standalone building type and the first documented example of a locally distinctive “Bristol Byzantine” style.

Ultimately their complete loss which represents substantial harm, will have to be weighed in the balance having regard to the significance of this heritage asset and the development proposals overall.

iii) Archaeology

The site has significant below-ground archaeological potential. It lay within the precinct of the 12th century St James Priory and part of the wall abutting Lower Maudlin Street could lie on the line of the western precinct boundary wall. Part of the northern boundary wall may run through the site. Other consensual or ancillary buildings may survive on the site while there were 17th century buildings fronting on to Lower Maudlin Street, illustrated in a painting of 1826.

An evaluation trench was excavated on the site during the course of the previous application. The results of this fieldwork have not been submitted to the planning authority, but it is known from a monitoring visit that archaeological remains were identified that will warrant further investigation. Should this application receive consent and the standing buildings lost, the scope of a programme of works would significantly increase because the research agenda for the site will include the origin of the infirmary and its role in the city’s health care provision. Conditions to secure the recording of the buildings to be demolished would be required should consent be given.

E) IMPACT UPON THE AMENITIES OF EXISTING AND FUTURE OCCUPIERS

In delivering high quality urban design new development should safeguard the amenity of existing development and its occupiers and create a high-quality environment for future occupiers, which is also safe, healthy and useable (Policy BCS21 refers). Policy BCS23 of the Core Strategy addresses the issue of different forms of pollution, including noise and air pollution. Policy DM33 is clear that development will not be permitted if mitigation cannot be provided to an appropriate standard with regard to air quality amongst other things.

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The site is set within a tight urban context and typically surrounded by a mixture of uses. Given the scale of the development proposed, the following issues must be given due consideration and weighed in the balance, when assessing the development proposals: – the impact of the proposals upon daylight / sunlight; overshadowing; whether the development would be overbearing on adjoining occupiers and / or create unacceptable levels of overlooking; whether the layout provides for an environment which feels safe; the nature and space of the residential units being created; addressing any issues of noise and disturbance. Taking these factors into account the following assessment has been made, firstly with regard to existing occupiers / premises and secondly the impact upon future occupiers.

i) Existing Neighbouring Occupiers

Daylight / Sunlight – Using the published guidelines of the Building Research Establishments 'Site Layout planning for Daylight and Sunlight' 2011 this reports examines, through established methodology, the impact of the development upon the levels of daylight and sunlight that existing residents will receive. The BRE Report advises that daylight levels should be assessed for the main habitable rooms of neighbouring residential properties. Habitable rooms in residential properties are defined as kitchens, living rooms and dining rooms. Bedrooms are less important as they are mainly occupied at night time. It is important to note that the advice contained within the BRE Report is guidance only, it is not mandatory and that ultimately there is a degree of judgement to be made and consideration of neighbourliness.

The report has assessed the second floor flat within St James Church House; the upper floor of the White Hart Public House; the listed St James Almshouses and Walsingham House Hostel. Members should be advised that the earlier scheme, which was previously subject to appeal (now withdrawn), did not include an assessment of the St James Almshouse.

It concludes that "generally the scheme is considered to have a predominately negligible impact when measured against the significance criteria of the VSC (vertical sky component), no vertical sky line and the average daylight factor method for daylight assessment. With regard to sunlight "generally the scheme is considered to have a negligible impact when measured against the criteria. As such overall assessment concludes that the "proposed development will create a negligible impact on the residential amenity adjacent to the development site and is considered to be acceptable in daylight and sunlight terms on the surrounding properties". Officers are now satisfied with this assessment.

Overshadowing / Overlooking and Overbearing - The relationship of the proposed development with St James Priory was a cause for concern for members in the earlier scheme (16/01888/F) which formed one of the reasons for refusal. The current scheme sets the southern building back from Whiston Street at the lower end and instead provides an area of public realm. It is considered that this coupled with the scale of the development at this end reduces any subsequent impacts in terms of being overlooked; overshadowed or the development being over bearing.

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With regard to the other relationships between the existing and proposed developments on Marlborough Street, Lower Maudlin Street and the upper end of Whitson Street, these are all considered acceptable given the nature of the uses (existing and proposed) and typical of a city centre relationship.

ii) Future Occupiers

Student uses are not required to meet the national space standard, given that they are regarded as temporary uses. While the outlook from some of the student bedrooms would be limited this is considered acceptable given the urban context and to an extent the temporary nature of the accommodation.

An acoustic report was submitted with the application which undertook noise monitoring at the site. Officers are satisfied that with the appropriate conditions noise can be satisfactorily mitigated.

(F) TRANSPORT AND MOVEMENT CONSIDERATIONS

i) Policy Context

The NPPF at Section 4 (paragraphs 29 – 41) addresses the issue of promoting sustainable transport measures. The site is in a sustainable location that in principle in highway terms is considered to be acceptable for an intensive mixed use development such as this, as it would concentrate development close to public transport hubs, services and facilities in accordance with Policy BCS20 of the Core Strategy. Policies BCS10, BCS13, BCS21, DM23, DM27, DM28, BCAP29 and BCAP30 are relevant and referenced below.

ii) Highway Boundary - Highway Boundary Marlborough Street

In promoting sustainable transport measures Local Planning Authorities are advised to identify and protect, where this is robust evidence, site and routes which could be critical in developing infrastructure to widen transport choice. Policy BCS10, amongst other things, requires development to be designed in such a way as to enable the delivery of improvements to the transport infrastructure; to make the best of the existing transport infrastructure through improvement and re shaping of roads and junctions where required to improve accessibility and connectivity and assist regeneration and place shaping. Corridors with potential to service future routes for walking, cycling and public transport are to be safeguarded or sought where appropriate. Policy BCS13 requires that development should mitigate climate change through measures which would include patterns of development which encourage walking, cycling and the use of public transport instead of journey by private car.

Policy BCS21 requires development to deliver high quality public realm through accessibility, and create places that are easy to move through and provide a public realm which integrates different modes of transport, parking and servicing.

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Policies DM23 echo these overall principles with regard to improvements to sustainable modes of transport and policy DM27 reiterates that proposals should not prejudice future potential for an area to achieve a coherent, interconnected and integrated built form in order to create healthy, safe and sustainable places, providing inclusive access, creating safe and attractive links to other routes. Policy DM28 requires developments to include appropriate levels of movement infrastructure for different transport modes and BCAP 30 expects development to provide appropriate and proportionate level of public realm improvements on primary and secondary routes.

The development proposals fail to consider the wider implications of the highway network. The applicants have been advised that if the building is not to be retained then there is a requirement for this frontage to be set further back than shown on the submitted plans, in line with the adjacent Dorothy Hodgkin Building, in order to create a wider transport corridor (21 metres is required). This will remove a significant bottleneck and constraint on the highway network to the benefit of all highway users. It would provide a much safer environment for existing pedestrian and cyclists and the 715 occupants and visitors to the development. The Authority's Transport team advise that looking at the wider highway network it will allow the Authority to make significant safety and reliability improvements for cyclist and buses respectively in the vicinity and would ensure that the highway network has sufficient resilience to cope with the demands of other developments including a potential new BRI car park, Callowhill Court and other future growth, and building on the aspirations of the developing City Centre Movement Strategy.

iii) General Footway widths

National policy is clear that good design goes beyond architecture and should address connections between places, integrating new development into the existing environment to create safe and accessible places for all people and improve the way that they function (Section 7, NPPF). Local Policy BCAP30 states that "Development on or adjacent to primary and secondary pedestrian routes will be expected to provide an appropriate and proportionate level of public realm improvements to the route." Policy BCS21 requires development to deliver high quality public realm through accessibility, and create places that are easy to move through and provide a public realm which integrates different modes of transport, parking and servicing. Whitson Street between the bus station and Lower Maudlin St is an existing primary pedestrian route (as designated by the BCAP) whereas all of the other streets bordering the site are existing secondary pedestrian routes. Policy DM23 requires development to provide, where appropriate, enhancements to the walking and cycling network. Policy DM27 requires development to consider, in context with future development potential and interconnecting sites a co-ordinated development approach, create quality streets and spaces allowing for a convenient access to a choice of movements, and provide for attractive links with appropriate capacity for their proposed use. Policy DM28 requires development to include appropriate levels of movement infrastructure for different transport modes.

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The proposals would introduce a significant number of employees (office and commercial) and a significant number of medical students and student residents (715) all using the site at any time. While the site was last used by the hospital trust for offices/ wards which would attract a certain footfall, the proposal would increase footfall to the site dramatically.

Concern has been raised with the applicants with regard to the footway widths around other parts of the site which fall short of adequate in some locations, particularly where there is likely to be a significant increase in concentration of pedestrians. In addition, a considerable amount of cycle storage has been shown around the footway which exacerbates the problem as does some of the tree planting, which whilst welcome appears to be in the middle of some widened footways, the advantages of which have therefore been lost.

iv) Lower Maudlin Street

The existing contraflow cycle lane appears to be lost. The remaining footway is obstructed with street furniture. Further consideration to this area is required and this matter has not been resolved.

The refurbishment of the existing zebra crossing will be required. This will be a significant desire line for the new users of the site. This does not form part of the proposals being considered.

v) Whitson Street

The applicants are unwilling to undertake improvements to the junction of Whitson Street with Marlborough Street. The application is likely to increase volumes of pedestrians to significant levels in the vicinity of this site, and measures to improve crossing facilities at this junction will be required. This has not been included within the proposals.

Further down Whitson Street, the area around the taxi rank and entrance to the bus station is problematic and the opportunity to sufficiently widen the highway and / or footway in this area has not been taken. The additional concentration of pedestrians has been focused on this area in the form of a medical school and commercial uses, the former of which will have numbers of students leaving the site in plateaus after lectures. This location is bound by a taxi rank at the carriageway edge and at the back edge of the footway a structure housing stairs and a ramp. Significant volumes of students leaving the building would have to navigate an effective width of 1.6m along with passengers boarding taxis. This is inadequate and unsafe.

vi) Access road and Servicing

Concern has been raised with regard to the proposed new access road at the Whitson Street end given the considerable cross fall and right angle; the Authority needs to be satisfied that this area is not affected by an adverse camber. Significant re – levelling of Whitson Street may be required. In addition, should the applicants be using Bristol Waste as contractors, this area would need to be accessed by refuse vehicles of 11.4 m rather than the 10m

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which has been tracked; and the swept paths demonstrating this will be satisfactory have not been provided. This is likely to have an impact on the taxi rank, and is likely to result in the overrun of the footway, to the detriment of safety and with significant maintenance implications.

vii) Servicing

Concern has been raised with regard to the provision for and location of the refuse storage facilities by both the Authorities Transport Team and Bristol Waste. A Servicing Strategy / Statement would be needed to address these issues should permission be granted, prior to the commencement (rather than occupation of) any development to ensure that these issues can be adequately resolved. This would also identify the use of smaller vehicles for refuse collection.

viii) Cycle Parking

Policies BCS10, BCS13 and DM23 requires development to provide facilities to enable and encourage safe, active travel provision including adequate cycle parking provision, and BCAP requires cycle parking provision to be designed to a high quality to meet the requirements of all cyclists using the new development.

Sufficient cycle parking is provided (181 + an additional 26 for visitors but concerns are raised with regard to their position in terms of accessibility / sufficient space to be operated. An additional 110 short stay cycle parking spaces are provided on – street, which is considered excessive and will result in the obstruction to the footways in places.

ix) Car Parking

23 car parking spaces are proposed within the central area off the proposed access road. Observations from the Authorities Transport team identify issues with their usability given 16 are tandem spaces and the lack of buffer space, protecting adjacent structures. This could be resolved by removal of some of the spaces, which are currently considered to pose a safety concern.

x) Taxi Rank

The proposals would result in the removal of a taxi bay which is likely to be problematic, but ultimately this would be subject to the TRO process.

xi) Construction Management

A Construction Management Plan is required for this site which has not been submitted with this application. This to be secured via condition should permission be granted. This is particularly pertinent considering the significant issues which have been raised during the application for demolition.

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xii) The Framework Travel Plan

A Framework Travel Plan (April 2017) was submitted with the application. Should permission be granted, within 6 months of occupation, a Full Travel Plan would be required, to be secured by condition. A Management and Audit Fee is to be secured via any S106 agreement, which equates to £10,000 given the scale of this development.

xiii) Student Drop Off

A Student Moving In / Moving Out Strategy (April 2017) was submitted with the application. In brief the strategy is to use the car parking spaces on the site at the start and end of the student term. Loading and unloading students will be booked into slots and will have to park elsewhere in public car parks until their slot is available. This approach is deemed acceptable by the TDM team and in line with other student developments in the city centre. A condition would be required to secure this strategy.

(G) SUSTAINABILITY

The Bristol Core Strategy contains specific policies relating to sustainability as follows: Policy BCS13: Climate Change, BCS14: Sustainable Energy, BCS15: Sustainable Design and Construction and BCS16: Flood Risk and Water Management. The Bristol Central Area Plan also includes further policies BCAP20 and BCAP21 relating to sustainability standards and connections to district heat networks.

In order to address the above policies an Energy Strategy (April 2017) was submitted as part of the application. This has been assessed by the Authorities Sustainable Cities team and further queries were later addressed by the applicant.

For the student accommodation the strategy proposes energy efficiency measures; a solar PV; heat pumps providing space heating/ cooling in communal areas and a gas fired CHP with back up gas fired boilers providing domestic heating. The Energy table shows a 9.9% reduction in residual emissions.

For the office / medical school the strategy proposes improvements in the fabric efficiency; aspirations with regard to air leakage; heat pumps and a roof mounted PV system; mechanical ventilation with heat recovery and the potential connection to the district heating network for the provision of domestic hot water. The building provides a 32% reduction in residual emissions from renewable energy.

Connection to a district heat network is unlikely to take place within the timeframe of the construction process, but through conditions, further consideration could be given to this matter or to providing the ability to connect to future networks.

There are elements that are not wholly satisfactory, for example the provision of electric panel heaters in the student accommodation and the level of residual emissions, but overall

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it is considered that subject to the imposition of a number of conditions, the proposals in terms of sustainable credentials are considered acceptable.

H) AIR QUALITY

The site lies with the Air Quality Management Area (AQMA). Policy BCS23 states that development should be sited and designed in a way as to avoid adversely impacting upon, amongst other things, environmental amenity of the surrounding area by reason of air pollution. Policy DM33 seeks the inclusion of mitigation measures to address air quality in any development.

An Air Quality Assessment was submitted in support of the application. The Authority's Air Quality Officer raised serious concerns with regard to the impact of the proposals on air quality. The modelling approach was discussed with the consultants and it was agreed to conduct further work to provide information on the air quality impact. As far as the Authority is aware the agreed work has not been completed; no further information on the air quality impact has been received. In the absence of the agreed technical report on the revised modelling, the objection remains.

(I) FLOOD RISK AND SUSTAINABLE URBAN DRAINAGE

There are no objections on the grounds of the above issues subject to conditions.

(J) CONTAMINATION AND COAL MINING RISK ASSESSMENT

There are no objections on the grounds of the above issues subject to conditions to secure compliance with the submitted and approved remediation scheme and contingency should any further contamination be found any time when carrying out the approved development.

(K) NATURE CONSERVATION

Officers are satisfied that nature conservation considerations such as potential for roosting bats/ nesting birds have been addressed, subject to the imposition of a number of conditions should permission be granted.

(L) PLANNING OBLIGATIONS / HEADS OF TERMS

The key planning obligations relate to the Management and Audit Fee for the Travel Plan (£10,000). These obligations could be secured by a legal agreement should permission be granted.

(M) COMMUNITY INFRASTRUCTURE LEVY (CIL)

The development will be liable for CIL, which is calculated to be £1,419,949.50, provided that none of the remaining buildings currently on site are demolished prior to any consent being granted.

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CONCLUSION

The proposals are considered to fall short of the policy aim to achieve high standards of urban design, (to include architectural quality), whilst safeguarding or enhancing the historic environment. For the reasons set out in the report it is considered that the proposals particularly fail to contribute positively to the area's character and identity, creating or reinforcing local distinctiveness. In so doing the proposals also represent substantial harm to a number of the designated heritage assets, namely the the setting of the Grade II listed White Hart Inn and in terms of locally designated heritage assets, the total loss of the BRI old building and the chapel and varying degrees of not substantial harm to the setting of other designated heritage assets. There is significant level of objection from amenity groups and third parties on this issue which are well documented in the report.

It is recognised that there are a number of public or other benefits of the scheme, beyond the generic benefits of a city centre mixed use scheme on brownfield land, in that the proposals will address to a degree the undersupply of student accommodation and provide a medical school which the applicant's state would be linked to the University of Bristol and the Bristol Royal Infirmary. It is however considered that these are not substantial and as such do not outweigh the harm to both the designated and non- designated heritage assets.

In addition to the above and to be weighed in the balance of considerations are the issues raised with regard to the transport and movement, one of which is a principle issue regarding the building line along Marlborough Street and the opportunities lost in terms of the wider highway network and providing a safer environment for all highway users. With regard to the more detailed considerations of footway widths and cycle storage, ultimately this relates back to the design quality of the scheme.

A final outstanding issue is that of the matter of air quality. At the current time the proposals, through the modelling submitted within the Air Quality Assessment, indicate that the development will result in an unacceptable substantial adverse impact upon air quality in the locality. In the absence of any evidence to the contrary (through re modelling) or amendments to the scheme to address this issue, the proposals in this regard are not policy compliant.

In light of the above officers are unable to support the proposals as they stand; the opportunity to address these issues in a collaborative manner is not now available to officers. As such it is recommended that officers defend a refusal of the scheme at the forthcoming Public Inquiry for the reasons set out below.

RECOMMENDED: THAT HAD THE LOCAL PLANNING AUTHORITY BEEN IN A POSITION TO DETERMINE THE DEVELOPMENT PROPOSALS IT WOULD HAVE REFUSED THEM ON THE FOLLOWING GROUNDS: -

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1) The proposed development by reason of its overall urban design and architectural quality would be unacceptable, failing to respond positively to the existing city centre context and failing to preserve the special interest and setting of relevant heritage assets contrary to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990; Sections 7 and 12 of the National Planning Policy Framework (March 2012); Policies BCS21 and BCS22 of the Bristol Core Strategy (June 2011); Policies DM26, DM27, DM28, DM29 and DM31 of the Site Allocations and Development Management Policies (July 2014); and Policy BCAP43 of the Bristol Central Area Plan (March 2015).

2) The proposed development, by reason of siting, fails to provide for adequate road space to make improvements to the local and wider transport network which will have adverse impacts upon the quality and safety of pedestrian and cycle routes around the site; congestion; public health; highway safety and will prejudice the delivery of wider strategic growth within the vicinity and central area. As such the proposals are contrary to advice contained within Section 4 of the National Planning Policy Framework (March 2012); Policies BCS10, BCS13 and BCS21 of the Bristol Core Strategy (June 2011); Policies DM23, DM27 and DM28 of the Site Allocations and Development Management Policies (July 2014) and Policy BCAP30 of the Bristol Central Area Plan (March 2016).

3) The proposals fail to provide adequate footway widths in order to provide for the significant increase in pedestrian movements around the site to the severe detriment of pedestrian safety and accessibility, contrary to guidance contained within Section 4 of the National Planning Policy Framework (March 2012); Policies BCS10, BCS13 and BCS21 of the Bristol Core Strategy (June 2011); Policy DM23, DM27 and DM28 of the Site Allocations and Development Management Policies and Policy BCAP29 and BCAP43 of the Bristol Central Area Plan (March 2016).

4) The proposal fails to provide adequate cycle parking and thereby adequate provision of sustainable travel facilities contrary to guidance contained within Section 4 of the National Planning Policy Framework (March 2012); Policies BCS10 and BCS 13 of the Bristol Core Strategy (June 2011); Policy DM23 of the Site Allocations and Development Management Policies (July 2014) and Policy BCAP29 of the Bristol Central Area Plan (March 2016).

5) In the absence of information to the contrary, the proposed development would result in an unacceptable substantial adverse impact upon air quality in the locality and is therefore contrary to Policy BCS23 of the Bristol Core Strategy (June 2011) and Policy DM33 of the Site Allocations and Development Management Policies (July 2014).