

WARD: Central CONTACT OFFICER: Anna Schroeder

SITE ADDRESS: (Land East Of) Colston Street Bristol BS1 5AY

APPLICATION NO: 16/05680/F and Full Planning
16/05681/LA

DETERMINATION DEADLINE: 15 March 2018

Alterations to boundary wall, new access, development of sui-generis residential units for students (2no. 5-bed cluster flats), with associated refuse and cycle storage.

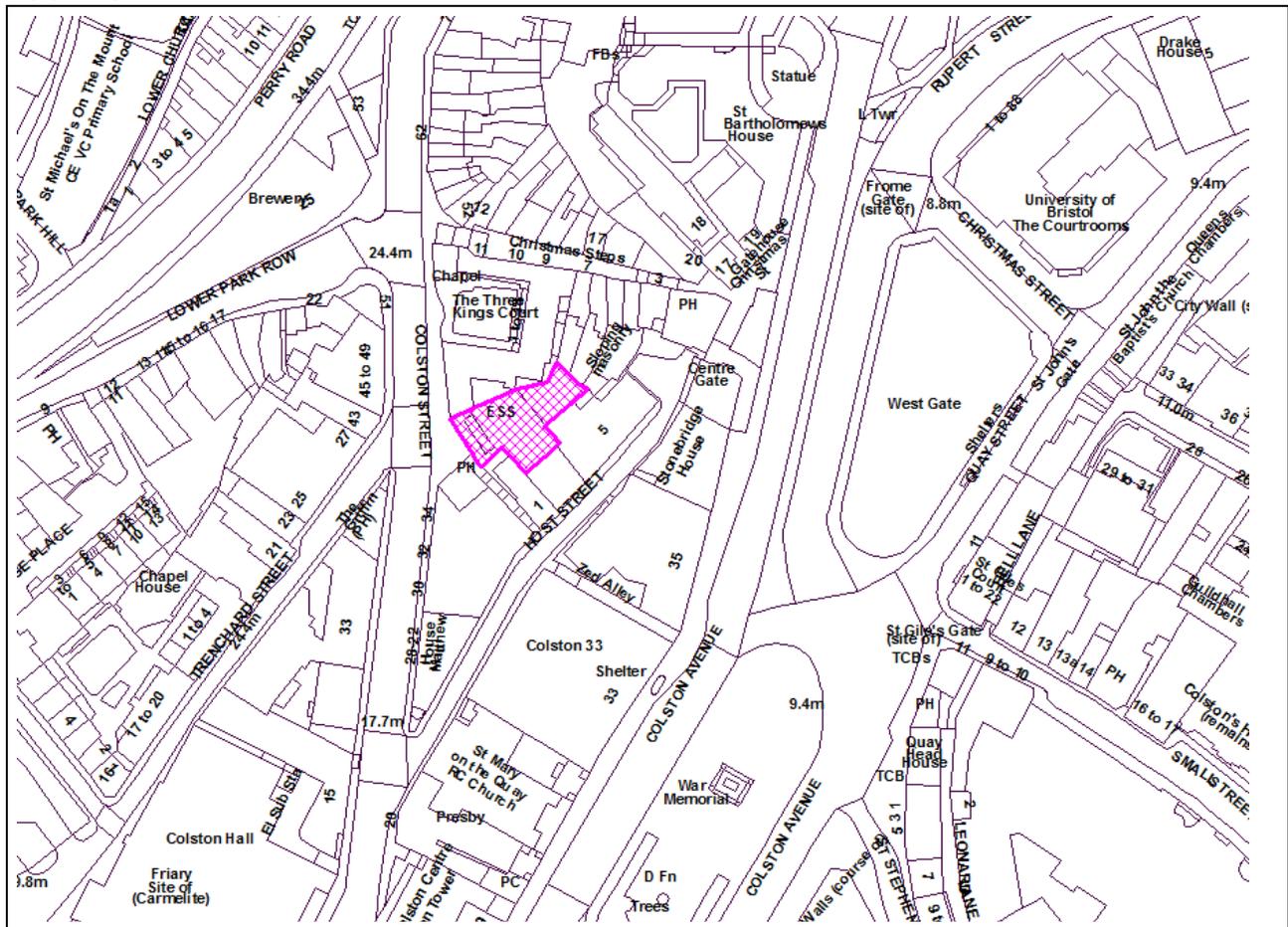
RECOMMENDATION: GRANT subject to Planning Agreement and Grant subject to Condition(s)

AGENT: Aspect360 Ltd
45 Oakfield Road
Clifton
Bristol
BS8 2AX

APPLICANT: Rochford Property Investments
c/o agent

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

LOCATION PLAN:



Development Control Committee A – 4 April 2018**Application No. 16/05680/F and 16/05681/LA: (Land East Of) Colston Street Bristol BS1 5AY****SUMMARY**

The report relates to applications for planning permission 16/05680/F and listed building consent 16/05681/LA on land to the east of Colston Street, directly south of the Grade II* Foster's Almshouses (Three Kings Court). The report discusses the context of the site, the development proposals and the key issues arising. The officer recommendation is for approval subject to a planning agreement and subject to conditions.

The site lies within the St Michaels Hill Conservation Area and within the Central Area Plan boundary. The last use of the site was as gardens for former residents of Foster's Almshouses. The Almshouses were converted to private residential apartments in 2007 and renamed the Three Kings Court. The garden land was subsequently sold to a separate private developer in 2015. The gardens are currently unused and overgrown.

Planning Permission and Listed Building Consent are sought for alterations to the boundary wall, creation of a new pedestrian access from Colston Street and erection of a two storey building, to provide 2 residential units for students (2no. 5-bed cluster flats (sui-generis)) with ornamental garden, refuse and cycle storage.

The application has been referred to Committee by Councillor Smith, on the following grounds -

I have received numerous representations from local residents and businesses opposing the application. My grounds for referral is that the development proposed is inappropriate for the location, adjacent to a significant listed building within a conservation area. Given the significance of the location I feel this should be considered by the planning committee and give local people the opportunity to comment.

Thirty three objections have been received to the proposal from third parties including the Civic Society and the Christmas Steps Arts Quarter Planning scrutiny group. The objections are summarised in the report and include objections to additional student accommodation in the area, harm to the garden setting of the listed building, harm to the Conservation Area and impact on the residential amenity of residents of Three Kings Court (formerly Foster's Almshouses).

No objections have been raised from the Conservation Officer, BCC City Design Team, BCC Arboriculture Officer, BCC Transport Development Management, or BCC Pollution Control. Historic England have not objected to the application but have raised concerns and advised that these should be considered under the assessment. Arup consultants have reviewed the supporting geotechnical information and provided recommendations regarding further information requirements to ensure that land stability issues are suitably addressed and mitigated.

Officers have undertaken assessment of the application and have concluded that on balance, the development is acceptable and in accordance with the development plan. Officers are recommending that members resolve to grant conditional planning permission and listed building consent, subject to completion of a unilateral undertaking securing financial contribution for tree loss.

SITE DESCRIPTION

The application relates to an enclosed area of land on the east side of Colston Street, directly south of the Grade II* Foster's Almshouses (now known as Three Kings Court) in the city centre. Public views into the site from Colston Street are restricted by a brick boundary wall that runs between Foster's Almshouses (Three Kings Court) and Zed Alley to the south. The land is shelved across two main levels, with the upper level of the site sloping west to east. Application submissions confirm that the last use of the site was as gardens in associations with Foster's Almshouses. Current residents of

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Three Kings Court have no access to the land, which is overgrown with vegetation.

The site lies within the Bristol Central Area Plan boundary and is part of the St Michael's Hill and Christmas Steps Conservation Area.

Notable features within the site include three mature trees (two Lime trees close to the Colston Street boundary and Laurel close to the retaining north boundary wall) and a single storey air raid shelter to the west of the site. An electrical substation is located within the site directly to the rear of metal gate set within the Colston Street boundary wall.

Surrounding development.

The site is enclosed by development in close proximity to its boundaries. Grade II* Foster's Almshouses (Three Kings Court), in use as private residential apartments, stands directly north of the site. The southern elevations of the building present a staggered building line, with separation distances from site boundary ranging between 1 -7m.

The Grade II listed 5 Host Street lies to the immediate east (approximately 3.5m from site boundary) and is in office use. Windows in the rear elevations of both developments overlook the site. A vacant plot of land directly adjoining the site to the southeast, adjacent to 5 Host Street, benefits from extant planning permission for a four storey infill office building under 16/02517/F. 1 Host St, to the south of the site is Grade II listed and in office use.

Land uses around the site on Colston and Trenchard Street are varied and include the Sportsman and The Griffin public houses, offices, restaurant, cafes and retail premises, as well as private and student residential accommodation.

Western Power have confirmed the strip of land running to the immediate rear of the boundary wall to Colston Street is within their ownership and subject to a 99 year lease signed in 1997. Certificate B has been served by the applicant to reflect this.

Levels

Plans confirm there is significant fall in ground levels across the site (approx. 2.5m between the northwest and southeast boundaries, and drop of approx. 2.2m between the upper and lower terrace levels.) There is also significant separation in ground levels between the site and surrounding development. The stone retaining walls of the Foster's Almshouses (Three Kings Court) form the northern site boundary, with the communal open terrace to the rear of Foster's Almshouses (Three Kings Court) approximately 2m above the upper terrace of the application land, and some 4.2m above the lower terrace. The lower terrace level within the site is bounded to the northeast by masonry walls, separating the land from the rear gardens to 6-8 Christmas Steps. There is further significant separation in ground levels between the site and Host Street to the southeast; the far south-eastern edge of the site comprises masonry retaining wall dropping down to Host Street street level, approximately 6m below the site.

SITE HISTORY

The application is accompanied by an Archaeological Report, Design and Access statement and Statement of Heritage Significance / Impact Assessment. The submissions clarify that the majority of the site has remained undeveloped and in use as informal garden associated with the Almshouses, with some evidence of built development of the lower level of the site, most likely in industrial use (Goad Fire Insurance Plan 1887-1902). The submissions confirm that 'By the early 20th century the building on the eastern side of the site had been removed and the space landscaped and used by the residents as an informal garden by the occupants of the almshouses. The exact nature and extent of

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this is unknown as by 2006 it had become disused before becoming overgrown and then the site periodically cleared. There is now no evidence within the site of any formal landscaping, pathways or laying out.' (Addendum to Design & Access Statement / Statement of Heritage Significance & Impact Assessment Feb 2017).

APPLICATION

Planning permission was originally sought for erection of two separate new buildings within the site to provide development of sui-generis residential units for students (2no. studio and 2no. 5-bed cluster flats). Following officer negotiations the studio building has been omitted from the scheme and revised plans submitted. Planning permission is accordingly sought for redevelopment of the site and erection of a two storey building to provide 2 units of sui-generis student accommodation, (5 bedspace cluster flats) as detailed below;

-Alterations to boundary wall, creation of a new access from Colston Street

A new gated opening is proposed in the Colston Street boundary wall as the single point of access into the site. The existing gate to electrical substation is also proposed replaced, and existing steps into the site from the terrace to the rear of the Foster's Almshouses (Three Kings Court) removed.

-Provision of 2 residential units for students (2no. 5-bed cluster flats (sui-generis)).

A two storey flat roofed building is proposed erected within the upper terrace of the site, with the lower terrace retained as landscaped ornamental garden. The building would be of contemporary design with green roof and Trespa cladding material finish.

- Refuse and cycle storage is proposed within the existing air raid shelter structure, including provision of x cycle spaces.

-Treeworks

Lime Trees T1 and T2 (BS category B2) to be pollarded to suitable cut points approximately 6m above ground level. T3 Lime (stump) (BS category U) and T4 (Laurus nobilis) are proposed removed.

Listed building consent is also sought for the proposals under 16/05681/LA.

RELEVANT PLANNING HISTORY

The site has limited planning history.

16/03341/VC Bay Laurel (T1) Fell - Granted - Preservation Order not required. (This tree remains in place but is proposed to be removed under the current application.)

08/00561/F Erection of new residential development comprising 6 new apartments including associated work to existing boundary wall and new landscaping. WITHDRAWN

08/00563/LA Removal of railings on top of the Colston Street boundary wall. Steel gates to be removed and replaced. Demolition of existing single storey boiler house. Works to boundary wall and internal ground level, new refuse store. WITHDRAWN

16/02517/F Construction of a 4-storey office building. GRANTED (vacant plot at 3 Host Street below the site).

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The application has been advertised in the press and by site notice. Neighbouring properties have been consulted in three rounds of consultation. Replacement Certificate B has been provided and notice served on Western Power Utilities.

Thirty seven representations have been received, comprising of thirty three objections, two neutral comments and two comments of support. The representations are summarised below;

Bristol Civic Society-

Bristol Civic Society objects strongly to the proposed development. The design and materials are deeply unsympathetic to the character of the St. Michaels Hill and Christmas Steps Conservation Area which would be harmed were the proposal to be implemented. The Foster's Almshouses are a particularly striking group of buildings thoroughly deserving their Listed status. The proposed development does not respect their appearance and would be harmful to their setting. Although the Society has supported the conversion of redundant office space to student accommodation, we see no reason for a purpose built facility to be added to the stock already available in this area. It would contribute to an imbalance in the variety of accommodation available in the vicinity.

Christmas Steps Arts quarter (Residents and Traders) Planning Scrutiny Committee-

Strenuously objects to the planning application on the following grounds:

-Detriment to Foster's Almshouses.

- Detriment to the Conservation area in general; We agree with BCC's Conservation Area Character Appraisals which state that in Conservation Areas, new buildings should be in keeping with neighbouring period buildings regarding palette and colour of materials and their general character. The Conservation Officer is wrong in saying that the proposed building would be hidden behind the front wall. The best part of a metre of the inappropriately flat-roofed modern building would be seen above the wall and would stick out like a sore thumb because every other surrounding building in the streetscape gives the Almshouses a wonderfully unbroken historic setting and atmosphere.

- Exacerbation of a 'harmful concentration' of student accommodation

- Intrusion into privacy of surrounding households

- Ideally, this Association would like to see this garden and trees remain intact as the time-honoured setting for Foster's Almshouses, albeit currently under different ownership.

Individual objectors raise the following issues; (summarised by case officer)

-PRINCIPLE

-Objections to the nature of the development as student housing due to overconcentration of this type of residential development in the area, already have a very high density of students locally and the current high numbers of students are already distorting the local area, causing noise and environmental issues.

-Students do not integrate; become a closed group with fellow students.

-Proposal should be available more to people that live/work in the area.

- Local authority needs to hold to its declared policy of retaining mixed communities in the city centre.

-The character of the area is being eroded by the student housing providers (private and corporate) who cram so many per square foot and then take a hands off approach to managing them.

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-If development is to be permitted it should be for family housing with garden and fewer residents.

-AMENITY

-Proposals would lead to loss of privacy for Three Kings Court residents and have an adverse impact on amenity for users of the private paved area to the rear.

-The proposed buildings face directly into the rear of our property; we are overlooked by lots of buildings here, but none directly into our property and windows. The buildings would face us, and replace a wall of greenery (that has already unfortunately allowed to have been removed).
Case Officer note -the building proposed for the lower terrace is now omitted from the revised plans.

-The rooftop terrace would result in direct overlooking and would ruin the privacy of my garden. The terrace would be higher than my garden, which would mean that people would be looking down on me. The closeness of the proposed terrace would also mean people being able to look directly into my bedroom window.

Case Officer note - the building proposed for the lower terrace is now omitted from the revised plans; no rooftop terrace on retained building.

-Rooftop terrace would result in noise and disturbance; should an outdoor terrace be built onto these proposed student flats, there is no course of action that we can take to stop people using it at all hours. It could potentially become an intolerable situation with partying into the early hours, ruining the peaceful enjoyment of my property.

Case Officer note -the building proposed for the lower terrace is now omitted from the revised plans; no rooftop terrace on retained building.

- There are already pubs in area, additional noise from people in close proximity will add to nuisance.

-It will interfere with light and view enjoyed by ground floor flats of The Three Kings Court.

-Future occupiers - Space standards appear to be smaller than nationally described for housing (i.e. studios should be minimum 37m², or in some cases 31m²).

-HERITAGE IMPACTS

-Historic gardens should be retained as open garden space.

-The proposals would result in harm to local and historic heritage due to the proposed contemporary design and materials.

-Harm to green assets.

- We should not be building on these small pockets of green space.

-Harm to setting to the historic Grade II * Almshouses; the open garden setting would be lost forever.

-The destruction of this traditional garden setting and its replacement with wholly incompatible modern buildings would severely harm the historic atmosphere of the area and its great attractiveness to locals and visitors alike.

-The proposals would harm the character and appearance of the Conservation Area.

-Case has not been made in heritage terms given location adjacent to Grade II*listed building and impact on its setting; few public benefits accrue and there is less than substantial harm - heritage assessment is inadequate.

-Solar panels on the roof is not in keeping with the historic area and would ruin view and ambience of the area for anyone looking out at it.

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-DESIGN

-The design of the proposals is Insensitive; the 'style', footprint form and materials are wholly inappropriate to the setting.

-The designer is attempting to make a virtue of the contrast with the existing buildings, but the attempt is misguided; such a clashing contrast could conceivably work if the new design were exceptionally good. In this case it is not.

-The proposed structure is flat roofed and does not fit in with the surrounding buildings, especially bearing in mind the historical significance of Christmas Steps and Foster's Almshouses.

- The proposed buildings are not in keeping with their neighbours in any way whatsoever: the materials (faceted modern synthetic), the footprint (radical star-shapes), the fenestration (random squares and rectangles with no glazing-bars) and the roof (flat instead of the pitched roof vernacular of the entire surrounding Conservation Area).

-LAND STABILITY

-The required excavations would be in close proximity to supporting walls and foundations of the II* Foster's Almshouses; could create a significant danger of subsidence or collapse of this ancient building as catastrophically as in Boyce's Avenue.

HIGHWAYS IMPACTS

-Road access is miniscule and lacks room for parking, meaning the area would become more gridlocked come the start or end of term due to students moving in/out.

OTHER

-The gardens should be kept as a last place of retreat in the centre of the City, for birds and other wildlife that flourish there.

-The development for a high profit only to the developers without benefit to permanent residents of the area. The development of these residential units is simply an undesirable example of "infill". It is driven by greed and profit and will do nothing for the local community, its permanent residents or established businesses.

-This is a speculative application driven by a speculative purchase of the land in the first place. It has no merit.

-The development would be detrimental to the value of my property (apartment in Three Kings Court)

-Local residents do not want the land used in this way.

-Construction works will be significant nuisance.

-Being 12 bedrooms and therefore presumably a "Major site", we were disappointed that this applicant did not consult us pre-application under the Community Involvement procedure. (Application is not a Major application (less than 10 units).

- Western Power holds a long lease to a ransom strip along the western wall (parallel to Zed Alley), and viewing access was not in fact possible prior to the auction due to WP refusing access on safety grounds. There is no other access route. Planning officials may wish to discover whether this situation still exists.

- Query regarding access for emergency services - How are they going to reach the units furthest from the gate?

- Query regarding Construction process and access issues.

- Further visualisation and long section would be helpful in understanding this complex site.

-Contribution towards improvement of Zed Alley should be considered, including lighting.

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NEUTRAL COMMENTS

No objection to use or design, which is bold and contemporary

SUPPORT

The Conservation Advisory Panel have advised their support for the scheme -

The Panel continues to support this amended application and welcomes the innovation and interest of this design. The building must be capable of being converted from student accommodation to residential use. The pavement and enclosing wall must be protected during construction.

INTERNAL CONSULTEES - summarised

-BCC Conservation Officer - BCC City Design Group/ BCC Archaeology (Combined response)

No objections raised subject to conditions; comments incorporated into Key Issue X. Conditions recommended to secure;

Comments appended to the report in full

-BCC Arboriculture Team -

The detail from the project arboriculturist has unified the pruning of the 2 lime trees T1 & T2 by reducing the canopies to 6m from ground level. This will allow even regrowth of the canopies and maintain them as amenity features. No objections raised subject to the detail within the arboricultural documentation being followed. Financial obligation recommended sought to mitigate removal of Laurel.

Conditions recommended to secure -

-Tree protection

- Arboricultural Supervision

-Landscaping plan

-BCC Transport Development Management Team -

No objections raised subject to conditions; comments incorporated into relevant Key Issue. Conditions recommended to secure;

-Refuse

-Cycle parking

-Construction management

-BCC Pollution Control Team

No objections raised subject to conditions; comments incorporated into relevant Key Issue. Conditions recommended to secure;

-Sound Insulation for future occupiers

-Adherence to the Student Management Plan.

-BCC Land Contamination

No objections raised subject to conditions; comments incorporated into relevant Key Issue. Conditions recommended to secure;

-Phase 2 Site Investigation

- Unexploded Ordnance survey

-Japanese knotweed survey

-BCC Nature Conservation

No objections raised subject to conditions; comments incorporated into relevant Key Issue. Conditions recommended to secure;

-Restrictions on site clearance

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-Removal of Cotoneaster from the site.

EXTERNAL CONSULTTEES

Historic England - No objections, subject to addressing issues of materials, detailing and contextual reference - defer to BCC specialist conservation advice in respect to details and any appropriate conditions.

Initial comments recommended further assessment of the garden setting of the Grade II* Foster's Almshouses and contribution of this setting to their significance. Reconsultation response -

Further to our letter of 12th December 2016, a further augmented Statement of Significance and Design and Access Statement have been submitted for consideration. We were previously quite concerned over the lack of assessment of the application site, with regard to its contribution to the significance of Three Kings Court (formerly Foster's Almshouses). We are pleased that further research into the history of the site has been carried out and that the report concludes that the site 'positively contributes to the setting of Three Kings Court (formerly Foster's Almshouses) and the trees on the frontage assist with providing a soft foil to the otherwise urban context.' We would therefore advocate a form and design of development that conserves the positive heritage values of the site, particularly with regard to views to and from the principal heritage asset. We believe that the further assessment complies with the requirements of para 128 of the National Planning Policy Framework (NPPF).

The augmented Design and Access Statement continues to give a reasoned case for the proposed design approach. The assessment of the characteristics of the conservation area, particularly in relation to building form, orientations and changes in levels across a steep section of the historic city provides the context for the proposed design. We note that the designer takes a view that with a wide palette of building materials and cladding, the variety allows for a modern intervention in the form of the proposed cladding panels. While this is a valid argument, we remain disappointed that the legibility of the development is still somewhat divorced from its context. Contemporary design that makes a valid reference to its context, even in a subtle way is very often more successful, and can be achieved in a variety of ways, particularly materials. We therefore advise that some aspect of the design or/and landscaping makes a legible reference to the historic characteristics of the site. While we remain unconvinced from the amended plans submitted that the development will deliver positively in this sensitive context, we would not wish to object. We would task you with ensuring that the construction is suitably detailed, and that some local distinctiveness is legible within the overall design.

Recommendation

Historic England has no objection to the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 132 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas, and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

Further advice provided on final revised plans; On the basis of an actual reduction in the amount and area of development and our previous comments, we do not wish to make any further observations and defer to your own specialist conservation advice in respect to details and any appropriate conditions that ought to be attached to any approval.

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Arup Consultants -Land stability

Technical Note provided, with advice incorporated into Key Issue X. Recommendation that desk study is considered sufficient to meet requirements of point (i) of policy DM37. To satisfy point (ii) of DN37, Arup consider that intrusive site investigation is required to inform the design of the foundation system to mitigate any land stability risk, including damage to adjacent retaining structures. Overall, the desk study indicates that the proposed development can be constructed successfully without detriment to the neighbouring structures, providing mitigation measures are implemented. Based on the information available for review and noted in Section 2 of this Technical Note, Arup agree with this conclusion.

Arup recommendations; Further information required - to be sought via condition-

-Intrusive geotechnical investigations

-A temporary works assessment, ensuring that the retaining structures are not damaged during construction activities

- An assessment that in the permanent condition, the applied loading from the structure does not increase loading on the retaining walls to any detriment.

-Pre and post works condition survey of all retaining structures in question, in order to demonstrate that they have not been damaged as part of the construction works

-Coal Authority report (although it is noted that no ground workings beneath the site are known to exist (and so the risk of land instability as a result of coal mining is presumably low). (Coal Authority Low Risk site).

Western Power –

Western Power have been consulted and have confirmed the following -

The substation land is held by WPD on a lease that was renegotiated in 2007, with the landowner being Bristol Charities in common with the adjacent Almshouse. The area of WPD's lease covers the entire frontage to Colston Street; as such the proposed "new entrance gate" would require the surrender of a portion of WPD's leasehold. This may or may not be possible and would be subject to consideration from strategic, operational and commercial perspectives.

The blue cable shown running to the north of the site is the service to the Almshouse - while WPD have no specific rights over it this is quite normal as it feeds only one customer, within the same land ownership. Any necessary diversion or protection would be at the developer's cost. The cables supplying the substation from the public highway are covered by an easement strip forming part of the lease.

Western Power right of access to the substation needs to be maintained 24/7 during any construction works.

- Access to substation sites is restricted to WPD authorised personnel only.
- All work in the vicinity of the substation site including lifting operations and wall works to be discussed and agreed with WPD prior to commencing. Any required protection, supervision, diversionary etc. works are fully chargeable.
- Live HV and LV cables cross the site and the surrounding area. Work in the vicinity of live underground cables must be carried out in accordance with HSE guidance note HSG47. Any cables found must be assumed live until proven dead by WPD.

All we would wish to do at this stage would be to draw attention to the presence of the substation and live cables, and that the proposal for a pedestrian entrance would require WPD to surrender a portion of its leasehold which will be subject to assessment and negotiation.

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We would urge the developer to begin discussions with WPD via our Contact Centre at the earliest opportunity, in order to identify feasibility and costs, and to work safely in the vicinity of our live apparatus.

RELEVANT POLICIES

National Planning Policy Framework – March 2012

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

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

KEY ISSUES**(A) IS THE PROPOSAL ACCEPTABLE IN PRINCIPLE IN LAND-USE TERMS?**

The proposals raise two land use issues; the acceptability of development of the former garden land and the acceptability of the proposed student accommodation.

(i) Acceptability of the development of the former garden land.

The submissions outline the history of the site and confirm that the land has historically served as informal garden space associated with the Grade II* Foster's Almshouses. The submissions outline that the land had become disused by 2006. The Fosters Almshouses were converted to private residential apartments in 2007, renamed as Three Kings Court. It is understood that the land is now in separate ownership to the Three Kings Court site and that current residents of Three Kings Court have no access or use of the site as amenity space. The land is hidden from public view behind a boundary wall that extends between the principal Almshouse building on Colston Street and along Zed Alley.

The land lies within the Central Area plan boundary and is part of the St Michaels Hill Conservation Area. The land is otherwise undesignated. Given the last known use of the site as ancillary gardens, the development of this land has been assessed against policy DM21, relating to development of private gardens. DM21 confirms that development involving the loss of gardens will not be permitted unless the proposals conform to one of following -

I. The proposal would represent a more efficient use of land at a location where higher densities are appropriate; or

II. The development would result in a significant improvement to the urban design of an area; or

III. The proposal is an extension to an existing single dwelling and would retain an adequate area of functional garden.

In all cases, any development of garden land should not result in harm to the character and appearance of an area.

The proposals have been assessed against these criteria and found in conformity with DM21(I). Compared with the absence of housing from the existing underutilised site, the proposals would represent a more efficient use of land in a sustainable city centre location. The city centre is identified as an appropriate location for higher densities under policy BCS20 and the proposals are considered an appropriate density, taking into account the sensitivities of the site.

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Full conformity with DM21 is necessarily subject to assessment of the impact of the proposals on the character and appearance of the area; these issues are addressed in detail under Key Issue B.

(ii) Acceptability of the student accommodation in land use terms.

The proposal would provide two cluster units of sui-generis student accommodation, with total occupancy of 10 bedspaces.

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 unit and bedspace numbers.

Policy BCAP4 of the Bristol Central Area Plan confirms 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 relates to shared and specialist housing, including purpose built student accommodation. This policy identifies that student numbers in the city have risen substantially since 2001 creating demand for a range of private rented accommodation.

DM2 further states that specialist student accommodation (and other forms of residential subdivisions/ 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

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 site lies within the Central electoral ward, and within the City Centre and Queen Square Lower Super Output Area. (LSOA). Statistics on student population are provided to the LPA from BCC Strategic City Planning/Performance, Information & Intelligence; the latest student data sets relate to 2016/17 and are based on data provided by the universities. These statistics confirm that university students comprise 52.3% of the total population within the Central Area ward area and 44.5% of the total population within the City Centre and Queen Square LSOA. The adjacent LSOAs of University and St James Barton have student populations at 91.5% and 35.9% respectively, (of total population within those areas).

From the statistics set out above it is clear that the student population in the area is significant. Third party objections to the proposals have included objection on the grounds of housing type and cited issues of overconcentration of student accommodation in the area, causing harm to noise and environmental issues. Whilst the site lies close to a number of high density specialist student residential developments in Colston Street, Colston Avenue and Nelson Street, regard has also been given to the range of other land uses in the vicinity of the site, including private housing, commercial

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offices, medical and educational institutions as well as leisure and restaurant uses typical of the City Centre. Pollution Control and Neighbourhood Enforcement Team have reviewed noise complaints records and confirmed no details of any complaints regarding noise from students at 33 Colston St and schemes at Prince William and Matthew House (those student schemes closest to the application site.) Amenity issues and impacts arising from the proposals are assessed in further detail under Key Issue x and are found acceptable.

Overall, given the nature of the mixed use area and limited evidence of harm to amenity arising from the nearest student schemes on Colston Street, officers have concluded that on balance, the addition of a small student development (2 units of 5 bedspaces) in this location would not give rise to such a harmful concentration of student accommodation such that would warrant refusal of the application. 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. In addition, the proposals would offer some benefit in removing pressure on other housing stock nearby in the city.

Furthermore, it is accepted students bring considerable economic benefits to the city through support of existing businesses and amenities. As such the student accommodation is acceptable in principle on the basis of local policy requirements (Policies BCAP4 and DM2).

(B) TYPE, MIX AND AMOUNT 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. The statistics above outline the balance of population within the immediate and adjacent areas and whilst the proposal is for student housing only, is not considered to result in a harmful imbalance due to the limited scale and nature of the scheme. The proposals do not result in reduction of amount of family housing in the area.

Overall, while officers acknowledge the public perception that there is an excess of student housing in the immediate area, they are satisfied that this application would meet all of the relevant policy tests of BCS2, BCAP4 and DM2 and no objections are therefore raised against the principle of the development in land use terms.

(C) WHAT IMPACT DO THE PROPOSALS HAVE UPON DESIGNATED HERITAGE ASSETS?

In considering the impact of proposals on the historic environment, the National Planning Policy Framework (NPPF) requires Local Planning Authorities (LPAs) to identify and assess the significance of and impact on any heritage asset affected by a proposal. 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].

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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. Para 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.

In addition, the adopted Bristol Core Strategy 2011 within Policy BCS22 and the adopted Site Allocations and Development Management Policies within Policy DM31 seek to ensure that development proposals safeguard or enhance heritage assets in the city.

The heritage assets affected by the proposals are the Grade II* former Fosters Almshouses, the Grade II listed buildings of 1 and 5 Host Street, as well as the Grade II properties on Christmas Steps. The site is also located within the St Michaels Hill and Christmas Steps Conservation Area and the impact of the development on the asset of the wider Conservation Area has been taken into account.

The green space subject of the application clearly forms part of the setting of the aforementioned listed buildings, following the NPPF definition of setting 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 contribution to the significance of an asset, and may affect the ability to appreciate that significance or may be neutral."

The application submissions include a combined Heritage Impact Assessment and Design and Access Statement. An addendum to the Design and Access Statement/ Statement of Heritage Significance and Impact Assessment was provided in response to initial comments from Historic England.

The application is before committee following call in from Councillor Smith on the grounds that the development proposed is inappropriate for the location, adjacent to a significant listed building within a conservation area. Third party objections have included strong representations that the proposals would result in harm to the setting, character and appearance of the Foster's Almshouses and Conservation Area. The comments of BCC Conservation Officer and Historic England are therefore reproduced in full below.

Consultation responses from the Conservation Officer.

We welcome the proposal to recess the building below the sightline of the wall facing Colston Street, the retention of the mature tree and the WWII shelter, and accept the minor demolition involved in creating a new opening through the existing wall to provide access. The proposed building is an exciting contemporary response to a challenging topography and sensitive heritage setting. The building will have low impact on the setting of Fosters Alms-house, and will be a recessive element when viewed from the public highway. The historic garden use of this area appears not to have been part of the original design approach.

1.2 We are satisfied that this building will not represent a high degree of harm to the building, (Fosters Almshouses) and the degree of harm should be seen as offset by the public benefit in new student housing of a high quality design, and responsible scale.

The Heritage Assets

2.1 This site is within an extremely sensitive heritage setting, being within the St Michael's Hill conservation Area and in close proximity to a number of Grade II 1and II* Listed buildings. Principal amongst these is Fosters Almshouse, a late C19th reconstruction of a medieval institution.

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The Almshouse is formed around an open courtyard to Colston Street on its west side, and is elevated on a high retaining wall to the rear; these being part of the de-facto curtilage Listing.

2.2 The site is formed of a series of terraces descending from west to east. Historically these formed parts of the rear gardens and yards of properties on Host Street. Subsequent industrial development in this area has obliterated most of the plot boundaries. The western section of the site, adjacent to Colston Street appears never to have been developed following the removal of Steep Street, leaving a vacant plot that after 1884 was utilised by the Almshouse with the provision of stepped access.

2.3 There is a high probability that archaeological deposits will remain preserved in several areas, particularly in the western section where development of former back gardens may overlay earlier deposits.

2.4 This part of the Conservation Area has an eclectic mix of 2 and three-storey buildings predominantly of the C17th and C19th. The materials used are equally various and include both handmade and machine made brick, course rubble stone walling, smooth and roughcast painted render, and some vestigial half-timbering.

2.5 The principle feature adjacent to the site is the architecturally effusive alms-house itself. A high-Victorian confection of Burgundian gothic motifs applied across a series of the humblest of dwellings. The building is predominantly of a ruddy red brick enlivened with diaper-work in dark brick, elaborately carved stonework, and an array of ornamental leadwork on the roof that's unparalleled in the city.

2.6 The public display of the west front is severely pared down to the south and east elevations where greater economy was exercised. These facades retain some of the motifs, such as diaper-work, but dispense with the majority of the embellishments where they were seen only by residents. The palate of materials remains of high quality, but through need of robustness rather than display.

2.7 The rubble-stone retaining wall across the back of the site supports the irregular footprint of the building and encompasses some external space to the former lodgings. In places this is little more than a narrow passageway divided from the drop by railings, but in others it expands into small south-facing courtyards.

2.8 The site is divided by substantial changes in level, each retained by more rubble stone walls. The upper terrace in the area is now occupied by a large tree and a WWII air raid shelter, later adapted for re-use.

Proposals

3.1 Previous applications for this site have sought approval for intensive and over-dominant development focussed on the west end of the site. This would have resulted in the loss of a mature and attractive tree and threatened substantial harm to the unlisted, but significant, air raid shelter. Those proposals were previously rejected on grounds of design and impact upon designate assets.

3.2 The current proposal makes use of the whole of the terraced site by gently stepping-down the building footprint incrementally from west to east in line with the topography. The building never exceeds two storeys, but, by utilising flat roofs, and the natural slope, manages to virtually disappear behind the level of the wall, tree, and air raid shelter retained along the west side of the site.

3.3 The proposal represents a fractured building form which has the potential to create an exciting scheme. Changes in level, shard-like forms, and winding angular paths through them appear

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to respond to a multitude of angles generated from the site boundaries and surrounding building. This should be read as a positive, yet unorthodox, approach to interpreting site context.

3.4 The fragmented form of the building is also expressed in the external envelope of the building where metallic panels are cut and mounted at angles. This is intended to reflect the materiality of the leadwork on the Almshouse building, the angular vocabulary of the building plans, and, more tentatively, reflect the Victorian diaper-work in a modern idiom.

3.5 Flat roofs of the building are proposed to be planted green roofs, with the change of levels exploited to provide some roof-top terraced areas. The fractured form of the building also enables the provision of angled windows to living spaces which is intended to overcome issues of amenity and privacy.

Recommendations

4.1 The proposed building will have an extremely low impact on the setting of the Grade II* Listed Almshouse when viewed from the public realm. Hidden behind the existing boundary wall, WWII air raid shelter, and, seasonally, the tree, the roofline of the new structure will only be visible as a regressive element rising just above the existing wall at some distance. The only impact on the public really appears to be the formation of a new access door in the north side of the boundary wall.

4.2 The proposed building will not be readily visible from other locations within the Conservation Area. The proposed materiality has no appropriate precedent within the palette of materials within the Conservation Area. We maintain a reticence over the proposed materials, the Trespa-type cladding, though we appreciate the reasons for its choice in this setting, and as part of the building's contemporary interpretation of the context. We require conditions appended to any approval that are required to secure the over-all design quality of the design, but specifically the material, its fixings, and finishes.

4.3 We welcome the retention of the existing tree, site boundary wall, and WWII air raid shelter. We consider the impact of the proposals on other assets around the site to be relatively low. Grade II Listed structures to the south already back-onto a sheer retaining wall, and the site is separated from them by this and external space around the proposed buildings. The height of the proposed building is higher than the parapet of the retaining wall surrounding Fosters Almshouse at the rear, but the buildings draw back from it, and are considered to be subservient in scale and massing. There is some concern over the proximity to the Listed Building, but this is recognised to be a less significance façade, and one where impact on amenity is considered more of an issue than the harm to the setting. Buildings along Christmas Steps will be unaffected by the built-form of the proposal, and the retaining wall supporting Fosters Almshouse will be protected. The proposed building will not be visible in long views from Christmas Street, where the half-timbered gables of the east façade of the Almshouse, with their intentional architectural show from a distance, will be unobstructed.

4.4 Over-all the proposal represents a conceptually strong and high quality architectural response to the site and its context. Although the interpretation of this setting has been filtered through a contemporary architectural approach the proposals stand a high chance of forming a low-impact and sensitive addition to the cascading building forms that descend from St Michael's Hill to Christmas Steps.

4.5 In recommending this scheme for approval we do not wish to set a precedent for the use of the modern material within the Conservation Area, nor encourage further developments of a similar nature. However, we consider the distinctiveness of this proposal, the unique response to the site, and the clear ambition to minimise impact by responding to context, to be both brave and progressive. The proposed use of Trespa panels in this setting is integral with the wider design concept, and add to the architectural expression rather than diminishing it. The question could be

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asked whether there are more traditional materials which could achieve the expressed intended effect, but it is difficult to think of any. In this singular instance we accept the addition of this material within the Conservation Area.

4.6 We recommend approval for the scheme with the clear proviso that the high quality design, and the proposed materials and detailing, must be secured by condition, and future dilution of the design and material quality would be strongly resisted. Recommended conditions are provided.

The Conservation Officer was re-consulted following submission of revised plans and has confirmed -

There is a degree of not-substantial harm posed to the Grade II Listed building. There is also public benefit in bringing underused land back into beneficial use. In this instance we consider that the potential benefit and the high quality design are likely to offset this harm. The listed building is finished to a high quality across its rear elevations, but it is clear that these were intended to be subservient to the main courtyard. The proposals aim to minimise the impact upon these facades. The value of the site as the setting of the Listed building is relatively low, with no direct historic connection between the site and its use, or having at least some precedent for historic development across it.

In light of recent appeal cases we do need to consider the visual amenity of residents within the Conservation Area outside of the visibility of the development from the public realm. In this respect our consideration has changed from our original comments. It is clear that the building will not preserve the existing character of the conservation area in this location. However we do consider that it has the potential to enhance it through high quality design and an imaginative response to site, context, and materiality. In order that these benefits are maximised we consider that there should be careful consideration of the appearance and use of the proposed flat roofs, and potentially the mitigation of any negative impact where possible.

Consultation responses from Historic England

The application site proposed for student accommodation sits below the Three Kings Court, formerly known as Foster's Almshouses, and designated grade II* and within the conservation area. It has its principal courtyard elevation onto Colston Street with Christmas Steps descending along its northern elevation and pedestrian steps connecting to Host Street along the south-west boundary. While the site appears to have been historically associated with the almshouses, it is now in separate ownership, but still forms an aspect of their setting. It also contains substantial trees and offers a green respite within the conservation area.

Historic England Advice

In assessing the contribution of the setting of the heritage asset to its significance, we would cite Para.128 of the National Planning Policy Framework (NPPF) which states that: 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance....' While the application site is not readily visible from the public realm, its contribution to the setting of the almshouses needs to be proportionately assessed, and we do not consider that the submitted Heritage Impact Assessment quite achieves this. If the heritage values, and therefore contribution of the site to the significance of the asset can be properly measured, the impact of the proposed development can be better informed.

We understand that there have been previous proposals on the site amounting to a greater quantum of development (ref: 08/00561/F), and that this application was subsequently withdrawn. We previously commented that development on such a sensitive site was likely to be of concern. However, we advised that a more modest development, taking a clear steer from its historic context may be considered more favourably. The submitted proposals include a substantially lower building,

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sitting on the portion of land below the rear of Three Kings Court. We consider that its domestic scale is more befitting and would be less conspicuous within the conservation area. However, we remain convinced that the design approach has been suitably justified. We refer to Para. 137 of the NPPF that states that: 'Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably'. In such a case we would seek a form of development that preserves the elements of the site that contribute to the significance of the setting of the former almshouses and conservation area. While we support the principle of contemporary design in the historic environment, there must be a degree of legibility within its context. We are unconvinced at this time that the profiled panelling, absence of a well-detailed eaves, and fenestration without any articulation will achieve the NPPF test.

Recommendation

We advise that further assessment of the garden setting of the almshouses, and its contribution to their significance is carried out. This should then inform the design of any new development, and this ought to be more thoroughly detailed than the present submission. We would welcome the opportunity of advising further. Please consult us again if any additional information or amendments are submitted.

Historic England were consulted following submission of revised information and responded as follows;

Further to our letter of 12th December 2016, a further augmented Statement of Significance and Design and Access Statement have been submitted for consideration. We were previously quite concerned over the lack of assessment of the application site, with regard to its contribution to the significance of Three Kings Court. We are pleased that further research into the history of the site has been carried out and that the report concludes that the site 'positively contributes to the setting of Three Kings Court and the trees on the frontage assist with providing a soft foil to the otherwise urban context.' We would therefore advocate a form and design of development that conserves the positive heritage values of the site, particularly with regard to views to and from the principal heritage asset. We believe that the further assessment complies with the requirements of para 128 of the National Planning Policy Framework (NPPF).

The augmented Design and Access Statement continues to give a reasoned case for the proposed design approach. The assessment of the characteristics of the conservation area, particularly in relation to building form, orientations and changes in levels across a steep section of the historic city provides the context for the proposed design. We note that the designer takes a view that with a wide palette of building materials and cladding, the variety allows for a modern intervention in the form of the proposed cladding panels. While this is a valid argument, we remain disappointed that the legibility of the development is still somewhat divorced from its context. Contemporary design that makes a valid reference to its context, even in a subtle way is very often more successful, and can be achieved in a variety of ways, particularly materials. We therefore advise that some aspect of the design or/and landscaping makes a legible reference to the historic characteristics of the site. While we remain unconvinced from the amended plans submitted that the development will deliver positively in this sensitive context, we would not wish to object. We would task you with ensuring that the construction is suitably detailed, and that some local distinctiveness is legible within the overall design.

Recommendation

Historic England has no objection to the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 132 of the NPPF. In determining this application you should bear in mind

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the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas, and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise. Historic England were consulted on the final set of plans and confirmed that on the basis of an actual reduction in the amount and area of development and their previous comments, they do not wish to make any further observations - deferring to BCC specialist conservation advice in respect to details and appropriate conditions.

Officer assessment

The advice contained within these responses has been considered and given critical weight in assessment of the application. Third party representations have also been taken into account. The preservation of the entire garden setting has been requested by some objectors as the ideal, on the grounds that the character of the space as a garden connected with the Almshouses is valued, long established and appreciated by the community. Objections also refer to the harm that would be caused from the appearance of the development in such close proximity to the Almshouses building, potentially affecting views out of the Almshouse building and surrounding Listed Buildings and views towards these buildings from the site itself.

The visual qualities of the site as an undeveloped setting for the Almshouses are noted. Notwithstanding, the land is not open to current residents of Three Kings Court or the public for leisure or recreation and is not managed as an ornamental or tended garden.

Based on the specialist advice of Heritage consultees, officers consider that the applicants have provided an adequate Heritage Impact assessment, in accordance with the requirements of s128 of the NPPF. The Conservation Officer has identified and assessed the significance of the heritage assets affected (in accordance with s129 NPPF), and advised that the value of the undeveloped application site to the significance of the Almshouses is relatively low. Whilst the Conservation Officer does determine the impacts from the application as less than significant harm to the Almshouse listed building and its Conservation Area setting, s134 of the NPPF refers and requires this harm to be weighed against the public benefits of the proposals, including securing its optimum viable use.

The Conservation Officer identifies public benefits in the limitation of the development to the rear of the principal listed building, avoiding impact upon the more decorative public facades and formal gardens fronting Colston St integral to the significance of the site. Public benefit is also identified by the Conservation Officer in bringing the underused land back into beneficial use and the potential for a high quality design solution to be achieved and secured via the condition discharge process.

The assessment has also had regard to the requirement under s72 of the Planning Conservation Area Act, with special attention paid to the desirability of preserving or enhancing the character or appearance of that area. Whilst the development would not preserve the current appearance of the site as green undeveloped land, the Conservation Officer advice is that the form and design of the development and opportunity to secure high quality material finish will meet the s72 requirement as an enhancement of the site.

Historic England have advocated a form of development that conserves the positive heritage values of the site, particularly with regard to views to and from the principal heritage asset. The overall form height and massing of the development would help ensure that the development would not impair or obstruct available views of the Foster's Almshouses from public vantages within the Conservation Area.

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The form of the development is unusual in its overall appearance and angled elevations, comprising a two storey flat roofed structure, of clad Trespa style exterior. The upper level and form of the new building would be glimpsed from outside the site, following the pollarding of the trees, however these trees would provide screening in views from the public realm for some of the year following regrowth. The new building would be clearly visible from rear elevations of 5 Host Street and from the Fosters Almshouse units and external amenity terrace overlooking the site. The development would clearly have greater impacts in these private vantages across and into the site, assessed as follows;

-Views towards Grade II* Almshouse Building from Grade II 5 Host Street

The development has been amended to remove the units originally proposed for the lower portion of the site, which would now be retained as an ornamental garden. The development would not preserve the character or appearance of existing views towards the principal listed building and its setting from 5 Host Street. However, on balance, given that the available views from the Grade II listed office building of 5 Host St are of the less significant rear façade and the Conservation Officer has found low value in the undeveloped nature of the site to the significance of the principal listed building, no objections are sustained on this point.

-Views towards Grade II* Almshouse Building from Grade II1 Host Street.

Views towards the principal Almshouse building and its current setting are limited due to the topography of the site and existing boundary walls - no objections are sustained on this point.

-Views across the site from Grade II*Almshouse building and communal terrace area to the rear.

The proposals would have clear impacts on these views, given the proximity and massing of the new building to the Almshouse site and communal amenity area to its rear. On the basis of the specialist advice provided, the degree of harm arising from the altered aspect to the principal building from these private views is considered less than significant. On balance, and again on the basis of the specialist advice from the Conservation Officer, this less than significant harm is considered outweighed by the low degree of value identified in the application site to the significance of the Grade II* Almshouses, and the potential to achieve a high quality design solution and material finish to the new building to mitigate the identified harm.

ARCHAEOLOGY

Policy BCS22 Conservation and the Historic Environment requires development proposals to safeguard or enhance heritage assets, including archaeological remains. The City Archaeologist has recommended various conditions to ensure written scheme of investigation for a archaeology watching brief, including monitoring of all geotechnical ground works, to ensure that archaeological remains within the site are appropriately recorded.

CONCLUSION

Based on the specialist advice from the Conservation Officer and Heritage England, officers consider that a recommendation of refusal of the scheme on heritage grounds is difficult to justify. The support for the proposals from the Conservation Advisory Panel (CAP) is also noted. The overall scale of built development has been halved following officer negotiations and is now restricted solely to the upper portion of the site, with the lower level retained as an open gardened landscaped space. The existing contribution of the site to the surrounding listed buildings on Host St is considered limited, given the neglected and overgrown character of the space and physical and functional separation of the site from these Listed Buildings. The appearance of a new building of striking modern design within this tight site would be a significant visual and physical intervention within the setting of the listed Almshouses and would be clearly visible to those residents utilising the communal area or overlooking the site. The upper portion of the new building would be glimpsed from Colston Street/ Trenchard Street environs but due to its setback within the site and screening from the retained trees the visual impact is considered acceptable.

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The development has been assessed in its impact as less than substantial harm to the listed building and its setting, following the NPPF definition under s134. However, the Conservation Officer maintains that in his specialist opinion, this harm is outweighed by the public benefit of securing active use of the land and that this and the potential for a high quality design solution outweigh the identified harm, given the low value of the existing overgrown setting to the listed building. In addition, whilst the Conservation Officer accepts that the development will not preserve the existing character of the Conservation Area in this location, he again emphasises the beneficial enhancement of the site and its contribution to the Conservation Area via high quality design and material finish of the scheme.

The above expert advice is noted and forms the basis of the officer recommendation of approval, subject to appropriate conditions. Taking the above into account, and on balance, it is considered that the character and nature of this relatively hidden open space is not considered so significant to the affected heritage assets as to prevent development of the site, subject to sensitive design response of any new building. Considerable importance and weight has been given to the harm caused to the listed buildings, their special interest and their setting, however it is concluded that the public benefits of active use of the site and a high quality innovative design solution would outweigh the identified level of harm. Considerable importance and weight has also been given to the harm caused to the Conservation area, both in private and public views, however this is considered to be a limited degree of harm and outweighed by the public benefits outlined above. The development is therefore considered to accord with Sections 16,66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 12 of the NPPF and Local Plan Policies BCS22 and DM31.

(C) DESIGN CONSIDERATIONS

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, including the requirement to respond to an incorporate existing land forms, green infrastructure assets and historic assets and features.

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. 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.

City Design Group (CDG) feedback on the scheme has been incorporated into the Conservation Officer's comments above; with no conflict identified with the above design policies or objections

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raised from CDG on the building's contextual relationships, siting, height, scale and massing, design, character and appearance or materiality. On balance, taking these specialist comments into account and given the restricted visibility of the scheme from the public realm and opportunity to ensure high quality material finish via the condition process, officers consider the proposals to be an appropriate quality and design in this sensitive location.

(D) AMENITY

Thirty three objections have been received from third parties, including objections that the scheme would result in harm to surrounding residential amenity from noise and disturbance, as well as overlooking and loss of privacy to existing residents of Three Kings Court to the immediate north.

Various local plan policies require the impact of the development on residential amenity to be assessed and taken into account. BCAP4 and DM2 both provide detailed assessment criteria and confirm that student development will not be permitted if the development would harm the residential amenity of the area. Various design policies also require that new development should safeguard the amenity of existing development, including BCS21, DM27 and DM29.

Following amendments to the scheme design there will be no access to the flat roof area of the building for residents of the development. The lower terrace of the site is retained as ornamental garden ; residents of the accommodation will not have access to this garden, in order to limit potential noise impacts affecting those properties on Christmas Steps that back onto the site.

Potential for noise and disturbance

The application has been supported by a Student Management Plan, setting out that the developer has experience in management of other Bristol student schemes and seeks to employ a 'good neighbour' policy to help preserve the amenity of local residents and encourage a sense of community. Access and security arrangements are confirmed, as well as a Facilities Management Team, that would be responsible for keeping the development in good order, with availability 24 hours/day to deal with issues arising and emergencies, including responsibility for student welfare; anti-social behaviour, tenant management and compliance procedures.

The main impacts of the proposal would be felt by immediate neighbours to the site, namely the residential apartments to the immediate north within Three Kings Court and office premises to the east at 5 Host Street. The proximity of these existing developments to the site has been considered alongside the location of the access points to the units on the north side of the new building and external areas.

The occupation and use of the site as student accommodation would result in increased activity and comings and goings compared to the existing disused gardens, however given the city centre location, background noise levels, scale of the scheme and restricted entry via keypad, this is not envisaged to result in harm to amenity to a degree that would warrant refusal of the scheme. The level change and retaining walls to the Three Kings Court would act as a buffer and help to mitigate the impact of increased activity around the site. Assessment of amenity impacts has included consultation with BCC Pollution control who have confirmed they have no objections to the development in terms of potential harm to existing surrounding amenity from increased noise and disturbance.

Impacts on Three Kings Court

Potential for harmful overbearing impacts/ loss of daylight/overlooking
Three Kings Court apartments (former Foster's Alsmhouses) are the closest residential development to the site. Objections have been received from residents of Three Kings Court on grounds of harm arising to amenity from overlooking, overshadowing...Assessment of amenity impacts from

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overbearing and proximity of the proposed building has included officer site visits to the Three Kings Court and regard to the open communal terrace to the rear above the application site.

The elevated position of the terrace has been shown on plans between 2 and 4m above the variable ground level of the application site. There are residential windows within the rear elevation of Three Kings Court that look onto the terrace and application site beyond. The existing Laurel Tree (T4) provides screening between the Three Kings Court terrace and the application site below - this tree has extant consent for removal under 16/03341/VC and is confirmed for removal under the current application.

Plans indicate that the proposed building would stand some 5.3m in height (taken from ground level outside building entrances) and would appear some 2.5m above external terrace level to the rear of Three Kings Court. The separation distances involved between Three Kings Court and the new building can be appreciated from site layout plans (1599(L)21K, 1599(L)22J). The respective staggered building lines result in varied separation distances between 5.5 - 8m in total. Whilst these distances are clearly tight and restricted, regard has been had to the notable level change between the sites which would reduce the overall impact of the building on those windows within Three Kings Court looking into the site.

It is acknowledged that the presence of the new building would have some harmful impact on the outlook from the rear terrace and Three Kings Court apartment windows looking toward the site, when compared with the existing situation. However, the relatively low height, massing and staggered form of the building would not result in an unacceptable sense of enclosure or loss of daylight, which in turn reduces the overbearing impact of the new structure on those windows and amenity terrace to the rear of Three Kings Court.

In terms of overlooking potential and harmful intervisibility between Three Kings Court and the new building, the respective level changes have been taken into account. It is noted that the existing terrace to the rear of Three Kings Court is communal and as such, not strictly private in terms of amenity for users of this shared space and those windows of Three Kings Court apartment looking over this area. On balance, in this context, the degree of overlooking and intervisibility between apartments/the shared terrace of Three Kings Court and the new building is considered reasonable, taking into account the internal layout of the student scheme.

Overall and on balance, it is not considered that the proposed impact of the new building on the amenity of Three Kings Court apartments (in terms of overbearing sense of enclosure, loss of light or harmful overlooking) is significant enough to warrant a refusal on residential amenity.

Impacts on 1 Host Street

Objections from occupiers of this premises have been received, primarily on grounds of heritage impact. 1 Host St is in use as offices and is located below the site to the immediate southwest. Outlook from openings to the rear of this building is already constrained, due to the height of surrounding boundary walls and impact of existing trees within the site. The siting, massing and window locations serving the new building would not result in harmful sense of enclosure/loss of light/privacy or overlooking to this premises, given the configuration of the respective plots.

Impact on 5 Host Street

This premises is in use as offices and is located to the east of the site. Windows to the rear of the building directly overlook the lower terrace within the application site. No objections have been received from the current occupiers of the building. Impact assessment has included visit to this premises. Taking into account the scale and location of the new building within the site, it is considered that the proposal can be accommodated without unreasonable impacts on 5 Host Street; the siting, massing and window locations serving the new building would not result in unacceptable

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sense of enclosure/loss of light/ privacy or overlooking into 5 Host Street, given the configuration of the respective plots and oblique window interrelationships.

Impact on 3 Host Street (16/02517/F Construction of a 4-storey office building (Extant consent)

The impact of the development on the building consented under 16/02517/F has been considered. Concern was expressed that there would be direct overlooking between the application building and the new office building consented at 3 Host Street; obscure windows have been provided in the southern elevation of the new building to counter any adverse impacts. The separation distances between the respective buildings would be tight at 3.5m, with lightwell already proposed to the rear of consented scheme at 3 Host St. On balance, given the scale, city centre location, nature and use of both buildings, it is considered that the compromised relationships arising would not result in such harm from overbearing, enclosure or daylight impacts as to warrant refusal of the proposals in this instance.

Impact on Christmas Steps properties

Given the removal of the studio building originally proposed for the lower terrace, the impact of the development on the amenity of those Christmas Steps properties backing onto the site is considered acceptable. The ornamental garden would act as a discrete buffer zone and taking into account the general background noise levels and proximity of existing surrounding development, the impacts on amenities of Christmas Steps residencies are not considered so detrimental as to warrant refusal of the scheme.

Amenity of future occupiers

DM21 states that development will be expected to create a high-quality environment for future occupiers. Policy DM29 refers to the design of new buildings, requiring them to be designed to a high standard of quality and to achieve an appropriate level of privacy, outlook and daylight. DM2 includes the expectation that a good standard of accommodation is provided in purpose built student schemes. DM14 is also relevant and requires developments to deliver a healthy living environment.

Objections to the proposals have been received on grounds of compliance with space standards. It is noted the national space standards do not apply to student accommodation, the development is for student housing within a sui generis use and as such would require planning permission were the development to be occupied as general residential use under a C3 use class. The key assessment criteria is whether the development would provide acceptable living conditions for future occupiers; the application has been assessed on this point with particular regard to quality of internal living space, privacy and outlook.

Each of the units would provide a communal living/kitchen/dining area to the northern side of the building, 2 WC areas and separate facility for laundry. Some concern is expressed at the constrained daylight and outlook from a number of the proposed bedrooms within the scheme, due to the proximity of surrounding development, existing boundaries and shading from the retained trees within the site. Overlooking potential has been averted via obscure windows to the south elevation and it is appreciated that whilst this would restrain outlook, harm is mitigated to some extent from provision of additional clear view windows facing to the north east.

Overall and very much on balance, taking into account the nature of the scheme as specialist student accommodation for a transient end occupier, it is considered that the scheme would provide an adequate living environment for future student occupants.

Development Control Committee A – 4 April 2018**Application No. 16/05680/F and 16/05681/LA: (Land East Of) Colston Street Bristol BS1 5AY****(E) WILL THE PROPOSED WORKS ADDRESS THE LAND STABILITY ISSUES AND MINIMIZE RISK TO ADJOINING OCCUPIERS?**

The Local Planning Authority (LPA) has an important role in minimising the risk and effects of land stability on property, infrastructure and the public (NPPF). Policy DM37 provides the detailed criteria applicants are expected to address where there is reason to suspect unstable land and where the risk of instability has the potential to materially affect development.

DM37

On sites where there is reason to suspect unstable land and the risk of instability has the potential to materially affect either the proposed development or neighbouring uses/ occupiers, development will only be permitted where:

- i. A desk-based study of available records has been carried out to assess the previous uses of the site and their potential for instability in relation to the proposed development; and
- ii. Where the study establishes that instability is likely but does not provide sufficient information to establish its precise extent or nature, site investigation and risk assessment are carried out to determine the standard of remediation required to make the site suitable for its intended use. Where remediation measures are necessary, conditions or obligations may be applied to ensure that the development does not take place until appropriate works are completed.

A Desk Study Geotechnical Report has been submitted with the application, and this has been revised and updated to reflect the current scheme.

The LPA appointed ARUP consultants to review the submitted information and they concluded that the desk study appears to provide a detailed and comprehensive desk based assessment of the site and the likely constraints on the proposed development, with the content of the report in line with what would normally be expected for a geotechnical desk study for a development of this nature.

Arup have confirmed the desk study indicates that the proposed development can be constructed successfully without detriment to the neighbouring structures, providing mitigation measures are implemented and Arup have agreed with this conclusion. Arup have provided recommendations for further information required from the developer to fully satisfy policy DM37; in summary;

- Intrusive geotechnical investigations to determine a profile of the top of the rock over the site, to ascertain engineering properties for the weathered and intact rock and investigate the characteristics of any made ground underlying the site.
- A temporary works assessment, ensuring that the retaining structures are not damaged during construction activities;
- An assessment that in the permanent condition, the applied loading from the structure does not increase loading on the retaining walls to any detriment.
- A pre and post works condition survey of all retaining structures in question, in order to demonstrate that they have not been damaged as part of the construction works. This could include a visual assessment, photographic record, and surveyed targets attached to the walls, amongst other measures.
- A recommendation to obtain a Coal Authority report, although it is noted that no ground workings beneath the site are known to exist (site falls within a Low Coal Risk zone).

Arup have also drawn attention to the potential impact of replacement tree planting on existing (and proposed) structures - see Key Issue F for further detail on Tree impacts.

Significant consideration has been given to the presence of the Grade II* listed Foster's Almshouses in immediate proximity to the northern boundary and the critical need to ensure that the development can be carried out with adequate safeguards in terms of land and structural stability of this important

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heritage asset. As such, Arup recommendations are attached as pre-commencement conditions to the consent recommendation. In addition, due to the extreme sensitivity of the listed buildings surrounding the site, evidence of a suitable insurance policy held by the developer is also sought as a pre-commencement measure.

In conclusion, whilst the site has a complex geology and the exact ground conditions are not yet fully known, provided that insurance is in place to cover any potential problem as a consequence of the proposed works, there is no planning justification to resist development subject to these conditioned safeguards.

(F) TREE IMPACTS

In accordance with policies BCS9, BCS11, DM15 and DM17, green infrastructure, including trees and ecology on development sites should be safeguarded and enhanced where possible. Where this is not possible, developer contributions should be taken to provide for mitigation of losses, in accordance with policy BCS11 and the Planning Obligations SPD.

The significant contribution of the mature Lime trees within the site to the character and appearance of the Colston St environs has been taken into account in the assessment. It is accepted that the immediate area has little open green space and whilst public views into the site are limited, the Lime trees provide significant visual amenity and relief to the local streetscene and setting to the Foster's Almshouses (Three Kings Court).

The proposals would involve tree works comprising pollarding of the Lime trees to agreed points 6m from ground level to allow for the construction process, due to the limited access into the site. The Laurel tree close to the retaining wall of the Almshouses to the north of the site is also proposed removed; due to poor form and root impacts on retaining boundary structures. 1 lime tree stump has also been identified for removal. BCC Arboriculture officers have sought to ensure that prescribed tree works to the Lime trees are carried out in a similar manner to maintain the same light levels to each tree so they can recover uniformly following the pruning work. An arboriculture method statement and tree protection have been submitted in support of the tree works and reviewed by BCC Arboriculture Officers.

BCC Arboriculture Officers have raised no objections to the proposed tree works, subject to securing suitable mitigation for the removal of the Laurel tree, confirmed as either 3 replacement trees planted within the site or a financial contribution of £2,292. Replacement tree planting within the site has been considered but due to the proximity of surrounding development and retaining boundary structures the financial contribution has been sought via a planning legal agreement. This agreement has not yet been finalised; as such, any final recommendation of approval would be subject to completion of legal agreement. BCC Arboriculture Officers have also recommended suitable conditions be attached regarding tree protection, site supervision and landscape plan.

(G) TRANSPORT

Policy BCS10 expresses that development should be located where sustainable travel patterns can be achieved and sets out transport user priorities with sustainable means being primary considerations. Policy DM23 requires adequate access to sustainable transport means and requires adequate provision in relation to servicing.

BCC Transport Development Team have been consulted on the proposals and have raised no objections in terms of highways impacts. Given the proximity of the site to the public right of way of Zed Alley a detailed Construction management plan is sought via condition to clarify hoarding location and ensure safe pedestrian access is maintained during the construction process.

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Adequate waste and cycle storage to serve the development is proposed located within the site, utilising the existing air raid structure; conditions are recommended to secure these arrangements and ensure that the management company returns containers to the storage area following collection. A number of refuse receptacles are located immediately outside of the site on Colston Street and it is understood these are utilised by the Sportsman pub and other local residents. The construction process may necessitate temporary relocation of these bins to an alternative location nearby. The site is in a sustainable location that in principle in highway terms is considered to be acceptable for a mixed use development such as this, as it would concentrate development within walking distance of public transport hubs, services and facilities.

The development would fall under the requisite threshold requiring wheelchair accessible housing. The developers have provided justification for the access arrangements to the units as follows;

The site is located on one of the steepest slopes in Bristol, in an area characterised by high retaining walls and narrow stepped allays. It is also located adjacent to the listed Fosters Arms Houses, behind a world war 2 air raid shelter and Western Power's substation. At the start of the design process, the option of relocating the substation was investigated, although Western Power were happy to move the substation, the retention of the historically important bomb shelter prevented this. The retention of the Air Raid Shelter and substation limits the potential location for the entrance to the new development to the top corner of the site. As the site has to be entered at its highest point as well as the steep gradients across the site, and the fact the site is split into several distinct levels, there is no possibility of a level access site, which would not significantly affect the entrance to the air raid shelter, the historic retaining walls and setting of the Alms Houses. That said, the new stepped approach is designed in accordance with Approved Documents K and M, and is suitable for the ambulant disabled and those with limited mobility. Both units also have WCs at the entrance level, appropriately designed stairs and corridors of a generous width to accommodate those with limited mobility and acknowledged constraints of this steeply sloping site. Whilst access into the residential units is less than ideal, the topographic and heritage constraints of the site are appreciated as impacting on the layout and configuration of the development; on balance, no objections are raised on accessibility grounds in this instance.

(H) NATURE CONSERVATION

Policy DM19 states:

"Development which would be likely to have any impact upon habitat, species or features, which contribute to nature conservation in Bristol will be expected to:

- i. Be informed by an appropriate survey and assessment of impacts; and
- ii. Be designed and sited, in so far as practicably and viably possible, to avoid any harm to identified habitats, species and features of importance; and
- iii. Take opportunities to connect any identified on-site habitats, species or features to nearby corridors in the Wildlife Network.

Where loss of nature conservation value would arise development will be expected to provide mitigation on-site and where this is not possible provide mitigation off-site.

BCC Nature Conservation Officer has been consulted and raised no objections to the proposals subject to conditions. Specifically, conditions are recommended attached restricting clearance of vegetation or structures suitable for nesting birds, between 1st March and 30th September inclusive in any year without the prior written approval of the local planning authority, to ensure that wild birds building or using their nests are protected. (The authority will require evidence provided by a suitably qualified ecologist that no breeding birds would be adversely affected before giving any approval under this condition.)

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The Extended Phase One Habitat Survey dated April 2016 recorded Cotoneaster on site. As a planning condition, Cotoneaster should be removed from the site and omitted from any planting proposals because several Cotoneaster species are included on Schedule 9 of the Wildlife and Countryside Act 1981 and tend to be very invasive of semi-natural habitats.

The Design and Access Statement refers to a proposed green roof which is welcomed. However no further details seem to be given of its design. The provision of a living roof should be secured by a planning condition to include details of its construction, planting design and maintenance. A landscaping condition is also recommended.

(I) SUSTAINABLE DESIGN, ENERGY AND CONSTRUCTION

Policies BCS13, BCS14 and BCS15 set out the approach development should take to mitigating climate change through sustainable design and construction.

Policy BCS13:

"Development should contribute to both mitigating and adapting to climate change, and to meeting targets to reduce carbon dioxide emissions."

Policy BCS14:

"Development in Bristol should include measures to reduce carbon dioxide emissions from energy use in accordance with the following energy hierarchy:

1. Minimising energy requirements;
2. Incorporating renewable energy sources;
3. Incorporating low-carbon energy sources.

Consistent with stage two of the above energy hierarchy, development will be expected to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%."

Policy BCS15 sets out that new development should address the following issues:

"Maximising energy efficiency and integrating the use of renewable and low carbon energy; Waste and recycling during construction and in operation; Conserving water resources and minimising vulnerability to flooding; The type, life cycle and source of materials to be used; Flexibility and adaptability, allowing future modification of use or layout, facilitating future refurbishment and retrofitting; Opportunities to incorporate measures which enhance the biodiversity value of development, such as green roofs."

The applicant has submitted revised supporting documents and incorporated the following into the development ; solar panel renewable technology with rooftop provision of 2.5 kW; array area of approx. 22m². The new building will exceed current building regulation maximum requirements for thermal and controlled elements. The predicted annual saving in energy from renewables, over the residual energy demand has been calculated as 1079 kg pa, which equates to a saving on residual emissions of 22.3% from the use of renewables. Overall, the proposed development is considered to accord with the sustainable design, energy and construction principles secured by Policy BCS13, BCS14 and BCS15.

(J) FLOOD RISK

The site lies within flood zone 1; no flood risk issues arising. A sustainable drainage scheme is proposed secured via condition.

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CONCLUSION

In conclusion, your officers recommend approval of the application subject to the conditions outlined and subject to receipt of a legal agreement for the payment of obligations to mitigate against the removal of the Laurel tree.

The key considerations are the principle and limited amount of proposed student accommodation, which your officers advise to be acceptable in this location in policy terms. The impact on the identified significant heritage assets have been carefully considered, taking into account the specialist advice from Historic England, the Conservation Officer and the Council's City Design Group.

Overall, and on balance, it is considered that there are public benefits in the limitation of the development to the rear of the principal listed building of the Foster's Almshouses (Three Kings Court), avoiding impact upon the more significant public facades and formal gardens fronting Colston St. Public benefit is also identified by the Conservation Officer in bringing the underused land back into beneficial use and the potential for a high quality design solution to be achieved and secured via the condition discharge process. There is also some public benefit identified in provision of a managed specialist small scale student scheme as a response to the high demand for student accommodation in the area, helping to mitigate against potential demand for conversion of existing housing stock. As such, and on balance, the proposals are considered in accordance with s134 of the NPPF and the heritage and design policies of the local plan.

Amenity concerns are considered adequately addressed and secured via condition. Land stability concerns are also addressed, with further information secured via conditions in order to mitigate any adverse impacts on the site or surrounding listed buildings.

In conclusion, approval of the application is recommended subject to conditions and completion of a unilateral undertaking for a financial contribution for off-site tree planting.

COMMUNITY INFRASTRUCTURE LEVY

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

The development will be liable for CIL, the sum has yet to be finalised and will be confirmed to Committee on the amendment sheet.

EQUALITIES ASSESSMENT

During the determination of this application due regard has been given to the impact of the proposal in relation to the Equalities Act 2010 in terms of impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication or evidence that different groups have or would have different needs, experiences, issues and priorities in relation to this particular proposal. Overall, it is considered that neither the approval nor refusal of this application would have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

CONDITIONS

A full schedule of conditions for both the planning and separate listed building consent will be reported to members via the amendment sheet.

Supporting Documents

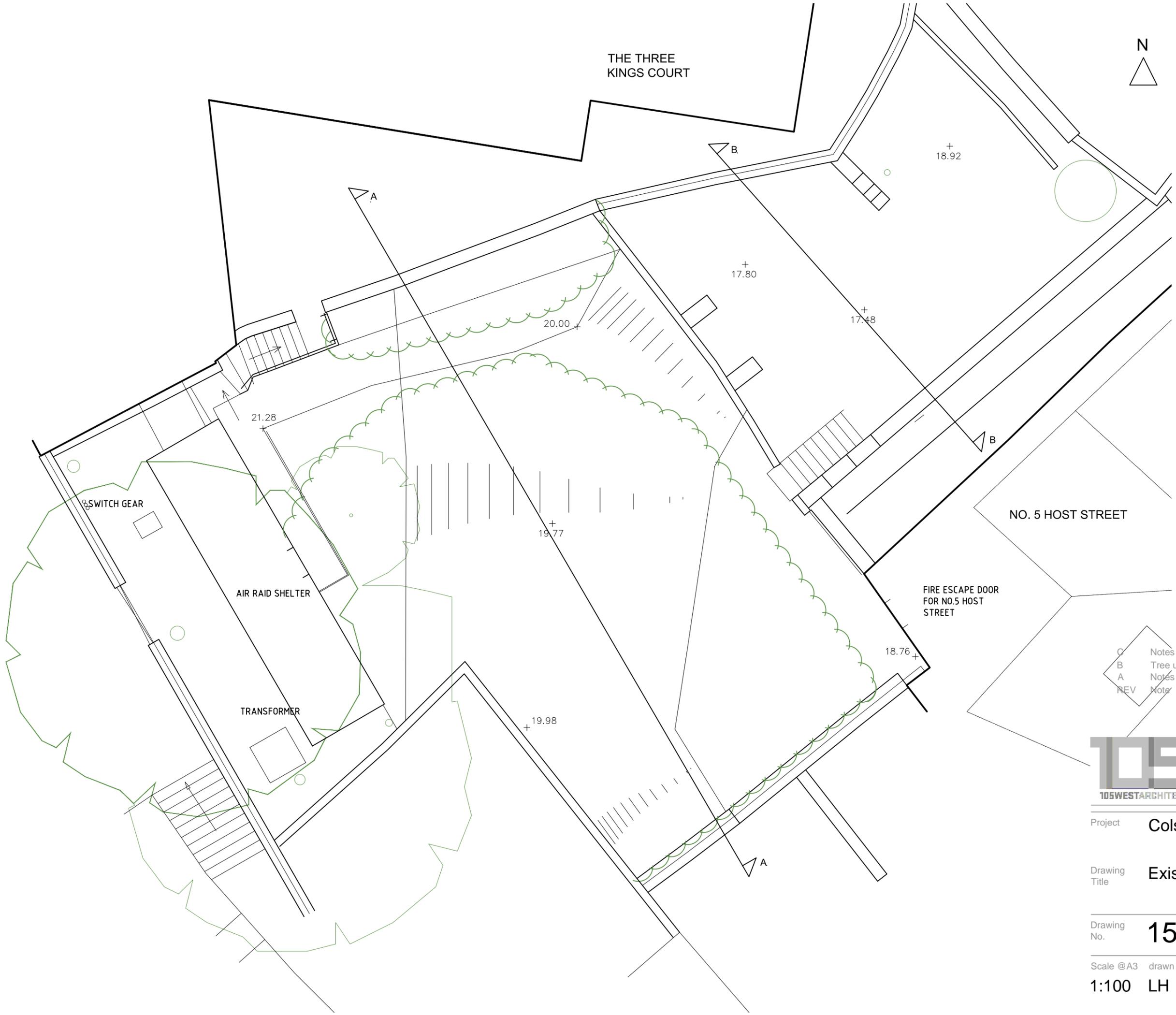
1. (Land To The East Of) Colston Street

1. Existing site plan
2. Proposed Level 2
3. Proposed level 3
4. Proposed North elevation
5. Proposed West elevation
6. Site photographs
7. Student management plan



Responsibility is not accepted for errors made by others scaling from this drawing. All construction information should be taken from figured dimensions only.

THE THREE KINGS COURT



NO. 5 HOST STREET

FIRE ESCAPE DOOR FOR NO.5 HOST STREET

C	Notes and Section lines added	03.03.16
B	Tree updated	29.02.16
A	Notes Added	14.07.15
REV	Note	Date



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Project **Colston Street**

Drawing Title **Existing Site Plan**

Drawing No. **1599(L)02**

Scale @A3	drawn by	Date	Rev
1:100	LH	14/07/15	C

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THE THREE KINGS COURT



L	Refuse are moved and store created	24.01.1
K	Re-configuration bedrooms and windows	14.07.1
J	Studios removed	26.04.1
I	Terrace Removed	23.03.1
H	Ramp amended	06.01.1
G	Steps amended	06.01.1
F	Entrance steps removed and replaced with ramp	06.01.1
E	Unit renamed	10.08.1
D	Unit removed	10.08.1
C	Notes added	02.03.1
B	Section Lines added	01.03.1
A	Unit 5 Removed	27.01.1
REV	Note	Date



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Project **Colston Street**

Drawing Title **PROPOSED LEVEL TWO**

Drawing No. **1599(L)21**

Scale @A3 drawn by Date Rev
1:100 TF 14/12/16 L



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THE THREE KINGS COURT



REV	Note	Date
K	Refuse area removed	24.01.18
J	Re-configuration bedrooms and windows	14.07.17
I	Studios removed	27.04.17
NO. 5 HOST STREET		
H	Terrace removed	23.03.17
G	Ramp amended	06.01.17
F	Steps amended	06.01.17
E	Entrance steps removed and replaced with ramp	06.01.17
D	Unit renamed	10.08.16
C	Unit removed	10.08.16
B	Notes Added	02.03.16
A	Unit 5 Removed	27.01.16
REV	Note	Date



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Project **Colston Street**

Drawing Title **PROPOSED LEVEL THREE**

Drawing No. **1599(L)22**

Scale @A3 drawn by Date Rev
1:100 TF 14/01/16 K

Responsibility is not accepted for errors made by others scaling from this drawing. All construction information should be taken from figured dimensions only.



Materials

Windows: Velfac Aluminium Composite in RAL 7016
 Doors: Velfac Aluminium Composite in RAL 7016/ solid timber doors painted in RAL 7016
 Blue semi-engineering brick plinth
 Cladding: Trespa Meteon Naturals range in Casted Grey and Trespa Meteon Metallics Aluminium Grey Satin
 Roof: Planted green roof
 Balustrades/Handrails: Painted metal railings in RAL 7016



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Project **Colston Street**

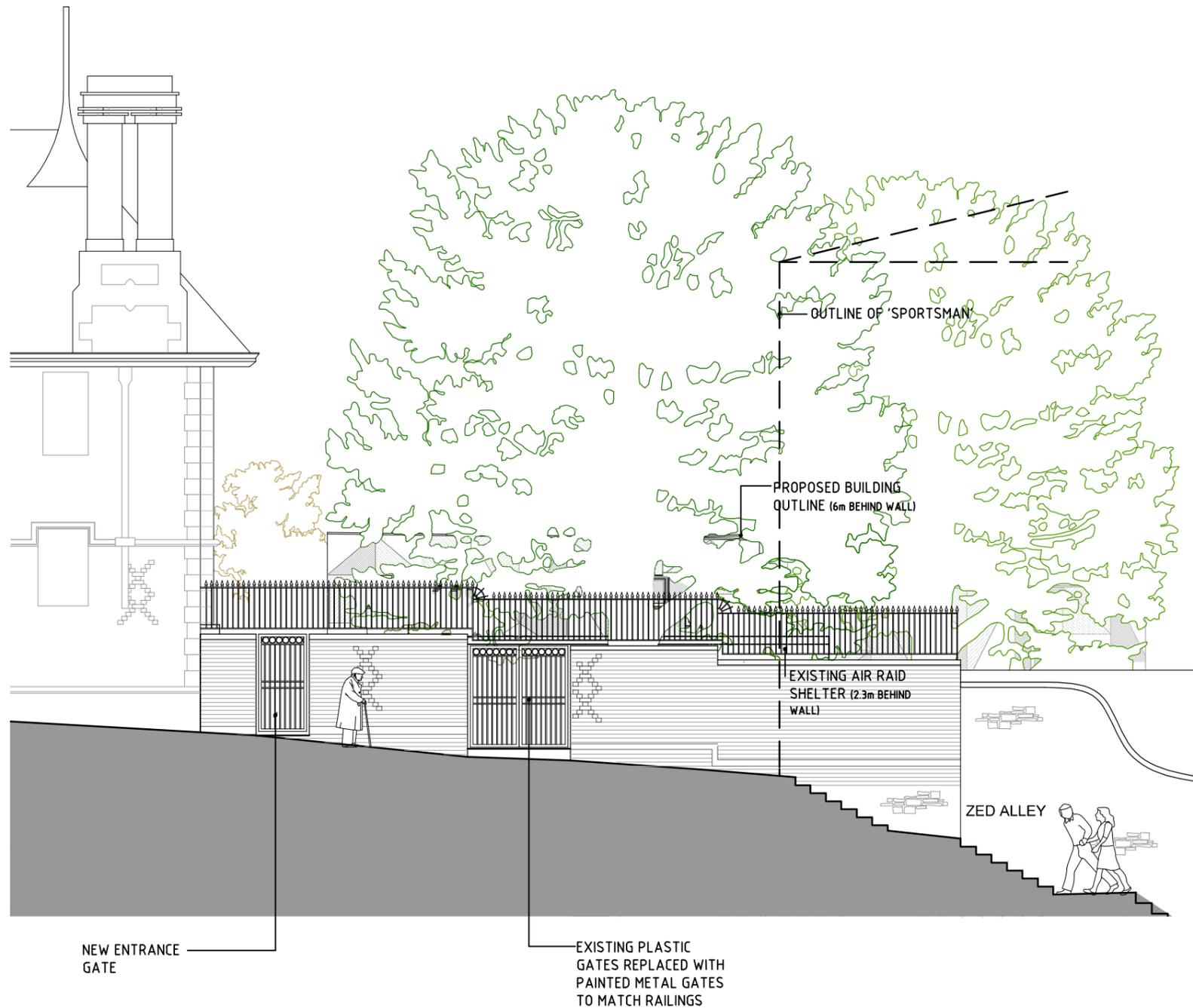
Drawing Title **PROPOSED NORTH ELEVATION**

Drawing No. **1599(L)27**

G	Refuse area removed	24.01.18
F	Wall adjusted	19.07.17
E	2 Units removed	27.04.17
D	Terrace removed	23.03.17
C	Ramp and stairs amended	06.01.17
B	Unit removed	10.08.16
A	Notes Added	02.03.16
Ref	Note	Date

Scale @A3 drawn by Date Rev
1:100 TF 14/01/16 G

Responsibility is not accepted for errors made by others scaling from this drawing. All construction information should be taken from figured dimensions only.



B	Outline of Sportsman added, detail added to neighbouring building, gate updated	10.10.16
A	Notes Added	02.03.16
REV	Note	Date



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Project **Colston Street**

Drawing Title **PROPOSED WEST ELEVATION (Street View)**

Drawing No. **1599(L)26**

Scale @A3 drawn by Date Rev
1:100 TF 14/01/16 B



Facing towards the site from Colston Street



Facing southeast across the site



Facing west from the lower terrace



Facing towards rear of 5 Host St



Facing north west towards Foster's Almshouses

RESIDENTIAL MANAGEMENT PLAN PROPOSED STUDENT ACCOMMODATION, COLSTON STREET

1. INTRODUCTION

This Management Plan (RMP) has been produced to set out how the proposed student accommodation at the Colston Street site will be managed and the amenity of local residents safeguarded. The requirement seeks to address issues arising from feedback from the local planning authority on planning application refs. 16/05680/F & 16/05681/LA. These applications propose:

'Alterations to boundary wall, new access, development of sui-generis residential units for students (2no. studio and 2no. 5-bed cluster flats), with associated refuse and cycle storage.'

2. THE RESIDENTIAL DEVELOPMENT

The site is located within the City Centre, and is located less than c.500m from the University of Bristol Precinct, shops along Lower Park Row and Colston Street, and is a short distance from the St Michael's Hill local centre. The high density context comprises a range of buildings containing a variety of shops, cafes, bars, restaurants and services occupying the ground floors of buildings, with either ancillary storage, commercial offices or residential accommodation on their upper floors. As such, the location has excellent links to local shops and services, as well as a variety of public transport bus routes.

The site sits behind a brick/stone boundary wall with railings atop that front the back edge of the pavement on Colston Street and the pedestrian route of Zed Alley. The site is looked down upon from windows on the northern side from flats within Three Kings Court development and from the south offices at the rear of no. 5 Host Street.

The Accommodation

The proposed development contains 4no. residential units with a total of 12 bed spaces, as per the following table

Level	Accommodation	Floorspace
One	2no. studios (Units 1 & 2)	Unit 1: 19.3sqm / Unit 2: 21sqm
Two	1no. 5-bed apartment (Unit 4)	Unit 4: 100sqm
Three	1no. 5-bed apartment (Unit 5)	Unit 5: 104sqm

Communal provision is also made for refuse storage (including a mini-recycling centre for recyclables) and secure / weather tight storage of bicycles within a former air raid shelter.

3. RESIDENTIAL MANAGEMENT

Management Company

The site is owned and will be managed by Rochford Property Investments, a residential landlord who manage residential accommodation within Bristol and who have a particular focus on the student market serving primarily University of Bristol students. Their office is based nearby in Kingsdown within another purpose built student residential block.

Their aim is to provide high quality, professionally managed accommodation that is well maintained and a desirable place to live. They also seek to ensure that by employing a 'good neighbour' policy the amenity of local residents is preserved and that a sense of community is encouraged. Their recent development has been a model for their approach and has proved to be successful.

Access and Security

Access to the property will be via a single point of entry from Colston Street, which will be secured with a keypad entry system. The accommodation will be arranged in two blocks, with the larger apartments in the western block and the studios in the lower, eastern block. All the communal entrances and stores will have secure doors and require key fobs or coded access to enable entry into the buildings.

Following amendments to the scheme design, there will be no access to the flat roof areas for the residents at any time. Access for general maintenance (leaf clearance etc) will be required from time to time.

Facilities Management

Rochford Property Investments has a Facilities Management Team who are dedicated to the daily housekeeping of their properties during normal working hours. A representative of the Facilities Management Team will be responsible for keeping the residential block in good order and carrying out routine maintenance. They will be available 24 hours/day, to deal with any issues that require their input and in case of emergencies.

The team will take ultimately responsibility for ensuring all health and safety standards and procedures are followed; the carrying out of maintenance and repairs; landlord and tenant agreements/relationship; student welfare; anti-social behavior, disciplinary procedures and compliance procedures.

Maintenance, Housekeeping, Refuse Management and Collection

The Facilities Management Team will be responsible for maintaining any external soft and hard landscaped areas.

Internally, they will also maintain fixtures and fittings within common parts and ensure they are kept clean and free from rubbish. Bedrooms and common areas will also be deep cleaned by a subcontractor annually.

The Management Team will also ensure that the refuse store is kept clean and tidy, and that refuse receptacles are available for collection on the appropriate days. Details of the refuse and recycling management arrangements will be posted on a communal notice board within the ground floor entrance at Level 2 of the larger Block, and within the 2no. Studios. Residents will be encouraged to minimize their waste and to recycle it where possible. This will ensure refuse management and recycling is promoted at source.