

WARD: Ashley **CONTACT OFFICER:** Ken Reid
SITE ADDRESS: 31 - 32 Portland Square And Surrey Street (warehouse) Bristol BS2 8PS

APPLICATION NOS: 1. 17/05290/F Full Planning
 2. 17/05291/LA Listed Building Consent (Alter/Extend)

DETERMINATION DEADLINE: 29 June 2018

Demolition of existing warehouse, partial demolition, conversion and restoration of nos. 31 and 32 Portland Square to form 93 residential flats and development fronting Portland Square, Cave Street and Surrey Street with associated refuse and cycle storage. (Major Application)

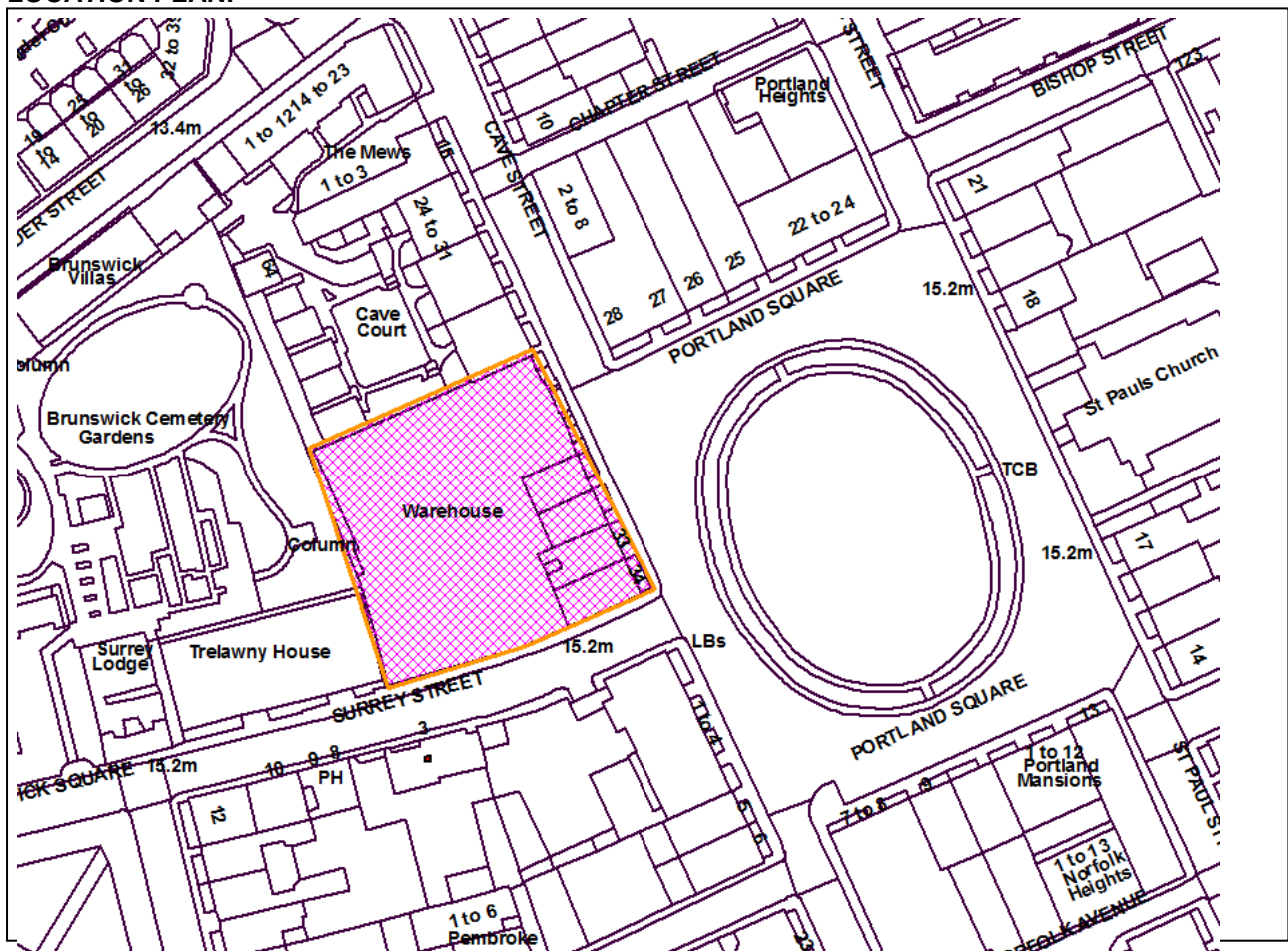
RECOMMENDATION: 1. GRANT subject to Planning Agreement
 2. Grant subject to Condition(s)

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

APPLICANT: The Portland Square Ltd
 C/o Agent

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

LOCATION PLAN:



Development Control Committee A – 5 September 2018**Application No. 17/05290/F & 17/05291/LA: 31 - 32 Portland Square And Surrey Street (warehouse) Bristol BS2 8PS****SUMMARY**

The proposals relate to a site with frontages to Surrey Street, Portland Square and Cave Street. The site is presently occupied by a 1960s warehouse, and two Grade I listed buildings forming part of a short terrace of four. The proposal seeks to demolish the warehouse and redevelop the site to provide 94 residential units. The intention is to refurbish and convert the existing Listed Buildings (no's. 31 and 32 Portland Square), reinstate the remaining terrace that presently forms a gap in the street-scene (formally no's. 29 and 30 Portland Square and no. 1 Cave Street), and erect new build development fronting Surrey Street, to the rear of 31-32 Portland Square and adjacent to the Brunswick Cemetery.

The application is being reported to committee given the significance of the proposals especially in regard to the new build. This has generated interest from a local amenity groups and Historic Englands who are concerned that the proposal would have a significant impact on both the setting of the listed building and Brunswick Cemetery, with consequences for the wider conservation area. This is also being considered given the matter of affordable housing. On assessing the applicant's viability report and following the Council's findings, the Local planning Authority has concluded that the development can provide 21% affordable housing which equates to 20 units. The applicants are not in agreement however and are offering 9 affordable units or 10%.

Officers of the Council's Sustainable City team object as the development does not fully comply with policy BCS14 of the core Strategy. This expects major development to incorporate, where feasible, infrastructure for district heating, and to connect to existing systems where available. The applicant states that there is no date for when the heat network is due to expand to Portland Square and that the Council cannot provide a timeframe when this potentially could be achieved. The applicant also states that no information regarding connection costs or tariffs has been given. Consequently this is not a commercially viable option as funders and purchasers would not consider this and would not wish to buy into the development, according to the applicant. This is very much an on balance decision of bringing a dilapidated site back into use and providing much needed affordable housing. This would offset the shortfalls of the scheme in policy terms with regard to design and sustainability considerations. Given the above, it is considered that the proposal would merit consideration at committee.

SITE DESCRIPTION AND BACKGROUND

The application site comprises a 1960s warehouse building (Sandhu's warehouse), together with the Grade I Listed Buildings 31 and 32 Portland Square, and the neighbouring gap site (formerly occupied by 29 and 30 Portland Square). 31 and 32 Portland Square form part of a terrace of four Grade I Listed Buildings comprising numbers 31-34 (consecutive) standing on the west side of Portland Square. The Grade 1 listed buildings date from 1789-1820 and were each constructed in limestone ashlar with a slate Mansard roof, each is of five storeys, including basement and attic, mid Georgian in style with a double depth plan. On the opposite side of the square is St Paul with St Barnabas Church, which is also Grade 1 Listed.

To the north of the site is a modern residential development of Cave Court, to the west is Trelawney House a modern office building, and to the rear of the site on the western boundary is the open space of Brunswick Cemetery. The whole of the site falls within the Portland Square Conservation Area. Beyond the formal composition of Portland Square itself the surrounding area is characterised by a mixture of land uses and buildings of differing age and architectural styles.

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Both the Grade 1 Listed Buildings on the site are vacant and in a poor state, each is 'at risk' being identified on both the Historic England National Buildings at Risk register and Bristol City Council's 'Listed Buildings At Risk in Bristol (2005 Register) (Risk Category 1: Priority A)'.

This report refers to both a full application for redevelopment of the site, and a listed building application for works to the retained listed buildings on the site.

RELEVANT PLANNING HISTORY

84/02687/F & 84/02897/L - Refurbishment of existing buildings for office use with rear yard and under-pavement storage ancillary to office use. Granted.

99/03896/F - Change of use of basement from storage to food and drink use (Class Use A3) and associated external alterations including replacement roof and new balustrading to front. Refused on the following grounds:

- The proposed development, by maintaining the gap and installing a flat roof and railings, would fail to preserve or enhance the character or appearance of the Portland Square Conservation Area which is characterised by four storey terraces with mansard roofs. This would cause and perpetuate harm contrary to policies of the Bristol Local Plan.

- Insufficient information has been provided in relation to the location or appearance of plant vents or flues top enable the local planning Authority to fully assess the impact of this on the character or appearance of the Portland Square conservation Area or the amenity of nearby residents.

- The location of the proposed cycle parking is considered to be unsuitable for visitor use, being accessed by a flight of steps, and accordingly the proposal is considered substandard in regard and contrary to policy of the Bristol Local Plan.

99/01995/F - Change of use of basement area from storage to licensed nightclub. The application was withdrawn.

03/04925/F and 03/04924/LA - Conversion of 31/32 Portland Square to form eight self-contained flats with roof terrace in connection with the construction of 68 self-contained flats together with associated car parking accessed from Surrey Street. Refused for the following reasons:

- The proposals by reason of the combination of the scale and excessive massing of the buildings, together with their detailed design would be detrimental to the historic character and visual amenity of the area to include the character and setting of Grade 1 Listed terrace to Portland Square both upon and adjacent to the site. Proposals would also be prejudicial to the existing and emerging townscape evident within this part of St Paul's and would fail to preserve the character and appearance of this part of the Portland Square Conservation Area. For the reasons given the proposals are contrary to policies.

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- The proposals fail to make any contribution toward the provision of an appropriate combination of affordable homes together with improved public transport and/or environmental improvement to the public realm to include enhanced pedestrian and cycle links with the neighbourhood. The proposals are therefore contrary to Policies of the Bristol Local Plan.
- In the absence of an appropriate and satisfactory archaeological evaluation of the site insufficient information has been presented to fully assess the impact of development upon archaeology.
- The scheme fails to provide both a satisfactory quality of landscape design within the confines of the site and to provide a pedestrian link to and from the neighbouring Brunswick Square cemetery to serve the needs of future occupiers, visitors and public alike. For the reasons given proposals are contrary to policies of the Bristol Local Plan.
- The proposals fail to provide an active street frontage to Surrey Street and instead the combination of the chosen site layout and detailed design will result in an unduly defensive, inward looking and unattractive form of development on a prominent corner site. For the reasons given proposals will not make the necessary positive contribution to the safety and security of future residents and pedestrians alike and would be contrary to policies.
- The residential mix of one and two bed flats and maisonettes proposed within the scheme, taking into account the existing provision of single person accommodation and the availability of extant planning permissions for single person accommodation within the St Paul's neighbourhood, would add to the over provision of small units of accommodation in the area, to the detriment of the character and amenity of the locality and the sustainability of the local community.

05/01109/F - Residential development to form 62 flats comprising conversion of 31 and 32 Portland Square to form 10 flats, the demolition of the existing warehouse and redevelopment of 29 and 30 Portland Square and 1 Cave Street comprising a further 52 flats, erection 1 retail shop, provision of 23 car parking spaces and associated landscaping. The applicants appealed against non-determination. However following discussions between the applicant's agent and the Council, in which both parties agreed to attempt to negotiate a more acceptable scheme through a new planning application, the Planning Inspectorate put the appeal in abeyance and the full application was subsequently withdrawn.

06/00483/F/C & 05/01106/LA - Conversion and restoration of 31 and 32 Portland Square to form 10 no. flats, demolition of existing warehouse and redevelopment of 29 and 30 Portland Square and 1 Cave Street to provide a further 49 no. units, erection of 1 no. retail shop, provision of 24 car parking spaces and associated landscaping. Granted via committee.

12/01064/R - Extension of time for planning permission 06/00483/F- Conversion and restoration of 31 and 32 Portland Square to form 10 no. flats, demolition of existing warehouse and redevelopment of 29 and 30 Portland Square and 1 Cave Street to provide a further 49 no. units, erection of 1 no. retail shop, provision of 24 car parking spaces and associated landscaping. Granted.

15/00328/Q - Removal of affordable housing obligations contained in consent 12/01064/R. An application was submitted under Section 106BA of the Town & Country Planning Act 1990 (as amended) to review the affordable housing planning obligations that were secured under the extant permission 12/01064/R. The applicant sought to provide evidence to show that the affordable housing obligation at 17% was unviable. On considering the evidence the Council concluded that it was not necessary to remove the affordable housing obligation in order to make the scheme viable. The application was subsequently refused.

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APPLICATION

Full planning (17/05290/F) and Listed Building Consent (17/05291/LA) is sought to demolish the warehouse buildings that front Surrey Street and wrap around to Portland Square (Sandhu's warehouse), partially demolish, convert and restore the listed buildings to numbers 31 and 32 Portland Square, and erect new replica-style buildings to the gap along the adjacent Portland Square/Cave Street frontage (historically numbers 29 and 30 Portland Square/ number 1 Cave Street). At the rear of the site and fronting Surrey Street will be new contemporary modern 5-6 storey building. The combination of the conversion and new build would provide a total of 94 self-contained flats comprising of a mix of 1,2 and 3 bed apartments.

In terms of layout there would be a mix of private and communal space for residents. Several ground floor apartments will have a private terrace whilst a number of upper floor apartments will have balconies either overlooking the central space or the Brunswick Cemetery gardens at the rear of the site. There would be a total of 166 secure cycle spaces located in four stores within the terrace garden, ground floor and basement of the development. In addition there would be 10 visitor cycle spaces within the courtyard. Refuse and recycling would be located in a large storage area accessed from Surrey Street and via a lobby to the rear.

The proposal has undergone a number of revisions to the design and layout in response to comments and issues raised by the Local Planning Authority in regards to design, conservation, highway and sustainability issues. These included the following amendments to the scheme.

- Massing of new build block broken by a change to the materials
- Layout of new block amended
- Overall height of new block slightly reduced
- Revisions to courtyard and terrace landscape
- Cycle store re-arranged
- Number of Sheffield stands increased to 60
- Refuse store and concierge amended
- Sustainability and energy statement revised
- New store providing a future plant room (for possible district heating) added to basement level
- Line of future connection to district heating added
- Additional PV panels added to the roof of the new block

(Please refer to plans for further details)

PRE APPLICATION COMMUNITY INVOLVEMENT

i) Process - The applicants contacted the Bristol NPN to obtain a list of contacts to facilitate engagement which included the Bristol Civic Society, St Paul's Unlimited and Portland Square &

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Brunswick Square Group. All were approached and all confirmed that they would like to be involved. Consultation also included representatives from the residential units to Cave Court, living English, 34 Portland Square, Nudge group, Bloq Management and Barnett Developments. The NPN welcomes the application for residential development and restoration of architectural integrity to an important square. However, there are several issues relating to the use and design of the site.

ii) Fundamental Outcomes - The response from the amenity groups was that they would wait for the submission of a full planning application before commenting. The response raised from residents at the presentation meeting held regarded:

- The impact from views out of Cave Court and impact on residents.
- The new building block impact on views of the historic buildings when standing in Portland Square.
- Whether provision had been made for the disabled within the units
- The level of parking to be provided
- Whether there was any provision for affordable housing
- What the size of the units would be

The applicants responded with an answer explaining their then draft proposals to the meeting's attendees.

RESPONSE TO PUBLICITY AND CONSULTATION

The application was publicised through a site notice and a press advert, along with extensive individual neighbour notifications to surrounding properties.

Eight letters of representation have been received; three in opposition, three not objecting, but raising concerns about the elements of the proposal and two in support. The opposition to the proposal or those raising concerns about aspects of the proposal includes the Bristol Civic Society, the Conservation Advisory Panel, the Portland and Brunswick Squares Association, and four neighbouring residents.

In summary, the concerns raised by residents were as follows:

- The top floor of the modern block will be visible above the original Georgian terraces when viewing from Portland Square.
- The modern block would be an eyesore when viewed from Surrey Street
- The restoration of the terrace (Portland Square elevation) could be improved on
- The previously granted planning (06/00483/F) is much more in keeping with what should be built on this sensitive site
- Noise impacts from features such as entrance gates and bin sores need consideration
- The balconies to the Surrey Street elevation would be an eyesore

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- Loss of light to neighbouring 33 Portland Square and Cabot 24 Apartments in Surrey Street due to height of proposals

OTHER COMMENTS

The **Conservation Advisory Panel** welcomed the proposal to reconstruct the buildings on Portland Square and insist that the front facades must be in Bathstone ashlar. The Panel was concerned that the rear building would be higher than the consented scheme and this would be overbearing on the cemetery. The building should be a storey lower, which would also prevent it being visible from Portland Square. Some evidence of the previous industrial use such as the concrete frame could be retained. It is considered that the number of units are excessive and that there is an over reliance on one and two-bed units, whilst there is a concern that this will constitute a poor living environment. The Society also considers it disappointing that the applicants are not including any affordable housing.

The **Bristol Civic Society** broadly welcomes the proposed residential development of this site including the derelict northeast corner of Portland Square. In particular, the Society supports the reinstatement of the Georgian terrace at 29-32 Portland Square. The proposed use of matching materials to the surviving Portland Square elevations is a great improvement. The Society would prefer to see the internal development of the reinstated gap sites follow the original plan form of those houses. The Society considers the elevation to Surrey Street does little to preserve or enhance the character of this conservation area. A facade with more vertical articulation would jar less with this view. Whilst the Society supports the redevelopment of this site for residential use and the positive aspects of this proposal, we urge the Council to take into consideration our constructive criticism in their determination of this application.

Portland & Brunswick Squares Association Bristol welcomes the application for residential development which has the potential to significantly improve the Portland and Brunswick Squares conservation area. However the size and number of units proposed are considered to constitute and over-development of the site. For a development of this size it should provide at least 40% affordable housing in line with policy. The commercial element approved under the last consent should be reinstated within this scheme. The Surrey Street elevation of the modern block will not enhance the conservation area. The application should include S106 mitigation money towards transport/movement impacts.

City Design Group has commented as follows:-

The proposal completes frontage along Portland Square and brings a longstanding empty site back to use. It meets the policy threshold of preserving or enhancing the character and appearance of the conservation area and other design considerations. The harm caused by the excessive scale and massing of the block facing Brunswick Cemetery Gardens is balanced by bringing this longstanding derelict site back to use. There is therefore no objection to the proposed development from Urban Design perspective.

Pollution Control has commented as follows:-

Have some concerns with the potential for noise from Cosies Wine Bar at 34 Portland Square affecting some of the residents of this proposed development. Cosies is licensed for entertainment until 4 am. There is therefore potential for residents in parts of the development near to Cosies to be affected by noise from Cosies.

Approve subject to conditions including the submission of an acoustic report and construction management plan.

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Nature Conservation Officer has commented as follows:-

The bat survey report dated August 2017 has assessed this site as having negligible potential to support roosting bats.

Approve subject to conditions and advices.

Historic England has commented as follows:-

The submitted amendments and additional information have unfortunately fallen short of the changes and further assessment that we had anticipated following our previous advice. Our priority is the full repair and restoration of 31-32 Portland Square and we continue to fully support the aims of the project to give this Grade I heritage asset a future and sustainable use, consistent with its conservation.

Our concerns over the proposed new build aspects of the development remain. We believe that a more meaningful reduction in the massing and height of the development and a more convincing design should be secured for this important historic site within the city.

Flood Risk Manager has commented as follows:-

Redevelopment of previously developed sites require surface water discharge to be limited to as close as reasonably practicable to Greenfield runoff rates. Given the site size, we accept that greenfield rates are not reasonable and as such we would expect total discharge to be limited to 5l/s. However given the layout of the site with two discharge points, we would accept the proposed unrestricted rate of catchment A of 8.9l/s but catchment B should be limited to 5l/s rather than the proposed 12l/s.

Sustainable Cities Team has commented as follows:-

The restrictions applicable to the two listed buildings are noted. I recommend requesting further information on the proposed strategy for heating and hot water in the two listed buildings, and measures to ensure this is provided in the most efficient means possible given the listing constraints.

The proposed use of wall mounted panel heaters for space heating does not comply with policy BCS14. The proposal to install a roof mounted PV system is noted and welcome. Some additional information will be required to show that this able to deliver the required reduction in residual emissions. To confirm that the new elements of the development will be resilient to projected changes in the climate, I recommend requesting further analysis of the overheating risk.

As the development falls within the heat priority area it will be required to connect to the heat network being developed by BCC or be 'District Heating ready'. Given this, it is my view that it should be designed either to connect from day one or be provided with the infrastructure for district heating to allow connection at a later date. As it stand the application should therefore be refused.

In relation to BCS 15 new homes and workplaces should include the provision of high-speed broadband access and enable provision of 'Next Generation' broadband. Evidence that this will be done should be included within the Sustainability Statement. The developer should consider options for the integration of brown/green roofs, on account of the multiple benefits these provide.

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There is no objection in principle to the proposal for residential use in this location. Further information is required to ensure the required cycle parking is fully accessible and adequate. Further information required for waste storage and collection points. S106 / UU required to secure Travel Plan payment and initiatives. Footway refurbishment will be required along frontage - to be secured by condition

Conservation Section has commented as follows:-

We retain reservations over the proposed height of the proposed Surrey Street and Brunswick Chapel graveyard wings. These continue to pose a degree of less-than-substantial harm to the character of the Conservation Area and setting of Listed buildings under the definitions of the National Planning Policy Framework.

On balance we recognise that there will be a number of Public Benefits to the proposals which are likely to outweigh the degree of harm posed. These include bringing two Grade I Listed buildings back into beneficial use, and their likely subsequent removal from the national At Risk register of threatened heritage assets.

Bristol Waste Company has commented as follows:-

We would urge at this stage of the planning process that the developers refer to the Planning Guidance for Waste and Recycling produced by Bristol Waste Company. When considering the layout, access and the design of the bins stores, this guide contains a wealth of information regarding the bin volumes and requirements.

Contaminated Land Environmental Protection has commented as follows:-

The proposed development is sensitive to contamination and is situated on and adjacent to land which has been subject to land uses which could be a potential source of contamination. We do concur with the requirements for a unexploded ordnance assessment, part of the site was subject to bomb damage during the Second World War.

Any approval should be subject to conditions.

EQUALITIES ASSESSMENT

During the determination of this application due regard has been given to the impact of this scheme in relation to the Equalities Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs, experiences, issues and priorities in relation this particular proposed development. Overall, it is considered that the determination of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

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RELEVANT POLICIES

National Planning Policy Framework – July 2018

Planning (Listed Buildings & Conservation Areas) Act 1990

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 PRINCIPLE OF DEVELOPMENT ACCEPTABLE?

The application land forming 31-32 Portland Square, the adjacent gap site (that was formally 1 Cave Street, 29-30 Portland Square) and Sandhu's Warehouse, siding onto Surrey Street, is allocated and falls within the St Paul's & Stokes Croft Neighbourhood under the provisions of the Bristol Central Area Plan. The allocation sets out that the suggested use for the site is for housing as it is already established that the site no longer provides any significant employment benefit in terms of local employment opportunities.

This would accord with government policy on housing contained within Paragraphs 59 to 66 of the National Planning Policy Framework (NPPF) July 2018, which encourages the use of brownfield land within urban areas for new quality residential development. This also accords with policy BCS5 of the Bristol Development Framework Core Strategy which aims to deliver new homes for the growing number of people and households in the city and policy BCS18 which aims to ensure residential development contributes to the mix of available housing ensuring mixed, balanced and inclusive communities. It is noted that part of Sandhu's Warehouse is currently used as storage and repairs for the Bristol YoBike Scheme. Given the above policy consideration, the principle of development is considered to be acceptable.

Among the considerations under the site allocation, development should take account of the Portland and Brunswick Square Conservation Area, retain and restore the Grade I listed buildings fronting Portland Square along with reinstating the historic terrace, and provide a significant element of green infrastructure to Surrey Street as part of the proposed green link shown on the policies map. Regard will also be had to the additional considerations set out in SPD10 (Planning a sustainable future for St Paul's) in considering any proposals for this site. These considerations will be set out in more detail under the key issues below.

(B) WOULD THE PROPOSAL PRESERVE THE HISTORIC FABRIC, ANY ARCHITECTURAL FEATURES, AND THE SETTING OF THE LISTED BUILDINGS WITHIN THE TERRACE?

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty upon Local Planning Authorities to "have regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest that it possesses".

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The application includes a Heritage Statement which details the special character and appearance of the Portland Square Conservation Area. This includes an analysis of the contribution made by the buildings and external spaces to the historic interest and character of the Conservation Area and how this should be respected and incorporated within the proposed development.

Numbers 31 and 32 which are included in the study are in a poorer condition, with number 31 in a particularly severe state of neglect. Most of the original sash windows have been removed and the openings boarded up, the front entrance door and fanlight have also been removed and boarded. A modern pantile mansard roof has replaced the original to both 31 and 32. The limestone ashlar facade is missing to 31 and one third of number 32. The study also finds that both listed properties are in a poor state of repair internally as evident from the site visit undertaken by officers. The details of which are set out in the Heritage Statement.

It is proposed to replicate the original townhouses in terms of external appearance. Within No. 31, a number of the original internal partitions still exist although a number of the original partitions have been removed. The applicants propose to record the exact locations of the original fabric as soon as the buildings have been cleared of debris and have been made safe. The existing floors and staircases are in a structurally unsound condition would be removed. The applicants propose to remove all of the concrete floors and beams to number 32 citing that none of original internal features remain. There would be a single flat provided on each level. New partitions to bathrooms, bedrooms will be visually 'new' according to the applicant, so that the legibility of the original plan form can be read within the building.

Architectural details are to be retained and restored where possible. New architectural details will be installed within both 31 and 32 that replicate the original details and that are appropriate to the room in which they are installed. It is also proposed that casts will be made of surviving cornicing with new cornicing installed in the appropriate room of the new buildings. The adjacent 33 Portland Square is one of the original townhouses that shares the Grade I listing and has more of its internal fabric that is original, including the staircase, cornices and joinery details. According to the applicants, the owners of No. 33 have offered the applicant access to the building to copy architectural details for the reuse within No. 31 and 32.

On considering this element of the proposals, the Council's Conservation Officers are satisfied that there would be no negative impact from development on Portland Square. The required demolition would prove harmful to the remaining architectural integrity of the grade I listed building. However it is absolutely necessary to stabilise the remaining fabric and allow for its reuse and integration into new structure in order to secure the special interest into the future. The roof form will be consistent with those on the rest of the terrace. With regard to the comments from Historic England, they have made it clear that there is urgency in ensuring these buildings are conserved quickly before further deterioration occurs. Subject to conditions that ensure the proposed repairs and reinstatements to the listed building are secured, the proposals would be acceptable.

(C) WOULD THE PROPOSALS UNACCEPTABLY HARM THE CHARACTER OR APPEARANCE OF THIS PART OF THE PORTLAND AND BRUNSWICK SQUARE CONSERVATION AREA, AND IS THE PROPOSED DESIGN AND LAYOUT ACCEPTABLE?

Section 16 of the national guidance within the National Planning Policy Framework (NPPF) July 2018, states that in determining applications, local planning authorities should take account of:

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- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) The desirability of new development making a positive contribution to local character and distinctiveness.

On considering impacts, great weight should be given to the heritage asset's conservation. Paragraphs 195 to 196 state where a proposed development will lead to harm be that substantial or less than substantial, then it should be demonstrated that this harm is weighed against the wider public benefits of the proposal including, where appropriate, securing its optimum viable use.

The Portland and Brunswick Square Conservation Area is characterised by its formal Georgian terraces set in a regular grid street layout. Within Portland Square the majority of buildings are Georgian, or modern reproductions. The northeast corner contains a concentration of post-war low-rise industrial buildings. To the elevation of Surrey Street lie the associated buildings of Sandhu's Warehouse, along with Trelawny House and County House which were built as red brick office blocks. Currently this section of Surrey Street, Sandhu's Warehouse, the poor condition of the Grade I listed building and adjacent gap site (which has been so for the last 70 years following the bombing of the original buildings during the second world war), are identified as negative features within the conservation area under the Portland & Brunswick Square Character Appraisal.

Portland Square elevation

The principle of demolition of the unlisted 1960s warehouse building is accepted. The conclusion is that this building has an adverse impact upon the character and appearance of the Portland Square Conservation area. The design and form of the buildings to Portland Square will follow the design principles that were set out under the previous approved scheme (06/00483/F). This will see the repair and restoration of the existing facades at 31 and 32 Portland Square to their original condition according to the applicant. The gap site (29-30 Portland Square & 1 Cave Street) would be infilled with a new terrace, which according to the Design & Access Statement the detail of which will reproduce the existing elevations facing Portland Square and Cave Street. The elevations will comprise of materials such as ashlar limestone and limestone detailing to door and window features. Existing railings, boundary walls and basement light wells will also be restored and reinstated as part of townscape works. The proposed new block to the rear whilst large, is shown to not project into view above the restored roofline in the immediate context of Portland Square. Overall it is considered that this element of the proposals would enhance the conservation area in accordance with policy BCS22 of the Core Strategy, BCAP45 and BCAP SA5 of the Bristol Central Area Plan.

Surrey Street elevation

The new build represent the largest element of the scheme at up to six storeys. The Surrey Street wing would be five storeys with the top element recessed back from the parapet. The applicants state that the form of the proposed block facing Surrey Street follows the principles set by the 06/00483/F scheme which had a subservient building adjoining the rear of 33/34 Portland Square before stepping up to the adjacent Trelawny House. However the previous consent comprised of a lower parapet level and traditional mansard roof that were more subservient and contextual than the current scheme. The proposed new height and massing onto the street exceeds that of the adjacent Trelawny

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House, whilst the recessed top storey and projecting eaves detail would be visible above parapet level. This part of the block is also considered to impact on views leading from Brunswick Square. As such the height of the elevation has resulted in concerns being raised by Historic England and the Council's Conservation Officers given the harm to the part of the conservation area. Nonetheless it is acknowledged that following revisions to the scheme, the façade design would better respond to the modulation of nearby Georgian Facades. It is also noted that the design quality is generally good, politely articulated, and could add to the streetscape. Given those factors officers consider that the proposed block would cause less than substantial harm to the conservation area.

Elevation to Brunswick Cemetery Gardens

The applicants state that the form of the building would follow the principles of the previous approval (06/00483/F). However it is considered that this is only to a degree for five of the storeys, whilst the sixth storey, albeit set back clearly exceeds that, making it the tallest building within the conservation area, with the exception of the church tower. Consequently both the Conservation Officers and English Heritage strongly encourage the removal of the sixth storey. With regard to the design, the contemporary elevational treatment and architectural rhythms would not be out of place. The block facing both Surrey Street and Brunswick Cemetery Gardens presents simple design with vertical proportioned floor to ceiling windows set within the brick façade. There are also elements of the design which will enhance the conservation area in an improved relationship with the graveyard. As such, whilst the height and massing is considered harmful to the conservation area, Officers also conclude that the harm would be less than substantial.

Cave Court Elevation

The details of the Design and Access Statement show that the existing Sandhu's Warehouse is the equivalent of a three storey building directly on the boundary, which provides an overbearing aspect to the communal garden. It is proposed that the boundary wall is retained at its current height that will retain the sense of enclosure and privacy to this garden but with the benefit of creating longer views towards Surrey Street. The proposed building is lower in height adjoining the boundary with Cave Court when compared to the previously approved scheme and only steps up in height away from the boundary. Overall this would enhance views from the north.

Benefits of Development

Overall it is considered that harm to the conservation area through the new block, and the setting of the listed buildings through their demolition would be outweighed by bringing the Grade I Listed buildings into beneficial use and the reinstatement of the square as a key element of the Conservation Area. It is noted that that the height of the proposed block is dictated by the number of units being proposed. However the proposal in addition to bringing a long dilapidated brownfield site back into use along with the addition of much needed housing and in particular affordable housing would result in a wider public benefit. It is evident that it would reduce viability and therefore reduce the benefits of the proposal that could be delivered if any reduction in scale and therefore number of units was required.

To conclude, the design and layout of the proposal is considered to be acceptable. As required by the relative legislation, Officers have given great weight to any harm to heritage assets, and it is concluded that these are either required to secure the long term restoration of the heritage assets, or would be outweighed by the public benefits of the development. For clarity, this conclusion is reached

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on the basis of the current recommendation, including the securing of affordable housing, as explored in the next section.

(D) IS THE PROPOSAL VIABLE AND DOES IT PROVIDE AN ACCEPTABLE LEVEL OF AFFORDABLE HOUSING?

The efficient use of land is integral to creating sustainable patterns of development and this is central to the focus on sustainable development in the NPPF. Indeed, the NPPF allows Local Planning Authorities to set their own approach to housing density to reflect local circumstances. Policy BCS20 of the Core Strategy sets a minimum development density of 50 dwellings per hectare. The density of the proposed development is around 409 dwellings per hectare which accords with the policy requirements. There are no policies which set a maximum density for residential developments and instead the impact of the density on the character of the area, residential amenity and highway safety has to be considered.

In addition, Policy BCS17 of the adopted Bristol Core Strategy (2011) requires affordable housing to be provided in residential developments of 15 dwellings or more at a percentage target of 40% in central Bristol subject to scheme viability. Such residential developments should provide a mix of affordable housing units and reflect identified needs, site suitability and economic viability. Where scheme viability may be affected, developers are expected to provide full development appraisals to demonstrate an alternative affordable housing provision. Policy BCS18 also requires development to contribute to the mix of housing tenures, types and sizes in an area.

The proposed development falls within Use Class C3 of the Use Classes Order, meaning that it is required to address the Council's Affordable Housing Policies. It comprises 94 dwellings (the original scheme was for 93 but it was subsequently amended) and therefore it is required to comply with Core Strategy Policy BCS17, which requires the provision of up to 40% affordable housing) subject to scheme viability. However, in this instance Vacant Building Credit applies to the majority of the existing floorspace, and this reduces the affordable housing requirement to a maximum of 20 dwellings (21.5% affordable housing).

However, government policy and guidance is very clear in specifying that scheme viability is a key consideration in determining the level of affordable housing that a development can provide, and that Council's should not require a level of affordable housing that would render a development unviable.

In this instance Vacant Building Credit applies to the majority of the existing floorspace, and this reduces the affordable housing requirement to a maximum of 20 dwellings (21.5% affordable housing).

The National Planning Policy Framework (NPPF) and the associated Planning Practice Guidance (PPG) were revised in July 2018, and these revisions are pertinent to the viability assessment of the Sandhu's Warehouse scheme.

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

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

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The revised PPG includes the following statements about BLV:

To define land value for any viability assessment, a benchmark land value should be established on the basis of the existing use value (EUV) of the land, plus a premium for the landowner.

The applicant originally claimed that, to remain viable in planning terms, the proposed scheme was unable to provide any affordable housing. A detailed viability appraisal and supporting commentary was been submitted by Alder King on behalf of the applicant in support of this claim.

Officers commissioned DVS (the property arm of the Valuation Office Agency) to assess the viability information and advise the Council as to whether the applicants claim is reasonable. DVS have assessed the values and costs associated with the development, and have reported their conclusions to officers accordingly.

DVS agreed with virtually all inputs into the Alder King Report, including the Benchmark Land Value, which is so often an area of contention. The only area of disagreement related to the proposed sales values of the properties. The Alder King Report relied on an assessment of likely sales values provided by Ocean Estate Agents. However, due to the large volume of recent new build transactions that have taken place in the Portland Square area, DVS considered that it was more appropriate to assess sales values based on sales at the developments identified in the table below. This provided actual evidence of achieved sales values, which could be translated into a £ per square metre value and applied to the properties in the proposed scheme:

Development	Description	Distance from Application Site
Portland View	New build flatted development	130 metres (Corner of Portland Square, Bishop Street and Dean Street)
1 to 4 Portland Square (The Old Shoe Factory)	Conversion of existing building comprising listed frontage to Portland Square and former office block behind, to flats	20 metres (directly opposite on Surrey Street)
8 Portland Square	Conversion of existing listed building to flats	80 metres (Corner of Portland Square and Pritchard Street)
Kenham House	Conversion of office block to flats. This scheme was consented under the prior approval regime allowing conversions from office to residential without the need to comply with space standards. Therefore any sales values of dwellings that were below space standards have been disregarded	180 metres (Wilder Street) – considered to be a less desirable location than the application site and the above comparables

Given that the application scheme comprises a mix of new build flats and the conversion of listed buildings into flats; the above developments are considered to provide good comparable sales information due to their proximity to the application site and the type of accommodation provided.

This analysis resulted in DVS considering that an average sales value of £4,296 per square metre should be applied, as against the average of £3,912 per square metre proposed by Alder King. This

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difference resulted in DVS concluding that the scheme could provide the full affordable requirement of 20 affordable dwellings whilst still generating a significant surplus over the BLV.

The applicant disputed this, and in an attempt to resolve the matter DVS and Alder King met and took a more fine grained approach to valuing each dwelling rather than applying average figures across the development. This resulted in an overall reduction in the DVS values, however even with these reduced values, DVS still concluded that the scheme could provide 20 affordable dwellings whilst still generating a surplus over the BLV.

It is important to note that the applicant has made an offer of 9 affordable dwellings (10%). The applicant has also suggested that they would be prepared to agree to 20 affordable dwellings on the basis that a downward only viability review is contained in the Section 106 Agreement, such that if sales values were lower than anticipated, the level of affordable housing would be reduced accordingly.

The July 2018 revisions to the PPG address the issue of viability reviews, and states as follows:

As the potential risk to developers is already accounted for in the assumptions for developer return in viability assessment, realisation of risk does not in itself necessitate further viability assessment or trigger a review mechanism. Review mechanisms are not a tool to protect a return to the developer, but to strengthen local authorities' ability to seek compliance with relevant policies over the lifetime of the project.

From this it is clear that government considers that viability reviews should only be used to assess whether additional affordable housing can be provided over the lifetime of a development in cases where a lower than policy compliant amount is initially secured. Consequently, the applicants' request for a downward viability review is contrary to the recent revisions to PPG and officers do not consider that it can be supported.

Based on the DVS advice, officers consider that the scheme should provide 20 affordable dwellings.

The required type and tenure of the affordable dwellings has not yet been confirmed by the Council's Affordable Housing Team, and this information will be provided at the committee meeting.

In summary, officers welcome the applicants' offer of 9 affordable dwellings, or 20 affordable dwellings including a downward viability review. However, due to the revisions contained in the revised PPG, officers do not support the proposal for a downward viability review. Based on advice from DVS, officers consider that the scheme should make affordable housing provision of 20 affordable dwellings (21.5%) and that this should be secured by way of a Section 106 Agreement.

Finally, it should be noted that the viability appraisals undertaken by both Alder King and DVS have not included the provision of a District Heating System (see key issue H). It is understood that the inclusion of a District Heating System would increase build costs by in the region of £1,000,000. This would have a knock on increase to finance costs, contingency and professional fees. When these additional costs are taken into account, the inclusion of a District Heating System would very significantly reduce the level of affordable housing that could be provided.

It is therefore recommended that any approval is subject to a Section 106 Agreement to cover the provision of 20 affordable dwellings the type and tenure of which is to be confirmed.

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Although St Paul's has a range of housing types (e.g. terraced housing, flats, etc.) there is nonetheless an imbalance in household composition towards single person households. This is identified under SPD10 objective 1 which considers housing composition and ensuring that there are a range of housing types. As of 2016, the census data shows that in the St Paul's area the average household size is 2.3 which is also the Bristol average. In addition, 38% of households were single person households (excluding single pensioner households), compared with 33.7% for Bristol as a whole. The proposed development would provide 47 one bedroom apartments, 44 two bedroom apartments and 3 three bedroom units.

The key findings of the St Paul's Housing Needs and Aspirations Survey (2004) concluded that in order to achieve the objective of creating a balanced and sustainable residential community in St Paul's, the Council will expect at least 20% of the total number of dwellings in new residential developments to be family sized dwellings of 3 or more bedrooms. Therefore looking at the raw figures the proposed development would not appear to fulfil this target.

Nevertheless in considering the housing requirements under the space standards (see Key issue E below) the units would be able to accommodate between 2 and 5 persons per unit, with only one unit (flat 2) being a truly a single person unit. Furthermore, the nature of the site and surrounding area would make it difficult to provide the type of family accommodation required in terms of size and the availability of good sized private amenity space amongst other requirements expected in a family-sized single dwelling. Any proposal to increase the number and availability of 3-bed units would also impact on the viability of the scheme and therefore the ability to provide affordable units.

Given these factors the proposed mix of unit sized proposed would be acceptable.

(F) WOULD THE PROPOSED DEVELOPMENT CONSTITUTE AN ACCEPTABLE LIVING ENVIRONMENT FOR FUTURE OCCUPIERS?

The quality of the proposed residential accommodation has to be assessed against the Nationally Described Space Standards, which sets out minimum standards for the size of proposed flats. It is noted that policy BS18 of the Bristol Development Core Strategy also requires residential accommodation to be flexible and adaptable, which normally discourages the provision of bed sits and single person accommodation, as this would not provide the level of flexibility that is required by the policy.

The size of 93 of the units would range from 50 to 87 square metres, which would meet the Nationally Described Space Standards. The accommodation would have space for at least two persons, achieving the flexibility required under the space standards. Private patio gardens will be provided to four flats on the ground floor of the Surrey Street block. Private courtyard gardens will be provided to the five flats on the basement floor of the buildings facing Portland Square. There will be a central courtyard space that will be landscaped to provide a communal amenity area accessible to all occupiers of the development. A number of the units would also have at least one window to each room in terms of outlook.

With regard to inter-visibility across the courtyard and terraced properties, there would be a window to window distance of at least 16 metres between apartments to the rear of 1 Cave Street to 32 Portland Square and the east facing apartments to new block. Whilst this is less than the 21 metres set out in the Council's supplementary planning documents, the distances for developments such as this are not

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uncommon given the higher densities in central Bristol. The distance is still considered to be acceptable and would not be visually intrusive to occupiers in the respective blocks.

One of the units (Flat 2) at 48 square metres would just fall short of the minimum for a one bed-two person unit (50 square metres). However the constraints of the site including the conservation gain leave little scope for any additional space. The unit has clearly been labelled as a 1-bed one person Unit and represents just 1.06% of the total accommodation, which would be acceptable.

The Pollution Control Officer has raised some concerns with the potential for noise from Cosies Wine Bar at 34 Portland Square affecting some of the residents of this proposed development. This is licensed for entertainment until 4 am. There is therefore potential for residents in parts of the development near to Cosies to be affected by noise from Cosies. Therefore it is recommended that any approved scheme includes conditions for a detailed acoustic report to be submitted prior to development and mitigation included within the proposal.

Given the above considerations the proposal would constitute an acceptable standard of living accommodation for its future occupiers.

(G) WOULD THE PROPOSED DEVELOPMENT HARM THE AMENITY OF THE ADJOINING PROPERTIES?

The proposed development has been carefully orientated to avoid creating problems of loss of privacy, due to overlooking. The rear windows on to the new block would provide views across Brunswick Cemetery Gardens and of the adjoining Cave Court communal amenity area. However there would be no significant loss of privacy due to the distances involved.

The proposed building is lower in height adjoining the boundary with Cave Court when compared to the approved scheme (06/00483/F) and only steps up in height away from the boundary. The corner of the new building directly adjacent to the Cave Court gardens is chamfered to reduce the effective mass of the building. The external doors to the living room of the flats on the corner of the building have been provided with inset balconies and the windows to the bedrooms have been provided with angled bay windows to ensure that they face towards the application site and not towards the Cave Court gardens. For the same reason, it is not considered that the block would appear overbearing when viewed from Cave Court.

The proposed block would sit south of Cave Court and concern has been raised that at six storeys at its highest point the block would cause loss of light to these neighbouring properties. On considering this aspect of the scheme the following is noted. Over two-thirds of the width of the block would align with the side of Cave Court which contains no side window therefore not impacting on any daylight. Although standing at four storeys, the part of the block immediately adjacent to Cave Court is marginally lower (approximately 1.3m) than the height of the approved scheme. As mentioned, the higher fifth and sixth storey elements are stepped back. Any shadow impacts the highest storeys would cause would mainly be over the lower four storey part of the block. With reference to sun calculations carried out by officers, any impact in terms of overshadowing would be restricted to the earlier part of the day to Brunswick Cemetery Gardens and very little impact to the grounds of Cave Court gardens during the spring and summer months. At worst there would be two hours of shadow to the grounds of Cave Court gardens in the morning during the winter months. However this is comparable with the impact of the residential block approved under the 06/00483/F permission. Given the above it is considered that the level of impact on existing daylight/sunlight levels current

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received to the Cave Court and Cave Street would be negligible due to the position of this block in relation to the courtyard.

In conclusion, it is considered that the distances between adjacent buildings and the proposed residential blocks would be satisfactory within a compact urban area, and would not result in any significant loss of amenity.

(H) WOULD THE PROPOSED DEVELOPMENT SATISFACTORILY ADDRESS TRANSPORT AND MOVEMENT ISSUES?

Development Plan policies are designed to promote schemes located where sustainable transport patterns can be achieved, which includes pedestrians as the highest priority and private cars as the lowest (BCS10). In addition, policy DM23 requires development to provide safe and adequate access to new developments. It also includes parking standards for residential and non-residential development.

The proposal is being put forward as a car-free development and the site is centrally located with good access to shops and transport facilities. It is within a controlled parking zone with permits available to existing residents and businesses, as well as pay and display parking. Disabled (blue badge) users will be able to park on-street within these areas or in the CPZ parking bays, without cost. The applicant states that free membership of the council's car club scheme and vouchers for sustainable travel are proposed as part of a proposed residents welcome pack. This can be secured within the Framework Travel Plan. Consequently it is the view of Transport Development Management (TDM) that a s106 or UU should secure this Travel Plan contribution as well as the sustainable travel vouchers and car club incentives (the latter two paid directly from the developers to the future occupiers), subject to legal agreement. It is noted that the applicants are also willing to pay for the Local Authority to undertake the Full Travel Plan at a fee of £135 per dwelling, secured through a Unilateral Undertaking or Section 106.

156 cycle spaces plus 10 visitor spaces are proposed to serve the development which would meet the standards set out in the Site Allocations and Development Management Policies. 106 of the spaces would be two two-tier stacker units which are not considered an acceptable provision to TDM, given that these are harder to use for less able bodies occupiers or those with panniers or child seats for example. Access to the cycle stores would be via entrance points to Surrey Street, from the lower ground floor units to 29-30 Portland Square and the rear block via the courtyard garden. However for such a development of this size 100% Sheffield stands would take up a substantial space with the likely loss of courtyard space and at least one flat which in turn would affect the viability of scheme including securing affordable units. Therefore whilst the cycle parking arrangements are not wholly ideal, they are borne out of the site constraints of the development.

TDM have also raised a concern regarding the refuse store and in particular the distance these are away from the flats fronting onto Portland Square. Whilst these concerns are duly noted, it is accepted that the proposed storage has been sized for all 94 units including the Portland Square units. The applicant has stated that it would not be possible to provide a separate refuse store onto Portland Square without harm to the character of the frontage being re-created. Given the wider conservation benefits of the arrangements, it is not considered that a refusal could be justified on grounds of the proposed refuse arrangements.

With regard to other matters the footways around the site will require full refurbishment with a full height kerb along the frontage to ensure good quality safe pedestrian facilities are available to future

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residents. This can be secured through a highway works condition and subsequent s278 Highway Agreement, prior to occupation of the development.

In conclusion subject to the securing of cycle and refuse storage, S106/UU to secure travel Plan payment and initiatives, and the refurbishment of the footway along the frontage, the proposal would satisfactorily address transport and movement issues.

(I) WOULD THE PROPOSAL MAKE AN ADEQUATE CONTRIBUTION TO THE CITY'S OBJECTIVES WITH REGARD TO SUSTAINABILITY AND CLIMATE CHANGE?

Policies BCS13, BCS14, BCS15 and BCS16 of the adopted Core Strategy give guidance on sustainability standards to be achieved in any development, and what measures to be included to ensure that development meets the climate change goals of the development plan. Applicants are expected to demonstrate that a development would meet those standards by means of a sustainability statement. The Central Area Plan policies also apply, with relevance to sustainability including BCAP20, BCAP21, BCAP22, and BCAP25.

The application is supported by a Sustainability Statement and Energy Assessment, which was revised following comments raised by the Sustainable City Team. The document assesses the potential thermal performance of the development. According to the applicants, they aim to deliver high quality buildings that will comply with current Building Regulations, equivalent to Code for Sustainable Homes Level 4. The report considers separately the new build blocks and that of the two existing listed buildings.

With regard to the listed building element, the applicants have used the guidance within the English Heritage "Energy Efficiency and Historic Buildings" publications to inform the design approach. Whilst the proposals seek to achieve thermal improvements to the buildings, in this case, they are not recommending the use of a renewable energy source due to perceived impact on the character of the historic buildings. Consequently the Sustainable City Team notes the restrictions applicable to the two listed buildings. Their only request is for further information on the proposed strategy for heating and hot water in the listed buildings and measures to ensure this is provided in the most efficient means possible given the listing constraints.

With regard to the proposed new block the site has been examined for the best solutions and in this case the applicant proposes a combination of air source heat pumps and solar photovoltaic panels on the roofs. With this combination it has been calculated that residual carbon emissions can be reduced by 40.22% according to the energy table, therefore exceeding the Council's minimum policy target. On considering this the Sustainable City Team welcome the proposal adding that some additional information will be required to show that this able to deliver the required reduction in residual emissions. This can be conditioned as part of any approval.

The issue of contention regards the provision of district heating. The provision of space heating should follow the heat hierarchy as presented in the Core Strategy (BCS14). As the development falls within the heat priority Within Heat Priority Areas, as a major development it will be expected to incorporate, where feasible, infrastructure for district heating, and will be expected to connect to existing systems where available. On considering the proposals, the Sustainable City Team state that given the policy/heat hierarchy requiring connection to the heat network, and the location of the development, officers cannot consider alternative options, including those proposed in the revised Energy Statement, until connection to the heat network has been fully considered. The development is listed as a future heat demand in the City Centre Phase 2 study into the expansion of the heat

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network. So therefore it is important that all new developments are at the very least future proofed to connect to the heat network. In addition the proposed electric panel heaters are not listed on the heat hierarchy and are not compliant with policy BCS14. Therefore the Sustainable City Team considers the proposal to be unacceptable contrary to policy BCS14.

In response the applicant states that it is highly unlikely that Phase 2 of the District Heat Network will be ready to connect to. The supporting text in the revised Energy Statement sets out the cost to the developer, and potentially to the future occupiers, when compared to conventional heating methods, the scheme has been designed to incorporate electric heating. The applicant adds that realistically, the final form of heating needs to be decided prior to tender packs being issued and therefore, confidence in the implementation of the heat network is required much earlier than commencement of development. Any change at this stage in the form of heating would have an impact on the design of the scheme impacting on the overall height of the development, an issue which is already sensitive. In terms of providing a communal gas fired heating system, the applicant has stated that even if the costs are slightly below the figures they have already provided, the gas fired system will still be significantly more expensive than connecting to district heating and so will affect the economics of the scheme to the extent that it will be unviable.

Consequently it is considered that the cost of implementing district heating is contentious. However the Council's independent valuers are in agreement with the estimated build costs that would be added to the scheme, and therefore the ability of the developer to deliver affordable housing to the site. On considering this issue it is regrettable that this aspect of the scheme would not satisfy the policy objectives of policy BCS14.

Notwithstanding the above it is noted that the applicant has provided details showing that the Surrey Street building, Brunswick Cemetery Gardens building and the new build facing Portland Square would be designed to be 'DH ready' in accordance with the Council's – Connecting to Heat Networks in Bristol Part 2 – a technical guide for designers of building services. The plans show that a single plant room would be provided at lower ground floor level, accessed from the communal garden. The stair cores and corridors provide convenient routes for the future installation of pipework. Furthermore a defined route for the future connection below ground has been shown on the ground floor plans. An accessible duct will be provided below the communal lobby area to avoid this area being unduly affected if the connection is made to the heat network in the future. Officers would draw attention to the details of this aspect of the scheme in considering the matter of district heating and weighing this against the matter of viability, and have taken a balanced approach in recommending that the current proposal are acceptable in this regard.

The Sustainable City Team state that their comments regarding the risk of overheating appear not to have been addressed in the revised Energy Statement. This should be undertaken for units/spaces deemed to be most at risk, such as those with an aspect between south west and south east and where risks are identified mitigation measures should be incorporated into the design such as external measures to reduce solar gain. Also, evidence demonstrating compliance with Broadband (i.e. registration with BT or Virgin) has not been provided. The applicant has set out within their revised Energy statement that the area is well served with internet connectivity. For example, Portland Square is served with Superfast broadband (defined as 300Mbps+) at one or more properties and across 29 providers an average download speed of 45.3Mbps and an average upload speed of 5.2Mbps. As such these are not matters which would warrant a refusal of the scheme; however it is considered that this information can be conditioned for further details.

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The application is supported by a report by Craddys and in their report they make recommendations for how surface water drainage can be improved with use of permeable paving and appropriate attention. The proposals accord with the principles of adopted Council policy as the West of England Sustainable Drainage guidance. The applicant states that if strictly necessary, further details could be provided as a condition of any future consent.

(J) WOULD THERE BE ANY SAFETY AND SECURITY ISSUES AS A RESULT OF THE PROPOSAL?

It is important that, where appropriate, development recognises the issue of crime prevention and helps to create safer, more secure development. This principle may include deterrent effects of good design, layout and lighting.

There would be doors to the main communal area, which should prevent unauthorised access. This area is overlooked by the residential units and there would thus be natural surveillance.

The proposed boundary treatment to the cemetery is considered to be appropriate and would provide a good level of security to the ground floor courtyard gardens. Furthermore the block would overlook the Brunswick cemetery gardens providing additional natural surveillance. This in turn would help reduce incidents of anti-social behaviour. Surveillance of the street-scenes would be enhanced as a result of the proposal and it is not considered that the proposal would encourage anti-social behaviour/criminal activity.

(K) DOES THE PROPOSAL RAISE ANY LAND CONTAMINATION ISSUES?

The site's history with regard to the former industrial uses means that the proposed development is sensitive to contamination, being situated on and adjacent to land which has been subject to land uses which could be a potential source of contamination. The applicant has provided a desk study which the Land Contamination Officer considers to be adequate. Furthermore the Officer concurs with the requirements for an unexploded ordnance assessment; part of the site was subject to bomb damage during the Second World War. Consequently the Land Contamination officer recommends that any approval should be subject to an intrusive investigation and risk assessment, the submission of a remediation scheme and the commissioning of an unexploded ordnance survey all prior to commencement of any development. These can be secured via planning conditions.

(L) DOES THE PROPOSED DEVELOPMENT SECURE A PACKAGE OF PLANNING OBLIGATIONS TO OFFSET THE IMPACT OF THE DEVELOPMENT ON THE LOCAL INFRASTRUCTURE?

Policy BCS11 of the Core Strategy requires that planning obligations should be secured through the planning process in order to offset the impact of the proposed development on the local infrastructure. With the exception of site specific requirements, this policy is met through the application of the Community Infrastructure Levy which is mandatory, details of which are provided in the accompanying CIL Questions Form. Based a flat rate of £50/m² and the quantum of new floor space being created and after index linking with the Building Cost Information Services rate, this is likely to generate £190,947.99. 80% of the money received through CIL would be spent on those items identified in the Regulation 123 list, which includes identified public transport projects, parks and green spaces and school projects. 15% is also delegated to the Neighbourhood Partnership who can then spend it on local priorities.

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In terms of financial contributions, the applicants have stated that willing to negotiate with the Council on matters such as the amount provided as part of the travel plan package and improvements to footways etc. The cost to the applicant for the Council to undertake the full travel plan would be £12,555 or £135 per residential unit. The agreed travel Information Pack an additional £500 per unit and up to £100 per unit for car club incentives. In terms of the provision of affordable housing, this will be subject to viability testing (see key issues above).

CONCLUSION

The proposed redevelopment of the site is supported, and the restoration of the listed buildings and terrace is particularly welcomed. The significant townscape and conservation benefits of the proposal along with the wider public benefits of bringing a vacant site back into use, providing new housing including much needed affordable housing, are considered to outweigh the harmful impact in relation to the new large block facing onto Surrey Street and Brunswick cemetery gardens respectfully.

The Council has assessed the financial viability information submitted with the application, and concludes that the scheme could afford 21% affordable housing as well as planning obligations towards a Travel Plan Framework. The money received through CIL would go to public transport projects, parks and green spaces and school projects, along with contributions to the Neighbourhood Partnership. Whilst the applicant has agreed to negotiations on planning obligations, these are yet to be secured.

With regards to issues of sustainability and climate change it is accepted that the development would not be wholly policy compliant given the constraints in regard to the listed buildings. In terms of renewable energy the use of source heat pumps and solar photovoltaic panels to the new block would reduce residual carbon emissions in excess of the Council's policy target. The applicant has not provided any acceptable details to show that the development would be DH ready and the use of electric panel heating which is considered to be contrary to policy BCS14 by officers of the Council's Sustainable City Team. Whilst this is noted, the applicant has demonstrated that given the uncertainties in build costs and timescales, to implement this would be to the expense of the viability of the scheme and the ability to deliver any affordable housing to the site.

The nature of the proposed development does not pose a highway hazard. The development would be situated in a very sustainable location close to Bristol City centre. The applicant has offered planning obligations towards a travel plan framework which is acceptable to the Council's transport Development Management Officers. The fact that there is not 100% provision of Sheffield stand storage is borne out of the constraints of the site and the number of units proposed. Therefore to refuse the application on highway grounds could not be justified given the wider benefits of the proposed development.

Therefore on balance, this application is acceptable given the resulting wider benefits in terms of the merits of the scheme and is recommended for approval. This is subject to a list of conditions including safeguarding the grade I listed building in the long-term, highway works, construction management plan, archaeological works, design details, landscaping, sustainable drainage, public art, mitigation for contamination, noise mitigation, the completion of cycle and refuse, sustainability, and lighting requirements. A Section 106 agreement that seeks financial contributions towards the provision of 20 affordable units of accommodation and Travel Plan contributions would also be subject of any permission.

Development Control Committee A – 5 September 2018

**Application No. 17/05290/F & 17/05291/LA: 31 - 32 Portland Square And Surrey Street
(warehouse) Bristol BS2 8PS**

RECOMMENDED (17/05290/F) GRANT subject to Planning Agreement

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

i) The provision of 20 affordable housing units to be provided on site (location, mix and tenure to be agreed).

ii) A financial contribution (to be agreed) to be made to Bristol City Council in order to finance the Travel Plan/Car Club contribution.

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

(C) That on completion of the Section 106 Agreement, planning permission be granted, subject to conditions (to follow on amendment sheet):

RECOMMENDED (17/05291/LA) GRANT subject Condition (to follow)

Condition(s)

To follow

Supporting Documents

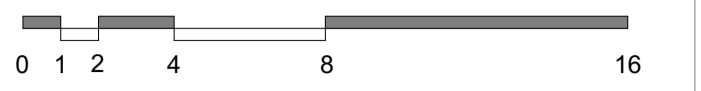
3. 31-32 Portland Square & Surrey Street (warehouse)

1. Proposed site plan
2. Proposed basement floor plan
3. Proposed ground floor plan
4. Proposed third floor plan
5. Proposed fifth floor plan
6. Proposed Brunswick Garden & Cave Court elevations
7. Proposed Courtyard elevations
8. Proposed Portland Square front & rear elevations
9. Proposed Surrey Street elevation

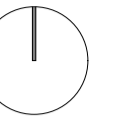


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1:200 @ A1



Schedule of Accommodation

32 Portland Square (Refurbished)		
1 Bed/2 Person Flats (min 50 sqm)		1 No.
2 Bed/3 Person Flats (min 61 sqm)		4 No.
31 Portland Square (Rebuilt)		
1 Bed/2 Person Flats (min 50 sqm)		1 No.
2 Bed/3 Person Flats (min 61 sqm)		4 No.
29/30 Portland Square (New)		
1 Bed/2 Person Flats (min 50 sqm)		15 No.
1 Cave Street (New)		
1 Bed/1 Person Flats (min 45 sqm)		1 No.
2 Bed/3 Person Flats (min 61 sqm)		4 No.
Surrey Street (New)		
1 Bed/2 Person Flats (min 50 sqm)		28 No.
2 Bed/3 Person Flats (min 61 sqm)		16 No.
2 Bed/3 Person Flats (wheelchair - 71 sqm)		1 No.
2 Bed/4 Person Flats (min 70 sqm)		16 No.
3 Bed/5 Person Flats (min 86 sqm)		3 No.
Totals		
1 Bed/1 Person Flats (min 45 sqm)		1 No.
1 Bed/2 Person Flats (min 50 sqm)		45 No.
2 Bed/3 Person Flats (min 61 sqm)		28 No.
2 Bed/3 Person Flats (wheelchair - 71 sqm)		1 No.
2 Bed/4 Person Flats (min 70 sqm)		16 No.
3 Bed/5 Person Flats (min 86 sqm)		3 No.
TOTAL		94 No.

04	2018.07.30	PT	Cycle store amended.
03	2018.04.17	CLP	Cycle store, refuse store and concierge amended.
02	2018.02.15	CLP	Surrey Street new build layout amended.
Rev	Date	By	Description



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Job
29-32 Portland Square + 1 Cave Street

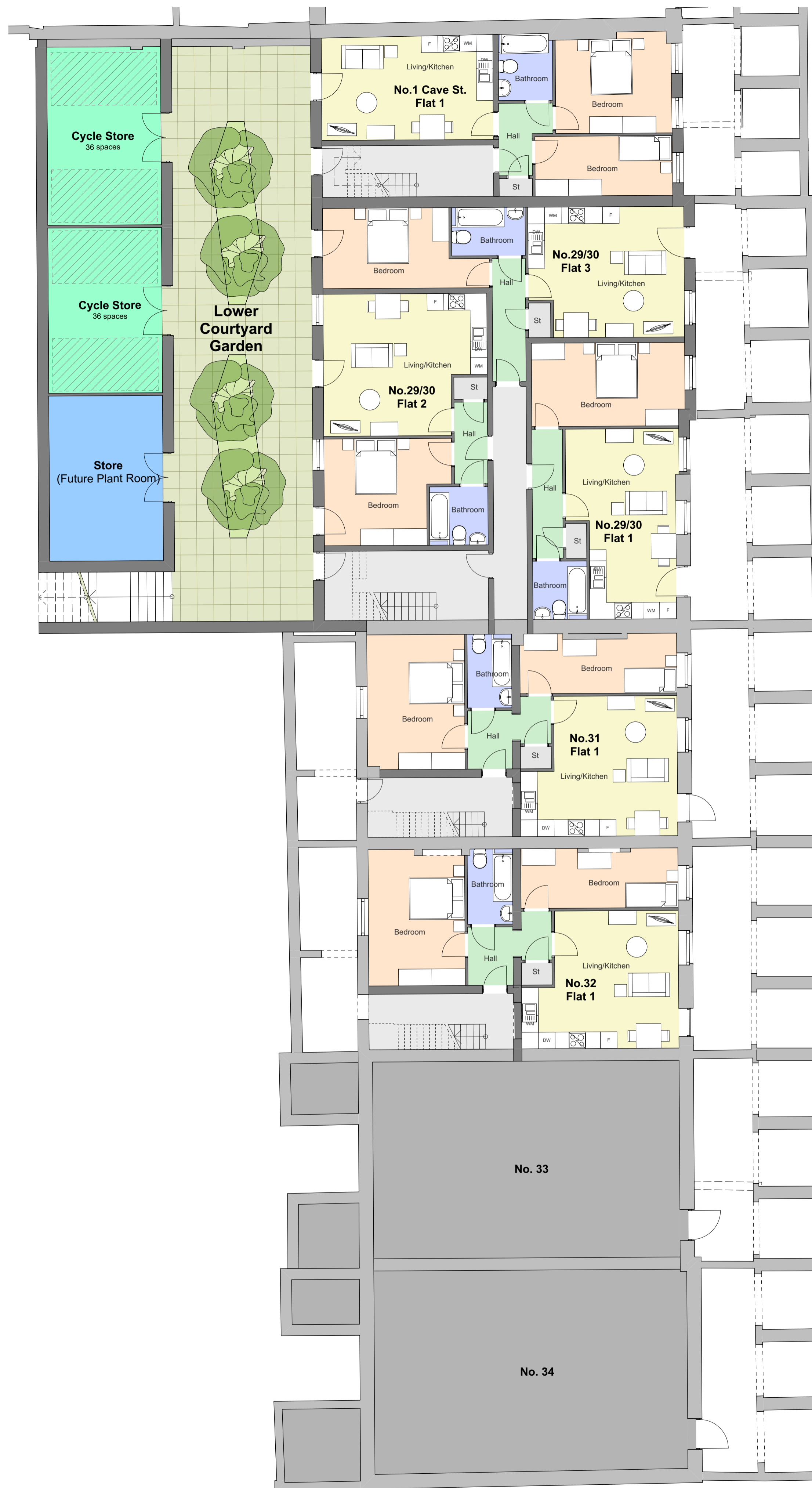
Client
The Portland Square Ltd

Drawing Title
Proposed Site Plan

Drawing Number	1812	2100	04
Project	Number	Revision	

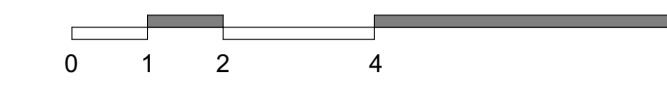
Purpose of Issue
Planning Scale: **1:200**

Drawn	Checked	Issue Date	Size
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		00	A
		00	00

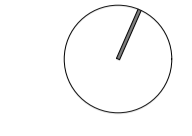


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Rev	Date	By	Description
03	2018.05.15	PT	Cycle stores rearranged and new store created for future plant room for district heating.
02	2018.02.15	CLP	Surrey Street new build layout amended.



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Job
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Client
The Portland Square Ltd

Drawing Title
Proposed Basement Floor Plan

Drawing Number
1812 2101 03

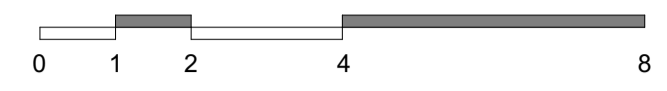
Project
Planning **1:100**

CLP	PT	08.09.2017	A1
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NOMA Project No	Owner	Zone	Level
		Type	Role
			Status

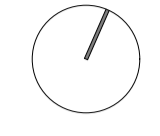


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Cave Street

Portland Square

Surrey Street

Rev	Date	By	Description
07	2018.07.30	PT	Cycle parking updated.
06	2018.05.15	PT	Route of future district heating connection added.
05	2018.04.17	CLP	Entrance to Flat 59 from Surrey Street amended.
04	2018.04.16	CLP	Cycle store, refuse store and concierge amended.
03	2018.03.27	CLP	Cycle store, refuse store and concierge amended.
02	2018.02.15	CLP	Surrey Street and Brunswick Gardens new build layouts amended.



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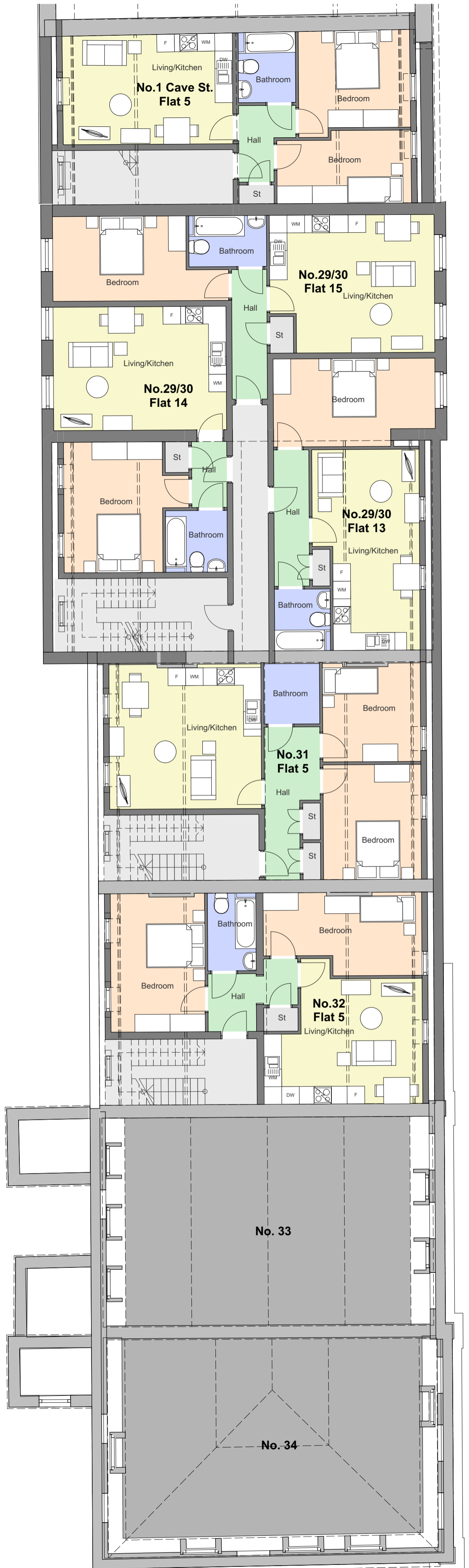
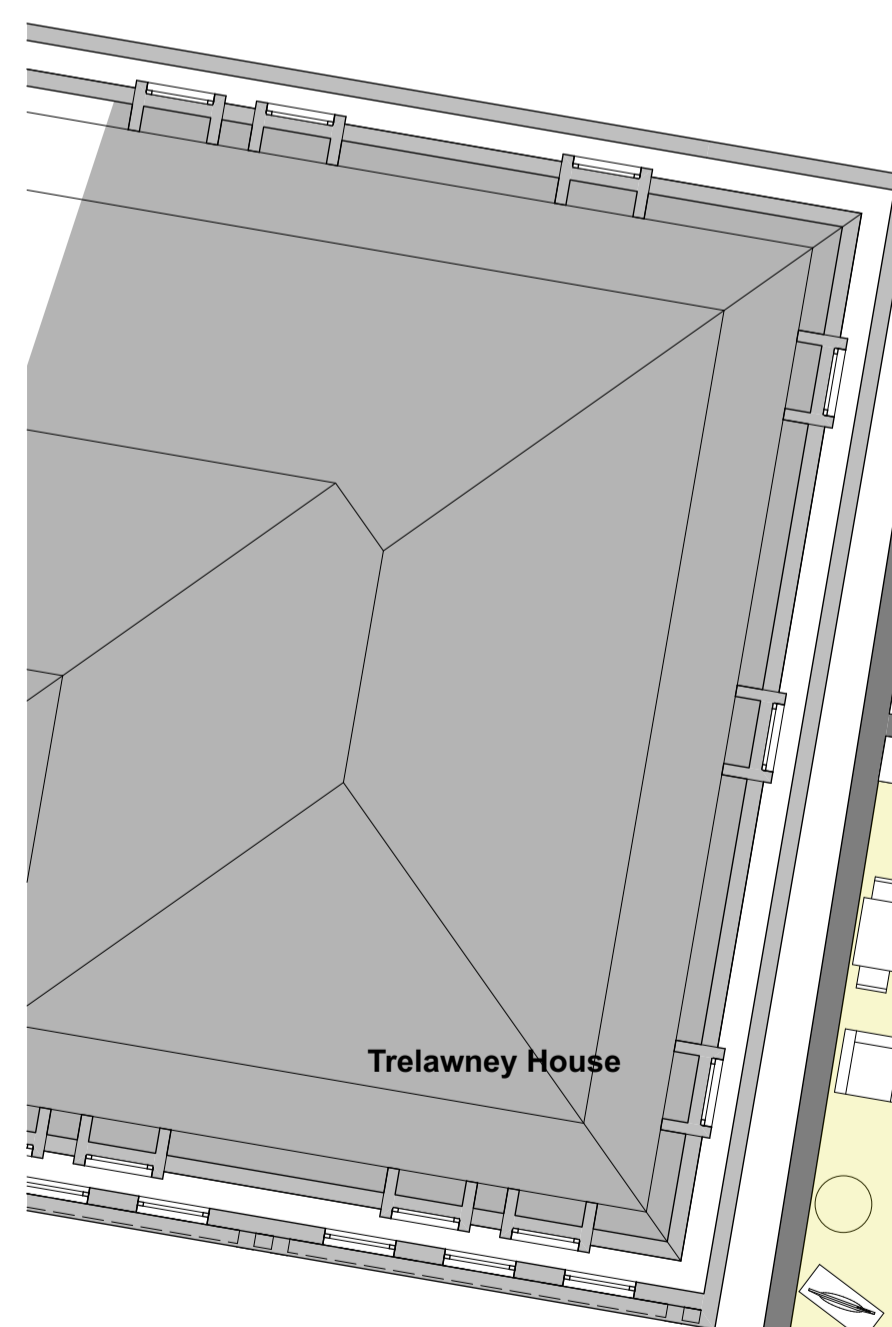
Client
The Portland Square Ltd

Drawing Title
Proposed Ground Floor Plan

Drawing Number
1812 2102 07

Project
Planning **1:100**

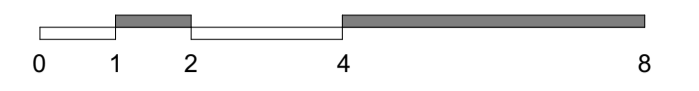
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NOMA Project No	Owner	Zone	Level
			Type
			Role
			Status



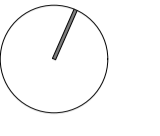
31
32

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03	2018.04.17	CLP Surrey Street new build layout amended.
02	2018.02.15	CLP Surrey Street new build layout amended.
Rev	Date	By Description



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Job
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Client
The Portland Square Ltd

Drawing Title
Proposed Third Floor Plan

Drawing Number	1812	2105	03
Project	Number	Revision	

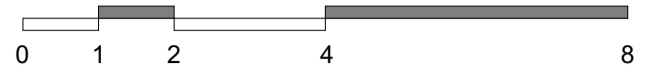
Purpose of issue	Planning	Scale	1:100
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NOMA Project No	Owner	Zone	Level
			Type
			Role
			Status

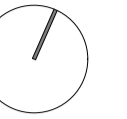


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Rev	Date	By	Description
03	2018.04.17	CLP	Surrey Street new build layout amended.



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Job
29-32 Portland Square + 1 Cave Street

Client
The Portland Square Ltd

Drawing Title
Proposed Fifth Floor Plan

Drawing Number
1812 2107 02

Project Number Revision

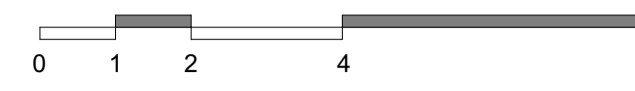
Purpose of issue **Planning** **1:100**
Scale

CLP	PT	08.09.2017	A1
Drawn	Checked	Issue Date	Size

1812	Noma	00	00	00	A	00
NOMA Project No	Owner	Zone	Level	Type	Role	Status

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line of building approved under
 planning application 06/00483/F



03 2018.05.25 PT Solar panels amended.
 02 2018.04.17 CLP Material notes added. Solar panels shown dotted.
 Rev Date By Description



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Job
29-32 Portland Square + 1 Cave Street

Client
The Portland Square Ltd

Drawing Title
Proposed Brunswick Garden & Cave Court Elevations

Drawing Number
1812 2202 03

Project Number Revision
Planning 1:100

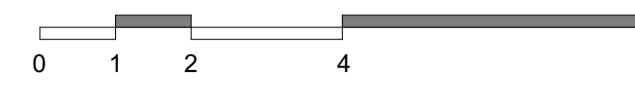
Purpose of issue Scale
CLP PT 08.09.2017 A1

Drawn Checked Issue Date Size
1812 Noma 00 00 00 A 00

NOMA Project No Owner Zone Level Type Role Status

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03	2018.05.25	PT	Solar panels amended.
02	2018.04.17	CLP	Material notes added. Solar panels shown dotted.
Rev	Date	By	Description

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Job
29-32 Portland Square + 1 Cave Street

Client
The Portland Square Ltd

Drawing Title
Proposed Courtyard Elevations

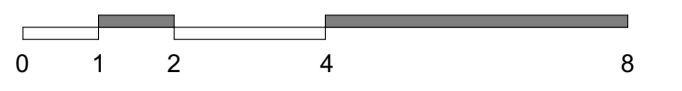
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Project	Number	Revision	

Purpose of issue	Planning	1:100
		Scale

CLP	PT	08.09.2017	A1
Drawn	Checked	Issue Date	Size
1812	Noma	00 00 00	A 00
NOMA Project No	Owner	Zone	Level
		Type	Role
			Status

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03 2018.05.25 PT Solar panels amended to Portland Square front elevation and added to rear elevation
 02 2018.04.17 CLP Material notes added. Solar panels shown dotted.
 Rev Date By Description

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Job
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Client
The Portland Square Ltd

Drawing Title
Proposed Portland Street Front and Rear Elevations

Drawing Number
1812 2201 03

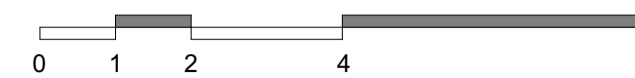
Project Number Revision
Planning 1:100

Purpose of issue Scale
CLP PT 08.09.2017 A1

1812 Noma 00 00 00 A 00
 NOMA Project No Owner Zone Level Type Role Status

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Materials Schedule:

1. Red stock brickwork.
2. Grey metal cladding.
3. Aluminium fascia and soffit system.
4. Powder-coated aluminium doors and windows.
5. Grey metal mansard roof.
6. Aluminium coping.

line of building approved under
planning application 06/00483/F



Proposed Elevation to Surrey Street

Rev	Date	By	Description
04	2018.07.30	PT	Door/windows to cycle store amended.
03	2018.05.25	PT	Solar panels amended.
02	2018.04.17	CLP	Material notes added. Solar panels shown dotted.



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Job
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Client
The Portland Square Ltd

Drawing Title
Proposed Surrey Street Elevation

Drawing Number
1812 2203 04

Project Number Revision

Planning **1:100**

Purpose of Issue Scale

CLP **PT** **08.09.2017** **A1**

Drawn Checked Issue Date Size

1812 **Noma** **00** **00** **00** **A** **00**

NOMA Project No Owner Zone Level Type Role Status