

WARD: Central **CONTACT OFFICER:** Matthew Bunt

SITE ADDRESS: Land Adjacent To The Quays Cumberland Road Bristol

APPLICATION NO: 17/05149/F Full Planning

DETERMINATION DEADLINE: 13 May 2018

Proposed 6 storey building (plus a basement), to accommodate 13 units operated as serviced apartments (Use Class C1), (major application).

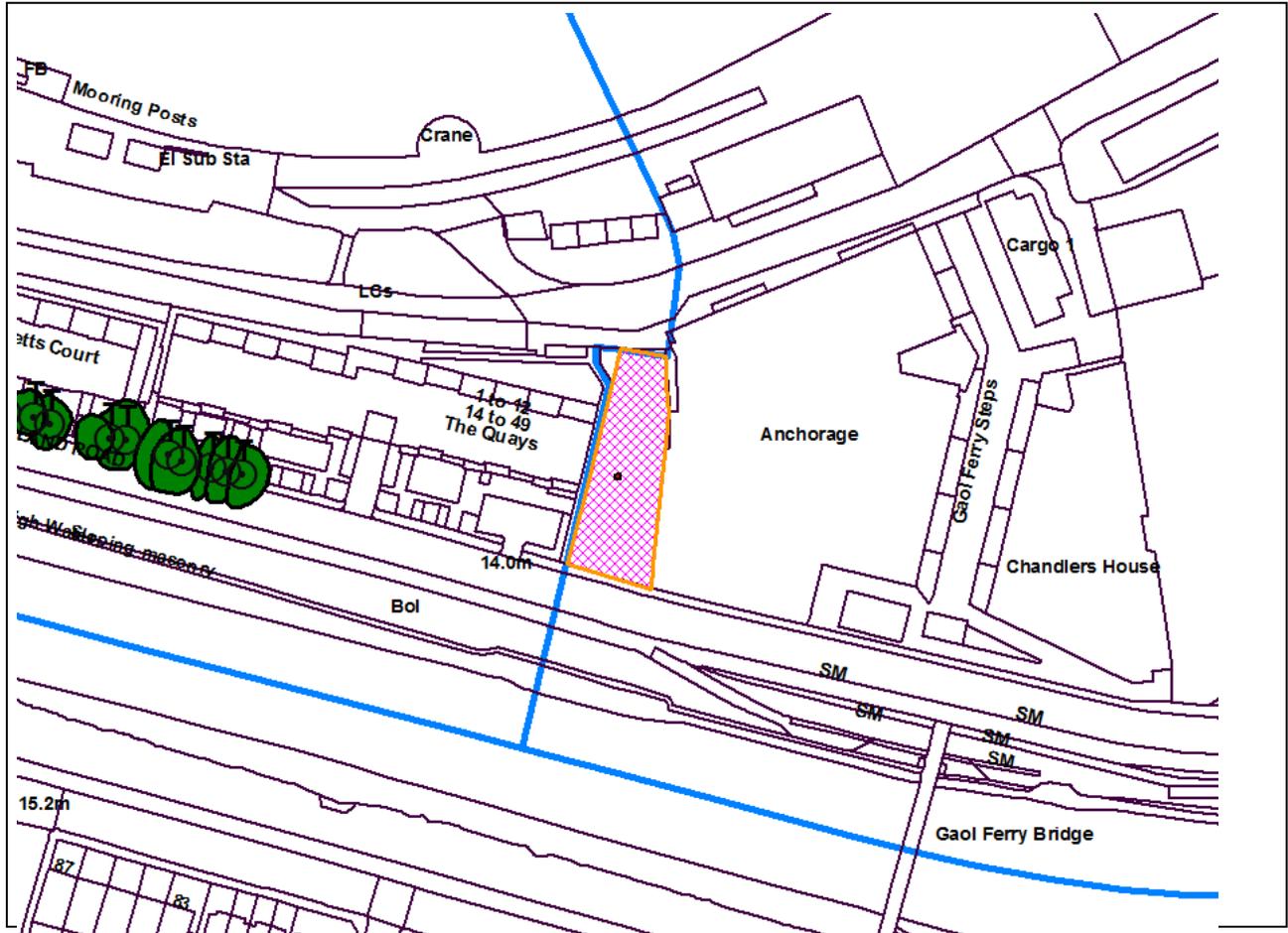
RECOMMENDATION: Grant subject to Condition(s)

AGENT: Oxford Architects LLP
The Workshop
254 Southmead Road
Bristol
BS10 5EN

APPLICANT: Simon James Homes Cumberland Ltd
Beaufort House
29 Oakfield Road
Bristol
BS8 2AT

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

LOCATION PLAN:



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SUMMARY

This report relates to a full planning application for the erection of a 6 storey building, including basement, to accommodate 13no. units to be operated as serviced apartments. The serviced apartments are proposed to provide a 'home-away-from-home' for visitors to Bristol City Centre, and will be let on a short term basis. The applicant has suggested that the future users of the apartments will likely be professionals visiting the city for work, or tourists on a short city break. The use class is therefore considered to be Use Class C1.

The development is located in the city centre with The Anchorage section of Wapping Wharf immediately to the east, The Quays apartments to the west, Cumberland Road to the south and Museum Street and the Floating Harbour to the north. The site is within the City Docks Conservation Area.

This planning application is before committee as it was referred by Cllr Paul Smith; there was also extensive objection to the development, including approximately 153 objections from neighbours. The concerns raised relate to a number of issues, including the use/principle of the development; the development's design and impact on the Conservation Area; impact on residential amenity; highway safety concerns; and concerns as to the land stability.

As this report will demonstrate, this application is an opportunity to redevelop an existing vacant and cleared site that currently represents an unattractive overgrown, gap in an important part of the city centre and Conservation Area. The proposal is considered to represent a high quality of design appropriate for the Conservation Area, and the proposed use as serviced apartments would provide tourists with a location to stay in close proximity to some of the city's most popular tourist attractions, as well as provide accommodation for people visiting the city due to business interests further supporting the local economy. The applicant has also addressed issues of highway safety and land stability through the submission of revised plans and documents.

Therefore, taking into account the planning balance, officers consider that the benefits of the scheme do outweigh any negative elements, and are therefore recommending approval of the scheme.

REASONS FOR REFERRAL

This application was referred by Cllr Paul Smith. The reasons for referral are included in full below:

This site would be better suited to a residential development than a leisure use. Provision for a residential use is contained within the application.

The emerging Joint Spatial Plan has identified a growing backlog for residential development within the city. This site is sandwiched between two existing residential blocks and therefore lends itself to residential rather than a leisure use.

The building line of the Quays should be followed for this development which is a natural extension of the existing residential development next door, that building line is allowed for in the Anchorage development to the east of the site.

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SITE DESCRIPTION

The development site represents a gap site between Wapping Wharf and The Quays within the Central Ward of the city centre. The site falls within Harbourside with Museum Street and the Floating Harbour to the north, and Cumberland Road and the New Cut/River Avon to the south. As discussed, the site is currently cleared and vacant and there are hoardings bordering the site on Cumberland Road. In terms of planning designations, the site is within the: City Docks Conservation Area; Flood Zone 1; an Air Quality Management Area (as is the majority of the city centre); and is adjacent to allocation SA1010 (Wapping Wharf).

APPLICATION

The application subject to this report seeks planning permission for the erection of a 6 storey building and basement to provide 13no. serviced apartments (Use Class C1) and associated car parking (8no. spaces), cycle parking, refuse storage and landscaping. Serviced apartments are characterised by short term stays for visitors to the city, the applicant has stated that based on their experience of managing serviced apartments at the Paintworks, guests tend to be business visitors within the week, and tourists during the weekend.

Given the site has two active fronts: Cumberland Road and Museum Street, the development effectively has two fronts and this is reflected in the design. The north elevation facing Museum Street has a 6 storey scale where the large twin fronting gable ends are set back at fourth storey level, and the footprint of the development cuts away from the adjacent Quays development in order not to harm outlook. The south elevation facing Cumberland Road has a similar form although the elevation is a true 6 storey in that there is no set back; the elevation also has two fronting gable ends, as well as a number of balconies as the north elevation does. The east elevation facing Wapping Wharf is rather blank given its function as a side elevation, and similarly the west elevation facing The Quays is also relatively blank in terms of detailing and fenestration. In keeping with the pallet of materials used in the local area, the development proposes brick, metal standing seam cladding, timber cladding and a translucent cladding and render.

The development has a vehicular access from Cumberland Road that leads to the basement car park which includes 8 car parking space, including 1 disabled car parking space. Further to this, the proposal includes an access, also from Cumberland Road, for cyclists and pedestrians. Refuse storage and cycle stores are proposed to the front of the development within a landscaped area adjacent to Cumberland Road. No access is sought from Museum Street.

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COMMUNITY INVOLVEMENT

A statement of community involvement (SCI) was submitted with the planning application following pre-application discussions with the Council. Two public consultation events were held in June 2016 and June 2017.

i. Process

A drop in event took place in June 2016, this event was advertised to the Neighbourhood Planning Network, the neighbourhood groups listed below, local councillors and the local residents and businesses.

- Bristol Civic Society
- BS3 planning group
- Friends of Avon New Cut
- Merchants Landing Residents Association

The SCI reports a steady attendance of around 40 – 50 people in total, and 19 completed feedback forms were received. According to the SCI: Comments received were generally appreciative of the consideration which had been given to achieving a building which would fit into the site, such as “good use of space”; and “not interrupting views from The Quays”. Several comments offered suggestions about the design and materials, such as “ – proposed brick bit dour – prefer brown and pale buff - definitely not red brick in this area.”

A further public consultation event took place in June 2017 inviting the same stakeholders as they did previously. Approximately 35 people attended the event and 11 feedback forms were received. In addition, an emailed response was received from the Bristol Civic Society, and emailed comments were received from 21 individuals during the week following the consultation event. The feedback is summarised as follows:

- Reduction in height is a positive;
- Footprint needs amending to remove northern corner;
- Proposed materials needed amending;
- Negative comments regarding 4th storey balcony;
- Concerns as to stag and hen ‘do’s’ visiting the building;
- Concerns as to loss of property value.

The SCI reports that further dialogue occurred with Cllr Smith. At the meeting Cllr Smith and representatives of local residents groups raised issue with the footprint; the possibility of disturbance from antisocial behaviour (stage and hen ‘do’s’); potential for light spillage; and concerns as to materials.

ii. Results

As a result of the rounds of consultation and the previous application that was withdrawn, the SCI asserts that the footprint now accords with that previously consented (2006/7); balconies on the north elevation have been reduced to Juliet balconies; and the stairwell area is now in an opaque material. It is correct that the scheme has changed in the face of community concerns; this can be seen for example in the height of the development being reduced and balconies reducing in size.

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RELEVANT PLANNING HISTORY

i. Application Site

16/03995/F - Proposed scheme for 20 no. serviced apartments with basement car park – Application Withdrawn 31/01/2017

10/01118/R - Renewal of approval ref. 06/05381/F; construction of six storey building comprising 17 residential apartments with associated basement car and cycle parking and landscaping – Application Withdrawn 20/04/2010

06/05381/F - Construction of six storey building comprising 17 residential apartments with associated basement car and cycle parking and landscaping – Granted subject to conditions – 19/03/2007.

It appears from that a number of conditions relating to this permission were discharged relating to conditions 5 and 7 (10/01126/COND, 19/03/2010), and that planning obligations were met/paid. Officers are also aware that in relation to the withdrawn planning application 10/01118/R, the agent for this application confirmed that Wring Units Ltd (the applicant for the approved application) made a material start on the site on the 19/03/2010 in the form of the excavation of foundation trenches, which in the agent's opinion implemented the consent 06/05381/F. Whilst a certificate of lawful development would be needed before this development could be confirmed as having commenced lawfully, and therefore remaining extant, the content of the letter suggests that this is likely to be the case.

ii. Wapping Wharf

04/04126/P - Outline application for redevelopment of site, including demolition works, to provide mixed use scheme including residential, retail, office, community workspace, hotel and leisure uses (Classes C1, C2, C3, A1, A2, A3, B1, D1, D2) and associated infrastructure, landscaping works and car parking.

A number of applications have been processed in subsequent years for reserved matters and conditions relating to this site. The development has now been substantially completed.

12/04517/M - closest to development site, with Blocks A+C.

16/02925/M - most recent reserved matters application for phase 2 – blocks D, E, F, G.

Block A/The Anchorage is the closest to the application site. This is dealt with within application reference 12/04517/M and has been constructed on site, and is now occupied. Suitably, the drawings for the 2012 reserved matters application include this pre-application site on the approved plans, and the footprint is annotated as "consented development (not built)".

RESPONSE TO PUBLICITY – MEMBERS OF THE PUBLIC

Nearby residents were notified by letter, and the application was advertised by site notice and press notice in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. As of the date at which this report was written, 153 objections comments have been received in response to the development in total. Please note that this represents a response to

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multiple rounds of consultation given the submission of amended plans. The submitted comments are summarised below.

i. Principle of Development

- There is a need for market and affordable housing, the proposed serviced apartments should therefore be resisted;
- The proposed use is not compatible with nearby residential buildings: Anchorage and The Quays;
- The development would give visitors to Bristol precedence over residents of Bristol;
- The development will attract a transitory population;
- Benefits of nightlife tourism;
- Too many hotel/serviced apartment uses in Bristol;
- Serviced apartments would impact on the family atmosphere in Wapping Wharf;
- A neighbourhood plan is in development, the proposal would be contrary to this – *please note at the time of this report there is not a designated neighbourhood planning area for this area*;
- The proposal is not compliant with the development plan;
- The previous permission on site is irrelevant;
- The development would be beneficial for local businesses.

ii. Residential Amenity

- The proposal would have an overbearing impact;
- The proposal would result in a loss of light;
- The proposal would result in a loss of privacy;
- The proposal would impact on the local amenity and enjoyment of nearby residents, including both the Anchorage and the Quays;
- The proposed use could result in noise and disturbance from large groups of temporary guests;
- The large party terrace on the 4th floor will result in noise and disturbance;
- The proposal is too close to The Anchorage building as there are flats with habitable windows and balconies looking toward the proposed building;
- The proposal would harm views out from the Anchorage to the harbour for example;
- Mutual overlooking between the Anchorage and the proposed building;
- The submitted Daylight/Sunlight study does not reflect reality;
- Noise from the terraces/balconies;
- If approved the building footprint may be made larger due to building regulations;
- Apartments are too small;
- Loss of natural light;
- Poor internal layout to flats and wider buildings;
- Building would not comply with Building Regulations;
- The proposed building would result in no means of escape for occupiers of the Anchorage;
- The development will result in noise and litter;
- Planning conditions would insufficient to dissuade parties and late night music.

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iii. Design, Visual Amenity, Conservation Area

- The proposal's bulk, massing, height, scale and use of materials is not in keeping with the character of the area;
- The proposal's design is harmful to the character of the area;
- Out of character with harbour and Museum Street;
- Overdevelopment of the site;
- The height of the building should not exceed the height of the previously approved development;
- Insufficient landscaping proposed;
- The north/museum street elevation (the Quays building line needs to be kept);
- No objection provided the building dimensions are in line with others in proximity and of acceptable appearance;
- Mass and scale of the development is not in keeping with the Wapping Wharf masterplan.

iv. Transport and Highway Safety Concerns

- The proposed access would impact on highway safety on Cumberland Road;
- The proposed access could be difficult with the nearby MetroBus stop;
- Concerns over the proposal's perceived lack of car parking for the number of units proposed;
- The development would result in a larger flow of traffic at the beginning and end of each week/weekend;
- The development would make a pre-existing traffic problem in the area worse;
- Concerns as to refuse vehicles.

v. Land Stability Concerns

- The submitted structural report stops short of confirming that the proposed solutions would actually work.

vi. Other Matters

- Revised plans have failed to respond to members of the public;
- The developer has ignored local consultation and views;
- Construction methodology is missing;
- Construction works could disrupt nearby tourist destinations including the m shed and SS Great Britain;
- The development has not demonstrated adequate drainage layout.

vii. Anchorage Residents Group, comment submitted by Mr Serdar Ozkan

- The proposal is larger than the 2006 application and has an overbearing impact on the residents of the Anchorage;
- The proposal will result in harm to the City Docks Conservation Area;
- The proposal will result in overlooking due to the orientation of both proposed building and the Anchorage;
- The materials proposed are unacceptable;

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- The use of the site is unacceptable – they are not sympathetic to the Quays or the Anchorage building.

viii. Residents Group (The Quays and Anchorage), comment submitted by Mark Houston, Architect and Senior Planning Consultant

- Overbearing and visually intrusive impact on neighbours;
- Harmful residential amenity impact: loss of views, loss/harm to setting and character, overshadowing, overlooking/privacy;
- Building safety concerns;
- Loss of daylight;
- Does not comply with emerging neighbourhood plan;
- Out of character;
- Highway safety concerns;
- Unacceptable use;
- The development would disturb residents.

ix. Cllr Paul Smith

Comments submitted (verbatim):

I am supportive of developing this site but not for a leisure use. The site is between the Quays and Anchorage both of which are residential locations. I believe that the best use for this site is also residential. Housing need has worsened dramatically since the plan was last updated and I would be pushing for this site to be allocated for housing in the new plan due to be prepared next year. The developer has stated that the site can be converted to residential and to save time I think it would be much better if it started as residential.

I also think that the building should follow the building line of the quay's development, which it could be a natural extension of.

I will be completing a call in form for this application so that it can be considered by the planning committee.

FURTHER CONSULTATION – INTERNAL AND OTHER STATUTORY CONSULTATION

i. Conservation Advisory Panel (comments received 05/02/2018)

The Panel objects. The proposed new building fails to link The Quays with the Umberlade site. It is too large on plan and too high in relation to The Quays. The expansive range of windows on the northern elevation would be a very dominant feature that is an inappropriate addition to the architectural grain of the docks. The alterations to the retaining wall onto the quay with a large opening for access to the car parking area is not acceptable. This proposal does not provide a quality building that contributes to or enhances the setting of this part of the conservation area and as such the proposal is contrary to the requirements of para 137 of the NPPF.

Officer note: these comments relate to the development as it was originally submitted, rather than the revised version of the development.

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ii. Harbour Master

The proposed drainage scheme seeks to install a drainage outfall into the Floating Harbour. Provided the drainage outfall is below water level and measures are put in place to ensure any water entering the harbour is free from contamination, there would be no objection to the development. Nonetheless, the applicant must be aware that compensation would be required where existing moorings are disrupted due to construction works, the following advisory note is recommended.

Harbour Master Approval

This decision notice only represents planning permission, it does not give any person permission to enter or develop land outside of their ownership. As such the applicant should be aware that prior to the commencement of drainage works, you will need to acquire permission from the Harbour Master to install the drainage outlet. As part of this permission, the Harbour Master will require the applicant to pay relevant compensation to the Harbour Master as a result of disruption to existing moorings.

iii. Transport Development Management (TDM)

The single point of vehicular access is acceptable with regard to visibility, although the applicant should be aware that splays should be taken to the nearside carriageway edge and not into the carriageway which appears to be the case with the splay shown on the submitted plan. The cycle store is acceptable, as is the refuse store and proposed collection method. The basement car parking layout is acceptable, as is the number of spaces (8). Concerns are raised as to allocation of these spaces. The trip generation is unlikely to result in a significant impact on the highway network. A Travel Plan is required as well as an Assessment in Principle as to the structural works.

iv. City Design Group

No objection subject to conditions. The development is considered to have an acceptable impact on the Conservation Area.

v. Pollution Control

No objection, the submitted management plan is acceptable.

vi. Arup Consulting Engineer

No objection subject to conditions.

vii. Sustainable City Team

No objection subject to conditions.

viii. Flood Risk Management

No objection subject to a condition requiring further details and consultation with the Harbour Master.

ix. Contaminated Land Environmental Protection

No objection subject to conditions.

x. Air Quality

No objection. A construction environmental management plan should be required with regard to dust. Concerns as to the proposed biomass boiler were raised, but this element of the scheme is no longer proposed.

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xi. Nature Conservation

No objection subject to conditions and a advisory note(s).

xii. Coal Authority (Verbal Comments – James Smith 04/10/2018)

The development is not within an area at a high risk from the legacy of coal mining. The Coal Authority is aware of the reports undertaken by Craddys and Arup. It is noted that a coal mining report is recommended, rather than a coal mining risk assessment. This can be suitably conditioned. The Coal Authority would advise standing advice as it is within an area of low risk with regards to coal mining legacy, and as such would not wish to be consulted with regard to any subsequent applications to discharge conditions in the case that planning permission is granted.

RELEVANT POLICIES

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

National Planning Policy Framework 2018

Bristol Local Plan comprising Core Strategy (Adopted June 2011)

Site Allocations and Development Management Policies (Adopted July 2014)

Bristol Central Area Plan (Adopted March 2015)

Conservation Area Appraisal - The City Docks: Character Appraisal and Management Proposals
December 2011

Planning (Listed Buildings and Conservation Areas) Act 1990

EQUALITIES IMPACT ASSESSMENT

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

KEY ISSUES

For information, policies starting 'BCS' are policies from the Core Strategy document, whereas policies starting 'DM' are from the Site Allocations and Development Management Policies document, and policies starting BCAP are from the Central Area Plan.

(A) Principle of Development / Acceptability of Use

In planning terms, the proposal is closest to a hotel use given the flats will be let on a short term basis. Accordingly, the most relevant policy relating to the use of the development in the city centre of Bristol is policy BCAP10 which concerns hotel development in the centre. The policy supports small-scale,

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boutique or high quality hotel development as individual development or as part of mixed-use scheme, the policy also requires hotel development to provide active ground floor uses and/or frontages and achieve high standards of sustainability and urban design in all other respects. The proposal is small-scale in terms of a hotel use, and as the remaining report will demonstrate, the development is considered to achieve high standards of sustainability and urban design.

The site falls within the city centre neighbourhood of the Harbourside meaning policy BCAP41 is relevant. Development within the Harbourside is expected to enhance the Harbourside's role as an informal leisure destination and a focus for maritime industries, creative industries and water-based recreation, preserving and enhancing the setting of the neighbourhood's major attractions including the Floating Harbour itself. The proposal is a C1 use, and would therefore be attractive to tourists visiting this area of the city. The development therefore meets the requirements of policy BCAP41 in that its use is supportive of Harbourside's role as a leisure destination and does not prejudice the other industries of the area or the water-based recreation that occurs. The proposal's impact on the setting of the harbour and the wider Conservation Area will be assessed within Key Issue B.

Hotels and similar uses are considered to represent a 'main town centre use' meaning policies BCS7 and DM7 are relevant. These policies require hotel uses to be located in centres, as the development is. The scale and intensity of the use is considered to be appropriate for the site and area. Impacts such as noise and disturbance will be considered within Key Issue C.

Officers are aware of the comments of a number of members of the public as well as Cllr Smith where the use of the site is questioned with a preference for C3 use. The development represents the development of a brownfield site and the use proposed is compliant with the Development Plan, it should also be made clear that there is no policy basis to require a C3 use on this site, and there is also no allocation within the Development Plan requiring this site to be used for residential purposes. This section has also discussed that C1 uses are appropriate for the city centre. Policy also calls for the continued regeneration of the Harbourside and the development of vacant and cleared sites (policy BCS2). With this in mind, whilst officers understand concerns relating to the proposed land use, the use of the land and the principle of the development is in accordance with policy.

Notwithstanding this, as can be seen by the layout of the flats and the facilities provided to support the development, it is likely that in the future were the proposed use to be no longer required or in demand, the applicant has demonstrated that the building could be converted to a residential use, which would nonetheless require planning permission.

(B) Urban Design Quality and Impact on Conservation Area

i. Policy / Legislative Framework

A 'heritage asset' is defined in the NPPF (Annex 2: Glossary) as: "a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing)". 'Significance' is defined (also in Annex 2) as "the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance".

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

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

Section 16 of the national guidance within the National Planning Policy Framework (NPPF) 2018 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 195 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Finally, paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The Setting of a heritage asset is defined within the NPPF (Annex 2) as: "The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, and may affect the ability to appreciate that significance or may be neutral".

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

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

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The proposal is within the City Docks Conservation Area. The proposal is unlikely to affect the setting of any listed building, for information the nearest listed buildings/structure is the grade II listed harbour wall (Floating Harbour, Princes Wharf and Wapping Wharf), as well as the listed Fairbairn Steam Crane to the north west of the site.

In December 2011 a conservation area appraisal was published for the area - The City Docks: Character Appraisal and Management Proposals. The appraisal identifies the site as being within The Floating Harbour area of the Conservation Area at the boundary with the Cumberland Road and The Cut Area.

ii. Assessment

The Conservation Area character appraisal for the City Docks does not include site specific guidance for this site, but does identify vacant and undeveloped sites as a weakness in the area, meaning this development would contribute to overcoming this weakness. The proposal seeks to develop this brownfield site as policy BCS20 requires. As this policy acknowledges, higher densities of the development are encouraged in city centre locations, and imaginative design solutions are called upon to deliver such densities. Given the adjacent developments to the site, the proposal's position, scale, height, mass and form is largely set by the constraints adjacent buildings.

The proposal's layout, footprint and massing recognise this and largely follow that of the pre-existing development in the area, this can be seen in the proposal's footprint which traverses the existing gap between The Quays' terraced front and back layout and the more recent courtyard layout of Wapping Wharf. The proposal sits well with the adjacent neighbouring development. This can be seen in the development's height that is largely level with the adjacent roof forms and heights. The development also has appropriate form, detail and scale of features within the both the key elevations: north and south. Any successful development in this location must effectively link the roof forms of both Wapping Wharf and The Quays. The development achieves this through utilising a pair of fronting gable ends that take a visual cue from Wapping Wharf, and the northern elevation's fourth storey terrace that steps forward of the gable ends enables the development tie in well with The Quays. Similarly, the proposal's southern elevation includes similar features to both Wapping Wharf and The Quays, for example the small balconies with balustrades and the fenestration arrangement.

Wapping Wharf utilises timber cladding, metal roofs, white colour render and brick. The Quays have simpler pallet including render and stone affect brick. Both developments include metal windows as development proposes. Given the development proposes a dark and light coloured brick, metal standing seam cladding, translucent cladding, white render and timer cladding, the proposed pallet of materials is acceptable in principle – a condition is recommended to ensure quality.

With this in mind, officers find that the development's design quality is acceptable and that the proposal would not have negative impact on the Conservation Area, rather the site's redevelopment would benefit it, given a weakness identified within the Conservation Area Appraisal is vacant site. Indeed, the City Design Group (CDG) agree with this conclusion, stating:

In broad terms the form and massing of the proposal are comparable in design terms with the existing consent and as such are acceptable from an urban design perspective. The proposed development conforms to the general massing of buildings within this part of the City Docks Conservation area and as such is broadly in keeping. The adjacent development at Wapping Wharf is characterised by tight courtyards and will have been designed with an awareness of the existing consent. The resultant

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layout is therefore comparable to the character of the wider development, and the siting of the proposed building will allow evening sunlight to penetrate the space.

The CDG suggested a number of conditions regarding design details, landscape details and maintenance, materials and green/brown roofs. All of these conditions are recommended to be applied.

Officers have considered The Prince's Wharf/Wapping Wharf Existing Quayside Walkway is to the north of the site, and find that the development would not prejudice this, or any other pedestrian routes or walkway as defined by policies BCAP30 or BCAP32. Similarly, officers are aware that the development does not have an active frontage, but this is not considered to be an issue or out of keeping given the adjacent Quays development, policy BCAP31 is therefore not particularly relevant in this circumstance.

Overall, special regard has been given to the setting of the conservation area, and it is concluded that the proposal would have an acceptable impact on the Conservation Area and that the development's quality of urban design is acceptable.

(C) Residential Amenity

i. Potential for Disturbance

Officers recognise the concerns expressed by a number of members of the public in relation to the future occupiers of the accommodation. The applicant has explained that the expected occupiers of the development are weekday business visitors and weekend tourists. However in response to concerns a management plan was submitted by the applicant. The strategy confirms that there will be a premises management team to provide a concierge service, and their office is within the basement. The premises will be managed 24 hours a day with a 24 hour call-out system available. If nearby residents or guests have any complaints, they will be able to contact the site manager through visiting the management office during working hours, and when outside of such hours, guests or local residents can also contact the management team via the 24 hour call-out system. The Council's pollution control officer has reviewed this document and considers the measures to be acceptable. It is recommended that the measures outlined within the management plan are secured by condition.

ii. Comparison of Approved (06/05381/F) and Proposed Development

The approved development in 2007 represents a material consideration to the assessment of this planning application, and as such it is relevant to compare the previously approved development with the proposal.

Helpfully, on a number of the submitted plans the applicant has included the outline of the previously approved scheme. The differences between the schemes are including in the list below:

- Apart for a small section of the ground floor, the whole of the ground floor sits within the footprint of the previously approved development, as does the majority of the first floor of the proposal when compared to the approved development.

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- The second floor extends further to the south than the approved development, but only by a relatively small amount of approximately 4 metres, although a small balcony does extend by a further 1.5 metres (approximation).
- The third floor is larger than the comparative floor in the approved scheme in that it extends to the north by approximately 5 metres further than the approved.
- At fourth storey height, the proposal's elevational form largely sits within the footprint of the comparative development, being set back by approximately 7 metres when compared to the northern elevation of the approved scheme, although it must be stated that there is a 4 metre by 11 metre roof terrace at this level that was not present in the approved development.
- The southern elevation of the proposal is set back by approximately 1 metre when compared to the approved scheme.
- At fifth floor level, the proposed development is set back from the approved development's northern elevation by 1 metre, whereas the southern elevation extends further to the south by approximately 6 metres.

In terms of overall height, the ridges of the development proposed are taller than the approved development by approximately 1.5 metre to 2 metres, although it must be appreciated that the roof form of the proposed development has less of a mass due to it being broken up into two gable ends when compared to the previously approved plans. Overall, the proposed scheme is larger than the footprint of the approved development, but not by a significant amount. In assessing the proposal's impact on the residential amenity of the adjacent development, the following factors should be considered:

- The fact that a similar development in terms of footprint and overall size was permitted at this site in 2007 - 06/05381/F;
- The fact that the previously approved development was permitted with the adjacent developments in mind, albeit that Wapping Wharf was still at design/planning stage;
- The fact that the adjacent development at Wapping Wharf was designed with a development of a similar footprint at the site in mind; and
- The fact that the site falls within the city centre, where due to higher densities and tighter urban grains, relationships between buildings are often closer than for example in more suburban locations.

iii. Daylight

The applicant supported the application with a Daylight and Sunlight Assessment completed by SYNTEGRA Consulting. From reading the report it has been undertaken in accordance with BRE and British Standard guidelines, as is required for such assessments. This report was based on the originally submitted development. The proposal has materially changed since this assessment was undertaken, however given the proposal is not bigger than the original scheme, officers find the submitted Daylight and Sunlight Assessment to be acceptable to accurately reflect the proposal's impact on the nearby residents.

In terms of daylight, and as expected due to layout, the assessment reports that The Quays development to the west would not be impacted by the proposal. The report does however confirm that the proposal would impact on a number of flats within The Anchorage (referred to within the assessment as Wapping Wharf).

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Daylight is assessed using a number of measures, the first of these being Vertical Sky Component (VSC). This measures the amount of light available on the outside plane at the centre of a window, as a ratio (expressed as a percentage) of the amount of total unobstructed sky visible following the introduction of visible barriers such as buildings.

For measures/tests relating to daylight, there are BRE targets. The development has been assessed with these targets in mind, where a neighbouring window does not meet a BRE target; it is an indicator that the proposal would have an impact on the levels of daylight currently enjoyed. With regard to VSC, BRE guidance states that if VSC is both less than 27% and less than 0.8 times its former value as a result of development, occupants of the existing building will notice the reduction in the amount of skylight.

The submitted assessment demonstrates that 23 windows/glazed doors within Wapping Wharf will receive a relative VSC level of less than 0.8 the former value due to their location facing the proposed development. BRE guidance suggests that these residents will notice a reduction in the amount of skylight. These 23 windows all face the courtyard and equates to 6 ground floor flats, 4 first floor flats, and 3 second floor flats. The report demonstrates that 13 of these affected windows, equating to 9 flats, already experience a substandard VSC according to BRE guidance as the VSC is already less than 27%. The relevance of this, is that given the levels of daylight are already substandard in terms VSC, that actual impact on perceived daylight for residents would likely be minor. Nevertheless, 10 windows (equating to 7 flats: 2 at ground floor level, 3 at first floor level and 2 at second floor level) that currently experience BRE compliant VSC would suffer a noticeable reduction in the amount of skylight as a result of the development. According to the approved plans for the Anchorage and the submitted survey, the specific rooms affected would include primary rooms, in this case: kitchen/diner/lounge and bedrooms.

Given it has been indicated that 7 flats will notice a difference in levels of skylight of varying significance; other tests must be applied to understand the actual illuminance that occupants of these affected flats will experience. These include:

- No Sky Line (NSL). NSL tests how good the distribution of daylight is in a room, taking into account external obstructions and divide those areas of the working plane that can receive direct skylight and those that cannot. Where officers refer to NSL targets, BRE targets are being referred to.
- Average Daylight Factor (ADF). ADF is a measure of internal daylight and equates to the ratio of illuminance at a point on a given plane due to light received from a sky of known or assumed luminance distribution, to illuminance on a horizontal plane due to an unobstructed hemisphere of this sky. ADF is therefore a test as to the overall amount of daylight in a space. BRE does not issue guidance levels for ADF testing, rather British Standard and CIBSE targets are utilised, so throughout the remaining report, where ADF targets are discussed, officers are referring to British Standard.

Of the 7 flats to suffer a significantly noticeable difference in skylight, the affected rooms within 4 of the flats would meet the guides for NSL and ADF which would indicate that such rooms would achieve acceptable standards of internal daylight. Of 2 of the remaining impacted flats, the affected rooms would meet the ADF guide, but fail the NSL guide. The remaining flat would experience acceptable standards of internal daylight within the kitchen/dining/lounge (i.e. would meet both ADF and NSL targets), but not within the other two affected rooms which are both bedrooms; these rooms would however receive British Standard compliant ADF. The submitted assessment does however conclude

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that where flats meet the ADF targets, an acceptable standard of internal illuminance would remain within the impacted rooms. As such the rooms where the NSL target is failed, but the ADF target is met, are still likely to achieve acceptable levels of daylight.

Moving on from the discussed rooms/flats, the Daylight and Sunlight Assessment did state that 3 further rooms would fail to meet the NSL target. Of these rooms, 2 are at ground floor level and 1 is at first floor level, and all face the courtyard. These rooms were discussed above with regard to VSC, in that these rooms already experience a substandard VSC, meaning the actual impact of the development in terms of levels of skylight would be minimal on these flats. Turning back to NSL, 1 of the 3 rooms which fails to meet the NSL target meets the ADF target, so the actual illuminance within the room would be acceptable. 2 of the remaining rooms discussed would however fail to meet relevant ADF targets, but they already experience poor levels of ADF so it is unlikely that the development's impact would not make a significant difference to the illuminance of those rooms. Thus, the impact on the occupants would not be greatly noticeable.

Accordingly, it is clear that the development would impact negatively upon the levels of daylight currently experienced by the occupiers of the Anchorage. 7 flats that currently experience acceptable levels of daylight would notice a reduction in daylight levels, but further testing demonstrates all would still meet relevant ADF targets, which suggests the amount of daylight within the affected rooms would be acceptable. Of a lesser concern are the 9 flats that already experience substandard levels of daylight, of these flats only 2 would fail to meet internal daylight tests – ADF and NSL. Whilst this is concerning, the daylight assessment does suggest that the levels of daylight in these affected rooms is already poor, meaning the impact on daylight would not be greatly noticeable to residents.

With this in mind, it is clear that development would contribute to a number of windows/glazed doors within the Anchorage failing the relevant BRE criteria. For a number of these affected rooms, non-BRE compliant levels of daylight already exist so the proposal's impact would not be significant. The development nonetheless does impact negatively upon levels of daylight for a number of flats that currently do enjoy BRE compliant levels of daylight; in these cases it has been shown that these flats would nonetheless still achieve acceptable levels of internal daylight as set out by the British Standard. Officers have considered if the reduction in daylight levels is severe enough to constitute a reason to refuse this development. However, the following factors dissuades officers from doing so: the Anchorage was planned and designed with a development at the adjacent site in mind; the proposal is not dissimilar to a previous consent at the site which was permitted with the a development at Wapping Wharf (the Anchorage) in mind; a number of the affected flats already experience substandard levels of daylight according to BRE guidance; the city centre context of the development; and finally the majority of the rooms affected would still achieve acceptable levels of internal daylight with regards to the British Standard. Officers therefore recommend that the development is not resisted with regard to the development's impact on levels of daylight.

iv. Sunlight and Overshadowing

The submitted Daylight and Sunlight Assessment completed by SYNTEGRA Consulting also assesses the development impact with regard to sunlight and overshadowing.

Firstly, the difference between daylight and sunlight should be made clear. Ambient daylight is the volume of natural light that enters a building to provide satisfactory illumination of internal accommodation between dawn and dusk. Daylight from an overcast sky is generally the same no

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matter how the building is orientated. Sunlight on the other hand refers to direct sunshine and is very much brighter than ambient daylight.

Turning to sunlight, the report demonstrates that two surfaces/windows in the Anchorage will be adversely impacted by the development. However, the report demonstrates that the impacted rooms Annual Probable Sunlight Hours (ASPH) will be close to the BRE target, although will not meet the target. For information, ASPH forecasts the sunlight available throughout the year for the main window of each habitable room. The report therefore concludes that the actual impact on sunlight would be minimal.

The courtyard within the Anchorage development closest to the site will experience a noticeable loss of sunlight as in accordance with BRE guidance, at least half of the amenity area will not receive direct sunlight on the 21st of March. This is an indicator of a noticeable loss of direct sunlight. However, the report concludes that the aforementioned area within the Anchorage would receive BRE compliant levels of sunlight in the month of June, which according to the report is the month when residents are most likely to use the amenity area. The report indicates a similar impact to the affected amenity areas within The Quays development, finding there would be a noticeable impact on sunlight, but in June levels of sunlight would be BRE compliant. The site represents a gap site, and as the previous planning permission at the site confirms, it has always been expected that development would come forward on this site. The proposal's position, massing, layout, scale and height is fairly in keeping with the existing urban layout of The Quays, and the masterplanning for the adjacent Wapping Wharf development took into account the future development of this site. Further to this, the building's scale, form, height and massing are not that dissimilar to the previously approved development. Hence it is not surprising that the development would overshadow the courtyard of the Anchorage or the amenity area of The Quays, and degrees of overshadowing are fairly common in city centre locations where there is a tight urban grain and higher densities. With this in mind, whilst the proposal will impact the adjacent sites through overshadowing, its impact is not considered to be so severe or out of character that the development should be resisted.

Overall, the report submitted sufficiently demonstrates the proposal's impact on the neighbouring developments with regard to levels of sunlight and overshadowing. Officers have reviewed the report and find its conclusions and assessments to be acceptable, and conclude that the development's impact with regard to levels of sunlight and overshadowing are acceptable.

v. Outlook / Views / Overbearing

Officers note many comments from residents in relation to views. A loss of a person's view from a property is not a planning consideration, but the impact of built form in obstructing outlook is.

The distance between the eastern elevation of the proposal and the courtyard elevation of the Anchorage ranges between approximately 12.4 and 14.2 metres. The development would therefore reduce the outlook of the residents within the Anchorage who gain outlook from these windows across the existing vacant site. However, views toward the Floating Harbour would still be achieved for the majority of these occupiers, and views toward Cumberland Road would also be achievable from a number of these flats as well. Similarly, the development would not prevent views to the Floating Harbour from the southern wing of the Anchorage. It is a fair assessment to conclude that the outlook from the Anchorage would be reduced as a result of this development, but the standard of outlook achieved would still be acceptable for this city centre context. Especially when considering that the Anchorage was planned with the expectation that this site would be developed in a manner similar to

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this proposal. It is also considered that the resultant outlook within the courtyard facing flats is still likely to be better than what is offered within the other courtyard section of the Wapping Wharf (known as Plot A Courtyard on approved plans relating to ref. 12/04517/M).

The development would allow a 45 degree uninterrupted angle of view from both the northern and southern elevations of The Quays, meaning the development would not harm the outlook enjoyed by these residents.

As has been discussed, the development would not give rise to a situation when residents of either the Anchorage or the Quays would suffer from an oppressive built form. This is because the development would still allow for views out from the respective windows/balconies of something other than built form.

Overall, the development would not result an unacceptable standard of outlook for the residents of the Anchorage or The Quays, and it is also considered that the development would not give rise to an overbearing/oppressive impact.

vi. Privacy and Overlooking

A number of members of the public have expressed concerns as to the proposal's impact on the privacy of the flats within the Anchorage.

The development's east elevation does not include any windows preventing potential for overlooking. The southern elevation does include a number of windows and balconies as would be expected of such an elevation. Officers have considered if these openings could give rise to a loss of privacy for Anchorage residents, mainly in relation to the southern wing of this development closest to the site. Within this wing of the Anchorage there are windows running vertically at either end. The closest proposed balconies are approximately 9.7 metres from the vertical line of windows within the Anchorage. In order to prevent overlooking from persons looking toward the development within these balconies, a condition is recommended to ensure a schedule of screens are submitted and secured. There are also south facing windows that are within approximately 13.7metres from west-facing windows within the Anchorage, however due to the angle of these views a material loss of privacy would not result to occupiers of either the Anchorage or the proposed development.

The principal elevation of the development has windows within approximately 15 to 16 metres from the closest windows within the Anchorage (northern protruding wing). The affected windows within the Anchorage are slim windows and given the wing is at an angle to the proposal's front elevation, any lines of sight would be at such an angle material losses of privacy would not occur. The development's building line is angled away from that of the Quay's to allow adequate outlook. Windows within this elevation would give an angle of view into the private amenity spaces associated with the Quays, and would overlook a communal landscaped area associated with the Quays. This is not considered to be a reason to resist the development given the area is already in the public realm being visible from Museum Street.

At fourth floor level there is a roof terrace and a larger green roof area. Firstly, a condition is recommended to ensure that green roof is never used as a roof terrace or similar amenity area in order to safeguard the amenity of both adjacent neighbours. A 1.8 metre screen will be secured by condition on the eastern side of the terrace/balcony to prevent views into the balconies and windows within the adjacent Anchorage. The roof terrace does however cause concern as to its relationship with the fifth floor roof terraces/windows of the Anchorage. The proposed roof terrace is at a lower

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height than the comparable fifth floor within the Anchorage meaning the risk of overlooking or a loss of privacy would be reduced, especially when considering the angle of views expected. However, there is only approximately 12 between the Anchorage and the proposed roof terrace. Taking the city centre context into account, the likely angle of views and the height difference, it is considered that the roof terrace is acceptable in terms of its relationship with the Anchorage.

i. Summary

In summary the development will have an impact on the adjacent neighbours, as has been acknowledged within this report. Given the existence of the previous permission at the site; the fact that the Anchorage was planned with a development on this site in mind; and the city centre context of the development, officers are of the opinion that subject to conditions, the development's impact are acceptable with regard to the residential amenity of nearby residents, as well as the future occupiers of the development proposed.

(D) Land Stability

After requests the applicant submitted a Feasibility Report undertaken by Craddys in relation to the proposal and land stability, this was in addition to a land contamination assessment undertaken by CJ Associates. The report was requested in order to consider if the development met the requirements of policy DM37, which states the following:

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.

Given the nature of the technical assessment required, engineering geologists from Arup were instructed by the Council to review the submission together with the reports submitted in order to understand the development's impact on land stability and compliance with policy DM37.

The Arup assessment states that the submitted reports made appropriate consideration of the adjacent structures, and that the suggested construction method utilising an embedded pile wall for the basement is appropriate. Further to this, the report states that the proposed sequencing of works is appropriate based on the information provided, and that the proposed foundation and slab options appear to be acceptable given the expected ground conditions, caveating that further investigation of the ground and investigation of the nature, position and depth of adjacent structures and sub-structures is required. This leads Arup to confirm that the submitted details meets the needs of point i

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of policy DM37 as the details provided acceptably mitigate risk to land stability, provided sufficient investigation is carried out to allow suitable design.

Arup go onto confirm that the development would meet point ii of the DM37 provided site investigation and risk assessment is submitted to suitably understand the standard of remediation required as there is a potential for land instability. Arup make 5 recommendations to ensure damage to adjacent retaining structures and basements is avoided, and confirms that these recommendations can be managed appropriately using pre-commencement conditions, officers agree with this conclusion. For information, the conditions will ensure the following is undertaken:

1. A coal mining report is obtained from the Coal Authority.
2. A ground investigation at the site to inform the development of the ground model and to aid in the preparation of suitable design options.
3. A temporary works assessment, ensuring that adjacent structures and infrastructure are not damaged during construction activities; for example, from the applied load of a piling rig, or from vibration induced damage which may be exacerbated by buried obstructions relating to former building foundations or slabs.
4. A pre and post works condition survey of all retaining structures in question and the adjacent basements, 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.
5. An assessment that in the permanent condition, the level 00 transfer slab acts as a prop to each of the retaining walls to ensure the piled wall can be considered as propped as opposed to cantilevered.

It should be noted that the Coal Authority were not notified of this application originally as the site is not within a High Risk Area, however they have been notified of the structural issues raised by the Arup report. Nevertheless, Arup's comments confirm that subject to the measures discussed, it can be ensured that the development would not result in a harmful impact the stability of land and nearby structures.

Accordingly, subject to conditions, the development is acceptable with regard to policy DM37.

(E) Transport and Highway Safety

Transport Development Management (referred to hereafter as 'TDM') has had extensive involvement in this application as can be seen from their comments on the case file. In terms of transportation considerations and highway safety, the proposal has a single point of access for cars that leads to the basement car park, and separate to this access, there is a pedestrian and cycle access leading to the main access to the building where there is a cycle store adjacent to the access. TDM have confirmed in their latest comments that the development is acceptable in highway safety terms, the remaining paragraphs in this section will explain this further.

i. Trip Generation

The site is in a sustainable location being within walking distance of a number of local amenities and facilities. TDM have raised no issue with the expected trip rate generated from this development as it is considered that the existing highway network is capable of supporting this. Officers do note that TDM have raised concerns that TRICS survey data has not been provided, but in itself this is not a

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reason to resist the development as the trip rate suggested by the applicant seems reasonable for the development proposed.

ii. Access

The development originally had two accesses for vehicles which led to objection from TDM due to inadequate visibility splay. The proposal has revised access arrangements with only one point of access for motorised vehicles from Cumberland Road. This provides vehicular access to the basement car parking; there is then a further access for pedestrians and cyclists. TDM have confirmed that the access to the basement car parking has acceptable visibility, and as such is not expected to result in highway safety concerns.

iii. Car Parking

In accordance with policy DM23, policy BCAP29 requires new development to accord with the maximum car parking standard set out within Appendix 2 of the Site Allocations and Development Management Policies document. Importantly, policy BCAP29 states that a significantly lower level of car parking provision will be expected where appropriate. Appendix 2's maximum standard requires one space per bedroom including a minimum of one disabled space. The maximum standard would therefore be 19. The proposal includes 8 car parking spaces within the basement, one of which is a disabled parking space. This amount complies with the maximum standard included within Appendix 2, and is also compliant with policy BCAP29 as the due the site's location being within a sustainable area of the city centre, a significantly lower provision than 19 is appropriate. Officers are aware that applicant has suggested that an agreement with NCP is likely to be sought to allow car parking within NCP's Prince Street car park. TDM questioned this suggesting that off-site NCP parking should be allocated to some of the units, rather than others. However, as stated, the policy for the city centre allows for a significantly lower provision in sustainable locations such as this, and given Cumberland Road has double yellow lines, it is unlikely that on-street illegal parking would occur as a result of this development.

Officers note that members of the public have questioned the layout of the basement. TDM have raised no issue with its layout, and confirm it useable.

The proposed car parking is acceptable.

iv. Cycle Parking

TDM have confirmed that the cycle store within the yard on the Cumberland Road side is suitably safe and secure, and also provides sufficient cycle spaces (18) in excess of what Appendix 2 requires.

v. Refuse Collection

It is proposed that a refuse vehicle would stop on the highway to collect from kerbside, in the same manner as the majority of the properties on Cumberland Road are serviced. It would be preferable that refuse vehicles did not stop on the highway, however in this circumstance this is not possible without resulting further highway safety issues relating to such a vehicle not entering or leaving the site in a forward gear. Whilst, the proposed refuse collection arrangements may obstruct the free flow of vehicle movements, it is the same method as the majority of the properties in Cumberland Road,

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and any obstruction would be short-term in nature. Accordingly, it would be unreasonable to resist the proposed refuse collection method. Conditions are recommended to ensure collection methods.

vi. Safeguarded Transportation Routes

Cumberland Road is part of the MetroBus route, route m2 – Long Ashton Park and Ride to city centre. The proposal would not prejudice this route in terms of highway safety or any other transportation consideration as TDM have confirmed, the proposal therefore accords with policy BCAP27.

vii. Travel Plan

All C1 uses are required to be supported by a Travel Plan or Travel Plan Statement in order to encourage more sustainable modes of transport. Given the scale and size of the development, a Travel Plan Statement is sufficient and a condition is recommended to secure this. No monitoring fee is required.

viii. Highway Land Stability

The Council's Bridges and Highway Structures Team have reviewed the submitted structural reports and the comments from Arup. They have concluded that an Assessment in Principle (AiP) is required in order independently check the design parameters for the highway structures, and given the extent of the works required for the basement and the importance of Cumberland Road as a transport route, officers find that an AiP should be secured by using a pre-commencement condition. The recommended condition is included below (*italicised*). A bond will also be needed to affectively insure that if the works harm the highway, the Council can recoup the costs of putting it right. This bond will be secured via section 278 agreement pursuant to the Highway Act 1980, this agreement can be secured separate to this planning decision.

Structure Adjacent To/Within 6m of the Highway

No development shall take place until an Approval In Principle (AiP) Structural Report setting out how any structures within 6 metres of the edge of the adopted highway (and outside of this limit where the failure of any structures would affect the safety of road users) will be constructed, excavated, assessed, strengthened or demolished has been submitted to and approved in writing by the Local Planning Authority. For further information on how the AiP Structural Report should be set out and fees required contact the Highway Authority's Bridges and Highway Structures Team by emailing bridges.highways@bristol.gov.uk

N.B. The Highway Authority's technical approval fees as determined by the proposed category of structure to be assessed must be paid before the AiP Structural Report is considered and approved and formal technical approval must be obtained prior to any works being permitted.

ix. Summary

TDM have reviewed the development and have no objection to it on highway safety or other transport-related grounds. Officers agree with such advice, and find the development to be acceptable with regard to transportation subject to the conditions discussed within this section.

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(F) Sustainability and Drainage

The submitted sustainability statement demonstrates that by utilising photovoltaic panels the proposal will achieve a 20% saving on residual carbon dioxide emissions, meaning the target within policy BCS14 is met, a condition is recommended to ensure installation.

Development's design must ensure they suitably mitigate expected impacts of climate change in order accord with BCS13. One such impact is overheating. The applicant has provided an overheating analysis in accordance with relevant guidance, demonstrating that the proposal is likely to meet the requirements set out in guidance. A number of recommendations are made and the Council's sustainability officer has recommended a condition that will require the development to be constructed in accordance with the submitted report in order to ensure overheating is avoided in the development.

The floor area of the development is in excess of 1,000 sq.m meaning in order to accord with BCAP 20 the development will need to achieve BREEAM 'Excellent'. This can be ensured through suitably worded condition.

The development includes a green roof which is a positive element of the development meeting a requirement of policy BCAP25. A condition is recommended to require further details of the green roof to ensure biodiversity benefits.

The proposal includes a SuDS scheme that seeks to discharge through a discharge control chamber into the harbour. The Flood Risk Manager has commented stating no objection to this method subject to a condition requiring further details and the Harbour Master agreeing to this method of drainage. The Harbour Master has raised concerns that if the drainage outlet was above water level, a mooring would be lost and compensation would be needed. The drainage outfall will be below water level in order to avoid this, the Harbour Master has confirmed no objection this arrangement, provided measures are in place to ensure the water discharged from the site is not contaminated by oils etc. a condition is recommended to ensure this. The Harbour Master has also recommended an advisory note regarding compensation payment(s) during construction for disrupted moorings, the advisory note will be appended to the decision notice.

Given the outlet for the SuDS scheme would affect the built fabric of a grade II listed structure Floating Harbour, listed building consent would be required for this intervention. As has occurred with similar methods of drainage in the area, listed building consent would need to be sought by the applicant separate to this planning application. A condition preventing development until details all relevant consents/permissions are obtained is recommended.

The Docks Estate Manager has also confirmed that the installation of the drainage system would require approval from Bristol City Council Docks Estate, an advice note will be appended to the decision notice to this effect in the event of planning approval.

Overall, the development is acceptable with regard to sustainability policy subject to the conditions discussed.

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(G) Contamination

The Council's Contaminated Land Officer has commented on the proposal along with the Desk Study submitted CJ Associates. The officer found that subject to conditions the development is likely to be acceptable in terms of contamination. Such conditions are recommended.

(H) Air Quality

Issues of air quality were considered by the Air Quality Team who did not raise any issues with the development in terms of air quality apart from to advise that a construction environmental management plan is secured by condition with regard to dust mitigation. As well as this, assessment/mitigation measures regarding the on-site communal boiler will be required by condition.

(I) Nature Conservation

The site currently forms a clear site, and the Council's nature conservation officer has not objected to the development, rather conditions have been suggested with regard to nesting/roosting opportunities. The officer also recommended a Japanese Knotweed survey, a condition is recommended and shall also include measures for removal. Further to this, a living roof has been incorporated in line with the officer recommendation and policies DM29 and BCAP25, as discussed above a condition is recommended to ensure the biodiversity value of the roof. An advisory note has been recommended with regard nesting birds given there is a small amount of shrub on site, this will be included.

Overall, the development has an acceptable impact with regard to nature conservation.

(J) Planning Balance

The application represents the effective use of a vacant and cleared site that currently contributes no benefits to the community and wider Bristol. It is recognised that given the complex nature of the site and the constraining urban grain within which the site is located, there are a small number of negative elements to this scheme, and as such the decision needs to be made on the basis of the planning balance.

Offices consider these negative elements to constitute limited weight against approving the development. Officers are also aware of the concerns from residents, and Cllr Smith, regarding the proposal's land use; design quality; impact on the Conservation Area and impact on residents.

However, as the report has demonstrated, officers would advise that these issues should not attract significant weight against the approval of this development.

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In the context of the planning balance, members should consider the benefits this scheme represents. As the report demonstrates, the proposal includes a number of benefits all of which should attract weight in favour of approving the development. Specifically, this application is an opportunity to redevelop an existing vacant and cleared site that currently represents an unattractive overgrown gap in an important part of the city centre and Conservation Area. The proposal is considered to represent a high quality of design appropriate for the Conservation Area, and the proposed use as serviced apartments would provide tourists with location to stay in close proximity to some of the city's most popular tourist attractions, as well as provide accommodation for people visiting the city due to business interests further supporting the local economy.

On balance, whilst officers recognise the concerns of residents and Cllr Smith, it is considered that the benefits of the scheme are significant and far outweigh any harm the development represents. On this basis, officers are recommending that permission be granted, subject to relevant conditions.

(K) Recommended Conditions

It is recommended that in the case members resolve to permit this development, the conditions listed within this section are imposed. The following list is not exhaustive and delegated authority is sought to prepare the draft conditions in consultation with the applicant in line with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018.

Recommended conditions:

i. Procedure

- Requirement to commence development within 3 years of the date of decision.
- Requirement for the development to be carried and to accord with all approved plans/documents.

ii. Urban Design / Residential Amenity

- Requirement to submit and secure details of elevations and sections for the building.
- Requirement to submit and secure details of external materials to be used in the development.
- Requirement to submit and secure details of landscaping and future maintenance.
- Compliance condition to ensure the green/brown roof is never used as an amenity area e.g. roof terrace or roof garden.
- Requirement to submit and secure a schedule of 1.8 metre balcony screens: Units 1, 4, 7, 10, 13.
- Requirement of erection of a 1.8 metre screen at the eastern side of the fourth floor balcony/roof terrace.
- Compliance condition to ensure the development operates in accordance with submitted Management Plan.

iii. Transport / Highway Safety

- Requirement to submit and secure approval regarding a refuse management plan

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- Requirement to submit and secure a Travel Plan Statement.
- Implementation and retention of cycle parking as depicted on approved plans.
- Implementation and retention of refuse storage as depicted on approved plans.
- Implementation and retention of car parking as depicted on approved plans.
- Completion of accesses as depicted on approved plans.
- Requirement to submit and secure details of an Assessment in Principle in relation to the development's impact on the stability of the highway.
- Requirement to submit and secure a Construction Management Plan.

iv. Land Stability

- Requirement to submit and secure details of the following:
 - A coal mining report is obtained from the Coal Authority.
 - A ground investigation at the site to inform the development of the ground model and to aid in the preparation of suitable design options.
 - A temporary works assessment, ensuring that adjacent structures and infrastructure are not damaged during construction activities; for example, from the applied load of a piling rig, or from vibration induced damage which may be exacerbated by buried obstructions relating to former building foundations or slabs.
 - A pre and post works condition survey of all retaining structures in question and the adjacent basements, 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.
 - An assessment that in the permanent condition, the level 00 transfer slab acts as a prop to each of the retaining walls to ensure the piled wall can be considered as propped as opposed to cantilevered.

v. Sustainability and Drainage

- Installation of renewable energy technologies in accordance with approved plans/reports.
- Construction of the approved building in accordance with approved plans and statement in order ensure measures to prevent overheating in the development.
- Requirement for the development to meet BREEAM 'Excellent' standards.
- Details of SuDS and discharge into the Harbour.
- Requirement to submit and secure measures to ensure any surface water discharged into the Floating Harbour is free from contamination.
- Requirement to submit and secure details of SuDS and discharge to the Floating Harbour including assurance that the drainage outlet will be below water level.
- Requirement for all relevant consents relating to the drainage works (e.g. listed building consent and permission from the Harbour Master) to be obtained and demonstrated to the Local Planning Authority prior to the commencement of development.

vi. Nature Conservation

- Requirement to submit and secure details of a green/brown roof.
- Requirement to submit a Japanese Knotweed survey and removal measures if required.

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- Requirement to submit and secure details of bat and bird roosting/nesting opportunities.

vii. *Environment and Air Quality*

- Requirement to submit and secure mitigation measures in relation to the emissions from the communal gas boiler. The information shall include specification as to the installation of a low NO_x Gas boiler (<40mgNO_x/kWh) with the stack release point for the boiler at a location and height that provides adequate dispersion. Details should be provided showing the proposed stack release point for approval.
- Requirement to submit and secure a construction environmental management plan.

viii. Land Contamination

- Requirement to submit and secure details of further surveys to characterise contamination on site.
- Requirement to submit and secure details of a remediation strategy if required, along with its implementation and future verification.
- Requirement to submit and secure remediation and verification relating to any unexpected contamination found at any stage of development.

CONCLUSION

It is recommended that planning permission is granted subject to relevant conditions. As discussed in Key Issue K, delegated authority is sought to prepare the draft conditions in consultation with the applicant, although it is expected for these conditions to be in line with those discussed in Key Issue K.

RECOMMENDED Grant subject to conditions.

COMMUNITY INFRASTRUCTURE LEVY

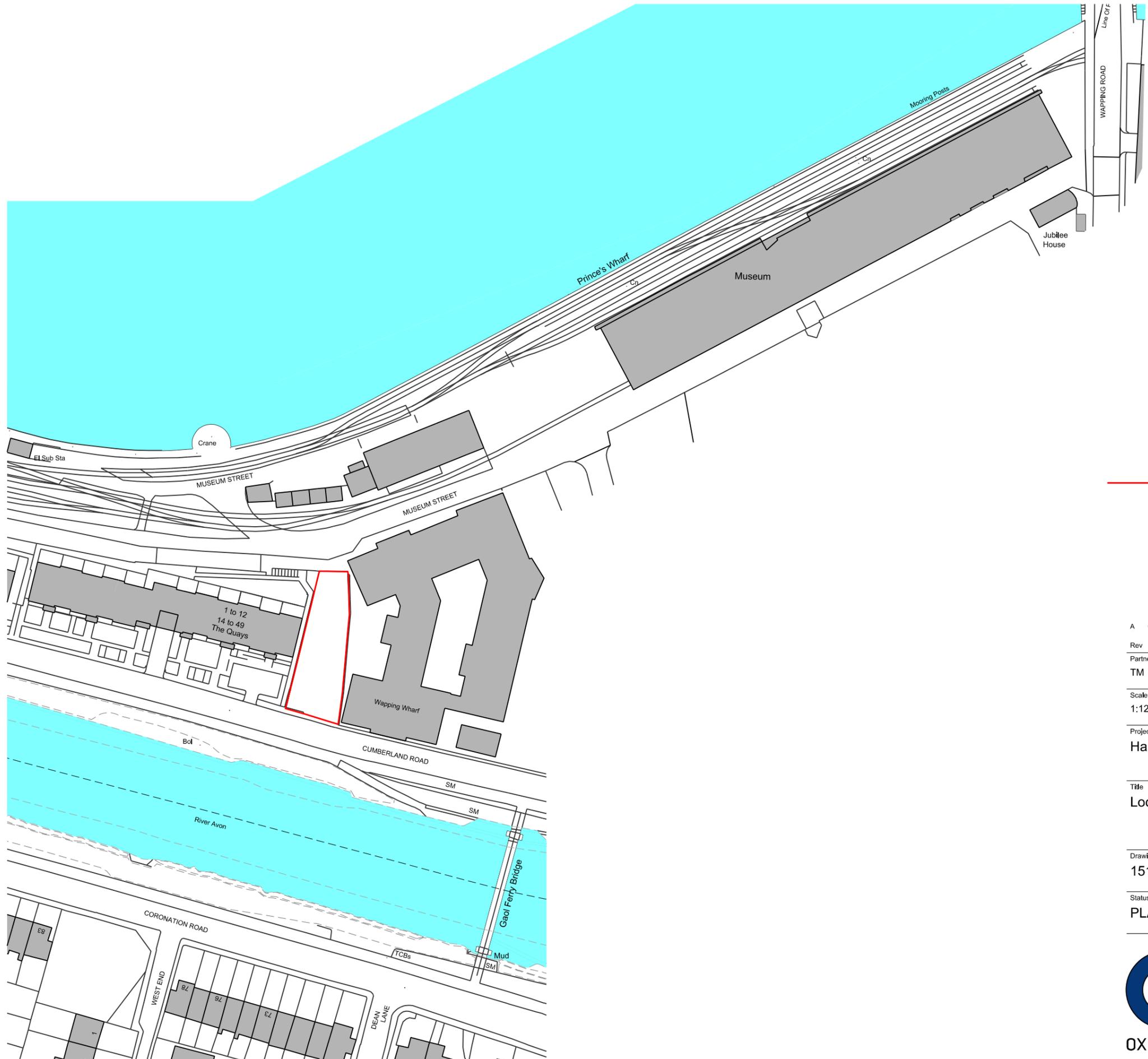
How much Community Infrastructure Levy (CIL) will this development be required to pay?

The amount of CIL required to be paid will be confirmed within the amendment sheet prior to committee.

Supporting Documents

1. Land Adjacent To The Quays, Cumberland Road

1. Location plan
2. Block plan
3. Proposed East elevation
4. Proposed North elevation
5. Proposed West elevation
6. Proposed South elevation
7. Proposed landscape plan



— Site Boundary

Rev	Date	Revision
Partner	Drawn	Date
TM	SEJ	24/04/17

Scale
1:1250 @ A3

Project
Harbourside, Bristol

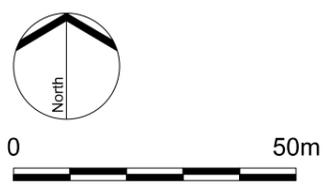
Title
Location Plan

Drawing No
15155_101

Status	Revision
PLANNING	A

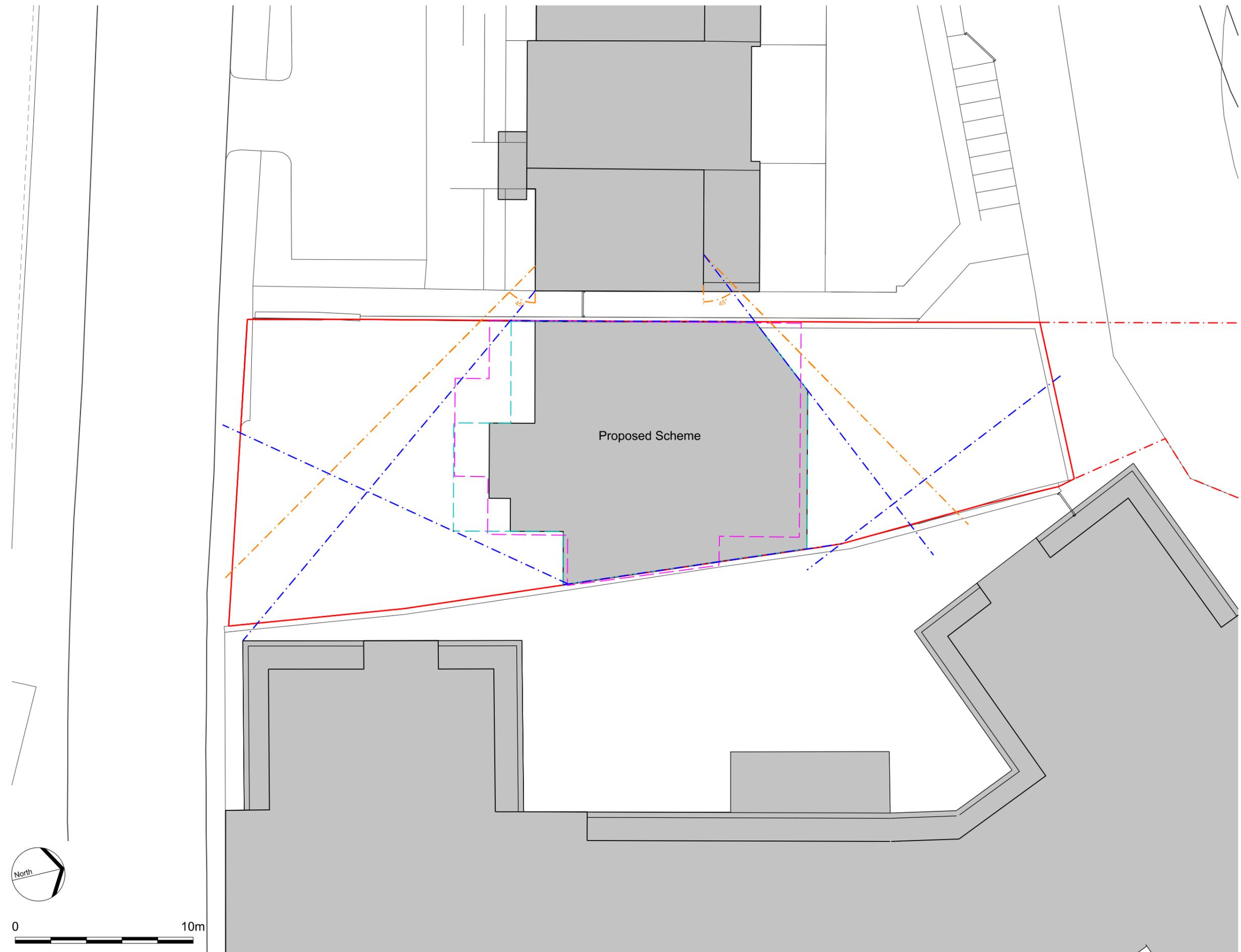


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DRAWING KEY

- Buildings
- Site Boundary
- Access Boundary from Adopted Road
- Generating lines illustrate the contextual influences on the development
- SPD Lines make reference to Bristol City Council's Supplementary Planning Document 2
- Generating line established with local residents at public consultation
- Footprint for initial submission under planning application no. 17-05149-F
- Footprint for Quentin Alder planning submission under application no. 06_05381_F

Rev	Date	Revision
C	28.03.18	Quentin Alder's design footprint added
B	13.03.18	Building footprint changed
A	27.07.17	Public consultation generating line added.
Partner	Drawn	Date
TM	SEJ	03.05.2017

Scale
1:200 @ A3

Project
Harbourside, Bristol

Title
Proposed Site Block Plan

Drawing No
15155_103

Status	Revision
PLANNING	C

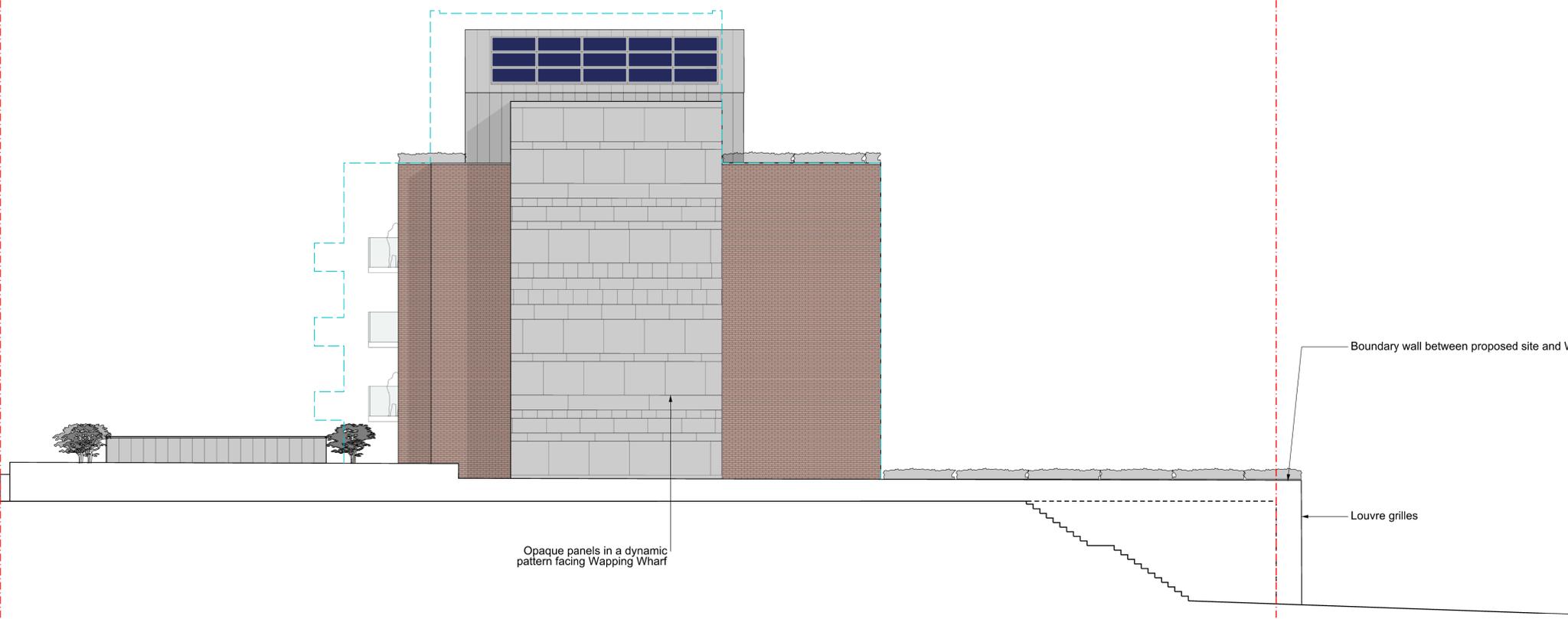


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- DRAWING KEY**
- Site Boundary
 - Brick
 - Metal Standing Seam
 - Opaque Panel Cladding
 - Original building line for initial submission under planning application no. 17-05149-F
 - Solar PV Panels

Roof Apex	31,000
05 Finished Floor Level	27,300
Parapet Level	25,850
04 Finished Floor Level	24,750
03 Finished Floor Level	22,000
02 Finished Floor Level	19,250
01 Finished Floor Level	16,500
00 Finished Floor Level	13,750
Basement Finished Floor Level	11,050



Opaque panels in a dynamic pattern facing Wapping Wharf

Boundary wall between proposed site and Wapping Wharf.

Louvre grilles

- F 25.07.18 Reduction in no. PV in result of yield calculation by 1 World Solar
- E 22.06.18 Bin store and utility room location changed
- D 28.03.18 Solar PV panels added to roof, roof height changed, bin store door added
- C 13.03.18 Height and massing reduced following Planner's comments. Elevation material revised to be brick and glass panels.
- B 15.09.17 Height reduced following public consultation. Elevation material revised to be opaque panels.
- A 27.07.17 Massing revised in response to public consultation

Rev	Date	Revision
TM	SEJ / ML	03.05.2017

Scale
1:100@ A1 & 1:200@ A3

Project
Harbourside, Bristol

Title
Proposed East Elevation

Drawing No
15155_121

Status Revision
PLANNING F



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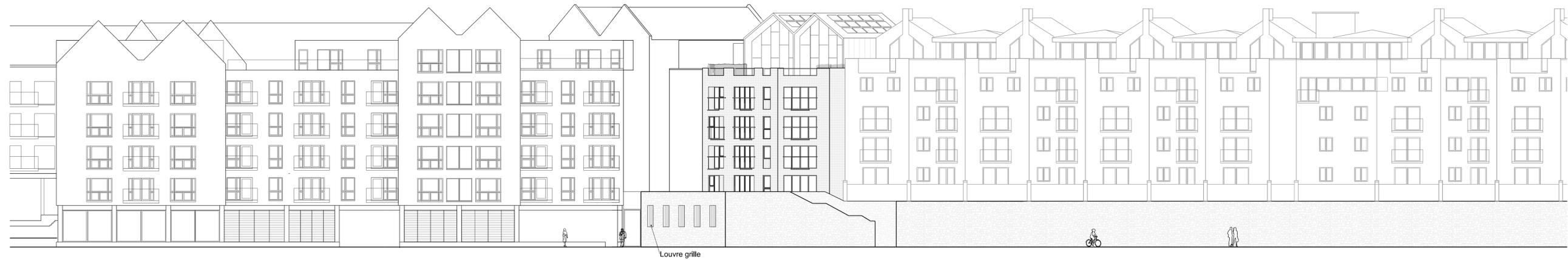
Building Elevation - North



DRAWING KEY

- Site Boundary
- Brick
- Metal Standing Seam
- Opaque Panel Cladding
- Timber Panel Cladding
- Original roof line for initial submission under planning application no. 17-05149-F

Site Elevation - North



F	25.07.18	Louvre grille design adjusted to suit planning officer's comment. no. pv panels reduced in the result of PV yield calculation by 1 World Solar.
E	22.06.18	Louvre grille slightly adjusted to suit basement layout
D	28.03.18	Solar panels to roof added, roof shape amended to symmetrical, Louvre changed to match Wapping Wharf's
C	13.03.18	Height reduced and fenestration changed. Louvre grille added.
B	15.09.17	Height reduced following public consultation
A	27.07.17	Massing revised in response to public consultation

Rev	Date	Revision
TM	SEJ / ML	03.05.17

Scale
 1:100@ A1 & 1:200@ A3
 1:250@ A1 & 1:500@ A3

Project
Harbourside, Bristol

Title
Proposed North Elevation

Drawing No	15155_120
Status	PLANNING
Revision	F



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DRAWING KEY

- Site Boundary
- Brick
- Metal Standing Seam
- Translucent Panel Cladding
- Timber Panel Cladding
- Original building line for initial submission under planning application no. 17-05149-F
- Solar PV Panels



- F 25.07.18 Reduction in no. PV in result of yield calculation by 1 World Solar.
- E 22.06.18 Bin store, cycle store and utilities room location changed, soft landscaping added.
- D 28.03.18 Solar PV panel added to roof, roof height reduced
- C 13.03.18 Height and massing reduced, elevation materials and fenestration revised, following planner's comments
- B 15.09.17 Height reduced following public consultation
- A 27.07.17 Massing revised in response to public consultation

Rev	Date	Revision	Partner	Drawn	Date
TM		SEJ / ML	xx/xx/xx		

Scale
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Project
Harbourside, Bristol

Title
Proposed West Elevation

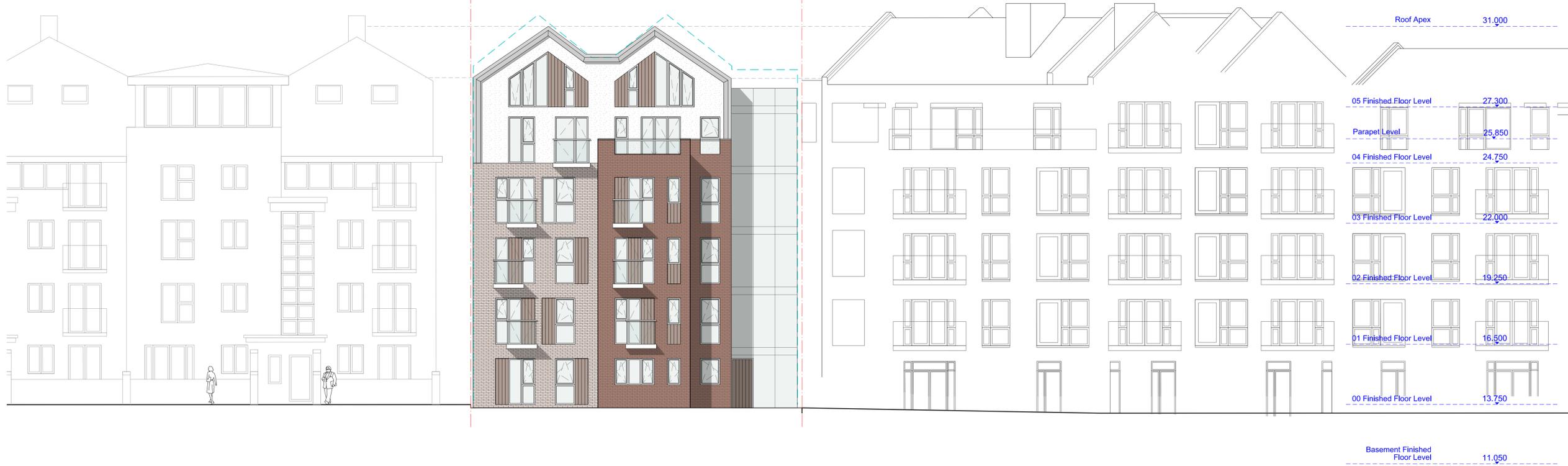
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Status
PLANNING



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Building Elevation - South



DRAWING KEY

- Site Boundary
- Dark colour brick
- Light colour brick
- Metal Standing Seam
- Translucent Panel Cladding
- Timber Panel Cladding
- - - Original building line for initial submission under planning application no. 17-05149-F

Site Elevation - South



Rev	Date	Revision
F	26.09.18	Perimeter boundary amended to include for stone wall and piers.
E	22.06.18	Access arrangement changed to suit planning officer's comments
D	28.03.18	Glazing panels adjusted, roof height reduced and shaped symmetrical
C	13.03.18	Height and massing reduced, elevation materials revised following Planner's comments
B	15.09.17	Height reduced following public consultation
A	27.07.17	Massing revised in response to public consultation

Partner	Drawn	Date
TM	SEJ / ML	03.05.17

Scale
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 1:250@ A1 & 1:500@ A3

Project
Harbourside, Bristol

Title
Proposed South Elevation

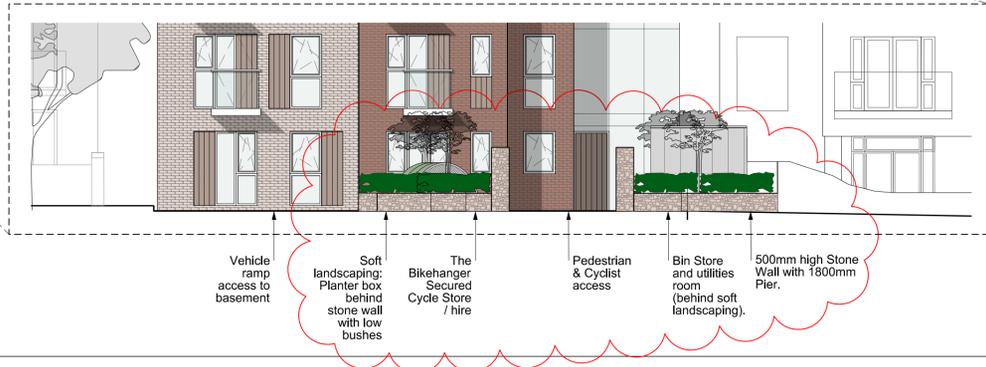
Drawing No
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Status
PLANNING



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Detail view of scheme as seen from Cumberland Road.





DRAWING KEY

- Site Boundary
- - - Access Boundary from Adopted Road
- Footprint for initial submission under planning application no. 17-05149-F
- Footprint for Quentin Alder planning submission under application no. 06_05381_F
- Visual Splay of a car crossing footway 2.4m x 2.4m
- Visual splay of a car entering road 2.4m x 43m

H	26.09.18	Boundary wall with stone piers added to pavement edge. Vision splay towards The Quays rotated to align with road edge.
G	22.06.18	Changed to one vehicle access point
F	18.05.18	Issue to planning officer
E	16.05.18	Plan adjusted to suit consultant's comments
D	28.03.18	Wapping Wharf plan overlaid, vehicle turning diagram omitted.
C	13.03.18	New ramp access to basement, GF Plan changed to suit.
B	27.07.17	Massing revised in response to public consultation
A	03.05.17	Realignment of section cut lines
Rev	Date	Revision
Partner	Drawn	Date
TM	SEJ / ML	06.04.2017

Scale
1:200 @ A3

Project
Harbourside, Bristol

Title
Proposed Landscape Plan

Drawing No
15155_111

Status	Revision
PLANNING	H



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