

**WARD:** Lawrence Hill **CONTACT OFFICER:** David Grattan  
**SITE ADDRESS:** Site ND6 Temple Quay Land Bounded By Providence Place, Old Bread Street & Avon Street Bristol BS2 0ZZ

**APPLICATION NO:** 17/04673/F Full Planning

**DETERMINATION DEADLINE:** 25 March 2018

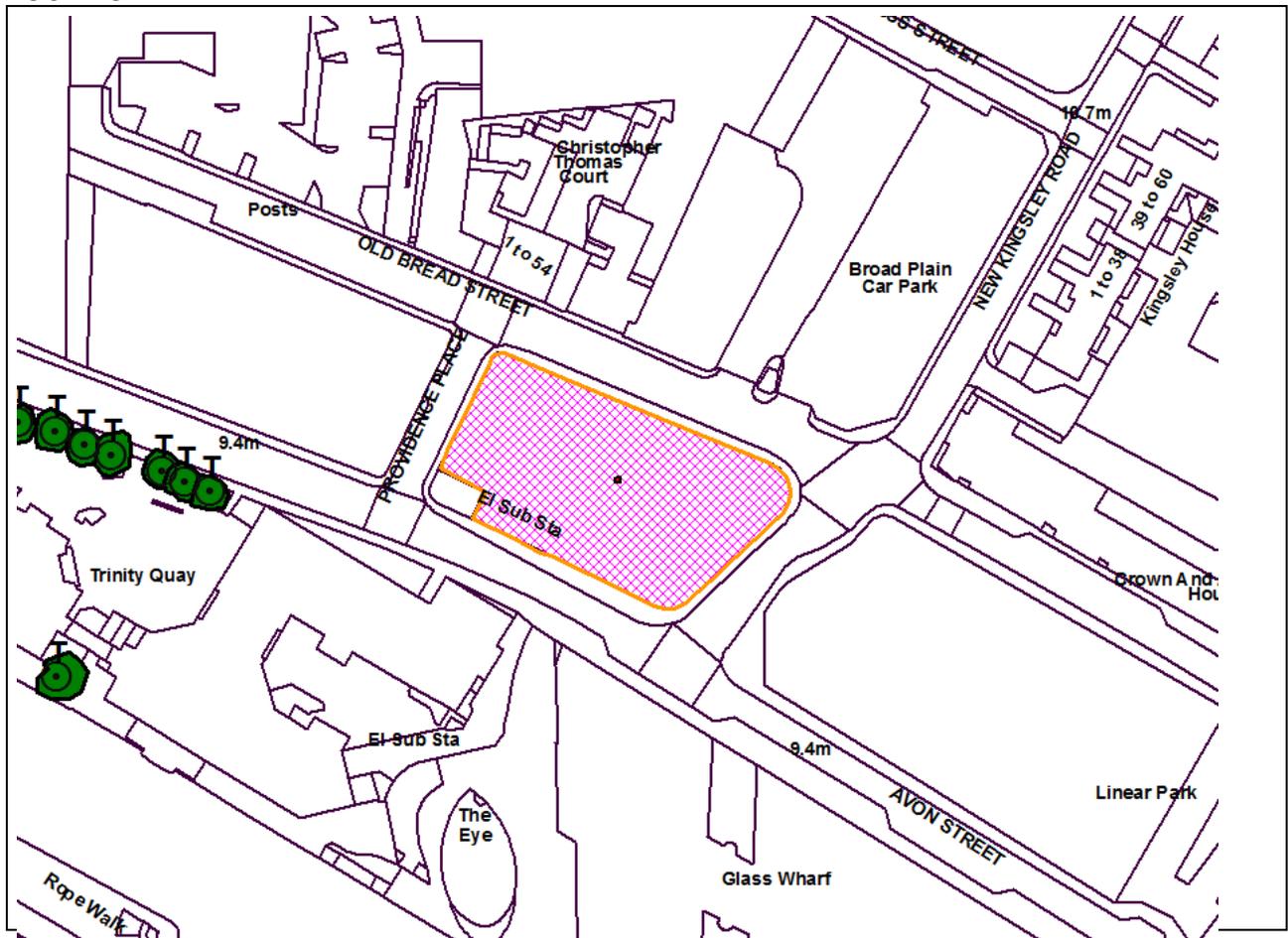
**Erection of a 6- to 11-storey building comprising 120 no. (PRS - privately rented sector), residential units (1-, 2- and 3-bed), 524 sqm of flexible commercial floorspace (Use Classes A1, A2, A3, A4, B1a, D1 or D2) at ground floor level and associated development, including landscaping, public realm, bin storage, plant areas and cycle parking (Major application).**

**RECOMMENDATION:** Other

**AGENT:** GVA  
 St Catherines Court  
 Berkeley Place  
 Bristol  
 BS8 1BQ  
**APPLICANT:** Legal and General Property Ltd  
 c/o agent

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

**LOCATION PLAN:**



**Development Control Committee A – 17 October 2018****Application No. 17/04673/F : Site ND6 Temple Quay Land Bounded By Providence Place, Old Bread Street & Avon Street Bristol BS2 0ZZ****Update Report****Background**

This application was considered by DC Committee A at their 21 June 2018 meeting. Committee considered the application to be acceptable in all areas other than the provision of affordable housing. The officer recommendation, based on the conclusions of the Council's viability consultants (DVS) was that 4 affordable dwellings for rent (capped at Local Housing Allowance (LHA) maximums) should be required. However, committee resolved to grant planning consent on the basis of the provision of 23 affordable dwellings for rent (capped at LHA maximums).

This resolution was based on Committee's opinion that Stamp Duty Land Tax (SDLT) should not be included as a cost in the viability appraisal, which was due to the following reasons:

1. The applicant had no intention of selling the development upon completion, meaning that SDLT would not be incurred
2. The applicant (Legal & General) did not include SDLT in their viability appraisal for the neighbouring site (ND7), which will be operated in the same way as ND6 and which includes facilities that will be shared with ND6
3. The RICS Guidance titled "Valuing residential property purpose built for renting", which suggests that SDLT should be included, was only issued in a draft form. There was no known date for the guidance to become full guidance, and no clarity as to whether any changes would be made from the draft version

SDLT on ND6 amounted to £1,896,301, and if this figure was excluded, the amount of affordable housing that could be provided increased from 4 to 23 affordable dwellings for rent (capped at LHA maximums).

**Changes to Guidance and Policy since the 21 June 2018 Committee meeting**

In the months since the committee meeting a number of changes to National Planning Policy and Guidance have taken place. The status of the draft RICS Guidance, referred to above has also changed. These changes are discussed below:

**RICS Guidance - Valuing residential property purpose built for renting**

The RICS Guidance Note was issued as full guidance in July 2018, and it is stated to be effective from October 2018. The guidance states the following in Para 5.4.3:

*A further deduction should be made within the valuation for purchaser's costs, reflecting an investor's true net position, comprising acquisition fees – agent's and legal fees plus VAT – and stamp duty.*

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The guidance includes a table that defines the status of RICS documents, and this is reproduced below:

Type of document	Definition
RICS Rules of Conduct for Members and RICS Rules of Conduct for Firms	These Rules set out the standards of professional conduct and practice expected of members and firms registered for regulation by RICS.
International standard	High-level standard developed in collaboration with other relevant bodies.
RICS professional statement (PS)	Mandatory requirements for RICS members and regulated firms.
<b>RICS guidance note (GN)</b>	<b>A document that provides users with recommendations or an approach for accepted good practice as followed by competent and conscientious practitioners.</b>
RICS code of practice (CoP)	A document developed in collaboration with other professional bodies and stakeholders that will have the status of a professional statement or guidance note.
RICS jurisdiction guide	This provides relevant local market information associated with an RICS international standard or RICS professional statement. This will include local legislation, associations and professional bodies as well as any other useful information that will help a user understand the local requirements connected with the standard or statement. This is not guidance or best practice material, but rather information to support adoption and implementation of the standard or statement locally.

From this, it is clear that the full guidance considers that SDLT would be expected to be included as a cost in the assessment of the viability of a Private Rental Sector scheme. Following the guidance is not a mandatory requirement for RICS Members, but it is considered as accepted good practice, and therefore represents an approach likely to be followed by competent and conscientious practitioners.

Whilst the Committee as decision makers are required to take account of National Planning Guidance and Policy, they are not required to take account of RICS guidance in the same way. However, committee does need to be mindful that a RICS member would be unlikely to act in a way that is contrary to guidance issued by RICS.

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Revisions to the NPPF took effect in July 2018. The revised NPPF states the following in Paragraph 57:

*The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case..*

This would suggest that in the case of ND6, it is appropriate to consider the relationship with ND7. Both schemes are owned by Legal and General. It is understood that they are intended to be built under a single build contract by Galliford Try. When complete they will include shared facilities.

Consequently, it would be reasonable to expect that a consistent approach would be taken to the inclusion of SDLT, and that given that the viability appraisal submitted in respect of ND7 did not include SDLT, the same would be expected to apply to ND6.

The applicant has been asked on a number of occasions to explain the reason behind the exclusion of SDLT in respect of ND7 and the inclusion of SDLT in respect of ND6. However, no reasons have been provided to substantiate this difference in approach.

It is considered, therefore, that as the revised NPPF allows for the decision maker to have regard to all the circumstances in the case; committee could reasonably have regard to the fact that the applicant has not included SDLT on the adjacent site, which is to be developed in conjunction with the application site, will share facilities with the application site, and will be operated as a Private Rental Scheme, just like the application site.

Based on this, committee could consider how much weight they wished to give to the ND6 viability appraisal, particularly given the inconsistent approach taken to SDLT, and the lack of an explanation to justify this.

**Planning Practice Guidance – Build to Rent**

On 13 September 2018, government issued Planning Practice Guidance on planning for Build to Rent schemes and on the approach taken to secure affordable housing from such schemes. The guidance does not impact on the general approach in respect of ND6, as it does not go into the detail of individual elements of a viability appraisal.

**Appeal against non-determination of application 17/04673/F**

Legal and General declined to enter into a Section 106 Agreement based on the committee resolution of 21 June 2018, and have submitted an appeal to the Planning Inspectorate, against the non-determination of the application. They have requested that the appeal be dealt with by written representations, and they have also sought a full award of costs.

This appeal means that committee will need to determine whether it would have resolved to approve the application based on the officer recommendation of 4 affordable dwellings (which was the offer on the table), or whether it would have resolved to refuse it. If committee determines that it would have approved the application, then the appeal will not be defended, however, if committee resolves that it

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would have refused the application then the appeal will be defended as robustly as possible. In making its determination, committee will need to take account of the following matters:

1. The fact that the RICS Guidance on Valuing residential property purpose built for renting has now been issued as full guidance
2. The fact that the NPPF now allows for the decision maker to have regard to all the circumstances of the case (i.e. moving away from the hypothetical developer approach previously used)
3. The fact that the applicant has not taken a consistent approach to the application of Stamp Duty in respect of ND6 and ND7.
4. The evidence from the two Private Rental Sector schemes granted a consent in Bristol (i.e. ND7 and the Ambulance Station) which do not support the inclusion of SDLT at anything other than a minimal rate

**Conclusion**

Committee will need to consider what weight they wish to give to the above matters in considering whether they would have resolved to refuse or approve the application.

Officers advise that whilst the outcome of any planning appeal is uncertain, should committee resolve that they would have refused the application, the appeal could be defended. Officers also do not consider that the Council has acted unreasonably, given the inconsistent approach taken by the applicant in respect of the viability for ND6 and ND7, and that the claim for costs could be defended.

If committee resolve that they would have refused the application, the suggested reason for refusal would be as follows:

**The proposed development fails to make an appropriate contribution towards the provision of affordable housing and is therefore contrary to Core Strategy Policy BCS17.**

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**SITE DESCRIPTION**

The application site (known as 'ND6') is located within the Temple Quarter Enterprise Zone (TQEZ), to the east of Bristol City Centre, in the ward of Lawrence Hill. The site is bound by Old Bread Street to the north, New Kingsley Road to the east, Avon Street to the south and Providence Place to the west.

The site currently comprises an undeveloped plot of brownfield land, surrounded by hoardings.

Recent development within the surrounding area has comprised of modern mixed use development, including residential, offices and retail as part of the regeneration of the TQEZ. Land adjacent to the east of the site was granted planning permission for a residential led development in 2017 (ref: 16/04561/F) and construction work relating to this scheme has recently commenced (known as 'ND7').

The area to the north of Old Bread Street is comprised of existing residential development. The site is not within a Conservation Area. The nearest Listed Building is the Grade II Gardiner's Warehouse, former soap works, which is approximately 60m to the north west of the site.

The site is located just outside the boundary of the Old Market Quarter neighbourhood planning area.

**RELEVANT HISTORY**

17/02171/PREAPP – pre-application enquiry for a mixed-use residential-led scheme and new public realm along New Kingsley Road.

Pre-application advice issued: 04/08/2017

16/01122/P – Outline planning application for development of a single building consisting of up to 9,800 sqm of gross internal office (Use Class B1 (a)) floor space across up to seven storeys, plus a basement level car park. 'Scale' and 'Layout' to be considered only with other matters (access, appearance and landscaping) reserved. (Major Application)

GRANTED – 29/09/2016

13/02010/M – Reserved matters approval in respect of Application No. 01/01606/P as varied by App No. 12/02482/C – a 5/7 storey building comprising 78 flats (12 No. three bedroom, 34 No. two bedrooms and 32 No. one bedroom), retail unit (440 sqm), cycle parking, plant room and associated public realm (Major Application)

GRANTED – 21/04/2016

Applications on the adjacent 'ND7' site:

16/04561/F - Erection of an 8-11 storey building comprising 255 no. residential units, 536 sqm of flexible commercial / community floor space (Use Classes A1, A2, A3, A4, B1a, D1 or D2) at ground floor level, basement car park and associated development, including access,

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landscaping, bin storage and cycle parking. (Amendment to planning permission 14/03133/F) (Major Application)  
GRANTED – 01/02/2018

**APPLICATION**

The application submitted by Legal and General Property Ltd seeks full planning permission for the erection of 6-11 storey building comprised 120 no. Private Rented Sector (PRS) residential units (1, 2 and 3 bedroom units), 524 sqm of flexible commercial floor space at ground floor level and associated development, including landscaping, public realm, bin storage, plant area and cycle parking.

The scheme proposes the delivery of 4 affordable residential dwellings.

Storey 2 – 6 of the building would provide 15no. apartments per floor, and storeys 7 – 11 would provide 9no. apartments per floor.

The façade of the building is proposed to appear as three separate buildings (known as 'Building A', 'Building B' and 'Building C') each demarked by a different height, form and material palette.

Building A would be the tallest component of the scheme (11-storeys), located on the eastern boundary of the site and fronting New Kingsley Road and the ND7 site. The material palette would comprise of red brick, red concrete with deep red metal balconies.

Building B would be 10-storeys, comprising the centre of the scheme with frontages onto Old Bread Street and Avon Street. The material palette would comprise of light grey brick, grey feature bricks and grey metal balconies.

Building C would be 6-storeys in height, located on the western boundary of the site fronting onto Providence Place. The material palette would comprise of dark grey brick, grey concrete and grey metal balconies.

The primary access to the building would be from the 'front of house' area on the south-east corner of the building, fronting onto New Kingsley Road and Avon Street.

The majority of other internal space at ground floor level would comprise a 524 sqm commercial space, for which a flexible permission is sought (Uses A1, A2, A3, A4, B1a D1 or D2).

A dedicated residents cycle storage area would front the western elevation of the building fronting onto New Kingsley Road, to be accessed from New Kingsley Road or from inside the building.

The scheme proposes an area of hard and soft landscaped public realm fronting Avon Street and New Kingsley Road. A café terrace space is proposed to spill out from the commercial use fronting onto Avon Street. Amenity space would also be provided for future occupiers of

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the proposed development on the roof of Building A / Building B (11-storey) and Building C (6-storey).

It is proposed that the building would connect to the district heating network currently under construction in the TQEZ area. It is proposed that the building would achieve a BREEAM 'Excellent' rating. Renewable energy solar PV panels are proposed on the roof of the building.

**RESPONSE TO PUBLICITY AND CONSULTATION**

Site notices were issued, a press advert published and letters sent to neighbouring properties.

**GENERAL RESPONSE FROM THE PUBLIC**

A total of 8 replies from neighbours have been received, all of which were in objection to the planning application.

**IN OBJECTION**

Comments were made in objection on the following grounds:

- Objection to residential use rather than office use.
- Proposed building would be too tall and impact upon surrounding development.
- No parking provision would create parking congestion around the site.
- Dislike for the design of the building and proposed public realm.
- Impact upon Glassfields development including: queries regarding provision for cycling and cycle parking, concern that refuse and deliveries will take place on Old Bread Street.

The Bristol Walking Alliance submitted an objection to the proposed development on the following grounds:

- Insufficient walking widths proposed for footways around the building.
- Impact upon desire line for pedestrians from Avon Street to Providence Place.
- Request for highway improvements at Old Bread Street / Providence Place / Avon Street.

**COMMENTS FROM CONSULTEES**

**Transport Development Management – No objection**

Further to previous observations dated 13th October 2017 TDM raised a number of points that would need to be addressed. These are set out below for your information:

- Further clarification on the proposed multimodal trips;
- Provision of disabled parking; and

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- Additional information required in regards to the proposed loading and servicing bay on Old Bread Street.

Since TDM submitted our initial comments we have been in discussions with the applicant about overcoming the points set out above.

With regards to multimodal trips we have been in dialogue with the applicant over this point. They have stated that the figures proposed in the originally submitted Transport Assessment were based on the assumption the development would generate zero car trips. We are of the opinion that other travel modes would be higher but we do accept that these would be lower than the previously consented scheme from 2016. As a consequence, we are satisfied that this point has been addressed.

Turning to the provision of disabled parking this issue has been discussed with the applicant whereby an interim solution was agreed. This would result in disabled parking being located on Old Bread Street. However, this was subject to agreement with Parking Services. This is still to be formally agreed with Parking Services whilst it would also require a Temporary Traffic Regulation Order (TRO) to be put in place.

Finally, in regards to the proposed loading bay located on Old Bread Street TDM has worked with the applicant to find a solution which has culminated with the layby being incorporated into the proposed works on New Kingsley Road.

It is noted that in TDM's previous response we were awaiting comments from the Travel Plan Coordinator these are set out below for your information.

A Framework Travel Plan (TPF) has been submitted for the above planning application for 120 residential dwellings Use Class C3 and 524sqm of flexible commercial floor space.

The TPF will be required to become a Full Travel Plan which must be submitted to the council within 3 months of occupation once the owners/occupiers are known with an Action Plan and a Travel Plan Co-ordinator identified.

There are two options available to account for the costs of travel plan management, audit and implementation.

A Travel Plan Management and Audit Fee in the sum of £3,500 is required on commencement of development. The fees are to be secured through a Section 106 Agreement (s.106 Agreement) or Unilateral Undertaking and condition payable on commencement of the development.

The Travel Plan Management and Audit Fee has been calculated on the basis of the Council officer time required, together with the provision and maintenance of supporting systems, to:

1. Set up and update the database to ensure monitoring takes place at appropriate times.
2. Attend the development Travel Plan Steering Group meetings to monitor progress and to support the delivery and success of the Travel Plan.
3. Provide training to developer Travel Plan Co-ordinators.
4. Audit and review biennial monitoring over the 5-year period of the Travel Plan.
5. Review Travel Plan progress in light of monitoring results.
6. Discuss the results and future measures with the site Travel Plan Co-ordinator.

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A dedicated Travel Plan Co-ordinator will be required to manage a Steering Group of all the development uses, hold regular meetings with other key transport stakeholders and deliver the Action Plan.

The nominated Travel Plan Co-ordinator (TPC) will arrange Steering Group Meetings, the first one 3 months prior to occupation and then quarterly for the first year and at least once a year for years 2-5. Steering Group members to include:

1. TPC
2. Developer (if not the TPC)
3. Management Company (if not the TPC)
4. Occupiers
5. Social Housing representative (if one)
6. Community Group representative (once established)
7. BCC Travel Plan Officer

All the measures outlined within the TPF, should be included in the Action Plan for review at Full Travel Plan stage. The Action Plan should be tabulated to include all measures and monitoring together with budgets and implementation dates with details of who is responsible for delivery.

Travel patterns will need to be monitored through regular travel surveys and reported to the Council, with targets and measures amended based upon actual travel behaviour, as the development progresses.

Alternatively, Bristol City Council will undertake the implementation of the Travel Plan on the applicant's behalf for an Implementation Fee of £16,200 (£135 per dwelling). The sum is to be paid prior to commencement of development by s.106 Agreement or through a Unilateral Undertaking/condition. By paying the Travel Plan Implementation Fee the developer will be released from travel planning obligations over a 5-year period.

In reference to specific points of the Travel Plan

Regarding specific measures on the Travel Plan, the following measures should be included in this TPF regardless of the eventual occupier and should be included in a revised version of this Travel Plan if the developer decides to implement it themselves:

A budget must be allocated for each of the measures indicated in the action plan. The minimum budget to be allocated to the Travel Plan Co-ordinator to deliver the Action Plan and to fully implement the Travel Plan measures should be detailed.

In the Targets section of the travel plan, there are no target modal share percentages identified. This should be rectified, targets identified, and the travel plan updated. These targets should be based on trip generation analysis consistent with the transport impact assessment.

The Initiatives, Measures and Marketing section should include bike maintenance sessions for residents and staff, to be held on a regular basis.

The targets, monitoring and review process will need to be agreed once occupiers are known.

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The Travel Plan should account for the impact of visitors to the development, including visitor cycle parking.

All changes to the document should be track changed or highlighted.

Therefore, to conclude although TDM does not agree with assumptions with the multimodal trips it is accepted that these would be lower than the previously submitted scheme. As a consequence, this point has been addressed. The location on the interim disable parking solution has been agreed in principle but will need to be formally agreed with my colleagues in Parking Services. Finally, in terms of the loading bay TDM are satisfied with the loading bay being relocated onto New Kingsley Road.

Consequently, taking the above information into account TDM are satisfied that the outstanding points have now been addressed and therefore we raise no objection to this proposal and if permission were to be granted we would require the following to be secured by a s.106 Agreement:

- Travel Plan fee of £3,500 (if applicant to implement) or £16,500 (if BCC are to implement).
- TRO fees of £5,395 for proposed loading bay and temporary parking restrictions on Old Bread Street.
- Public transport contributions of £32,214 to upgrade stops plus a commuted sum of £500 per annum for the next three years for their on-going maintenance.
- Plus, a further contribution of £10,000 for the installation of 12 line Real Time Information displays.

**City Design Group – No objection**

City Design Group has commented as follows:

Essentially this is a scheme where there has been some movement towards our concerns that have improved the scheme, notably the brick detailing and public realm. The natural light to the common internal areas has been improved but perhaps not to the extent that I would have like to have seen, however I think that refusal on this matter given the changes that have been made would only frustrate what is on balance a good scheme.

Likewise, the use of the roof terraces is a balance. The proposed amendments focus on biodiversity and renewables, but do not take the advantage of the potential to create private outdoor space. Again this is part of a balance and it is clear that all of the desired objectives cannot be achieved in all cases particularly on taller building proposals where roof space is limited.

The calming of the public realm design and use of materials is welcomed.

To summarise I feel that the scheme has progressed to a position where we do not have any fundamental design objections.

**Pollution Control – No objection**

The Council's Environmental Health Officer has commented as follows:

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I would confirm that I am happy with the acoustic reports submitted with the application and the recommendations made in order to ensure that future residents are suitably protected against existing noise in the area.

As the report makes recommendations with regards to sound insulation to existing noise, I would need to ensure by condition that these recommendations are carried out.

The development also includes a commercial use, possibly A3, A4, D1 or D2 on the ground floor and I would also need to ensure by condition that noise or cooking odours from this A3 or A4 use does not affect the residential uses of this development along with further acoustic information regarding any A3, A4, D1 or D2 use.

I would therefore ask for the following conditions should the application be approved:

- Construction Management Plan
- Sound insulation of residential properties from external noise
- Noise from A3, A4, D1 or D2 uses.
- Details of Extraction/Ventilation System (A3/A4 Use).
- Odour Management Plan (A3/A4 Use)
- Noise from plant & equipment affecting residential use
- Use of refuse and Recycling facilities (ground floor commercial use only)
- Delivery hours (ground floor commercial use only)
- Opening hours (A3 use only).

**Air Quality – No objection**

The Air Quality Officer has commented as follows:

In the air quality assessment reference is made to the IAQM/EPUK significance of impact criteria in Table 3, however, results of the dispersion modelling at receptor locations are not reported against these criteria. An update to the air quality assessment is therefore required, with a table showing the predicted pollutant increases at relevant receptor locations which includes the impact descriptors in accordance with EPUK/AQQM guidance.

Relevant receptor locations are identified as offices to the South of the Development site and a school to the north, however, no reference is made to the residential receptor locations directly to the north of the development site. Predicted impacts should be reported for those residential locations closest to the development site.

Can the applicant confirm that the statement on page 22 of the air quality assessment has been made in error:

*“This together with an assumed background concentration 28 µg/m<sup>3</sup> suggests that the annual mean objective is likely to be exceeded at all the floors of the ND6 development”*

Following these comments, the Applicant submitted a revised Air Quality Assessment to address the points above.

The Air Quality Officer has made no objection to the revised Air Quality Assessment, on the basis that the scheme would connect to the District Heat Network (and no longer proposes an internal combustion plant as an option that was previously considered).

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**Sustainable Cities**

Sustainable Cities has commented as follows:

Good energy efficiency measures are proposed in accordance with BCS14 (requirement to follow the energy hierarchy), which is welcomed by Sustainable Cities.

Proposal to connect to DH network in accordance with BCS14 (heat hierarchy requirement) is supported. It is suggested that this is secured by standard condition. The Applicant would need to engage with the Energy Services Team to ensure correct provisions are made for connection in line with their requirements.

On the basis of the proposals originally submitted:

Renewable energy in the form of PV is proposed. This would reduce CO2 emissions on the proposed building by 10% below residual emissions, which is short of the 20% requirement. At present PV is not proposed over plant enclosures or on the biodiverse roof. The Energy Statement suggests that the biodiverse roof is reserved for amenity, however the Design and Access Statement states that this area is not accessible. It is not clear why PV cannot be installed over plant enclosures or combined with the biodiverse roof. In order to satisfy the requirements of BCS14 (20% reduction in CO2 emissions below residual emissions using renewable energy wherever feasible), the Applicant should submit a revised PV proposal demonstrating that PV will be installed in these areas.

In response to the comment above, the applicant has revised the proposals. PV is proposed on more sections of the roof. This will achieve a 12% reduction in CO2 emissions.

Please see Key Issue F.

BREEAM excellent will be achieved, this will be secured by planning condition.

**Nature Conservation – No objection**

The Council's Ecologist has commented as follows:

Nature Conservation make no objection to the planning application, subject to agreement of the planning conditions contained in this response to consultation and a consideration of matters raised relating to up-lighting of trees.

There were Buddleia shrubs on site which were cleared some time ago. The ecological appraisal dated January 2016 assessed these shrubs as having potential to support nesting birds. As at a site visit September 2017, the Buddleia shrubs have now re-grown. All species of wild birds, their eggs, nests and chicks are legally protected until the young have fledged.

The following planning condition is therefore recommended.

*Condition: No clearance of vegetation or structures suitable for nesting birds, shall take place between 1st March and 30th September inclusive in any year without the prior written approval of the local planning authority. The authority will require evidence provided by a suitably qualified ecological consultant that no breeding birds would be adversely affected before giving any approval under this condition. Where checks for nesting birds by a*

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*qualified ecological consultant are required they shall be undertaken no more than 48 hours prior to the removal of vegetation or the demolition of, or works to buildings.*

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

The proposed building has the potential to provide habitat for swifts, the following condition is recommended:

*Condition: Prior to occupation of the development details provided by a qualified ecological consultant shall be submitted to and approved in writing by the Local Planning Authority providing the specification, orientation, height and location for eight swift boxes.*

*Guidance: Internal nest trays or boxes are particularly recommended for swifts. Swift bricks are best provided in pairs or groups (e.g. at least two or three on a building, avoiding windows). This is because they are usually colonial nesters. Swift boxes/bricks are best located on north or east facing walls, at least 5 metres high, so that there is a clear distance (drop) below the swift boxes/bricks of 5 metres or more so that there is space for the swifts to easily fly in and out of the boxes. Locating swift boxes under the eaves (where present) is desirable. One of the best designs is those by Schwegler because they are very durable.*

*Reason: To help conserve legally protected birds.*

It is recommended that a landscaping condition is applied. Opportunities to provide green infrastructure such as trees, green walls, rain gardens and shrub planting beds should be explored for their biodiversity benefits as well as living roofs which have already been highlighted in my comments above. A green wall is shown on the Ground Floor General Arrangements Plan.

The Ground Floor General Arrangements Plan shows the proposed up-lighting of trees and the green wall. The up-lighting of trees and green walls is not recommended because of its potential impact on nocturnal wildlife, particularly bats. According to paragraph 125 (page 29) of the National Planning Policy Framework (2012), 'By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'

The Ground Floor General Arrangements Plan also shows the use of 4 metre high column lighting. The use of this external lighting should be minimised for similar reasons as those given above.

**Contaminated Land Environmental Protection – No objection**

The Council's Contaminated Land Officer has commented as follows:

We have reviewed the following report submitted with the application: AECOM. 21 July 2016. Preliminary Ground Conditions Risk Assessment. Plot ND6, Bristol. 60539303. Revision 0

Overall we concur with the findings of the Risk Assessment. We have tried to ascertain the land use of the site between 1918 and 1945 but have not been able to identify any entries in the Kelly's Trade Directories.

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The report concludes that intrusive investigation is required and to that end we recommend standard conditions B12 B13 and C1 are applied to any future planning consent. An amended version of the B11 condition is also recommended as follows:

*Site Characterisation Intrusive Site Investigation*

*A site specific risk assessment and intrusive investigation shall be carried out to assess the nature and extent of the site contamination and whether or not it originates from the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The results of this investigation shall be considered along with the following report submitted with the application, AECOM. 21 July 2016. Preliminary Ground Conditions Risk Assessment. Plot ND6, Bristol. 60539303. Revision 0.*

*The written report of the findings shall be submitted to an approved in writing by the Local Planning Authority prior to any works (except demolition) in connection with the development, hereby approved, commencing on site. This investigation and report must be conducted and produced in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.*

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

**Flood Risk Manager – No objection**

The Council's Flood Risk Manager has commented as follows:

The outline drainage strategy provided is based on a surface water discharge to the existing surface water sewer limited to 39l/s, which is a reduction on existing rates in accordance with minimum requirements. While we would normally expect a development of this scale to provide a significantly larger reduction, given the site's proximity to the floating harbour which is a water body capable of accepting high flows we have no objection to the proposals in this instance. However, this is conditional on Wessex Water providing confirmation that the existing sewer connecting the site to the harbour has capacity to accept the proposed flow.

We have no further comment at this stage, but should planning permission be granted we request that our standard pre-commencement condition is applied to require approval of the detailed drainage design prior to commencement of the development.

**Wessex Water – No objection**

Wessex Water can confirm that capacity is available for the proposed flow rates with a connection to 375mm diameter SW sewer located in Anvil Street at MH 5972-7810.

**Development Control Committee A – 21 June 2018****Application No. 17/04673/F****Site ND6 Temple Quay Land Bounded By Providence Place, Old Bread Street & Avon Street, Bristol BS2 0ZZ****RELEVANT POLICIES****National Planning Policy Framework – March 2012  
Planning Practice Guidance****Bristol Core Strategy (Adopted June 2011)**

BCS2	Bristol City Centre
BCS5	Housing Provision
BCS7	Centres and Retailing
BCS9	Green Infrastructure
BCS10	Transport and Access Improvements
BCS11	Infrastructure and Developer Contributions
BCS13	Climate Change
BCS14	Sustainable Energy
BCS15	Sustainable Design and Construction
BCS16	Flood Risk and Water Management
BCS17	Affordable Housing
BCS18	Housing Type
BCS20	Effective and Efficient Use of Land
BCS21	Quality Urban Design
BCS22	Conservation and the Historic Environment
BCS23	Pollution

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

DM1	Presumption in favour of sustainable development
DM4	Wheelchair Accessible Housing
DM15	Green Infrastructure Provision
DM16	Open Space for Recreation
DM19	Development and Nature Conservation
DM23	Transport Development Management
DM26	Local Character and Distinctiveness
DM27	Layout and Form
DM28	Public Realm
DM29	Design of New Buildings
DM31	Heritage Assets
DM32	Recycling and Refuse Provision in New Development
DM33	Pollution Control, Air Quality and Water Quality
DM34	Contaminated Land
DM35	Noise Mitigation

**Bristol Central Area Plan (2015)**

BCAP1	Mixed-use development in Bristol City Centre
BCAP3	Family sized homes
BCAP5	Development and flood risk
BCAP13	Strategy for retail development in Bristol City Centre
BCAP14	Location of larger retail development in Bristol City Centre
BCAP20	Sustainable design standards
BCAP21	Connection to heat networks
BCAP25	Green infrastructure in city centre developments
BCAP29	Car and cycle parking
BCAP30	Pedestrian routes
BCAP33	Key city spaces

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BCAP34 Coordinating major development in Bristol City Centre  
 BCAP35 Bristol Temple Quarter

Bristol City Council Planning Obligations SPD (2012)

**KEY ISSUES****A) IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN PRINCIPLE?**

The application site is allocated for development by Policy BCAP35 (Bristol Temple Quarter) of the Bristol Central Area Plan. The policy establishes that sites within Bristol Temple Quarter will be developed for a wide range of uses as part of the growth and regeneration of the area as an employment-led, mixed-use quarter of the city centre.

Policy BCAP35 sets out that the specific developments allowed for in TQEZ will include:

- A major indoor arena and complementary leisure uses;
- At least 10,000 sqm of net additional high quality office and flexible workspace;
- Up to 2,200 new homes including live/work space;
- Hotel and conference facilities;
- Complementary retail and leisure uses, particular within and adjacent to Bristol Temple Meads station;
- New walking and cycle routes to connect the development to the rest of the city centre and surrounding neighbourhoods; and
- Green infrastructure and public realm enhancements, including a continuous and accessible Quayside Walkway and the improvement of open space to serve new development.

The application site currently benefits from an existing planning permission (13/02010/M – Reserved matters approval in respect of Application No. 01/01606/P) for a residential led, mixed-use development with ground floor retail space (440 sqm). The application site also benefits from an outline planning permission (16/01122/P) for the development of a single building consisting of office floor space (9,800 sqm of gross internal floor space).

The Spatial Framework states that the site should be a mixed use plot, with residential accounting for up to 60% of the floor space. The proposed development would exceed 60% residential floor space. However, the Spatial Framework is intended to be a 'living' document which provides guidance and direction for development. Whilst the scheme would provide a greater proportion of residential development, it is considered that the proportion of residential development is supported. This is evidenced in comments received from the City Design Group.

The 120 residential units proposed would contribute to meeting the total residential units proposed for TQEZ. Whilst the scheme proposes solely rented apartments, this would still fall within Use Class C3 and would be acceptable.

The ground floor use of the proposed development includes for commercial / retail development for which a flexible consent is sought. Policy BCAP13 and BCAP35 in combination, support the principle of retail development in the TQEZ where such development would complement other types of new development (e.g. residential development).

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The proposed development therefore comprises residential led mixed-use scheme and all of the proposed uses fall within the list of development set out in BCAP35 above. Therefore, the principle of the land use proposed in the proposed development is acceptable.

Housing mix:

Policy BCS18 requires development to contribute to a mix of housing tenures, types and sizes in the area.

The scheme proposes a mix of: 20 studio apartments (17%); 65 one bed apartments (54%); 30 two bed apartments (25%) and 5 three bed apartments (4%). The size of each apartment is in accordance with the Government's Technical housing standards – nationally described space standards (2015).

The Central Area Plan recognises that there are specific issues with delivering family sized accommodation within the City Centre, and Policy BCAP3 specifically requires new development within the area to include a significant proportion of family sized homes (defined as houses with two or more bedrooms, or flats with three or more bedrooms).

Whilst the site provides mainly one and two bed apartments there is a small proportion of three bed apartments which provides some family sized homes and is deemed to meet the requirements of BCS18 and BCAP3.

Summary:

The Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the Development Plan unless material considerations indicated otherwise. The principle of the scheme and the uses proposed are firmly supported by the Development Plan, specifically Bristol Central Area Plan Policy BCAP35. The planning application therefore reflects up to date policy.

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

The proposed development falls within Use Class C3 of the Use Classes Order, meaning that it is required to address the Council's Affordable Housing Policies. It comprises 120 dwellings and therefore it is required to comply with Core Strategy Policy BCS17, which requires the provision of up to 40% affordable housing (48 affordable dwellings) subject to scheme viability.

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

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

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

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

As the proposed development is a Private Rental Sector (PRS) scheme, the viability is assessed in a different way to an open market residential scheme, where the dwellings would be for sale. In general, PRS schemes would be expected to be slightly less viable than open market schemes as the values would be lower and the management costs higher. This would be somewhat offset by the fact that the profit would be lower as the development carries less risk.

The viability process relating to this application has been unique, in that during the process, the applicant dispensed with the services of their original viability consultant (Alder King), and appointed a new viability consultant (GVA).

Alder King had originally submitted a Viability Report claiming that the proposed scheme was unable to provide any affordable housing whilst remaining viable. Officers appointed DVS (the viability arm of the Valuation Office Agency) to assess the Alder King Report. DVS reported that they disagreed with a number of the Alder King inputs and that they considered that the scheme could provide 20% affordable housing (25 affordable dwellings).

At this point the applicant appointed GVA to produce a new Viability Report, which was received in March 2018. Like the Alder King Report, GVA also concluded that the scheme was not viable. In fact, in their assessment of the GVA Viability Report, DVS considered that GVA had shown that the scheme was not only unviable, but it was actually undeliverable. This was on the basis that the scheme resulted in such a significant deficit that no prudent developer would proceed with it. However, although the appraisal showed a significant deficit, the applicant was offering to provide 10% affordable housing (12 affordable dwellings) provided that this was set at 80% of open market rent.

Neither officers nor DVS were able to reconcile this, and following discussions between DVS and GVA, it was anticipated that the applicant would reconsider their Viability Report. However, in April 2018, a virtually identical Viability Report was submitted, which repeated the 10% affordable housing offer.

There followed a meeting between officers and the applicant, at which the applicant was informed that the application could not be progressed on the basis of a Viability Report that showed the scheme to be undeliverable, whilst at the same time the applicant was making a 10% affordable housing offer.

Finally, in May 2018, GVA submitted a further Viability Report, which claimed that the scheme was viable with 10% affordable housing (provided that the affordable housing was based on a level of 80% of open market rent).

It should be noted that the Affordable Housing Team do not consider that affordable housing at 80% of open market rent assists with meeting the Council's affordable housing need. They would require that the rents were capped at Local Housing Allowance (LHA) levels and that service charges were included within this figure. The GVA Report claimed that at LHA rates, only 3% (4 affordable dwellings) could be provided.

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It should also be noted that all the Viability Reports submitted on behalf of the applicant would have been approved by the applicant. It is therefore somewhat concerning that inputs that would have been expected to have been clarified and justified up front, with no need for amendment, have been changed significantly during the viability process (see table below).

Input	Alder King Report	GVA March Report	GVA May Report
<b>Profit Margin</b>	18% of Value	15% of Value	12% of Value
<b>Management Costs</b>	10% of Rental	24% of Rental	21% of Rental

DVS are now at a point where the inputs of the GVA May 2018 Viability are broadly agreed, although DVS conclude that the scheme is slightly less viable than GVA. DVS conclude that when the applicant's offer of 10% affordable housing (12 affordable dwellings) set at 80% of open market rent or 3% affordable housing (4 affordable dwellings) set at LHA maximum rent, is factored into the appraisal, the proposed scheme is only marginally viable.

There is one area of the appraisals that provides officers with significant concern, and this is the input relating to Stamp Duty Land Tax (SDLT) on the residential element of the scheme. This concern was also initially identified by DVS.

Given that the applicant has stated that they have no intention of selling the scheme and that it is being built as a long term investment, it does not seem appropriate that SDLT should be included.

However, emerging RICS Guidance titled "Valuing residential property purposefully built for renting" states the following:

*A further deduction should be made within the valuation for purchaser's costs, reflecting an investor's true net position, comprising acquisition fees -agent's and legal fees plus VAT- and stamp duty*

Officers are concerned that this does not necessarily reflect the reality of most PRS developments, which is that the developers are not going to sell the scheme and that they are going to retain it as a long term investment. In the case of ND6, the Residential SDLT amounts to £1,784,961 (80% Market Rent scheme) or £1,896,301 (LHA scheme), which is a cost that is highly unlikely to be incurred. If SDLT costs were not included in the Viability Report, it would significantly increase the sum available for affordable housing and result in a much higher affordable percentage being achieved.

Because of the emerging RICS Guidance, Officers reluctantly consider that an affordable housing provision of 3% (4 affordable dwellings) rented at no more than LHA maximum rents which is to include service charges, is an acceptable level of affordable provision.

Consequently, officers recommend that the provision of 4 affordable dwellings rented at no more than LHA maximum rents which is to include service charges is secured through a s. 106 Agreement, along with the requirement for a viability review undertaken on completion of the development using the same principles as that agreed for the neighbouring plot (ND7).

## C) IS THE PROPOSAL ACCEPTABLE ON HIGHWAY SAFETY GROUNDS?

Policy BCS10 and Policy DM23 require that development does not give rise to unacceptable traffic conditions. These policies support the delivery of improvements to transport

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infrastructure to provide an integrated transport system, which improves accessibility within Bristol and supports the proposed levels of development. With regards to parking and servicing, it requires that development proposals provide an appropriate level of safe, secure, accessible and usable provision having regard to the Council's adopted parking standards.

The Applicant submitted a Transport Assessment with the application. Following the review of the Transport Assessment by Transport Development Management, this matter has been the subject of a number of meetings between the Applicant and Officers to agree an acceptable suite of measures which would make the development acceptable on highway safety grounds.

The requirements for cycle parking would be

- Studio or 1 bedroom dwellings: 1 space per dwelling
- 2 or 3 bedroom dwellings: 2 spaces per dwelling

The requirements for visitor cycle parking would be:

- 1 space per 10 units

This mix of residential units would generate the need for

- 85 cycle parking spaces for the 85 studios / one bedroom apartments
- 70 cycle parking spaces for the 35 two / three bedroom apartments
- 12 cycle parking spaces for visitor

In addition, the commercial floor space would require a minimum of 2 spaces.

The proposed development is providing 170 cycle parking spaces, which would meet the minimum requirement of 169 spaces as outlined above. In terms of cycle parking, the proposed development includes a policy compliant amount of secure spaces for both residents and visitors in line with the requirements of BCS10 and DM23.

The applicant has proposed that this application will be predominately car free. This proposal has taken into account the proximity of the site to Temple Meads and also high frequency bus services and the cycle network. As it has been established that the site is a 'highly accessible' site, this will therefore place additional pressure on the use of the public transport modes.

The applicant will be making a number of contributions to transport improvements:

- Public transport contributions of £32,214 to upgrade bus stops on New Kingsley Road and Avon Street plus a commuted sum of £500 per annum for the next three years for their on-going maintenance.
- A contribution of £10,000 for the installation of 12 line Real Time Information displays.
- A Travel Plan Management and Audit Fee in the sum of £3,500 or Bristol City Council to undertake the implementation of the Travel Plan on the applicant's behalf for an Implementation Fee of £16,200 (£135 per dwelling).
- TRO fees of £5,395 for proposed loading bay and temporary parking restrictions on Old Bread Street.

These measures will be secured within the s.106 agreement and the contributions will be made prior to the start of construction.

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In addition to the above, a number of highways works are being proposed:

- Resurfacing of Providence Place carriageway immediately adjacent to the application site.
- Resurfacing of Old Bread Street carriageway immediately adjacent to the application site.
- Installation of a raised table with bitumen finish on Old Bread Street/ New Kingsley Road junction and Anvil Street/ New Kingsley Road junction with new tactile paving on each arm of the crossroad on the footway.
- Provision of a loading bay on New Kingsley Road.
- Resurfacing of the footways immediately surrounding the application site with paving slabs.

The measures above have been provided in a plan '1703-46 SK07 Rev B Layout drawing'. A condition has been added to ensure that the road works associated with the proposed development are planned and are undertaken to a standard approved by the Local Planning Authority and before occupation of the building.

Based on the obligations for the s.106 Agreement and the planning conditions, Officers have concluded that the proposed development is considered to be in accordance with Policy BCS10 and DM23.

**D) IS THE DESIGN OF THE PROPOSED DEVELOPMENT ACCEPTABLE?**

Policy BCS21 of the Core Strategy aims to ensure that all new development in Bristol achieves high standards of urban design. The policy states that design can contribute positively to local character by responding to the underlying landscape structure, distinctive patterns and forms of development.

Policies DM26 – DM29 of the Site Allocations & Development Management Policies document require development to contribute to the character of an area through layout, form, public realm and building design.

**Massing:**

The massing of the scheme has been carefully considered by City Design Group and it has been concluded by Officers that an 11-storey building, which steps down to 6-storeys, is appropriate to the context of the site. This preserves the key viewpoints towards the Grade II Listed Gardiner building to the north of the site and acknowledges existing site lines from this building to surrounding development across Valentine's Bridge towards the clock tower on Temple Meads (Grade 1 listed).

Issues relating to daylight and sunlight resulting from the massing of the building are considered under Key Issue E of this report.

**Elevation Design**

From the proposals originally submitted there has been improvements to the proposed elevational treatments, notably the brick detailing. A brick palette has been chosen to respond to the Bristol red and grey brick vernacular, common in buildings like the Gardner

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Haskins building to the north and Temple Meads to the south. The natural light provided to the internal common areas has also been improved.

Street level relationship / public realm

Active frontages are proposed onto New Kingsley Road and Avon Street, set within an area of high quality soft and hard landscaping. The landscaping area fronting onto New Kingsley Road has been designed to create a linking space between the ND6 site and ND7 site, and a form of new public realm destination.

This aspect of the scheme is considered high quality and is supported, providing outdoor spaces for residents of the building as well as potential spill out space from the commercial use. Street trees are proposed (21 new trees) within the landscaping space which are supported as a means to soften the landscape of the surrounding public realm.

In conclusion, it is considered that the proposed development is a high quality design, in accordance with Policy BCS21 and Policies DM26-DM29.

**E) WOULD THE PROPOSED DEVELOPMENT HAVE AN ADVERSE IMPACT ON THE AMENITY OF RESIDENTS SURROUNDING THE SITE AND FOR FUTURE OCCUPIERS OF THE DEVELOPMENT?**

Policy BCS21 of the Core Strategy states that high quality design should consider the amenity of both existing and future development including privacy and availability of natural light. Policy BCS23 states that development should be sited and designed in a way to avoid adverse impacts on environmental amenity by reason of pollution including: noise, vibration and air quality. Policy DM27 seeks development that enables existing and proposed development to achieve appropriate levels of privacy and daylight.

Daylight / Sunlight / Privacy

As referred to above (Key Issue D), amongst the criteria referred to in policy BCS21 of the Core Strategy is that development should safeguard the amenity of existing development and future occupiers. In this case, the neighbouring land uses are predominantly commercial and residential.

A Daylight & Sunlight Amenity Assessment was prepared and submitted with the application to consider effects of the proposed development on the surroundings.

The analysis shows that the daylight effect of the proposed development is very similar to that of the previously approved scheme. Where any changes in daylight potential occur to primary windows, these are typically within a margin (of less than 2.5% VSC), but in the vast majority of cases the changes are smaller than this margin. The analysis also shows there are generally only small changes in the areas of working plane in each room receiving sky view. Therefore, the daylight effect of the proposed development is considered to be minor and commensurate with this city centre location.

The sunlight analysis shows that the vast majority of rooms relevant for assessment around the site will retain annual levels in excess of the recommended thresholds in the BRE guidelines. The very few exceptions still retain reasonably high sunlight potential for this centre location. Winter sunlight penetration is more limited in respect of Christopher Thomas Court, but this is quite a common effect in dense urban locations of this type. Given the

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strong levels of annual sunlight retention the sunlight effect is considered to be minor and commensurate.

#### Noise

This aspect of the scheme has been considered by the Council's Environmental Health Officer, given perceptions that residential development can lead to noise nuisance.

The planning application is accompanied by an Acoustic Report which assesses noise nuisance arising from the proposed development. The Environmental Health Officer has the Acoustic Report is satisfactory and the measures recommended with regards to protecting the amenity of surrounding development and future residents of the scheme. Conditions are included to ensure that amenity is protected as per the recommendations of the Acoustic Report.

Hours for deliveries to the building would be controlled by planning condition to ensure no adverse impact upon amenity.

In terms of construction processes, the Environmental Health Officer has requested a planning condition for a site specific Construction Environmental Management Plan (CEMP). The CEMP would include measures to minimise noise nuisance arising from construction including construction hours, and the requirement to adhere to established guidance. Construction of the proposed development would be required to be undertaken in accordance with the approved CEMP and other legislation prescribed by the Environmental Protection Act.

#### Air Quality / Odour

The site is located within an Air Quality Management Area (AQMA). The Council's Air Quality Officer has reviewed the application and provided comments to the Applicant.

The Air Quality Officer has made no objection to the revised Air Quality Assessment, on the basis that the scheme would connect to the District Heat Network (and no longer proposes an internal combustion plant as an option that was previously considered). A condition to secure a connection to the district heat network has been added.

The Environmental Health Officer has requested that if planning permission is granted, a planning condition is included to prevent commencement of the ground floor commercial space for the cooking of food until details of a ventilation system for the extraction of cooking odours has been submitted to and approved by the Local Planning Authority. An Odour Management Plan would also be required to propose mitigation measures should an odour nuisance be established.

In terms of construction processes, the Applicant would be required to set out measures in the CEMP to minimise dust / air quality issues arising.

#### Summary

Overall the proposed development is considered to be designed in a way to avoid adverse impacts of residential and environmental amenity in line with Policy BCS21, BCS23 and DM27. On the basis of the above, and given the imposition of relevant planning conditions

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and controls within other legislation, the proposed development is considered acceptable in terms of amenity.

**F) DOES THE PROPOSED DEVELOPMENT ADOPT AN APPROPRIATE APPROACH TO SUSTAINABLE DESIGN AND CONSTRUCTION?**

Policies BCS13, BCS14, BCS15 and BCS16 of the adopted Core Strategy give guidance on sustainability standards to be achieved in any development, and what measures to be included to ensure that development meets the climate change goals of the development plan. The policies require development in Bristol to include measures that reduce carbon emissions from residual energy use by at least 20%.

In combination with Policy BCS14, Policy BCAP21 states that proposals for development that would require heating will be expected to demonstrate that account has been taken of potential opportunities to source heat from adjoining development or nearby heating networks.

The Applicant has submitted an Energy Strategy and Sustainability - BREEAM Report with the planning application and this has been discussed in detail with the Council's Sustainable Cities team.

A Pre-assessment of the proposed development under the BREEAM New Construction 2014 scheme has been undertaken. This has found that an 'Excellent' rating would be achievable. This is in accordance with adopted policy within the Core Strategy. A planning condition would be used to ensure that the building meets an 'Excellent' rating.

In accordance with Policy BCS14 and Policy BCAP21, the proposed development would be designed to utilise the local district heat network for heating and hot water requirements which is supported. Renewable energy solar PV panels are proposed on the roof of the proposed development.

In response to comments from the Sustainable Cities Team, the applicant has revised the proposals. PV is proposed on both sections of the roof. This will achieve 12% reduction in CO2 emissions.

Whilst this is less than the 20% policy requirement. There are a number of considerations in this matter. The energy strategy has been developed to prioritise passive design and energy efficiency measures in the first instance prior to the consideration of renewable energy technologies.

The area of biodiverse roof identified on the top roof level provides an ecological benefit to the scheme. The applicant has preserved it for this use rather than use for siting additional PV panels. Providing PV over the plant to the north of the building 'core' on the top roof level would likely to require a structural frame to position any PV above the plant enclosures, that could lead to the PV panels protruding above the parapet which has been designed to shield the plant enclosures. PV in this location may therefore be detrimental to the visual amenity of the which has been carefully considered in relation to sightlines to the north and south.

In relation to Policy BCS16, the Applicant's strategy for sustainable drainage has been assessed by the Council's Flood Risk Manager. No objection has been raised by the Flood Risk Manager and the submitted information is considered to be acceptable A planning

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condition would be required if planning permission is granted, requiring the Applicant to provide a detailed scheme of sustainable urban drainage for the site.

The design of the building has worked hard to balance efficient fabric / services and a connection to the district heat network with the provision of renewable energy technologies. And whilst this is less than the 20% requirement, the other ecological benefits of the biodiverse roof, the connection to the district heat network and commitment to BREEAM excellent, it is considered that on balance, the combination of sustainability measures relating to climate change, construction and renewable energy which on balance is considered to be in accordance with adopted policy.

## CONCLUSION

Paragraph 14 of the National Planning Policy Framework sets a presumption in favour of sustainable development. Specifically, for decision-making this means that development proposals that accord with an up-to-date development plan should be approved without delay, unless other material considerations indicate otherwise.

The site is allocated by policy in the Development Plan for uses including residential development and commercial / retail space.

The scheme is considered to be a quality design, and includes a material palette which would enhance the appearance of this part of the Enterprise Zone. Whilst a large scale is proposed for the site, higher densities in the City Centre are supported where considered appropriate. In this instance, City Design Group have raised no objection to the height of the building with similar scales of development being approved on adjoining plots. The scheme has been designed to step down so to retain sight lines to the Gardiner Grade 2 Listed Building and other views within the area.

Having carefully considered the information submitted with the application and consideration of the policy context, weighed against comments received from members of the public and other groups, it is concluded by Officers that the proposed development is acceptable.

The application is recommended for approval subject to conditions attached to this report, and a s.106 Agreement to secure the following:

- The provision of 4 affordable dwellings rented at no more than LHA maximum rents which is to include service charges.
- The requirement for a viability review undertaken on completion of the development using the same principles as that agreed for the neighbouring plot (ND7).
- Public transport contributions of £32,214 to upgrade bus stops on New Kingsley Road and Avon Street plus a commuted sum of £500 per annum for the next three years for their on-going maintenance.
- A contribution of £10,000 for the installation of 12 line Real Time Information displays.
- A Travel Plan Management and Audit Fee in the sum of £3,500 or Bristol City Council to undertake the implementation of the Travel Plan on the applicant's behalf for an Implementation Fee of £16,200 (£135 per dwelling).
- Traffic Regulation Order fees of £5,395 for proposed loading bay and temporary parking restrictions on Old Bread Street.

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**COMMUNITY INFRASTRUCTURE LEVY**

The development is liable for CIL. The CIL rate for this type of development, as set out in the CIL Charging Schedule is: Community (use class D1) £0; Commercial (use class B1, B2 and B8) £0; Retail £120; and Residential £50.

The CIL payable for the residential element (discounting affordable floor space) is £880,896.25. The CIL payable for the retail element of the proposal is £99,336.43. The total CIL payable is £980,232.68.

**RECOMMENDED**

**GRANTED subject to Planning Agreement**

**Condition(s)**

**Time limit for commencement of development**

1. Full planning permission

The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

**Pre commencement**

2. Construction environmental management plan

No development shall take place until a construction environmental management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:

- Parking of vehicle of site operatives and visitors
- Routes of construction traffic
- Hours of operation
- Method of prevention of mud being carried onto highway
- Pedestrian and cyclist protection
- Proposed temporary traffic restrictions
- Arrangements for turning vehicles
- Arrangements to receive abnormal loads or unusually large vehicles
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and at no time on Sundays and Bank Holidays.
- Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.

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- Procedures for emergency deviation of the agreed working hours.
- Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: In the interests of safe operation of the highway in the lead into development both during the demolition and construction phase of the development.

3. Highway works

No development shall take place until a general arrangement plan showing the following works to the highway have been submitted to and been approved in writing by the Local Planning Authority:

- Resurfacing of Providence Place Carriageway immediately adjacent to the application site.
- Resurfacing of Old Bread Street carriageway immediately adjacent to the application site.
- Installation of a raised table with bitumen finish on Old Bread Street/ New Kingsley Road junction and Anvil Street/ New Kingsley Road junction with new tactile paving on each arm of the X-road on the footway.
- New build outs on Old Bread Street/New Kingsley Road junction and Anvil Street/New Kingsley Road junction the kerbing will have a 25mm upstand transition between the footway and raised carriageway.
- Provision of a loading bay on New Kingsley Road.
- Resurfacing of the footways immediately surrounding the application site with paving slabs.

The provision of these is to be in general accordance with plan 1703-46 SK07 Rev B 'Layout drawing' unless varied by subsequent approval of details under section 278 of the Highways Act 1980 or otherwise agreed in writing by the local planning authority.

The development hereby permitted shall not be occupied nor use commenced until the highway works have been completed in accordance with technically agreed engineering details.

Reason: To ensure that all road works associated with the proposed development are planned and approved in good time to include any statutory processes, are undertaken to a standard approved by the Local Planning Authority and are completed before occupation. NB Undertaking works in the highway will require a legal agreement with the Highway Authority and contact should be made with the Local Highway Authority at least 6 months in advance of commencing the works so that an agreement is completed prior to starting any works on the highway.

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4. Highway Condition Survey

No development shall take place until a survey of the condition of the existing public highway has been carried out and approved in writing by the Local Planning Authority.

Reason: To ensure that any damage to the highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer.

5. Cycle and waste storage

Prior to the commencement of the development hereby approved details of the cycle stores and the recycling and waste store will be submitted to and approved in writing by the local planning authority.

The approved details shall be implemented within the development and maintained thereafter. The stores will be kept free of obstruction and used solely for their designed purposes for the lifetime of the development.

Reason: to ensure adequate facilities are provided for these elements of the scheme

6. Sustainable Drainage System (SuDS)

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

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

7. Site Characterisation Intrusive Site Investigation

A site specific risk assessment and intrusive investigation shall be carried out to assess the nature and extent of the site contamination and whether or not it originates from the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The results of this investigation shall be considered along with the following report submitted with the application, AECOM. 21 July 2016. Preliminary Ground Conditions Risk Assessment. Plot ND6, Bristol. 60539303. Revision 0.

The written report of the findings shall be submitted to an approved in writing by the Local Planning Authority prior to any works (except demolition) in connection with the

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development, hereby approved, commencing on site. This investigation and report must be conducted and produced in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.

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

8. Sample Panels before specified elements started

Sample panels of the all external materials to the building demonstrating the colour, texture, face bond and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.

Reason: In order that the external appearance of the building is satisfactory.

9. BREEAM

No development shall take place until evidence that the development is registered with a BREEAM certification body and a pre-assessment report (or design stage certificate with interim rating if available) has been submitted indicating that the development can achieve the stipulated final BREEAM level. No building shall be occupied until a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating Excellent has been achieved for this development unless the Local Planning Authority agrees in writing to an extension of the period by which a Certificate is issued.

Reason: To ensure that the development achieves BREEAM rating level Excellent (or any such equivalent national measure of sustainability for building design which replaces that scheme) and that this is done early enough in the process to allow adaptations to designs and assessment and certification shall be carried out by a licensed BREEAM assessor and to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

10. Heat Networks - connection prior to occupation

Prior to commencement of development, full details demonstrating how the development will connect to the district heat network for the provision of all space heating and hot water shall be submitted to and approved in writing by the Local Planning Authority.

Prior to occupation, the development shall connect to the district heat network in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The connection shall thereafter be retained and maintained unless otherwise agreed in writing by the Local Planning Authority.

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Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with policies BCS13 (Climate change), BCS14 (Sustainable energy) and BCAP21 (Connection to heat networks).

11. Public Art Plan

Prior to the commencement of development, or as otherwise agreed in writing by the Local Planning Authority, a Public Art Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall set out the specific commissions developed and programme illustrating how the public art commission for the development would accord with the City Council's Public Art Policy and Strategy. The Public Art Plan shall also contain a timetable for delivery and details of future maintenance responsibilities and requirements. The delivery of public art shall then be carried out in full accordance with the agreed Public Art Plan.

Reason: In order to secure public art as part of the development in the interests of the amenity of the area.

12. Vegetation clearance

No clearance of vegetation or structures suitable for nesting birds, shall take place between 1st March and 30th September inclusive in any year without the prior written approval of the local planning authority. The authority will require evidence provided by a suitably qualified ecological consultant that no breeding birds would be adversely affected before giving any approval under this condition. Where checks for nesting birds by a qualified ecological consultant are required they shall be undertaken no more than 48 hours prior to the removal of vegetation or the demolition of, or works to buildings.

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

**Pre occupation**

13. Submission and Approval of Landscaping Scheme

No building or use hereby permitted shall be occupied or the use commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their plans protection, in the course of development. The approved scheme shall be implemented so that planting is carried out no later than the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

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Reason: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory.

14. Swift boxes

Prior to occupation of the development details provided by a qualified ecological consultant shall be submitted to and approved in writing by the Local Planning Authority providing the specification, orientation, height and location for eight swift boxes.

Guidance: Internal nest trays or boxes are particularly recommended for swifts. Swift bricks are best provided in pairs or groups (e.g. at least two or three on a building, avoiding windows). This is because they are usually colonial nesters. Swift boxes/bricks are best located on north or east facing walls, at least 5 metres high, so that there is a clear distance (drop) below the swift boxes/bricks of 5 metres or more so that there is space for the swifts to easily fly in and out of the boxes. Locating swift boxes under the eaves (where present) is desirable. One of the best designs is those by Schwegler because they are very durable.

See below for some websites with examples of swift boxes:

[http://www.nhbs.com/schwegler\\_swift\\_box\\_16\\_tefno\\_173237.html](http://www.nhbs.com/schwegler_swift_box_16_tefno_173237.html)

<http://swift-conservation.org/Shopping!.htm>

Further guidance is available at:

<http://www.swift-conservation.org/InternalNestTrays.htm>

Reason: To help conserve legally protected birds.

15. Sound insulation of residential properties from external noise

All recommendation detailed in the Noise Assessment submitted with the application with regards to sound insulation and ventilation of residential properties shall be implemented in full prior to the commencement of the use permitted and be permanently maintained.

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

16. Noise from A3, A4, D1 or D2 uses

No commencement of each use of any commercial use within Use Classes A3, A4, D1 or D2 shall take place until an assessment on the potential for noise from the development affecting residential properties as part of this development and existing residential properties in the area has been submitted to and approved in writing by the Local Planning Authority.

The assessment shall include noise from:

- (a) Music;
- (b) Customers (including customers in any outside area);
- (c) Ventilation, refrigeration and air conditioning plant or equipment;

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(d) Servicing (deliveries and refuse collections).

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

The noise mitigation measures shall be designed so that nuisance will not be caused to the occupiers of neighbouring noise sensitive premises by noise from the development. The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer. The approved scheme shall be implemented prior to the commencement of the use and be permanently maintained thereafter.

Reason: In order to safeguard the amenities of nearby occupiers.

17. Details of Extraction/Ventilation System (A3/A4 use)

No commencement of the A3 use shall take place until details of ventilation system for the extraction and dispersal of cooking odours including details of the flue, method of odour control, noise levels and noise attenuation measures has been submitted to and approved in writing by the Council. The details provided shall be in accordance with Annex B of the 'Guidance on the Control of Odour & Noise from Commercial Kitchen Exhaust System'. Published electronically by Department for Environment, Food and Rural Affairs.

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

Reason: In order to safeguard the amenities of nearby occupiers.

18. Odour Management Plan (A3/A4 use)

No use of the development shall take place until there has been submitted to and approved in writing, by the Council, an Odour Management Plan. The plan shall set out odour monitoring, extraction system cleaning and maintenance, filter replacement policies and mitigation measures to be taken should an odour nuisance be established.

Reason: In order to safeguard the amenities of nearby occupiers.

**Post occupation**

19. Travel Plans – submitted

The approved Travel Plan shall be implemented in accordance with the timescales specified therein, to include those parts identified as being implemented prior to occupation and following occupation, unless alternative timescales are agreed in writing with the Local Planning Authority. The approved Travel Plan shall be monitored and reviewed in accordance with the agreed Travel Plan targets to the satisfaction of the Local Planning Authority.

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Reason: To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling.

20. Noise from plant & equipment affecting residential

The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB below the pre-existing background level at any time at any residential premises.

Any assessments to be carried out and be in accordance with BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

Reason: In order to safeguard the amenities of nearby occupiers.

21. Use of Refuse and Recycling facilities (ground floor commercial uses only)

Activities relating to the collection of refuse and recyclables and the tipping of empty bottles into external receptacles shall only take place between 08.00 and 20.00 Monday to Saturday.

Reason: In order to safeguard the amenities of nearby occupiers.

22. Deliveries (ground floor commercial uses only)

Activities relating to deliveries shall only take place between 08.00 and 20.00.

Reason: In order to safeguard the amenities of nearby occupiers.

23. Opening hours (A3 use only)

No customer shall remain on any A3 Use premises outside the hours of 08.00 to 23.00.

Reason: In order to safeguard the amenities of nearby occupiers.

**List of approved plans and drawings**

24. List of approved plans and drawings

The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision.

A2796 102 R1 Proposed Site Plan

A2796 200 R3 Proposed Ground Floor Plan

A2796 201 R3 Proposed First Floor Plan

A2796 202 R3 Proposed Second Floor Plan

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A2796 203 R3 Proposed Third Floor Plan  
A2796 204 R3 Proposed Fourth Floor Plan  
A2796 205 R3 Proposed Fifth Floor Plan  
A2796 206 R3 Proposed Sixth Floor Plan  
A2796 207 R3 Proposed Seventh Floor Plan  
A2796 208 R3 Proposed Eighth Floor Plan  
A2796 209 R3 Proposed Ninth Floor Plan  
A2796 210 R3 Proposed Tenth Floor Plan  
A2796 211 R3 Proposed Eleventh Floor Plan  
A2796 300 R3 Section AA  
A2796 301 R3 Section BB  
A2796 350 R1 Ladder Section 1  
A2796 351 R1 Ladder Section 2  
A2796 352 R1 Ladder Section 3  
A2796 400 R3 Proposed South & East Elevation  
A2796 401 R3 Proposed North & West Elevation  
A2796 402 R3 Proposed Long East Elevation  
A2796 501 P1 Type 1  
A2796 502 P1 Type 2  
A2796 503 P1 Type 3  
A2796 504 P1 Type 4  
A2796 505 P1 Type 5  
A2796 506 P1 Type 6  
A2796 507 P1 Type 7  
A2796 508 P1 Type 8  
A2796 509 P1 Type 9  
A2796 510 P1 Type 10  
A2796 511 P1 Type 11  
A2796 512 P1 Type 12  
A2796 513-A P1 Type 13 (Adapted)

Reason: For the avoidance of doubt.

**Advices:**

1. Traffic Regulation Order (TRO) Advice

In order to comply with the requirements of the highway works you are advised that the implementation of a Traffic Regulation Order is required. The Traffic Regulation Order process is a lengthy legal process involving statutory public consultation and you should allow an average of 6 months from instruction to implementation. You are advised that the Traffic Regulation Order process cannot commence until payment of the TRO fees are received and the highway design has been technically approved by the Highway Authority.

Highway Works Advice for Section 278

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The development hereby approved includes the carrying out of work on the public highway. You are advised that before undertaking work on the highway you must enter into a formal agreement with the Council which would specify the works and the terms and conditions under which they are to be carried out. You should contact Transport Development Management: [TransportDM@bristol.gov.uk](mailto:TransportDM@bristol.gov.uk) or telephone 0117 903 6846, allowing sufficient time for the preparation and signing of the Agreement which can take several months to complete. You will be required to pay fees to cover the Councils cost's in undertaking the following actions:

- i. Drafting the Agreement
- ii. A Monitoring Fee
- iii. Approving the highway details
- iv. Inspecting the highway works

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

Impact on the highway network during construction. The development hereby approved is likely to impact on the highway network during its construction. The applicant is required to contact Highway Network Management to discuss any temporary traffic management measures required, such as footway, Public Right of Way, or carriageway closures or temporary parking restrictions. Please call 0117 9031212 or email [traffic@bristol.gov.uk](mailto:traffic@bristol.gov.uk) a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

## Supporting Documents

### **4. Site ND6 Temple Quay**

1. CFI views & layouts



CGI view along Avon Street looking up Providence Place and towards the new piazza space. Existing sub-station is shown ghosted in foreground.

## 4.1 Introduction

The key aim for this site is to design a contextually sensitive, high quality, sustainable development. This will be achieved with a mix of innovative new rental homes and expansive retail space at ground. A variety of public realm improvements will also be provided for public and residents to enjoy.

### The proposal is:

Erection of an 11 storey building comprising of 120 residential units (Use Class C3), 524 sqm of ground floor flexible commercial space and 129sqm of residents entrance foyer. Ground floor will also accommodate dedicated secure cycle storage, refuse and plant areas.

**Total residential units:** 120

Studios	20 (17%)
1 Beds	65 (54%)
2 beds	30 (25%)
3 Beds	5 (4%)

**Total habitable rooms:** 260

**Density:** 1313 (habitable rooms per hectare)  
606 (dwellings per hectare)

**Cycle parking spaces:** 170

### Internal:

Residential long stay: 155  
(67 bikes allocated within ND7)

### External:

Residential short stay:	11
Commercial short stay:	2
Commercial staff:	2



CGI view from Avon Street looking up New Kingsley Road at the new colonnade and entrance to ND6.

## 4.2 Use

### 4.2.1 Ground floor

The ground floor is occupied by a large flexible commercial unit, Build to Rent front of house entrance lobby, secure cycle storage and back of house plant and refuse spaces. It is important to maximise the amount of active frontage at ground floor, to achieve the highest quality environment at street level. It is also essential in Build to Rent schemes, to provide easily accessible front of house and back of house areas.

All refuse and plant space will be located towards the north part of the ground floor, with external frontage to provide adequate ventilation and direct service access. Service lay-bys are incorporated into the highway design along Old Bread Street and Providence Place, to further assist the service strategy for the building and offer drop-off points for new residents.



### 4.3 Amount

#### 4.3.1 Mix

In total, 120 Build to Rent homes are provided within the proposed ND6 development and this includes a mix of studios, one, two and three bedroom apartments. The range and mix of dwellings is considered appropriate for the location of the site. The residential apartments are all single level, and spread across levels 1 to 11. There are no residential apartments at ground.

#### Residential Summary

Units		Mix				HR
Floor	Unit Type	Studio	1B2P	2B4P	3B6P	Hab Room
<b>TOTALS</b>	<b>120</b>	20	65	30	5	260
		17%	54%	25%	4%	



CGI view down New Kingsley Road and Old Bread Street to the west.

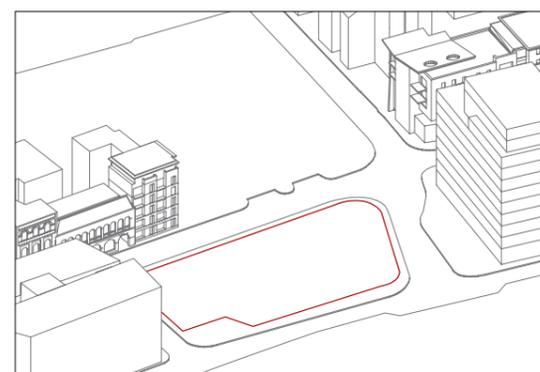
## 4.6 Scale and massing

The scale and massing of ND6 has been informed by sensitivities of surrounding buildings and key sightlines within the city, to ensure it positively contributes to the local urban grain.

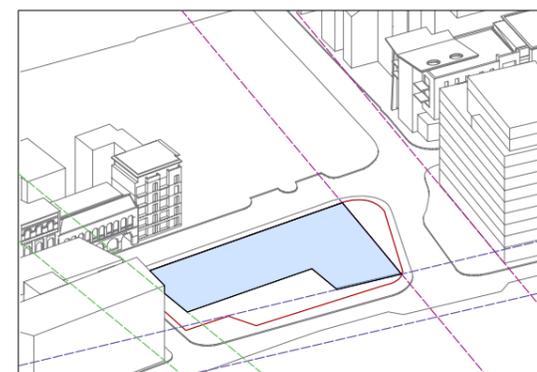
The east portion of building mass is 10 storeys above ground, which relates to the consented ND7 scheme adjacent. This mass has been considerably cut-away at its north-east corner, to respond to a key sightline towards the Gardiner Haskins building to the north. This helps to reduce dominance of the massing and improve the architecture, which will work to create a legible landmark as you approach south down New Kingsley Road. The west portion of building mass is 5 storeys above ground, which relates to the Christopher Thomas Court buildings to the north. It was the of the utmost importance to safeguard a view of the Gardiner Haskins turret, when looking north from Valentine Bridge to the south. These proposed heights allow the scheme to be of a density that achieves the 'net operating efficiencies', which is required by the Build to Rent operator.

The building mass covers only 61% of the site area, which allows for generous public realm space around all perimeters. This 'breathing space' in front of the building at ground floor, is vitally important to create quality street level environments for pedestrians, cyclists and everyone who uses or passes by the scheme. A covered colonnade walkway along the south-east portion of massing, also helps to achieve a quality user experience at street level and promote permeability through the site and create a visual connection to the ND7 scheme opposite. The massing at ground floor will be carved and sculpted, to create a more human scale architectural response.

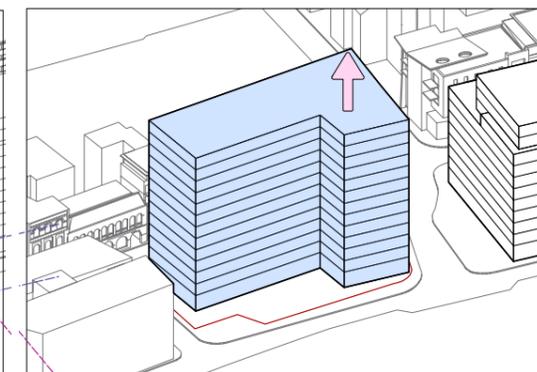
High quality, robust and resilient materials will be used to clad the massing. Details of such will follow in section 4.8 of this document.



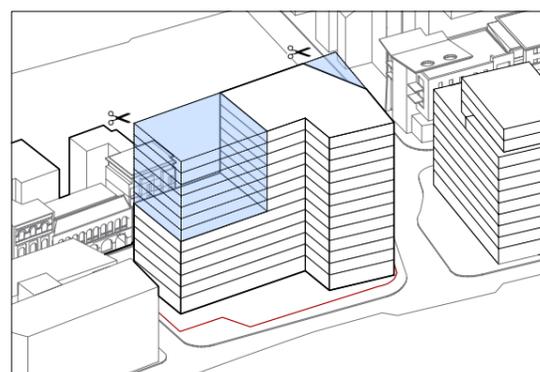
1. Existing Site



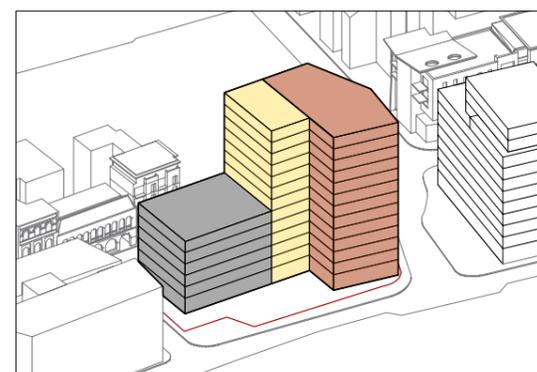
2. Respond to Existing Geometries



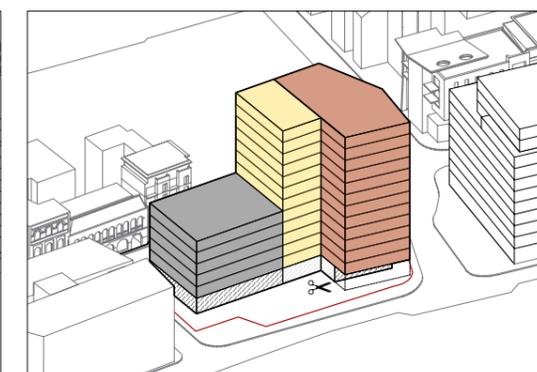
3. Respond to ND7



4. Retain Protected Views



5. Respond to the Vernacular



6. Activate Frontage/Create Feature Entrance



Context Elevation

## 4.8 Appearance

### 4.8.1 Introduction

The appearance of the proposed development has been designed to be sympathetic to its context. A brick palette has been chosen to respond to the Bristol red and grey brick vernacular, common in buildings like the Gardner Haskins building to the north and Temple Meads to the south. The design of the ground floor has also been developed to pick up surrounding influences, such as the arches of Christopher Thomas court on Old Bread Street, which have been interpreted along the new Betterfood shop fronts on the proposed scheme.

Issues of buildability, maintenance, functionality and resilience have also been considered when choosing the façade material palette, as we want to create a building that will stand the test of time and continue to serve its intended use long into the future. All materials will be of the highest quality in order to achieve this.

The following pages set out the façade strategies and explain how the elevations have been articulated and designed.



CGI view towards the new piazza space on Avon Street. Existing sub-station is shown ghosted in foreground.



**ND6 and ND7 link**

The residents and visitors of ND6 and ND7 developments share facilities – below ground car parking, gymnasium, eateries and commercial units. It is critical to the two schemes for the public realm treatment to acknowledge this relationship. All of New Kingsley Road adjacent to the ND6 is to be a shared surface, extending to the public landscaped areas of ND7

A formal pedestrian link cuts across the New Kingsley Road, connecting the two entrances along a single axis. A continuation of the high quality surface treatment of Avon Street Terrace forms a strong visual connection to adjacent key areas



### Roof - Levels 6, and 11

The two separate roof areas are not proposed to be accessible to residents and will act as a safe haven for wildlife to increase biodiversity. The principles of Objective 2 of Chapter 5 Bristol Habitat Action Plan 'Open Mosaic Habitats on Previously Developed Land' is adopted for the non-accessible roof terraces using extensive brown and green roof systems to balance removal of existing open mosaic habitat in the future construction of this development.

For Brown Roof systems, substrate are to be of crushed local substrate (rubble/gravel/ spoils from existing site) which will include fauna and flora from existing site, re-establishing the existing plant and animal communities, enhancing them where possible.

For the green roof systems, a wide variety of species will be planted to mimic a range of habitats. Final details of these roof areas can be developed further in consultation with the LPA and the ecologist through development of the BREEAM assessment for the scheme.

Circulation and access: 1350mm wide maintenance access to perimeter behind parapet and up to access doors.  
Material: recycled interlocking plastic grid with lightweight gravel infill of sufficient aggregate size to prevent removal by seagulls or other birds who may seek to use gravel to open shells when feeding.

