

WARD: St George West CONTACT OFFICER: Peter Westbury

SITE ADDRESS: Chalks Road Public Car Park Chalks Road Bristol BS5 9EP

APPLICATION NO: 19/02090/F Full Planning

DETERMINATION DEADLINE: 14 August 2019

Proposed 11 no residential dwellings (Use class C3) elevated above the existing public car park. Alterations to the car park layout and associated works. Retention of the public car park and existing vehicular and pedestrian access from Chalks Road.

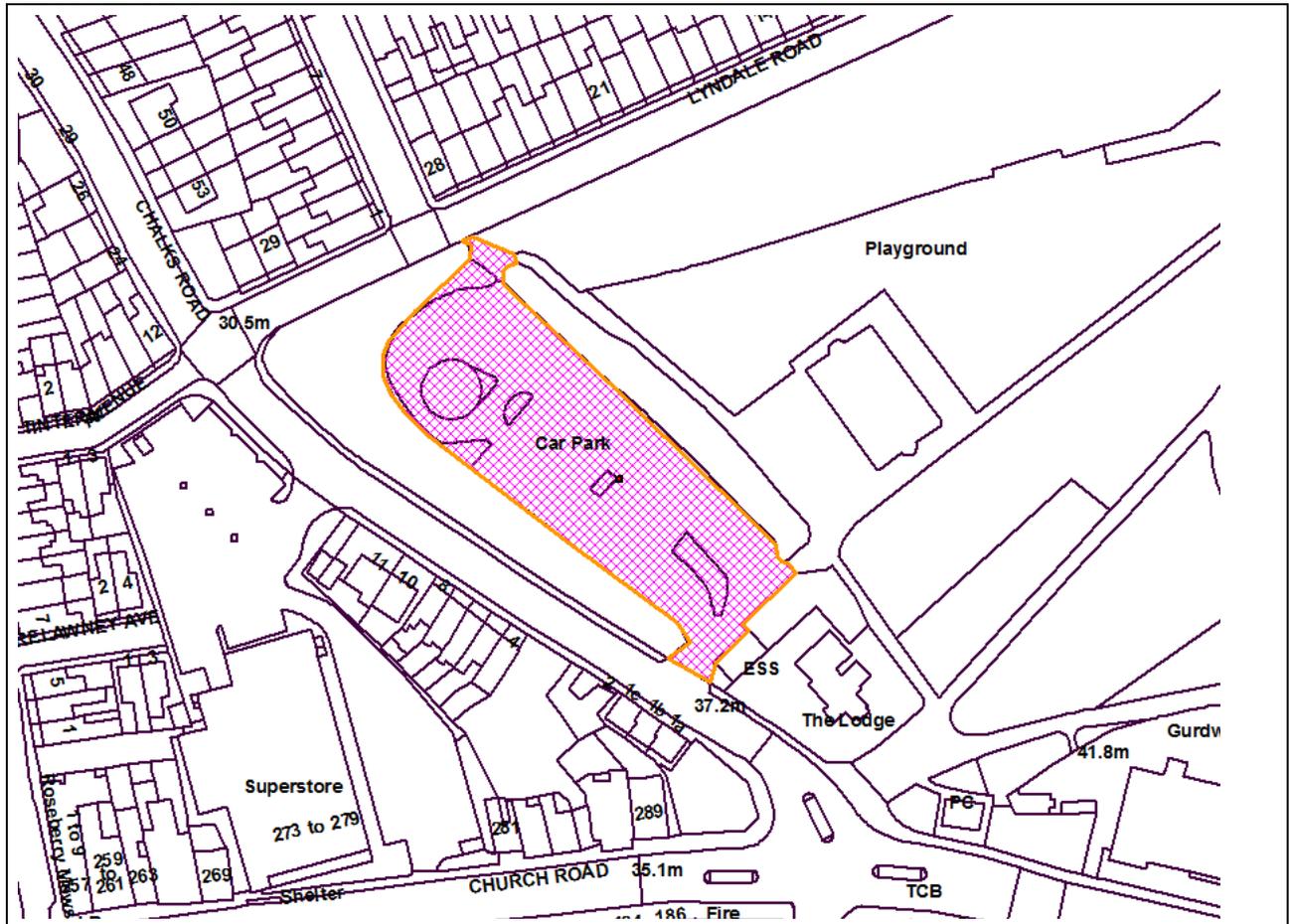
RECOMMENDATION: Grant subject to Condition(s)

AGENT: Turley Associates
10 Queen Square
Bristol
BS1 4NT

APPLICANT: Zedpods Ltd

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

LOCATION PLAN:



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REASON FOR REFERRAL

The application represents a major development in a public car park. It has implications on the future provision of housing in the city. With this in mind, this application is therefore referred to Committee by officers to set the context for future development of this kind.

BACKGROUND

This application must be seen in the context of the Bristol Housing Festival which is a five-year Festival, during which the organisers' stated ambition is to "test innovation in real life scenarios, to find out what works for people in our city, in order to see real and lasting positive change."

The web-site for the Housing Festival states that:

"We face a real and immediate housing crisis. It is affecting the vast majority of people in the UK in many different ways. There is no 'one-size-fits-all' solution because the crisis itself is complex and made up of many different issues."

The web-site highlights issues such as homelessness, affordability, loneliness and poor mental health as indicators of this housing crisis. However, there is the belief that there is reason to have hope:

"Together, as the people that make up the city of Bristol, we need the courage to reimagine and to rethink, to hope for a better future. Right now, there is the opportunity to find solutions for significant change in the face of challenge."

Following on from an exhibition at the Bristol Housing Festival in October 2018, Bristol City Council committed to supporting the Festival and to making land available for innovative solutions to address the shortage of housing in Bristol. This application is the first test of whether factory built housing to meet identified housing need can be accommodated on a Council owned public car park.

The Applicant's Planning Statement states:

"Coming out of the Bristol Housing Festival, it is recognised by the City that there is an appetite for imaginative approaches to address the shortage of housing in Bristol. Bristol City Council is committed to delivering 2,000 new homes a year by 2020, of which 800 will be affordable. ZEDpods has been identified as an innovative solution that could help Bristol City Council achieve this ambitious housing commitment."

This application for planning permission is the first to test the acceptability of this type of housing through the planning process.

It has been designed to be the first 100% affordable and low carbon housing development aimed at creating a mixed tenure affordable housing scheme using ZEDpods, which are a factory built volumetric product.

The Applicant's Design and Access Statement indicates that it is anticipated that all of the units will be made available for young people (nominated by the YMCA), working people on incomes below local average earnings, and young people who are making their first steps into independent living. They will be managed by a registered affordable housing provider.

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The application site is known as Chalks Road car park and is located in St George Bristol, close to Church Road (A420). The application site has an area of 0.21 hectares. It is the public car park for St George's Park on the northern side of Chalks Road to the immediate south of its junction with Lyndale Road.

To the north of the site is two storey residential development on one side of Lyndale Road. To the east of the site is a skate park within St. George's Park. The site is surrounded by mature trees. To the south west on the opposite side of Chalks Road is two storey terraced housing and a supermarket with associated car park.

The topography of the application site is flat.

The application site is located in Flood Zone 1 – Low Probability.

The application site is not located in a Conservation Area. As the car park is part of the park it is designated as a Local Historic Parks and Garden.

Bristol City Council owns the freehold of the car park and will continue to do so. This project uses "a 30 year air rights lease" to build one and two bed homes above the carpark in Chalks Road adjacent to St. George Park.

RELEVANT HISTORY

There is no relevant planning history.

APPLICATION

This is an application for full planning permission for the erection of 11 factory-built dwellings to be positioned in the centre of the existing car park on a steel frame above the existing parking spaces. The existing mature trees surrounding the car park would be unaffected by the proposal.

The Applicant's Design and Access Statement indicates that the ZEDpods are positioned on a steel frame which extends 44m in length, 10m in width and 10m in height.

The proposed housing would consist of 9 x one bedroom and 2 x two bedroom dwellings. The plans indicate that the proposed one bed dwellings would provide 39 square metres of internal floorspace, and the two bedroom dwellings would deliver 70 square metres of internal floorspace.

Each unit would provide kitchenette and living accommodation at first floor level (above the existing parking spaces) with bedroom and bathroom accommodation at second floor level on a mezzanine floor. The mezzanine floor would cover approximately 75% of the first floor space, meaning that approximately 25% of the first floor living area would have a double storey height.

Who will the dwellings be for?

All of the dwellings will be social rent homes available for young people in need of housing.

The scheme will provide sufficient accommodation for 13 residents. The resident mix is proposed to be a mix of affordable tenures. 4 will be offered at social housing rental levels, 5 will be offered at LHA rentals and the 2 x 2 beds will be offered at LHA levels which, if rented on a room basis, will also meet social rental levels.

All residents will take on 1- year fixed term tenancies. It is anticipated that most residents will stay for 1-4 years.

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Management of the site

The Applicants have indicated that a Housing Association / Registered Provider will:

- Own the ZEDPods
- Maintain the ZEDPods
- Act as landlord and collect rents from tenants

Future tenants will be identified by the YMCA Bristol (Part of YMCA Bath Group). They will:

- Manage referrals as per the nominations policy
- Provide training and support to the community leaders
- Support young people living in the ZEDPods
- Work with community leaders to establish regular opportunities for community activities including meetings, social events and volunteering

The proposal is intended to be a car-free development. No parking spaces will be assigned to future residents.

The Applicant's submitted "Framework Tenant Management Plan" includes a Code of Behaviour that states that:

"All tenants will be required to sign up to a code of behaviour and where this is not adhered to then tenants will risk losing their tenancies."

Access and Car Park

The existing access arrangements to the car park would be retained. The car park is gated and is currently open for public car parking between 8.00 and 18.00 on Monday to Saturday. There would be no change to the current access arrangements.

The application proposal includes the demarcation of the existing surface level car park, resulting in the provision of 61 spaces. The current car park has 58 spaces marked out. In addition, the intention is to provide 6 electric vehicle charging points.

All existing vehicular, pedestrian and cycle access from Chalks Road will be retained. The application proposal includes the relocation of the existing Sheffield Stands for public use including covered cycle parking provision (for 12 no. bicycles) and a refuse/recycling store for the new dwellings.

Existing lampposts and CCTV cameras will be relocated.

Design

The modular designed residential units on a steel frame would be positioned above the existing car parking spaces. The Design and Access Statement indicates that the building would:

"Use of sustainable and durable construction materials (to maximise energy efficiency) and installation of photovoltaic solar panels on the south western pitch of the roof;"

The intention is to include the provision of community art on the building façades.

In support of this approach to housing delivery and the proposed design, the Applicant's Design and Access Statement states that:

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“The high quality ZEDPod homes are built to higher standards than conventional houses, are super insulated, triple glazed, with heat recovery ventilation and lots of daylight. The solar roofs generate more energy than the houses consume and are designed to be low carbon with the lowest running costs possible.”

Utilities

The Applicants have indicated that:

Plant Area

- The voids underneath the staircases will be enclosed by non-combustible cementitious weatherboarding with an additional fireproof cement board internal liner. These services enclosures house plant such as water supply pumps, drainage pumps, incoming water, drainage, electrics and data and other M&E to fully service the pods.

Foul Water

- The foul pipework would be internal (i.e. principally concealed behind removable maintenance access panels both in the north wall services riser on each home and the fireproof cement board soffit to the car park). This pipework connects to the external pipework.
- The external pipework is located underground along the north eastern elevation (i.e. the façade facing the skate park) and routes under the steel frame and into the existing mains sewer pipe.

Electricity

- Each ZEDpod would include solar PV and micro thermodynamic panel (for the heat pump) - These arrays have been sized to potentially produce more energy than the dwellings consume to offset the annual energy consumption. This is dependent on the sensible self-consumption from residents.
- A connection to the grid will be provided via the sub-station which is located near the car park entrance – Electrical risers will be enclosed under the staircases.
- It possible that excess energy generated from the ZEDpods could be input back into the grid.

Water Supply

- A water pump will be provided to enable the water supply to be pumped up to the ZEDpods if mains pressure is too low.

The precise connection point to the mains water supply is subject to further discussion with Wessex Water.

Roof Water Drainage

- The ZEDpods include a rain water gutter system with a downpipe every 10m along both of the long elevations.
- The downpipes connect to the existing surface water sewer system, via an underground cellular attenuation tank.

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The public sector equalities duty is a material planning consideration as the duty is engaged through the public body decision making process.

“S149 of the Equalities Act 2010 provides that a public authority must in the exercise of its functions have due regard to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Act
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) foster good relationships between persons who share a relevant characteristic and those who do not share it.

During the determination of this application due regard has been given to the impact of the scheme upon people who share the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In their assessment of these applications your officers are satisfied that any adverse impacts can be addressed and mitigated through the detailed design of the buildings and the imposition of appropriate conditions.

COMMUNITY INVOLVEMENT

A Statement of Community Involvement was submitted in support of the application.

This states that the development team delivered a pre-application engagement programme, which included engagement with officers at Bristol City Council; City Councillors; resident groups and the local community.

Alongside meeting with local Councillors, a meeting with community action groups, including the St George Community Network and the Church Road Action Group took place on 17th February 2019.

Issues identified

Coming out of this pre-application consultation, concerns were expressed about the following:

- Increase in the number of cars parked on the streets surrounding the site.
- Parking beneath the Pods could be seen as private although it is not.
- The current level of enforcement relating to the three hour parking limit in the car park would not be sufficient.
- Given the use of the car park (particularly for visitors with mobility issues) the larger car parking spaces should be retained.
- Concern about the loss of parking during the construction period.
- Concern that the design of the space under the building could have an attraction for anti-social behaviour.
- Concern that the end walls could attract graffiti. It was suggested that this could be patterned or display a mural to overcome this.

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- There was an agreement that any CIL or Section 106 contributions be made directly to the improvement of St. George Park.
- Pedestrian access to Chalks Road should be wide and well maintained.

Outcomes

Addressing each of the identified concerns, the Applicants have indicated that:

- The accommodation will be offered to future residents without parking, in order to protect existing parking provision. It is also noted that the site is in a sustainable location.
- In respect to the proposed public parking beneath the Pods, the Applicants have indicated that it is understood that some upgrade to the car park control or enforcement regime may be required to ensure the car park usage is preserved for the public.
- It is acknowledged that some increase in parking enforcement may be required.
- There is confirmation that there will be no reduction in the number of parking spaces.
- In terms of construction, the Applicants have confirmed that “The ZEDpods are modular in their construction meaning the majority of the build is completed offsite. The benefit of this is that the construction period will be relatively short (approximately 2 months). It is anticipated that part of the car park will remain open whilst the Pods are installed and a Construction Method Statement will be prepared.
- In respect of the space under the building, the Applicants have indicated that a movement sensor and LED lighting under the full length of the undercroft parking area will be provided.
- Addressing concern about the end walls, the Applicants state that a local artist will be employed to paint the south eastern elevation to provide a focal point when people enter the car park and discourage future vandalism.
- The Applicants indicate that as the proposals are an affordable housing scheme which will be managed by an affordable housing provider who will rent the units to tenants at a below market rate. Such schemes are exempt from CIL as it is acknowledged that they do not operate on a commercial basis and are highly beneficial from a social perspective.
- No new pedestrian access arrangements are to be provided onto Chalks Road.

RESPONSE TO PUBLICITY AND CONSULTATION**Response to public consultation**

Neighbouring properties were consulted and a site notice was placed at the site. As a result, at the time of the preparation of this report, 34 representations were received, of which 30 objected to the application and 4 were in support. The following comments have been made:

Comments objecting to the application:

- Objection to the site being used as there are plenty of brownfield sites on which they can build houses.
- “We need houses and not trendy pods”
- Concern about the height of the pods.

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- Concern about light and noise pollution
 - Concern that the car park will be overflowing.
 - Concern about the impact on the Red Fest Event and other similar events in the park the future: "PLEASE - make sure there is egress available on SAT 3rd August as part of the conditions."
- We cannot send 30 traders and 10 food concessions through another gate safely.
- The car park is essential for disabled parking during the Red Fest event and this cannot be lost.
 - Concern about the impact on the car park during construction.
 - Concern about further on-street parking demand that will arise from the development.
 - Concern that the proposal will have a harmful impact on the operation of the park.
 - Concern about the design "being very dominant over the park and car park. I also suspect that after a short time it will look run down with bins and badly parked bicycles".
 - There is no reason to build these premises here, they are not near to employers and not close to a college, this is not helpful for young people.
 - There will be problems with parking.
 - Concern about the potential for unsocial behaviour in the newly covered parking area. CCTV should be put in place.
 - The car park should be improved to enhance the overall park for the enjoyment and well-being of the community.
 - There should an Aboricultural Impact Assessment.
 - Rather than putting new buildings where none exist, the council should address abandoned and derelict brownfield sites, for example there is land available on the corner of Chalks Road and Church Road, next to existing residential and commercial properties that has been boarded up and abandoned for years.
 - What will happen when the 30 years is up?
 - The present design reflects the Edwardian heritage of the park and Church Road.
 - Concern about the safety of future residents.
 - Concern about the air quality for future residents.
 - Will the Council be transparent about the finances involved?
 - "Will the fact that four of the pods are for care leavers from Bath mean that Bristol care leavers will miss out?"
 - "similar experimental developments would not be proposed for green spaces in Redland, Clifton, or other areas where a higher heritage profile is placed on local parks. I doubt we will see ZEDpods on Oldbury Court car park, Snuff Mills car park, Ashton Court, The downs, St Andrews etc."
 - "Bristol City Council are the custodians and managers of our public spaces, I, like many people believed them ring-fenced as not for lease or sale. The idea that it is only the "air

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rights" that are leased seems a fudge to avoid more stringent scrutiny of what happens to the land, as is the idea that the pods are somehow temporary (30 years?)

In the long run when the area has become designated as dual use or has been established as no longer part of St George Park but a residential space, will a cash strapped council be free to sell to a property developer?"

- "I have just read online about the proposed flats being planned for the park, How disgusting is that, The car park is for the park, nothing else"
- The increase of personal bins, recycling outside the pods, rubbish, personal belongings, will make this an eye sore.
- Concern that the Pods will be vandalised.
- "Concern that this would welcome further planning applications for other local green spaces if approved."

Comments in support of the application:

- The increase of housing and rent prices that has pushed many people that I know into leaving Bristol and into homelessness and van-living even if they are in full-time salaried work. Affordable social housing projects such as this one are significantly needed to support young people out of unstable living and be given an opportunity to improve their wellbeing and lifestyle.
- "We are in a climate and social crisis so any projects like this that are in support of living with low carbon footprint (promoting cycling and not driving) and are affordable is absolutely vital."
- We absolutely need to be moving towards living like this and Bristol City Council needs to be moving faster on introducing living car-less in this city if we are to be carbon neutral by 2030 as promised. I think we should not be concerned about how many car parking spaces will be provided as St George is one of the most air-polluted areas of Bristol.
- Welcome the increase in cycle parking spaces.
- This group of housing will encourage safer walking at night for members of the public walking on Chalks Rd and via the park.
- The access road to the park for emergency vehicles and/or teams such as Redfest will not be disrupted
- "The site is part of the area designated as important open space, but I consider that the development is acceptable as it does not impact significantly on the park due to the screening from the mature trees. There is also no loss of car parking spaces. It is significant that the housing is only semi-permanent and could be removed in the future."

St George Community Network Development Group

Most of the comments made by us and others during the pre-application and public consultation stages have been addressed. However, we still have 2 reservations:

- There is no provision for signage to make absolutely clear that the car parking spaces under the building will be part of the public car park. We continue to believe that this will be necessary to deter the 'adoption' of these spaces by residents of the new building.

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- We remain concerned about pedestrian access/egress - it is not clear (to us) from the application whether the issues arose during the pre-application and public consultation stages have been fully addressed.

Avon Fire and Rescue

No comments on the application have been received, but Officers will contact this consultee with a view to confirming their comments at the Committee.

Response from internal consultees**BCC City Design Group**

CDG supports the delivery of prefabricated housing in Bristol and considers it to be an important experimental option in addressing critical housing need. The siting of the proposal raises important questions about design and response to context, change of use and increased pressure on parks in the context of urban intensification and city scale place making. CDG has identified a preferred set of conditions for this type of housing experimentation and given the legacy intent for Bristol's key urban parks strongly encourages robust questioning and precedent in this case.

- Journey from the street to the entrance door of individual units should be clearly designed. This should include aspects such as definition of the paths and spaces, interaction with vehicles, lighting, landscaping etc.
- Private and communal provisions such as cycle parking and bin store should preferably be located in a single secure enclosure to create a clear distinction between public and private spaces along with its ownership, security access and management arrangements.
- Design, security and management of the under-croft car park needs to be carefully resolved to:
 - a) Encourage passive surveillance.
 - b) Provide security cameras.
 - c) Ensure responsibility structures are in place (who is responsible for this space?)
 - d) Provide robust design and finish of the under-croft space to ensure its appearance can be maintained.
 - e) Regular cleaning and maintenance management regime.
 - f) Privacy – units typically will not benefit from a private back so adequate privacy measures must be considered.
 - g) Design features such as deep reveals, use of robust materials and finishes.
 - h) General arrangement and typical details of column and rainwater goods in the under-croft area.
 - i) Further manufacturer specification doors, windows, wall roof and soffits, rainwater goods and any other external materials is requested.
 - j) While the details and materials can be resolved via planning condition, it is recommended to resolve as much as possible at the time of determining the planning application to expedite the matter.

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Prefabricated construction offers potential for efficient construction, reduce waste, reduce embodied energy and reduce energy usage during the construction and lifetime of building and should be welcomed.

The advice from CDG informs the Key Issue on design (set out below). However, a key conclusion in their advice is noted here:

“Given the unknowns, the ZEDpod approach, particularly in relation to car parks, it would be best carried out in an experimental format where results can be evaluated with the option of removing and/or relocating ZEDpods if unsuccessful in design and place-making terms. In general, less open and visible sites may prove to be less sensitive when evaluating impacts on nearby character. Any successful ZEDpod applications should require clear site management plans and follow-on evaluation.”

BCC Transport DM

The following advice was provided at pre-application stage and remains applicable:

“In traffic impact terms the supporting document does not provide any details as to whether this will be a car free development or not. This would need to be clarified as part of any planning submission. In traffic impact terms although the proposal would result in an increase in vehicle movements it's unlikely that it would be considered to be severe when compared to the level of movement on the surrounding network.

The principle concern relates to the retention of the existing use of the car park. It is noted that the applicant has stated that the proposal will not result in the loss of any of the existing spaces whilst the existing spaces will need to be remarked. Please note that these works would need to be met by the applicant.”

Parking Services offered the following advice:

Free limited waiting car park. Can be very busy during the day. Vehicles are able to park any time of day, so there is a chance of noise, fumes etc being an issue.

The car park is well lit and has CCTV cameras installed. The ambient lighting levels in the car park are likely to be detrimental to the amenity of ZEDpod residents. It is likely that the CCTV of the coverage will be compromised as we may have to lose cameras to protect the privacy and amenity of ZEDpod residents.

Wessex Water have a large inspection chamber at the north west corner of the site. 24/7 access is required occasionally to inspect or work in the chamber. There is a small chance that the amenity of residents may be disturbed by Wessex Water activities.

It is possible that the mature trees on site may need to be pruned to facilitate installation of ZEDpods.

Where will the residents waste bins and recycling be stored? Will we lose parking bays for this?”

With regards to vehicle charging we have had the following comments.

“With regards to lighting the existing street lighting will need replacing as the proposed building is on top of a lighting column and there will be a blocking effect from the building plus discomfort glare into the properties from the existing street lighting, so a whole new scheme will need installing.

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Our lighting department can carry out lighting designs and installation however the costs of which would need to be covered by the applicant.

Please note that all designs and proposal must be approved by the lighting team.

With regards to the EV charging points for every pod must take into account the earthing regulations. Installing the charge units near a PME electrical system is not permitted. The electrical supply to the pods should be TT and not PME. The steel works should be earthed in such a way as not to be in contact with any PME system and must be 2.7m minimum from any PME system. The installers are advised to consult with WPD.

Ideally this site will be promoted as a car free development. The applicant has provided details of the site's location compared to other services and facilities and it is noted that there is a bus stop on Church Road (A420) which provides access to a high frequency services. There also a number of facilities within walking distance from the site.

With regards to cycle storage the applicant has stated that there will be space allocated within each unit. They will also provide an external communal bike store which will also provide charge docks for electric bikes. The applicant should note that this store should be secure.

In terms of bin storage the applicant will meet the City Council's requirements. Although the applicant should contact Bristol Waste prior to any submission to make sure they would be satisfied to collect from this location. We would also need to see a waste management strategy provided as part of the proposal. The reasoning is that we would not wish to see bins left on the adopted highway causing an obstruction to the flow of pedestrian movement.

Finally the applicant will need to provide details of the construction phase as we would need to know what the level of disruption would be during this phase. Furthermore they would need to provide details on whether the car park will need to be closed during this period.

In respect of transport and access issues, there is no objection in principle to the proposed development. However the applicant would need to provide additional information as part of the formal submission to address the points which has been set out above."

BCC Sustainability Officer*Energy efficiency*

We welcome the provision of the energy efficiency standards over and above Part 1La of Building Regulations. The proposed air permeability rate of 2.0m³/m².h @50Pa is a significant improvement on the minimum requirement in Building Regulations and will make a significant contribution to reducing energy demand. I recommend conditioning the provision of evidence to show that this has been achieved.

Heat Hierarchy – BCS14

No gas is proposed on site, which is welcomed. District heat is not required for this project. Heating is proposed to be via 'micro solar air source heat pumps' – further details should be provided: what size/ capacity are proposed (are they individual or communal?) and where are the units proposed to be located. These can be visually jarring so should be designed in to the scheme.

Renewable Energy – 2.6kw PV for 1 bed dwellings and 3.4kw PV for 2 bed dwellings, with the following outputs 2510kwh and 3370kwh PA.

Annual yield calculations should take account of the location, tilt, orientation and shading of the PV system(s) as it will be installed.

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The Shading Factor should be calculated using the Standard Estimation Method as presented in the MCS guidance and any reduction in yield incorporated into the energy calculations presented. The assessment of shading should also account for planned development in the vicinity of this scheme. It would be helpful for the agent to confirm that the above has been taken into account with the annual yield calculations.

Adaptation to Climate Change – BCS13

It is noted that the proposed scheme includes high level windows to encourage stack ventilation and dual aspect windows to provide cross ventilation with heat recovery ventilation proposed.

However, it is not explicit from the application whether these measures are sufficient to mitigate overheating risk as a result of climate change, and therefore whether it meets BCS13 requirements. An assessment of overheating risk for the 'worst case scenario' unit using future weather files, (as a minimum testing against the 2050 medium emissions 50th percentile weather file) should be carried out and submitted. If there is a risk, the necessary mitigation measures required to remove the risk of overheating should be provided from the outset to comply with the policy.

We welcome the EV provision of 6 bays –I recommend conditioning these improvements to the public car park should the application be approved.

BCC Flood Risk Manager

We are satisfied that the flood risk assessment provided evidence that the development of the site will not increase the risk of flooding to this area or its surrounding areas as the development site is already hard surfaced (impermeable).

Our mapping suggests that an infiltration based SuDS strategy would be suitable for the site based on drainage potential. No on-site based ground investigations or BRE365 testing (only desk based investigations) have been undertaken to assess the contaminants and drainage potential of the site. The applicant should undertake this testing and make appropriate consideration of infiltration based SuDS features. Until evidence has been provided that the SuDS hierarchy has been followed sufficiently we object to the application as current. We welcome the use of permeable paving and soft landscaped areas, these should be utilised for infiltration based SuDS subject to the results of infiltration testing.

Furthermore any new connections to the surface water sewer will need confirmation from Wessex Water; please could this evidence be provided? I also note that a maintenance plan will be agreed post-construction; however we require a maintenance plan prior to construction.

Therefore the applicants need to provide evidence of: on site contamination/infiltration testing to support their choice of SuDS, evidence from Wessex Water confirming the new connection and submit a maintenance plan prior to construction.

RELEVANT POLICIES

National Planning Policy Framework – February 2019

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

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Coming out of the Bristol Housing Festival, this application for off-site factory constructed housing, is the first opportunity to test whether housing solutions can be accommodated on Council owned public car parks and other sites. There are therefore characteristics of this application that cannot set a precedent for development on other more conventional housing sites across the city. There are unique characteristics to this proposal and the application must be assessed in that context.

In establishing whether a positive recommendation can be made, particular regard has been paid to the following:

- Impact on the Important Open Space and Historic Parks and Gardens.
- The provision of housing in this location.
- Is the proposed design of the housing acceptable?
- Is the impact of the proposed development upon transport acceptable?

Impact on the Important Open Space and Historic Parks and Gardens

The application site is located within a designated important open space and historic park and garden.

Section 12 of the National Planning Policy Framework (NPPF) 2012 states that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing heritage assets, and the desirability of new development to make a positive contribution to local character and distinctiveness. It also states that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation, with any harm or loss requiring clear and convincing justification.

Paragraph 132 of the NPPF states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

Development Plan Core Strategy Policy BCS9 states that open spaces which are important for recreation, leisure and community use, townscape and landscape quality and visual amenity will be protected.

Core Strategy Policy BCS22 states that development proposals should safeguard or enhance the character and setting of areas including Historic Parks and Gardens.

Site Allocations and Development Management Policy DM17 says that development on Important Open Spaces will not be permitted unless the development is ancillary to the open space use.

The proposals do not meet the requirements of Policy DM17 as new housing cannot be considered to be "ancillary to the open space use". Having regard to the impact on the park though, it is concluded that the application proposal will have no harmful impact on the functioning of the park itself. The applicants have indicated that the existing operation of the car park will be sustained. There will be small enhancements to the operation of the park (electric vehicle charging points and improvement cycle storage). There will also be no trees lost as a result of this proposed development.

On the basis of this and having had regard to all policy considerations, it is concluded that the impact on this historic park can be accepted and that, in particular, other material considerations can be given weight in this case to set aside Policy DM17.

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Application No. 19/02090/F : Chalks Road Public Car Park Chalks Road Bristol BS5 9EP

Provision of housing

Paragraph 118 of the NPPF states that planning decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

Policy BCS5 sets out that the Core Strategy aims to deliver new homes within Bristol's existing built up areas. Between 2006 and 2026, 30,600 new homes will be provided in Bristol.

Policy BCS18 of the Core Strategy states that all new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.

Policy BCS20 states that development should maximise opportunities to re-use previously developed land.

The application proposal will deliver 11 affordable dwellings that will meet an identified need for young people in need of housing. The application proposal is for development on previously developed land in a sustainable location. Subject to design considerations, it is considered that it complies with these Development Plan policies on housing delivery.

Is the proposed design of the housing acceptable?

Paragraph 123c of the NPPF sets out that when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

Policy BCS15 that development should provide flexibility and adaptability, allowing future modification of use or layout, facilitating future refurbishment and retrofitting'.

Policy BCS18 sets out that residential development should provide sufficient space for everyday activities and to enable flexibility and adaptability by meeting appropriate space standards.

Policy BCS21 outlines that development in Bristol is expected to safeguard the amenity of existing development and create a high-quality environment for future occupiers.

Policies DM26-28 of the Site Allocations & Development Management Policies require development to contribute to the character of an area through its layout, form, public realm and building design.

Policy DM29 sets out that new buildings will be designed to ensure that the existing and proposed development achieves appropriate levels of privacy, outlook and daylight.

Of particular concern in establishing whether the design of the proposal is acceptable in design terms is compliance with the following:

- Internal Space: Core Strategy Policy BCS18
- Design and Amenity: Policies DM26-28

Development Control Committee B – 10 July 2019**Application No. 19/02090/F : Chalks Road Public Car Park Chalks Road Bristol BS5 9EP***Internal Space*

Core Strategy Policy BCS18 encourages imaginative housing design solutions that addresses affordable housing need and housing demand and contributes to the diversity of housing in a local area. The application complies with these policy requirements. However, the Policy also states that all new residential development should provide sufficient space for everyday activities and enables flexibility and adaptability by meeting appropriate space standards.

The application proposes the following:

2 x 2 bed, 2 storey ZEDpods for up to 3 people with 39 square metres of internal space.

9 x 1 bed, 2 storey ZEDpods for 1 person with 70 square metres of internal space.

Appropriate space standards are normally measured by compliance with Nationally Described Space Standards (NDSS).

The NDSS includes the expectation that two bed space accommodations on two storeys would provide 70 square metres of internal floor area and storage. For the two, two bed units, this application proposal complies with this standard.

For the remaining nine, one bed space accommodation for one person on two storeys there is no space standard included in the NDSS.

For this accommodation provision is made for 39 square metres of internal floor space and storage.

In the absence of specific guidance on how to apply space standards to this modern form of housing delivery and mindful of the characteristics of the development, it is considered that the application proposal can be regarded as acceptable as set out below in the design section. However, it should be noted that these units are small and in recommending approval for them, your Officers are mindful of the high standard of accommodation that would be provided.

Design and Amenity

This is proposal that does not fit neatly within the normal design rules. As is noted by City Design officers (CDG), ZEDpods are a unique housing typology that are pre-designed (with some cladding options) and not intended to reflect a particular site context. In situating ZEDpods efforts can be made to respond to particular physical circumstances. However that is the extent to which they can be assessed using standard methods for understanding contextual response, urban design quality and place making. In this regard, the placement of conjoined ZEDpods on top of the central portion of the car park reflects the desired dual purpose for the site. In broad urban design terms the result will be a highly visible and peculiar development with a yet untested set of interdependencies and functional interactions resulting from the underlying car park use.

A residential use requires functional and servicing requirements including security, access, cleaning bike and bin stores. A sense of domestic ownership and propriety is also a reasonable and desirable expectation for successful new housing. It is therefore reasonable to expect that housing on the site will have a segregating effect from the wider open space. Visually, development on the site will be a disruption to the historic park and open space context.

With regard to the quality of accommodation CDG supports housing experimentation particularly for vulnerable individuals with a high need and notes that while small and unconventional, ZEDpods offer light dual aspect spaces with thoughtful internal arrangements. ZEDpods also score high in sustainable construction methods with low energy consumption in post construction.

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In respect of amenity, the design of the proposal will not give rise to unacceptable overlooking of surrounding residential and commercial properties. The site is well screened by existing mature vegetation from surrounding properties.

Supplementary Planning Document 2 “A Guide for Designing House Alterations and Extensions” (SPD2) whilst providing guidance for house alterations, is relevant in this case given the existing context. SPD2 states that the best way of ensuring privacy between houses is to avoid windows to habitable rooms directly facing one another. Where this cannot be achieved, and habitable rooms face each other, as a ‘rule of thumb’ a gap of 21 metres should generally be provided. In more densely developed, inner urban locations this distance may be less.

Having regard to advice in SPD2 and BRE Report 209, “Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice”, there are no issues arising out of the proximity of proposed windows to existing habitable rooms.

Representations have also been raised that the application proposal will give rise to anti-social behaviour and poor security for users of the car park. To this end, it is noted that the submitted plans include the provision of CCTV and lighting. It is proposed that details of the lighting for the scheme and details of the CCTV for the car park and its operation is conditioned.

In recommending this application for approval, particular regard has been paid to the advice from CDG. The application proposal will give rise to a highly prominent unusual form of housing. However, it is considered that this proposal will give rise to high quality residential accommodation. Furthermore, it will not give rise to unacceptable overlooking of neighbouring residential properties. The impact on amenity in terms of preventing anti-social behaviour can also be adequately mitigated through the imposition of relevant conditions in respect of lighting and CCTV.

Does the proposed development give sufficient consideration to sustainable design?

Policy BCS13 sets out that development should contribute to both mitigating and adapting to climate change, and to meeting targets to reduce carbon dioxide emissions.

Policy BCS14 sets out that development in Bristol should include measures to reduce carbon dioxide emissions from energy use by minimising energy requirements, incorporating renewable energy sources and low-energy carbon sources. Development will be expected to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%.

Policy BCS15 sets out that sustainable design and construction should be integral to new development in Bristol. Consideration of energy efficiency, recycling, flood adaption, material consumption and biodiversity should be included as part of a sustainability or energy statement.

The application proposal complies with relevant Development Plan policies. It would give rise to a highly sustainable form of housing. This is confirmed by the advice of the Council’s Sustainability Team, which is set out above.

Is the impact of the proposed development upon transport acceptable?

Policy BCS10 states that developments should be designed and located to ensure the provision of safe streets. Development should create places and streets where traffic and other activities are integrated and where buildings, spaces and the needs of people shape the area.

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Policy BCS21 of the Core Strategy aims to ensure that all new development in Bristol achieves high standards of urban design.

Policy DM23 of the Site Allocations and Development Management Policies outlines that development should not give rise to unacceptable traffic conditions and will be expected to provide safe and adequate access onto the highway network. With regard to parking, Policy DM23 states that this must be safe, secure, accessible and usable.

The existing access to the car park is retained and the quantum of parking is increased, although it is acknowledged that people may feel deterred from parking beneath the units. However, officers are confident that, if the other parking spaces are being occupied, the retained spaces beneath the proposed units will be used. Notwithstanding this, there are no grounds to refuse this application on its impact on the car park.

The advice of Transport Development Management is set out above. It is considered that the impact on the existing car park and the wider highway network is acceptable.

CONCLUSION

This application must be seen in the context of the City Council's support for the Bristol Housing Festival and its stated intention to experiment with different types of housing solution to resolve the identified housing need in the city.

The experimental nature of this application is demonstrated in the design comments received. This proposal is unlike any other application for residential development currently under consideration by the Local Planning Authority. For this reason, it cannot be regarded as creating any precedent at all for other residential development across the city.

In recommending this application for approval, it is acknowledged that it would give rise to a highly prominent "peculiar" form of housing. There are however, material considerations that outweigh these design concerns. For example, that the park can continue to function as it does now, that the proposed housing is well screened from surrounding residential development in particular and that the application site is highly sustainable and is located in residential area close to existing amenities. Subject to the imposition of relevant conditions (in particular in respect of site management), it is considered that this application can be supported.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

The CIL liability for this development is £31,781.25, however charitable relief may be claimed on the elements of the development that comprise development by a charity directly for the delivery of their charitable purposes.

RECOMMENDED GRANT subject to condition(s)**Time limit for commencement of development**

1. Full planning permission

The development hereby permitted shall begin before the expiration of 18 months from the date of this permission.

Reason: To comply with the Council's Affordable Housing Practice Note, April 2018; and 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.

Development Control Committee B – 10 July 2019**Application No. 19/02090/F : Chalks Road Public Car Park Chalks Road Bristol BS5 9EP****Pre commencement condition(s)**

2. Construction management plan

No development shall take place including any works of demolition until a construction 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 for 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

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. Prior to the commencement of development, details of the lighting of the scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented strictly in accordance with the approved details before the development is brought into use.

Reason: In the interests of the security of the site.

4. Prior to the commencement of development, details of the vehicle charging points for the scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented strictly in accordance with the approved details before the development is brought into use.

Reason: In the interests of the proper planning of the site.

Advice Note: In respect of Condition 4, with regards to the EV charging points for every pod must take into account the earthing regulations. Installing the charge units near a PME electrical system is not permitted. The electrical supply to the pods should be TT and not PME. The steel works should be earthed in such a way as not to be in contact with any PME system and must be 2.7m minimum from any PME system. The installers are advised to consult with WPD.

5. Sustainable Drainage System (SuDS)

The development hereby approved shall not commence (with the exception of any enabling works 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 approved 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.

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6. Noise from plant & equipment

Prior to the commencement of above ground construction an assessment to show that the rating level of any plant and equipment, as part of this development, will be at least 5 dB below the background level has been submitted to and approved in writing by the Local Planning Authority.

The rating level of any noise generated by plant and 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 residential occupiers. The details are needed at this stage of work so that any mitigating measures can be incorporated into the build.

Pre occupation condition(s)

7. Notwithstanding the information submitted with the application, prior to the first occupation of the site, details of the Management of the Site shall be submitted to and approved in writing to the Local Planning Authority. The operation of the site shall comply with these approved details unless changes are agreed in writing with the Local Planning Authority.

The Management Plan shall include:

- The Framework Tenant Management Plan submitted with the Application.
- Details of the operation of the position and on-going operation of all CCTV cameras shown on the approved plans.

Reason: In the interests of the proper operation of the site.

8. Completion and Maintenance of Cycle Provision - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed, and thereafter, be kept free of obstruction and available for the parking of cycles only.

Reason: To ensure the provision and availability of adequate cycle parking.

9. Completion of Pedestrians/Cyclists Access - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the means of access for pedestrians and/or cyclists have been constructed in accordance with the approved plans and shall thereafter be retained for access purposes only.

Reason: In the interests of highway safety.

10. Implementation/Installation of Refuse Storage and Recycling Facilities - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.

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Reason: To safeguard the amenity of the occupiers of adjoining premises, protect the general environment, and prevent obstruction to pedestrian movement, and to ensure that there are adequate facilities for the storage and recycling of recoverable materials.

List of approved plans

11. 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:

324.2/P/ Site location plan, received 15 May 2019

324.2/P/101 C Site layout - lower floor access and circulation, received 15 May 2019

324.2/P/102 A Site layout - upper floor, received 15 May 2019

324.2/P/103 A Site layout - roof plan, received 15 May 2019

3242_P_001 B Existing site plan, received 15 May 2019

3242_P_100 C Proposed site layout, received 15 May 2019

3242_P_201 B Floor plans, received 15 May 2019

3242_P_401 POD terrace long elevations, received 15 May 2019

3242_P_402 POD Site elevations, received 15 May 2019

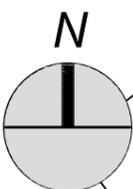
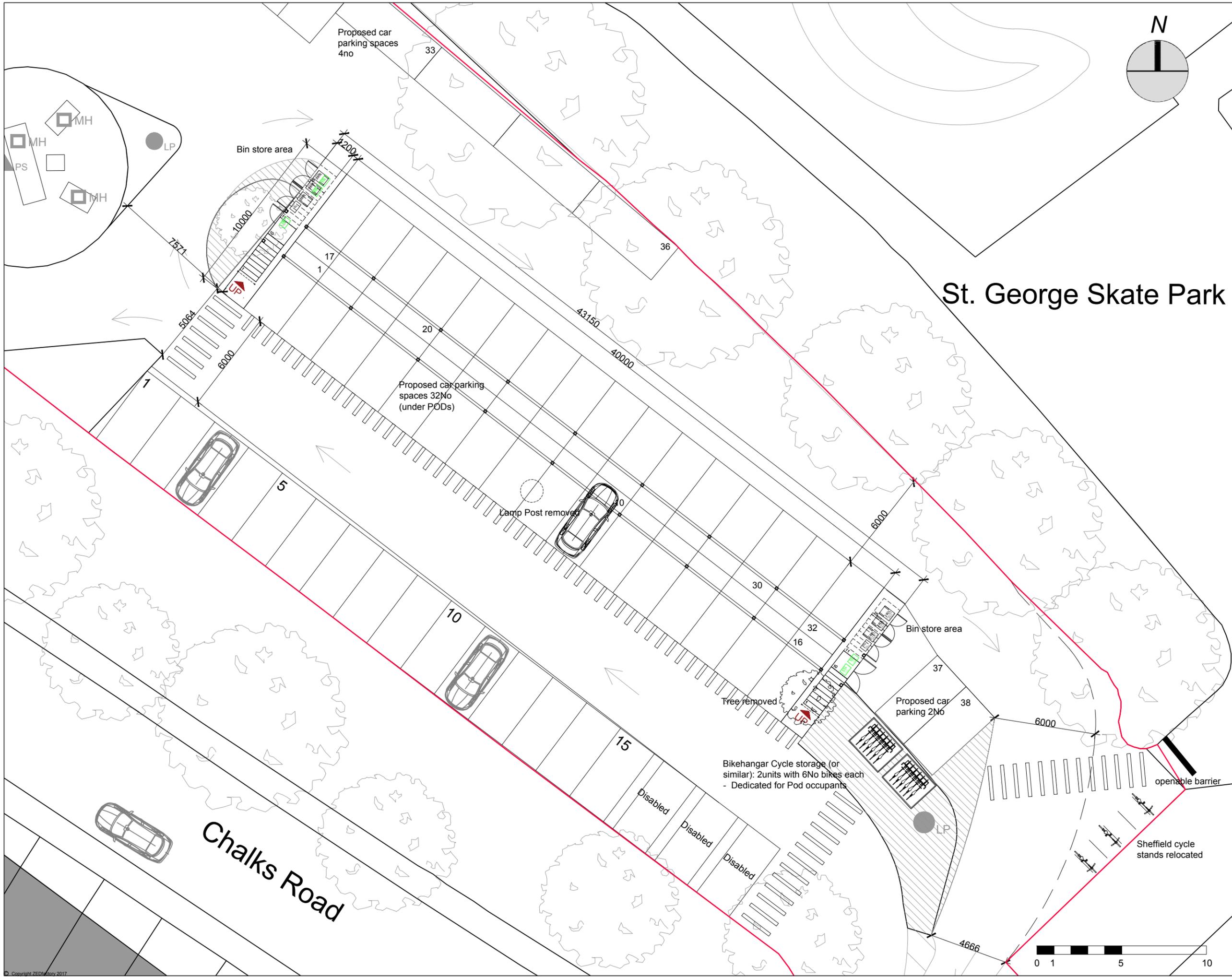
3242_P_403 POD Terrace sections, received 15 May 2019

Reason: For the avoidance of doubt.

Supporting Documents

2. Chalks Road Public Car Park, Chalks Road, Bristol, BS5 9EP

1. Proposed Site Layout
2. Proposed Site Elevations
3. Image of how pods might look



Revisions Table		
Rev	Date	Amendments
A	04.04.2019	north symbol, parking numbers & scale amended as requested by Turley; KE
B	11.04.2019	Replacement cycle stands added as requested by Turley; KE
C	24.04.2019	Bin stores amended; KE

- Key:
- Hard landscape area proposed
 - Proposed pedestrian crossing/route
 - 35 parking removed
 - 38 parking added
 - Total of 61 spaces
 - LP Lamp post
 - MH Manhole cover
 - PS Underground Pumping station

Note:
Exact tree location and existing car park lineation are subject to detailed surveys

Client:
ZED Pods
Project:
Chalks Road, Bristol

Drawing Title:
Proposed Site Layout

issued for:	drawn by:	checked by:
Planning	KE	LC

Drawing Number: 324.2 / P / 100 Rev. C

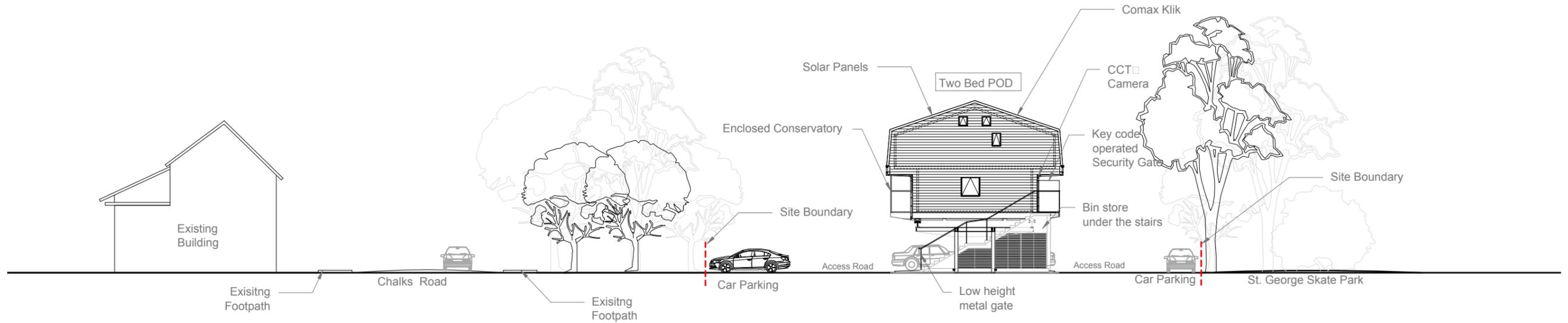
Created: 14. Mar. 19 Scale: 1:200@ A3

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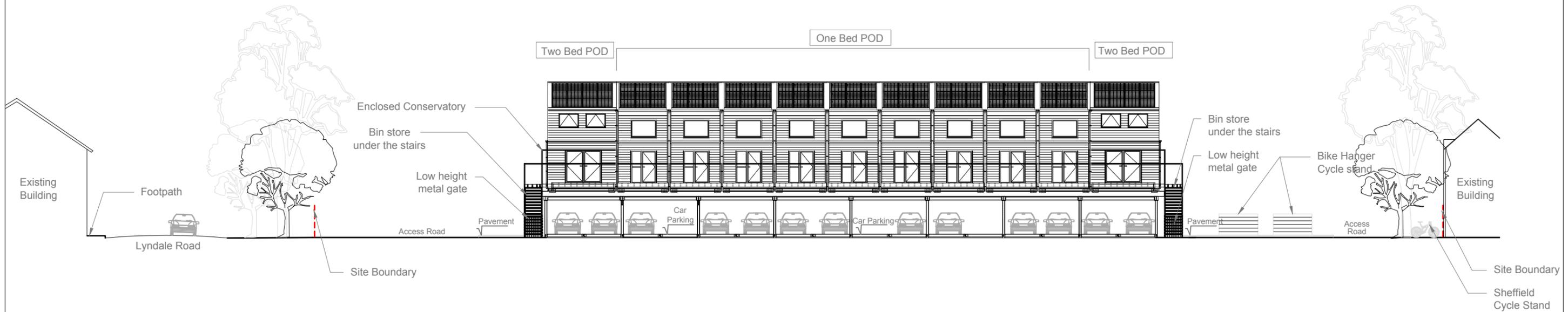
Do not scale, use figured dimensions only. Unless stated otherwise, these drawings represent design intent only and approved assembly drawings will be required from the Trade Contractor prior to any work and for procurement being undertaken



Below: POD Terrace
Short Site Elevation



Below: POD Terrace
Long Site Elevation



Note:

- Any errors or inconsistencies found on the approved drawings or changes made to the approved drawings relating to information issued by the architects on these sheets must be reported to the Architect before work is carried out.
- It is the responsibility of the recipient to ensure the drawings are printed to the correct scale.
- Precise Topography and relation between the buildings to be established after the detailed site survey

ALL DIMENSIONS AND SPECIFICATIONS SHOULD BE VERIFIED BY THE CONTRACTOR BEFORE ACTUAL CONSTRUCTION BEGINS.



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Client: **ZED Pods Ltd.**
 Project: **Chalks Road, Bristol**

Site: **Site Elevations**
 Planning
 3242 P 402
 23.04.2019

drawn by: **VP**
 checked by: **LC**
 scale: **1:250 @ A3**

Rev	Date	Amendments
A	xx/xx/xxxx	xxx

