

WARD: Clifton

SITE ADDRESS: 2 - 16 Clifton Down Road Bristol BS8 4AF

APPLICATION NO: 19/00682/F Full Planning

DETERMINATION DEADLINE: 16 August 2019

Demolition of existing building and erection of three storey (plus basement and additional plant roof top level) building containing 819.5 square metres in total (incl. shared changing area) retail (Use Class A1); 756 square metres in total (incl. terraces) cafe/restaurant (Use Class A3); and 842.5 square metres in total (incl. shared changing area & terraces) office (Use Class B1a), shared-surface highway improvements on Boyce's Avenue and parts of King's Road, landscaping and associated development. (Major Application).

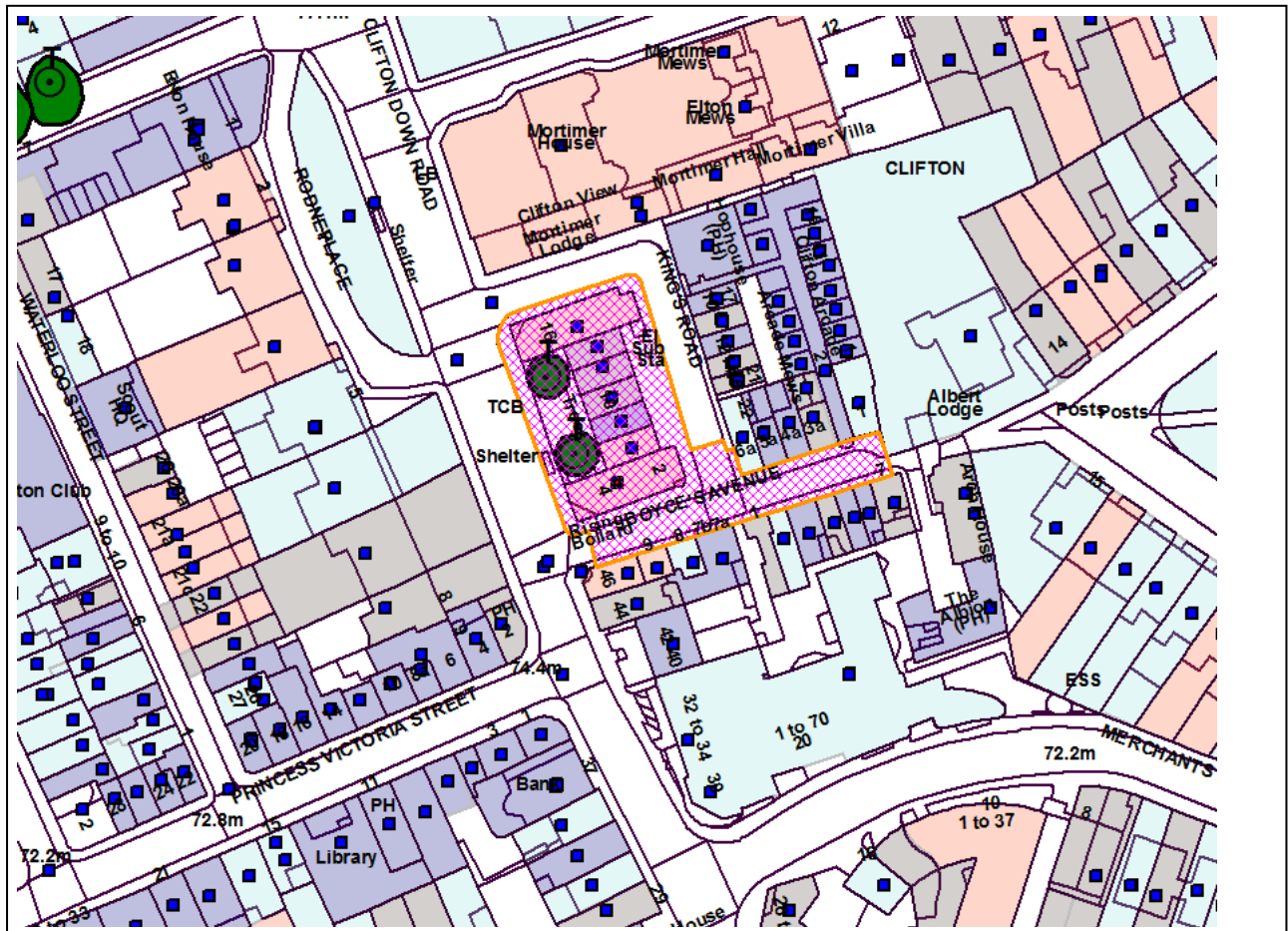
RECOMMENDATION: GRANT subject to Planning Agreement

AGENT: Tetlow King Planning
 Unit 2 Eclipse Office Park
 20 High Street
 Staple Hill
 Bristol
 BS16 5EL

APPLICANT: THAT Clifton Company Ltd
 C/o Tetlow King Planning
 Unit 2 Eclipse Office Park
 High Street, Staple Hill
 Bristol
 BS16 5EL

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

LOCATION PLAN:



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SUMMARY

This application has been brought to the Development Control (A) Committee due to the prominent and important nature of the site; the scale of the proposals; and the level of public interest in the application.

The application has also been called to Committee by Councillor Paula O'Rourke Ward Member for Clifton for the reason as follows:

"The history of applications for development of this site has been contentious. The public response to previous proposals has shown that this decision needs to be made in a public hearing, with members deciding. As a representative of the community, I feel it my duty to ensure that residents have an opportunity to speak to the decision-makers.

I am broadly in favour of the proposals, with some amendments which I think can be achieved, however, I would want to see the final approval is conditioned, especially, around zero-parking."

The application relates to the site on Clifton Down Road that formally constituted a number of retail units including WH Smith and a small raised piazza. Following the closure of these units the site was altered to accommodate a temporary ice rink. The site is currently vacant and in a considerable state of disrepair. The site is located within the Clifton and Hotwells Conservation Area and is in close proximity to a number of listed buildings.

Planning permission is sought for the demolition of the existing building and redevelopment of the site with a three storey (plus basement and additional plant roof top level) building containing 819.5 square metres in total (incl. shared changing area) retail (Use Class A1); 756 square metres in total (incl. terraces) cafe/restaurant (Use Class A3); and 842.5 square metres in total (incl. shared changing area & terraces) office (Use Class B1a), shared-surface highway improvements on Boyce's Avenue and parts of King's Road, landscaping and associated development.

The proposals have been subject to significant amount of scrutiny via 4 separate rounds of public consultation and have raised significant interest and comment (detailed below). In total 278 objections, 94 support and 9 neutral representations have been received. The main issues of comment have concerned the suitability of the scale, form, mass and design approach of the new building and the resultant impact on the Clifton Conservation Area; setting of surrounding Listed Buildings; and the general environment of surrounding roads and buildings. Other areas of comment have focused on highway impacts and the sustainability credentials of the development.

Historic England; the Civic Society; the Conservation Advisory Panel; the Clifton and Hotwells Improvement Society; and the Mall Garden's Residents Association all maintain objection to the application.

The applicant has undertaken detailed negotiations with officers to address concerns relating to design, highways and sustainability issues and it is considered by the Local Planning Authority that these matters have been suitably addressed.

For the reasons set out below, the recommendation to Members is to approve the application subject the conditions as set out below and to allowing officers the Delegated Authority to secure the required contributions via a relevant agreement under Section 106 of the Town and Country Planning Act 1990.

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SITE DESCRIPTION

The application proposal relates to an island site in the centre of Clifton Village formerly occupied by a small parade of shops. The site is at the junction of Clifton Down, Boyce's Avenue and King's Road and is situated within the Clifton and Hotwells Conservation Area. Many of the buildings around the site are listed buildings. These are predominately mid to late Georgian in style including the adjacent Grade II* Listed Mortimer House to the north, and the Grade II Listed terrace of buildings to the east fronting King's Road and onto the Clifton Arcade, Nos. 7, 8 and 9 Boyce's Avenue, Nos. 40-46 Regent Street and Nos. 1-8 Rodney Place/ Clifton Down Road.

The site is also within the designated Clifton 'Town Centre' and within the designated primary shopping area within this Centre. Surrounding the site, the commercial units at 8-16 King's Road and within the Clifton Arcade are within the designated secondary shopping frontage (all designations referenced are by the Site Allocations and Development Management Policies Map).

The application site currently comprises a 1960's two storey flat roofed brick and concrete building, which previously contained 6 no. individual units at ground floor level with ancillary storage at first floor. The ground floor retail floorspace previously extended to approximately 650 square metres (gross external). An ancillary storage area is contained within the first floor to serve the ground floor units, which has a gross external floorspace of approximately 560 square metres. At the rear of the building is a servicing/parking area, which is occupied by parked cars during retail opening hours, refuse bins and an electricity substation. On street along Clifton Down Road to the front of the site is a bus stop and taxi rank.

The building was altered between November 2014 and January 2015 for use as a temporary ice rink with ancillary skate hire and bar facilities. This use has now ceased and the building is vacant.

The consent for the alteration and use of the building as a temporary ice rink did not allow for the total demolition of the remaining structure on the site following the closure and removal of the ice rink, although the principle of the demolition has already been accepted under previous planning permissions. Changes to the planning system since that consent was granted mean that separate consent is no longer required for demolition and thus the current planning application includes demolition.

The permission for the ice rink use (14/05253/X) included the removal of 2no. silver birch trees (covered by Tree Preservation Order 939) and a contribution was secured towards their replacement within the area and in the knowledge that any redevelopment scheme would also include landscaping to the Clifton Down Road frontage.

The Clifton Village Residents Parking Scheme is in operation surrounding the site and includes permit parking bays to Boyce's Avenue, 'No waiting' restrictions to King's Road and 'No waiting/ No loading' restrictions on Boyce's Avenue. Servicing of the application site and surrounding buildings takes place from the street.

RELEVANT HISTORY

14/05253/X: Variation of condition number(s): 1, 8, 10 for planning permission 14/03697/F - the remove reference to demolition, to alter the proposed hours of operation and list of approved plans condition. GRANTED on 26.11.2014

14/03697/F: Demolition of existing building and redevelopment of site comprising temporary ice rink and associated uses. GRANTED on 23.09.2014

14/04500/F: Demolition of existing building and redevelopment of site comprising retail floor space

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(A1 and A3), 14 residential apartments (C3) and ancillary uses. (Major application). REFUSED on 29.04.2015

13/00780/F & 13/00783/LC: Demolition of existing building and redevelopment of site comprising retail floor space (Use Classes A1, A2 and A3), 14 residential apartments (Use Class C3), open space, car parking, ancillary servicing and new access arrangements, together with alterations to the highway. (Major Application). GRANTED on 08.07.2013

10/01775/F & 10/01776/LC: Demolition of existing building and redevelopment of site comprising retail floorspace (Use Classes A1, A2, A3), office floorspace (Use Class B1), open space, car parking, ancillary servicing and new access arrangements together with alterations to the highway. GRANTED on 28.07.2010

05/02674/F & 05/02675/LC: Demolition of existing building and construction of new building comprising both retail ground floor and 22 no. residential flats on the first, second and third floors, with parking provided at basement level. REFUSED on 04.01.2006

EQUALITIES ASSESSMENT

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

APPLICATION

Planning permission is sought for the demolition of the existing building and erection of three storey (plus basement and additional plant roof top level) building containing 819.5 square metres in total (incl. shared changing area) retail (Use Class A1); 756 square metres in total (incl. terraces) cafe/restaurant (Use Class A3); and 842.5 square metres in total (incl. shared changing area & terraces) office (Use Class B1a), shared-surface highway improvements on Boyce's Avenue and parts of King's Road, landscaping and associated development.

STATEMENT OF COMMUNITY INVOLVEMENT

a) Process

The pre-application consultation that took place in this case involved contact with local amenity groups, ward councillors and residents of the local area and those surrounding. The Applicant has engaged with the community through a range of methods including pre-application meetings, a series of public exhibitions, e-newsletters and email invites.

The applicant has provided their summary of the concerns raised as follows:

- Height, scale and mass of development still considered to be obtrusive/excessive
- Concern re height of building creating a wind-tunnel effect on surrounding streets
- Preference for a design more in keeping with/sympathetic to surrounding local
- Architecture

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- Preference for buildings with a set back and open space as in the original building
- Concern re impact on parking
- Concern re impact of servicing (e.g. deliveries, waste disposal)
- Concerns re removal of lighting and rubbish left on-site after partial demolition
- Existing site considered to be an eye-sore, criticism of the developer for leaving as such

b) Outcomes

The applicant has stated that as a result of the community consultation the following were the resultant outcomes:

- Ventilation louvres added
- Covered cycle racks provided in line with Bristol City Council's planning requirement
- Internal layout alterations
- Substation upgrade and reconfiguration required to facilitate the demolition and construction process
- Revised and extended the landscaping to the public realm
- More detailed proposals to the external materials palette
- Main roof parapet slightly raised to accommodate revised plant and inclusion of photovoltaics
- Plant penthouse slightly raised to accommodate photovoltaics and maintain simplicity of building silhouette

RESPONSE TO PUBLICITY AND CONSULTATION

Please note that the full versions of all representations received in respect to all consultation exercises concerning this application can be found on the BCC website.

Initial Consultation

The application was initially advertised via press and site notices, expiry date 03.04.2019. Neighbours were consulted via individual letters sent 05.03.2019.

Objections were received initially from 231 surrounding properties, which in summary focused on the following issues:

- The proposed development is too tall/big, which will appear out of keeping with surrounding properties and would harm the character and appearance of the conservation area.
- Any development in this area should contain some more greenery and public access open space with seating.
- The development would result in harmful levels of noise and disturbance, both once complete and during the construction period.
- The proposed development would impact negatively on the historic setting of nearby listed buildings.
- The introduction of a chain retail store would impact negatively on the vitality and viability of existing shops.
- The development would have a harmful overbearing and overshadowing impact on Boyce's Avenue.
- The design, fenestration and detailing of the proposal is poor quality and not in keeping with the conservation area.
- The development doesn't include a sufficient number of trees.
- There are already offices and shops to let nearby.
- The amount of glazing will not be energy efficient.
- The development would result in increased traffic, pollution and congestion.
- The proposed materials are not in keeping with the conservation area.
- The size of the pedestrianised area should be extended.
- Clifton needs small independent outlets not more high street chains.
- There is no additional parking planned and the Clifton Village RPZ is already at over-capacity.

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- The proposed development would result in light pollution.
- The proposed development would overshadow, and would have an overbearing impact on surrounding commercial and residential properties.
- The sustainability credentials of the development are inadequate.
- The refuse storage is inadequate.
- The development doesn't include any residential units.
- The landscaped area should be increased.
- The development should increase more cycle parking.
- The existing pavement and footway is inadequate to deal with the increase in footfall.
- The inclusion of cafes, bars and restaurants is not appropriate in the area, which is a Cumulative Impact Area prohibiting, for the wellbeing of residents, further licenses or significant extensions to current ones.
- There is not enough room for a bus stop.
- The cast iron lamp posts are not shown.
- The application is lacking detail.

Letters of support were received initially from 78 surrounding properties, which in summary stated that:

- The development is of a good design quality, which will enhance the character and appearance of the conservation area.
- The existing site is an eyesore and should be replaced as soon as possible.
- The building will complement rather than diminish the surroundings.
- Part of granting any planning permission should be that the existing building is demolished within 6 months.
- The mixed use with al fresco dining will enhance the Clifton Village setting.
- While there are locations in Clifton where development should be in a style to match existing buildings of the 18th or 19th century (for example where a historic grouping is to be restored) this site is not one of them.
- The often-tried attempt to recapture Georgian wall-to-window relationships while using modern materials would produce poor quality results.
- Although higher than the existing building, the proposed three-storey building will be the same height as, or less than, those of the adjacent Arcade building.
- There are five-storey buildings nearby.
- Any development at the site has to be commercially viable.
- The development will bring trade and footfall into Clifton Village, of benefit to the vitality and viability of the local centre.
- The streets will be greatly enhanced by the active frontages of the new development.
- The lack of parking is welcomed, as the location is reasonably accessible by public transport, and the many other businesses in the area all cope without having private parking.
- The lack of residential units is acceptable. Flats would have to have parking and an entrance into an underground carpark which would be of a poor design.

Neutral comments were received initially from 5 surrounding properties, which in summary stated that:

- The lack of parking is a concern.
- The service area should be carefully considered so it can cope with bins and delivery spaces.
- The plant level should be reduced in scale.
- The building work will be lengthy and disruptive. Effort should be made to ensure that local residents and businesses can continue to function during the construction period.
- The building site should be comprehensively boarded off to prevent the spread of dust and noise.
- Working hours should be restricted to 8am-5pm and there should be a strict prohibition of any work being undertaken at weekends or on Bank Holidays.
- Inadequate consultation has been undertaken.

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Second Consultation - July 2019

Following these comments and concerns raised by officers the applicant submitted revised plans and additional detail to seek to address the issues raised. As a result those who were originally consulted and those who already commented on the application were re-consulted via individual letters sent on 2nd July 2019.

Objections were received from 57 surrounding properties following this re-consultation, which in summary stated that:

- The design is inappropriate for the setting.
- The scale is out of keeping with surrounding properties.
- The choice of materials is inappropriate for the conservation area.
- Clifton is a Cumulative Impact Area and therefore further late night uses shouldn't be allowed.
- The development doesn't include any public space.
- The development would result in noise and disturbance, to the detriment of surrounding properties.
- The development would overshadow surrounding buildings.
- There is no space for delivery vehicles.
- The development does not accord with surrounding building lines.
- The proposed roof terraces would result in noise and disturbance.
- The development will increase traffic, but the plans do not provide facilities for car parking; this will put a further strain on Clifton's already strained parking problems.
- The development would result in light pollution.
- The location of cycle racks is inappropriate.
- The development would result in congestion and pollution problems.
- The development would harmfully overlook surrounding properties.
- The location of the bin store is inappropriate.
- Clifton does not need more chain food outlets.
- There is no reassurance two Victorian cast iron lamp posts will be returned to King's Road.
- There is no provision of residential accommodation.
- The proposal appears weak on environmental issues.
- The provision of offices is not necessary in this area.

Letters of support were received from 19 surrounding properties following this re-consultation, which in summary stated that:

- The current building is an eyesore and the removal/replacement is welcomed.
- The development will ensure that the vibrancy of Clifton Village is maintained and will be of benefit to the local economy.
- The developers have been cooperative throughout and deserve to receive approval.
- The proposed scheme is commercially viable.
- The development will create a vibrant and desirable amenity for the local community - better shops, a bright, softer landscaping and more workers and visitors to feed the local businesses.

Third Consultation - October 2019

A third (14 day) public consultation exercise was undertaken on 18th October 2019 following the receipt of plans that showed more extensive highways works to the replacement bus stop and public realm proposals, and further design clarifications.

Objections were received from 73 surrounding properties, which in summary garnered comments on similar issues to the previous consultations. Again the detailed comments can be found on the BCC website:

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- The plans do not vary substantially from earlier submissions
- The design still does not respect the historic context and unique character of Clifton Village Conservation Area or surrounding buildings
- The scale and height are still overbearing.
- Boyce's Avenue and King's Road will be shaded and dwarfed by the height of the proposed building and much of their charm will be lost
- The horizontals will trap rainwater and result (as in so many ugly concrete facades) in black streaks of algal growth where the concrete remains wet for too long.
- The applicant's say that the plant room on the roof is now to have a reduced footprint and a panelised screen. It still will form a dominant fourth storey
- Impact on Air Quality caused by increase in vehicles in the area and tall building creating narrow streets
- No parking provided
- Cause more congestion
- Deliveries will impact on pedestrian area
- The scheme fails to achieve a BREEAM 'Excellent' rating. They argue to be allowed to use BREEAM 2014 rather than the current version BREEAM 2018
- It reduces carbon emissions from residual energy use by only 14% (20% required)
- Given the current climate emergency object to the lack of environmental focus of this development
- The current proposal's inclusion of bars, cafes and restaurants blatantly ignores the fact that Clifton is a designated Cumulative Impact Area,
- The developers have neither engaged any further with the public nor changed the plans more than superficially
- The whole eyesore should be demolished and replaced by a desperately needed grassy open space
- There is a shortage of living accommodation in the district, and therefore a need for homes
- Less A3 must be provided
- There would be a serious loss of privacy for those living in the surrounding residential buildings.
- The current design marginalises the bus stop which is a necessity and well used
- The plans don't provide any provisions or contributions for cyclist or bus transport link.
- A large office space - nothing in the proposal to indicate that this is needed or viable.

Letters of support were received from 23 surrounding properties following this re-consultation, which in summary stated that:

- Applaud the revised details especially those relating to the environment and transport.
- The site is in a sustainable locality and does not need additional parking spaces.
- The scheme will bring a visually acceptable scheme, modern and well designed in scale and keeping with the surrounding area.
- Failure to approve will just add to the risk that could cause Clifton Village to decline as an attractive and vibrant place to live.
- Consider that it will enhance both the appearance and amenities of the area.
- The current site is an embarrassing eyesore and has been for many years now.
- The architects have addressed many of the concerns of residents and it needs to be built immediately
- Project will help transform Boyce's Avenue and reaffirm Clifton as the shopping and eating centre of Bristol.
- It will be a relief to see a new multi-use building in Clifton Village
- Will provide resources for the local community in an attractive setting.
- The site needs to be developed with additional restaurant and cafe choices and the proposals will bring employment opportunities as well.
- The comments for a green space on the site are ridiculous when The Downs are a few metres up the road)
- What is proposed is certainly better than the Contemporis apartment building that is adjacent to the site and which totally dominates the area and which nobody now seems to complain about.

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Final Consultation - December 2019

A final (14 day) public consultation exercise was undertaken on 12 December 2019 following the receipt of plans that showed more information regarding shadowing and daylight/ sunlight impacts.

Objections were received from 24 surrounding properties, which essentially in the majority reiterated objections already set out above (these again can be found in full on the BCC website). Those that did comment on the new overshadowing and daylight/sunlight information in summary stated that:

- It is so high and uniform (essentially a '60s 'brutalist' block with massive expanses of glass, no historic architectural features and no Bath stone) that it will overwhelm the old buildings in the surrounding area. King's Road and Boyces Avenue will become dark alleyways
- The light study confirms that this over massive building will cast King's Road shops and amenities into shadow from 1 pm onwards in both midsummer and midwinter. This is an opportunity to improve this currently grubby, bin ridden back street, and not add to its gloom. This scheme detracts from the amount of daylight reaching this overshadowed street.
- The effect of being 3 floors high with no stepping back is oppressive with respect to street life in Boyce's Avenue and King's Road

Support comments were received from 12 surrounding properties again essentially re-iterating issues already set out above.

OTHER COMMENTS

The Clifton and Hotwells Improvement Society has commented as follows:-

Initial Consultation

'It is imperative that this prominent site in the heart of Clifton be developed in such a way as to preserve and enhance the conservation area. These plans fail spectacularly to deliver the high quality of design, the layout and the sort of user that the site demands.

Any new building here, whether modern or facsimile, must be one of excellence. Historic England considers that this building would 'not be out of place around Temple Meads but inappropriate in a Clifton context'. The Society wholeheartedly agrees.

The former building was low and had a pleasant public open space.

This is tall (four storeys) with a huge footprint that will cover the whole of the site. The unsightly, shed-like top storey, housing the air conditioning plant, will be a highly visible blot on the Clifton skyline (not apparent from the developers' visuals).

The design, scale and massing will cause significant harm to the settings of surrounding listed buildings, notably Grade II* Mortimer House next door. The building will be over dominant and fail to blend or accord with its historic surroundings. It does not pick up in any way the architectural language of surrounding buildings.

Commercial and residential properties in King's Road and Boyce's Avenue will be deprived of light and this enormous block will impart a feeling of enclosure to all around it, including the pavement cafés in Boyce's Avenue.

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The Mayor has expressed his vision for 10 dwellings on this site. This scheme has none. The chain cafés and retail businesses planned are inappropriate in an area characterised by small independent shops. Indeed, some existing businesses are likely to fail as a result of competition from multi-nationals such as M&S and Ted Baker clothes outlets.

There appears to be no provision for the huge delivery vehicles which will be needed to service these businesses. There is nowhere for shop and office staff to park in an area where parking is already extremely difficult for visitors and residents. It would not be difficult to provide underground parking as it seems probable that there were originally cellars beneath the 19th century houses formerly on this site.

There appear to be as many as 4 licensed premises planned in this building despite its being situated in a Cumulative Impact Area where no further licences will be granted unless what is being offered is different from what already exists.

The proposed building has an enormous area of glass which will lead to harmful emissions and is, in general, much lacking in 'green' credentials.

This whole scheme is extremely disappointing. For many years the Society has pressed for a building that would blend with its surroundings and contain facilities and amenities that residents and visitors want and which would complement existing businesses. Our constructive suggestions have been ignored and proposals of public focus groups rejected. The developers have held presentations but have never actually consulted with local residents and groups.

Many of those who support this scheme do so simply because they are keen to be rid of the existing eyesore. Nevertheless, the need to develop, however pressing, should not be at the expense of harm to the character of the Clifton Conservation Area. This bland, unimaginative and immensely damaging scheme should be refused.'

Second Consultation - July 2019

The Clifton and Hotwells Improvement Society further commented on the revised plans as follows:-

'Historic England has commented that these '...proposals lack the finesse that is required of this prestigious location.' and go on to describe the building as having 'a corporate appearance....inappropriate in a Clifton context.' These comments are so damning that a mere revision of the plans was never going to render them acceptable. This has proved to be so.

The revised plans in no way address the issues raised by Historic England and by the numerous other objectors. The revisions are so slight as to be insignificant.

In summary those issues are:

- a. The building's shocking failure to be carbon neutral.
- b. Its size and over dominance, matters which the misleading visuals seek to conceal.
- c. The lack of any public space.
- d. The entitlement to at least 34 parking permits for the building's staff.
- e. The uninspired and inappropriate design.
- f. The lack of proper provision for deliveries.

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- g. The lack of homes.
- h. The provision of yet more cafés and licensed premises.
- i. The provision of unwanted offices.

It would seem that the developers have deliberately left this site in a derelict and deplorable state for over four years in order to gain support from near residents who, understandably, are now so desperate for the removal of this eyesore that they are prepared to accept an undistinguished and mediocre development.

It is likely that the Green councillors representing this ward are so tired of residents demanding action on this site that they too are ready to support a scheme lacking in Green credentials and likely to give rise to yet more parking problems in this locality.

It is hoped that planning officers and planning committee members will not ignore all the issues enumerated above and the blatant failure of this scheme to deliver what Clifton needs, both in terms of beauty and usefulness.'

Third Consultation - October 2019

The Clifton and Hotwells Improvement Society commented on the third re-consultation revised plans as follows:

"The Society considers that the revisions to these plans are of a very minor nature and contain no significant improvements.

The important issues all remain. They are: size & dominance, failure to blend with surrounding architecture, lack of homes, lack of public space, lack of parking, lack of trees and, notably, lack of sustainability.

It is of grave concern that this huge issue of sustainability is being ignored by the planners. It is hard to comprehend why they accept that the building will be assessed against the sustainability regulations in force when the scheme was designed in 2014. The building does not even achieve 2018 standards and will fall far short of new January 2020 regulations.

The scheme's main energy source is electricity from the National Grid, 65% of which is currently generated from carbon sources. The measures to reduce carbon emissions in this building are the absolute minimum necessary to comply with building regulations.

Clifton deserves a building of excellence, both of design and sustainability. This proposal fails utterly to achieve either."

The Clifton and Hotwells Improvement Society and Mall Garden's Residents Association have commented as follows:

In addition to CHIS's comments above, 3 separate appraisals of the proposals were also submitted, which state that they are on behalf of the Clifton and Hotwells Improvement Society and Mall Garden's Residents Association. These appraisals are significant documents and cover the topics of Sustainability, Design and Daylight. These documents can be found in full on the BCC website. In summary the matters of objection raised in these documents cover:

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Sustainability

- The scheme fails to achieve a BREEAM 'Excellent' rating (BCS 13). The report actually states that they are unable to do so with this design. They argue to be allowed to use BREEAM 2014 rather than the current version BREEAM 2018 (as the design is in effect obsolete).
- The scheme reduces carbon emissions from residual energy use by only 14% (20% required BCS 14). Only token renewable energy generation is proposed. The main energy source is electricity from the National Grid which is currently generated 65% from carbon sources (Gas and Coal fired power stations with massive transmission losses).
- Measures to substantially reduce carbon emissions from energy use are the absolute minimum necessary to comply with Part L of the Building Regulations. Passivhaus standards would necessitate thermal insulation U values approximately 1000% higher.
- The proposal makes no provisions or contribution for public transport, bicycles or electric vehicles. Massive additional parking would be inflicted on Clifton Village and on the local neighbourhoods especially at weekends when residents parking permits are not required.
- The proposals make no meaningful contributions to biodiversity and does not create place/s with trees for people as the alternative community proposal.
- Sustainability has clearly not informed the design and construction of the design

Daylighting

- The most serious and significant omission in the report concerns daylighting and sunlighting to the properties in Kings Road due to the four storey building which is proposed to be built on the back of pavement. The evidence would suggest, as the proposed building presents a continuous skyline, is that good daylighting would not be preserved neither to the shop windows on Kings Road nor to the assumed residential accommodation above
- There are no sunpath diagrams. Such diagrams are of fundamental importance to understand the impact of the proposals on the external environment. It is clear that the additional storey height will shield sunlight from the buildings on Kings Road, especially in winter when sun angles are low.
- For the basement of Mortimer House, the report tabulates VSC daylight measurements of 19.6, 17.3, and 21. 1 in the basement and 24.0 and 24.1 on the ground floor. Significant VSC daylight losses of up to 6.5% are reported for no less than 11 windows having a sub standard VSC of less than 27%.

Design

- The proposals fails to enhance the positive features of this part of the Clifton Conservation Area and would therefore harm its special character and appearance
- The outlook and the settings of the 8 Listed Buildings on Rodney Place, together with the settings of a very large number of other Grade II* and Grade II Listed Buildings would be dominated and substantially damaged by the proposed development.
- There are no outdoor places in the proposal that the local community would be able to use and enjoy, unlike the popular piazza in the WH Smith development

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- The proposed building siting, scale, form, mass and overall design including materials are not appropriate for the locality
- The amount, proportions and design of the glazing is also inappropriate to the area and uses proposed

Bristol Civic Society has commented as follows:-

'The Society's response to the planning application 19/00682/F to demolish the existing building and erect a three storey (plus basement and additional plant roof top level) building containing retail (Use Class A1), cafe, restaurant (A3) and office (B1) uses, shared-surface highway improvements on Boyce's Avenue and parts of King's Road, landscaping and associated development.

1 The site

The proposal relates to an island site in the centre of Clifton Village formerly occupied by a small parade of now empty shops. The site is a designated primary shopping area within the Clifton Conservation Area. Surrounding the site are several buildings whose style is predominately mid to late Georgian and, in King's Road, later 19th century commercial units.

Summary

2.1 The Society supports the site's long delayed redevelopment. We anticipate that the Council will consider the unbuilt consent 13/00780/F to be a material consideration in this application that is relevant to the demolition of the current buildings, the height and mass of the replacement building and to an extent the proposed uses.

2.2 The Society notes the response of Historic England and the lengthy submission of the Clifton and Hotwells Improvement Society who object on the grounds that the proposal fails to achieve the design standard that BCS21 demands. Against the background of the unbuilt permission, if the Council decides to permit the overall mass and height of the proposal the Society suggests improvements to the design.

3 Demolition, change of use, mass and height of the replacement building

The Society supports demolition of the current building which is a negative feature in the conservation area.

4 Change of use

We accept the applicant's evidence that there is a local demand for the proposed uses.

Building design

5.1 The Society offers comments with a positive intention to improve the scheme. We believe that our suggestions would be resource neutral, they would not adversely affect the cost of construction or the rental return. Local policy states that development is expected to deliver high quality urban design and to contribute positively to an area's character and identity, creating and reinforcing local distinctiveness. The character of the Clifton and Hotwells Conservation Area is varied in this area. The local Georgian buildings present an attractive architectural approach whose proportion and scale creates a distinctive local character. In Boyes Avenue and the King's Road development is denser, the individual buildings are narrower and have a vertical emphasis and hierarchy.

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5.2 The principal, Clifton Down Road elevation

The difficulty that faces the designer of this island site is that the full depth and bulk of the buildings can be seen which increases the risk that the elevation will appear as an unbroken mass of building. Furthermore, the elevation would be viewed in the context of the surrounding terraced buildings which emphasise the continuous bulk of the elevation. The continuous parapet above the second floor and the unbroken roofline accentuate the building mass. One approach to relieve the building mass could be to set the first floor further back. An alternative approach to mitigate the monolithic appearance of this elevation could be to articulate the first and second floors. The double height projecting block is 11 bays wide between King's Road and the Boyce's Avenue set back. These bays could be articulated in a 3 - 5 - 3 rhythm either by a vertical architectural feature or by a set-back/forward. The Society would slightly prefer a projection which need not exceed say 300mm which the structural frame could accommodate.

5.3 The detailing around the opening of the vertical structural elements is an attractive feature. The Society is unconvinced by the glazing of the bays on the ground and first floors with a single pane. The effect of the first-floor openings contrasts unfavourably with the fenestration pattern of the Boyce's Avenue and King's Road elevations. The single pane glazing of the first and second floors weakens the vertical emphasis that the upper floor fenestration creates. The vertical accent ceases to be prominent and the elevation becomes blander and less distinctive with large 'anywhere' glazed areas. The Society suggests that the introduction of a vertical element in the glazing of the first and second floor bays would enhance the vertical character of the elevation and reflect the local character. Vertical glazing elements would also help to disperse the internal clutter when the building is occupied. An alternative approach, if the developer is committed to a single glazed ground floor bays would be to use a darker material to frame the ground floor. The effect of a darker material would be to add weight to the lower floor and cause the building to be read as two floors; the darker ground floor and the lighter upper floors. The Society supports the diminishing window bays on the upper floors on all elevations and a change in the window to wall ratio.

The Society infers that the setback on King's Road end of the elevation is to reduce the impact of the development on the setting of the Grade II* listed Mortimer House. Unfortunately, the CGIs do not enable the Society to assess whether the design achieves that purpose. This aspect must remain for the Council to assess.

5.4 The other elevations

The Society supports the detail of the subsidiary elevations and the long King's Avenue façade. Unlike the principal façade, on these elevations a mullion divides the windows on the middle floor.

5.5 The roof

The roof level plant enclosure would be to the detriment of the development's appearance and should be reconsidered. In this sensitive area all plant should be contained within the building.

6 Materials

The Society supports the proposed colour of the building, subject to the suggestion of a darker tone to reinforce the ground floor. Bath Stone was chosen for the earlier, withdrawn proposal. The Society assumes that the surface material would be cladding over a steel frame and that the planning permission would condition the final choice of material.

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7 Public realm

The Society welcomes the set-back of the building from Clifton Down Road. It would be attractive to introduce a line of planters to mark the division of the public realm from the private spill-out space. We infer that this scheme, will include the funding for public realm improvements to Boyce's Avenue as did its predecessor. We also assume that there will be discussion with the Council about the improvement of the pavements and road space of King's Avenue, which construction will damage.'

Historic England has commented as follows:-

'This application proposes construction of a three-storey development containing a mixture of leisure and commercial uses. The site has been vacant for some years, and its derelict condition detracts from the character and appearance of the Clifton Conservation Area, and the setting of Mortimer House, the adjacent Grade II* Listed Building.

Historic England supports the principle of redevelopment at this location. However, we have concerns that the architecture of the proposed development will fail to preserve or enhance the character or appearance of the Clifton Conservation Area, potentially placing the proposals at odds with the statutory duty to do so established by Section 72 of the 1990 Planning Act.

Clifton Conservation Area is characterised by handsome Georgian villas and terraced townhouses, many of which are formally arranged in grand streets and squares. The repetitious nature of the architecture is enlivened by the inherent craftsmanship and detailing of its buildings. The majority of buildings are classically proportioned, with a diminishing hierarchy to their floors; their floor-to-ceiling heights decreasing as the buildings rise. Many are enriched with architectural detail such as rustication to the ground floor or ornate cast-iron balconies to the principal rooms above.

These proposals envisage a contemporary form of architecture with large areas of glazing and an expressed structural frame. Historic England supports the principle of a modern architectural approach, but regrets that the present proposals lack the finesse that is required of this prestigious location. The proposed building's identical floor-to-ceiling heights, its large expanses of glazing, and its lack of relief conspire to give the proposed development a corporate appearance that may not be out of place around Temple Meads but is inappropriate in a Clifton context. Its east and west elevations are unremitting, and potentially monolithic. The proposals appear to be of an appropriate scale, and it is therefore regrettable that they are let down by the quality of the elevations.

In support of the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas that is set out by the 1990 Act, the NPPF requires local authorities under paragraph 200 to look for opportunities for new development within conservation areas to enhance their significance. We suggest that neither aim is achieved by the current proposals.

The proposals will harm the significance of Clifton Conservation Area. NPPF Paragraph 194 states that any harm to a designated heritage asset should require clear and convincing justification. In the case of these proposals, any wider public benefits offered by the proposals could also be delivered by a scheme with an elevational treatment that better responds to its historic context. In other words, the justification is not clear or convincing.'

Historic England were re-consulted in respect of the revised proposals and commented as follows:

"We wrote to you previously in regards to these proposals in a letter dated 11 March 2019. In that letter we expressed our concern at the proposals and questioned whether they would rest comfortably in their conservation area context.

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We stated that Historic England supports the principle of a modern architectural approach, but regretted that the previous proposals lacked the finesse that is required of this prestigious location. The proposed building's identical floor-to-ceiling heights, its large expanses of glazing, and its lack of relief conspired to give the proposed development a corporate appearance that may not be out of place around Temple Meads but is inappropriate in a Clifton context. Its east and west elevations are unremitting, and potentially monolithic. The proposals appear to be of an appropriate scale, and it is therefore regrettable that they are let down by the quality of the elevations.

In response to these comments and those of others the applicant has submitted amendments, including a new proposal to rusticate the ground floor of the building with texture. However, based on the submitted supporting information, it is very difficult to ascertain a difference between the previously-submitted plans and the new amended scheme.

We remain unconvinced that the proposals, despite amendment, fail to respect, build upon, or restore the local pattern and grain of development as required by policy DM26 of your own local plan. This is frustrating, as the proposed scale and massing of the development appears appropriate to the historic context; the proposals are simply let down by their detailing.

In our previous letter we described the architectural character of the Clifton Conservation Area. To add to that narrative, perhaps what is missing from these proposals is reference to the strong bay rhythms of Clifton's Georgian terraces, which results in an overtly horizontal emphasis to the proportions of the building. We suggest giving greater weight to the pilasters and setting the string courses behind them could assist in this regard.

We also made reference in our previous analysis of Clifton's architectural character to the diminishing hierarchy to the floors of existing buildings; their floor-to-ceiling heights decreasing as the buildings rise. Here, we still feel the top floor of the proposed building is unnecessarily assertive, particularly on the west-facing elevation. Steps should be taken to reduce its visual dominance; a greater sense of a bay rhythm would also help.

The amendments do not address our previously-expressed concerns. This being the case I repeat the conclusions of our previous letter, that the proposals will harm the significance of Clifton Conservation Area. NPPF Paragraph 194 states that any harm to a designated heritage asset should require clear and convincing justification. In the case of these proposals, any wider public benefits offered by the proposals could also be delivered by a scheme with an elevational treatment that better responds to its historic context. In other words, the justification is not clear or convincing.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 194 and 200] of the NPPF.

In determining this application you should bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas and the statutory duty of section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise."

The Conservation Advisory Panel has commented as follows:-

'The proposals were far too bulky and massive on this prominent site. The previous public open space was lost and the building filled the entire site to Clifton Down Road and Kings Road apart from a narrow strip at the front for the cafe. The building did not refer in any way to the building lines created by Mortimer House and Boyce's Buildings.

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The extensive plant space on the top floor in effect created a 4 storey building. The cladding with metal louvres was completely unacceptable as this would be clearly visible from a distance and would adversely affect the skyline and the Conservation Area. The building would have a particularly adverse effect on the setting of the Grade II* listed Mortimer House. The bulk of the building would severely overshadow Kings Road and Boyce's Avenue.

The unrelenting grid of the facade with enormous areas of glazing is not environmentally sustainable and does not have the level of detail and the hierarchy which is a characteristic of this Conservation Area.'

BCC City Design Group has commented as follows:

Final comments from CDG on the planning application.

The comments include consideration from urban design, conservation and landscape perspectives.

The design of the scheme has evolved to address the issues that were raised earlier. The key amendments worth highlighting are;

- Review of the reconstituted stone finish.
- Confirmation of the profile of proposed fins.
- Introducing shot blasted finish for the ground floor.
- Review and confirmation of the balustrade and planter section.
- Reduction in size of rooftop plant and refinement of the design of the enclosure.
- Review of the public realm works and landscaping.

The changes have brought about subtle but meaningful improvements to the design of the scheme, its response to the context and feedback received.

Assessment of the current proposal;

The site forms part of Clifton and Hotwells Conservation Area and surrounded by listed buildings thus forming part of their setting. The site is set within Clifton Spa Terraces character area and abuts Clifton Park character area, both housing groupings of Georgian, Regency and Victorian terraces as part of its character.

The existing building on the site is identified as a negative building in the conservation area having unsightly presence along the four edges of the Island site facing public realm. The proposal presents an opportunity of a bringing back into use of the site and removal of this negative feature in the Conservation Area.

The proposal will have an impact on the heritage assets and their settings and it needs to be weighed with reference to the planning history, the special interest of the heritage assets and the quality of the design proposal.

The site benefits from earlier consents which set the precedent and framework for design and development of the site.

The proposal broadly matches the line of the existing building and the scale of proposal matches the buildings surrounding the site. It should be noted the scale of the proposal is lower than the schemes consented earlier.

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Further, character and appearance of the surroundings terraces with formal continuous facades with regimented openings is a notable feature of the conservation area. The uniform appearance and materiality of terraces often coalesce into a larger formally composed elevation confidently addressing its settings as can be seen in various terraces noted in the Conservation Area Appraisal. The proposal seeks to follow a uniform architectural approach and design with regimented rhythm of bays defined by projecting fins. There is a rationale for such design approach for a smallish Island site surrounded by public realm on all its edges. The design approach and arrangement is considered to be in keeping with the special interest and character of the heritage assets.

The surrounding context shows rhythm of opening either as a largely glazed shopfronts with slender mullions; or classically proportioned windows set within stone facades. The proposal closely follows the former design arrangement with rhythm large glazed frontages framed by projecting fins. The horizontal and vertical subdivision of the façade presents a contemporary response to the characteristics of the buildings forming the settings. While the floor heights remain consistent, the diminishing dimensions of the glazed bays offers contemporary response to the diminishing proportions of openings of the historic buildings forming the surrounding context. There are several precedents for such approach in Bristol, images of examples is attached for reference. Further, the subtle changes to the finish on the ground floor, the stringer courses defining the floors and step-back on top floor in certain areas help to convey hierarchy in façade arrangement. CDG is of a view that given the above consideration the proposal presents a contemporary yet appropriate response to the surrounding context and is in keeping with the character and settings of the heritage assets.

The profile of the fins present refinement and shadows that will be of interest and the sample of reconstituted material is of high quality and responds well to the colour and appearance of stone buildings surrounding the site. Further confirmation of the details and materials need to be sought via planning conditions as outlined below. The design intent statement confirms many of the key design features in principle and forms the basis for assessing details and materials at a later stage.

The concerns about the architectural style is noted, however CDG would like to clarify the policy and guidance consider whether the proposal preserves or enhances the character and appearance of heritage assets which in this case related to the character and settings of conservation area and listed building in the vicinity of the site. Policies DM26 and DM31 are the relevant policies for consideration and both the policies seek the proposal to present appropriate response to the design and character of the settings. The assessment does not consider a judgement on design style or taste but focuses on the quality and appropriateness of the design within the given context. Therefore while acknowledging the preference relating to this aspect, CDG recommends against making architectural style/taste part of formal planning decision making process.

The proposal maximised the active frontage with shops and doors addressing primary frontages along Clifton Down Road and Boyce's Avenue. The entrances have been designed along Kings Road and services are carefully designed to minimise any negative impact. Further the public realm works being proposed will help to enhance the settings and pedestrian environment.

There are clear public benefits that can be considered in balancing against harm even when great weight is placed in the conservation of the Conservation Area and setting of listed assets. Part of the public benefit is the design and material quality is of a suitable and exemplary standard to ensure the qualities of the Conservation Area are protected. Further, bringing back the site into use, removal of this negative feature in the Conservation Area and enhancement to the public realm form a part of design consideration and balance. CDG considers the preserve or enhance test set on NPPF and DM policies are met by the proposed development of the site in relation to the special character of the Conservation Area and settings of the listed building. CDG therefore supports the proposed development on the site.

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Further, CDG recommends planning conditions seeking details of shopfront/glazing, fins, string course, balustrade with planters, canopy, rooftop plant, canopy/awnings including the junction between the elements and with pavement with a view to ensure the quality of design and detail is realised. CDG also seeks a planning condition requiring all external materials to be approved for similar reason.

Avon and Somerset Constabulary Crime Prevention Design Advisor has commented as follows:

'I have attended a few consultation meetings regarding this site after looking through the DAS Statement and including the daylight and sunlight assessment I have no concerns regarding this proposed and therefore support this application fully for the following reasons:-

The application proposes retail, café and office uses within the designated town centre of Clifton. Core Strategy policy BCS7 supports retail, leisure and office development within centres. Policy BCS7 states specifically that: "Mixed-use development at accessible centres will be particularly promoted where it takes advantage of under-used land." The application proposals are for mixed use development in a highly-accessible centre on what is clearly derelict and under-used land. The proposal will create more A1 retail than the existing building and the scheme permitted in 2013.

This proposal will maintain and enhance the vitality and viability of Clifton by providing active frontages on all four sides of this 'island' site.

The existing building is identified in the Conservation Area Appraisal as a negative building and defined as "buildings that detract from the special character of the Conservation area, and which offer a potential for beneficial change."

The previous reason for refusal related solely to the impact on the Conservation Area. The applicants have responded to this by reducing the scale and mass of the proposal and improving its design and materials. The proposals would provide a contemporary interpretation of the surrounding heritage assets.

The proposal would also result in public realm benefits, in particular by provision of shared surfacing for 60m of Boyce's Avenue east from its junction with Clifton Down Road. The proposal is acceptable in other respects including transport, energy use, residential amenity and all other technical matters. It would comply with the relevant policies of the Development Plan, national planning policy, and all relevant material considerations.

Lastly when reading through the DAS statement there was very little on security measures /standards that will be designed in therefore I recommend the following:- Approved Document Q of schedule 1 of the building regulations 2010 that came into force on October 1st 2015, creates security requirements in relation to windows and doors including those that are easily accessible. Windows and doors must reach the required PAS 24:12 certification and standards as set out in this document.'

Bristol City Council Pollution Control has commented as follows:-

'I've had a look at this application and the acoustic report submitted with it and would comment as follows:

My main concerns with such an application will be with; the potential for noise from any ventilation, heating, refrigeration or air conditioning plant; the potential for odour from any extract systems for the A3 uses; and the potential for noise from any outside areas (both A3 and B1 uses).

The acoustic report submitted with the application gives plant noise limits but as the actual plant to be used at the development is not yet know I will need to see further information regarding this to be provided by condition. Likewise the ventilation statement gives general details as to the ventilation for

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the A3 uses at the development but as the actual ventilation plant will be selected and installed as a part of the tenant fit out I will also require this information to be submitted by condition.

The development proposes outdoor terraces on the first and second floors for A3 and B1 uses and I assume that the A3 uses facing onto Clifton Down Road will also utilise the space there for outside dining. The external dining areas and terraces are located a sufficient distance away from surrounding residential properties to ensure that no harmful impact would occur with regards to noise and disturbance, particularly given the busy location in a local centre, surrounded by other commercial uses and adjacent a main road. However, in order to minimise noise disturbance from these outside areas the use of these areas should be restricted via condition to end at 22:00. Similarly, the opening hours for the restaurants/cafes (Use Class A3) should be restricted via condition between the hours of 06:30 and 23:00. This should be sufficient to ensure that surrounding residential properties will not be harmfully impacted upon by virtue of noise and disturbance. However, in order to ensure that any evening uses or outside areas are managed sensitively to protect the amenity of surrounding residential properties I would advise that a management plan is secured via condition.

I do not object to the application on the basis of noise from construction works, noise from construction vehicles and the potential for dust and mud on roads for construction activities. As with any redevelopment scheme the construction works are likely to result in some disturbance to local occupiers. To reduce the effects of noise, vibration, dust and site lighting during the construction period however I would advise that a Construction Environmental Management Plan is secured via condition.'

Bristol City Council Transport Development Management has commented as follows:

Please refer to Key Issue D below:

Bristol City Council Sustainability Team has commented as follows:

Please refer to Key Issue E below:

BCC Air Quality has commented as follows:-

'I do not have concerns related to air quality impacts from the proposed development in terms of traffic generation or the existing air quality at the site.

The applicant should however submit a strategy for minimising emissions of dust from the proposed demolition and construction activities due to the proximity of sensitive locations around the development site. This can be submitted for approval as part of a Construction Environmental Management Plan, secured via condition.'

BCC Arboricultural Team has commented as follows:-

Verbal comments: 'previous planning permissions at the site for a temporary ice rink use (14/05253/X) included the removal of 2.no silver birch trees from the site (covered by Tree Preservation Order 939) and a financial contribution was secured towards their replacement within the area and in the knowledge that any future redevelopment scheme would also include landscaping to the Clifton Down Road frontage.

Accordingly, 3.no native semi-mature trees (as previously agreed through previous consents) are proposed within the public realm to the front of the development along Clifton Down Road. This is considered acceptable.'

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BCC Contaminated Land Environmental Protection has commented as follows:-

'We have reviewed the 2014 report by Intégrale, which was created for a previous design. The report was limited due to access issues, only two boreholes were undertaken on the edges of the site. It would be prudent therefore to undertake further assessment of the site conditions following demolition, particularly due to the presence of the infilled basement on site which will require removal as part of the development (this material will have to be tested prior to removal).

As such conditions are recommended to be applied to any future planning consent to secure further site assessment, the submission of a remediation scheme and validation prior to occupation.'

BCC Nature Conservation Officer has commented as follows:-

'Two old birds' nests were recorded on the western side of the building during the bat and bird scoping and bat activity survey report. No clearance of vegetation or structures suitable for nesting birds should take place between 1st March and 30th September inclusive in any year without the prior written approval of the local planning authority. This should be secured via condition.

The proposed provision of the living roofs is welcomed. However, the details of the design and maintenance of the roof have not been fully specified and so should be conditioned - for example the use of Sedum which is mentioned should be avoided.'

BCC Economic Development has commented as follows:-

'Economic Development support this application, which will considerably enhance the local centre.'

BCC Flood Risk Manager has commented as follows:-

'In principle the sustainable drainage strategy provided is suitable, however further details are required:

- Detailed drainage plan showing all elements of the system; the one included within the report is missing some details.
- Detailed design of the attenuation tank should be provided, including: evidence that additional loading from the building/foundations are not being applied to the attenuation tank and details showing the interaction between the basement level/top of the tank and the base of the tank/sewers being connected to.
- Maintenance and Management plan for the site
- Approval from Wessex Water that the applicant can connect into their foul system
- Clarification that soakaways are not being used in this location, Drawing number 1807/-P-1001-P4 indicates that a soakaway/tank system will be installed.

This can be secured via condition.'

Bristol Waste Company has commented as follows:-

'No comment as the application does not include residential development.'

RELEVANT POLICIES

Clifton & Hotwells Conservation Area Character Appraisal

Planning (Listed Buildings & Conservation Areas) Act 1990

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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 and the Hengrove and Whitchurch Park Neighbourhood Development Plan 2019.

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

KEY ISSUES

(A) WOULD THE PROPOSED DEVELOPMENT BE ACCEPTABLE IN LAND USE TERMS?

The site is located within the designated Clifton Town Centre and is within a designated primary area as identified within the Bristol Core Strategy (2011) and Site Allocations and Development Management Policies (2014).

Paragraph 85 of the NPPF (2019) states that planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries.

Bristol Core Strategy (2011) Policy BCS7 states that retail development and offices will be primarily located within or, where appropriate, adjoining the centres in the identified network and hierarchy serving Bristol. Development will be of a scale and intensity appropriate to the position of the centre in the hierarchy and to the character of the centre. Where proposed developments would be significantly larger in scale than existing uses, it should be clearly demonstrated that the catchment the development will serve is in keeping with the role of the centre. This policy also states that uses which contribute to maintaining the vitality, viability and diversity of centres will be encouraged. Active ground floor uses will be maintained and enhanced throughout the centres.

Policy BCS7 also states that retail shop uses should predominate in the designated primary shopping areas of the City and Town Centres, supported by a wider range of appropriate uses in the other parts of these centres. Developments in all centres should include provision for a mix of units including opportunities for small shops and independent traders. Policy BCS7 further states that mixed-use development at accessible centres will be particularly promoted where it takes advantage of under-used land.

Site Allocations and Development Management (2014) Policy DM7 identifies centres as the primary locations for retail development, offices, leisure and entertainment uses, arts, culture and tourism uses, defined by the National Planning Policy Framework as the 'main town centre uses'. This policy also requires that development be of a scale and intensity appropriate to the position of the centre in the identified hierarchy. This policy deals with the location of new main town centre uses. Bristol's centres provide a range of opportunities for such development whether through change of use, redevelopment or more efficient use of land. Policy DM7 states that retail and other main town centre uses should be located within the centres identified on the Policies Map.

Site Allocations and Development Management (2014) Policy DM8 aims to support vitality and viability and promote diversity within the centres by maintaining a healthy mix of uses within a variety of unit sizes capable of accommodating a range of retailers and associated uses. Primary Shopping Areas are defined where there will be a high proportion of Use Class A1 retail shopping uses. DM8 states that within Primary Shopping Areas identified on the Policies Map development will be expected to maintain or provide active ground floor uses.

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Site Allocations and Development Management (2014) Policy DM9 states that within Local Centres shown on the Policies Map development will be expected:

- i. To generate a reasonable level of footfall and be of general public interest or service; and
- ii. To maintain an appropriate balance of uses in the Local Centre; and
- iii. To help maintain or enhance the function of the centre and its ability to meet day-to-day shopping needs; and
- iv. Not to harmfully dominate or fragment the centre's retail frontages; and
- v. To be compatible with a shopping area in that it includes a shopfront with a display function and would be immediately accessible to the public from the street.

This policy also states that development in Local Centre frontages will be expected to maintain or provide active ground floor uses.

Proposed Uses (Use Classes A1 (retail), A3 (café/restaurant) and B1(a) (offices))

The proposal is for a mix of A1 (retail), A3 (café/restaurant) and B1(a) (offices) uses within the Clifton Town Centre and primary shopping area. All of these proposed uses are main town centre uses as defined by the National Planning Policy Framework (2019). As such, the principle of the uses proposed is considered acceptable in this location and in accordance with the NPPF and Policy BCS7 which states that retail development and offices will be primarily located within or, where appropriate, adjoining the centres in the identified network and hierarchy serving Bristol, as well as Policy DM7 which states that retail and other main town centre uses should be located within the identified centres.

Further, the application site has been vacant for a number of years and therefore the development will take advantage of this under-used land for a mixed-use development at an accessible centre. Policy BCS7 states that this should be particularly promoted.

The proposed development will include uses and units of the following specification and sizes. It should be noted that the development originally included two small units (Unit 3 and Unit 4) however concerns were raised by the Case Officer that these units would not be viable given the limited floor area and lack of storage space. Concerns were also raised that Unit 2 would not have an active or appropriate retail presence at ground floor level. As such, the internal layout was amended, with Unit 2 being enlarged at ground floor level. This resulted in Unit 4 being removed from the scheme all together.

- Use Class A1 (retail) - 819.5 square metres in total (incl. shared changing area).
- Use Class A3 (café/restaurant) - 756 square metres in total (incl. terraces).
- Use Class B1(a) (office) - 842.5 square metres in total (incl. shared changing area & terraces).

- Unit 1 (A1) total floorspace - 614 square metres (Basement and Ground Floor)
- Unit 2 (A1) total floorspace - 160 square metres (Ground and First Floor)
- Unit 3 (A1) total floorspace - 18 square metres (Ground Floor)
- Unit 5 (A3) total floorspace - 161 square metres, including terrace of 23 (Ground & First Floor)
- Unit 6 (B1a) total floorspace - 214 square metres (Ground and First Floor)
- Unit 7 (A3) total floorspace - 128 square metres (Basement, Ground and First Floor)
- Unit 8 (A3) total floorspace - 467 square metres, including terrace of 71 (Basement, Ground, First and Second Floor)
- Unit 9 (B1a) total floorspace - 628.5 square metres (Basement, Ground, First and Second Floor)

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The majority of the proposed new units will be of a scale in keeping with existing uses in the Local Centre. It is however recognised that Unit 1 will be significantly larger in scale than existing uses in the locality. Where such development occurs, Policy BCS7 states that it should be demonstrated that the catchment the development will serve is in keeping with the role of the centre.

The development site is located within the Clifton Town Centre. Policy BCS7 places Town Centres near the top of the retail hierarchy, with only Bristol City Centre being higher, at the head of the hierarchy as the principal destination for shopping and leisure in the city. Policy BCS7 further states that 'Bristol's 10 Town Centres cater to a wide catchment in the city. Some are destinations drawing custom from across and beyond the city. Typically they are locations for national chain stores as well as independents. These centres are also characterised by the presence of restaurants, cafés and bars, and a wide range of associated services. Larger community facilities and employment uses are also represented.' Given the above, it is evident that whilst Unit 1 will serve a wide catchment given its size, this is appropriate in this instance given the location of the development within a designated Town Centre. It is therefore considered that the proposed development as a whole will be of a scale and intensity appropriate to the position of the centre in the hierarchy and to the character of the centre.

The development will also include provision for a mix of appropriate uses, including opportunities for small scale shops and independent traders (such as Unit 3). A number of objections have raised concern that the development includes a supermarket which could impact negatively on the vitality and viability of existing retail uses in the centre. It is recognised that the development will include a relatively large retail unit (Unit 1) however no distinction is made within the planning system between supermarkets and other retail uses; both uses are within Use Class A1 (retail) of the Use Class Order. In addition, for the reasons noted above, the Clifton Town Centre is considered to be an acceptable location for larger retail units and national chain stores as set out in Policy BCS7.

Overall it is considered that the development will support vitality and viability and promote diversity within the Town Centre by delivering a healthy mix of uses within a variety of unit sizes capable of accommodating a range of retailers and associated uses. Being within a Primary Shopping Area however the development should include a high proportion of Use Class A1 retail shopping uses, in accordance with Policy DM8. It is recognised that the most recent previous planning consent at the site (Ref: 13/00780/F) was for 15 units offering 703 square metres of retail (Use Class A1) floorspace. The existing site includes approximately 544 square metres of retail (Use Class A1) floorspace. The current proposal would provide 811 square metres of retail (Use Class A1) floorspace. As such, the development would deliver more A1 retail floorspace at the site than currently exists and more than was previously permitted, with the highest proportion of floorspace within the development being dedicated for retail (Use Class A1). This will be of benefit to the Town Centre and is considered appropriate within the Primary Shopping Area.

Any developments within Local Centres are required to meet the criteria set out in Policy DM9. Whilst the centre in question is a town centre it is useful to test the proposal against these criteria. Criterion i) states that development should generate a reasonable level of footfall and be of general public interest or service. The proposed provision of A1 floorspace is considered acceptable in this regard; being a use which will generate footfall throughout the day and will be of general public interest. The presence of A3 and B1(a) uses within centres are also accepted as appropriate uses that can make a positive contribution to the vitality of a retail centre and complement existing retail facilities subject to meeting the policy requirements set out above. Whilst they may not always be the primary reason for attracting customers to a shopping centre, they are commonly found in these locations, and will attract a high level of footfall and customer flow through certain parts of the day which will help maintain the vitality and viability of the centre and will be of general public interest and service. It is therefore considered that the development satisfies criterion i) of Policy DM9.

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Criterion ii) states that development should maintain an appropriate balance of uses in the Local Centre. The proposed development will result in no loss of retail floorspace, with the development delivering more A1 retail floorspace at the site than currently exists. Whilst the proposal will be closely balanced between A1 retail uses and A3 café/restaurant, it is evident following a site visit by the Case Officer and assessment of surrounding uses that retail (A1) uses would continue to dominate in the Local Centre. It is recognised that recent changes in the planning system permit the change of use of A1 (retail) premises to alternative uses subject to much more limited criteria. In the event that an approval is given, a condition removing permitted development rights from the development to ensure that any future change of use from retail (Use Class A1) would be subject to a full assessment of the balance of units, would therefore be considered necessary. Subject to the above, it is considered that the development satisfies criterion ii) of Policy DM9.

Criterion iii) states that development should help maintain or enhance the function of the centre and its ability to meet day-to-day shopping needs. All of these proposed uses are main town centre uses as defined by the National Planning Policy Framework (2019), with the highest proportion of floorspace within the development being dedicated for retail (Use Class A1) use. As such, in principle it is considered that the development will help to enhance the function of the centre and its ability to meet day-to-day shopping needs. It is therefore considered that the development satisfies criterion iii) of Policy DM9.

Criterion iv) states that development should not harmfully dominate or fragment the centre's retail frontages. The development site is essentially an 'island' surrounded by roads on all sides, which at present includes no retail frontages to any elevation. It is further recognised that the site when previously occupied only included a single frontage to Clifton Down Road. The scheme will active ground floor uses fronting onto all four frontages of Clifton Down Road, King's Road and Boyce's Avenue. As such, it is considered that the development will enhance the centre's retail frontages, and therefore satisfies criterion iv) of Policy DM9.

Criterion v) states that development should be compatible with a shopping area in that it includes a shopfront with a display function and would be immediately accessible to the public from the street. As noted above, the development site is essentially an 'island' surrounded by roads on all sides, which at present includes no retail frontages to any elevation. It is further recognised that the site when previously occupied only included a single frontage to Clifton Down Road. The scheme will active ground floor uses fronting onto all four frontages of Clifton Down Road, King's Road and Boyce's Avenue. Whilst there will be an element of non-active frontage it is accepted that this is an inevitability for such a site surrounded on all sides by public roads. Nevertheless, the scheme manages to minimise the extent of non-active frontage and provides prominent, active uses on all four sides of the block. Initial concerns were raised that Unit 2 would not present a suitably active frontage to either King's Road or Boyce's Avenue (the ground floor essentially being only the access to the upper floor). As such, following Case Officer advice, the layout was amended so that Unit 2 will now include enough floorspace at ground floor level to offer a meaningful retail frontage and presence to the street. Overall the proposal would be a significant improvement in terms of offering a shopfront with a display function compared to the existing building, and it is therefore considered that the development satisfies criterion iii) of Policy DM9.

Food and Drink Uses (Use Class A3)

The impact of food and drink uses, such as the A3 units proposed, must also be assessed against Policy DM10 of the Site Allocations and Development Management Policies (2014). This policy states that the development of food and drink uses will be acceptable provided that they would not harm the character of the area, residential amenity and/or public safety, either individually or cumulatively. Proposals which would result in a harmful concentration of food and drink uses will not be permitted. In order to assess the impact of food and drink proposals on an area the following matters will be taken into account:

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- i) The number, distribution and proximity of other food and drink uses, including those with unimplemented planning permission; and
- ii) The impacts of noise and general disturbance, fumes, smells, litter and late night activity, including those impacts arising from the use of external areas; and
- iii) The availability of public transport, parking and servicing; and
- iv.) Highway safety; and
- v) The availability of refuse storage and disposal facilities; and
- vi) The appearance of any associated extensions, flues and installations.

With regards to criterion i) of Policy DM10 it is recognised that the development will introduce a number of new food and drink uses to the local area. However, the development will deliver an even higher proportion of retail (Use Class A1) units, and it is evident following a site visit by the Case Officer that retail (A1) uses would continue to dominate in the Local Centre. As a whole it is therefore not considered that the development would result in the local area being dominated by food and drink uses. All other criteria of Policy DM10 are covered under key issues B, C and D and as a whole are satisfied. The principle of the introduction of A3 units at the site is therefore acceptable subject to conditions as set out below.

Lack of Residential Accommodation

It is recognised that some public comments have raised concern that the development, unlike previous proposals, includes no residential accommodation. This is recognised, however the site is not allocated for residential use, and therefore while the LPA considers it an appropriate location for residential accommodation in land use terms this would not be a reasonable reason for refusal as there is no policy requirement to include residential use in this location. In planning policy terms (local and national) the uses proposed under the current application (Use Classes A1, A3 and B1a) are promoted at this site given the context (Local Centre and Primary Shopping Area).

Conclusion

Overall it is considered that the development would add considerable value to the Local Centre and shopping area in terms of bringing new employment, leisure and retail space, beyond the value and temporary jobs created by the initial construction. Therefore, given the above, and given the requirement within the National Planning Policy Framework (2019) for planning decisions to support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, the application is supported and considered acceptable.

(B) WOULD THE PROPOSED DEMOLITION AND REDEVELOPMENT BE ACCEPTABLE IN DESIGN TERMS, WOULD IT SAFEGUARD THE CHARACTER AND APPEARANCE OF THE CLIFTON AND HOTWELLS CONSERVATION AREA AND WOULD IT PRESERVE THE SETTING OF RELEVANT LISTED BUILDINGS?

The application site is located within the Clifton and Hotwells Conservation Area and is in close proximity to a number of listed buildings, which are predominately mid to late Georgian in style including the adjacent Grade II* Listed Mortimer House to the north, and the Grade II Listed terrace of buildings to the east fronting King's Road and onto the Clifton Arcade, Nos. 7, 8 and 9 Boyce's Avenue, Nos. 40-46 Regent Street and Nos. 1-8 Rodney Place/ Clifton Down Road.

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

Section 16 of the national guidance within the National Planning Policy Framework (NPPF) 2019 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Para 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Para 196 further states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Para 197 also states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

In addition, Bristol Core Strategy (Adopted 2011) Policy BCS22 seeks to ensure that development proposals safeguard or enhance heritage assets in the city with Policy DM31 in the Site Allocations and Development Management Policies (Adopted 2014) expressing that alterations to buildings should preserve or enhance historic settings.

Policy BCS21 also requires new development in Bristol to deliver high quality urban design and sets out criteria to measure developments against including the need for development to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness. Policy DM27 expresses that the layout, form, pattern and arrangement of streets, buildings and landscapes should contribute towards creation of quality urban space and that the height, scale and massing of development should be appropriate to the immediate context, site constraints, character of adjoining streets and spaces and setting. Policy DM26 expands upon BCS21 by outlining the criteria against which a development's response to local character and distinctiveness will be assessed. Development will not be permitted where it would be harmful to local character and distinctiveness or where it would fail to take the opportunities available to improve the character and quality of the area and the way it functions. This policy states that development should also respond appropriately to the height, scale, massing, shape, form and proportion of existing buildings, building lines and set-backs from the street, skylines and roofscapes. Policy DM29 further states that the design of new buildings should be of high quality.

The character of the Clifton and Hotwells Conservation Area is varied, however it is largely defined by excellent Georgian architecture, particularly so in this specific locality. The traditional buildings and terraces which immediately neighbour the site vary in scale with buildings to the north and opposite the site along Clifton Down Road tending to be larger buildings set in generous width plots with the

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front elevations set behind deep landscaped front garden areas. Immediately to the south and east of the application site the density of development is higher with a tighter urban grain with regimented terraces of relatively narrow individual buildings. Historic maps and photographs of the area reveal that historically a three storey terrace of properties existed on the site with elevations aligned fronting King's Road.

The application site currently comprises a 1960's two storey flat roofed brick and concrete building, which previously contained 6 no. individual retail units at ground floor level with ancillary storage space at first floor. The building has however been vacant for a number of years, and is currently boarded up. The application site is identified as a Negative Building within the Clifton and Hotwells Conservation Area Character Appraisal (Adopted 2010) and is therefore a building 'that detract(s) from the special character of the Conservation Area, and which offer(s) a potential for beneficial change'. In this respect, the removal of the existing building particularly given its current state/condition and its replacement is welcomed in principle given the identification of the building as a negative feature within the Clifton and Hotwells Conservation Area Character Appraisal.

Despite this existing context however, any replacement building at the site must respond appropriately to the context of the conservation area, and be of a high design quality given the prominent and sensitive location. It is recognised that a number of previous planning applications to develop the site have been considered by the Local Planning Authority. Two applications were granted planning permission for mixed use schemes (Ref: 13/00780/F and 10/01775/F); these permissions however were never implemented and have lapsed. The most recent application (Ref: 14/04500/F) was refused in 2015 at Committee (following a recommendation for refusal by Officers) due to concerns over the design, impact on conservation area and setting of adjacent listed buildings. It is therefore evident that, despite the current poor quality condition of the site, the Local Planning Authority would not deem any development of the site acceptable in principle. Any development must be of a very high quality design standard in order to be supported.

The proposed redevelopment scheme under the current application adheres to previous proposals at the site in general design terms in a number of ways; principally in terms of the footprint, layout, height and general form. The detailed design however (including materials, fenestration, detailing) has been amended in order to address concerns raised by the Local Planning Authority.

The buildings and terraces which surround the site have a strong rhythm to their respective elevations derived from a consistent vertical emphasis and hierarchy in the fenestration emphasised by the use of such features as pilasters, raised parapets and chimneys to roofs. In addition the local surrounding buildings exhibit a consistent use of parapets to front elevations and horizontal features such as string courses or cornices, in a variety of forms to tie the appearance of individual terraces and buildings together. The proposed development site represents a different situation with regard to the majority of other buildings in the immediate area, given that it is essentially an 'island' surrounded by roads on all sides. As such it is considered that any redevelopment of the site could not successfully replicate the surrounding buildings or their context.

The scheme would replace a low quality, mid-20th century development which through its poorly integrated design features and principles is considered to have a negative impact on the Clifton and Hotwells Conservation Area. The proposal presents an opportunity to greatly enhance this part of the Conservation Area. The setting of King's Road in particular will be improved. As an 'island' site the building currently presents an unfortunate 'fronts and backs' situation i.e. the street frontage to King's Road has not been treated as street frontage but as a 'back' service area which is characterised by refuse facilities and informal parking. The proposed scheme replaces a significant proportion of this detrimental service area with a high quality frontage with retail units that respond to the commercial ground floor shopfronts on the other side of the road and addresses the street in an appropriate, high quality manner. Whilst it is accepted some form of 'back' service area is unavoidable for this island site, the majority of the ground floor frontage will be active, which would enhance the character of the conservation area.

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The existing building is relatively low at two storeys in height compared to the immediately adjacent context which consists of three, four and five storey buildings. The proposed new building will be three storeys in height (plus basement level and rooftop plant room). It is accepted that the height and overall scale of the proposed building is significantly higher than the existing building. Whilst the proposal will represent a different appearance to the site, the scale and massing of the existing building is alien to the rest of the area. Historic maps and photographs of the area reveal that historically a three storey terrace of properties existed on the site with elevations aligned fronting King's Road. The proposed development therefore represents a scale and design of building on the site more akin to the original development and the surrounding context. It is noted that the proposed top storey and rooftop plant room have also been stepped back to assist in reducing the mass of the upper floors. It is therefore considered that the scale, massing, shape and form as well as skyline/roofline proposed are sympathetic to the local character and context of surrounding buildings. It is also recognised that the proposed development will be lower in height than previous schemes (both approved and refused) which were considered of an appropriate scale and massing.

Initial concerns were raised that the rooftop plant room would increase the visual prominence of the building, and appear incongruous and poor quality from the street. As such, following Case Officer advice, the plant room was amended in scale, design, and siting so that it will no longer appear overly visible from public view at street level.

A number of objections have however raised concern over the detailed design of the proposal; including Historic England who believe the development lacks 'the finesse that is required of this prestigious location' as 'the proposed building's identical floor-to-ceiling heights, its large expanses of glazing, and its lack of relief conspire to give the proposed development a corporate appearance'. Historic England further state that 'its east and west elevations are unremitting, and potentially monolithic'.

These concerns are recognised, however following a thorough review and assessment the City Design Group (CDG) are satisfied that the detailed design, fenestration and elevation treatment are acceptable. The development responds appropriately to the character of the conservation area and surrounding listed buildings through the inclusion of high quality design elements such as balustrading, string coursing and vertical façade fins. The proposed facade will have sculpted vertical elements that create shadow, both hard and soft (or gradual shadow), which will echo the carved stone cornicing, string courses, and metal railings that can be found in the surrounding context. The historic context has profound lightness in its proportions (such as stone and metal detailing); the proposed facade has been designed to emulate this in a modern interpretation and consideration given to the way in which tall vertical elements meet thin elegant horizontals.

It is accepted that the development will include a large expanse of glazing; however through this the development will deliver a high quality, modern building which will avoid the need to try and replicate the finely proportioned and detailed stonework of the conservation area (which has been unsuccessfully attempted elsewhere). Further, with regards to the building being monolithic (as described by Historic England) this would imply that the building will be formed of a single, large block of stone. The design avoids this through the use of such a considerable amount of glazing, which will break up the massing and increase the visual permeability.

Precast reconstituted stone is proposed for the facade fins and other solid facade cladding elements. Whilst the use of precast reconstituted stone is generally resisted in conservation areas, in this instance it is accepted that it will be difficult to achieve the design with a more natural (heavier) stone. Further, the applicant has provided a sample of the proposed precast reconstituted stone to be used, which the Council's City Design Team have reviewed and confirmed is acceptable for the context in principle. The final finish of the material with the correct profile of mullion members and cladding panels on site is secured via condition.

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With regards to the impact of the development on the setting of listed buildings and this part of the Conservation Area, the applicant has provided sufficient information in the form of elevations, street scenes, sectional drawings and CGI visualisations which adequately demonstrates that the scale and siting of the development would not have a harmful impact on the setting of any surrounding listed buildings to warrant refusal. Overall, the development in considering the existing situation would enhance the character and appearance of this part of the conservation area, which will be of the benefit to the setting of surrounding heritage assets.

Landscape and Public Realm

The proposed building will have a footprint which occupies the majority of the plot, as per the existing arrangement, however it will be set back from Clifton Down Road to provide integrated public realm with external seating and tree planting. The development would appear sensitively sited with regards to surrounding building lines; and the continuous building line proposed to Clifton Down Road is considered acceptable in design terms given the context. The overall landscape and public realm improvements around the site, including the introduction of new trees have been reviewed and deemed acceptable by the Council's Landscape and Arboricultural Officers. Further, and following Case Officer advice, two Victorian cast iron lamp posts on King's Road will be retained in the street scene after development, which is welcomed. The public realm and landscape works and protection of the lamp posts are secured by relevant conditions.

It is recognised that a number of public comments have raised concerns that the development will not include a significant amount of greenery or open public space. The existing building massing footprint however almost fills the site and the existing raised three sided courtyard offers limited extra public realm space, and included only two trees (which have been removed). The proposal will include an external seating area to the front of the development (Clifton Down Road) which will offer some external amenity space, and 3.no new street trees are proposed. As such, it is considered that the amount of external space and tree planting is appropriate and acceptable given the existing context. Whilst the benefits of additional open space and landscaping are recognised this would require a reduction in the amount of retail and office floorspace. A reduction in floorspace for these uses would not be supported given the identified value in terms of bringing employment and retail space to the local centre. Further, the local area is not lacking in terms of open public space and greenery in general, with Victoria Square, The Downs and Brandon Hill Park located within a reasonable walking distance. As such, refusing this application on the basis of lack of external public space and landscaping would not be reasonable or appropriate.

Design Conclusions

The scheme proposed in this application, in terms of design, siting, scale and massing results in a contemporary, high quality replacement building, which has regard to the context of the local built environment. The key consideration in this case is whether the proposed development would preserve or enhance the character of this part of the Clifton and Hotwells Conservation Area and the setting of surrounding Listed Buildings.

It is of course recognised that the proposed larger building would alter the appearance of this part of Clifton and the setting of the identified listed buildings surrounding the from the existing situation as such some harm is attributed to the proposal. It is considered that this harm is minimal and less than substantial in nature. This harm has however been given considerable importance and weight in coming to a planning judgment.

Overall, the proposal as submitted provides the existing negative site with a building, which creates a positive feature on a prominent site as well as providing more active frontages and uses in a relatively underused site in a designated Town Centre. These elements all make a positive impact on the Conservation Area. The building is also a significant improvement to the existing situation given it would improve the viability and vitality of this part of the designated town centre and facilitate public

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realm and public transport improvements. All of these elements are of significant public benefit.

The proposal would therefore not cause such harm to the character and appearance of the Clifton and Hotwells Conservation Area, or the setting of nearby listed buildings to warrant refusal on design grounds and any harm identified is outweighed by the identified public benefits set out.

It is however emphasised that the actual success of this new building will be in detailing of the architectural elements and the use of high quality materials to the standard as set out in the Design Intent Document submitted. To ensure that the quality of the building is appropriate a number large scale design details are conditioned along with samples of all external materials.

(C) IMPACT ON THE AMENITY OF SURROUNDING PROPERTIES

Policy BCS21 in the Bristol Core Strategy (Adopted 2011) advocates that new development should deliver high quality urban design and safeguard the amenity of existing development. Policy DM29 in the Site Allocations and Development Management Policies (2014) states that proposals for new buildings will be expected to ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight. This policy, as well as DM27, further states that new buildings will be expected to ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight. Policy BCS23 in the Bristol Core Strategy and Policy DM35 in the Site Allocations and Development Management Policy also state that new development should also not lead to any detrimental increase in noise levels.

The impact of food and drink uses, such as the A3 uses proposed, must also be assessed against Policy DM10 of the Site Allocations and Development Management Policies (2014). This policy states that the development of food and drink uses will be acceptable provided that they would not harm, residential amenity, either individually or cumulatively. Proposals which would result in a harmful concentration of food and drink uses will not be permitted. In order to assess the impact of food and drink proposals on an area Policy DM10 states that the impacts of noise and general disturbance, fumes, smells, litter and late night activity, including those impacts arising from the use of external areas, should be taken into account.

Overshadowing and Overbearing

The local built environment is characterised by a tight urban grain, where a separation distance of opposing front elevations of approximately 10 metres exists. This tight urban grain is also reflected between properties facing onto King's Road and the existing building on the application site where the separation distance is approximately 9.2 - 10 metres.

The application proposal relates closely to previous permission 13/00780/F, and refused application 14/04500/F in terms of the height, footprint and layout of the development in relation to neighbouring properties. It is however recognised that the current proposal will be lower in height than these previous schemes, both of which were considered acceptable with regards to impact on neighbouring properties.

Notwithstanding the above, it is considered necessary to assess the impact of this proposed development on surrounding properties. In order to do this the applicant has provided sectional drawings, alongside a Daylight and Sunlight Report.

The closest facing relationship of the development is with commercial and residential properties located at first and second floor levels on the opposite side of King's Road (at ground floor level all properties along King's Road are in commercial use, such that they are not considered to be relevant for assessment with regards to amenity impacts). The proposed development will increase the scale of the building; however the overall height will be consistent with surrounding properties, including

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those on the opposite side of King's Road which are three storeys. The separation distance between the development and these properties will be approximately 10 metres, which is typical of the distances between front facades on adjacent streets around Clifton Village as previously noted (e.g. Boyce's Avenue, Waterloo Street, Portland Street), and is of a distance commonly found in urban locations. The submitted Daylight and Sunlight Report does set out that there will be a reduction in daylight levels to the first floor windows to King's Road below the BRE 27% VSC targets. It is noted that however these target percentages are guidelines and the windows in question do retain VSC percentage targets in the mid twenties. Further, the figures are an improvement on the impact previously deemed acceptable as a result of alternative proposals.

In addition, following an assessment taking into consideration the 25 degree rule of thumb in relation to overbearing/outlook it is considered that the new development would not be of such a scale, nor would it be sited in such close proximity to commercial and residential properties on the opposite side of King's Road to result in any harmful overshadowing or overbearing impacts arising. Further, the separation distance between the development and these properties remains as previously deemed acceptable under applications referenced 13/00780/F and 14/04500/F (these previous proposals were also of a greater height). Given the above, it is considered that the proposed development would not cause such unacceptable harm to the amenity of residential properties on the opposite side of King's Road by virtue of overshadowing or overbearing to warrant refusal in this instance.

The next closest residential property with windows facing the development site that is also in sufficient proximity to the proposal that residents may experience an impact to their light levels is Mortimer Lodge, which is located approximately 11 metres to the north. The submitted Daylight and Sunlight Report however demonstrates that the assessments undertaken indicate that the proposed development will have little effect on this neighbouring dwelling in terms of daylight and sunlight with all windows and rooms assessed above basement level meeting the BRE (Building Research Establishment) targets. It is also recognised that Mortimer Lodge will be sited a sufficient distance away from the development and the main windows are sited beyond the rear wall of the proposed development. This will ensure that any overbearing impact will again not be harmful enough to warrant refusal.

To the south of the site along Boyce's Avenue, shop fronts exist at ground floor level with only the gable end of Boyce's Buildings directly facing the site. The upper floor of this building contains one small window at high level, which serves No. 8a Boyce's Avenue. Access into the property to assess what room this window serves has not been possible, but it is reasonable to assume that it is residential in nature. However, given that the bulk of the proposed building would be located to the south west of this window it is not considered they it will suffer from a loss of light or any overbearing significant enough to cause harm or to justify the refusal of this application.

Turning to Clifton Down Road, this comprises a wide street of boulevard proportions with properties opposite set well back from the road. As such it is not considered the properties on the opposite side of Clifton Down Road would suffer any undue loss of light, nor would any overbearing impact arise.

It is therefore concluded that the development will maintain an acceptable relationship with surrounding properties in this instance.

Concern is also raised locally that the proposal would be harmfully overbear and overshadow the street environment around King's Road and Boyce's Avenue making it canyon like and unattractive. It is accepted that the proposed development will have a greater shadow impact on parts of these streets at certain periods during the day. However any building on this site would cause a shadow within the street and therefore it is not considered reasonable to refuse permission on this issue. As has been set out above, the re-development of the site, use of high quality detailing and materials as well as public realm improvements to these streets will improve the street environment significantly compared to the existing situation.

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Overlooking

The local built environment is characterised by a tight urban grain, where a separation distance of opposing front elevations of approximately 10 metres exists. This tight urban grain is also reflected between properties facing onto King's Road and the existing building on the application site where the separation distance is approximately 9.2 - 10 metres.

The most sensitive relationship between the proposed development and that of the surrounding properties, with regards to overlooking would exist between the rear elevation of the proposed development, and the front elevation of the buildings on the east side of King's Road. Here a number of opposing windows would face each other at a separation distance of approximately 10 metres at first and second floor levels. Whilst this is undoubtedly a close relationship, as stated above the urban grain of this immediate area is characterised by close knit buildings. The buildings will be separated by a road and the associated activity this creates emphasises the separation of the buildings. Furthermore, the proposed use of the new building at upper levels will be as offices and commercial retail (Use Class A1, A3 and B1(a)). This will result in a less intensive relationship with the existing commercial and residential accommodation on the opposite side of King's Road than if the proposed building were to be used for residential purposes. On balance, given the character of the area, the proposed use of the upper levels and the location across a road, the relationship between the windows is considered acceptable and will not result in an undue level of privacy for the existing occupiers of the flats along the east side of King's Road.

The separation distance between the proposed building and the buildings on Boyce's Avenue would also be approximately 9.5 metres. Again whilst this is a tight relationship as set out above, the only non-shopfront window directly facing the side elevation of the proposed building is at No. 8a Boyce's Avenue. This window is at high level and although officers were not able to access the premises to determine what room this window served it has been assumed that it is residential in nature. However, given the separation distance combined with the commercial use proposed at upper floors within the new building, location across a road and the size of the existing window (which doesn't appear to be the sole source of outlook) the proposal is considered acceptable and would not lead to a detrimental loss of privacy through overlooking.

It is recognised that the proposed development will include a number of external terraces at first and second floor level for the cafes/restaurants and offices. These terraces will face west (Clifton Down Road) and north (King's Road). Whilst it is accepted that the terraces would overlook Clifton Down Road and premises beyond on the opposite site (some of which are residential) the street is wide with properties opposite set well back from the road. As such the terraces will be located approximately 35 metres from the nearest residential property on the opposite side of Clifton Down Road. This separation distance is considered sufficient to ensure that any overlooking from the terraces would not be harmful enough to warrant refusal.

Turning to Mortimer House to the north, it is recognised that the proposed development will include a number of external terraces at first and second floor level for the cafes/restaurants and offices which will offer views of this property (front garden and windows). However, the separation distance between the development site and Mortimer House will be relatively substantial at approximately 22 metres at the closest point. The windows to the front elevation of Mortimer House will also be located at an oblique angle to the terraces. It is therefore considered that any overlooking of Mortimer House from the terraces would not be harmful enough to occupants of that property to warrant refusal.

It is therefore concluded that the development will maintain an appropriate relationship with surrounding properties such that their residential amenity would be safeguarded and no unacceptable impacts in terms of overlooking would occur (including overlooking from external terraces).

Noise, Disturbance and Odour

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The Council's Pollution Control Officer has reviewed the application and confirmed that their main concerns with such an application will be with; the potential for noise from any ventilation, heating, refrigeration or air conditioning plant; the potential for odour from any extract systems for the A3 uses and the potential for noise from any outside areas (both A3 and B1 uses).

A roof top plant enclosure is proposed to serve the commercial units. Whilst an acoustic report has been submitted with the application this only gives plant noise limits as the actual plant to be used at the development is not yet known. Likewise a ventilation statement has been submitted which gives general details as to the ventilation for the A3 uses but as the actual ventilation plant will be selected and installed as a part of the tenant fit out only limited detail is available at present. As such, in the event of an approval, officers are satisfied that further detail can be satisfactorily controlled via conditions and the applicant would need to demonstrate that the plant and ventilation proposed would not have any harmful noise effects and to mitigate any impacts accordingly. Conditions are therefore set out below.

Similarly, the Pollution Control team are satisfied that an Odour Management Plan can be secured via condition (again set out below). The plan would need to set out odour monitoring, extraction system cleaning and maintenance, filter replacement policies and mitigation measures to be taken should an odour nuisance be established to ensure no harm is posed to surrounding properties.

It is recognised that some objections have raised concern that the site is located in a Cumulative Impact Area. It should be noted that whether or not the application site is located within a Cumulative Impact Area doesn't form part of the planning assessment, this is a licensing issue covered under separate policy.

Notwithstanding the planning process however, the applicant should be aware that the site is in fact located within a Cumulative Impact Area (CIA), as these areas have seen a rapid growth in restaurants, bars and cafes. These uses are mixed with residential areas and have led to an increase in public nuisance. The CIA policy is designed to protect residential amenity and ensure that further expansion with licensed premises is not to the detriment of this part of Bristol. The policy, when triggered, will apply to applications for the grant of new licenses or significant variations of existing licenses in respect of premises that primarily provide alcohol for supply on the premises, restaurants and takeaway outlets. Applicants for licenses in the CIA area will need to be able to demonstrate that they can offer something different from what is currently available without adding to the impact already being experienced. An advice to this end is added.

Outside Spaces

The development proposes outdoor terraces on the first and second floors for restaurants/cafes (Use Class A3) and offices (Use Class B1). The restaurants/cafes at ground floor level will also utilise external space fronting Clifton Down Road for outside dining. The Council's Pollution Control Officer confirmed that the external dining areas and terraces are located a sufficient distance away from surrounding residential properties to ensure that no harmful impact would occur with regards to noise and disturbance, particularly given the busy location in a local centre, surrounded by other commercial uses and adjacent a main road. However, in order to minimise noise disturbance from these outside areas the use of these areas is restricted via condition to end at 22:00. Similarly, the opening hours for the restaurants/cafes (Use Class A3) are restricted via condition between the hours of 06:30 and 23:00. This is considered sufficient to ensure that surrounding residential properties will not be harmfully impacted upon by virtue of noise and disturbance. In order to ensure that any evening uses or outside areas are managed sensitively to protect the amenity of surrounding residential properties a management plan is also secured via condition.

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Construction

The Council's Pollution Control Team also raised concerns regarding noise from construction works, noise from construction vehicles and the potential for dust and mud on roads for construction activities. As with any redevelopment scheme the construction works are likely to result in some disturbance to local occupiers. To reduce the effects of noise, vibration, dust and site lighting during the construction period however a Construction Environmental Management Plan is therefore secured via condition.

Light Pollution and Solar Glare

Given the nature of the development and location in relation to surrounding properties the Council's Pollution Control Team confirmed that any light emitted by the development would not be of a level which would be disturbing or harmful to surrounding residents. However no details have been provided regarding external lighting and as such details of this is secured by condition to mitigate any impacts.

In addition, given the limited height of the development, in combination with the overall design and form, no concerns are raised with regards to solar glare.

(D) HIGHWAY SAFETY, TRANSPORT AND MOVEMENT ISSUES

Paragraph 102 of the NPPF (2019) states that transport issues should be considered from the earliest stages of plan-making and development proposals. Paragraph 103 adds that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. Paragraph 104 further states that planning policies should support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities. This section of the NPPF also states that planning policies should provide for high quality walking and cycling networks and supporting facilities such as cycle parking.

Bristol City Council Core Strategy (2011) Policy BCS10 advocates that new development should be designed and located to ensure the provision of safe streets and requires proposals to minimise the need to travel, especially by private car and to reduce the negative impacts of vehicles such as excessive volumes, fumes and noise. This policy also requires proposals to create places and streets where traffic and other activities are integrated. Policy BCS13 in the same document states that development should mitigate climate change through measures including patterns of development which encourage walking, cycling and the use of public transport instead of journeys by private car.

Policy DM23 in the Site Allocations and Development Management Policies (2014) further states that development should not give rise to unacceptable transport conditions and will be expected to provide safe and adequate access. Further, this policy sets out the transport and traffic considerations that development proposals should address. This includes parking standards for residential and non-residential development, with the supplementary policy text noting that the approach to the provision of parking aims to promote sustainable transport methods, such as walking, cycling and public transport.

The Transport Development Management Team (TDM) has reviewed the proposals and has commented as follows:

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Principle

The proposal is for the demolition of the existing building and erection of a three storey (plus basement and additional plant roof top level) building containing retail (Use Class A1), cafe, restaurant (A3) and office (B1) uses, shared-surface highway improvements on Boyce's Avenue and parts of King's Road, landscaping and associated development. The site previously had consent for a mixed-use development under application reference 13/00780/F. This consent is now over five years old and has expired. Therefore, the lawful use reverts back to the former use.

Trip Generation

The submitted Technical Note 02 provides an assessment of trip generation. The note sets out the context of the site in respect of the former use, expired planning consent and proposed use. The note states that it is considered that the small uplift in A1 and A3 uses as a result of the proposed development will not result in any material change in trip in the area. Given the established commercial nature of the Clifton Village area, TDM accept that this uplift is unlikely to change trip generation for these uses significantly compared to the former use. It should however be noted that these units have been empty for some considerable time.

The additional trips associated with the B1 office use are estimated to be an additional 32 person trips during the AM peak hour and 26 person trips during the PM peak hour. As there is no dedicated parking proposed as part of the development, the majority of these trips are expected to be by public transport, walking and cycling. The additional trips are considered appropriate within a designated Town Centre.

Car Parking & Cycle Parking

The proposal has been designed as car free, which is acceptable in a town centre location such as this. It should be noted that as such the development will be ineligible for parking permits.

In line with the Site Allocations and Development Management Policies (SADMP) document, a minimum of 14 staff cycle spaces is required. These will be provided within the basement and must be available to staff from all units of the development. The lift has been enlarged to ensure that cyclists have step free access to the cycle parking. Access doors from the lift to the cycle parking have been widened to be a minimum of 1.2m to ensure suitable access. In addition, two changing rooms with showers have been included.

Seven Sheffield stands are proposed on the pavement on Clifton Down Road. Of these four are new cycle parking proposed for visitors to the development; two are existing stand relocated from Clifton Down Road; and one is relocated from existing provision on Boyce's Avenue and this is acceptable.

Local Conditions - Accessibility / Public Transport Routes & Stops / Walking / Cycling

The proposal allows for at least 2 metre wide footways around the development. In order to accommodate a 2m width on King Street the lower finials on the building have been removed. The proposals will result in an area of highway along Clifton Down Road and Boyce's Avenue being stopped up. A similar total area of land will be offered for adoption on Clifton Down Road, Boyce's Avenue and King's Road. The footway widths and proposed extent of adopted highway shown in Drawing SK05 Rev. D & SK07 Rev. D are acceptable to TDM.

An improved bus stop and taxi rank layout is also proposed on Clifton Down Road. In order to accommodate the bus stop and landscaping the footway is proposed to be widened and the carriageway narrowed. A small build-out has been provided at the Zebra Crossing to the south of Boyce's Avenue to ensure that visibility requirements are met. These proposals are satisfactory subject to a financial contribution of £43,000 from the developer for the upgrading of the Clifton Down

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Village (inbound) bus shelter which will be secured by a relevant agreement under s106.

The site layout plans show improved surfacing across the whole width of Boyce's Avenue. This will comprise a level surface adjacent to the site and at the junction with King's Road.

All doors to the development that will be in regular use will not open onto the highway, they will either open inwards, slide or be recessed. Three doors serving the substation, data services and site electrical (infrequent use) will open outwards flush with the building or finials and this is acceptable.

Layout / Turning Areas / Servicing / Deliveries / Adoption

The swept path analysis of an 11.4m refuse vehicle is shown in Drawing SP17 Rev E. A Draft Servicing Management Plan has been prepared and is shown in Appendix E of Transport Note 04a. A final version of this management plan is secured via a planning condition. The new layout will need to be subject to a satisfactory Road Safety Audit prior to agreement of a S278 agreement to work in the highway.

TDM require the cost of amending Traffic Regulation Orders associated with the scheme (£5,724) to be met by the applicant and again this is subject to a relevant agreement under s106.

Travel Planning

In line with BCC Travel Plan Guidance, a travel plan statement is required. The developer will need to provide evidence to the Council within 3 months of first occupation that the Travel Information Pack has been produced and will be made available to each unit on their occupation, and that the measures and initiatives detailed in the approved Travel Plan Statement have been initiated. This is secured by relevant condition set out below.

Other Matters

Three new trees are proposed on the boundary of the landscaped area on Clifton Down Road and the adopted highway. Drawing SK05: Extent of Adopted Highway shows that the trees and planting pit will be located entirely within the private land and this is acceptable.

The Detailed Landscape and Public Realm Layout Plan shows some non-standard types of paving to King's Road and Boyce's Avenue and these materials will be subject approval by the Local Planning Authority as part of the S278 agreement to work in the highway.

Due to the proximity of the highway, the design of the basement will require an Approval in Principle (AIP) structural report to be agreed with the Local Planning Authority before construction can commence. The proposal also includes canopies which will overhang the adopted highway. Any structure oversailing the highway must be at least 2.7m above the footway and the developer will require a Section 177 (oversailing) Licence.

(E) SUSTAINABILITY AND CLIMATE CHANGE

Policies BCS13, BCS14, BCS15 of the adopted Core Strategy set out the criteria for the sustainability standards to be achieved in any development, and what measures to be included to ensure that development meets the climate change goals of the development plan. Applicants are expected to demonstrate that a development would meet those standards by means of a sustainability and energy statement.

As embedded in the NPPF, sustainability should be integral to all new development, and should encourage opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems. BCS13 encourages developments to respond pro-actively to

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climate change, by incorporating measures to mitigate and adapt to it. BCS14 sets out a heat hierarchy for new development, and an expectation that new development will connect to existing CHP/CCHP distribution networks. The same policy also expects development to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%. BCS15 requires developments to demonstrate through a Sustainability Statement how they have addressed energy efficiency; waste and recycling; conserving water; materials; facilitating future refurbishment and enhancement of biodiversity. For major development such as this the Sustainability Statement should include a BREEAM assessment. Bristol City Council's Climate Change and Sustainability Practice Note provides further advice on these matters.

The application is supported by a Sustainability Statement, with an Energy Strategy incorporated.

Energy Efficiency Improvements and U-values

Policy BCS14 requires applicants to show that energy demand has been reduced below the level specified in the Building Regulations through energy efficiency measures such as improvements in fabric efficiency and air permeability. (BCS14 does not specify what U-value or level of air permeability should be achieved).

The Energy and Sustainability Statement for this application shows a 27% reduction in energy demand through energy efficiency measures which translates into a 16% reduction in regulated emissions.

The statement sets out the proposed reduction in U-values of specific elements in the building which will be below that required to meet Building Regulations. The air permeability level has also been reduced from the 'back-stop' value of 10 to 5m³/(hr.m²) at 50 Pa.

This reduction in energy demand through energy efficiency measures meets this requirement of Policy BCS14.

Reduction in Residual Emissions from On-Site Renewable Energy Generation

An array of PV panels is proposed on the roof of the building, is acceptable in principle, however further detail will be secured via condition. The applicant however is proposing to include roof mounted PV to reduce residual emissions by 14%.

The target for reducing residual emissions in through on-site renewable generation is 20%.

Having asked the applicant to review whether the emission reduction could be increased to 20% the Sustainability Team accepted that there are limitations in the capacity of the PV system due to roof area, and agreed that the remaining 6% would be addressed through an 'allowable solutions' approach as per other schemes in the city, with a financial contribution to be collected via a relevant agreement under Section 106.

In respect of the allowable solutions contribution, the figures for the annual short-fall in the reduction in residual emissions (e.g. if the annual short-fall is 100 tonnes) the cost would be 100tonnes x £60/tonne x 30yrs = £180,000).

Using data from the Energy & Sustainability Statement (Table 1) the achieved saving (14%) from renewables results in a 6% shortfall or 5175kg of CO₂.

5175kg per year = 5.175 tonnes per year = 5.175 x £60 x 30years

= £9,315 payment

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The total reduction in emissions from energy efficiency improvements and PV is shown as 28%.

Overheating

The Council's Sustainability Team confirmed that an overheating analysis would not be appropriate for this development because the building is mechanically serviced rather than being naturally ventilated. Instead a Thermal Comfort analysis has been undertaken and submitted, which the Council's Sustainable Cities Team confirmed to be acceptable with regards to demonstrating that the building is not at risk of overheating.

Future-Proofing Connection to the Heat Network

Whilst there is no heat network in the vicinity of this development at present, policy requires that developments are designed to enable connection in the future.

As a result of officer comments to this effect, the applicant revised the Energy Strategy to demonstrate how the buildings could allow for future connection. The Energy Services team confirmed that the revision to the strategy (and technical specification) meets their requirements. This is conditioned accordingly.

BREEAM

The submitted sustainability statement sets out the BREEAM rating of Excellent would be achieved, but this would be under the BREEAM 2014 criteria rather than BREEAM 2018. Under these more recent assessment criteria the BREEAM rating for the development would be Very Good.

Clarification was sought on why the applicant was proposing to assess the scheme under BREEAM 2014 rather than BREEAM 2018. The applicant provided the clarification on the basis that proposals have to be registered as BREEAM during design development. This took place in 2017 prior to the release of the revised criteria. The initial pre assessment was then completed in June 2018, again before full guidance on every 2018 credit was released at the end of 2018.

Whilst not an ideal situation, the reasons provided were deemed to be acceptable, and in line with the position taken on other schemes regarding those designed and pre assessed during the transition from BREEAM 2014 to 2018.

BCS15

Waste & recycling

Information was requested on how the management of waste during demolition, construction and operation would be ensured. It was agreed that this will be addressed as part of the assessment of the scheme under BREEAM.

Water efficiency

A request was made for the level of water efficiency being targeted to be stated in the Sustainability Statement.

The statement was revised and states that water efficiency will be improved by 25% from the baseline building water consumption figure set by the BRE (based on their published guidance).

Materials selection

Information on the selection of materials was requested in the initial comments. It was agreed that this would be addressed as part of the BREEAM Assessment process under the 'Materials' category.

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Flexibility and adaptability

Initial officer comments requested that the Sustainability Statement should show how the building has been designed to be flexible and adaptable to future changes in occupancy. This was addressed in Section 9 of the revised Energy Statement 'Building Flexibility/Adaptability'. This sets out that the building proposed uses a frame design which allows for changes to internal partitions and that the regular column grid and minimised structural wall design maximises the flexibility of layout and the ability for alteration to plant and mechanical systems.

Biodiversity and green infrastructure

Initial officer comments also requested that the Sustainability Statement show how the development will enhance biodiversity and opportunities for the integration of green/blue infrastructure on-site. This was addressed in Section 11 - Biodiversity of the revised statement and includes planting and the provision of a living roof (please see Key Issue J below for more details).

The response to the issues raised above with respect to BCS15 are deemed to be acceptable.

(F) WOULD THE PROPOSED DEVELOPMENT RAISE ANY ARBORICULTURE ISSUES?

Policy BCS9 in the Bristol Core Strategy (2011) states that the integrity and connectivity of the strategic green infrastructure network should be maintained, protected and enhanced. BCS21 in the same document also states that new development will be expected to deliver a safe, healthy, attractive, usable, durable and well-managed built environment comprising high quality inclusive buildings and spaces that integrate green infrastructure.

Individual green assets should be retained wherever possible and that development should incorporate new or enhanced green infrastructure of an appropriate type, standard and size. Policy DM17 in the Site Allocations and Development Management Policies (2014) states that all new development should integrate important existing trees into development proposals. Where tree loss of damage is essential to allow for appropriate development, replacement trees of an appropriate species should be provided in accordance with the tree compensation standard. Policy DM15 in the same document states that green infrastructure provision facilitates a positive effect on people's health by providing space and opportunities for sport, play, and social interaction. The provision of additional and/or improved management of existing trees will be expected as part of the landscape treatment of new development.

Previous planning permissions at the site for a temporary ice rink use (14/05253/X) included the removal of 2.no silver birch trees from the site (covered by Tree Preservation Order 939) and a financial contribution was secured towards their replacement within the area and in the knowledge that any future redevelopment scheme would also include landscaping to the Clifton Down Road frontage.

Accordingly, 3.no semi-mature trees (as previously agreed through previous consents) are proposed within the public realm to the front of the development along Clifton Down Road. The details relating to the trees are considered acceptable and are secured via relevant conditions set out below.

(G) AIR QUALITY

Policy BCS23 in the Core Strategy (2011) states that development should be sited and designed in a way as to avoid adversely impacting upon the amenity of the surrounding area by reason of fumes, dust, noise, vibration, smell, light and other forms of pollution. In locating and designing development, account should also be taken of the impact of existing sources of noise or other pollution on the new development and the impact of the new development on the viability of existing uses by reason of its

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sensitivity to noise or other pollution. Policy DM14 in the Site Allocations and Development Management Policies (2014) also states that developments that will have an unacceptable impact on health and wellbeing will not be permitted.

Policy DM33 in the Site Allocations and Development Management Policies (2014) further states that development that has the potential for significant emissions to the detriment of air quality, particularly in designated Air Quality Management Areas, should include an appropriate scheme of mitigation which may take the form of on-site measures or, where appropriate, a financial contribution to off-site measures. Development in designated Air Quality Management Areas should take account of existing air pollution and include measures to mitigate its impact on future occupiers where possible and consistent with other policies of the development plan such as those on climate change and urban design.

Following consultation, the Council's Air Quality Team raised no concerns related to air quality impacts from the proposed development in terms of traffic generation or the existing air quality at the site. A strategy for minimising emissions of dust from the proposed demolition and construction activities is secured via condition (Construction Environmental Management Plan) due to the proximity of sensitive locations around the development site.

(H) FLOOD RISK

Bristol Core Strategy (2011) Policy BCS16 states that all development will also be expected to incorporate water management measures to reduce surface water run-off and ensure that it does not increase flood risks elsewhere. This should include the use of sustainable drainage systems (SUDS).

The application site is not located in an area at risk of flooding. The application has been supported by a Sustainable Drainage Strategy. The Council's Flood Risk Team has reviewed this strategy and confirmed that it is acceptable in principle. The inclusion of a living roof is also considered of benefit with regards to sustainable drainage. However further drainage details are required to ensure that the development has no harmful impact with regards to surface runoff. This is secured via condition.

(I) DOES THE PROPOSAL GIVE RISE TO ANY CONTAMINATION ISSUES?

Policy DM34 in the Site Allocations and Development Management Policies (2014) states that new development should demonstrate that:

- i. Any existing contamination of the land will be addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use and that there is no unacceptable risk of pollution within the site or in the surrounding area; and
- ii. The proposed development will not cause the land to become contaminated, to the detriment of future use

A land contamination report has been provided, which was prepared in 2014 for a previous development at the site. The Council's Contaminated Land Officer has reviewed the report, and confirmed that it is limited due to access issues; only two boreholes were undertaken on the edges of the site. It would be prudent therefore for the applicant to undertake further assessment of the site conditions following demolition, particularly due to the presence of the infilled basement on site which will require removal as part of the development (this material will have to be tested prior to removal). As such, whilst no objections are raised on the grounds of land contamination, further detail is secured via condition.

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(J) DOES THE PROPOSAL RAISE ANY ECOLOGY ISSUES?

Policy DM19 in the Site Allocations and Development Management Policies (2014) seeks to protect habitat, features and species which contribute to nature conservation, and developments are expected to be informed by appropriate surveys. Policy DM29 in the same document states that proposals for new buildings will be expected to incorporate opportunities for green infrastructure such as green roofs, green walls and green decks.

Following Case Officer advice, the applicant provided revised plans showing the provision of living roofs on the development, which is welcomed. Further detail of these living roofs is secured via condition. A further condition is attached requiring that 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.

(K) PLANNING OBLIGATIONS

Policy BCS11 of the Core Strategy and the Planning Obligations SPD requires that planning obligations should be secured through the planning process in order to offset the impact of the proposed development on the local infrastructure. The development will be subject to the Community Infrastructure Levy (CIL), as set out below. The levy process is intended to provide infrastructure to support the development of an area, rather than making individual planning applications acceptable in planning terms as previously secured by s106. However there are identified site specific obligations required by this development and which cannot be funded by CIL and these are set about below:

Allowable Solutions

See Key Issue E above.

Financial contribution totalling £9,315 to address the shortfall in the reduction in residual emissions from on-site renewable energy generation.

Secured via a relevant agreement under S106.

District Heat Network Connection

See Key Issue E above.

Secured via a suitably worded condition.

Landscape/Public Realm Improvement Scheme

See Key Issues B and D above.

Secured via suitably worded conditions.

Public Art

The proposal would result in a major development and as such triggers a contribution towards Public Art. In this instance it is considered that the public art provision with regard to the site can be secured via a suitably worded condition.

Traffic Regulation Order Amendments

See Key Issue D above

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TRO amendments and associated costs for the making and implementation of them totalling £5,395 covering the alterations to the existing highway arrangements.

Secured via the S106 Agreement and suitably worded conditions.

Highway Works

See Key Issue D above.

Bus Stop Upgrade Works to the Clifton Down Road (inbound) stop (sum of £43,000) (to be secured by relevant agreement under Section 106).

Travel Plan

See Key Issue D above.

Secured via condition.

CONCLUSION

The scheme proposed in this application, in terms of design, siting, scale and massing results in a contemporary, high quality replacement building, which has regard to the context of the local built environment. The proposal replaces an identified Negative Building with a new building which will create a positive feature on a prominent site as well as providing more active frontages, improved public realm and public transport facilities and appropriate uses which will not cause significant harm to the identified heritage assets and will enhance character and appearance of the Clifton and Hotwells Conservation Area as well as the economic performance and thus the vitality and viability of the Clifton Local Centre and primary shopping area. The proposals have been considered in accordance with the requirements of legislation within Sections 16(2), 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 12 of the NPPF and in doing so considerable importance and weight has been given to the less than substantial harm to the setting of surrounding Listed Building and the Conservation Area. It is considered that the identified less than substantial harm is minimal and nevertheless this is significantly outweighed by the benefits of these proposals.

Careful consideration has also been given to issues of residential amenity; sustainability; and highways considerations, and following the submission of revised plans and additional detail, officers are satisfied that the development is acceptable.

As such, the application is recommended for approval, subject to conditions and securing the required contributions via a relevant agreement under Section 106 of the Town and Country Planning Act 1990.

COMMUNITY INFRASTRUCTURE LEVY

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

The CIL liability for this development is £309,546.43

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RECOMMENDED GRANT subject to Planning Agreement

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 condition(s)

2. 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 Local Planning 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 are required they shall be undertaken by a qualified ecological consultant 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.

3. Construction Management Plan - Major Developments

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

- A construction programme including phasing of works;
- 24 hour emergency contact number;
- Hours of operation;
- Expected number and type of vehicles accessing the site;
- Deliveries, waste, cranes, equipment, plant, works, visitors;
- Size of construction vehicles;
- The use of a consolidation operation or scheme for the delivery of materials and goods;
- Phasing of works;
- Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):
- Programming;
- Waste management;
- Construction methodology;
- Shared deliveries;
- Car sharing;
- Travel planning;
- Local workforce;
- Parking facilities for staff and visitors;
- On-site facilities;
- A scheme to encourage the use of public transport and cycling;

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- Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- Locations for storage of plant/waste/construction materials;
- Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- Any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Arrangements for temporary facilities for any bus stops or routes;
- Method of preventing mud being carried onto the highway;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.
- Method of protection of historic street lamps
- Retention and re-use of historic pennant paving/ kerbing

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

4. Site Specific Construction Environmental Management Plan

No development shall take place including any works of demolition until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting on the surrounding area and all surrounding premises and infrastructure.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.

5. Highway Condition Survey

No development shall take place (including investigation work, demolition, siting of site compound/welfare facilities) until a survey of the condition of the adopted highway has been submitted to and approved in writing by the Local Planning Authority. The extent of the area to be surveyed must be agreed by the Highways Authority prior to the survey being undertaken.

The survey must consist of:

- A plan to a scale of 1:1000 showing the location of all defects identified;
- A written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey.

No building or use hereby permitted shall be occupied or the use commenced until any damage to the adopted highway has been made good to the satisfaction of the Highway Authority.

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

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6. Historic Street Lamps

No commencement of any development (including any site clearance, preparation or demolition) shall take place until a detailed method statement for the protection of the 2 existing historic street lamps as shown on Drawing No. BD 0106 SD 001 R04 Detailed Landscape and Public Realm Layout Plan has been submitted to and agreed in writing by the Local Planning Authority.

The approved protection measures shall then be retained during the entirety of the construction works

No building or use hereby permitted shall then be occupied or the use commenced until the street lamps have been checked for damage (and any damage rectified in written agreement with the Local Planning Authority) and are in full working order as agreed in writing by the Local Planning Authority.

Reason: In order that the special architectural and historic interest of the historic street lamps and the Clifton Conservation Area are protected.

7. Highway Works - General Arrangement Plan

No development shall take place until general arrangement plan(s) to a scale of 1:200 showing the following works to the adopted highway has been submitted to and approved in writing by the Local Planning Authority.

The Highway works identified and indicated on plan 1402-89/SK07/D - Site Layout Plan and include:

- Resurfacing the full width of Boyce's Avenue from Clifton Down Road up to and including the junction with King's Road. Provision of removable bollards at either end of this section of road. Resurfacing the remaining carriageway of Boyce's Avenue.
- Widening and resurfacing the footway on Kings Road adjacent to the site. New tactile and dropped kerb crossing of King's Road at the junction with Clifton Down Road. Creation of a loading bay on King's Road.
- Widening and resurfacing the footway on Clifton Down Road to include provision of a new bus stop, taxi rank and cycle parking.
- Widening of the east footway at the Zebra Crossing to the south of Boyce's Avenue.
- Retention and re-use on site of historic paving/kerbing
- Retention and re-use on site of historic street lamps
- Any other works (including all public realm improvements as shown on the approved BD 0106 SD 001 R04 Detailed Landscape and Public Realm Layout Plan) to King's Road, Boyce's Avenue and Clifton Down Road

Where applicable indicating proposals for:

- Existing levels of the finished highway tying into building threshold levels
- Alterations to waiting restrictions or other Traffic Regulation Orders to enable the works

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- Signing, street furniture, street trees and pits
- Structures on or adjacent to the highway
- Extent of any stopping up, diversion or dedication of new highway (including all public rights of way shown on the definitive map and statement)

No development shall take place over the route of any public right of way prior to the confirmation of a Town & Country Planning Act 1990 path diversion/stopping up order.

Prior to occupation these works shall be completed to the satisfaction of the Highway Authority and approved in writing by the Local Planning Authority.

Reason: In the interests of public safety and to ensure that all road works associated with the proposed development are: planned; approved in good time (including any statutory processes); undertaken to a standard approved by the Local Planning Authority and are completed before occupation.

8. Highway to be Adopted

No development shall take place until plans to a scale of 1:200 showing the following information has been submitted to and approved in writing by the Local Planning Authority.

- Long sections
- General arrangement
- Threshold levels to buildings
- Drainage
- Structures

Prior to occupation detailed technical plans to a scale of 1:200 setting out how the internal access road(s) will be constructed to the Highway Authority's adoptable standard shall be submitted and approved in writing by the Local Planning Authority.

These works shall then be completed to the satisfaction of the Highway Authority and approved in writing by the Local Planning Authority.

Reason: To ensure the internal roads are planned and approved in good time to a satisfactory standard for use by the public and are completed prior to occupation.

9. Structure Adjacent To/Within 6m of the Highway

No development shall take place until an Approval In Principle (AiP) Structural Report setting out how any structures within 6 metres of the edge of the adopted highway (and outside of this limit where the failure of any structures would affect the safety of road users) will be assessed, excavated, constructed, strengthened or demolished has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the works safeguard the structural integrity of the adopted highway during the demolition and construction phase of the development.

10. Temporary Access to the Site

No development shall take place until a plan that shows any temporary access from the adopted highway and the routes construction traffic will use has been submitted to and approved in writing by the Local Planning Authority.

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Reason: In the interest of highway safety.

11. Further Site Assessment

No development shall take place (except demolition) until a site specific risk assessment and intrusive investigation has been 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 reports submitted with the original application. 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' and BS 10175:2011 +A2 2017: Investigation of Potentially Contaminated Sites - Code of Practice.

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.

12. Submission of Remediation Scheme

Following demolition no construction shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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 offsite receptors.

13. Land affected by contamination - Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken; and where remediation is necessary a remediation scheme must be prepared, which is to be submitted to and be approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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 offsite receptors.

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14. Sustainable Drainage System (SuDS)

No development shall take place 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.

15. Landscape Management Plan

Prior to the commencement of development a Landscape Management Plan detailing the long term management and maintenance of the non-adopted public realm and landscape areas (including the provision and establishment of 3no. semi mature Ginkgo Biloba trees) as shown on Drawing No's BD 0106 SD 001 R04 Detailed Landscape and Public Realm Layout Plan and BD 0106 SD 301 R08 Detail Plan and Section for In-ground Tree Pits outlining operations to ensure successful establishment for a period of 5 years following implementation.

The approved public realm and landscaping as shown on Drawing No. BD 0106 SD 001 R04 Detailed Landscape and Public Realm Layout Plan shall then be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials shall be maintained for five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced with others of similar size and species to those originally required to be planted.

Reason: To ensure that the appearance of the development is satisfactory.

16. Large Scale Details

Notwithstanding any notations on any approved plans, detailed drawings (including plans, elevations and sections) to a minimum 1:10 scale or as requested by the Local Planning Authority below (also indicating materials, treatments and finishes) of the following items shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of work is begun unless otherwise agreed in writing by the Local Planning Authority:

a) 1:5 section details and 1:10 elevation details of all proposed new windows, curtain walling, shopfronts, fascias, canopy/awnings including the junction between the elements and with the pavement) where relevant, showing the proposed profiles, glazing details, mouldings, materials, finishes, and fabric connections at head, cill and reveals

b) 1:5 section details and 1:10 elevation details of all proposed new external doors, accesses doors and canopies showing the proposed profiles, panelling, mouldings, materials, finishes, and fabric connections at head, threshold and reveals

c) 1:5 section details and 1:10 elevation details of the proposed fins and string courses showing the proposed profiles, mouldings, materials, finishes, and fabric connections

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d) 1:5 section details and 1:10 elevation details of all proposed new balustrades, planters, railings, fall arrest systems, roof top plant structure and accesses to the building exteriors and showing all proposed materials, methods of fabrication, and handrails, balusters, newels, finishes, and fabric connections

The development shall then be carried out in full accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the design quality of the development itself and to protect and enhance the character of the site and the surrounding area and to ensure its appearance is satisfactory as well as to ensure the significance of the surrounding listed buildings is maintained and the special character of the Conservation Area protected

17. On-Site Samples

Notwithstanding any materials noted on any approved plans, sample panels of all the external materials and finishes (including public realm improvements) demonstrating coursing, jointing and pointing to the masonry, are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced, unless otherwise agreed in writing by the Local Planning Authority.

The development shall be completed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure the design quality of the development itself and to protect and enhance the character of the site and the surrounding area and to ensure its appearance is satisfactory as well as to ensure the significance of the surrounding listed buildings is maintained and the special character of the Conservation Area protected

18. Living roof(s)

Prior to commencement of the relevant element, a method statement provided by a qualified ecological consultant shall be submitted to and approved in writing by the Local Planning Authority for the creation of living roofs on site covering a total area of at least 115 m² which include wildflowers and do not employ a significant area of Sedum (Stonecrop). This shall include details of the layout and area, construction, design (to include the provision of features for invertebrates shown on a site plan including stone and log piles, piles of pure sand 20 to 30 cm deep, coils of rope and areas of bare ground, varying depths of substrate varying from 10 to at least 20 cm in height with troughs and mounds shown in profile on a plan, details of the seed mix and planting) and maintenance of the living roofs. The use of egg-sized pebbles shall be avoided because gulls and crows may pick the pebbles up and drop them. The development shall be carried out in accordance with the statement or any amendment approved in writing by the Local Planning Authority.

Reason: To conform with Policy DM29 in the Local Plan which states that 'proposals for new buildings will be expected to incorporate opportunities for green infrastructure such as green roofs, green walls and green decks.'

19. Public Art Plan

Prior to the commencement of the relevant element, a Public Art Plan including the incorporation of public art into the public realm and landscaping scheme hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The plan shall also contain relevant supporting information for any proposed Public Art element including methodologies; large scale details to a relevant scale depicting the scheme; method of fixings;

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any relevant samples; a timetable for delivery; and details of future maintenance responsibilities and requirements. All public art works shall be completed in accordance with the agreed scheme and thereafter retained as part of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that public art is integrated into the design and build of the development and is appropriate to the Listed Building and associated and surrounding heritage assets

Pre occupation condition(s)

20. Prior to occupation validation condition

In the event that contamination is found, no occupation of the development shall take place until the approved remediation scheme has been carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (otherwise known as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and be approved in writing by the Local Planning Authority.

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 offsite receptors.

21. Delivery & Servicing Plan

No commencement of use of each of the individual commercial uses/premises hereby permitted shall take place until a delivery and servicing plan for each unit has been prepared, submitted to and approved in writing by the Local Planning Authority.

The delivery and servicing plan shall include:

- a) The contact details of a suitably qualified co-ordinator;
 - b) How vehicle arrivals, departures, parking, stopping and waiting will be controlled to minimise any impact on the adopted highway;
 - c) Details of any freight consolidation operation, centre and the delivery and servicing booking and management systems;
 - d) How refuse and recycling will be transferred to the stores shown on the approved plans
- The measures shall thereafter be implemented in accordance with the approved delivery and servicing plan for the lifetime of the development.

Reason: To ensure responsibility for the management of these facilities and to safeguard the appearance of the development, highway safety and the amenities of future and existing residents and businesses and to minimise the impact of vehicles servicing the development upon congestion

22. Travel Plan Statement - Not Submitted

No building or use hereby permitted shall be occupied or use commenced until a Travel Plan Statement comprising immediate, continuing and long-term measures to promote and

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encourage alternatives to single-occupancy car use has been prepared, submitted to and approved in writing by the Local Planning Authority. The Approved Travel Plan Statement shall be implemented in accordance with the measures set out in therein.

Within three months of occupation, evidence of the implementation of the measures set out in the Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority unless alternative timescales are agreed in writing.

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

23. 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.

24. Reinstatement of Redundant Accessways - Shown on Approved Plans

No building or use hereby permitted shall be occupied or use commenced until the footway has been reinstated to full kerb height, where any vehicle crossover(s) are redundant, in accordance with the approved plans and retained in that form thereafter for the lifetime of the development.

Reason: In the interests of pedestrian safety.

25. 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.

26. Implementation/Installation of Refuse Storage and Recycling Facilities – Shown on Approved Plans

No building or use hereby permitted shall be occupied or 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 adopted highway (including the footway), except on the day of collection.

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

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27. Completion of commercial Accommodation

The office (Use Class B1(a)) use hereby approved shall not commence until the separate commercial premises (Use Classes A1 and A3) shown on the drawings hereby approved have been completed and made ready for internal fit out/occupation to the written satisfaction of the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the development is completed and occupied as permitted and to ensure that the ground floor of the development is brought into active use as soon as possible

28. BREEAM

Prior to the first occupation of the building hereby approved, the following information shall be submitted to the local planning authority and approved in writing:

- The full BREEAM Post Construction report prepared by the registered BREEAM assessor together with confirmation that this has been submitted to the BRE (including dates/ receipt confirmation email from the BRE)

- A letter of confirmation from the BREEAM assessor confirming any known reasons why the building may not be able to achieve the credits and rating indicated in the final BREEAM post construction report.

Within 6 months of first occupation the final post construction BREEAM certificate(s) indicating that a BREEAM 'Excellent' rating (under BREEAM 2014) for both the retail and office elements of the scheme hereby approved has been achieved shall be submitted to the local planning authority and approved in writing.

Reason: To ensure the development is built in a sustainable manner in accordance with BCS15 (Sustainable design and construction).

29. Energy and Sustainability in Accordance with Statement

The development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles, climate change adaptation measures into the design and construction of the development in full accordance with the Energy and Sustainability Statement 1424-MEP-REP-001 P05 dated 30.09.19 prepared by Box Twenty prior to first occupation of the development hereby approved and thereafter be maintained in perpetuity.

A total 28% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy shall be achieved, and a 14% reduction in carbon dioxide emissions below residual emissions through renewable technologies shall be achieved.

The development will also be required to connect to any future district heating system in accordance with the measures set out in the Energy and Sustainability Statement 1424-MEP-REP-001 P05 dated 30.09.19 prepared by Box Twenty.

Reason: To ensure the development incorporates measures to minimise the effects of, and can adapt to a changing climate in accordance with policies BCS13 (Climate Change), BC14 (sustainable energy), BCS15 (Sustainable design and construction), DM29 (Design of new buildings).

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30. PV Panel Details

Prior to the first occupation of the building, evidence of the PV system as installed including exact location, method of fixing, technical specification, projected annual energy yield (kWh/year) e.g. a copy of the MCS installer's certificate and a calculation showing that the projected annual yield of the installed system is sufficient to reduce residual CO2 emissions by 14%/the percentage shown in the approved Energy and Sustainability Statement 1424-MEP-REP-001 P05 dated 30.09.19 prepared by Box Twenty shall be submitted to and agreed in writing by the Local Planning Authority.

The approved equipment shall be installed and operational prior to the first occupation of the use which they serve and retained as operational thereafter in perpetuity.

Reason: To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

31. Outdoor Area and Late Night Uses Management Plan

No commencement of use of each outside area hereby approved shall take place until an Outdoor Area and Late Night Uses Management Plan for each external area, setting out the layout of the outside areas, details of times the areas will be used, how the areas will be supervised and how any complaints will be dealt with has been submitted to and been approved in writing by the Local Planning Authority.

The approved outdoor management plans shall then be complied with in perpetuity.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

32. Artificial Light

Prior to the first occupation or use of the development hereby approved, a detailed lighting scheme and predicted light levels by a suitably qualified Lighting Engineer shall be submitted and approved in writing by the Local Planning Authority (any light created by reason of the development shall not exceed 5Lux as calculated at the windows of the nearest residential properties). The report should include details of all external lighting (including new or replacement street lights; any decorative and security lighting within external amenity/access areas) and associated light spill plans unless otherwise agreed in writing by the Local Planning Authority.

Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E2 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005.

The development (including all individual commercial premises) shall then be managed and maintained in full accordance with the lighting scheme in perpetuity unless otherwise agreed in writing by the Local Planning Authority

Reason: In order to safeguard the amenities of adjoining occupiers, to make the development safe and secure and to ensure protected species are not harmed.

33. Details of Extraction/Ventilation System

No commencement of use of each of the individual commercial uses/premises for Use Class A3 at the development shall take place until details of ventilation system for the extraction and

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

Reason: These details need careful consideration and formal approval and to safeguard the amenity of adjoining properties and to protect the general environment.

34. Odour Management Plan

No commencement of use of each of the individual commercial uses/premises for Use Class A3 at the development shall take place until there has been submitted to and approved in writing, by the Local Planning Authority, an Odour Management Plan, setting out cleaning, maintenance and filter replacement policies. The plan should include a written recording system to record and demonstrate when all such work is carried out. The approved odour management plan shall be complied with throughout the duration of the use.

Reason: To safeguard the amenity of nearby premises and the area generally.

35. Noise from plant and equipment

No commencement of use shall take place until an assessment to show that the rating level of any plant & equipment, as part of this development, will be at least 5 dB below the background level has been submitted to and been approved in writing by the Local Planning Authority.

The assessment must be carried out by a suitably qualified acoustic consultant/engineer and be in accordance with BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

Reason: In order to safeguard the amenities of adjoining residential occupiers. The details are needed prior to the start of work so that any mitigating measures can be incorporated into the build.

Post occupation management**36. Use restriction (Use Classes A1, A3 and B1(a))**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the Use Class A1, A3 and B1a premises hereby permitted shall only be used for the purposes specified in the application and for no other purpose (including any other use within the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any provision revoking and/or re-enacting that Order).

Reason: Any other uses permitted by the Town and Country Planning (GPD) Order 2015 will require detailed assessment by the Local Planning Authority in this location because of the location within a Local Centre and primary shopping area.

37. Clear glazing

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) the proposed glazing at ground, first and second floor level shall be clear glazed to a specification to be agreed with the Local Planning Authority and in accordance with all approved details and plans (except where identified with regard to storage/service/plant areas and unless otherwise

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agreed in writing by the Local Planning Authority) and shall be permanently maintained thereafter as clear glazing.

Reason: To safeguard the visual amenity of the surrounding area and the activity of the Local Centre.

38. External amenity area extent

The external seating areas and terraces hereby permitted shall only take place in the areas and in strict accordance with the extent and layout shown on the approved plans.

No other flat roof areas of the building hereby permitted shall be used as balconies, terraces, roof gardens or similar external amenity areas without the grant of further specific planning permission from the Local Planning Authority.

Reason: To ensure that pedestrian movement would not be obstructed and to safeguard residential amenity.

39. Hours of use (outside areas)

The use of the outside areas hereby permitted hereby permitted (including roof terraces for both Use Class A3 and B1(a) uses) shall not take place outside the hours of 06.30 to 22.00.

Reason: To safeguard the residential amenity of nearby occupiers.

40. Hours open to customers (Use Class A3 units only)

No customers shall remain on the Use Class A3 premises hereby permitted outside the hours of 06:30 to 23:00.

Reason: To safeguard the residential amenity of nearby occupiers.

41. Restriction of noise from plant and equipment

The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB below the background level as determined by BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

Reason: To safeguard the amenity of nearby premises and the area generally.

42. Use of Refuse and recycling facilities

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 and not at all on Sundays or Bank Holidays.

Reason: To safeguard the amenities of nearby occupiers

43. Deliveries

Activities relating to deliveries shall only take place between 08.00 and 20.00 Monday to Saturday and not at all on Sundays or Bank Holidays.

Reason: To safeguard the amenities of nearby occupiers

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44. Artificial Lighting (external)

Any light created by reason of the development shall meet the Obtrusive Light Limitations for Exterior Lighting Installations in table 2 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01:2011.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

List of approved plans

45. 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.

1807/-P-3002-P2 Proposed Clifton Down Street Elevation, received 3 December 2019
 BD 0106 SD 301 R08 Detailed Plan and Section for In ground Tree Pits, received 8 January 2020
 BD 0106 SD 001 R04 Landscape and Public Realm Layout Plan, received 12 December 2019
 1424-MEP-REP-001 P05 Energy and Sustainability Statement 1424-MEP-REP-001 P05 dated 30.09.19 prepared by Box Twenty, received 17 October 2019
 1402-89/SK07/D Site Layout Plan prepared by TPA, received 3 December 2019
 1402-89/SK05/D Highway Boundary Plan prepared by TPA, received 3 December 2019
 1000 REV A Site location, received 19 February 2019
 1001 Existing location and block plan, received 19 February 2019
 1002 Topographical survey, received 19 February 2019
 1003 Existing ground and first floor plans, received 19 February 2019
 1807/-P-1000-P10 Proposed basement floor plan, received 3 December 2019
 1807/-P-1001-P10 Proposed ground floor plan, received 3 December 2019
 1807/-P-1002-P9 Proposed first floor plan, received 3 December 2019
 1807/-P-1003-P8 Proposed second floor plan, received 3 December 2019
 1807/-P-1004-P6 Proposed plant floor plan, received 3 December 2019
 1807/-P-1005-P6 Proposed roof level plan, received 3 December 2019
 1004 Existing Clifton Down road elevation, received 19 February 2019
 1005 Existing Kings road (rear) elevation, received 19 February 2019
 1006 Existing Boyces avenue elevation, received 19 February 2019
 1007 Existing Kings road (side) elevation, received 19 February 2019
 1807/-P-3000-P9 Proposed West and East elevation, received 3 December 2019
 1807/-P-3001-P8 Proposed North and South elevation, received 3 December 2019
 1807/-P-2000-P7 Proposed sections 1 and 2, received 3 December 2019
 1807/P/001 P2 Existing site and location plan, received 19 February 2019

Reason: For the avoidance of doubt.

Advices

1 Construction site noise:

Due to the proximity of existing noise sensitive development and the potential for disturbance arising from contractors' operations, the developers' attention is drawn to Section 60 and 61 of the Control of Pollution Act 1974, to BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites code of practice for basic information and procedures for noise and vibration control" and the code of practice adopted by Bristol City Council with

Development Control Committee A – 22 January 2020
Application No. 19/00682/F : 2 - 16 Clifton Down Road Bristol BS8 4AF

regard to "Construction Noise Control". Information in this respect can be obtained from Pollution Control, City Hall, Bristol City Council, PO Box 3176, Bristol BS3 9FS.

2 Odour:

It is recommended that any flues for the dispersal of cooking smells shall either:

(a) Terminates at least 1 metre above the ridge height of any building in the vicinity, with no obstruction of upward movement of air or:

(b) Have a method of odour control such as activated carbon filters, electrostatic precipitation or inline oxidation.

3 Nesting birds:

Anyone who takes, damages or destroys the nest of any wild bird whilst that nest is in use or being built is guilty of an offence under the Wildlife and Countryside Act 1981 and prior to commencing work you should ensure that no nesting birds will be affected.

4 Bats and bat roosts:

Anyone who kills, injures or disturbs bats, obstructs access to bat roosts or damages or disturbs bat roosts, even when unoccupied by bats, is guilty of an offence under the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 and the Conservation (Natural Habitats, &c.) Regulations Act. Prior to commencing work you should ensure that no bats or bat roosts would be affected. If it is suspected that a bat or bat roost is likely to be affected by the proposed works, you should consult English Nature (Taunton office 01823 283211).

5 Living Roofs:

The living roofs should be covered with local low-nutrient status aggregates (not topsoil) and no nutrients added. Ideally aggregates should be dominated by gravels with 10 - 20% of sands. On top of this there should be varying depths of sterilised sandy loam between 0 - 3 cm deep. An overall substrate depth of at least 10 cm of crushed demolition aggregate or pure crushed brick is desirable. The roofs should include areas of bare ground and not be entirely seeded (to allow wild plants to colonise) and not employ Sedum (stonecrop) because this has limited benefits for wildlife. To benefit certain invertebrates the roofs should include local substrates, stones, shingle and gravel with troughs and mounds, piles of pure sand 20 - 30 cm deep for solitary bees and wasps to nest in, small logs, coils of rope and log piles of dry dead wood to provide invertebrate niches (the use of egg-sized pebbles should be avoided because gulls and crows may pick the pebbles up and drop them). Deeper areas of substrate which are at least 20 cm deep are valuable to provide refuges for animals during dry spells. An area of wildflower meadow can also be seeded on the roof for pollinating insects. Please see www.thegreenroofcentre.co.uk and <http://livingroofs.org/> for further information and the following reference: English Nature (2006). Living roofs. ISBN 1 85716 934.4

6 Sustainable Drainage System (SUDS)

The development hereby approved includes the construction/provision of a sustainable drainage system. You are advised to contact the Highway Authority's Flood Risk Management Team at flood.data@bristol.gov.uk before any works commence.

7 Cumulative Impact Zone

Please note that this site is located in a designated Cumulative Impact Area (CIA). The CIA

Development Control Committee A – 22 January 2020**Application No. 19/00682/F : 2 - 16 Clifton Down Road Bristol BS8 4AF**

policy, when triggered, applies to applications for the grant of new licenses or significant variations of existing licenses in respect of premises that primarily provide alcohol for supply on the premises, restaurants and takeaway outlets. Applicants for licenses in the CIA area will need to be able to demonstrate that they can offer something different from what is currently available without adding to the impact already being experienced.

The applicant should note that the grant of planning permission for uses that may require a separate licence does not prejudice or preclude the application of the CIA policy by other departments of Bristol City Council.

8 Right of light

The building/extension that you propose may affect a right of light enjoyed by the neighbouring property. This is a private right which can be acquired by prescriptive uses over 20 years; as such it is not affected in any way by the grant of planning permission.

9 Planting Season Trees

You are advised that the planting season is normally November to February.

10 Signage

This application does not include the assessment of any signage associated with the proposed development. Any signage required by end users is likely to require separate advertisement.

11 Alterations to Vehicular Access

The development hereby approved includes the carrying out of alterations to vehicular access(s). You are advised that before undertaking work on the adopted highway you will require a Section 184 Licence from the Highway Authority which is available at www.bristol.gov.uk/highwaylicences

The works shall be to the specification and constructed to the satisfaction of the Highways Authority. You will be required to pay fees to cover the Council's costs in undertaking the approval and inspection of the works.

12 Oversailing

The development hereby approved includes the construction of structures which will overhang the adopted highway. You are advised that before any works commence you will require a Section 177 (Oversailing) Licence from the Highway Authority which is available at www.bristol.gov.uk/highwaylicences

13 Traffic Regulation Order (TRO)

You are advised that a Traffic Regulation Order (TRO) is required. You must submit a plan to a scale of 1:1000 of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straightforward; involving the public advertisement of the proposal(s) and the resolution of any objections.

You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process.

Development Control Committee A – 22 January 2020
Application No. 19/00682/F : 2 - 16 Clifton Down Road Bristol BS8 4AF

We cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway Authority's Transport Development Management Team at transportdm@bristol.gov.uk

N.B. The cost of implementing any lining, signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

14 Highway to be Adopted

The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's Engineering Standard Details and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980.

Contact the Highway Authority's Transport Development Management Team at DMengineering@bristol.gov.uk You will be required to pay fees to cover the council's costs in undertaking the following actions:

- I. Drafting the Agreement
- II. Set up costs
- III. Approving the highway details
- IV. Inspecting the highway works

To discuss the requirement for sewers contact the Highway Authority's Flood Risk Management Team at flood.data@bristol.gov.uk You should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority.

N.B. The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

15 Impact on the highway network during construction

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at traffic@bristol.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions 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.

16 Restriction of Parking Permits - Existing Controlled Parking Zone/Residents Parking Scheme

You are advised that the Local Planning Authority has recommended to the Highways Authority which administers the existing Controlled Parking Zone/Residents Parking Scheme of which the development forms part that the development shall be treated as car free / low-car and the occupiers are ineligible for resident parking permits as well as visitors parking permits if in a Residents Parking Scheme.

Development Control Committee A – 22 January 2020
Application No. 19/00682/F : 2 - 16 Clifton Down Road Bristol BS8 4AF

17 Highway Condition Survey

The development hereby approved includes the carrying out of a Highway Condition Survey. To agree the extent of the area to be surveyed contact the Highway Authority's Transport Development Management Team at transportDM@bristol.gov.uk

18 Excavation Works on the Adopted Highway

The development hereby approved includes the carrying out of excavation works on the adopted highway. You are advised that before undertaking any work on the adopted highway you will require a Section 171 (Excavation) Licence from the Highway Authority which is available at www.bristol.gov.uk/highwaylicences

19 Street Name and Numbering

You are advised that to ensure that all new properties and streets are registered with the emergency services, Land Registry, National Street Gazetteer and National Land and Property Gazetteer to enable them to be serviced and allow the occupants access to amenities including but not limited to; listing on the Electoral Register, delivery services, and a registered address on utility companies databases, details of the name and numbering of any new house(s) and/or flats/flat conversion(s) on existing and/or newly constructed streets must be submitted to the Highway Authority.

Any new street(s) and property naming/numbering must be agreed in accordance with the Councils Street Naming and Property Numbering Policy and all address allocations can only be issued under the Town Improvement Clauses Act 1847 (Section 64 & 65) and the Public Health Act 1925 (Section 17, 18 & 19). Please see www.bristol.gov.uk/registeraddress

20 Stopping Up/Diversion of Adopted Highway

You are advised that to facilitate the development an order must be obtained to stop up or divert the adopted highway under sections 247 and 248 of the Town and Country Planning Act 1990. Please see www.gov.uk/government/publications/stopping-up-and-diversion-of-highways or contact the National Transport Casework Team at nationalcasework@dft.gov.uk

21 Sustainable Drainage System (SUDS)

The development hereby approved includes the construction/provision of a sustainable drainage system. You are advised to contact the Highway Authority's Flood Risk Management Team at flood.data@bristol.gov.uk before any works commence.

22 Structure Adjacent To/Within 6m of the Highway

The development hereby approved includes the construction of structures adjacent to or within six metres of the adopted highway. You are advised that before undertaking any work on the adopted highway you must prepare and submit an AiP Structural Report.

You will be required to pay technical approval fees (as determined by the proposed category of structure to be assessed) before the report will be considered and approved. Contact the Highway Authority's Bridges and Highway Structures Team at bridges.highways@bristol.gov.uk

Development Control Committee A – 22 January 2020
Application No. 19/00682/F : 2 - 16 Clifton Down Road Bristol BS8 4AF

23 Travel Plan Statement / Travel Plan - Not Submitted

You are advised that a Travel Plan Statement / Travel Plan is required to be prepared and submitted using the Travel Plan Guide for New Developments and the associated templates at www.travelplans.gov.uk/travelplans

24 Freight Consolidation

You are advised that to reduce the impact of delivery vehicles servicing the development a freight consolidation scheme can be utilised. Further details about freight consolidation are available at www.travelwest.info/freight

25 PV Panels

The projected annual yield and technical details of the installed system will be provided by the Micro-generation Certification Scheme (MCS) approved installer.

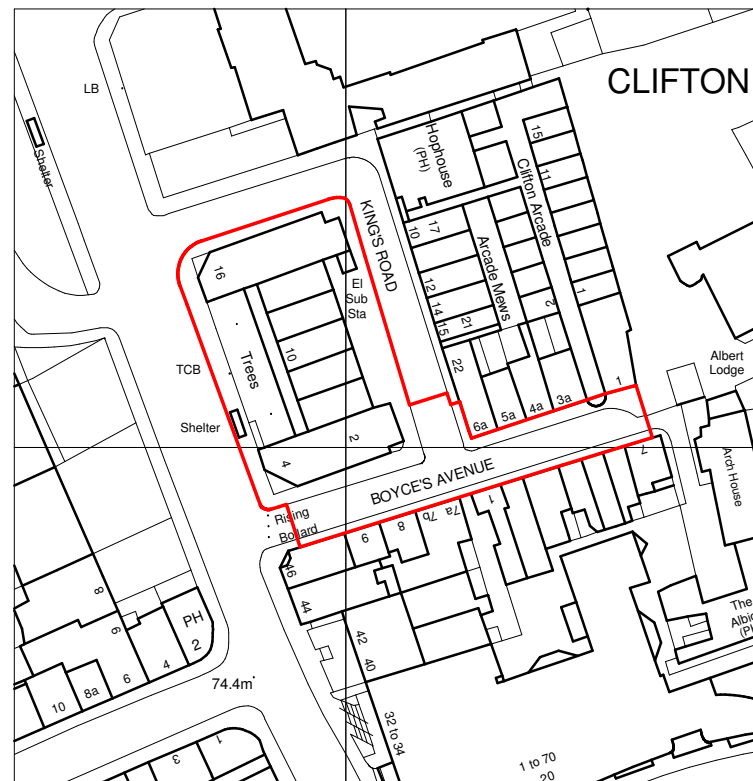
The impact of shading on the annual yield of the installed PV system (the Shading Factor) should be calculated by an MCS approved installer using the Standard Estimation Method presented in the MCS guidance.

Supporting Documents

1. **2 - 16 Clifton Down Road, Bristol, BS8 4AF**
 1. Site Location Plan
 2. Proposed Basement Plan
 3. Ground Floor & Public Realm
 4. First Floor Plan
 5. Second Floor Plan
 6. CGI Proposed Scheme Clifton Down Road
 7. CGI Proposed Scheme Kings Road
 8. Proposed Street Scene Clifton Down Road
 9. Previous Schemes
 10. Site in 2014
 11. Site Clifton Down Road September 2019
 12. Site Kings Road 2019

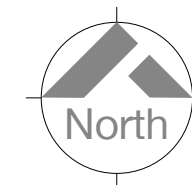
Notes

This drawing may be scaled for the purposes of Planning Applications, Land Registry and for Legal plans where the scale bar is used, and where it verifies that the drawing is an original or an accurate copy. It may not be scaled for construction purposes. Always refer to figured dimensions. All dimensions are to be checked on site. Discrepancies and/or ambiguities between this drawing and information given elsewhere must be reported immediately to this office for clarification before proceeding. All drawings are to be read in conjunction with the specification and all works to be carried out in accordance with latest British Standards / Codes of Practice.



| | | | | |
|-----|----------|------|--|------|
| Rev | Date | Init | Notes | Chkd |
| A | 09-09-14 | GJ | Updated further info recieved from Highways Consultant | PB |

| | | | | |
|-----|------|------|-------|------|
| Rev | Date | Init | Notes | Chkd |
|-----|------|------|-------|------|



Client

Drawing Originator



London - 7 Birchin Lane, London, EC3V 3BW 020 7160 6000
 Bristol - Rivergate House, Bristol, BS1 6LS 0117 923 2535
 Plymouth - East Quay House, Plymouth, PL4 0HN 01752 261 282

RIBA Chartered Practice www.aww-uk.com

Project Title

Clifton Down Road

Drawing Title

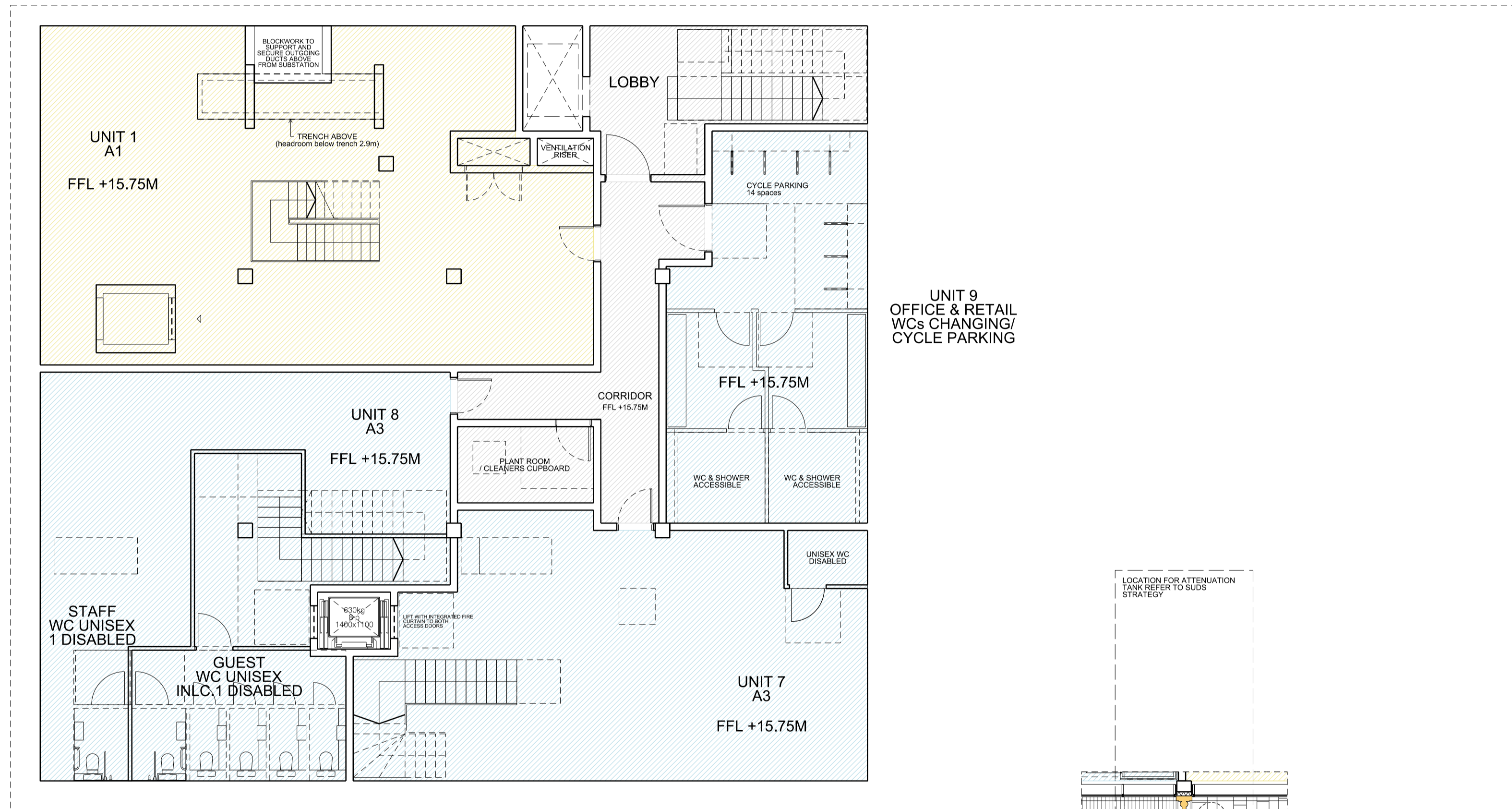
Location Plan

| | | | | |
|----------|-------|-------|---------|----------|
| Scale | Sheet | Drawn | Checked | Date |
| 1 : 1250 | A3 | GJ | PB | 08-07-14 |

| | | |
|-------------------|-------------|----------|
| Status | Project No. | |
| PLANNING | 3396 | |
| Drawing Reference | Drawing No. | Revision |
| | 1000 | A |

KING'S ROAD (ABOVE)

BOYCE'S AVENUE (ABOVE)



CLIFTON DOWN ROAD (ABOVE)

01 PROPOSED

Basement Floor Plan

DO NOT SCALE FROM THIS DRAWING. VERIFY ALL DIMENSIONS ON SITE.

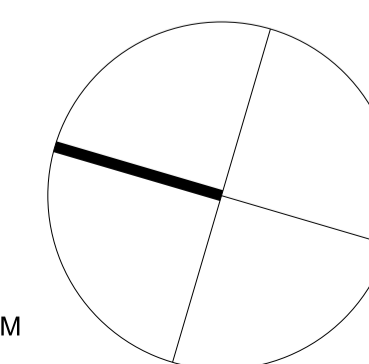
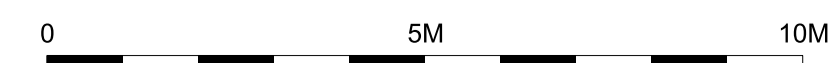
DRAWING SHOULD BE READ IN CONJUNCTION WITH INFORMATION FROM ALL OTHER DESIGN CONSULTANTS AND CONTRACTORS.

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| Amendment | | Date |
|-----------|---|------------|
| P3 | Revised WPD trench and M&S entrance door to escape corridor | 03/11/2018 |
| P4 | Revised Unit08 Rise | 28/11/2018 |
| P5 | Revised Unit name and area | 08/01/2019 |
| P6 | Revised Unit 09 layout / cycle spaces | 04/02/2019 |
| P7 | Revised layout | 05/06/2019 |
| P8 | Revised Planning Issue | 16/10/2019 |
| P9 | Revised Planning Issue | 21/10/2019 |
| P10 | Revised Planning Issue | 15/11/2019 |



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Nos. 2-16
CLIFTON DOWN ROAD
PROPOSED BASEMENT FLOOR PLAN

Job/Drawing No
1807/-P-1000-P10

Scale 1:100 (1:200 at A3)
Date 04/02/2019
Drawn FCBS

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All dimensions to be checked on site

Original printed at A1

KEY:
NOTE: For extent of adoptable areas, highways treatment & bus stop design refer to TPA TNo4 Overview of Transport Changes

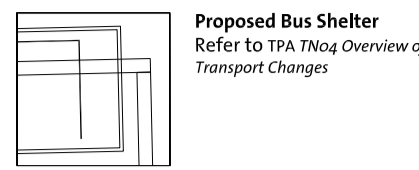
- Paving to Shared Surface Threshold**
Varying widths x varying lengths x 50mm depth sawn Woodkirk Paving by Hardscape Ltd (or equal & approved)
- Paving to Shared Surface/ Flexible Space**
Porphyry planks in 300mm wide x random length (between 450-750mm) x 50mm depth in flamed finish and violet mix colour running bond layout between seams by Hardscape (or equal & approved).
- Paving Seams to Public Realm**
Porphyry planks in 110mm wide x random length x 50mm depth in flamed finish and grey mix colour running bond layout by Hardscape (or equal & approved).

- Paving to Retail Areas**
100mm wide x 540mm length x 50mm depth Woodkirk Paving by Hardscape Ltd (or equal and approved). Laid stack bonded.
- Paving to Clifton Down Road Pavement**
Adoptable paving to BCC standards including tactile paving at crossings
- Artscap Seams to Clifton Down Road**
50mm width bronze seams with engraving to shop front / Clifton Down Road

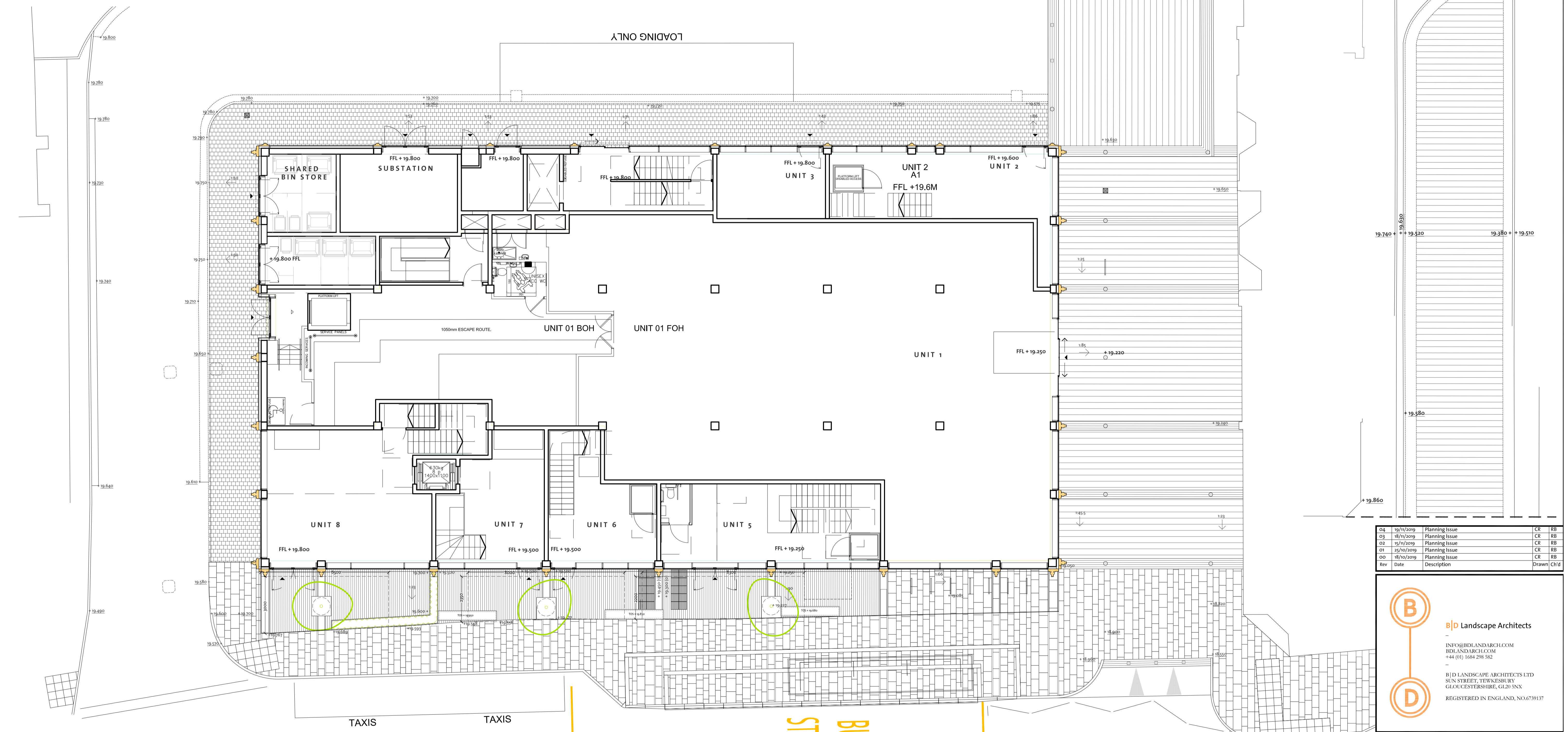
- Integrated Seating**
500mm width x 3m length pieces of Woodkirk Yorkstone
- Proposed Cycle Stands**
7 no. Sheffield bike stands root fixed within pavement 1 stand relocated from Boyces Avenue
- Cycle Stands Retained**
1 existing stand retained on Boyces Avenue

- Bollards**
Bronze bollards 200mm diameter x 1300mm height fixed static bollards to public realm by Chris Brammall (or equal & approved)
- Historic lighting columns**
To be retained / reinstated
- Granite Setts**
Reclaimed granite setts from site won material where possible.

- EXISTING LEVELS**
+18.960
+19.085
- PROPOSED LEVELS**
+18.960
+19.085
- Proposed Semi-mature tree planting**
Structural street trees with a light canopy. Ginkgo biloba, 5-6m height, 30-35cm girth, 2.0m clear stem. Refer to Detail Plan and Section for In-Ground Tree Pits BD 0106 SD 301
- Raised Planting Bed**
A mix of ornamental shrubs, textural grasses and pollinator friendly perennials to soften the public realm and provide a buffer to outdoor seating. Refer to Planting Schedule within Landscape Design & Access Statement section



- GENERAL NOTES:**
- ALL DIMENSIONS AND LEVELS SHALL BE CHECKED ON SITE PRIOR TO CONSTRUCTION WORK COMMENCING.
 - ALL LANDSCAPE DRAWINGS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ENGINEERS AND ARCHITECTS DRAWINGS AND SPECIFICATIONS.
 - ALL DRAWINGS TO BE READ IN CONJUNCTION WITH THE LANDSCAPE SPECIFICATION.
 - ANY DISCREPANCY CONCERNING THE DRAWINGS SHOULD BE REFERRED TO THE CA IMMEDIATELY.
 - ALL DIMENSIONS IN MILLIMETRES UNLESS NOTED OTHERWISE
 - ALL LEVELS IN METRES
 - DO NOT SCALE OFF THIS DRAWING.
 - EXISTING SERVICE ALIGNMENTS SHALL BE CHECKED ON SITE BY THE CONTRACTOR PRIOR TO CONSTRUCTION WORK COMMENCING.



| | | | | |
|-----|------------|----------------|-------|------|
| 04 | 19/11/2019 | Planning Issue | CR | RB |
| 03 | 18/11/2019 | Planning Issue | CR | RB |
| 02 | 15/11/2019 | Planning Issue | CR | RB |
| 01 | 25/10/2019 | Planning Issue | CR | RB |
| 00 | 18/10/2019 | Planning Issue | CR | RB |
| Rev | Date | Description | Drawn | Ch'd |

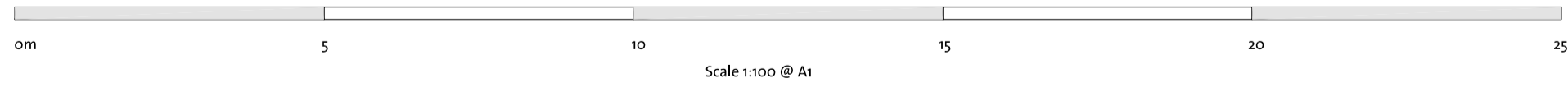
B | D Landscape Architects

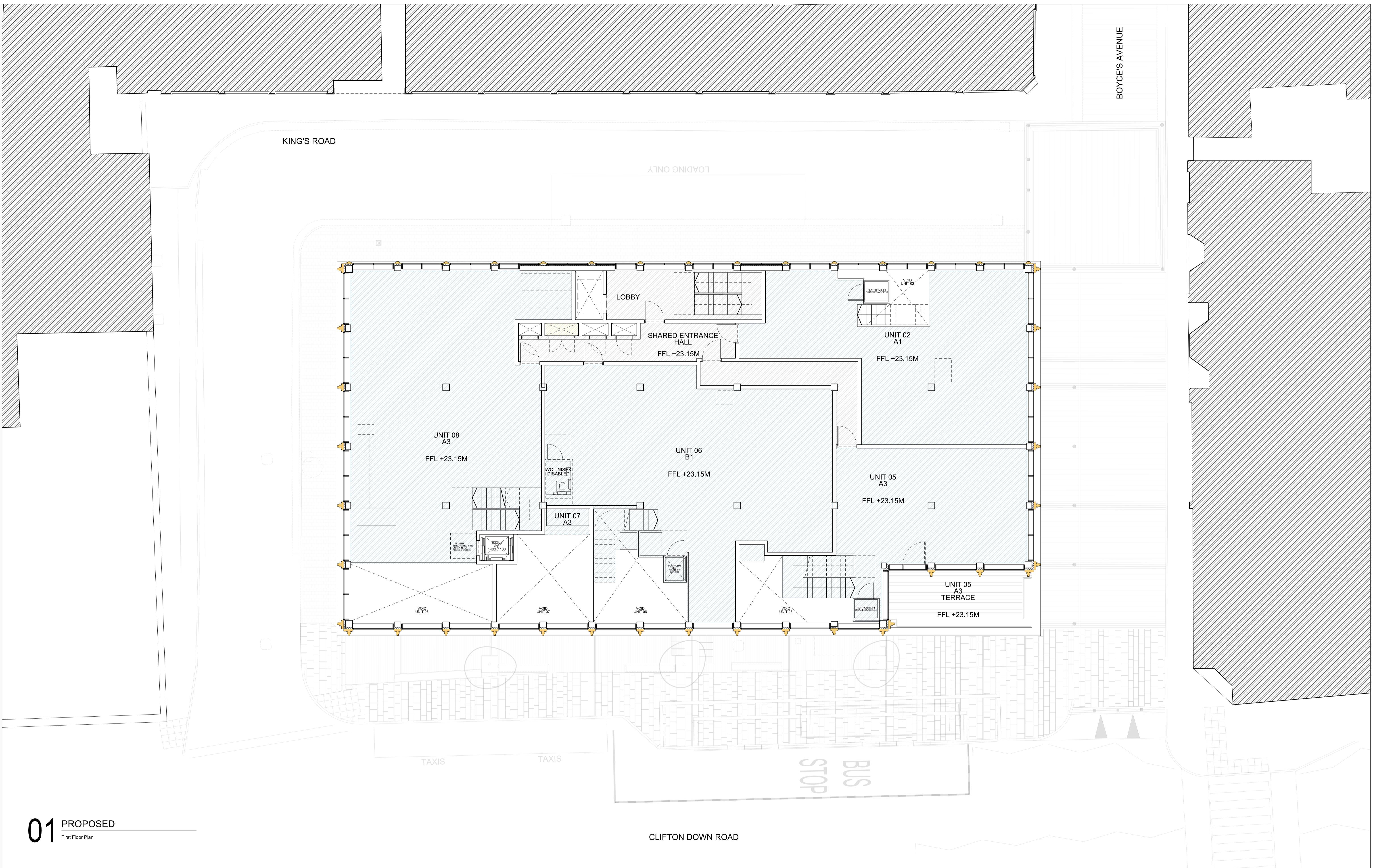
INFO@BDLANDARCH.COM
BDLANDARCH.COM
+44 (0) 1684 298 582

B|D LANDSCAPE ARCHITECTS LTD
SUN STREET, TEWKESBURY
GLOS G20 5XX
REGISTERED IN ENGLAND, NO.6739137

D

| | | |
|--|---------------------|-----------------|
| CLIENT THAT Group | | |
| PROJECT Clifton Down Road | | |
| TITLE Detailed Landscape and Public Realm Layout Plan | | |
| Status: Planning | Drawn: CR | Checked: RB |
| Scale: 1:100 @ A1 | Date: 18.10.2019 | Approved: RB |
| Drawing & Revision Number: BD 0106 SD 001 Ro4 | | |





01 PROPOSED
First Floor Plan

DO NOT SCALE FROM THIS DRAWING. VERIFY ALL DIMENSIONS ON SITE.

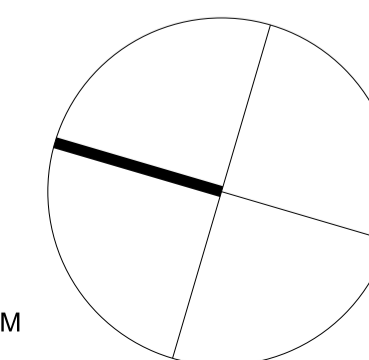
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| Amendment | | Date |
|-----------|------------------------------|------------|
| P3 | Revised Unit08 Riser | 28/11/2018 |
| P4 | Revised Unit names and areas | 08/01/2019 |
| P5 | Revised Unit layout | 25/06/2019 |
| P6 | Revised Unit 2 layout | 19/07/2019 |
| P6 | Revised Unit 2 layout | 19/07/2019 |
| P7 | Revised Planning Issue | 16/10/2019 |
| P8 | Revised Planning Issue | 21/10/2019 |
| P9 | Revised Planning Issue | 13/11/2019 |



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Nos. 2-16
CLIFTON DOWN ROAD
PROPOSED FIRST FLOOR PLAN

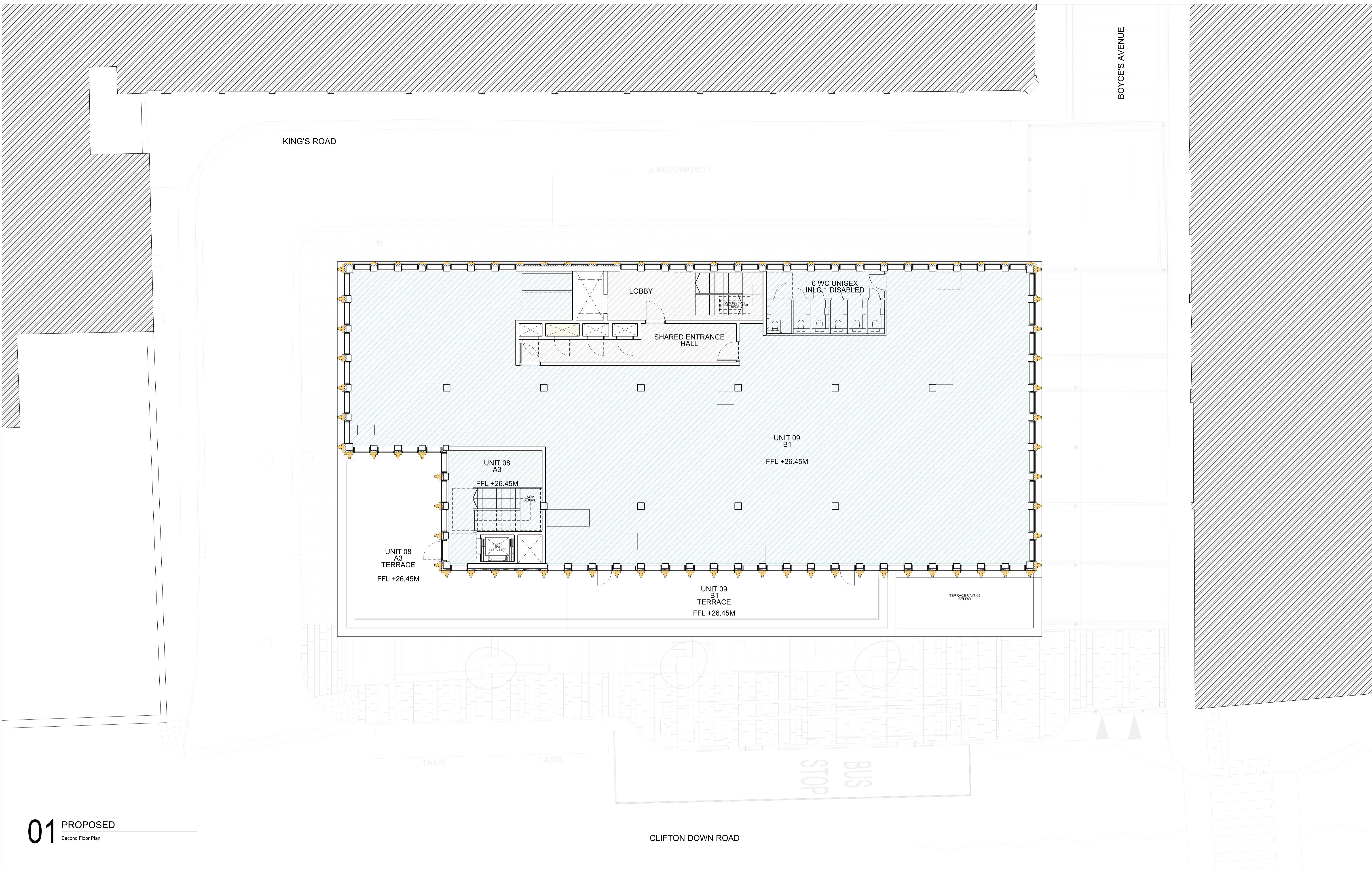
Job/Drawing No
1807/-P-1002-P9

Scale 1:100 (1:200 at A3)
Date 29/01/2019
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01 PROPOSED
Second Floor Plan

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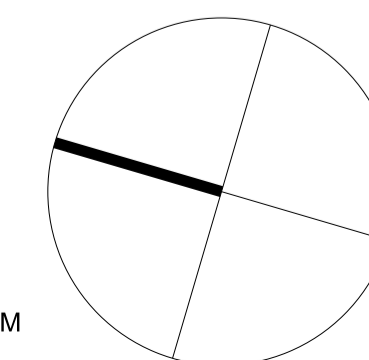
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| Amendment | | Date |
|-----------|------------------------------|------------|
| P5 | Revised Unit names and areas | 08/01/2019 |
| P6 | Revised Planning Issue | 16/10/2019 |
| P7 | Revised Planning Issue | 21/10/2019 |
| P8 | Revised Planning Issue | 13/11/2019 |



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Nos. 2-16
CLIFTON DOWN ROAD
PROPOSED SECOND FLOOR PLAN

Job/Drawing No
1807/-P-1003-P8

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Date 21/01/2019
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**Previous Scheme Approved 2013
13/00780/F**



**Previous Scheme Refused 2015
14/04500/F**

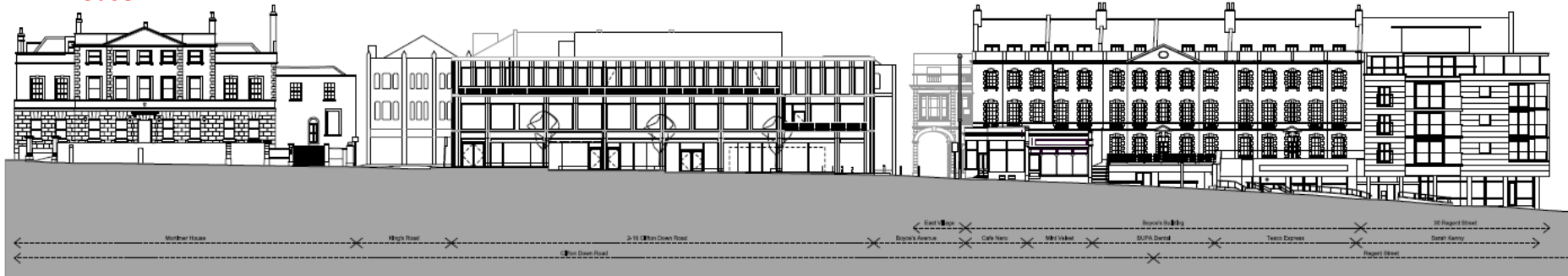


Mortimer House

Site

Boyce's Building

30 Regent Street/Sarah Kenny



Site in 2014



SEPTEMBER 2019



