Development Control Committee A – 2 September 2020

ITEM NO. 1

WARD: Brislington West

SITE ADDRESS: 493 - 499 Bath Road Brislington Bristol BS4 3JU

APPLICATION NO: 18/05023/F Full Planning

DETERMINATION DEADLINE: 29 March 2019

Demolition of existing building and redevelopment of the site for 146 residential units, including apartments and houses (Use Class C3), with associated car parking, landscaping and works. (Major application).

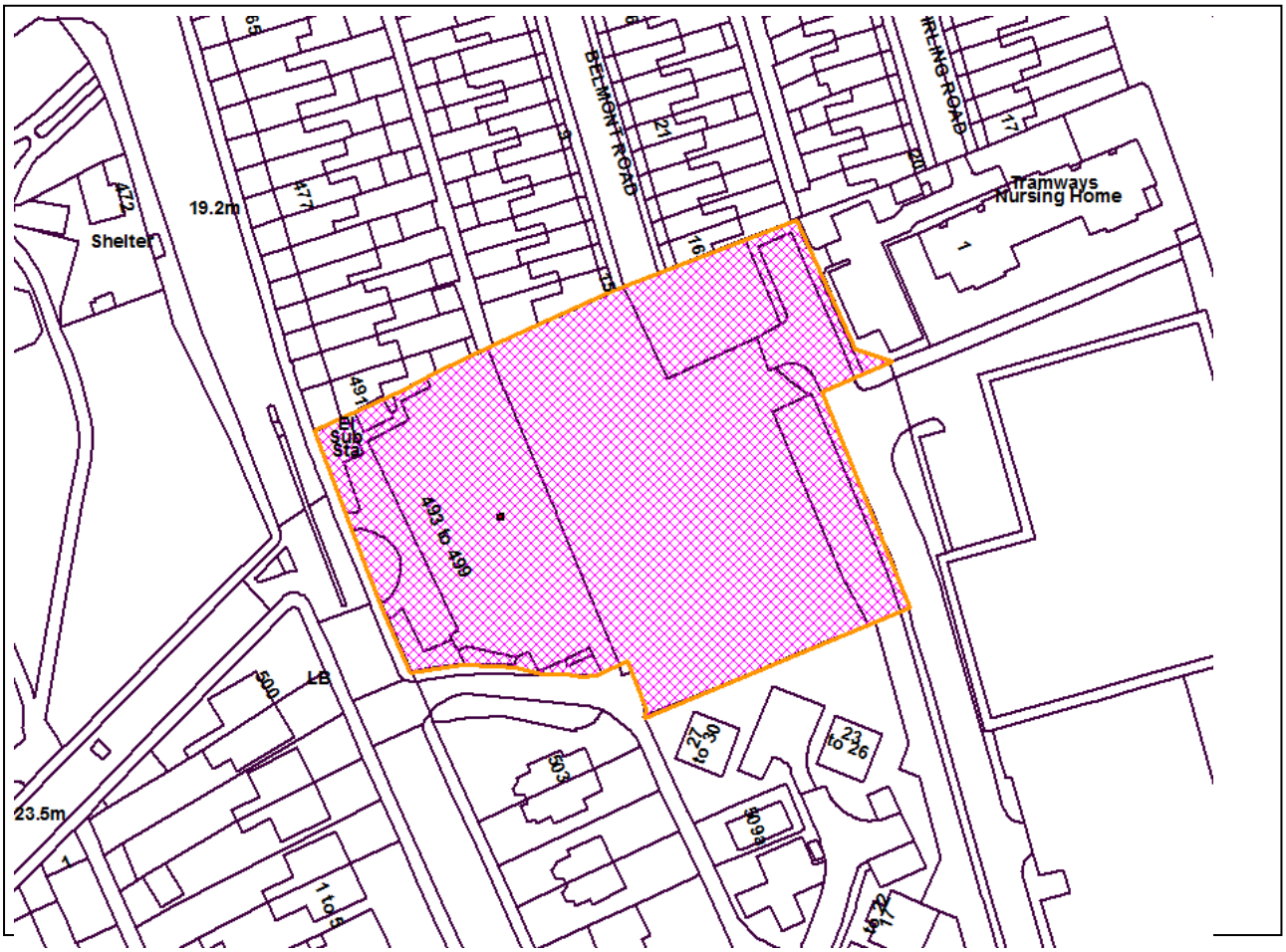
RECOMMENDATION: Refuse

AGENT: Savills (L&P) Plc
Embassy House
Queens Avenue
Bristol
BS8 1SB

APPLICANT: Sovereign Housing Association
C/o Savills

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

LOCATION PLAN:



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Application No. 18/05023/F : 493 - 499 Bath Road Brislington Bristol BS4 3JU

SITE DESCRIPTION

This application relates to land to the east of Bath Road, south Bristol within the Brislington West ward of the city.

The western part of the site is currently occupied by a four-storey vacant building known as 493 – 499 Bath Road, formerly in use as a tailoring factory and occupied by the Russian Anglo Oil Company and the eastern part is hardstanding formerly occupied by Bristol Commercial Vehicles.

The site is bounded to the north and south by residential properties and to the east by Tramway Road which features a residential care home and business / retail units.

The surrounding area is characterised by two- and three-storey terraced residential properties.

The site is allocated for Housing (site reference: BSA1207) in the Bristol Local Plan Site Allocations and Development Management Policies.

On the western side of Bath Road is Arnos Court Park, a designated Conservation Area, Local Historic Park and Garden, and Important Open Space. A Grade II Listed former convent to the rear of Parkside Hotel is located approximately 180 metres to the north.

To the east of the site lies the Wildlife Corridor Site, known as 'Dismantled Railway near Tramway Road'. The site is located within an Air Quality Management Area.

RELEVANT HISTORY

17/01732/PREAPP – Demolition of existing building and redevelopment of the site to deliver a residential scheme of 121 units (market and affordable) including flats and houses, as well as associated parking and landscaping. Closed 15/08/2017.

16/04435/PREAPP – Demolition of existing building and redevelopment of circa 125 units, across 3 blocks. Closed 28/03/2017.

16/05401/A - Two aluminium advertisement hoardings on front of building. GRANTED subject to condition(s) 28/11/2016.

02/04106/A – Retention of unauthorised non-illuminated V advertising hoarding to front of building. Refused.

99/01983/CE – Certificate of Lawfulness: mixed retail/warehouse use (Use Class A1/B8) with ancillary office and manufacturing uses, and with associated car parking and servicing area at the rear of the existing building. Certificate of Lawfulness Issued 27/10/1999.

99/01051/F - Building operations comprising enhancement works to the external appearance of the building including alterations to the ground floor front elevation windows of the Bath Road elevation. GRANTED subject to condition(s) 25/05/1999.

97/00095/P - Demolition of warehouse/ showroom/office building and erection of houses and flats. GRANTED subject to condition(s) 23/05/1997.

94/01649/A - Erection of non-illuminated `V' Sign. 2.1M X 9.6M. GRANTED subject to condition(s) 19/09/1994.

90/02678/Z - Appeal against Enforcement Notice issued 22 August 1990 for the unauthorised change of use of part of rear yard from car parking/servicing to a scaffolding yard, erection of associated

structures and means of enclosure. Appeal dismissed 06/09/1991.

85/01936/F – Distribution warehouse, assembly and repair workshop. Showroom and office. GRANTED subject to condition(s) 25/11/1985.

APPLICATION

The application seeks full planning permission for the erection of 146no. dwellings, including flatted dwellings and dwellinghouses (use class C3) with associated car parking and landscaping. The existing buildings on site would be demolished to enable development.

The scheme proposes 5no. blocks of varied heights:

- Block A: 4 - 5 storeys
- Block B: 6 storeys
- Block C: 7 storeys
- Block D: 2 – 4 storeys
- Block E: 2 storeys

The housing mix is:

- 143no. self-contained apartments:
    - Block A: 21 apartments
    - Block B: 53 apartments
    - Block C: 60 apartments
    - Block D: 9 apartments
- Block E: 3no. three-bedroom terraced dwellinghouses

The application proposes 32 affordable units (22%) for social rent to be secured by a s106 planning obligation, with the remaining 114 units (78%) to be provided as affordable housing.

The bed space mix is:

Type of dwelling	**No. of dwellings**
1 bed, 2 person	**63**
2 bed, 3 person	**80**
3 bed, 5 person dwellinghouse	**2**
3 bed, 6 person dwellinghouse	**1**
Total	**146**

The proposed blocks would be constructed in brick, render and metal cladding with stone capping and would have glass balconies, windows and doors.

The proposed cycle and car parking would be:

Block	**Cycle Parking**	**Car Parking**
A	**130**	**44**
B	**0**	**0**
C	**94**	**35**
D	**8**	**9**
E	**6**	**6**
Total	**280**	**97**

PRE-APPLICATION COMMUNITY CONSULTATION

The applicant submitted a Statement of Community Involvement with the application, which states that pre-application consultation with the local community was carried out between December 2016 and July 2018. This consisted of; letters sent to councillors and community groups in December 2016; a presentation to the Greater Brislington Neighbourhood Planning Partnership in March 2017; and, a

community consultation event held in July 2017. Leaflets were distributed to approximately 2,000 local residents and the event had an estimated attendance of 46 people. The feedback received from the event is provided in the Statement of Community Involvement submitted by the applicant.

EQUALITIES IMPACT ASSESSMENT

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

RESPONSE TO PUBLICITY AND CONSULTATION

The application was submitted and validated in October 2018. In response to the proposals as submitted, 13no. comments were received from interested parties to the application. All 13 comments received were in objection.

Revised plans were submitted in March 2019 comprising the following changes: amendments to the car parking design and layout; creation of additional amenity spaces; amendments to main entrances to the buildings and façade detailing.

Neighbours were reconsulted in April 2019. In response to the revised plans, 11 comments were received from interested parties. Of the 11 comments, 10 comments were in objection and 1 neutral comment was received in response to the revised plans.

Further revised plans were submitted in February 2020 comprising the following changes: removal of top floor of Block A and re-distribution of 3no. flats to Block B; internal re-ordering of Blocks A, B and C to achieve increased dual aspect and relocate the stair cores. Neighbours were re-consulted in February 2020. In response to the revised plans, 10 comments were received all in objection to the proposed development.

Issues raised were consistent at each stage and included the following concerns:

- Lack of parking and impacts on traffic and access;
- Over development of the site;
- Building heights, particularly Building A fronting Bath Road and Building C to the rear;
- Massing and scale of the scheme not considered in keeping with the local architecture;
- Design quality and living environment for future residents;
- Opening of access at the top of Belmont Road for pedestrians and cyclists;
- Impact on privacy, amenity, light/air pollution for existing residents;
- Demolition of existing building and lack of mixed uses proposed; and
- Insufficient number of affordable homes.

EXTERNAL CONSULTEES
BRISTOL WASTE COMPANY – No objection

Following submission of revised plans in February 2020, Bristol Waste made the following comments:

“The only change we would make would be to add an additional 1100 or 66o refuse bin to Block B where the number of flats has been increased from 50 to 53 units.

It is noted vehicle access to the site is from the rear on Tramway Road. All domestic properties on

adjacent Roman Walk are on container rounds with communal bins similar to the rounds serving blocks A,B & C.

Blocks D - 9 hh & block E- 3 hh would be the only ones on domestic kerbside rounds similar to those on Bath Road and could be easily missed as the location would be relatively remote from the rest of the rounds. It would be worth checking if collections from these two blocks could be combined and the collection put on a weekly refuse collection with 1 x 1100 bin and a linked small Mini Recycling Centre with 5 containers for various materials. Bristol Waste would be willing to liaise with the developer regarding this option as there were questions about the previous design submitted."

THE AVON FIRE AND RESCUE – No objection

Avon Fire and Rescue commented on the proposed development as submitted in October 2018. Detailed comments are provided online, however in summary they requested 2no. Fire Hydrants to be installed and appropriately sized water mains to be provided which will be secured by a s106 obligation.

CRIME PREVENTION DESIGN ADVISOR – No objection

The Crime Prevention Design Advisor made comments on the proposed development as submitted in October 2018. Detailed comments are available online.

NATURAL ENGLAND – No comment

INTERNAL CONSULTEES

SUSTAINABLE CITY AND CLIMATE CHANGE TEAM – Objection

Bristol City Council Sustainable Cities and Climate Change Team made the following final comments on the proposed development following submission of revised plans in February 2020 and discussions with the applicant's legal team.

"These comments are provided in response to the draft legal opinion prepared on behalf of the applicant by Thea Osmund-Smith of No5 Chambers. They pertain to the concern raised in the legal opinion that Bristol City Council sustainability officers had not engaged with the applicant in consideration of what is feasible or viable, clarifications related to that opinion, grant funding offered by BCC to reduce the costs of policy compliant heating systems, financial viability and technical feasibility.

1. Engagement on what is feasible and viable

It is the view of sustainability officers that it should be possible to achieve a solution which is acceptable to all parties as has been the case with other recent schemes where the initial energy strategy was not policy compliant. So, it is also regrettable that the offer of further discussions between the BCC Sustainability Team and the applicant regarding the energy strategy were declined by the applicant.

We consider that the evidence does not support the assertion, in the legal opinion provided to the applicant, that Sustainability Officers have not engaged with what is feasible or viable. The feasibility and viability of the scheme has been the subject of discussions between the applicant and other BCC officers as follows:

- 31st March 2017: Pre-app comments prepared by Amy Harvey – Bristol City Council.
- 16th April 2018: Pre-app meeting with the applicant's team and Amy Harvey and Mark Letcher – BCC Sustainable City, Paul Barker – BCC Energy Services, Jess Leigh – BCC Development Management. Lee Evans – Sustainable Energy Ltd (providing consultancy services for BCC

on the development of the heat network) at 100 Temple Street to discuss the Energy Strategy and communal heating.

- 26th April 2018: Meeting notes and actions from meeting above circulated by Amy Harvey.
- 27th April 2018: E-mail from Amy Harvey – BCC to Mark Tunstall - Tremain Powell Partnership Ltd, copied to Mark Somerville – Savills, and Corinne Moore – Sovereign, providing further clarification on communal heating.
- 9th May 2018, 14th May 2018, 15th May 2018, 14th June 2018, further correspondence between BCC and applicant's team providing clarification and assistance with respect to BCS14.
- 26th October 2018: Initial comments from Amy Harvey – BCC provided on the full application by e-mail.
- 27th November 2018: Full sustainability comments provided by Amy Harvey - BCC
- 18th October 2018: Offer from David White – BCC Energy Services to provide metering and billing services for a communal heating solution.
- 26th March 2019: Response from applicant to sustainability comments received.
- 29th March 2019: Meeting with applicant, with Amy Harvey – BCC and David Grattan- BCC Development Management in attendance.
- 8th April 2019: Follow-up comments sent by Amy Harvey – BCC to applicant.
- 29th April 2019: Further sustainability comments provided by Amy Harvey – BCC in response to additional information from the applicant received in March 2019.
- 9th May 2019: Additional information received from the applicant on viability and the energy strategy.
- 12th March 2020: Further sustainability comments submitted to David Grattan – BCC in response to further submissions by the applicant 'Bath Road Planning Statement Addendum (Feb 2020)', and 'Technical and Financial Appraisal: The Heat Hierarchy, Communal Heating and Heat Pumps'.

Further, Sustainability officers worked with colleagues in BCC Energy Services to identify a solution to concerns raised by the applicant about the technical and administrative requirements of metering and billing for communal heating and hot water solutions.

Sustainability officers also asked a company which the city council has used for its own housing schemes, to provide an initial assessment of whether a ground source heat pump with shared ground array was technically feasible on this site. Their conclusion was that a system of this type could provide space heating and hot water to the scheme as a whole, with a proportion of the boreholes located under the car park and basement areas. An alternative configuration excluding carpark and basement areas was also considered possible subject to further design work to confirm technical details. In both these instances we were not recommending a particular provider or approach but seeking to assist the applicant in finding feasible and viable solutions.

2. Clarifications

Discussions with Bristol City Council Energy Services

Paragraph 17(ii), Site Specific Information - The Technical and Financial Appraisal of the legal opinion suggests, with reference to Communal systems, that 'Whilst the Council did wish Sovereign to consider engaging Bristol Energy to provide metering and billing services, the Council accepted at a meeting in April 2019 that Bristol Energy had not been able to provide an adequate quote and scope of services in order for them to be seriously considered.' 18/05023/F – further comments following draft legal opinion provided to the applicants do not consider the suggestion (above) that the Council wanted Sovereign to engage with BCC Energy Services to be an accurate reflection of discussions at the time. The discussions about metering and billing services related to an offer made proactively by BCC Energy Services to provide and undertake metering and billing on behalf of Sovereign, to address concerns raised by them about the technical and administrative requirements of providing such services. This offer was made with the intention of achieving a policy compliant scheme which would be acceptable to the applicant. (Note: engagement was with Bristol City Council officers in the

Energy Services team, not Bristol Energy Company).

Interpretation of policy BCS14 – Sustainable Energy

Policy BCS14 – Sustainable Energy sets out a requirement for development to minimise its energy requirements and incorporate renewable and low-carbon energy supplies to reduce its carbon dioxide (CO2) emissions. This can be achieved by reducing energy demand through improvements in energy efficiency, the incorporation of on-site renewables and providing heating and hot water systems in accordance with the heat hierarchy. Each of these elements are important in their own right to meeting this policy objective. The requirement to provide heat hierarchy compliant heating and hot water systems is not solely intended as a means of achieving a 20% reduction in residual emissions through on-site renewables, though where renewable heating and hot water systems are specified, they will contribute to this. Thus, for the units in this scheme, in which the applicant is proposing to install air source heat pumps, their use would comply with the heat hierarchy and contribute to the reduction in residual emissions.

3. Grant funding for Housing Associations under Bristol City Council's Housing Delivery Plan

In recognition of Bristol's need for new and affordable housing and the Mayor's objective of building 2,000 new homes a year (of which 800 are 'affordable') the council established a Housing Delivery Plan which was approved in March 2017 and included a major affordable housing funding programme of £52m. In the first eighteen months of operation the funding programme allocated £13.1m to Housing Associations in Bristol. Under Supplementary Grant Arrangements to delivery corporate objectives, up to £10,000 per unit is available (subject to a grant application) for rented or shared ownership units on schemes delivered principally on private land to assist Housing Associations to deliver BCC policy requirements through the heat hierarchy. We regard this grant funding as indicative of the council's desire to assist housing associations in delivering affordable housing which is compliant with the heat hierarchy. This provides a very significant contribution to the capital costs of the project's heating system.

4. Viability of this scheme

It is our understanding that viability of the scheme was assessed on behalf of BCC by BNP Paribas, and agreement reached with the applicant in February 2020 that, setting aside compliance with BCS14, the scheme could provide 32 affordable units (22%) whilst remaining viable. Compliance with BCS14 using a ground source heat pump system would reduce the number of affordable units to 7-10 units (5-7%). This suggests that achieving a scheme compliant with BCS14 is viable, albeit with a reduced number of affordable units. The viability assessment did not take account of the potential grant funding under the Housing Delivery Plan for compliance with policy BCS14, as referred to in previous comments provided to the applicant. This would, make a very significant contribution to the capital costs of the policy compliant heating system and thereby allow the applicant to increase the number of affordable units that could be achieved as part of this scheme. 18/05023/F – further comments following draft legal opinion provided to the applicant

5. Technical feasibility

As outlined above, since the submission of the pre-application in 2017 Bristol City Council has engaged extensively with the applicant in writing and face to face on the technical elements of this scheme and on compliance with BCS14 in particular. It remains our view that to date, the applicant has not demonstrated adequately either that it is not viable or not feasible to meet policy BCS14 on this scheme.

With respect to the question of whether it is technically feasible to design a development of this type which is policy compliant, our view is that it is, based on our assessment of the information provided on this development and the delivery by other developers, of successful compliant heating systems at

numerous sites in Bristol.

Communal systems – gas fired or connected to a heat network: The fact that large developments are being designed and constructed in Bristol with communal heating and hot water systems suggests to BCC that there are no inherent technical reasons why this scheme could not be designed to use a communal system. This includes communal systems with a centralised gas boiler, and communal systems where the gas boiler is replaced by a plate heat exchanger connected to the heat network. In either case heat for space heating and domestic hot water are distributed to individual dwellings from a central plant-room/energy centre.

Communal systems – using ground source heat pumps with shared ground array. The technical opinion and initial estimate obtained by Bristol City Council (see Engagement on what is feasible and viable above) suggests that a ground source heat pump system is technically feasible, and that there would be sufficient space for the ground array if partially located under the carpark and basements, and that it may be possible to design such a system without the need to locate the ground array beneath the carpark or building footprints. Bristol City Council's view is that systems of this type are sufficiently developed and mature, to be considered for a scheme of this type. (Prior to installing a ground source heat pump system in one of its own new housing developments (Ashton Rise – see below) Bristol City Council and the lead contractor undertook separate due-diligence exercises to assess the risks associated with this approach, and based on the findings of these has procured and installed this type of system). The ground source heat pump in each dwelling is normally located beneath the domestic hot water cylinder. Given that a domestic hot water cylinder will be required anyway under the applicant's preferred approach we do not regard this as a technical constraint as stated by the applicant. If designed, specified and installed correctly ground source heat pump systems do not require additional heating to provide domestic hot water as stated by the applicant.

Individual air source heat pumps: The aesthetic impact of externally mounted air source heat pumps could be addressed through the use of communal air source heat pump systems, or hybrid air and water to water source heat pump systems, or internal air source heat pumps in which air is transferred to and from the heat pump via a wall duct.

Examples of policy compliant schemes using communal (gas) boilers or connection to a heat network: Bristol City Council Sustainable City officers consider the number and type of recent developments in Bristol which meet BCS14 and provide heating and hot water systems which comply with the heat hierarchy as further evidence that it is technically feasible to design this scheme to be policy compliant. [Full comments from Sustainable City and Climate Change Officer are appended to the Committee Report to see the list of examples provided].

CITY DESIGN GROUP – Objection

Detailed comments and an assessment against the Urban Living SPD were provided on the proposed development in January 2019. Final comments on the revised plans submitted in February 2020 are set out below:

The revised application and the detailed explanation on the DAS dated 31st January 2020 for February re-submission are welcome. The design work taken to address outstanding issues is acknowledged and improvements of some aspects are evident. However, the proposal has not reduced the excessive intensity of development. Therefore, it is considered that the fundamental issue of unacceptable height, scale and massing of blocks A, B and C is still unresolved. Together with the lack of response to address the recommendations given on the Urban Living SPD, the scheme cannot be supported on design grounds.

The following comments are focused on the design issues headlines:

1. Bath Road Elevation
2. Building A/B Courtyard

3. Liveability

Bath Road Elevation

The reduction of a top floor and the rationalised stepping of the façade to a single step are considered positive. However, even with these improvements, the proposed block does not positively contribute to the local character and distinctiveness of this area along Bath Road as established in DM26. The height is still excessive and incongruous; the design still fails to harmoniously blend with the neighbouring properties; and the block still obstructs the south west sunlight penetration to the courtyard behind it. Report on DLSL and Shadow Analysis have not been submitted.

Building A/B courtyard

The amenity value of this courtyard space is still compromised. Considerations expressed on DAS page 27 give no comfort to compliance of DM29. In the absence of following advice given and no further amendments, previous comments remain.

Liveability

Dual aspects - Swapping stair cores with adjacent flats to increase the number of corner flats is welcome. However, the missed opportunity of increasing dual aspect units on the first and second floor of Block A and on Block B is disappointing. Having more than half of the units as single aspect is still not acceptable and does not allow the support of such intense development.

Internal circulations – Although repositioning of stair cores works well for increasing number of corner flats there is no change in the fact they serve more than six flats per core. We disagree with the assertions on DAS page 25. There would not be light infiltration to the long internal corridors.

A recommendation is given in the UL SPD:
Avoiding long, narrow internal corridors - each core should be accessible to generally no more than six dwellings on each floor. Where numbers exceed this, 'dwell' spaces should be designed in which are naturally lit, perhaps with bay window seating, access to a communal balcony or enlarged areas of circulation with the introduction of daylight and views.

This has not been followed.

LANDSCAPE – No objection subject to conditions

Bristol City Council Landscape Officer raised the following comments on the revised scheme submitted in April 2019:

"Generally, the hard and soft landscape proposals can be approved. With regard to detail, the applicant is advised to place knee rails around some of the more vulnerable planting areas adjacent to vehicular highway or parking bays to prevent damage from overrun - to the north and south of blocks D and E in particular.

Given the importance of the soft landscape to the overall appearance of the scheme full planting plans at an appropriate scale should be provided to show plant species, numbers, size at planting and topsoil treatments for all planted areas. Tree pit details are required for trees in hard and soft landscape areas. The landscape masterplan should also be accompanied by a management plan describing operation to ensure the upkeep of the site beyond the initial contract maintenance period. These requirements can be covered by condition but should be supplied prior to construction of works on site."

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NATURE CONSERVATION OFFICER – No objection subject to conditions

FLOOD RISK MANAGER – No objection subject to conditions

Bristol City Council Flood Risk Officer commented on the proposed development as originally submitted in October 2018 and requested further details. Following the submission of a revised Drainage Strategy, the Flood Risk Officer noted the approach is acceptable and achievable therefore raised no further comments subject to conditions.

CONTAMINATED LAND – No objection subject to conditions

Following submission of revised plans and clarifications in April 2019, officers raised no further objections subject conditions for the implementation of a remediation scheme and reporting of unexpected contamination.

HOUSING OFFICER – Support

See Key Issue B.

TRANSPORT DEVELOPMENT MANAGEMENT – No objection subject to conditions

Bristol City Council Transport Development Management (TDM) were consulted on the proposed development as submitted and as revised in April 2019 and February 2020.

See Key Issue F.

TREE OFFICER – No objection subject to conditions

POLLUTION CONTROL (ENVIRONMENTAL HEALTH) – No objection subject to conditions

RELEVANT POLICIES

National Planning Policy Framework – February 2019

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocations and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2016, Lawrence Weston Neighbourhood Development Plan 2017, Urban Living SPD (November 2018) and Bedminster Green Framework (March 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. IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN PRINCIPLE AND IS THE HOUSING TYPE AND MIX APPROPRIATE?

Section 5 of the NPPF sets out the approach to 'Delivering a sufficient supply of homes'. It states the importance of having a sufficient amount and variety of land coming forward to meet housing requirements.

Policy BCS5 sets out that the Core Strategy (2011) aims to deliver new homes within Bristol's existing built up areas to contribute towards accommodating a growing number of people and households in

the city. Between 2006 and 2026, 30,600 new homes will be provided in Bristol.

Policy BCS18 supports a neighbourhood with a mix of housing tenures, types and sizes to meet the changing needs and aspirations of its residents.

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

The Bristol Local Plan – Site Allocations and Development Management Policies - Adopted July 2014 allocates this site (Site reference: BSA1207) for housing, with an estimated number of homes of 85.

In providing 146no. residential units, the proposed development would contribute to meeting the Core Strategy minimum target of providing 26,400 new homes in the period 2006-2026 and reflects the Core Strategy approach to the location of new housing by developing new homes on previously developed sites. The principle of residential development is therefore found acceptable in land use terms and would contribute positively to the stock of housing in Bristol in accordance with policies BCS5.

The surrounding area has a largely residential context and the proposed development would be situated on a brownfield site, of which the existing buildings on site are vacant and underused. Therefore, the proposed development represents a good use of land in line with Core Strategy Policy BCS20 Effective and Efficient Use of Land.

The site is in a sustainable location approximately 300m from the shops and services of Sandy Park Road Local Centre and close to the supermarket at Castle Court and bus routes along Bath Road.

The site is situated within both the Kensington Park and Bath Road Local Super Output Areas (LSOA). Within the Bath Road LSOA, 76% of dwellings are houses; with the remaining 23% are flats, masionettes or apartments; versus 77% houses and 22% flats in Kensington Park. In terms of dwelling size; 19% of dwellings in the Bath Road LSOA have one 1 bedroom, 9% of dwellings have 2 bedrooms, 47% of dwellings have 3 bedrooms. Whilst 12.5% of dwellings in Kensington Park have 1 bedroom, 13.8% have 2 bedrooms and 60% have 3 bedrooms.

The proposed development would provide 63no. one-bedroom dwellings, 80no. two-bedroom dwellings and 3no. three-bedroom dwellings. This demonstrates that the prevailing dwelling-type would be smaller residences, rather than family-sized accommodation. It is considered that the proposed development would provide a diverse housing mix to cater to a variety of needs within the local area and would contribute to creating a mixed community.

Therefore, the development of the site for housing is considered to be acceptable and complies with the NPPF, BCS5, BCS18 and BCS20.

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

The proposed development falls within Use Class C3 of the Use Classes Order, meaning that it is required to address the Council's Affordable Housing Policies. It comprises 146 dwellings and therefore it is required to comply with Core Strategy Policy BCS17, which seeks the provision of up to 30% affordable housing (44 affordable dwellings) subject to scheme viability.

The National Planning Policy Framework (NPPF) and the associated Planning Practice Guidance (PPG) were revised in 2019, and these revisions are pertinent to the assessment of scheme viability.

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

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

The revised PPG includes the following statements about BLV:

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

The Applicant had originally claimed that, to remain viable in planning terms, the proposed scheme was unable to provide any affordable housing. A detailed viability appraisal and supporting commentary was submitted by Savills on behalf of the Applicant in support of the claimed viability position. This was undertaken on the basis that the scheme would comprise 86 open market dwellings, and a block comprising 60 Private Rented Sector (PRS) dwellings. It should be noted that the Description of Development as set out by the Applicant, does not differentiate between open market and PRS dwellings, it merely states that 146 residential units are being applied for.

The viability of PRS is assessed differently from open market dwellings, and will result in a different result, and therefore a different level of affordable housing provision. As the viability undertaken by Savills on behalf of the Applicant has been based on a PRS / open market mix, officers are of the view that should a consent be granted, a condition should be applied requiring the housing mix to be as per that submitted for viability testing.

As set out elsewhere in this report, the Council and the Applicant have not been able to reach agreement on issues relating to the provision of Heat Hierarchy measures, and this has been the case since the application was first submitted. The provision of Heat Hierarchy measures will have a significant impact on the viability of the scheme. Based on the information provided by the applicant, Heat Hierarchy measures over and above those preferred by the applicant would increase costs by £968,000 (Communal Heating), £845,000 (Communal Air Source Heat Pumps), or £963,000 (Ground Source Heat Pumps). In addition, renewable energy costs in the form of PV cells would cost a further £577,931. The Applicant has agreed that the PV cells will be provided.

Officers commissioned BNP Paribas to assess the viability information and advise the Council as to whether the Applicant's claim that no affordable housing could be provided was reasonable. However, due to the Heat Hierarchy issue, BNP Paribas were asked to exclude the costs of Heat Hierarchy measures from their assessment. This would enable an assessment to be made of the level of affordable housing that could be provided (excluding Heat Hierarchy measures), with the intention that once Heat Hierarchy measures were agreed; the relevant costs could be input to identify what impact this had on the level of affordable housing.

BNP Paribas disagreed with a number of the inputs used by Savills including key elements such as development values, build costs and the Benchmark Land Value. Following significant levels of correspondence and discussions between Savills and BNP Paribas, in November 2019, BNP Paribas concluded that (excluding Heat Hierarchy measures) the scheme could provide 32 affordable dwellings (22%), and that is the position that officers have taken.

In February 2020, the applicant submitted a Planning Statement Addendum, in which they reiterated their view that they disagreed with the conclusions reached by BNP Paribas. However, in the Planning Statement Addendum they stated the following:

"… Sovereign have recently discussed the proposals with Homes England and BCC's Housing Enabling Team. As a result of these discussions and to seek to find a positive resolution to this situation, Sovereign are offering to enter in to a S106 that would secure 22% affordable housing …"

The applicant has requested that all of the affordable dwellings secured via the Section 106 Agreement are to be for Social Rent, and the Council's Housing Enabling Team are agreeable to this request.

Consequently, if no additional Heat Hierarchy measures are to be incorporated, officers are satisfied that the provision of 32 affordable dwellings (22%) for Social Rent is an appropriate level of affordable housing, and is in compliance with Core Strategy Policy BCS17.

As part of the viability process, BNP Paribas undertook sensitivity testing including Heat Hierarchy costs at £950,000, and the PV cells. At the time of writing this report it is understood that the applicant is not offering to provide the Heat Hierarchy measures. However, if this position were to change, the sensitivity testing indicated that by incorporating Heat Hierarchy measures, the level of affordable housing would drop to in the region of 6% (approximately 9 affordable dwellings). The exact level of reduction would not be known until the cost of the relevant Heat Hierarchy measures was clarified.

Conclusion:

Assuming Heat Hierarchy measures are not included, the provision of 32 affordable dwellings (22%) for Social Rent is an appropriate level of affordable housing, and is in compliance with Core Strategy Policy BCS17. This should be secured through a Section 106 Agreement.

If Heat Hierarchy measures are offered and subsequently prioritised by committee, then a lower level of affordable housing would be appropriate. The level would need to be identified through further viability testing which would need to be undertaken after this committee meeting. The resulting amount should be secured through a Section 106 Agreement.

Should committee be minded to refuse the application, then one of the reasons must be due to a lack of affordable housing provision. This is because there is currently not a Section 106 Agreement in place to secure the affordable housing. However, if the applicant wished to appeal the refusal, the lack of affordable housing reason could be overcome by the applicant and the Council concluding a Section 106 Agreement to secure the affordable housing, and presenting it to the inspector prior to the subsequent appeal.

C. DOES THE PROPOSED DEVELOPMENT GIVE SUFFICIENT CONSIDERATION OF SUSTAINABLE DESIGN AND CONSTRUCTION?

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

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

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

As noted by the comments from the Sustainable City and Climate Change Team there has been a series of discussions with the Applicant on the proposed energy strategy since 2017. Matters relating to sustainable design and BREAM have largely been resolved by way of further information provided or subject to details that could be resolved by way of condition. Compliance with BCS14 and the proposed energy strategy for the scheme has been the principal matter not agreed between both

parties.

Set out below is a summary of the compliance of the proposed energy strategy with Policy BCS14 as a whole.

Policy BCS14

"Proposals for the utilisation, distribution and development of renewable and low carbon sources of energy, including large-scale freestanding installations, will be encouraged. In assessing such proposals the environmental and economic benefits of the proposed development will be afforded significant weight, alongside considerations of public health and safety and impacts on biodiversity, landscape character, the historic environment and the residential amenity of the surrounding area.

Development in Bristol should include measures to reduce carbon dioxide emissions from energy use in accordance with the following energy hierarchy:
1. Minimising energy requirements;
2. Incorporating renewable energy sources;
3. Incorporating low-carbon energy sources.

Consistent with stage two of the above energy hierarchy, development will be expected to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%. An exception will only be made in the case where a development is appropriate and necessary but where it is demonstrated that meeting the required standard would not be feasible or viable…."

The energy strategy in the Planning Application as originally submitted in 2018 proposed an electric heating and hot water system serving the apartments (Blocks A – D) and gas boilers serving the houses (Block E) supported by photovoltaics to achieve a 20% reduction in carbon dioxide emissions.

The revised energy strategy submitted in February 2020 proposes an electric heating and hot water system serving Blocks A, B and C (132 dwellings), with air source heat pumps serving Blocks D and E (12 dwellings) supported by photovoltaics to achieve a 20% reduction in carbon dioxide emissions. In terms of the requirement of the first part of BCS14 regarding the incorporation of renewable energy to reduce residual energy use by 20%, the proposed energy strategy would achieve this.

Policy BCS14 continued

"… The use of combined heat and power (CHP), combined cooling, heat and power (CCHP) and district heating will be encouraged. Within Heat Priority Areas, major development will be expected to incorporate, where feasible, infrastructure for district heating, and will be expected to connect to existing systems where available.

New development will be expected to demonstrate that the heating and cooling systems have been selected according to the following heat hierarchy:
1. Connection to existing CHP/CCHP distribution networks
2. Site-wide renewable CHP/CCHP
3. Site-wide gas-fired CHP/CCHP
4. Site-wide renewable community heating/cooling
5. Site-wide gas-fired community heating/cooling
6. Individual building renewable heating"

In terms of the heating and cooling systems proposed Blocks D and E (12 dwellings) would use air source heat pumps. The energy strategy for this part of the proposed development would be in accordance with BCS14.

In relation to the proposed electric heating and hot water system for Blocks A, B and C (132 dwellings) the proposed system is not on the hierarchy set out above. Whilst the policy does not exclude alternative solutions systems outside of the Heat Hierarchy, the alternative proposed in this instance is not considered to comply with BCS14 and, the Sustainable City Team in their comments consider that it is technically feasible to design a development of this type which is policy compliant – see below.

Considering the Policy as a whole, it is stated that:

"An exception will only be made in the case where a development is appropriate and necessary but where it is demonstrated that meeting the required standard would not be feasible or viable."

Similar to this, Section 14 of the NPPF, which deals with Planning for Climate Change, Paragraph 153 at part a) advises that in determining planning applications, local planning authorities should expect new development to:

a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable

With regards to technical feasibility, as noted in the comments from the Sustainable City and Climate Change Team they remain of the view that to date, the Applicant has not demonstrated adequately either that it is not feasible or not viable to meet policy BCS14 on this scheme. Based on an assessment of the information provided on this development and the delivery by other developers, of successful compliant heating systems at numerous sites in Bristol, the Sustainable City and Climate Change Team consider that it is technically feasible to design a development of this type which is policy compliant.

A number of examples of applications are cited within the Sustainable City and Climate Change Team comments whereby a policy compliant solution has been achieved on other recent schemes where the initial energy strategy was not policy compliant.

In terms of viability, this has been considered within Key Issue B of this Report. As part of the viability process, sensitivity testing was undertaken including Heat Hierarchy costs. The sensitivity testing indicated that by incorporating Heat Hierarchy measures, the level of affordable housing would drop to in the region of 6% (by approximately 9 affordable dwellings). The exact level of reduction would not be known until the cost of the relevant Heat Hierarchy measures was clarified, however this has not been forthcoming from the applicant.

Summary:

On review of the justification as to why electric heating and hot water system should be allowable in this case, the Sustainable City Team is not persuaded that there is sufficient justification to set aside the provisions of BCS14 for this development, and therefore, in the absence of further amendments to the Energy Strategy, their recommendation is to refuse this application.

D. WOULD THE PROPOSED DEVELOPMENT BE OF A SUFFICIENTLY HIGH-QUALITY DESIGN?

Policy BCS20 sets out that an appropriate density should be informed by the characteristics of the site and the local context.

Policy BCS21 advocates that new development should deliver high quality urban design that contributes positively to an area's character and identity, whilst safeguarding the amenity of existing development. Policies DM26-29 (inclusive) of the Site Allocations & Development Management Policies require development to contribute to the character of an area through its layout, form, public

realm and building design.

The Urban Living SPD requires all major developments to respond positively to its context. This should identify the prevailing height, scale and mass of surrounding buildings, streets and spaces. Its further outlines that for tall buildings proposed in sensitive locations particular consideration should be given.

Detailed comments and an assessment of the application proposals against the Urban Living SPD by City Design Group (CDG) was provided to the applicant in January 2019. In those comments it was noted that:

It is acknowledged that density is only a measure. It is a product of design, not a determinant of it.

Allocated for housing in the Sites Allocation and Development Management Local Plan, the site was marked with an estimated number of 85 units. Although the increase of estimated residential units is not uncommon when a scheme is worked in more detail, expanding from 85 to 146 dwellings in this site means 208 dwellings per hectare. This is 3.4 times higher than the prevailing density in the area which is approximately 60dph.

A design-led approach will face serious challenges managing this kind of density if the trade-off is a high quality of life, excellent urban quality and outstanding architecture design in a sustainable location.

A series of revisions were made to the application proposals to address CDG comments. The work taken to address outstanding issues is acknowledged and improvements of some aspects are evident. However, the proposal has not reduced the excessive intensity of development. Therefore, CDG consider that the fundamental issue of height, scale and massing of blocks A, B and C is still unresolved. Together with the lack of response to address the recommendations given on the Urban Living SPD, the scheme cannot be supported on design grounds.

The outstanding design issues relate to the following aspects of the proposals.

<u>i) Height, scale and massing</u>

Bath Road Elevation

The reduction of a top floor and the rationalised stepping of the façade of Block A to a single step are considered positive. However, even with these improvements, the proposed block does not positively contribute to the local character and distinctiveness of this area along Bath Road as established in DM26. The height is still excessive and incongruous; the design still fails to harmoniously blend with the neighbouring properties; and the block still obstructs the south west sunlight penetration to the courtyard behind it.

Height of Blocks B and C

At six and seven storeys respectively, Blocks B and C are considered to be out of character with the surrounding area. The buildings would be between 40 and 50 metres in width and more than 15 metres in depth. This, coupled with the height, would result in a development of excessive massing compared to the immediate context and the character of the area, contrary to Policy BCS21, DM26 and DM27.

<u>ii) Liveability/Amenity for Future Occupiers</u>

Space standards

The Urban Living Assessment indicates that each of the proposed dwellings would meet the nationally described space standards in terms of total floorspace, bedroom sizes and built-in storage.

Single aspect/dual aspect

City Design Group raised concerns that proposed development as submitted included 77% of the proposed apartments (110 out of the total 143 apartments) which were single aspect. Following CDG advice, revised plans were submitted re-ordering the internal layout and making changes to stair cores to increase the number of corner flats to provide 66 apartments out of 143 as dual aspect (ca. 46%), with 77 out of 143 apartments as single aspect (ca. 54%).

CDG consider there was a missed opportunity of increasing dual aspect units on the first and second floors of Block A and on Block B. The proposals still include a majority of units as single aspect, this is still not considered to be acceptable and would not support the case for such an intense development.

Block A / Block B and Courtyard

'Proposed Site Plan Rev 11' 'demonstrates that Block B would be located between 2 and 13 metres from the rear elevation of Block A of which both elevations feature windows. The proposed distance between flats would be unacceptable and would result in unacceptable levels of overlooking for future occupiers.

The amenity value of the courtyard space between Block A and Block B is still considered to be compromised. The close proximity of the two blocks would likely result in this space being frequently in shadow, with limited levels of daylight and sunlight, and the buildings would create an unpleasant sense of enclosure. Considerations expressed on DAS page 27 give no comfort to compliance of DM29 (and no Daylight and Sunlight Assessment or Shadow Study has been provided). In the absence of following the advice given by CDG and no further amendments, previous concerns remain.

Block B / Block C

Windows on Block C would be located approximately 17 metres from the rear elevation of Block B. Whilst less than ideal, a distance of ca. 17 metres could be considered acceptable given the urban nature of the surrounding area. However, the separation distances are worsened by the fact that 60% of the flatted dwellings would be single aspect and would therefore not create high quality living environments for future occupiers.

In terms of daylight and sunlight; a 45-degree shadow assessment was carried out and the proposed development would not cross the 45-degree line on plan or elevation.

Internal circulation

Although repositioning of stair cores has increased the number of corner flats, there is no change to the number of flats served by each core. CDG also consider that there would be limited light infiltration to the long internal corridors proposed.

Summary:

It is considered that the application proposals do not comply with BCC Core Strategy BCS21; and Site Allocations and Development Management Plan DM26, DM27 and DM29.

The proposed development would result in an unacceptable impact upon residential amenity in terms of overlooking and overbearing and would fail to create a high-quality living environment for future occupiers, contrary to Policies BCS21 and DM29.

E. WOULD THE PROPOSED DEVELOPMENT CAUSE ANY UNACCEPTABLE HARM TO RESIDENTIAL AMENITY FOR NEIGHBOURING PROPERTIES?

Policy BCS21 outlines that development in Bristol is expected to safeguard the amenity of existing development and create a high-quality environment for future occupiers. Policy DM29 sets out that new buildings will be designed to ensure that the existing and proposed development achieves appropriate levels of privacy, outlook and daylight.

Policy BCS21 outlines that development in Bristol is expected to safeguard the amenity of existing development and create a high-quality environment for future occupiers. Policy DM29 sets out that new buildings will be designed to ensure that the existing and proposed development achieves appropriate levels of privacy, outlook and daylight.

BRE Fact Sheet 1 sets out that if new development falls beneath a line drawn at 25° from the horizontal, then there is unlikely to be a substantial effect on daylight and sunlight.

Whilst 'SPD2: A guide to house alterations and extensions' main focus is householder development, the supplementary planning document sets out principles such as an indicative separation distance of 21 metres between habitable rooms is required when windows directly face each other, which are relevant to this application.

A number of comments in objection to this application were in relation to the impacts on those living nearby to the application site. A review of the proposed development has been undertaken against the potential impacts on the amenity of neighbouring occupiers using the information submitted with the application against the guidance above.

The existing building on site is approximately four storeys in height and positioned adjacent to 491 Bath Road to the north. Block A would be located on the site of the existing building and would be of a similar height on the boundary with no. 491 Bath Road and would be approximately 22 metres from no. 503 Bath Road to the south. Therefore, the development is not considered to result in an adverse impact on the amenity of the neighbouring properties on Bath Road, beyond the existing situation.

Likewise, Blocks D and E would be between two and four storeys and positioned in line with the gable end of terraces on Belmont Road to the north of the site. This would ensure that the proposed development would not result in adverse impacts by way of overlooking, overshadowing or loss of daylight.

Block C would be positioned approximately 13 metres from no's 27 to 30 Roman Walk and 20 metres from no's 23 to 26 Roman Walk to the south. Side facing windows would be located on the southern elevation of Block C however due to the orientation of the proposed building and properties on Roman Walk, it is not considered that any overlooking would occur. The proposed building would be set a sufficient distance from the existing properties.

Summary:

Overall, it is considered that the proposed new buildings will ensure that existing neighbouring properties would retain appropriate levels of privacy, outlook and daylight.

Development Control Committee A – 2 September 2020
Application No. 18/05023/F : 493 - 499 Bath Road Brislington Bristol BS4 3JU

F. IS THE IMPACT OF THE PROPOSED DEVELOPMENT UPON TRANSPORT AND HIGHWAYS ACCEPTABLE?

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

Policy DM23 of the Site Allocations and Development Management Policies outlines that development should not give rise to unacceptable traffic conditions and will be expected to provide safe and adequate access onto the highway network.

The application site is bounded by the A4 Bath Road to the west, Roman Walk to the south and Tramway Road to the east. Belmont Road runs adjacent to the site to the north.

The proposed development would be accessed by vehicles via Tramway Road to the east of the site, this would lead to designated car parking at each block. Pedestrian access would be provided from Bath Road.

The proposed scheme would provide 97no. car parking spaces split between Block A, C, D and E. In total, 280no. cycle spaces would be provided on the site.

Transport Development Management (TDM) were consulted on the proposed development and, following submission of revised plans and information raised no objection.

Traffic Impact
The proposed development is considered to be in a sustainable location on a high frequency bus route on Bath Road and close to shops and services.

To assess the impact of the proposal on the surrounding highway network, the applicant submitted a Transport Assessment (TA). The applicant has provided trip rates for the existing and proposed development. These industry standard rates, known as 'TRICS', outline that the proposal would generate approximately 17 more movements in the AM peak hour and in the PM they would generate 8 movements less that the existing use. When compared to the level of movement on the existing highway it is unlikely that the proposed development would result in a significant impact and therefore it would not be considered to be severe.

Travel Plan
It was noted that the applicant requested that Bristol City Council implements the Travel Plan on the applicant's behalf. The applicant would be required to pay an implementation fee of £19,710 based on £135 per dwelling. By paying this fee the applicant will be released from the travel planning obligations over a 5 year period. This would be secured via s.106 Agreement.

Car Parking
The TDM response details that based on the Bristol City Council Car Parking Standards in Appendix 2 of the Site Allocations and Development Management Policies document, the applicant would be required to provide a maximum of 167 vehicle spaces. The proposed development would include a total of 97 spaces therefore below the standard set out by the guidelines. However, it should be noted that the standards are based on maximums and do allow for departures. The site is considered to be in sustainable location therefore this is acceptable.

To compensate for the below standard level of car parking the applicant has proposed a total of 280 cycle spaces. This is compared to the 226 cycle spaces, which would be required by the BCC cycle parking standards.

A parking survey was carried out to demonstrate levels of car parking capacity within the vicinity of the site. Which identifies spaces on Tramway Road and Roman Walk. However due to the cul-de-sac nature of Roman Walk, TDM would not wish to advocate parking in this location as it would cause obstruction to residents. Additionally, Tramway Road does serve the retail units and therefore it is not clear whether this would be an attractive option for residents.

During pre-application discussions, TDM agreed with the applicant that there is no current need to provide electric charging points, however, the applicant would deliver the base infrastructure so that the site is future proofed for when demand arises.

Access and Internal Layout

Vehicle access into the site would be from Tramway Road and the existing access from Bath Road would be removed which was welcomed by TDM. Following TDM advice, vehicle tracking drawings were submitted to determine that all cars, servicing and emergency vehicles can be utilised within the site which were considered to be acceptable.

It was requested that the applicant provide details of the pallet of materials which proposed for the layout, which has been provided on the Landscape Masterplan. TDM were broadly satisfied with the proposed materials however requested that York Stone paving slabs be removed as diagonal paving across the main access road would is likely to be damaged by large vehicles when manoeuvring over it. This point of detail was considered to be capable of being resolved by way of condition.

Recycling and Waste Provision

Policy DM32 of the Site Allocations and Development Management Policies document (2014) sets out the expectations for development with regards to refuse and recycling storage and collection.

Bristol Waste requested that following the change in number of flats to Block B, an additional 1100 or 66o refuse bin should be added to Block B. Details of this should be secured by way of a condition.

Bristol Waste also noted that vehicle access to the site is from the rear on Tramway Road. All domestic properties on adjacent Roman Walk are on container rounds with communal bins similar to the rounds serving blocks A,B & C. Blocks D- 9 hh & block E- 3 hh would be the only ones on domestic kerbside rounds similar to those on Bath Road and could be easily missed as the location would be relatively remote from the rest of the rounds. It would be worth checking if collections from these two blocks could be combined and the collection put on a weekly refuse collection with 1 x 1100 bin and a linked small Mini Recycling Centre with 5 containers for various materials. The applicant should liaise with Bristol Waste regarding this option.

The proposed bin storage is sufficiently large enough to accommodate the required refuse and recycling provision. A condition should be attached to any permission requiring the submission of a Waste Management Strategy to ensure waste is not left to the front of the building and stored appropriately.

Fire Hydrants

Avon Fire and Rescue commented on the proposed development and requested 2no. Fire Hydrants to be installed and appropriately sized water mains to be provided which will be secured by a s106 obligation.

Approval in Principle

Due to the basement under Blocks A and B, this would require Approval in Principle (AiP) as any excavation/works has the potential to undermine the highway. This would be secured by way of a condition.

Development Control Committee A – 2 September 2020
Application No. 18/05023/F : 493 - 499 Bath Road Brislington Bristol BS4 3JU

Summary:

In summary, the proposed development is considered to sufficiently address transport and highway impacts in accordance with BCS10, DM23 and DM32.

G. WOULD THE PROPOSED DEVELOPMENT BE ACCEPTABLE WITH REGARDS TO CONTAMINATION, FLOOD RISK, DRAINAGE AND AIR QUALITY?

The Bristol Local Plan – Site Allocations and Development Management Policies - Adopted July 2014 allocates this site (Site reference: BSA1207) for housing. In terms of 'development considerations' the Annex to SADMP 'Site Allocations information' outlines that development on this site should address noise and pollution issues from Bath Road.

i) Contaminated land

Policy DM34 sets out that new development should demonstrate that any existing contamination on a site would be addressed by appropriate mitigation measures and that there is no unacceptable risk of pollution within the site or surrounding area. The policy also requires that the development will not cause land to become contaminated.

The applicant submitted a desk study, ground investigation report and remediation strategy.

The Public Protection (Contaminated Land) initially raised queries with the results provided. However following submission of additional information, the officer raised no further queries subject to conditions requiring carrying out the approved remediation scheme and reporting of any unexpected contamination.

ii) Flood risk and drainage

Regarding flood risk, Policy BCS16 of the Core Strategy states that developments need to be resilient to flooding through design and layout and incorporate sensitively designed mitigation measures to ensure the proposed development remains safe from flooding over its lifetime. The requirement to incorporate Sustainable Drainage Systems (SuDS) into new development is highlighted, as is the expectation that new development would incorporate water management measures to reduce surface water run-off and ensure flood risk is not increased elsewhere.

The original drainage strategy was submitted in October 2018 which was considered unacceptable. The Flood Risk Officer raised concern with the proposed surface water drainage strategy. Following this, an updated drainage strategy was submitted. The approach was considered acceptable and achievable, with further details to be secured by way of a condition.

iii) Air quality and noise

Policy DM23 states that 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.

The application site is located within a designated Air Quality Management Area. The applicant submitted an air quality assessment with the application which concludes that the effects of local traffic on the air quality for future residents would be acceptable and the overall operational air quality effects are judged to be not significant.

Bristol City Council Air Quality officer was consulted on the application during pre-application and recommended that any development be set back at least 10m from Bath Road. It is proposed to set the development back from Bath Road by approximately 8m. Whilst this does not meet the 10m

guidance, it is considered sufficient to ensure the future residents would be adequately protected.

The Environmental Health Officer was consulted as part of the application reviewing matters relating to noise, they raised no objection subject to noise levels/mitigation measures of the air source heat pumps being provided by way of a condition.

CONCLUSION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that a determination made under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

This is an allocated site for housing in the development plan. It is in a sustainable location, re-uses previously developed land, provides a housing mix and affordable housing for which there is a significant need. The Applicant is proposing to enter into a s.106 Agreement that would secure 22% affordable housing of the revised and updated scheme (all social rent) with the remaining 78% to be delivered as (unsecured) affordable housing. Blocks A and B are proposed as shared ownership and C, D and E are proposed as a mixture of affordable and social rent. This approach is supported by Council's Housing Enabling Team.

Whilst this is an application for an allocated site, and substantial weight has been afforded to this and the policy compliant aspects of application (affordable housing provision; residential amenity for existing neighbouring properties; transport; contamination; flood risk/drainage; and air quality), it is not considered to outweigh the impacts associated with the proposed energy strategy, the concerns relating to the quality of the design proposals and the quality of the accommodation/amenity for future occupiers.

As Members will be aware, a proposal can be in conflict with a policy of the development plan, but still be in accordance with the development plan taken as a whole. This application has been carefully considered and assessed by Officers against the Development Plan, taking into account the material considerations detailed in the Key Issues of this report. Overall, this application is not considered to be in accordance with the development plan, and as such, it is recommended for refusal.

COMMUNITY INFRASTRUCTURE LEVY

This development is liable for CIL totalling £747,662.73.

RECOMMENDED REFUSED

The following reason(s) for refusal are associated with this decision:

The following reason(s) for refusal are associated with this decision:

1. The proposed development would not provide an energy solution which sits within the Heat Hierarchy set out in Policy BCS14 of the Bristol Core Strategy and the submitted Technical and Financial Appraisal: The Heat Hierarchy, Communal Heating and Heat Pumps (Updated Strategy and Consolidated Report), has not demonstrated adequately that it is not viable or not feasible to meet the heat hierarchy. This is contrary to Policy BCS14 of the Core Strategy, as well as guidance within Section 14 of the National Planning Policy Framework.

2. The proposed development by reason of its height, scale, massing, public realm and overall design quality, would be unacceptable in design terms and the impact on the amenity of future occupiers. This would be contrary to Section 12 of the National Planning Policy Framework (February 2019); Policy BCS21 of the Bristol Core Strategy (June 2011); Policies DM26, DM27, DM28 and DM29 of the Site Allocations and Development Management Policies (July 2014); and Urban Living SPD (November 2018).

Supporting Documents

1. 493 – 499 Bath Road Brislington

1. Proposed site plan
2. Proposed site elevations
3. Proposed ground floor layout
4. Proposed lower ground floor layout
5. Proposed first floor layout
6. Proposed second floor layout
7. Proposed third floor layout
8. Proposed fourth floor layout
9. Proposed fifth floor layout
10. Proposed sixth floor layout
11. Perspective from Arnos Vale Park
12. Perspective looking down Bath Road
13. Perspective looking up Bath Road from Arnos Manor Hotel
14. Latest Sustainability comments

0 1 3 5 10 20

1:500 @ A3

Rev	Date	By	Description
11	2020.01.29	TH	February re-submission issue
10	2020.01.27	TH	Added ASHP to Blocks D&E. Draft isue to design team.
09	2020.01.14	TH	Minor changes
08	2019.11.04	TH	Minor changes.
07	2019.11.04	TH	Draft issue. Changes as per beneath and other minor changes.
06	2019.09.24	TH	Changes based on BCC comments, Stepping removed from Block A. Flats removed from Block A to reduce height, added to Block B. Changed Block A corridor to walkway on top floor. Relocated stair cores in Block C to more central position. Landscaping updated.
05	2019.09.16	DC	Site plan amended
04	2019.03.07	TH	Dashed road line removed
03	2019.03.06	TH	March re-submission, see drawing for full revision notes
02	2018.08.15	TJH	Landscape Amended & Redline Corrected
01	2018.06.29	TJH	Planning Submission

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Job
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Bristol

Client
Sovereign HA

Drawing Title
Proposed Site Plan

Drawing Number

Project	Number	Revision
1801	2108	11

Purpose of Issue	Scale
Planning	1:500

Drawn	Checked	Issue Date YMD	Size
TJH	SD	2018.06.29	A3

NOMA Project No	Owner	Zone	Level	Type	Role	Status
1801	Noma	00	00	00	A	S0

Section D-D Site Section Along North Boundary

Section A-A Elevation to Bath Road

Section C-C Elevation to Tramway Road

0 1 3 5 10 20

1:500 @ A3

Rev	Date	By	Description
09	2020.01.31	TH	February re-submission issue
08	2020.01.14	TH	Draft issue to design team
07	2019.11.04	TH	Minor changes
06	2019.09.23	TH	Block A reduced in height by 1no. storey, changed to single step height change. Block B top floor extended to accommodate relocated flats, Stairwells on Block B south and Block C relocated and cladding changed to brick.
05	2019.03.08	TH	Amended fence graphic
04	2019.03.07	TH	Block A stepped back and facade amended, Block A roofs set back with balconies added on top floor, PV size and layout amended, stair core windows amended, AOVs added to Blocks B and C
03	2018.08.17	TJH	Hedge Shown
02	2018.08.15	TJH	Landscape Amended
01	2018.06.29	TJH	Planning Submission

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Client
Sovereign HA

Drawing Title
Site Elevations As Proposed

Drawing Number

1801	2200	09
Project	Number	Revision

Planning	1:500
Purpose of Issue	Scale

TJH	SD	2018.06.29	A3
Drawn	Checked	Issue Date YMD	Size

1801	Noma	00	00	00	A	S0
NOMA Project No	Owner	Zone	Level	Type	Role	Status

0 1 2 4 8 16

1:200 @ A1
1:200 @ A1

Accommodation Schedule:

1 Bed Flat - 50-51m²
2 Bed Flat - 61-70m²
3 Bed House - 99-108m²

BLOCK A
15 X 1B Flats
6 X 2B Flats
TOTAL 21 Units
44 Underground Car Parking Spaces
130 Cycle parking spaces

BLOCK B
18 X 1B Flats
35 X 2B Flats
TOTAL 53 Units
(Parking shared with Block A)
(Cycle parking shared with Block A)

BLOCK C
24 X 1B Flats
36 X 2B Flats
TOTAL 60 Units
35 Covered Car Parking Spaces
94 Cycle Parking Spaces

BLOCK D
6 X 1B Flats
3 X 2B Flats
TOTAL 9 Units
9 Car Parking Spaces
8 Cycle Parking Spaces

BLOCK E
3 X 3B Houses
TOTAL 3 Units
6 Car Parking Spaces
6 Cycle Parking Spaces

+ 3 Visitors Car Parking Spaces
+ 42 Public Realm Cycle Parking Spaces

146 TOTAL UNITS
97 TOTAL CAR PARKING SPACES
280 TOTAL CYCLE PARKING SPACES

Rev	Date	By	Description
15	2020.01.31	TH	February re-submission issue
14	2020.01.29	TH	Corrected parking space numbers. Moved car positions.
13	2020.01.28	TH	Corrected cycle space numbers.
12	2020.01.27	TH	Added ASHP to Block E units.
11	2020.01.14	TH	Minor amendments
10	2020.01.28	TH	Minor amendments
09	2019.11.04	TH	Draft issue, changes made as per revisions below, added en suites to 70sqm units in Block B, removed from 70sqm units in Block C and other small amendments.
08	2019.10.08	TH	Amended accommodation schedule
07	2019.09.24	TH	Changes based on comments from BCC. Drawing orientation changed. Block A stepping removed, corridor removed to create dual aspect flats. Block B south stair core relocated with adjacent flat to improve corridor, Block C stair cores relocated to improve corridors on upper floors, parking amended to facilitate this.
06	2019.09.16	DC	Amended floor plan

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Client
Sovereign HA

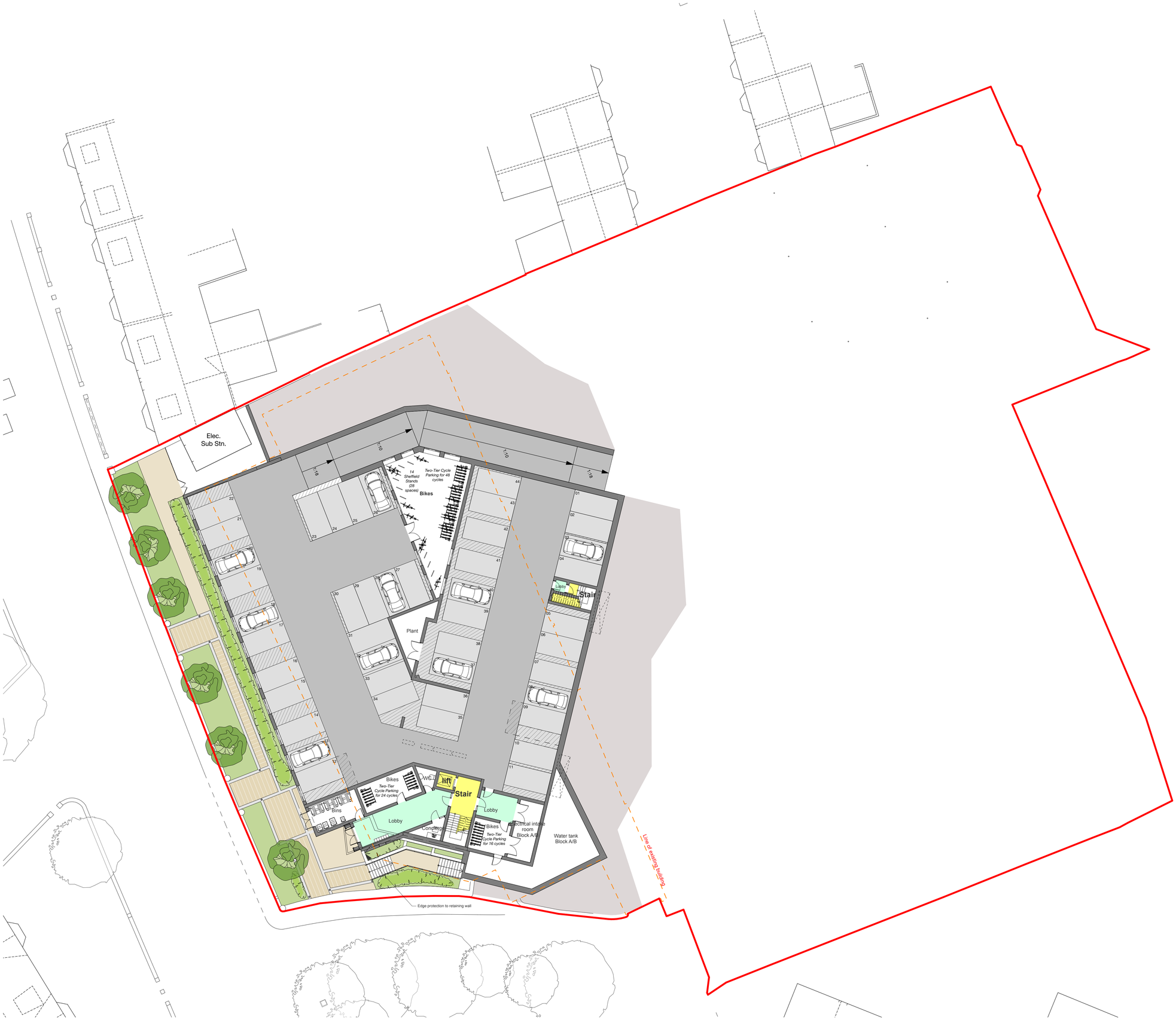
Drawing Title
Proposed Ground Floor Layout

Drawing Number
1801 **2102** **15**
Project | Number | Revision

Planning **1:200**
Purpose of issue | Scale

TJH	SD	2018.06.29	A1
Drawn	Checked	Issue Date YMD	Size

1801	Noma	00	00	00	A	S0
NOMA Project No	Owner	Zone	Level	Type	Role	Status



0 1 2 4 8 16

1:200 @ A1

1:200 @ A1

Accommodation Schedule:

1 Bed Flat - 50-51m²
2 Bed Flat - 61-70m²
3 Bed House - 99-108m²

BLOCK A
15 X 1B Flats
6 X 2B Flats
TOTAL 21 Units
44 Underground Car Parking Spaces
130 Cycle parking spaces

BLOCK B
18 X 1B Flats
35 X 2B Flats
TOTAL 53 Units
(Parking shared with Block A)
(Cycle parking shared with Block A)

BLOCK C
24 X 1B Flats
36 X 2B Flats
TOTAL 60 Units
35 Covered Car Parking Spaces
94 Cycle Parking Spaces

BLOCK D
6 X 1B Flats
3 X 2B Flats
TOTAL 9 Units
9 Car Parking Spaces
8 Cycle Parking Spaces

BLOCK E
3 X 3B Houses
TOTAL 3 Units
6 Car Parking Spaces
6 Cycle Parking Spaces

+ 3 Visitors Car Parking Spaces
+ 42 Public Realm Cycle Parking Spaces

146 TOTAL UNITS
97 TOTAL CAR PARKING SPACES
280 TOTAL CYCLE PARKING SPACES

Rev	Date	By	Description
13	2020.01.31	TH	February re-submission issue
12	2020.01.29	TH	Corrected parking space numbers. Moved car positions.
11	2020.01.28	TH	Corrected cycle space numbers.
10	2020.01.14	TH	Minor amendments
09	2019.11.08	TH	Minor amendments
08	2019.11.04	TH	Draft issue, changes made as per revisions below and other small amendments.
07	2019.10.08	TH	Amended accommodation schedule
06	2019.09.24	TH	Changes based on comments from BCC. Drawing orientation changed. Block A stepping removed, Block B south stair relocated to improve corridors, entrance lobby, bike/ bins stores and parking amended to accommodate.
05	2019.09.16	DC	Amended floor plan
04	2019.03.06	TH	March re-submission, see drawing for full revision notes
03	2018.08.17	TJH	Water Tank Wall Adjusted
02	2018.08.15	TJH	Landscape Amended & Redline Corrected
01	2018.06.29	TJH	Planning Submission

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Drawing Title
Proposed Lower Ground Floor Layout

Drawing Number

1801	2101	13
Project	Number	Revision

Planning			1:200
Purpose of Issue			Scale

TJH	SD	2018.06.29	A1
Drawn	Checked	Issue Date YMD	Size

1801	Noma	00	00	00	A	S0
NOMA Project No	Owner	Zone	Level	Type	Role	Status

0 1 2 4 8 16

1:200 @ A1

1:200 @ A1

Accommodation Schedule:

1 Bed Flat - 50-51m²
2 Bed Flat - 61-70m²
3 Bed House - 99-108m²

BLOCK A
15 X 1B Flats
6 X 2B Flats
TOTAL 21 Units
44 Underground Car Parking Spaces
130 Cycle parking spaces

BLOCK B
18 X 1B Flats
35 X 2B Flats
TOTAL 53 Units
(Parking shared with Block A)
(Cycle parking shared with Block A)

BLOCK C
24 X 1B Flats
36 X 2B Flats
TOTAL 60 Units
35 Covered Car Parking Spaces
94 Cycle Parking Spaces

BLOCK D
6 X 1B Flats
3 X 2B Flats
TOTAL 9 Units
9 Car Parking Spaces
8 Cycle Parking Spaces

BLOCK E
3 X 3B Houses
TOTAL 3 Units
6 Car Parking Spaces
6 Cycle Parking Spaces

+ 3 Visitors Car Parking Spaces
+ 42 Public Realm Cycle Parking Spaces

146 TOTAL UNITS
97 TOTAL CAR PARKING SPACES
280 TOTAL CYCLE PARKING SPACES

Rev	Date	By	Description
13	2020.01.31	TH	February re-submission issue
12	2020.01.29	TH	Corrected parking space numbers.
11	2020.01.28	TH	Corrected cycle space numbers.
10	2020.01.14	TH	Revised drawings submission to planning
09	2019.11.08	TH	Minor amendments
08	2019.11.04	TH	Draft issue, changes made as per revisions below, added en suites to 70sqm units in Block B, removed from 70sqm units in Block C and other small amendments.
07	2019.10.08	TH	Amended accommodation schedule
06	2019.09.24	TH	Changes based on comments from BCC. Drawing orientation changed. Block A stepping removed. Block B south stair core relocated with adjacent flat to improve corridor, Block C stair cores relocated with adjacent flat to improve corridors.

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Drawing Title
Proposed First Floor Layout

Drawing Number
1801 **2103** **13**
Project | Number | Revision

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

TJH	SD	2018.06.29	A1
Drawn	Checked	Issue Date YMD	Size

1801	Noma	00	00	00	A	S0
NOMA Project No	Owner	Zone	Level	Type	Role	Status

0 1 2 4 8 16

1:200 @ A1
1:200 @ A1

Accommodation Schedule:

1 Bed Flat - 50-51m²
2 Bed Flat - 61-70m²
3 Bed House - 99-108m²

BLOCK A
15 X 1B Flats
6 X 2B Flats
TOTAL 21 Units
44 Underground Car Parking Spaces
130 Cycle parking spaces

BLOCK B
18 X 1B Flats
35 X 2B Flats
TOTAL 53 Units
(Parking shared with Block A)
(Cycle parking shared with Block A)

BLOCK C
24 X 1B Flats
36 X 2B Flats
TOTAL 60 Units
35 Covered Car Parking Spaces
94 Cycle Parking Spaces

BLOCK D
6 X 1B Flats
3 X 2B Flats
TOTAL 9 Units
9 Car Parking Spaces
8 Cycle Parking Spaces

BLOCK E
3 X 3B Houses
TOTAL 3 Units
6 Car Parking Spaces
6 Cycle Parking Spaces

+ 3 Visitors Car Parking Spaces
+ 42 Public Realm Cycle Parking Spaces

146 TOTAL UNITS
97 TOTAL CAR PARKING SPACES
280 TOTAL CYCLE PARKING SPACES

Rev	Date	By	Description
12	2020.01.31	TH	February re-submission issue
11	2020.01.29	TH	Corrected parking space numbers.
10	2020.01.28	TH	Corrected cycle space numbers.
09	2020.01.14	TH	Revised drawings submission to planning
08	2019.11.08	TH	November re-submission, minor amendments
07	2019.11.04	TH	November re-submission, changes made as per revisions below, added en suites to 70sqm units in Block B, removed from 70sqm units in Block C and other small amendments.
06	2019.09.24	TH	Changes based on comments from BCC. Drawing orientation changed. Block A stepping removed. Block A flats removed to reduce height, changed to a single height step. Block B south stair core relocated with adjacent flat to improve corridor. Block C stair cores relocated with adjacent flat to improve corridors.
05	2019.09.16	DC	Amended floor plan

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Client
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Drawing Title
Proposed Second Floor Layout

Drawing Number

Project	Number	Revision
1801	2104	12

Purpose of Issue	Scale
Planning	1:200

Drawn	Checked	Issue Date YMD	Size
TJH	SD	2018.06.29	A1

NOMA Project No	Owner	Zone	Level	Type	Role	Status
1801	Noma	00	00	00	A	S0

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Prior to commencement of works on the site, the contractor should check all dimensions on the drawings and check against actual site dimensions, and report and discrepancies immediately to the Architect.

Written dimensions are to take precedence over scaled dimensions.

0 1 2 4 8 16

1:200 @ A1
1:200 @ A1

Accommodation Schedule:

1 Bed Flat - 50-51m²
2 Bed Flat - 61-70m²
3 Bed House - 99-108m²

BLOCK A
15 X 1B Flats
6 X 2B Flats
TOTAL 21 Units
44 Underground Car Parking Spaces
130 Cycle parking spaces

BLOCK B
18 X 1B Flats
35 X 2B Flats
TOTAL 53 Units
(Parking shared with Block A)
(Cycle parking shared with Block A)

BLOCK C
24 X 1B Flats
36 X 2B Flats
TOTAL 60 Units
35 Covered Car Parking Spaces
94 Cycle Parking Spaces

BLOCK D
6 X 1B Flats
3 X 2B Flats
TOTAL 9 Units
9 Car Parking Spaces
8 Cycle Parking Spaces

BLOCK E
3 X 3B Houses
TOTAL 3 Units
6 Car Parking Spaces
6 Cycle Parking Spaces

+ 3 Visitors Car Parking Spaces
+ 42 Public Realm Cycle Parking Spaces

146 TOTAL UNITS
97 TOTAL CAR PARKING SPACES
280 TOTAL CYCLE PARKING SPACES

Rev	Date	By	Description
13	2020.01.31	TH	February re-submission issue
12	2020.01.29	TH	Corrected parking space numbers.
11	2020.01.28	TH	Corrected cycle space numbers.
10	2020.01.14	TH	Revised drawings submission to planning
09	2019.11.08	TH	November re-submission, minor amendments
08	2019.11.04	TH	Draft issue, changes made as per revisions below, added en suites to 70sqm units in Block B, removed from 70sqm units in Block C and other small amendments.
07	2019.10.08	TH	Amended accommodation schedule
06	2019.09.24	TH	Changes based on comments from BCC. Drawing orientation changed. Block A stepping removed. Block A flats removed to reduce height, changed to a single height step, corridor changed to deck access. Block B south stair core relocated with adjacent flat to improve corridor, Block C stair cores relocated with adjacent flat to improve corridors.
05	2019.09.16	DC	Amended floor plan

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Client
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Drawing Title
Proposed Third Floor Layout

Drawing Number

Project	Number	Revision
1801	2105	13

Purpose of Issue	Scale
Planning	1:200

Drawn	Checked	Issue Date YMD	Size
TJH	SD	2018.06.29	A1

NOMA Project No	Owner	Zone	Level	Type	Role	Status
1801	Noma	00	00	00	A	S0

0 1 2 4 8 16

1:200 @ A1

1:200 @ A1

Accommodation Schedule:

1 Bed Flat - 50-51m²
2 Bed Flat - 61-70m²
3 Bed House - 99-108m²

BLOCK A
15 X 1B Flats
6 X 2B Flats
TOTAL 21 Units
44 Underground Car Parking Spaces
130 Cycle parking spaces

BLOCK B
18 X 1B Flats
35 X 2B Flats
TOTAL 53 Units
(Parking shared with Block A)
(Cycle parking shared with Block A)

BLOCK C
24 X 1B Flats
36 X 2B Flats
TOTAL 60 Units
35 Covered Car Parking Spaces
94 Cycle Parking Spaces

BLOCK D
6 X 1B Flats
3 X 2B Flats
TOTAL 9 Units
9 Car Parking Spaces
8 Cycle Parking Spaces

BLOCK E
3 X 3B Houses
TOTAL 3 Units
6 Car Parking Spaces
6 Cycle Parking Spaces

+ 3 Visitors Car Parking Spaces
+ 42 Public Realm Cycle Parking Spaces

146 TOTAL UNITS
97 TOTAL CAR PARKING SPACES
280 TOTAL CYCLE PARKING SPACES

Rev	Date	By	Description
14	2020.01.31	TH	February re-submission issue
13	2020.01.29	TH	Corrected parking space numbers.
12	2020.01.28	TH	Corrected cycle space numbers.
11	2020.01.27	TH	Added ASHP to Block D.
10	2020.01.14	TH	Minor amendments
09	2019.11.08	TH	Minor amendments
08	2019.11.04	TH	Draft issue, changes made as per revisions below, added en suites to 70sqm units in Block B, removed from 70sqm units in Block C and other small amendments.
07	2019.10.08	TH	Amended accommodation schedule
06	2019.09.24	TH	Changes based on comments from BCC. Drawing orientation changed. Block A stepping removed. Block A flats removed to reduce height, changed to a single height step. Block B south stair core relocated with adjacent flat to improve corridor, Block C stair cores relocated with adjacent flat to improve corridors.
05	2019.09.16	DC	Amended floor plan

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Drawing Title
Proposed Fourth Floor Layout

Drawing Number

1801	2106	14
Project	Number	Revision

Planning	1:200
Purpose of Issue	Scale

TJH	SD	2018.06.29	A1
Drawn	Checked	Issue Date YMD	Size

1801	Noma	00	00	00	A	S0
NOMA Project No	Owner	Zone	Level	Type	Role	Status

0 1 2 4 8 16

1:200 @ A1

1:200 @ A1

Accommodation Schedule:

1 Bed Flat - 50-51m²
2 Bed Flat - 61-70m²
3 Bed House - 99-108m²

BLOCK A
15 X 1B Flats
6 X 2B Flats
TOTAL 21 Units
44 Underground Car Parking Spaces
130 Cycle parking spaces

BLOCK B
18 X 1B Flats
35 X 2B Flats
TOTAL 53 Units
(Parking shared with Block A)
(Cycle parking shared with Block A)

BLOCK C
24 X 1B Flats
36 X 2B Flats
TOTAL 60 Units
35 Covered Car Parking Spaces
94 Cycle Parking Spaces

BLOCK D
6 X 1B Flats
3 X 2B Flats
TOTAL 9 Units
9 Car Parking Spaces
8 Cycle Parking Spaces

BLOCK E
3 X 3B Houses
TOTAL 3 Units
6 Car Parking Spaces
6 Cycle Parking Spaces

+ 3 Visitors Car Parking Spaces
+ 42 Public Realm Cycle Parking Spaces

146 TOTAL UNITS
97 TOTAL CAR PARKING SPACES
280 TOTAL CYCLE PARKING SPACES

Rev	Date	By	Description
13	2020.01.31	TH	February re-submission issue
12	2020.01.29	TH	Corrected parking space numbers.
11	2020.01.28	TH	Corrected cycle space numbers.
10	2020.01.14	TH	Minor amendments
09	2019.11.08	TH	Removed 6th floor block C drawing, added to new sheet, minor amendments
08	2019.11.04	TH	Draft issue, changes made as per revisions below, added en suites to 70sqm units in Block B, removed from 70sqm units in Block C and other small amendments.
07	2019.10.08	TH	Amended accommodation schedule
06	2019.09.24	TH	Changes based on comments from BCC. Drawing orientation changed. Flats removed from Block A to reduce height. Block B south stair core relocated with adjacent flat to improve corridor. Plots B51, 52, 53 added to Block C (replacing units removed from Block A), Block C stair cores relocated with adjacent flat to improve corridors.
05	2019.09.16	DC	Amended floor plan

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Drawing Title
Proposed Fifth Floor Layout

Drawing Number

1801	2107	13
Project	Number	Revision

Planning	1:200
Purpose of Issue	Scale

TJH	SD	2018.06.29	A1
Drawn	Checked	Issue Date YMD	Size

1801	Noma	00	00	00	A	S0
NOMA Project No	Owner	Zone	Level	Type	Role	Status

0 1 2 4 8 16

1:200 @ A1

1:200 @ A1

Accommodation Schedule:

1 Bed Flat - 50-51m²
2 Bed Flat - 61-70m²
3 Bed House - 99-108m²

BLOCK A
15 X 1B Flats
6 X 2B Flats
TOTAL 21 Units
44 Underground Car Parking Spaces
130 Cycle parking spaces

BLOCK B
18 X 1B Flats
35 X 2B Flats
TOTAL 53 Units
(Parking shared with Block A)
(Cycle parking shared with Block A)

BLOCK C
24 X 1B Flats
36 X 2B Flats
TOTAL 60 Units
35 Covered Car Parking Spaces
94 Cycle Parking Spaces

BLOCK D
6 X 1B Flats
3 X 2B Flats
TOTAL 9 Units
9 Car Parking Spaces
8 Cycle Parking Spaces

BLOCK E
3 X 3B Houses
TOTAL 3 Units
6 Car Parking Spaces
6 Cycle Parking Spaces

+ 3 Visitors Car Parking Spaces
+ 42 Public Realm Cycle Parking Spaces

146 TOTAL UNITS
97 TOTAL CAR PARKING SPACES
280 TOTAL CYCLE PARKING SPACES

Rev	Date	By	Description
05	2020.01.31	TH	February re-submission issue
04	2020.01.29	TH	Corrected parking space numbers.
03	2020.01.28	TH	Corrected cycle space numbers.
02	2020.01.14	TH	Minor amendments
01	2019.11.08	TH	Plan moved from drawing 2107 drawing for clarity

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Drawing Title
Proposed Sixth Floor Layout

Drawing Number

Project	Number	Revision
1801	2109	05

Purpose of Issue	Scale
Planning	1:200

Drawn	Checked	Issue Date YMD	Size
TJH/ TH	SD	2019.11.08	A1

NOMA Project No	Owner	Zone	Level	Type	Role	Status
1801	Noma	00	00	00	A	S0

View From Arnos Vale Park

Rev	Date	By	Description
07	2020.01.31	TH	February re-submission issue
06	2020.01.14	TH	Draft issue to design team
05	2019.11.08	TH/ DC	Minor changes
04	2019.09.24	TH	Block A reduced in height by 1no. storey, changed to single step height change. Block B top floor extended to accommodate relocated flats, Stairwells on Block B south and Block C relocated and cladding changed to brick.
03	2019.03.14	TH/ JW	Block A stepped back and facade amended, Block A roofs set back with balconies added on top floor. Block B flats in corner amended to have angled bays
02	2018.08.15	TJH	Title Block Amended
01	2018.06.29	TJH	Planning Submission

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Client
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Drawing Title
Perspective from Arnos Vale Park

Drawing Number

Project	Number	Revision
1801	2503	07

Planning
Purpose of Issue — Scale

Drawn	Checked	Issue Date YMD	Size
TJH	SD	2018.06.29	A3

NOMA Project No	Owner	Zone	Level	Type	Role	Status
1801	Noma	00	00	00	A	S0

View Down Bath Road

Rev	Date	By	Description
07	2020.01.31	TH	February re-submission issue
06	2020.01.14	TH	Draft issue to design team
05	2019.11.08	TH/ DC	Minor changes
04	2019.09.24	TH	Block A reduced in height by 1no. storey, changed to single step height change.
03	2019.03.14	TH/ JW	Block A stepped back and facade amended, Block A roofs set back with balconies added on top floor.
02	2018.08.15	TJH	Title Block Amended
01	2018.06.29	TJH	Planning Submission

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Client
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Drawing Title
Perspective looking down Bath Road

Drawing Number

1801	2502	07
Project	Number	Revision

Planning
Purpose of Issue | Scale

TJH	SD	2018.06.29	A3
Drawn	Checked	Issue Date YMD	Size

1801	Noma	00	00	00	A	S0
NOMA Project No	Owner	Zone	Level	Type	Role	Status

View Up Bath Road

Rev	Date	By	Description
07	2020.01.31	TH	February re-submission issue
06	2020.01.14	TH	Draft issue to design team
05	2019.11.08	TH/ DC	Minor changes
04	2019.09.24	TH	Block A reduced in height by 1no. storey, changed to single step height change. Block B top floor extended to accommodate relocated flats
03	2019.03.14	TH/ JW	Block A stepped back and facade amended, Block A roofs set back with balconies added on top floor.
02	2018.08.15	TJH	Title Block Amended
01	2018.06.29	TJH	Planning Submission

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Client
Sovereign HA

Drawing Title
Perspective looking up Bath Road from Arnos Manor Hotel

Drawing Number

Project	Number	Revision
1801	2501	07

Planning
Purpose of Issue

Scale

Drawn	Checked	Issue Date YMD	Size
TJH	SD	2018.06.29	A3

NOMA Project No	Owner	Zone	Level	Type	Role	Status
1801	Noma	00	00	00	A	S0

Bristol City Council

Sustainable City Team

To: David Grattan

From: Mark Letcher and Amy Harvey Sustainable City Team

Subject: Further sustainability comments following draft legal opinion provided to the applicant

Planning ref: 18/05023/F

Introduction

These comments are provided in response to the draft legal opinion prepared on behalf of the applicant by Thea Osmund-Smith of No5 Chambers. They pertain to the concern raised in the legal opinion that Bristol City Council sustainability officers had not engaged with the applicant in consideration of what is feasible or viable, clarifications related to that opinion, grant funding offered by BCC to reduce the costs of policy compliant heating systems, financial viability and technical feasibility.

1. Engagement on what is feasible and viable

It is the view of sustainability officers that it should be possible to achieve a solution which is acceptable to all parties as has been the case with other recent schemes where the initial energy strategy was not policy compliant. So it is also regrettable that the offer of further discussions between the BCC Sustainability Team and the applicant regarding the energy strategy were declined by the applicant.

We consider that the evidence does not support the assertion, in the legal opinion provided to the applicant, that Sustainability Officers have not engaged with what is feasible or viable. The feasibility and viability of the scheme has been the subject of discussions between the applicant and other BCC officers as follows:

- 31st March 2017: Pre-app comments prepared by Amy Harvey – Bristol City Council.
- 16th April 2018: Pre-app meeting with the applicant's team and Amy Harvey and Mark Letcher – BCC Sustainable City, Paul Barker – BCC Energy Services, Jess Leigh – BCC Development Management. Lee Evans – Sustainable Energy Ltd (providing consultancy services for BCC on the development of the heat network) at 100 Temple Street to discuss the Energy Strategy and communal heating.
- 26th April 2018: Meeting notes and actions from meeting above circulated by Amy Harvey.
- 27th April 2018: E-mail from Amy Harvey – BCC to Mark Tunstall - Tremain Powell Partnership Ltd, copied to Mark Somerville – Savills, and Corinne Moore – Sovereign, providing further clarification on communal heating.

- 9th May 2018, 14th May 2018, 15th May 2018, 14th June 2018, further correspondence between BCC and applicant's team providing clarification and assistance with respect to BCS14.
- 26th October 2018: Initial comments from Amy Harvey – BCC provided on the full application by e-mail.
- 27th November 2018: Full sustainability comments provided by Amy Harvey - BCC
- 18th October 2018: Offer from David White – BCC Energy Services to provide metering and billing services for a communal heating solution.
- 26th March 2019: Response from applicant to sustainability comments received.
- 29th March 2019: Meeting with applicant, with Amy Harvey – BCC and David Grattan- BCC Development Management in attendance.
- 8th April 2019: Follow-up comments sent by Amy Harvey – BCC to applicant.
- 29th April 2019: Further sustainability comments provided by Amy Harvey – BCC in response to additional information from the applicant received in March 2019.
- 9th May 2019: Additional information received from the applicant on viability and the energy strategy.
- 12th March 2020: Further sustainability comments submitted to David Grattan – BCC in response to further submissions by the applicant '*Bath Road Planning Statement Addendum (Feb 2020)*', and '*Technical and Financial Appraisal: The Heat Hierarchy, Communal Heating and Heat Pumps*'.

Further, Sustainability officers worked with colleagues in BCC Energy Services to identify a solution to concerns raised by the applicant about the technical and administrative requirements of metering and billing for communal heating and hot water solutions.

Sustainability officers also asked a company which the city council has used for its own housing schemes, to provide an initial assessment of whether a ground source heat pump with shared ground array was technically feasible on this site. Their conclusion was that a system of this type could provide space heating and hot water to the scheme as a whole, with a proportion of the bore-holes located under the car-park and basement areas. An alternative configuration excluding carpark and basement areas was also considered possible subject to further design work to confirm technical details.

In both these instances we were not recommending a particular provider or approach but seeking to assist the applicant in finding feasible and viable solutions.

2. Clarifications

Discussions with Bristol City Council Energy Services

Paragraph 17(ii), Site Specific Information - *The Technical and Financial Appraisal* of the legal opinion suggests, with reference to Communal systems, that '*Whilst the Council did wish Sovereign to consider engaging Bristol Energy to provide metering and billing services, the Council accepted at a meeting in April 2019 that Bristol Energy had not been able to provide an adequate quote and scope of services in order for them to be seriously considered.*'

We do not consider the suggestion (above) that the Council wanted Sovereign to engage with BCC Energy Services to be an accurate reflection of discussions at the time. The discussions about metering and billing services related to an offer made proactively by BCC Energy Services to provide and undertake metering and billing on behalf of Sovereign, to address concerns raised by them about the technical and administrative requirements of providing such services. This offer was made with the intention of achieving a policy compliant scheme which would be acceptable to the applicant. (Note: engagement was with Bristol City Council officers in the Energy Services team, not Bristol Energy Company).

Interpretation of policy BCS14 – Sustainable Energy

Policy BCS14 – Sustainable Energy sets out a requirement for development to minimise its energy requirements and incorporate renewable and low-carbon energy supplies to reduce its carbon dioxide (CO_2) emissions. This can be achieved by reducing energy demand through improvements in energy efficiency, the incorporation of on-site renewables and providing heating and hot water systems in accordance with the heat hierarchy.

Each of these elements are important in their own right to meeting this policy objective. The requirement to provide heat hierarchy compliant heating and hot water systems is not solely intended as a means of achieving a 20% reduction in residual emissions through on-site renewables, though where renewable heating and hot water systems are specified they will contribute to this. Thus, for the units in this scheme, in which the applicant is proposing to install air source heat pumps, their use would comply with the heat hierarchy and contribute to the reduction in residual emissions.

3. Grant funding for Housing Associations under Bristol City Council's Housing Delivery Plan

In recognition of Bristol's need for new and affordable housing and the Mayor's objective of building 2,000 new homes a year (of which 800 are 'affordable') the council established a Housing Delivery Plan which was approved in March 2017, and included a major affordable housing funding programme of £52m. In the first eighteen months of operation the funding programme allocated £13.1m to Housing Associations in Bristol.

Under Supplementary Grant Arrangements to delivery corporate objectives, up to £10,000 per unit is available (subject to a grant application) for rented or shared ownership units on schemes delivered principally on private land to assist Housing Associations to deliver BCC policy requirements through the heat hierarchy.

We regard this grant funding as indicative of the council's desire to assist housing associations in delivering affordable housing which is compliant with the heat hierarchy. This provides a very significant contribution to the capital costs of the project's heating system.

4. Viability of this scheme

It is our understanding that viability of the scheme was assessed on behalf of BCC by BNP Paribas, and agreement reached with the applicant in February 2020 that, setting aside compliance with BCS14, the scheme could provide 32 affordable units (22%) whilst remaining viable. Compliance with BCS14 using a ground source heat pump system would reduce the number of affordable units to 7-10 units (5-7%). This suggests that achieving a scheme compliant with BCS14 is viable, albeit with a reduced number of affordable units.

The viability assessment did not take account of the potential grant funding under the Housing Delivery Plan for compliance with policy BCS14, as referred to in previous comments provided to the applicant. This would, make a very significant contribution to the capital costs of the policy compliant heating system and thereby allow the applicant to increase the number of affordable units that could be achieved as part of this scheme.

5. Technical feasibility

As outlined above, since the submission of the pre-application in 2017 Bristol City Council has engaged extensively with the applicant in writing and face to face on the technical elements of this scheme and on compliance with BCS14 in particular. It remains our view that to date, the applicant has not demonstrated adequately either that it is not viable or not feasible to meet policy BCS14 on this scheme.

With respect to the question of whether it is *technically* feasible to design a development of this type which is policy compliant, our view is that it is, based on our assessment of the information provided on this development and the delivery by other developers, of successful compliant heating systems at numerous sites in Bristol.

Communal systems – gas fired or connected to a heat network: The fact that large developments are being designed and constructed in Bristol with communal heating and hot water systems suggests to BCC that there are no inherent technical reasons why this scheme could not be designed to use a communal system. This includes communal systems with a centralised gas boiler, and communal systems where the gas boiler is replaced by a plate heat exchanger connected to the heat network. In either case heat for space heating and domestic hot water are distributed to individual dwellings from a central plant-room/energy centre.

Communal systems – using ground source heat pumps with shared ground array. The technical opinion and initial estimate obtained by Bristol City Council (see *Engagement on what is feasible and viable* above) suggests that a ground source heat pump system is technically feasible, and that there would be sufficient space for the ground array if partially located under the carpark and basements, and that it may be possible to design such a system without the need to locate the ground array beneath the carpark or building footprints.

Bristol City Council's view is that systems of this type are sufficiently developed and mature, to be considered for a scheme of this type. (Prior to installing a ground source heat pump system in one of its own new housing developments (Ashton Rise – see below) Bristol City Council and the lead contractor undertook separate due-diligence exercises to assess the risks associated with this approach, and based on the findings of these has procured and installed this type of system).

The ground source heat pump in each dwelling is normally located beneath the domestic hot water cylinder. Given that a domestic hot water cylinder will be required anyway under the applicant's preferred approach we do not regard this as a technical constraint as stated by the applicant.

If designed, specified and installed correctly ground source heat pump systems do not require additional heating to provide domestic hot water as stated by the applicant.

Individual air source heat pumps: The aesthetic impact of externally mounted air source heat pumps could be addressed through the use of communal air source heat pump systems, or hybrid air and water to water source heat pump systems[1], or internal air source heat pumps in which air is transferred to and from the heat pump via a wall duct.

[1] Hybrid air and water to water source heat pumps systems use a communal air source heat pump/pumps to produce low temperature water (20 to 25 deg C) which is piped to each dwelling via an 'ambient loop'. In each dwelling a separate heat pump extracts heat from the ambient loop, increasing the temperature of the heat for space heating and hot water. Hot water is stored in a domestic hot water cylinder prior to use.

Examples of policy compliant schemes using communal (gas) boilers or connection to a heat network

Bristol City Council Sustainable City officers consider the number and type of recent developments in Bristol which meet BCS14 and provide heating and hot water systems which comply with the heat hierarchy as further evidence that it is technically feasible to design this scheme to be policy compliant.

Examples, of compliant schemes (which are not exhaustive), include:

6 Upper York Street, Bristol, BS2 8QN. Planning ref: 19/00066/F. Conversion and extension of 6 Upper York Street and the former Coroner's Court and erection of a four-storey building to create 46 no. residential units; business space for Class A2/Class B1 uses; associated cycle storage and landscaping.

Approved energy strategy is for communal gas boiler to provide space heating and hot water.

McArthurs Warehouse, Gas Ferry Road, Bristol. Planning ref: 17/03139/F Demolition of existing warehouse and associated buildings and structures. Redevelopment to provide a mixed-use development of 147 residential units, workspace and a cafe with ancillary gallery space (Use Classes C3, B1 and A3) and associated car parking, servicing, landscaping works, provision of utilities and other supporting infrastructures.

Approved energy strategy is for communal gas boiler to provide heating and hot water.

Former Central Ambulance Station (Castle Park View). Planning ref: 17/04267/F Residential redevelopment comprising 375 flats (with a tall building element) including communal facilities, amenity space and car parking, together with vehicular access, servicing arrangements, public realm works and landscaping.

Approved energy strategy is for domestic heating and hot water to be provided by connection to Bristol City Council heat network.

Paintworks, Land To North Paintworks Bristol. Planning ref: 15/04217/F Demolition of Endemol building and partial demolition of Building Six; erection of new buildings of 4-8 storeys with underground car parking to provide up to 1769 sqm of employment floor space (Use Class B1), including 188sqm of flexible floor space (Use Classes A1, A3 and B1); 92no dwellings (Use Class C3); new open car park, public open space and associated landscaping.

Approved energy strategy was for space heating and hot water to be provided using communal gas boiler system.

Examples of policy compliant schemes using individual air source heat pumps

Kings Weston Reservoir, Tufton Avenue, Bristol. Planning ref: 17/05700/F. 33 Dwellings on former reservoir site.

Approved energy strategy is for space heating and hot water to be provided using individual air source heat pumps.

Land At Astry Close, Bristol, BS11 0RB. Planning ref: 19/03660/F. Proposal (currently under consideration) is for the construction of 36 new dwellings, a mixture of one, two and three bedroom houses and flats of two and three storeys with associated landscaping and parking.

Energy strategy is for individual air source heat pumps to provide space heating and hot water.

Examples of policy compliant schemes using communal air source heat pump systems

Former Esso Garage, Bath Road, Totterdown. (Ref: 18/04620/F). Construction of 152 new residential dwellings contained in three buildings comprising of a 15+2 storey tower, a central block ranging between 6 and 7 storeys and eastern block at 3 storeys. Additional uses include ground and lower ground floor commercial (B1 Use Class) office space, car and cycle parking, refuse and recycling storage and associated landscaping.

Space heating and hot water to be supplied via communal air source heat pump system with option for future connection to the heat network if required.

Land To The South Of Morris Road, Morris Road, Bristol. Planning ref: 17/01920/F. Mixed tenure, sustainable community development of 49 dwellings and two common houses.

Approved energy strategy is for space heating and domestic hot water to be provided via Central Air Source Heat Pump system with thermal storage; heat distributed using district heating network; heat Interface units within each building providing heat and hot water.

Examples of policy compliant schemes using ground source heat pumps with shared ground arrays

Alderman Moores Land To Rear Of Silbury Road (Ashton Rise), Alderman Moores, Bristol. Planning ref: 17/06559/FB. Erection of 133no. dwellings with associated access, landscaping and services.

Approved energy strategy is for space heating and domestic hot water to be provided using ground source heat pumps using shared ground arrays.

Hartcliffe Campus, Hawkfield Road, Bristol. Planning ref: 19/02242/M Application for approval of reserved matters following outline approval 18/02055/P - Reserved matters (appearance, landscaping, layout and scale) for 350 residential dwellings, along with associated open space and landscaping, including information pursuant to outline planning permission (ref. 18/02044/P).

Approved energy strategy is for space heating and domestic hot water to be provided using ground source heat pumps with shared ground arrays.

Brandon Trust, 185 Passage Road, Henbury. Planning ref: 16/06016/F. Demolition of existing building and erection of 2-storey supported housing development, comprising 8 self-contained flats and supporting accommodation.

Approved energy strategy was for ground source heat pumps to provide space heating and domestic hot water.

Example of policy compliant scheme combining *two* policy compliant heating and domestic hot water solutions

Open Space, Glencoyne Square, Bristol. Planning ref: 19/04705/F Development of site for up to 120 residential units, a health centre, library, live-work accommodation and other uses potentially including offices, activity space and a launderette, together with associated landscaping, parking and infrastructure.

Approved energy strategy: In 62 units heating and domestic hot water to be provided using ground source heat pumps with shared ground array. The remaining 58 units to be served by individual air source heat pumps.