

WARD: Lawrence Hill

SITE ADDRESS: Swift House Albert Crescent Bristol BS2 0UD

APPLICATION NO: 20/03286/F Full Planning

DETERMINATION DEADLINE: 15 January 2021

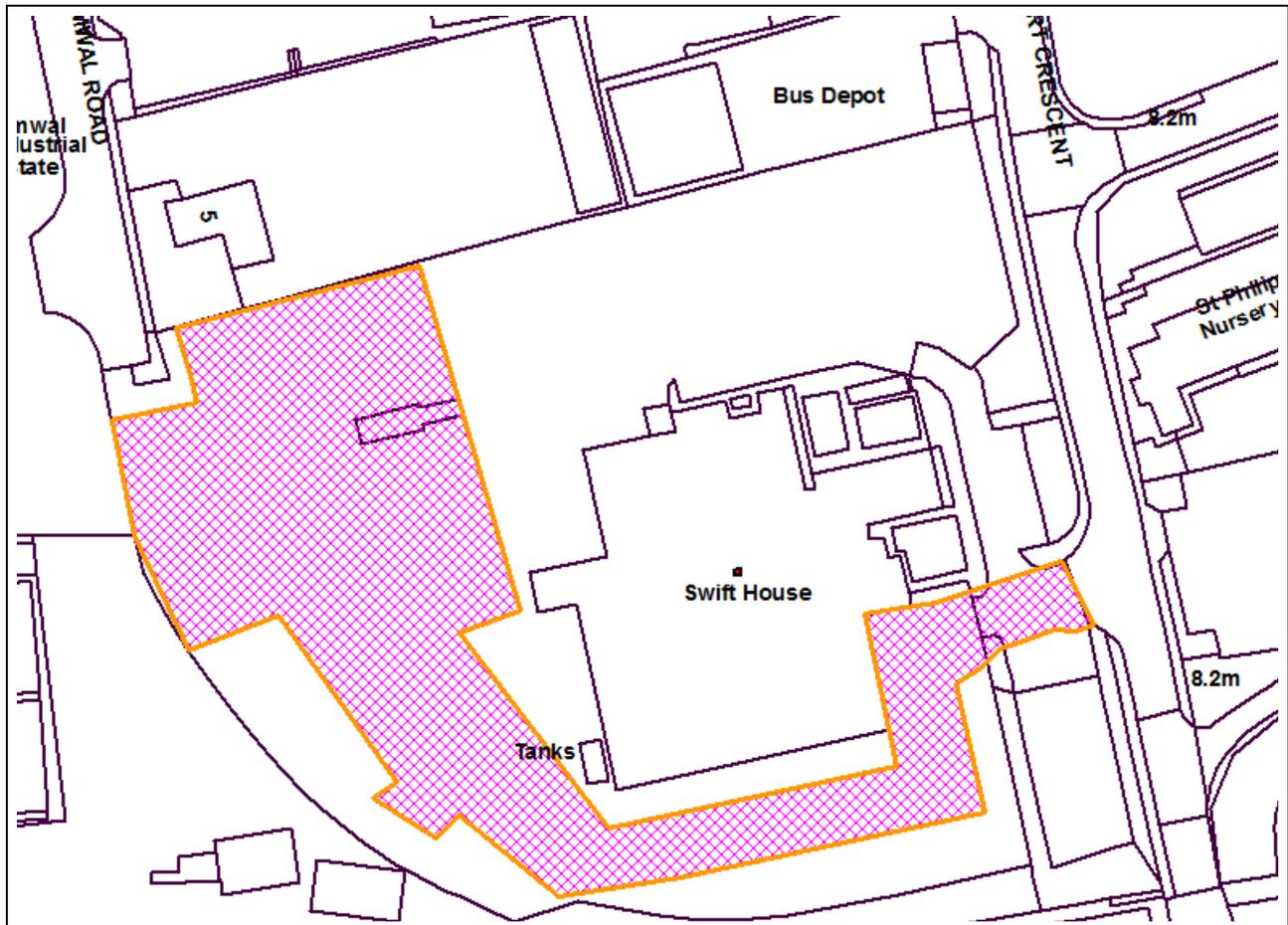
Erection and operation of a waste transfer station and ancillary structures, including a trailer shelter, a weighbridge and weighbridge office.

RECOMMENDATION: Grant subject to Condition(s)

APPLICANT: Grundon Waste Management Limited
Estates Office
Grange Lane
Beenham
Reading
RG7 5PY

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

LOCATION PLAN:



Development Control Committee A – 4 March 2021
Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD

SUMMARY

The application is for full permission planning for a waste transfer station in the St. Philips Marsh area of Bristol. The provision of waste facilities in this area, which is allocated for industry and warehousing, is considered to be in accordance with the development plan policies.

Notwithstanding compliance with the allocation policies, the Local Planning Authority are required to consider the environmental impacts of the development. The nature of the operation, with most of the activities being carried out inside of the buildings, is considered to limit the environmental impacts, and where there are external impacts, such as odour, it is considered that these impacts can be mitigated. The Council's Pollution Control, Air Quality and Transport teams have found no material reasons to object to the application. It should also be noted that operations on the site would be subject to Environmental Permit to monitor the impacts.

The application has been subject to considerable concern in the local community, particularly with reference to the potential impacts on the St. Philip's Nursery, which is adjacent to the access. As a result, the application was called to committee by Councillor Jama to allow consideration of the amenity impacts. However, Officers have found no reason to object to the application, and therefore the proposal is recommended for approval, subject to relevant conditions.

SITE DESCRIPTION

The application relates to the former Gulliver's truck hire site within the St. Philips Marsh area of Bristol. The overall site measures around 1.5 hectares and currently contains a large warehouse type building, surrounded on all sides by hard standing. The application itself only relates to the area of hardstanding, mostly to the west of the site, although utilising the existing access from Albert Crescent to the east of the site. As such, it measures around 0.62 hectares. It is understood that the rest of the former Gulliver's truck hire site is also under the ownership of the applicant, and will partly be used for vehicle maintenance or be leased out to a third party.

The site is currently allocated as Primary Industrial and Warehouse Area (PIWA). The site has also been identified as being within an area of flood risk. According to the Environment Agency flood mapping the site is partly within Flood Zone 2, with a small area around the vehicle entrance to the site being in Flood Zone 3. However, it is acknowledged that the Council has recently published a revised Strategic Flood Risk Assessment, which contains revised modelling reflecting the potential impact of Climate Change. This suggests that by 2080 (reflecting the approximate lifespan of the development) much of the site will be at high risk of flooding, apart from the area around the western boundary of the site.

RELEVANT HISTORY

It appears that the use of the site for commercial vehicle distribution, including service and repair shop, was originally permitted in the later 1960s. Numerous applications for minor developments have been made since then, including applications for advertisement consent. However, these are not considered to be directly relevant to the current application.

It is noted that planning permission has been granted for an additional access to the site, from Camwell Road, in the early 1980s (ref. 81/02621/P). It is not clear if this permission was implemented, but the access is not currently in use.

Development Control Committee A – 4 March 2021

Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD

APPLICATION DETAILS

The application is for full planning permission to use the eastern part of the site as a Waste Transfer Station. In effect, this will involve waste collected from local commercial sources being sorted, and then transferred elsewhere.

As a consequence the main element proposed is a Waste Transfer Station Building, which would be located in the north east corner of the site. The building would measure 42 metres long, 26 metres wide and 12 metres to the ridge. The building would be clad in grey cladding, and open fronted to the south to allow for access. The open elevation will be fitted with a PVC curtain.

It is also proposed to provide a smaller, open sided, building to act as trailer store. This will allow for the storage of 6 trailers. It is also proposed to provide a weigh bridge and small office (housed in a single portacabin) adjacent to the western boundary of the site.

No dedicate parking is proposed within the application site, but it is understood that there are 30 car parking spaces on the wider site (within the blue line), and it is understood that those parking spaces will be used in association with this development.

PRE APPLICATION COMMUNITY INVOLVEMENT

A Statement of Community Involvement has been submitted with the application, which highlights the following process:

i) Process

The statement makes reference to the fact that there are no residential properties near to the site, and the fact that the application was largely prepared during the Covid pandemic, and as such a public engagement event was not undertaken.

However, it is noted that Grundon (the applicant) operate Community Liaison groups where there is significant public interests, and would consider establishing one here, if it were considered to be beneficial.

ii) Fundamental Outcomes

Given that no public feedback was sought no changes to the plans resulted from community engagement.

RESPONSE TO PUBLICITY AND CONSULTATION

The application was advertised by a site notice erected close to the site, by advertisement in a local newspaper and by writing to 15 neighbouring properties. As a result, 92 representations were received. This included 74 objections and 18 supporting comments.

In objection to the application the following issues were raised:

Principle of Development (see key issue A)

* Development of the site should be subject to an Environmental Impact Assessment.

Land Use Issues (see key issue B)

* The area has been identified for further residential development, and other sensitive development has been permitted in the area, and the introduction of a waste transfer station would be incompatible with this;

* The proposal risks the future of the nearby Day Nursery, which is an important local amenity;

Development Control Committee A – 4 March 2021

Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD

- * The proposal could lead to significant job losses through blighting the area, particularly in relation to food preparation businesses in the area;
- * There are already Waste Transfer facilities in the area, and an additional one is not required.

Impact on Amenity (see key issue C)

- * Concerns relating to amenity largely relate to the impact on the nearby Day Nursery (located adjacent to the access of the site), as well as the Adolescent Learning Centre (next to the Nursery);
- * The proposal would result in the introduction of further heavy vehicles, which would lead to detrimental impacts on air quality;
- * The proposal would lead to additional dust;
- * The proposal would lead to additional noise and disturbance, including outside of normal working hours, and the assessments carried out are inadequate;
- * The proposal would lead to unpleasant smell;
- * The proposal will encourage flies and vermin to the area;
- * Information from the Residents Against Dirty Energy (RADE) monitoring suggest that the air quality in the area is worse than stated in the submitted reports;
- * The proposal would lead to light pollution.

Flood Impacts (see key issue D)

- * The submitted flood risk assessment fails to take account of the impact of climate change;
- * Flood water could be easily polluted by waste stored on site.

Transport Impacts (see key issue E)

- * The proposal would lead to additional HGV movements, which would be dangerous given the location adjacent to the Day Nursery, and would lead to traffic jams;
- * There can be no guarantee that the source of waste will be local, and may come from further afield;
- * Areas for parents to drop off and pick up children should be safeguarded;
- * The type of traffic is likely to make the roads unpleasant for pedestrian, and push more people into cars.

Ecology (see key issue H)

- * The proposal would have a negative impact on wildlife, by attracting vermin to the site.

Other Issues

- * The pre-application public engagement was poor (Officer comments: It is acknowledged that the public engagement from the applicant in this case has been poor, however, this could not be supported as a reason for refusal on the application, and instead reference must be made to the planning merits of the scheme);
- * The application should make provision for a financial fund to improve the fabric of the Nursery building, and allow excursions from the Nursery (Officer comments: The Local Planning Authority has no mechanism to secure such a contribution between two private operators).

Supporting Comments Include:

- * The proposal represents a significant investment in Bristol and will bring employment opportunities;
- * The proposal will reduce the need to transport waste long distances, and therefore reduce CO2 emissions;
- * The proposal would be a modern facility on an existing industrial site, and therefore would have a reduced impact;
- * The applicant is a family run business, with a good reputation and environmental record;
- * There is a requirement for additional waste handling facilities in Bristol.
- * The site is within an industrial area, and is already likely to be subject to a lot of the concerns that have been raised in objection to the application;
- * Bringing the site back into use will reduce the risks associated with anti-social behaviour.

Development Control Committee A – 4 March 2021**Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD**

An objection has been received from the Arnos Vale Resident's Association on similar grounds to those raised above. This includes that the development should be subject to Environmental Impact Assessment, that there would be impacts on the amenities of the Day Nursery and other sensitive receptors, the Flood Risk Assessment does not take into account the impacts of climate change and additional vehicle movements would lead to traffic jams and would be detrimental to air quality.

It is noted that the application has been called to committee by Councillor Jama. In her commentary to this she has raised a number of issues outlined above, specifically the following:

- * The need for EIA;
- * Noise;
- * Additional flies and vermin;
- * Light pollution;
- * Flooding;
- * Additional vehicle movements;
- * Lack of community engagement;
- * Source of waste.

OTHER COMMENTS

Pollution Control have commented as follows:

As stated in the Planning Application Supporting Statement if granted suitable management of noise, odour, dust and pests would be controlled in accordance with an Environmental Permit issued and enforced by the Environment Agency. This permit would also control the emission of noise from the site. I note that the Environment Agency has commented on the application but only with regards to flooding and not any pollution issues that would be covered by the Environmental Permit.

With regards to concerns over the potential for noise and odour issues from the site I would comment as follows:

Noise

The acoustic report says that 'normal' operating hours for the site for general waste management operations will be 07.00-18.00 Monday to Friday and 08.00-1300 Saturday. The report further says that the site will operate 24 hours/day for bulk HGV movements and some waste deliveries that would just tip in the building and leave.

I am satisfied that the noise assessment suitably covers the potential for noise from the site affecting neighbouring businesses, although there is still potential impact at night. A condition is therefore recommended to control activities during the night.

Much of the control of noise is based on materials only being tipped and loaded within the confines of the waste transfer building. If granted then this would need to be conditioned.

Odour

The air quality report finds that the effects of odour at the nursery are judged to be significant. This is based on the findings of a risk assessment that have identified moderate adverse effects from odour at the nursery. The report notes that the nursery school will only be occupied during school hours and thus the exposure to odours will be limited to approximately six to eight hours each day, with no exposure on weekends. Whilst this is true I do not feel it can justify any odour at the nursery from the site.

The report details however that if the measures detailed below are implemented and maintained and the waste transfer station can be operated in accordance with an Odour Management Plan and

Development Control Committee A – 4 March 2021**Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD**

implements best-practice measures for odour mitigation, then the risk of odour effects at the nursery will be reduced as far as practicable, and the overall effects will be 'not significant'. The measures are:

- if possible, orientate WTS building away from the nursery, so that the main vehicle entry door is facing to the south;
- utilise an odour neutralising spray both on the tipped waste, and across the vehicle entry opening; and
- ensure that the stand containers, when stored outside, are tightly sealed to minimise odour releases.

The applicant has confirmed that these measures will be incorporated in the development.

Transport Development Management have commented as follows:

Local Conditions

The site is on Albert Crescent, an unclassified road within the St Philips Marsh Industrial area that acts as one of the main distributor routes for HGVs in the area.

St Philip's Marsh Nursery School is located on the opposite side of Albert Crescent from the proposed development. It caters for children aged 2-5 years and as such we would not expect there to be any unaccompanied minors accessing the school but instead children would be accompanied by their parents/ carers. The school has guardrailing on the footway adjacent to it as well as a designated crossing point with dropped kerbs and tactile paving and School Keep Clear markings. Visibility is good and the site is within a 20mph zone. Furthermore, the proposal would not be expected to result in significantly different vehicle movement patterns to the previous site use. As such we do not consider that the proposal poses any greater risk than the existing use.

The TA analyses the collision data for 1/10/16 to 30/9/19 for the area bounded by (and including) Feeder Rd, Albert Crescent, Albert Rd and a short section of Bath Rd either side of Totterdown Bridge. It finds 15 collisions resulting in 18 casualties (16 slight/ 0 serious/ 2 fatal). The TA concludes; "Given the traffic intensity in the local area, the number of accidents recorded can be considered to be low. There were no accidents in the last three years involving trucks of the type that will operate from the proposed WTS." We consider that this is a reasonable conclusion and so there is nothing in the pattern of collisions that would make the proposal, which would only have a minor traffic impact compared to the existing use, unacceptable.

Trip Generation

The application is for a Waste Transfer Station with capacity to handle 50,000 tonnes per annum. The site will accept deliveries throughout the day, mostly consisting of RCVS and roll on/ roll off trailers. Bulked waste will then be loaded on the stand trailers which will be moved around the site by shunters. Trucks will collect the trailers from the site mostly during the evenings and at night.

The TA estimates, based on the TRICS database, that the current use (on just the development site) could have resulted in 530 staff trips and 329 visitor trips. These estimates appear high for a site of this size.

However, the traffic generation of the previous use of this site is academic and does not alter our conclusions as the TA then goes on to assess the gross impact of the development (ie without discounting for the previous use) so looks at the whole impact of the new site added to the network. This is considered a robust approach. It predicts 94 RCV and 22 bulk trips resulting in 116 HGV trips per day.

These figures are plausible given the maximum of 50,000 tonnes of throughput for the site. The maximum throughput would need to be conditioned.

Development Control Committee A – 4 March 2021**Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD**

The number of staff movements would be small. The trips have been assigned to the network taking in to account height restrictions. The development is found to have minimal impact at the two main junctions where the traffic would meet the network.

For the priority junction at Feeder Rd/ Short St the TA shows that the junction would operate within capacity with the development. As set out above these figures are considered to be robust as the modelling has been done with gross figures (ie without offsetting the impact of the existing use on the site) and so the impact of the site would be less than this when the existing use is taken in to account. The impact on the local highway network of the development is therefore considered to be acceptable.

Access

The site would reuse an existing industrial access on to Albert Crescent. This is considered acceptable. The TA has acceptable swept paths for the maximum articulated truck size (16.5m and 44 tonnes).

Parking

The proposal is to reuse the parking spaces associated with the previous use. This is considered appropriate. There will also be parking for 6 stand trailer spaces. The application is for 1,486 sqm of Sui Generis Use Class. If the B8 cycle parking standard were applied then there would be a requirement for secure parking for 2 cycles.

Travel Planning

The site has reasonable access to a range of public transport in the form of buses and proximity to Temple Meads railway station. It is also close to a number of main cycle routes. However, the nature of the site is that most trips will have to be made by HGV. The number of staff on site is small and likely to be similar to the previous use so the additional impact is likely to be negligible.

Conditions

A condition would be required limiting the maximum tonnage that passes through the site annually to 50,000 tonnes as this is the basis on which the trip generation has been calculated and considered to be acceptable.

Environment Agency (Sustainable Places) has commented as follows:-

Following the submission of a revised Flood Risk Assessment the EA have removed their objection to the application, subject to a condition that the development shall be constructed in accordance with the FRA. In addition, the development has been designed to have a 40 year life span, and therefore this should also be limited by condition.

Whilst the EA do not normally comment on the adequacy of flood emergency response procedures the PPG and NPPF state that the ability of users to safely access and exit the site in a design flood, and evacuate before an extreme flood needs to be considered.

The findings of the FRA in relation to the likely duration, depth, velocities and flood hazard rating indicates that there will be danger for all in a flood event. In the event of where warnings and emergency response is fundamental to managing flood risk, we advise Local Planning Authorities to formally consider the emergency planning and rescue implications of new development.

Air Quality has commented as follows:-

I have reviewed the air quality assessment for this development, which concludes that the impact of the development on air quality is negligible. The modelling is conducted according to the relevant

Development Control Committee A – 4 March 2021

Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD

guidance and uses an accepted dispersion model and modelling approach. The receptors are characterised appropriately and the nearby nursery school is included as a receptor.

While the additional local traffic generated by the development will cause a small increase in concentrations of nitrogen dioxide, this is below the threshold that would cause the impact to be described as adverse and would likely raise an objection from us. I therefore do not have an objection on the grounds of air quality.

Contaminated Land Environmental Protection has commented as follows:-

We have reviewed the desk study we have to advise the applications that the description of the landfill is incorrect.

'4.14.1 The Groundsure report indicates there is one historic landfill within 250m of the site, which is 168m NE. This was identified within the historical maps. The area has since been redeveloped for a sports ground and industrial use and given the distance this is not considered a risk.'

The closest landfill is 168m away to the East but it is not a sports ground (the nearest landfill that is a sports ground is Netham Road)

We do acknowledge that the site will be hardstanding and all drainage will be going to the sewer network (and controlled in essence by the future permit). Section 6.4.3 states that the building designs will have open sides meaning risks from ground gases/vapours are mitigated.

Nonetheless this is a development in an industrial area so the following condition is recommended to be applied to any future planning consent:

Reporting of Unexpected Contamination

In the event that contamination is found at any time that had not previously been identified when carrying out the approved development, it must be reported immediately to the Local Planning Authority.

Nature Conservation Officer has commented as follows:-

There is some vegetation on the boundary of the site. It is recommended that an advice note is attached to any permission granted to advise the developer that any site clearance should be carried out outside the bird nesting season.

Floodlights are proposed as part of this proposal and this is considered acceptable on ecological grounds in this location.

In accordance with Policy DM29 in the Local Plan, the provision of a living (green/brown) roof which does not include Sedum, perhaps located on the proposed weighbridge office portakabin, is recommended to provide habitat for wildlife.

Network Rail has commented as follows:-

Network Rail has no objection in principle to the above proposal but due to the proposal being next to Network Rail land and our infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we have included asset protection comments which the applicant is strongly recommended to action should the proposal be granted planning permission.

Development Control Committee A – 4 March 2021**Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD**

Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3 months' notice before works start.

Sustainable Cities Team has commented as follows:-

Given the limited impact of the development and scope to secure improvements, it is recommended that an additional Energy Statement is secured by condition, to demonstrate how energy demand for heating and power will be minimised through improvements in fabric efficiency, air permeability and controlled ventilation, the selection of energy efficient lighting and appliances, and heating and lighting controls.

RELEVANT POLICIES

National Planning Policy Framework – February 2019

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocations and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2016 and Lawrence Weston Neighbourhood Development Plan 2017 and the Hengrove and Whitchurch Park Neighbourhood Development Plan 2019.

West of England Joint Waste Core Strategy 2011.

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

KEY ISSUE**(A) DOES THE APPLICATION REQUIRE ENVIRONMENTAL IMPACT ASSESSMENT?**

It is noted that a number of objectors to this application have stated that the application should be subject to an Environmental Impact Assessment. The regulations that relate to EIA are the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. These divide significant development proposals between schedule 1 developments, which require an Environmental Statement, and schedule 2 development, which may require an ES, depending on their characteristics and impacts.

The proposal is not covered by schedule 1 of the regulations. Schedule 2 includes under part 11(b), Installations for the disposal of waste. However, in this case the proposal does not involve any actual disposal of waste, but instead the processing and transportation of the waste. In addition, the indicative thresholds included under this part of the schedule include the following:

- (i) The disposal is by incineration; or
- (ii) the area of the development exceeds 0.5 hectare; or
- (iii) the installation is to be sited within 100 metres of any controlled waters.

The proposal does not involve incineration, and would fall below the other thresholds.

As a consequence, it is considered that the proposal would not require an Environmental Statement. However, it is noted that notwithstanding this the Local Planning Authority have to assess the environmental impacts of the proposed development, and the applicant are required to provide an adequate level of information to allow this.

Development Control Committee A – 4 March 2021**Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD****(B) IS THE PROPOSAL ACCEPTABLE IN LAND USE TERMS?**

The application site is located within the St. Philips Marsh area, which is currently allocated as Principal Industrial and Warehousing Area (PIWA) in the adopted Local Plan. In accordance with policy BCS8 of the Core Strategy, these areas are identified to be retained for employment uses. Policy DM17 of the Development Management Policies sets out that uses including B1(b)-B8 uses are acceptable on these sites, as are other uses including 'Essential Public Utilities Development'.

In this case, whilst the proposed use is classified as a Sui Generis use, outside of the usual use classes, it does share many of the characteristics of the relevant 'B' class uses, and Officers are satisfied that this would be classed as an 'Essential Public Utility'.

In addition, the West of England Joint Waste Core Strategy (2011) includes policies relevant to the location of waste handling facilities. Policy 2, which refers to non-residual waste facilities, including waste transfer stations, should be located on land allocated for industrial or storage use, on previously developed land or on existing waste management sites. In this case, therefore, the proposed development would comply with this part of the development plan.

It is noted that the 2019 Draft Local Plan identifies St. Philips Marsh as a major regeneration area, which will include provision being made for residential development, as well as a range of employment uses. To facilitate this work is ongoing on a Spatial Framework. However, it is clear that in making the decision on this application the starting point is the adopted development plan, indeed section 38(6) of the Planning and Compulsory Purchase Act 2004 (2004 Act) requires that, where regard is to be had to the statutory development plan in determining an application for planning permission, the determination shall be made in accordance with the development plan unless material considerations indicate otherwise. Whilst the emerging policy has some weight in determining the application, that weight is currently limited, and would not exclude the use of parts of the area for industrial uses. The Spatial Framework is not currently in a format that is considered to have any significant weight in the decision making process, and therefore would not supersede the current development plan policies.

As such, it is considered that the proposal would comply with the locational policies in the adopted development plan, which indicate that this site would be appropriate for the type of use proposed, subject to other policies in the plan.

(C) WOULD THE PROPOSAL UNACCEPTABLY AFFECT THE AMENITY OF THE AREA?

Policy BCS21 of the Core Strategy, as well as requiring development to be of a high quality design, also requires new development to safeguard the amenities of existing development. In addition, policy BCS23 also requires development to be designed so as not to have a detrimental impact on the surrounding environment, and not impact on the viability of existing uses through additional pollution.

- Residential Impacts

The site is relatively central to the St. Philips Marsh employment area. As such, the nearest residential area currently would be at Paintworks, which is over 300 metres to the south of the site. It is noted that objections have made reference to existing waste processing businesses being a source of noise and disturbance to existing residents, however, these are generally closer, being towards the south of St. Philips, and having less in the way of screening.

Reference is also made in the objections to the application to other proposed and permitted residential development in the area. Of those in the area only the proposed student flats on Temple Island currently benefit from planning permission. There is also a resolution to grant planning permission for residential development at Silverthorne Lane, to the north of the site, although this is subject to call-in from the Secretary of State. However, both of these sites are a similar distance from

Development Control Committee A – 4 March 2021**Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD**

the site to Paintworks, and therefore it is considered that the impacts would be similar.

- Other impacts

Most of the other neighbouring uses are industrial, and therefore are not considered to be sensitive to the introduction of a use of this nature. However, the main exception to this is the St. Philip's Marsh nursery, which is directly opposite the access. Also nearby is the Learn@MAT facilities, which appear to offer training to young people. With regards to planning policy, both of these facilities are encouraged within industrial areas, because they can support the functioning of that industrial area. However, these facilities are sensitive to pollution, and therefore the impacts on these of the proposed development are material to the decision on the application.

In addition, it should be noted paragraph 182 of the NPPF introduces the 'agent of change principle'. In effect, this means that where a development would introduce a new use into the area which has the potential to be sensitive to the existing uses, the applicant (the 'agent of change') is responsible for mitigating the impact of that development such that those businesses do not have unreasonable restrictions placed on them.

- Air Quality

In this regard the application is supported by an Air Quality Assessment. Whilst concerns have been raised about existing Air Quality in the area, it is noted that the site does lie outside of the existing Air Quality Management Area. The assessment submitted measures the impact of the development in respect of Nitrogen Dioxide and Particulates, and compares the scenario of no development of the site against the impacts of the development. This is measured at a number of locations, including at the nursery, and the residential properties on Bath Road.

This found that the highest concentrations of pollutants tended to be in the Bath Road area, mostly related to road traffic, however no exceedances of the relevant standards were predicted in any locations. The impact of the development was found to be negligible (an increase of less than 1%), taking into account the worst case assumptions in the model.

This has been reviewed by the Air Quality team of the Council, who confirm that given the impacts are negligible, and there would be no exceedances, there are no grounds for objection on these grounds.

- Noise

The noise assessment submitted with the application is based on noise readings taken at two sites close to the site (one directly outside of the nursery). These indicate that the noise levels around the site are already relatively high, both from industrial sources and road traffic (the nursery being more affected by road traffic currently).

The noise assessment goes on to provide an indication of the noise levels predicted in connection with the development, which are likely to be lower than the background noise levels. This assessment is predicated on the fact that most of the activities will be contained within the building, which can be secured by a condition on any permission. The Council's Pollution Control Officer is satisfied with this assessment, although it is noted that the assessment is largely based on day time noise levels, whereas it is the intention to operate the facility, albeit on a limited capacity, throughout 24 hours. Clearly, any operations outside of normal working hours would not impact on the nursery, or other commercial properties nearby. However, whilst it is not expected that these activities would impact on the residents nearby, any intensification of these activities may do. However, the operations of the site could be limited by a suitability worded condition, and therefore it is not considered that the proposal would warrant refusal on these grounds.

Development Control Committee A – 4 March 2021**Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD**

- Odour

The submitted Air Quality Assessment includes an Odour Risk Assessment, which considers the potential of odour from the development impacting on nearby land uses. This considers the same receptors as the Air Quality Assessment above, including the potential to impact on the nursery. Considering issues such as prevailing wind direction and sensitivity of the receptor this concludes that there is risk of odour having a moderate adverse impact on the nursery, although all other impacts are considered to be negligible (either on the basis that the receptor is of low sensitivity, or that odours are unlikely to carry to the other locations identified).

As a consequence, the report suggests mitigation that could be employed to limit the impact on the nursery. Broadly, this includes the orientation of the building, with the entrance facing south, the use of odour neutralising spray and ensuring that any external containers are steeled. Subject to these measures, which can be secured by condition, the Pollution Control Officer is satisfied that the impacts on the nearby nursery will be mitigated.

- Lighting

Concerns have also been raised about the impact of external lighting at the site. The submitted plans show a number of LED floodlights on the site, set at nine metres high. The plans indicated that the lighting would be angled to reduced light spill to other areas. It is noted that external lighting is not uncommon on employment sites in the area, many of these are closer to existing residential development. It is also noted that these would only come into use outside of normal working hours, and therefore would not impact on other commercial properties in the area. As such, it is not considered that these would warrant the refusal of the application.

- Vermin

In addition to the management issues referenced above, it is also apparent that the applicant's management strategy for the site includes mitigation for vermin (rodents/flies/birds). Again, this involves keeping the waste inside of the building, or in sealed containers. In addition, it is material that the intention is to keep the waste on site for a limited period only.

- Environment Agency Permits

It should also be noted that the operation of the site would be subject to a Permit from the Environment Agency. It is understood that the applicant is yet to apply for a permit, but this would largely cover such issues as odour, dust and vermin. Whilst the Local Planning Authority must still consider land use issues in deciding a planning application (i.e. is this an appropriate location for an activity or development), the individual polluting activities that result from the management of the site fall under the remit of the Environment Agency to determine and monitor.

Therefore, officers are satisfied that a waste transfer station can be located on this site without an unacceptable impact on the amenities of nearby residents and businesses. It has been identified that there is potential for odours from the proposed development to impact on the neighbouring nursery, and for the intensification of activities outside of normal business hours to impact on nearby residents. However, in both cases a way of mitigating this has been identified, and officers are satisfied that mitigation can be secured through a condition requiring an appropriate site management plan. As stated above, the site will also require an Environmental Permit, and as such the individual polluting impacts of the development would be for another regime to consider, and as such there are no planning grounds to refuse the application for amenity reasons.

Development Control Committee A – 4 March 2021**Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD**

(D) WOULD THE PROPOSED DEVELOPMENT BE AT RISK FROM FLOODING, HAS A SEQUENTIAL APPROACH BEEN TAKEN TO LOCATING THE DEVELOPMENT, AND WOULD IT INCREASE THE RISK OF FLOODING ELSEWHERE?

The application site is largely in flood zone 1 (present day) as identified by the Environment Agency, although parts of the access and areas to the east of the site are within flood zones 2 and 3 (being medium to high risk of flooding). However, the more recent modelling undertaken to inform the 2020 revision of the Strategic Flood Risk Assessment suggests that in 2080, when account is taken of climate change, the whole site would be at risk of flooding.

The NPPF and policy BCS16 require that a sequential approach is taken to the location of development, locating developments in areas with the lowest risk of flooding first. However, the site is also allocated as a Principle Industrial and Warehousing Area, as referred to in policy BCS8 of the Core Strategy, and that allocation in itself has been sequentially tested. Whilst the actual use class of the site is Sui Generis (rather than Industrial or Warehousing use class) it is noted above that the use shares many of the characteristics of these uses, and indeed the Waste Plan for the area suggests that such waste transfer stations should be located on sites allocated for industry. The applicant has undertaken a search of available sites for the proposed development, and has identified a number of sites in Avonmouth as being suitable for the development. However, none of these sites are sequentially preferable, given that these are at the same or greater risk of flooding as the application site.

In addition to the need for a sequential test, the relevant planning policies also require that applications demonstrate that the development will be safe from flooding in a design flood event, for the lifetime of the development, taking account of the impacts of climate change. It is usually regarded that the lifetime of a commercial development would be 60 years, and therefore the use of the 2080 modelling, as referred to above, is relevant. However, in this case the applicant has argued that the specific nature of the use of the site suggests a lifespan of 20 to 40 years. Therefore, a flood event is likely to be less severe than suggested in the 2080 modelling. It is also noted that the proposed structures are on the part of the site at lowest risk of flooding, and are designed such that water could flow freely through the buildings, meaning that any displacement of flood waters would be kept to a minimum. The threshold of the waste transfer building would also be above the maximum flood depth (even in 2080), and therefore the waste would be kept out of any flood water.

It is noted that the access to the site would be subject to significant depths of flood water in an extreme flood event (potentially in excess of 1.5 metres). As such, the site would not be accessible in a flood event. Therefore, it would be proposed that users of the site would sign up for relevant flood warnings, which would usually provide 24-48 hours warning of a flood event, and the site would be evacuated in good time for any flood event. At the time of writing, the evacuation procedures are being reviewed, but final details can be secured by condition, and therefore there is no objection to the development on these grounds.

Given the scale of the site, the policy does require a reduction in surface water flows. However, the nature of the site and development, being dominated by existing hardstanding, means that a significant reduction in flows would not be possible to achieve without significant intervention. The applicant has suggested mitigation, which is being reviewed by the Council's flood team, and can be secured by condition if appropriate.

As such, whilst the Environment Agency originally raised some concerns about the proposal, these objections have been withdrawn. Officers considered that revised flood risk assessment has demonstrated that the site can be made safe in a flood event, and access and surface water details can be secured by condition. As such, there are no objections to the application on these grounds.

Development Control Committee A – 4 March 2021**Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD****(E) WOULD THE PROPOSED DEVELOPMENT SATISFACTORILY ADDRESS TRANSPORT AND MOVEMENT ISSUES?**

Development Plan policies are designed to promote schemes that reflect the list of transport user priorities outlined in the Joint Local Transport Plan, which includes pedestrian as the highest priority and private cars as the lowest (BCS10). In addition, policy DM23 requires development to provide safe and adequate access to new developments.

The site is considered to be in a sustainable location, in close proximity to the city centre, and Temple Meads station. However, the nature of the use is such that it will depend on motor vehicles, including Refuse Collection Vehicles and HGVS, and therefore these vehicle movements will be added to the network. It is noted that the site was previously used for commercial vehicle hire, and the transport assessment for the site suggests that there were over 800 vehicle trips a day in connection with that use, and significantly less in connection with the proposed use. Officers are not satisfied that this estimate of the previous use is sufficiently evidenced to be given significant weight in the decision on the application, although it is clear that the previous use would have generated vehicle movements. However, the transport assessment does assess the impact of development (without discounting for the previous use), so concerns over the previous use are largely academic.

On the basis of the site processing 50,000 tonnes of waste per year the transport assessment predicts a total of 116 HGV trips per day. The site would be run with limited staff numbers so the number of staff trips associated with the development would be very small. On this basis the assessment shows that there is capacity on the existing road network for the number of vehicle trips proposed. It is noted that the intention is to collect refuse locally by refuse collection vehicle and then transfer waste to larger vehicles in order to transport it for processing/disposal. Theoretically, this should be more efficient than transporting waste longer distances in smaller vehicles. However, as has been referred to in objections to the proposals, it is very difficult to control the source of the waste through the planning process. However, it is considered reasonable to limit the amount of waste processed at the site by condition, to 50,000 tonnes, which is likely to limit the number of vehicle movements around the site in line with that set out in the transport assessment.

It is noted that the number of vehicle movements associated with the development would impact on road safety, particularly in relation to the nearby nursery. In this respect it is noted that the previous use of the site would have resulted in HGVs using the access. Visibility at the access is generally considered to be very good, and there is nothing in the accident records for the area to suggest that the vehicle movements associated with the site would result in any additional danger to road users. Whilst the location of the nursery does suggest particularly vulnerable road users, it is noted that the nature of the road use in the area of the nursery would not significantly change from the historic position. As such, it is not considered that there are any highway grounds to reject the application.

(F) WOULD THE PROPOSED DEVELOPMENT HARM THE CHARACTER OR APPEARANCE OF THIS AREA?

Policy BCS21 of the Core Strategy promotes high quality design, requiring development to contribute positively to an area's character, promote accessibility and permeability, promote legibility, clearly define public and private space, deliver a safe, healthy and attractive environment and public realm, deliver public art, safeguard the amenity of existing development and future occupiers, promote diversity through the delivery of mixed developments and create buildings and spaces that are adaptable to change. The adopted development management policies reinforce this requirement, with reference to Local Character and Distinctiveness (DM26), Layout and Form (DM27), Public Realm (DM28) and the Design of New Buildings (DM29).

The area is currently characterised by utilitarian industrial buildings, and there are no heritage assets of buildings of architectural interest nearby. Many of the existing buildings are large scale sheds constructed from a mixture of brick and metal cladding. The proposed buildings, also large scale,

Development Control Committee A – 4 March 2021**Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD**

metal clad sheds, would be in keeping with the current context. The buildings would be located in what is currently a large area of hardstanding, previously used for storage of commercial vehicles. Therefore, the proposal would not impact on any existing features of merit, including green infrastructure. As such, it is considered that the proposal responds appropriately to the context, and meets the policy requirements listed above.

(G) WILL THE PROPOSED DEVELOPMENT MAKE AN ADEQUATE CONTRIBUTION TO THE SUSTAINABILITY AND CLIMATE CHANGE GOALS OF ADOPTED PLANNING POLICIES?

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

In this case the proposed buildings would be largely open and would not be heated. Overall, the power requirements of the development are very low, largely related to lighting, and therefore the scope to reduce CO2 emissions is limited. The only heating requirements for the development relate to the pre-fabricated weigh-bridge office, and as this is an 'off the shelf' product at this stage it is not clear what improvements could be made. As such, the sustainable city team have advised that the best way of meeting the policy requirements, and ensuring energy demands and CO2 emissions are kept to a minimum, is through a condition requiring an additional Energy Statement prior to development. Subject to such a condition, there are no objections to the development on these grounds.

(H) WILL THE PROPOSAL HAVE A HARMFUL IMPACT ON TREES, WILDLIFE AND ECOLOGY IN THE SURROUNDING AREA?

Policy BCS9 of the Core Strategy states that 'Individual green assets should be retained wherever possible and integrated into new development'. It also states that 'Development should incorporate new and/or enhanced green infrastructure of an appropriate type, standard and size. Where on-site provision of green infrastructure is not possible, contributions will be sought to make appropriate provision for green infrastructure off site.'

Currently there is limited scrub vegetation, mostly around the boundaries of the site. This vegetation will not be impacted by the development. Whilst concerns have been raised that pollution (including light pollution) or vermin associated with the development would impact on wildlife in the area, there is no evidence that this would be the case, and the Council's nature conservation officer is satisfied that there would be no harmful impacts of the development.

It is noted that the nature conservation officer has recommended the use of living roofs to improve the biodiversity of the site. However, the applicant has responded to this by suggesting that the lightweight construction of the proposed buildings would not support the additional weight of a living roof. Instead, it has been suggested by the applicant that they could incorporate bird boxes as part of the proposed development. Given the ecological impact of the development is considered to be limited, this is considered to be a reasonable compromise, and can be secured by condition.

(I) DOES THE PROPOSAL ADEQUATELY ADDRESS CONTAMINATED LAND ISSUES?

Policies BCS23 and DM34 relate to the need for any development to address and mitigate contamination, and to ensure that it does not impact on future occupiers or neighbours of the site. A ground conditions report and contamination risk assessment has been submitted with the application. In this case, the development site is largely hardstanding, any drainage will be going to the sewers (and will be covered by the Environmental Permit), and the buildings will be open sided to mitigate against ground gas. As such, subject to a condition requiring the reporting of any unexpected contamination, it is considered that the risks associated with the development will be adequately

Development Control Committee A – 4 March 2021
Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD

mitigated.

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.

CONCLUSION

The application is for full permission planning for a waste transfer station in the St. Philips Marsh area of Bristol. This area is currently allocated as a Principle Industrial and Warehousing Area, and the Local Waste Plan for the area directs such developments to previously developed land allocated for industrial uses. Notwithstanding the allocation, it is acknowledged that there sensitive uses close to the site. However, Council Officers are satisfied that the environmental impacts will be limited, or can be successfully mitigated. It is also noted that the use of the site will be subject to an Environmental Permit, which will monitor and regulate any potentially polluting activities at the site. In relation to highway impacts it is noted that the previous use of the site was for commercial vehicle hire, and that the nature and volume of the impacts would not change significantly (indeed the transport statement suggests that the volume of traffic would significantly reduce).

It is noted that this area has been identified as a future redevelopment area, and the Council are currently considering ways to increase the density and diversity of development in the St. Philips Marsh area. Whilst this has been referred to in the draft local plan, at this stage this has limited weight, and it is not at all clear that it would restrict such uses in this area.

As such, it is considered that the application is accordance with current planning policies, there are no detrimental environmental impacts that would warrant the refusal of the application, and there are no emerging policies with sufficient weight to warrant refusal. As such, the application is recommended for approval, subject to relevant conditions.

This development is liable for CIL, however the CIL rate for this type of development, as set out in the CIL Charging Schedule, is £nil and therefore no CIL is payable.

RECOMMENDED GRANT subject to condition(s)

Time limit for commencement of development

1. Full Planning Permission

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

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

Pre commencement condition(s)

2. Further details of office before relevant element started

Detailed drawings or specific illustrative material of the proposed office building shall be submitted to and be approved in writing by the Local Planning Authority before the relevant

Development Control Committee A – 4 March 2021**Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD**

part of work is begun. The detail thereby approved shall be carried out in accordance with that approval.

Reason: In the interests of visual amenity and the character of the area.

3. Energy Statement

Prior to commencement of development an Energy Statement shall be provided demonstrating how energy demand for heating and power will be minimised through improvements in fabric efficiency, air permeability and controlled ventilation, the selection of energy efficient lighting and appliances, and heating and lighting controls. The development shall be constructed and operated in accordance with the approved statement.

Reason: To minimise energy demand and associated carbon dioxide emissions as required under BCS14.

4. Bird nesting opportunities

The development hereby approved shall not be carried out until details of bird nesting opportunities, either incorporated into the buildings or provided elsewhere within the site, have been submitted and approved in writing by the Local Planning Authority. The bird nesting opportunities shall be constructed in accordance with the approved plans prior to the occupation of the development.

Reason: To enhance biodiversity at the site.

Pre occupation condition(s)**5. Flood Risk Assessment**

The development shall be constructed and operated in accordance with the submitted flood risk assessment note by Enzygo dated 24 November 2020 (ref CRM.049.020.HY.L.001) and the following mitigation measures it details:

- o Buildings designed to flood freely
- o Retention of waste in the building during a flood

These mitigation measures shall be fully implemented prior to first operation. They shall thereafter be retained and maintained throughout the lifetime of the development.

Reasons: To reduce the risk of flooding to the proposed development.

6. Reporting of Unexpected Contamination

In the event that contamination is found at any time that had not previously been identified when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the Environment Agency's 'Land Contamination: risk management' guidance and BS 10175:2011 + A2:2017: Investigation of Potentially Contaminated Sites - Code of Practice. Where remediation is necessary a remediation scheme must be prepared which ensures the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

Development Control Committee A – 4 March 2021**Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD**

Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This is in line with paragraph 170 of the National Planning Policy Framework.

7. Noise and Odour

The development hereby approved shall only be operated in accordance with the recommendations of the following reports:

- * Noise Assessment Report by WBM Acoustic Consultants (dated 9th July 2020)
- * Noise Technical Note by WBM Acoustic Consultants (dated 22nd October 2020)
- * Air Quality Assessment by Air Quality Consultants (dated September 2020)
- * Odour additional note by Air Quality Consultants (dated 4th November 2020)

Reason: To protect the amenity of nearby developments.

8. Operational Management Plan

Prior to the occupation of the development an Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall provide details waste management operations outside of 07.00-18.00 Monday to Friday and 08.00-1300 Saturday, including providing details measures to limit noise impacts on nearby residents and details of the complaints management procedure.

The site shall only operate in accordance with the Operational Management Plan, unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of nearby residents.

9. C26 Flood Evacuation Plan - Commercial Property

No building or use hereby permitted shall be occupied or the use commenced until the applicant has submitted to and had approved in writing by the Local Planning Authority a Flood Warning and Evacuation Plan (FEP). This Plan shall include the following information:

- * command & control (decision making process and communications to ensure activation of FEP);
- * training and exercising of personnel on site (H& S records of to whom and when);
- * flood warning procedures (in terms of receipt and transmission of information and to whom);
- * site evacuation procedures and routes; and
- * provision for identified safe refuges (who goes there and resources to sustain them).

The FEP shall be reviewed at intervals not exceeding 3 years, and will form part of the Health & Safety at Work Register maintained by the applicant.

Reason: To limit the risk of flooding by ensuring the provision of a satisfactory means of flood management on the site

Development Control Committee A – 4 March 2021**Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD**

10. Completion and Maintenance of Cycle Provision

No building or use hereby permitted shall be occupied or the use commenced until provision for two cycle parking spaces, in accordance with details submitted to and approved in writing by the Local Planning Authority, have been completed. Thereafter, the Cycle Parking Spaces shall be kept free of obstruction and available for the parking of cycles only.

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

Post occupation management

11. Limited period (temporary) permissions - uses

The use hereby permitted shall be discontinued and the land restored to its former condition prior to 40 years from the date of this planning permission.

Reason: In accordance with the application and because the impact of climate change to potential flooding at the site will cause unacceptable risks after this period.

12. Maximum Weight of Refuse

The development hereby approved shall store and process no more than 50,000 tonnes of waste in any single calendar year.

Reason: In accordance with the submission and to ensure the impacts of the development is no greater than set out in supporting statements in respects of highways and amenities.

13. Restriction of the use of open Areas of the site

No open storage or display of goods, materials, finished or unfinished products or parts, crates or refuse shall take place on any open area of the site without the written permission of the council.

Reason: To ensure that vehicle movements are not obstructed and to ensure that the appearance of open areas of the site is acceptable.

List of approved plans

14. List of approved plans and drawings

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

DG_EST_BRI_WTS_01 Location plan, received 25 August 2020

DG_EST_BRI_WTS_02 Planning application and ownership areas, received 25 August 2020

DG_EST_BRI_WTS_03 Proposed layout plan, received 25 August 2020

012819-4 Office unit plan and details, received 25 August 2020

A08901015 Transportable weighbridge, received 25 August 2020

DG.EN.BRI.WDL.1157 Proposed waste transfer building, received 25 August 2020

DG.EN.BRI.WDL.1158 Proposed trailer shelter, received 25 August 2020

DG.EN.BRI.WDL.1161 Proposed lighting layout, received 25 August 2020

Reason: For the avoidance of doubt.

Development Control Committee A – 4 March 2021

Application No. 20/03286/F : Swift House Albert Crescent Bristol BS2 0UD

Advices

- 1 Nesting birds: Anyone who takes, damages or destroys the nest of any wild bird whilst that nest is in use or being built is guilty of an offence under the Wildlife and Countryside Act 1981 and prior to commencing work you should ensure that no nesting birds will be affected.
- 2 This development will require an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016, Regulation 12.

In circumstances where an activity/operation meets certain criteria, an exemption from permitting may apply, more information on exempt activities can be found here:

<https://www.gov.uk/guidance/register-your-waste-exemptions-environmental-permits>

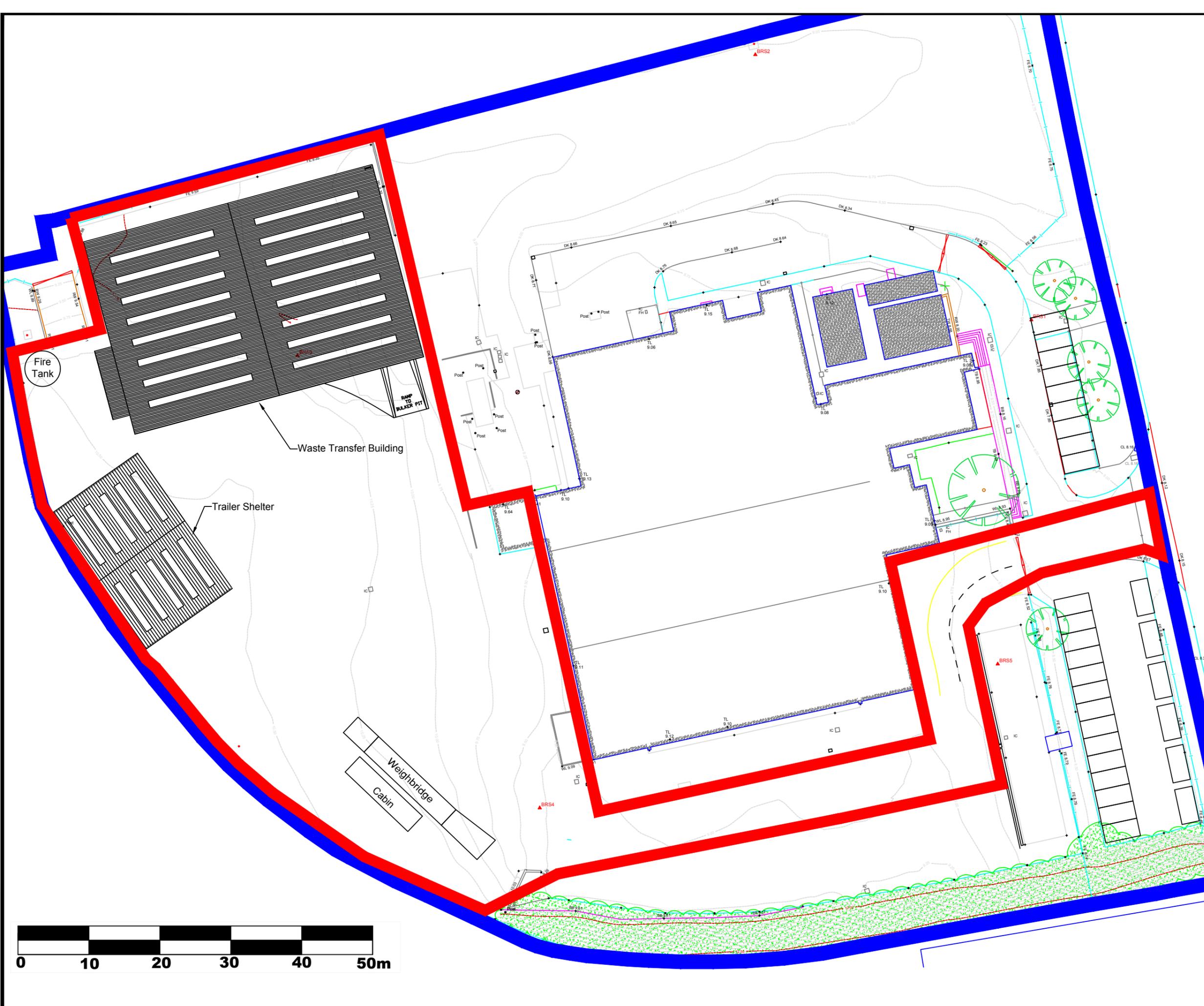
The applicant is advised to contact the Environment Agency on 03708 506506 discuss the issues arising from the permit application process.

- 3 Any works on this land shall be undertaken following engagement with Network Rail Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3months notice before works start. Initially the applicant should contact assetprotectionwestern@networkrail.co.uk.

Supporting Documents

1. Swift House Albert Crescent, BS2 0UD.

1. Proposed Site Layout
2. Planning Application & Landownership Area
3. Proposed Waste Transfer Building



Key

Application Area

Other Land in Control of the Applicant

Issue	Date	Comments
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Notes

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 Tel 01189 714040 estates@grundon.com

Site
 BRISTOL

Project
 ALBERT CRESCENT WTS

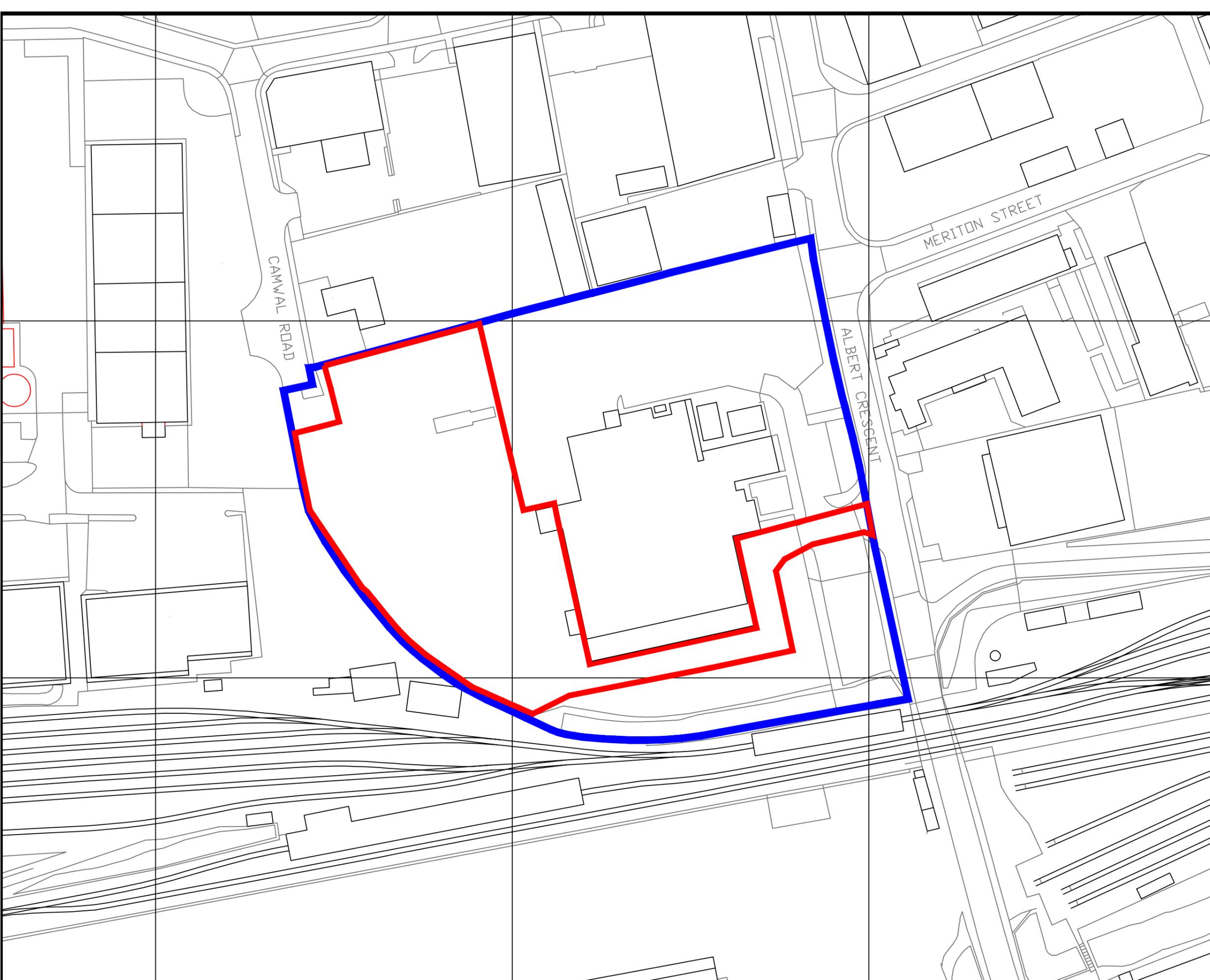
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Drawing No
 DG/EST/BRI/WTS/03





Key



- Application Area
- Other Land in Control of the Applicant

Issue	Date	Comments
Notes		

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Site
BRISTOL

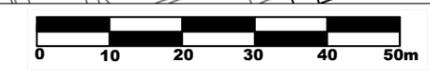
Project
ALBERT CRESCENT WTS

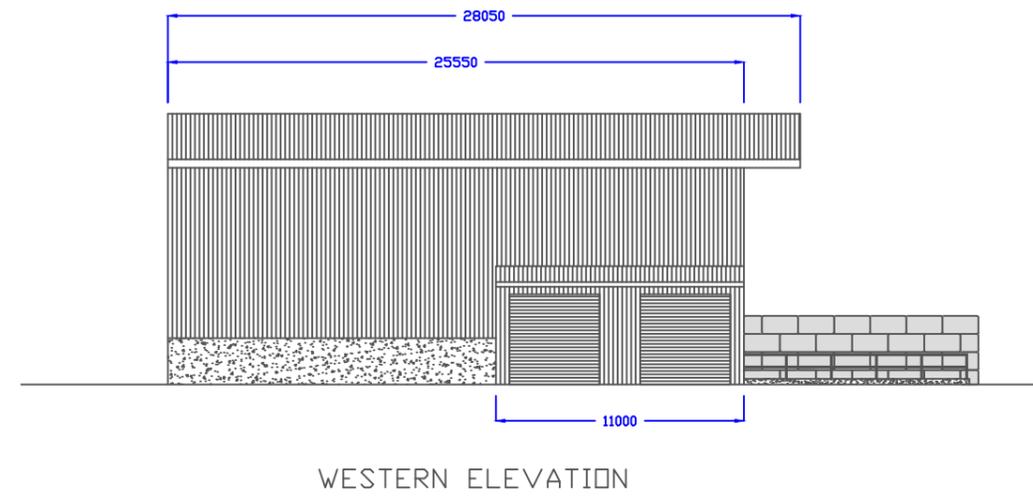
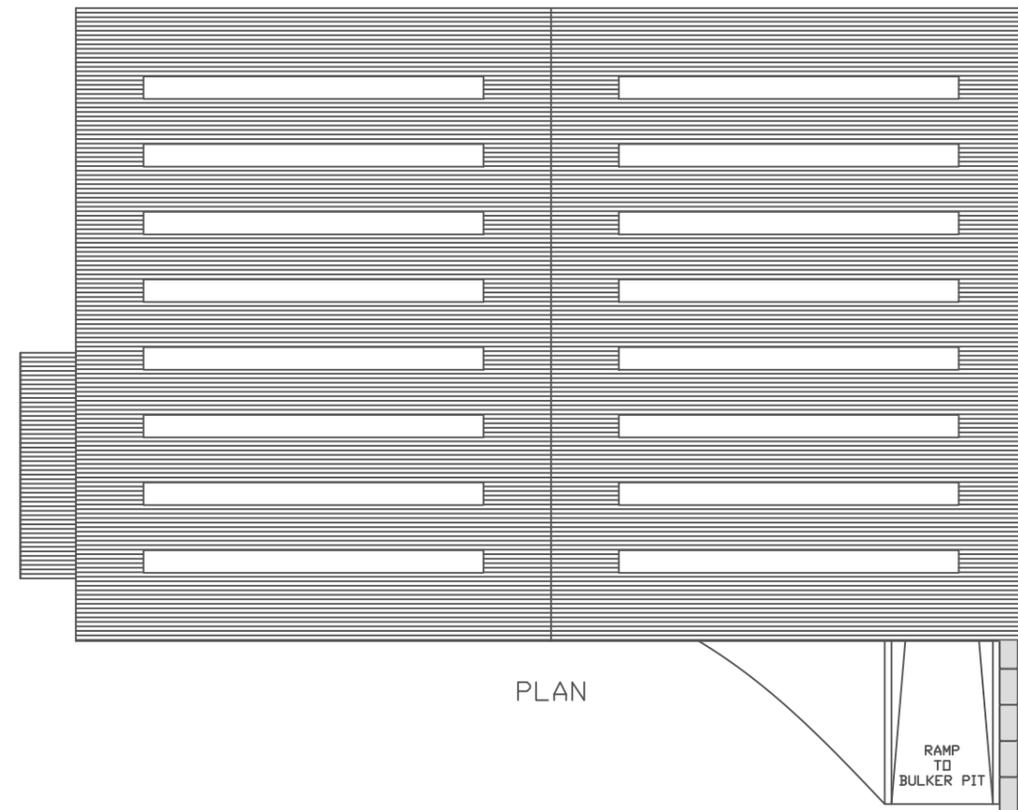
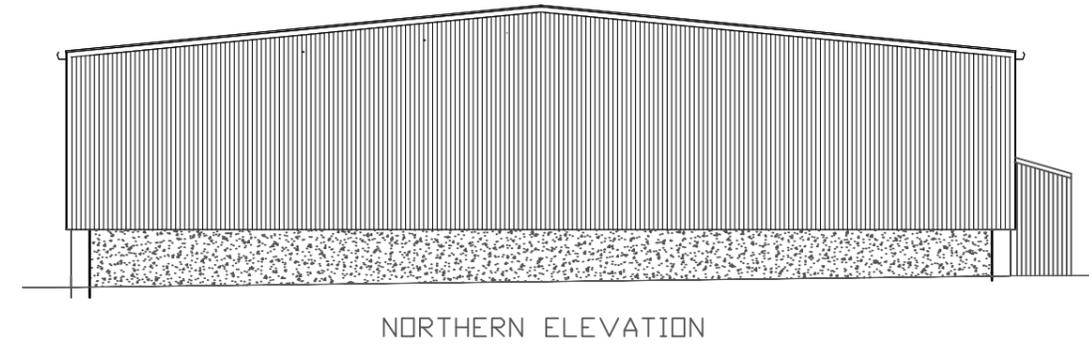
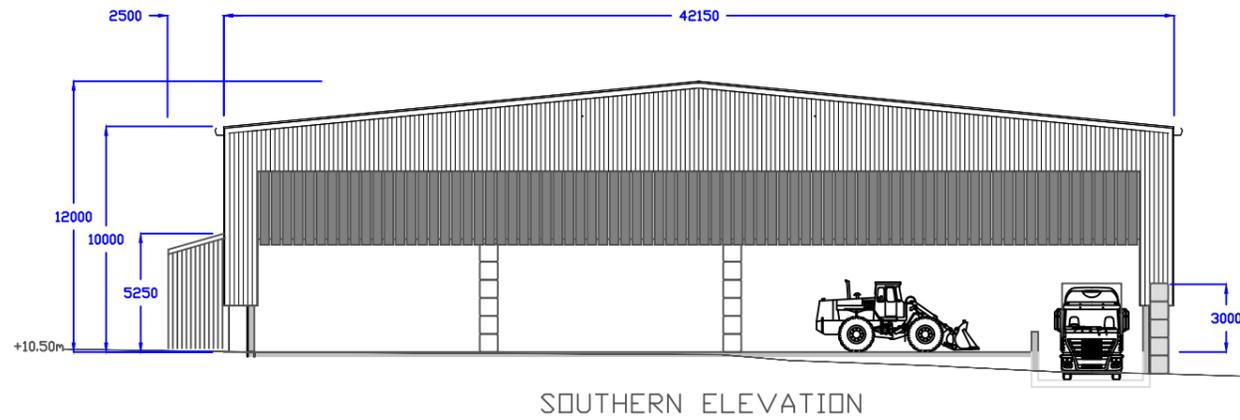
Title **PLANNING APPLICATION & LANDOWNERSHIP AREA**

Scale 1:1000@ A3	Date JUNE 2020
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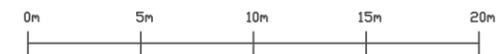
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Drawing No
DG/EST/BR1/WTS/02





- Notes:
- Building to be clad in goosewing grey profiled cladding
 - The rear (Northern) elevation to be insulated either by composite sheet or built-up construction. External finish to be goosewing grey profiled cladding
 - Cast in situ concrete push walls to remain exposed up to 2m high
 - The southern elevation shall be fitted with PVC strip curtain from 5m above finished floor level up to the gable
 - A legblock wall of height approximately 3m above finished floor level shall run along the eastern edge of the bulker pit.
 - Roof to have 15% translucent panels



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Issue 2	8/6/2020	

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TITLE
Bristol
Proposed Waste Transfer Building

DRAWN	CHECKED	DATE	SCALE
EWFF	--	6/03/2020	---@A3

DRG.No.
DG/EN/BRI/WDL/1157