

WARD: Avonmouth & Lawrence Weston

SITE ADDRESS: Land At Access 18 Access 18 Bristol BS11 8HT

APPLICATION NO: 20/02903/P Outline Planning

DETERMINATION DEADLINE: 30 June 2021

Hybrid planning application comprising a mixed commercial/ industrial development for A1, A3, A5, C1, D1, D2, B2 and B8 use classes over seven plots (Area A-G). Full planning permission is sought for the development of a hotel within Area F, access works to the site and to the identified proposed development plots, earthworks, ecological enhancements, the diversion of the existing public right of way, landscaping works across the whole site and other infrastructure works to support the proposed development. Outline planning permission is sought for the principle of employment development at Areas A, B, C, D, E and G and the principle of retail, non-residential institutions and assembly and leisure uses at Area F. EIA Development & Departure.

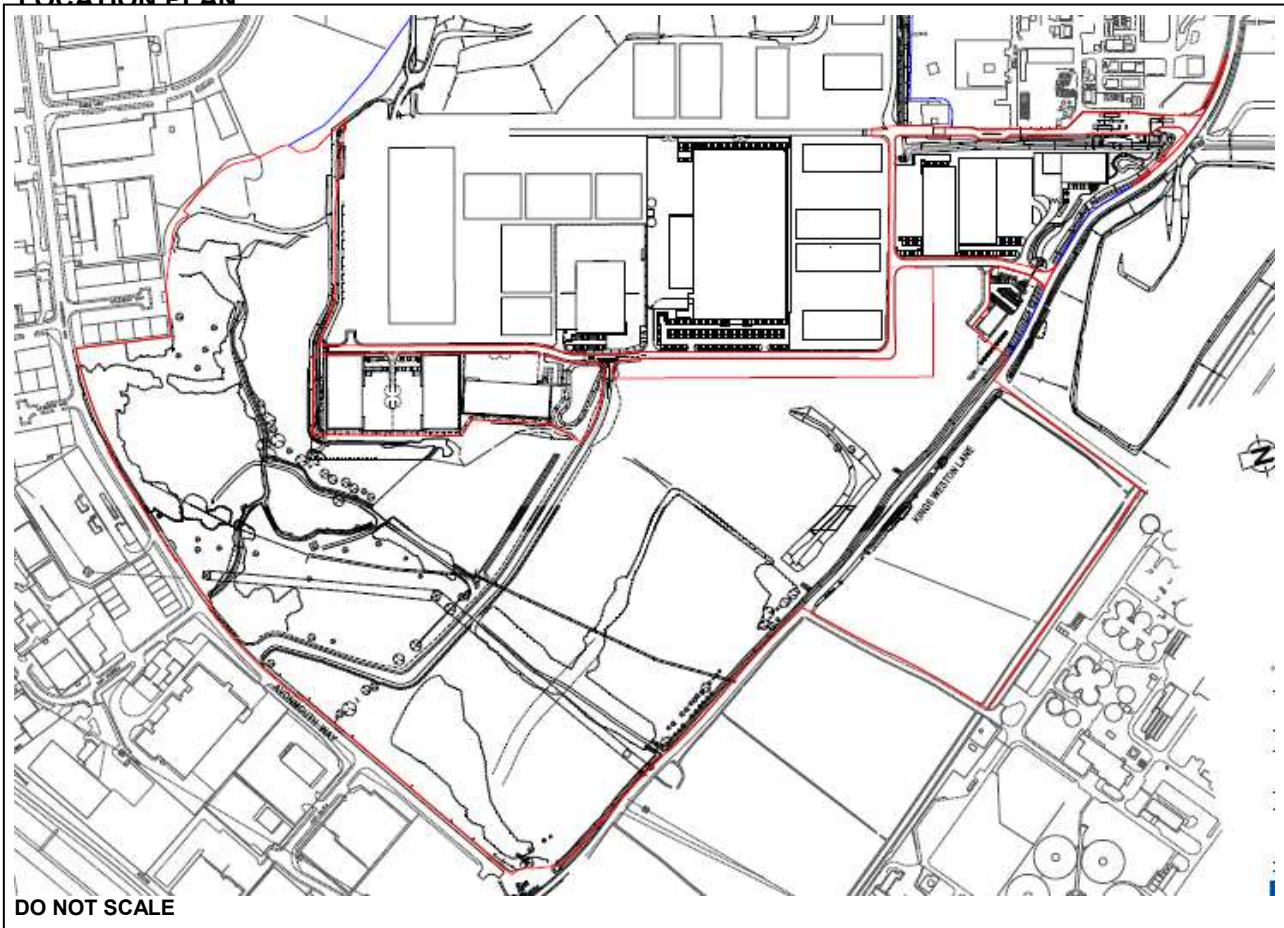
RECOMMENDATION: GRANT subject to Planning Agreement

AGENT: Turley Associates
10 Queen Square
Bristol
BS1 4NT

APPLICANT: St Modwen Developments Ltd
C/o Agent

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

LOCATION PLAN:



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SUMMARY

This is a Hybrid application – part Full and part Outline planning permission is being sought. The site comprises 42 hectares of undeveloped land in Avonmouth, allocated in the local plan as the Avonmouth and Kingsweston Levels. The proposal would deliver a significant amount of new industrial and distribution uses spread over 7 development parcels, and would include a hotel and a number of small scale retail and commercial uses.

The application was reported to planning committee on 21 July 2021 and the original report recommending approval is copied below. After a debate on the proposed scheme, Members voted to defer the application for the following reasons:

- (i) that the Committee is minded to refuse this application which is deferred for reconsideration at the next meeting
- (ii) officers submit a report to the next meeting which will address the issues of sequential testing and why it is not applied to the whole area, provide more clarity on transport plans as well as a more detailed timescale concerning the forthcoming River Severn defences.

SEQUENTIAL TEST

Assessment of the Sequential Test is discussed at Key Issue (H) of the original report to committee. In this officers accepted that the search area should be the ASEA area, although in doing so officers were giving weight to emerging policy, which identified the need for additional employment land in this area. However, given concerns raised by Members at the previous committee meeting the applicant has provided a further Sequential Assessment which provides a wider search area and includes the whole of the Bristol City Council Area. The Council's Flood Risk Sequential Test Practice Note sets out that alternative sites are deemed 'reasonably available' if they are both 'deliverable' and 'developable'.

The net developable area of the proposal is 19ha. The Council's Brownfield Land Register contains mainly smaller sites with areas of less than 1 hectare, which are clearly unsuitable for the scale of development proposed. The four largest sites are no greater than 8ha, and are all committed for other development with planning consent in place. A list of these sites is provided.

Existing and emerging site allocations have also been reviewed, but sites are allocated for other uses and are therefore unsuitable. Notably, a number of these allocations include residential development, which is considered to be at a higher vulnerability than the employment development proposed here (except for the hotel). Other land that has been reviewed, around the M5 and Avonmouth, is not sequentially preferable, due to being located in Flood Risk Zone 3.

The Sequential Test is considered to be passed, as it has been demonstrated that no alternative sites are available and suitable for the development, which are sequentially preferable.

FLOOD EMERGENCY PLAN (HOTEL) AND ASEA FLOOD DEFENCES

Concerns were raised at the committee meeting regarding the impact of flooding on the site, and the need for an evacuation plan from the hotel during the event of a flood. It is considered that in their Flood Risk Assessment and Flood Evacuation Plan, the applicant has taken a conservative approach and has assumed that the Avonmouth Severnside Enterprise Area (ASEA) Ecology Mitigation and Flood Defence project is NOT in place.

The ASEA Ecology Mitigation and Flood Defence project has been designed to allow the release of additional development land in the Avonmouth and Severnside area in order to meet the employment

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needs of the city. In effect, the project will protect these sites for the lifespan of any commercial development (typically 60 years), even taking into account the impacts of climate change. It is in part because of this project that it is proposed to allocate additional development land in the ASEA area. The flood defence works are fully committed, and work has started to construct the project, and as such will protect the site by the time that any significant flood risk is likely to arise. Therefore, as per section 2.5 of the BCC Level 1 Strategic Flood Risk Assessment (issued in December 2020), BCC considers the defences to be in place and therefore developments can rely on it for their Flood Risk Assessments.

With the defences in place, in the design flood event (which relates to the predicted flood level at the end of the lifetime of the development, taking account of the projected impacts of climate change), the Access 18 site would not be impacted by floodwater, and as such the development of the site meets the policy test. In this event, access or egress to and from the site would be easily achieved if required, with no impact on the operation of this site or neighbouring properties.

Notwithstanding this, there is a residual risk, which based on modelling suggests that the site could be inundated if a breach in the flood defences occurred simultaneously with a design flood event (inclusive of climate change). Whilst such an event is considered to be very unlikely, policy requires that a precautionary approach is taken, and an Emergency Plan put in place to take account of such an exceedance event. As a result of concerns raised a revised Evacuation Plan has been submitted, and has been reviewed by the Council's Flood Risk and Data Management Team (the Lead Local Flood Authority), who consider that it satisfactorily addresses the concerns, given the level of risk associated with the development. It should be noted that given the outline nature of the rest of the development, an Evacuation Plan would be secured in relation to the later phases prior to the occupation of the relevant phase.

Whilst the applicant's Flood Risk Assessment did not take into account the impact of the ASEA Ecology Mitigation Flood Defence project (largely because it was originally submitted prior to the publication of the Council's Strategic Flood Risk Assessment) this was considered to demonstrate that the risks of flooding could be managed within the site, largely through ensuring floor levels above predicted flood levels and providing compensation, without impacting on neighbouring land. As stated above, given the fact that the ASEA Ecology Mitigation and Flood Defence Project is now committed, this is considered to be overly conservative, and both officers from the Council's Flood Risk and Data Management Team and the Environment Agency are satisfied that the site will be adequately protected. On this basis, it is considered that the proposal accords with the policy requirements in terms of flooding.

TRANSPORT MATTERS

At the previous meeting, officers reported (via amendment sheet) that Highways England had removed their holding direction, and had confirmed they had no objections to the scheme, subject to conditions. The comments on the amendment sheet are copied below.

RECOMMENDATION

For the reasons set out above, and contained within the previous report to committee, officers' recommendation remains in support of the application, subject to conditions and a section 106 agreement as set out previously. In addition, a draft list of conditions is attached as an appendix to this report, although officer's request delegated powers to finalise the conditions, should Members be minded to grant permission.

Should Members still be minded to refuse the application however, the following reason for refusal could be applied;

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“The proposal fails to adequately demonstrate that sites at a lower risk of flooding have been considered, and does not adequately show how the risks of flooding have been adequately addressed over the lifetime of the development. It is therefore likely to pose a risk to future occupiers, and as such fails the Sequential Test and Exception Test as required under paragraph 161 of the National Planning Policy Framework. The proposal is therefore contrary to Policy BCS16 of the Bristol Development Framework Core Strategy (June 2012), and paragraphs 161-165 of the National Planning Policy Framework (February 2021).”

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AMENDMENT SHEET FROM 21.07.21 COMMITTEE:

REFERRAL TO NATIONAL CASEWORK UNIT

The applicant has proposed to revise the floor areas of the retail uses to a combined area of 470sqm (reduced from 600sqm in the application). This is so that the overall floorspace proposed falls below the threshold to refer to the Secretary of State. This aspect is therefore no longer recommended (ie no referral necessary).

HIGHWAYS ENGLAND

Holding response was removed on 19.07.21 and conditions were recommended. The following comments were made (comments are summarised):

Highways England's interests include the operation and safety of the SRN, which in proximity to the site includes the A4(T), M5 and M49. This includes the M5/ A4 (Portway) Roundabout, M5/ A4/ Avonmouth Way (St Brendan's) Roundabout and the A4 Crowley Way/ A403 (St Andrew's) Roundabout. The scale of development and associated traffic generation is significant and has the potential to have a material impact on junction performance.

A new motorway junction, J1 on the M49 will also provide direct access from the motorway network into the Avonmouth Severnside Enterprise Area. The new junction is fully constructed, but a connecting link road into the Severnside Enterprise Area is yet to be constructed. As such, the junction remains closed for use. The new junction is of relevance to the current application in that it is forecast to cater for some movements that currently route via the M5/ A4/ Avonmouth Way (St Brendan's) Roundabout, and was assumed to be open to traffic as part of junction assessment work included in the applicant's original assessment.

Traffic modelling assessment has been undertaken for the mix of employment uses that were reported in the applicant's modelling (which is reported to have proposed combined area of 72,000sqm - a lower floor area than that proposed elsewhere in the application which is 92,903sqm). As the application form does not detail the same split in B2 and B8 uses, a planning condition limiting the scale of floor area to that assessed is considered necessary, given variation in traffic generation levels for B2 and B8 uses including dedicated parcel distribution.

The applicant's modelling work reported in the Transport Assessment has accounted for both full development build out, and the reassignment effects of the new M49 J1. In light of the identified mitigation requirements, it has been necessary to demonstrate the scale of development that can come forward before implementation of the agreed mitigation works, and whether further mitigation would be required should M49 J1 not open to traffic in the near future.

To address the issues around mitigation timing and effectiveness before M49 J1 is open to traffic, the applicant provided further assessments considering operation of St Brendan's roundabout in a number of scenarios. These indicated that the St Brendan's roundabout will be at capacity in the 2023 assessment scenario. The material increase in queues on the A4 Crowley Way would not be acceptable to Highways England. It will therefore be necessary to limit the scale of development traffic generation by way of condition to avoid unacceptable impacts on the safe and efficient operation of the St Brendan's roundabout.

The 2025 assessment scenario indicates that the upgraded St Brendan's roundabout (following mitigation works) is capable of accommodating development traffic without a severe or unacceptable

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impact on the safe and efficient operation of the junction. This assessment does not account for any reassignment effects associated with M49 J1, and is therefore considered a worst case scenario. In reality, it is anticipated that the new motorway junction and connecting link roads will be open to traffic and will therefore provide a level of traffic relief to St Brendan's roundabout.

Conditions are recommended

- Limitation on employment use floorspace to 47,000 sqm GFA for B2 General Industry use, and 25,000 sqm GFA for dedicated parcel distribution within land use class B8 Storage or Distribution (*NB this is 72,000sqm - lower than the figure in the committee report of 92,903sqm overall floorspace in these uses)
 - Thresholds for development prior to delivery scheme of improvement works
 - Operational management strategy to be in place at key stages
 - Construction management plan
- (full comments are available on the application page on the Council's website)

TREES

There is no objection in principle to the proposed native woodland planting - it will contribute to the ecological richness of the area and create more wildlife habitats. However, officers considered that more meaningful tree replacements to improve amenity and canopy cover could be incorporated, including planting trees with more space surrounding them so they would be more likely to survive in the longer term.

Since the majority of the proposed tree planting is to enhance the ecological value of large areas of the site, officers asked the applicant if additional tree planting could be incorporated to provide amenity value in the areas populated by hardstanding in efforts screen the proposed buildings with tree planting.

The applicant has stated that as Landscaping is reserved for future consideration, there would be scope at these stages to incorporate additional tree planting.

TRANSPORT DEVELOPMENT MANAGEMENT – FINAL COMMENTS (summarised)**Car Parking**

No objections have been raised to the number of car parking spaces, however the number and type will need to be based on further information regarding the usage/numbers/scale of each area of development and officers are content further detail can be appropriately secured via condition, or as part of the Reserved Matters application for Layout.

Travel Planning

The applicant has included a commitment to join the local transport forum (SevernNet) within both travel plans and both the hotel and wider outline users are encouraged to consider joining the SevernNet employer bus to improve the bus network and increase access to employment opportunities.

The hotel travel plan has been assessed by the BCC travel plan co-ordinator and is deemed to be acceptable.

Two conditions are required relating to travel planning; one aimed at the hotel use considered within the full application and one towards the outline application.

A Travel Plan Management and Audit Fee for the following use classes in the sum of are required;

C1 - £3,832

B2 - £5,474

B8 - £5,474

An individual audit fee is required for each Travel Plan and each individual parcel's Travel Plan will require additional fees/auditing.

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The fees are to be secured through a S106 agreement payable on commencement of the development.

The developer is required to implement, deliver and monitor their own agreed Travel Plan over the 5-year period, reporting biennial progress to the Council.

S106 Transport mitigation

- £150,000 towards the completion of a study, the funding of a public engagement and the delivery of a scheme of mitigation along Kings Weston Lane to address the impacts of through traffic and encourage active and sustainable travel
- £50,000 towards the upgrade of the operational system of the St Andrews Road/ Kings Weston Lane junction and St Andrews Road/ Access to St Georges Industrial Estate signalised junctions
- £12,134 towards Traffic regulation orders
- £3,832 Travel Plan management and audit fee for the C1 Hotel Use.

Other highway works that would be secured:

- The design and construction through s278 highway works of a segregated cycle route along Avonmouth Way from Crowley Way to Kings Weston Lane.
- The design and construction of a segregated cycle route along land within the applicants control between the main Access 18 access and Boundary Road with linking into the existing highway network.
- Installation of Kings Weston Lane/ Avonmouth Way bus gate through s278 highway works.
- Installation of two sets of two bus stops within the site consisting of 8-bay reverse cantilever shelters and a 20-metre raised kerbs with real time information.
- Installation of a pedestrian refuge along Kings Weston Lane at the Kings Weston Lane/ Merebank Road junction.
- Works to A4 St Brendan's roundabout to comprise the provision and design of an additional controller unit and MOVA licences to enable parallel stage stream method of control, along with the replacement and upgrade of associated infrastructure including poles, signal heads, cabling, and other ancillary works.
- Works to A4 St Andrew's Roundabout and A4 Crowley Way pedestrian crossings to include the refurbishment and upgrade of signal infrastructure including poles, signal heads, cabling, and other ancillary works, to include connection to St Brendan's roundabout.
- Works to A4 Crowley Way to comprise change in lane markings on eastbound approach to St Brendan's roundabout.

Additional Conditions (summarised)

- Highways – General Arrangement Plan (showing details of all junction improvements)
 - Highway adoption details
 - Phasing plan
 - EV charging details
 - Travel Plans
 - Scheme of highways improvements to Highways England junctions to include improved signalling and junction alterations
 - Operational Management Strategy – to monitor the use of the roads
 - Limitation of floor areas to 47,000sqm GFA for B2 General Industry use, and 25,000sqm GFA for dedicated parcel distribution within land use class B8 Storage or Distribution - To manage operational traffic impacts in the interest of the safe and efficient operation of the Strategic Road Network.
 - Standard highways conditions on securing areas for parking/highway condition survey/cycle parking etc
- (full comments are available on the application page on the Council's website)

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ORIGINAL REPORT

SITE DESCRIPTION

The application site comprises 42 hectares of land to the north-west of Avonmouth Way, and predominantly to the south-west of Kings Weston Lane and comprises largely of undeveloped land designated as the Avonmouth Levels. The land is predominantly flat and contains mainly grassland and small areas of semi-mature woodland. A network of rhines cross the site. The site sits directly to the east of the existing St Modwen business park, which along with areas to the north-west of the site, is allocated as the Avonmouth Principal Industrial and Warehousing Area (PIWA). Avonmouth Village is 1.2km away from the site, to the south-west.

The Mere Bank Rhine Scheduled Monument runs along the north-eastern boundary of the site. The Severn Estuary Site of Nature Conservation Interest (SNCI), Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar and Site of Special Scientific Interest (SSSI) are located approximately 1.2km away to the north-west the site. The application area includes a significant area of rhines which are Wildlife Corridor sites.

The site falls within Flood Risk Zone 3 as identified by the Environment Agency.

The site falls within the Avonmouth-Sevenside Enterprise Area (ASEA). The ASEA is recognised by the West of England Local Enterprise Partnership (LEP) as a strategically important employment location. Whilst the site is not within the PIWA, it does form an island of undesignated land located between the large areas of PIWA land at Avonmouth, and framed by motorway infrastructure, which separates this area from the greenfield sites and residential areas towards the north of the city.

RELEVANT HISTORY

11/02914/F: Land to the north of Avonmouth Way.

Planning permission was granted (19.10.2011) for the construction of an access road (linking Avonmouth Way and Boundary Road), together with associated landscaping and engineering works (including lighting, fencing and drainage). Part of land in question was secured as an Ecological Enhancement Area, which is relevant to this application.

18/02847/FB: Planning permission was granted (31.05.2019) for flood defence works in the proposed Avonmouth and Sevenside Enterprise Area Ecological Mitigation and Flood Defence Scheme - The scheme includes three sites within the ASEA: Area 2 - land within Bristol Port (Avonmouth Docks); Area 3B - land along Severn Road and the Severn Beach Railway; and Area 4 - Land off Washingpool Lane, between Chittering Road to the west, Severn Road to the north, the M49 to the east, and a railway line to the south.

This scheme includes the wetland creation project at Hallen Marsh, which is relevant to this application.

19/03514/PREAPP: Pre-application enquiry submitted for the same development as applied for here. Advice was provided to the applicant in late 2019, over a series of meetings, emails and formal comments from contributors, including Scoping for the EIA process.

20/05023/F: Land at St Modwen Park

National Grid access arrangements and landscape mitigation works relating to the construction and maintenance of two high capacity electricity pylons at the site of Phase 8, granted 09.02.2021.

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APPLICATION

This application takes the form of a hybrid application. Full planning permission is sought for a hotel, as well as the proposed access, landscaping and earthworks to form new employment areas which constitute the Outline element of the scheme. Collectively, it is proposed to form a new area of industrial development known as Phase 8, part of the Access 18 St Modwen development.

The application is falls to be considered as Environmental Impact Assessment development, and is accompanied by an Environmental Statement. This aspect is discussed later in the report.

The application is split into seven development parcels - Areas A to G.

The hotel use within Area F is the only building for which Full planning permission is sought, and includes the construction of a hotel with 125 bedrooms, parking and ancillary restaurant.

The earthworks and access roads required to prepare each parcel of the development site, as well as landscaping, are also included in the Full application.

The other elements of Area F contain supporting commercial uses, which are applied for as Outline, with Access applied for, with all other matters reserved. At the time the application was made, the old use classes were still relevant, and proposed uses are A1 (retail), A3 (restaurant), A5 (takeaway), C1 (hotel), D1 (non-residential institutions), and D2 (Assembly and Leisure).

In respect of the remaining Outline part of the application (the individual employment areas), Access only is sought, along with the principle of B2 (general industry) and B8 (storage) uses with a total of 92,903sqm B2 or B8 floorspace, with all other matters reserved. This would come forward in a phased approach.

Detailed drawings of each of the junctions that are proposed to be altered within the Access 18 phases, as well as the main access routes into the development from Kings Weston Lane and Avonmouth Way are provided for full planning permission.

Access

Area A

A new access would be formed onto Kings Weston Lane

Areas B-E are to be accessed via new access points onto the existing Estate Road onto Kings Weston Lane.

Area F (hotel and commercial uses) will be accessed off Avonmouth Way.

Area G would be accessed via the existing estate road onto Kings Weston Lane.

Four new bus stops are to be positioned on the existing Estate Road.

Diversions are proposed to the existing Public Rights of Way to re-route them around the proposed parcels of development.

Three Ecological Enhancement Areas are being proposed, in order to accommodate replacement habitats for the areas of wildlife that would be lost through development.

PRE APPLICATION COMMUNITY INVOLVEMENT

Due to its size, the application is required to be accompanied by a Statement of Community

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Involvement. Guidance and good practice examples exist to inform the choice of appropriate methods in order to help ensure effective, efficient, transparent and accountable community involvement. Those responsible for undertaking community involvement are expected to reflect such good practice to ensure inclusive, fair and effective initiatives. Failure to do so may limit the validity and relative credibility of the involvement undertaken.

The applicant prepared a statement of community involvement (dated June 2020) which has been assessed, and is summarised below:

i) Process

Prior to the application being submitted, the applicant held meetings with the Avonmouth Planning and Liaison Group on 22 May 2019 and 30 October 2019. Neighbouring occupiers were invited to contact St Modwen (the applicant) to make comments.

St Modwen also circulated a letter to 17 occupiers of buildings and businesses within the vicinity of the site.

ii) Fundamental Outcomes

The Statement of Community Involvement notes that no formal written responses were received in response to the consultation.

RESPONSE TO PUBLICITY AND CONSULTATION

Letters were sent regarding the application to 158 occupiers in the area. Five site notices were posted at points along Avonmouth Way and Kings Weston Lane, and press adverts were posted on 30 July 2020.

Ward Members: No comments from ward members have been received.

Two objections have been received from members of the public, which are summarised below:

Objection on transport grounds:

Avonmouth Way is very congested, and even with the addition of double yellow lines, issues still arise, causing traffic jams even during off-peak times. The proposal would compound these issues, and the proposal for a secondary exit onto Kingsweston Lane would not appear to be adequate. Opening the additional access point from the end of Avonmouth Way onto Kings Weston Lane could be a solution.

Objection on heritage grounds:

The Geotechnical report submitted with the application records peat deposits at the site with significant archaeological recordings near to the site. Consideration should be given to the possibility of buried ground surfaces and associated archaeological remains.

Ridge and furrow earthworks within the site are rare, and these earthworks should be preserved wherever possible.

It is possible that a post-mediaeval farmstead exists on site. This should be explored further, as should the potential for archaeological and palaeo-environmental evidence relating to Roman, mediaeval, and post-mediaeval reclamation, drainage and agriculture of the area.

The historic Shirehampton Brook passes through the site, this should also be investigated.

OFFICER COMMENT: The Archaeology officer has confirmed that with conditions securing

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implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation, as well as an archaeological watching brief during works, these issues will be addressed.

OTHER COMMENTS

Wessex Water has commented as follows:-

Wessex Water has no objections to current planning application 20/02903/P.

Health And Safety Executive - HazSubCon has commented as follows:-

Do Not Advise Against

South Gloucestershire Council has commented as follows:-

Consulted 07.10.20. No response received.

Network Rail has commented as follows:-

Network Rail has no objection in principle to the above proposal. There is no need for involvement from Asset Protection as the development is far enough away from the railway.

Archaeology Team has commented as follows:-

No objections, subject to conditions. See Key Issue (E).

Urban Design has commented as follows:-

No objections, see Key Issues (F)

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

No objection. See discussion at Key Issue (H)

Nature Conservation Officer has commented as follows:-

No objections, subject to Biodiversity Off-Set contribution and conditions. See considerations at Key Issue (C)

Natural England has commented as follows:-

Initial concerns were raised as the full package of information was not available for review.

Upon further consultation, Natural England confirmed that it was satisfied with the shadow HRA conclusion: 'The Proposed Development will not give rise to any likely significant effect on any qualifying feature of the Severn Estuary SPA/SAC/Ramsar site' (para 3.7) stating their agreement that the approach is reasonable. The need for Appropriate Assessment has also been screened out.

Pollution Control has commented as follows:-

My main concern with this development is with potential for odours from the nearby sewage treatment works affecting future occupants of the site. There are also some waste and re-cycling sites nearby so

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there are also odour concerns with these premises.

An odour risk assessment has been provided with the Environmental Statement and I would confirm that I am happy with this assessment. The assessment concludes that 'the possibility of odour being experienced, albeit infrequently, cannot be ruled out. Therefore, it is recommended that consideration should be given to mechanical ventilation of the hotel, with appropriate odour filters installed and maintained'. I do feel that it has to be noted, as pointed out in the assessment that the 'sniff testing was conducted during February 2020. However, odour emissions may be greater in summer due to the likely higher ambient and possibly sewage temperatures'.

7.18 of the ES states that 'The other site uses are not considered sensitive to odour'. Whilst I would generally agree with this for B2 or B8 uses I do feel that some of the other proposed uses within classes A1, A3, A5, C1, D1 and D2 do have the potential to be sensitive to odour I do feel that it will be necessary for the suggested mitigation measures for the hotel be considered for the non-industrial uses where appropriate. Whilst mitigation measures have been suggested for the hotel in the Odour Risk Assessment I can't see that these have been detailed any further in the application and I would therefore need to see this provided, by condition, for the hotel and other sensitive to odour uses.

A Noise Impact Assessment has also been provided for the hotel. Again I would confirm that I am happy with the contents of the assessment and its recommendation. My only slight concern is with potential for noise from any other proposed uses within the development site affecting the hotel. Conditions are recommended.

Contaminated Land Environmental Protection has commented as follows:-

Initial concerns over the applicant's testing across the site. Discussions regarding remediation conditions, see Key Issue (I).

Historic England has commented as follows:-

Historic England has no objection to the application on heritage grounds. We consider that the application meets the requirements of the NPPF.

Arboricultural Team has commented as follows:-

Consulted on 23.07.20. See discussion at Key Issue (D)

Highways England has commented as follows:-

HOLDING RECOMMENDATION

Highways England recommends that Bristol City Council not grant planning permission for planning application reference 20/02903/P for a period of 3 months (from 10 May 2021) to allow time for the impact of the development on the safe and efficient operation of the SRN to be assessed and understood and necessary mitigation agreed.

OFFICER RESPONSE:

An update will be provided at Committee on this matter.

Public Right Of Way - Statutory Consultees has commented as follows:-

The plan confirms the diverted route of Ballast Lane PROW (BCC/6 and BCC/17) through the green mitigation area previously discussed at the pre-application stage. As confirmed at pre-app, a T&CPA

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section 247 Public Path Order will need to be applied for during the planning process in order to divert the PROW. Also, as the proposal materially affects this PROW then this will need to be advertised as such as part of the planning process.

The PROW Team would need to be involved in an early discussion with the developers about the PROW diversion process and to discuss details of the surface etc. of the diverted route and other improvements to the PROW.

It is also noted that the applicant suggests that the PROW would remain open during construction. Consideration would need to be given to public access and safety for users of the PROW during construction work (see section 3.5 Bristol City Council Highways - planning conditions, 1028 and 1043 below). If construction works are likely to require the temporary closure or diversion of the PROW, a Temporary Traffic Regulation Order (TTRO) will be required for the duration of the works on the grounds of safety of the public.

OFFICER RESPONSE:

The PROW diversion is being secured via the Council's legal team and PROW teams.

Avon Fire & Rescue Service has commented as follows:-

Consulted 23.07.20. No response received.

Flood Risk Manager has commented as follows:-

These comments are provided by the LLFA. We object to the proposals for the following reasons:

1. In accordance with NPPF, developments need to make an assessment of the flood risk posed to the development from all sources, proposing mitigation where necessary depending on the outcome of such an assessment. The site has not adequately assessed the risk of flooding to the site from groundwater sources, and therefore a conclusion as to the need for, or appropriateness of, potential mitigation has not and cannot be made. As a result we are unable to comment on the validity or appropriateness of the risk assessment or subsequent mitigation.

2. The flood evacuation and egress proposals in the Flood Risk Assessment lack sufficient detail. As the Full Application aspect of the hybrid application is for a hotel (More Vulnerable development in accordance with NPPF), this would introduce a land use of higher vulnerability than the existing site and surrounding areas. This would therefore potentially place an unnecessary burden on our Civil Protection Unit and emergency services. The FRA does not sufficiently assess the risk of flooding to the site (we note the Environment Agency's objection which confirms this lack of detail in the FRA) such that a sufficiently robust flood evacuation plan be proposed. In order to overcome the objection, the applicant should provide the following information to the LLFA and CPU:

- Commentary on the flood risk posed to the entire site (which itself requires an alteration to the FRA, as confirmed in the Environment Agency's comments) and how this relates to flood evacuation, access and egress in terms of timing and severity of the event, likely effectiveness of flood warnings or forecasts;

- Confirmation of how the site can meet relevant sections of NPPF and its Flood Risk Planning Guidance, specifically paragraphs 039, 040 and 057.

OFFICER RESPONSE: The FRA was updated, see Key Issue (H)

Sustainable Cities Team has commented as follows:-

Comments incorporated at Key Issue (K)

Transport Development Management has commented as follows:-

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Comments incorporated at Key Issue (G)

Air Quality has commented as follows:-

No objection. The air quality assessment concludes that the development will have a negligible and insignificant impact on air quality in the operational phase. No new exposure is being introduced as a result of the development. The construction phase should adopt a construction environmental management plan which should be conditioned as part of the approval process.

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.

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) ENVIRONMENTAL IMPACT ASSESSMENT

The Town and Country Planning (Environmental Impact Assessment) Regulations 2019 require the effects on the environment of projects that are above a certain size or criteria to be assessed through an Environmental Statement. Given the characteristics of the scheme, the applicant has submitted an Environmental Statement (ES) with the application. The Scope of the Environmental Statement was covered in the pre-application enquiry 19/03514/PREAPP.

The likely significant effects for the following technical topics are covered by the submitted ES:

- Traffic and Access
- Air Quality
- Biodiversity
- Heritage
- Landscape and Visual Impact
- Climate Change
- Socio-Economic and Human Health

The ES includes consideration of measures to avoid, prevent, reduce or if possible, offset any significant adverse effects through mitigation. These include mitigation in the form of ecological enhancement areas, travel plans, protection of scheduled monument from any development, monitoring water levels, floor levels set above flood levels, installation of soundproofing to hotel windows and securing a construction waste management plan.

Cumulative effects

The ES looks at the effects of the development in combination with other major developments in the area. It finds the landscape receptor would be most affected, particularly during construction, with the effects ranging from moderate to significant, however this is reported to be most significant during year 1, with the effects lessening as landscaping matures. Overall the socio-economic benefits arising from the generation of employment and economic productivity are reported to be significantly beneficial.

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Earthworks

A cut and fill exercise has been undertaken to determine the ground works required to bring the site to formation level and the total additional volume of material required to be brought to the site for fill purposes is 178,547 cubic metres. Environment Agency permit system would provide checks on the quality of material that is being brought onto the site, and conditions are also recommended to ensure the material is safe in terms of land contamination and ground water implications. A strip of top soil 200mm over the plots would be needed.

(B) WOULD THE PROPOSAL BE APPROPRIATE IN TERMS OF LAND USE PRINCIPLE?

The NPPF supports sustainable economic growth, and the Core Strategy policy BCS8 secures the land within Principle Industrial and Warehousing Areas (PIWAs) – protecting it where it makes a valuable contribution to the economy and employment opportunities. Bristol Local Plan policy DM13 discusses the range of uses that will be acceptable in the PIWAs.

BCS4 sets out the policy approach to Avonmouth, which is characterised by its juxtaposition of heavy industrial uses with environmental assets, including the Severn Estuary (Special Protection Area, Special Area of Conservation and a Ramsar Site. There are also Sites of Special Scientific Interest, rhines (drainage ditches which are of local biodiversity importance) and the Avonmouth Levels. These constitute the area's historic estuarine landscape which shows evidence of prehistoric and Roman land use.

DM18 states that the Avonmouth and Kings Weston Levels area will remain primarily undeveloped. The policy states that development proposals consistent with the area's undeveloped status may be acceptable where they would be in accordance with all other relevant development plan policies.

The draft local plan (Local Plan Review) first consultation concluded in 2019. The next consultation on Issues and Options is anticipated later in 2021, with publication version expected in 2022. Draft Policy E5 in this document identifies an area of around 60 hectares of greenfield land (the same land as that included in this application) to provide allocations for the development of industrial and distribution uses. The draft policy states that development will require appropriate mitigation to ensure that the risk of flooding is appropriately addressed and does not add to flood risk elsewhere. It also states that detailed development considerations for these sites, including the approach to transport and access, will be included in a future version of the local plan. Land at Hallen Marsh is confirmed by the draft policy as being reserved for habitat mitigation.

Whilst the draft local plan policies carry very little weight at time of writing, these aspirations should be acknowledged as an indication of the policy direction. Set in the context of current Local Plan policy, policy BCS8 seeks to strengthen the economic performance of the city by providing a sufficient and flexible supply of employment land, addressing barriers to employment and promoting the city as a place to invest. The application land is located at the Avonmouth and Severnside Enterprise Area identified by the West of England Local Industrial Strategy as one of the Enterprise Areas which free up key development sites, consolidate infrastructure, attract business and create jobs. Draft Policy E5 proposes the allocation of four greenfield areas at Avonmouth for development of industrial and distribution uses. The draft policy says that the sites will require appropriate mitigation to address the risk of flooding and to contribute to habitat mitigation. The explanatory text notes that work enabling enhanced flood defences is well advanced and that land at Hallen Marsh will be designated for habitat mitigation. These works have planning permission and are currently being implemented. They are designed to enable the delivery of additional employment land in the Avonmouth area (amongst other things), and this site has been specifically identified as part of the local plan review as being appropriate for employment development.

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The proposal would pre-empt the completion of the local plan review, and would be contrary to policy DM18, however, this is weighed against the benefits of the scheme. Emerging evidence that has been undertaken to inform the Local Plan review (which is not yet published) is showing a need for land in the industrial and distribution sectors, and also for the development of ancillary uses to support the wider industrial area at Avonmouth. Furthermore, the local plan review consultation showed no objections to the proposed allocation of this land for industrial and distribution uses. It is therefore likely that the land will be allocated in the following stages of the local plan process.

On the basis that flooding, habitat and all other development matters which are addressed in later paragraphs are satisfied, officers consider the proposed B2 and B8 land uses to be acceptable.

Main town centre uses assessment

Full planning permission is sought for the hotel element, and Outline consent is sought for the small scale retail and other complementary uses within A1, A3, A5, D1, and D2.

Hotels and restaurants, as well as the D1 and D2 classes, are classed as 'main town centre uses' as identified within the NPPF. Bristol Core Strategy policy BCS7 requires such uses (including retail development, offices, leisure and entertainment uses, arts, culture and tourism uses) to be primarily located within town centres, or where appropriate, adjoining the centres.

The site is not within a designated centre defined in the Local Plan, and the nearest designated Local Centres to the application site are Avonmouth Village (1.1km away), Ridingleaze (1.8km away) and Shirehampton (2.8km away).

The key land use consideration is whether the location of the proposed hotel, retail, restaurant and leisure uses, is appropriate in this out-of-centre location. The NPPF states (at paragraph 85) that when considering out of centre locations for main town centre uses such as this, preference should be given to accessible sites that are well connected to the town centre. SADMP policy DM7 sets out a sequential approach to the assessment for town centre uses outside of centres.

The policy continues as follows:

- Out of centre development of main town centre uses will only be acceptable where:
 - i. No centre or edge of centre sites are available and the proposal would be in a location readily accessible on foot, by cycle and by public transport, or
 - ii. The proposal is of a small scale and aimed at providing for local needs.
 - iii. In assessing the availability of centre and edge of centre sites, alternative formats for the proposed uses should be considered.
- Retail, leisure or office development outside of centres will not be permitted if:
 - i. It would be liable to have a significant adverse impact on the vitality, viability and diversity of existing centres; or
 - ii. It would impact on existing, committed and planned investment.
- An impact assessment will therefore be required for:
 - Retail developments of 500m² or more in all locations outside Primary Shopping Areas or Local Centres;
 - Developments in Use Classes A2 to A5 of 1,500m² or more in all locations outside centres;
 - Other leisure developments of 2,500m² or more in all out of centre locations; and
 - Office developments of 10,000m² or more in all out of centre locations.

The applicant has performed a sequential test for the hotel development and has looked at other sites within nearby centres that might be suitable for the development. The NPPF and policy DM7 both require a retail impact assessment for leisure, retail or office developments, however the NPPF

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classifies hotels as a tourism use, therefore, no retail impact assessment is required to be carried out for this development.

The floorspace proposed by the A1, A3, D1 and D2 uses falls below the threshold for which a retail impact assessment is required. As discussed below, these uses are considered to meet a local need, therefore it is not considered reasonable to consider other sequentially preferable sites.

The key policy tests are therefore whether the site is sequentially preferable for the hotel, and whether the smaller town centre uses are appropriate on this site.

The hotel is being proposed to serve the existing and proposed employment development. The justification provided by the applicant for the proposed hotel is that “Avonmouth and Severnside is a very large (regionally significant) business location, with currently little or no provision for high quality overnight hotel accommodation to support business travellers, who currently will mainly look elsewhere for this. The provision of a hotel to support a business area of this type is not unusual and can be seen in many locations around the country. There are numerous different businesses and operators in the Avonmouth area (as well as the Port), many who will have 24 hour operations, and so a wide range of circumstances when business travellers (employees, customers, contractors, consultants, engineers etc) may need accommodation for one or more nights.”

The application has been reviewed by an independent retail consultant.

The applicant's initial sequential test was not considered to encompass a wide enough search. Their subsequent sequential test looked at 4 sites in Shirehampton and Rodingleaze, and was considered to be a more appropriate and thorough sequential site assessment. The retail consultant agrees with the applicant's conclusions that there are no available sites to accommodate the proposals.

It is stated within the applicant's Main Town Centre Uses (MTCU) Assessment, that the small scale retail uses are being proposed to support the continued operation of the existing and proposed employment development at Access 18 and in the wider Avonmouth area. It is stated that Avonmouth village centre is 1.1km (20 min walk) which would be too far for people working at Access 18 to walk during a lunch break. It is on this basis that the applicant states the proposed town centre uses may not be disaggregated from the employment development.

The retail consultant's comments on this aspect are included below:

“At the time of our original advice, 1700sqm of retail and leisure uses was being proposed alongside the hotel. The applicant contended that this was ancillary to the employment uses being proposed as part of the application. However, firstly it was relevant to note that the site was not allocated for employment use, and secondly, in our opinion, 1700sqm is not small scale and ancillary.

The applicant had only considered Avonmouth Village centre in the sequential site search but given the scale of the hotel and retail and leisure uses being proposed this seemed an inappropriate and we suggested a wider catchment was considered.

Subsequent to this advice the applicant has reduced the quantum of retail and leisure floorspace and has undertaken a further review of sequential sites, although they have still only considered the hotel use in assessing the sites.

The applicant has reduced the floorspace from 1700sqm to 1,000sqm. This is still larger than the small scale retail uses envisaged by policy DM7 but given the restrictions that the applicant has offered on unit sizes (that individual units would be no greater than 200sqm) they are likely to function as small local shops serving the immediate area.

Although not stated by the applicant in the latest addendum, we consider that given the reduction in floorspace proposed, and the small footprint of the units, that the retail and leisure uses will be serving their immediate catchment not a wider area. On this basis it would be difficult to disaggregate them and locate them on their own in another centre. Therefore, we accept the approach of only considering the hotel use as part of the sequential site search.”

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On the basis of this advice, it is therefore agreed that the small-scale retail units are proposed to support the development itself and are seen as ancillary to it.

As advised, conditions are applied, restricting the floorspace quantum for each plot and use in order to ensure that the units remain as ancillary to the development, as larger units would attract customers from further afield and would undermine the vitality and viability of designated centres.

The hotel use has been found to pass the sequential test and there is no policy requirement for a retail impact assessment for this use. It is therefore acceptable in land use terms. The retail uses have been found to be of small scale and would support the immediate catchment described and are therefore acceptable in land use terms.

In view of the above considerations, the application is considered to be acceptable in land-use terms.

(C) DOES THE SCHEME PROVIDE ADEQUATE MITIGATION FOR ITS IMPACT ON ECOLOGY AND BIODIVERSITY?

The Environmental Statement and other supporting documents set out that the scheme would provide mitigation for habitats in the way of three Ecological Enhancement Areas. The total combined area put forward of EEAs is 12.93 Ha.

The NPPF requires the decision making process to contribute to and enhance the natural and local environment, by recognising its character, minimising the impacts of development and by requiring remediation and mitigation where appropriate. It states that planning permission should be refused where significant harm to biodiversity cannot be avoided, adequately mitigated or, as a last resort, compensated for.

Policy BCS9 states that individual green assets should be retained wherever possible, and that development should incorporate new or enhanced green infrastructure of an appropriate type, standard and size.

Policy DM15 highlights the importance of sustaining and enhancing the natural environment, and encourages developments to contribute towards the Green Infrastructure Network. The policy sets out the health benefits of green infrastructure provision, and includes the provision of additional and/or improved management of existing trees to assist in mitigating run-off and flood risk, providing shade and shelter to address urban cooling, and creating a strong framework of street trees to enclose or mitigate the visual impact of a development.

Policy DM17 seeks to protect Important Open Spaces, Unidentified Open Spaces, Urban Landscape and Trees and recognises the role these features have in providing landscape and visual amenity quality.

DM18 relates to the Avonmouth and Kingsweston Levels and requires this area to remain primarily undeveloped.

Policy DM19 seeks to protect habitat, features and species which contribute to nature conservation, and developments are expected to be informed by appropriate surveys.

The application area includes a significant area of Wildlife Corridor sites and is adjacent to the Site of Nature Conservation Interest, Kings Weston Lane Rhine.

Ecological mitigation is required to meet the requirements of the NPPF. This states at paragraph 170,

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that planning decisions should minimise impacts on and provide *net gains* for biodiversity. The proposal has employed Natural England's Biodiversity Net Gain (BNG) biodiversity metric 2.0 (as amended) to develop ecological mitigation proposals as recommended by officers during pre-application discussions. The BNG assessment shows a positive set of figures for terrestrial and aquatic units and this is welcomed.

The proposed ecological mitigation area is viewed as largely incorporating and complying with the ecological mitigation area that was previously required under planning application 11/02914/F (which was for the new access road at Access 18) with only some relatively minor boundary changes. In view of the limited extent of the changes and the overall biodiversity net gain which has been calculated, this is considered acceptable.

The submitted Biodiversity Mitigation and Enhancement Strategy (BM&ES) is to be secured through a compliance planning condition. This document confirms that annual monitoring reports will be supplied to the Local Planning Authority for a period of ten years following each phase of habitat. The BM&ES document includes a habitat and species monitoring programme and a habitat management plan. The BM&ES document also includes measures to maintain buffers around rhines which support legally protected water voles and their places of shelter and the adjacent Site of Nature Conservation Interest, Kings Weston Lane Rhine including the adoption of best practice pollution control measures.

Some further details such as the location of robust protective fencing are however required and these requirements are to be specified in a condition for a CEMP. Further details of external lighting, as set out in a further condition, will also be required because full details are not currently available owing to the hybrid (full and outline) nature of this planning application.

With respect to Habitats Regulations Assessment under the Conservation of Habitats and Species Regulations 2017 (as amended), which is a regulatory requirement, the application site is over 200 metres away from the largest pool at the Avonmouth Sewage Works and Hoar Gout Site of Nature Conservation Interest (SNCI) which is recognised by Natural England as an area of supporting habitat under the Habitats Regulations. Accordingly potential impacts from percussive piling which could potentially disturb qualifying interest feature birds of the Severn Estuary Special Protection Area and Ramsar site on the European Marine Site have been screened out.

Natural England has commented on the Shadow Assessment to confirm agreement with its conclusion that *The Proposed Development will not give rise to any likely significant effect on any qualifying feature of the Severn Estuary SPA/SAC/Ramsar site* (para 3.7). As such, the need for Appropriate Assessment under the Habitat Regulations has been screened out.

Avonmouth Biodiversity off-set

Policy DM18 discusses the value of the Avonmouth and Kingsweston Levels and acknowledges their important contribution to biodiversity as well as prehistoric landscapes and the open setting of this part of the city. The policy refers to the Cresswell report of 2011. This study explores the statutory requirements of the Habitat Regulations in relation to proposed development on the internationally designated Severn Estuary European Marine Site. In view of the cumulative effects of development coming forward in the area on qualifying interest feature birds and wildfowl of the Severn Estuary European Marine Site, which is a Special Protection Area and Ramsar Site, off-site ecological mitigation is required.

The Cresswell Study identified Hallen Marsh (along with other sites in the South Gloucestershire area) for improved wetland habitat to safeguard bird species which use inland roosting and feeding sites when the tide is high and the availability of feeding and roosting sites is reduced. The expectation is for developers of greenfield land within Avonmouth and Severnside to make a financial contribution to a Biodiversity Offsetting Scheme (BOS) to be put towards the off-site ecological mitigation (in this

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case, Hallen Marsh) to meet the regulatory requirements of the Habitats Regulations.

The applicant has agreed to make a contribution of £952,000, which officers deem to be acceptable. This shall be secured through s106 agreement.

The development is considered to benefit from a bio-diversity net gain, include adequate levels of on-site mitigation and a financial contribution towards the Hallen Marsh wetland. Subject to the conditions recommended as well as the s106 contribution towards the BOS, it is considered to be acceptable on ecology grounds.

(D) WOULD THE PROPOSAL LEAD TO THE LOSS OF SIGNIFICANT TREES, AND WOULD IT PROVIDE FOR ACCEPTABLE MITIGATION FOR ANY LOSS OF LANDSCAPING?

Policy BCS9 states that individual green assets should be retained wherever possible, and that development should incorporate new or enhanced green infrastructure of an appropriate type, standard and size.

Policy DM15 highlights the importance of sustaining and enhancing the natural environment, and encourages developments to contribute towards the Green Infrastructure Network. The policy sets out the health benefits of green infrastructure provision, and includes the provision of additional and/or improved management of existing trees to assist in mitigating run-off and flood risk, providing shade and shelter to address urban cooling, and creating a strong framework of street trees to enclose or mitigate the visual impact of a development.

Policy DM17 seeks to protect Important Open Spaces, Unidentified Open Spaces, Urban Landscape and Trees and recognises the role these features have in providing landscape and visual amenity quality. This policy states that where tree loss is essential to allow for new development, replacement trees should be provided in accordance with the tree compensation standard. This gives the number of replacement trees that would be needed according to trunk diameter of each tree to be lost. The Planning Obligations SPD sets out the costs sought on providing replacement trees where these cannot be accommodated on site.

A number of existing trees are proposed to be removed to facilitate the development. The Arboricultural Impact Assessment also notes that since the assessment took place, Western Power Distribution has carried out consented works to remove some of the trees, and National Grid also has a proposal to remove 15 trees in respect of the consented scheme to install new power lines and pylons across this site.

This development would require the removal of 51 individual trees and 118 trees within groups (groups being the term used to identify trees that form cohesive arboricultural features). Trees that are proposed to be retained are those in Group 14, which is alongside Ballast Lane and considered to be of the greatest landscape significance on the site. Details of tree protection have been provided, and the earthworks have been designed to avoid incursion into the Root Protection Areas of the retained trees.

The application is supported by an Arboricultural Impact Assessment (AIA). This assessment sets out that trees on the site were assessed as both individual trees and groups, and categorised into A (being of high amenity value), B, C or U (being of poor amenity value).

The AIA notes that of all the tree removals, there is one Category A tree which is small Pedunculate Oak, and the report notes that “whilst it is of long-term potential, it is a relatively small specimen and not considered to make a substantial contribution to the landscape character of the site at the current time.”

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For individual trees, most were found to be within category B (61%), 27% in Category B, and 9% unworthy of retention – Category U.

Of the groups, the majority were assessed as being within category C (71%) with 29% being assessed as category B.

Officers requested the applicant to provide BTRS calculations of stem diameters of the trees to be removed, as this was initially absent from the applicant's assessment. This was duly provided and shows that 132 replacement trees are needed to replace individual trees, and approximately 243 replacements are needed for groups of trees proposed to be removed (an approximate figure since the groups are difficult to survey.) This would indicate that a total of 375 replacements are needed.

Numbers and species of tree planting are shown on the drawings showing Ecological Enhancement Areas. A total of 126 individual trees would be planted along with 939 new Native Woodland plants. Officers consider there is scope for additional tree planting, although acknowledge the efforts by the applicant to improve the ecological value of the site due to the uniqueness of the location. Additional tree planting can be secured through s106 or condition and officers will provide an update on this issue at committee.

(E) WOULD THERE BE A HARMFUL EFFECT ON THE MERE BANK SCHEDULED MONUMENT?

Section 16 of the national guidance within the National Planning Policy Framework (NPPF) 2019 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with any harm or loss requiring clear and convincing justification. Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight shall be).

Further, paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. It states that substantial harm or loss to assets of the highest significance notably scheduled monuments, should be wholly exceptional.

Paragraph 195 states that where a proposed development would lead to substantial harm to (or total loss of significance of) a designated heritage asset, LPAs should refuse consent unless it is demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm or loss. Finally, paragraph 196 where a proposed development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

In addition, the adopted Bristol Core Strategy 2011 within Policy BCS22 and the adopted Site Allocations and Development Management Policies within Policy DM31 seek to ensure that development proposals safeguard or enhance heritage assets in the city.

Significance of Heritage Asset

The Mere Bank is a Scheduled Monument which was constructed as a flood defence earthwork during the widespread 12th to 13th century mediaeval reclamation of the area. It is reported that there is also the possibility of a Roman antecedent.

Would the impact of the proposed development result in any harm or loss of significance?

A geotechnical review of the site has been undertaken and confirmed no clear evidence that may

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correspond with prehistoric or Roman stabilised surfaces and potential occupation.

A buffer area of 30m between built development and the Mere Bank Scheduled Monument is included within the scheme. Whilst the construction impacts will result in a temporary change to the appearance of the Scheduled Monument, the permanent inclusion of the 30m buffer zone would allow the long-term management of the Scheduled Monument to be maintained. A long-term management strategy for Mere Bank has also been prepared. It is therefore considered that no harm would result to the heritage significance of Mere Bank arising from physical impacts upon associated below-ground remains. Conditions requiring archaeological monitoring and observation are recommended, and the archaeology officer has agreed to this approach.

(F) WOULD THE DEVELOPMENT BE ACCEPTABLE IN TERMS OF ITS APPEARANCE, AND ITS IMPACT ON LANDSCAPE AND VISUAL AMENITY?

Requiring good design is at the heart of National and Bristol planning policy, and BCS21 expects a high quality design in all developments, which contributes positively to an area's character and identity, creating or reinforcing local distinctiveness.

The Landscape and Visual Impact Assessment (LVIA) was carried out as part of the ES, to support the scheme. The study area was carried out over an area within a 2.5km radius of the site. The approach is to determine the baseline condition of the existing landscape character and visual receptors, and then assess the potential degree of effect it would have, including when the proposed landscaping has matured and in combination with other planned development in the area.

Viewpoint photography has been prepared in accordance with the Landscape Institute's Technical Guidance. This sets out that whilst the surrounding landscape has notable qualities such as a network of rhines, historic field patterns and remnant 'Levels' landscape, it is not considered to constitute a 'Valued Landscape' under the meaning as set out in the NPPF (para170).

The site is an undeveloped parcel of land surrounded by an area characterised by industry and warehouses.

The LVIA looks at 11 views and considers the magnitude of change compared with their sensitivity and their baseline conditions. The assessment is carried out after 1 and 15 years of the development being in place, and the findings are summarised below:

	Sensitivity	Effect year 1	Effect year 15
View 1 Junction of Kings Weston Lane and Access 18 looking south-east	Medium	Moderate-Minor adverse	Moderate-Minor adverse
View 2 Public footpath BCC/18/10	Medium	Moderate-Major adverse	Moderate- adverse
View 3 Public Footpath BCC/5/10	High Medium	Minor Neutral	Minor Neutral
View 4 Boundary Road at junction with access road	Medium-Low	Minor Neutral	Minor Neutral

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View 5 Public footpath BCC/6/10	High-Medium	Moderate Adverse	Moderate-Minor Adverse
View 6 Kings Weston Land and footpath BCC/6/10	Medium	Moderate Adverse	Moderate-Minor Adverse
View 7 Public Footpath BCC/17/10 (just inside site boundary in western parcel)	High- Medium	Moderate-Major Adverse	Moderate Neutral
View 8 Kings Weston Lane bridge over M5/M49	Medium - Low	Minor Neutral	Minor Neutral
View 9 Severn Way and Kings Weston House Registered Park and Garden	High	Negligible	Negligible
View 10 Cycle and pedestrian route over River Avon	Medium	Negligible	Negligible
View 11 Kings Weston House terrace	High	Negligible	Negligible

Views 1, 2, 5, 6, 7 all show the highest level of impact. There are all taken near to the site where it would be expected that the development would have an impact. The sensitive receptor at Kings Weston House shows a negligible impact.

The scheme would introduce a large scale commercial/industrial development within an open area and have an urbanising influence on it. Some of the significant landscape features (including Mere Bank Rhine, Kings Weston Rhine, the majority of Shirehampton Rhine and the mature vegetation enclosing the northern side of Ballast Lane) would be retained, and while a number of features would need to be removed, large areas of new landscaping, which would create new habitats and realign the existing rhines would be established by the proposal. On the whole, it is considered that this would be appropriate when viewed against the existing character of this part of Avonmouth. Once established, a mature landscape framework would soften the appearance of the scheme within the landscape.

Outline

Building heights are described (in the Parameters Plan) as being a maximum of 25m above finished floor level, which would be 33.5m AOD. As matters of Scale are reserved, this is not assessed here and it will be for the individual applications for reserved matters to justify this height through providing additional rendered views through further LVIA's for each parcel of development.

Hotel/full application

The design of the hotel has been amended since submission as officers raised concerns that the elevations appeared bland and featureless, and that there was no mention of proposed materials in

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the Design and Access Statement.

A revised design of the hotel was submitted showing proposed materials which included more interest on the elevations, which includes 3 toned grey brick on the ground floor, with grey cement cladding with features framed with orange cladding on the upper floors. The hotel would be 4 storeys in height and this is acceptable considering the surrounding context, and this would largely be screened as new planting along Avonmouth Way matures.

During the course of the application, officers asked the applicant to consider retaining the group of trees in front of the hotel development, fronting onto Avonmouth Way in order to address the requirement of policy DM27 – to incorporate existing green infrastructure into the site. However, the applicant stated that the area needed to be cleared of existing landscaping in order to meet the flood requirements, as there is a need to raise the ground level and create a sloped bank at the frontage of the hotel. To facilitate these works, it was not considered possible to retain the existing planting located at the site frontage of the hotel. Furthermore, moving the hotel further north in order to retain the frontage planting would result in an interruption to the rhine network and ecological enhancement areas within the wider Phase 8 site. Instead, significant new planting is proposed along the frontage of the hotel. This is considered to be acceptable and officers are satisfied that there would be no significantly harmful impacts on visual amenity.

(G) WOULD THE PROPOSED DEVELOPMENT SATISFACTORILY ADDRESS TRANSPORT AND MOVEMENT ISSUES?

The NPPF states that developments should ensure that safe and suitable access can be achieved for all users. It also states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

BCS10 sets out development proposals should be located where sustainable travel patterns can be achieved and with more intensive, higher density development at accessible centres and along or close to public transport routes. It requires developments to be designed and located to ensure the provision of safe streets.

DM23 expects development to provide a safe and adequate access onto the highway network secure, accessible and usable level of parking provision having a regard to parking standards, as well as secure and well-located cycle parking and facilities for cyclists. The same policy also expects developments to provide appropriate servicing and loading facilities which make effective and efficient use of land and be integral to the design of the development. DM32 requires residential development to provide sufficient space for the storage of recycling and refuse containers, and for the need for storage to be acceptable in terms of its visual impact.

The majority of the Phase 8 development is proposed to take access from the private estate road between Avonmouth Way and Kings Weston Lane, with a further access to the employment development to the north of Kings Weston Lane directly onto this road. The hotel and retail land uses would be accessed directly from Avonmouth Way via a separate, dedicated point of access.

Local Conditions

Access 18 is found to the north of Avonmouth, between Avonmouth Way and Kings Weston Lane. Avonmouth Way connects to the M5/ A4/ Avonmouth Way (St Brendan's) Roundabout, and this junction would form the principal gateway for strategic access to the site. Access 18 is accessed from both Avonmouth Way and Kings Weston Lane, with a private estate road connecting the two.

There is a segregated cycle route which runs along Kings Weston Lane however it is noted this route

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suffers from missing links westwards. There is an unlit segregated route which runs into the delivered portion of Access 18 from Avonmouth Way. The number 3 bus route runs along Kings Weston Lane however there are no bus stops within the vicinity of the site, minimising the modal share of this transport use.

Through the MetroWest project, a series of rail improvements are being delivered by the West of England Councils, with Network Rail and Great Western Railway. As part of this, passenger train services on the Severn Beach line will be improved. This would improve rail services to Avonmouth rail station and St Andrews Road rail station, which would be of benefit to employees of and visitors to Access 18.

Trip Generation and Trip Distribution

The submitted traffic modelling demonstrates there will be an overall increase in vehicle movements. The development would generate an increase in traffic moving eastwards along Kings Weston Lane via the Long Cross Roundabout with the greatest increase being noted along Avonmouth Way.

Transport Mitigation

The scheme's impact on the following junctions has been subject of much discussion during the course of the application

Junction 1: Kings Weston Lane/Merebank Road

Junction 2: Cabot Park Roundabout

Junction 3: Rockingham Park Roundabout

Junction 4: Kings Weston Lane/Kings Weston Road

Junction 5: Long Cross Roundabout

Junction 6: St Brendan's Roundabout

Junction 7: A4 Portway Roundabout

Junction 8: St Andrews Roundabout

Junction 9: St Andrews Road/Kings Weston Lane

Junction 10: Kings Weston Lane/Access 18 Main Entrance

Junction 11: Avonmouth Way/Access 18 Estate Road Entrance

Junction 12: Kings Weston Lane/Boundary Road Entrance

Junction 13: Kings Weston Lane/Proposed Northern Parcel Access

Junction 14: Avonmouth Way/Proposed Hotel Parcel Access

Following lengthy discussions the applicant has agreed to a package of transport mitigation with a total cost of some £2.654 million.

In summary the proposed package will comprise:

- St Andrews Road/Kings Weston Lane junction - improvements to the signals at the junction (financial contribution of £50,000.00);
- St Brendan's roundabout works and signal scheme;
- Kings Weston Lane/Merebank Road Junction – Provision of a refuge island crossing;
- Kings Weston Lane Cycle Route – Provision of a connection between the Access 18 main access and Boundary Road access junction (to be provided along an appropriate route within St Modwen's land);
- Avonmouth Way cycle path;
- Avonmouth Way Bus Gate.

The applicant has also agreed to contribute £150,000 towards a study of Long Cross Roundabout and specific mitigation works.

Public Transport

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The scheme will incorporate additional bus stops and negotiations are taking place with bus companies to ensure the routes pass through the site. These services will need to be established as early as possible in the construction phase of the development so that the facilities are in place as employers start to move into the area reinforcing modal shift to public transport. A more detailed update on this will be provided at committee.

*Proposed Hotel Use***Car Parking**

An update will be provided at committee.

Cycle Parking

14 cycle parking spaces are to be provided in the form of sheltered Sheffield Stands. These are located to the west of the site. No concerns are raised regarding the design and quantum of the cycle parking given these meets minimum policy requirements.

Servicing

Servicing will be undertaken during the daytime. Deliveries between hotel sites are coordinated to reduce vehicle movements on the highway network. The operators have advised that deliveries are undertaken by articulated HGVs and 12m rigid vehicles. The site access junction and internal layout have been tested using swept path analysis and demonstrate the ability of a servicing vehicle to emerge onto the highway in forward gear, as detailed within plan 2019/5178/001, 2019/5178/002 and plan 2019/5178/003.

Waste will be collected privately and no concerns are raised given waste will not be stored on the highway.

Travel planning

The hotel and the outline elements of the scheme will be subject of Travel Plans. An update will be provided on this at committee.

Construction management

There would be significant transport movement during the construction phase of the development. The peak in daily construction vehicle movements would occur during the enabling earthworks and infrastructure works where an estimated 21,883 trips will be generated for the import of fill material, which forms the enabling works of the masterplan

A phasing plan is subsequently required. A highway condition survey will also be required. TDM acknowledge the Construction management plan and highway condition survey can be conditioned and would be required prior to commencement of construction.

PROW Diversion

The PROW that currently intersects the site from east to west is proposed to be diverted around the proposed warehouses. This raises no adverse accessibility issues and as noted above, is subject of a separate legal agreement with the PROW team.

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

The NPPF requires a sequential approach to be applied to locating developments, in order to steer them to areas with the lowest risk of flooding. The Sequential Test is required to be applied in this case in view of the location of the majority of the site in an area of high flood risk (Flood Risk Zone 3a), and the site is not allocated for the uses proposed.

Core Strategy policy BCS16 also requires a sequential approach to be taken, giving priority to development of sites with the lowest risk of flooding. It says that the development of sites with a sequentially greater risk of flooding will be considered where essential for regeneration or where necessary to meet the development requirements of the city.

The search area of the applicant's Sequential Assessment has been confined to the ASEA area. The Council's guidance on defining the search area for the Sequential Test states that the search area for alternative sites should normally be the entire local authority area, however, as the applicant's assessment indicates, there is a policy direction to redevelop the land in this area for employment uses, as identified by the Employment Land Survey which justifies a smaller search area in this instance. Officers are in agreement with this approach.

Three sites have been identified as being sequentially preferable:

- Former Landfill Site at Access 18 (Flood Zone 1)

This was discounted because of land stability and ground contamination issues. It was also deemed to be too small to accommodate the proposed development.

- Wessex Water Sewage Works (Flood Zone 1)

The site is unavailable and is within the control of Wessex Water.

- Honda Distribution Centre, South of Poplar Way West (Flood Zone 2).

The site is occupied and is unavailable and due to its size (13Ha) is deemed unsuitable.

The Sequential Test is considered to be passed.

The next requirement of the NPPF, Para 160, requires the Exceptions test to be passed which should be informed by a site-specific flood risk assessment. For the exception test to be passed it should be demonstrated that:

- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and

- b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

In view of the inclusion of a 'more vulnerable' use (the hotel), the NPPF requires both elements of the exception test to be satisfied for development to be permitted. This is echoed by BCS16 which requires development in areas at risk of flooding to be safe for its lifetime.

The application is supported by a Flood Risk Assessment which identifies the land as having a 1 in 100 or greater annual probability of river flooding or a 1 in 200 or greater annual probable flooding from the sea in any year. Whilst the area benefits from some tidal flood defences, they are not formal Environment Agency defences and there is a risk from overtopping and breaching. If a flood event occurred, the area would most likely have to be evacuated.

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The ASEA Flood Defence and Ecology Mitigation Scheme is a combined scheme between Bristol City Council, South Gloucestershire Council and the Environment Agency and will improve the existing flood defences along the River Avon and Severn Estuary. The FRA confirms that this scheme is not dependent upon the AESA scheme coming forward, and can be constructed based on the levels that have been assessed within the FRA.

The FRA confirms that flood risk is from exceptional high tidal surge, which is associated with a low-pressure weather event. The flood levels would have a maximum depth of 1.5m and an average depth of 1m relative to existing levels. Finished floor levels of the development are to be set 300mm above the predicted flood depth (which is 7.5mAOD) and are to be set between 7.8m and 8.5mAOD. The Environment Agency has confirmed agreement to this and have recommended a condition to secure the minimum FFL as 7.8m.

Evacuation

A high tidal surge can be forecast 5 days beforehand. There is therefore sufficient warning time to prepare for the flood. The NPPF requires safe access and escape to be available to all new development in flood risk areas. This is possible from this development, as short routes have been identified within the FRA to Kings Weston Lane and to Avonmouth Way. The hotel evacuation plan confirms that guests would be vacated prior to the event of a flood, or in the event that they remain within the building, the upper floors of the building would offer suitable refuge. This option is only to be used in exceptional circumstances where evacuation is not deemed safe. The evacuation plan is still being discussed with the Council's flood team and Civil Protection Unit. It is considered that this will need further refinement, but it is likely that these amendments can be secured through condition, and therefore there is no reason to object to the application on this basis.

Drainage

The applicant has applied the SUDS hierarchy for water run-off from the development (re-use, infiltration and discharge.) In view of ground conditions, infiltration is not considered to be appropriate on the site. Water discharge via water courses is therefore the preference, and this will be via the existing ditches and rhines network, and whilst some of these are proposed to be removed during construction, they will be replaced by new rhines which are shown on the plans. Attenuation ponds are also proposed, which will provide extra storage during extreme storm events.

Environment Agency initially raised concerns because the development did not pass both of the exceptions tests. The development was not deemed to be safe for its lifetime due to the fact that the assessment was based on "less vulnerable" developments. The applicant updated the assessment to include the hotel, which is the "more vulnerable" element, and has proposed a separate evacuation plan for this element. The Environment Agency have confirmed they have no objection to the scheme on the grounds of flood risk.

It is considered that provided the FRA is adhered to, both elements of the Exceptions test are passed. A condition will be included to require the FRA, evacuation plan and Finished Floor Levels to be adhered to. Evacuation plans for each building will be required at each reserved matters stage.

(I) WOULD THE DEVELOPMENT SATISFACTORILY ADDRESS LAND CONTAMINATION ISSUES?

The NPPF requires developers or landowners to be responsible for securing a safe development, where a site is affected by contamination or land stability issues.

Planning decisions are required to ensure that sites are suitable for the use proposed, including ensuring proposals for mitigation and remediation are secured. Following remediation, land should

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not be classed as contaminated land under Part IIA of the Environmental Protection Act 1990.

Policy DM34 relates to contaminated land and requires development to employ suitable mitigation to ensure the site is suitable for the proposed use, to ensure there is no unacceptable risk of pollution within the site and to ensure that the proposed development would not cause the land to be contaminated.

The site was formerly occupied by the Britannia Zinc Limited Smelting Works (BZL, latterly Rio Tinto Zinc), which ceased operations in 1995. Whilst the applicant's site investigation and desk study reports focus on the fact that the site has remained largely undeveloped since the BZL, previous phases at the Access 18 development have found heavy metals from this use. The reports accompanying the application set out that the 'Made Ground' (bunds) from previous phases of development are the areas which contain the most ground contaminants, and that the material from these would effectively be buried safely under hardstanding areas for the new development and above the water table. However, the BZL site was known to have deposited contaminants off-site, and could therefore still be present at areas other than on the Made Ground within the application site.

The Council's Contamination officer and the Environment Agency have reviewed the submission and, following discussions with the applicant's land contamination consultant, it was agreed that additional boreholes for testing across the site was to be incorporated into a revised remediation strategy, and this has been submitted. The updated remediation strategy also contains a commitment to monitoring the watercourses, and a commitment to achieving acceptable ground gas levels. A condition shall require the remediation strategy to be adhered to according to the phases of development on this site, which in this case will be prior to commencement for the full application, as well as at each reserved matters stage.

(J) WOULD THE DEVELOPMENT SAFEGUARD NEARBY AMENITY?

Good design and protection and enhancement of the environment are critical components of central government guidance, as identified in the NPPF. Adopted Bristol Core Strategy Policy BCS21 expects development to safeguard the amenity of existing developments and create a high-quality environment for future occupiers. Policy DM27 states that proposals should not prejudice the existing and future development potential of adjoining sites or the potential for the area to achieve a coherent, interconnected and integrated built form. The nearest residential uses are 1.2km away in Avonmouth Village, therefore the effects of the scheme are unlikely to impose adverse impacts on living conditions.

Air quality

The air quality assessment concludes that the development will have a negligible and insignificant impact on air quality in the operational phase. No new exposure is being introduced as a result of the development. The construction environmental management plan should include reference to protection of nearby businesses and residents from nuisance arising from dust and air pollution, and this is secured by condition.

Noise

As noted by the Pollution Control officer, there is potential for odours from the nearby sewage treatment works and nearby waste and re-cycling sites affecting future occupants of the site.

An odour risk assessment has been provided with the Environmental Statement and concludes that 'the possibility of odour being experienced, albeit infrequently, cannot be ruled out. Therefore, it is recommended that consideration should be given to mechanical ventilation of the hotel, with

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appropriate odour filters installed and maintained'. It will be necessary for the suggested mitigation measures for the hotel be considered for the non-industrial uses where appropriate. Conditions are therefore recommended to ensure noise and odour mitigation is adequately incorporated into the proposed uses.

(K) WOULD THE DEVELOPMENT MITIGATE ITS IMPACT ON, AND ADAPT TO THE EFFECTS OF CLIMATE CHANGE?

As embedded in the NPPF, sustainability should be integral to all new development, and should encourage opportunities for development to draw its energy supply from de-centralised, renewable or low carbon energy supply systems. BCS13 encourages developments to respond pro-actively to climate change, by incorporating measures to mitigate and adapt to it. BCS14 sets out that development should provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use by at least 20%. The same policy also expects development to demonstrate that the heat hierarchy has been applied, with a preference for connection to CHP/CCHP distribution networks, with individual renewable heating at the bottom of the hierarchy. BCS15 requires developments to demonstrate through a Sustainability Statement how they have addressed energy efficiency; waste and recycling; conserving water; materials; facilitating future refurbishment and enhancement of biodiversity. This policy also requires a BREEAM Excellent score to be achieved for all major non-residential development.

Bristol City Council's Climate Change and Sustainability Practice Note provides further advice on these matters.

Sustainable Design

The hotel would apply a fabric first design which includes low external envelope U-Values, low air permeability, low energy LED lighting, and bedrooms which have mechanical ventilation and heat recovery.

Renewable Energy

The hotel would use Air Source Heat Pumps for heating, but also initially proposed gas boilers. Following initial concerns by officers that gas boilers would not meet the heat hierarchy, the applicant revised the renewable energy system to include a combination of PV panels and Air Source Heat Pumps. This is stated to result in a carbon reduction beyond Part L of the Building Regulations of 39.5% and would enable the reduction in carbon dioxide from residual energy use as required by policy.

Wider Phase 8 Scheme (Outline Elements)

At submission of each parcel of development for Reserved Matters stage, a detailed Sustainability and Energy Strategy will be required by condition, setting out how the individual building would be designed to comply with sustainability policies and incorporate renewable energy.

BREEAM

The BREEAM pre-assessment reports originally committed to a Very Good score only, and were revised during the course of the application, on officer advice. The BREEAM New Construction 2018 assessment was applied, and it is now confirmed that the wider Outline Phase 8 buildings would achieve an Excellent score. Similarly, the hotel pre-assessment, which was also undertaken under the 2018 certification, also confirms an Excellent score. This score is secured by a condition and

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post-occupation certification is required at each of the relevant stages of development.

District Heat Connection

The Heat Hierarchy in Policy BCS14 favours the use of large scale renewable and low-carbon energy installations. It sets out that new development should demonstrate that heating and cooling systems should, in the first instance, connect to an existing CHP/CCHP distribution network in preference over individual systems. Bristol City Council is developing a city-wide heat network and already has a network in place in some parts of the city, however this is not currently available in Avonmouth. The Energy Strategy confirms that the hotel would facilitate a changeover to the heat network in view of the hot water system, and is therefore future-proofed for connection. A condition is recommended secure this.

Broadband Connectivity

The Broadband Connectivity Statement confirms that Superfast Fibre Broadband is available throughout the site through a well-known provider.

Conclusion on Sustainability

With the commitment to attaining a BREEAM Excellent score, and the high reduction in residual carbon emissions proposed by the hotel, officers consider that the development would adequately mitigate its impact and adapt to the effects of climate change and comply with sustainability policies.

(L) PLANNING OBLIGATIONS

Section 106 of the Town and Country Planning Act 1990 sets out the legislative background for securing planning obligations, and the NPPF sets out that planning obligations should only be used where they are necessary, directly related to the development, and fairly and reasonably related in scale and kind to the development. BCS11 states that obligations or contributions secured by s106 may be sought from any development that has an impact requiring mitigation, and that CIL is also required in accordance with the CIL regulations. The Council adopted its own Planning Obligations SPD in 2012, which supports and provides additional guidance against the above legislation and policies.

Heads of Terms

Biodiversity off-set: **£952,070.00**

St Andrews Road/Kings Weston Lane junction - improvements to the signals at the junction (financial contribution of £50,000.00);
 St Brendan's roundabout works and signal scheme;
 Kings Weston Lane/Merebank Road Junction – Provision of a refuge island crossing;
 Kings Weston Lane Cycle Route – Provision of a connection between the Access 18 main access and Boundary Road access junction (to be provided along an appropriate route within St Modwen's land);
 Avonmouth Way cycle path;
 Avonmouth Way Bus Gate.
 Long Cross roundabout and study £150,000

Total transport contributions **£2.802 million**

Total: £3,754,070.00

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EQUALITY ASSESSMENT

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

CONCLUSION

The proposal would strengthen the economic performance of the city by contributing to a sufficient and flexible supply of employment land, addressing barriers to employment and promoting the city as a place to invest. Whilst the proposal is a departure from current local plan policies as the land is not designated for the uses proposed, there is evidence to show that the need for industrial and distribution uses in this area means it is likely that the land will be designated for such uses over the plan review period. The applicant has committed to providing mitigation in the form of ecological enhancement areas on site, as well as making a financial contribution towards the Avonmouth Biodiversity off-set scheme.

Flood risk has been addressed, and the Environment Agency has raised no objections to the application.

The scheme would enable the delivery of a number of improvements to local roads and junctions, and a travel plan would allow monitoring of the development to ensure sustainable travel patterns are maintained. The buildings on site would achieve a BREEAM score of Excellent and would mitigate their impact on climate change by incorporating renewable energy measures.

A number of trees would be removed to facilitate the development and it will be reported at committee whether a policy compliant level of replacement planting is proposed.

This proposal represents significant investment in employment opportunities in the area, and overall it is considered that the benefits of granting planning permission would outweigh the areas of concern. It is acknowledged that not all of the issues have been resolved at time of writing, however, officers are working towards a successful resolution and Members will be updated at the committee meeting on these.

It is considered that subject to s106 and conditions summarised below (and any other conditions deemed necessary), planning permission may be granted subject to referral to the National Casework Unit.

Conditions

1. Highway Works
2. Construction Management Plan
3. Construction Environmental Management Plan
4. Protection of retained trees during construction
5. Sound insulation of hotel from external noise
6. For each development parcel – completion/maintenance of vehicle servicing facilities
7. Archaeology WSI
8. Local Employment Opportunities
9. Highway Condition Survey
10. Energy and Sustainability in accordance with reports
11. Renewable Energy details
12. Details of kitchen extract
13. Completion and maintenance of car and cycle parking

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14. Flood Evacuation Plan
15. Noise below background noise level
16. Details of ventilation for odour mitigation
17. Archaeology Watching Brief
18. BREEAM Excellent
19. Implement landscape and planting works
20. Travel Plan
21. Works in accordance with FRA
22. Remediation scheme
23. Reserved matters applications within 3 years
24. No individual unit falling within use classes A1, A2, A3, A5 shall exceed 200sqm and in total these uses shall not create more than 600sqm of the permitted ancillary uses
25. Future-proofed District Heat Network Connection
26. Securing Travel Plans
27. Securing Evacuation Plans
28. Rendered views for each parcel
29. Tree planting

APPENDICES

Retail Consultant's comments

Transport Development Management comments

COMMUNITY INFRASTRUCTURE LEVY

The CIL liability for this development is £470,570.63

RECOMMENDED GRANT subject to Planning Agreement – subject to referral to the Secretary of State

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FULL PLANNING PERMISSION

1. Full Planning Permission –Relating to the Fully detailed aspect of the application

The development hereby permitted (as shown on drawing no. PL13 rev B) 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.

2. Reserved Matters

Approval of reserved matters for those areas approved as outline of the appearance, landscape (to include opportunities for additional tree planting), scale and layout (as shown on drawing no. PL13 rev B); (hereinafter called "the reserved matters") shall be obtained from the council in writing before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

3. Outline Permission

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

PRE-COMMENCEMENT CONDITIONS

4. Phasing and Completion Plan

No development shall take place until a phasing and completion plan has been submitted to and approved in writing by the Local Planning Authority. The phasing and completion plan shall include details of highways works (as detailed in condition 7) and internal bus stops (as detailed in condition 14) and set out the development phases and anticipated completion sequence of the development will be completed.

The development shall then be carried out in accordance with the approved phasing and completion plan.

Reason: To ensure the safe management of the highway network during phasing and completion.

5. Remediation

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No phase of development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination in a phase of development in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

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.

6. Verification

Prior to any phase of development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason:

To protect controlled waters and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

7. Highway works – General Arrangement Plan

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

- Implementation of two-way segregated cycle route along Avonmouth Way from the St Brendan's Roundabout to Kings Weston Lane in line with drawing plan 'Route 2- Avonmouth Way and Third Way'

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- Implementation of signalised camera-controlled bus gate at the Avonmouth Way/ Kings Weston Lane in line with plan 03446-SK-032-P0.
- Creation of pedestrian island at the Kings Weston Lane/ Merebank Road junction in line with plan 03446-SK-031-P0.
- Creation of junction access points onto Kings Weston Lane
- Creation of junction access point onto Avonmouth Way
- Resurfacing of footway along Avonmouth Way
- Upgrade to street lighting along Avonmouth Way
- Introduction of lighting along the Kings Weston Lane cycle link
- Introduction of lighting along the existing Cycle link from Access 18 onto Avonmouth Way

Where applicable indicating proposals for:

- Existing levels of the finished highway tying into building threshold levels
- Alterations to waiting restrictions or other Traffic Regulation Orders to enable the works
- Signing, street furniture, street trees and pits
- Structures on or adjacent to the highway
- Extent of any stopping up, diversion or dedication of new highway (including all public rights of way shown on the definitive map and statement)

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

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

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

8. Highway to be adopted

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

- Long sections
- General arrangement showing the missing Kings Weston Lane link between Boundary Road and the main entrance to Access 18 as shown within plan '11256-ES-DR-BCC01-04 'BCC Route 1 Kings Weston Lane 4 of 4'.
- General arrangement showing land to be adopted as highway at all access points into the development
- Threshold levels to buildings
- Drainage
- Structures
- Swept path for two directional movement of a 11.4m long refuse vehicle passing a 4.98m long large saloon car

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

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

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

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

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

10. Construction Management Plan

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

- A construction programme including phasing of works;
- 24 hour emergency contact number;
- Hours of operation;
- Expected number and type of vehicles accessing the site:
 - Deliveries, waste, cranes, equipment, plant, works, visitors;
 - Size of construction vehicles;
 - The use of a consolidation operation or scheme for the delivery of materials and goods;
 - Phasing of works;
- Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):
 - Programming;
 - Waste management;
 - Construction methodology;
 - Shared deliveries;
 - Car sharing;
 - Travel planning;
 - Local workforce;
 - Parking facilities for staff and visitors;
 - On-site facilities;
 - A scheme to encourage the use of public transport and cycling;
- Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- Locations for storage of plant/waste/construction materials;
- Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- Any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Arrangements for temporary facilities for any bus stops or routes;
- Method of preventing mud being carried onto the highway;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

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

11. Highway Condition Survey

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

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

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

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

12. Temporary Access to the Site

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

Reason: In the interest of highway safety.

13. EV Charging

No phase of development shall take place until details of Electrical Vehicle Charging infrastructure, management plan and phasing for implementation for that phase, has been submitted to and approved in writing by the Local Planning Authority.

This shall include details of the following:

- Final Layout
- Number and location of EV parking spaces
- Number and location of EV charging points
- Type of EV charging points (fast, rapid)
- Indicative locations for feeder pillars and protective infrastructure
- Evidence of power supply from WPD (to ensure substation capacity is adequate)
- Indicative location of substation (where required)
- Indicative cable routing
- Management plan outlining proposed management of spaces, charging network and infrastructure
- Electrical Layout and Schematic Design
 - Feeder Pillar Design/Electrical Layout/Schematic Layout Designs]

The Electric Vehicle Charging Points and management strategy as approved shall be implemented prior to occupation / as per the agreed phasing plan and retained in that form thereafter for the lifetime of the development.

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Reason: To promote sustainable travel, aid in the reduction of air pollution levels and help mitigate climate change

14. Further details of internal bus stops

Detailed drawings at the scale of 1:200 of the following shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun, and in accordance with the phasing plan required by condition 4. The detail thereby approved shall be carried out in accordance with that approval.

a) Four 8-bay reverse cantilever bus stop shelters with real time information and 20-metre raised kerbs.

Reason: To ensure there are adequate public transport facilities

15. Protection of Retained Trees During the Construction Period

No phase of development shall take place on the site until the protective fences have been erected around the retained trees in the position and to the specification shown in the Arboricultural Impact Assessment by RSK dated October 2020) The Local Planning Authority shall be given not less than two weeks prior written notice by the developer of the commencement of works on the site in order that the council may verify in writing that the approved tree protection measures are in place when the work commences. The approved fences shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced areas there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the council.

Reason: To protect the retained trees from damage during construction, including all ground works and works that may be required by other conditions, and in recognition of the contribution which the retained trees give and will continue to give to the amenity of the area.

16. To ensure implementation of a programme of archaeological works

No phase of development shall commence until the applicant/developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Investigation for that phase, which has been submitted by the developer and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

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Reason: To ensure that archaeological remains and features are recorded prior to their destruction.

17. Local Employment Opportunities

No phase of development shall take place, including any works of demolition, until the developer/occupier enters into an agreement with the city council to produce and implement a strategy that aims to maximise the opportunities for local residents to access employment offered by the development. The approved strategy shall be undertaken in accordance with an agreed timetable.

Reason: In recognition of the employment opportunity offered by the early phases of the construction and operation of the development.

18. Construction Environmental Management Plan

No phase of development shall take place until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to, and approved in writing by the Local Planning Authority. The approved plan shall be implemented and adhered to thereafter at all times during construction.

This shall include best practice pollution control measures to ensure that adverse impacts (including dust and air pollution, effects on water quality, pollution from fuel use and storage and other potentially hazardous materials) do not occur on human receptors, nearby businesses, populations of water voles and the adjacent SNCI and a protective buffer area (from the edge of rhines that support water voles and the SNCI of at least 6 metres and preferably 8 to 10 metres wherever possible) as a result of construction works. The CEMP should include details of robust protective fencing incorporating warning signs e.g. 'No Access: Wildlife Protection Area' and a plan showing the location of the fencing and the location of populations of water voles and the boundaries of the SNCI. Contractors and sub-contractors should be briefed on the importance of the ecological features which are to be retained on site including legally protected water voles and their places of shelter (usually the banks of rhines) and the ecological value of the SNCI prior to the commencement of works.

Reason: To conserve the populations of legally protected water voles which are mostly found close to rhines, and the Site of Nature Conservation Interest, Kings Weston Lane Rhine and protection of nearby businesses and residents from nuisance arising from dust and air pollution.

19. Energy Efficiency/Sustainability / Renewable Energy

Each phase of the development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of that phase.

A total reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy shall be achieved, and a reduction in carbon dioxide emissions below residual emissions through renewable technologies shall be achieved in accordance with the relevant statement or strategy.

Reason: To ensure the development incorporates measures to minimise the effects of, and can adapt to a changing climate

20. Renewable energy – Hotel -further detail is required

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Prior to commencement of the hotel hereby approved, details of the renewable energy technology (including the exact location, dimensions, design/ technical specification) together with calculation of energy generation and associated CO2 emissions to achieve 20% reduction on residual emissions from renewable energy in line with the approved energy strategy (by Thornley and Lumb, dated 23.04.21) have been submitted to the Local Planning Authority and approved in writing. The renewable energy technology shall be installed prior to occupation of the development, and thereafter retained.

Reason

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

21. Details of Kitchen Extraction/Ventilation System A3 & A5 uses

Prior to commencement of relevant element (installation of equipment for the extraction and dispersal of cooking smells/fumes) details for that phase, including method of construction, odour control measures, noise levels, its appearance and maintenance shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed before the installation of any such equipment and thereafter shall be permanently retained.

Reason:

To safeguard the amenity of occupiers

22. Details of External Lighting

Prior to commencement of each phase of development, details for any proposed external lighting for that phase shall be submitted to and agreed in writing by the Local Planning Authority. This shall include a lux level contour plan. Lighting shall be installed in accordance with the approved details unless otherwise approved in writing by the LPA.

Reason:

To ensure the protection of wildlife.

23. Piling

Piling and or other foundation designs using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To protect controlled waters and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

24. Flood Emergency 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);

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- * 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

25. Flood Risk Assessment

The development shall be carried out in accordance with the submitted flood risk assessment (ref P17401-RLL-20-00-RP-C0001-P6. Finished floor levels shall be set no lower than 7.80 metres above Ordnance Datum (AOD).

Reason: To reduce the risk of flooding to the proposed development and future occupants.

26. Biodiversity Mitigation and Enhancement Strategy

The provisions and recommendations in the Biodiversity Mitigation and Enhancement Strategy (revisions 01 and 03) shall be adhered to unless otherwise agreed to in writing by the LPA.

Reason

In order to ensure continued habitats for wildlife, and species monitoring.

PRE-OCCUPATION CONDITIONS

27. Unexpected Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To protect controlled waters and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

Sound insulation of hotel from external noise

28. Hotel Sound Insulation

All recommendations detailed in the Noise Assessment submitted with the application with regards to sound insulation to the hotel shall be implemented in full prior to the commencement of the hotel use permitted and be permanently maintained unless agreed otherwise in writing by the LPA.

Reason: To safeguard the amenity of occupiers.

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29. Completion of Vehicular Access – Shown on approved plans

No building or use hereby permitted shall be occupied or use commenced until the means of vehicular access for that building has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be retained for access purposes only for the lifetime of the development. Any access point opening onto the adopted highway shall include suitable drainage provision within the curtilage of the site, to prevent the discharge of any surface water onto the adopted highway.

Reason: To ensure that the vehicular access point is safe and includes adequate drainage.

30. Completion of Pedestrians/Cyclists Access – Shown on approved plans

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

Reason: In the interests of highway safety.

31. Completion and Maintenance of Car/Vehicle Parking

No building or use hereby permitted shall be occupied or use commenced until the car/vehicle parking area (and turning space) shown on the approved plans for that building, have been completed and thereafter the area shall be kept free of obstruction and available for the parking of vehicles associated with the development. Driveways/vehicle parking areas accessed from the adopted highway must be properly consolidated and surfaced, (not loose stone, gravel or grasscrete) and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

Reason: To ensure that there are adequate parking facilities to serve the development constructed to an acceptable standard.

32. Completion and Maintenance of Cycle Provision

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

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

33. Completion and Maintenance of Vehicular Servicing facilities

No building or use hereby permitted shall be occupied or use commenced until the facilities for loading, unloading, circulation and manoeuvring for that building have been completed in accordance

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with the approved plans. Thereafter, these areas shall be kept free of obstruction and available for these uses.

Reason: To ensure that there are adequate servicing facilities within the site in the interests of highway safety.

34. Travel Plan

Prior to occupation of each phase of development, a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use shall be prepared, submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be secured, implemented, monitored and reviewed in accordance with the agreed procedure and Travel Plan Targets to the satisfaction of the council.

Reason: In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling.

35. Details of Kitchen Extraction/Ventilation System hotel

Prior to occupation of the hotel, all recommendations detailed in the Kitchen Ventilation Strategy – Issue 1 submitted with the application with regards to sound insulation shall be implemented in full and be permanently maintained unless otherwise agreed in writing by the LPA.

Reason: To safeguard the amenity of occupiers

36. BREEAM

Within 6 months of first occupation of each phase of development the final post construction BREEAM certificate(s) indicating that a BREEAM 'Excellent' rating has been achieved for that phase shall be submitted to the local planning authority and approved in writing.

Reason

To ensure the development incorporates sustainable design and construction methodology.

37. Details of ventilation for odour mitigation

Prior to occupation of the approved use, details of ventilation systems for any A1, A3, A5, C1, D1 and D2 uses within Plot F shall be submitted to and approved in writing by the Council. The submitted details shall include details of any odour mitigation measures and any ongoing maintenance in order to protect future operators and customers from odour from nearby Sewage Treatment Works and Waste & Recycling premises. Development shall be carried out in accordance with the approved details and maintained thereafter unless approved otherwise in writing by the LPA.

Reason: To safeguard the amenity of occupiers

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38. Noise from development

Prior to occupation of each phase of development, an assessment on the potential for noise from the development affecting existing residential properties or the hotel as part of this development shall be submitted to and approved in writing by the Council. The assessment shall include noise from:

Plant and equipment
Deliveries/collections
Servicing of the premises

If the assessment indicates that noise from the development is likely to affect neighbouring residential properties or the hotel then a scheme of noise mitigation measures shall be submitted to and approved in writing by the Council prior to the commencement of the development.

The noise mitigation measures shall be designed so that nuisance will not be caused to the occupiers of neighbouring noise sensitive premises by noise from the development.

The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS4142: 2014 Methods for rating and assessing industrial and commercial sound, BS 8233: 2014 " Guidance on sound insulation and noise reduction for buildings

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

Reason: To safeguard the amenity of occupiers

POST OCCUPATION MANAGEMENT CONDITIONS

39. Restriction of Parking Level on site

Parking within the development site is to be restricted to the areas allocated on the approved plans and shall not encroach onto areas allocated on the plans for other uses.

Reason: To control the level of parking on the site and to safeguard the uses of other areas.

40. Travel Plan

Prior to occupation or use commenced, evidence that the pre-occupation elements of the approved Hotel Travel Plan have been put in place shall be prepared, submitted to and approved in writing by the Local Planning Authority.

The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed Travel Plan to the satisfaction of Local Planning Authority unless agreed in writing by the Local Planning Authority.

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

41. Works on Highways England Network

The combined scheme of improvement works at St Brendan's Roundabout, St Andrew's Roundabout and the A4 Crowley Way as detailed below shall be implemented in full and open to traffic no later than the end of 2024.

The combined scheme of improvement works shall comprise of the following:

- Works to A4 St Brendan's roundabout to comprise the provision and design of an additional controller unit and MOVA licences to enable parallel stage stream method of control, along with the replacement and upgrade of associated infrastructure including poles, signal heads, cabling, and other ancillary works as defined in Jacobs technical memorandum dated 21st April 2021.
- Works to A4 St Andrew's Roundabout and A4 Crowley Way pedestrian crossings to include the refurbishment and upgrade of signal infrastructure including poles, signal heads, cabling, and other ancillary works, to include connection to St Brendan's roundabout, as detailed in Jacobs technical memorandum dated 21st April 2021.
- Works to A4 Crowley Way to comprise change in lane markings on eastbound approach to St Brendan's roundabout as detailed in PJA drawing number 03446-SK-40-P0, titled 'St Brendons Roundabout Proposed revision to Crowley Way lane destination markings'.

Reason: To manage and mitigate operational traffic impacts in the interest of the safe and efficient operation of the Strategic Road Network and BCC's Highway Network.

42. Operational Management Strategy

No part of the development hereby approved shall be brought into use until an Operational Management Strategy (OMS) has been submitted to and approved by the Local Planning Authority in consultation with Highways England. The strategy will set out the management measures and monitoring mechanisms necessary to monitor any unauthorised use of the development spine road for through-traffic.

Reason: To manage and mitigate operational traffic impacts in the interest of the safe and efficient operation of the Strategic Road Network and BCC's highway network.

43. Limitations of Uses

Use of the development hereby approved shall be limited to 47,000 sqm GFA for B2 General Industry use, and 25,000 sqm GFA for dedicated parcel distribution within land use class B8 Storage or Distribution as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

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Reason: To manage operational traffic impacts in the interest of the safe and efficient operation of the Strategic Road Network.

44. Access to internal bus stops

Access to the four bus stops to be situated within the site for the purpose of maintenance and timetable changes by BCC, WECA or any appointed contractors shall be granted by the landowner in perpetuity.

Reason: To ensure maintenance of the bus stops and accurate timetable information.

45. Noise from plant & equipment

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

Reason: In order to safeguard nearby amenity.

46. To secure the conduct of a watching brief during development groundworks

The applicant/developer shall ensure that all groundworks, including geotechnical works, are monitored and recorded by an archaeologist or an archaeological organisation to be approved by the council and in accordance with the Written Scheme of Investigation approved under condition 16.

Reason: To record remains of archaeological interest before destruction.

47. Landscape (planting) works

The planting proposals hereby approved shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a programme agreed in writing with the council. All planted materials shall be maintained for five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced with others of similar size and species to those originally required to be planted.

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

48. Use Class Limitation

No individual unit falling within use classes A1, A2, A3, A5 shall exceed 200 sq.m and in total these uses shall not create more than 470 sq.m of the permitted ancillary uses, (unless otherwise agreed in writing by the LPA.)

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Reason: To ensure the retail uses remain as small scale and ancillary to the development, and to avoid creating a standalone destination, in view of the site's location outside of a designated centre.

49. 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.

Supporting Documents

4. Land at Access 18, Access 18

1. Aerial (CGI) view of proposal
2. Hotel elevations
3. Indicative masterplan
4. Outline & full areas
5. Parameters plan
6. Red line plan



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rev.	date	description
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Roberts Limbrick
ARCHITECTS

project
PHASE 8
ST MODWEN PARK
ACCESS 18
AVONMOUTH

 **ST.MODWEN**

drawing
AERIAL CGI
-
-

status
PLANNING

ROBERTS LIMBRICK LTD
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scale	N/A		
date	APRIL '20	author	NC

project	drg no.	rev.
5885	PL14	-

Proposed Elevation Enhancements

26.01.2021

NOTE
All dimensions to be checked on site and any discrepancies to be notified prior to the commencement of work

Do not scale from this drawing

If in doubt ask

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Scale 1:200 1 0 1 2 3 4 5 6 7 8 9 10m

Key

- 1. Facing brick, Forterra Carbon Smooth Brick
- 2. Soldier course, Forterra Carbon Smooth Brick
- 3. Facing Brick, Forterra Granite Ash Brick
- 4. SVK Ornimat fibre cement cladding. Colour: RAL 1017 Saffron Yellow.
- 5. PPC aluminium doors/windows/louvers. Colour: RAL 7016 Anthracite.
- 6. Look-a-like glazing panels.
- 7. SVK Ornimat Essentials Range fibre cement cladding panels. Horizontal planks, colour: light grey.
- 8. PPC pressed aluminium feature band. Colour: RAL 2000 Orange.
- 9. PPC pressed aluminium coping. Colour: RAL 7016 Anthracite.
- 10. PPC pressed aluminium canopy. Colour: RAL 7016 Anthracite.
- 11. A/C supply & extract vents. Colour: to match local surface.
- 12. Indicative signage (subject to separate advertisements application).



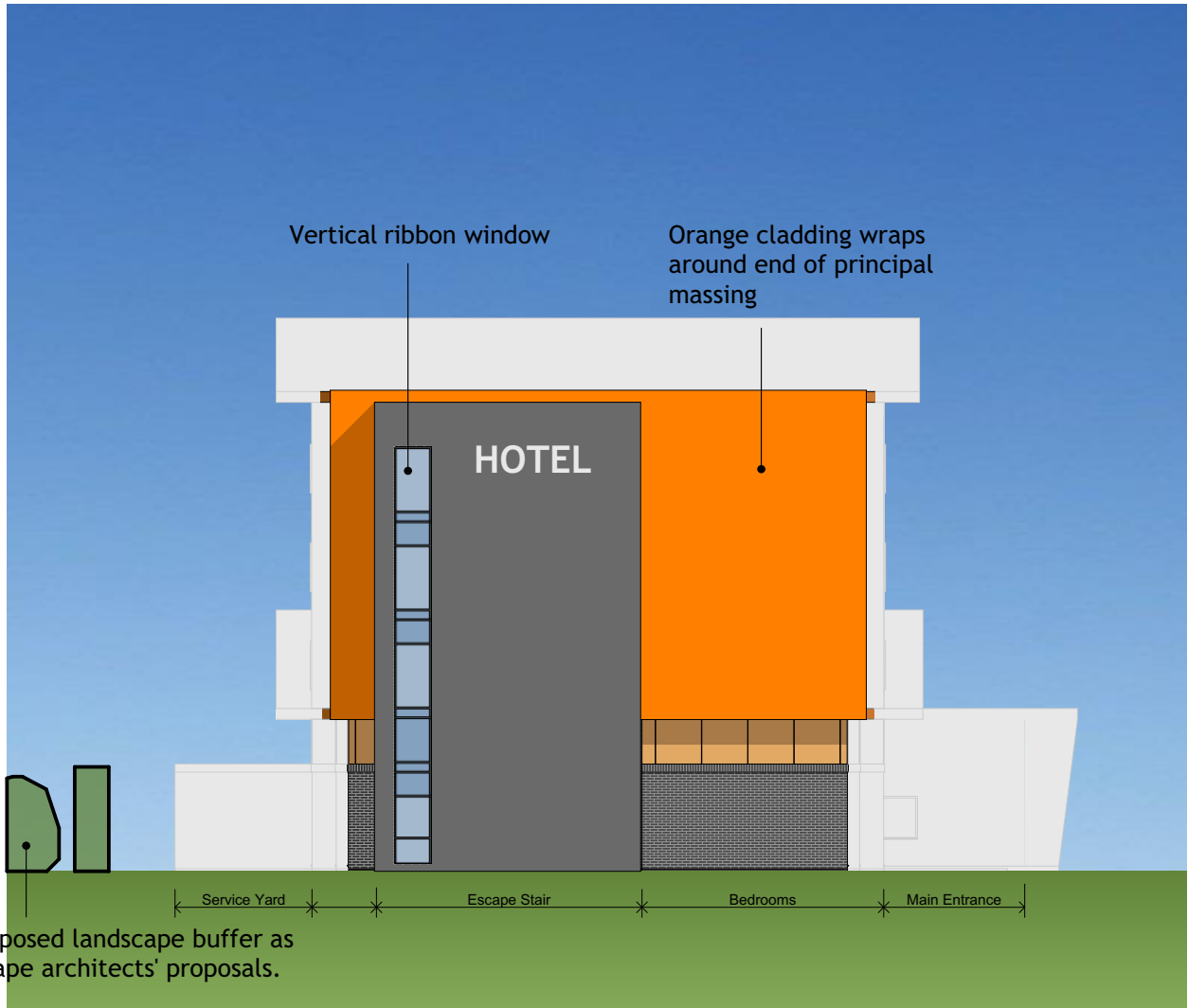
North Elevation



West Elevation



South Elevation (to Avonmouth Way)



East Elevation

C	Elevations updated following LPA feedback.	15.12.20	CMP
B	Minor amendment to fenestration. A/C vents indicated.	17.03.20	CMP
A	Elevation design amended.	13.03.20	CMP
Rev	Revision Notes	Date	Initial

status	PLANNING
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client	Whitbread
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job title	Premier Inn Hotel & Restaurant Avonmouth Way Avonmouth
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drg title	Proposed Elevations
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date	January 2020	drawn	CMP
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scale	1:200	sheet	A1
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drwg no & revision	1825/05C
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ST MODWEN BUSINESS PARK, ACCESS 18

Area G

ST MODWEN REGIONAL OFFICE

Area B

Area A

Area E

Area C

Area B

Area A

Area D

N

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project
PHASE 8
ST MODWEN PARK
ACCESS 18
AVONMOUTH

ST. MODWEN

INDICATIVE MASTERPLAN

PLANNING

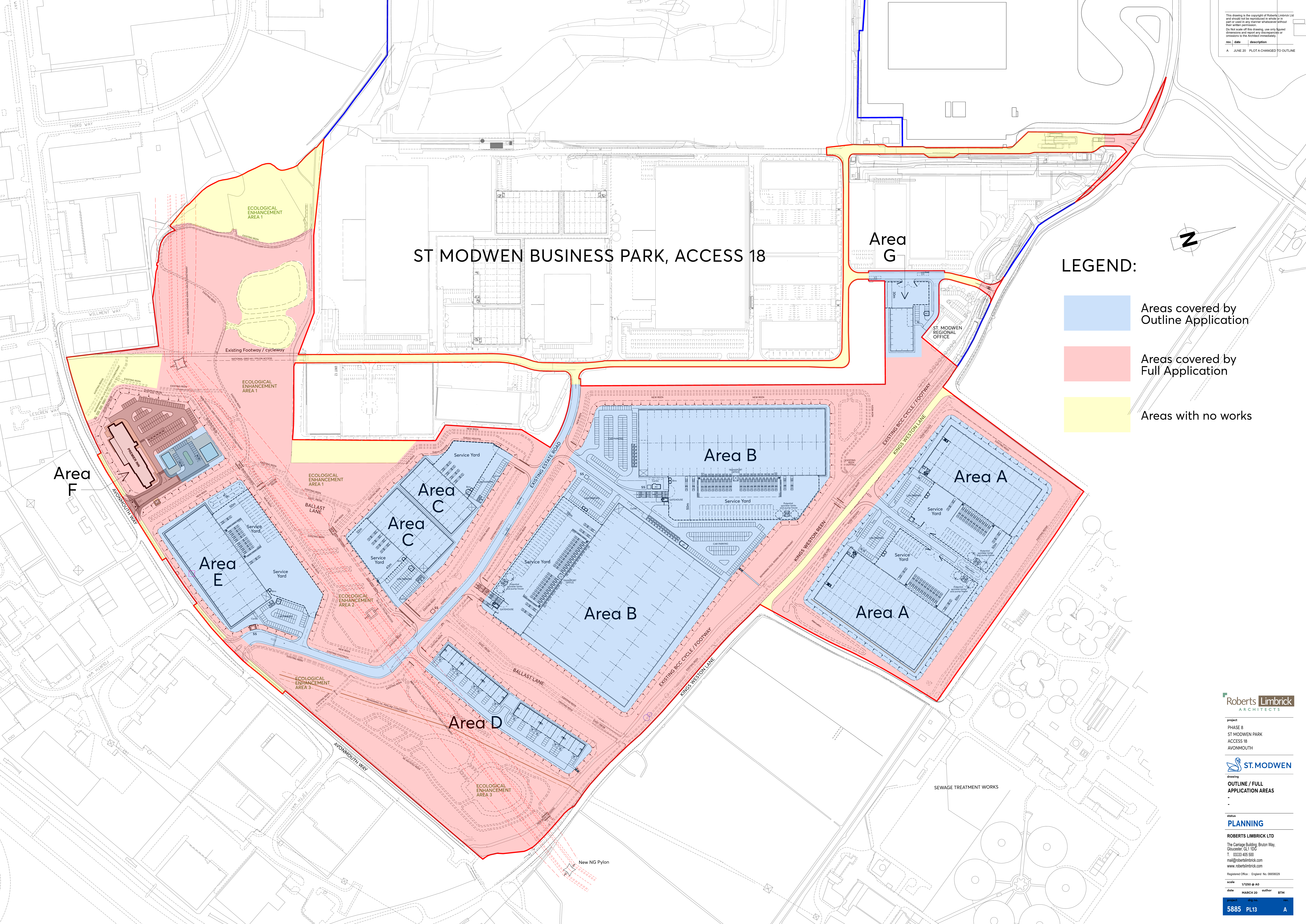
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date
MAY 2019

author
BTM

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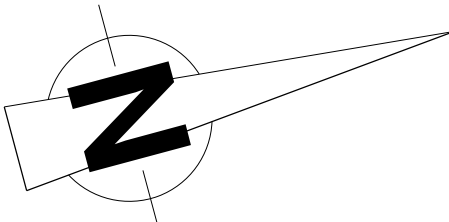


LEGEND:

Areas covered by Outline Application

Areas covered by Full Application

Areas with no works



ST MODWEN BUSINESS PARK, ACCESS 18

1.34 acres
Area G 0.54 Ha
Max. unit size up to
30m (w) x 50m (l)
Max height: 12m

10.46 acres
Area A 4.25 Ha
Max. unit size up to
80m (w) x 220m (l)
Max height: 20m

21.09 acres
AREA B 8.54 Ha
Max. unit size up to
150m (w) x 300m (l)
Max height: 25m

5.05 acres
Area C
2.04 Ha
Max. unit size up to
50m (w) x 140m (l)
Max height: 14m




5.52 acres
Area E
2.23 Ha
Max. unit size up to
65m (w) x 130m (l)
Max height: 16.5m

3.41 acres
Area F
0.28 Ha
Max. unit size up to
22m (w) x 75m (l)
Max height: 16m

2.81 acres
Area D
1.13 Ha
Max. unit size up to
35m (w) x 90m (l)
Max height: 12m

Area within which National Grid 400kv Overhead Power Lines will be delivered, by others.

LEGEND

-  A3 / A5 / D1 / D2 Development plot 0.28 Ha
(To include car parking / loading areas / supporting infrastructure and on plot landscaping)
(Sizes of units shown on this plan are maximum. Likely unit sizes to be as shown in Design & Access Statement.)
-  B2 / B8 Development plots 18.73 Ha
(To include car parking / loading areas / supporting infrastructure and on plot landscaping)
(Sizes of units shown on this plan are maximum. Likely unit sizes to be as shown in Design & Access Statement.)
-  Landscaping & Green Infrastructure (See Drawing PA03)
(To include open space, SUDS, new and retained planting / landscaping and reed network)

NOTE: HEIGHTS SHOWN ARE ABOVE FINISHED FLOOR LEVELS.
FINISHED FLOOR LEVELS TO BE MIN. 7.8M AOD, MAX 8.5M AOD



DETAILED PERMISSION
TO BE SOUGHT FOR PART OF
PLOT F AND DETAILED PLANS
ARE SUBMITTED SEPERATELY

