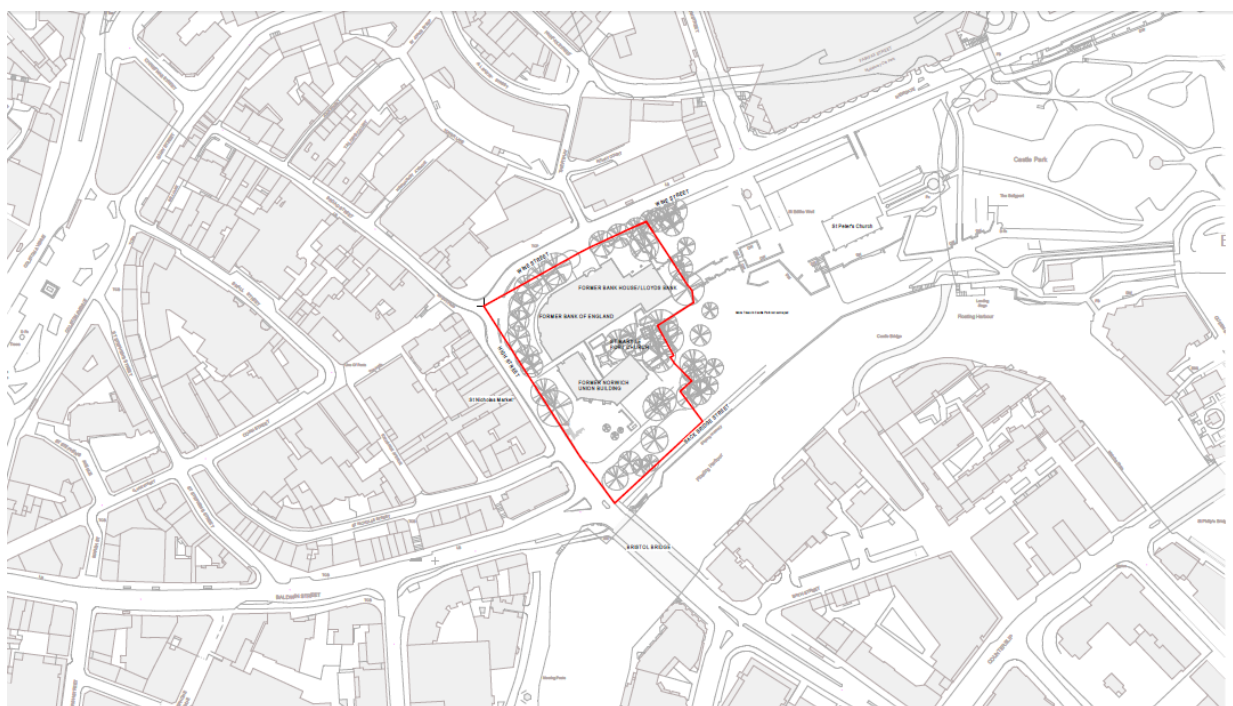


**SITE ADDRESS:** St Mary-le-Port Wine Street Bristol BS1 2AN

***Demolition of existing buildings and structures including the office buildings (including basements and sub-structures) known as Bank of England House, Bank House and Norwich Union House, site clearance and erection of three new office buildings (Class E) with flexible basement and ground floor uses (Class E (commercial, business and service uses) and/or as a launderette, public house, wine bar, drinking establishment, drinking establishment with expanded food provision, hot food takeaway and/or cinema), alterations and repairs to St Mary le Port Church tower and ruins, alterations and repairs to High Street vaults, hard and soft landscaping and public realm improvements (including events space), infrastructure, means of access and all associated works (Major).***

**APPLICANT:** SMLP Bristol GP Limited  
C/o Hermes Investment  
150 Cheapside  
London  
EC2V 6ET

**LOCATION PLAN:**



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## **BACKGROUND**

This application is brought to Committee on account of its significance to the city overall.

This is an application submitted by SMLP Bristol GP Limited for the demolition of all existing buildings and structures including the office buildings (including basements and sub-structures) known as Bank of England House, Bank House and Norwich Union House on Wine Street in the centre of the city (1.15ha).

The site is allocated for a mix of city centre uses within Policy BCAP37: High Street, Wine Street and Castle Park in the Bristol Central Area Plan.

The application proposal includes site clearance and the erection of three new office buildings (Class E) with flexible basement and ground floor uses (Class E (commercial, business and service uses) and/or as a launderette, public house, wine bar, drinking establishment, drinking establishment with expanded food provision, hot food takeaway and/or cinema), alterations and repairs to St Mary le Port Church tower and ruins, alterations and repairs to High Street vaults, hard and soft landscaping and public realm improvements (including events space), infrastructure, means of access and all associated works.

The key issues in the determination of this application are whether:

- There are social and economic benefits of the proposed development for the city?
- The proposed development is consistent with planning policy?
- The design of the scheme is acceptable?
- The proposed access strategy for the site is acceptable?
- The proposal is acceptable in heritage terms?
- The proposal accords with policies on sustainability?

There has been extensive pre-application engagement with contributors both within and outside the Council prior to the submission of this application.

## **DESCRIPTION OF THE SITE**

The application site is located in the centre of Bristol in the Central Ward. It adjoins Castle Park which is located immediately to the east. Wine Street borders the Site to the north and High Street to the west. Bridge Street and the Floating Harbour are located to the south.

The application site has an area of 1.15 ha and constitutes previously developed (or brownfield) land, as defined within the National Planning Policy Framework (NPPF) (July 2021).

The application site currently comprises three buildings and surrounding low quality amenity space, which are known as Bank of England House, Bank House and Norwich Union House all of which were built in the 1960s and are modern buildings. All buildings are currently used, or were last used, for commercial uses (predominantly offices, but also including a bank and vaults). The buildings surround the standing remains of the medieval church ruins and tower of St Mary-le-Port.

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### **Heritage Assets**

The site is located in the City and Queens Square Conservation Area.

Within the application site is St Mary Le Port Church Tower (Grade II listed) which falls within the curtilage of the St Mary Le Port Church Scheduled Monument.

The Grade II\* listed ruins of St Peter's Church is to the east of the application site.

### **Flood Zone**

The Site is entirely located in Flood Zone 1.

### **Trees**

47 individual trees (T1-T47) were recorded within influencing distance of the application site. Of these trees, 24 have been assessed by the Applicant to be Category A (Trees of high quality), 14 have been assessed to be Category B (Trees of moderate quality), 4 have been assessed to be Category C (Trees of low quality) and one has been assessed to be U (a tree that cannot realistically be retained).

### **Public Rights of Way**

There are no Public Rights of Way within the Site. However there are a number of Public Rights of Way in close proximity to the Site, including: BCC/327/10 and BCC/326/10 located just off St Nicholas Street, Bristol.

## **APPLICATION DETAILS**

This is an application for full planning permission for the demolition of existing buildings and structures including the office buildings (including basements and sub-structures) known as Bank of England House, Bank House and Norwich Union House, site clearance and erection of three new office buildings (Class E) with flexible basement and ground floor uses (Class E (commercial, business and service uses) and/or as a launderette, public house, wine bar, drinking establishment, drinking establishment with expanded food provision, hot food takeaway and/or cinema), alterations and repairs to St Mary le Port Church tower and ruins, alterations and repairs to High Street vaults, hard and soft landscaping and public realm improvements (including events space), infrastructure, means of access and all associated works.

### **Layout and Design**

The application proposal involves demolition of all buildings on the site and the construction of three separate blocks to be positioned within the site:

**Building A** would be located at the corner of High Street and Wine Street with an entrance facing High Cross Corner.

**Building B** would be located on the opposite side of High Street to St Nicholas Church.

**Building C** would be located on Wine Street.

The application proposal includes the reintroduction of a route through the site from St Nicholas Market and High Street in the west to Castle Park in the east. This route is referred to as Mary Le Port Street. A route between Buildings A and C will be introduced from Wine Street in the north to the Mary Le Port Street in the centre of the site. This is referred to as Adam and Eve Street.

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Design of Proposed Buildings

The application proposal includes the provision of three buildings:

**Building A**

Setting

Building A is proposed at the north west of the Site on High Cross Corner and stands where the Dutch House used to be. It is bordered to the north by Wine Street, to the west by High Street, to the south Mary le Port Street and east by Adam & Eve Lane adjacent to the proposed Building C.

Mix & Uses

The building would be primarily commercial office accommodation on all levels above the ground floor. At ground floor level, food & beverage and retail units are proposed in addition to commercial and foyer space. Ancillary functions are provided to the commercial office use, these include disabled car parking, cycle storage with accompanying changing rooms and locker space, plant space and refuse stores.

Design

The applicants state that the architecture of Building A draws on the design of the former Dutch House, that was located on the site. The building comprises a base, middle and expressed top and is marked by a number of horizontal elements that break the building down further and pick up on the scale and grain of proposed Building C.

**Building B**

Setting

Building B is proposed at the south west of the application site on the approach from Bristol Bridge and stands where the High Georgian Terrace housing used to be before the war. It is bordered to the north by the reinstated Mary le Port Street, to the west by High Street, to the south by Bridge Street and east by St Mary le Port Place adjacent to the cascading landscaped steps.

The applicants state that the proposed building takes references from the warehouses across the Floating Harbour. Building B has a layered massing appearance that terraces down to the water, sitting comfortably with the topography and forming a new entrance into Castle Park.

Mix & Uses

The building would be primarily commercial office accommodation in use on all levels above the ground floors. To the ground, commercial units are proposed in addition to office foyer space. Ancillary functions are provided to the commercial office use, including disabled car parking and cycle storage (both accessed from Building A) with accompanying changing rooms and locker space, plant space and refuse stores.

Design

The applicants state that the design of Building B has evolved in conjunction with that of Buildings A & C. The building's footprint has been defined by the creation of a new public space to the east focused on the St Mary le Port Place and the landscaped cascading steps down to the waterfront. To the west the building has responded to the vast scale of High Street and site constraints by setting itself away to make a new public space, while to the south it has taken up and shaped edges that better define Bridge Street and St Mary le Port Place. These transitional responses to the north and south of the



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building have also been reflected in massing setbacks to reduce the building's perceived scale and bulk.

The applicants state that Building B will be a new building on a new portion of High Street which itself houses one of the city's grandest church spires. The architecture of Building B draws on the curved corners of St Nicholas House and arched elements found in Byzantine architecture but also nods to the creative/ aesthetic eccentricity of this new space for Bristol. The building comprises a base, middle and expressed top and is unique marked by the number of steps, tweaks in the massing that responds directly to the Site to break the massing down further and pick up on the scale and grain of the wider context.

**Building C****Setting**

Building C is proposed to be located on Wine Street and stands prominently on the edge of Castle Park creating a grand park frontage. It is bordered to the north by Wine Street, to the west by Adam & Eve Lane adjacent to Building A, to the south by Mary le Port Street and to the east by the park.

**Mix & Uses**

The building is proposed to be primarily commercial office accommodation on all levels above the ground floor. On the ground floor, food & beverage and retail units are proposed in addition to commercial & foyer space. Ancillary functions are provided to the commercial office use, these include disabled car parking (accessed through Building A), cycle storage with accompanying changing rooms and locker space, plant space and refuse stores.

**Design**

The applicants state that footprint of Building C has been defined by alignment of the ruins in St Mary le Port Place and the existing trees on Wine Street. To the north the building has responded to the scale of Wine Street and site constraints by setting itself away to make a new public space, while to the south it has taken up and shaped edges that better define Mary le Port Street and St Mary le Port Place. These transitional responses to the north and south of the building have also been reflected in massing setbacks to create new views out and give interest to the skyline from the more distant views.

Building C comprises a base, middle and expressed top and is marked by a number of horizontal datum that break the building down further and pick up on the scale and grain of St Mary le Port tower and the wider context.

**Quantum of Development and Height**

The quantum of development is as follows:

Land Use	Sqm	Proposed Height
<b>Building A</b>		8 Storeys 60.4m AOD
Flexible use space	639	
Office Space	8,974	
External Terrace Space	181	
<b>Building B</b>		8 Storeys 55.62m AOD
Flexible use space	1,381	

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Office Space	8,012	
External terrace space	594	
<b>Building C</b>		9 Storeys 62.90m AOD
Flexible use space	945	
Office space	11,026	
External Terrace Space	214	
<b>TOTAL</b>		
<b>Flexible use space</b>	<b>2,965</b>	
<b>Office Space</b>	<b>28,012</b>	
<b>External Terrace Space</b>	<b>988</b>	

### Uses on the Site

#### Ground Floor Uses

The Applicants propose active uses at ground floor level for each of the three proposed buildings. The application seeks permission for the flexible use (within Class V of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order (England) 2015 (as amended) of the ground floor and basement levels of all three buildings.

The Applicants identify the following possible uses for this space:

- Class E (Predominantly commercial, business and service)
- Laundrette (Sui-Generis)
- Public House (Sui-Generis)
- Wine Bar (Sui-Generis)
- Drinking establishment with expanded food provision (Sui-Generis)
- Cinema (Sui-Generis)

It is noted that under the terms of Schedule 2, Part 3, Class V of the Town and Country Planning (General Permitted Development) Order 2015 (“the 2015 Order”), the Local Planning Authority can grant flexible planning permissions where alternative uses are specified within the application. The 2015 Order states:

“Development consisting of a change of use of a building or other land from a use permitted by planning permission granted on application, to another use which that permission would have specifically authorised when it was granted.”

### Office Development

The proposed office development is designed to be flexible and capable of being adapted to the needs of future office occupiers.

The applicants have also indicated that they are committed to delivering a WELL Enabled building. WELL is a performance-based system for measuring, certifying and monitoring features of the built

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environment that impact human health and well-being, through air, water, nourishment, light, fitness, comfort and mind.

**St Mary Le Port Church tower and ruins**

The application proposal makes provision for the retention and repair of St Mary Le Port Church tower and ruins.

The intention is for this area to be an events space. The Applicants state that it is envisaged that the space will be used flexibly for community events, markets, performance space and will be available for private hire.

**Alterations and repairs to High Street vaults**

The proposed development will facilitate alterations and repairs to the High Street vaults.

**Sustainability**

The application proposal incorporates the following key elements:

Connection to the District Heating Network

BREEAM - Targeting BREEAM Excellent as a minimum with aspiration for Outstanding

Low carbon - Targeting zero carbon in operation, exceeding policy requirements and connecting to Bristol Heat Network.

Solar PV Panels - Solar PV panels on roofs to help generate energy for site.

Heat pumps - Air source heat pumps to supply heating/hot water.

Rainwater harvesting Grey-water recycling / rainwater harvesting to minimise consumption.

**Parking**

The application proposal makes provision for 734 cycle spaces (including 70 visitor cycle spaces), to be predominantly located on the ground floor of Building C.

25 parking spaces

**Trees**

The application proposal is that of the 47 trees identified on the site, the following 14 trees would be removed as part of the application proposal:

Tree	Species	Category
T6	Cockspur Hawthorn	U
T7	Cockspur Hawthorn	C
T8	Midland Hawthorn	C
T23	London Plane	A
T24	London Plane	A
T25	London Plane	A
T34	London Plane	B
T38	London Plane	A

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T39	London Plane	A
T40	London Plane	A
T41	London Plane	B
T42	London Plane	B
T47	London Plane	A

47 individual trees (T1-T47) were recorded within influencing distance of the application site. Of these trees, 24 have been assessed by the Applicant to be Category A (Trees of high quality), 14 have been assessed to be Category B (Trees of moderate quality), 4 have been assessed to be Category C (Trees of low quality) and one has been assessed to be U (a tree that cannot realistically be retained).

**Inclusive Growth**

The applicants have made a commitment to Local employment, labour and training – including investment.

**Additional Consents Required**

Within the application site is St Mary Le Port Church Tower (Grade II listed) which falls within the curtilage of the St Mary Le Port Church Scheduled Monument. This is subject to its own consenting regime under the Ancient Monuments and Archaeological Areas Act 1979.

The applicants have received advice from Historic England to confirm that listed building consent (administered by BCC) is not required. There would be a requirement to submit an application for Scheduled Monument Consent (which is administered by Historic England on behalf of the Department for Culture, Media and Sport).

There will also be a requirement to deconsecrate land in relation to works around St Mary Le Port Church.

**ENVIRONMENTAL IMPACT ASSESSMENT (EIA)**

An ES has been prepared under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the ‘2017 Regulations’).

In November 2020, the Applicants submitted a Scoping Report which confirmed their view that (BCC Reference (20/05329/SCO):

“The Proposed Development falls within the definition of Schedule 2 Section 10(b) of the EIA Regulations as an “urban development project” as the development includes more than 1ha of urban development which is not dwellinghouse development. The anticipated planning application will therefore be accompanied by an Environmental Statement.” (Paragraph 4.6, Scoping Report, November 2020).

The selection criteria for screening Schedule 2 development are provided in Schedule 3 of the 2017 Regulations. Schedule 2 projects require EIA if they are likely to have significant effects on the environment by virtue of their nature, size or location. The potential for likely significant effects on ‘sensitive areas’, as defined in Regulation 2(1) of the 2017 Regulations.

Chapter 16 of the ES draws together the conclusions of the technical assessments and summarises the proposed mitigation requirements, and the residual and cumulative effects.

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In summary, the ES concludes that the majority of effects reported in the ES are not considered significant.

The cumulative impacts of the Proposed Development with other consented schemes in the local area have been considered inherently in the future year assessment. As a result, the cumulative impacts of the Proposed Development are not expected to give rise to significant effects.

**RELEVANT PLANNING HISTORY**

Pre Application Enquiry – 20/02722/PREAPP – Given the scale and complexity of the scheme an extensive pre application enquiry process was undertaken with the Local Planning Authority, including a review by Design West.

Design West

As part of the pre application process the proposals were presented to Design West on three separate occasions (17<sup>th</sup> November 2020, 26<sup>th</sup> January 2021 and 5<sup>th</sup> July 2021).

Following the final presentation, the Panel commented that the scheme now has a convincing relationship with Castle Park and that emerging detailed design work to the park should be beneficial to the integration of the proposals into the wider city setting, and re-instating parts of the historic street pattern. The planted upper-level terraces and the roof level planting will assist in the assimilation of the buildings into the Castle Park landscape setting. The panel agree that there is potential for a nett bio-diversity gain.

The details of the variation in detailed design and colour of the three buildings as previously proposed is supported as is the proposal to construct ground floor shop fronts and fit out. A high-quality ground level experience is a crucial aspect of creating a successful scheme.

Detailed changes to the siting of buildings, particularly to building C which will allow the retention of 3 plane trees on Wine Street, and a revised line of its southern façade to reflect the line of the ruins of St Mary le Port were supported.

Changes to the detailed siting of Building B have improved the relationship to the church ruins. It was pointed out that the space to the south and west of the ruined tower will be in shade for much of the day and the detailed designs should reflect this.

The Panel thought that the proposals for the ruined St Mary Le Port church, based on the detailed heritage assessment, would be a positive feature of the development. We pointed out the merits of exploiting public art and craft opportunities in this area. It will also make a positive contribution to the heritage offer of the wider Old City area.

From Welsh Back and Bristol Bridge, the set back of the upper storeys to Building B and the detailed design elements, whilst interesting in themselves, do draw attention to the upper parts of the building, even though the bulk on the upper parts of the building has been reduced. It is interesting that the chosen colouration of this building is a rather solid red/brown colour, reflecting the character of stone in the Redcliffe area. Within the submitted documents there are colour variations between different images relating to this building. The precise colouration and the degree of reflectivity of the terracotta will need careful consideration in order to achieve a successful integration into the wider scene.

In the longer distance views from St Michaels Hill and Brandon Hill, the scheme blends into the background of the city and will not have a prominent or detrimental impact.

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**COMMUNITY INVOLVEMENT**

Submitted with the application was a Statement of Community Involvement (May 2021).

Process: The Statement outlines the context and strategy for consultation; the activities and engagement with stakeholders and the community; the feedback received and Bristol City Council's response.

A public consultation expert worked alongside the planning consultants to help undertake the consultation, which included engagement with political representatives and community stakeholders and engaging with residents and businesses online.

A bespoke website was set up.

Outcomes:

The SCI states that the following changes were secured as a result of this process:

- The 'fourth quarter' left undeveloped to retain trees, extend the park and open-up the entrance from Bridge Street
- The park edge proposals were greatly improved to integrate with the soft landscaping to the west and the Floating Harbour
- Building C was shifted south to enable the retention of three plane trees
- The footprint of Building B and its facades were adjusted to negate the need for pollarding of the trees along Bridge Street and a new step introduced along the western facade along High Street
- Adjustments were made to narrow Mary le Port Street and new landscape / design proposals were defined in the ruins seeking to reinstate a positive sense of the space and former building
- Separate design for the ground floor to create interest at a pedestrian scale
- A key theme of the feedback has been the importance of sustainability. Achieving BREEAM 'Excellent' and targeting BREEAM 'Outstanding'. Glazing ratios have been revised and the reuse of materials is considered, we are also preparing to link into Bristol's District Heating Network
- Verified Views updated and additional ones produced
- Another terrace was added to Building B to further articulate the top levels and open up views of the St Nicholas Church and further breakdown the massing at these levels
- Green extensive roofs and PV panels added to roof scape
- Integration of the High Street Vaults designed

**COMMUNITY CONSULTATION**

As part of the consideration of this application, 416 nearby properties received direct consultations and site and press notices were posted at the site. This generated 37 responses, of which 23 raised objections to the proposal and 15 supported it. The comments received can be summarised as follows:

Social and Economic Impact (Key Issue A)

"We no longer need big office developments like this".

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The proposal should include homes.

The proposal includes too many licensed premises at ground floor level.

**Design (Key Issue C)**

The buildings are too tall and too bulky and sit heavy on the landscape.

“Why do these buildings have expanding middle floors beyond the footprint of the ground floors? The appearance is too novelty and fad and will soon look ridiculous over the years.”

The building should be clad in stone to match surrounding buildings.

“These plans propose to replace derelict concrete monstrosities with new concrete monstrosities which could meet the same fate in future.”

The replacement of the fourth building with green space is not to be welcomed, if the consequence is to increase the size/height of the remaining three buildings

The buildings destroyed in the war should be reinstated.

The proposed design is “bland”.

**Access (Key Issue D)**

The application misses a major opportunity to restore the crossroads at the historic centre of the city to the scale it had prior to the 1960s.

**Sustainability (Key Issue F)**

Renovation and reuse should always be the first consideration, to minimise carbon footprint.

**Other comments received:**

Concern that the current buildings on the site hide a multitude of criminal activities and should be removed.

Any new businesses should consider local residents and noise impacts as a result. Areas such as Finzels Reach have stricter closing times enforced to protect local residents quality of life and that should be followed at this development.

The proposal includes for public houses and wine bars on the ground floor, which generates a significant amount of noise and disruption. Wine street is currently a quiet street past 10pm for residential occupiers at Southey House, Ayleward House and Broadmead, and the introduction of licensed premises will have a negative impact on the existing amenities.

Where will operators in St Nicholas Market store their rubbish when the site is developed?

**Comments made in support of the application:**

The renewal project should go ahead to make this a pleasant and safe area for all people, visitors, and local people alike.

The scheme is to improve what is an eyesore at the moment.

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This plan will construct thoughtfully designed buildings, restores a pedestrianized shopping street.

“The proposal removes eyesore buildings, constructs thoughtfully designed buildings, restores a pedestrianized shopping street, preserves and improves a corner of the park around the ruined church and improves access to the park from the St Nicholas Market Arcade.”

This is an attractive development that will have very little impact on Castle Park and if anything it will enhance it and give it yet another entrance area.

“It's time to correct the mistakes made by post war council and make Bristol great again by reinstating forgotten streets and hidden buildings being centre of attention again.”

“I feel this is a great plan to reinvent and rejuvenate this former city centre and long time derelict area. Why not let the plans be bold and exciting, how about Bristol be on the map for once instead of behind other major cities like Manchester or Liverpool.”

“I believe that the massing of the new blocks and their design is both appropriate and complimentary to this site and will act as a continuation of the Old City into Castle Park.”

“Other proposals for the area this century have proposed building up to St Peters, down to the waterfront, pushing roads diagonally across the area and cramming as much as possible into this small space.”

“The economics of the site will be highly unlikely to produce a better development proposal without significant public funding.”

**EXTERNAL CONTRIBUTORS****HISTORIC ENGLAND**

Historic England's position can be summarised as follows:

“Historic England considers that the proposed works would harm the character and appearance of the Old City and Queen Square Conservation Area, and the significance of the Grade I and II\* listed churches of St Nicholas, All Saints, Temple, St Peters, and Christ Church.

The harm would be less than substantial in the terms of the National Planning Policy Framework; but this harm would nevertheless be contrary to the Framework's aspiration that development should bring social, economic and environmental benefits.” (Letter to the LPA dated 22 July 2021).

The proposals are for the redevelopment of a large site around the ruins of St Mary le Port church in the historic heart of Bristol. The site was formerly the commercial epicentre of the City but largely razed to the ground by enemy action during World War II. It was redeveloped in the post-war era with two large, but architecturally undistinguished, office buildings. These are now disused and an opportunity is presented for the wholesale redevelopment of the site.

Historic England strongly supports the principle of the site's redevelopment. We think there is much to admire in the detail of the proposals, which will see restoration of the surviving heritage assets and a vibrant new city quarter created. However, we are concerned at the scale and massing of the proposed replacement buildings.

The proposed buildings would be large, monolithic entities, which would fail to respond to the fine grain of the Old City. Their scale and massing would challenge the visual primacy of the various



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Grade II\* listed church spires in close proximity to the site. The character and appearance of the City and Queen Square Conservation Area would be irreversibly harmed, as would the setting of several highly-graded listed buildings.

With regret, Historic England are compelled to object to the proposals in their current form. We recommend that you seek amendments to the proposals to address our concerns about the scale and massing of the proposed buildings.

Recommendation: Historic England objects to the application on heritage grounds.

We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 199 and 200.

If determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

You should also bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas, and section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires decision-makers to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If, however, you propose to determine the application in its current form, please treat this as a letter of objection, inform us of the date of the committee and send us a copy of your report at the earliest opportunity.

**ENVIRONMENT AGENCY**

The Environment Agency have no objection to the proposed development which is located in Flood Zone 1,

**CRIME REDUCTION UNIT**

Avon and Somerset Police's Crime Reduction Unit make the following comments:

The commercial units looking out over Cheese market (East of Building C) should have active frontages to provide natural/passive surveillance over Castle Park.

- Recessed entrances to the retail frontages should be avoided/minimised wherever possible.
- Lighting levels in public areas should be as recommended by BS5489; 2013 with bollard lighting avoided.
- Due to crime levels in the locality, the minimum security standard for external door sets should be LPS 1175.
- Any internal door which is accessed from a communal area should be treated as 'external' for security standards.

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- Incidents of cycle theft in the Bristol area are significant. Sheffield stands which are provided must be in locations which are well lit and covered by surveillance cameras. Internal cycle stores for commercial premises must have electronic access control to restrict access to legitimate users and have surveillance camera coverage.

- There are a significant number of seating areas, these may attract street drinkers and rough sleeping, the surveillance cameras must cover these locations and areas such as St Mary Le Port steps should not become obscured by planting (garden terraces). Street furniture must be robust and include designs which will not encourage sleeping etc.
- Anti-graffiti coating should be considered on street furniture and where possible any structures (sculptures/art installations), also walls abutting the park area.
- Some of the paving (blue pennant stone and sandstone) may be attractive to skateboarders. There have been significant issues around the Cenotaph location, Bristol City Centre, where costly retrospective measures have been installed to mitigate the issues and damaged created by large groups of skateboarders.
- It is noted that HVM (Hostile Vehicle Mitigation) drop bollards are proposed for the entrance off Wine Street and Adam and Eve Lane.
- Opposed to the installation of public toilets in the area of the park off Cheese Market and near the proposed play area. There is every likelihood that these facilities would attract unwanted anti-social behaviour and crime leading to legitimate users avoiding this location. If these facilities are included and approved I strongly suggest that a security and maintenance plan is a condition of planning.

**AVON FIRE AND RESCUE**

The additional residential and commercial developments will require additional hydrants to be installed and appropriately-sized water mains to be provided for fire-fighting purposes. This additional infrastructure is required as a direct result of the developments and so the costs will need to be borne by developer.

Avon Fire & Rescue Service has calculated the cost of installation and five years maintenance of one fire hydrant at £1,500 + vat per hydrant.

**BRISTOL CIVIC SOCIETY**

The Civic Society is keen to see an appropriate redevelopment of this important city centre site which currently is an eyesore. However, we cannot support this proposal. Our strong view is that this is not an appropriate design response to this sensitive site located in Bristol's historic core.

Although we have identified a number of commendable aspects of the scheme, the harmful impacts, particularly those flowing from the heights of the buildings, outweigh these.

The site's current condition, and the wish to see it redeveloped and brought into productive use, should not be to the detriment of the historic features and character of this sensitive part of the city.

Ideally, the Society would like to see the application site and adjoining highway land considered together in the redevelopment of the area. Not doing so potentially risks missing an opportunity to deliver an outstanding piece of place making that Bristol would be proud of.

The Society cannot support the proposed heights of the three office buildings because of:

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- (i) the substantial harm to the setting (and views) of medieval church spires;
- (ii) the substantial harm to the setting of a significant number of other listed buildings;
- (iii) the overall adverse effect on the City and Queen square Conservation Area; and,
- (iv) harm to views to the development when seen from many viewpoints.

In our initial submission to the public consultation on the draft proposals, we drew attention to the need for the developer to justify the heights of the buildings because, on the basis of the material we had then seen, we had concerns about the proposed heights. This justification has not been provided and the fresh material supporting the application underlines that we were right to be concerned about the appropriateness of the illustrated heights.

In particular, we would draw attention to:

- the views from the east, including from within Castle Park, many of which diminish the prominence of and/or obscure the towers of St Nicholas', All Saints and Christ Churches.
- the very jarring and overwhelming view of Block B from St Nicholas Street.
- the view of Block B from Bristol Bridge, where the building appears as excessively high and bulky. This is strongly exacerbated by its very conspicuous dark red colour, which makes it dominate many views, and makes Block B stand out discordantly from the buildings on the west side of High Street.
- the iconic view along Welsh Back from the Redcliffe Way swing bridge to the listed Bristol Bridge. Again, Block B's conspicuous dark red colour aggravates the damage done.
- the view of Block A from Broad Street.
- the effect of the proposed high-level terrace to Block B on the setting of St Mary le Port when viewed from Castle Park. The terrace introduces a highly discordant note because of its horizontal emphasis, and the incongruous introduction of people (and movement) together with landscaping at 'rooftop' level immediately (as it would be seen) behind the scheduled ancient monument's tower.

Our concerns about the heights of the proposed buildings are amplified by the negative contribution of rooftop plant (for building servicing).

Of the three blocks, Block B has the greatest negative impact as a consequence of its height, bulk and dark colour. We also have significant concerns about the height of Block A. Block C causes us least concern but clearly cannot be viewed in isolation, because of the height reductions (in the order of three stories) that we consider necessary on Blocks A and B.

The buildings' detailed design, including the jettying, divides public opinion. This in itself is disappointing as, given the site's importance, we would have hoped to see compelling architecture that received a more comprehensive welcome. As the government has said in its white paper - Planning for the Future we should "Ask for beauty and be far more ambitious for the places we create, expecting new development to be beautiful, and to create a 'net gain' not just 'no net harm'." And in saying this, we are not advocating a design solution that is a pastiche of some lost historic past.

#### The positive aspects

Redevelopment is long overdue and the existing buildings add little to the function and appearance of the city. The proposed scheme has the benefit that it does not extend the developed area and there is

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no encroachment onto the green spaces of Castle Park. Also most trees in Castle Park are retained, as are those along Wine Street and High Street, although a small number are unavoidably removed.

We also feel the proposed land uses - offices together with restaurants and independent shops at ground level - are appropriate.

We commend the creation of excellent pedestrian routes through the proposed development, including the revival of historic streets, and the links to the old city, especially St Nicholas Market, would work well. Generally, the public realm proposals are well thought out and of an appropriate high quality in terms of materials and design.

Placemaking opportunities have been missed

The opportunity has, however, been missed to consider the spaces between the existing and proposed buildings on both High Street and Wine Street holistically and bring forward integrated placemaking. Such consideration should address traffic issues, the widths between the buildings either side of High Street and Wine Street and their relationship to each other and the quality of the public space provided. The Society in particular urges Bristol City Council and the developer to work together to jointly provide a welcoming and high-quality scheme for the open area bounded by Corn Street, Broad Street, Wine Street and High Street, the historic core of the medieval city.

The redevelopment project surely provides the impetus for such a bold scheme working to a publicly-endorsed planning brief.

The proposed development does not push out the building line, and thus leaves High Street and Wine Street as wide highways dominated by their movement function. A planning brief and scheme should also consider both the potential for using the space for activities and the aesthetic character of the street created by old buildings on one side of the street and the new buildings on the other side of the street. If the proposals have to be revisited because the currently proposed buildings are judged to be too high, the building line could be pushed out to narrow the highways to some degree. (Some of the street trees are in poor shape, so we would not disagree with some being sacrificed for a better street arrangement.)

The proposed building fails to reflect the city's ambition to be carbon neutral by 2030

The Society strongly supports the council's drive for a carbon neutral and sustainable city.

Unfortunately, the current design does not achieve zero carbon by 2030 and therefore falls short of the council's publicly stated ambition.

We welcome the steps taken by the developer to green the development through the use of air source heat pumps for heating and hot water production. However, we are disappointed that a standard such as Passivhaus has not been deployed to full effect. Given the significance of the site and the opportunity to deliver a flagship development, this seems a lost opportunity, including for positive publicity for the developer.

The supporting sustainability and energy strategy implies external fixed solar shading fins are to be incorporated. However, it is not clear from the elevations that this will actually be the case. We feel more information on the proposed mechanical cooling is required to understand how often it will need to be used to maintain comfortable indoor temperatures in a warming climate and how much energy will be consumed in doing so. The Society commends the fabric first approach being taken, and would recommend that this is followed through by way of openable windows to allow users control over their thermal environment.

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**BRISTOL TREE FORUM**

The Bristol Tree Forum is summarised as follows:

“The Bristol Tree Forum is unable to support this application as currently formulated.

If not now, when? The city has declared climate and ecological emergencies and pledged to become carbon neutral by 2030 and double tree canopy cover by 2046. But all this is meaningless unless we take every opportunity we can to deal with these emergencies and achieve these pledges – now, and in specific ways.

This application offers one such opportunity to retain these important trees where to remove them will have ‘a significant negative impact on the character and appearance of this part of the conservation area and to the green infrastructure of a heavily used highway and pedestrian/cycle routes’. It must not be missed just because it might be difficult or not fit the development vision. There are many examples from other UK cities where existing trees have been retained close to new buildings leading to a high quality local environment. If it can be done in London and Oxford, then it can be done in Bristol.

The applicant's proposal will result in a loss of the ecoservices, habitat and tree canopy provided by 14 of the 28 trees growing on the site. We say that the plans can and should be adapted to accommodate most if not all of these trees.

As currently formulated, this application fails to achieve sufficient biodiversity net gain: on the contrary, it will result in a net biodiversity loss of -54.47%, which neither the onsite habitat creation nor offsite planting proposed will compensate for.”

**BRISTOL WALKING ALLIANCE (BWA)**

BWA welcomes these proposals which will provide significant improvements to the pedestrian environment, with active frontages at ground level, better access to Castle Park and better links to the Old City.

Within the development area

We support the introduction of:

- Mary le Port Street, as a pedestrian-only street with independent retailers, cafes, and restaurants, linking St Nicholas Market to Castle Park,
- Cheese Market and Adam and Eve Lane, similarly linking Wine Street to Mary le Port Street,
- Buttermarket Passage, linking Mary le Port Street to Bridge Street,
- A new area of open space and landscape, with a new seating area to the south of the St Mary le Port Tower and terracing down to the Floating Harbour,
- Landscaping of the pavements along High Street and Wine Street,
- Lighting and security to make the area a safe environment at all times, **CONDITIONS**
- Public toilets available 24-hours-a-day,

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- New trees, low level planting and seating in the public realm.

Given the sloping nature of the site, we understand from the proposals that appropriate measures will be taken to make all areas meet accessibility guidelines, in particular providing nearby ramps whenever steps might be an obstacle and limiting the length of ramps with intermediate level areas.

We do not express an opinion on the proposed buildings.

**High Street/ Wine Street**

The development should contribute funding to improve the public realm in High Street/ Wine Street. We would have liked to have seen proposals for High Street/Wine Street at the same time as the St Mary le Port development proposal, and would ask that the Council and the developer work together to develop plans that make the place work well.

These roads are important spaces for pedestrians. There are strong pedestrian desire lines between the Old City area and the new development, and along both High Street and Wine Street. With the recent closure of Bristol Bridge to most private vehicles and associated road access changes, High Street and Wine Street will be dominated less by motor traffic. Given the pedestrian flows may be expected to be higher than other modes, crossings should give pedestrians priority (e.g. zebra crossings). In particular crossings will be needed:

- across High Street linking St Mary le Port Street to St Nicholas Market and linking Bridge Street to St Nicholas Street,
- across the junction of High Street, Wine Street and Broad Street,
- across Wine Street, aligned with Cheese Market and Adam and Eve Lane.

The allocation of road space should also reflect the high volumes of pedestrians. Pavements should be widened where possible, and the space for motor vehicles tightened

**Castle Park**

The proposals include a diagonal path across Castle Park from Bridge Street to Union Street as a segregated route for pedestrians and cyclists. This is strong desire line for pedestrians and we will want to assess the Council's detailed designs to check that they fairly take into account the interests and needs of pedestrians.

**FRIENDS OF CASTLE PARK**

Comment as follows:

"As co-founder of and lead for Friends of Castle Park (FoCP) Facebook Group (FBG) - with over 1,200 members - it is appropriate for me to comment on the aforementioned application.

I fully support the application. I am passionate about Castle Park, its history, importance as a city centre green space and its proximity to the Floating Harbour and, as a local resident who has retired to and invested financially in the area, I was always going to be more difficult to please than most. Notwithstanding, what I have seen so far is a refreshing and contemporary interpretation and rejuvenation of Old City. The proposal pays homage to the past by giving a rundown, neglected and unloved area a new lease of life and the character it deserves. This is a once in a lifetime opportunity to create a lasting legacy for Bristol, which is crucially important to us and momentous for Castle Park, Old City and beyond."

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The Christmas Steps Arts Quarter (Residents & Traders) objects to this application.

This is the most central and important site within Bristol's Old City and Queen Square Conservation Area. A main reason for conservation areas is to conserve the traditional character of the area in question. This application fails to do that.

In respect of the road layout: "We applaud the proposed retention of Mary Le Port Street and Bridge Street. The former gives a setting to St. Mary le Port Church and Bridge Street is understood to be the site of the very earliest "Brigstowe" settlement, so any remaining archaeology should not be built upon.

However, we agree with those in the Civic Society who are unhappy about the proposed retention of the post WW2 widening of the High Street. That widening broke with the intimate character of the Old City, and the original pre-war width needs to be reinstated."

In respect of the height and massing: "We object to the proposed three huge blocks that appear to be trying to be all things to all people and are far too tall for this historical heritage centre of Old Bristol."

In respect of the use of ground floors: "It would enhance the development and the character of the Old City if all of the retail outlets could be limited to small independents (as at Gaol Ferry Steps, near M Shed) rather than corporate "anywhere" chain-brands."

In respect of the use of upper floors, it is noted that the Central Area Plan says that the site is "Suitable for a mix of uses including retail, leisure and new homes". It is noted that the "... proposed offices flout this policy, and are most unlikely to be in demand in the post-Covid period. There was no pre-war history of offices on this site, and Temple Way is the current area for new offices. The storeys from the first floor upwards should be designed for maximum future flexibility with a system of partitioning and plumbing etc. that is fully adaptable to allow for changing future demands."

There is support for the preservation of St Mary Le Port Church: "However, the proposed modern vertical vanes at the entrance appear to be out-of-keeping and an unnecessary expense."

In respect to Bristol's High Cross, it is suggested that this is the golden opportunity to satisfy what Bristolians have long been calling for - the reinstatement of the 1373 stone High Cross back to the middle of the crossroads. Ideally, retrieve the original High Cross from the gardens of Stourhead. Or more realistically, re-site the stone copy of the top half (currently insignificantly placed in a corner of Bristol's Berkeley Square) and raise it on a fenced stone plinth (as with Banbury Cross).

**THE GEORGIAN GROUP**

The Georgian Group believes the development of this area on the scale proposed will constitute substantial harm to the conservation area and to the setting of a large number of listed buildings:

"We do not object to the development of the site or the demolition of the existing buildings, however we strongly OBJECT to development of this scale and massing on the basis that it will cause substantial harm to both the setting of many listed buildings and to the conservation area. We advise that the local planning authority refuse the application in its current iteration or that it is withdrawn."

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**KINGSDOWN CONSERVATION GROUP**

The Kingsdown Conservation Group (the Group) regrets that it cannot support this application proposing redevelopment alongside St Mary le Port. While the Group welcomes the intention to restore what remains of the church and to reinstate streets, it finds the scheme overall fails to respect the historic context of the area and the many listed buildings in the vicinity.

The problem lies principally in the scale, bulk and styling of the proposed buildings. The proposed new office buildings would completely dominate these buildings. There is no attempt in the design of the new buildings to break down their scale and bulk either visually or literally; instead each would be a single monolithic block (with somewhat dubious claims of historic design precedents). Regardless of the imposed limits arising from some formula, the buildings would still be too high.

In addition the Group regrets that the opportunity to reinstate the crossing between Corn Street, Broad Street, Wine Street and High Street has been missed.

It is noted that the “current pandemic has indicated that, in the future, city life may be radically different from what we knew before. It seems likely that the demand for large offices will be significantly diminished, if not a thing of the past, providing an exciting new opportunity for cities to reinvent themselves as vibrant places to live, focussing more on people and their environment. Instead of three new office blocks a more creative brief for mixed use would instill life into a moribund scheme and perhaps allow for more creative thinking in the design and place-making.”

The Group would urge the council to refuse this application – “Bristol deserves better.”

**INTERNAL CONTRIBUTIONS**

**BCC CITY DESIGN GROUP**

Design and Heritage comments are contained within Key Issue C.

**BCC ECOLOGY**

The application has been submitted with the following ecological reports produced by EPR.

- Chapter 8 – Ecological Impact Assessment report - Biodiversity May2021
- Ecological Appraisal (Appendix 8.3)
- Bat report (Appendix 8.4)
- Biodiversity Net Gain (Appendix 8.5)
- Landscape and biodiversity management plan EPR April 2021

The biodiversity net gain calculation is welcomed and proves that the site can provide a large positive net gain 85.9%

External Lighting



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The reports make reference to - a sensitive lighting strategy will be developed and adopted to minimise lighting-related impacts upon sensitive ecological receptors. This will be based on the following measures:

- Avoidance of lighting the southern boundary with the Harbour and the eastern boundary with Castle Park, unless considered essential for H&S reasons.
- Where lighting is on the southern and eastern Site boundaries it is essential, lux levels will be kept as low as possible through careful specification of lighting and the use of timers or PIR will be explored to reduce lighting impacts further.
- Specification of 'warm white' LED luminaires with a maximum correlated colour temperature of 3000K (ideally 2,700K), no ultraviolet and infrared content, and reduced short wavelength light content.
- Specification of zero-degree tilt to ensure the downward distribution of light.
- Specification of shields and integral louvres where required to prevent light spill onto sensitive areas.
- Consideration will be given to provision of dark periods through the night where elements of artificial lighting are turned off or turned down.

**Biodiverse Roofs**

Three biodiverse roofs are proposed as part of the scheme. The Landscape and Biodiversity Management Plan, provides some details about the proposed roofs, however further details are required. Including species composition and diversity of roof substrates. This will be secured by condition.

**BCC TREE OFFICER****Tree removals**

14 trees have been proposed for removal (T6, 7, 8, 23, 24, 25, 26, 34, 38, 39, 40, 41, 42, 47) to facilitate the proposed; the most significant losses are Trees T23, 38, 39 & 47.

No mitigation figures have been presented within the supporting arboricultural report in accordance with the Planning Obligations, tree replacement standard. 70 replacement trees are required to mitigate the loss of the 14 trees. Section 4.15 of the arboricultural report offers an additional 10 replacement off-site trees over policy requirements for the removal of T23 making the total requirement of 80 replacement trees.

**Tree Work proposals**

Tree works in the form of canopy management have been proposed for trees T5, 9, 35, 36, 37, 43, 44. The canopies of these trees have been identified for lateral crown reductions away from the proposed building façades. This is to alleviate the immediate impact of the proposed. No discussion has been presented on the long term viability of these pruning options or the future maintenance costs beyond an increase in 211 notifications for increased canopy works. The trees are currently BCC owned and maintained and therefore the future maintenance costs will be the responsibility of the BCC highways department; has a commuted sum been agreed for the additional costs to maintain the trees due to the proposed development?

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### Tree Replacement

Design and Access statement - Landscape Strategy 15: The landscape strategy of the design and access statement provides a comprehensive analysis of the existing and proposed strategy for trees replacement.

Tree replacement figures.

The landscape strategy quotes 72 replacement trees are required to mitigate the loss of trees removed to facilitate the proposed. These figures appear to be taken from the supporting arboricultural report and are inaccurate.

Section 3.7 of the arboricultural report lists the tree removals to facilitate the proposed; T23 has not been identified within this list and therefore an additional 8 trees need to be added to the mitigation figures bring the total to 80 trees. This includes the additional 10 tree proposed above the mitigation requirements for the removal of T23 (section 4.15 of the support arboricultural report).

The landscape strategy refers to the 20 trees planted on-site (Within the red line boundary) and a commitment to plant 42 tree within Castle Park and a financial contribution for a further 10 to make the 72; this would need to increase by 8 further trees for the loss of T23.

At this stage there is no agreement that enables mitigation to take place outside of the red line boundary by the applicant and therefore these trees if agreed will need to be planted by BCC through financial contribution. Castle Park is heavily populated with trees and an assessment needs to be made whether the additional trees can be accommodated. My initial observations are that the proposed planting would over stock the site and reduce sightlines at path junctions and along the combined waterfront walking and cycling route.

This is an inner city development and there is a greater need for street trees, The planning obligations SPD enables Bristol City Council to prioritise this type of planting through the financial contribution outline.

### On-site tree planting

20 trees have been proposed within the redline boundary; these have been broken down into 2 groups; Tree Type 01 – Landscape Terrace trees & Type 02 Streetscape planter trees.

#### Type 01 Landscape Terrace Trees

The proposal to plant small to medium size, multi stem trees in this location is reasonable considering the number of established high canopy trees in. 3 of the 4 species proposed are within the Rosaceae family limiting species resistance and disease tolerance into the future. A disease such as Fire blight (*Erwinia amylovora*) could devastate a population of this composition; Fire blight has been a notifiable disease due to its rapid colonisation of plants.

To future proof any new landscape scheme we would expect no more the 30% of trees in any one family, 30% of trees within any one genus or 30% of treeds within any one species. The species composition could be broadened to implement greater species diversity.

#### Type 02 Streetscape

The Council's Tree Officer cannot support the proposal to plant small to medium size, multi stem trees adjacent to the highway. The canopies of multi stem trees by their nature spread as they mature

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which will encroach onto the highway and require periodic crown management to maintain them. This is not a viable option and one that I commented on during the pre-application meetings relating to trees and landscapes. A revision is required for trees adjacent to the highway.

Trees located adjacent to the highway must be single stem trees of a medium to large species that can be formatively pruned to raise the canopy to statutory highway clearance of 5.2m with as minimal sideways encroachment as possible. The proposed species for the Type 02 trees do not fulfil this requirement.

**Planting pit design**

Planting pit designs for the new trees within the hard landscape have not been provided at this stage.

**Rainwater gardens**

The Council's Tree Officer supports the proposal to install rain water gardens within the root protection areas of the existing London plane adjacent to the highway (T35, 36, 37, 43, 44, 45 & 46). This will significantly improve the rhizosphere of the trees into the future. An arboricultural method statement to support this part of the proposal is requested to increase confidence that it will be delivered.

**Stockholm style planting beds**

Stockholm style planting beds are recommended:

“A significant amount of research has been undertaken in the past few years within Stockholm to create new style planting beds and to retrofit existing tree pits with structural soils that incorporate biochar impregnated with beneficial microorganisms to improve the soil environment. The results have positively improved establishment rates and tree health (Planting beds in the city of Stockholm – a handbook: 2009). This form of retrofitting will enable the tree pits on High Street and Wine Street whilst allowing the consolidation of the footway surfacing. “

**Tree Protection**

A tree protection plan has not been provided to demonstrate how retained trees will be protected during the course of the development.

**BCC TRANSPORT DEVELOPMENT MANAGEMENT (TDM)**

TDM's comments are contained within Key Issue D.

**BCC SUSTAINABLE CITIES TEAM**

The BCC Sustainable Cities Team's comments are contained with Key Issue E.

**EQUALITIES ASSESSMENT**

During the determination of this application due regard has been given to the impact of this scheme in relation to the Equalities Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs, experiences, issues and priorities in relation this particular proposed development.

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Overall, it is considered that this application would not have any significant adverse impact upon different groups or implications for the Equality Act 2010.

## **RELEVANT POLICIES**

National Planning Policy Framework – July 2021

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.

The non-statutory City Centre Framework (June 2020) is relevant to the consideration of this application. The CCF was approved and adopted by the Council's Cabinet in July 2020.

## **KEY ISSUES**

### **(A) WHAT WOULD BE THE SOCIAL AND ECONOMIC IMPACTS OF THE PROPOSAL?**

There is clear evidence to suggest that the proposed development will have a positive social and economic impact for the city as a whole.

The Economic Development and Employment & Skills Team (EDES) welcome the application for planning permission for the redevelopment of the site, which has blighted a key strategic entrance into the heart of the City Centre and not fulfilled its potential for around 20 years.

The proposed development will help support the long-term recovery of the City Centre, which has suffered a significant economic shock due to COVID-19, as recognised in the One City Economic Recovery & Renewal Strategy (Adopted 2020).

### **Socio-Economic Statement**

The Applicants' supporting Socio-Economic statement suggests that the proposed development will provide 2,750 full time equivalent employment opportunities. These jobs are very much welcomed. However, it must be acknowledged that these are based on employment density information pre-COVID (from British Council for Offices, 2018 and the Homes & Communities Agency, 2015), which assumes full occupation of the office space.

The EDES Team are already aware of significant interest from existing Bristol based hi-tech businesses in occupying some of the office space. Commercial property agents also report a strong demand for new office space within the heart of the City Centre. The EDES team are committed to working with the developer and end occupiers to ensure that the space is flexible to support local and inward investment, and people from the City's most excluded groups are able to access the job opportunities.

Being within the City Centre, the site is accessible to the whole of Bristol and is adjacent to some of the city's most deprived communities, including Lawrence Hill which is within the 10% most deprived areas in England (Deprivation in Bristol, 2019).

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The occupation of the site will create better linkages with and have significant economic benefit for the surrounding shops and services, including the Old City and Bristol Shopping Quarter (Broadmead, Cabot Circus, The Galleries). The development will create additional footfall and expenditure.

St Nicholas Market, which is home to over 100 independent traders (indoor and outdoor) will benefit from improved visibility, connectivity and an enhanced public realm. The current physical state of the site provides a poor welcome and introduction to the Market for residents and visitors alike. However, there are some concerns about loading, servicing and market trader parking, which need to be mitigated by the Council and the developer working in partnership.

The provision of small retail and leisure units within the development is welcomed. They are vital to providing animation and natural surveillance during the day and evening/night, particularly onto the surrounding Castle Park which suffers from anti-social behaviour. The EDES team are committed to working with the developer to ensure that future occupiers complement the offer at St Nicholas Market, provide “scale-up” opportunities for those who may want to grow into bricks and mortar premises and other people wishing to start or grow a business.

The demolition and construction of the development will support the construction sector, providing the creation of 600 new and indirect jobs per annum (over 2.5 years), through the supply chain and new expenditure.

The EDES Team have already had positive discussions with the developer about employment, skills and business support. They are committed to working with the developer to ensure that local businesses and people from across Bristol (especially excluded groups) are able to access the supply chain and employment opportunities.

If the application is approved, the EDES Team have requested a condition for the developer to work with the Council to produce a comprehensive Employment, Skills and Business Support Plan. This will help to ensure inclusion opportunities are maximised and the planned economic benefits are delivered.

The EDES Team would also welcome the developer improving the physical appearance and animating the site with a meanwhile use prior to the development beginning. Such an approach is promoted within the Central Area Plan - BCAP12: Vacant sites and temporary uses within the Bristol Central Area Plan.

Overall, the site currently provides very little social and economic benefits for the city and is in fact a very negative feature in the existing city centre. The positive redevelopment of the site will bring employment and economic activity to the site and will significantly improve the links to adjacent parts of the city centre such as the Old City and St Nicholas Market. The regeneration of the site will also bring greater levels of activity to this part of Castle Park. Together, these benefits to the immediate area and the wider city centre are significant.

**(B) IS THE PROPOSED DEVELOPMENT CONSISTENT WITH PLANNING POLICY?**

Section 70(2) of the Town and Country Planning Act 1990 Act requires the decision-maker ‘in dealing with an application for planning permission or permission in principle to have regard to:

(a) the provisions of the development plan, so far as material to the application...’

Section 38(6) of the Planning and Compulsory Planning Act 2004 (“the 2004 Act”), states that:

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“If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

The role of Bristol City Centre as a regional focus is promoted and is to be strengthened. The more efficient use of land and a greater mix of uses are encouraged (Core Strategy Policy BCS2 refers). Core Strategy Policy BCS8 – Thriving Economy states that the economic performance of the city will be strengthened by providing a sufficient and flexible supply of employment land, and promoting the city as a place to invest. With reference to Core Strategy Policy BCS13, there are retail development opportunities in the area of St Mary Le Port, which will assist in creating additional retail floorspace within Bristol City Centre. Finally, opportunities for high quality and where appropriate, high density mixed use development to maximise opportunities to re-use brownfield land in the most efficient way are to be taken (Core Strategy Policies BCS7, BSC20 and BCAP 1).

In respect to the Bristol Central Area Plan, Policy BCAP1 – Mixed-use development in Bristol City Centre, the application proposal will deliver new development in Bristol City Centre that will be expected to contribute to the mix of uses in the wider area. Central Area Plan Policy BCAP6 – Delivery of employment space in Bristol City Centre, states that a further 120,000sq m of new floorspace is needed to reach the goal that is envisaged by the Core Strategy.

This is a brownfield site within the city centre which is allocated for a mixed use development (BCAP 37 refers). The application site is in a sustainable location particularly given its proximity to shops; jobs, services and facilities including sustainable transport modes.

Policy BCAP37 (High Street, Wine Street and Castle Park) states that sites within the High Street, Wine Street and Castle Park the area will be developed for a mix of city centre uses as part of the wider enhancement of Castle Park and its setting. The policy notes that development ‘will be expected to safeguard and enhance Castle Park and its heritage assets as a large, publicly accessible city centre open space and to explore opportunities to restore the historic character of the Old City and reveal and enhance other heritage assets within individual sites.’ The second part of the policy includes matters relating specifically to the application site and identifies the allocation as Key Site 04 (KS04).

The policy states that St Mary le Port ‘will be suitable for a mix of uses including retail, leisure and new homes.’ The policy continues to note that high quality office uses will also be encouraged as part of the mix.

The policy notes that proposals will be expected to provide:

- A continuation of the retail function of St. Nicholas’ Market towards Bristol Shopping Quarter, with an emphasis on providing an environment suitable for small and independent businesses;

The application proposal makes provision for retail uses to be incorporated at ground floor level and reintroduces a link between St Nicholas’ Market towards Bristol Shopping Quarter.

While the planning process cannot control whether ‘small or independent businesses’ occupy a development, it is noted that the scheme makes suitable provision for this type of use.

- A reinstated Mary-le-Port Street to better connect Bristol Shopping Quarter and the Glass Arcade, including new pedestrian crossing provision across High Street. Opportunities should be explored to reinstate other historic routes through the area;

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The proposed development makes provision for a reinstated Mary-le-Port street.

- Improved access and setting for the St. Mary-le-Port Church tower, which may take the form of a new public space, and improved access and setting for the High Street vaults, both of which are Scheduled Ancient Monuments;

The application proposal makes provision for improved access and setting for the St.Mary-le-Port Church tower and improved access for the High Street vaults.

- A strong relationship with Castle Park, including a properly designed transition between the redeveloped area and the park, providing surveillance and active ground floor uses fronting onto the park and the quayside walkway;

An assessment of the relationship of the proposed development with Castle Park is set out in Key Issue C.

Setting aside design (which is addressed in Key Issue C), the scheme has been assessed to strongly comply with these policy considerations. In principle, the application proposal is compliant with adopted local plan policy and this should be given significant weight.

**(C) IS THE DESIGN OF THE SCHEME ACCEPTABLE?**

The NPPF and NPPG identify good design as a key aspect of sustainable development and establish the importance of local distinctiveness. Development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, local man-made and natural heritage and culture, while not preventing or discouraging appropriate innovation.

The Bristol Core Strategy contains a number of policies relating to design that require development in the city centre to be of the highest standard in terms of appearance, function, conservation of heritage assets, sustainability and maintaining and enhancing green infrastructure and protecting key views (BCS2). In particular policy BCS21 'Quality Urban Design' requires development to deliver high quality urban design that contributes positively to an area's character and identity, through creating or reinforcing local distinctiveness. Policy DM26 'Local Character and Distinctiveness' further reinforces the importance of local character and distinctiveness; it lists a number of general design principles that contribute towards this. Also material to assessing the design of the proposal are policies DM27 'Layout and Form' which requires development to have a quality urban design that results in healthy, safe and sustainable places; DM28 'Public Realm' which requires that development creates or contributes to safe, attractive, high quality, inclusive and legible public realm that contributes positively to local character and identity and DM29 'Design of New Buildings' which requires new buildings to be designed to a high standard, setting criteria to assist in achieving this. Overall both local policy and national guidance (Section 7 of the NPPF) recognises the importance of good design meaning development will not be permitted where it would be harmful to the local character and distinctiveness

BCAP37 states that the site should accommodate a high quality new built form and pedestrian environment in High Street and Wine Street, including measures to reduce the impact of traffic such as traffic calming or a shared space solution. This must recognise the need to maintain a balance between the needs of development and the retention of the existing and important green infrastructure on and around Wine Street/High Street/Bridge Street. Opportunities should be explored to reduce the width of both streets to more closely resemble their historic proportions.

It also states that development exceeding existing building heights should respond appropriately to the local context and respects important existing views will be acceptable.

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The proposals carry a number of important and strategic benefits in urban design terms. Primarily this comprises the 'repair' of the site itself; turning an impenetrable and derelict group of buildings into high quality piece of public realm that creates a strong connection between the park and the Old City, improves park edges, and reinstates historic street patterns.

**Scale and Massing**

Particular attention has been paid to the scale and massing of the proposed office blocks and their relationship with their surroundings. The policy requirement is for the proposed development to respond appropriately to the local context.

Through the pre-application process, in consultation with officers adjustments have been made to the massing and architecture. This is reflected in Design West discussions and subsequent letters (see above). These adjustments have helped address the monolithic quality of the office blocks. However, there remain concerns that the proposed development is over-scaled in relation to the site and local context. Of particular concern is the scale of Block B.

In response to this, the Applicants' comments that the City and Queen Square Conservation Area Appraisal (March 2009) serves to highlight the broad and varied periods, architectural styles and materials of the area. The concept of what is 'in keeping' must be founded in understanding what makes the site special. The Conservation Area Appraisal captures the huge variety of the buildings within it with one building not typically being in-keeping with its neighbour e.g. St Nicholas Church and St Nicholas House or Bristol Old Vic, The Theatre Royal and St Nicholas Alms Houses.

Section 9.1 of the Design & Access Statement (DAS) offers a summary of the context stating:

'While it will link into the historic character, the masterplan will also allow for special moments that are brave and bold additions to the city. Buildings of varying scale from 4 to 9 storeys are proposed that respond to the city centre location, the emerging architectural context and the historic character and grain. The new development to the west is more contextual in scale and character within the context of the heritage assets and conservation area, while the new development to the east has the potential to take on a more contemporary expression.'

And

'The design approach looks to reflect its position as a site of major significance both on a city and national level. The Site's position within one of the city's main conservation areas and its location bridging between the historic city core and Castle Park means the urban design of this site will need to mediate between these contrasting elements to create a new mixed use neighbourhood reconnecting the city and Castle Park.'

In respect of Block B, the comments of Design West are particularly helpful:

"From Welsh Back and Bristol Bridge, the set back of the upper storeys to Building B and the detailed design elements, whilst interesting in themselves, do draw attention to the upper parts of the building, even though the bulk on the upper parts of the building has been reduced. It is interesting that the chosen colouration of this building is a rather solid red/brown colour, reflecting the character of stone in the Redcliffe area. Within the submitted documents there are colour variations between different images relating to this building. The precise colouration and the degree of reflectivity of the terracotta will need careful consideration in order to achieve a successful integration into the wider scene."



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Since Design West's assessment and during the consideration of this application, additional amendments have been made to the upper level of Block B.

To conclude on scale and massing, Members are being asked to weigh up the concerns of in respect of the scale and massing of Block B in particular, against the Applicants' desire for a "brave and bold" addition to the city.

Your officers have reached the conclusion that on balance the design of Blocks A and C (including their scale and massing) are acceptable. For Block B, with the addition of planting at upper levels, and careful consideration of the materials to be employed in its construction, mean that the scale and massing is acceptable. The proposed development, whilst exceeding existing building heights, responds appropriately to the local context.

**Castle Park**

The policy requirement for this allocated site is for there to be a strong relationship with Castle Park, including a properly designed transition between the redeveloped area and the park.

In response to this, the Applicants took the decision to not propose development on the quarter of the allocated site closest to Castle Park. The City Centre Framework anticipates development of this quarter.

As noted in the Design West letter the inclusion of planted upper-level terraces and roof level planting will assist in assimilating the buildings into the Castle Park landscape.

It is noted that there is a perception of a city park with a formal structure occupying a full city block. In effect this means that the development site sits within the body of the park. A more appropriate scaled development would maintain this perception by sitting comfortably nearer the tree line – a typical defining height feature for any urban green space. While there is thoughtfulness demonstrated with respect to ground level public realm treatments, however the scheme overall would have an overbearing impact on Castle Park and its users.

In response to this, the Applicants point to the landscape strategy submitted with the application (Figure 15.72 of the DAS). This offers a substantially improved relationship with Castle Park and identifies the following beneficial aspects of the proposals and landscape interventions to avoid the feeling of separation. The following are extracts from the Applicants DAS:

- extension of Mary le Port Street connecting to St Peter's Church;
- opening up the central space as a focus for activity for both day and night as well as connecting positively to the waterfront.
- To improve the permeability and also improve the level access to St Mary le Port from St Peter's Church we have explored how this walkway could be lowered to open up this area of Castle Park, illustrated in Figure 15.78.
- strong planting framework to help create a seamless and positive transition between the park and the edge of the development.
- planting is multi-layered and the combination of the roof top planting; the new tree planting and more naturalistic lower-level planting will be important to promote connections for people and wildlife corridors.

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- And Figures 15.73 & 15.74 demonstrate how terracing is introduced in order to help manage the transition from higher level of St Mary le Port to the lower level of the park.

- By re-instating Cheese Market with new active frontages and public realm, the relationship with Castle Park along this edge is greatly improved. Although outside the boundary line, landscape studies have been proposed to raise the level of the grassed areas to create a continuous threshold between Wine Street and Mary le Port Street extending views north-south across the park and down to the Floating Harbour.

Overall, it is accepted that, despite the scale, the redevelopment will bring a positive re-use of the park edge and will enhance the area alongside the existing Lloyds Bank Building. This currently has a poor relationship with the park. The proposed development would not encroach into the usable park area. It will create additional public realm and better connectivity between St Nicholas Market and the park. The application proposal includes improvement to the levels here and an increase in activity in this area. The beneficial redevelopment of the site, including active ground floor uses, reinstated public routes and new areas of public realm, will benefit the use of Castle Park by increasing activity in the area and encouraging more people to use this corner of the park, thereby increasing natural surveillance.

**Park shadowing**

The site sits at the western end of a park with an east/west orientation. It is noted that if new development negatively impacts the quality of light and effectively blocks afternoon and early evening sunshine this could alter patterns of park use and reduce the parks amenity value over its daily life-cycle. This could ultimately reduce the number of people the park serves.

The application material does not convincingly indicate how shadow studies have informed the shape and form of development to protect this aspect of park amenity. In this regard, the VuCity modelling demonstrates that the impact of the proposed height scale and massing is problematic and has the potential to harm late afternoon light penetration to the Park.

The applicants disagree and state that:

“The shadowing studies have informed the design development by guiding building line positions and articulation of the building massing shown in Chapter 7, page 108 of the Design & Access Statement (DAS). Sections 9.8 & 9.9 of the DAS illustrate how along with the heritage context, the retention and preservation of trees, sunlight and shadowing has informed the development of the designs for the Proposed Development.”

It is recognised that there is great benefit to activating and reconnecting the western section of Castle Park. The development in its current form will achieve these aspirations. However, in doing so, some aspects of the park’s amenity may be harmed and it is possible that this would not be offset by attracting increased numbers of people to the new public realm and ground floor uses. Whilst a development of reduced scale could achieve these benefits while also safeguarding the park’s existing amenity and desirable qualities, it is considered that the benefits of the development overall mean that any harm to the amenity of the park is outweighed. Such a scheme, however, would have to be deliverable in order to realise the benefits, and a lower height scheme is not before the local planning authority for consideration.

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It is noted that the proposed layout offers many public realm improvements in terms of much improved connectivity for the area and site itself and its immediate edges. This includes the reinstatement of the St. Mary-le-Port Street route, increased space around St. Mary-le-Port Church, and integration of the public realm within the site and Castle Park.

The loss of category A and B trees along Wine Street arising from the extension of blocks A and C towards the highway kerb represents a significant impact on the streetscape; the trees soften the Bank of England buildings. Buildings of the scale proposed will create significant shade on Wine Street and provide no space for meaningful tree planting mitigation – this requirement is not served by providing trees in containers as a substitution.

**Trees**

At the time of the preparation of this report, the main outstanding issue in respect of trees is the absence of a detailed Arboricultural Method Statement (AMS),

The Applicants have prepared the AMS Heads of Terms (Applicants' letter dated 11 October 2021). The Applicants have also accepted that a detailed AMS will be forthcoming and have asked that this be secured by condition.

Pre-commencement conditions can be used in suitable circumstances. They would still provide BCC with adequate control and reassurance. The detailed AMS would need to be approved before any work is commenced (including demolition).

In addition, a Tree Protection Plan (TPP) will be prepared and carried out in accordance with BS5837:2012 and best arboricultural practice. The Applicants see this as an essential requirement for the tree protection works to support the proposed Development. The TPP will set out the detailed requirements for all retained trees, both within and on the neighbouring sites, particularly in relation to the trees affected on the boundary of Castle Park and within the highways, and their corresponding Root Protection Areas and crown spreads.

The location of protective fences, barriers, trunk and root protection boarding and details of how these are to be constructed will be provided and their phased installation where appropriate. The TPP will set out the necessary tree protection measures required during the construction process and their methodology. These methods will include tree protection fencing, temporary ground protection and other site-specific protection measures and will be overseen by a certified arborist.

A system of construction site monitoring will be set up to ensure the tree protection measures are in full compliance with the planning requirements. Construction site monitoring can take the form of regular visits and reporting through the construction period to ensure tree protection measures are being correctly implemented or where the tree protection measures require alteration to due unforeseen issues. Construction site monitoring will be important for particular operations such as excavation within root protection areas where the result of a construction activity cannot be adequately predicted in advance.

The Council's Tree Officer has confirmed that there is no objection to the loss of the trees necessary to deliver the proposed development.

The Tree Officer has also indicated that there is a need to ensure that mitigation and/or financial contributions for any loss of trees is provided and the Applicants have accepted this.

Tree T27 has been discussed in detail. The Applicants remain of the view that it is favourable to seek to retain the tree. The Applicant is prepared to accept responsibility for maintaining this tree in its

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pollarded state during and following development perpetuity and, in accepting there is a degree of risk it will succumb to the proposed development, would be prepared to enter an agreement via conditions and/or the Section 106 Agreement that replaces the tree should it die or fail within 10 years<sup>1</sup>. Should its loss occur, given its trunk diameter of 880mm, eight replacement trees will be provided in accordance with Policy DM17 at a fixed financial contribution of £26,551.04<sup>2</sup> made in accordance with trees in hard landscaping as specified in the Planning Obligations Supplementary Planning Document (September 2012).

There remains disagreement between the Applicants' Arboriculturalist and the Council's Tree Officer over 'whole branch removal' and crown raising. However, the Applicant is willing to agree to meet the costs of the ongoing management of the relevant trees via reasonable commuted sums.

The Council Tree Officer has suggested that details of species mix and composition be provided before planning permission is granted. In response to this, the Applicants have asked for additional time to resolve this by way of a suitably worded condition. As with the AMS, we see no risk to BCC in adopting this approach.

**Tree Mitigation**

The Applicant is proposing a total of 72 replacement trees. This is above a policy compliant position of 59. The Tree Officer pursues a figure of 80 replacement trees, a difference of eight which we understand arises because the Tree Officer overstates the Applicant's voluntary 'top up' as 10 (rather than five) and identifies tree mitigation for the three trees with a trunk diameter of <150mm as '1' each whereas the Applicant has adopted '0'.

In accordance with Policy DM17, the Applicant has identified capacity for 20 replacement trees within hard landscaping on site. There is a need for further discussion to agree exact planting locations, species and sizes. However, the Applicants have indicated that it is their hope that the balance of 52 trees will be predominantly provided within the neighbouring Castle Park but with the possibility of planting elsewhere in Bristol where need is identified. Information presented within section 15 of the Design & Access Statement (May 2021) demonstrates how planting for 42 replacement trees may be accommodated within Castle Park.

The Applicants have calculated that the tree mitigation would comprise 45 trees for the loss of 11 trees<sup>5</sup> within hard landscaping. However, the Council's Tree Officer calculates 48 given his use of '1' replacement tree for the three trees with a trunk diameter of <150mm.

At the time of the preparation of the Officer's Report, the Applicant had indicated that allowing for an additional eight trees for the Applicant's voluntary compensation of T23 this suggests a total of 53 trees.

The Council's Tree Officer allows for 10 but it is not clear how this number is arrived at given its trunk diameter of 870mm. The Tree Officer allows for 10 but it is not clear how this number is arrived at given its trunk diameter of 870mm),

Deducting the 20 trees to be planted within hard landscaping on site results in 33 trees for which financial contribution is required the Applicants have officered a sum of £109,523.04.

They calculate the tree mitigation comprises 14 trees for the loss of the two trees<sup>8</sup> within soft landscaping. Allowing for the five additional trees offered by the Applicant, this total becomes 19 trees (the Tree Officer suggests 24 trees based on a suggested voluntary 'top up' of 10 trees). This mitigation equates to £14,538.99.

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The Applicants therefore arrive at a total financial contribution total of £124,062 in respect of 33 replacement trees in hard landscaping and 19 replacement trees in soft landscaping, in addition to the planting of 20 trees on site.

Confirmation on this sum will be provided at Committee.

Overall, it is accepted that the level of detail submitted with the application is sufficient to provide comfort on the principles of how tree loss will be mitigated. There is a need for more detailed work to confirm the exact position, species and size of replacement trees. This information is not available at this time, but can reasonably be expected to be provided before any work commences on the site (including demolition). There are complexities of the SMLP site including archaeology and demolition, which are unknown and the required detail will be apparent when further survey work is undertaken. The Applicants have consistently indicated that they will provide the Tree Officer's required information when it is known. The concerns of the Tree Officer can be overcome by relevant planning conditions and Section 106 obligations.

**Public Art**

A scheme of this scale and position in Bristol's city centre represents an excellent opportunity for embedding culture and creative activity into the very heart of the development. Policy BSC21 sets out the need for schemes of this kind to demonstrate a genuine commitment and generous investment in culture as a central part of successful placemaking.

Aligning with Bristol City Council's Public Art Strategy (2006), cultural activity at the site should prioritise the following:

- Investing in the arts and artists to support the local economy and communities;
- Providing good working practices in commissioning artists.

For a scheme of this scale, BCC would expect a Public Art Producer/Consultant to be appointed to write a Cultural Strategy. This will be secured by condition.

**Design Conclusion**

The proposal presents an opportunity to improve a highly strategic site currently defined by a group of unpopular post-war buildings that detract from the character and appearance of the conservation area. This site is now under single ownership for the first time in many years. The introduction of a new pedestrian St Mary Le Port Street linking Castle Park with the Old City is a significant structural change that will increase the liveliness and vitality of the area as a whole.

A regenerated St Mary Le Port site through active uses particularly at ground level will undoubtedly improve levels of legitimate activity at the site, given the level of anti-social behaviour currently associated with the western end of Castle Park. Officers recognise the transformative nature of these potential improvements. There are concerns regarding the scale of development, however the scheme before the local planning authority for determination would also provide significant benefits that, on balance outweigh those concerns.

**(D) IS THE PROPOSAL ACCEPTABLE IN HERITAGE TERMS?**

The Authority is required under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special regard to the desirability of preserving or enhancing the character or

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appearance of a conservation area. Section 66 (1) of the same Act states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

A 'heritage asset' is defined in the NPPF Annex 2 as a "building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing)."

NPPF (July 2021) paragraphs 199 and 200 state that:

"199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

200. 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. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional."

The application proposal has been assessed in detail by Historic England (HE) and the Council's Heritage Officers.

### **Significance**

The application site contains the remains of St Mary-le-Port church which occupied a central position in the postwar redevelopment of the site. It is noted that it is the heart of the city where the Saxon town was founded on the edge of the Castle Walls.

Secular buildings on the site which survived the blitz were demolished not long after, including the remnants of the celebrated "Dutch House", located at the medieval crossroads of Corn Street, Broad Street, High Street and Wine Street.

However, the standing remains of two churches were conserved and consolidated. The Grade II\* listed ruins of St Peter's Church, to the east of the site of the proposed development, memorialise the city's war dead. The Grade II\* listed and scheduled tower of St Mary le Port church was retained within the postwar office development. The post-war redevelopment of the site included widening the High Street carriageway; the former building line runs approximately up the middle of the present road.

There is significant archaeology on and around the site, including a surviving set of fine vaulted medieval cellars which are now scheduled. Fragmentary upstanding remains of the nave and chancel to St Mary le Port remain, next to the church tower. The construction of the post-war Bank of England office buildings is thought to have removed most archaeology within their footprints. Beneath the Norwich Union building there is surviving archaeology, relating to the Saxon and Medieval towns.

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The site is within the City and Queen Square conservation area. The conservation area was designated in 1974 and extended around 2001 to include Castle Park. Castle Park is so named as it marks the site of the city's Norman Castle. It is strategically located between the River to the South (now canalised as the floating harbour) and the River Frome to the North (now culverted). The castle was destroyed around 1656 following the Civil War, and the area subsequently developed for commerce.

Castle Park today is a well-used public open space, but is not a particularly coherent one. As the product of post-war clearances its edges are ill-defined, its landscaping of variable quality, and its integration with surrounding streets unsatisfactory.

The designated heritage assets on the site are in poor condition. The tower of St Mary le Port church is included on our register of Heritage at Risk. The High Street Vaults are not on the HAR register but are vulnerable and would benefit from sensitive re-use.

The two existing buildings within the site are the former Bank of England offices and the former Norwich Union offices. Historic England carried out an initial listing assessment of the former Bank of England building, which is attributed to Howard Robertson, best known for his buildings at London's Shell Centre. It was concluded the buildings lacked sufficient architectural or historic interest to warrant statutory designation. They have a degree of architectural interest, but their poor condition and relatively unrefined design means that they presently detract from the character and appearance of the conservation area.

While the area bounded by High Street, Wine Street, and the Floating Harbour was cleared after the war and later landscaped to become Castle Park, the Old City area to the south of High Street survived. It remains a busy and architecturally diverse area, densely developed, but with narrow streets and alleyways which make it highly permeable for pedestrians.

Paragraph 195 of the NPPF (2021) states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Alongside those heritage assets already identified, the significance of the following surrounding heritage assets has been identified:

- Bristol Bridge
- St Nicholas Church
- St Nicholas Street, grouped listed buildings
- St Nicholas House, 31-34 High Street
- The Market, Entrance Arch from High Street
- High Street, grouped listed buildings
- Key buildings surrounding the High Cross site
- Heritage Assets in Corn Street

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- Ruin of the Church of St. Peter
- Locally listed building group, Finzel's Reach

**Impact**

The proposed development would create a new St Mary-Le-Port Street which would join High Street immediately opposite the entrance to the Grade II\* listed St Nicholas Market. This route will pass a restored St Mary Le-Port Church tower.

HE comment that the works to the ruins of St Mary le Port church have been the subject of detailed discussions with their Inspector of Ancient Monuments. HE consider that the plans accord with best conservation practice, and if completed would enable the monument to be removed from the register of Heritage at Risk.

HE has been working with the applicant and the City Council to agree an archaeological mitigation strategy. This will identify areas of impact on the surviving archaeological that will need to be mitigated through excavation, recording or watching brief

Building A would occupy the site of the "Dutch House", overlooking the mediaeval crossroads and former site of the Bristol High Cross. The proposed building would be 8 storeys at its highest point, with a series of jettied projections designed to evoke the memory of the Dutch House. Historic England are content with the size of this building. They note that the Townscape and Visual Impact Assessment provided as part of the planning application demonstrates that Building A as proposed would have a considerable presence in the streetscape but would not appreciably harm the setting of nearby heritage assets; the one possible exception being in views from Corn Street where it would coalesce with the lower stages of the Grade II\* listed tower to All Saints' Church. This effect would be relatively minor.

In considering the potential impact of the proposals on the setting of the tower of St Mary le Port church, we must be mindful that its current visibility in the townscape from Castle Park is a relatively modern construct. For much of its life, the tower was hemmed in by densely development and its tower was not a dominant element in the townscape. Pre-war views of the area from Bristol Bridge show the tower's spirelet was just visible above the lost Bridge Street townhouses.

However HE have indicated that they are relatively supportive of the conceptual design of Building A, but are disappointed in its lack of refinement. They consider that the repetitive nature of its elevations would exacerbate its perceived scale and massing. HE feel that the introduction of a bay rhythm to reference the pre-war townscape could significantly improve its appearance. HE also express regret that the opportunity to explore modern timber framed technology has not been taken, in homage to the building's celebrated predecessor.

Building B would have a High Street frontage, occupying the part of the site which slopes down from St Mary le Port towards Bristol Bridge. HE comment that it is an interesting design, slightly art-nouveau in appearance, with passing reference in tonality and details to the Bristol Byzantine style of the late Victorian era. It is planned that the basement of Building B would provide access to the Scheduled High Street vaults through a blocked entrance to an adjacent vault which did not survive the bombing.

The design of Building B offers the opportunity to gain access to the medieval stone vaults, to which access is currently severely constrained. There is the opportunity for them to be creatively repurposed.



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However, despite the benefits outlined above, HE consider that Building B would have a significant impact on the surrounding townscape. They feel that in views from Bristol Bridge, it would dominate, if not overwhelm, the spire of the Grade II\* church of St Nicholas, opposite. It would also erode the visual primacy of the tower of Christ Church (Grade II\* listed), which was designed to terminate views up the High Street from Bristol Bridge.

In response to these comments, the Applicants assert that:

“Historic England state that the scale and massing of the Buildings B & C would challenge the visual primacy of the various Grade II\* listed church spires in proximity to the Site. The heritage experts advising the Applicant and authors of the detailed analysis conclude that the reduction in the height to Buildings B & C being sought by Historic England would not materially change the effects, as it will not open views of spires significantly over the submitted scheme, thus bringing into question the merits expected to derive from the reduction in height (i.e. it seems to be a comment which is not based on any assessment). The views of the church spires would be altered, even at much lower building heights, and so any reasonable regeneration scheme for the Site (as supported by Policy BCAP37 and the CCF) would not therefore be expected to deliver the desired outcome sought by Historic England.” (Letter to the Local Planning Authority dated 17<sup>th</sup> August 2021)

Prior to the further refinement of the upper levels of Block B, HE commented that the asymmetric appearance of the upper floors of Building B is contrived and would only serve to exacerbate the apparent scale of the building. The applicant states that the massing of Building B references the historic warehouses of Welsh Back, on the other side of the floating harbour. However Historic England note that they are within a different conservation area and one designated for its robust maritime industrial character, and not within the much finer urban grain of Bristol’s Old City.

Building C takes a more modernist approach to its design, which is an appropriate contextual response given its position fronting Wine Street, close to the post-war shopping streets of Broadmead. However, HE are concerned that this building would be too tall: “It would present a monumental elevation to St Peter’s Church, whereas in our view it should step down at this point to better assimilate with its townscape context.”

The massing of the buildings is a cause for concern in longer views. From various viewpoints within Castle Park the unmodulated flat-topped buildings would be conspicuous, and at odds with the fine urban grain of the Old City beyond. This equally applies to longer-range views of the site from Redcliffe Bridge and Redcliffe Parade. Greater articulation of the roofscape and a reduction in height to buildings B and C could mitigate this effect.

Historic England note that an “unfortunate by-product” of the proposed development is that there would be the loss of views of the leaning tower of Temple Church (another memorialised ruin, listed Grade I and scheduled) from St Michael’s Hill. This is a classic view of the city where the towers of All Saints and Christ Church are seen alongside the square-plan tower of Temple Church, and the lesser spire of St-John-on-the-wall (Grade I listed) as dominant elements in the townscape. The view is marred by the 1960s St Lawrence House (now student accommodation), a former office tower which screens a view of the spire of St Mary Redcliffe from St Michael’s Hill.

This development would block views of the tower of Temple Church, as would any here over four storeys in height. This could be justified if the development were repairing the grain of the historic streetscape, but the proposed development, rather than repairing, would be at odds with the city’s historic grain and character.

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Taken as a whole, the proposed development Historic England consider that the scheme would markedly jar with the scale of the Old City, detracting from the historic cityscape at Bristol's heart. While we acknowledge that the redevelopment of the post-war buildings on this site is an important strategic objective for Bristol, which has proved difficult to secure, the harm consequent on these proposals is regarded as "unnecessary".

**Policy**

As referenced earlier, the site is allocated for redevelopment in the adopted Bristol Local Plan (Central Area Plan). Bristol City Council's City Centre Framework (CCF) identifies the site as a key development opportunity, with a preference for an employment-led mixed use scheme. It advocates a "restore" design approach to this lost city quarter, stating:

"In historically rich areas, with strong character the design approach should follow the BCAP 'Restored City' urban design approach. This requires the thoughtful and creative reinstatement of historic street patterns, building lines and public spaces and the enhancement of important views in areas where significant historic building fabric and street pattern remains. This generally requires development to respond to prevailing building height and form. This approach does not advocate pastiche, rather the contemporary design of new spaces and buildings that respond positively to the historic local context."

Constructing four buildings as advocated by the CCF, rather than three, might obscure some views of St Mary le Port's tower from the direction of the floating harbour, the church was largely concealed by buildings for much of its existence. The advantage of maintaining - or enhancing - views of the church from the floating harbour and park does not justify the harm consequent on the development's bulk.

The harm, under the definitions set out by the National Planning Policy Framework, would be less than substantial. However, that does not mean that the harm is acceptable. The NPPF is quite clear on this, under paragraphs 199 and 200.

"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

Paragraph 200 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"

Paragraph 202 of the NPPF goes on to say:

202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

HE conclude that reducing the scale and massing of the proposed buildings - possibly by developing the "fourth plot" as advocated by the SPD - would allow much, if not all, of the benefits of the scheme to be delivered. This could be achieved while reducing, or potentially avoiding, the harm we have described above. In other words, the justification for the harm is not clear, or convincing, as it appears that there are ways in which the benefits could be delivered without the harm.

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HE considers that the proposed works would harm the character and appearance of the Old City and Queen Square Conservation Area, and the significance of the Grade I and II\* listed churches of St Nicholas, All Saints, Temple, St Peters, and Christ Church.

The harm would be less than substantial in the terms of the National Planning Policy Framework; but this harm would nevertheless be contrary to the Framework's aspiration that development should bring social, economic and environmental benefits. Furthermore, consideration should be given to some reduction in the scale of massing by means of stepping it back and reducing the height of each building

HE assert that the heritage benefits offered by the scheme, although valuable, should attract limited weight in the planning balance, and would be outweighed by the harm noted above.

**Heritage Conclusion**

The proposed development will cause less than substantial harm to the character and setting of a variety of heritage assets in the area. Paragraph 202 of the NPPF states that:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

It is your Officers assessment that there are public benefits arising from the proposal. It will open up the vaults for potentially beneficial use. It will secure improvements to the tower of the St Mary-Le-Port church, by bringing it into beneficial use and re-establishing its setting within a new area of quality public realm.

In addition the application proposal will secure economic and social benefits for the city as a whole, as detailed elsewhere in these key issues (see Key Issue A). Overall the less than substantial harm to the heritage assets which have been identified here, have been given considerable importance and weight, in the balance of the final recommendation. This is of importance given that this harm gives rise to a presumption against planning permission being granted, however the public benefits of the proposals outweigh this harm and allow the application to be approved in accordance with NPPF para 202.

**(E) HAS AN ACCEPTABLE TRANSPORT SOLUTION BEEN FOUND?**

At the time of the preparation of this report, negotiations over the level of mitigation were ongoing. Your Officers are seeking contributions for:

- Bristol Bridge upgrade
- High Street / Wine Street upgrade

Works at High Street and Wine Street will comprise measures to enable the layout in the future to successfully accommodate mass transit in addition to the commitment to make active travel the easiest choice in the urban area, as set out in the City Centre Framework (CCF).

Officers note that BCC's requirements have been carefully designed around the Applicant's aspirations and are therefore directly related to the development.

- Castle Park Cycle Route

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- Wine Street Bus Stops – Local Services
- Mass-Transit Bus Stops – Strategic Services

The applicant is aware that the CCF sets out the inter-urban mass transit high frequency routes between Long Ashton Park & Ride and a similar facility near the M32 which will pass directly by the development. Further to this is the route along the A4 (between Hicks Gate and Portway Park and Ride sites).

These above Park and Ride routes are proposed to cross each other at Bristol Bridge, with stops identified to be located around Bristol Bridge / Baldwin Street / Redcliffe Street with a further cluster around Haymarket/Union Street. Regardless of where the stops end up, it is certain they will be within convenient walking distance of the St Mary Le Port site and therefore will serve the development. These new routes are included in the Joint Local Transport Plan, the One City Plan and the CCF.

Your Transport Officers have made it clear that there are a range of issues that are outstanding. An update on these issues will be provided at the committee meeting. At the time of the preparation of the report, Transport Officers are concerned that without mitigation and further associated work, the proposed development would result in negative impacts such as excessive traffic volumes, fumes and noise, contrary to policy BCS10 of the Bristol Local Plan.

Outstanding matters include the stopping up of Bridge Street, the provision of an AIP Structural Approval (required before any works commence on site (including excavation), the provision and agreement to travel planning measures and agreement to the provision of disabled parking spaces. Details signals and traffic control, parking and TROs, lighting and public realm materials.

The Committee will be updated on these matters ahead of the Committee meeting.

**(F) DOES THE APPLICATION PROPOSAL ACCORD WITH POLICIES ON SUSTAINABILITY?**

The Applicants have agreed to the provision of a final Sustainability and Energy Statement prior to the commencement of development.

It is anticipated that the work on the preparation of this Statement will be undertaken in collaboration with Officers of the Council. Given the scale and strategic significance of this scheme it will be recommended that the applicant continue to seek opportunities to exceed the requirements set by Building Regulations and BCC adopted planning policies to minimise embodied carbon, reduce operational energy use and monitor and report on key performance indicators such as annual energy use and emissions, with a view to achieving year on year improvements.

**Reduction in residual emissions and allowable solutions**

According to the Energy Statement (Sustainability and Energy Strategy Report – May 2021, table 28, page 59) the scheme will achieve a 16.4% reduction in residual emissions against a policy requirement to achieve a 20% reduction in residual emissions. In respect of a required reduction in residual emissions, Officers have requested a financial contribution towards allowable solutions to achieve a policy compliant position if the reduction in residual emissions is below the 20% target in the emerging Local Plan.

The Applicants consider that a financial contribution will not be required. They note that whilst the Sustainability & Energy Strategy Report (May 2021) identified an indicative reduction in residual emissions of 16.4% this is based on initial design work. The Applicants have indicated that the design

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and approach to construction is on-going and by the time a permission is secured at St Mary le Port, there will have been much greater progress. The Applicant expects to achieve the 20% draft target which will be confirmed via the submission of a final Sustainability & Energy Statement, as is to be required by condition (see above).

Your Officers accept this, but only with wording that specifically requires the 20% reduction.

Officers have requested that conditions be added to the recommendation in respect of the provision of PV panels and BREEAM rating Excellent, the specification of heat pumps and VRF units.

**CONCLUSION**

This is a key city centre site that is currently a significant visual blight in a very prominent location. The current dereliction detracts from the nearby Old City, St Nicholas Market and the retail offer of the city. The site also impacts negatively on Castle Park and contributes to anti-social behaviour issues in the area.

The site is also allocated for development in the adopted development plan. The recent City Centre Framework sets out further principles for development and in fact indicates four new buildings on the site, even though this would result in the loss of trees.

For the first time in a number of years the entire site is under one ownership, meaning that any application approved is more likely to be delivered, realising the regenerative benefits of a new development.

The proposed development will deliver significant economic benefits, through the creation of high quality office space and new active ground floor uses. Previous routes through the site are re-established, improving connectivity between Castle Park and the adjacent areas of the Old City and St Nicholas Market, where the current site acts as a barrier. These new routes also act as new public realm including giving St Mary Le Port church tower a new focus.

The proposed design is high quality and this can be secured through delivery by conditions regarding detailing and materials, in order that the design quality demonstrated at this stage isn't "watered down".

Another public benefit beyond the site is that of the proposed improvements to the surrounding highway network / public realm which will result in improvements to cycling and pedestrian environment / movements and improve permeability into Castle Park,

The benefits of the proposals though, have to be carefully weighed against the harm that would be caused to heritage assets, in accordance with para 202 of the NPPF. The proposals would deliver clear heritage benefits through providing access and beneficial use of the existing vaults, and also the St Mary le Port church tower will be given a more appropriate setting within a new area of public realm, as opposed to the current situation where it is hidden behind the post-war development.

In terms of building height and, particularly Building B, the development will have a harmful effect on some views to and from the Old City and the heritage assets within. However, it is important to note that Historic England, whilst objecting overall to the application, have classed the degree of harm as "less than substantial". Whilst this degree of harm still has to be given weight, this is the lower level of harm to be assessed in accordance with the NPPF.

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Officers consider that, on balance, the public benefits of the proposals outweigh the level of harm that would occur and recommend that planning permission be granted.

For the reasons given above officers consider that the significant degree of compliance with development plan policies (including the allocation of the site for redevelopment) and the clear public benefits of the proposals are sufficient to outweigh the harm to heritage assets. As such the proposal is recommended for approval subject to a s106 Legal Agreement and the imposition of a number of conditions.

**RECOMMENDATION****GRANT subject to Planning Agreement**

**That the applicant be advised that the Local Planning Authority is disposed to grant planning permission subject to the completion, within a period of six months from the decision of this committee (or any other time as may be reasonably agreed with the Service Manager, Development Management) at the applicants expense, of a Planning Agreement made under the terms of Section 106 of the Town and Country Planning Act 1990 (as amended), entered into by the applicant, Bristol City Council and any other interested parties to the following matters:**

- An agreed sum for Tree Mitigation works
- An agreed sum of £1,500 plus VAT for the provision of a Fire Hydrant.
- Agreed sums for the provision of:

**Bristol Bridge upgrade**

**High Street / Wine Street upgrade**

**Castle Park Cycle Route**

**Wine Street Bus Stops – Local Services**

**Mass-Transit Bus Stops – Strategic Services**

**Recommended Conditions**

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

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

**Pre Commencement Conditions**

2. Phasing Plan

Prior to the commencement of the development a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of the proper programming of the development.

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Prior to the commencement of the relevant works for each phase, detailed part elevations and sections for each building at 1:20 scale showing all typical external treatments and building elements shall have been submitted and approved in writing by the Local Planning Authority. The development will be carried out in accordance with the approved details.

Reason: In order to ensure that the external appearance of the buildings are satisfactory, in accordance with quality expectations set out within the approved plans, and appropriate to the local context including the sensitive settings historic assets including St Mary Le Port Church Tower and St Peters Church Tower.

**4. External Materials / Hard Landscaping**

Prior to the commencement of the relevant works for each phase, details of external materials, including hard landscaping, shall have been submitted and approved in writing by the Local Planning Authority. An agreed sample reference panel to include external facing materials and construction details shall be erected on site and approved in writing by the Local Planning Authority. The approved reference sample panel shall be retained on site until the completion of the development. The development will be carried out in accordance with the approved materials and panel.

Reason: In order to ensure that the external appearance of the buildings are satisfactory, in accordance with quality expectations set out within the approved plans, and appropriate to the local context including the sensitive settings historic assets including St Mary Le Port Church Tower and St Peters Church Tower.

**5. Brown Living Roofs**

Prior to commencement of the relevant works in each phase, a method statement shall be submitted to and approved in writing by the Local Planning Authority for the creation of brown living roofs on site which do not employ a significant area of Sedum (Stonecrop). This shall include details of the layout and area, construction, design (to include the provision of features for invertebrates, mounds and troughs, seeding and planting) and maintenance of the living roofs. The development shall be carried out in accordance with the statement or any amendment approved in writing by the Local Planning Authority.

Reason: To ensure the appropriate delivery of green infrastructure, in accordance with Policy DM29.

**6. Employment and Skills Plan**

No development, excluding any works of demolition, shall take place until an Employment and Skills Plan has been submitted to and approved in writing by the Local Planning Authority. The Employment and Skills Plan shall identify measures to maximise the opportunities for local residents to access employment offered during the construction of the development. The development shall be undertaken in accordance with the Employment and Skills Plan unless otherwise agreed in writing with the Local Planning Authority.

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

**7. Construction Management**

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

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- Parking of vehicles of site operatives and visitors;
- Routes for construction traffic;
- Hours of operation;
- Method of prevention of mud being carried onto highway;
- Dust management;
- Pedestrian and cyclist protection;
- Proposed temporary traffic restrictions; and
- Arrangements for turning vehicles.

The construction of the development shall be undertaken in accordance with the Construction Management Plan unless otherwise agreed in writing with the Local Planning Authority.

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.

#### 8. Contamination

Prior to the first commencement of approved uses in each phase, a verification report demonstrating the completion of works as approved under condition 2 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 ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete.

#### 9. Soils and other ground materials

Prior the commencement of development the requirements for the importation of and/or reuse of fills, soils and other ground materials on site shall be submitted to and agreed in writing with and thereafter carried out to the satisfaction of the Local Planning Authority.

Reason: To ensure that risks from imported materials 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.

#### 10. Unexploded Ordnance Survey

Prior to the commencement of development an unexploded ordnance survey shall be carried out at the site to establish whether there is any unexploded ordnance, the details of which shall include any necessary mitigation measures and shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the identified mitigation measures unless otherwise agreed in writing with the Local Planning Authority.

Reason: The area was subject to bombing during World War II and to ensure that the development can take place without unacceptable risks to workers and neighbours.

#### 11. Trees – Protective Fencing



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No development (to include works of demolition) shall commence until the protective fences have been erected around the retained trees in the position and specification as set out in the Arboricultural Impact Assessment (TEP, May 2021).

The development hereby permitted shall be undertaken in accordance with the tree protection measures set out within the Arboricultural Impact Assessment (TEP, May 2021). The approved fence(s) 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 area(s) 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.

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 tree(s) give(s) and will continue to give to the amenity of the area.

#### 12. Written Scheme of Investigation (Archaeology)

No development shall take place until the applicant/developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Investigation 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
- Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To record remains of archaeological interest before destruction.

#### 13. Photovoltaic System

Prior to the commencement of the relevant element in each phase, the final specification of the roof mounted photovoltaic (PV) system shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development meets the reported sustainability credentials.

#### 14. District Heating Network

Prior to the commencement of development (to include works of demolition and ground clearance), written notice shall be given to the Local Planning Authority of its intention to commence development. If, on the day of commencement of development, there is a permanent district heating network present with its associated infrastructure connecting to the immediate boundary of the site, a feasibility appraisal to assess the viability of connecting (technically and economically) shall be prepared and submitted to the Local Planning Authority within six months. If connection to the district heating network is confirmed to be viable, each phase of the development shall connect to the district

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heating network. The connection shall thereafter be retained and maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with policies BCS13 (Climate change) and BC14 (sustainable energy), BCAP21 (connection to heat networks).

#### 15. Construction Environmental Management Plan

Prior to the commencement of development, full details of pollution control measures in the form of a Construction Environmental Management Plan shall be submitted to, and approved in writing by the Local Planning Authority. This shall ensure that adverse impacts (including dust, lighting, aerial pollution, effects on water quality, pollution from fuel use and storage and other potentially hazardous materials) on the Floating Harbour and other ecological sensitive resources. The development shall be undertaken in accordance with the Construction Environmental Management Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to protect the local wildlife and Floating Harbour non-statutory site.

#### 16. Living roofs method statement

Prior to commencement of the relevant works on each phase of development, a method statement provided by a qualified ecological consultant shall be submitted to and approved in writing by the Local Planning Authority for the creation of living roofs on site which does not employ a significant area of Sedum (Stonecrop). The development shall be carried out in accordance with the statement unless otherwise agreed in writing by the Local Planning Authority. The management of the biodiverse roofs will be carried out in accordance with the Landscape and Biodiversity Management Plan produced by EPR dated 28/04/2021.

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

#### 17. Precautionary Methods of Working

Prior to the commencement of development hereby approved, including all site clearance and vegetation removal and demolition, a method statement for a Precautionary Method of Working (PMW) with respect to the demolition of the buildings, vegetation and site clearance and the potential presence of bats, badgers, hedgehogs, nesting birds, legally protected reptiles and common toads and any other legally protected and priority species shall be prepared by a suitably qualified ecological consultant and submitted to and approved in writing by the Local Planning Authority. This shall also include measures to ensure that construction phase lighting does not affect potential bat roosts, foraging and commuting habitat and otter commuting and foraging within the floating harbour. The development shall be carried out in full accordance with the approved method statement.

Reason: To ensure the protection of legally protected and priority (Section 41) species which are a material planning consideration.

#### 18. External Lighting

Prior to the commencement of the relevant works to the public realm, details for any proposed external artificial lighting to be provided as part of the development will be submitted to and approved in writing by the Local Planning Authority. The details provided shall include:

- a) A horizontal lux level contour plan, plus selected vertical measuring plans as required and should seek to minimise light spill onto the Floating Harbour Wildlife Corridor site and compensatory bat roosting features. The lux contour plans should show lux levels at frequent intervals and extend

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outwards to additional levels (above the pre-existing background light level). The lux contour levels should be superimposed on a site plan which includes all land that is affected by raised light levels (including potentially land outside the red line planning application area);

- b) demonstration that the lighting of the site shall be suitable given the shared use of the site for pedestrians and vehicles; and
- c) demonstration that external artificial lighting to the development will conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting contained within Tables 3 & 4 of the Institute of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Lighting, GN01:2021, or any superseding document(s).

The approved details shall be implemented in full prior to the first commencement of the approved uses within the development and maintained thereafter for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect legally protected bats and otters and the Floating Harbour.

**19. Bat Mitigation Strategy**

All site clearance and construction works shall be carried out in strict accordance with the recommendations contained within Chapter 8 of the Environmental Statement (Volume 1, May 2021) unless otherwise modified by the results of subsequent bat surveys or the granting of a European Protected Species Mitigation licence from Natural England and agreed in writing by the Local Planning Authority.

Reason: To protect legally protected bats

**20. Final Energy & Sustainability Statement**

No development shall take place, excluding any works of demolition, until a Final Energy & Sustainability Statement demonstrating how sustainable design principles and climate change adaptation measures have been incorporated into the design and construction of the development has been submitted to and approved in writing by the Local Planning Authority. The Statement should demonstrate a 20% reduction in carbon emissions.

The development shall be constructed in full accordance with the Final Energy & Sustainability Statement prior to the first occupation of each building in each phase.

Reason: To ensure the development incorporates measures to minimise the effects of, and can adapt to a changing climate in accordance with policies BCS13 (Climate Change), BC14 (sustainable energy), BCS15 (Sustainable design and construction), DM29 (Design of new buildings), BCAP20 (Sustainable design standards), BCAP21 (connection to heat networks).

**21. Arboricultural method statement & Tree protection plan**

Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of retained trees, in accordance with BS5837:2012, including a tree protection plan (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS:

- a. Location and installation of services/ utilities/ drainage.
- b. Methods of demolition within the root protection area (RPA as defined in BS5837: 2012) of the retained trees.
- c. Details of construction within the RPA or that may impact on the retained trees.
- d. A full specification for the installation of boundary treatment works.

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- e. A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the road, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant cross sections through them.
  - f. Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of a no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
  - g. A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
  - h. A specification for scaffolding and ground protection within tree protection zones.
  - i. Tree protection during construction on a TPP and construction activities clearly identified as a prohibited in this area.
  - j. Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well as concrete mixing and use of fires.
  - k. Boundary treatments within the RPA.
  - l. Methodology and detailed assessment of root pruning.
  - m. Arboricultural supervision schedule and inspection by a suitably qualified tree specialist.
  - n. Reporting of inspection and supervision to the local planning authority.
  - o. Methods to improve the rooting environment for retained and proposed trees and landscaping.
- The development thereafter shall be implemented in strict accordance with approved details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with DM17 and pursuant to section 197 of the Town and Country Planning Act 1990.

## 22. Landscape (Soft and Hard) – (Major applications)

Prior to commencement of each phase of the development hereby approved, details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the relevant phase, whichever is the sooner. Details shall include:

- 1. a scaled plan showing:
  - a. all existing vegetation and landscape features to be retained
  - b. Planting schedule of trees species and stock sizes
- 2. location, type and materials to be used.
- 3. Stockholm tree pit specifications for all areas of new tree planting in hard standing to include:
  - a. permeable paving
  - b. underground modular systems
  - c. Soil aeration vents
  - d. Aeration layer composition.
  - e. Soil composition, 7.5% nutrient rich biochar, 7.5% compost & 85% 32-63mm clean crushed stone

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- f. Sustainable urban drainage integration, utilizing rainwater runoff to supplement tree planting pits.
  - g. use within tree Root Protection Areas (RPAs);
4. A table illustrating the following details:
    - a. The soil volume available for each tree.
    - b. The soil volume required for each tree at maturity.
  5. specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and
  6. types and dimensions of all boundary treatments
  7. Stockholm specification for retrofitted planting beds around retained trees.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Unless required by a separate landscape management condition, all soft landscaping shall have a written five year maintenance programme following planting. Any tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with DM15 and DM17.

23. No clearance of vegetation or structures suitable for nesting birds, shall take place between 1st March and 30th September inclusive in any year without the prior written approval of the local planning authority. The authority will require evidence provided by a suitably qualified ecological consultant that no breeding birds would be adversely affected before giving any approval under this condition. Where checks for nesting birds by a qualified ecological consultant are required they shall be undertaken no more than 48 hours prior to the removal of vegetation or the demolition of, or works to buildings.

Reason: To ensure that wild birds, building or using their nests are protected.

#### 24. Piling

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: The number of groundwater samples was small and the shallow groundwater that was encountered was of relatively poor quality so it is not acceptable that the shallow groundwater is allowed to mix with deeper groundwater. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

#### 25. Noise Rating

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The rating level of any noise generated by plant & equipment associated with the development shall be at least 5 dB below the pre-existing typical background noise level at the nearby noise sensitive receptors

Any assessment of noise emissions must be undertaken in accordance with the guidance and methodology outlined in BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

**Pre-Occupation****26. Archaeology - Recording**

The applicant/developer shall ensure that all relevant 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 approved Written Scheme of Investigation.

Reason: To record remains of archaeological interest before destruction.

**27. BREEAM**

Within three months of the first occupation of each phase, the full BREEAM Post Construction report (prepared by the registered BREEAM assessor together with confirmation that this has been submitted to the BRE (or other approved registration body), including dates/receipt confirmation email from the BRE) shall be submitted to the Local Planning Authority.

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

Reason: To ensure the development is built in a sustainable manner in accordance with BCS15 (Sustainable design and construction), and BCAP20 (Sustainable design standards).

**28. Photovoltaic prior to occupation**

Prior to the first occupation of each phase, the following information shall be submitted to the Local Planning Authority:

- a) Evidence that the PV system has been installed including exact location, technical specification and evidence of the projected annual energy yield (kWh/year) e.g. a copy of the MCS installer's certificate.
- b) A calculation showing that the projected annual yield of the installed system is sufficient to reduce residual CO2 emissions by at least 16.4% or the percentage shown in the Final Energy & Sustainability Statement (as approved under condition 20) if greater than 16.4%.

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

**29. Bird / Bat Boxes**

Prior to the first occupation of each phase, details provided by a qualified ecological consultant shall be submitted to and approved in writing by the Local Planning Authority providing the specification, orientation, height and location for built-in bird nesting and bat roosting opportunities. This shall include 30 built-in bird boxes or bricks to include at least 20 swift bricks, at least 5 house sparrow nest boxes (not terraces) and five built-in bat boxes. Development shall be undertaken in accordance with the approved details and installed prior to occupation of the development.

Reason: To help conserve legally protected bats and birds which include priority species.

**Development Control Committee A – 15 December 2021**  
**Application No. 21/03020/F : St Mary-le-Port Wine Street Bristol BS1 2AN**

### 30. Travel Plan

Prior to the first occupation of the office floorspace in each phase, a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car shall be 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 targets unless otherwise agreed in writing by the Local Planning Authority.

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

### 31. Cycle Parking

No building or use hereby permitted within each relevant phase shall be occupied or the use commenced until the cycle parking provision shown on the approved plans for that phase has been completed and made available for use. The cycle parking shall 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.

## Post Occupation

### 32. Surface water drainage

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: The risk assessment has highlighted that betterment is likely due to the reduction in infiltration of water into the ground. Metals in made ground have been shown to be leachable and therefore infiltration through the made ground is undesirable.

33. Within 12 months of the first occupation of the last building within the final phase, public art as defined in a Public Art Strategy to be submitted and approved by the Local Planning Authority, shall be delivered.

Reason: To ensure that public art is integrated into the design and build of the development.

### 34. Disabled Parking

The disabled car parking shown on the approved plans within the relevant development phase will be completed. The area shall be kept free of obstruction and available for the parking of vehicles associated with the development for the lifetime of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that there are adequate parking facilities to serve the development.

## Advice Notes

1. This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within sixteen metres of the top of the bank of the *Floating Harbour*, designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or by emailing [bridgwater.frap@environment-agency.gov.uk](mailto:bridgwater.frap@environment-agency.gov.uk).

**Development Control Committee A – 15 December 2021****Application No. 21/03020/F : St Mary-le-Port Wine Street Bristol BS1 2AN**

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

3. Specification of heat pumps and VRF units Where heat pumps and VRF units form part of the final specification units should be selected such that the refrigerants have the lowest available global warming potential (GWP) available. We strongly encourage the specification of leak detection and monitoring equipment and the targeting of 3 credits in the Pol 01 category of BREEAM

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

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

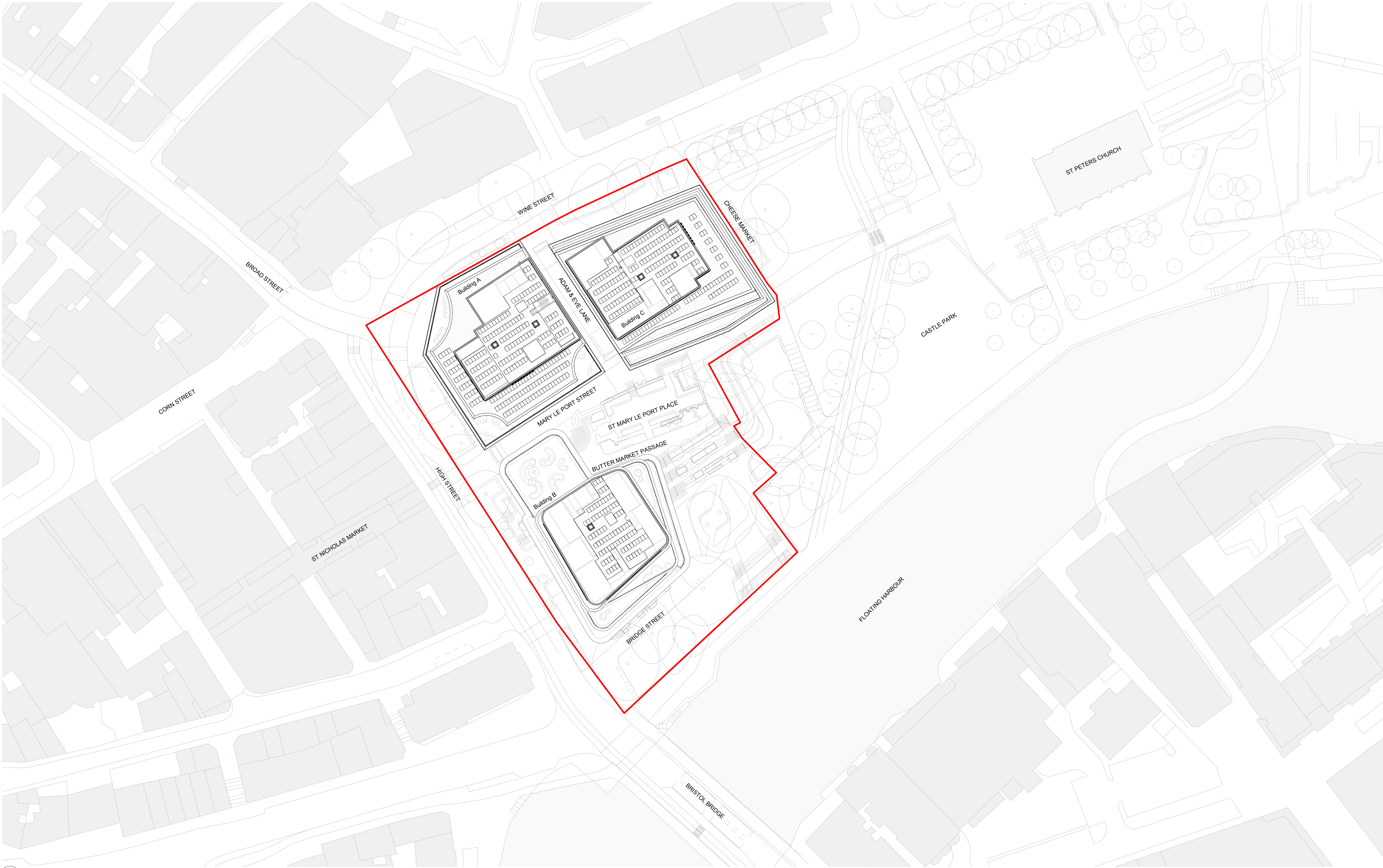


## **Supporting Documents**

### **1. St Mary-le-Port, Wine Street, BS1 2AN.**

1. Proposed Site Layout
2. Schedule of Accommodation
3. Existing View 1
4. Proposed View 1
5. Existing View 2
6. Proposed View 2
7. Existing View 3
8. Proposed View 3
9. Existing View 4
10. Proposed View 4
11. Existing View 5
12. Proposed View 5
13. Existing View 6
14. Proposed View 6
15. Arboricultural Impact Assessment





1

**Site Plan**  
1 : 500

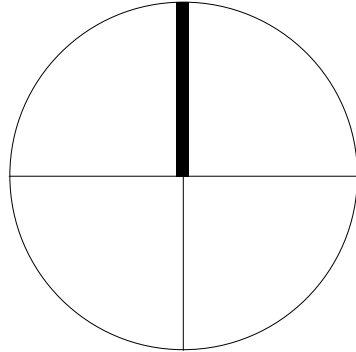
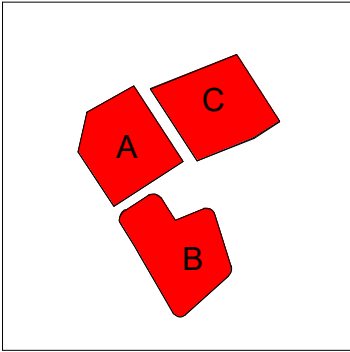
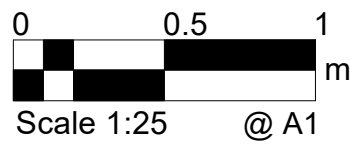
THIS DRAWING IS FOR DESIGN INTENT PURPOSES ONLY.

**DISCLAIMER**

1. Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information should be taken from figured dimensions only.

2. Dimensions are not to be scaled from this drawing. If in doubt, ask. All dimensions to be checked on site.

3. Any discrepancies in the specifications and drawings to be brought to the attention of the Architect.



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Rev	Status
R01	D5 Issued for Planning

Date  
21/05/2021

Job/Drawing No  
**SMLP-FCBS-ZZ-R1-DR-A-01050**

Revision  
**R01**

St Mary le Port  
Proposed Site Plan

Status  
**D5**

Scale 1 : 500@A1  
Date 05/13/21

Drawn AW Group  
Checked London Studio  
FCBS project no 1968

Do not scale All dimensions to be checked on site



Site Area (approximately)	1.15 Hectares
---------------------------	---------------

Net Biodiversity Gain	85%
Net Zero Carbon	targeting Net Zero Carbon in Operation
BREEAM	targeting BREEAM Excellent as a minimum with aspiration for Outstanding
Part L2A 2013	targeting EPC A
WELL Standard	targeting WELL Enabled buildings
using WELL Building Standard (WELL v1 Pilot)	

All areas including terraces		
Total Gross External Area (GEA)	46,226 m <sup>2</sup>	497,577 ft <sup>2</sup>
Total Gross Internal Area (GIA)	43,428 m <sup>2</sup>	467,454 ft <sup>2</sup>
Total Net Internal Area (NIA)	32,476 m <sup>2</sup>	350,579 ft <sup>2</sup>
All areas including terraces		
Total Gross External Area (GEA)	47,681 m <sup>2</sup>	513,232 ft <sup>2</sup>
Total Gross Internal Area (GIA)	44,391 m <sup>2</sup>	477,821 ft <sup>2</sup>
Total Net Internal Area (NIA)	33,070 m <sup>2</sup>	356,968 ft <sup>2</sup>

Total Flexible Commercial Space (NIA)	3,071 m <sup>2</sup>	34,065 ft <sup>2</sup>
Total Office Space (NIA)	28,012 m <sup>2</sup>	301,513 ft <sup>2</sup>
Total Terrace Space (NIA)	988 m <sup>2</sup>	10,635 ft <sup>2</sup>

Transport facilities	
Total Car Parking Spaces (DDA only)	21 (3% of 1 per 50m <sup>2</sup> )
Electric Car Parking Spaces	4 (20% with allowance for future provision for the remaining spaces)
Number of Motorcycle Spaces	2
Number of Office Cycle Spaces	664
Number provided for Commercial Spaces	6 (for units over 250m <sup>2</sup> )
Number of Visitor Cycle Spaces	70 spaces within public realm (35 Sheffield stands, over 1 per 1,000m <sup>2</sup> )
Lockers	664 (1 per cycle space)
Changing & Shower Facilities	1 per 1,000m <sup>2</sup>

### Building A

Storey Heights	Ground + 7 storeys (+ plant)	
All total areas including terraces:		
Total Gross External Area (GEA)	15,279 m <sup>2</sup>	164,460 ft <sup>2</sup>
Total Gross Internal Area (GIA)	14,253 m <sup>2</sup>	153,421 ft <sup>2</sup>
Total Net Internal Area (NIA)	10,369 m <sup>2</sup>	111,603 ft <sup>2</sup>
Flexible Commercial Space (NIA)	639 m <sup>2</sup>	6,875 ft <sup>2</sup>
Office Space (NIA)	8,974 m <sup>2</sup>	96,590 ft <sup>2</sup>
External Terrace Space (NIA)	181 m <sup>2</sup>	1,943 ft <sup>2</sup>

### Building B

Storey Heights	Ground + 3 storeys from Mary le Port Street Ground + 7 storeys (+ plant) from Bridge Street	
All total areas including terraces:		
Total Gross External Area (GEA)	14,823 m <sup>2</sup>	159,552 ft <sup>2</sup>
Total Gross Internal Area (GIA)	13,631 m <sup>2</sup>	146,718 ft <sup>2</sup>
Total Net Internal Area (NIA)	10,106 m <sup>2</sup>	109,791 ft <sup>2</sup>
Flexible Commercial Space (NIA)		
	1,500 m <sup>2</sup>	17,159 ft <sup>2</sup>
Office Space (NIA)		
	8,012 m <sup>2</sup>	86,243 ft <sup>2</sup>
External Terrace Space (NIA)		
	594 m <sup>2</sup>	6,389 ft <sup>2</sup>

### Building C

Storey Heights	Ground + 8 storeys (+ plant)	
All total areas including terraces		
Total Gross External Area (GEA)	17,579 m <sup>2</sup>	189,221 ft <sup>2</sup>
Total Gross Internal Area (GIA)	16,507 m <sup>2</sup>	177,682 ft <sup>2</sup>
Total Net Internal Area (NIA)	12,621 m <sup>2</sup>	135,846 ft <sup>2</sup>
Flexible Commercial Space (NIA)		
	945 m <sup>2</sup>	10,170 ft <sup>2</sup>
Office Space (NIA)		
	11,026 m <sup>2</sup>	118,681 ft <sup>2</sup>
External Terrace Space (NIA)		
	214 m <sup>2</sup>	2,302 ft <sup>2</sup>

### Other Facilities include:

- Office lobby / concierge for each building
- Provision for connections to Bristol District Heat Network
- Compliant waste storage facilities & service strategy
- Changing Places Facility (for disabilities)
- Access controlled buildings with full CCTV coverage.
- Upper level terraces for office spaces
- Solar PV panels on roofs
- Extensive green roofs
- Habitats for Peregrine Falcon / Bats / Black Redstart / House Sparrows
- Hibernacula including elements integrated into the walls of St Mary le Port ruins























THE MOTHERS' RUIN

CLOSED





THE  
MOTHERS'  
RUIN

CLOSED















# ST MARY LE PORT BRISTOL

May 2021

ARBORICULTURAL IMPACT ASSESSMENT



Document Title	Arboricultural Impact Assessment
Prepared for	SMLP Bristol GP Limited
Prepared by	TEP - Warrington
Document Ref	8272.001

Author	Robin Grimes
Date	May 2021
Checked	Jonathan Smith
Approved	Jonathan Smith

Amendment History					
Version	Date	Modified by	Check / Approved by	Reason(s) issue	Status
0.1	17/03/21	RMG	JGS	Client review	Draft
0.2	13/04/21	RMG	JGS	Amended after client comment	Draft
1.0	25/05/21	RMG	JGS	Final	Issue

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## **APPENDICES**

- APPENDIX A: Arboricultural Survey Data  
APPENDIX B: Survey Method

## **DRAWINGS**

- Drawing 1 - Tree Constraints Plan  
Drawing 2 - Tree Works Plan  
Drawing 3 - Arboricultural Method Statement Heads of Terms

## Executive Summary

1. TEP has been commissioned by SMLP Bristol GP Limited to conduct a survey of land at St Mary le Port and a review of designations, policies and other instruments of relevance to arboriculture. This report presents the results and effects of the Proposed Development.
2. 47 individual trees were recorded within influencing distance of the Site.
3. The tree population comprises mainly middle aged to mature London planes in good condition within the surrounding streetscape and parkland.
4. The desktop review and site survey identified no Tree Preservation Orders; no ancient woodland; no veteran trees; trees within a Community Forest; and no Habitats of Principal Importance. All trees are within City and Queen Square Conservation Area.
5. Full planning permission is sought for the redevelopment of the Site to deliver a mixed-use, office-led regeneration scheme. The three existing office buildings (Bank of England House, Bank House and Norwich Union House) will be demolished and three replacement buildings (known as Buildings A, B and C) erected in their place alongside significant public realm improvements. A number of historic street patterns will be reinstated through the masterplanning exercise alongside a comprehensive hard and soft landscape strategy.
6. 13 individual trees are proposed for removal, comprising 10 middle-aged or mature London plan and 3 middle-aged hawthorn. A further 8 London plane would be pruned to provide adequate space for construction, but a similar structural stand-off would need to be maintained during the operational phase by regular pruning. All of the trees that would be affected are within the Site.
7. A scheme of new planting is proposed, including 20 on site trees and a strategy to provide additional planting off site in line with Bristol City Council's Policies DM15 and DM17. The Proposed Development would therefore have the potential to result in a net gain of long-term tree cover.
8. Tree protection measures to be observed during construction should be provided, in the form of an Arboricultural Method Statement. A Head of Terms is provided on Drawing 3.
9. This report constitutes a valid basis for the evaluation of impacts on trees resulting from the Proposed Development for a period not exceeding 2 years. After this, it would be necessary to review baseline data and conclusions to ensure reliability.
10. All trees that would be retained can be protected in accordance with BS5837:2012. Where the recommendations of this report have been followed, any future deterioration in tree condition shall not be attributable to the Proposed Development.

## 1.0 Scope

- 1.1 TEP has been commissioned by SMLP Bristol GP Limited to conduct an arboricultural survey of land at St Mary le Port and to make an assessment in accordance with BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations.
- 1.2 This report has been produced to support a full planning application for the redevelopment of the Site. It describes the findings of field and desktop surveys; the effects that granting planning permission would have on arboriculture; and measures that are and/or should be incorporated in the proposed development.

### **Survey**

- 1.3 The survey was undertaken on 11th June 2020 in accordance with BS 5837 by a qualified arboriculturist. The survey method is included at Appendix B.
- 1.4 A topographical survey was used to record the position of trees and vegetation (drawing reference: 4028-1 Bank of England). Where trees were not shown on the topographical survey, their locations were estimated<sup>1</sup>.

### **Limitation**

- 1.5 This report relates to a specific development proposal and should not be interpreted as advice in any other circumstance, including but not limited to the promotion or assessment of alternative schemes; the design of foundations; management of tree risk; and tree-related subsidence.
- 1.6 This report constitutes a valid basis for the evaluation of impacts on trees resulting from the Proposed Development for a period not exceeding 2 years. After this, it would be necessary to review baseline data and conclusions to ensure reliability.
- 1.7 Where the recommendations of this report have been followed, any future deterioration in tree condition shall not be attributable to the Proposed Development.

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<sup>1</sup> Estimated feature locations are marked on Drawing 1

## 2.0 Baseline

### The Site

- 2.1 The Site is located on the western end of Castle Park within Bristol City Centre and covers an area of approximately 1.15 hectares. High Street runs along the western side of the Site, while Wine Street runs along the northern boundary. Bridge Street and the Floating Harbour are found to the south of the Site. Much of the Site constitutes previously developed (brownfield) land given the presence of existing buildings, structures and landscaping.
- 2.2 The Site currently comprises three vacant office buildings and surrounding amenity space – Bank of England House, Bank House and Norwich Union House. Located within the Site is St Mary le Port Church, which a Scheduled Ancient Monument and the tower of which is also Grade II listed. A further Ancient Monument is found within the south western part of the Site, being vaults. The Site is set within the City & Queen Square Conservation Area.



Figure 1 Site location and approximate boundary (OS Open Map – Local (Raster) 1:10,000)

Contains Ordnance Survey data © Crown copyright and database right 2019

- 2.3 The topography of the survey area is generally flat with a slight slope down from north to south. There are raised areas of hard landscaping, steps and retaining walls located along the eastern boundary and particularly around the ruins of St Mary le Port Church.
- 2.4 At the time of the survey, the Site was open and accessible. The buildings were vacant and the ruins of St Mary le Port was fenced off.

### Tree Survey

- 2.5 47 individual trees (T1-T47) were recorded within influencing distance of the Site.

- 2.6 Feature locations, their quality categories, canopy spreads and root protection areas are shown on Drawing 1. Table 1 provides the total canopy area for mapped trees and the total length of mapped hedgerow on Drawing 1. In some cases this may be more than the absolute area of cover due to canopy overlap between adjacent features.

*Table 1 Existing canopy coverage*

Trees	Groups	Woodland	Hedgerow
0.8017ha	0.0000ha	0.0000ha	0.0000m

- 2.7 All arboricultural information recorded during the survey is presented at Appendix A.

#### Overview

- 2.8 The tree stock generally comprises middle aged to mature London Plane trees (36 out of 47 trees surveyed) in good or fair condition. Other species recorded during the survey include Norway maple, Schwedleri Norway maple, midland and cockspur hawthorn, wild cherry and common whitebeam. The trees vary in size but the majority are large, mature specimens which have been planted at various times over the last 45-50 years.
- 2.9 The London planes have attained a large size in a relatively short period of time. Historical photographs and aerial images show the majority of trees planted in the early 1970's during the Site's regeneration after being bombed during WWII. Most are consistently sized and contain only minor defects consistent with their species and location (i.e. pruning wounds and small stubs, occasional bark wounds, and electric lights and cables within the crown).
- 2.10 Trees to the north and west of the Site have been planted within hardstanding in and around the former building infrastructure with trees on the eastern and southern boundaries generally planted in soft grassed verges. The extent of below ground rooting space is unknown but considering the age of these trees it is likely to be atypical and heavily influenced by the availability and quality of surrounding soils, wherever it has been obtained.
- 2.11 The London planes are visually prominent from all aspects of the Site with broad, spreading crowns. They are all affecting the paving flags, blocks and tarmac to some degree with trees on High Street and Wine Street in particular causing substantial displacement of the existing surfaces. T47 is also damaging the walls of a historic vault which is a Scheduled Monument underneath High Street.
- 2.12 As well as high amenity value, the trees provide screening for the surrounding buildings. They also form part of wider tree cover within Castle Park to the east.



- 2.13 Since the survey and the time of writing, one London Plane (T23) has been removed by Bristol City Council due to the damage it was causing to the structures of St Mary le Port. It is subsequently discounted from further assessment in this report.



Figure 2 View north towards Bridge Street at trees T1 to T5 (left to right)

### Tree Quality

- 2.14 Under BS 5837 trees are objectively assigned one of four categories to describe their quality. The table below includes a description of each category and the amount of trees within it. This information is presented by canopy area to allow comparison between features of varying size and maturity. Hedgerows have not been categorised.

Table 2 Summary of BS 5837 quality categorisation<sup>2</sup>

Category	Description	Total existing
A	Trees of high quality, typically with a long remaining life expectancy; and with clear and identified merit as specimens, visually, culturally or for conservation.	0.5882ha
B	Trees of moderate quality, typically with at least a medium remaining life expectancy; with remediable defects only; or low quality but with collective merit.	0.1884ha

<sup>2</sup> Refer to Appendix B for the full table



Category	Description	Total existing
C	Trees of low quality, typically with at least a short remaining life expectancy; unremarkable trees; young or small trees that could be replaced.	0.0249ha
U	Trees that cannot realistically be retained in the current land use for 10 years; with serious and irreparable defects, pathogens or decline.	0.0002ha

- 2.15 The majority of tree cover across the Site is either high (Category A) or moderate (Category B) value. This is due to their size and condition they have attained within a generally urban setting.

#### Root Protection Areas

- 2.16 Using the results of the field survey a Root Protection Area (RPA) has been calculated in accordance with BS 5837 using each tree's stem diameter at 1.5 metres<sup>3</sup>. The RPA represents the minimum area around each tree that must be left undisturbed to ensure its survival.
- 2.17 Where a tree's rooting pattern is considered to have been influenced by site conditions the RPA has been adjusted or offset to most accurately represent the likely spread of roots<sup>4</sup>. On this Site influences on root morphology are considered to be the existing hard surfaces and retaining structures. Where it has been possible to anticipate the likelihood of rooting constraints, such as around the St Mary le Port Church ruins, this is shown on Drawing 1. Where the rooting pattern within the hard surfacing is simply unknown without invasive investigation, such as on Wine Street and High Street, the RPA of trees has been left as a circle centred on tree stems.

### **Policy, designations and protection**

#### Planning Policy

- 2.18 All trees are a material consideration in the planning process. Effects on trees will therefore be considered by the consenting authority within the wider planning balance in assessing a planning application.
- 2.19 There should be a common sense ambition to limit tree loss to that which is strictly required to facilitate the Proposed Development, and to achieve a good design. Trees which are retained should not be harmed and the proposal should present a reasonable account of the prospects for tree retention in accordance with BS 5837.

#### *National Planning Policy Framework*

- 2.20 The National Planning Policy Framework (NPPF) (February 2019) has an overarching environmental objective. This embeds protection and enhancement of the natural environment and biodiversity in decision making<sup>5</sup>.

<sup>3</sup> Refer to Appendix A for RPA area calculations

<sup>4</sup> See Drawing 1 for RPA shapes

<sup>5</sup> NPPF paragraph 8 (c)

- 2.21 Planning policies and decision making should recognise the wider benefits from natural capital and ecosystem services, including those provided by trees and woodland, and minimise impacts on and provide net gains for biodiversity<sup>6</sup>.
- 2.22 Where significant harm to biodiversity cannot be avoided, mitigated, or compensation provided, planning permission should be refused<sup>7</sup>. Loss or fragmentation of trees and woodland may constitute or give rise to significant harm to biodiversity.
- 2.23 There is a strong policy presumption against loss or deterioration of irreplaceable habitats such as ancient woodland and ancient or veteran trees. Development resulting in the loss of either should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists<sup>8</sup>.

#### *Local Planning Policy*

#### **Core Strategy (June 2011)**

- 2.24 Bristol City Council has an adopted Core Strategy (June 2011) that contains policies of relevance to trees. In particular Policy BCS9 Green Infrastructure states:

*The integrity and connectivity of the strategic green infrastructure network will be maintained, protected and enhanced. Opportunities to extend the coverage and connectivity of the existing strategic green infrastructure network should be taken.*

*Individual green assets should be retained wherever possible and integrated into new development. Loss of green infrastructure will only be acceptable where it is allowed for as part of an adopted Development Plan Document or is necessary, on balance, to achieve the policy aims of the Core Strategy. Appropriate mitigation of the lost green infrastructure assets will be required.*

*Development should incorporate new and/or enhanced green infrastructure of an appropriate type, standard and size. Where on-site provision of green infrastructure is not possible, contributions will be sought to make appropriate provision for green infrastructure off site.*

*Green infrastructure assets include open spaces, recreation areas, parks and gardens, allotments, biological and geological conservation sites, landscape features, rivers, waterways and watercourses, woodlands, street trees and planting, green roofs and walls, cycle routes, pedestrian walkways and public rights of way, green corridors and open countryside. This policy addresses green infrastructure assets as a whole and also sets out the approach to two specific forms of green asset, open space and biological and geological conservation sites*

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<sup>6</sup> NPPF paragraph 170 (b) (d)

<sup>7</sup> NPPF paragraph 175 (a)

<sup>8</sup> NPPF paragraph 175 (c)

### **Site Allocations and Development Management Policies (July 2014)**

- 2.25 The Site Allocations and Development Management Policies (July 2014), Green Infrastructure Policies DM15 and DM17 also include further guidance on development and trees. Parts relevant to trees are copied below.

#### Policy DM15: Green Infrastructure Provision

*The provision of additional and/or improved management of existing trees will be expected as part of the landscape treatment of new development.*

*The design, size, species and placement of trees provided as part of the landscape treatment will be expected to take practicable opportunities to:*

- (i) Connect the development site to the Strategic Green Infrastructure Network, and/or Bristol Wildlife Network; and*
- (ii) Assist in reducing or mitigating run-off and flood risk on the development site; and*
- (iii) Assist in providing shade and shelter to address urban cooling; and*
- (iv) Create a strong framework of street trees to enclose or mitigate the visual impact of a development.*

#### Policy DM17: Development Involving Existing Green Infrastructure

*All new development should integrate important existing trees. Development which would result in the loss of Ancient Woodland, Aged trees or Veteran trees will not be permitted.*

*Where tree loss or damage is essential to allow for appropriate development, replacement trees of an appropriate species should be provided, in accordance with the tree compensation standard below:*

<i>Trunk Diameter of tree lost to development (cm measured at 1.5 m)</i>	<i>Number of replacement trees</i>
<i>&lt;15</i>	<i>0-1</i>
<i>15-19.9</i>	<i>1</i>
<i>20-29.9</i>	<i>2</i>
<i>30-39.9</i>	<i>3</i>
<i>40-49.9</i>	<i>4</i>
<i>50-59.9</i>	<i>5</i>
<i>60-69.9</i>	<i>6</i>
<i>70-79.9</i>	<i>7</i>

<i>Trunk Diameter of tree lost to development (cm measured at 1.5 m)</i>	<i>Number of replacement trees</i>
80+	8

### Tree Preservation Orders

- 2.26 A check with the local authority was undertaken on 18th June 2020. Simon Miles of the planning team confirmed that no trees within and/or adjacent to the Site are protected by Tree Preservation Order.

### Conservation Areas

- 2.27 A check with the local authority was undertaken on 18th June 2020. The online mapping system confirmed that the Site and all trees are within are City and Queen Square Conservation Area.
- 2.28 Anyone proposing to remove, uproot or destroy any tree within a Conservation Area is required by Section 211 of The Town and Country Planning Act 1990 to give the local planning authority six weeks' notice. During this period the Council may make a Tree Preservation Order.
- 2.29 Exceptions from the requirement to give notice are set out in The Town and Country Planning (Tree Preservation) (England) Regulations 2012 including, amongst other reasons, work that is necessary to implement a planning permission (other than an outline planning permission).

### Ancient Woodland

- 2.30 Ancient Woodland is defined in England as any area that has been wooded continuously since at least 1600 AD; it is regarded as 'irreplaceable'<sup>9</sup>. The distribution of Ancient Woodland has been assessed on the basis of Natural England's Ancient Woodland Inventory (Provisional) for England via [www.magic.defra.gov.uk](http://www.magic.defra.gov.uk).
- 2.31 There is no ancient woodland within and/or adjacent to the Site.

### Veteran Trees

- 2.32 The NPPF defines veteran trees are those which, because of age, size and condition, are of exceptional biodiversity, cultural or heritage value<sup>10</sup>. All ancient trees are veteran trees. Not all veteran trees are ancient, though they tend to be relatively old for the species. Ancient and veteran trees are regarded as 'irreplaceable'.
- 2.33 There is no comprehensive national register of veteran trees. The Woodland Trust maintains an inventory of significant trees which includes some ancient and veteran individuals<sup>11</sup>. At the time of writing it contained no records of relevance to the Site.

<sup>9</sup> NPPF Annex 2: Glossary (p.67)

<sup>10</sup> NPPF Annex 2: Glossary (p. 64)

<sup>11</sup> <https://ati.woodlandtrust.org.uk/>

- 2.34 An assessment of each tree was made by a qualified arboriculturist as part of the tree survey. There are no veteran trees within or adjacent to the Site.
- 2.35 Not all mature trees or those of high habitat interest are veterans. Trees with individual or simple assemblages of features typically associated with veteran trees were also noted<sup>12</sup>. Such trees may become veterans but should not be treated as such for the purposes of impact assessment.

#### Community Forests

- 2.36 Online mapping<sup>13</sup> confirmed that the Site is within the Forest of Avon Community Forest.
- 2.37 An approved Community Forest Plan may be a material consideration in preparing development plans and in deciding planning applications.

#### Habitats of Principal Importance

- 2.38 A list<sup>14</sup> of habitats which are of principal importance for the purpose of conserving biodiversity is maintained by the Secretary of State<sup>15</sup>. The list includes habitat types that are defined by woody vegetation, which are listed below. The geographical extent and location of these habitats (excluding hedgerow) is mapped by Natural England on the Priority Habitat Inventory<sup>16</sup>. Observations were also made to corroborate the mapping during the site survey.
- 2.39 All public authorities, including local planning authorities and statutory undertakers have a duty to have regard to the purpose of conserving biodiversity<sup>17</sup>. Habitats of Principal Importance provide a means of evaluating effects on biodiversity, and thereby a metric to demonstrate the discharge of this duty. In the context of planning, adverse effects on Habitats of Principal Importance that cannot be mitigated are material to decision making.

#### *Deciduous Woodland*

- 2.40 Six distinct types of woodland<sup>18</sup> are amalgamated in the Inventory under the habitat type 'Deciduous Woodland'.
- 2.41 The Inventory has no records of Deciduous Woodland at the Site.

#### *Wood Pasture and Parkland*<sup>19</sup>

- 2.42 Wood-pasture and parkland are mosaic habitats valued for their trees, especially veteran and ancient trees, and the plants and animals that they support. They are exclusively associated with some species of insects, lichens and fungi which depend on dead and decaying wood. Grazing animals and continuity of management are fundamental to the existence of the habitat and it can be a type of ancient woodland.

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<sup>12</sup> See Appendix A

<sup>13</sup> <https://magic.defra.gov.uk/>

<sup>14</sup> <http://jncc.defra.gov.uk/page-5706>

<sup>15</sup> Natural Environment and Rural Communities Act 2006, 41 (1)

<sup>16</sup> <https://magic.defra.gov.uk/MagicMap.aspx>

<sup>17</sup> Natural Environment and Rural Communities Act 2006, 40 (1)

<sup>18</sup> Upland Oakwood; Lowland Beech and Yew Woodland; Upland Mixed Ashwoods; Wet Woodland; Lowland Mixed Deciduous Woodland; Upland Birchwoods

<sup>19</sup> [http://jncc.defra.gov.uk/docs/UKBAP\\_BAPHabitats-65-WoodPastureParkland2011.doc](http://jncc.defra.gov.uk/docs/UKBAP_BAPHabitats-65-WoodPastureParkland2011.doc)

- 2.43 The Inventory has no records of Wood Pasture and Parkland at the Site.

*Traditional Orchards*<sup>20</sup>

- 2.44 Traditional orchards are defined, for priority habitat purposes, as groups of fruit and nut trees planted on vigorous rootstocks at low densities in permanent grassland; and managed in a low intensity way. Habitat structure rather than vegetation type, topography or soils, is the defining feature of the habitat.

- 2.45 The Inventory has no records of Traditional Orchards at the Site.

*Hedgerow*<sup>21</sup>

- 2.46 Hedgerow is any boundary line of trees or shrubs over 20m long and less than 5m wide, and where any gaps are less than 20m wide. It may include banks, walls, ditches, herbaceous vegetation, climbing plants or trees within 2m of the centre line. All hedgerows which comprises at least 80% woody native species are included.

- 2.47 The survey identified no hedgerows<sup>22</sup>.

Protected Species

- 2.48 No assessment of the presence of protected species has been made during the production of this report. Features of possible interest that were observed incidentally during the tree survey are recorded in Appendix A.

- 2.49 Works to and around trees have the capacity to affect protected species where present, particularly including birds, bats, great crested newts, badgers, dormice, otters and water voles. Contractors should be familiar with the locations and sensitivities of any protected species that are present and take reasonable avoidance measures or comply with the requirements of any licence agreement in accordance with the advice of an ecologist.

*Birds*

- 2.50 Intentional harm to a wild bird, egg, or a nest that is in use or being built is an offence<sup>23</sup>. Disturbance of certain wild birds that are building a nest, or are in, on or near a nest containing eggs or young, or disturbance of dependent young is also an offence<sup>24</sup>.

- 2.51 All trees are a potential habitat for nesting birds so tree work should ideally, but not essentially, be undertaken outside the bird nesting season. Between March and August, a detailed inspection of each tree should be undertaken by a qualified ecologist to confirm the absence of nesting birds immediately prior to works.

<sup>20</sup> [http://jncc.defra.gov.uk/Docs/UKBAP\\_BAPHabitats-56-TraditionalOrchards.doc](http://jncc.defra.gov.uk/Docs/UKBAP_BAPHabitats-56-TraditionalOrchards.doc)

<sup>21</sup> [http://jncc.defra.gov.uk/Docs/UKBAP\\_BAPHabitats-17-Hedgerows.doc](http://jncc.defra.gov.uk/Docs/UKBAP_BAPHabitats-17-Hedgerows.doc)

<sup>22</sup> See Appendix A

<sup>23</sup> Wildlife and Countryside Act 1981, 1 (1)

<sup>24</sup> Wildlife and Countryside Act 1981, 1 (5)



- 2.52 Some birds nest outside the core nesting season. If an active nest is found at any time of year, work likely to affect the nest must be halted until the nest becomes inactive. This will vary depending on the species of bird but is typically up to six weeks. The advice of an ecologist regarding the duration and size of a protection buffer around the nest should be sought.

*Bats*

- 2.53 It is an offence to damage, destroy or obstruct access to any structure or place which is used for shelter or protection<sup>25</sup>, or breeding or resting<sup>26</sup> by a bat. Mature trees often contain cavities, splits and ivy, which may be attractive to bats.
- 2.54 If the presence of a bat, or a roost or resting site is suspected whilst undertaking works on any trees, operations must be halted and the advice of appropriately licensed ecologist should be sought.

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<sup>25</sup> Wildlife and Countryside Act 1981, 9 (4)

<sup>26</sup> The Conservation of Habitats and Species Regulations 2017, 43 (1)

## 3.0 Effects

- 3.1 In simple terms, the effects on arboriculture comprises an account of which existing trees, groups of trees, hedgerow and woodland would not be retained within the proposed development; what significance they have; and whether adverse effects would or can be mitigated or offset.

### Proposed development

- 3.2 Demolition of existing buildings and structures including the office buildings (including basements and sub-structures) known as Bank of England House, Bank House and Norwich Union House, site clearance and erection of three new office buildings (Class E) with flexible basement and ground floor uses (Class E (commercial, business and service uses) and/or as a launderette, public house, wine bar, drinking establishment, drinking establishment with expanded food provision, hot food takeaway and/or cinema), alterations and repairs to St Mary le Port Church tower and ruins, alterations and repairs to High Street vaults, hard and soft landscaping and public realm improvements (including events space), infrastructure, means of access and all associated works.
- 3.3 The proposed layout is shown on Drawing 2 and Drawing 3 and is based on drawing the Site Plans (Refs: SMLP-FCBS-ZZ-LG-DR-A-01000 to SMLP-FCBS-ZZ-B1-DR-A-01012) provided by FCBS.
- 3.4 An external works plan showing the detail and arrangement of drainage, levels, retaining structures and utilities should be made available to detail tree protection measures within an Arboricultural Method Statement (see Section 4.18 and 4.19) prior to construction.

### Tree Removal

- 3.5 This section details all tree removal which is proposed as part of the development. All trees not identified for removal can be retained in accordance with BS 5837.
- 3.6 In total, 13 individual trees would be removed and a further 8 would require pruning.
- 3.7 Pruning would involve the crown reduction of 7 trees by up to 4m; 1 tree would be pruned to form a pollard and put under long-term pollard management.

*Table 3 Reference number and location of features that would be removed*

	Trees	Groups	Woodland	Hedgerow
Remove (on-site)	T6, T7, T8, T24, T25, T26, T34, T38, T39, T40, T41, T42, T47	-	-	-
Remove (off-site)	-	-	-	-

- 3.8 If planning permission is granted with reference to this report, the removal of any feature not listed above and shown on Drawing 2 for removal would constitute a material amendment and may therefore require an application to vary the consent.
- 3.9 Table 4 provides an overview of the quantity and the percentage of trees that would be removed and a breakdown of the number of instances of removal by quality category. It uses canopy area to describe effects on Trees, Groups and Woodland. The reported areas may be higher than the absolute area of tree cover on the site due to overlap between adjacent features.

*Table 4 Quantity and percentage of trees to be removed*

Feature	Number of features affected				
	Category A	Category B	Category C	Category U	Hedges
Trees	7	3	2	1	-
Groups	-	-	-	-	
Woodland	-	-	-	-	
Total loss	0.1787ha	0.0406ha	0.0249ha	0.0002ha	0m
Proportion of existing	30%	21%	100%	100%	0%

- 3.10 Tree removal is generally concentrated along the northern boundary of the Site where the location of new Buildings A and C is positioned further north or east than those currently present. Tree removal here includes T26, T34 and T38 to T42, all of which are middle-aged or mature London plane.
- 3.11 The removal of T38 to T42 would result in a permanent reduction of tree cover along the southern aspect of Wine Street. Tree T26 is a prominent, high value tree on the entrance to Castle Park and the proposed location of Building C would mean c.7m from the western and northern crown would require removal to facilitate construction. Although London plane are generally tolerant of heavy pruning or pollarding, the juxtaposition of the proposed building less than 2m away from the stem would leave no room for future growth and necessitate regular pruning to maintain adequate clearance. It is also likely that the roots would be adversely affected by the new building foundations and lower level basement floors. On this basis, the tree would be removed rather than retained and managed.
- 3.12 Trees T24, T25 and T47 are currently causing damage to the Scheduled Monuments of the vaults and St Mary le Port and are proposed for removal regardless of development.

- 3.13 Although T27 is of a similar size to T26, it is located in a small planter at a lower level nearer the grassed parkland and slightly further away from the proposed buildings (4.5m from stem to proposed elevation). This tree would therefore be retained and managed by pollard pruning on a 3-5 year cutting cycle.
- 3.14 3 small ornamental hawthorn (T6 to T8) would be removed to facilitate Building B. They are low value due to their size and condition and should not pose a constraint to development.

### **Effects on designated or protected features**

#### Conservation Area

- 3.15 The proposed development would result in the removal of trees within a Conservation Area.
- 3.16 Paragraph 7.4.4 of the City and Queen Conservation Area Appraisal (March 2009) states:

*"7.4.4 There are important groups of trees within the Conservation Area, notably on Narrow Quay, The Grove, Bell Avenue and within Queen Square, Thunderbolt Square, Welsh Back, the east end of Baldwin Street and Wine Street. It is important that these trees are conserved in a healthy condition, and as a last resort are replaced if diseased. There are also significant trees in High Street and Wine Street: however it is considered that the priority is to be given to the establishment of a strong historic street enclosure. Their removal would be justified as part of proposed development, with compensatory planting elsewhere."*

- 3.17 The Conservation Area should not add weight or any requirement for mitigation beyond that which would otherwise exist in respect of trees within it.
- 3.18 The proposed development would result in an increased likelihood of notifications to prune or remove trees within the Conservation Area in the future. This applies specifically to T27 but may also include T1, T2, T5, T9, T20, T35-T37, T43 and T44.

#### Forest of Avon Community Forest

- 3.19 The proposed development would result in a short to medium term reduction in tree canopy cover within a Community Forest but a net long-term increase. It would therefore have a positive long-term effect on the delivery of the policies and objectives of the Community Forest.

## 4.0 Mitigation

- 4.1 This section describes opportunities to mitigate or offset tree removal and pruning required to facilitate the Proposed Development described by the previous section. It summarises measures that are part of the Proposed Development and which are relied upon by this report, and measures that are not proposed but could be secured by planning condition. Conclusions are drawn regarding overall effects, and the requirements that should be imposed in order to secure the outcomes described.
- 4.2 Table 5 provides an overview of effects on the receptors described in the preceding sections. Within it, Column (1) describes the outcome for each receptor without mitigation; Column (2) reflects whether any mitigation would be secured by the current application; Column (3) represents whether predicted effects are (or could be rendered) neutral or positive; and Column (4) defines the outcome in simple terms.

*Table 5 Summary of effects and mitigation*

Receptor	(1) Adverse effect*	(2) Mitigation proposed	(3) Mitigation possible	(4) Residual effect
Tree cover	Yes	Yes	Yes	Positive
Tree condition <sup>27</sup>	Yes	No	Yes	Pending
Ancient Woodland	No	n/a	n/a	Neutral
Veteran Trees	No	n/a	n/a	Neutral
Deciduous Woodland	No	n/a	n/a	Neutral
Wood Pasture and Parkland	No	n/a	n/a	Neutral
Traditional Orchard	No	n/a	n/a	Neutral
Hedgerow	No	n/a	n/a	Neutral

*\*Without mitigation*

- 4.3 **Positive** residual effects represent benefits that would be delivered by the Proposed Development.
- 4.4 **Neutral**<sup>28</sup> residual effects are those that should have no weight in decision making.

<sup>27</sup> In this context, whether there would be a risk of harm to existing trees during development (without protection)

<sup>28</sup> Including negligible and non-material effects

4.5 **Negative** residual effects cannot be mitigated or offset and represent adverse effects of the Proposed Development. They may be acceptable in the planning balance on consideration of other benefits delivered by the Proposed Development.

4.6 **Pending** residual effects are those for which mitigation or offsetting can be secured after consent has been granted, typically by planning condition. It is assumed by this report that they would be.

### **Proposed measures**

4.7 The following measures are proposed and would be secured by a planning condition referencing and requiring compliance with this report:

#### Layout

4.8 The retention of trees that has been assessed as possible within the proposed layout would be observed by the developer and all appointed contractors; tree removal would be limited to that illustrated on Drawing 2.

#### Planting

4.9 New planting is proposed and detailed in the Tree Compensation Strategy section of the Design and Access Statement (Ref: SMLP-FCBS-ZZ-ZZ-RP-A-00001).

4.10 Within the Site, the proposed planting comprises 20 new trees which would be more than those proposed for removal. There would therefore be a permanent net gain in tree cover by the time the new trees are mature.

4.11 The planting scheme includes a greater range of species than would be removed and therefore would enhance biodiversity in this respect.

4.12 The average mature size of tree species on the Site would be reduced by the Proposed Development and planting scheme.

4.13 The distribution and connectivity of tree cover would be unaffected by the Proposed Development and planting scheme.

#### Additional Planting

4.14 Although a scheme of tree planting has been produced, there is not enough space within the Site's extents to directly mitigate for tree loss in accordance with Bristol City Council's Development Policy DM17.

4.15 Bristol City Council has indicated that off-site mitigation planting would be accepted as long as it fits in line with Local Policy. As a result, a further 42 trees are proposed off site, likely to be within the adjacent Castle Park. The client is also committing to planting a further 10 additional off-site trees over policy requirement for the mitigation of the removal of T23.

#### *Summary*

4.16 In total, 72 new trees are proposed and as a minimum should include:

- (i) Inclusive of at least 11 new trees with a mature height of greater than 15m; and



- (ii) Inclusive of trees from at least 10 different genus.

#### Tree works

- 4.17 The works recommended in Appendix A<sup>29</sup> would be undertaken by a qualified contractor in accordance with British Standard 3998:2010 Tree work – Recommendations. These include:
- (i) T5 - Crown reduce northern crown by up to 4m
  - (ii) T9 - Crown reduce western crown by up to 4m
  - (iii) T27 - Pollard to suitable crown growth points to enable long-term pollard management
  - (iv) T35 to T37 - Crown reduce southern canopies by up to 4m
  - (v) T43 and T44 - Crown reduce eastern canopies back by up to 5m and re-shape remaining crown by reduction of up to 1m

#### **Recommended measures**

- 4.18 The following measures should be secured by planning condition:

#### Arboricultural Method Statement

- 4.19 Tree Protection Measures and construction methods to prevent harm to retained trees in accordance with BS5837:2012 should be detailed within an Arboricultural Method Statement prior to commencement of development.
- 4.20 The scope of the Arboricultural Method Statement and the locations of activities that cannot be completed without it is illustrated on an Arboricultural Method Statement Heads of Terms Plan at Drawing 3.

#### *Level change, utilities and drainage*

- 4.21 There should be no level change, or installation of buried utilities or drainage within any Root Protection Area<sup>30</sup> unless it can be demonstrated within the AMS that this will be done without deterioration in tree condition.

#### Mitigation Planting

- 4.22 Provision should be made for the maintenance of new planting in accordance with British Standard 8545:2014 Trees: from nursery to independence in the landscape - Recommendations, and replacement of failures for a period of at least 5 years.

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<sup>29</sup> Other than those relating to trees that would be removed

<sup>30</sup> As per Drawing 2

## **APPENDIX A: Arboricultural Survey Data**



Surveyor Robin Grimes  
 Survey Date 11th June 2020  
 Site St Mary Le Port Church, Bristol  
 Drawing Ref D8272.001

*Italicised Feature Ref: Inspection of this feature was restricted*  
*Italicised Values: Feature value was estimated*

## APPENDIX A: Arboricultural Survey Data Sheets

Ref	Species	Height	Canopy Ground Clearance	Stem Diameter (or range)	No. of stems/ individuals	Crown Spread North	Crown Spread South	Crown Spread East	Crown Spread West	Lowest Branch Height	Lowest Branch Direction	Maturity	Condition	Comments on form, condition, health and significant defects	Management recommendations in current context	BS 5837 Quality Category	Estimated Remaining Contribution
		(m)	(m)	(mm)	arising below 1.5m	(m)	(m)	(m)	(m)	(m)	(N,S,E,W)	Young, Middle Age, Mature	Good, Fair, Poor, Veteran			A,B,C,U (1,2,3)	Long, Medium, Short, Very Short
<b>Trees</b>																	
T1	London plane	16.0	6.0	910	1	12.0	11.0	9.5	10.5	3.0	N	Mature	Good	Large, broad dense crown. Large roots present under tarmac surface. No significant defects		A , 1, 2	Long
T2	London plane	15.0	7.0	800	1	10.0	9.0	7.0	7.0	4.5	S	Mature	Good	Large, broad dense crown. Large roots present under tarmac surface. No significant defects		A , 1, 2	Long
T3	Norway maple	11.0	3.0	540	1	4.0	10.5	6.5	5.0	2.5	S	Mature	Poor	Heavily weighted crown to south, most of northern and central crown suppressed or dead due to T2. Minor and moderate dead wood		C , 1, 2	Medium
T4	Norway maple	11.0	3.5	430	1	5.5	7.0	5.0	6.0	2.5	S	Middle Age	Poor	Reduced vigour with moderate branch die back. One taller central stem than surrounding crown. Minor dead wood		C , 1, 2	Medium
T5	London plane	18.0	5.0	1060	1	10.0	11.0	12.0	10.0	4.0	N	Mature	Good	Large, broad crown. Multi-stemmed from 4m. Minor dead wood and no significant defects.		A , 1, 2	Long
T6	Cockspur hawthorn	3.0	2.5	90	1	1.0	0.5	1.0	0.5	2.0	S	Middle Age	Poor	Nearly dead with very small crown remaining. Located in paved area.		U	Short
T7	Cockspur hawthorn	4.0	1.5	100	1	2.5	2.5	2.5	2.5	2.0	W	Middle Age	Good	Small tree in paved area with good form and minor dead wood. Art work statue within and atop crown. Located in paved area.		C , 2	Long
T8	Midland hawthorn	4.0	0.5	90	1	2.5	1.5	1.5	2.0	1.5	N	Middle Age	Fair	Low sweeping branches with some minor ones broken. Located in paved area.		C , 1, 2	Long
T9	London plane	18.0	7.5	940	1	10.0	11.5	7.0	11.0	2.5	S	Mature	Good	Multi-stemmed from 3m. Good form but slightly suppressed to east due to T9. Large roots in surface between road and car park.		A , 1	Long
T10	London plane	18.0	7.5	1000	1	11.0	12.0	11.0	9.0	3.0	N	Mature	Good	Large, broad crown. Slightly suppressed to west due to T8 else excellent form and vigour. Large roots in surface between car park and road. Minor graffiti on stem.		A , 1	Long
T11	London plane	17.0	4.0	580	1	5.0	8.0	5.5	6.5	3.0	W	Mature	Good	Slightly suppressed to east due to location and proximity of adjacent trees, else good form and vigour. Grass compacted surface to north due to pedestrian foot fall.		A , 2	Long
T12	London plane	16.0	4.5	680	1	3.0	9.0	9.5	3.0	4.5	E	Mature	Good	Crown heavily weighted south east due to location and proximity of adjacent trees. Girdled roots in grassed surface.		B , 2	Long
T13	London plane	18.0	6.0	670	1	6.0	5.5	7.0	9.0	5.0	N	Mature	Good	Good form. Minor dead wood and one broken, hanging branch in lower crown. Minor girdled roots in surface	Remove hanging branch	A , 2	Long
T14	Wild cherry	12.0	3.0	570	1	5.5	8.0	8.5	3.5	2.5	E	Mature	Good	Crown weighted south and east, suppressed to west. Minor dead wood and die back in western crown. Long, visible roots in grassed surface.		B , 2	Long
T15	London plane	16.0	5.5	420	1	3.0	3.5	7.0	8.0	4.0	W	Middle Age	Fair	Heavily asymmetric crown due to adjacent trees. Unusual stem form, wider and flatter west to east than north to south. Roots in grassed surface with some pedestrian foot fall compaction of soils to south of stem.		B , 2	Long
T16	London plane	18.0	5.5	780	1	11.0	7.5	12.0	11.0	4.0	N	Mature	Good	Large broad crown. Multi-stemmed from 4m. Exposed roots in grassed surface. No significant defects.		A , 1, 2	Long
T17	Wild cherry	12.0	4.5	480	1	6.0	7.0	7.0	5.5	2.5	SE	Mature	Fair	Weighted crown to south and east. Minor and moderate dead wood to north. Long, exposed and damaged roots in grassed surface.		B , 1, 2	Long
T18	Whitebeam	11.0	3.0	370	1	4.0	4.5	4.0	4.0	2.0	SE	Middle Age	Fair	Roots present in grassed surface. Minor dead wood. Round, dense crown		B , 1, 2	Long
T19	Schwedleri Norway maple	14.0	4.0	530	1	4.0	4.5	5.5	6.0	3.5	E	Middle Age	Fair	Slightly asymmetric form with minor dead wood and roots present in grassed surface, some girdled		B , 1, 2	Long
T20	London plane	18.0	6.0	690	1	9.5	5.0	11.0	10.0	5.0	SW	Mature	Good	Northern most tree in row of 3 adjacent footpath. Suppressed to south else excellent form and vigour. Wall to north. Roots visible in compacted surface and path		A , 1	Long
T21	London plane	16.0	7.5	530	1	5.0	6.0	10.5	8.0	5.0	W	Mature	Good	Middle most tree in row of 3 adjacent footpath. Suppressed to north and south with thin, asymmetric crown. Roots visible in compacted surface and path.		B , 1	Long
T22	London plane	17.0	4.5	660	1	5.0	10.0	11.0	7.0	4.0	E	Mature	Good	Southernmost tree in row of 3 adjacent footpath. Suppressed to north with asymmetric crown. Stem lean to west. Roots visible in compacted surface and path.		B , 1	Long
T23	London plane	18.0	4.0	870	1	8.5	9.0	9.0	8.5	4.0	N	Mature	Good	Large tree with broad crown. Located on raised and bricked land form with further drop in level to south. Excellent form and vigour.		A , 1, 2	Long



Surveyor Robin Grimes  
 Survey Date 11th June 2020  
 Site St Mary Le Port Church, Bristol  
 Drawing Ref D8272.001

*Italicised Feature Ref: Inspection of this feature was restricted*  
*Italicised Values: Feature value was estimated*

## APPENDIX A: Arboricultural Survey Data Sheets

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		(m)	(m)	(mm)	arising below 1.5m	(m)	(m)	(m)	(m)	(m)	(N,S,E,W)	Young, Middle Age, Mature	Good, Fair, Poor, Veteran			A,B,C,U (1,2,3)	Long, Medium, Short, Very Short
T24	London plane	17.0	3.0	740	1	8.5	11.0	10.0	7.0	3.5	W	Mature	Good	Excellent form and vigour with broad crown. Minor broken branches. Roots visible and girdled in surrounding hard surfacing.		A ,1	Long
T25	London plane	16.0	4.0	730	1	10.0	11.0	6.5	8.5	4.0	W	Mature	Good	Excellent form and vigour. Located in fenced off area next to church. Slightly asymmetric crown to east due to T24.		A ,1	Long
T26	London plane	18.0	5.0	920	1	12.0	9.5	11.5	9.0	4.0	S	Mature	Good	Huge, broad crown. Excellent form and vigour. Slight stem lean east. Grows in flagged surface with drop in level to south east.		A ,1, 2	Long
T27	London plane	16.0	5.5	880	1	10.0	9.0	10.5	8.5	3.0	S	Mature	Fair	Grows in small triangular planter adjacent steps. Good upper crown but lower crown suppressed due to ivy now cut but regrowing.		A ,1, 2	Long
T28	Schwedleri Norway maple	12.0	2.5	490	1	7.5	7.5	7.5	7.0	3.0	W	Mature	Good	Good form and vigour. Minor stem wound and burr but no significant defects		A ,1, 2	Long
T29	Schwedleri Norway maple	15.0	2.0	450	1	5.0	7.0	6.0	6.0	3.5	NW	Mature	Good	Dense crown, minor stem wound from base to 1.5m. No significant defects		A ,1	Long
T30	London plane	16.0	4.0	450	1	8.5	7.0	4.5	4.5	4.0	S	Middle Age	Fair	Forms part of wider tree-lined avenue in raised resin-bonded footpath. Asymmetric crown due to adjacent trees. Crown raised over road and bus stop.		B ,1, 2	Long
T31	London plane	17.0	7.5	400	1	8.5	6.5	4.5	4.5	4.5	S	Middle Age	Fair	Forms part of wider tree-lined avenue in raised resin-bonded footpath. Asymmetric crown due to adjacent trees. Crown raised over road and bus stop.		B ,1, 2	Long
T32	London plane	16.0	4.5	450	1	8.5	6.0	4.0	4.5	3.5	S	Middle Age	Fair	Forms part of wider tree-lined avenue in raised resin-bonded footpath. Asymmetric crown due to adjacent trees. Crown raised over road and bus stop.		B ,1, 2	Long
T33	London plane	15.0	7.0	440	1	8.0	6.5	3.0	4.5	3.0	NE	Middle Age	Fair	Forms part of wider tree-lined avenue in raised resin-bonded footpath. Asymmetric crown due to adjacent trees. Crown raised over road and bus stop.		B ,1, 2	Long
T34	London plane	15.0	3.0	380	1	6.5	8.0	7.0	7.5	3.0	S	Middle Age	Good	Located in raised planter. Open crown with minor dead-wood		B ,1, 2	Long
T35	London plane	15.0	8.0	480	1	8.0	8.0	6.0	5.5	4.5	S	Middle Age	Good	Located in raised planter. Open crown with minor dead wood. Crown raised over road and footpath		B ,1, 2	Long
T36	London plane	16.0	7.5	630	1	9.0	10.0	7.5	7.5	4.0	SW	Mature	Good	Forms part of tree lined avenue along Wine Street. Roots in tarmac and paved surface have pushed surface up. Excellent crown form and vigour.		A ,1, 2	Long
T37	London plane	17.0	7.5	700	1	11.5	7.5	8.0	9.0	3.0	W	Mature	Good	Forms part of tree lined avenue along Wine Street. Roots in tarmac and paved surface have pushed surface up. Excellent crown form and vigour.		A ,1, 2	Long
T38	London plane	17.0	8.0	900		9.5	11.5	12.5	9.0	6.0	SE	Mature	Good	Forms part of tree lined avenue along Wine Street. Roots in tarmac and paved surface have pushed surface up. Excellent crown form and vigour.		A ,1, 2	Long
T39	London plane	17.0	7.5	780	1	8.5	9.5	7.5	7.5	3.5	W	Mature	Good	Forms part of tree lined avenue along Wine Street. Burrs on stem. Roots in tarmac and paved surface have pushed surface up. Excellent crown form and vigour.		A ,1, 2	Long
T40	London plane	15.0	7.5	460	1	7.5	8.0	7.5	9.0	6.0	SE	Mature	Good	Forms part of tree lined avenue along Wine Street. Roots in tarmac and paved surface have pushed surface up. Excellent crown form and vigour. Small black desiccated fungi noted at base, fell off when examined.		A ,1, 2	Long
T41	London plane	14.0	6.0	440	1	7.0	6.5	8.0	8.5	5.0	SW	Middle Age	Good	Forms part of tree lined avenue along Wine Street. Roots in tarmac and paved surface have pushed surface up. Slightly suppressed crown form due to adjacent trees.		B ,1, 2	Long
T42	London plane	11.0	3.0	320	1	6.0	4.0	6.5	6.0	5.0	W	Middle Age	Good	Forms part of tree lined avenue along Wine Street. Roots in tarmac and paved surface have pushed surface up. Slightly suppressed crown form due to adjacent trees. Dead wood		B ,1, 2	Long
T43	London plane	17.0	5.5	730	1	9.0	10.0	9.0	9.0	4.5	N	Mature	Good	Forms part of tree lined avenue along Wine Street. Roots in tarmac and paved surface have pushed surface up. Excellent form and vigour.		A ,1, 2	Long
T44	London plane	16.0	5.0	660	1	7.0	8.0	9.0	9.5	5.5	W	Mature	Good	Excellent form and vigour. Visible and slightly damaged roots in hard surface.		A ,1, 2	Long
T45	London plane	15.0	2.5	420	1	2.5	6.5	7.5	5.5	5.5	E	Middle Age	Fair	Stem leans to south. Crown suppressed to north due to adjacent trees.		B ,1, 2	Long
T46	London plane	18.0	5.5	920	1	7.0	10.0	7.5	8.0	4.5	NW	Mature	Good	Large, broad crown with Excellent form and vigour. Large roots visible in hard surface have pushed up surrounding tarmac.		A ,1, 2	Long



## APPENDIX A: Arboricultural Survey Data Sheets

Surveyor Robin Grimes  
Survey Date 11th June 2020  
Site St Mary Le Port Church, Bristol  
Drawing Ref D8272.001

*Italicised Feature Ref: Inspection of this feature was restricted*  
*Italicised Values: Feature value was estimated*

Ref	Species	Height	Canopy Ground Clearance	Stem Diameter (or range)	No. of stems/ individuals	Crown Spread North	Crown Spread South	Crown Spread East	Crown Spread West	Lowest Branch Height	Lowest Branch Direction	Maturity	Condition	Comments on form, condition, health and significant defects	Management recommendations in current context	BS 5837 Quality Category	Estimated Remaining Contribution
		(m)	(m)	(mm)	arising below 1.5m	(m)	(m)	(m)	(m)	(m)	(N,S,E,W)	Young, Middle Age, Mature	Good, Fair, Poor, Veteran			A,B,C,U (1,2,3)	Long, Medium, Short, Very Short
T47	London plane	19.0	5.5	1180	1	8.0	12.0	10.5	9.0	2.5	NW	Mature	Good	Large, broad crown with Excellent form and vigour. Large roots visible in hard surface have pushed up surrounding tarmac.		A , 1, 2	Long

## **APPENDIX B: Survey Method**



## APPENDIX B: Survey Method

The survey of trees is conducted from ground level only. The nature of the soils on site is not assessed.

Trees are dynamic living organisms with a constantly changing structure; even trees in good condition can suffer from damage or stress. The information recorded is presented as being correct at the time of survey.

The following features of each tree, group of trees or wood may have been recorded in the Arboricultural Survey Data Sheets at Appendix 1.

<b>Species</b>	The common name is given. The Latin name may also be given if further clarification is required.	
<b>Height</b>	Top height of tree recorded in metres.	
<b>Stem Diameter</b>	For single-stemmed trees the measurement is taken at 1.5 metres above ground level and recorded in millimetres. For multi-stemmed trees an average all stems measured at 1.5m above ground level is used. For tree groups a range from minimum to maximum diameters is provided based on measurements taken using one of the aforementioned methods.	
<b>No. of Stems</b>	A count of stems arising below a height of 1.5 metres.	
<b>Crown Spread</b>	The N, S, E and W branch spreads are recorded in metres to provide a representative crown shape.	
<b>Height of Lowest Branch</b>	Crown clearance above ground level recorded in metres.	
<b>Direction of Lowest Branch</b>	The direction of growth of the first significant branch from the point of attachment.	
<b>Maturity</b>	<b>Young</b>	Trees that can reasonably be relocated or replaced like for like, without undue cost;
	<b>Middle Age</b>	Trees in the established growth stage of their life with the potential to continue increasing in size;
	<b>Mature</b>	Trees that have reached their ultimate size, given their location and surroundings;
<b>Condition</b>	<b>Good, Fair, Poor.</b> An overall assessment of a tree's physiological and structural state in which factors that may increase its susceptibility to the effects of development are taken into account.  <b>Veteran.</b> Trees that are in such a condition as to significantly increase their biological, cultural or aesthetic value. This is characteristic of, but not exclusive to, individuals surviving beyond the typical age range for the species concerned.	
<b>Comments</b>	A brief evaluation and description of the tree with comments on form, vitality, health and any significant defects or symptoms of ill-health.	

### BS 5837 Tree Quality Assessment

The tree quality assessment is based on Table 1 of BS 5837:2012 (See below). Four categories (A, B, C and U) are used to denote tree quality (A= High, B = Moderate, C = Low, U= Unsuitable for retention). Subcategories (1-3) denote the specific function value of the trees and the reasoning behind the allocation of a specific category (the subcategories may be used in combination but do not accumulate collective weight).

### Root Protection Area (RPA)

The RPA is allocated to ensure that a sufficient area is left undisturbed during development. It is provided as an area (m<sup>2</sup>) and as the radius of a circle (m) typically plotted from the centre of the stem.

The RPA is calculated using a mathematical equation included in BS 5837:2012 (Section 4.6 and Table D.1) and is based on a tree's stem diameter. In some cases the RPA may need to be adapted to best reflect the likely area and position of roots required to ensure survival; this may be based on criteria such as the tree's condition, species, crown spread and any barriers to growth. Any alteration must be justifiable but is made at the Arboricultural Consultants discretion.

### Recommendations

Recommendations for arboricultural works, etc. are based on the **current** land use, and take into account the tree or group attributes without bias to the proposed development.

### Estimated Remaining Contribution

An estimation of the life expectancy as healthy functioning tree. This will be influenced by species and the condition of the tree at the time of survey.

<b>Long</b>	> 40 years
<b>Medium</b>	20 – 40 years
<b>Short</b>	less than 20 years

## APPENDIX B: Survey Method

Table 1 Cascade chart for tree quality assessment

Category and definition	Criteria (including subcategories where appropriate)			Identification on plan
Trees unsuitable for retention (see Note)				
<b>Category U</b> Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years	<ul style="list-style-type: none"><li>Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category U trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning)</li><li>Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline</li><li>Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality</li></ul> <p><i>NOTE Category U trees can have existing or potential conservation value which it might be desirable to preserve; see 4.5.7.</i></p>			See Table 2
	1 Mainly arboricultural qualities	2 Mainly landscape qualities	3 Mainly cultural values, including conservation	
Trees to be considered for retention				
<b>Category A</b> Trees of high quality with an estimated remaining life expectancy of at least 40 years	Trees that are particularly good examples of their species, especially if rare or unusual; or those that are essential components of groups or formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue)	Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features	Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture)	See Table 2
<b>Category B</b> Trees of moderate quality with an estimated remaining life expectancy of at least 20 years	Trees that might be included in category A, but are downgraded because of impaired condition (e.g. presence of significant though remediable defects, including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation	Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality	Trees with material conservation or other cultural value	See Table 2
<b>Category C</b> Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150 mm	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories	Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value; and/or trees offering low or only temporary/transient landscape benefits	Trees with no material conservation or other cultural value	See Table 2

**British Standards Institute (2012) BS5837:2012 Trees in relation to design, demolition and construction – Recommendations.**  
p.9

### NOTES:

All young trees are assessed as quality category 'C' but this does not preclude their retention within a development.

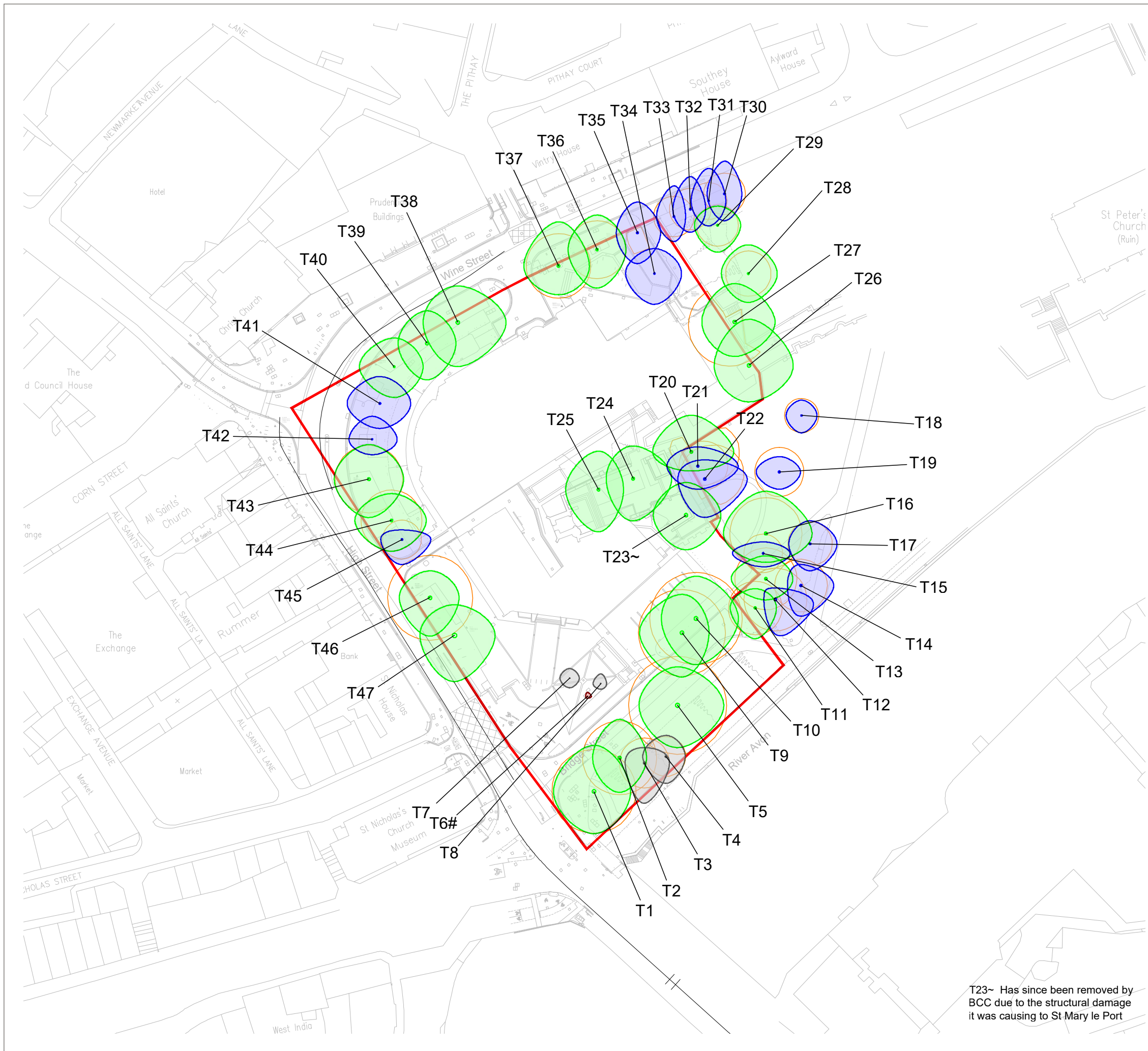
For hedges the height, canopy spread and number of stems is recorded but they are not assigned a quality category.

## **DRAWINGS**

**Drawing 1 - Tree Constraints Plan**

**Drawing 2 - Tree Works Plan**

**Drawing 3 - Arboricultural Method Statement Heads of Terms**



T23~ Has since been removed by BCC due to the structural damage it was causing to St Mary le Port

KEY

[This drawing must be reproduced in colour]

- T1 Trees
- Root Protection Area (RPA)
- Survey Boundary
- # Approximate location (Feature not shown on supplied topographical survey)

Tree Quality Categorisation

(Based on BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations)

- Category A (High quality)
- Category B (Moderate quality)
- Category C (Low quality)
- Category U (Unsuitable for retention)

NOTE: This drawing should be read in conjunction with the respective Arboricultural Survey Data (Appendix A).



Rev	Description	Drawn	Approved	Date
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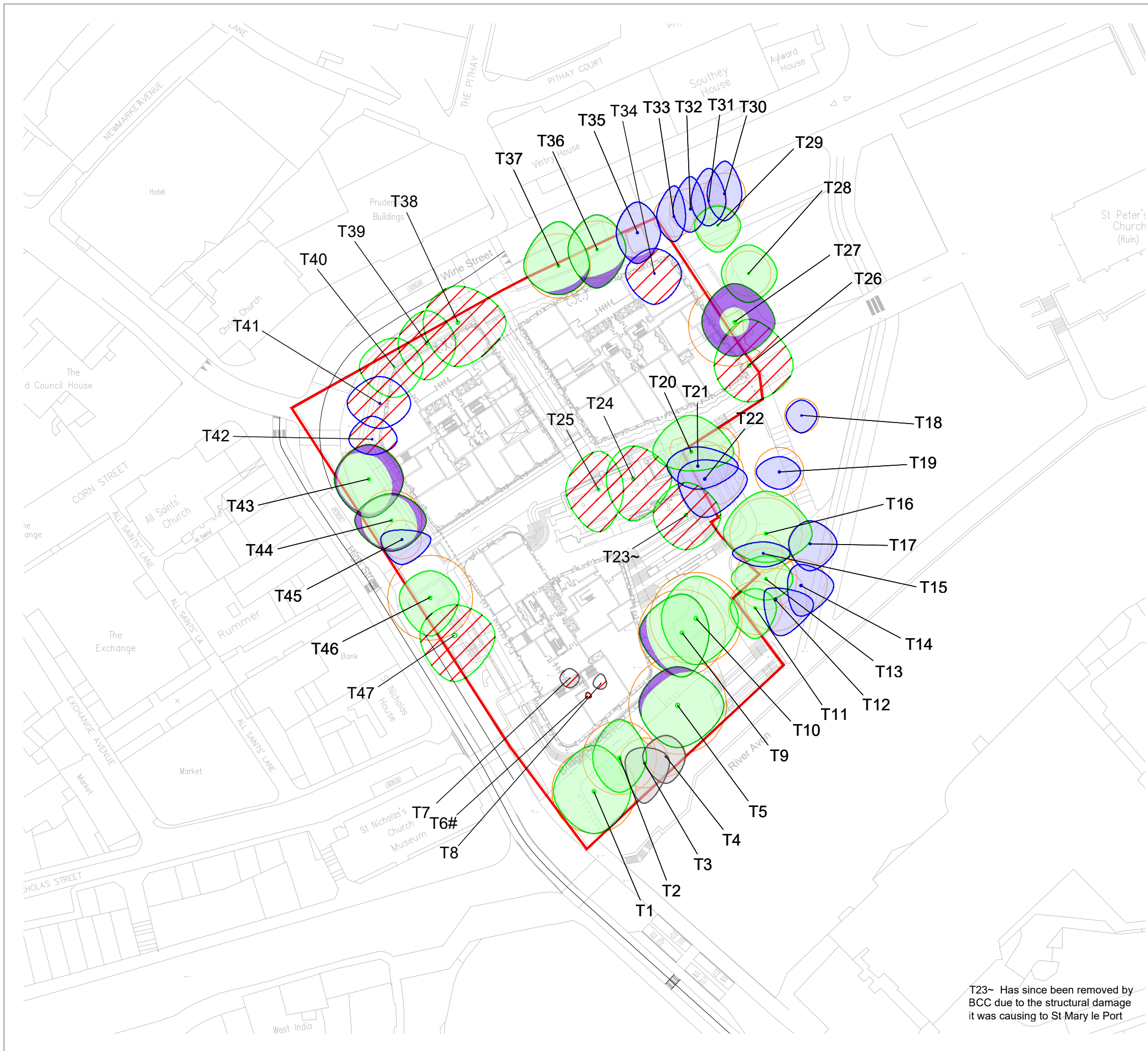


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Project  
St Mary Le Port Church, Bristol  
Arboricultural Impact Assessment  
Title  
Drawing 1: Tree Constraints Plan [BASELINE]

Drawn	Checked	Approved	Scale	Date
RMG	HEE	JGS	1:1000 @ A3	16/06/2020





# KEY

[This drawing must be reproduced in colour]

- T1 Trees
- Root Protection Area (RPA)
- Survey Boundary
- # Approximate location  
(Feature not shown on supplied topographical survey)

## Trees and hedgerow to be retained and protected

- Category A  
(High quality)
- Category B  
(Moderate quality)
- Category C  
(Low quality)
- Category U  
(May be retained for habitat value)

## Proposed tree and hedgerow works

- Trees to be removed  
(Canopy outline denotes tree quality category)
- Trees to be pruned  
(Canopy outline denotes tree quality category)

NOTE: This drawing should be read in conjunction with the respective Arboricultural Survey Data (Appendix A).



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Rev	Description	Drawn	Approved	Date
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Project  
St Mary Le Port Church, Bristol  
Arboricultural Impact Assessment  
Title  
Drawing 2: Tree Works Plan [EFFECTS]

Drawing Number  
D8272.002

Drawn	Checked	Approved	Scale	Date
RMG	JGS	JGS	1:1000 @ A3	25/05/2021

Arboricultural Method Statement  
Heads of Terms


Construction activities are proposed within the Root Protection Area of all retained trees highlighted opposite. Further information and assessment on the following elements will be required in the form of an Arboricultural Method Statement, as a minimum, to ensure adequate protection is afforded to trees during and post construction.

- (a) An arboriculturist should be appointed to prepare the Arboricultural Method Statement prior to development commencement. They may thereafter be required to supervise certain activities as specified by the Method Statement.
- (b) Detailed methods should be specified for the implementation of construction in proximity to retained trees determined in consultation with other project specialists.
- (c) The build programme and site logistics plan should be reviewed in relation to retained trees.
- (d) Utilities and drainage information should be reviewed in relation to retained trees.
- (d) Levels information should be reviewed in relation to retained trees.
- (e) The alignment and specification of temporary protection measures for the satisfactory retention of trees during the build phase (barrier fencing and ground protection) should be specified.
- (f) Details of general precautions that should be exercised during the construction phase to minimise impact on retained trees should be provided.
- (g) A system of monitoring and compliance of contractor performance, materials and workmanship according to the AMS should be established.
- (h) The AMS should be submitted to the local planning authority for approval and implemented in full.





KEY  
*[This drawing must be reproduced in colour]*

- T1 Retained trees
- H1 Retained hedgerow
- Root Protection Area (RPA)
- Survey Boundary



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Rev	Description	Drawn	Approved	Date



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Project  
**St Mary Le Port Church, Bristol**  
**Arboricultural Impact Assessment**

Title  
**Drawing 3: Arboricultural Method Statement Heads of Terms Plan [EFFECTS]**

Drawing Number  
**D8272.003**

Drawn	Checked	Approved	Scale	Date
RMG	JGS	JGS	1:1000 @ A3	25/05/2021





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