

WARD: Southville

SITE ADDRESS: The Old Dairy Durnford Street Bristol BS3 2AW

APPLICATION NO: 20/04125/F Full Planning

DETERMINATION DEADLINE: 14 January 2022

*Full planning application for demolition of all existing buildings, erection of 40 No. C3 dwellinghouses and commercial floorspace with associated car parking, cycle parking, refuse storage and landscaping.*

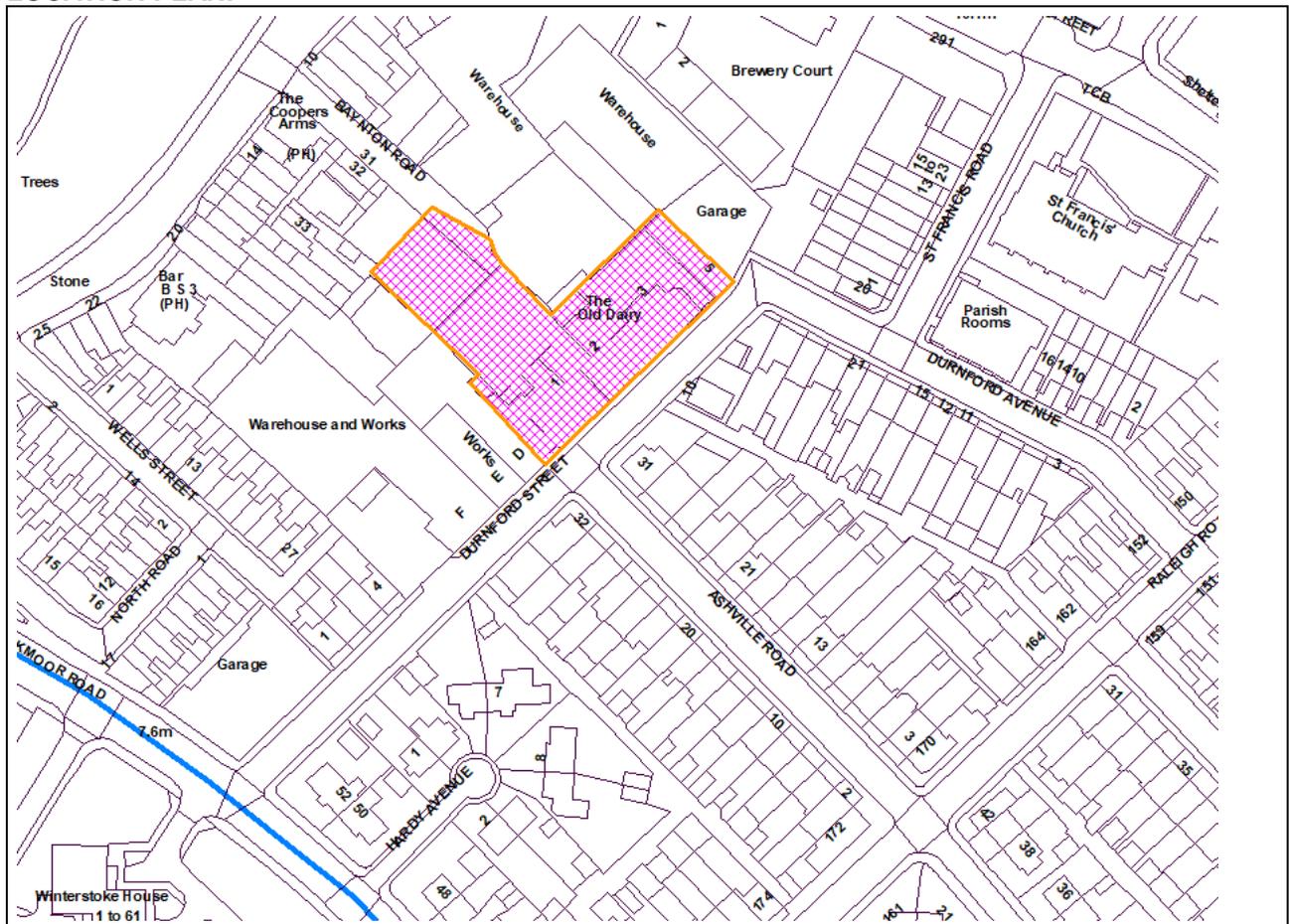
RECOMMENDATION: GRANT subject to Planning Agreement

AGENT: CSJ Planning Consultants Ltd  
1 Host Street  
Bristol  
BS1 5BU

APPLICANT: Prelon Homes  
C/O Agent

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

LOCATION PLAN:



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## SCOPE OF THIS REPORT

This addendum relates only to issues raised by members at Planning Committee on 12<sup>th</sup> January 2022 that led to the deferral of the decision on this application. For consideration of other key issues relating to the scheme, please refer to the previous officer report for the full detailed assessment.

## SITE DESCRIPTION AND APPLICATION

The application relates to an L-shaped site in Ashton, set between Durnford Street to the south-east and Baynton Road to the north-west. The site is currently occupied by industrial/commercial buildings of one and two-storeys in height, along with associated external yard space. The site is located amongst a mixture of commercial and residential buildings, with commercial/industrial buildings set to the north/north-east and south-west, and residential properties beyond, as well as to the south-east and north-west. A residential development has been recently approved on an adjoining site to the north/north-east at the 'Old Brewery'.

The application proposes the redevelopment of the site for predominantly residential use, but also retaining a commercial unit at ground floor level fronting Durnford Street. The proposal comprises a six-storey block of 33 flats set between Baynton Road and Durnford Street; a terrace of 7 three-storey town houses fronting Durnford Street, and; private and communal garden areas, parking and servicing.

See plans and supporting documents for full details.

## REASONS FOR DEFERRAL

This scheme was previously considered by Members at January 12<sup>th</sup> 2022 committee. The scheme was deferred to enable the developer to address concerns raised by members. Principle concerns related to the affordable housing (AH) provision, with members considering that the AH should be better integrated into the wider scheme and the available facilities for the AH improved. Key points can be summarised as follows:

- Lift access should be provided for the AH units
- Car parking (including accessible parking) should be provided for AH units
- Entrances to affordable units to be of equal standing to the market units, or all units accessed by the same shared entrance(es) – concerns were raised regarding the provision of a 'poor door'
- All residents should have access to the communal garden
- A private balcony could be provided for the AH unit that is currently shown without one

Other points of raised by members:

- Increased parking provision should be investigated

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- Additional shared landscaped areas should be explored within the square to the rear of the site
- Concerns of impact upon affordable units due to servicing from rear courtyard
- Permitted servicing hours for the commercial unit should align with the loading/unloading TRO

**SUMMARY OF AMENDMENTS MADE TO THE SCHEME FOLLOWING DEFERRAL**

Amendments were made to the scheme in response to points raised by members.

Responses/amendments can be summarised as follows:

- A lift is now proposed to serve the affordable units
- Core B lobby has been enlarged
- Two accessible parking spaces are allocated to affordable units
- Entrance revised – the two entrances are of equal standing and similar design
- All residents have access to the communal garden
- Balcony not possible to the one AH unit without, due to oversailing of highway land
- Parking provision remains at 18 spaces (45%) – unable to accommodate more on site
  - 7 for the town houses (1 per house = 100% provision)
  - 2 for AH units (25% provision)
  - 9 for open market flats (29% provision)
- Landscaping to rear square not possible due to rights of access across it
- Proposed TRO/conditions are amended so that permitted servicing of the commercial units aligns with the TRO hours

**RESPONSE TO PUBLICITY AND CONSULTATION**

Following deferral of the decision at January 12<sup>th</sup> 2022 committee, and following receipt of further amendments to address the issues raised by members, a further neighbour consultation exercise was undertaken, via press and site notices, along with individual letters sent to surrounding properties and all previous contributors. 6 written responses were received, raising concerns that can be summarised as follows:

**Principle**

- The Old Dairy should remain as a commercial area

**Highways**

- Inadequate on-site parking / Increased pressure for parking locally

**Design**

- Proposed height is out of keeping for the area
- Design out of character for the area

**Residential Amenity**

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- Overlooking of neighbouring properties/gardens
- Overshadowing impacts

## Equality

- Equality concerns due to segregation of market and affordable homes

Issues relating to principle, design and residential amenity have already been considered by members and did not constitute reasons for the deferral of the application. Please refer to the previous Officer report for detailed assessment of these issues.

The points raised in relation to highways and equalities issues will be discussed below.

**The Bristol City Council Highways Officer has made the following comment regarding the Traffic Regulation Order (TRO):**

8-8 would be acceptable in TRO legality terms and TDM would raise no objection. To note it would still be required to go through the statutory TRO process which involves public consultation.

## KEY ISSUES

## EQUALITIES

In response to equalities concerns raised by Members at planning committee in January 2022, a number of amendments have been made to the proposal in order to address the concerns raised. As previously set out within this report, the alterations in this regard comprise:

- The provision of a lift within core B to serve the affordable units
- The enlargement of the lobby to Core B
- Two parking spaces are allocated to the affordable units, both of which are accessible spaces
- The design of the core B entrance has been revised – the two entrances are of equal standing and similar design
- All residents have access to the communal garden

It is considered that the amendments made in this regard address the concerns raised by members that led to the deferral of the application.

The layout would remain where the affordable units would be accessed via a separate entrance, and whilst there may be concerns in terms of whether the development is 'tenure blind', such a layout does have benefits in terms of operational issues for the affordable housing provider that would take the units on, and as such is considered acceptable on balance, and helps ensure that affordable housing can be provided on site. Since the deferred scheme, the entrance core to the affordable units has been amended so that externally it is of visually equal standing to the other entrance to the flatted block, with a large opening, generous glazed area, and signage of equal proportions to the other entrance. Internally, the lobby has been enlarged and a lift provided.

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Consideration has been given to the provision of a balcony to the affordable unit that would not have one. This however is not possible due to oversailing of the highway below. A Juliette balcony is therefore proposed in this instance. It should be noted that all other affordable units would have private external balconies. It should also be noted that of the 25 open market flats, 3 would not have balconies, which is a comparable proportion in relation to the affordable units. All residents would also have access to the communal garden within the development, and Greville Smyth Park is located less than 100m from the application site.

It was queried by Members at January 2022 committee, whether servicing of surrounding buildings via the yard off Baynton Road (to the north-west of the site) would disadvantage occupiers of the affordable units located on that side of the site. There are rights of access for surrounding buildings across the aforementioned open yard, with neighbouring commercial uses comprising a tree services company and a gymnasium, as well as access to residential properties. Employees, patrons and vehicles associated with deliveries/collections to/from these units would therefore cross this shared yard. The undercroft parking at the development site would also access from this space, as would residential parking associated with the approved neighbouring development at 1-3 Ashton Road. One of the refuse/recycling stores associated with the proposed development would also be accessed from this yard.

There are also a range of businesses and residential properties that would be accessed and serviced from Durnford Street to the south-east of the site. The open-air parking area as part of the proposed development would be accessed via Durnford Street. The other refuse/recycling store within the development would also be serviced via Durnford Street, as would the proposed commercial unit. Kerbside refuse/recycling collections for the proposed houses would also be undertaken from Durnford Street. Durnford Street also provides access to neighbouring businesses, including a furniture warehouse, upholsterer's, and a brewery, as well as providing residential and servicing access to existing surrounding residential development.

The nature of servicing and access to either side of the application site is considered comparable, and as such it is considered that no particular individuals would be disproportionately affected by access and servicing arrangements associated with the application site or that of surrounding development.

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

**HIGHWAYS**

Issues relating to servicing of the site and surrounding developments has been discussed within the equalities section above, given that Member queries in this regard were from an equalities angle.

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The proposal incorporates 18 car parking spaces for residents, with one each for the proposed houses (7 in total) and a further 11 to serve the flats, including two accessible parking bays, both of which would be allocated for use by affordable housing units. The 18 parking spaces proposed represents 45% provision, which accords with current policy requirements and this level of provision is supported by BCC Highways Officers. Whilst an additional parking space has been created on site, one space was removed in order to accommodate a lift/enlarged lobby to the affordable housing units. 4 spaces would feature electric vehicle charge points, with ducting to be provided to enable straightforward additional provision in the future as required. The level of parking provision is also considered appropriate given the sustainable location of the site, with good access to shops, services and sustainable transport alternatives to the private car.

Cycle parking would comprise a mixture of enclosed Sheffield stands; double stacked racks; enclosed cycle storage boxes, and; non-enclosed Sheffield stands, with a total of 100 spaces provided. This represents a reduction of 4 spaces from the scheme when compared with the earlier revision, with the number of visitor spaces reduced from 18 to 12 in order to accommodate an additional accessible car parking bay, however the level of provision exceeds current policy minimum requirements by 18 spaces.

Servicing of the commercial unit would be from Durnford Street (as would servicing of much of the residential accommodation), with a single yellow line and associated plate provided to enable loading/unloading during 08.00-20.00 Monday to Saturday and be available for parking at all other times.

On the basis of the above, and given the imposition of relevant planning conditions, the proposal is considered to be acceptable in relation to highways and servicing matters.

**ALTERATIONS TO RECOMMENDED CONDITIONS**

Previously proposed conditions are as set out within the previous Officer report, and these are to be replicated with two exceptions (conditions 13 and 48) where amendments are made to reflect revised plan numbers following the submission of amended plans to address the reasons for deferral of the previous application.

**CONCLUSION**

The amendments made to the scheme following Member deferral are considered to represent positive improvements to the proposal in consideration of equalities and highways matters, and are considered to adequately address the concerns raised.

**RECOMMENDATION**

The application is recommended for approval, subject to (i) a Section 106 legal agreement securing affordable housing provision; district heat network connection, and; a financial contribution for cycle infrastructure improvements and a TRO, and (ii) the provision of relevant planning conditions, as set out below.

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**RECOMMENDED GRANT subject to Planning Agreement**

**Time limit for commencement of development**

1. Full Planning Permission

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

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

**Pre commencement condition(s)**

2. Site Specific Construction Environmental Management Plan

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

- . A construction programme including phasing of works;
- . 24 hour emergency contact number;
- . Procedures for maintaining good public relations including complaint management, public consultation and liaison
- . Arrangements for liaison with the Council's Pollution Control Team
- . All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:
  - . 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays, Sundays, and Bank Holidays.
  - . Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
  - . Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
  - . Procedures for emergency deviation of the agreed working hours.
  - . Bristol City Council encourages all contractors to be 'Considerate Contractors' when working in the city by being aware of the needs of neighbours and the environment.
  - . Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
  - . Measures for controlling the use of site lighting whether required for safe working or for security purposes.
  - . Expected number and type of vehicles accessing the site:
    - o Deliveries, waste, cranes, equipment, plant, works, visitors;
    - o Size of construction vehicles;
    - o The use of a consolidation operation or scheme for the delivery of materials and goods;
    - o Phasing of works;
    - . Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):
      - o Programming;

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- o Waste management;
- o Construction methodology;
- o Shared deliveries;
- o Car sharing;
- o Travel planning;
- o Local workforce;
- o Parking facilities for staff and visitors;
- o On-site facilities;
- o A scheme to encourage the use of public transport and cycling;
- . Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- . Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- . Locations for storage of plant/waste/construction materials;
- . Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- . Arrangements to receive abnormal loads or unusually large vehicles;
- . Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- . Any necessary temporary traffic management measures;
- . Measures to protect vulnerable road users (cyclists and pedestrians);
- . Arrangements for temporary facilities for any bus stops or routes;
- . Method of preventing mud being carried onto the highway;
- . Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of surrounding amenity and safe operation of the adopted highway during the demolition and construction phase of the development.

### 3. B1B Highway works - General Arrangement Plan

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

- o Reinstatement of redundant accessways
- o Installation of dropped kerbs
- o Resurfacing of footway along Durnford Street frontage
- o The widening of the footway along Baynton Road to the Ashton Road junction to a minimum of 2m
- o Introduction of a 2m footway along the Baynton Road frontage
- o Works to the Baynton Road/Ashton Road junction to improve pedestrian and vehicular visibility. This will be achieved via kerb realignment.
- o Street lining (removal and introduction) and resurfacing of carriageway where necessary

Where applicable indicating proposals for:

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

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

Reason: In the interests of public safety and to ensure that all road works associated with the proposed development are: planned; approved in good time (including any statutory

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processes); undertaken to a standard approved by the Local Planning Authority and are completed before occupation.

**4. Highway Condition Survey**

No development shall take place until a survey of the condition of the adopted highway has been submitted to and approved in writing by the Local Planning Authority. The extent of the area to be surveyed must be agreed by the Highways Authority prior to the survey being undertaken. The survey must consist of:

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

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

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

**5. Highway to be adopted**

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

- o Long sections
- o General arrangement
- o Threshold levels to buildings
- o Drainage
- o Structures
- o Swept path for two directional movement of a 11.4m long refuse vehicle passing a 4.98m long large saloon car

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

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

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

**6. Unexploded Ordnance Risk Assessment**

Prior to the commencement of works on site a detailed Unexploded Ordnance Threat and Risk Assessment shall be undertaken in relation to the site, and shall be submitted to and approved in writing by the Local Planning Authority. The development hereby approved must then be implemented in accordance with the mitigation measures outlined in the Detailed Unexploded Ordnance Threat and Risk Assessment agreed.

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Reason: To ensure that development can take place without unacceptable risk to workers and neighbours including any unacceptable major disruption to the wider public on and off site that may arise as a result of evacuation/s associated with the mitigation of UXO.

**7. Coal Mining Legacy**

No development shall commence (excluding the demolition of existing structures) until;

- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: In the interests of land stability and public safety.

**8. Contamination - Site Characterisation**

Following demolition no construction shall take place until an intrusive investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme shall be submitted to and be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced.

This must be conducted in accordance with the Environment Agency's 'Land Contamination: risk management' and BS 10175:2011 + A2:2017: Investigation of Potentially Contaminated Sites - Code of Practice.

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

**9. Submission of Remediation Scheme**

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

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

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## 10. Implementation of approved remediation scheme

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

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

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

## 11. Sustainable Drainage System (SuDS)

No construction works shall take place until

- (i) a detailed design of the Sustainable Drainage system set out within the approved Drainage Strategy, and;
- (ii) an associated management and maintenance plan

have been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved Sustainable Drainage Strategy prior to the use of the building commencing and maintained thereafter for the lifetime of the development.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal

## 12. Bio-diverse roof specification and provision

Prior to the commencement of the bio-diverse roofs hereby approved, detailed specifications of their construction and planting proposed shall be submitted to and approved in writing by the local planning authority. The bio-diverse roofs shall then be completed in accordance with the approved details prior to the first occupation of the development hereby approved, and retained and maintained as such thereafter.

Reason: In the interests of sustainability, flood risk and biodiversity

## 13. Privacy screens

Prior to the commencement of the relevant elements, full details of privacy screens to the south-western end of the balconies to flats 1.4, 2.4, 2.9, and 3.8 (as set out on accommodation schedule plan 2599-P011-C) shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be completed in accordance with the approved details prior to the occupation of the development, and the privacy screens retained and maintained as such thereafter.

Reason: To safeguard against overlooking and loss of privacy.

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## 14. Site safety and security management plan

Prior to the commencement of the relevant elements, a site safety and security management plan shall be submitted to and approved in writing by the local planning authority. The plans shall include, but not necessarily be limited to, full details of the following:

- o The provision of CCTV with an identification quality image in situ at communal entrances, the public route through the site, and the cycle and bin stores;
- o external lighting around entrances;
- o secure gates/railings to the ground floor parking/servicing areas to meet LPS1175 ;
- o ground floor doors and windows to LPS 1175 SR2 or equivalent and glazing laminated to BS EN356 2000 P1A;
- o access controlled doors;
- o building compartmentalisation to prevent unauthorised free movement through;
- o localised alarm sounders to access controlled doors and fire exit doors;
- o Cycle store to have access controlled doors to LPS 1175 SR2

The development shall then be completed in full accordance with the approved details prior to first occupation, and retained and maintained as such thereafter.

Reason: In the interests of safety and security.

## 15. Public Art

Prior to the commencement of the relevant element, a Public Art Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan should be written by an external Public Art Producer and should include information on the commissioning, integration of public art within the development, and environs (where appropriate), timetable for those works and details of the future maintenance responsibilities and requirements. All public art works shall be completed in accordance with the agreed scheme and thereafter retained as part of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the delivery of meaningful Public Art as part of the development.

## 16. Sample Panels before specified elements started

Sample panels of all external finishing materials are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.

Reason: To ensure an appropriate finished appearance within the context.

## 17. Broadband

Prior to commencement, evidence of the provision of 'next generation broadband' shall be provided by providing evidence that the development has been registered with BT on the BT Openreach website, with Virgin Media on the Virgin Media website, or an alternative provider. Registration should show the speed rating/specification of the connection.

Prior to occupation, the development shall be connected to the broadband infrastructure in accordance with the details agreed.

Reason: To show that residents and businesses will have access to ultrafast broadband from occupation.

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**Pre occupation condition(s)**

18. Coal Mining Legacy - Verification

Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: In the interests of land stability and public safety.

19. Flood Evacuation Plan - Residential Property

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

During Demolition/Construction Process

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

During Occupation of Development

- occupant awareness of the likely frequency and duration of flood events;
- safe access to and from the development;
- subscription details to Environment Agency flood warning system, 'Flood Warning Direct'.

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

20. Bat and Bird Boxes

Prior to occupation of the development 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 integrated within buildings and shown on a site plan with compass directions marked on it. This shall include four built-in swift and two built-in bat boxes. Bird boxes shall be installed to face between north and east to avoid direct sunlight and heavy rain. Swift boxes or bricks shall be provided in pairs or groups (e.g. at least two or three on a building, avoiding windows) on north, north-east or east facing walls, at least 5 metres high, so that there is a clear distance (drop) below the swift boxes/bricks of 5 metres or more. Swift boxes shall be located under eaves where present. Bat boxes shall face south, between south-east and south-west. Bat boxes shall be erected at a height of at least four metres, close to hedges, shrubs or tree-lines and avoid well-lit locations. Bat boxes which are being placed on buildings shall be placed as close to the eaves (if present) as possible. Development shall be undertaken in accordance with the approved details.

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

**21. Submission and Approval of Landscaping Scheme**

No building or use hereby permitted shall be occupied or the use commenced until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the development hereby approved. This shall include on-site tree planting to compensate for the tree to be removed from site in accordance with the Bristol Tree Replacement Standard. The approved scheme shall be implemented so that planting is carried out no later than the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

Reason: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory.

**22. Implementation/Installation of Refuse Storage and Recycling Facilities - Shown on approved plans**

No building or use hereby permitted shall be occupied or the use commenced until the refuse stores, and areas/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within these dedicated store/areas, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.

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

**23. Completion of Pedestrians/Cyclists Access - Shown on approved plans**

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

Reason: In the interests of highway safety

**24. Completion and Maintenance of Cycle Provision - Shown on approved plans**

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

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

**25. Waste Management Plan**

No building or use hereby permitted shall be occupied or use commenced until a waste management plan setting out how waste will be stored and collected has been prepared,

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submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved waste management plan for the lifetime of the development.

Reason: To ensure appropriate waste management facilities are provided to accommodate all waste generated by the development.

**26. Letter of indemnity - refuse/recycling access**

Prior to the occupation of the development hereby approved a letter of indemnity shall be provided to and agreed in writing by the Local Planning Authority to enable refuse/recycling crews and vehicles to access private land for the collection of waste/recycling without being liable for any damage that may occur to the immediate highway network as a result.

Reason: To enable access across privately owned land to facilitate refuse/recycling collections.

**27. Installation of vehicle crossover - Shown on Approved Plans**

No building or use hereby permitted shall be occupied or use commenced until drop kerbs has been installed at the carriageway edge and a vehicle cross-over constructed across the footway fronting the site in accordance with the approved plans and retained in that form thereafter for the lifetime of the development.

Reason: In the interests of pedestrian safety and accessibility

**28. Reinstatement of Redundant Accessways - Shown on Approved Plans**

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

Reason: In the interests of pedestrian safety.

**29. Completion and Maintenance of Car/Vehicle Parking - Shown on Approved Plans**

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

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

**30. Permissive Route**

No building or use hereby permitted shall be occupied or use commenced until details of how the permissive route will be kept open, free from any obstruction, in a safe condition for use by members of the public 364 days of the year and clearly marked to indicate that there is no indication to dedicate as part of the adopted highway, has been submitted to and approved in writing by the Local Planning Authority. The publicly accessible route through the site shall be

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completed prior to the occupation of the development hereby approved and thereafter shall remain free from obstruction and available as a publicly accessible route through the site.

Reason: To ensure the provision of an unrestricted and safe route for the use of members of the public.

**31. Electric Vehicle Charging Points**

No building or use hereby permitted shall be occupied or use commenced until details of the total number of car parking spaces, the number/type/location/means of operation and a programme for the installation and maintenance of Electric Vehicle Charging Points and points of passive provision for the integration of future charging points has been submitted to and approved in writing by the Local Planning Authority prior to construction of the above ground works. The Electric Vehicle Charging Points as approved shall be installed prior to occupation and retained in that form thereafter for the lifetime of the development.

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

**32. Delivery & Servicing Plan**

No building or use hereby permitted shall be occupied or use commenced until a delivery and servicing plan has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved delivery and servicing plan for the lifetime of the development. The delivery and servicing plan shall include:

- a) The contact details of a suitably qualified co-ordinator;
- b) How vehicle arrivals, departures, parking, stopping and waiting will be controlled to minimise any impact on the adopted highway;
- c) Details of any freight consolidation operation, centre and the delivery and servicing booking and management systems;

Reason: In the interests of highway safety and to minimise the impact of vehicles servicing the development upon congestion

**33. Energy and Sustainability in accordance with statement**

The development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the approved Sustainability Statement (by Melin, dated 14th April 2021) prior to occupation.

**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).

**34. Air permeability**

Prior to occupation of the development evidence shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the air permeability rate of 5m<sup>3</sup>/m<sup>2</sup>.hr @50 Pa has been achieved, including the provision of copies of the air testing certificates.

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Reason: The air permeability will contribute to the overall efficiency, energy demand and emissions of greenhouse gases of the scheme. To ensure that the development achieves the level of energy efficiency specified in the Energy Statement with reference to policies BCS13 and BCS14.

## 35. PV

Prior to implementation, details of the proposed PV system including location, dimensions, design/ technical specification together with calculation of annual energy generation (kWh/annum) and associated reduction in residual CO2 emissions shall be submitted to and approved in writing by the Local Planning Authority.

Prior to occupation the following information shall be provided:

- o Evidence of the PV system as installed including exact location, technical specification and projected annual energy yield (kWh/year) e.g. a copy of the MCS installer's certificate.
- o A calculation showing that the projected annual yield of the installed system is sufficient to reduce residual CO2 emissions by at least 20%.

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

## 36. Renewable energy (heat pumps) - where further detail is required (Block B only)

Prior to implementation, details of the renewable energy technology (including the exact location, dimensions, design/ technical specification, GWP of refrigerant used, and any leak detection) together with calculation of energy generation and associated CO2 emissions to achieve 21% reduction on residual emissions from renewable energy in line with the approved energy statement should be submitted to the Local Planning Authority and approved in writing. The renewable energy technology shall be installed prior to occupation of the dwellings and thereafter retained.

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

## 37. Reporting of Unexpected Contamination

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

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

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## 38. Details of Extraction/Ventilation System (Ground floor commercial uses)

No equipment for the extraction and dispersal of cooking smells/fumes shall be installed until details including odour control measures, noise levels, cleaning, maintenance and filter replacement policies been submitted to and been approved in writing by the Local Planning Authority. The approved scheme shall be installed before the commencement of use of any such equipment and thereafter shall be permanently retained.

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

**Post occupation management**

## 39. Noise from plant &amp; equipment affecting residential

The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB below the pre-existing background level at any time at any residential premises.

Any assessments to be carried out and be in accordance with BS4142: 2014 Methods for rating and assessing industrial and commercial sound

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

## 40. Restriction of Parking Level on site

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

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

## 41. Travel Plan Statement - Submitted

The Travel Plan Statement hereby approved shall be implemented in accordance with the measures set out therein.

Within three months of occupation, evidence of the implementation of the measures set out in Travel Plan Statement shall be prepared, submitted to and agreed in writing with the Local Planning Authority unless alternative timescales are agreed in writing.

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

## 42. Use of Refuse and Recycling facilities (commercial use only)

Activities relating to the collection of refuse and recyclables and the tipping of empty bottles into external receptacles shall only take place between 08.00 and 20.00 Monday to Saturday.

Reason: To safeguard the amenities of nearby occupiers

## 43. Deliveries (ground floor commercial uses only)

Activities relating to deliveries shall only take place between 08.00 and 20.00.

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Reason: To safeguard the amenities of nearby occupiers

## 44. Opening hours (Commercial uses only)

No customers shall remain on the ground floor commercial premises outside the hours of 08.00 to 20.00 Monday to Sunday.

Reason: To safeguard the residential amenity of nearby occupiers.

## 45. Vegetation Clearance

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

Reason: To ensure that wild birds, building or using their nests are protected. All species of wild birds are legally protected including their eggs, nests and chicks until the young have fledged.

## 46. Use restriction - Commercial unit - Class E

The ground floor commercial unit hereby approved shall be occupied by use(s) falling within class E as defined by Schedule 2 Part A of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

Reason: In the interests of compatibility of the commercial operation with surrounding residential uses.

**List of approved plans**

## 47. List of approved plans and drawings

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

2599 P100 A Location plan, received 8 September 2020  
 2599 P011 C Accommodation schedule, received 1 February 2022  
 2599 P101 A Proposed site plan, received 8 September 2020  
 2599 P102 Existing site plan, received 8 September 2020  
 2599 P201 D Ground and first floor plan, received 1 February 2022  
 2599 P202 D Block A - second and third floor plan, received 1 February 2022  
 2599 P203 D Block A - Fourth and fifth floor plan, received 1 February 2022  
 2599 P205 B Block A - roof plan, received 4 May 2021  
 2599 P210 B Block B - ground and first floor plan, received 4 May 2021  
 2599 P211 B Block B - second and roof plan, received 4 May 2021  
 2599 P300 C Block A B SE NW elevation, received 4 May 2021  
 2599 P301 D Block A - NE SW elevation, received 1 February 2022  
 2599 P302 B Block B elevation, received 4 May 2021  
 2599 P305 B Context elevation, received 4 May 2021

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2599 P306 B Context elevation 2, received 4 May 2021  
 2599 P400 A Block A B proposed section, received 8 September 2020  
 3712-2 Ground floor, received 8 September 2020  
 3712-3 First floor, received 8 September 2020  
 1966 Travel plan statement, received 8 September 2020  
 Acoustic assessment, received 8 September 2020  
 Bat survey, received 8 September 2020  
 Carbon emissions calculation, received 8 September 2020  
 Sustainability Statement rev A, received 4 May 2021  
 FRA01 Flood risk assessment, received 22 October 2020  
 Flood risk sequential test, received 8 September 2020  
 Ground investigation and coal mining risk assessment, received 8 September 2020  
 Daylight sunlight impact assessment, received 8 September 2020  
 The old dairy archaeological assessment, received 8 September 2020  
 Townscape and visual impact assessment, received 8 September 2020  
 Transport statement, received 8 September 2020  
 Drainage strategy, received 22 October 2020  
 2599-P110 D Proposed Site Plan, received 1 February 2022  
 Overheating Assessment, received 4 May 2021  
 TN01 Highways Technical Note 01, received 4 May 2021  
 2599-P402 Site context Sections and Boundary Treatment 02, received 6 October 2021  
 TN02 Highway Consultant Technical Note, received 6 October 2021  
 2599-P401 Site context Sections and Boundary Treatment 01 - 1, received 6 October 2021

Reason: For the avoidance of doubt.

**Advices**

## 1 Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Transport Development Management Team at [transportDM@bristol.gov.uk](mailto:transportDM@bristol.gov.uk) allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the council's costs in undertaking the following actions:

- I. Drafting the Agreement
- II. A Monitoring Fee equivalent to 15% of the planning application fee
- III. Approving the highway details
- IV. Inspecting the highway works

NB: Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

## 2 Minor Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway.

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You are advised that before undertaking any work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the council.

You will be required to pay fees to cover the council's costs in undertaking the approval and inspection of the works. Contact the Highway Authority's Transport Development Management Team at [transportDM@bristol.gov.uk](mailto:transportDM@bristol.gov.uk)

NB: Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

### 3 Traffic Regulation Order (TRO)

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

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

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

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

### 4 Highway to be Adopted

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

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

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

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

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

## 5 Public Right of Way

The property boundary of the development hereby approved abuts a Public Right of Way PROW (No.) (SPECIFY). You are advised that before undertaking any work you must contact the Highway Authority's Public Rights Of Way Team at [rightsofway@bristol.gov.uk](mailto:rightsofway@bristol.gov.uk) Whilst it may be unlikely that the Public Right Of Way will be affected by the proposed development (PROW) (No.) (SPECIFY):

- o Should remain open, unobstructed and safe for public use at all times;
- o No materials are to be stored or spilled on the surface of the PROW;
- o There must be no encroachment onto the width of the PROW;
- o No vehicles are to use the PROW without lawful authority of the landowner(s), unless a private right of way is shown on property deeds. It is the applicant's responsibility to ensure that the appropriate private right exists or has been acquired from the landowner.
- o Any scaffolding and/or skips placed over or adjacent to the PROW must not obstruct public access or inconvenience the public in their use of the way and must be properly licensed. Licences are available at [www.bristol.gov.uk/highwaylicences](http://www.bristol.gov.uk/highwaylicences)
- o Any interference of the PROW either whilst demolition/construction is in progress or on completion, may well constitute a criminal offence.

If construction works are likely to temporarily affect the right of way, a Temporary Traffic Regulation Order (TTRO) may be required to close or divert the PROW for the duration of the works on the grounds of safety of the public. To discuss and/or apply for a TTRO contact the Highway Authority's Network Management Team at [traffic@bristol.gov.uk](mailto:traffic@bristol.gov.uk)

N.B. Any damage caused to the surface of the PROW during development works must be made good to the satisfaction of the Local Highway Authority.

## 6 Impact on the highway network during construction

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at [traffic@bristol.gov.uk](mailto:traffic@bristol.gov.uk) before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

## 7 Restriction of Parking Permits - Existing Controlled Parking Zone/Residents Parking Scheme

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

## 8 Restriction of Parking Permits - Future Controlled Parking Zone/Residents Parking Scheme

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

## 9 Highway Condition Survey

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

## 10 Excavation Works on the Adopted Highway

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

## 11 Street Name and Numbering

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

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

## 12 Sustainable Drainage System (SUDS)

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

## 13 Heat Pump Refrigerants

Given the very high global warming potential (GWP) of refrigerants used in heat pumps including variable refrigerant flow (VRF) units I recommend that refrigerant leak detection should be provided in accordance with the guidance in BREEAM (Ref: Pol 01 - Impact of refrigerants [https://www.breeam.com/BREEAMUK2014SchemeDocument/content/12\\_pollution/pol01.htm](https://www.breeam.com/BREEAMUK2014SchemeDocument/content/12_pollution/pol01.htm)) as follows:

- o A permanent automated refrigerant leak detection system or where an inbuilt automated diagnostic procedure for detecting leakage should be installed. In either case a robust and tested refrigerant leak detection system must be installed and must be capable of continuously monitoring for leaks.
- o The system must be capable of automatically isolating and containing the remaining refrigerant(s) charge in response to a leak detection incident.

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14 Asbestos

The potential presence of asbestos containing materials (ACM's) on the site is noted. In order to prevent contamination of the site, surrounding highways and to prevent harm to construction workers, surrounding residents, receptors and future site users, we recommend the applicants undertake an asbestos survey prior to the commencement of works. Any asbestos containing materials present on site must be removed in accordance with the Control of Asbestos Regulations 2012.

15 PV Advisory

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

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

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**APPENDIX: Previous Officer Report from 12<sup>th</sup> January 2022 Committee.**

**Development Control Committee B – 12 January 2022****Application No. 20/04125/F : The Old Dairy Durnford Street Bristol BS3 2AW****BACKGROUND**

This application has not been subject to call-in by a local Councillor, however the major nature of the proposal combined with the level of public interest associated with the proposal are such that it is considered appropriate that the scheme is considered by members of the planning committee.

**SITE DESCRIPTION AND APPLICATION**

The application relates to an L-shaped site in Ashton, set between Durnford Street to the south-east and Baynton Road to the north-west. The site is currently occupied by industrial/commercial buildings of one and two-storeys in height, along with associated external yard space. The site is located amongst a mixture of commercial and residential buildings, with commercial/industrial buildings set to the north/north-east and south-west, and residential properties beyond, as well as to the south-east and north-west. A residential development has been recently approved on an adjoining site to the north/north-east at the 'Old Brewery'.

The application proposes the redevelopment of the site for predominantly residential use, but also retaining a commercial unit at ground floor level fronting Durnford Street. The proposal comprises a six-storey block of 33 flats set between Baynton Road and Durnford Street; a terrace of 7 three-storey town houses fronting Durnford Street, and; private and communal garden areas, parking and servicing.

See plans and supporting documents for full details.

**RELEVANT PLANNING HISTORY**

Application site:

19/01667/PREAPP - Proposal to create 48 new dwellings. CLOSED.

18/05296/COU - Notification for Prior Approval for a proposed change of use of Unit 3 from Storage or Distribution unit (Use Class B8) to a 2 no. dwellinghouses (Use Class C3). PRIOR APPROVAL GIVEN.

18/05295/COU - Notification for Prior Approval for a proposed change of use of Unit 2 from Storage or Distribution unit (Use Class B8) to a 3 no. dwellinghouses (Use Class C3). PRIOR APPROVAL GIVEN.

18/05294/COU - Notification for Prior Approval for a proposed change of use of Unit 1 from Storage or Distribution unit (Use Class B8) to a 6 no. dwellinghouses (Use Class C3). PRIOR APPROVAL GIVEN.

18/05293/COU - Notification for Prior Approval for a proposed change of use of Unit 4 from office use (Class B1(a)) to a dwellinghouse (Class C3). PRIOR APPROVAL GIVEN.

18/05289/COU - Notification for Prior Approval for a proposed change of use of Unit 5 from office use (Class B1(a)) to a 4 no. dwellinghouses (Class C3). PRIOR APPROVAL GIVEN.

17/06271/SCR - Request for a Screening Opinion as to whether an Environmental Impact Assessment is required for a mixed use development at the Old Brewery and Brewery Court, North Street, Southville. (Please note that this is not a planning application and therefore we are not carrying out public consultation on the proposal at this stage).

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Adjoining site (The Old Brewery, 1-3 Ashton Road):

18/04367/F - Partial demolition of existing buildings and structures to provide a mixed-use development comprising 107 residential units, office workspace and flexible commercial space (Use Classes C3, B1, B1/A1/A3/A4/C1) with associated car parking, servicing, landscaping works and infrastructure. (Major Application). PERMISSION GRANTED.

#### PRE-APPLICATION COMMUNITY INVOLVEMENT

The application is supported by a statement of pre-application community involvement (see statement of community involvement for full details). It is expressed by the developers' team that the extraordinary circumstances arising from COVID-19 are such that a typical community engagement process has not been possible prior to the submission of the application. It is also expressed that the BS3 Planning Group were invited to discuss the plans and aspirations for the site, although unfortunately no response was received.

#### RESPONSE TO PUBLICITY AND CONSULTATION

The application was advertised via site and press notices, along with letters sent to surrounding occupiers. 10 written responses were received, raising concerns that can be summarised as follows:

##### Principle

The Old Dairy should remain as a commercial area

##### Highways

- Increased pressure for on-street parking
- Inadequate parking provision on site
- Increased traffic congestion locally
- Concerns that emergency vehicle will not be able to access due to saturated on-street parking
- EV charging points should be provided
- Servicing provision is required for the commercial unit

##### Design

- Height of the proposed buildings is out of character for the area
- The height of the development should be reduced
- Overdevelopment of the site
- The appearance of the proposal is not sympathetic to its surroundings

##### Residential Amenity

- Overshadowing
- Overlooking/loss of privacy (surrounding residential windows and gardens)
- Noise and disturbance from increased occupancy

Following amendments to the scheme to address issues raised in relation to design, highways and sustainability matters, a re-consultation exercise was undertaken. 29 written responses were received, raising concerns that can be summarised as follows:

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Principle

- The Old Dairy should remain as a commercial area
- Unsuitable location for a commercial unit
- Inadequate affordable housing provision

Highways

- Increased pressure for on-street parking
- Inadequate parking provision on site
- Increased traffic posing a highway safety risk
- Future residents should not be eligible for parking permits should a future RPZ be introduced

Design

- Height of the proposed buildings is out of character for the area
- The height of the development should be reduced
- Overdevelopment of the site
- The appearance of the proposal is not sympathetic to its surroundings
- Negative impact upon local skyline

Residential Amenity

- Overshadowing
- Overlooking/loss of privacy (surrounding residential windows and gardens)
- Noise and disturbance from increased occupancy
- Refuse storage opposite existing houses, with associated rodent and strewn rubbish problems

Other

- Increased pressure on local schools and doctors surgeries

**Bristol Civic Society has commented as follows:**

Bristol Civic Society, in its response to the pre-application drawings, suggested that the properties fronting Durnford Street should be designed as town houses with front doors opening from the street. The Society welcomes the adoption of this approach. However, we are concerned about the height of block A. The development of the adjoining old brewery site will result in high buildings at the boundary between the two sites. Taken together with the proposed height of block A, this will result in the rear amenity space being very overshadowed. We suggest that block A should be reduced by at least one storey. This would also take some of the pressure off demand for on-street parking space.

**BS3 Planning group has commented as follows:**

Pro:

In favour of this development in general as it seems to currently have a good mix of property styles/sizes  
Also at an appropriate density  
Good use of green roofs

Con:

Concerns about sustainability (old fashioned looking building scheme)

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Lack of soft landscaping  
Lack of amenity space  
Loss of employment as businesses close  
Access to/from site

**The Bristol City Council Highways Officer has commented as follows (25/11/20):****Local Conditions**

The application site is located on Durnford Street which connects with Duckmoor Road to the west, Durnford Avenue to the east and Ashville Road to the south-east. Durnford Street is lit and is subject to a speed limit of 20mph.

The application site also has access from Baynton Road to the north which is a circa 7.0 metre wide single carriageway road with a 1.5 metre footway. Baynton Road is lit and subject to a speed limit of 20mph.

There are bus stops located on Duckmoor Road from which the 24 service to Southmead Hospital via the City Centre operates. The 24 also operates from a number of accessible bus stops situated along North Street. Greenway Bus Lane offers the cycling desire line towards the City Centre via the Vauxhall Bridge. There are a number of local shops and amenities situated along North Street within walking and cycling distance of the site. Raleigh Road has been identified within the LCWIP as the Bristol Route 8 variant. This route offers the most accessible route northwards via the Goal Ferry Bridge.

**Trip Generation**

The applicant has undertaken a trip generation study to ascertain the net trip impact of the development upon the local highway network. In predicting the trip rates TDM note in some instances a minimal number of site have been utilised to provide a trip output. The submitted trip information estimates the existing uses would generate 32 AM peak, 15 PM peak and 258 daily total person trips. The proposed development would generate 37 AM peak, 40 PM peak and 358 daily total person trips. In calculating the modal splits of both the existing and proposed site uses the applicant has utilised the TRICS outputs. TDM question their suitability given the Southville ward tends to have a higher sustainable transport modal share.

**Durnford Street Access**

The two existing accesses from Durnford Street will be stopped up and a new vehicular/pedestrian access will be constructed. This access will serve seven car parking spaces. Appendix 6 of the Transport Statement provides detail of the site access arrangement. This will involve the removal of the existing keep clear markings with double yellow lines introduced to maintain an unobstructed access point.

TDM request swept path analysis that details the use of the proposed parking spaces for plots 1-7 as well as swept path analysis demonstrating a vehicle accessing and egressing the parking court. Additionally TDM require swept path analysis that demonstrates the ability for a car to wait whilst another passes. This is required in order to ensure a vehicle is not required to reverse onto Durnford Street.

There are also proposed gates at this access however it is unclear which direction they open given Appendix 5 and Appendix 6 contradict one another. Clarification is required.

**Baynton Road**

Along Baynton Road the existing vehicular access will be modified to serve 10 car parking spaces. A

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second access will be provided to the east which will serve one car parking space.

TDM raise concerns regarding the lack of a footway along the sites frontage. A 2m footway is required along the sites frontage and along Baynton Road. This will require an element of s278 highway works and the adoption of land as highway which can be secured through an s38 adoption agreement. Plans must be amended which demonstrate this requirement. In addition to this TDM raise concerns regarding the overhang of the adopted footway and this must therefore be revised.

To the north of the Baynton Road carriageway there will be four car parking spaces adjacent to an area of green space to serve the affordable housing. TDM raise concerns regarding their suitability given the requirement for an 11.4m refuse vehicle to perform a turning manoeuvre. Swept path analysis has been submitted for an 11.2m refuse vehicle which falls below this requirement. Furthermore the swept path analysis demonstrates the requirement of the refuse vehicle to reverse over what will be a footway which is considered to be unsafe and will also cause an ongoing maintenance concern. It is likely the parking spaces will need to be reoriented.

TDM also require swept path analysis demonstrating the ability of cars to utilise this parking and the internal site parking.

#### Public Access

The proposals include a publicly accessible permeable link through the site that connects Durnford Street to Baynton Road. TDM support this link however require the gated entrances to be removed. The use of gates will not promote the link as useable for the general public which will subsequently not meet the aims of this link. It should be noted this link must measure at least 2m in width at all points. TDM note a number of doors open out onto this link. Again these should be reassessed and open inwards.

#### Car Parking

The applicant has proposed a total of 23 onsite parking spaces for the proposed 40 dwellings. Given the sustainable nature of the site resulting in the ability for residents to live at this location car-free, TDM raise no concerns however the TRO would need to be extended to cover the local junctions in order to maintain junction safety. As a result of the stopping up of the existing accesses, the creation of the proposed access, the removal of the 'Keep Clear' road markings and introduction of the TRO, the net effect on on-street car parking capacity on Durnford Street will be an increase of two car parking spaces.

The car parking management strategy is for the 23 spaces to be allocated as follows:

- o 16 car parking spaces will be allocated to 16 of the 33 apartments of which 12 are located on the ground floor within the site and 4 are located to the north of Block A, on Baynton Road. 2 of the spaces will be accessible parking bays.
- o 7 car parking spaces are provided to serve the houses (one space per house) and these are located on the ground floor of Block B to the rear of the dwellings.

TDM are content the allocation of car parking spaces will dissuade other occupiers from car ownership thereby reducing the overall demand for car parking. It is also noted that given the change of use of the site from commercial use, demand for on-street parking during the day is expected decrease. Residents will not be eligible for parking permits should a future RPZ be introduced.

#### Cycle Parking

TDM raise no concerns regarding the quantum of cycle parking to be provided as this is above the

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minimum policy requirement. The cycle parking spaces are to be provided in the following form:  
 56 spaces provided by secure and enclosed Sheffield stands.  
 20 spaces provided by high quality double stacked racks.  
 21 spaces provided by secure and enclosed cycle storage boxes.  
 12 spaces provided by non-enclosed Sheffield stands.

The design, quantity and location of the cycle parking are considered to be acceptable.

S106

A contribution of £5,913 is required in respect to the TRO. This will be required for the waiting and loading restrictions along Baynton Road, protection of junctions and parking restrictions along the Durnford Street frontage.

Only two cycle trips are proposed to be undertaken by users of this site during the AM peak with one undertaken in the PM peak. The submitted cycle modal share demonstrates that the facilities in this location are inadequate in promoting cycling as a form of everyday transport. The promotion of cycling is critical in addressing congestion and minimising vehicular parking requirements, the negative health impacts of inactivity and the harm caused by bad air quality. TDM therefore require a contribution of £20,000 towards the provision of signage and wayfinding measures along Route 8 of the LCWIP including Raleigh Road. Raleigh Road has been identified as a Route 8 variant within the West of England LCWIP and its improvement is critical in the promotion of cycling and the subsequent reduction of reliance on the private motor vehicle.

#### Highway Works

TDM raise concerns with the proposed steps/obstructions onto the highway along the Durnford Street frontage. These must be removed.

In terms of highway works the following is required:

The widening of the footway along Baynton Road to a minimum of 2m  
 Introduction of a 2m footway along the Baynton Road frontage  
 Works to the Baynton Road/Ashton Road junction to improve pedestrian and vehicular visibility. This will be achieved via kerb realignment.  
 Resurfacing footway along the entire Durnford Street frontage  
 Upgrade/introduction of street lighting  
 Reinstatement of vehicular crossovers  
 Street lining (removal and introduction) and resurfacing of carriageway where necessary

#### Emergency Vehicles

Swept path analysis demonstrates that a fire tender can access the site from the Baynton Road access. In the case of an emergency, a fire tender can also stop on Durnford Street to serve the commercial unit and the houses. Given a fire tender can reach within 45m of the site no concerns are raised.

#### Servicing

Delivery vehicles will serve the houses and the commercial unit from the Durnford Street site frontage. TDM raise concerns regarding the obstruction of Durnford Street for deliveries to the commercial unit. The likely timings and frequency of deliveries is unclear and a servicing strategy is therefore required.

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Waste

There are three elements of waste storage to consider; commercial, flatted residential and the proposed houses.

In respect to the commercial element there is a refuse storage area located within the unit. Given this will be collected privately no concerns are raised.

The drawings for the Baynton Road waste store show several individual wheeled bins not communal containers. The store should have an access directly onto Baynton Road as this will allow waste operatives to collect directly from the store and prevent the need for them to enter private land and prevent the storage of bins on the highway.

Travel Planning

No concerns are raised regarding the travel plan statement. TDM are content a condition could be applied which requires its implementation.

Recommendation

Before TDM are able to make a positive recommendation the following issues must be addressed:

- Introduction of a 2m footway along the Baynton Road sites frontage
- Swept path analysis as detailed
- Amendments to the public link between Durnford Street and Baynton Road
- Highway works general arrangement plan
- Servicing strategy for commercial element
- Amendments to the waste provision

**The Bristol City Council Highways Officer has commented as follows (19/08/21):**

Introduction of a 2m footway along the Baynton Road sites frontage and Highway Works

Following initial comments, the applicant has agreed to provide a 2m footway along the Baynton Road frontage. The following highway works will be provided as part of this development and this shall subsequently be conditioned.

- A 2.0 metre footway along the Baynton Road site frontage.
- Resurfacing of the footway along the entire Durnford Street frontage.
- Reinstatement of vehicular crossovers.
- Street lining (removal and introduction) and resurfacing of carriageway where necessary.
- The widening of the footway the length of Baynton Road to a minimum of 2 metres.
- Works to the Baynton Road/Ashton Road junction to improve pedestrian and vehicular visibility. This will be achieved via kerb realignment.
- Upgrade to street lighting

The applicant's position is they do not believe the installation/upgrade of street lighting is applicable to their site due to scale. TDM contest this position given the introduction of 40 dwellings will change the nature of the area from commercial to residential. At present there is no street lighting along the sites Baynton Road frontage and the lighting that is situated along Baynton Road is of a sub-standard condition for a residential area. As consistent with developments of this size that change the nature of street lighting requirements for an area TDM require a street lighting design be provided and the street lighting upgraded/ installed. This can be provided at technical design stage however will subsequently be conditioned.

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TDM welcome the provision of the 2m footway however require swept path analysis for a LWB Sprinter Van accessing/egressing the adjacent warehouse site. This will enable TDM to assess the safety of the splayed footway.

Swept path analysis

TDM welcome the swept path analysis which demonstrates an 11.4m refuse vehicle can perform a turning manoeuvre. Given this is private land an indemnity letter is required. It will also be the responsibility of the applicant to ensure this area remains free from blockage and a suitable condition shall be applied.

In respect to the internal vehicular parking no concerns are raised.

Amendments to the public link between Durnford Street and Baynton Road

The applicant has removed the proposed gates along the proposed public link between Durnford Street and Baynton Road. This is welcomed and a condition shall be applied that requires this link to remain open in perpetuity and free from obstruction.

Servicing strategy for commercial element

Within TDM's initial comments concern was raised that delivery vehicles servicing the commercial unit would cause an obstruction on Durnford Street and requests more information on likely timings and frequency.

The applicant has proposed a single yellow line Traffic Regulation Order on the Durnford Street site frontage to accommodate delivery vehicles and a plan has been provided within the submitted transport technical note. A plate will be introduced which will permit loading and unloading during the hours of 1000 and 1600 Monday to Saturday and will be available for parking at all other times.

A Delivery and Service Vehicle Management Plan will be secured by a planning condition.

Amendments to the waste provision

The Baynton Road waste storage area will have communal containers rather than individual wheeled bins and the store will have direct access onto Baynton Road. Waste operatives will be able to collect directly from the store from Baynton Road rather than entering the site and prevent the storage of bins on the highway.

Contribution

The applicant has rejected the notion of providing a contribution towards cycle infrastructure improvements.

The application proposes a low parking level (Nineteen due to revisions) and does not contribute towards the promotion of alternative sustainable modes. Consequently, it is considered that without improvement to the cycle routes that do exist, the development would fail to maximise the opportunity for access to the site by non-car modes of transport in line with current policy. This would intensify the on-street parking concerns within the area given the nature of the location adjacent to the RPS.

In respect to the calculation of future cyclist numbers this has been predicted utilising existing cycling levels of similar developments with a scale factor subsequently applied. This does not provide for the aspirational future level of cycling, which is required to address the climate emergency, poor air quality or healthy neighbourhoods but reinforces the status quo of car-based development and car-based movement, as evidenced by the submitted trip statistics.

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TDM consider this contribution to meet the three tests as set out within the National Planning Policy Framework. Without this contribution TDM would consider the application to be contrary to both local and national planning policy.

**The Bristol City Council Highways Officer has commented as follows (30.11.21):**

Following the revised comments TDM required swept path analysis (which has been provided and demonstrates safe access into the adjacent site), a £20k contribution towards cycle infrastructure wayfinding improvements (which has now been accepted) and upgrade to street lighting. Whilst TDM disagree regarding the omission of the upgrade to street lighting it is acknowledged there is existing street lighting and the development will result in a benefit to sustainable transport.

On this basis TDM are satisfied the applicant has addressed the remaining TDM requirements and therefore recommend approval of the application subject to s106 contributions and conditions.

**The Bristol City Council Urban Design Officer has commented as follows (05/03/21):**

CDG supports the proposal in principal and seeks to play a positive role in resolving the detailed aspects of the scheme.

Layout

CDG is broadly supportive of the layout configuring the site as two development blocks and delivering a route through the site connecting Baynton Road and Dunford Road.

CDG questions if the inner courtyard sandwiched between rear garden fences of Block-B and the Old Brewery development is best configuration. CDG suggest options to restrict the parking area closer to Block-A and reserving the majority of the space for private or communal outdoor space.

Landscape

CDG recommends that the applicants reconsider the diagonal design for landscaped areas, particularly the Reworked Public Courtyard space as the constraints posed by multiple access points don't align with diagonal pattern.

The paved area adjacent to Block-A has a potential to serve as a quality communal space. Consideration should be given to removing the visitor parking and designing the space for the residents and community.

Consideration should be given to removing the gate on the new access link.

The design of the boundary between the site and the neighbouring parcels needs to be clarified.

Development Blocks

The height scale and massing of the Block-B is acceptable. The accentuated height for Block-A is a potential area of concern and needs TVIA photomontages to make the assessment.

Sections showing the relation of the proposal with the neighbouring properties/development are needed for assessment.

The ground floor of Block-A presents car parking and blank frontage to public realm. It is recommended to reconsider the arrangement.

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Threshold spaces for the entrances on Block-A and Block-B need special focus with the design resolution clarified. This can be included in the 'design intent document'.

High quality elevations will depend on adequate façade depths with appropriate facet detailing. CDG seeks a design intent document for the detail elements of scheme to clarify this aspect. This document should describe materials (colour/tone/texture, intended façade detailing with approximate dimensions)

**Public Art**

It appears that the public art approach could be strengthened by more intensive community engagement which would foster a sense of collective ownership. CDG recommends the design team review this part of the public art strategy.

**The Bristol City Council Urban Design Officer has commented as follows (27.09.21):**

No Urban Living assessment has been presented to support the proposal. Liveability considerations like large proportion of single aspect apartments, lack of natural light and ventilation in communal spaces are special area of concern.

**Layout**

The revision partly addresses the intent of the comments. CDG recommends removal of parking 1 to 4 and moving parking 5 to 7 closer to access. This will allow for significantly larger communal/private amenity space.

**Landscape**

CDG acknowledges the removal of the diagonal pattern to address the comments. The current design and annotation gives an impression of the space primary oriented towards vehicles. While the access rights are acknowledged, it is unclear of the Reworked Public Courtyard space will continue to serve as a public amenity space with associated seating and activities. CDG recommends public use of the space should be given primary importance.

CDG acknowledges the removal of visitor parking to address the comments. Please provide sections to clarify the relation with the approved proposals.

**Development Blocks**

Please provide the images for TVIA.

Please provide sections to clarify the relation with the approved proposals.

Greater detail with design intention needs to be included in the design intent document.

**Public Art**

Public art is intended to be integral part of design development and public engagement phases of the scheme. Engagement of artists at early stages of design offers great potential for cross fertilisation of design ideas. It is not appropriate to wholly defer the public art component to planning condition stage.

**The Bristol City Council Sustainability Officer has commented as follows (04/03/21):**

This site is within a developing Heat Network area (Long Ashton) as per existing feasibility studies by SEL. It has been confirmed that there is to be an energy centre close to this site and the proposed route will be directly adjacent to the development. The site can benefit from a Day 1 heat network connection. Block A (resi and commercial) would be well suited to connect to the DH network and a S106 agreement should be sought for connection. I am happy with the 7 units in Block B using a heat

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pump strategy.

With regard to point 1; Information with regard to specific fabric improvements above existing Building Regulations ~( $U$  values) has been provided and I note proposed air tightness of the development at  $5\text{m}^3/\text{h}/\text{m}^2$ . I note use of 'natural ventilation' has been proposed.

Solar PV has been mentioned within the statement and I can see an indicative area shown on the roof plan. Revised figures following incorporation of heat network strategy should be confirmed, and an MCS pre-assessment should be carried out to confirm the kwp required to achieve the 20% reduction in carbon emissions required by policy, and therefore the number of solar PV panels required to achieve the required reduction. The PVs should be shown on the plans to ensure that there is sufficient space to site them on the roof.

With regard to the heat hierarchy, within Policy BCS14, the site is located within the Heat Network Priority Area as per the adopted Local Plan. The site (Block A) would therefore be expected to connect to the forthcoming Long Ashton Heat Network via S106. The Energy Statement should be reviewed to include this.

Where heat pumps are being specified I would strongly encourage specification of systems using refrigerants with the lowest available 'global warming potential' (GWP), coupled with the implementation of best practice on refrigerant monitoring and leak detection. Details of how this will be implemented in practice should be provided in the final Energy Statement.

I do not currently consider that BCS13 is addressed sufficiently for the development and I am unable to see any evidence of an overheating assessment. In light of the internal layout, built-form and orientation of the scheme I request additional analysis to provide assurance that the scheme will not be liable to over-heating under current and projected climate scenarios and would therefore lead to increases in energy use and carbon dioxide emissions (through requiring additional cooling via air-con etc).

The use of green infrastructure is strongly encouraged as per Policy BCS13 on account of the multiple benefits. I note a green roof proposed on the roof of Block A - details of a planted green / brown roof would be The use of planted brown/green roofs is encouraged particularly in combination with roof-mounted PV.

We would welcome provision of detail for the proposed green roof, which will assist with increasing the thermal mass of the building and help with cooling. I'd also welcome details of any other green infrastructure to assist with future cooling of the development in a hotter climate (such as tree planting for shade)

EV

The requirements shown in Appendix 2 of the Bristol Local Plan - Site Allocations and Development Management Policies document should be met. For resi the requirement is for a minimum of one electric vehicle charging point to be provided for every five spaces.

We would encourage the provision of passive charging infrastructure to be put in to the parking areas during construction to allow for easy conversion to active charging infrastructure in the future, as the charging infrastructure is already below the ground. This has a minimal cost implication for the developer but prevents costly retrofitting in the future.

**The BCC Sustainability Officer has commented as follows (25.05.2021):**

I note the submission of a revised Sustainability Statement, and a newly submitted overheating assessment. I note and welcome an improvement on Part L U values. The energy statement states an

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air permeability will be achieved of 5 m<sup>3</sup> / h / m<sup>2</sup> at 50pa across the development and this should be secured via condition.

BCS14 Energy Strategy:

A District Heating system (connection to the BCC network) will be utilised in Block A and an Air Source Heat Pump strategy in Block B (the individual dwellinghouses) . A s.106 will need to be agreed to secure a District Heating connection.

Renewables:

For the commercial area a PV system with total of 1.3kWp has been used. This equates to 6 x 250W panels with an area of roughly 9m<sup>2</sup>.

To provide the 20% reduction in CO<sub>2</sub> required a PV system with a total of 20.24kWp has been proposed. This should be secured via condition. Can it be clarified if the total requirement is 20.24kwp or if its 20.24 + 1.3 kwp?

This should be secured by condition.

Overheating

I note that the weather file 2020 has been included, which shows that the development as modelled does not currently overheat. However, as we are all aware, the climate is changing and by 2080 Units 7, 15,23,24, and 28 all wholly fail against the CIBSE methodology (i.e. there is no habitable room within the property that passes). I would therefore request that consideration is made for external solar shading to these Units (7, 15,23,24 and 28).

Please ensure that the overheating report is included in list of approved plans.

On the subject of active measures, is there a proposed ventilation system, for example Mechanical Ventilation with Heat Recovery? Units that are so well sealed as this have the potential to suffer poor air quality unless adequately ventilated.

**The City Council Pollution Control Officer has commented as follows (22/10/20):**

I have looked at this application and the acoustic report submitted and am happy with the residential part of the development. The application also includes a commercial space but no further details or possible use classes are given. As a commercial use could cover a myriad of different uses it needs to be ensured that the commercial use does not cause harm or nuisance to existing residents or residents of part of this development. Could I therefore ask for further details of the proposed commercial use including likely operating times.

With regards to the residential part of the development I would ask for the following conditions:

1. Construction Management Plan
2. Noise from plant & equipment affecting residential

**The City Council Contamination Officer has commented as follows (26/10/20):**

The following report submitted with the application has been reviewed:

T and P Regeneration Limited. 06/01/2020 Durnford Street, Desk Study report. CS-J-0553 Issue 01

Overall the desk study is acceptable and makes recommendations for further assessment. We

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presume the applicants would prefer this to occur following the demolition of the existing buildings. As a consequence the following conditions are recommended to be applied to any future planning consent:

1. Site Characterisation
2. Submission of Remediation Scheme
3. Implementation of approved remediation scheme
4. Reporting of Unexpected Contamination

#### Unexploded Ordnance

The site is in a high risk area - the applicants are advised a UXO risk assessment will be required. Ideally this will be submitted prior to determination to reduce pre-commencement planning conditions.

#### Asbestos advice:

The potential presence of asbestos containing materials (ACM's) on the site is noted. In order to prevent contamination of the site, surrounding highways and to prevent harm to construction workers, surrounding residents, receptors and future site users, we recommend the applicants undertake an asbestos survey prior to the commencement of works. Any asbestos containing materials present on site must be removed in accordance with the Control of Asbestos Regulations 2012.

#### **The Coal Authority has commented as follows (09/03/21):**

##### The Coal Authority Response: Material Consideration

The application site falls partly within the defined Development High Risk Area; therefore within the site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. The Coal Authority's information indicates that the site lies in an area where historic unrecorded underground coal mining activity is likely to have taken place at shallow depth.

The planning application is accompanied by a Desk Study Report (6 January 2020, prepared by TandP Regeneration Ltd). Based on a review of appropriate sources of coal mining and geological information, the report acknowledges that shallow coal mining may have occurred beneath the site.

Accordingly, it goes on to recommend the carrying out of intrusive ground investigations, in the form of the drilling of boreholes to depths of 30.0m bgl, in order to investigate ground conditions and the mining situation beneath the site and to inform any necessary remedial measures.

The Coal Authority welcomes the recommendation for the undertaking of intrusive site investigations. These should be designed by a competent person, in cognisance of the conclusions of the Coal Mining Risk Assessment, to properly assess ground conditions and to establish the exact situation regarding mining legacy which could pose a risk to the proposed development.

The findings of the investigations should be interpreted by a competent person and should be used to inform any mitigation measures, such as grouting stabilisation works and foundation solutions, which may be required in order to remediate mining legacy affecting the site and to ensure the safety and stability of the proposed development.

The applicant is requested to note that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb Coal Authority property, i.e. coal seams and associated workings.

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Mine Gas

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning and Development team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

The Coal Authority Recommendation to the LPA

The Coal Authority concurs with the recommendations of the Desk Study Report; that coal mining legacy potentially poses a risk to the proposed development and that investigations are required, along with possible remedial measures, in order to ensure the safety and stability of the proposed development.

As such, should planning permission be granted for the proposed development, we would recommend that the following conditions are included on the Decision Notice:

1. No development shall commence (excluding the demolition of existing structures) until;
  - a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
  - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

2. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

The Coal Authority therefore has no objection to the proposed development subject to the imposition of the above conditions. This is our recommendation for condition wording. Whilst we appreciate that you may wish to make some amendment to the choice of words, we would respectfully request that the specific parameters to be satisfied are not altered by any changes that may be made.

**The BCC Economic Development Officer has commented as follows (01.10.20):**

Neutral - neither supporting or objecting to the proposal.

**The BCC Affordable Housing Officer has commented as follows (02.10.20):**

Affordable Housing Statement

This provision of 9 No. units equates to a 22.5% provision. The applicant asserts that the scheme

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would have benefited from the engagement of the Vacant Building Credit (VBC), however, in light of the current economic uncertainty, they have been provided on a short-term license basis in order to provide a modest income stream. Advice should be sought from the Council's Planning Obligations officer regarding the application of VBC. However, if the units are not vacant it seems unlikely that this will apply.

**Affordable Housing Policy requirements**

As the number of units proposed is above the 15 site threshold the scheme is subject to Bristol City Council's Core Strategy Policy BCS17 and in the South of the city should provide 30% affordable housing. For further detail see the Council's Affordable Housing Practice Note

The policy requires that residential developments should provide a mix of affordable housing units and contribute to the creation of mixed, balanced and inclusive communities. The tenure, size and type of affordable units should reflect identified needs, site suitability and economic viability. The affordable units will be secured through a S106 agreement to ensure that all units provided remain at an affordable price for future eligible households or, if this restriction is lifted, for the subsidy to be recycled for alternative affordable housing provision.

The affordable homes would normally be purchased by a Registered Provider from the Homes West partnership at an agreed transfer price representative of the value of the units as affordable dwellings in perpetuity, e.g. below market value. There is no public subsidy for affordable housing secured through S106 agreements. Where scheme viability may be affected and developers seek to demonstrate that they cannot provide a fully policy compliant scheme they will be expected to provide full development appraisals to demonstrate an alternative affordable housing provision. The applicant will be encouraged to work with the Council to seek to provide additional affordable units that may be funded by Homes England or Bristol City Council grant.

**Service charges**

Service charges (inclusive of all site charges for un-adopted public space) payable by the occupant of all Affordable Housing Units will be a maximum of £250pa for all houses and £650pa for all flats linked to CPI

Any ground rent or estate charges shall be at a peppercorn.

**Distribution and location of units**

The council seeks fully integrated mixed housing. In support of this, affordable housing must be integrated amongst market sale housing, and be indistinguishable in external appearance from market sale homes. The S106 agreement will be subject to an agreed location of the units between Bristol City Council, an approved Homes West Registered Provider and the Developer.

**Tenure**

A tenure split of 75% social rent, 25% shared ownership is sought.

**Design and layout**

The Affordable units as proposed are distinguished from the market units with a separate entrance. This may be acceptable from a management perspective but care must be taken to overcome any obvious visual distinction between the affordable and market units. The fact that no affordable units have balconies is further suggestion of this distinction in the current design. Some of the affordable units have less than optimal daylight penetration and there does not appear to be any outdoor amenity space for the proposed affordable units. These issues should be addressed to provide

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improved amenity and tenure blind design.

The scheme is in a highly sustainable location and is an opportunity to provide a successful mixed use and mixed tenure scheme to meet market and affordable housing need/demand. I look forward to working with the applicant to achieve a scheme that is policy compliant and acceptable in terms of integration, amenity and range of tenures and sizes.

## 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.

## KEY ISSUES

### A. PRINCIPLE

Core Strategy policy BCS1 outlines the priority for south Bristol to deliver development including the provision of around 8,000 new homes of a mix of type, size and tenure and around 60,000sqm of net additional office floor space focused on centres and major regeneration areas.

Policy BCS5 aims to deliver new homes within the built up area to contribute towards accommodating a growing number of people and households in the city. The policy states that the development of new homes will primarily be on previously developed sites across the city. Policy BCS20 seeks the efficient use of land, particularly in and around the city centre, in or close to other centres and along or close to main public transport routes.

Policy BCS8 sets out that employment land outside of Principle Industrial and Warehousing areas (PIWAs) will be retained where it makes a valuable contribution to the economy and employment opportunities. New employment floorspace suitable for smaller businesses will be encouraged as part of mixed-use development. Policy DM12 relates to retaining valuable employment sites and expresses that employment sites should be retained for employment use unless it can be demonstrated that (i) there is no demand for employment uses; or (ii) continued employment use would have an unacceptable impact on the environmental quality of the surrounding area; or (iii) a net reduction in floorspace is necessary to improve the existing premises; or (iv) it is to be used for industrial or commercial training purposes.

As can be seen within the planning history section above, Prior Approval has been given for residential use of units 1-5, fronting Durnford Street. These permissions have not been implemented and the buildings are not in residential use, and as such remain in B1(a) and B8 uses. These consents do however give permission for the conversion of the existing premises (units 1-5) to residential use, which is a material consideration as part of the application assessment process. There is also a warehouse building to the western side of the site.

The proposal would result in the loss of the existing commercial units on site, and replacement with a mixed use development of 40 dwellings along with a commercial unit at ground floor level fronting Durnford Street. A specific end use for the commercial unit is not identified within the submission, however this could reasonably be restricted by condition to uses falling within Class E, which is considered appropriate in this context.

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The BCC Economic Development team were consulted in relation to the proposal, and provided a neutral stance neither objecting nor supporting the proposal. This lack of objection is taken as indication that the site is not considered valuable in terms of employment floorspace, and when considered in tandem with the extant permissions for residential development on the site, and the proposal for mixed use development that includes several residential units in a sustainable edge of centre location, in accordance with national and local planning policy, it is considered that higher density residential-focussed mixed use development on this site is acceptable in principle. This is however subject to meeting the requirements of interrelated policy, including in terms of design, amenity, highways, and sustainability considerations, which will be discussed further below.

## B. HOUSING MIX

Policy BCS18 of the Core Strategy states that all new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. BCS17 relates to the provision of affordable housing as part of major development proposals. Policy BCS20 seeks the efficient use of land, particularly in and around the city centre, in or close to other centres and along or close to main public transport routes. The policy also expresses that the appropriate density for any individual site will be informed by: the characteristics of the site; the local context; its current and future level of accessibility by walking, cycling and public transport to a range of employment, services and facilities; the opportunity for a mix of uses across the site; the need to provide an appropriate mix of housing to meet the community's needs and demands; and the need to achieve high quality, well designed environments. The Urban Living SPD promotes achievement of optimum densities on all sites.

The proposed development would provide a total of 40 dwellings, comprising 7 houses (17.5%) (6 x 4 bedroom 6 person (4B6P) units (15%), 1 x 3B5P (2.5%)), and 33 flats (82.5%) (10x1B2P (25%), 7x1B3P(17.5%), 16x 2B4P (40%)). The affordable housing provision as part of this would be 8 flats (2x2B4P, 6x1B2P), which equates to 20% provision.

At the time of writing the 2021 census data has not yet been published, and as such the following statistics are taken from the 2011 census. The residential accommodation type on a Bristol-wide average comprises 16.5% 1 bed; 27.9% 2 bed; 40.9% 3 bed; 9.9% 4 bed 4.7% 5 or more bed. This accommodation is split between 65.5% Houses, and 34.4% flats. The majority of the application site is set within the Bower Ashton LSOA (E01014695), with residential accommodating comprising 22.8% 1 bed; 40.1% 2 bed; 23.8% 3 bed; 8.9% 4 bed 4.2% 5 or more bed. This accommodation is split between 44.5% Houses, and 55.5% flats. The remainder of the site falls within the adjoining Ashton LSOA (E1014700) with residential accommodation comprising 6% 1 bed; 13.8 % 2 bed; 63.7% 3 bed; 12.9% 4 bed 3.5% 5 or more bed. This accommodation is split between 81.9% Houses, and 18.1% flats.

As can be seen from the local area statistics, there is a relatively even split of one, two and three-bedroom dwellings. The application proposal seeks to introduce a mix of housing types and tenures that is considered to complement the existing housing mix in the area and would not cause or exacerbate any local housing imbalance.

The affordable housing offer of 8 units equates to a 20% provision. This falls short of the 30% set out within relevant local plan policy. The application submission expresses that Vacant Building Credit (VBC) should apply, reducing the necessary affordable housing provision, however the existing buildings on site are not vacant and as such VBC does not apply. What is a material consideration with regard to affordable housing for the development however, relates to the 'fast track' approach for affordable housing as set out within the Affordable Housing Practice Note (2018) and the amendments made by Cabinet in March 2019.

The Affordable Housing Practice Note sets out the 'fast track' route for affordable housing, with a 20%

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provision acceptable on the basis that the development falls within Bristol's Inner West or Inner East zone and (if approved) commences within 18 months of approval. If commencement does not occur within 18 months of permission being granted, then the scheme will be subject to viability testing. Cabinet in March 2019 expanded this fast track route to incorporate 'Greater Bedminster', which includes the Southville Ward and hence the application site. It was stipulated by Cabinet that the extension would be until March 2021 or the adoption of the new Local Plan (whichever is sooner). It is recognised that this time period has lapsed, however it is understood that the intention is to further extend the time period for the 'fast track' approach in the Greater Bedminster area. It is also acknowledged that at the time of submission of the application under consideration, the site fell within an extant affordable housing 'fast track' area. Weighing these factors within the planning balance, it is considered that the 20% affordable housing offer can be accepted in this instance, subject to the commencement of the development within 18 months of decision if planning permission is ultimately granted.

The 8 affordable housing units would all be set within the flatted block, comprising 6x 1Bed 2 Person flats, and; 2x 2Bed 4 Person flats. The BCC affordable housing officer has requested a tenure split of 75% social rent and 25% shared ownership. On the basis of 8 affordable units being provided this equates to 6 social rent units and 2 shared ownership units. In terms of the requirements of affordable housing providers/operators, it is preferable for affordable units to be clustered for operational and management purposes, and as such the affordable units being concentrated towards one end of the flatted block (over three floors) is supported. Amendments during the course of the application are such that all but 1 affordable unit would have their own private balcony, which is considered to overcome the affordable housing officers concern in this regard. The layout would remain where the affordable units would be accessed via a separate entrance, and whilst there may be concerns in terms of whether the development is 'tenure blind', such a layout does have benefits in terms of operational issues for the affordable housing provider that would take the units on, and as such is considered acceptable on balance.

On the basis of the above, it is considered that the proposal offers an appropriate housing mix for the area.

**C. DESIGN AND CONSERVATION**

Core Strategy policy BCS21 relates to overarching urban design principles to ensure high quality development acceptable within its context. Policy DM26 requires development to contribute towards local character and distinctiveness, in relation to various factors including pattern and grain of development, scale, character, function and architectural styles. The policy also states that proposals should not prejudice the opportunity to develop adjoining land of similar potential. In forms of existing development that relate poorly to the surrounding development or lack a coherent and integrated built form, development will be expected to take reasonable opportunities to improve the area's character, enclosure, permeability, public realm and appearance and better integrate the area with its surroundings. Policy DM27 is concerned with layout and form, including principles in relation to blocks and plots. Within this is consideration of a variety of factors including street layout and linkages, fronts and backs, defensible space, quality of public realm, amenity space and servicing. This policy also requires a co-ordinated approach to wider development such that development potential of adjoining sites is not prejudiced by a proposal. Policy DM29 relates to the design of new buildings, covering a wide range of factors including access, layout, solar orientation, energy efficiency, quality, proportion and visual interest. The NPPF (2021) requires new development to provide high quality and beautiful buildings and places.

The application relates to an L-shaped site in Ashton, set between Durnford Street to the south-east and Baynton Road to the north-west. The site is currently occupied by industrial/commercial buildings of one and two-storeys in height, along with associated external yard space. The site is located amongst a mixture of commercial and residential buildings, with commercial/industrial buildings set to the north/north-east and south-west, and residential properties beyond, as well as to the south-east

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and north-west. A residential development has been recently approved on an adjoining site to the north/north-east at the 'Old Brewery'.

The application proposes the redevelopment of the site for predominantly residential use, but also retaining a commercial unit at ground floor level fronting Durnford Street. The proposal comprises a six-storey block of 33 flats set between Baynton Road and Durnford Street; a terrace of 7 three-storey town houses fronting Durnford Street, and; private and communal garden areas, parking and servicing.

Neighbouring commercial buildings include sprawling buildings with elevations finished in brick and render, topped with gable-ended roofs, located immediately to the north, north-east and south-west. The adjoining Old Brewery site to the north has extant planning consent for mixed use development, including residential buildings of 8-9 storeys in height. Existing surrounding residential development comprises a mixture of terraced and semi-detached houses of two to two-and-a-half storeys in height. There is variety in built form and finishing materials locally, however the prevailing locally characteristic roof form is gable ended, with elevations predominantly finished in facing brickwork or render.

As can be seen within the consultations section of this report, BCC City Design Group have had input throughout the application process. Amendments have been made to the scheme throughout the process in response to feedback from Urban Design Officers, as part of the evolution of the scheme throughout the application process.

City Design Group officers are supportive of the proposed layout, which considers relationships internally within the site, as well as relationships with existing surrounding development. Some concerns were initially raised by CDG regarding the scale of the proposed flatted block, with requests made for the provision of additional information, including site sections that include visualisation of the neighbouring extant permission, to better understand the relationship of buildings within the context. Further information was subsequently submitted in this regard and it is considered that the stepped nature of the flatted blocks form, along with variations in height within the development are such that the 3-6 storey proposal is considered an appropriate transition between the (up-to) 9 storey development on the Old Brewery Site and the 2-3storey development on surrounding residential streets.

Views analysis was provided as part of the application package, with the Townscape Visual Impact Assessment (TVIA) setting out the visual impact of the scheme from verified views agreed with Urban Design Officers. Whilst the development would be visible from a number of vantage points, it is considered that the development would not dominate key views and would not unacceptably visually compete with existing and approved surrounding development.

The architectural approach for the redevelopment of the site is supported, with the scheme design drawing on architectural themes, features and materiality of surrounding development, including industrial and residential building aesthetics, the use of gable-ended forms, and a predominance of robust finishing materials with a palette that references the local vernacular. The proposed finishing materials include facing brickwork; render; timber cladding; metal standing seam cladding/roofing, and; galvanised steel. Final materials details would need to be agreed through the provision of sample panels, to be secured by condition if planning permission is granted.

A landscaping scheme has been provided, with a combination of hard and soft landscaped areas to provide functional and amenity spaces throughout the development. Integrated play equipment and areas for socialising are incorporated, along with a publicly accessible walkway linking Baynton Road and Durnford Street along a desire line between Greville Smyth Park and surrounding residential streets. The landscaping scheme is supported and can be secured via condition if planning permission is granted.

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Overall therefore, subject to the imposition of relevant planning conditions, the proposed design is considered acceptable.

#### D. RESIDENTIAL AMENITY

Policy BCS21 expects development to safeguard the amenity of existing development and create a high quality environment for future occupiers. Policy BCS18 requires residential development to provide sufficient space for everyday activities and enable flexibility and adaptability by meeting appropriate space standards. Policy DM2 requires development to provide a good standard of accommodation by meeting relevant requirements and standards. Policy DM29 expects new buildings to safeguard the amenity of the host premises and neighbouring occupiers. Policy BCS23 expresses that in locating and designing new development, account should be taken of the impact of existing sources of noise or other pollution on the new development. Policy DM35 expects noise sensitive development in locations likely to be affected by existing sources of noise to provide an appropriate scheme of mitigation to ensure adequate levels of amenity for future occupiers.

#### Neighbouring Occupiers

The nearest neighbouring residential properties are set to the south-east on the opposite side of Durnford Street. The proposed flatted block with ground floor commercial unit would be positioned adjacent to the side elevation of the end-terraced house at 31 Ashville Road (existing commercial use but with planning permission to convert to residential use), with a separation distance of approximately 14 metres. The proposed terrace of town houses would be positioned adjacent to the side elevation of 10 Durnford Street and the side elevation of 29A and 29B Durnford Avenue, with separation distances of 13 metres (average) and 12 metres respectively. These distances of separation accord with those existing, and are characteristic for the area, which has a tight urban grain. To give further local examples of local separation distances between adjacent front elevations, Ashville Road separation distances are approximately 17.5 metres; Raleigh Road 16m; Friezwood Road 14.3m, and; North Road 9.4m.

The proposed development ranges between 3 and 6 storeys, with the terrace of town houses being 3 storey, and the flatted block being 3 storeys in height adjacent to the back edge of pavement on Durnford Street, increasing to 4 storeys as the frontage steps back, and increasing again to 6 storeys as the frontage steps back further. The front elevation of the 6-storey element would be stepped back from Durnford Street by approximately 5.2 metres. In addition to the tallest element of the proposal being pushed back from the street frontage, the height would also be focussed where the site is deepest, and aligned with the junction of Ashville Road and the end elevation of 31 Ashville Road, as well as being positioned alongside the approved 8 and 9 storey elements of the approved development at the neighbouring Old Brewery site. The layout and massing of the development as presented is considered such that the proposal adequately limits overbearing impact upon existing surrounding development, and also when considering the extant planning consent on the adjoining Old Brewery site.

The application submission includes the provision of a daylight/sunlight assessment, which includes consideration of impact upon adjacent existing residential properties. The assessment considers Building Research Establishment (BRE) criteria including Vertical Sky Component (VSC) and Annual Probable Sunlight Hours (APSH). The report considers two scenarios, with scenario 1 being comparison of the proposed development to the existing situation, and scenario 2 being comparison of the proposed development to existing plus the approved adjacent development at the Old Brewery site.

When considering scenario 1, there would be marginal exceedance of BRE recommendations regarding natural light reduction to side-facing windows at 29A and 29B Durnford Avenue, and at 10 Durnford Street. There would be slightly more significant exceedance of BRE guidelines when considering side-facing windows at 31 Ashville Road. When considering scenario 2, exceedance of

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BRE guidelines would occur only at 10 Durnford St and 31 Ashville Rd. The exceedance of BRE guidelines is only marginal at 10 Durnford Street, however the impact would be greater at 31 Ashville Road. 31 Ashville Road is currently a commercial property and as such the BRE residential guidelines do not apply, however it is noted that planning permission has been recently granted to convert the property to a residential dwelling. The plans for the recent planning permission reveal that the affected windows are either secondary windows to habitable rooms, which are also served by principle windows to either the front or rear elevation, or; windows lighting the hallway and staircase.

The findings of the report are such that there would be some impact upon levels of natural light to some existing properties opposite the application site, however overall the impacts are generally considered represent marginal exceedance of BRE guidelines rather than severe deviations, and that the levels of daylight are not out of the ordinary for what may be considered reasonable within an urban context.

The proposal would introduce additional overlooking of surrounding properties when compared with that experienced from the existing commercial buildings on site. As set out previously, separation distances between existing and proposed development accord with the established characteristics of the area, and as such window-to-window distances are considered acceptable. The incorporation of balconies into the design has the potential for overlooking issues to arise. The previously mentioned layout and massing focusses balconies on the Durnford Street frontage towards views along Ashville Road and towards the end elevation of 31 Ashville Road, with this arrangement minimising amenity impact upon surrounding occupiers. The outdoor space associated with 31 Ashville Road in particular would experience additional overlooking as a result of the proposed balconies, however at present this outdoor space is hardstanding associated with the commercial use of that property, although it is acknowledged that there is extant planning consent for conversion of that property to residential use.

Noise and disturbance from increased occupancy was raised within objection comments received from nearby occupiers. It is acknowledged that the provision of 40 dwellings on the site would result in noise associated with residential occupation of the site, however the development would be located within an existing residential area within an Inner Urban area of the city (as set out within the Urban Living SPD) and noise associated with the residential occupation of the site would not be out of character for the area, or at odds with existing surrounding development. It should also be noted that the existing commercial uses on site, including vehicle repair and warehousing uses, would be removed from the site, noise from commercial uses locally reduced as a result.

Conditions can be attached to any permission granted, restricting the operational hours of the proposed commercial unit, as well as servicing times, in order to safeguard the amenity of surrounding occupiers.

#### Future Occupiers

The application is supported by the provision of an acoustic report, considering impact from surrounding commercial uses. As can be seen within the consultations comments above, the City Council Pollution Control Officer is comfortable with the findings of the report from a residential amenity perspective.

All residential units meet current space standards requirements in terms of floor area. Of the 33 flats proposed 29 would have a private external balcony, which equates to 88%. The remaining 4 flats would have a Juliette balcony rather than private outdoor amenity space. Each of the 7 houses would have an associated private rear garden. The proposal also incorporates communal garden space.

Of the 40 dwellings proposed, 7 would be single aspect (4x SW facing, 3x NE facing), 3 of which would have private external balconies, and the remaining 4 without. Whilst there would be a small number of single-aspect units, it is considered that overall a good standard of accommodation is achieved, with inter-relationships, orientation and daylighting considered reasonable on balance within

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the urban context.

The proposed development would have a close relationship with the recently approved development on the neighbouring site at 'The Old Brewery' under application 18/04367/F. Care has been taken within the design to ensure that the developments would have a compatible relationship in residential amenity terms, with the relationships between the neighbouring developments such that overlooking and overbearing impacts have been minimised through layout design, massing and window positioning/outlook orientation.

Interrelationships within development are also generally well considered, although there are some instances where balconies have relationships with windows to adjacent flats that give rise to overlooking concerns. When using the references set out on the submitted accommodation schedule plan, these concerns relate to the balconies to flats 2.9 and 3.8, which would overlook living room windows of flats 2.6 and 3.5 respectively, and; balconies to flats 1.4 and 2.4 enabling overlooking of bedroom windows at flats 1.3 and 2.3 respectively. In all instances it is considered that the provision of a privacy screen to the south-western end of the four balconies previously identified would adequately overcome these overlooking concerns, which can be secured by condition, and would safeguard against overlooking whilst also providing for private outdoor amenity space within the development.

On the basis of the above it is considered that the proposal is acceptable in respect of residential amenity of neighbouring occupiers and future occupiers of the site.

#### E. HIGHWAYS AND SERVICING

Core Strategy policy BCS10 sets out a transport hierarchy for the design of developments, with pedestrians first, followed by cyclists then public transport. The private car is lowest on the hierarchy. The policy also expresses that development should be located where sustainable travel patterns can be achieved; should minimise the need to travel; and maximise opportunities for the use of walking, cycling and public transport. It is also expressed that developments should be designed and located to ensure the provision of safe streets.

Policy DM23 expresses that development should not give rise to unacceptable traffic conditions and will be expected to provide: safe and adequate access onto the highway network; adequate access to public transport; transport improvements where necessary; adequate provision for pedestrians and cyclists. The policy also requires the provision of adequate servicing facilities, and safe accessible and usable parking in accordance with the parking standards schedule. Policy DM32 requires adequate refuse and recycling provision in new development.

The application site is set between Durnford Street to the south-east and Baynton Road to the north-west, with both of these roads providing access to existing commercial units occupying the site. The existing open yard area to the north-west also provides access to a number of surrounding units and as such the rights of way across this area must be factored into any development proposals for the site.

The proposed development would have pedestrian and vehicular access from both Durnford Street and Baynton Road. Durnford Street would provide vehicle access to the parking allocated to the terrace of houses, which would be provided to the rear of the terrace via a gated vehicular access. There would also be a pedestrian access to all proposed accommodation, as well as pedestrian access of a new pedestrian route through the site connecting Durnford Street and Baynton Road. The proposed commercial unit would be serviced from Durnford Street, as would one of the refuse/recycling stores associated with the proposed flats. The terrace of houses onto Durnford Street would be serviced via regular kerbside collections. The parking associated with the flats would be accessed via Baynton Road (with the exception of one accessible parking space), as would the communal cycle storage. Servicing would also take place via Baynton Road. The public through

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route, by its nature, would also be accessible via Baynton Road, as would pedestrian access to all proposed accommodation.

During the course of the application process there has been a slight reduction in the number of parking spaces, as the originally proposed parking within the shared servicing area would cause conflict with vehicles accessing and servicing the development and surrounding sites such that these spaces had to be omitted from the proposal. The proposal as revised incorporates 18 car parking spaces for residents, with one each for the proposed houses (7 in total) and a further 11 to serve the flats, including an accessible parking bay. This represents 45% provision, which accords with current policy requirements and is supported by BCC Highways Officers. 4 spaces would feature electric vehicle charge points, with ducting to be provided to enable straightforward additional provision in the future as required. The level of parking provision is also considered appropriate given the sustainable location of the site, with good access to shops, services and sustainable transport alternatives to the private car.

Necessary highway improvements include the removal of existing keep clear markings on Durnford Street, and the provision of double yellow lines either side of the new vehicular access to provide safe access/egress. As advised by the BCC Highways Officer, this would result in two additional on-street parking spaces becoming available. It has also been advised that if the area is covered by a future residents parking zone (RPZ) then residents of this development would not be eligible for permits.

Cycle parking would comprise a mixture of enclosed Sheffield stands; double stacked racks; enclosed cycle storage boxes, and; non-enclosed Sheffield stands, with a total of 105 spaces provided. This exceeds current policy minimum requirements by 24 spaces and is supported by BCC Highways Officers.

During the course of the application swept path analysis was requested to ensure access, egress and servicing could all be undertaken safely, with the information subsequently provided demonstrating that this is indeed the case.

A number of highway works were requested within initial TDM comments, although it is noted that some of these have been secured as part of neighbouring development (widening the existing Baynton Rd footway, and works at the junction of Baynton Rd and Ashton Rd), such that it is not appropriate to secure these particular works under the current application if approved. It is however necessary to provide a new 2m wide footway along the Baynton Road frontage, as no footway currently exists here and this is necessary for the safety of occupiers and the general public.

In addition to the new footway to be provided, the developer has also agreed to resurface the Durnford Street footway for the length of the site frontage; reinstate vehicle crossovers; undertake street lining (removal of keep clear markings and provision of double yellow lines), with these measures to be conditioned and incorporated into a section 278 highway works agreement. A financial contribution of £20,000 towards local cycle infrastructure improvements has also been agreed, which would be secured via section 106 legal agreement, along with TRO fees in relation to street lining. As previously mentioned, the proposal also integrates a new public pedestrian route between Durnford Street and Baynton Road, providing a convenient link with the surroundings including the nearby Greville Smyth Park.

Highways Officers have also requested the provision of replacement upgraded street lighting along the length of Bynton Road and Durnford Street. The developer contests that this is necessary. In assessment of this, it is noted that both Durnford Street and Baynton Road are served by existing street lighting provision, and it is also noted that the neighbouring larger development at the Old Brewery site was not liable for such provision, which would rely more heavily on access from Baynton Road than this current development proposal. In consideration of these factors, along with the various highway improvements that would be provided as part of the development proposal, as set out above, it is considered that the proposal can be supported on highways grounds without the

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provision of replacement street lighting in addition to the agreed package of highway improvement measures.

A travel plan has been provided in relation to the development, which is found to be acceptable. The implementation of this will be secured by condition. Servicing of the commercial unit would be from Durnford Street (as would servicing of much of the residential accommodation), with a single yellow line and associated plate provided to enable loading/unloading during 10.00-16.00 Monday to Saturday and be available for parking at all other times.

On the basis of the above, and given the imposition of relevant planning conditions, the proposal is considered to be acceptable in relation to highways and servicing matters.

#### F. SAFETY AND SECURITY

Policies BCS21, DM27, DM29 include consideration of safety and security. It is considered appropriate that a Site safety and security management plan is conditioned, to cover, but not necessarily be limited to: external lighting; secure gates; ground floor laminated glazing; access controlled doors; building compartmentalisation to prevent unauthorised free movement through; identification quality CCTV; localised alarm sounders.

#### G. CONTAMINATION

Policy BCS23 expresses that in locating and designing development, account should be taken of the impact of existing sources of noise and other pollution on the new development. DM34(i) expresses that new development should demonstrate that any existing contamination of the land will be addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use and that there is no unacceptable risk of pollution within the site or in the surrounding area.

A phase 1 ground investigation desk study has been submitted in support of the application, which is found to be acceptable by the BCC Land Contamination Officer. Conditions are therefore recommended for further intrusive ground investigation, with remediation as necessary. The site lies within a high risk area when considering unexploded ordnance and as such a risk assessment will also be required by condition if planning permission is granted.

Given the imposition of relevant conditions, the proposal is considered acceptable in relation to contamination issues.

#### H. LAND STABILITY

Policy DM37 states that on sites where there is reason to suspect unstable land and the risk of instability has the potential to materially affect either the proposed development or neighbouring uses/occupiers, development will only be permitted where: i. A desk-based study of available records has been carried out to assess the previous uses of the site and their potential for instability in relation to the proposed development; and ii. Where the study establishes that instability is likely but does not provide sufficient information to establish its precise extent or nature, site investigation and risk assessment are carried out to determine the standard of remediation required to make the site suitable for its intended use.

The application site sits within a coal mining High Risk Area and the application is supported by the provision of a desk study report. The Coal Authority has been consulted and following review of the submitted report and its recommendations, and has expressed no objection to the proposed development subject to the imposition of planning conditions requiring the undertaking of intrusive ground investigations and subsequent remediation works as necessary to address any land instability as a result of past mining activity, along with the provision of a verification report associated with such works.

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On the basis of the above the proposal is considered acceptable in relation to land stability.

#### I. SUSTAINABILITY AND FLOOD RISK

Current planning policy (BCS13-16) within the adopted Bristol Development Framework, Core Strategy (2011) requires new development to be designed to mitigate and adapt to climate change and meet targets to reduce carbon dioxide emissions. This should be achieved, amongst other measures, through efficient building design, the provision of on-site renewable energy generation to reduce carbon dioxide emissions by at least 20% based on the projected residual energy demand of new buildings and extensions to existing buildings, and for new development to mitigate against the risk of flooding, including rainwater soak-away drainage. The approach proposed should also be supported by the provision of a sustainability statement and an energy strategy.

Policy BCS14 states that within Heat Priority Areas, major development will be expected to incorporate, where feasible, infrastructure for district heating, and will be expected to connect to existing systems where available. The policy also sets out that new developments are expected to demonstrate that the heating and cooling systems have been selected in accordance with the hierarchy set out within the policy, with the first being connection to existing Combined Heat and Power/ Combined Cooling, heat and Power networks.

An energy statement has been submitted in support of the proposal, which proposes the use of Air Source Heat Pumps (for the terrace of houses) and Solar PV arrays (for the flatted block and commercial units), adequate to reduce CO2 emissions by 20% when considering residual energy demand, in accordance with current policy requirements in this regard. It is also proposed to connect to a District Heating (DH) network when it becomes available, with the Sustainability Officer and Energy Services expressing that a Day 1 connection would be available.

An overheating assessment has been submitted in support of the proposal, with data presented for 2020, 2050 and 2080 weather files. The development passes the overheating assessment against 2020 and 2050 weather files, but fails against the 2080 weather file for certain residential units (7, 15,23,24 and 28 as defined within the submitted Overheating Assessment). Mitigation measures would therefore be necessary in relation to the 2080 weather file, which could either be active measures of use of internal blinds/curtains and Mechanical Ventilation and Heat Recovery (MVHR), or passive measures of external shades which could be retrofitted to the building when they become required to provide a comfortable internal living environment.

#### Flood Risk

The application site is located within flood zone 2 and as such is in an area at medium risk of flooding. In accordance with current policy requirements the development is required to pass the Sequential Test as required by National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG). A sequential test was therefore undertaken, with the report submitted as part of the application package. The report details that there are no other sequentially preferable sites within the appropriate search area (South Bristol) at a lower risk of flooding and as such the sequential test is passed.

The finished floor levels of all residential units would be above Environment Agency (EA) recommended levels (1:200 year tidal event combined with a 1:50 year fluvial event, plus an allowance for climate change). The commercial unit would have a finished floor level below EA levels for residential, however the commercial use is classified as a 'less vulnerable' use and as such this is acceptable. Flood resilience measures are proposed to the commercial unit, including in relation to construction methods and the provision of high level electric sockets to minimise impact in the event of a flood. These details are considered acceptable. It is also considered appropriate to condition the provision of a flood risk warning and evacuation plan relating to the development if approved.

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There is a risk of surface water flooding on and around the site, and the site lies within the BCC drainage driver zone 13, where reductions in discharge rates are required. A Sustainable Drainage System (SuDS) Strategy has been submitted as part of the application package, which proposes the installation of underground tanked storage beneath the external courtyard/parking area, with flow rates restricted to 5 litres per second. This approach is considered acceptable. A condition will be attached requiring final detailed specification of the SuDS system along with a management and maintenance plan. Biodiverse roofs are also proposed to the flatted block, which will reduce run-off rates and contribute to the sustainable drainage solution for the site.

On the basis of the above and subject to the imposition of relevant planning conditions, the proposal is considered acceptable in relation to sustainability and flood risk issues.

**J. TREES AND LANDSCAPING**

Policies BCS9 and DM17 seek to retain existing trees wherever possible as part of new development, and seek the provision of new/enhanced green infrastructure. Where tree removal is necessary as part of the development process, replacement planting is required in accordance with the Bristol Tree Replacement Standard (BTRS), either on-site, or via financial contribution for off-site planting. Policy DM15 expects the provision of additional trees and/or improved management of existing trees as part of the landscape treatment of new development.

There is an existing single sycamore tree on site, which would need to be removed as part of the development. There is scope to provide policy compliant replacement tree planting on site as part of the landscaping scheme. A landscaping scheme has been provided, with a combination of hard and soft landscaped areas to provide functional and amenity spaces throughout the development. Areas for socialising are incorporated, along with a publicly accessible pedestrian link through the site. Private garden spaces would also be provided for each of the houses. The landscaping scheme is set out on the proposed site plan, although detailed specification of the planting would need to be secured by condition. The landscaping scheme is supported in principle, and the detailed planting plan, which will need to incorporate adequate compensatory tree planting in accordance with the BTRS, can be secured via condition.

**K. NATURE CONSERVATION**

Policy BCS9 expresses that where development would have an impact on the Bristol Wildlife Network it should ensure that the integrity of the network is maintained or strengthened. Policy DM19 expresses that development which would be likely to have any impact upon habitat, species or features, which contribute to nature conservation in Bristol will be expected to: i. Be informed by an appropriate survey and assessment of impacts; and ii. Be designed and sited, in so far as practicably and viably possible, to avoid any harm to identified habitats, species and features of importance; and iii. Take opportunities to connect any identified on-site habitats, species or features to nearby corridors in the Wildlife Network. Where loss of nature conservation value would arise development will be expected to provide mitigation on-site and where this is not possible provide mitigation off-site.

The application submission is accompanied by the provision of a bat survey report. No evidence was found on site of bat roosting activity, and the buildings on site are assessed as having negligible potential for bats.

In the interests of biodiversity enhancements, conditions can be attached to any permission granted relating to the provision of Bat and Bird boxes.

The incorporation of biodiverse roofs to the flatted block is proposed, which is supported due to benefits in relation to wildlife habitat as well as assisting in reducing rainwater run-off effects and having other related sustainability benefits. Detailed design of the biodiverse roof areas can be secured by condition.

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#### L. ARCHAEOLOGY

Policies BCS22 and DM31 include archaeological considerations. The planning application was accompanied by the provision of an Archaeological Desk Based Assessment, which concludes that there is low probability of archaeological potential on the site. No information to the contrary has been provided by the BCC Archaeological Officer and as such the requirements of the relevant policies are considered to be met.

#### M. PUBLIC ART

Policy BCS21 states that development will be expected to enable the delivery of permanent and temporary public art. The policy also expresses that development is expected to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness. It is recommended that public art on the site is meaningfully integrated into the design. The provision and execution of a public art plan can be secured via condition.

#### N. PLANNING OBLIGATIONS

New development often creates a need for additional or improved community services and facilities, without which there could be a detrimental effect on local amenity and the quality of the environment. Planning obligations are the mechanism by which measures are secured to enhance the quality of both the development and the wider environment, to help ensure that the development makes a positive contribution to sustainable development providing social, economic and environmental benefits to the community as a whole.

The legislative framework for planning obligations is set out in Section 106 of the Town and Country Planning Act 1990 as amended by Section 12 of the 1991 Planning and Compensation Act. Further legislation is set out in the Community Infrastructure Levy CIL Regulations (2010) (as amended). The NPPF reiterates the tests (at paras 203 to 205) that are required to be met when planning obligations are sought, namely that they should be necessary to make the development acceptable in planning terms; directly related to the development and, fairly and reasonably related in scale and kind to the development. It goes on to advise at para 205 that "where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled".

Supplementary Planning Document entitled 'Planning Obligations' (2012) sets out the Council's overall approach to planning obligations and the types of obligation that the Council may seek to secure and complements BCS 11.

In addition to the required CIL payment of £219,649.24 necessary planning obligations, which are to be secured via section 106 agreement, comprise:

Affordable housing: Provision of 8 affordable housing units;  
Local cycle infrastructure upgrades: £20,000;  
Traffic Regulation Order for waiting and loading restrictions along Baynton Road: £6,067  
District heating connection (Day 1 connection);  
The Council's legal costs associated with the formulation of the section 106 agreement.

The developer is agreeable to the contributions set out above, and if planning permission is granted the section 106 agreement will be tied to the decision.

#### CONCLUSION

The proposal represents an efficient use of an inner-urban site, which would provide appropriately

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positioned and required residential accommodation, including 8 affordable housing units, that meets city wide and localised policy aspirations. The scheme adequately safeguards neighbouring amenity as well as, that of future occupiers. The scheme design represents a modern take on locally characteristic historic design themes, with the schemes scale and massing creating a visually interesting development that would act as a transition between the multi-storey development approved on the adjoining Old Brewery site lower-rise residential development on surrounding streets. The scheme adopts a sustainable design approach, including the incorporation of renewable energy technologies and District Heat Network connection, as well as securing public realm improvements, including a new pedestrian link through the site and a financial contribution for the enhancement of local cycle infrastructure.

**RECOMMENDATION**

The application is recommended for approval, subject to (i) a Section 106 legal agreement securing affordable housing provision; district heat network connection, and; a financial contribution for cycle infrastructure improvements and a TRO, and (ii) the provision of relevant planning conditions, as set out below.

**EQUALITIES ASSESSMENT**

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

**RECOMMENDED GRANT subject to Planning Agreement****Time limit for commencement of development**

1. Full Planning Permission

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

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

**Pre commencement condition(s)**

2. Site Specific Construction Environmental Management Plan

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

- . A construction programme including phasing of works;
- . 24 hour emergency contact number;
- . Procedures for maintaining good public relations including complaint management, public consultation and liaison
- . Arrangements for liaison with the Council's Pollution Control Team

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- . All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:
  - . 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays, Sundays, and Bank Holidays.
  - . Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
  - . Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
  - . Procedures for emergency deviation of the agreed working hours.
  - . Bristol City Council encourages all contractors to be 'Considerate Contractors' when working in the city by being aware of the needs of neighbours and the environment.
  - . Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
  - . Measures for controlling the use of site lighting whether required for safe working or for security purposes.
    - . Expected number and type of vehicles accessing the site:
      - o Deliveries, waste, cranes, equipment, plant, works, visitors;
      - o Size of construction vehicles;
      - o The use of a consolidation operation or scheme for the delivery of materials and goods;
      - o Phasing of works;
    - . Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):
      - o Programming;
      - o Waste management;
      - o Construction methodology;
      - o Shared deliveries;
      - o Car sharing;
      - o Travel planning;
      - o Local workforce;
      - o Parking facilities for staff and visitors;
      - o On-site facilities;
      - o A scheme to encourage the use of public transport and cycling;
    - . Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
    - . Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
    - . Locations for storage of plant/waste/construction materials;
    - . Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
    - . Arrangements to receive abnormal loads or unusually large vehicles;
    - . Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
    - . Any necessary temporary traffic management measures;
    - . Measures to protect vulnerable road users (cyclists and pedestrians);
    - . Arrangements for temporary facilities for any bus stops or routes;
    - . Method of preventing mud being carried onto the highway;
    - . Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of surrounding amenity and safe operation of the adopted highway during the demolition and construction phase of the development.

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## 3. B1B Highway works - General Arrangement Plan

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

- o Reinstatement of redundant accessways
- o Installation of dropped kerbs
- o Resurfacing of footway along Durnford Street frontage
- o The widening of the footway along Baynton Road to the Ashton Road junction to a minimum of 2m
- o Introduction of a 2m footway along the Baynton Road frontage
- o Works to the Baynton Road/Ashton Road junction to improve pedestrian and vehicular visibility. This will be achieved via kerb realignment.
- o Street lining (removal and introduction) and resurfacing of carriageway where necessary

Where applicable indicating proposals for:

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

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

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

## 4. Highway Condition Survey

No development shall take place until a survey of the condition of the adopted highway has been submitted to and approved in writing by the Local Planning Authority. The extent of the area to be surveyed must be agreed by the Highways Authority prior to the survey being undertaken. The survey must consist of:

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

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

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

## 5. Highway to be adopted

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

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- o Long sections
- o General arrangement
- o Threshold levels to buildings
- o Drainage
- o Structures
- o Swept path for two directional movement of a 11.4m long refuse vehicle passing a 4.98m long large saloon car

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

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

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

**6. Unexploded Ordnance Risk Assessment**

Prior to the commencement of works on site a detailed Unexploded Ordnance Threat and Risk Assessment shall be undertaken in relation to the site, and shall be submitted to and approved in writing by the Local Planning Authority. The development hereby approved must then be implemented in accordance with the mitigation measures outlined in the Detailed Unexploded Ordnance Threat and Risk Assessment agreed.

Reason: To ensure that development can take place without unacceptable risk to workers and neighbours including any unacceptable major disruption to the wider public on and off site that may arise as a result of evacuation/s associated with the mitigation of UXO.

**7. Coal Mining Legacy**

No development shall commence (excluding the demolition of existing structures) until;

- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: In the interests of land stability and public safety.

**8. Contamination - Site Characterisation**

Following demolition no construction shall take place until an intrusive investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme shall be submitted to and be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced.

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This must be conducted in accordance with the Environment Agency's 'Land Contamination: risk management' and BS 10175:2011 + A2:2017: Investigation of Potentially Contaminated Sites - Code of Practice.

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

**9. Submission of Remediation Scheme**

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

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

**10. Implementation of approved remediation scheme**

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

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

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

**11. Sustainable Drainage System (SuDS)**

No construction works shall take place until

- (i) a detailed design of the Sustainable Drainage system set out within the approved Drainage Strategy, and;
- (ii) an associated management and maintenance plan

have been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved Sustainable Drainage Strategy prior to the use of the building commencing and maintained thereafter for the lifetime of the development.

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Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal

## 12. Bio-diverse roof specification and provision

Prior to the commencement of the bio-diverse roofs hereby approved, detailed specifications of their construction and planting proposed shall be submitted to and approved in writing by the local planning authority. The bio-diverse roofs shall then be completed in accordance with the approved details prior to the first occupation of the development hereby approved, and retained and maintained as such thereafter.

Reason: In the interests of sustainability, flood risk and biodiversity

## 13. Privacy screens

Prior to the commencement of the relevant elements, full details of privacy screens to the south-western end of the balconies to flats 1.4, 2.4, 2.9, and 3.8 (as set out on accommodation schedule plan 2599-P011-B) shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be completed in accordance with the approved details prior to the occupation of the development, and the privacy screens retained and maintained as such thereafter.

Reason: To safeguard against overlooking and loss of privacy.

## 14. Site safety and security management plan

Prior to the commencement of the relevant elements, a site safety and security management plan shall be submitted to and approved in writing by the local planning authority. The plans shall include, but not necessarily be limited to, full details of the following:

- o The provision of CCTV with an identification quality image in situ at communal entrances, the public route through the site, and the cycle and bin stores;
- o external lighting around entrances;
- o secure gates/railings to the ground floor parking/servicing areas to meet LPS1175 ;
- o ground floor doors and windows to LPS 1175 SR2 or equivalent and glazing laminated to BS EN356 2000 P1A;
- o access controlled doors;
- o building compartmentalisation to prevent unauthorised free movement through;
- o localised alarm sounders to access controlled doors and fire exit doors;
- o Cycle store to have access controlled doors to LPS 1175 SR2

The development shall then be completed in full accordance with the approved details prior to first occupation, and retained and maintained as such thereafter.

Reason: In the interests of safety and security.

## 15. Public Art

Prior to the commencement of the relevant element, a Public Art Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan should be written by an external Public Art Producer and should include information on the commissioning, integration of public art within the development, and environs (where appropriate), timetable for those works and details of the future maintenance responsibilities and requirements. All public art works shall be completed in accordance with the agreed scheme and thereafter retained as part of the development, unless otherwise agreed in writing by the Local Planning Authority.

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Reason: To ensure the delivery of meaningful Public Art as part of the development.

16. Sample Panels before specified elements started

Sample panels of all external finishing materials are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.

Reason: To ensure an appropriate finished appearance within the context.

17. Broadband

Prior to commencement, evidence of the provision of 'next generation broadband' shall be provided by providing evidence that the development has been registered with BT on the BT Openreach website, with Virgin Media on the Virgin Media website, or an alternative provider. Registration should show the speed rating/specification of the connection.

Prior to occupation, the development shall be connected to the broadband infrastructure to achieve the speeds stated.

Reason: To show that residents and businesses will have access to ultrafast broadband from occupation.

**Pre occupation condition(s)**

18. Coal Mining Legacy - Verification

Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: In the interests of land stability and public safety.

19. Flood Evacuation Plan - Residential Property

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

During Demolition/Construction Process

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

During Occupation of Development

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- occupant awareness of the likely frequency and duration of flood events;
- safe access to and from the development;
- subscription details to Environment Agency flood warning system, 'Flood Warning Direct'.

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

**20. Bat and Bird Boxes**

Prior to occupation of the development 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 integrated within buildings and shown on a site plan with compass directions marked on it. This shall include four built-in swift and two built-in bat boxes. Bird boxes shall be installed to face between north and east to avoid direct sunlight and heavy rain. Swift boxes or bricks shall be provided in pairs or groups (e.g. at least two or three on a building, avoiding windows) on north, north-east or east facing walls, at least 5 metres high, so that there is a clear distance (drop) below the swift boxes/bricks of 5 metres or more. Swift boxes shall be located under eaves where present. Bat boxes shall face south, between south-east and south-west. Bat boxes shall be erected at a height of at least four metres, close to hedges, shrubs or tree-lines and avoid well-lit locations. Bat boxes which are being placed on buildings shall be placed as close to the eaves (if present) as possible. Development shall be undertaken in accordance with the approved details.

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

**21. Submission and Approval of Landscaping Scheme**

No building or use hereby permitted shall be occupied or the use commenced until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the development hereby approved. This shall include on-site tree planting to compensate for the tree to be removed from site in accordance with the Bristol Tree Replacement Standard. The approved scheme shall be implemented so that planting is carried out no later than the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

Reason: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory.

**22. Implementation/Installation of Refuse Storage and Recycling Facilities - Shown on approved plans**

No building or use hereby permitted shall be occupied or the use commenced until the refuse stores, and areas/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within these dedicated store/areas, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.

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

**23. Completion of Pedestrians/Cyclists Access - Shown on approved plans**

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

Reason: In the interests of highway safety

**24. Completion and Maintenance of Cycle Provision - Shown on approved plans**

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

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

**25. Waste Management Plan**

No building or use hereby permitted shall be occupied or use commenced until a waste management plan setting out how waste will be stored and collected has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved waste management plan for the lifetime of the development.

Reason: To ensure appropriate waste management facilities are provided to accommodate all waste generated by the development.

**26. Letter of indemnity - refuse/recycling access**

Prior to the occupation of the development hereby approved a letter of indemnity shall be provided to and agreed in writing by the Local Planning Authority to enable refuse/recycling crews and vehicles to access private land for the collection of waste/recycling without being liable for any damage that may occur to the immediate highway network as a result.

Reason: To enable access across privately owned land to facilitate refuse/recycling collections.

**27. Installation of vehicle crossover - Shown on Approved Plans**

No building or use hereby permitted shall be occupied or use commenced until drop kerbs has been installed at the carriageway edge and a vehicle cross-over constructed across the footway fronting the site in accordance with the approved plans and retained in that form thereafter for the lifetime of the development.

Reason: In the interests of pedestrian safety and accessibility

**28. Reinstatement of Redundant Accessways - Shown on Approved Plans**

No building or use hereby permitted shall be occupied or use commenced until the footway has been reinstated to full kerb height, where any vehicle crossover(s) are redundant, in

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accordance with the approved plans and retained in that form thereafter for the lifetime of the development.

Reason: In the interests of pedestrian safety.

**29. Completion and Maintenance of Car/Vehicle Parking - Shown on Approved Plans**

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

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

**30. Permissive Route**

No building or use hereby permitted shall be occupied or use commenced until details of how the permissive route will be kept open, free from any obstruction, in a safe condition for use by members of the public 364 days of the year and clearly marked to indicate that there is no indication to dedicate as part of the adopted highway, has been submitted to and approved in writing by the Local Planning Authority. The publicly accessible route through the site shall be completed prior to the occupation of the development hereby approved and thereafter shall remain free from obstruction and available as a publicly accessible route through the site.

Reason: To ensure the provision of an unrestricted and safe route for the use of members of the public.

**31. Electric Vehicle Charging Points**

No building or use hereby permitted shall be occupied or use commenced until details of the total number of car parking spaces, the number/type/location/means of operation and a programme for the installation and maintenance of Electric Vehicle Charging Points and points of passive provision for the integration of future charging points has been submitted to and approved in writing by the Local Planning Authority prior to construction of the above ground works. The Electric Vehicle Charging Points as approved shall be installed prior to occupation and retained in that form thereafter for the lifetime of the development.

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

**32. Delivery & Servicing Plan**

No building or use hereby permitted shall be occupied or use commenced until a delivery and servicing plan has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved delivery and servicing plan for the lifetime of the development. The delivery and servicing plan shall include:

- a) The contact details of a suitably qualified co-ordinator;
- b) How vehicle arrivals, departures, parking, stopping and waiting will be controlled to minimise any impact on the adopted highway;

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c) Details of any freight consolidation operation, centre and the delivery and servicing booking and management systems;

Reason: In the interests of highway safety and to minimise the impact of vehicles servicing the development upon congestion

## 33. Waste Management Plan

No building or use hereby permitted shall be occupied or use commenced until a waste management plan setting out how waste will be stored and collected has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved waste management plan for the lifetime of the development.

Reason: To ensure appropriate waste management facilities are provided to accommodate all waste generated by the development.

## 34. Energy and Sustainability in accordance with statement

The development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the approved Sustainability Statement (by Melin, dated 14th April 2021) prior to occupation.

## 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).

## 35. Air permeability

Prior to occupation of the development evidence shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the air permeability rate of 5m<sup>3</sup>/m<sup>2</sup>.hr @50 Pa has been achieved, including the provision of copies of the air testing certificates.

## Reason:

The air permeability will contribute to the overall efficiency, energy demand and emissions of greenhouse gases of the scheme. To ensure that the development achieves the level of energy efficiency specified in the Energy Statement with reference to policies BCS13 and BCS14.

## 36. PV

Prior to implementation, details of the proposed PV system including location, dimensions, design/ technical specification together with calculation of annual energy generation (kWh/annum) and associated reduction in residual CO<sub>2</sub> emissions shall be submitted to and approved in writing by the Local Planning Authority.

Prior to occupation the following information shall be provided:

- o Evidence of the PV system as installed including exact location, technical specification and projected annual energy yield (kWh/year) e.g. a copy of the MCS installer's certificate.
- o A calculation showing that the projected annual yield of the installed system is sufficient to reduce residual CO<sub>2</sub> emissions by at least 20%.

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

## 37. Renewable energy (heat pumps) - where further detail is required (Block B only)

Prior to implementation, details of the renewable energy technology (including the exact location, dimensions, design/ technical specification, GWP of refrigerant used, and any leak detection) together with calculation of energy generation and associated CO2 emissions to achieve 21% reduction on residual emissions from renewable energy in line with the approved energy statement should be submitted to the Local Planning Authority and approved in writing. The renewable energy technology shall be installed prior to occupation of the dwellings and thereafter retained.

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

## 38. Reporting of Unexpected Contamination

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

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

## 39. Details of Extraction/Ventilation System (Ground floor commercial uses)

No equipment for the extraction and dispersal of cooking smells/fumes shall be installed until details including odour control measures, noise levels, cleaning, maintenance and filter replacement policies been submitted to and been approved in writing by the Local Planning Authority. The approved scheme shall be installed before the commencement of use of any such equipment and thereafter shall be permanently retained.

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

**Post occupation management**

## 40. Noise from plant &amp; equipment affecting residential

The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB below the pre-existing background level at any time at any residential premises.

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Any assessments to be carried out and be in accordance with BS4142: 2014 Methods for rating and assessing industrial and commercial sound

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

41. Restriction of Parking Level on site

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

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

42. Travel Plan Statement - Submitted

The Travel Plan Statement hereby approved shall be implemented in accordance with the measures set out therein.

Within three months of occupation, evidence of the implementation of the measures set out in Travel Plan Statement shall be prepared, submitted to and agreed in writing with the Local Planning Authority unless alternative timescales are agreed in writing.

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

43. Use of Refuse and Recycling facilities (commercial use only)

Activities relating to the collection of refuse and recyclables and the tipping of empty bottles into external receptacles shall only take place between 08.00 and 20.00 Monday to Saturday.

Reason: To safeguard the amenities of nearby occupiers

44. Deliveries (ground floor commercial uses only)

Activities relating to deliveries shall only take place between 08.00 and 20.00.

Reason: To safeguard the amenities of nearby occupiers

45. Opening hours (Commercial uses only)

No customers shall remain on the ground floor commercial premises outside the hours of 08.00 to 20.00 Monday to Sunday.

Reason: To safeguard the residential amenity of nearby occupiers.

46. Vegetation Clearance

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

Reason: To ensure that wild birds, building or using their nests are protected. All species of wild birds are legally protected including their eggs, nests and chicks until the young have

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**Application No. 20/04125/F : The Old Dairy Durnford Street Bristol BS3 2AW**

fledged.

47. Use restriction - Commercial unit - Class E

The ground floor commercial unit hereby approved shall be occupied by use(s) falling within class E as defined by Schedule 2 Part A of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

Reason: In the interests of compatibility of the commercial operation with surrounding residential uses.

**List of approved plans**

48. List of approved plans and drawings

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

2599 P100 A Location plan, received 8 September 2020  
 2599 P011 B Accommodation schedule, received 4 May 2021  
 2599 P101 A Proposed site plan, received 8 September 2020  
 2599 P102 Existing site plan, received 8 September 2020  
 2599 P201 C Ground and first floor plan, received 4 May 2021  
 2599 P202 C Block A - second and third floor plan, received 4 May 2021  
 2599 P203 C Block A - Fourth and fifth floor plan, received 4 May 2021  
 2599 P205 B Block A - roof plan, received 4 May 2021  
 2599 P210 B Block B - ground and first floor plan, received 4 May 2021  
 2599 P211 B Block B - second and roof plan, received 4 May 2021  
 2599 P300 C Block A B SE NW elevation, received 4 May 2021  
 2599 P301 C Block A - NE SW elevation, received 4 May 2021  
 2599 P302 B Block B elevation, received 4 May 2021  
 2599 P305 B Context elevation, received 4 May 2021  
 2599 P306 B Context elevation 2, received 4 May 2021  
 2599 P400 A Block A B proposed section, received 8 September 2020  
 3712-2 Ground floor, received 8 September 2020  
 3712-3 First floor, received 8 September 2020  
 1966 Travel plan statement, received 8 September 2020  
 Acoustic assessment, received 8 September 2020  
 Bat survey, received 8 September 2020  
 Carbon emissions calculation, received 8 September 2020  
 Sustainability Statement rev A, received 4 May 2021  
 FRA01 Flood risk assessment, received 22 October 2020  
 Flood risk sequential test, received 8 September 2020  
 Ground investigation and coal mining risk assessment, received 8 September 2020  
 Daylight sunlight impact assessment, received 8 September 2020  
 The old dairy archaeological assessment, received 8 September 2020  
 Townscape and visual impact assessment, received 8 September 2020  
 Transport statement, received 8 September 2020  
 Drainage strategy, received 22 October 2020  
 TN02 Highway Consultant Technical Note, received 6 October 2021  
 2599-P401 Site context Sections and Boundary Treatment 01 - 1, received 6 October 2021  
 2599-P402 Site context Sections and Boundary Treatment 02, received 6 October 2021  
 2599-P110 C Proposed Site Plan, received 4 May 2021  
 Overheating Assessment, received 4 May 2021

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TN01 Highways Technical Note 01, received 4 May 2021

Reason: For the avoidance of doubt.

### **Advices**

**1 Works on the Public Highway**

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Transport Development Management Team at [transportDM@bristol.gov.uk](mailto:transportDM@bristol.gov.uk) allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the council's costs in undertaking the following actions:

- I. Drafting the Agreement
- II. A Monitoring Fee equivalent to 15% of the planning application fee
- III. Approving the highway details
- IV. Inspecting the highway works

NB: Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

**2 Minor Works on the Public Highway**

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking any work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the council.

You will be required to pay fees to cover the council's costs in undertaking the approval and inspection of the works. Contact the Highway Authority's Transport Development Management Team at [transportDM@bristol.gov.uk](mailto:transportDM@bristol.gov.uk)

NB: Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

**3 Traffic Regulation Order (TRO)**

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

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

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

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

4 Highway to be Adopted

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

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

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

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

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

5 Public Right of Way

The property boundary of the development hereby approved abuts a Public Right of Way PROW (No.) (SPECIFY). You are advised that before undertaking any work you must contact the Highway Authority's Public Rights Of Way Team at [rightsofway@bristol.gov.uk](mailto:rightsofway@bristol.gov.uk) Whilst it may be unlikely that the Public Right Of Way will be affected by the proposed development (PROW) (No.) (SPECIFY):

- o Should remain open, unobstructed and safe for public use at all times;
- o No materials are to be stored or spilled on the surface of the PROW;
- o There must be no encroachment onto the width of the PROW;
- o No vehicles are to use the PROW without lawful authority of the landowner(s), unless a private right of way is shown on property deeds. It is the applicant's responsibility to ensure that the appropriate private right exists or has been acquired from the landowner.
- o Any scaffolding and/or skips placed over or adjacent to the PROW must not obstruct public access or inconvenience the public in their use of the way and must be properly licensed. Licences are available at [www.bristol.gov.uk/highwaylicences](http://www.bristol.gov.uk/highwaylicences)
- o Any interference of the PROW either whilst demolition/construction is in progress or on

**Development Control Committee B – 12 January 2022**  
**Application No. 20/04125/F : The Old Dairy Durnford Street Bristol BS3 2AW**

completion, may well constitute a criminal offence.

If construction works are likely to temporarily affect the right of way, a Temporary Traffic Regulation Order (TTRO) may be required to close or divert the PROW for the duration of the works on the grounds of safety of the public. To discuss and/or apply for a TTRO contact the Highway Authority's Network Management Team at [traffic@bristol.gov.uk](mailto:traffic@bristol.gov.uk)

N.B. Any damage caused to the surface of the PROW during development works must be made good to the satisfaction of the Local Highway Authority.

6 Impact on the highway network during construction

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at [traffic@bristol.gov.uk](mailto:traffic@bristol.gov.uk) before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

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

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

8 Restriction of Parking Permits - Future Controlled Parking Zone/Residents Parking Scheme

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

9 Highway Condition Survey

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

10 Excavation Works on the Adopted Highway

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

11 Street Name and Numbering

You are advised that to ensure that all new properties and streets are registered with the emergency services, Land Registry, National Street Gazetteer and National Land and Property Gazetteer to enable them to be serviced and allow the occupants access to amenities

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including but not limited to; listing on the Electoral Register, delivery services, and a registered address on utility companies databases, details of the name and numbering of any new house(s) and/or flats/flat conversion(s) on existing and/or newly constructed streets must be submitted to the Highway Authority.

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

**12 Sustainable Drainage System (SUDS)**

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

**13 Heat Pump Refrigerants**

Given the very high global warming potential (GWP) of refrigerants used in heat pumps including variable refrigerant flow (VRF) units I recommend that refrigerant leak detection should be provided in accordance with the guidance in BREEAM (Ref: Pol 01 - Impact of refrigerants

[https://www.breeam.com/BREEAMUK2014SchemeDocument/content/12\\_pollution/pol01.htm](https://www.breeam.com/BREEAMUK2014SchemeDocument/content/12_pollution/pol01.htm)) as follows:

- o A permanent automated refrigerant leak detection system or where an inbuilt automated diagnostic procedure for detecting leakage should be installed. In either case a robust and tested refrigerant leak detection system must be installed and must be capable of continuously monitoring for leaks.
- o The system must be capable of automatically isolating and containing the remaining refrigerant(s) charge in response to a leak detection incident.

**14 Asbestos**

The potential presence of asbestos containing materials (ACM's) on the site is noted. In order to prevent contamination of the site, surrounding highways and to prevent harm to construction workers, surrounding residents, receptors and future site users, we recommend the applicants undertake an asbestos survey prior to the commencement of works. Any asbestos containing materials present on site must be removed in accordance with the Control of Asbestos Regulations 2012.

**15 PV Advisory**

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

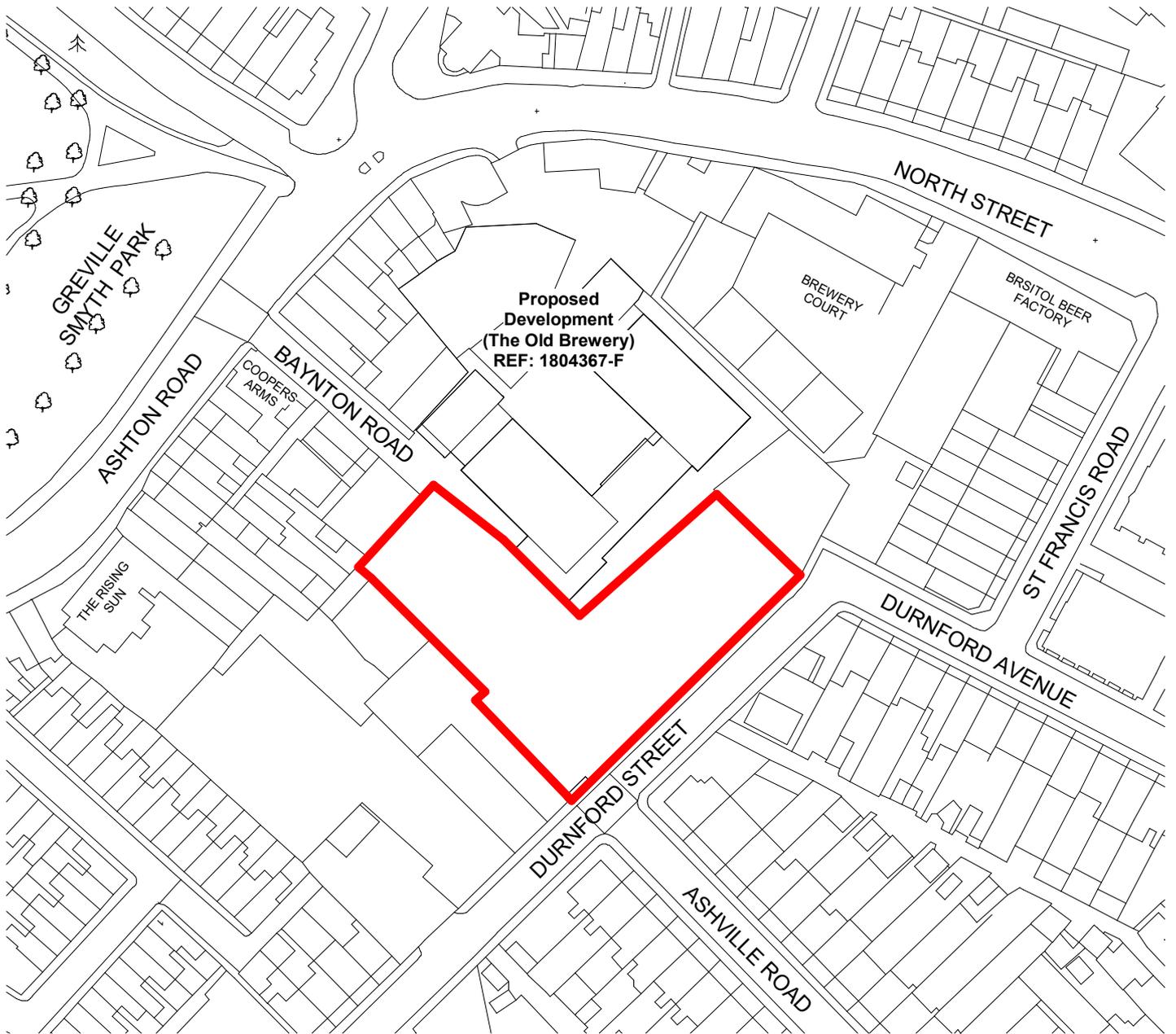
The impact of shading on the annual yield of the installed PV system (the Shading Factor) should be calculated by an MCS approved installer using the Standard Estimation Method presented in the MCS guidance.

## Supporting Documents

### 1. The Old Dairy, Durnford Street

1. Site location plan
2. Proposed site plan
3. Block A – level 0 & 1
4. Block A – Level 2 & 3
5. Block A – Level 4 & 5
6. Block A & B South East & North West elevation
7. Block A & B North East & South West elevation
8. Context elevations South East
9. Context elevations North East
10. Core B entrance view

PROPOSALS SUBJECT TO:  
SITE SURVEY; STATUTORY  
APPROVALS; DESIGN  
DEVELOPMENT.



26/06/20 PLANNING ISSUE CR A  
Date Description Drawn Rev.

# ANGUS MEEK ARCHITECTS

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Any discrepancies to be reported to the architect.  
Contractors to verify all dimensions and sizes on site.

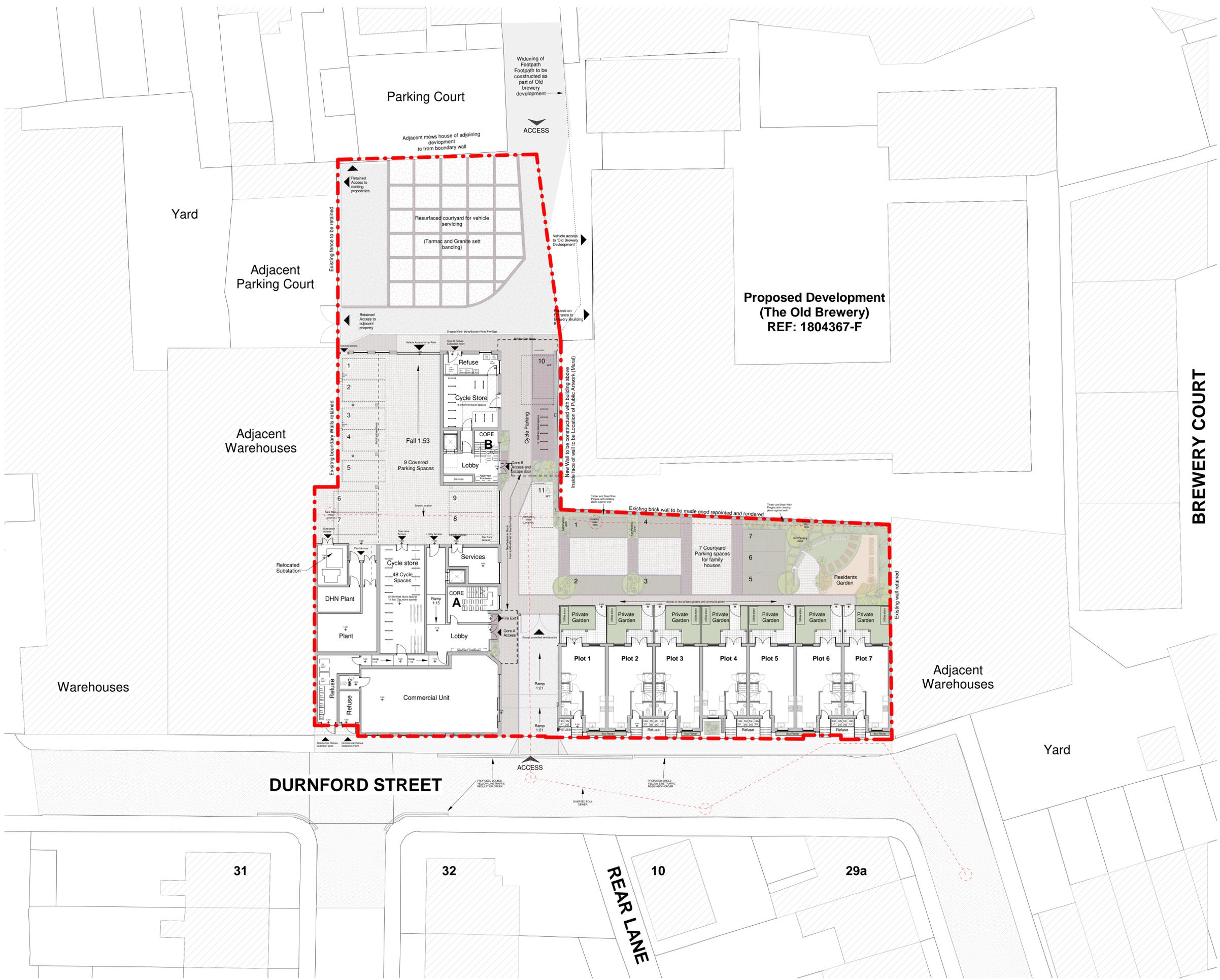
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Durnford Street,  
Bristol

Client:  
Prelon Construction

Drawing Title:  
Site Location Plan

0  
Scale Sheet  
1 : 1250@ A4  
Drawing Status:

Date	APRIL 2020	Drawn	CR	Checked	PW
Job No.	2599	Stage	P	Drawing No.	100
				Rev.	A



- Vehicle Tarmac
- Courtyard Pavers - Grey
- Sandstone Parking Sets
- Granite Sets
- Dark and mid grey Paving Slabs
- Areas of Soft Landscaping
- Feature Paving Slabs
- Patio Paving Slabs
- New Tree Planting
- New Groundcover Shrub and Perennial Mix

Date	Description	Drawn	Rev.
19.01.22	Amendments in response to planning committee comments	CR	D
12.04.21	TRO - Amended	CR	C
06.04.21	Amendments according to planning comments	CR	B
26/06/20	PLANNING ISSUE	CR	A

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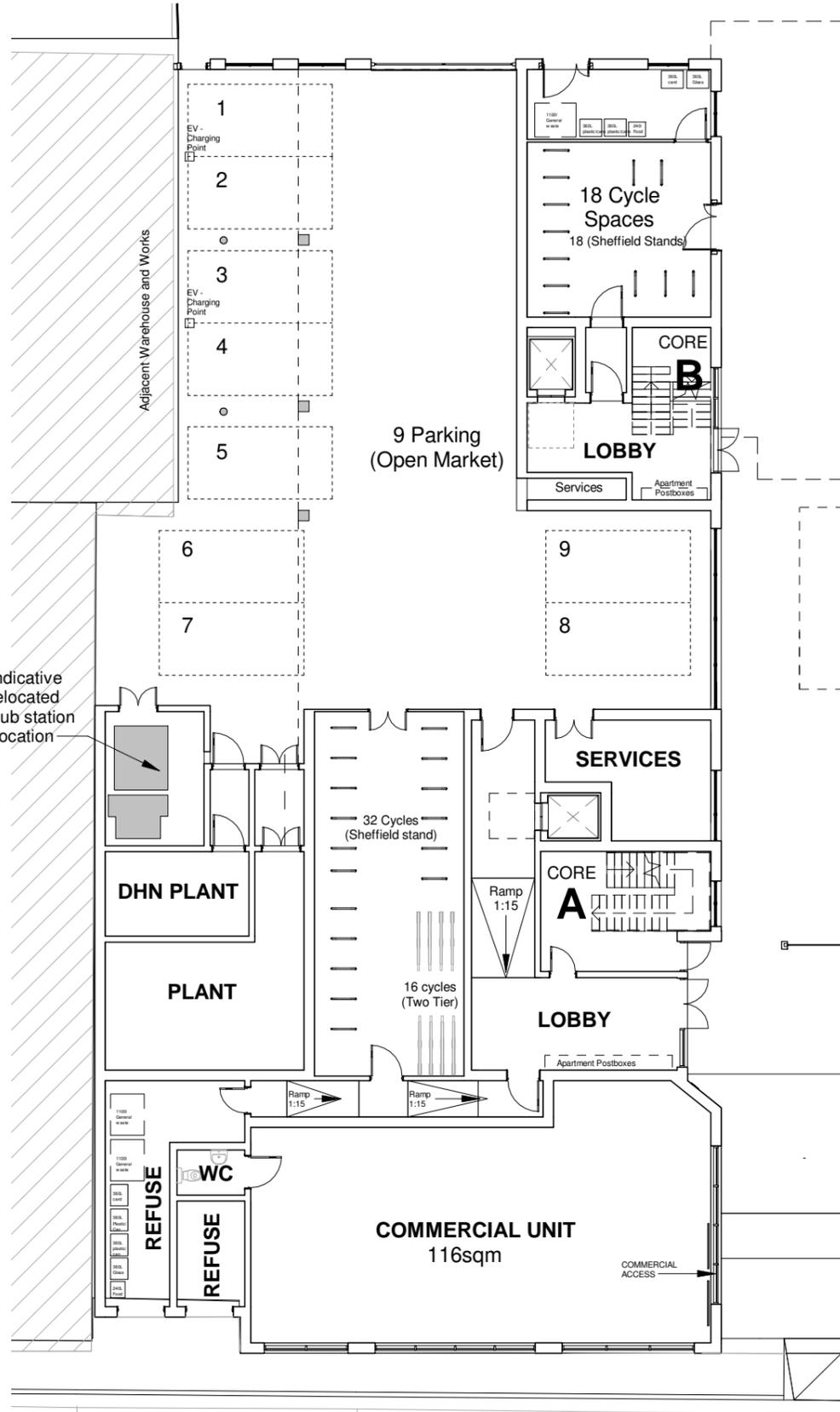
Job Name: Durnford Street, Bristol  
 Client: Praelon Construction

Drawing Title: Proposed Site Plan

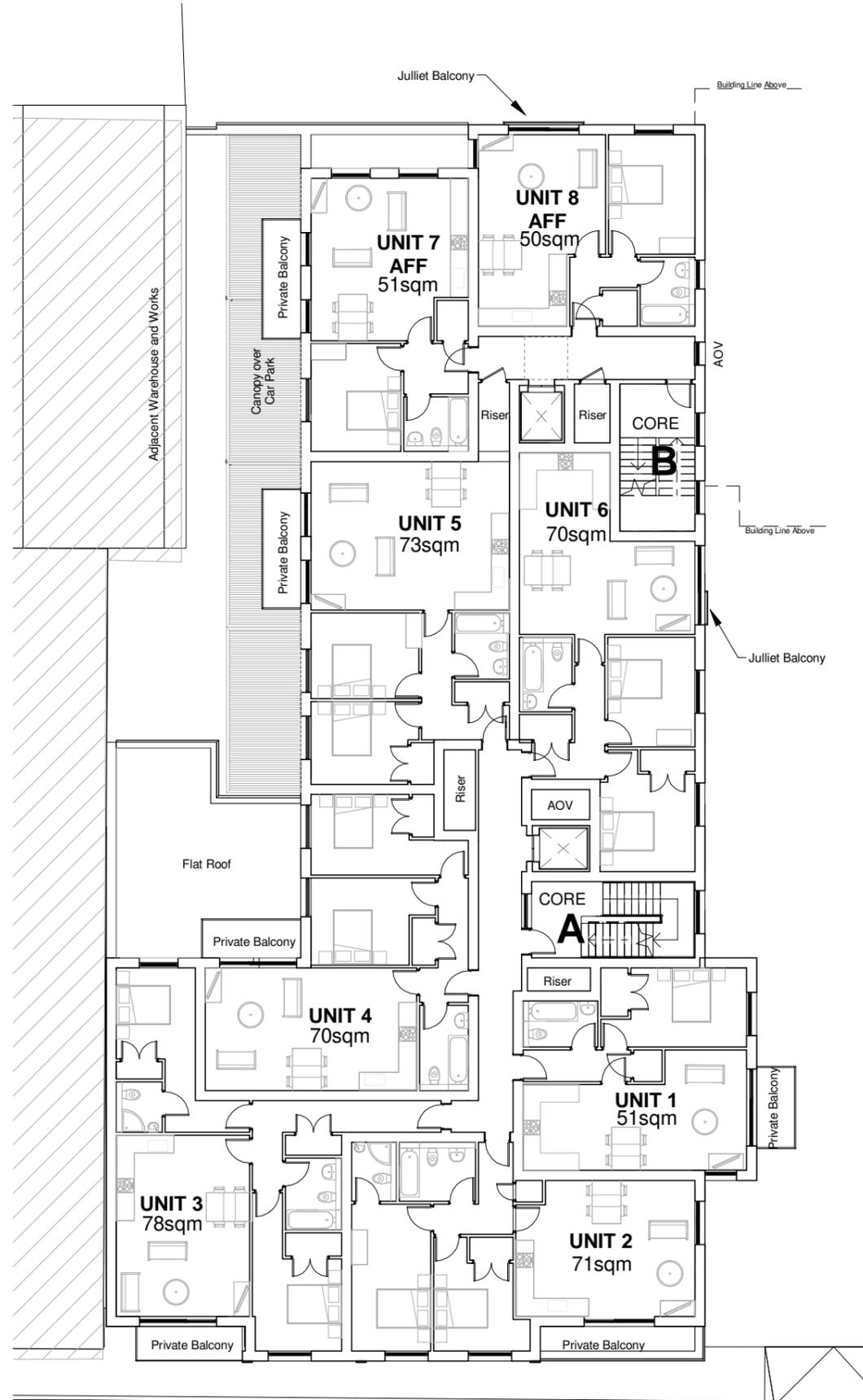
Scale: 1 : 200 @ A1  
 Drawing Status: PLANNING

## PLANNING

Date	Drawn	Checked	
May 2020	CR	PW	
Job No.	Stage	Drawing No.	Rev.
2599	P	101	D



**1** Block A - Level 0  
1 : 200



**2** Block A - Level 1  
1 : 200

19.01.22	Amendments in response to planning committee comments.	CR	D
21.04.21	Window types revised	AB	C
05.04.21	Amendments according to planning comments	CR	B
26/06/20	PLANNING ISSUE	CR	A
Date	Description	Drawn	Rev.

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Job Name:  
Durnford Street, Bristol

Client:  
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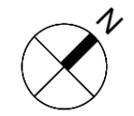
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Block A - Level 0 & 1



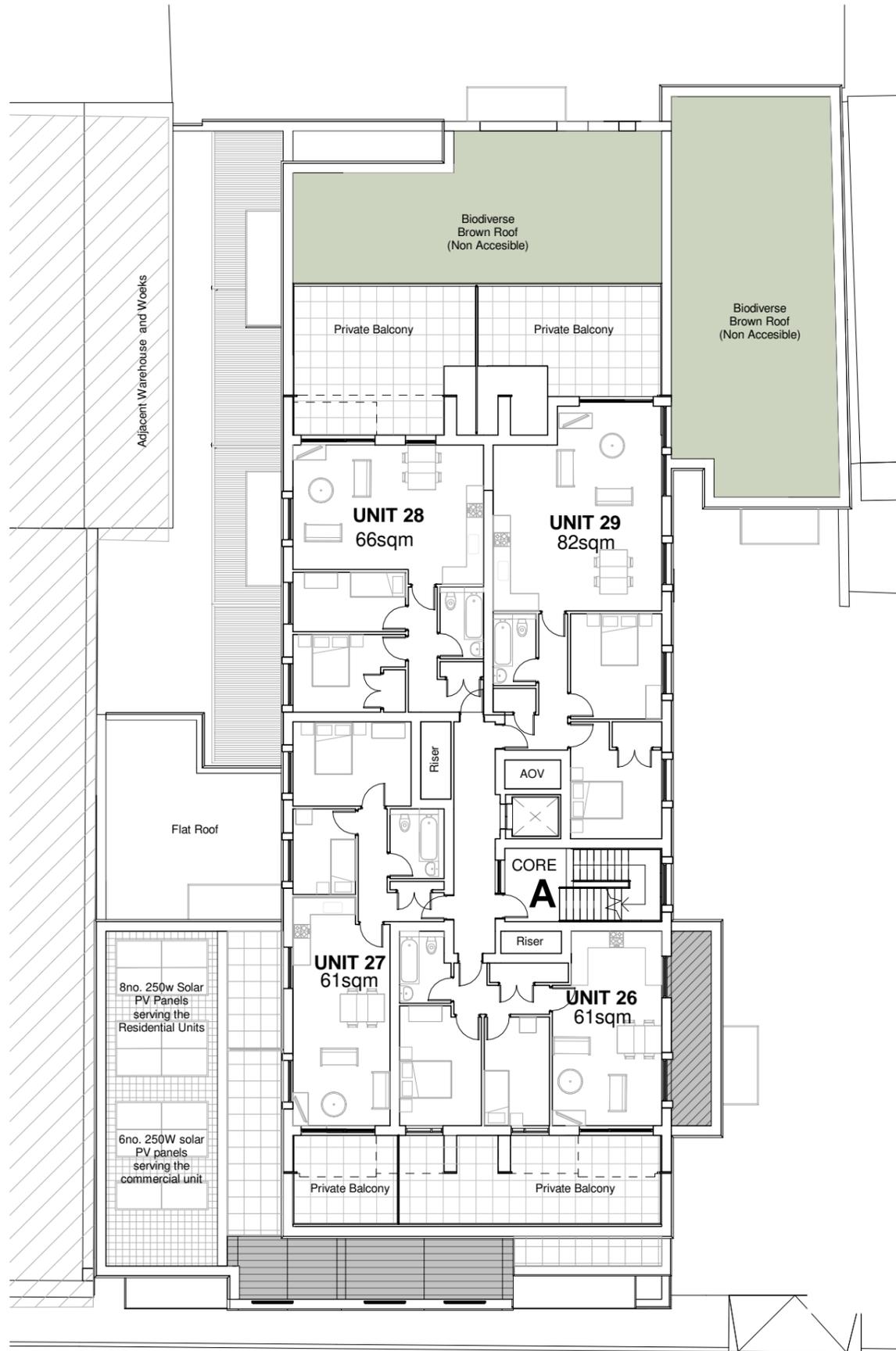
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Drawing Status:  
PLANNING

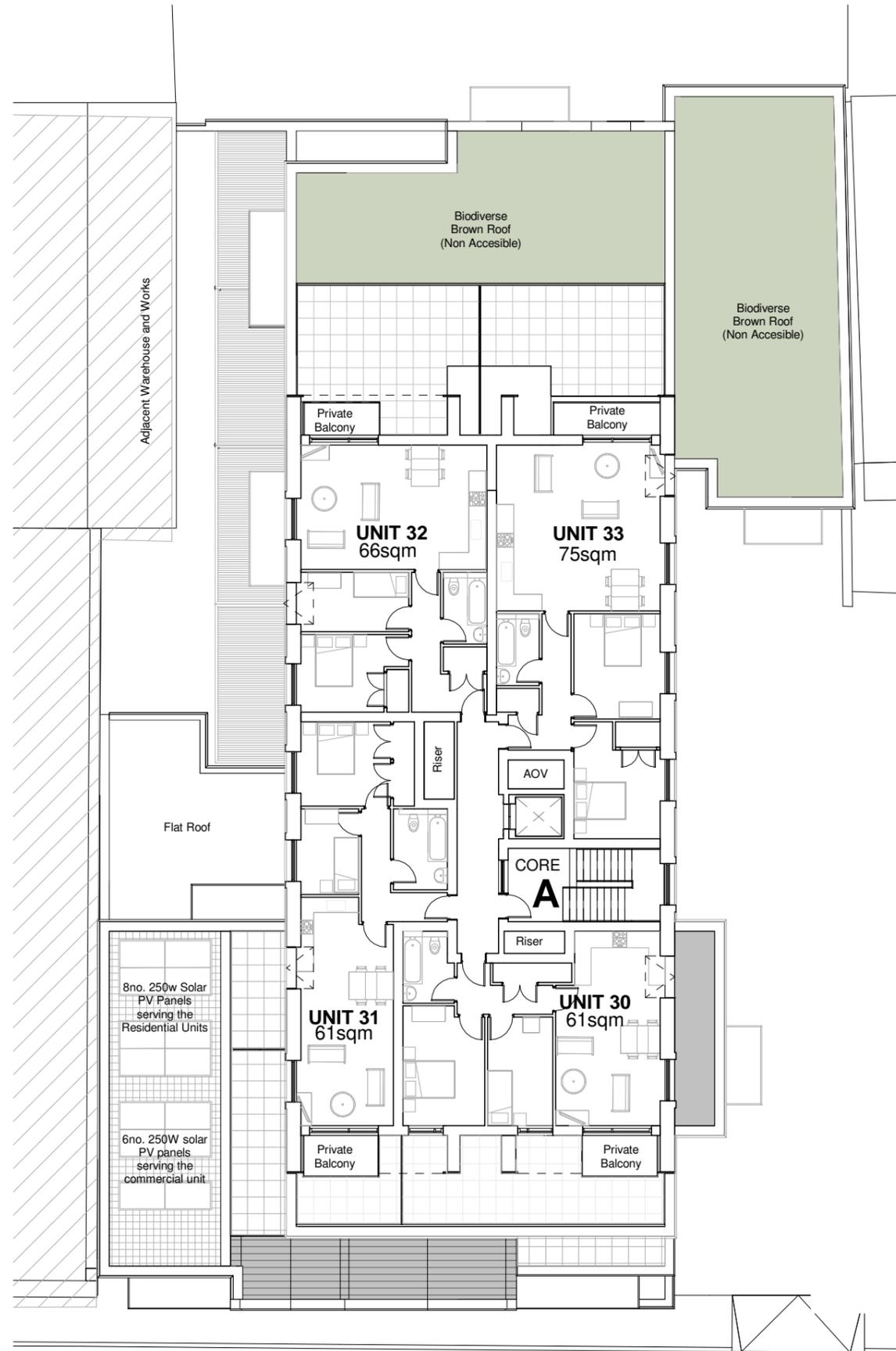
Date	Drawn	Checked
May 2020	CR	PW
Job No.	Stage	Drawing No.
2599	P	201
		Rev.
		D







**1** Block A Level 4  
1 : 200



**2** Block A Level 5  
1 : 200

19.01.22	Amendments in response to planning committee comments.	CR	D
21.04.21	Window types revised	AB	C
06.04.21	Amendments according to planning comments	CR	B
26/06/20	PLANNING ISSUE	CR	A
Date	Description	Drawn	Rev.

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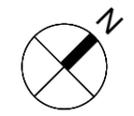
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Job Name:  
**Durnford Street, Bristol**  
 Client:  
**Prelon Construction**  
 Drawing Title:  
**Block A - Levels 4 & 5**

0 1m 2m  
 Scale  
**1 : 200@ A3**

## PLANNING

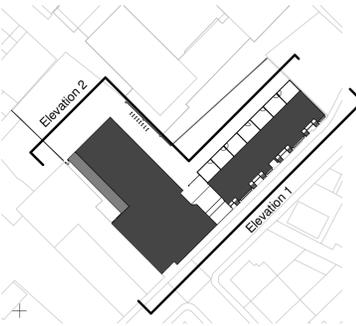
Date	Drawn	Checked
May 2020	CR	PW
Job No.	Stage	Drawing No.
2599	P	203
		Rev.
		D



-  Off white lightly textured render
-  Facing brickwork - Red
-  Facing Brickwork - Blue
-  Feature brick coursing detail
-  Grey fibre cement panel - Eternit Equitone mid grey natural finish
-  Metal standing seam cladding/roofing
-  Timber panelling
-  Dark Grey uPVC windows with integral louvres where indicated
-  Light grey lightly textured render



**1** Block A & B - South East - Durnford Street  
1 : 100



Key Plan: 1:1000

21.04.21	Window types revised	AB	C
06.04.21	Amendments according to planning comments	CR	B
26/06/20	PLANNING ISSUE	CR	A
Date	Description	Drawn	Rev.

## ANGUS MEEK ARCHITECTS

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Job Name: Durnford Street, Bristol  
 Client: Prolon Construction

Drawing Title: Block A&B - SE & NW Elevations

Scale: 0 1m 2m 5m

Scale Sheet: As indicated 1

Drawing Status: PLANNING

Date	May 2020	Drawn	DM	Checked	PW
Job No.	2599	Stage	P	Drawing No.	300
				Rev.	C



**2** Block A & B - North West - Rear  
1 : 100

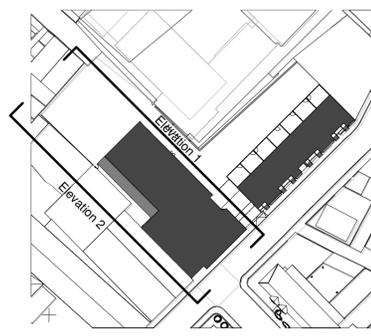


**1** Block A - North East- Side  
1 : 100

- Off white lightly textured render
- Facing brickwork - Red
- Facing Brickwork - Blue
- Feature brick coursing detail
- Grey fibre cement panel - Eternit Equitone mid grey natural finish
- Metal standing seam cladding/roofing
- Timber panelling
- Dark Grey uPVC windows with integral louvres where indicated
- Light grey lightly textured render



**2** Block A- South West- Side  
1 : 100



Key Plan: 1:1000

Date	Description	Drawn	Rev.
19.01.22	Amendments in response to planning committee comments	CR	D
21.04.21	Window types revised	AB	C
06.04.21	Amendments according to planning comments	CR	B
26/06/20	PLANNING ISSUE	CR	A

## ANGUS MEEK ARCHITECTS

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Job Name: Durnford Street, Bristol  
 Client: Prolon Construction

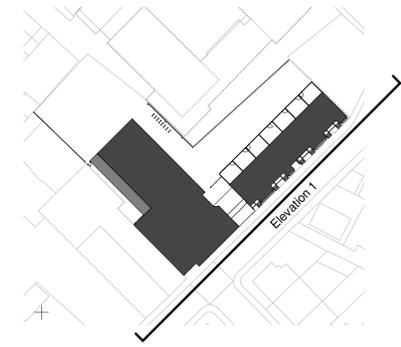
Drawing Title: Block A - NE & SW Elevations

Scale: 0 1m 2m 5m

As indicated 1

Drawing Status: PLANNING

Date	Drawn	Checked	
May 2020	DM	PW	
Job No.	Stage	Drawing No.	Rev.
2599	P	301	D



Key Plan: 1:1000



**1** Block A & B - South East - Durnford Street - Context  
1 : 200

Date	Description	Drawn	Rev.
06.04.21	Amendments according to planning comments	CR	B
26/06/20	PLANNING ISSUE	CR	A

# ANGUS MEEK ARCHITECTS

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Job Name: Durnford Street, Bristol  
 Client: Prolon Construction

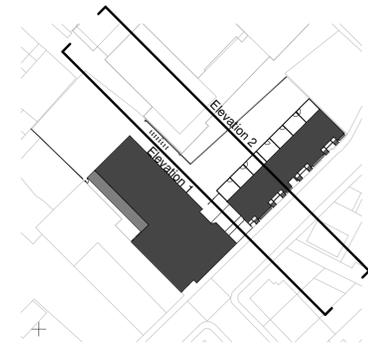
Drawing Title: Elevations - Context



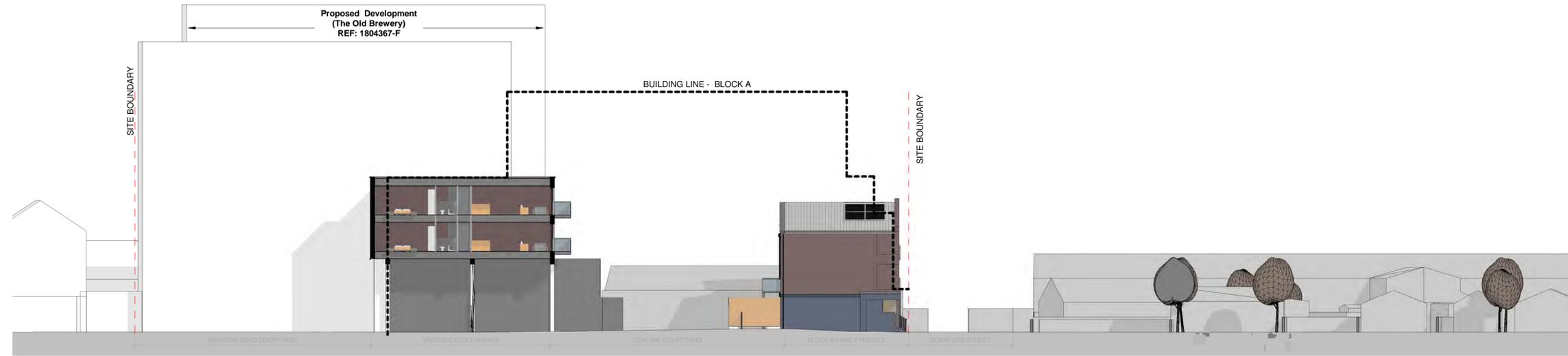
Scale: As indicated  
 Sheet: 1

Drawing Status: PLANNING

Date	Drawn	Checked	
22/04/20	TE	PCW	
Job No.	Stage	Drawing No.	Rev.
2599	P	305	B



Key Plan: 1:1000



**1** Block A&B North East Context  
1 : 200



**2** Block A&B - North East - Context  
1 : 200

Date	Description	CR	Rev.
06.04.21	Amendments according to planning comments	CR	B
26/06/20	PLANNING ISSUE	CR	A

# ANGUS MEEK ARCHITECTS

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Job Name: Durnford Street, Bristol  
Client: Prolon Construction

Drawing Title: Elevations - Context 2

0 2m 4m 10m  
Scale Sheet  
As indicated 1

Drawing Status:

Date	Drawn	Checked	
06/16/20	CR	PCW	
Job No.	Stage	Drawing No.	Rev.
2599	P	306	B



The Old Dairy