

WARD: Windmill Hill
SITE ADDRESS: 122 Bath Road Totterdown Bristol BS4 3ED

APPLICATION NO: 21/04096/F Full Planning

DETERMINATION DEADLINE: 26 April 2022

Redevelopment of the former car wash site to provide 31 self contained residential flats, with associated car and cycle parking, landscaping and access (major) (Revised Scheme).

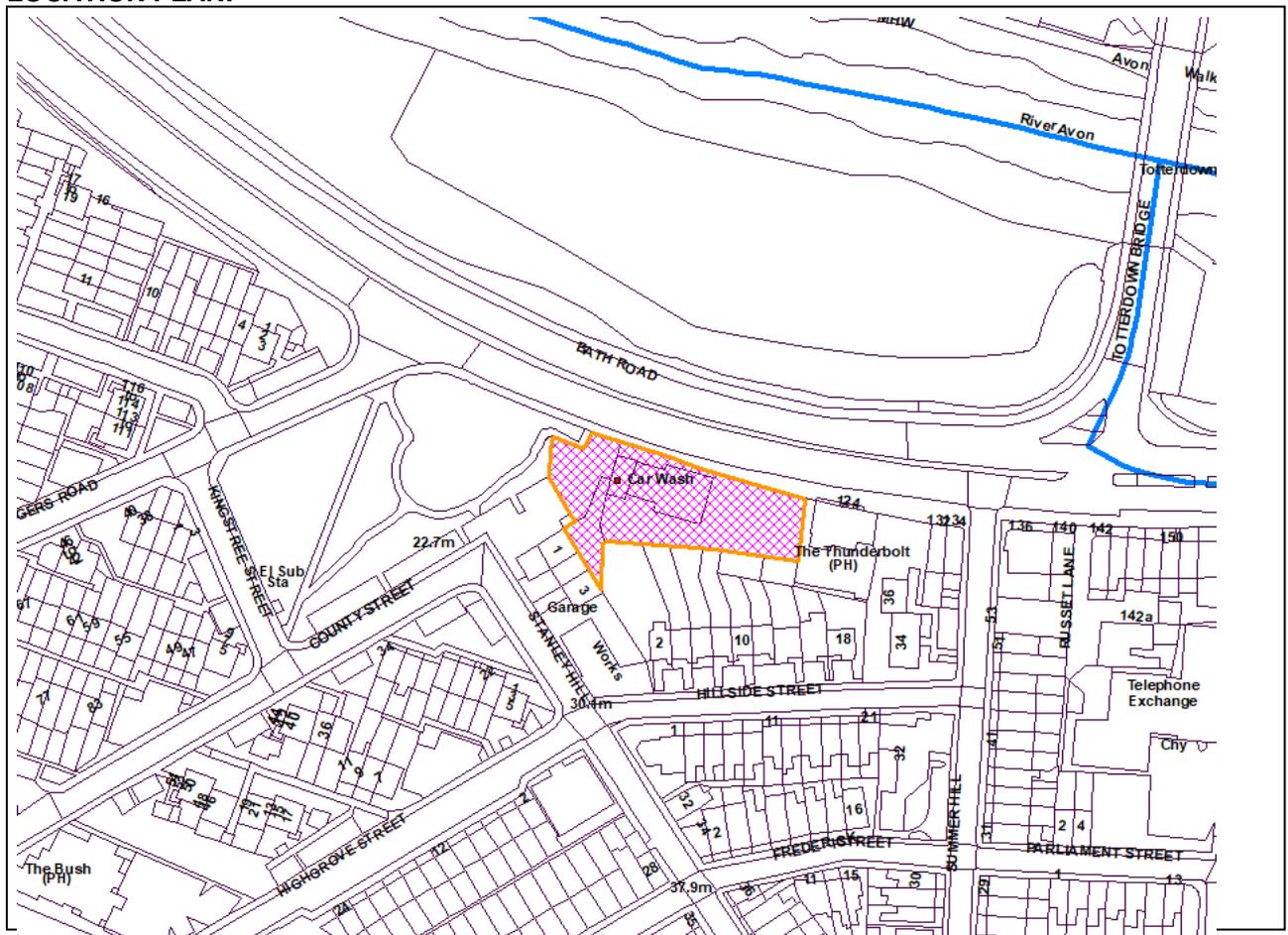
RECOMMENDATION: GRANT subject to Planning Agreement

AGENT: Rackham Planning
2A High Street
Thornbury
BS35 2AQ

APPLICANT: PYL Bath Road Limited
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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Site Description

The application site is a former petrol filling station, currently used as a car wash operation, sited to the south of Bath Road as it approaches the Three Lamps Junction from the east. The canopy and sales office is still in place.

To the east of the site is the Turnpike Inn, an ornate two storey public house which is Grade II listed and in use as a live music venue, to the west is an area of private open space containing a number of mature trees.

There is vehicular access to the rear of the site off County Street, adjacent to which is a former office building which has been converted to residential, the windows to which facing the site are obscure glazed. Otherwise along the rear boundary are the gardens to a terrace of comparatively recent houses. These houses are mostly three storey in height at the rear and have patio doors to ground floor living spaces, they are at a higher level than the site. The houses front onto Hillside Road, where they are lower in height and have kitchens facing the street.

Behind this terrace, are terraces of gable fronted, Victorian houses that are typical of much of Totterdown.

Facing the site on the opposite side of Bath Road, which is a three lanes plus a bus lane at this point, is a row of mature trees that are on the top of the bank down to the river Avon. To the south east a new residential development is underway which includes a tower.

Background

Up until 1982 the planning history of the site relates to its use as a petrol filling station. In 1984 consent was granted for five, three storey houses and three, two storey houses with parking. Following this further petrol sales related consents were granted with a change of use to car sales in 1998.

Subsequently in 2011 permission was granted for a two, three and four storey building containing eleven dwellings. To the front of this proposal at back of pavement was a high wall behind which was a parking court, which extended into the site at the rear. Above this the development rose an additional three storeys with a saw toothed roof. The element adjacent to the Turnpike was three storeys. Cross sections show the third floor being set in at front and rear.

In July 2021 a planning application was submitted for a development of four, five, six, seven and eight storeys of flats above car parking area that to the Bath Road front appeared as an additional storey. The building contained 53 apartments. There had been no pre-application discussions with the local planning authority.

The community consultation exercise that had been undertaken late June/early July 2021 involved contacting local community groups, the Turnpike Inn and ward members. The Statement of Community Involvement which was submitted stated that this limited and targeted exercise was considered appropriate given that the site had been included as a site allocation in the consultation draft of the revised local plan in March 2019.

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The scheme was considered by Design West who raised concerns about the height of the development within the local context and also the impact on the listed Turnpike Inn.

In response to the publicity and consultation exercise 113 objections were received with concerns focused on the height and density of the proposal and that it was out of character with the area, obscuring views of the Totterdown escarpment and negatively impacting on the listed inn plus lack of play, poor air quality, impact on the amenities of residents to the rear, increased traffic, impact of parking on surrounding streets on highway safety and impact on local facilities such as doctors.

Objectors included ward member, TRESA, (Totterdown Residents and Social Action) The Windmill Hill and Malago Community Planning Group, (WHAM), the Conservation Advisory Panel and the Civic Society.

Concerns regarding the scheme, in particular its height and design, were raised by officers with the applicant and agent. Discussions ensued regarding what might be an appropriate response to the site and the agent and applicant have opted to resubmit the proposal as currently designed.

Current Proposal

The scheme as now proposed includes 31 apartments in a building that ranges from three to five storeys and includes residential accommodation on the ground floor. The apartments are made up of 4 three bed, 23 two bed and 4 one bed units.

In design the front of the building is brick faced up to the third storey, which rises to form a parapet, with the upper floors to the four and five storey elements set back and clad in standing seam metal with a roof form that mimics a row of gable ends separated by valleys. The brick element contains evenly spaced double height oriel windows at first and second floor or second and third floor depending on the height of the development. There is a slight overhang at first floor level across the development. The front boundary is marked by wall and railings with openings to the four main entrance points, each providing access to a stair/lift well that gives access to two flats on each floor. All apartments are dual aspect with all but the ground floor units having a rear or side balcony.

Landscaping is proposed behind the front boundary wall.

An area to the rear is to be soft landscaped to form a shared amenity space, there is also a detached plant room that is to have a brown roof.

On the ground floor of the western end of the development there is a bicycle shelter and a refuse and recycling bin store. Vehicular access is from County Street and there are eleven parking spaces, two are disabled and there are two electrical charging points.

The vehicular entrance is gated.

The scheme as originally submitted and visualisations of the scheme as now proposed are included as Appendices to this report.

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The application is accompanied by updated Transport, Heritage, Energy and Sustainability, Environmental Noise, Affordable Housing, Broad band, Design and Access and Statement of Community Engagement, Statements.

Other statements submitted with the application last July will continue to be relevant and must be referred to including the Air Quality, Arboricultural Impact Assessment, Drainage proposals and Ground Investigation.

Community Involvement

A remote meeting took place with TRESA. The feedback being generally supportive but comments were made about the design approach to the front elevation.

Response to publicity on the revised application

212 letters of consultation were issued with a closing date for comment of the 6th April, this being longer than normal because of down time taking place for planning on line while changes were being made to the system.

The letters were sent to those previously contacted but also those who responded to the earlier proposal.

Nineteen responses have been received making the following observations;

Sustainability

There is no provision for ambient cooling system for the hottest periods of the year and this choice allowed the use of the more efficient ground source heat pump appear unsuitable. No electricity or heat storage devices have been included. Only two spaces for electrical vehicles are included. PV panels can now be made to appear to offer insufficient benefits.

Mix of accommodation

The development is far better than before but there are still too many flats proposed for this overcrowded area. With other developments there will be strain on the surrounding area. It should be family housing.

Design

There is a great improvement but the development should be restricted to four storeys. The three storey plain wall does not respect the adjacent listed building. The use of red brick is more appropriate to Totterdown, the metal cladding should start at the fourth floor not the third floor The development will encroach onto the green space.

Implications for neighbours

The height of the proposal will result in loss of privacy for the houses and gardens to the rear. The impact on houses immediately to the south and the Thunderbolt garden would still be harmful due to loss of light and privacy.

There could be problems for landlord and his business if new owners are not aware of the life music.

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Implications for occupants

The air quality for residents is a concern. The amount of amenity space is limited. The ground floor windows will not receive light

Impact on highway

There should be more parking spaces, parking demand will put an unfair burden on local streets, which are already congested. Even if car ownership were low there would be regular delivery vans.

If more cars cut through from Wells Road to Bath Road where visibility isn't good, it could cause a significant problem. There is an opportunity to prevent access from Bath Road and prevent existing problems of rat running. This creates safety issues to pedestrians and cyclists.

Lack of amenities

There is a lack of amenities in Totterdown, residents would prefer to see more facilities added to sites such as schools, doctors and dentists

The revised scheme is acceptable and supported.

Cllr Stone has commented as follows;

'I would like to oppose this scheme on the following grounds:

This application sets out the proposed redevelopment of the existing car wash and car sales site at 122 Bath Road to provide 31 new build residential flats with associated car parking, landscape and access. The proposal offers a mix of 1, 2 and 3 bed apartments and includes both private residential and affordable units, with a policy compliant mix of 30% affordable housing to be provided on site.

It covers an area of 0.13ha and is previously developed brownfield land in accordance with NPPF definitions. The site is specifically mentioned as an allocated site for redevelopment to residential use in the Bristol Local Plan Review. However, this review, recommends 20 unit for this area.

1) I oppose for this reason - The developers are building 31 units when the area in the local plan has been recommended for 20 unit only.

It is a good site for redevelopment, with good amenities and facilities around it. It is a positive design, apart from the height.

The developers are trying to use the permitted scheme - 18/0460/F as a reference point, however when this site was given permission it was clearly stated that this would not become a precedence to the local community who were worried that it would set a tone, so does not epitomise the changing character along Bath Road.

They are also using the tree height to justify their height as the proposed scheme is allowing its highest roof form to nestle into the level of the existing trees and step down to the

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Thunderbolt, blending into the wider view of roofs ascending the escarpment. However, a tree line cannot be used to ascertain a building height, as these are natural and change with the seasons.

2) I oppose because the design statement used a tree line to establish a height guide.

Their Energy and Sustainability plans have a 40% reduction in CO2. This system utilises communal air source heat pumps housed in the undercroft plant rooms that feed a heating loop that serves the whole building. This circulates warm water to each flat where individual heat pumps ramp up this heat to provide hot water and heating on demand. However, the building is not 100% carbon zero, and does not reach the recommended carbon reduction planned in the Bristol Local Plan review.

3) I oppose because this will not help to reach the carbon zero targets set by the council for 2030.

Although the site is in a good sustainable location this does not mean that the new residents will not purchase a car and drive it. This will create a nuisance for the local residents, regarding parking in the neighbouring roads as well as more rat running through it.

4) I oppose because the plan does not mitigate against more cars and traffic effecting the local area.

These are some positives about this scheme which I would like to highlight:

1) Accessibility: The proposed scheme has been designed with accessibility in mind throughout. All communal access corridors are generously proportioned at 1500mm wide to enable potential wheelchair users to have space to turn and pass whilst also providing generous width for day-today use.

2) Communal lifts have been provided which give access to large enough carts for multiple persons and/or wheelchair users. All entrances provide level access to the building and all doors will have sufficient clear openings to facilitate a full spectrum of users. Assisting wheelchair users accessing flats but also everyday use such as carrying shopping or moving furniture. Car parking is provided on the ground floor with disabled bays located close to entrances. This relates to the lifelong living policy document and should be applauded.

3) The scheme promotes green values, such as walking and cycling.

4) It provides the necessary outdoor space for dense living, with each unit having access to a private balcony of 1.5'

TRESA have objected to the proposal on the ground of height, that it will still have a harmful impact on views towards the Totterdown escarpment, and that it should be a maximum of four storeys. They have also objected on the grounds of overlooking of existing properties.

Bristol Civic Society has commented that the building is still out of character and that four storeys only should be permitted. There remain concerns about the limited amenity space and noise and pollution from the traffic on Bath Road. The low energy heating system and opening windows are commended.

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Save Bristol Nightlife has commented that the suitable criteria to avoid complaints about noise should be put in place.

Key Issues

A. Is the principle of residential development acceptable?

There is a history of consents for residential development on the site and the site was included in the draft allocations in the consultation draft of the revised local plan in March 2019 with residential as the proposed allocation and an estimated capacity of 20 homes.

The draft development considerations were as follows;'

'Provide suitable access from County Street, with appropriate servicing to be accommodated within the site;

Respect the setting of the adjacent Listed Building at 124 Bath Road;

Respect the 'agent of change' principle by providing an appropriate scheme of mitigation to ensure adequate levels of amenity for future occupiers, without threatening the ongoing viability of existing noise-generating uses. Capacity may be reduced as a result of this;

Respond to Draft Policy HW2 'Air Quality', as the site falls within an Air Quality Management Area;

Consider surface water mitigation and drainage strategies which prioritise sustainable drainage systems and ensure no increased flood risk, as the site is potentially subject to surface water drainage issues; and

Be informed by an up-to-date preliminary ecological appraisal of the site and where appropriate make provision for mitigation measures.'

While limited weight can be given to this draft allocation as a new review of the local plan is currently under way, if the planning history is also taken into account there can be no objection to a residential redevelopment of the site pending an assessment of the development considerations listed and other relevant matters.

B. Is the proposal acceptable in respect of scale, mass and appearance?

The height of the proposed development as previously designed was a key reason for objection to the scheme in that it was considered overscaled for the location with implications for views of the terraced houses typical of Totterdown from the east, relationship to the listed public house and impact on neighbours. The latter two issues are considered separately below.

Some commentators continue to object to the scale as currently proposed and that the scheme is too high density, taking into account the reference to 20 dwellings in the draft allocation.

That the proposal is of a greater density than that referred to in the draft allocation is not itself grounds to object to the proposal pending an assessment of all issues that are a

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product of the higher density to include scale, mix of units, site coverage and impact on highways.

With regard to scale, the proposal is significantly lower than first proposed and the maximum of five storeys is considered to be acceptable in this location, noting that there are a number of existing properties on Bath Road in the vicinity that are three storeys with a blank basement so effectively four stories in height. The top floor is set back from the frontage behind a parapet wall as it faces Bath Road so reducing the appearance of height from this aspect.

With regard to appearance the roof is designed to mimic the gable fronted terraced houses that are typical of Totterdown. The design of the Bath Road frontage incorporates a mix of detailing, to include the bay windows, materials and detailing to achieve a rhythm and appearance typical of the existing terraced properties Bath Road, notably the terrace between 190 and 284.

While simpler in appearance, the rear is broken up visually by balconies and regularly spaced, detailed fenestration. This elevation will be visible to a number of existing residents and accordingly it is important that it is well designed. Some concern has been expressed about the design of the balconies, the intention is that these are light weight in appearance but continue to provide privacy. Photos of examples of how these might appear have been submitted and it is agreed that this can be conditioned.

The front boundary is marked by a mid height brick wall with a deep landscaping strip behind it and combined this will provide a good environment for passing pedestrians. The development is pulled back from the public footway to the left to allow it to be widened at this point, where it is currently narrow. Full details of this will be needed by condition.

Visually verified views have been provided which show the views of the existing terraced houses to the north east being largely unimpaired.

Pending large scale detail of key construction elements to all elevations, and sample panels of materials, the scale, massing and appearance is considered acceptable ref. BCS21 and DM26-29.

The agent has confirmed their intention to incorporate public art within the scheme and there are draft proposals for the rear access gates to be a bespoke, fretted design in corten steel. There is a potential opportunity to engage with artists based in the nearby Paintworks.

The public art officer has commented that; 'The council recognises the importance of Culture and public art in contributing to the vision and sense of place of new developments. The term 'Public Art' refers to art that is in the public realm, both on private and public property and irrespective of how it is funded. Public art does not just include static, permanent sculptures or artworks, but a diverse range of creative practice and cultural experiences that can take place in the public realm. This might include:

- Providing space, assets or infrastructure to enable ongoing cultural and community activity and experiences such as artist studios, access to nature, community resources

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- Commissioning cultural ‘happenings’ and public realm animation e.g. performance, street art, creative interventions and installations
- Creative commissioning to support functional requirements such as lighting, wayfinding, colour schemes, landscaping and green space

We would encourage a consideration of how any of the above can be included creatively in a development irrespective of whether a separate public art budget has been identified. The positive impact that culture led design can have on people and place is extensive.’

Comments have also been received from the Crime Prevention Officer who comments on the need for access controls, good lighting and CCTV. These are levels of detail that as a rule are not covered through the planning process though the applicant is aware of the comments.

C. Is the accommodation being proposed acceptable?

Internally all the units comply with the nationally described space standards and will all be designed to be adaptable for wheelchair users in accordance with Part M(4) 2 of the Building Regulations. Corridors are 1.5m wide and will therefore accommodate wheelchairs. Noting that the development is less than 50 units, which is the trigger for the policy requirement to provide fully wheelchair accessible units in accordance with DM4.

All the one bed units are designed to be for two people, which allows for the future flexibility required to comply with BCS18.

An assessment of the scheme as outline in the Urban Living SPD is included in the Design and Access Statement.

In accordance with the recommendations therein all units are dual aspect and all but the ground floor have a private balcony. There is a shared garden area to the rear. The flats are accessed off four cores with the result that they serve a maximum of 2 flats per floor.

There has been some concern that ground floor units will have less light given the proposed overhang on the frontage and lack of balconies however these do back onto the shared garden where a dense bed of planting is indicated to act as a screen and defensible space. A fully worked up scheme will be required for the design of this area.

The SPD requires an element of play to serve developments, there is insufficient space to accommodate a bespoke area though informal play will be possible, this in its own right is not considered to be grounds for objection.

The Crime Reduction Officer has commented on the number of crimes in the area and made recommendations with regard to access controls, lighting and cctv to render the development secure. Some of this is a level of detail that is not as a rule covered by planning though information on the proposed external lighting will be one of those required by condition.

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D. Is the mix and tenure of proposed units acceptable?

The proposal to provide a fully flatted development has been the subject of objection with it being commented that some family housing should be included. BCS17 and 18 are relevant to this issue.

The 2011 Census data shows that Lower Totterdown, which is the lower super output area into which the site falls had 56.9% flats/apartments/maisonettes with 80% being 1 or 2 bedroom units. This area includes the more contemporary housing between Wells Road and Bath Road as well as Bushy Park, which combined provide a large number of flats.

Notably Upper Totterdown, which includes the majority of the older terraced housing, was 74% houses.

Data from the 2021 census is not yet available at the time of writing.

Against this background it is recognised that there could be objection to the introduction of more flats in this part of Totterdown. However given the location next to the busy Bath Road it is not considered to provide an ideal living environment for family housing, for example while it is possible to insulate buildings against noise, rear gardens may be noisy.

Records show that a number of the existing properties facing Bath Road to the east of the site are registered as HMOs and many are converted into flats.

It must also be accepted that the costs of dealing with the contamination on site would affect the viability of a development and mitigate against what would inevitably be a low density development if it were single houses. Consequently a flatted development is considered to be appropriate for the site.

As above all the flats comply with the adopted space standards and the scheme includes 4, 3 bed units which could accommodate families.

With regard to tenure, the developer had confirmed that the scheme will provide 30% affordable housing in a 77% social housing/23% share equity split in line with BCS17. This equates to 9 units in total at with a 2 to 7 split. This will be secured through a legal agreement.

The Strategic Housing Team has commented that they would support the larger units for social rent over the smaller ones as this allows more room for households to grow. However smaller units may be more suitable for intermediate home ownership as they may be more affordable. The mix when agreed will be included in the legal agreement.

The location of the affordable units will need to be agreed with the developer but a reasonable level of clustering will be supported to enable small self contained blocks. It is noted that the design of the scheme will be tenure blind and this is supported.

E. Do the proposals preserve and or enhance the character and appearance of the grade II listed inn?

The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 includes a requirement that development should either preserve and or enhance the

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character and appearance of registered heritage assets. This requirement is reflected in policies BCS22 and DM31 and the NPPF which refers to the need to assess the degree of harm on heritage assets and whether there are economic and social benefits that would outweigh any harm recognised.

The impact on this heritage asset was a concern with regard to the proposal as first submitted because of its height and mass which was considered to visually overwhelm the building and its setting causing a significant degree of harm, gauged as being midway between no harm and substantial harm. Substantial harm generally being reserved for situations where heritage assets are to be partly or wholly demolished and in this case there are no proposals that directly affect the building itself.

The revised proposals reduce the height of the development next to the inn to three storeys and the remainder of the development by four storeys which allows views of the Totterdown escarpment to the rear of the inn to be retained, which form part of the setting to the inn. The reduced scale also helps address concerns about its visual dominance over the inn when seen from the Bath Road frontage, which is considered to be the main setting of the inn as it was a formerly a toll house serving that road.

As the Bath Road was developed from Victorian times the inn became one of the smaller buildings and it has historically been viewed in the context of larger buildings from east and west. Only since the clearance of the land to the west in connection with the construction of the filling station has it regained some visual prominence from that direction.

The proposal will reduce, but not obscure, views of the inn from the west, there will be little impact from the east though it will be viewed against the context of the development. That a plain wall will be the backdrop to the pub from this direction has been raised, while the development is set back and away from the inn, it is accepted that the side wall will be visible above its roof. The resulting degree of visual impact will be partly a product of the choice of brick, which needs to be one that allows the roof of the inn to dominate.

Notwithstanding as a result of the change in scale and design the amount of harm caused to the asset is considered to be substantially reduced.

As a corollary to this it is necessary to consider the public benefits of the scheme in that it will provide new housing, of which 30% will be affordable, in a sustainable location on a brownfield site. Any meaningful development of the site will inevitably have an impact on views from the west, as did the approved scheme in 2011.

Taking this into account it would not be wished to object to the proposal on the grounds of harm to the setting of the heritage asset.

F. Do the proposals satisfactorily address the noise environment with regard to future residents and implications for the adjacent music venue?

This relates to one of the development consideration listed in the draft site allocation and is something that has been raised by objectors to both iterations of the scheme. A Noise Assessment has been provided which is based on noise readings taken from the nearest proposed residential façade while a live music event in the Thunderbolt was underway.

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This found that while noise from the Thunderbolt did increase background noise levels the dominant ambient noise levels came from road traffic. Music noise levels did not lead to an adverse noise impact at proposed residential facades.

The assessment concludes that satisfactory internal noise levels can be achieved if windows are shut in the nearest proposed apartments, which would incorporate trickle vents which to allow ventilation to take place when windows are shut.

Preliminary findings from the overheating assessment that is being undertaken is that there may be a need for additional ventilation to some of the apartments and if there is a conflict between this and retaining the windows shut for noise reasons, then some form of additional ventilation will be provided. This may be achievable through the proposed Air Source Heat Pump heating system. It is considered acceptable to seek full details of noise insulation and ventilation through condition.

The issue of whether a Deed of Easement between the housing developer and the music venue to restrict the ability of residents to complain about noise, subject to the venue operating within an established set of criteria has been raised. This approach has been supported by the Secretary of State when approving a mixed use scheme at Silverthorn Lane, given its proximity to Motion. The agent for the current application has been in correspondence with the operator of the venue and pending further discussion considers this may be possible in this instance.

However the pollution control officer has commented to the effect that there are a number of existing residential properties in the vicinity of the venue and there is no history of music noise complaints. At Silverthorne Lane the proposed residential use is considerably close than existing residential properties. Given the findings of the noise assessment with regard to the noise levels and the ability to secure a satisfactory noise environment internally there is not strong case for a Deed of Easement.

It is acknowledged that the communal terrace in the vicinity of the Thunderbolt will receive high noise levels but as above, this will be predominantly from the road and it would not be practical or feasible to screen against this. As it is considered desirable to provide this area it is necessary to accept the compromise of elevated noise levels.

Ref. Policy DM35.

G. What are the implications for the amenity of existing neighbours?

This has been referred to by some objectors and is specifically included in DM29.

The land to the rear of the site rises up steeply to the Wells Road and the nearest houses to the rear of the site are those on Hillside Street, which are significantly above the height of the site. Internally they are stepped to accommodate the gradient and have kitchens facing the road with lounge areas with patio doors facing towards the site. The location of this key living space makes it important that the potential impact of the development with regard to light and privacy is carefully assessed.

Scaled cross sections have been provided to illustrate the relationship between the proposed development and these properties.

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i) Light

The intervening distance is at a minimum of 20m but this is in the location where the existing trees, which are not affected by the development, currently form a screen. Otherwise the intervening distance is between 26 and 30m. Cross sections have been provided to demonstrate that the proposed development falls under a 25 degree line from the mid point of the ground floor patio doors, which is a method for assessing impact on daylight as set out in the BRE Guidance on Daylight and Sunlight as it indicates that there will continue to be an open outlook from the room in question and therefore satisfactory levels of daylight retained.

Because of the orientation the shadow from the proposed development will be almost entirely directed away from the rear of these houses and will fall towards the road.

ii) Privacy

The intervening distance is considered sufficient to offset loss of privacy, particularly in a local context where back to back distances are often significantly less. The design of the balconies will be such that they will provide a light weight privacy screen so while the balconies may potentially provide a greater opportunity for overlooking, the design will mitigate this to include a wedged shaped footprint that will encourage seating facing west.

There is the more subjective issue of overbearance and while there is no doubt that the development will be visible by the properties to the rear, the distance and change in levels are considered to be sufficient to offset this being grounds for objection.

Issues of dust and noise during the construction period will be addressed as far as possible through the Construction Management Plan which will require a mechanism by which the construction staff shall communicate with residents.

H. What are the implications for highway safety?

Vehicular access to the development is from County Street to the rear. The proposal includes 11 car spaces, 2 of which are for disabled use and 2 are served by electric charging facilities. Numerically this is less than a third of what would be required to comply with the adopted parking standards as set out in the appendix to the Site Allocation and Development Management Local Plan, however these are a maximum.

The site is well located for public transport routes, within walking distance of Temple Meads Train Station, local facilities on Wells Road and to employment within the central area. There is a cycle lane to the front of the site.

The implications for the surrounding roads for with regard to increased traffic and the congestion arising from an increased demand for parking have been grounds for objection to the proposal. It has also been commented that while the predicted traffic flow generated by the development is quite accurate it does not take into account the existing high levels of traffic flow which will render a dangerous environment for pedestrians.

The road network that connects to the proposed rear entrance off County Street is fairly narrow and steep in place with some junctions where there is limited visibility due to their configuration. These streets are subject to a 20mph limit. Most routes link up to Wells Road

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but it is possible to cut down to Bath Road. Some are one way streets and there are areas of private car parking. Parking on the public highway is restricted to one side only in some cases due to the narrow carriageway.

There are double yellow lines along Bath Road and an advisory cycle lane that leads into the 24 hour bus lane up to the Three Lamps Junction.

It is necessary to understand the amount of car journeys likely to be generated by the development as this has implications for highway safety but also air quality. It is also necessary to estimate the potential car ownership associated with the development and the impact of overflow car parking in the area.

Both car use and car ownership can be influenced by the availability and uptake of alternative sustainable modes of transport.

To illustrate the potential impact on the surrounding highway, the applicant has provided a Transport Assessment to include a TRICS analysis, (which is an industry standard of trip rates used to quantify the number of trips associated with new developments), which shows that during the morning peak, the existing car wash and car showroom would generate 11 two-way person trips per hour as opposed to up to 19 one way trips associated with a residential use and 21 during the afternoon peak.

To explore this further travel to work data for the area taken from the 2011 census was used which found that 39.6% of all trips to work were by car. When applied to the person trip rates this would translate to 7 two way trips generated by the development in the morning peak and 9 in the afternoon.

Further analysis showed that 70% outbound would use Angers Road and turn left onto Bath Road and 52% of inbound trips would use Wells Road and turn left into Angers Road. At most this would equate to one additional car movement every 10 minutes on Angers Road but every 20 and 30 minutes elsewhere.

The Transport Assessment concludes that the site is in a sustainable location which is reflected by the low number of two way car trips predicted the impact on the surrounding road network will be limited. This is agreed with.

To underpin the low levels of car usage there will be a need for measures to support and encourage alternative modes of transport. This will include a Travel Plan, improvements to public transport and access points for pedestrians and cyclists.

The applicant has opted for the council to undertake the travel plan and will provide a contribution of £6,820 to achieve this.

With regard to public transport, there are a number of bus stops within walking distance of the site but it important that these are fit for purpose. As the scheme is only for 31 units, any contribution should be commensurate and a sum of £13,000 is to be secured to enable a concrete pad for the inbound bus stop which will enable more services to use the stop without the risk of damaging the carriageway through surface rutting or risk to cyclists.

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To improve access to the site for pedestrians, the footway to the front of the site will be reinstated to full kerb height and resurfaced, improvements to County Street at the rear will also be needed to include new, and upgraded, street lights. Waiting restrictions preventing parking along this section of County Street but also the junction with Stanley Hill are needed which will require a Traffic Regulation Order at the sum of £6,067.

It is outside of the remit of a development to seek to address any existing traffic issues however these measures will benefit the wider population as well as incoming residents.

This is considered to address the issue of traffic generated by the development but car ownership and potential for overflow parking taking place on the surrounding highway needs also to be assessed.

An assessment of the likely amount of car ownership has been made based on the Windmill Ward as a whole. For apartments the 2011 census shows that 51% of residents do not own cars which would equate to a need for 16 parking bays on site.

To determine whether the additional 7 cars could be accommodated on the surrounding streets a parking survey was undertaken during late evening on weekdays, when it would be expected that residents would be at home. Within a 150m walking distance a minimum of 14 spaces were found, which would accommodate this potential overflow.

The development will include 62 cycle parking spaces in a secure store accessed from Bath Road, which is acceptable. Two visitors cycle parking spaces are located by the main entrance A communal bin store of adequate size is sited close to the vehicular entrance to which there will be a key coded entry.

In conclusion pending contributions and relevant conditions the development is found to be acceptable when assessed against BCS and DM23.

I. What are the implications for air quality?

This is one of the development considerations attached to the draft site allocation and addressed by DM33.

The assessment demonstrates that the site, although located next to a busy road, is likely to be compliant with air quality objectives. It is therefore suitable for residential use. Operational impacts of the development are not considered significant.

The low number of car spaces and travel planning proposed will help reduce vehicular activity associated with the development and therefore additional air pollution from emissions.

The assessment includes recommendations to mitigate dust during the demolition and construction and the Air Environment Officer recommends that these be included.

Based on this assessment the Air Environment Officer has no objection to the proposal.

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J. What are the ecological implications arising from the development?

An ecological assessment of the site as existing has been undertaken which showed very limited vegetation across the site with no evidence of any protected species of animal or plants although there was potential for nesting birds in the trees that overhang the site.

These results have formed the basis of a Biodiversity Net Gain assessment, which to secure a positive net gain has allowed for enhancement proposals in the form of species rich landscaping incorporating native species to the front and rear as well as the communal terrace, bird and bat boxes but also a brown roof to the plant room.

Full details of landscaping are to be required by condition.

K. What are the implications for existing trees on the site?

While there are no trees on the actual application site, there are two trees to the rear and a number of trees on the private area of open space to the west, which have significant landscape value.

An arboricultural report has been included with the application which classes the former as Category A and the latter also as mostly category A.

Those to the rear are not affected by the development however those to the west in part overhang the site. It is accepted that the owner would be in their right to prune these trees back to enable the development to take place and it is given that this will be by one meter.

An Arboricultural Method Statement has been included which requires protection to be erected around these trees following the pruning and also that all works should be undertaken by a fully qualified arboriculturist

The Tree Officer concurs with these recommendations and they are to be conditioned.

However there are concerns that because of the proximity of these trees there will be future potential for pressure to reduce or remove them from incoming residents particularly given there are balconies on the proposed frontage facing this area.

In an attempt to offset this potential eventuality, the balconies have been reduced in depth on this frontage leaving a gap of 3.5m to the boundary where the greatest amount of overhanging is shown reducing to approximately 2.4m further away from the canopy.

L. Is the proposal acceptable with regard to sustainable energy generation and other sustainability issues?

The Sustainability Statement included with the application states that a high level of insulation is proposed above that required by building regulations in addition to low air permeability.

It is proposed to heat the development using communal Air Source Heat Pumps which feed a heating loop that serves the whole building. This circulates warm water to each flat where heating is increased to demand by the occupants. This form of heating is considered to comply with the adopted heat hierarchy as set out in BCS14 and will result in a site wide

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43.43% reduction in CO2 emissions beyond the residual emissions total. It is recognised that this is carbon neutral but exceeds the requirement of 20% savings from renewables set out in currently adopted policies and is welcome on that basis.

In line with BCS 13, an overheating analysis is underway to take into account climate change up to 2080. As all the units are dual aspect there will be scope for through ventilation during the day when the rear elevation experiences most sun, though this will be moderated by the proposed balconies to this frontage which will act as a brille soleil. The noise assessment states that some windows will need to be shut to ensure a satisfactory noise environment overnight and rely on trickle vents for ventilation and there may need to be some element of mechanical ventilation to the rooms affected. As set out in the section on noise, this would be possible but details will need to be agreed by condition.

As set out above, new planting and green roofs are proposed which will have benefit as heat sinks.

To date there has been no information submitted about the provenance of the materials to be used as set out in BCS15 but as the units are all compliant with the nationally described space standards, with the one bed units being for two persons, they will allow for future flexibility and adaptability.

Some information has been to demonstrate that ultra- fast broad band is available to the site and that discussions have been carried out with one provider with a view to entering into a contract.

Conditions are recommended to require implementation in accordance with given information and more detail as appropriate.

M. Is the proposed drainage of the site acceptable?

As the revised scheme includes a reworking of the amenity space to the rear to include more soft landscaping but also introduces more landscaping to the front there is scope for a greater use of SUDS than had been proposed in the context of the scheme as initially proposed. The drainage team advise in accordance with the updated Strategic Flood Risk Assessment requirements the scheme should have a minimum of 50% reduction on pre-development runoff rates, as proposed only a 30% would be achieved. The additional landscaping provides an opportunity to increase this and provide the additional reduction sought.

The detail of which SUDS may be appropriate to the development will be informed by the analysis of the contamination on site as this will affect whether percolation can be employed as part of the scheme and may require measures such as attenuation crates.

The agent has confirmed that they will work to achieve a 50% reduction and a condition is recommended that requires details of SUDS to be submitted for approval prior to the commencement of construction. Ref.BCS16

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N. Are there contamination issues?

As a former filling station there will have been petrol tanks on site as well as oil spillage from vehicles. It is thought that the tanks may have been filled but there will remain a need to undertake site investigations to ensure that it is satisfactory for residential use, and take remedial action if found to be necessary. Clean top soil will be required for the planting areas which may have to be sealed to prevent the uptake of contaminants.

The Environment Agency, with their responsibility for ground waters, has commented to the effect that there is a risk that deep piling if used could penetrate a more productive aquifer at depth and are concerned that the site is located upon a secondary aquifer with high vulnerability. A condition seeking details of any piling to be agreed is requested.

This and other relevant conditions are recommended to address this issue. Re.DM34.

O. How does the proposal address the Public Sector Equality duties under the 1990 Equalities Act?

The application will provide a total of 9 affordable units and the design is tenure blind. While mostly two bed units, three and one bed units are also included in the scheme which will provide for a range of family sizes. The mix to be affordable will be agreed with the Strategic Housing Team and reflect housing need.

All apartments are compliant with the nationally described space standards which enable some flexibility regarding future use and are to M4(2) standard in that they can be adapted to wheelchair use. Corridors are all of a width that would allow the passage of wheelchairs and there are lifts to all floors. There is therefore potential to accommodate wheelchair users throughout the scheme.

The well insulated nature of the development and use of renewable energy will help address fuel poverty.

The site is in a location which is well served by public transport and within walking distance to a range of local and central facilities, it is therefore in a location where it is possible to live with no detriment without access to a private car.

Overall it will provide a good standard of accommodation for all sectors of the community.

P. Is the scheme CIL liable?

The scheme is CIL liable and as proposed will attract a total of £359,049.11.

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Recommended

That the application be approved subject to a planning agreement to cover the following items;

A. Affordable Housing - 30% Affordable Housing made up of 23% shared equity and 77% social rent

B. Financial contributions

£6,820- Travel Plan Implementation - Auditing and Monitoring

£13,000- towards Public Transport Improvement

£6,310- Traffic Regulation Order (TRO) to prevent cars parking along County Street or at the junction of County Street with Stanley Hill.

Delegated authority is sought to complete drafting of the conditions and agree them as necessary with the applicant.

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Appendices

Bath Road elevation of proposal as originally submitted



Bath Road elevation as now proposed



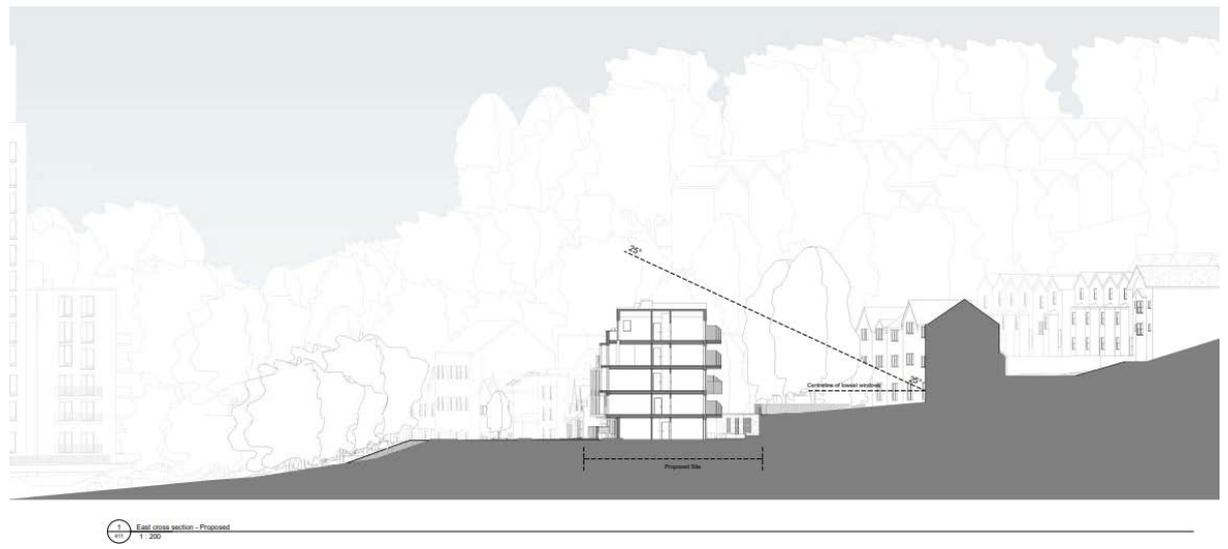
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Proposed Ground Floor Plan



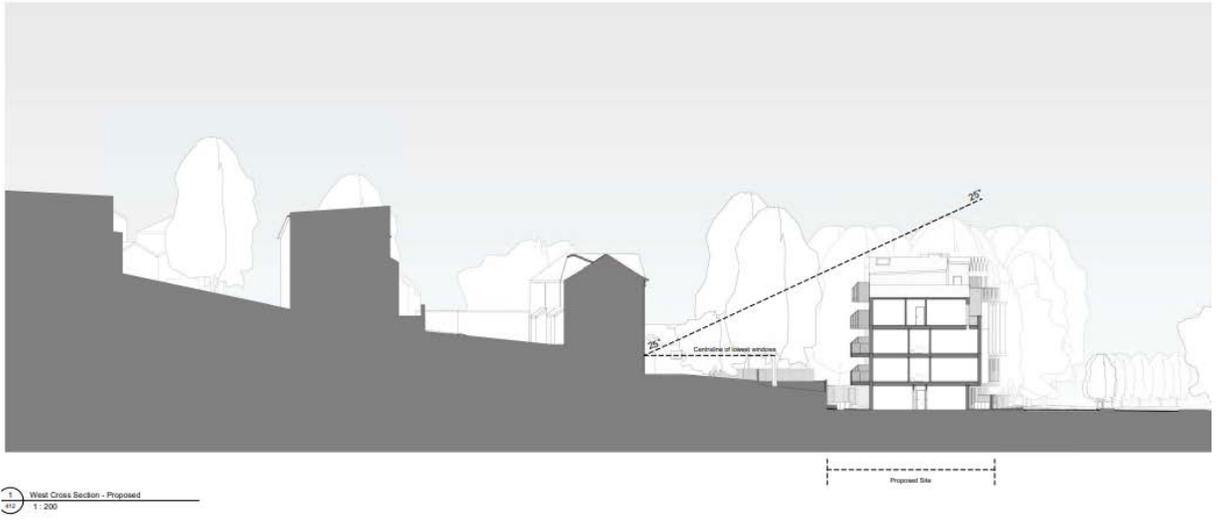
Cross Sections

East

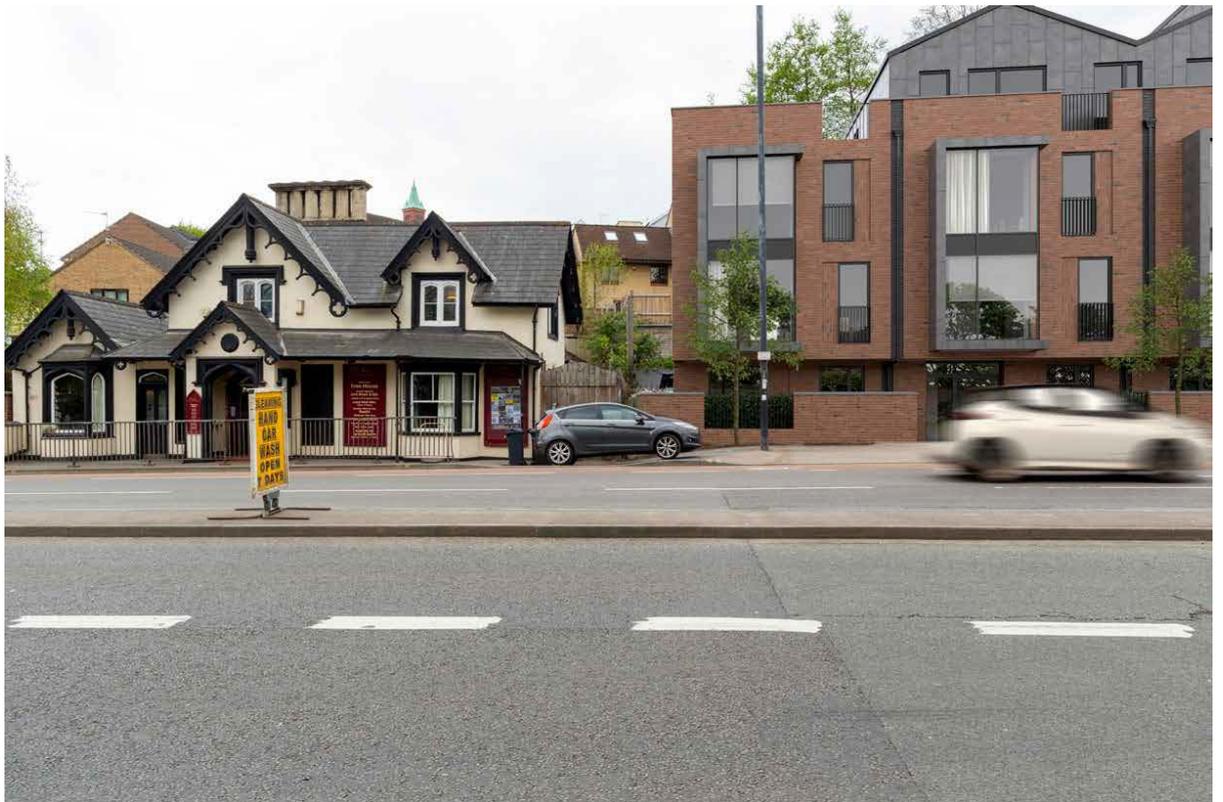


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West



Verified Visualisations



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