

Sexual Entertainment Venues and Planning – Briefing Note

In planning terms, many leisure uses fall into use classes A3-A5 or D2 of the Use Classes Order and premises can sometimes change hands or shift the emphasis of their business without actually constituting a material 'change of use' requiring permission. Sexual entertainment venues (SEVs), however, are a *sui generis* use, or a 'use on their own'. This means that planning permission, as well as a license, is required to open an SEV on any premises unless its most recent use was also an SEV.

Under planning law, planning applications must be determined in accordance with the development plan unless material considerations dictate otherwise.

The 'development plan' is the suite of statutory policies used by the council as local planning authority to determine applications for planning permission. Currently, the development plan for the city centre area is:

- The [Bristol Local Plan](#), comprising the Core Strategy (June 2011), Site Allocations and Development Management Policies (February 2014) and Bristol Central Area Plan (July 2014); and
- Where relevant, the [Old Market Quarter Neighbourhood Development Plan](#) (March 2016).

The need for planning permission arises where a change of use occurs, so does not apply to existing SEVs where they are the established lawful use of a premises. However, planning permission would be required for the relocation of an SEV business from one premises to another, which would represent a change of use to the new premises.

If a premises currently in use as an SEV should undergo a lawful change of use to any other use (e.g. a restaurant/bar), then planning permission would be required to convert the premises back to an SEV at a later date.

The **Bristol Local Plan** does not contain any policies relating specifically to SEVs. However, there is an extensive suite of policies that apply to retail and leisure development in Bristol City Centre, including Core Strategy policies BCS2 and BCS7 and Bristol Central Area Plan policies BCAP13-BCAP19. For planning purposes, much of the Old Market area is considered to be part of the city centre.

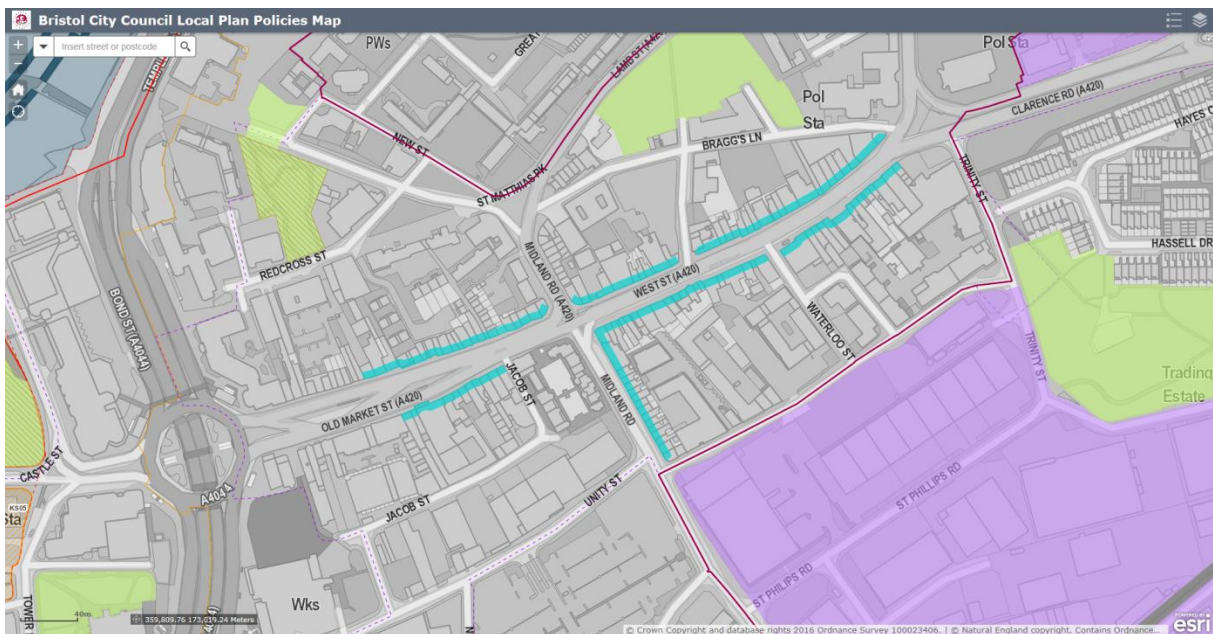
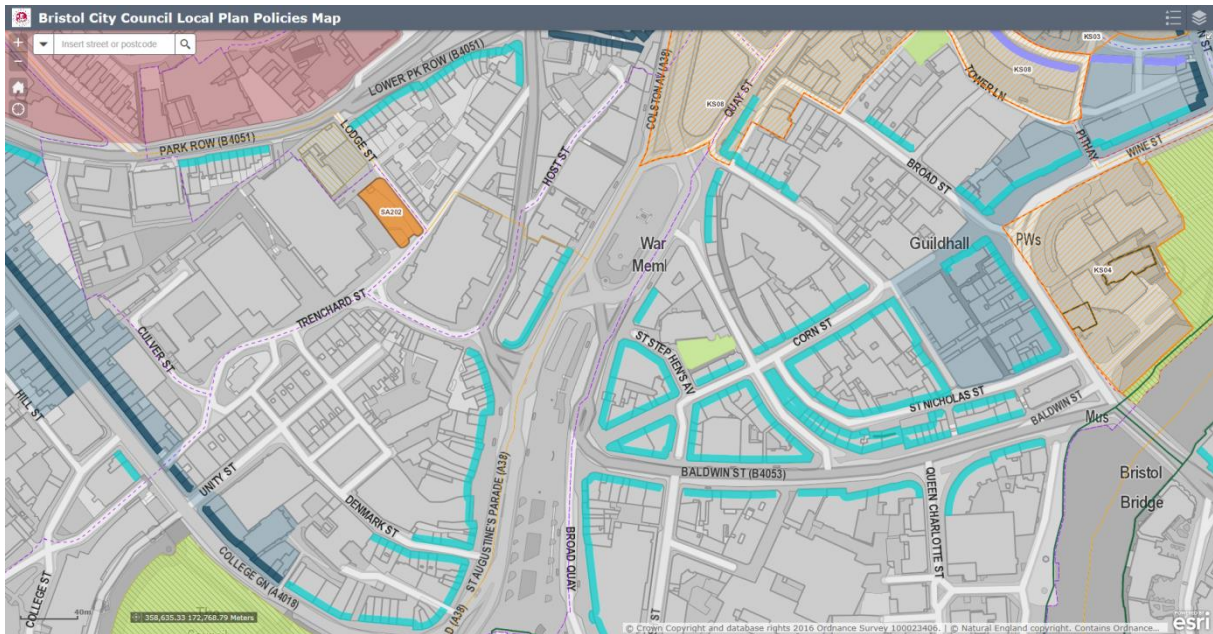
The policies support retail and leisure uses in the city centre. In designated Primary Shopping Frontages, the general presumption is that premises will remain in retail use. Elsewhere, a greater range of uses are supported, although in designated Secondary Shopping Frontages development still has to maintain or enhance the function of the shopping area. In general, uses are expected to add to the vitality, viability and diversity of the area.

Applicants for new SEVs would likely contend that their proposals would add to the vitality and diversity of the area. The council would contend that further SEVs would in fact have a negative impact on vitality by lowering the perceptions and appeal of the area, and as such would be contrary to these policies.

The Bristol Central Area Plan contains a further policy BCAP46 that relates specifically to development in Old Market. It states that development will be expected to support the regeneration of Old Market as a local and specialist shopping area. The development of appropriate evening economy uses and community facilities will be encouraged where it would support the neighbourhood's growing role as a mixed residential community and Bristol's gay village. Also

relevant is policy BCAP3, which seeks a proportion of family housing from all new development in Bristol City Centre; in Old Market, this is increased to a 'substantial proportion'. These policies represent an attempt to shift the city centre towards a more family-friendly and inclusive environment, an objective that the opening of a new SEV would work against.

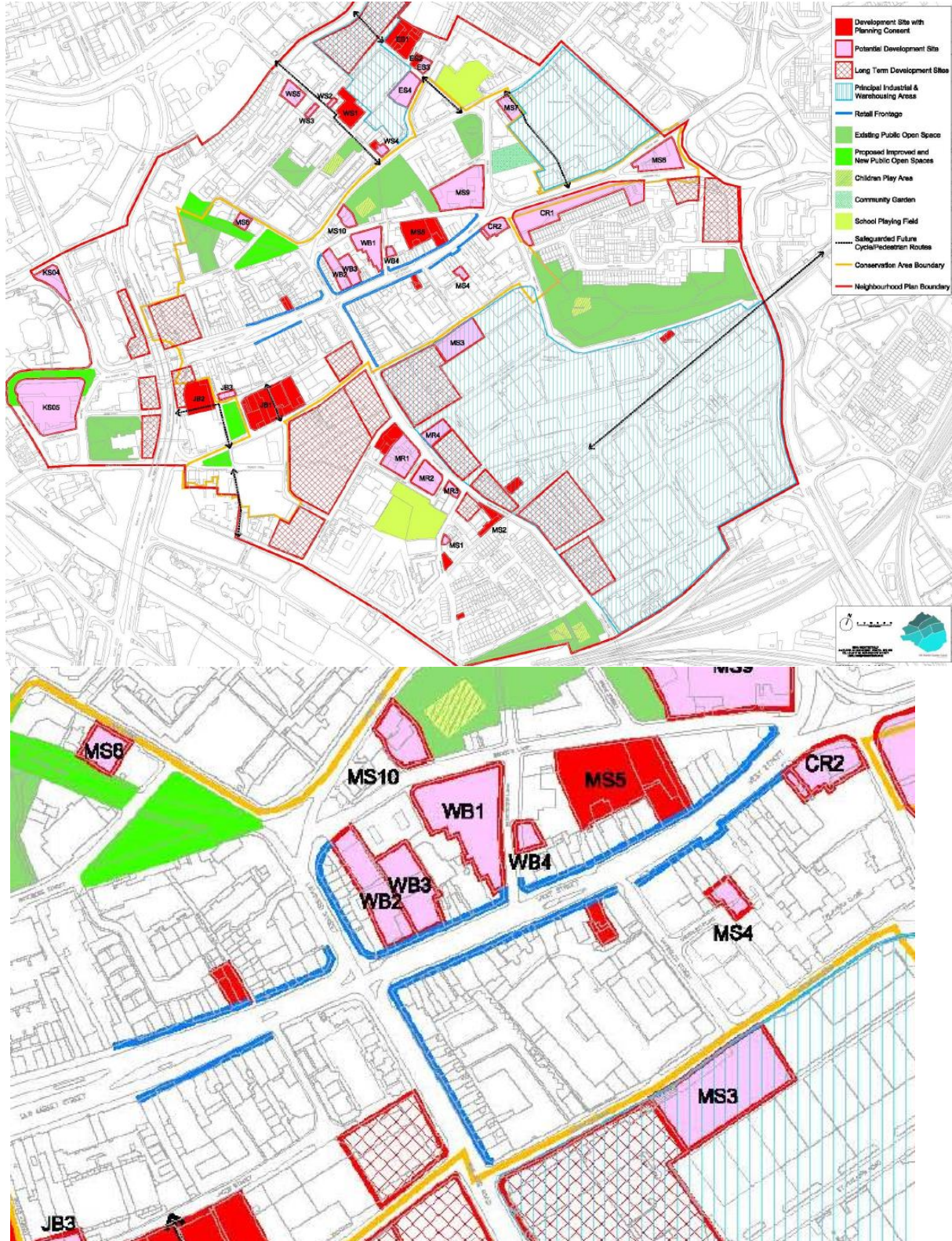
Bristol Local Plan: Extracts of Policies Map showing the location of designated shopping frontages around the Centre Promenade and Old Market.



The **Old Market Quarter Neighbourhood Development Plan** tackles the issue of SEVs more directly. The plan places SEVs among a number of factors that erode the commercial function of the high street and the community. As such, policy C2 states that the change of use of premises within the designated retail frontage to use for adult entertainment purposes will not be permitted.

More generally, the plan identifies a number of potential development opportunities across the area. Housing is a major feature of uses promoted.

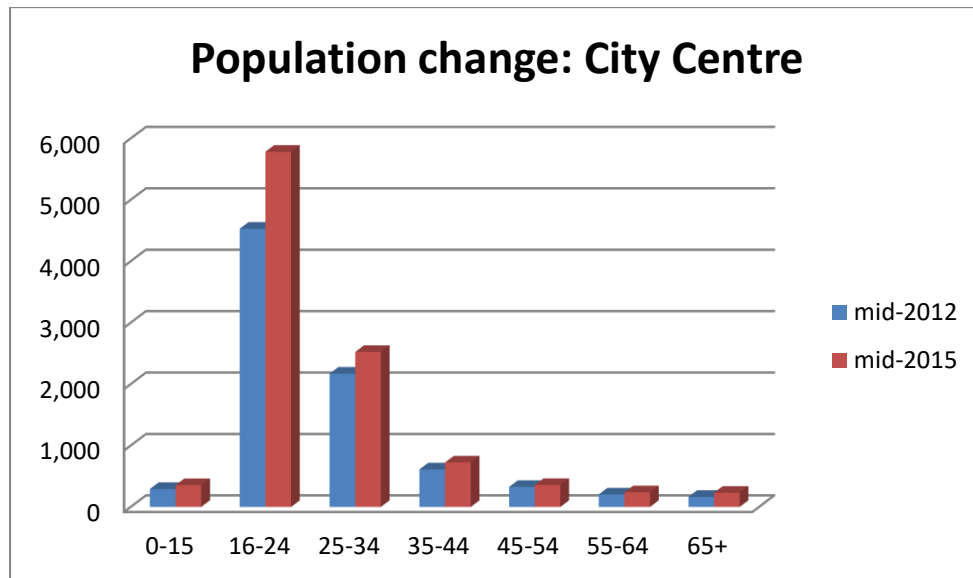
Old Market Quarter Neighbourhood Development Plan: Policies Map and detail of Policies Map showing extent of designated shopping frontages for the purposes of policy C2.



Population change in Bristol City Centre and Old Market

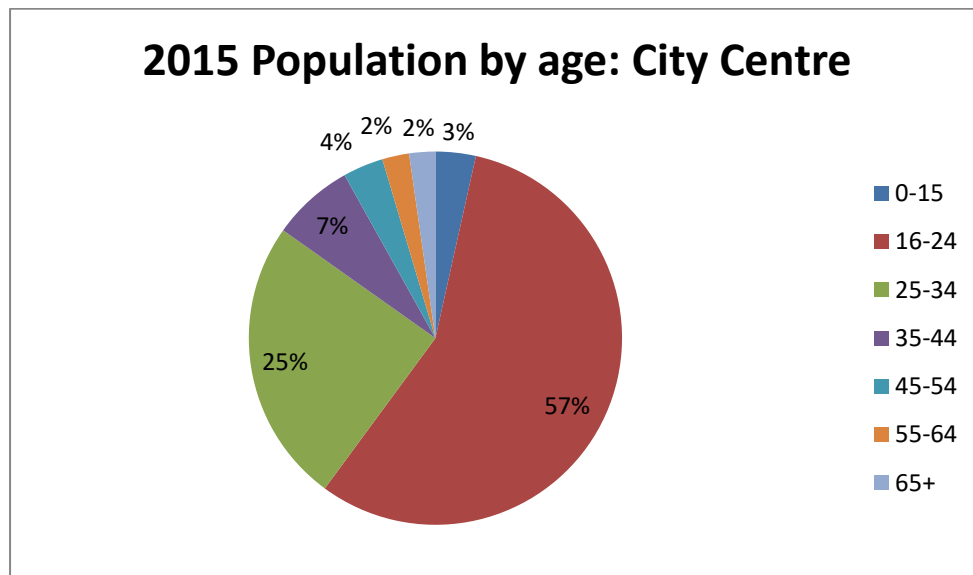
Bristol City Centre cumulative impact area

The 'best fit' data for population change in Bristol City Centre shows significant growth in the student age population, reflecting the high delivery of new student housing in recent years. There has also been growth in the 25-34 age group, suggesting a growing professional population. The population of children under 16 remains low.



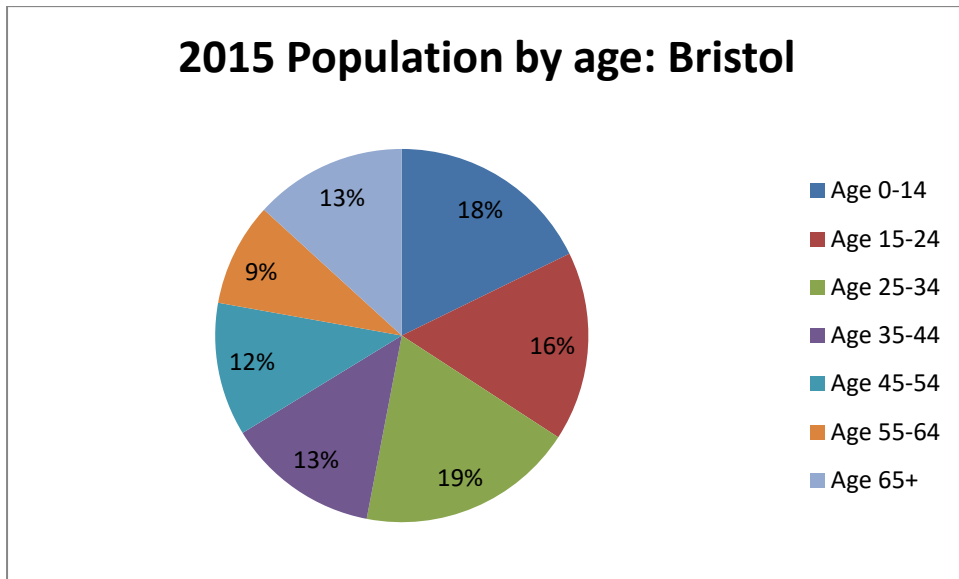
Source: Performance, Information and Intelligence, Bristol City Council. Adapted from data from the Office for National Statistics licensed under the Open Government Licence v.1.0.

The population of the city centre is predominantly in the student age group:



Source: Performance, Information and Intelligence, Bristol City Council. Adapted from data from the Office for National Statistics licensed under the Open Government Licence v.1.0.

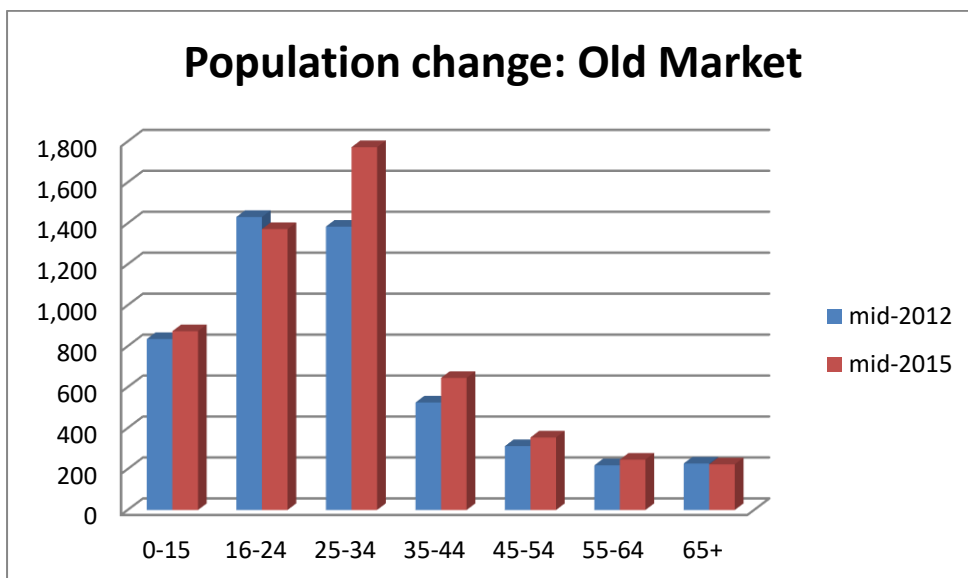
This is significantly different from the citywide picture, which is more evenly distributed. In comparison to the citywide picture, the population under 16 or over 45 is particularly low.



2014-based Sub-national Population Projections Bristol Local Authority
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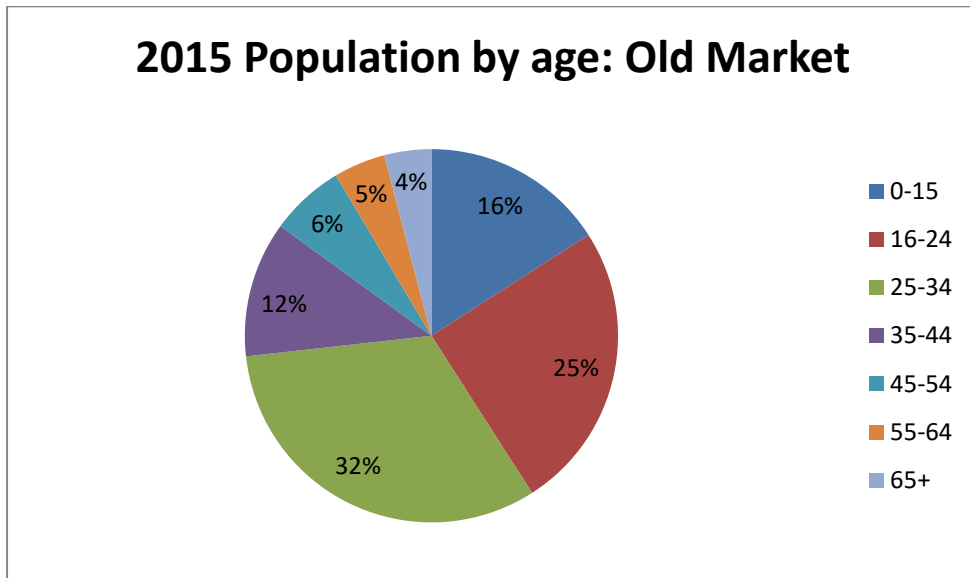
Old Market Quarter neighbourhood planning area

The 'best fit' data for population change in Old Market shows the greatest growth in the young adult population, particularly between the ages of 25-34. Growth in the population of children under 15 is comparatively modest, but from a higher base.

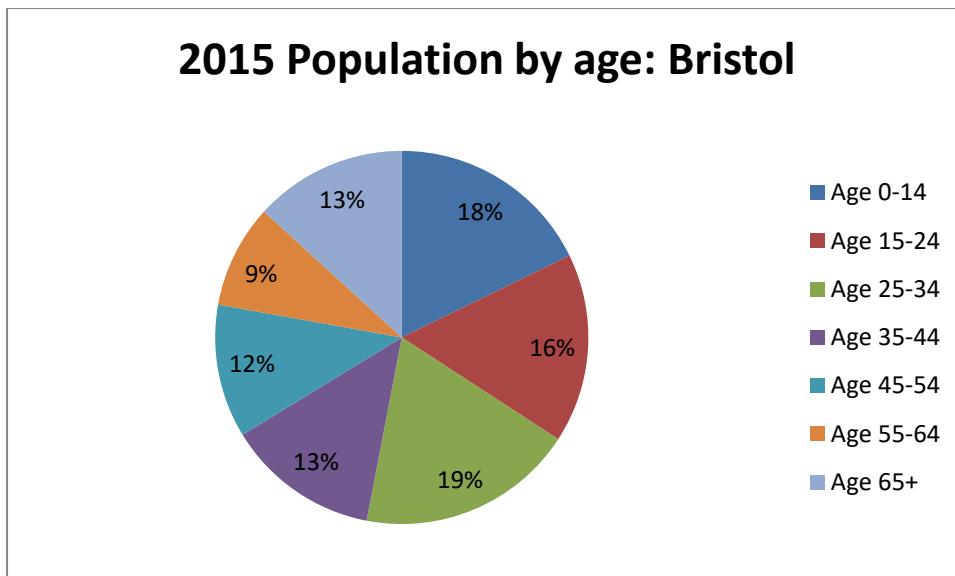


Source: Performance, Information and Intelligence, Bristol City Council. Adapted from data from the Office for National Statistics licensed under the Open Government Licence v.1.0.

The distribution of population by age in Old Market is much closer to the citywide picture than in Bristol City Centre. The population aged over 45 is again relatively low, but the population of children under 15 is comparable to the citywide picture.



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Housing delivery in Bristol City Centre and Old Market

Bristol City Centre and Old Market have seen the delivery of high numbers of new homes in recent years. The council's housing trajectory, which tracks the completions and forecast completions of new homes with planning permission or allocated in the Local Plan, forecasts continued development of new homes in both areas over the period to 2026:

	Completions 2006-2016	Forecast dwellings 2016- 2026
Old Market Quarter NPA	1,163	425
City Centre	3,093	1,889