Development Control Committee B - 10 April 2024

ITEM NO. 1

WARD: Easton

SITE ADDRESS: 203 Church Road Redfield Bristol BS5 9HL

APPLICATION NO: 22/06037/F Full Planning

DETERMINATION 23 March 2023

DEADLINE:

Proposed change of use and extension of existing building to create a scheme of 13 x HMO Cluster Units (42 beds) together with associated Gym and Communal Workspace facilities (Sui Generis). Change of use of Drinking Establishment floorspace (Sui Generis) to Commercial floorspace (Sui Generis)

RECOMMENDATION: Refuse

Trull

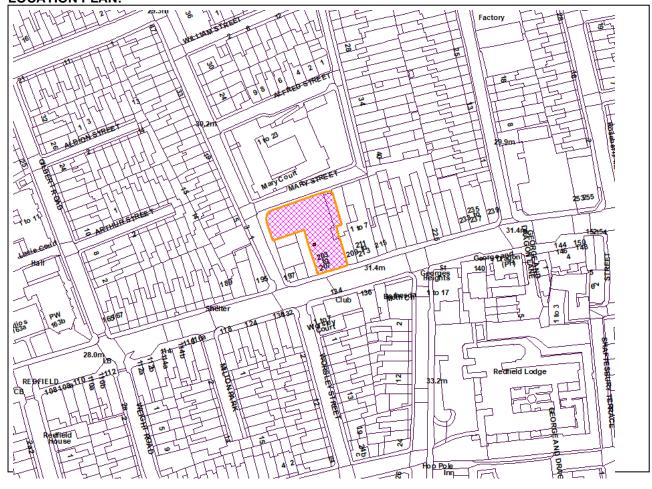
AGENT: LPC (Trull) Ltd APPLICANT: Landrose Bristol 03

Deben House 1 - 5 Lawrence Hill

Tetbury 1 - 5 Law Gloucestershire Bristol GL8 8SQ BS5 0BY

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

LOCATION PLAN:



28/03/24 13:57 Committee report

BACKGROUND

The application has been referred by Councillor Barry Parsons to planning committee for determination, with the following grounds for referral cited:

Loss of community asset
Impact on Local High Street
Overdevelopment
Size and quality of accommodation
Inadequate cycle storage
Lack of meaningful community consultation

It should be noted that the nature of the proposal, along with the level of public interest, are such that determination by planning committee would have been undertaken in any case.

The application is recommended for refusal, but this is based on a balanced assessment of the benefits and harms. In some aspects Members may weigh the considerations differently, subject to having due regard to the relevant policies.

SITE DESCRIPTION AND APPLICATION

The application property is a vacant public house fronting Church Road, and is set within a primary shopping frontage that comprises part of the St George Town Centre. The application property has a deep plan, and widens to the rear, with building frontages also to Mary Street to the rear, and Victoria Parade to the side.

When originally constructed, the application property was a cinema, which opened in 1912. The use of the building was changed to a bingo hall in 1961. Planning permission was granted in 1997 for the change of use of the building to a public house. More details of the planning history of the site is set out below.

The application proposes the conversion of the rear portion of the site to residential use, with additional floors inserted internally, along with a roof extension. Residential use is also proposed to the upper floors of the front portion of the building, again including a roof level extension. The residential accommodation would comprise 13 cluster flats, each forming an individual House in Multiple Occupation (HMO) of between 3 and 4 bedrooms, each with communal living and kitchen areas to serve that unit. A total of 42 bedrooms are proposed across the development as a whole. The development would also incorporate co-living principles, with shared facilities for residents provided at ground floor level, comprising a gym, socialising/lounge space, and co-working area.

At ground floor level, commercial units would be retained to the Church Road frontage, comprising a bar and a small cinema containing 46 seats and 3 further wheelchair accessible spaces.

Externally, to the rear portion of the site, the existing gable-ended roof would be removed and replaced with a mansard roof in order to facilitate the provision of residential accommodation at this level. The mansard would be set back from the existing parapets to the Mary Street (rear) and Victoria Parade (side) elevations. The mansard would be lower in height than the existing ridge line of the building. Centrally atop the mansard, an enclosure is proposed that would surround the proposed air-source heat pumps and solar PV panels, which would exceed the existing ridge height of the building by approximately 0.5 metres. Windows would be inserted across 5 floors (ground plus 4) as well as additional doors for access and servicing.

To the front portion of the site and additional storey is proposed atop the existing flat-roofed

element, which would be set back from the Church Road frontage. Alterations to the fenestration layout to the shopfront at ground floor level are also proposed.

See plans and supporting documents for full details.

RELEVANT HISTORY

22/00803/F - Change of use and extension of building to create a scheme of 14 x HMO cluster units (44 beds) together with associated gym and communal workspace facilities (sui generis). Change of use of drinking establishment floorspace (sui generis) to commercial floorspace (sui generis). WITHDRAWN.

05/04296/X - Variation of condition 2 attached to approval ref. 97/02248/F/C, to allow extended opening hours to 0700 - 0100 (including 30 mins drinking-up time) Sunday to Thursday and 0700 - 0130 Friday and Saturday (including 30 mins drinking-up time), with closing times between 0130 & 0230 (including 30 mins drinking-up time) on up to fifteen specified days each year. PERMISSION GRANTED.

97/02248/F - Conversion of existing retail shop units and former bingo hall to A3 traditional ale, wine and food bar. PERMISSION GRANTED.

97/02247/F - Conversion of existing retail shop units and former bingo hall to A3 traditional ale, wine and food bar. PERMISSION GRANTED.

88/02447/F - New shopfront. PERMISSION GRANTED.

61/03143/P_U - Outline application for the conversion of cinema into a Supermarket in conjunction with three existing shops (coloured pink on plan). REFUSED.

61/03975/U U - Installation of new shop front. PERMISSION GRANTED.

PRE-APPLICATION COMMUNITY INVOLVEMENT

The application is supported by a statement of community involvement. This sets out that prior to the application being submitted consultation was undertaken with various stakeholders, including local councillors; local amenity groups, and; neighbours/surrounding businesses who were invited via a letter drop of 300 invitations. A consultation event was undertaken at the application site on 30th November 2022.

In summary of key points set out within the Statement of Community Involvement submitted, principal concerns raised are as follows:

- o Loss of the former cinema
- o The building should be in community use
- o Impact on parking locally
- o Residential accommodation is too dense
- o Poor quality residential accommodation
- o Boutique cinema is not viable
- Design impact of building alterations.

Full details can be found on the application record.

Commentary has been provided by the planning agent in response to the points made in response

to pre-application community consultation, and advocating the scheme proposed. No detail has however been provided to demonstrate any alterations made in response to the consultation.

RESPONSE TO PUBLICITY AND CONSULTATION

Consultation was undertaken via site and press notices, along with letters sent to surrounding properties. 921 written objections were received in response to public consultation, raising concerns that can be summarised as follows:

Support (within a wider objection comment):

o Support the principle of creating more bedspaces and HMO's in the city as we need innovative solutions to housing issues

Objection:

Principle (refer to Key Issues A and B)

- o The site should be used for a community space
- o The site should be used for a Cinema/ the former Cinema reinstated
- o Loss of a community facility [please note that the lawful use is a Public House]
- o There is an existing lack of cultural and leisure facilities in this area of Bristol
- o Loss of the Public House
- o There is no information to suggest that the pub was unviable
- o Harm to the cultural landscape of the city
- o Harm to the local centre, contrary to policies DM8 and DM9
- o Does not accord with BCC High Streets Recovery initiative Church Rd named as a 'Priority High Street'
- o There is a need for family housing, not bedsits
- o The site should provide active frontage and leisure facilities
- o Proposal would result in an over-concentration of HMO accommodation locally
- o The proposed cinema is not viable due to the low number of seats, lack of seating rake; fire exits; sound proofing, and ;projection room
- o Need and demand for a Cinema has been demonstrated by the Save Redfield Cinema Campaign and its supporters
- o Removal of a large building from a Primary Shopping Area for residential use constitutes increasing the population of the area whilst simultaneously removing essential amenities
- o The mix of uses is incorrect more of the space should be for commercial and community use
- o A hybrid scheme with larger Cinema and bar/community facilities at ground floor level, with fewer residential flats above should be provided
- o Loss of floorspace within a centre does not support principles of 15 minute cities/walkable neighbourhoods
- Lack of affordable housing
- o Negative impact upon local night time economy
- o 'Tap room' bar is too small to accommodate all the facilities necessary for this type of use
- o The site is an Asset of Community Value
- o Excessive loss of commercial floorspace

Amenity (refer to Key Issue C)

- o Poor quality living environment for future occupiers
- o Impact upon mental health and wellbeing of residents due to poor quality living environment
- o Accommodation falls well below space standards requirements

- o Lack of a light study in support of the application
- o Inadequate natural daylighting for the proposed accommodation
- o Contrary to the requirements of the Urban Living SPD
- o Local facilities are inadequate to cope with population increase locally
- o Increased noise and disturbance
- o Extensions at high level would be imposing/overbearing
- o Increased litter
- o Overlooking of surrounding windows and gardens

Equality (refer to Key Issue B and F)

- o No accessibility for people with disabilities
- o No disabled parking provision

Design/Conservation (refer to Key Issues D and E)

- o The original theatre should be preserved
- o Loss of a significant piece of architectural history
- o A missed opportunity for what could be a focal point of Church Rd of benefit to the community
- o Poor quality design that fails to meet the requirements of policy BCS21
- o The Art Deco interior should be preserved
- o Once the cinema building and features are destroyed it cannot be replaced
- o The proposal does not constitute high quality Urban Design
- o Fails to respond to local context in terms of density, scale, and form
- o Proposed features and materials do not respond to the Art Deco architecture
- o Loss of a locally listed monument

Highways and Servicing (refer to Key Issue F)

- o Increased pressure for on-street parking
- o Increased congestion locally
- o The development being 'Car Free' is not realistic
- o How would the 'car free' requirement be enforced?
- o Inadequate refuse/recycling storage facilities to serve the development
- o Inadequate cycle storage facilities to serve the development

Air Quality

o Increased pollution due to more cars in the area

Safety and security

- o Exacerbation of existing anti-social behaviour issues locally
- o Likely that the development will become a hive of criminal activity
- o Increase in crime

Sustainability (refer to Key Issue G)

- o No solar PV shown on plans
- o More is required in relation to sustainability

General

o Community consultation was inadequate

During the course of the application, amendments were made to the scheme, with key changes summarised as:

Enlargement of commercial space to provide larger bar, and larger cinema with sound lobby and

raked seating;

Rearrangement of ground floor residential/communal accommodation, including re-orientation of residential rooms:

Amended refuse/recycling/cycle store provision;

Reduced extent of top floor extension to Church Rd frontage (pulling back from Church Rd); Further information regarding building management and vehicle ownership amongst future occupiers.

Reduction in the number of bedrooms proposed to 42.

A re-consultation exercise was subsequently undertaken. 120 written responses were received in response to the second round of public consultation.

Further amendments to the scheme were subsequently made, comprising:

Re-positioning the proposed ground floor flat proposed;

Re positioned and re-designed communal residential space at ground floor;

re-positioning refuse/recycling and cycle stores;

Amended fenestration layout at ground floor level to Mary St and Victoria Pde elevations;

Re-positioning of residential entrance

A further public re-consultation was undertaken. 215 responses were received in response to the third consultation.

Across the two-re-consultations, the majority of responses reiterated objections previously raised, and set out above (so will not be repeated here). Many of the comments expressed that the alterations did not amount to meaningful changes to the proposal.

Comments that differ from those previously received can be summarised as follows:

Principle (refer to Key Issues A and B)

o There is no guarantee that the proposed 'Boutique Cinema' would be retained as such

Amenity (refer to Key Issue C)

- o Contravenes liveable neighbourhood guidelines
- o Overshadowing

Design/Conservation (refer to Key Issue D and E)

o The physical mass of the development is too great

Highways and Servicing (refer to Key Issue F)

- o The transport addendum provided is biased as it has been undertaken by/on behalf of the applicant and relates to the applicant's existing tenants
- The 'car free' requirement could not be enforced by the landlord
- o Inadequate public transport locally
- o It is inevitable that future residents will have cars

Safety and security (refer to key issue K)

The management plan submitted is meaningless as does not detail how the measures set out will be achieved

The various points raised across the three rounds of public consultation will be discussed within the key issues section of this report.

Councillor Fabian Breckels has commented as follows (first response):

I object to the second application by Landrose to gut the former St Georges Hall public house and what remains of the former Granada cinema and bingo hall at 203 Church Road, Redfield, Bristol BS5 9HL to convert it into 14 HMO units with 44 bedrooms - probably the biggest HMO for miles around.

This is a revised application as the original was withdrawn. I attended the "consultation" in the front of the former pub area before Christmas. Landrose have owned the site since 2021 and the pub closed on, 19 September 2021. Since then the building has been allowed to deteriorate, I noticed water stains over the entrance, while the main floor is plastered with asbestos warning signs and one of the men hosting the consultation exercise was over-egging the issue of asbestos when I queried the presence of the signs in what had been a very busy pub area. What Landrose are offering is almost the same unacceptable proposal. An over-development of the site to provide effectively, 13 HMOs. All that has really changed are the external elevations.

Site History

The vast bulk of the site has been used as a place of entertainment or recreation and leisure, providing evening and daytime activity in Church Road and meeting the social wellbeing and social interests of the local community, in various guises, for 110 years.

The site had been a Wetherspoons public house from 1998 to 2021. As such it provided affordable food and drink to the local community. There were a number of regulars for whom it was a social hub, there were several groups that me there during the week including a knitting group and a parent, carer and toddler group and a retired men's group. All these furthered social wellbeing and social interests of the local community. It also provided the ability for local people to eat out at affordable prices considerably lower that the other eateries in the area that have sprung up as a result of increasing gentrification in the area. The pub's closure has effectively displaced those people who cannot afford the prices of the alternative pubs and bars that remain.

Before that most of the site was the independent Granada bingo and social club, from 1961 to 1998, as such it was meeting the social wellbeing and social interests of its members. It closed when Mecca opened a purpose built bingo hall in Lawrence Hill, which is now a Pure Gym. The rest of the site was a butcher and a lock-up shop that served as a seasonal greengrocer in the run up to Christmas.

Before bingo use the bingo hall was the Granada Cinema - not part of the Granada cinema chain but Bristol owned and run by the Pugsleys, a local family who ran several cinemas in Bristol - helping to meet the social wellbeing and social interests of the local cinema going population. In fact the first cinema on the site was built in 1912, being extended and remodelled twice before becoming the Granada Cinema in 1935 and closing in 1961.

Threats and opportunities

Landrose's plans will, if implemented, effectively terminate any meaningful social wellbeing or social interest on the bulk of the site for the first time in 110 years. The nature of the conversion will make turning the site back into any kind of community or leisure use will be impossible.

Looking at their comments on the public consultation they are very dismissive of any objections or suggestions of alternative uses. One meeting and then arguing against all the key objections is not adequate community consultation.

With the original scheme the Save Redfield Cinema campaign were offered a small boutique cinema at the front of the site that consultants advised them was not viable.

They have repeated the idea with this scheme but I would question the viability of this alternative design, which is still too small.

The size of this space means cinema use is unlikely so daytime only use as a shop or cafe are the only realistic options. This means that there will continue to be a huge gap in the local night time economy. Several eateries only open for the second half of the week and if night time activity is permanently lost on this site, that could threaten the economic future of Church Road. Far more of the application site needs to be available for public use if this high street is not to be weakened by this housing development.

Unfortunately, Landrose only seem to be interested in one model of development, and are so far closed to any alternatives. Different sites need different approaches. Landrose were refusing to sell the site last time despite being asked, even though a mixed use deal could be agreed with nobody losing face. A petition against the original scheme raised 9,000 signatures and over 3,000 were from Bristol. The potential audience is already here.

It is also worth noting that there has been a shift in cinema going away from out of town multiplexes and towards local cinemas within walking distance from people's homes. It's why the Henleaze Orpheus cinema continues to prosper and was recently refurbished; and why Everyman was able to re-open the Whiteladies cinema with such success. Specialist consultants have been helping neighbourhood and community cinemas to spring up all over the country and this trend has been accelerated by the pandemic. A cinema in Church Road can be made to work, and this is the ideal site.

Change of use

We all know that Bristol has a housing crisis but what people need is secure, self-contained homes. What we are being offered is 44 bedsits with shared facilities in 13 HMO units One less than the original plans. You only have to think about how many houses nearby would need to be converted to HMOs to create 44 bedsits to understand the scale of what is proposed. The outside space is also inadequate for so many residents. This is over development of the site on an epic scale. Landrose may claim their developments are to a high standard, but how long for? What is the feedback from current and former tenants of their properties? What if the site changes hands and the new owner only wants the income? There is a real, medium to long term risk of the site becoming a future slum. Is that what we want and would that really help the housing situation in Bristol? Besides, HMOs are not permanent homes, I should know having lived in a few when I first moved to Bristol. They make money but the population is transient.

Just down the road from this site conversion of the former gym next to the Hindu Temple to residential use is nearly complete and the site next to the Stillage is also earmarked for housing. What is needed is an active local High Street with facilities that people can walk to and enjoy. A thriving night time economy means an active and therefore safer street at night. That's essential for sustainability. Converting the former cinema and Wetherspoons into so many bedsits will achieve the opposite.

Design Issues

Whilst the fenestration is adequate, it creates massive issues with overlooking existing homes on all sides, especially the rear of the site which faces a sheltered housing scheme.

I live locally on the Redfield/St George border, and I can see the auditorium block from the back bedroom of my home. It might not be that pretty but it is an established part of the local street

scene, indicating its original use. It is part of Bristol's social history in what is the nearest local High Street for my ward. Constituents of mine shop in Church Road. I also know the loss of the St Georges Hall pub is still a sore point. Redfield, Easton and St George stand to lose an important facility that definitely did cater for the social wellbeing and social interests of the wider community for 110 years.

This site could easily accommodate a community cinema with a café/bar alongside residential use if Landrose were prepared to compromise explore more suitable options for this site. Several mixed use configurations are possible. The Save Redfield Cinema Campaign have been working with architecture students at UWE to develop ideas for how this could be done and we need space for these to be considered. Or Landrose could just sell the site and go elsewhere?

I do not consider the permanent loss of this site for social wellbeing and social interests to be acceptable. A mixed use development that meets everyone's needs is easily possible with some compromise. Putting a new skin on the original scheme does not alter the real harm it would cause the area.

Please reject this application. Please consider the over development, potential harm to the local economy, needs of the local community and overlooking. A clear indication that a mixed use development is needed here will certainly help

Councillor Fabian Breckels has commented as follows (second response):

I object again to the third application by Landrose to gut the former St Georges Hall public house and what remains of the former Granada cinema and bingo hall at 203 Church Road, Redfield, Bristol BS5 9HL to convert it into 13 HMO units with 42 bedrooms - probably the biggest HMO for miles around. This is a revision of a revised application as the original was withdrawn. I attended the "consultation" in the front of the former pub area before Christmas 2022. Landrose have owned the site since 2021 and the pub closed on, 19 September 2021. Since then the building has been allowed to deteriorate, I noticed water stains over the entrance, while the main floor is plastered with asbestos warning signs and one of the men hosting the consultation exercise was over-egging the issue of asbestos when I queried the presence of the signs in what had been a very busy pub area. A cynic might think that the process of constantly revising the application in order to delay a decision is in the hope that what survives will deteriorate too much to be saved. I hope that is not the case.

What Landrose are offering is almost the same unacceptable proposal. An over-development of the site to provide effectively, 13 HMOs. All that has really changed are the external elevations. Bristol City Council has sought to designate the Church Road area that the Property is located in as a "Primary Shopping Area" under site ref PSA0017 and as a "Town Centre" under site ref CEN0032. The proposed removal of an existing community social space would have a negative impact on the wellbeing of the local people already living in the area, and that this would not comply with Policy DM5, which require development proposals to provide equivalent or better replacement facilities and to avoid the loss of community facilities or infrastructure.

Policy DM5 2.5.3 states that "Community facilities include all uses, commercial or non-commercial, that provide a social or welfare benefit to the community", which clearly applies to what is the largest social space on Church Road. Additionally, the proposed HMO scheme fails to provide parking for its residents which could conceivably number 88 people across 44 beds, and this would lead to increased traffic and parking problems in the local area, which would not comply with Policy DM2. "Proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that the loss of the existing community use would not create, or add to, a shortfall in the provision or quality of such uses within the locality or, where the use has ceased, that there is no need or demand for any other suitable community facility that is willing or able to

make use of the building(s) or land, and appropriate replacement community facilities are provided in a suitable alternative location. " (Policy DM5: Protection of Community Facilities).

"Proposals for the conversion of existing dwellings or construction of new buildings to be used as houses in multiple occupation will not be permitted where the development would harm the residential amenity or character of the locality as a result of levels of on-street parking that cannot be reasonably accommodated or regulated through parking control measures" (Policy DM2: Residential Sub-divisions, Shared and Specialist Housing)

Site History

The vast bulk of the site has been used as a place of entertainment or recreation and leisure, providing evening and daytime activity in Church Road and meeting the social wellbeing and social interests of the local community, in various guises, for 110 years. The site had been a Wetherspoons public house from 1998 to 2021. As such it provided affordable food and drink to the local community. There were a number of regulars for whom it was a social hub, there were several groups that me there during the week including a knitting group and a parent, carer and toddler group and a retired men's group. All these furthered social wellbeing and social interests of the local community. It also provided the ability for local people to eat out at affordable prices considerably lower that the other eateries in the area that have sprung up as a result of increasing gentrification in the area. The pub's closure has effectively displaced those people who cannot afford the prices of the alternative pubs and bars that remain.

Before that most of the site was the independent Granada bingo and social club, from 1961 to 1998, as such it was meeting the social wellbeing and social interests of its members. It closed when Mecca opened a purpose built bingo hall in Lawrence Hill, which is now a Pure Gym. The rest of the site was a butcher and a lock-up shop that served as a seasonal greengrocer in the run up to Christmas. Before bingo use the bingo hall was the Granada Cinema - not part of the Granada cinema chain but Bristol owned and run by the Pugsleys, a local family who ran several cinemas in Bristol - helping to meet the social wellbeing and social interests of the local cinema going population. In fact the first cinema on the site was built in 1912, being extended and remodelled twice before becoming the Granada Cinema in 1935 and closing in 1961.

Threats and opportunities

It is also worth noting that there has been a shift in cinema going away from out of town multiplexes and towards local cinemas within walking distance from people's homes. It's why the Henleaze Orpheus cinema continues to prosper and was recently refurbished; and why Everyman was able to re-open the Whiteladies cinema with such success. Specialist consultants have been helping neighbourhood and community cinemas to spring up all over the country and this trend has been accelerated by the pandemic. A cinema in Church Road can be made to work, and this is the ideal site. Landrose's plans will, if implemented, effectively terminate any meaningful social wellbeing or social interest on the bulk of the site for the first time in 110 years. The nature of the conversion will make turning the site back into any kind of community or leisure use will be impossible. Looking at their comments on the public consultation they are very dismissive of any objections or suggestions of alternative uses. One meeting and then arguing against all the key objections is not adequate community consultation.

With the original scheme the Save Redfield Cinema campaign were offered a small boutique cinema at the front of the site that consultants advised them was not viable. For the second time hey have repeated the idea with this scheme but I would question the viability of this alternative design, which is still too small, and someone is apparently interested in running it as some brunch driven venue with some cinema and other events. Brunch is not an evening event. The size of this space means cinema use is unlikely so daytime only use as a shop or cafe are the only realistic options. This means that there will continue to be a huge gap in the local night time economy.

Several eateries only open for the second half of the week and if night time activity is permanently lost on this site, that could threaten the economic future of Church Road.

Far more of the application site needs to be available for public use if this high street is not to be weakened by this housing development. Unfortunately, Landrose only seem to be interested in one model of development, and are so far closed to any alternatives. Different sites need different approaches.

Landrose were refusing to sell the site last time despite being asked, even though a mixed use deal could be agreed with nobody losing face. A petition against the original scheme raised 9,000 signatures and over 3,000 were from Bristol. The potential audience is already here. There has also been significant growth in the community and neighbourhood cinema market across the country. There is no reason why such a venue could not thrive here.

Change of use

We all know that Bristol has a housing crisis but what people need is secure, self-contained homes. What we are being offered is 44 bedsits with shared facilities in 13 HMO units One less than the original plans. You only have to think about how many houses nearby would need to be converted to HMOs to create 44 bedsits to understand the scale of what is proposed. The outside space is also inadequate for so many residents. This is over development of the site on an epic scale.

Landrose may claim their developments are to a high standard, but how long for? What is the feedback from current and former tenants of their properties? What if the site changes hands and the new owner only wants the income? There is a real, medium to long term risk of the site becoming a future slum. Is that what we want and would that really help the housing situation in Bristol? Besides, HMOs are not permanent homes, I should know having lived in a few when I first moved to Bristol. They make money but the population is transient.

Just down the road from this site conversion of the former gym next to the Hindu Temple to residential use is nearly complete and the site next to the Stillage is also earmarked for housing. What is needed is an active local High Street with facilities that people can walk to and enjoy. A thriving night time economy means an active and therefore safer street at night. That's essential for sustainability. Converting the former cinema and Wetherspoons into so many bedsits will achieve the opposite.

Design Issues

Whilst the fenestration is adequate, it creates massive issues with overlooking existing homes on all sides, especially the rear of the site which faces a sheltered housing scheme. I live locally on the Redfield/St George border, and I can see the auditorium block from the back bedroom of my home. It might not be that pretty but it is an established part of the local street scene, indicating its original use. It is part of Bristol's social history in what is the nearest local High Street for my ward.

Constituents of mine shop in Church Road. I also know the loss of the St Georges Hall pub is still a sore point. Redfield, Easton and St George stand to lose an important facility that definitely did cater for the social wellbeing and social interests of the wider community for 110 years. This site could easily accommodate a community cinema with a café/bar alongside residential use if Landrose were prepared to compromise explore more suitable options for this site. Several mixed use configurations are possible.

The Save Redfield Cinema Campaign have been working with architecture students at UWE to develop ideas for how this could be done and we need space for these to be considered. Or Landrose could just sell the site and go elsewhere? I do not consider the permanent loss of this site for social wellbeing and social interests to be acceptable. A mixed use development that meets

everyone's needs is easily possible with some compromise. Putting a new skin on the original scheme does not alter the real harm it would cause the area. Please reject this application. Please consider the over development, potential harm to the local economy, needs of the local community and overlooking. A clear indication that a mixed use development is needed here will certainly help.

Finally, DM5 states that: "Proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that the loss of the existing community use would not create, or add to, a shortfall in the provision or quality of such uses within the locality or, where the use has ceased, that there is no need or demand for any other suitable community facility that is willing or able to make use of the building(s) or land" The Landrose proposal clearly does create the above scenario. Need and demand has been demonstrated consistently and in volume by the Save Redfield Cinema Campaign and its supporters: A 10,000 string petition to have the site listed as Asset of Community Value, >980 objections to the first set of (near identical) plans submitted by Landrose, 2600 Facebook group members, 7 well attended public consultations.

DM5 also states "Proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that the building or land is no longer suitable to accommodate the current community use and cannot be retained or sensitively adapted to accommodate other community facilities"

There is no question at all that the building could easily be retained and adapted to meet the needs and demands of the community with a more sympathetic developer. DM5 also says: "Proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that the community facility can be fully retained, enhanced or reinstated as part of any redevelopment of the building or land; or Appropriate replacement community facilities are provided in a suitable alternative location"

The Save Redfield Cinema Campaign team has repeatedly demonstrated it has funding options, potential buyers and developers who are willing to develop the site in keeping with the community wishes expressed at several public consultations held by the campaign and UWE MA Architecture programme.

In relation to the most recent use as a Wetherspoons public house: DM6: Public Houses "Proposals involving the loss of established public houses will not be permitted unless it is demonstrated that: (i) The public house is no longer economically viable; or (ii) A diverse range of public house provision exists within the locality. Where development is permitted any extensions or alterations should not harm the identity or architectural character of the public house". There is no evidence to suggest that the pub was not viable. Wetherspoons were still making a profit on the site but restructuring their portfolio at a national level. Given the site had not been refurbished in a number of years it is more likely that this was the reason for the sale.

Cllr Barry Parsons has called this application in as the Ward Councillor and I wish to speak at the Planning Committee that deals with it. If it is DC B then I will declare an interest and just speak from the public gallery for this item.

Councillor Fabian Breckels has commented as follows (third response 12.11.23):

Objection to Planning Application 22/06037/F Proposed change of use and extension of existing building to create a scheme of 13 x HMO Cluster Units (42 beds) together with associated Gym and Communal Workspace facilities (Sui Generis). Change of use of Drinking Establishment floorspace (Sui Generis) to Commercial floorspace (Sui Generis) 203 Church Road Redfield Bristol BS5 9HL (Further Revised application)

I am writing to object to the further revised plans submitted on 2nd November 2023 for the

application 22/06037/F. As per my previous objections I only see marginal changes in these revised plans for a planning application that still fails the basic requirements needed for development in this area of Bristol.

Landrose still intend to gut the former St Georges Hall public house and what remains of the former Granada cinema and bingo hall at 203 Church Road, Redfield, Bristol BS5 9HL to convert it into 13 HMO units with 42 bedrooms - probably the biggest HMO for miles around.

This is a further revision of a revised application as the original was withdrawn. I attended the "consultation" in the front of the former pub area before Christmas 2022. Landrose have owned the site since 2021 and the pub closed on, 19 September 2021. Since then the building has been allowed to deteriorate, I noticed water stains over the entrance, while the main floor is plastered with asbestos warning signs and one of the men hosting the consultation exercise was over-egging the issue of asbestos when I queried the presence of the signs in what had been a very busy pub area.

A cynic might think that the process of constantly revising the application in order to delay a decision is in the hope that what survives will deteriorate too much to be saved. I hope that is not the case. However, that they have seen fit to tinker round the edges and cause further delay suggests otherwise.

What Landrose are offering is almost the same unacceptable proposal. An over-development of the site to provide effectively, 13 HMOs. All that has really changed are the external elevations.

Bristol City Council has sought to designate the Church Road area that the Property is located in as a "Primary Shopping Area" under site ref PSA0017 and as a "Town Centre" under site ref CEN0032.

The proposed removal of an existing community social space would have a negative impact on the wellbeing of the local people already living in the area, and that this would not comply with Policy DM5, which require development proposals to provide equivalent or better replacement facilities and to avoid the loss of community facilities or infrastructure. Policy DM5 2.5.3 states that "Community facilities include all uses, commercial or non-commercial, that provide a social or welfare benefit to the community", which clearly applies to what is the largest social space on Church Road.

Additionally, the proposed HMO scheme fails to provide parking for its residents which could conceivably number 88 people across 44 beds, and this would lead to increased traffic and parking problems in the local area, which would not comply with Policy DM2.

"Proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that the loss of the existing community use would not create, or add to, a shortfall in the provision or quality of such uses within the locality or, where the use has ceased, that there is no need or demand for any other suitable community facility that is willing or able to make use of the building(s) or land, and appropriate replacement community facilities are provided in a suitable alternative location. " (Policy DM5: Protection of Community Facilities).

"Proposals for the conversion of existing dwellings or construction of new buildings to be used as houses in multiple occupation will not be permitted where the development would harm the residential amenity or character of the locality as a result of levels of on-street parking that cannot be reasonably accommodated or regulated through parking control measures" (Policy DM2: Residential Sub-divisions, Shared and Specialist Housing)

Site History

The vast bulk of the site has been used as a place of entertainment or recreation and leisure,

providing evening and daytime activity in Church Road and meeting the social wellbeing and social interests of the local community, in various guises, for 110 years.

The site had been a Wetherspoons public house from 1998 to 2021. As such it provided affordable food and drink to the local community. There were a number of regulars for whom it was a social hub, there were several groups that me there during the week including a knitting group and a parent, carer and toddler group and a retired men's group. All these furthered social wellbeing and social interests of the local community. It also provided the ability for local people to eat out at affordable prices considerably lower that the other eateries in the area that have sprung up as a result of increasing gentrification in the area. The pub's closure has effectively displaced those people who cannot afford the prices of the alternative pubs and bars that remain.

Before that most of the site was the independent Granada bingo and social club, from 1961 to 1998, as such it was meeting the social wellbeing and social interests of its members. It closed when Mecca opened a purpose built bingo hall in Lawrence Hill, which is now a Pure Gym. The rest of the site was a butcher and a lock-up shop that served as a seasonal greengrocer in the run up to Christmas.

Before bingo use the bingo hall was the Granada Cinema - not part of the Granada cinema chain but Bristol owned and run by the Pugsleys, a local family who ran several cinemas in Bristol - helping to meet the social wellbeing and social interests of the local cinema going population. In fact the first cinema on the site was built in 1912, being extended and remodelled twice before becoming the Granada Cinema in 1935 and closing in 1961.

Threats and opportunities

It is also worth noting that there has been a shift in cinema going away from out of town multiplexes and towards local cinemas within walking distance from people's homes. It's why the Henleaze Orpheus cinema continues to prosper and was recently refurbished; and why Everyman was able to re-open the Whiteladies cinema with such success. Specialist consultants have been helping neighbourhood and community cinemas to spring up all over the country and this trend has been accelerated by the pandemic. A cinema in Church Road can be made to work, and this is the ideal site.

Landrose's plans will, if implemented, effectively terminate any meaningful social wellbeing or social interest on the bulk of the site for the first time in 110 years. The nature of the conversion will make turning the site back into any kind of community or leisure use will be impossible.

Looking at their comments on the public consultation they are very dismissive of any objections or suggestions of alternative uses. One meeting and then arguing against all the key objections is not adequate community consultation.

With the original scheme the Save Redfield Cinema campaign were offered a small boutique cinema at the front of the site that consultants advised them was not viable.

For the second time hey have repeated the idea with this scheme but I would question the viability of this alternative design, which is still too small, and someone is apparently interested in running it as some brunch driven venue with some cinema and other events. Brunch is not an evening event.

The size of this space means cinema use is unlikely so daytime only use as a shop or cafe are the only realistic options. This means that there will continue to be a huge gap in the local night time economy. Several eateries only open for the second half of the week and if night time activity is permanently lost on this site, that could threaten the economic future of Church Road. Far more of the application site needs to be available for public use if this high street is not to be weakened by

this housing development.

Unfortunately, Landrose only seem to be interested in one model of development, and are so far closed to any alternatives. Different sites need different approaches. Landrose were refusing to sell the site last time despite being asked, even though a mixed use deal could be agreed with nobody losing face. A petition against the original scheme raised 9,000 signatures and over 3,000 were from Bristol. The potential audience is already here.

There has also been significant growth in the community and neighbourhood cinema market across the country. There is no reason why such a venue could not thrive here.

Change of use

We all know that Bristol has a housing crisis but what people need is secure, self-contained homes. What we are being offered is 44 bedsits with shared facilities in 13 HMO units One less than the original plans. You only have to think about how many houses nearby would need to be converted to HMOs to create 44 bedsits to understand the scale of what is proposed. The outside space is also inadequate for so many residents. This is over development of the site on an epic scale. Landrose may claim their developments are to a high standard, but how long for? What is the feedback from current and former tenants of their properties? What if the site changes hands and the new owner only wants the income? There is a real, medium to long term risk of the site becoming a future slum. Is that what we want and would that really help the housing situation in Bristol? Besides, HMOs are not permanent homes, I should know having lived in a few when I first moved to Bristol. They make money but the population is transient.

Just down the road from this site conversion of the former gym next to the Hindu Temple to residential use is nearly complete and the site next to the Stillage is also earmarked for housing. What is needed is an active local High Street with facilities that people can walk to and enjoy. A thriving night time economy means an active and therefore safer street at night. That's essential for sustainability. Converting the former cinema and Wetherspoons into so many bedsits will achieve the opposite.

Design Issues

Whilst the fenestration is adequate, it creates massive issues with overlooking existing homes on all sides, especially the rear of the site which faces a sheltered housing scheme.

I live locally on the Redfield/St George border, and I can see the auditorium block from the back bedroom of my home. It might not be that pretty but it is an established part of the local street scene, indicating its original use. It is part of Bristol's social history in what is the nearest local High Street for my ward. Constituents of mine shop in Church Road. I also know the loss of the St Georges Hall pub is still a sore point. Redfield, Easton and St George stand to lose an important facility that definitely did cater for the social wellbeing and social interests of the wider community for 110 years.

This site could easily accommodate a community cinema with a café/bar alongside residential use if Landrose were prepared to compromise explore more suitable options for this site. Several mixed use configurations are possible. The Save Redfield Cinema Campaign have been working with architecture students at UWE to develop ideas for how this could be done and we need space for these to be considered. Or Landrose could just sell the site and go elsewhere? I do not consider the permanent loss of this site for social wellbeing and social interests to be acceptable. A mixed use development that meets everyone's needs is easily possible with some compromise. Putting a new skin on the original scheme does not alter the real harm it would cause the area.

Please reject this application. Please consider the over development, potential harm to the local economy, needs of the local community and overlooking. A clear indication that a mixed use development is needed here will certainly help.

Finally, DM5 states that: "Proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that the loss of the existing community use would not create, or add to, a shortfall in the provision or quality of such uses within the locality or, where the use has ceased, that there is no need or demand for any other suitable community facility that is willing or able to make use of the building(s) or land"

The Landrose proposal clearly does create the above scenario. Need and demand has been demonstrated consistently and in volume by the Save Redfield Cinema Campaign and its supporters: A 10,000 string petition to have the site listed as Asset of Community Value, >980 objections to the first set of (near identical) plans submitted by Landrose, 2600 Facebook group members, 7 well attended public consultations.

DM5 also states: "Proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that the building or land is no longer suitable to accommodate the current community use and cannot be retained or sensitively adapted to accommodate other community facilities"

There is no question at all that the building could easily be retained and adapted to meet the needs and demands of the community with a more sympathetic developer.

And finally in DM5: "Proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that the community facility can be fully retained, enhanced or reinstated as part of any redevelopment of the building or land; or Appropriate replacement community facilities are provided in a suitable alternative location"

The Save Redfield Cinema Campaign team has repeatedly demonstrated it has funding options, potential buyers and developers who are willing to develop the site in keeping with the community wishes expressed at several public consultations held by the campaign and UWE MA Architecture programme.

In relation to the most recent use as a Wetherspoons public house, DM6: Public Houses states: "Proposals involving the loss of established public houses will not be permitted unless it is demonstrated that: (i) The public house is no longer economically viable; or (ii) A diverse range of public house provision exists within the locality. Where development is permitted any extensions or alterations should not harm the identity or architectural character of the public house".

There is no evidence to suggest that the pub was not viable. Wetherspoons were still making a profit on the site but restructuring their portfolio at a national level. Given the site had not been refurbished in a number of years it is more likely that this was the reason for the sale.

Cllr Barry Parsons has called this application in as the Ward Councillor and I wish to speak at the Planning Committee that deals with it. If it is DC B then I will declare an interest and just speak from the public gallery for this item.

The Coal Authority has commented as follows (15/05/23):

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The application site does fall within the defined Development High Risk Area; however, I can confirm that the nature of development is exempt from Version 7, January 2023 of the Coal Authority's Guidance for Local Planning Authorities.

Accordingly, there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted with any planning application or for the Coal Authority to be consulted on this proposal.

The City Council City Design and Conservation Officer has commented as follows (14.02.23):

It's acknowledged that Historic England have rejected the building for consideration for the national List however for purposes of assessment against the National Planning Policy Framework (NPPF) the former Granada cinema is a non-designated heritage asset (NDHA). The NPPF requires NDHAs to be considered in the planning balance in line with their relative significance.

The exterior of the building has particular interest on Church Road where its well-proportioned 1927 frontage remains a visually distinctive element in the streetscape. The main auditorium bock to the rear has limited aesthetic interest, but retains attractive corner features around a former entrance; this architectural interest is however limited in an otherwise substantial blind faced block. There is evidential value here in the articulation of the voluminous auditorium block within the surrounding context.

The chief interest of the building is in the remains of the 1935 cinema interior, with its stylish Art Deco ceiling and wall finishes, and the surprising survival of the upper circle seating and projection room. Some of the other ancillary foyer and lobbies retail decorative cornice work and terrazzo floors. The remains of the cinema interior are a rare survival in Bristol, with no other cinema interior of this quality known. Regrettably we have to consider the condition of the interiors to be generally very poor and incomplete. There have been substantial losses of wall finishes and detail caused by the insertion of the pub use at ground floor level and the complete loss of the proscenium arch area, once the focus and culmination of the interior scheme. Regrettably, the recording of interior features to a high level might be the most realistic way of preserving remaining heritage value in balance with its significance as a NDHA.

Whilst the interiors are of greatest significance to the NDHA we are limited in how we can address them with current planning policy. We would strongly advocate their retention, restoration, and reuse, but it's accepted this would be incompatible with the proposed change of use, and would need a viable use to secure that level of restoration. We acknowledge that proposals provide aesthetic improvements to the blank facades of the auditorium block and the elevations proposed are generally harmonious in design. The evidential value of the exterior of the auditorium block would be impacted, but the scale and massing would be preserved.

Design proposals need to be revised to remove the overbearing impact of the additional storey over the Church Road elevation. The grey-box element added to the flat roof of the existing building would be visible up and down the street appearing incongruous against the generally consistent 2-3 storey height and traditional character, and damage the proportions and character of the 1920s frontage. Any further height here should be pushed back and not visible when viewed along the street. Following this required design change we ask that Conservation are re-consulted. You should also seek the views of Urban Design officers in regard to the appearance, layout and liveability of the proposed designs.

The City Council Pollution Control Officer has commented as follows (06.02.2023):

I have just looked at this application and the Noise Impact Assessment submitted with it and would comment as follows:

The residential part of the development comprises a significant number of residential units but I can not see any details as to how the property will be managed and there does not appear to be any management or concierge type facilities shown on the plans. I would therefore like to see further information provided in the application as to how the property will be managed.

I am happy with the Noise Impact Assessment with regards to the insulation of the residential flats against external noise. The assessment assesses noise from neighbouring condenser units at 209 Church Road. Whilst internal noise levels are in compliance with recommended internal noise levels as an assessment of the noise in accordance with BS4142 indicates a 'significant adverse' noise impact, depending on context, I do feel that further mitigation, as detailed in the assessment will need to be carried out in order to offer protect the viability of the neighbouring business and to adhere to the principles of agent of change.

The Noise Impact Assessment does not deal with noise from the ground floor Sui Generis uses nor noise from any external plant at the development. I will therefore need to see a further assessment regarding this and would be happy for this to be provided by condition.

I would therefore ask for the following conditions should the application be approved:

- 1. Construction Management Plan
- 2. Noise from development (noise assessment and mitigation measures)
- 3. Details of Kitchen Extraction/Ventilation System (Ground floor Sui Generis uses only)
- 4. Noise from plant & equipment (Ground floor Sui Generis uses only) noise level restriction
- 5. Use of Refuse and Recycling facilities (Ground floor Sui Generis uses only) hours restriction
- 6. Deliveries to the premises (Ground floor Sui Generis uses only) hours restriction
- 7. Opening Times 07.00 to midnight Sunday to Thursday and 07.00 to 01.00 Friday & Saturday

The City Council Pollution Control Officer has commented as follows (29.02.2024):

The content of the submitted Premises Management Plan is acceptable. This does not require a separate condition.

The City Council Highways Officer has commented as follows (17/05/23):

Principle

The application proposal seeks approval for the change of use and extension of building to create a scheme of 13 x HMO cluster units (44 beds) together with associated gym and communal workspace facilities (sui generis). The proposals involve the change of use of drinking establishment floorspace (sui generis) to commercial floorspace (sui generis). A Transport Statement (TS) has been submitted with the application to consider the transport impact of the scheme.

Local Conditions

The site is situated along Church Road with access directly from Church Road, Victoria Parade and

Mary Street. There are frequent bus services which run along Church Road including the following services 35, 42, 43, 44 and 45. These routes offer services towards the City Centre, Kingswood and Cadbury Heath. There are numerous local amenities situated in the vicinity of the site which offer good options for any local residents. In regard to cycle routes there is no segregated cycle infrastructure along Church Road however access to the Bristol to Bath railway path is located approximately 620m away. Local parking in this area is extremely constrained with parking along both sides of Victoria Parade restricting the useable width of the carriageway. Parking along Church Road is restricted during Mon-Fri 07:00am-09:30am and 04:30pm-06:30pm and any parking during these times will obstruct the Eastbound bus lane.

Trip Generation

No trip generation exercise has been undertaken given the lack of parking however the applicant could provide a multi-modal analysis which TDM encourage given movement from the site still occurs.

Car Parking

The applicant has stated the proposed scheme will be car free with no car parking spaces made available for residents.

Parking surveys of the surrounding streets have been carried out and confirm that there is little or no overnight car parking available.

The TS states that the applicant proposes to agree with the Council the wording of a Unilateral Undertaking to secure zero car ownership amongst tenants and that it is expected thereafter that suitable wording will be inserted into residents tenancy agreement and enforced by the buildings management company. If the residents do not adhere to their agreement their tenancy will be terminated.

We do not consider that such a requirement would be reasonable or enforceable, and therefore we do not think that we can assume that the development would not lead to substantial increased pressure on the surrounding streets.

TDM consider that overspill parking from the development on surrounding streets is likely to intensify the demand for on street parking in the locality of the development which can often lead to unsafe highway conditions including the obstruction of footways through indiscriminate footway parking which can in some locations force disabled users, pushchairs and pedestrians into the road whilst also hindering visibility between road users at junctions. This is already experienced in this area of the City and TDM considers that to not address this matter will result in a failure to mitigate the impacts of this development and therefore result in a highway safety issue.

Cycle Parking

Residential cycle parking will be provided in a secure storage area. Although the TS claims that 22 hoops have been provided, the drawing appears to show stacking spaces which we do not consider to be appropriate as the sole form of cycle parking as they are not accessible to all bicycle users. TDM do not raise concerns regarding the quantum, as this meets the minimum standards set out within the local plan, however, would encourage further detail be provided regarding the layout of the store.

Waste

A number of commercial and domestic waste stores have been provided, accessed from Mary St. Further details of these including size and how there are accessed are needed. It is not entirely clear if purpose built HMOs are eligible for domestic waste collections. This should be clarified. The location of the residential waste store is considered to be well placed given this can be accessed directly by waste collectors and will negate the need for bins to be stored on the highway on collection day.

Recommendation

TDM recommend refusal of the application given the highway safety concerns that have arisen due to the impact of the parking on the locality and given the application is contrary to the following

policies:

- o Chapter 9 of the NPPF
- o Policy DM23 of the Bristol Local Plan
- o Policy BCS10 of the Bristol Core Strategy
- o Policy DM32 of the Bristol Local Plan

The City Council Highways Officer has commented as follows (05/07/23):

At present the applicant has not demonstrated they are able to adequately cater for the parking demand that they will produce, as set out within the transport statement.

The proposal of including a restriction to residents owning a car within a UU would in TDM's view be unenforceable and we would reject the inclusion of these on other schemes due to this.

Realistically the developer would need to calculate an evidenced car ownership level for a HMO within this area (ideally using ward data or a smaller area) compare this to the shortfall and adjust numbers accordingly. Restricted parking (such as single yellow or bus lanes) would not count towards the level of parking availability.

The City Council Highways Officer has commented as follows (17/11/23):

[Comment following receipt of further information regarding parking]

The information is unacceptable and TDM maintain the objection on parking.

The applicant has outlined their tenancy agreements require tenants to be car free with the result being eviction proceedings and therefore when being surveyed a resident is very unlikely to admit to owning a car.

Additionally the condition to require the applicant to include car free within the tenancy agreement is unenforceable and would not meet the tests.

The census data is based on a larger dataset than two surveys and shows a larger likely number of cars generated.

The City Council Highways Officer has commented as follows (21/03/24):

[Following the submission of a Parking Survey]

- o BCC has not accepted this is a very/extremely sustainable location there is limited to no cycle infrastructure in the vicinity which limits cycle use to wider destinations. I refer back to Matthews initial comments dated 22nd May 2023.
- The development description clearly sets out clearly the application is for 13 x HMO cluster units (a total of 42 bedspaces). The applicant can't apply for a HMO then expect the application to be considered under different criteria [co-living]. This however wouldn't impact the parking calculation given the similarity between uses.
- o The applicant has outlined their tenancy agreements require tenants to be car free with the result being eviction proceedings and therefore when being surveyed a resident is very unlikely to admit to owning a car.

- o Additionally, the condition to require the applicant to include car free within the tenancy agreement is unenforceable and would not meet the NPPF tests.
- There were 4 illegal/obstructive spaces being parked along on the 30th January and 5 on the 31st January and once taken from the total available there would have been 11 on the 30th January and 4 on the 31st January respectively.
- o The census data is based on a larger dataset than two surveys and shows a larger likely number of cars generated.
- o Having looked at the census data for a development of this use and scale the parking ratio utilising 2011 census ward data is 34% resulting in the demand for 15 parking spaces.
- o This results in a shortfall of between 4 and 11 during the periods that have been assessed.
- o The parking surveys are a snapshot and whilst they have been conducted in line with BCC methodology there is significant number of objections corroborating the parking pressures in this location
- o There are no residents parking schemes in the area which would allow parking controls within the locality.

Bristol Waste has commented as follows (13.02.23):

For a 44 bed HMO, we would recommend that the following waste and recycling provision is allowed for:

Material Collection frequency Container size No. bins Plastic / Cans Alternate Weekly 360 litres 3 Glass Alternate Weekly 240 litres 2 Paper Alternate Weekly 240 litres 1 Card Weekly 1100 litres Food Weekly 140 litres 1 1100 litres 2 Refuse Weekly Total 10

Bristol Waste cannot guarantee a weekly collection service for Plastic/cans, Glass & Paper. Room for one more an additional plastic/can & glass bin would be required. The plan does show these bins, but they are not shown on the table on the Waste Management Plan drawing. We would urge at this stage of the planning process that the developers refer to the Planning Guidance for Waste and Recycling produced by Bristol Waste Company. When considering the layout, access and the design of the bin stores, this guide contains a wealth of information regarding the bin volumes, requirements etc.

Waste and Recycling Storage and Collection Facilities (bristol.gov.uk)

Bristol Waste vehicles will only collect from adopted highways. Any collections from private roadways would be by agreement with Bristol Waste and may need a covering letter of indemnity. I hope that this has provided sufficient feedback with regards to the areas of concern should this development progress as proposed.

The City Council Sustainability Officer has commented as follows (02.02.23):

Summary

Generally the energy strategy is supported, however some further clarifications (and amendments

where appropriate) are required before the % reduction in CO2 emissions can be verified. The overheating risk assessment needs to be revised in line with the comments below. Once the additional information has been received. I can recommend conditions.

BCS14

Calculations

The applicant should confirm which version of Part L has been used - 2013 or 2021, including carbon factors, and whether the building has been modelled as an existing or new build - or a combination of both.

If any of the building as been modelled as existing then the baseline CO2 emissions for that part of the development should be determined as follows:

"The baseline energy demand and emissions for existing buildings should be based on the fabric specification for each thermal element required to comply with building regulations Part L1/2B or the existing building fabric, whichever is better in terms of environmental performance"

Energy efficiency

The energy efficiency measures are listed as 'assumed' in tables 1 and 2.

The applicant should confirm that the stated fabric u values and energy efficiency measures form part of the proposals (and will be committed to) rather than simply being assumed for the purpose of generating an energy statement.

Heat Hierarchy

A communal ASHP is proposed, which is supported in accordance with BCS14 provided a heat network connection is not available.

Renewable Energy

As above, an ASHP is proposed. PV is also proposed.

We need confirmation of how the building has been modelled as above, before we can verify the % reduction figure stated in the energy statement (72%).

Energy proposals (once finalised) should be secured by condition (I can provide recommended wording).

BCS13

Overheating risk

An overheating risk assessment has been carried out using the CIBSE 2020 and 2050 DSY weather files.

This shows there is an overheating risk to the following spaces:

- Workspaces area on the ground floor
- Gym there are no openable windows to this space.
- Cluster 13 Communal Amenity Space

Air conditioning is the proposed measure to remove the overheating risk, however this is not in accordance with policy BCS13 as it will result in an increase in CO2 emissions. Alternative measures should be explored, such as external shading, lower g values, reduced glazing areas.

As with comments above, the applicant should confirm that the specification entered into the software is actually the proposed specification, rather than simply an 'assumed' specification as stated in table 1 of the overheating assessment.

Of particular concern is the stated air permeability of 25 m3 /hm2. It's understood that this is a default value that needs to be entered into the SAP calculation for the purpose of demonstrating compliance with Part L where the dwelling is not going to be air tested, rather than the actual air permeability proposed.

A higher assumed air permeability such as this is likely to show a lower risk of overheating due to

increased levels of ventilation - the applicant should revise the assessment to include a more realistic air permeability.

Similarly with occupancy assumptions, the overheating assessment states:

"On the ground floor, it is assumed that all openable external windows and fully glazed doors are fully open during daytime hours but closed during the night.

Above the ground floor, it is assumed that all openable external windows and fully glazed doors are fully open at all times. In practice this is unlikely but demonstrates that opening the windows can be used to control the temperature in the rooms which have them."

The TM59 methodology prescribes opening times for windows and doors based on the internal dry bulb temperature and occupancy profile - see section 3.3

The applicant should provide an updated assessment in line with the TM59 methodology.

Finally, the building should also be tested against the 2080 weather file. Whilst it is not necessary for the building to mitigate risks flagged for testing against this weather file, it is recommended that appropriate measures are identified and it is demonstrated how the building has been designed to accommodate this in the future if they cannot be installed from the outset.

Should the updates to the overheating assessment result in it being demonstrated that there is an overheating risk present, measures to mitigate the overheating risk will be required, and a revised assessment inclusive of the measures submitted to demonstrate that the proposed measures remove the risk sufficiently. Note internal blinds and curtains are not supported in line with Part O as these rely on occupants to implement them, and can also affect liveability. Air conditioning is also not supported as this will increase CO2 emissions and therefore doesn't comply with policy BCS13.

BCS15

The sustainability statement covers all areas of BCS15, and the proposals should be secured by the condition (I can provide recommended wording).

The City Council Sustainability Officer has commented as follows (17.04.23):

The energy statement is acceptable, please see conditions below.

The overheating risk assessment has been updated based on my comments, and some changes made to the design, which are supported. It concludes:

- "As identified, there are few zones which have been flagged up as not meeting the criteria and therefore at risk of overheating:
- o Plant room this is a non-habitable room
- o Gym there are no openable windows to this space. For such a high activity space, it is reasonable to assume that air conditioning could be introduced to this area

For reference purposes, future weather modelling was also carried out using weather files for 2050 and 2080. The 2080 simulation shows that some additional zones are at risk of overheating:

- o Workspaces area on the ground floor (more of the glazed roof could be openable)
- o Cluster 13 Communal Amenity Space (additional shading could be added to the glazed openings)"

My comments are -

- 1) Can improved ventilation be added to the gym to increase ventilation rates and reduce energy demand for cooling? this doesn't have to be windows, it could also be ventilation grilles in the wall for example.
- 2) 2080 Risk of overheating identified in GF work spaces, cluster 13 communal amenity-

please provide updated assessment to demonstrate that the proposed mitigation measures are capable of removing the risk of overheating.

Recommended conditions:

Energy and Sustainability in accordance with statement

Renewable Energy - PV and Air source heat pump - details

Broadband - evidence and provision

The City Council Sustainability Officer has commented as follows (12.12.23):

Please see comments below on the updated energy statement and overheating risk assessment provided in April 2023.

I note that further design changes have been made since then. The applicant should seek confirmation from their consultants as to whether the proposed changes will affect the figures/conclusions drawn in the energy/overheating risk assessments - if they will, a revised assessment should be provided, noting that where the application is approved construction in accordance with the approved statements will be secured by condition including % reduction in CO2 emissions.

BCS14 - Energy

The energy statement demonstrates compliance with the policy and should be secured by the condition below.

BCS13 - Overheating

The overheating risk assessment has been updated to identify that some spaces could have passive retrofit measures to reduce overheating risk in the future (instead of air conditioning). Specifically:

- o Workspaces area on the ground floor (more of the glazed roof could be openable)
- o Cluster 13 Communal Amenity Space (additional shading could be added to the glazed openings)

The applicant should demonstrate through an updated assessment that these measures will result in a 'pass' for the future weather files.

They should also confirm whether these measures would be included from the design from the outset (preferred) or retrofitted in the future. Where they will be retrofitted, the applicant should demonstrate current design will support the future retrofit (and not hinder it) - for example for the addition of external shading- is the façade capable of supporting this? Will fixing points be provided in the current design to enable this?

The City Council Flood Risk Officer has commented as follows (09.02.2023):

We have no comment on this application as the development proposes no change to the impermeable area and therefore no change to the existing drainage arrangement.

The City Council Air Quality Officer has commented as follows (20.01.2023):

The air quality assessment concludes that air quality impact from the development will be negligible. I therefore do not object to the development on the grounds of air quality.

The City Council Land Contamination Officer has commented as follows (24.02.2023):

The planning application has been reviewed in relation to land contamination.

The applicants are referred to the following

- 'Bristol Core Strategy BCS23 Pollution
- 'Local Plan 'DM34 Contaminated Land
- 'National Planning Policy Framework (2021) Paragraphs 120, 174, 183, 184, 188
- ' Planning Practice Guidance Note https://www.gov.uk/guidance/land-affected-by-contamination
- ' https://www.bristol.gov.uk/planning-and-building-regulations-for-business/land-contamination-for-developers

The proposed development is sensitive to contamination but is situated on land not thought to have been subject to a potentially contaminating land use. In light of this and the nature of the development, the following condition is recommended:

Reporting of Unexpected Contamination

Advice:

Asbestos Advisory

The City Council Affordable Housing Officer has commented as follows (08.02.2023):

Having looked at the plans, I am of the view that each individual cluster flat will fall within the definition of an HMO under s254 of the Housing Act 2004, providing they are each occupied by three or more persons from two or more households and sharing cooking facilities as it appears.

In terms of HMO licensing, each flat will be required to be licensed under Mandatory HMO licensing if it is occupied by five or more persons from two or more households.

If a flat is occupied by three or four persons from two or more households, it will be required to be licensed under the Central Additional Licensing (CAL) scheme which runs until 7 July 2024.

As the HMO is classed as Sui Generis no affordable housing would be required for this application.

The Police Crime Prevention Design Advisor has commented as follows (03.02.2023):

Objection in principle.

Neither the Design and Access statement nor the Planning Statement make any reference to crime and disorder.

Crime figures, taken from Police systems, for a 200m radius from the proposed development site, for a 12 month period to 26.01.23 are detailed below;

Anti-social behaviour 89
Violence against the person 88
Public order offence 26
Theft 23
Vehicle offences 16
Burglary 12
Arson and criminal damage 9

Theft of pedal cycle 6

I have viewed the planning application and have the following comments.

A&S Police recognise that HMOs are an important source of low-cost housing within the private rented sector, particularly for those on low incomes, students, young people and vulnerable groups who cannot access other types of market or affordable housing. HMOs are also an important source of flexible housing for those seeking temporary accommodation, however.

The above location immediately neighbours a stretch of Church Road which is the subject of a Police problem solving plan due to consistent anti-social behaviour.

There has been concerted partnership working between the Police, local community, and the street intervention team (BCC) to try an address the anti-social behaviour being conducted in this area.

The Avon and Somerset Police anti-social behaviour coordinator for the locality has commented.

Church Road is currently an ASB hot spot, and the neighbourhood beat teams & anti-social behaviour team focus a large amount of attention on problem solving the ongoing ASB in the area. The ASB if often linked to street drinking, begging and general rowdy behaviour. The local businesses report how their businesses are affected by the ASB and prevents the community wanting to visit their businesses, we have also had similar reports from the community outlining how unsafe they feel accessing Church Road because of the ongoing ASB. I am concerned that a 44 bed HMO would cause additional worry to the community and add to the ongoing ASB in the area which we are trying to tackle.

Neighbourhood Officers also comment;

'I have been the Police Community Support Officer covering the area of St George including Church Road for the last 4 and half years. During this time Church Road has always been an area which has drawn heavily on resources, myself and my team spend a larger amount of time in this area than other locations on our beat. We regularly have incidents of Anti-Social behaviour, this is partially due to the make-up of the area, with offenders being drawn to the pubs, take aways and numerous off-licenses in this location. We regularly receive calls regarding the impact this is having on local residents.

In addition, an application (20/06252/F) for HMO of 2 x eight bed apartments and 1 x 4-bedroom apartment (16 rooms) has been approved, approx. 170 yds away, at 163A Church Road with the possibility that there are smaller HMO's also in the vicinity that we are not able to identify due to the lack of a requirement for planning consent /licensing.

The very nature of an HMO means that they are designed for single occupancy with a transient occupancy.

Research from Nottingham Trent University identifies those residents of a property with three or more adults experience 'Around 15% more property crimes than (otherwise identical) two adult households and their members are victims of 51% more personal crimes (Tseloni and Pease 2015)'.

Nationally, it is generally accepted that an over concentration of HMOs occurs when 10% of properties in a neighbourhood are HMOs. Research argues 10% concentration is the tipping at which HMOs may give rise to harmful effects and where neighbourhoods go from balanced to unbalanced communities (Lewisham review and Evidence paper May 2022).

There is also evidence to suggest that instances of non-domestic violence are more prevalent in HMO's.

Although the applicant would be obliged to adhere to the BCC mandatory HMO licensing scheme, which does mention the need to address any anti-social behaviour, I do not accept that this would be adequate to ensure the long-term guardianship of an HMO of this size, or mitigate the demand on Police resources in this location.

Further Police comments (23.11.23):

My concerns around this application are that the site is in an area which is currently subject of a Police problem solving plan around levels of crime and anti-social behaviour.

This means that the location will have been discussed at a multi-agency forum where actions around ASB are discussed.

The location is also very close to a location identified as a LSOA for the purposes of a 2023 bid for Home Office Safer Streets funding.

Another HMO has been proposed very nearby (as detailed on my response) and my view as a Designing Out Crime Officer is that a further concentration of accommodation aimed at predominantly short term occupancy could result in an impact on a location which is already experiencing issues, potentially creating a further increase in demand on Police resources.

Although the HMO would be obliged to abide by the BCC license requirements, in reality, any issues at the premise or surrounding areas would result in reports/complaints to the Police rather than BCC.

In addition, if consented we could potentially see vulnerable residents housed here who may be adversely affected by the current issues.

The reason for my objection, at this location, is due to the size of the HMO=number of residents, in a location that is problematic in terms of crime and ASB.

Building Bristol has commented as follows (18/01/2023):

Please note there was no Employment and Skills statement including within the planning documentation. Please ensure the applicant is aware of this requirement as detailed on the Planning Application Requirements Local List.

The development will require an Employment & Skills Plan in line with guidance issued by the local authority (www.buildingbristol.com) and the applicant is welcome to make contact with Building Bristol as soon as possible to discuss the targets and requirements of the ESP.

Should planning permission be granted please ensure the following condition(s) are included within the decision and that the S106 fee is collected (fee to be confirmed in line with guidance document)

Employment and Skills Plan (ESP) Construction Phase

No development shall take place including any works of demolition until a Construction Phase ESP is submitted to and approved by the Local Planning Authority. The ESP is to be in conformity with the Building Bristol Guidance www.buildingbristol.com and will aim to maximise training and employment opportunities for local residents available during the construction phase of the development. The development shall thereafter be carried out in accordance with the approved ESP unless a variation in the plan is agreed in writing in advance by the Local Planning Authority.

Reason: In recognition of the employment opportunities offered by the construction phase of the

development.

RELEVANT POLICIES

Planning Obligations - Supplementary Planning Document - Adopted 27 Sept 2012 Managing the development of houses in multiple occupation SPD - November 2020 National Planning Policy Framework – December 2023

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocation 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 2015 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) ASSET OF COMMUNITY VALUE IMPLICATIONS

During the course of the application assessment period, the premises was listed as an Asset of Community Value (ACV). This ACV listing is on the basis of the current/most recent use of the property as a public house, and is explicitly detailed as such within the ACV listing information.

Whilst the ACV legislation is separate to the planning decision-making process, it can be a material consideration within planning assessments, and it would be useful to understand the implications here. Community Right to Bid was introduced under the Localism Act 2011 and requires local authorities to maintain and publish the lists of assets of community value which have been nominated by the local community. The list is for both successful and unsuccessful nominations and each asset will stay on the list for a period of 5 years.

When successfully nominated assets come up for sale, the Act gives community interest groups the time to submit a request to the local authority to be considered as a bidder, and time to develop a business case and secure funding to support the bid to put the asset on the open market. This requires an interim moratorium period of six weeks from the date the Council accepted receipt of the owner's notice of intent to dispose of the asset on the open market. During this period eligible community interest groups can express an interest in being considered as a potential bidder by sending in a written request to the Council. After the moratorium period - either the six weeks if there has been no community interest, or the full 6 months if a community group sends in a written request to express an interest to be considered as a potential bidder. However, at the end of the 6 month moratorium period the owner does not have any obligation to sell the pub to the community group. The owner is free to dispose of the property to whomever they choose and at whatever price, and no further moratorium will apply for an 18 month protected period.

In addition, the requirements of the Localism Act do not prevent planning permission for a change of use being granted within this process but it is a material consideration. This is evidenced by Section 2.20 of "Community Right to Bid: Non-statutory advice note for local authorities Part 5 Chapter 3 of the Localism Act 2011 and the Assets of Community Regulations 2012" which states: "The provisions do not place any restriction on what an owner can do with their property, once listed, so long as it remains in their ownership. This is because it is planning policy that determines permitted uses for particular sites".

The fact that the site is listed as an ACV may affect planning decisions - it is open to the Local

Planning Authority to decide whether listing as an asset of community value is a material consideration if an application for change of use is submitted, considering all the circumstances of the case.

Consideration of the existing and proposed uses will be set out within key issue B below.

(B) NATURE AND MIX OF USES PROPOSED

Background

It should be noted that the lawful use of the application site is as a public house. Many objection comments make reference to the loss of a cinema from the site, however it should be noted that in land use terms the use of the site as a cinema ceased in 1961 when the use was changed to a bingo hall. Subsequently, in 1997 the use of the site changed again to a public house, and has remained as such to date, although at present the site is vacant. Some of the former cinema interior remains, which will be discussed later in this report, however this does not change the fact that the long established lawful use of the site is as a public house, and the proposed change of use must be assessed on this basis. Many objection comments also suggested alternative uses that interested parties would prefer the site be used for, however the assessment of the application must be on the basis of what is proposed.

Local Plan Policy Context

Policy BCS7 states: "Retail development, offices, leisure and entertainment uses, arts, culture and tourism uses will be primarily located within or, where appropriate, adjoining the centres in the identified network and hierarchy serving Bristol.

Town, District and Local Centres will also be focuses for the development of:

- o Community facilities;
- o Higher density forms of residential development provided the centre is suitable for such development and has a high level of accessibility by public transport, cycling and walking; and o Smaller scale office developments providing local office floorspace provision.

Development will be of a scale and intensity appropriate to the position of the centre in the hierarchy and to the character of the centre. Where proposed developments would be significantly larger in scale than existing uses, it should be clearly demonstrated that the catchment the development will serve is in keeping with the role of the centre.

Mixed-use development at accessible centres will be particularly promoted where it takes advantage of under-used land.

Uses which contribute to maintaining the vitality, viability and diversity of centres will be encouraged. Active ground floor uses will be maintained and enhanced throughout the centres.

Retail shop uses will predominate in the designated primary shopping areas of the City and Town Centres, supported by a wider range of appropriate uses in the other parts of these centres. The role of District and Local Centres in meeting the day-to-day shopping needs of their catchments will be maintained. Developments in all centres should include provision for a mix of units including opportunities for small shops and independent traders."

Policy DM8 states that within Primary Shopping Areas and Secondary Shopping Frontages identified on the Policies Map development will be expected to maintain or provide active ground floor uses. Proposals which would result in the loss of retail floorspace, including storage or

servicing space, will be expected to demonstrate that they will not be detrimental to the continued viability of the retail unit.

Policy DM6 relates to Public Houses, safeguarding against the loss of established public houses unless it can be demonstrated that i. the public house is no longer economically viable, or; ii. A diverse range of public house provision exists within the locality. The associated Public Houses Practice Note (October 2022) further sets out assessment criteria in this regard.

Policies DM5 and BCS12 relate to the protection of community facilities. BCS12 states that Community facilities should be located where there is a choice of travel options and should be accessible to all members of the community. Where possible community facilities should be located within existing centres. Existing community facilities should be retained, unless it can be demonstrated that there is no longer a need to retain the use or where alternative provision is made. Where community facilities are provided as an integral part of a development they should wherever possible be within adaptable mixed-use buildings. DM5 states that proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that:

- i. The loss of the existing community use would not create, or add to, a shortfall in the provision or quality of such uses within the locality or, where the use has ceased, that there is no need or demand for any other suitable community facility that is willing or able to make use of the building(s) or land; or
- ii. The building or land is no longer suitable to accommodate the current community use and cannot be retained or sensitively adapted to accommodate other community facilities; or iii. The community facility can be fully retained, enhanced or reinstated as part of any redevelopment of the building or land; or iv. Appropriate replacement community facilities are provided in a suitable alternative location.

Policy BCS18 expresses 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. This includes requirements to contribute to the diversity of housing in the local area and help to redress any housing imbalance that exists, and to; respond to the requirements of a changing population.

Policy BCS20 states:

"New development will maximise opportunities to re-use previously developed land.

Where development is planned opportunities will be sought to use land more efficiently across the city. Imaginative design solutions will be encouraged at all sites to ensure optimum efficiency in the use of land is achieved. Higher densities of development will be sought:

- o In and around the city centre;
- o In or close to other centres;
- o Along or close to main public transport routes.

For residential development a minimum indicative net density of 50 dwellings per hectare will be sought. Net densities below 50 dwelling per hectare should only occur where it is essential to safeguard the special interest and character of the area.

The appropriate density for any individual site will be informed by:

- o The characteristics of the site:
- o The local context:
- o Its current and future level of accessibility by walking, cycling and public transport to a range of employment, services and facilities;
- o The opportunity for a mix of uses across the site:
- o The need to provide an appropriate mix of housing to meet the community's needs and demands;

o The need to achieve high quality, well designed environments."

Policy DM2 states that the conversion of existing dwellings or construction of new buildings to be used as houses in multiple occupation will not be permitted where:

- i. The development would harm the residential amenity or character of the locality as a result of any of the following:
- o Levels of activity that cause excessive noise and disturbance to residents; or
- o Levels of on-street parking that cannot be reasonably accommodated or regulated through parking control measures; or
- o Cumulative detrimental impact of physical alterations to buildings and structures; or Inadequate storage for recycling/refuse and cycles.
- ii. The development would create or contribute to a harmful concentration of such uses within a locality as a result of any of the following:
- o Exacerbating existing harmful conditions including those listed at (i) above; or
- o Reducing the choice of homes in the area by changing the housing mix.

Policy DM2 is supported by the HMOs SPD (2020).

Commercial Floorspace

The upper floor space to the rear portion of the site comprises the former cinema auditorium, the upper portion of which is cordoned off due to asbestos contamination, whilst the lower part is in use as storage space associated with the public house use. This represents inefficient use of space within a designated centre. Below the auditorium level are back-of-house and toilet facilities associated with the (currently vacant) public house use of the building.

The proposed layout would result in the loss of commercial floorspace comprising the existing back-of-house and toilet facilities and ancillary storage space to the upper floor to the rear. This would facilitate the use of the rear building for residential use and would unlock upper floor space and enable the insertion of additional floors within the existing building. During the course of the application, amendments were made to the scheme that increased the commercial floorspace to be retained, along with improvements to servicing facilities.

A key consideration is whether the retained ground floor commercial units would remain viable, and it is considered that they would. The commercial unit that would remain would have a triple-width frontage, and would have a depth of floor plan comparable to many other commercial units within the Town Centre, and overall the remaining commercial unit would be larger than the majority locally. There is adequate floor area for a range of potential occupiers, with servicing/welfare facilities integrated into the design, such that the remodelling of the building would not threaten the viability of the retail units or wider shopping frontage and Town Centre. This is consistent with the requirements of policy DM8.

Proposed commercial uses (Public House and Cinema)

The application proposes a dual-use commercial space, comprising the retention of a pub/bar at the site, along with the re-establishment of a small-scale cinema. This would therefore retain active commercial leisure uses on the site that would be compatible with the primary frontage and designated centre within which the site is located.

During the course of the application amendments were made to the scheme which enlarged the extent of the commercial space proposed. Public comments that raised concerns of the usability of

the cinema space were also acted upon, with the cinema enlarged; a sound lobby incorporated to prevent conflict between the bar use and cinema use, and; raked seating provided within the auditorium for an improved viewing experience. When considering the cinema proposed, this is an additional use when compared with existing, and aligns with aspirations of the local community for the provision of a cinema on the site, albeit not within the former auditorium space to the rear portion of the site.

It should also be noted that there would be a public house retained on site. This would be a smaller scale pub than the existing (vacant) use, but it is considered to be adequately sized to be viable for this use, and suitable alternative uses within the designated centre.

The ACV listing on the site relates to the public house use of the premises, and whilst the commercial floorspace would be reduced by this proposal, the public house use would not be lost. The listing as an ACV however demonstrates the importance of the public house use to the local community, and as such, for completeness, an assessment of pubs within walking distance of the site has been undertaken in order to obtain a picture of alternative local provision.

To determine what a reasonable walking distance is, Bristol City Council takes its cues from the Providing for Journeys on Foot guidance published by the Chartered Institute of Highways and Transport. This document considers a reasonable walking distance to be 1200m (0.746 miles) or a 15 minute walk, with measurements taken based on walking routes, not as the crow flies. The following public houses have been identified within this 15 minute walk distance:

The George and Dragon (Church Rd) 86m The Dark Horse (Church Rd) 213m The Old Stillage (Church Rd) 209m The Fire Engine (Church Rd) 295m The Rd Lion (Whitehall Rd) 361m Whitehall Tavern (Devon Rd) 500m

The Kings Head (Whitehall Rd) 661m
The Pack Horse (Lawrence Hill) 800m
The Plough (Easton Rd) 754m
The Queens Head (Easton Road) 983m
Chelsea Inn (Chelsea Rd) 1003m

Eleven pubs have therefore been identified within a 15 minute walk of the application site, six of which are within 500m. There is therefore a diverse provision of alternative drinking establishments locally. Further, it should be noted that a public house use is also proposed to be retained at the application site. This evidence is considered to further demonstrate that the loss of public house floorspace would not be harmful to a degree that would warrant refusal of the application on this basis, and that the proposal accords with the provisions of policy DM6 and the associated Public Houses Practice Note. The listing of the premises as an ACV is not considered to alter the planning balance in this instance, given the available alternative provision locally. It is therefore considered that there is no policy basis to resist the loss of public house floor space.

Community Facilities

Public comments received raise concern of the loss of a community facility.

In terms of whether a pub is considered to be a community facility, the supporting text to Policy BCS12 states the following:

"The term Community facilities is wide-ranging and can include community centres and childcare

facilities, cultural centres and venues, places of worship, education establishments and training centres, health and social care facilities, sport and recreation facilities and civic and administrative facilities. It may also include other uses whose primary function is commercial but perform a social or community role i.e. sport, recreational and leisure facilities including local pubs. Such services and facilities provide a focus for local people, helping to promote better personal contact between groups and individuals and generating community spirit and a sense of place. Together, they are essential to the quality of life of people living and working in Bristol and can help to reduce levels of depravation and social exclusion and improve health and wellbeing."

The supporting text therefore places greatest importance on non-commercial uses that provide social or welfare benefit to the community. Leisure facilities may be considered a community use, although the policy does not assert that this is always the case. A pub for example, in an area where there is no other such provision, may be of importance to the community to facilitate social interaction to a degree that it is considered a community facility, however this is not necessarily the case where there is alternative provision within the vicinity that provides leisure and social opportunities for local residents.

It should be noted that the nature of any particular pub operator cannot be taken into consideration as this could change at any time, without the need for planning consent. Therefore, whilst some public comments have expressed a local need for the particular offer provided by the large national chain operator that has vacated the premises, the reality is that a particular operator and hence their business model cannot be forced to stay at a particular premises.

Given that locally there is a variety of alternative public houses, it is considered that whilst the now vacant pub was part of the social offer in the area, it was not of such individual importance to be considered a community facility by definition, and certainly not in the same way that a community centre or healthcare centre would be considered a community facility.

It should also again be noted that a public house would be retained on site, albeit of a smaller extent than that it would replace. In addition, a new cinema use would be created on site, further enhancing the cultural offer at the site when compared with existing.

Proposed HMO use

Policy BCS18 outlines that a neighbourhood with a mix of housing tenures, types and sizes will be more able to meet the changing needs and aspirations of its residents, through changing life stages, household shapes and sizes or changes in income. Providing greater housing choice increases the opportunities for households to remain within their communities and promotes social equality and inclusion by easing geographical constraints on the search for appropriate homes. Conversely, an excess of single forms of dwelling will gradually limit housing choice or harmfully erode the mix and balance of a community.

Policy BCS20 states that new development will maximise opportunities to re-use previously developed land.

Policy DM2 relates to specialist housing, including HMOs, and does not permit new HMOs or the intensification of existing HMOs where development would create or contribute to a harmful concentration within a locality. The policy identifies a harmful concentration as a worsening of existing harmful conditions or a change to the housing mix that reduces housing choice. This policy is supported by the HMOs SPD (2020).

The supporting text to the policy provides further detail on when harmful concentrations are likely to arise. This is where issues associated with HMOs cumulatively result in detrimental effects on the qualities and characteristics of a residential area. The supporting text also states that assessments

should consider impacts at street, neighbourhood and ward levels.

A harmful concentration can arise at a localised level when an existing dwelling is sandwiched between two HMOs. This can intensify impacts on individual households even if few HMOs exist locally and create an imbalance between HMOs and other housing at a street level. A harmful concentration can arise when HMOs exceed a certain proportion of the dwelling stock in any given neighbourhood. In accordance with the HMO SPD, proposals for intensification of existing HMOs are unlikely to be consistent with Local Plan policy where 10% or more of the total housing stock is already occupied as houses in multiple occupation. There are currently 8 licensed HMOs within a 100m radius of the site, and of the 228 residential properties this represents 3.51%. Taking each of the 13 cluster flats proposed as an individual HMO (which represents a statistically worst-case scenario in comparison to a single large HMO), this proposal would result in 9.2% HMOs (21 properties out of 228) within a 100m radius of the site. As such, on the basis of the assessment criteria set out within the HMO SPD, the proposal would not result in an over proliferation this type of accommodation locally.

The proposed development would not result in the loss of any other type of residential accommodation, and would add a flatted development of HMOs that would in total provide 42 bedrooms of residential accommodation. The proposed development would provide a housing type which is not prevalent within the local area, and on that basis the development would diversify the housing mix and balance within the area.

The proposed ground floor HMO cluster flat proposed would be a wheelchair accessible unit. Changes in floor levels are such that a short flight of steps would provide access to the unit, however this would be complimented with a platform lift which would also be provided.

Individual cluster flats would be complimented by communal internal socialising space, a work area, and gymnasium, as well as a communal outdoor yard/garden provided.

On the basis of the 13 cluster flats proposed, the dwelling density for the site would be 162.5 dwellings per hectare (dph). Given the location within a designated centre and along a main transport route, this density is supported by policy BCS20.

Conclusion on nature and mix of uses

The proposed development would provide for a mixed-use development, supported by local plan policy, of commercial uses comprising a replacement pub and the provision of a new cinema, and residential development comprising a HMO development across 13 cluster flats along with shared communal facilities. Whilst the extent of commercial floorspace would be reduced when compared with existing, this would unlock the potential for a more efficient use of the existing buildings and land. The extent of the retained commercial floorspace is considered to remain viable for the uses proposed, and suitable for a variety of potential alternative future uses should the need arise. The proposal would also provide for much needed housing, which must be given significant weight in the planning decision.

The nature and proposed mix of uses is compatible with the function of the St George Town Centre, with the commercial element supporting the ongoing vitality of the Centre, whilst the residential element would diversify the housing mix locally. The mix of uses and density of residential development align with current adopted local plan policy aspirations. The nature and mix of uses proposed are therefore considered acceptable in land use terms.

Policy BCS21 expects development to safeguard the amenity of existing development and create a high quality environment for future occupiers. Policy DM2 requires development to provide a good standard of accommodation by meeting relevant requirements and standards and not adversely impacting neighbouring amenity. Policy DM30 expects alterations to existing 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, and the impact of new development upon the viability of existing surrounding 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.

a) Neighbouring Occupiers

Immediately surrounding properties comprise a mix of commercial and residential uses. When considering adjacent residential properties the closest window to window inter-relationships would be with the adjacent Mary Court to the North. The narrow width of Mary Street is such that the limited separation distances are already established by existing buildings in this location, although the nature of use and the number of windows proposed would differ from existing. Separation distances between the existing buildings here are between approximately 8 and 10 metres, which is a low separation distance, although not dissimilar to that between adjacent terraces on William Street to the North (approx. 9 metres separation). Indeed, there are many narrow streets of terraced housing within the locality with limited separation distances between front elevations. It is noted that the Mary Street elevation of Mary Court contains a number of windows, the majority of which are obscure glazed serving bathrooms. There are 7 clear glazed windows to that elevation, and as such some overlooking of these windows would occur from new windows proposed, with mutual overlooking also taking place in return, and whilst this is not ideal it can be considered in line with established local characteristics by virtue of low separating distances, albeit with slightly lesser separation distances than are typical locally. Other windows within the development would be further spaced from surrounding properties, according with local layout characteristics.

The top floor units proposed to the rear building would benefit from balcony areas, as would the upper floor unit to the Church Road frontage. When considering the rear building, some overlooking of nearby residential windows would be possible when considering Victoria Parade properties, however differences in height are such that any such impact is likely to be lesser than occurring from the existing roof terrace to the south. When considering Mary Court, limited separation distances and differentials in building height are such that lines of sight would likely be such that overlooking of from balconies would be limited, if at all possible. When considering the roof terrace fronting Church Road, greater separation distances across Church Road are such that it is considered that any amenity impact from overlooking would not be harmful to a degree that would warrant refusal of the scheme on that basis.

A replacement roof is proposed to the rear building. The existing gable-ended form would be replaced with a mansard roof to enable the provision of residential accommodation at roof level. The proposed mansard would be lesser in height than the ridge of the existing roof, although would be of a more bulky form by virtue of its mansard nature. A rooftop plant enclosure is also proposed atop the mansard, which would result in an overall height increase of approximately 0.5m when compared with existing. These alterations would be relatively minor when compared with the scale and massing of the existing rear building, and as such would not have a significant effect when considering issues of overbearing and overshadowing impacts.

An additional storey is proposed to part of the existing frontage building, albeit set back from the church Road frontage. The scale and position in relation to surrounding development are such that concern is not raised in relation to overshadowing and overbearing impacts.

Concern was raised within objection comments of increased noise and anti-social behaviour in the area due to increased occupancy. The site is located within a busy and vibrant city centre location, with existing noise and activity throughout the day and night. Whilst increased occupancy increase the number of residents, and hence level of activity within the area, it is considered that any such increase would not be harmful and would be compatible with the existing busy nature of the location. It should also be noted that a Premises Management Plan has been submitted during the course of the application, the content of which is supported by the BCC Pollution Control Officer, and would serve to ensure that the proposed development is appropriately managed and hence any impact upon the residential amenity of surrounding occupiers minimised in this regard.

If the development were to be permitted, conditions would be required in relation to opening hours of the commercial units; deliveries and waste collections; and a premises management plan, to safeguard local residents against potential impacts from the operation of the development. A construction management plan would also be required to safeguard surrounding amenity during construction works.

b) Future Residents

When considering future residents of the proposed development, it is noted that the site is located within a busy urban environment, with significant noise levels emanating from vehicles using Church Road, along with noise associated with the night-time economy. An acoustic report was submitted in support of the application, and based on its contents the BCC Pollution Control Officer is comfortable with the proposal when considering the internal noise environment, subject to the conditioning of further details of acoustic assessment and mitigation as necessary to safeguard future occupiers from noise associated with the proposed ground floor commercial use and also in relation to plant noise.

The individual bedrooms proposed within the development have floor areas ranging between 20 and 34 square metres. Communal living rooms within each cluster have floor areas ranging between 22 and 48 square metres. Each cluster flat and the individual bedrooms within therefore exceed the minimum floor area requirements set out within the Nationally Described Space Standards. Further, although a useful point of reference, it should be noted that National Space Standards requirements do not apply to the HMO/co-living style of accommodation proposed but instead licensing standards would apply and are less stringent. In addition, occupiers would also have access to shared socialising/work space, gym facilities, and external communal amenity space on site.

Of the 13 residential units proposed, 10 are dual aspect, however 3 of the units are single-aspect and North-facing. Whilst the proposed single-aspect north-facing dwellings are compromised in relation to daylighting and ventilation, this must be weighed against other factors of the developments as a whole. It is considered that in relation to the majority of the units a good standard of living accommodation would be provided, and in all cases adequate space and facilities would be provided.

The proposed ground floor residential unit would be set on an elevated floor slab, as existing, and as such windows would be raised up above pavement level, such that inward overlooking from passers-by would not result in unacceptable impact upon occupier privacy. Windows within other residential units proposed would have relationships with surrounding properties that accord with established local layout characteristics and are considered acceptable in relation to occupier amenity.

Generally in residential amenity terms, for the most part the proposed development would safeguard the amenity of neighbouring occupiers, and would provide for a good quality living environment for future occupiers. There are some identifiable shortfalls when considering

overlooking impacts upon neighbouring occupiers, and a small number of north-facing sing-aspect units, however these amenity impacts are considered limited in the overall scope of the development proposed and must be weighed in the overall planning balance.

(D) DESIGN

Local plan policies BCS21, DM26, DM27, DM28 and DM30 set out the design requirements that development should achieve, including in relation to alterations to existing buildings (DM30).

The existing rear building is a monolithic block of considerably greater scale than surrounding development. The elevations are largely devoid of features with the exception of banding detailing; a small number of windows to the eastern extent of the Mary Street elevation, and; a curved bonnet to the corner entrance onto Victoria Parade/Mary Street. Whilst the aforementioned detailing does provide some character to the building, the relatively featureless elevations result in a stark and imposing structure.

The proposed provision of windows within the existing building envelope has been executed in a manor sympathetic to the form of the host building, and it should be noted that the proposal would retain the previously identified detailing elements that provide character. It is considered that the provision of windows within the rear building would result in a more visually welcoming development when considering street scene views, whilst respecting the original building form and characterful features.

The provision of a mansard roof to the rear building is considered acceptable in design terms, with the proposed set-back from the existing parapet providing a visual break between existing building fabric and new development at roof level, as well as reducing any impact when considering street scene views.

The proposals also include the provision of a roof extension to the front portion of the site. During the course of the application this element has been pushed back from the Church Road frontage, and in doing so preserves the character of the Church Road frontage and wider street scene.

Finishing materials include white render for elevations of the rear building, along with the existing brickwork being re-pointed. New roof extension elements would be finished in metal standing seam cladding. If permission is granted, external finishing materials can be secured by condition to ensure an external appearance that is appropriate for the context.

On the basis of the above, the proposal is considered acceptable in design terms.

(E) HERITAGE

It should be noted that the application property is not nationally or locally Listed, and does not sit within a Conservation Area. It should also be noted that Historic England have rejected the building for consideration for the national list.

Local Plan Policies BSC22 and DM31 relate to heritage assets (including Listed Buildings and Conservation Areas) and seek to preserve or enhance heritage assets. Given that the property however has no national or local designation, these policies do not apply in this instance.

For the purposes of heritage assessment in relation to the proposal, any such consideration must be in the context of the building as a Non-Designated Heritage Asset (NDHA). Paragraphs 209-211 for the NPPF (2023) relate to NDHA's, with relevant extracts as follows:

209. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

210. Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

211. Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

It is considered appropriate here to set out the comments received from the BCC Conservation Officer, for completeness and with regard to the assessment of the property as a heritage asset, with comments as follows:

"The exterior of the building has particular interest on Church Road where its well-proportioned 1927 frontage remains a visually distinctive element in the streetscape. The main auditorium block to the rear has limited aesthetic interest, but retains attractive corner features around a former entrance; this architectural interest is however limited in an otherwise substantial blind faced block. There is evidential value here in the articulation of the voluminous auditorium block within the surrounding context.

The chief interest of the building is in the remains of the 1935 cinema interior, with its stylish Art Deco ceiling and wall finishes, and the surprising survival of the upper circle seating and projection room. Some of the other ancillary foyer and lobbies retail decorative cornice work and terrazzo floors. The remains of the cinema interior are a rare survival in Bristol, with no other cinema interior of this quality known. Regrettably we have to consider the condition of the interiors to be generally very poor and incomplete. There have been substantial losses of wall finishes and detail caused by the insertion of the pub use at ground floor level and the complete loss of the proscenium arch area, once the focus and culmination of the interior scheme. Regrettably, the recording of interior features to a high level might be the most realistic way of preserving remaining heritage value in balance with its significance as a NDHA.

Whilst the interiors are of greatest significance to the NDHA we are limited in how we can address them with current planning policy. We would strongly advocate their retention, restoration, and reuse, but it's accepted this would be incompatible with the proposed change of use, and would need a viable use to secure that level of restoration. We acknowledge that proposals provide aesthetic improvements to the blank facades of the auditorium block and the elevations proposed are generally harmonious in design. The evidential value of the exterior of the auditorium block would be impacted, but the scale and massing would be preserved."

The application property, as a NDHA, is afforded only limited weight by national planning policy in terms of its protection, and lesser than the protection afforded to Listed and Locally Listed buildings. As the building is not Listed there are no controls over works to the interior. Given these facts, combined with acknowledgement of the poor quality of the interior (as observed by the BCC Conservation Officer), and the need to secure a viable use of the building, it is therefore considered that recording of the building prior to works is the most appropriate course of action in terms of policy compliance, with the recording deposited into publicly accessible archive. This can be secured by condition if planning permission is granted.

(F) HIGHWAYS AND SERVICING

Core Strategy policy BCS10 sets out a transport hierarchy for the design of developments, and 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 DM2 expresses that HMO's will not be permitted where the proposal would result in levels of on-street parking that cannot be reasonably accommodated or regulated through parking control measures.

Policy DM32 requires adequate refuse and recycling provision in new development.

The application site is considered to be sustainably located, being positioned within a designated centre (St George Town Centre) amongst a variety of shops, services and leisure facilities. The site is also well located for public transport links, with bus routes along Church Road, and Stapleton Road train station being a reasonable walking distance to the west. The BCC Transport Development Management (TDM) Officer has observed that purpose-built cycle infrastructure is limited locally, however the site is within reasonable cycling distance of the city centre.

Cycle Parking

An internal secure cycle store is proposed, which would accommodate 44 bikes, and as such exceeds a 1:1 provision. Whilst TDM raise concern of the nature of the stacked cycle stands proposed, on balance the nature, location and extent of cycle storage provision is considered supportable.

Servicing

The residential element of the proposed scheme would be served by two refuse/recycling stores, which would be serviced from Mary Street to the rear of the site. The nature, position and level of provision for refuse and recycling storage is considered acceptable.

The commercial element of the proposal would have servicing access onto Victoria Parade to the side of the site, such that collections and deliveries can occur directly to back-of-house facilities. An internal commercial refuse/recycling store is proposed which would need to be serviced by a private contractor. These arrangements are considered acceptable.

In order to prevent nuisance from odour, the provision and retention of appropriate means of ventilation to refuse recycling stores will be required, which can be secured by condition if planning permission is granted.

Car Parking

A significant proportion of the public comments received raised concern of impact of the proposal upon parking locally, with it being acknowledged that the area is already heavily parked with little scope for additional on-street parking to be accommodated. These concerns are reiterated by TDM, who also raise concern of additional parking pressure from the proposed development

exceeding local capacity on street, and resulting in dangerous/illegal parking that would pose a highway safety risk.

The developer's team had initially proposed measures to prevent additional on-street parking comprising requirements within tenancy agreements that residents cannot own a car, and also the provision of a legal agreement that would prevent car ownership associated with the proposed development. Neither of these proposed approaches are however considered reasonable or enforceable, and as such cannot be supported from a planning perspective. It should also be noted that there are no parking controls locally by way of Residents' Parking Zone (RPZ), and as such there is not opportunity to restrict parking through preventing the issue of permits to future residents.

The provision of a parking survey was requested from the developer's team, and the document initially submitted was centred around other similar developments owned by the developer. This approach was however not considered representative and did not accord with the parking survey methodology required by TDM.

A parking survey in accordance with BCC methodology was subsequently provided. It should be noted that the BCC parking survey methodology is more stringent than the Lambeth test (repeatedly mentioned within public comments received), as BCC work to a smaller acceptable survey area. TDM maintain their objection on parking/highway safety grounds on the basis of the parking survey provided. The methodology used to compile the parking survey is considered sound and in accordance with BCC requirements, however the outcomes are such that necessary parking capacity cannot be demonstrated locally.

TDM has confirmed that based on census data, a development of this type in this location would have a parking demand ratio of 34%, which equates to a requirement for 15 parking spaces. Two snapshot parking surveys were undertaken (30th and 31st January 2024), and when illegal/obstructive parked vehicles (4 and 5 respectively) are taken from the totals, the available parking within the defined 150m walking distance falls short of the required 15 spaces by 4 and 11 spaces respectively. Across the two survey dates this represents an average shortfall of 7.5 spaces, or 50% provision.

The survey data, whilst only providing evidence from snapshots in time, details that there is parking pressure locally, with unavailable capacity to accommodate the likely parking requirements associated with the proposed development. This is compounded by the anecdotal evidence comprising a significant number of objections from local residents in relation to existing ongoing parking pressures locally and the likelihood of the proposed development further worsening this situation. It is therefore considered that the proposed development would further exacerbate existing parking pressure locally, with the surrounding streets not having the capacity to accommodate the additional parking that the proposed development would likely generate, and as a result increased levels of dangerous/illegal parking are likely to occur, to the detriment of highway safety. It is considered that the application should be refused on this basis.

(G) SUSTAINABILITY AND FLOOD RISK

Current planning policy 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. The approach proposed should also be supported by the provision of a sustainability statement and an energy strategy.

Policy BCS13 expresses that development should contribute to both mitigating and adapting to climate change, and to meeting targets to reduce carbon dioxide emissions. Measures to achieve this cited within the policy includes through the use of de-centralised, renewable and low carbon energy supply systems. 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. BCAP20 expresses the need for the development to meet BREEAM 'excellent' standard. BCAP21 states that proposals for development that would require heating will be expected to demonstrate that account has been taken of potential opportunities to source heat from adjoining development or nearby heating networks.

a) Sustainability

The application as originally submitted led to a request from the BCC Sustainability Officer for further information/clarifications in relation to on-site renewable energy generation and also in relation to the overheating assessment.

The energy statement as amended is found to be acceptable, with reductions in CO2 emissions from residual emissions exceeding policy requirements (72%) being achieved through a combination of air-source heat pumps (providing heating and hot water) combined with solar PV panels for electricity generation.

The application site is located within a designated Heat Priority Area, and as such provision for district heating (DH) connection is expected under policy BCS14. There is not a current heat network serving the site, or a network likely in the near future. The proposed heating system is however compatible with future DH connection as the proposed system is a 'wet system' served by air-source heat pumps, which could be connected to a future heat network.

During the course of the application the City Council Sustainability Officer raised concerns of potential overheating impacts within the development, by virtue of a lack of information to demonstrate that the development would not be subject to unacceptable overheating. Further information was provided in relation to overheating during the course of the application, as requested by the BCC Sustainability Officer, including in relation to 2050 and 2080 weather files. The information provided expresses that there is the potential for overheating within the plant room and gym, and additionally when considering the 2080 weather file, the ground floor workspace and cluster 13 communal amenity space. The plant room is not an issue as this is a non-habitable space, and since then amendments to the ground floor layout have resulted in the relocation of the gym and ground floor workspaces, both of which would have openable windows. In relation to cluster 13 communal amenity, there is potential for overheating when considering the 2080 weather file, however external shading could be retrofitted if necessary to mitigate this. Passive cooling technologies could also be accommodated within/onto the proposed building without extensive modification. Given that the technologies are retrofitable without significant intrusive modification to the building, and in recognition that available technologies are likely to advance and improve in the intervening period until the measures become necessary, it is considered in this instance that it has been adequately demonstrated that the building is appropriately adaptable to be resistant to overheating under predicted future weather scenarios.

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

b) Flood Risk

The application site is set within flood zone 1 and as such is at low risk from tidal and fluvial

flooding. The nature of the uses proposed would not result in an increase in flood risk. The proposal works within the existing building footprint and with no change to the impermeable area on site, and as such a scheme of Sustainable Drainage for the site is not necessary in this instance. The proposal is therefore considered acceptable in relation to flood risk.

(H) AIR QUALITY

Policy BCS23 requires development to avoid adversely impacting environmental amenity in terms of various forms of pollution, including air pollution, and to take account of the impact of existing sources of pollution on new development. Policy DM33 requires development within designated Air Quality Management Areas to take account of existing air pollution and include measures to mitigate its impact upon future occupiers.

On the basis of the Air Quality Assessment submitted, the proposal is found to be acceptable in air quality terms during its operational phase, as expressed by the City Council Air Quality Officer. Safeguards will be required by condition as part of a Construction Environment Management Plan in relation to dust during the construction phase.

(I) 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.

As can be seen from the Land Contamination Officer's comments above, concern is not raised in relation to ground contamination. A condition has however been recommended in the event that unexpected contamination is encountered during works.

It is also noted that asbestos is believed to be present within the existing building, with the ceiling and decorative wall features of the former cinema believed to be composed of asbestos containing material. Whilst the presence and removal of asbestos is not a planning consideration (as this is controlled by separate legislation), and advice will be added in relation to this should the application be approved.

(J) 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. The Coal Authority have been consulted and have confirmed in response that the nature of development is exempt from Version 7, January 2023 of the Coal Authority's Guidance for Local Planning Authorities. Accordingly, there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal

Mining Risk Assessment to be submitted with any planning application or for the Coal Authority to be consulted on this proposal. This is due to the proposal not requiring any significant groundworks. On this basis, the requirements of policy DM37 are satisfied.

(K) SAFETY AND SECURITY

Policies BCS21 and DM27 include consideration of safety and security. These considerations are centred around physical elements of the built environment, including layout, form and pattern of development to ensure healthy, safe and sustainable places.

The application site is located with an area which suffers from crime and disorder. As can be seen within the consultation responses above, the Police Crime Prevention Design Advisor and Avon and Somerset Police anti-social behaviour co-ordinator have raised an in principle objection to the proposal. Full comments from the Police can be seen within the consultations section of the report, with key concerns summarised as follows:

- o Church Rd is an ASB hotspot, often linked wit street drinking, begging and rowdy behaviour
- o Concerns that a 44 bed HMO would cause additional worry to the community and add to the ongoing ASB in the area
- o The proposal would introduce a transient population
- o Evidence suggests that residents of HMO's are more likely to be victims of crime than other forms of accommodation
- Concerns of increasing the number of residents in an area where ASB is an issue
- o Over-concentration of HMO's in the area is adding to the problem

The concerns raised by the police therefore do not centre around the physical nature of the building alterations proposed. Where there are issues of concern in this regard, security details could be secured, including external lighting around entrances; secure gates; ground floor laminated glazing; access controlled doors; lockable furniture for valuables in each room; building compartmentalisation to prevent unauthorised free movement through; secure cycle storage covered by CCTV; on-site security; identification quality CCTV; localised alarm sounders. These measures could reasonably be secured by appropriately worded condition.

In planning terms, assumptions cannot be made in relation to the nature of people who may move into the premises. Indeed, planning policy BCS18 includes a requirement to take account of the changing needs of the population, and in a context of current high property and rent prices, there are a wide range of people who would benefit from this type of accommodation, including higher education leavers and young professionals, as well as lower-income earners. It cannot be assumed that future residents will cause crime/ASB problems.

With regard to concerns raised of moving more people into an area where ASB is an issue, there are not examples of other types of residential accommodation in the vicinity being refused on this basis, for example new flats and family homes that could result in a similar increase in population locally, and as such in planning policy terms there is not evidence to suggest that refusal on this basis is warranted, especially given that there is not an identified over-concentration of HMO's as assessed within Key Issue B above. There is also an argument that increased occupation would result in increased activity and natural surveillance that could assist in a reduction in ASB opportunity.

Therefore, whilst the concerns of the Police are acknowledged in relation to the existing ASB issues in the area, it is considered that there are not planning policy grounds to reasonably refuse the proposed development on this basis.

(L) 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 proposed development would not impact upon existing assets of nature conservation value. Given that current policy requires an uplift in relation to nature conservation, if permission is granted it is recommended that a condition is attached requiring the provision of Bat and Bird boxes on the building.

(M) 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 re iterates the tests (at paras 55 to 58 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.

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 £85,384.82 necessary planning obligations, which are to be secured via section 106 agreement, would comprise:

Employment and Skills Plan monitoring fee: £2000, index linked.

Highways contributions are also likely necessary, comprising local infrastructure upgrades, along with the provision of Traffic Regulation Order(s) as necessary. At the time of writing the final figures for these have however not been confirmed by TDM due to the ongoing objection on Highways grounds. If members are minded to approved, then TDM can set out the necessary contributions in this regard.

As a legal agreement has not been made to cover the necessary financial contributions, if the application is refused, the lack of a legal agreement in place would also need to constitute a reason for refusal.

CONCLUSION AND RECOMMENDATION

The proposed development would provide for a sustainably-located mixed-use development, of commercial uses comprising a replacement pub and the provision of a new cinema, and residential development comprising a HMO development across 13 cluster flats along with shared communal facilities. Whilst the extent of commercial floorspace would be reduced when compared with existing, this would unlock the potential for a more efficient use of the existing buildings and land. The extent of the retained commercial floorspace is considered to remain viable for the uses proposed, and suitable for a variety of potential alternative future uses should the need arise. The nature and proposed mix of uses is compatible with the function of the St George Town Centre, with the commercial element supporting the ongoing vitality of the Centre, whilst the residential element would provide additional housing and would diversify the housing mix locally. The mix of uses and density of residential development align with current adopted local plan policy aspirations. The nature and mix of uses proposed are therefore considered acceptable in land use terms.

The proposal would impact upon a Non-Designated Heritage Asset, however it is acknowledged that the asset is in poor condition and not subject to any formal protection in heritage terms, with Historic England electing not to consider the building for listing. As expressed by the BCC Conservation Officer, it is considered that the most appropriate way of preserving some heritage interest associated with the site would be through building recording and deposition of such records within the public domain. The external alterations to the building are considered appropriate in the context of the host property and when considering street scene views.

Whilst the proposal would introduce some additional overlooking of surrounding properties, this is considered largely in line with established local layout characteristics, and is on-balance considered acceptable. The proposal would not introduce additional overbearing or overshadowing impacts. When considering further occupiers, it is considered than an acceptable internal living environment would be achieved.

The concerns of the Police are acknowledged, with objection raised on the basis of introducing residential development that would likely house a transient population within an area that suffers from anti-social behaviour (ASB) issues, and the potential for this of exacerbate the ASB issues locally. The nature and actions of future residents however cannot be assumed, and it is therefore considered that refusal is not warranted on this basis in planning terms.

The site is located in an area that experiences severe pressure for on-street parking, with a significant proportion of the high number of public objections received raising this as a concern. BCC Highways Officers have also objected to the proposal on this basis throughout the application process, and despite the provision of two separate parking surveys, the latter in accordance with BCC requirements, evidence has not been provided to satisfactorily alleviate these concerns. It is therefore considered that the proposal would result in illegal/dangerous parking that would be to the detriment of highway safety, and is contrary to planning policy. Refusal of the application is recommended on this basis.

When considering the planning balance, there are identifiable benefits of providing mixed-use commercial and residential development in an appropriate location, through a more-efficient use of existing buildings/land within a designated centre, which directly aligns with policy aspirations. There is a factor of compromise within this planning balance by way of a reduction in commercial floorspace, however this would unlock the site to facilitate higher density accommodation in line with policy aspirations whilst retaining viable commercial floorspace and thus supporting the ongoing viability and vitality of the shopping frontage and wider centre. The proposal would also introduce some additional overlooking of surrounding residential properties, which would have some residential amenity impact upon neighbours, however this impact is not considered severe

and is also considered to be outweighed by the benefits of the scheme. The negative impact of the proposed development upon highway safety through introducing levels of additional on-street parking in an area that cannot reasonably accommodate it is however contrary to current local plan policy and is considered to outweigh the identifiable benefits of the proposed development.

CIL LIABILITY

The CIL liability for this development is £85,384.82.

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 REFUSED

The following reason(s) for refusal are associated with this decision:

Reason(s)

- 1. The proposal would exacerbate demand for on-street parking in an area of existing excessive parking pressure, such that the likely additional parking demand generated cannot be accommodated on surrounding streets, and would result in dangerous/illegal parking to the detriment of highway safety. The proposal is therefore contrary to policy BCS10 of the Bristol Development Framework, Core Strategy (2011); policies DM2 and DM23 of the Bristol Local Plan, Site Allocations and Development Management Policies (2014), and; Supplementary Planning Document: Managing the Development of Houses in Multiple Occupation (2020).
- 2. In the absence of an appropriate agreement under s106 of the Town and Country Planning Act 1990, the proposed development fails to provide for appropriate provision in order to mitigate the impacts of the development, contrary to the requirements of policy BCS11 of the Bristol Local Plan: Core Strategy (2011),and; the Planning Obligations SPD (Adopted 2012).

Advice(s)

1. Refused Applications Deposited Plans/Documents

The plans that were formally considered as part of the above application are as follows:-

Site Plan - Window Relationships, received 29 August 2023 St Georges Hall Management Plan, received 30 August 2023

Transport Technical Note Addendum, received 30 August 2023

21169-OA-XX-00-DR-A-3016_P3 Proposed Ground Floor Plan (full), received 2 November 2023

21169-OA-XX-00-DR-A-3001 P17 Proposed ground floor plan, received 2 November 2023

21169-OA-XX-XX-DR-A-2001 P1 Site location plan, received 22 December 2022

21169-OA-XX-XX-DR-A-2002_P2 Existing site plan, received 22 December 2022

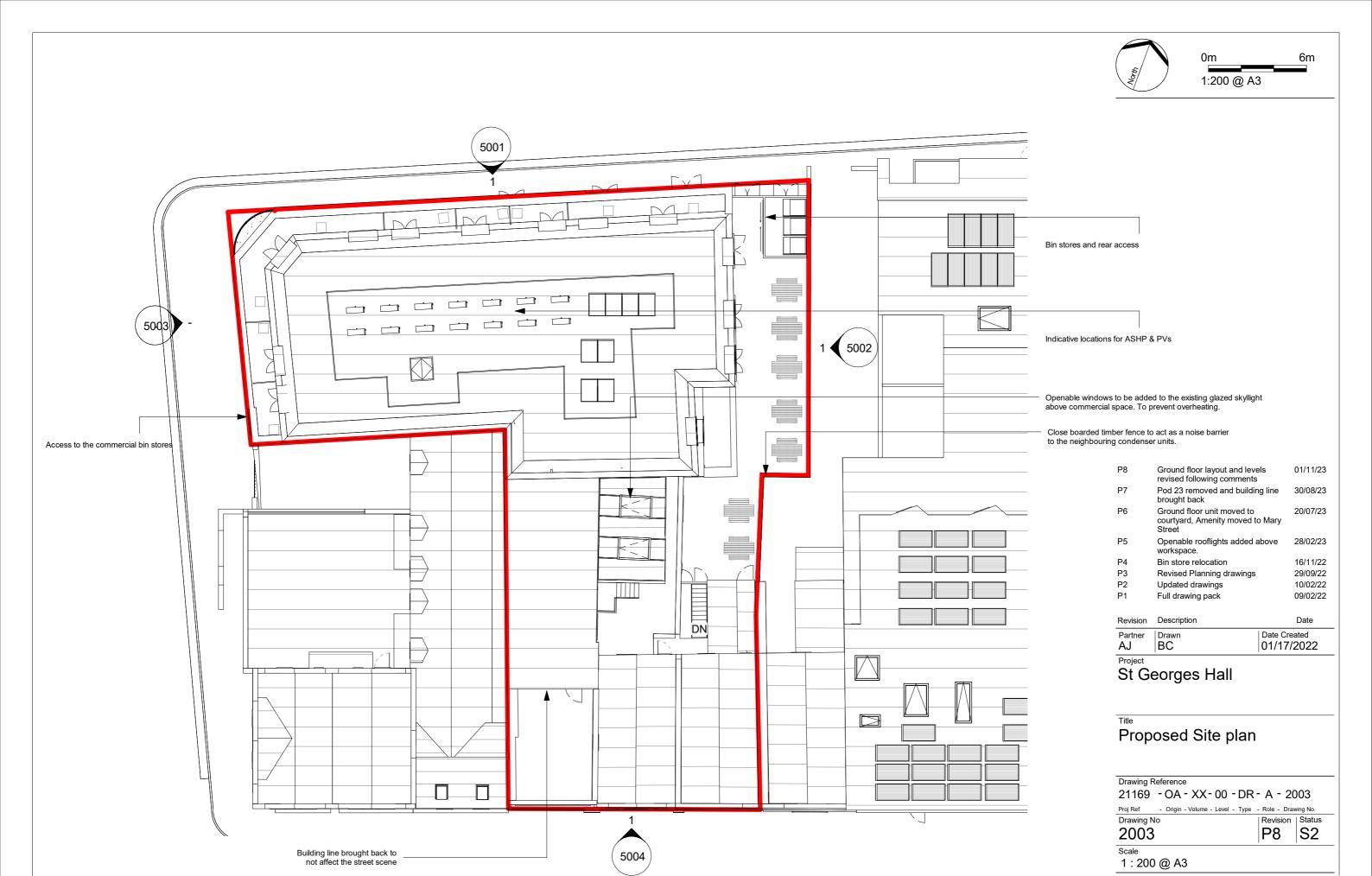
```
21169-OA-XX-XX-DR-A-2003 P8 Proposed site plan, received 2 November 2023
21169-OA-XX-00-DR-A-3008 P6 Proposed commercial space, received 30 August 2023
21169-OA-XX-01-DR-A-3002 P12 Proposed first floor plan, received 8 August 2023
21169-OA-XX-XX-DR-A-3010 P1 Existing basement plan, received 22 December 2022
21169-OA-XX-XX-DR-A-3011 P1 Existing ground floor (1-2), received 22 December 2022
21169-OA-XX-XX-DR-A-3012 P1 Existing ground floor plan (2-2), received 22 December
2022
21169-OA-XX-XX-DR-A-3013 P1 Existing mezzanine floor plan, received 22 December
2022
21169-OA-XX-XX-DR-A-3014 P1 Existing first floor plan, received 22 December 2022
21169-OA-XX-XX-DR-A-3015 P1 Existing second floor plan, received 22 December 2022
21169-OA-XX-XX-DR-A-4001 P10 Long section, received 2 November 2023
21169-OA-XX-XX-DR-A-4002 P11 Cross section, received 2 November 2023
21169-OA-XX-XX-DR-A-4003 P9 Stairs section, received 2 November 2023
21169-OA-XX-XX-DR-A-4004 P1 Existing section A, received 22 December 2022
21169-OA-XX-XX-DR-A-4005 P1 Existing section B, received 22 December 2022
21169-OA-XX-XX-DR-A-4006 P1 Existing section C, received 22 December 2022
21169-OA-XX-XX-DR-A-4007 P1 Existing section D, received 22 December 2022
21169-OA-XX-XX-DR-A-5001_P13 Proposed North elevation, received 2 November 2023
21169-OA-XX-XX-DR-A-5003 P13 Proposed West elevation, received 2 November 2023
21169-OA-XX-XX-DR-A-5005 P1 Existing East elevation, received 22 December 2022
21169-OA-XX-XX-DR-A-5009 P1 Existing Church Road elevation, received 22 December
21169-OA-XX-XX-DR-A-5006 P1 Existing Mary street elevation, received 22 December
2022
21169-OA-XX-XX-DR-A-5007 P1 Existing Victoria Parade elevation, received 22 December
2022
21169-OA-XX-XX-DR-A-5008 P1 Existing South elevation, received 22 December 2022
21169-OA-XX-XX-DR-A-5010 P1 Existing North elevation, received 22 December 2022
21169-OA-XX-XX-DR-A-8000 P1 Facade design, received 22 December 2022
21169-OA-XX-02-DR-A-3003 P11 Proposed second floor, received 8 August 2023
21169-OA-XX-02-DR-A-3004 P11 Proposed third floor, received 8 August 2023
21169-OA-XX-02-DR-A-3005 P12 Proposed fourth floor, received 8 August 2023
21169-OA-XX-02-DR-A-3006 P8 Proposed cluster 13 bottom floor, received 8 August 2023
21169-OA-XX-02-DR-A-3007 P9 Proposed cluster 13 top floor, received 30 August 2023
21169-OA-XX-XX-DR-A-5002 P14 Proposed East elevation, received 2 November 2023
21169-OA-XX-XX-DR-A-5004 P7 Proposed South elevation, received 8 August 2023
```

Air quality assessment, received 22 December 2022
Broadband connectivity assessment, received 22 December 2022
Community involvement statement, received 22 December 2022
Drainage strategy, received 22 December 2022
Noise impact assessment, received 22 December 2022
Planning obligations statement, received 22 December 2022
Sustainability statement, received 22 December 2022
Transport statement, received 22 December 2022
Waste management plan, received 22 December 2022
Energy strategy, received 6 April 2023
Overheating assessment, received 6 April 2023
Parking Survey (TTN Addendum 2), received 12 February 2024

Supporting Documents

203 Church Road Redfield

- 1. Proposed Site Plan
- 2. Proposed Ground Floor Plan
- 3. Proposed First Floor Plan
- 4. Proposed Second Floor Plan
- 5. Proposed Third Floor Plan
- 6. Proposed Fourth Floor Plan
- 7. North Elevation
- 8. East Elevation
- 9. West Elevation
- 10. South Elevation



Oxford Architects LLP, is a Limited Liability Partnership registered in England. Copyright Reserved. All dimensions to be checked on site before work commences. Figured dimensions to be used DO NOT SCALE OFF THE DRAWING. If in doubt ask.



OXFORDARCHITECTS

The Workshop, 254 Southmead Road, Bristol. BS10 5EN T. 0117 9581500





Oxford Architects LLP, is a Limited Liability Partnership registered in England. Copyright Reserved. All dimensions to be checked on site before work commences. Figured dimensions to be used DO NOT SCALE OFF THE DRAWING. If in doubt ask.

P3	revised following comments	01/11/23
P2	Ground floor unit moved to courtyard, Amenity moved to N Street	20/07/23 lary
P1	First Issue	17/07/23
Revision	Description	Date
Partner	Drawn	Date Created
AJ	BC	14/07/2023

St Georges Hall

Proposed Ground floor plan Full

Drawing Reference

21169 - OA- B1-00 - DR-A-3016

P3 S2 3016

Scale 1:100 @ A1 & 1:200 @ A3

OXFORDAR**CHITECTS**







