

Amendment Sheet
24 April 2024

Item 1: - Caravan Club Cumberland Road Bristol BS1 6XG

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| | Please see attached Addendum sheet. |

Item 2: - (Former Debenhams & Building To West) 33-47 (odds) The Horsefair, 6-10 (consec) The Haymarket, St James Barton & 29 - 31 (odds) The Horsefair Bristol BS1 3JE

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| 118 | <p>Significance of Heritage Assets</p> <p>For clarity, the reference to views and figures listed under this key issue are taken from the applicant's visual impact assessment. This includes verified views, which aim to give an accurate representation of the impact of the development in the relevant views.</p> |
| 119 | <p>Paragraph 3 amended as follows:</p> <p>The applicant has submitted a heritage assessment which assesses the impact on a large number of heritage assets in the area. It is noted that Historic England have stated that they are content with this assessment, and officers also consider that this is in large part an appropriate assessment. This includes an assessment of the heritage assets impacted, the significance of those assets and the impact of the proposals, including level of harm where appropriate.</p> <p>Officers have reviewed that assessment, taken into account the comments from consultees, including the comments from the Conservation Officer and Historic England. It is accepted that the Heritage Assessment is appropriate and fit for purposes. The table, provided in annex 1 (Annex 1: Tabular assessment of Harm to Heritage Assets) of the original report is the officer assessment of the level of harm specifically in response to the concerns raised through consultation, and in large part concurs with the assessment submitted by the applicant. Officers are satisfied that in all other matters the assessment submitted by the applicant is satisfactory, and properly assesses the impact on the identified assets affected by the proposal. It is considered that the individual harm to the identified assets varies, and ranges from minor to moderate. Importantly, substantial harm has not been identified to any of the individual Heritage Assets.</p> <p>Paragraph 6 amended to the following:</p> <p>It is noted that some representations have suggested that this would constitute substantial harm, the test in relation to substantial harm is whether or not it would severely damage the assets significance.</p> <p>Significant weight should be applied to evaluation of impact on the affected Heritage</p> |

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| 120 | <p>Assets in assessing this proposal, in this case Historic England do not claim substantial harm. Case officers are satisfied that given the analysis of the impact of the proposal would therefore result in less than substantial harm to the Heritage Assets above identified by Historic England.</p> <p>Paragraph 3 to include:</p> <p>In this context the loss of eight storeys would have a significant impact on the contribution that the scheme would make to the delivery of desperately needed market and affordable housing (irrespective of viability). It would make it harder to justify the public benefits outweighing the harm.</p> <p>Special regard' and 'great weight' to be afforded to the preservation and conservation of heritage assets, the cumulative effect of the public benefits clearly outweighs the less than substantial harm to heritage assets which would arise as a consequence of the development. Thus the heritage balance of paragraph 208 of NPPF is passed and the outcome of this balancing exercise provides the 'clear and convincing justification' as required by paragraph 206 of the NPPF.</p> <p>End of paragraph 2 to change to: "The Cumulative Impact of both proposals is not considered to be detrimental to amenity or create additional cumulative harm to the wider heritage assets considered in this report and listed at Annex 1, such that it would make the proposals unacceptable."</p> |
| 122 | <p>Paragraph 7 to include: The proposal however exceeds the Urban Living SPD standards for overall amenity space provided. This includes private open space and communal roof terraces.</p> |
| 130 | <p>Paragraphs to be added:</p> <p>Section 5 (Delivering a sufficient supply of homes) of the NPPF outlines that "To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay". In relation to maintaining sufficient supply and delivery of homes, paragraph 75 of the NPPF outlines: "Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites."</p> <p>Bristol has a positive approach to boosting the supply of homes. Policy H1 of the emerging Bristol Local Plan (Publication Version November 2023) proposes an ambitious housing requirement of 1,925 homes per year, substantially higher than that of the current Core Strategy (June 2011). The emerging plan offers a large range of potential development sites, areas of growth and regeneration and a variety of policy interventions that will help to ensure that the housing requirement is delivered and preferably exceeded. In doing so the emerging plan seeks to meet as much of the identified housing need as possible, consistent with paragraph 60 of the National Planning Policy Framework (NPPF).</p> <p>Until the new local plan is adopted, the council is expected to identify and update annually a supply of specific deliverable sites to meet its local housing need for the next few years. If it cannot do this, the presumption in favour of sustainable</p> |

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| 121 | <p>development applies. For Bristol, only a four year supply (rather than 5 ears listed in the original report) must be demonstrated, as the emerging local plan has reached the Publication (Regulation 19) stage (NPPF paragraph 226).</p> <p>The Government's standard method sets Bristol's local housing need at a very high level due to the inclusion of an additional 35% uplift for the largest cities and urban centres. Consequently, despite a substantial stock of planning permissions and a positive approach, Bristol is currently unable to demonstrate a four year supply of housing land. As a result paragraph 11(d) of the NPPF is engaged and the tilted balance applies.</p> <p>As such officers must consider proposals pass the two-limbed test contained in paragraphs 11(d)(i) and 11(d)(ii) of the Framework. The first limb – “the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. In this respect, the development proposed does not fall within any of the protected policy designations referenced in Footnote 7 of the Framework. Whilst it is acknowledged that the development would result in less than substantial harm to the significance of designated heritage assets, this is at the lower end of the spectrum of harm and the substantial public benefits arising from the Proposed Development significantly outweigh the harm. The impact upon heritage assets does not therefore provide “a clear reason for refusing the development proposed”. The first limb of the test in paragraph 11(d)(i) is therefore passed.</p> <p>In respect of the second limb – “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”</p> <p>Other than the less than substantial harm to heritage assets, considered above, no other adverse impacts have from the proposal have been identified that could significantly and demonstrably outweigh the benefits.</p> <p>Officers consider the proposed development is in accordance with the development plan and is supported by NPPF para. 11 as set out above. Material considerations do not indicate a recommendation other than in accordance with the development plan.</p> <p>List of errata</p> <p>Paragraph 1 change figure to the following: 1,410sqm of Public Realm as set out in the DAS Addendum.</p> <p>Paragraph 2 change figure to the following Bed 1 Person x 75; 1 Bed 2 Person x229; 2 Bed 3 Person x 28; 2 Bed 4 Person x 170: Total 502.</p> <p>Paragraph 1 updated policy to: Affordable Housing Practice Note published in July 2022, and the Delivery of Affordable Build to Rent Homes in Bristol supporting note to the AHPN which was published in July 2022 and updated in June 2023.</p> <p>Paragraph 2 quantity should be: 13 M4(3) units</p> |
| 114 | <p>Paragraph 2 repeat of text: Paragraph 206 is repeated twice.</p> |

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| 115 | Should also include subparagraph 206b which regards scheduled monuments, Grade I and Grade II* listed buildings and registered parks and gardens. |
| 116 | Paragraph 1 |
| 117 | This section recognises that the possible adaptation of the former department store has been fully explored. While the report notes that the potential for residential conversion was assessed, robust assessments were also undertaken of the alterations needed to convert the building to office or hotel use, and that this is evidenced in the application's supporting documentation. |
| 118 | <p>References to 'English Heritage' are made throughout the report. These should be amended to 'Historic England'. This section should also note that Historic England recently considered an application which sought the listing of the former Debenhams building. HE determined that the building does not demonstrate sufficient architectural or historic interest to warrant a statutory listing.</p> <p>Paragraph 8 word "yet" removed, with regard to Debenhams being on the local list.</p> <p>It is also recognised that the existing building is identified as a non-designated heritage asset (though not on the Local List).</p> |
| 119 | <p>Paragraph 2 to be added: The whole life carbon impacts summary should be amended to confirm that the new build option has a marginally higher whole life carbon estimate by approximately 2% on a per m2 basis.</p> <p>Paragraph 7 to be added: Confirmation that funding request has come from the NHS.</p> |
| 129 | <p>Paragraph 2 corrections: The report erroneously states that the Council's Housing Delivery Test for 2022 was 74%. This should state 88%. This paragraph also states that the Council cannot demonstrate a Five Year Housing Land Supply. The report should recognise that the Council may only be required to demonstrate a Four Year Housing Land Supply in accordance with the amendments made to the National Planning Policy Framework in December 2023, then also acknowledge that the Council can also not demonstrate a Four Year Housing Land Supply. Regardless of the housing land supply position, the policies of the development plan are out of date.</p> |
| 130 | <p>Further clarification of affordable housing: Provision of 20% Affordable Housing including social rent and shared ownership.</p> <p>Conditions</p> <p>Replace Condition 9 with following:</p> <p>Contaminated land.</p> <p>No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed: With consideration to human health, controlled waters and the wider environment,</p> |

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| | <p>the following documents shall be completed to characterise potential risk to sensitive receptors and submitted to the LPA for approval:</p> <p>I. Generic Quantitative Risk Assessment (GQRA) - Submission of this document is the minimum requirement. II. Detailed Quantitative Risk Assessment (DQRA) - Submission of this document if GQRA requires it.</p> <p>The actions required above shall be completed in full accordance with the following guidance: Land Contamination Risk Management (Environment Agency, 2023).</p> <p>Reason: To ensure that risks from land contamination is understood prior to works on site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors</p> <p>Replace Condition 10 with the following:</p> <p>Remediation Strategy and Verification Plan</p> <p>No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed:</p> <p>In accordance with the findings of site characterisation and risk assessment, documents from the following shall be submitted to the LPA for approval:</p> <p>I. Remedial Options Appraisal. II. Remediation Strategy III. Verification Plan.</p> <p>The actions required above shall be completed in full accordance with the following guidance: Land Contamination Risk Management (Environment Agency, 2023).</p> <p>Reason: To ensure that risks from land contamination is understood prior to works on site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors</p> <p>Additional conditions to be added, condition numbers to be updated to reflect changes:</p> <p>Remediation and Verification The development hereby permitted within any approved phase shall not be brought into use until the works relating to land contamination detailed below are fully completed:</p> <p>Remediation (if required), it shall be carried out in full accordance with the approved Remediation Strategy.</p> <p>A Verification Report must be submitted to the LPA for approval upon completion of remediation works. The Verification Report must include information validating all remediation works carried out; details of imported materials</p> |

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| | <p>(source/quantity/suitability); details of exported materials; and details of any unexpected contamination.</p> <p>The actions required above shall be completed in accordance with the following guidance: Land Contamination Risk Management (Environment Agency, 2023).</p> <p>Reason: To prevent further contamination risks.</p> <p>Unexpected Contamination</p> <p>The development hereby approved within any approved phase shall not be brought into use until written confirmation is provided to the LPA that unexpected or previously unidentified contamination was not encountered during the course of development works.</p> <p>If, during development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to the LPA for approval:</p> <ul style="list-style-type: none"> I. Risk Assessment (GQRA or DQRA); II. Remediation Strategy & Verification Plan; <p>If remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted for approval.</p> <p>The actions required above shall be completed in full accordance with the following guidance: Land Contamination Risk Management (Environment Agency, 2023).</p> <p>Reason for all conditions: To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims of 124 (c), 180 (e & f), 189 & 190 of the National Planning Policy Framework (2024).</p> <p>Unexploded Ordnance Risk Assessment</p> <p>Prior to commencement of development a detailed unexploded ordnance survey shall be carried out at the site to establish whether there is any unexploded ordnance, the details of which shall include any necessary mitigation measures and shall be submitted to the local planning authority for approval. The development shall be undertaken in full accordance with any approved mitigation measures.</p> <p>Reason: To ensure that development can take place without unacceptable risk to workers and neighbours including any unacceptable major disruption to the wider public on and off site that may arise as a result of evacuation/s associated with the mitigation of UXO</p> <p>TDM update response on S106 contributions (The agent has responded to confirm acceptance of the contributions set out below by TDM):</p> <p>Having revised our ask, again, we consider the below mitigation to fully meet the tests as set out within the NPPF and consider them to be very fair and reasonable given the scale of the development.</p> <p>We consider the £110,440 travel plan fee to be standalone given this is a service offered by the council. The developer, without this £110k contribution, would still be obliged to develop and implement a travel plan themselves and would therefore still be spending the equivalent amount outside of this contribution (should they have chosen to implement the travel plan themselves). We offer this as a paid service</p> |

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| | <p>given our teams expertise in the travel planning field and this allows for a holistic approach across numerous developments within the same areas, which only BCC can provide.</p> <p>Our asks remain.</p> <ul style="list-style-type: none"> • £376,130 towards the upgrade of local cycle infrastructure in the vicinity of the development. • £175k contribution towards the provision of a surface level crossing point linking the site to the North of Bond Street. <p>I believe a strong case could be made for asking for the £71,465 towards the provision of a coach stand outside of the Hampton by Hilton however noting the need to negotiate and reach agreement have removed this ask.</p> <p>We consider these to fully meet the tests and deliver on the aims of the City Centre DDP. It should be noted, specifically in relation to the cycle and walking contribution this is in line (on a per-head basis) with numerous other developments within the area.</p> <p>It should be noted the above ask is only £5k more than the entire Premier Inn development which has half the number of people resident and is also delivering extensive public realm thoroughfare and given land for a future highways project.</p> <p>TDM have also acted reasonably within these negotiations with the following asks being removed:</p> <ul style="list-style-type: none"> • £199,529 towards the upgrade of the local bus stops along the Haymarket. • £71,465 towards the provision of a coach stand outside of the Hampton by Hilton. • Improvements to the Horsefair. • Contribution towards the provision of an off-site EV Car Club car. • Contribution to Freight Consolidation centre <p>It should be noted given the preliminary nature of their servicing designs should a bus stop need to be relocated etc the cost of this would be met the applicant however this could be secured outside of s106 at the more technical detailed stage.</p> |

Item 3: - Former Pring & St Hill (Plot 1) Malago Road Bristol BS3 4JQ

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| 9 | <p>Eleven further letters of objection received from members of the public, raising concerns regarding:</p> <ul style="list-style-type: none"> • Overshadowing to nearby residents. • Ecological impacts to the Malago and harm to the environment. • Excessive density. • Design and architecture of the buildings. |

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| 9 | <ul style="list-style-type: none"> • Presence of student accommodation instead of family homes. Concern that the accommodation could not be re-used for an alternative use in the future. • Lack of infrastructure for new and existing residents. • Concern about fire safety. • Concern about well-being of students. • Concerns regarding traffic generated. • Concern about light pollution. <p>As a point of clarification, Bristol Civic Society submitted objections to the scheme in March 2024 and February 2023. These have been summarised within Section 5.4.1 of the Officer Report – ‘Public Responses’.</p> |
| 18 | <p>With regard to the principle of development discussed in Section 8 of the report, Members are to note the following point which must be considered in coming to a conclusion on the planning balance:</p> <ul style="list-style-type: none"> • The Government's standard method sets Bristol's local housing need at a very high level due to the inclusion of an additional 35% uplift for the largest cities and urban centres. Consequently, despite a substantial stock of planning permissions and a positive approach, Bristol is currently unable to demonstrate a four-year supply of housing land. As a result, paragraph 11(d) of the NPPF is engaged and the tilted balance applies. • There are two aspects to understanding whether planning permission as prescribed by Paragraph 11(d) should be granted and whether policies which are most important to determining the application are out of date: <ol style="list-style-type: none"> 1. The first is where the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. 2. Or the second, where any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. |
| 17 | <p>In Section 6 of the report, the correct reference to the National Planning Policy Framework is December 2023.</p> |
| 22 | <p>In paragraph 9.20 and 21.4 – correction – the site owner has already transferred land to BCC to facilitate highways works along Malago Road. Land will be transferred to facilitate the river restoration.</p> |
| 26 | <p>In light of the comments from the Sustainable Cities team and to consider how the development would adapt to climate change (in line with BCS13), the applicant has undertaken further testing to consider additional measures that would assist with mitigating the risk of overheating. The further testing includes passive measures together with MVHR (50 l/s) as per the current strategy with the addition of:</p> <ul style="list-style-type: none"> • Use of internal blinds: we have considered the use of blinds as a measure for adaptation. • G-value: we have tested with a lower g-value for glazing of 0.30. <p>The results are as follows:</p> |

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| | <ul style="list-style-type: none"> • Current weather file - all assessed habitable rooms achieve compliance against the criteria of CIBSE TM59. • Future Weather File 2050 – spot testing with the inclusion of blinds and a g-value of 0.30 shows an improvement with an increased number of units that comply in this scenario. On average, reduction of 43% in overheating hours from the previous strategy. • Future Weather File 2080 - hours for failing units drop by an average of 29.6% from the previous strategy. <p>Having reviewed this additional information, Sustainable Cities Team maintain an objection due to failures remaining. Sustainable Cities request the removal of glazing below desk level where this has no daylight benefit, and the consideration of active cooling measures where failures remain from 2050.</p> <p>Officers comment that: Policy BCS13 requires development to contribute to both mitigating and adapting to climate change, and to meeting targets to reduce carbon dioxide emissions. The supporting text for Draft policy NZC4 of the Publication Version Local Plan states that the risk of overheating should be assessed using Part O of the Building Regs and CIBSE TM59 guidance. In the CIBSE guidance, the minimum requirement in order to demonstrate compliance with the TM59 methodology is modelling the weather file up to 2040. Modelling using additional future weather files (2050s and 2080s), are <u>recommended</u> to explore performance where there is particular concern, for example presence of vulnerable occupants or for testing the performance of mitigation options under more extreme events.</p> <p>Following the further testing undertaken to consider additional mitigation for future weather files and considering the constraints of the site which largely guide the overall layout of the site, along with the requirements from student housing, Officers consider that the applicant has demonstrated adequate consideration of the risk of overheating in the future, although a moderate residual risk of overheating remains for the future. The overall quality of the accommodation is therefore afforded moderate weight in the planning balance.</p> |