

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD****SUMMARY**

The application represents a very large scale mixed use development, which is located within the Temple Quarter Enterprise Zone. For the purposes of the application the site, which runs for around 650 metres along the northern bank of the Feeder Canal, has been divided into 6 plots. The development would deliver a new secondary school, over 300 residential units, including affordable housing, office and academic space and new student accommodation.

The application site is extremely complex, containing as it does a number of listed structures, high levels of contamination associated with its industrial history, areas of medium and high risk of flooding, as well as being very constrained by a road network which is characterised by narrow road with limited, or in some cases no, pedestrian provision. As a result, any large scale development of this site will be transformative of both the character and the infrastructure of the area, and is likely to have a number of impacts on neighbouring sites and properties.

Given that the site is allocated for development, by virtue of being within the Enterprise Zone, officers are generally supportive of the development. It is also noted that there is significant levels of support for the development, particularly in relation to the delivery of the school, and officers are aware of the need for additional secondary school places. However, there are a number of concerns with the development of the site, which need to be balanced against the benefit that the proposal will bring. These include the removal of heritage assets which will result in a degree of harm to the heritage value of the area, and the scale and appearance of some elements of the scheme. In addition the risk of flooding is considered to be significant.

It should also be noted that there is considerable concern from the public consultation regarding the potential impact on the neighbouring Motion nightclub. For clarity, the proposal would not directly require the removal of the nightclub, but adequate noise mitigation will be required in order to ensure the development accords with the 'Agent of Change' principles as set out in the NPPF, and thus allows Motion to continue to operate as it currently does.

It is noted that the development of the site has been subject to lengthy negotiation, and this has resulted in a number of significant changes to the scheme. Most significantly this has involved the provision of a canal-side walkway along the frontage of plots 1 to 5, the reinstatement of the former warehouse on plot 4, and significant improvements to the appearance of the scheme on plots 2 and 3. Notwithstanding this, however, there are still objections to the proposals, largely on heritage grounds, from both the national amenity societies and local interest groups.

As such, in coming to a decision on the application, Members will need to balance the benefits of the development against the undoubted harm that would result from the proposal. In this respect, it is clear that the new school will be a clear community benefit, and the reinstatement of the warehouse on plot 4 will be a clear heritage benefit. In addition, whilst the development of plots 2 and 3 will result in loss of heritage assets, they are considered to represent good design, and along with plot 1 have the potential to deliver a high quality place, with uses that would meet the policy aims for this area.

SITE DESCRIPTION

This application relates to a significant area of land located within the Temple Quarter Enterprise Zone. The site is approximately 4.2 hectares in size, and is located to the east of Temple Meads Station. The site is broadly linear in form, forming the northern side of the Feeder Canal, between Avon Street to the west and St. Philips Causeway/the railway line to the east. The northern boundary of the site is formed by Silverthorne Lane, with the exception of the St. Vincent's office (at the junction of Silverthorne Lane and Gas Lane/Kingsland Road), which is excluded from the site.

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

The site has been in industrial use since the early 19th century, originally used in part as the Acraman Ironworks. The uses on the site have evolved since the second world war, such that more recently the site has been used for a mixture of industrial and storage uses. Travelling from west to east across the site this includes: commercial vehicle hire, general storage warehouse uses, including the site of the former Aardman animation store, a Timber yard and a yard used for scaffolding. The site is bisected by a public right of way towards its eastern end, which provides access from Silverthorne Lane to Feeder Road, via a pedestrian footbridge over the Feeder Canal. It is also noted that the eastern end of the site is crossed by a high voltage electricity cable.

The application site also contains a number of heritage assets, including listed buildings, curtilage listed buildings and other non-designated heritage assets. The listed buildings include the grade II listed boiler shop, to the east of the site, and the remnants of the erecting shed (also grade II listed) which is located towards the centre of the site. In addition, the gateway and parts of the boundary wall serving the St. Vincent's Works (fronting the western part of Silverthorne Lane) is also grade II listed. A number of structures are also curtilage listed, including the buildings within the curtilage of the remnants of the erecting sheds.

The wider area is industrial and commercial in character, including a number of vehicle repair and sales uses. It should be noted that as well as the larger uses, such as the Vauxhall dealership to the north of the site, the Arches fronting Silverthorne Lane also includes some smaller, vehicle repair businesses. To the north of the eastern part of the site is an area which is Network Rail land, and is currently in use for a number of storage uses, including bus parking. Also of note in the area is the site of the Motion nightclub and venue, which is located to the west of the application site. This is located in the grade II listed marble factory. The St. Vincent's offices on Silverthorne Lane, which are located on the boundary of the application site, are also grade II* listed.

It is noted that the site is largely located in flood zone 2 (medium risk of flooding) although with areas at high risk (flood zone 3) on the Maps maintained by the Environment Agency. However, additional flood modelling has been undertaken recently in the area which suggests that the flood impact in the area would be greater than is indicated in current flood risk categorisation. Parts of the site are also within the Bristol Air Quality Management Area. This largely impacts on the eastern third of the site, and a smaller area at the western extreme of the site. It is also noted that the gas holder site immediately to the north currently benefits from hazardous substance consent, to allow the storage of hazardous substance. As such, parts of the site are covered by the Control of Major Accident Hazards regulations.

For development purposes the site is divided up into 6 plots, labelled as plot 1 in the west to plot 6 in the east (see plan for details). The development plots have largely separate proposals for each plot (albeit there is a high degree of connectedness between plots 2, 3 and 4). For the purposes of this report the same labelling will be used to define the separate parts of the site, where relevant.

RELEVANT HISTORY

It is noted that there have been a number of planning permissions historically that relate to the employment use of the site. However, these do not directly relate to the current application. The only application that relates to the current proposals is as follows:

Plot 5: 18/00349/N - Prior Notification of proposed demolition of Unit 7 (previously in warehouse use) - Prior Approval Given 19/02/2018.

There have, however, been a number of pre-application submissions that relate to the current proposals - the relevant ones are as follows:

Development Control Committee A – 5 August 2020

**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

PLOT 5 (eastern part)

15/01144/PREAPP: Erection of 262 apartments and conversion of Grade II Listed warehouse to provide 1,000 sqm B1 floorspace and 1,000 sqm A1 floorspace together with associated landscaping and access works.

16/01142/PREAPP: Mixed-use scheme consisting of three new-build blocks (two residential each with 41 apartments and one 237-bed hotel) and the conversion of the listed building into a health & fitness gym and spa linked to the hotel.

16/05608/PREAPP: The proposed development is a for a mixed use scheme consisting of the erection of a 207 bed hotel including the conversion of the existing listed warehouse building to form a spa, health & fitness gym and conferencing facility, the erection of 91 apartments and 1,293 (GIA) office space together with associated vehicular parking and landscaping and public realm works.

17/04255/PREAPP: Mixed Use scheme comprising office, residential and leisure uses, conversion of the Listed warehouse together with associated landscaping and public realm works.

PLOTS 5 (western part)

15/02702/PREAPP: Demolition of the existing building and the erection of a four storey office building.

FULL SITE

18/01371/PREAPP: Residential led mixed use regeneration comprising a 1,800 place secondary school, residential (open market, PRS and affordable) purpose built student accommodation employment use, retail use together with listed building restoration, public realm improvements.

18/05434/PREAPP: Residential-led mixed use development, comprising: a 1,600 place Secondary School, with associated sports facilities and outdoor space, residential development of PRS and affordable housing, purpose-built Student Accommodation, retail and employment use. (PPA)

The final application led to the submission of the current proposals, although with some variation to the location of uses across plots 1 to 4 (plots 5 and 6 remain a school and student accommodation, as shown in the pre-application).

APPLICATION

The form of the application is a hybrid application, with part of the proposal in outline and part fully detailed. As such, there is an overall Masterplan, which covers the whole site, but in practical terms the site is divided into four development areas, with each element being brought forward by a separate development team. As such, what is currently proposed for each plot is as follows:

PLOT 1

The proposals for plot 1 have been submitted in outline, with only access to be considered at this stage, along with the details included within the description of development.

It is proposed to demolish the existing buildings on the site and develop this part of the site as largely academic/research and development space (mix of B1(a/b) and D1), to be developed in association with Bristol University. It would provide up to 23,543 sqm of floorspace in a building of up to 8 stories. In addition, it is proposed to provide a maximum of 350 sqm of Café/Restaurant space at ground floor level.

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

The vehicle access to the site (fully detailed) would be provided from Silverthorne Lane. This would provide access to a servicing area, and to a basement area which would provide approximately 12 parking spaces, as well as cycle parking and shower facilities.

Indicative plans have been provided with the application which shows the maximum parameters for the building. It also indicated the provision of a pedestrian access from Avon Street, which would provide access to a walkway along the northern bank of the Avon.

PLOT 2/3

Fully detailed plans have been submitted for plots 2 and 3, which is proposed to be developed as a residential led element of the proposal. This would involve the demolition of most of the curtilage listed structures on the site, although it is intended to retain the canal wall in large part, as well as parts of the listed wall along Silverthorne Lane. It is proposed to provide a total of 371 flats (as shown in the revised proposal), which includes 17 studio units, 219 one bed flats, 131 two bed flats, and 4 three bedroom units. This includes 298 privately rented flats and 73 affordable units (approximately 20%). Also included in the proposal are ground floor office (979 sqm) and café/restaurant (856 sqm) floorspace, and lower ground floor parking and cycling.

The proposed privately rented units would be provided in four blocks which would sit on top of a podium, and essentially run perpendicular to the Feeder Canal, with blocks running north to south, of between 7 and 10 stories. The proposed affordable units would be provided in an additional block, to the east of plot 3. This would be provided in an irregularly shaped building, with the flats arranged around an internal atrium, with the flats being accessed from the atrium. This building would also be 7 stories, with a roof form to reflect the historic warehouse use in the area.

The access to this part of the site would be from Silverthorne Lane to the north, with a separate pedestrian and vehicle access proposed. This would provide for access to an area of public realm, which also provides the western access to plot 5. The public realm continues up above the plinth level, which provides access to the waterfront, with a waterfront walkway providing a pedestrian route on the southern side of the site. As part of the public realm it is proposed to provide a structure which mirrors the historic sheds on the site to the area between plots 3 and 4, with current proposals imitating the roof form of the former warehouse.

PLOT 4

The proposals for plot 4 essentially involve the reconstruction of the Grade II listed erecting sheds. These buildings would be used as office (B1(a)) floorspace. For the western part of the site it is proposed to re-roof the building, and to provide two internal floors (providing three floors of accommodation).

The eastern part of the building requires greater intervention given that the level of dereliction of the building is greater. As such, the approach to this part of the building is to construct a new building, building up from the extant walls, with the form and appearance largely mirroring that of the western building. The proposed buildings would be separated by a pedestrian route, but with linking bridges at ground and first floor levels.

PLOT 5

The proposals for Plot 5 also provide fully detailed plans for a new secondary school. The proposed school would provide for eight form entry, plus sixth form, which would result in around 1,600 pupils being accommodated on the site.

This part of the site is currently occupied by the grade II listed boiler shop. This would be refurbished

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

and used as the school's sports accommodation. In addition it is proposed to retain parts of the boundary wall (which are formed from elements of the historic hammer forge, which is the earliest structure on the site), and other parts of the hammer forge and the canal wall are proposed to be rebuilt.

In addition to this it is proposed to construct a new build school on the western part of the site. This would be broadly 'C' shaped, and provide accommodation over four storeys. It is proposed to construct the building in brick, with three types of brick proposed, and metal cladding around the windows. The building would essentially front on to the car park at the western end of the site, although it is envisaged that most of the pupils would enter the site through one of the northern entrances.

With respect to external space, it is proposed to provide a car park providing 34 spaces to the west of the building, with a further car park providing 25 spaces at the eastern end of the site. The eastern end of the site also provides for an entry and exit, which would allow coaches to turn on the site. It is also proposed to provide 360 covered cycle parking spaces on site. The grounds would also provide space for three MUGA games courts, as well as the continuation of the riverside walkway along the southern part of the site.

PLOT 6

It is proposed to provide purpose built student accommodation on the eastern part of the site. The submission currently shows plot 6 as a fully detailed proposal, providing 693 study bedrooms. These would be accommodated in two buildings on the eastern and western parts of the site (which are separated by the high voltage electricity line that runs through the centre of the site). The eastern building (building A) would be up to 17 stories, with building B being a maximum of 11 stories.

Access to this part of the site would be from Silverthorne Lane, which allows access into the centre of the site, for servicing and would also be available for fire appliances. However, it is only intended to provide four parking spaces on site. In addition, provision would be made for around 290 cycle parking spaces, largely within a dedicated storage area to the south east of the site. This would be located adjacent to an area of canal-side amenity space, for use of the residents of the development. The plans also provide for ground floor amenity for the residents in both blocks A and B, as well as a roof level amenity, including roof garden, for building A.

Amendments to the Plans

It is noted that a number of amendments have been made to the plans during the course of the application. The most substantial changes were as follows:

- o The extension of the riverside walkway along the whole frontage from plots 1 to 5. In addition, further clarity has been provided as to the design and appearance of the walkway – this includes indicative plans which show how the walkway could be raised above the design flood level to allow for safe access in the event of a flood.
- o The reinstatement of shed 1B to its original footprint (plot 4). The original proposals included open car parking to the eastern end of shed 1B.
- o The reinstatement of the skeletal form of shed 2 (between plot 4 and the affordable housing block on plot 3), and additional clarity provided regarding the public realm in this area.
- o Alterations to the boundary wall along the northern edge of plots 2 to 4, to retain more of the historic fabric.
- o Change to the residential blocks to ensure that all of the proposed flats meet national space standards, and alterations to the external appearance to better break up the visual appearance of the blocks.
- o Alterations to the design of block 6, include the reduction in scale of some of the elements,

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

and the provision of additional public realm along the west of the site. This has resulted in a reduction in the number of units from 764 to 693 study bedrooms.

- o The reduction in levels of the external spaces within plot 5, in order to provide additional flood water storage.

PRE APPLICATION COMMUNITY INVOLVEMENT**i) PROCESS**

The application was accompanied by a report of Community Involvement, which outlines the measures taken to engage with local communities prior to the submission of the application. The following measures were identified:

- o Direct consultation of the Bristol Civic Society, Totterdown Residents Environmental and Social Action (TRESA), Old Market Community Association and the Dings Community Association.
- o Direct consultation of local stakeholders, including relevant politicians, Business West, Bristol Buildings preservation Trust, Bristol Cycling Campaign, Neighbouring businesses, Local Primary Schools, Bristol Media.
- o It is reported that specific briefing meetings were held with Cllr Paul Smith, Cllr Anna Keen, The Dings Community Association, Business located in the railway arches on Silverthorne Lane, Motion Nightclub, Bristol Cycling Campaign.
- o A project website was launched in January 2019. This invited feedback on the submitted documents.
- o A public exhibition held on 8th and 9th May 2019. This was widely advertised, which included a leaflet drop to 190 local addresses. Attendees were invited to complete a feedback form.

It is reported that 182 feedback responses were submitted by those attending the events. The key themes to be identified in the responses are as follows:

- o General support for the development and the investment that would be provided.
- o Significant support for the development of the new school, which identifies the need for a new school to be delivered as soon as possible. However, some concerns raised regarding the routes to the school, the design of the school and the lack of green space.
- o Concerns raised about the connectivity of the area. Particular issues and requests include the improvement of the existing pedestrian and cycle networks, including additional lighting, better connection required across the canal, including improvements to the existing footbridge, the provision of uninterrupted pedestrian corridors, especially along the river, and concerns about the adequacy of Temple Meads as a transport hub and potential vehicle congestion in the event that works to reduce the dependency on private cars is unsuccessful.
- o Support for housing on site, and recognition of the need for affordable housing. It is reported that a small number of respondents raised concerns about the density of the proposal, the high rise nature of the development, preference for flats over housing, the design of the proposals and the measures proposed for fire prevention.
- o Comments regarding the proposed student flats were more mixed, although majority support was still reported. Concerns were raised about the concentration of student accommodation in this area and the perceived lack of positive contribution to the area, the fact that the student accommodation should be better linked with the new campus and that it should be better integrated with the rest of the proposal.
- o Broad support for the provision of public open space as part of the development, although several respondents expressed disappointment that more of the canal-side was not being opened up to the public. Also concerns about a lack of green space at the site.
- o Mixed responses were reported in respect of the height of the proposed buildings.
- o Concerns raised about the close proximity of the site and the potential impact of placing noise sensitive uses next to the nightclub.
- o The retention and reuse of historic buildings is welcomed.
- o A request for coworking spaces.

Development Control Committee A – 5 August 2020

Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane Bristol BS2 0QD

- o A request that shared spaces are designed to make them amenable to blind and partially sighted.
- o A request that the development be designed to contribute to Bristol's ambition to be carbon neutral.
- o A request to remove the blue bridge linking to Temple Island.
- o A request for the provision of a convenience store.

ii) Fundamental Outcomes

As part of the statement the applicants have responded to the issues raised as follows:

- o Highway improvements as required as part of any permission will ensure that access routes meet highway safety requirements.
- o The bulk and massing of plot 6 are dictated by education needs, but the external appearance has evolved to break-up the mass, and to provide contextual hardwearing material (bricks).
- o No urban site exists that would allow the school to provide for significant levels of green space. The school is considering making provision off site.
- o The site has been designed to be permeable up the boundary of plot 5, and the masterplan allow for a further bridge across the Feeder to be provided in future.
- o Following pre-application comments the maximum height of the residential blocks has been reduced from 13 storeys to 10 storeys.
- o The decision to provide flats instead of houses has been taken on the basis that this site is not suitable for family accommodation, and the provision of houses would not allow for the provision of a high density development to meet the housing needs.
- o The proposal will be policy compliant in terms of affordable housing and amenity.
- o The student housing provider place emphasis on management plans, particularly in relation to the management of vehicles coming to the site.
- o The extension of the canal-side walkway across plot 5 has been considered and discounted (this has since been added in amendments to the proposal).
- o The proposal will massively increase the number of trees in the area, and provide further areas of soft landscaping.
- o The student accommodation has been designed to step down from the maximum height so that it addresses Silverthorne Lane and the neighbouring buildings.
- o The residential element of the proposal has been moved away from Plot 1 to reduce the potential impact on Motion nightclub.
- o The proposal includes retention and re-use of heritage buildings, as well as making those heritage assets more visible to the public.

RESPONSE TO PUBLICITY AND CONSULTATION

The application was advertised by the erection of site notices around the site, an advert in the local press, and by writing to 287 neighbouring properties. The application was re-advertised following the submission of amended plans in February 2020, and again in April 2020.

Overall, 1,907 representations were received in relation to this application.

Of these a total of 1,697 representations have been made **objecting** to the proposals on the basis that the proposal would lead to the closure of the nearby Motion nightclub. Specifically, it is argued that the nightclub is a culturally important venue of at least national importance, and brings large numbers of visitors to the city, which have a positive impact on the economy of the city. The Council should therefore apply 'agent of change' principles, and require the developers to enter into a Deed of Easement to ensure the long term retention of the nightclub.

Concerns have also been raised on the basis that the noise assessment that has been carried out assumes the development of Plot 1, which provides screening of the residential element of the

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane Bristol BS2 0QD**

development from Motion, but there is no guarantee that this will come forward at the same time. It is also noted that the operators of the nightclub have undertaken their own noise assessment, which has been forwarded to the Council's Pollution Control team.

It is also noted that there is an **online petition objecting** to the application because of the potential impact on the Motion nightclub. At the time of writing this had over 12,000 signatures.

However, it is noted that following negotiations with the Council and the developers a representation has been received from the Managing Director of Motion, confirming that subject to a number of conditions, including the commitment from the developer to enter into a Deed of Easement, he would be in support of the development.

Another large group of 166 representations were made specifically **supporting** the proposals for the new secondary school, on the following grounds.

- o A proposed secondary school to provide for this area was originally intended to open in September 2018. There is a predicted shortfall of hundreds of secondary places in East Central Bristol as a result of a population bulge. A failure to provide a new school will result in intense pressure on places meaning that a significant number of children will not get their first choice, children travelling long distances and existing schools becoming seriously overcrowded.

In addition, the school will provide for a much needed widening of choice, and form an essential bridge between the east Bristol communities and the new Enterprise Campus.

The provision of a school will also be supported by paragraph 94 of the NPPF, and the Policy Statement - Planning for Schools (2011).

In addition, further **support** to the original plans has been received from 8 individuals on the following grounds:

- o The school is supported, but provision must be made for appropriate access, which should include improved lighting on cycle routes;
- o The proposal will provide additional housing, student accommodation and employment opportunities in the area;
- o The proposal is supported, subject to the retention of the Victorian Folly gates.

With regards to the revised plans a further 13 additional **supporting** comments has been received, as follows:

- o The extension of the canal-side walkway is welcomed, although this should be continued across the student plot to join up with the River Avon Trail;
- o Support for the school, but concerns that there is no plan to ensure adequate transport connectivity and play space;
- o Support for the school, but no requirement for more student accommodation, offices or flats;
- o Support for the school, but concern over the scale of the school, which may not suit the educational need of all the potential pupils;
- o Evidence presented that during recent high tide events plot 5 was around 2.5 metres above the flood level. It is also argued that such high tide events are predictable, and therefore the impact on the school can be managed.

In addition to those listed above a total of 16 further **objections** were received regarding the original submission, raising the following issues:

Principal Land Use issues (see key issue A):

- o Object to the development of offices and student accommodation, as it puts making money ahead of children's welfare (Officer comment: It appears that this comment has been made on the basis that either the school or other development would be delivered - it appears to be supportive of

Development Control Committee A – 5 August 2020

**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

the school).

Impact on existing business (see key issue E):

- o No consideration has been given to existing business in the area. Specifically, the loss of on street parking will mean that existing business in the Silverthorne Lane arches will not be able to function;
- o Existing business in the area rely on this area for staff and visitor parking;
- o The businesses in the arches will need to relocate as a result of this development, and should be aided in this by either the developer or the City Council.

Highway issues (see key issue G):

- o Inadequate car parking is provided, which will result in residents parking on surrounding streets;
- o The proposal should provide a canal-side walkway all the way along the frontage of the site;
- o Silverthorne Lane is an important cycle/pedestrian link to the east of the city, and any development that impacts on this should be resisted.

A further 8 **objections** were received following the receipt of amended plans, raising the following additional concerns:

Principal Land Use Issues (see key issue A):

- o The location of a school is incompatible with the industrial character of the area, and will not create a safe environment for the pupils.

Impact on Heritage (see key issue C):

- o The proposal will diminish the industrial heritage of the area, leading to the loss of buildings of heritage and aesthetic value.

Impact on Character and Appearance of the Area (see key issue D):

- o The proposed architecture is generic and would not be characteristic of the context of the area.

Impact on Amenity (see key issue E):

- o The area is subject to considerable levels of contamination, and site construction may lead to the contamination impact on neighbouring properties;
- o The development will lead to considerable disruption which will be harmful to existing business in the area.

Environmental Issues (see key issue H and I):

- o The site is subject to flooding, and is unsuitable for residential development;
- o It would be more sustainable to reuse existing buildings rather than demolishing and rebuilding, given the embedded carbon in the existing buildings.

Other issues:

- o There is significantly uncertainty in the construction industry, and this scheme should not be permitted until there is more certainty that the development would be brought forward (Officer comment: Planning permission cannot be resisted on the basis that there is no certainty that the development would be constructed).

Ward Members

Councillor Asher Craig has also expressed support for the delivery of the school, on the same basis as given above.

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

In addition to this, further comments on the application have been received from the following groups:

Bristol Civic Society have responded to the revised submission as follows:

The Society acknowledges the substantial effort by the applicant to revise the scheme, and it welcomes and supports the revisions which significantly improve the development's place-shaping aspiration. However, we remain concerned that aspects of the scheme fail to respond as positively to the existing and emerging townscape context as they could.

Plot 1: A building of this scale at this highly visible corner site must have a high quality design. Consideration should also be given to the inclusion of a photo-voltaic array in the architecture to add interest to the skyline.

Plots 2 and 3: It is regretted that the design revisions have not accepted Historic England's response that a lack of linearity is a cause for concern. The Society also supports HE's view that the western elevation of shed 4 should be retained, to give a three dimensional quality to the retained elements. HE originally concluded that it was difficult to reconcile the proposals for the central part of the site with the contents of the Spatial Framework. The development of the massive 'finger blocks' cut across the linear grain of the site, which gives the impression that the retained canalside wall is conservation token.

Notwithstanding this principal concern, the Society supports the evolution of the façade design and the new structural connection to the retained canalside wall. The extension of the public path along the canalside is a major planning gain.

Plot 4: The Society supports the revised design of sheds 1a and 1b, and their setting is imaginative and attractive. Previous responses have drawn attention to the lack of a local convenience store, and this area would provide the opportunity for this to be provided.

Plot 5: The Society welcomes the revision to the north west corner to provide a glazed welcome area, and improved access to the Feeder Canal pedestrian bridge. However, we are disappointed at the monolithic design. It is suggested that the outline of the roof should be more broken to give it an appearance appropriate to its human purpose.

Plot 6: The Society's original comments on the application described the bulk and mass of the student accommodation as excessive, and the proposed revisions do not alter this criticism. It is unclear from the submission if views of the east gable wall would be preserved in the proposals.

The use of Silverthorne Lane for vehicles, students and children is not ideal, but should not hold up development. The redesign of the Gas Lane junction will become urgent with the redevelopment of the former gas works site. We are unclear how the tunnel under the railway will be improved to make the tunnel child friendly.

The need to retain as much of the original fabric of the wall outweighs the proposal to improve visibility into the site from Silverthorne Lane. Entering the site should create a visual surprise, with the internal area having a striking different character from the Silverthorne Lane. The Society would welcome the reconstruction of the damaged grand Silverthorne Lane entrances, including the loss of one pillar of the eastern entrance.

The pedestrian/cycling route through the site is probably the best that can be devised for this longitudinal site with different uses.

No consideration appears to have been given to access the site from Feeder Road. There should be sufficient development value in this site to:

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane Bristol BS2 0QD**

- o Support improvements to the bridge over the Feeder Canal, which is in poor condition and is not wide enough to allow pedestrians and cyclists to pass one another; and
- o Construct an additional foot/cycling bridge over the canal.

The Society would also support HE's suggestion that the development gives an opportunity to create new public space at the Silverthorne Lane/Avon Street junction, to respond the surviving buildings.

Up our Street (Community Group) support the development of plot 5 on the basis of the significant demand for the school.

On the basis of the revised proposals **Plan-EI** confirm that support elements of the proposals but object to others.

The extension of the canal-side walkway is supported. There is clear public support for opening up access to the canal, and the possibility of extending the river ferry service to serve this part of the canal. However, the walkway should be extended to the east to allow for the possibility of joining to the Avon River Trail in future. The trail currently terminates at Netham Park.

The group also support the location of the commercial/academic space next to Motion nightclub, as this is less likely to conflict with the nightclub use. This is an important contributor to the economy and should be supported.

However, the group object to the use of gas fuelled systems to heat the development. If there are technical reasons why the site cannot connect to the heat network than the developer should consider air-source or water-source heat pumps.

Barton Hill Settlement (community group) have commented that there is an obvious need for the provision of the school, although do have concerns over the following elements:

- o The width of Silverthorne Lane is insufficient for the various journey types that will need to use the roads;
- o Public access to the canal should be maintained at all times. The high density population will require access to green space/walking opportunities, which will be limited in the area;
- o It appears that the school will use Netham Park for sports provision. The Park should be maintained for community use at all times;

Old Market Community Association have commented on the following aspects of the proposal (based on the original set of plans):

- o Should the canal-side walkway extend for the full length of the site it would provide a valuable means of access to the canal. It would provide much needed permeability through the area, and increase options for the general public accessing parts of the site. It would also increase the options for active modes of transport;
- o Whilst the concerns about safeguarding from the school are noted it is considered that a well designed piece of public realm would not impact on the security of the school, and would help to integrate the school with the local community;
- o The amphitheatre between the residential blocks could be pulled northwards to help shield it from noise;
- o The public right of way serving the pedestrian bridge to the east of the site should have access to the student and school sites;
- o The provision of another pedestrian bridge across the Feeder would improve north south connectivity, and allow for more ferry docking points;
- o The nature of the area is changing rapidly and our desire is that the all developments should be designed to enhance the sense of place within what is an industrial landscape. Providing key elements such as good transport links, quality public realm and relishing existing assets such as the

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

access to the canal are vital to this area being a successful place of the future.

The **Dings Community Association** objected to the original submission on the following grounds:

- o Silverthorne Lane is not of sufficient width to accommodate the multiple traffic types that will need to use it. Provision for a safer alternative option of a canal-side walkway has not been considered as part of the proposal;
- o Access to the canal-side should be opened up to the wider public;
- o The Association support Motion nightclub in its request for more information regarding proposals to minimise the impact of noise on the proposed residents;
- o The proposals to open up the school to the wider community are welcomed, but it is considered that there should be play and community space also made available to local residents outside of the school.

BS5 Secondary Forum (community group) support the application on the basis of the need for the additional secondary school. In support of the school reference is made to the Government Policy Statement from 2011, which states the following:

- o There should be a presumption in favour of state funded schools;
- o Local Authorities should make full use of their planning powers and work collaboratively with promoters to deliver schools.

In addition, it is considered that policy BCS12 supports the delivery of a school on the site.

A representative of **South West Transport Network/Bristol Disabled Equalities Forum** has commented in support of the application in that it will deliver the regeneration of the area, deliver a new school, restoration of historic buildings, affordable housing and improved walking and cycling facilities. Further retail offer and affordable housing suitable for disabled people would be welcomed.

The development should provide for improvements to the 506 bus service and a ferry landing stop. In addition, it is important that any development of the site ensures the retention of the Motion nightclub.

OTHER COMMENTS

- External Consultees

Historic England has commented as follows:

Since sending that letter on the original proposals, we have held detailed discussions with the applicants and officers at your authority. Changes have been made to the proposals which will reduce the level of harm to the historic environment, but we remain concerned at the proposals to demolish sheds 3 and 4, and replace them with tall buildings of a design which runs counter to the linear grain of the site. We are also concerned at the effect of the proposed student accommodation blocks on the setting of the listed boiler shop.

All harm to heritage assets requires a clear and convincing justification (NPPF 194). Your authority will therefore need to be completely convinced that there is no other way the wider public benefits associated with the proposals can be delivered without the significant harm the proposals will cause to the historic environment, if you are minded to recommend approval of the proposals.

Significance & Impact

The significance of the site and its various heritage assets is well-documented in the accompanying heritage statement. In my previous letter I also highlighted the key areas of impact which caused us concern, which were as follows:

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

1. The amount of proposed demolition to the Silverthorne Lane boundary walls
2. The proposed demolition of sheds 2a and 2b
3. The proposed demolition of the western elevation to shed 4
4. The lack of contextuality in the landscaping proposals
5. The proposed demolition of the hammer forge walls
6. The adverse impact of the student housing on the setting of the boiler shop
7. The lack of linearity in the proposed new residential buildings

In response to the concerns outlined in the previous letter and those expressed by your own internal specialist conservation advisors, the erecting shop will be restored to its original footprint and proportion. We are happy to endorse this aspect of the proposals.

We are satisfied that the revised proposals address our concerns over the proposed scale of demolition to the listed boundary walls which front Silverthorne Lane (point 1 in the list above). The revised proposals envisage dismantling a short section of the wall to provide access into the site, but then erecting new curved flanks to the proposed vehicular access point which will preserve Silverthorne Lane's enclosed character. If you are minded to recommend approval of the proposals, we suggest a planning condition is applied to ensure the new flanks are built in reclaimed materials to match the existing.

In respect of the proposed demolition of sheds 2a and 2b (my point 2), it is now proposed to retain these structures in skeletal form, acting as an open colonnade linking the restored erecting shop with the new-build apartment blocks. Significant rebuilding of the frames will be required in order to ensure the newly-exposed metal and timberwork survives in an external environment and ties into the restored erecting shops and new build apartments alongside. Again, if you are minded to recommend approval we suggest a non-standard planning condition requiring details of the methodology for these alterations to be agreed prior to commencement of development.

We are satisfied with the applicant's reasoning that the retention of the western elevation of shed 4 is not desirable in urban design terms, and the danger that the retained canalside wall would appear a one-dimensional piece of façadism has been reduced through design improvements. Full details of the proposed colonnade linking the retaining wall to the new buildings should be the subject of a planning condition if you are minded to recommend approval. We are also satisfied that the landscaping proposals will now better respond to the post-industrial character of the site. Points 3 and 4 of the list above are therefore considered to have been addressed.

We remain concerned, however, at the proposed complete demolition of the Hammer Forge walls (my point 5). A structural assessment has been supplied, but in the opinion of our own internal conservation structural engineer this does not adequately answer the question of whether the current walls could be strengthened to resist additional lateral loads imposed by its becoming a freestanding structure. A suggestion is made in section 2.5 of the updated Arup report (dated 10 Feb 2020) that remedial works to the wall would be more costly and time-consuming than demolition and rebuild, but this is not demonstrated by a detailed proposal.

The early 19th century hammer forge walls currently form the base of a 20th century steel-framed shed. The east and west walls of the forge are the most important elements, containing arched openings - now infilled with brick - which once housed steam hammers. The 20th century shed is of no architectural or historic consequence, but the hammer forge walls are the only surviving element of the first phase of the site's development and an important piece of industrial archaeology. We recognise that the existing Western wall of the hammer forge is in direct conflict with the proposed footprint of the new school. However, the eastern wall, which it is currently proposed to rebuild, would simply screen a proposed refuse area. We think this wall can, and should, be retained and conserved as part of the proposals and not demolished and rebuilt.

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

The proximity of the proposed student housing on the eastern part of the site to the boiler shop (our point 6) remains a concern. The Northernmost part of the student halls, part 7 and part 5 storeys, will screen the western elevation of the boiler shop in key views from the railway. The ornamental neo-Norman styled gable of the boiler shop was designed to be viewed from the railway, and is a physical manifestation of Victorian pride in the development of new industry. It could fulfil a new role, signposting the Silverthorne Lane area from the main-line railway as a new quarter for the city which is proud of and respects its industrial heritage. We suggest revisions are required to the footprint of the proposed student housing to better reveal the boiler shop in views from the railway, as per the original design intention.

Our final point of concern, and one of the most significant, relates to the design of the proposed residential accommodation on plots 2-4. These proposed buildings will replace the existing curtilage-listed linear brick-and-steel-frame sheds, which make a significant contribution to the significance of the various designated heritage assets in this area. Their low-slung, linear, appearance aligned alongside the Feeder Canal provides the site with a distinct historic grain.

The proposed replacement buildings are orientated North - South, which runs counter to the East - West grain of the site established by the existing linear sheds. While efforts have been made to preserve the linearity of the site through retention of the canalside walls, repurposing the structure of sheds 2a & 2b, and modest improvements to the design of the buildings, the aesthetic of the proposed new residential buildings will have a serious adverse impact on the historic environment.

Policy context

While we acknowledge the improvements that have been made to these proposals since the application was first submitted, we remain of the view that the demolition of the linear sheds and their replacement with buildings which cut across the established historic grain of the site will cause a high level of harm, at the upper levels of the wide spectrum of impacts bracketed under the planning term 'less than substantial'.

The NPPF is quite clear, however, that all harm requires a clear and convincing justification and that the more important the asset the greater the weight that should be given to its conservation. Here we are dealing with the conservation of a grade II* listed building, a highly-graded heritage asset.

The wider public benefits offered by the proposals are not for Historic England to comment upon; our expertise is in heritage matters. Therefore in line with NPPF policy, your authority will need to very carefully consider whether the justification for the high level of harm is clear and convincing - or in other words, is there a means by which the same level of public benefits could be realised but the harm reduced?

With regards to the residential development on plots 2-4, in heritage terms it would be advantageous for the blocks to be designed in a lower, linear form, but such a form may have wider planning disadvantages in terms of the amenity of future occupiers. Your authority must be absolutely convinced that there is no other way of delivering a similar scheme with reduced heritage impact.

In the context of national and local policy, our advice is that further amendments should be sought in respect of the design of the student accommodation and the new-build housing on plots 2-4. However, if your authority arrives at the view that there is no way that the wider public benefits associated with the proposals can be delivered without reducing the harm we have identified to the historic environment, and that those benefits outweigh the harm, we recommend imposition of a number of planning conditions along the lines of the following suggested wording:

1. Notwithstanding the information shown in the accompanying plans, full details of the proposed demolitions to the Silverthorne Lane boundary walls including a strategy for salvaging existing

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

material shall be submitted and approved.

2. Notwithstanding the information shown in the accompanying plans, full details of the proposed dismantling and subsequent re-erection of sheds 2a and 2b shall be submitted and approved.

3. Notwithstanding the information shown in the accompanying plans, full details of the proposed colonnade to the rear of the retained canalside walls shall be submitted and approved.

4. Notwithstanding the information shown in the accompanying plans, a methodology for retaining and restoring the eastern wall of the former hammer forge shall be submitted and approved.

In determining these applications you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

The **Conservation Advisory Panel** has commented as follows:

The Panel is appalled at the extremely poor quality of this application. This is the last major undeveloped historic industrial site in the city and retains significant heritage value. It must be protected. The Panel endorses Historic England's position on this application. It is extremely disappointing to note that despite two rounds of pre-application consultation the quality of the application proposal remains extremely poor, with the proposed extensive demolition of heritage assets and downgrading of those that would be retained. The proposal would result in substantial harm to the range of heritage assets contained within the site.

Whilst it is noted that part of the application seeks to provide a new school for this part of the city the public benefits that this would generate does not outweigh the substantial harm that this proposal would cause to the site's designated and non-designated heritage assets. The existing buildings and structures within and adjacent to the application site are the starting point for any future development proposals. Consequently this proposal is considered to be contrary to all Local Plan Heritage and Design policies and the relevant paragraphs of Section 16 of the NPPF; it cannot be supported in any respect.

It is noted that following the submission of revised plans the panel reiterated these comments.

The **Victorian Society** has objected to the proposal on the following grounds:

The Silverthorne Site is an intrinsic part of Bristol's heritage. The Acraman's Bristol Iron Works was established on the site in 1828 and continued operating until 1842. After an interim period in which various other companies occupied the site, John Lysaght purchased four acres and established his only iron works. The primary significance of the site is therefore the role it plays in Bristol's Industrial past, as well as the survival of a considerable number of buildings which represent the site and evolving industrial techniques from the end of the 1820s and over the next century. Without many of these buildings, the legibility of the site as an important industrial space which expanded at various rates throughout this period would be lost.

Historically, a large proportion of the site was under single ownership. Whilst the Society do not object to the principle of dividing the site into separate plots, a link between these plots needs to be maintained in order to achieve the cohesiveness which allows the history of the area to remain legible. Several of the developments put forward fail to respond to the context, the history of the site, or indeed each other. Furthermore the Society also suggest that a reassessment of the various uses on each plot needs to be undertaken.

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

Plot 1:

Whilst information about the detailed design of the building is not available, the construction of a building of such height and bulk risks dominating the area and so adversely affecting the grade I listed Temple Meads complex. It would moreover appear incongruous with its surroundings, making no effort to respond to the traditionally low-rise industrial area.

Plots 2 and 3:

Sheds 2, 3 and 4 are crucial for understanding how the site developed under Lysaght. The earlier Erecting sheds are unusually detailed in order to appeal to travellers on the Great Western Railway, whereas the later sheds are more utilitarian in design. This does not mean that these sheds are of any less significance, and are central to understanding the development of the site. They also share an important link with the Grade II* listed St. Vincent's works to the north. Furthermore, the interior of the buildings retain original features, which continue to demonstrate this former function and growth.

The demolition of these sheds would therefore not only result in the loss of buildings representing Bristol's industrial growth, but it would also have a detrimental impact on the site by removing the evidence of a key stage of its development. The proposed buildings that replace them furthermore fail to respond to the site, and would overshadow both the grade II listed Erecting sheds and the St. Vincent's works.

Plot 4:

We welcome the retention of the erecting sheds and given the damage it has suffered have no objections to the conversion of the building to offices. Furthermore the Society support the design of the new structure.

Plot 5:

The proposed works to convert the Boiler shop requires further enhancement. We have no objection to the interior interventions but more sensitive materials should be used for the new windows and roof.

Plot 6:

We have no objection to the demolition of existing structures on Plot 6, but are concerned by the scale of the proposed buildings, which will appear incongruous in the context of the surrounding area.

The culmination of these factors would lead to the almost total loss of significance of the site, and yet clear and convincing justification has not been provided. Furthermore, we feel that the local character has not been respected. Therefore, we urge the Council to refuse this application.

In response to the receipt of amended plans the Society have confirmed that the revisions have not overcome these objections.

The **Council for British Archaeology** have commented on the application as follows:

The significance of the site is very well articulated in the Cotswold Archaeology Heritage Statement (this is also outlined in the comments from the Victorian Society referred to above).

The Council are not against the development of the site, but despite the detailed heritage assessment, the proposal does little to respect the site's heritage significance. An improved scheme of more modest scale may be more successful. We would also expect the archaeological potential of the site to be better articulated and the public benefits of recording and advancing the understanding

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

made more of in any resubmission.

The Council strongly object to the level of demolition proposed and the impact on the setting of designated and non-designated heritage assets of the proposed developments. It is considered that the proposal would result in substantial harm, and would be contrary to section 16 of the NPPF.

The **Association of Industrial Archaeology** have commented as follows:

The proposal will include some demolition of curtilage buildings and the new development will have an impact on the setting of listed industrial buildings. The site is a whole and therefore unlisted structures are of importance. The Association supports the comments of the Council for British Archaeology and the Victorian Society and object to this application. It would be of benefit to the whole area if it were created a conservation area.

Design West has commented as follows:-

In designing the proposal particular reference has been made to the Temple Quay Spatial Framework, as well as the recent planning permissions for the University Enterprise Campus. Whilst it is suggested that the University development is a precedent for radical departures from the Spatial Framework, the nature of the two locations are significantly differently.

The panel is generally supportive of the uses, however there are issues with the amount and disposition of the uses, and there is some doubt over the appropriateness of student accommodation on the site. The proposed school site is not ideal in location or size, the student housing has a rather remote location, and the panel are not convinced that the Masterplan rises to the challenge of creating a new, successful and healthy place.

Plot 1 is set to accommodate a building of significant envelope. Whilst a well designed solution is achievable, there is a concern that the scale should not subjugate neighbouring plots, given the prominent position on Avon Street, and the relationship with the listed Motion nightclub. There is a concern that the generous parameters may prove embarrassingly large.

The residential proposals on plot 2 and 3 will be very high density, but the manner in which it addresses the orientation and the Feeder canal suggest the basis of a successful solution. The panel support the emerging design. However, there will be a need to ensure that adequate public and private green space, and children's play space are provided as part of the development. Also the heavy steel frame supporting the canal side wall appears rather overbearing.

The panel supported the redesign of plot 4, which has the making of a fine re-use and contemporary interpretation of the Erecting Sheds. The panel had some concern regarding the courtyard area in between plots 2, 3 and 4. The nature of the proposed landscape and how it connects with the wider green space and networks requires further resolution.

Accommodating a very large school on plot 5 has resulted in a number of compromises, and the potential flooding of this area remains a challenge. The public external areas remain very constrained and there is a complete lack of playing fields. The required security is not sympathetic with the heritage of the site, and the relationship between the main entrance and the access through sheds 2a and 2b is visually poor.

A footpath linking the proposed walkway as part of plots 1-3 has now been extended to join with the footbridge over the Feeder Canal. The width is, however, rather restricted and there are several changes in levels via stairs.

The large student development on plot 6 will not, in the panel's view, enhance the site, create a good

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

living environment or be a popular location for students. This development lacks integration, and has negative features including ground floor student rooms, rooms with poor orientation, a number of corridors without daylight and a lack of social spaces on the upper floors. The high, monolithic façade facing the school will be overbearing, and the scheme does not compare well with the aims of the Urban Living SPD.

The **Environment Agency** has commented as follows:-

Please note that these comments predate the latest revisions to the proposal. The EA have been consulted and are due to provide updated comments before the committee date.

The EA object to the application and recommend that the application is refused for the following reasons:

The application lies within Flood Zone 3a, and is defined by the Planning Practice Guidance as having a high probability of flooding. Development classified as 'more vulnerable' is only appropriate in these areas if the sequential test and the exception test are passed. In this instance the submitted FRA fails to demonstrate that the development can be made safe for its lifetime, taking account of the impacts of climate change, without increase flood risk elsewhere.

General site levels have been identified as being between 8m AOD to 11m AOD. As such, in a 1 in 200 year tidal event the site could be flooded to a significant and potentially hazardous depth. The modelled outputs indicate a depth of 1.84m in 2080 and 2.5m in 2120. Such depths are considered to be a 'Danger for All', and as such ground raising should be considered in order to make the development safe.

The submitted FRA fails to demonstrate that flood risk will not be increased in the surrounding area as a result of the proposed development. No assessment has been provided demonstrating that the proposed development and mitigation proposed will not obstruct flood flows or direct flood water elsewhere.

In accordance with the Planning Practice Guidance, the highest flood risk classification should be applied to a building that has multiple uses with differing vulnerability classifications. Given residential entrances are at existing ground levels, the application has not followed this guidance.

In respect of Plot 5, the passive protection needs to be provided up to a level of 10.14m AOD, which is the 1 in 200 year climate change level in 2080, plus 300mm of freeboard. A key consideration is also at what time the school will become operational, and a robust assessment must show the 60 year lifetime of the school from the date the school is opened.

With regards to Plot 4, the 1 in 200 year plus 60 years of climate change level, plus freeboard, has not been applied.

It is advised that floodplain compensation must be provided on a level for level and volume for volume basis. This must be located on the edge of the floodplain, yet connected to the floodplain, to enable connectivity of floodwaters. Details surrounding the compensation proposals, including cross sections through the proposed mitigation areas have not been provided for review.

Clarity is sought regarding the new piled solution for the remedial timber wall to the Feeder Canal, as the dimensions are not included on the section.

As such, the application as submitted, is contrary to paragraphs 160 and 163 of the NPPF, and the relevant Local Plan policies.

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

The EA have previously objected to the development on the basis that safe 24/7 operational access from the development to the Feeder Canal, which is required in the interest of flood risk management, is not available. This objection has not been addressed.

The PPG associated with the NPPF state that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood, and to evacuate before an extreme flood needs to be considered. One of the key considerations is whether adequate flood warnings would be available.

The impacts of developments of this nature, in this high risk flood area, have the potential to significantly increase the scale of any rescue effort by the emergency services. Due to the extent and potential depth of flooding in this area, any additional rescue effort during a major flood event could place unrealistic demands on the emergency services. There could also be significant disruption to the wider community, if the school were to be impacted by a flood event. The FRA demonstrates that many of the plots will not have dry access during the 1 in 100 year climate change in 2120, with modelled flood depths of up to 2.5 metres in a tidal event.

As such the EA consider that there will be a danger for all people (e.g. there will be a danger of loss of life for the general public and the emergency services) in a flood event.

Avon Fire & Rescue Service has commented as follows:-

These developments will contribute to a significant increase in demand for Avon Fire & Rescue Service. As the population increases, so does the demand. This has an added impact upon the current resources, therefore stretching our assets to meet this demand.

The additional residential and commercial developments will require additional hydrants to be installed and appropriately-sized water mains to be provided for fire-fighting purposes. The additional infrastructure is required as a direct result of the development and so the costs will need to be borne by developers.

Avon Fire & Rescue has calculated the cost of installation and 5 year maintenance of a Fire Hydrant to be £1,500 per hydrant.

Plans indicate that 6 hydrants will be required.

The Coal Authority has commented as follows:-

Given that the site is considered at low risk, there is no objection on grounds of coal mining legacy.

Crime Reduction Unit has commented as follows:-

Plot 1.

There appears to be undercroft parking, careful consideration should be given to how access is controlled both into the parking facility and then into the building core. The use of compartmentalisation should be used throughout the building.

Plots 2 and 3

Again there appears to be a large undercroft and should be treated as above. The applicant has mentioned the Homes Quality Mark (HQM) for the residential element. Should the applicant achieve Secured by Design Homes 2019 (which we can assist with from the outset) this will satisfy the security element of HQM.

Development Control Committee A – 5 August 2020

**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

Plot 4

By achieving Secured by Design 'Commercial 2015' would demonstrate that crime and disorder has been addressed.

Plot 5.

We would recommend that the applicant achieves Secured by Design 'New Schools' 2014. This will satisfy the security element of BREEAM 'excellent' rating.

Plot 6.

Home Office research shows that "Students are, statistically, one of the most likely groups to fall victim to crime. Students own more expensive consumer goods per head than the rest of the population. It is no surprise then that 1 in 3 students becomes the victim of a crime each year. Added to that fact, young people (aged 16 to 24 year old) are around three times more likely to be victims of burglary than people in other age groups, which makes students all the more vulnerable."

General.

The site has numerous footpaths; too much permeability of a development makes controlling crime very difficult, as it allows easy intrusion around the development by potential offenders. All planned routes should be needed, well used by generating adequate footfall at all times, well overlooked and well integrated.

Cycle parking should be to the Bristol city council Guide to Cycle Parking Provision (July 2005).

Natural England has commented as follows:-

Please refer to standing advice.

Highways England has commented as follows:-

No Objection.

Sport England has commented as follows:-

The site is not considered to form part of, or constitute a playing field as defined The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595), therefore Sport England has considered this a non-statutory consultation.

CIL

It is understood that Bristol City Council is a Community Infrastructure Levy (CIL) charging authority and as such the proposed development is required to provide CIL contribution in accordance with the Council's adopted CIL Charging Schedule.

Sport England would encourage the Council to consider the sporting needs arising from the development as well as the needs identified in its Infrastructure Delivery Plan (or similar) and direct those monies to deliver new and improved facilities for sport.

There are limited details on the school's sports facilities. As a result in order to ensure that they are fit for purpose we would require conditions to ensure that the sports hall and the Multi-Use Games Area are built to a suitable standard.

Development Control Committee A – 5 August 2020

**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

We would also urge the city council to consider a community use agreement to be attached to the planning permission.

Sport England raises no objections to the granting of planning permission/outline planning permission subject to conditions requiring the Sports Hall to meet Sport England's technical design standards.

Network Rail has commented as follows:-

Network Rail has no objection in principle to the proposal, but due to it being next to Network Rail land, Network Rail assets should be protected through the development proposal.

Any works on this land should be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise, and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3 months' notice before works start.

- Internal Consultees

City Design Group has commented as follows:-

The Council's design and conservation officers objected to the original submission on the basis that the proposal would result in substantial unjustified harm to the heritage assets, and the design and appearance of the scheme, as well as the scale and massing, would be contrary to the character of the area.

Following the submission of revised proposals it is recognised the elements of the proposal have been significantly improved. However, there are still concerns about elements of the scheme, and it is not considered that the scheme as a whole has been fully resolved.

Full details of the comments are contained in key issues C and D.

Highways Development Management has commented as follows:-

No objection to the proposal subject to a package of highway works, planning obligations and conditions. Full details are provided in key issue G.

Flood Risk Manager has commented as follows:-

The drainage proposals are acceptable but the detailed designs will be required which must include the simulating of critical rainfall events through the proposed drainage systems. This is to ensure there is no flooding encountered for different storm conditions, in line with SuDS guidance, while also combined with high tides and tide locked outfalls. Discharging directly to the Floating Harbour is a suitable drainage mechanism and preferable according to the SuDS hierarchy.

Plot 1 will need to determine the proposed drainage method for this part of the development site.

Applying the following planning condition is recommended in order to confirm the above requirements are adhered to:

No development shall take place until a Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted and approved in writing by the Local Planning Authority.

The flood risk posed to the site will need assessing by the Environment Agency due to their main river responsibilities. However, the need for acceptable access and egress to be provided to a

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

development in a flood event does fall on the Local Planning Authority, and in this respect the Flood Risk Manager has supported the concerns referred to in the Environment Agency's comments. Specific concerns have been raised as follows:

- The FRA has a strong reliance on flood forecasting and warning and therefore evacuation of residents, proactive closure of schools or other non-residential uses. Such a heavy reliance on forecasting is flawed, particularly during the tidal flood scenario. Whilst high spring tides are well forecasted, the surge element (which is generally the cause tidal flooding) is reliant on a number of weather factors, not least wind direction. Our experience of monitoring tidal forecasts and events indicates that changes in wind direction can result in substantially different recorded tidal flood levels.

We have considered the mitigations proposed in the FRA (such as safe refuge), in terms of evacuation but have concerns that proposed car parking for Plots 2 and 3 are at a very low level (7.6mAOD) when compared to design flood levels (10.5mAOD). It is conceivable that on issue of a flood warning, residents try to minimise damage to their property by driving cars away from the site. As explained below, it is very likely that significant road closures would be in place across the city in advance of a design flood event and across the two or three tide cycles, with disruption to travel prevalent. Therefore, considering the constrained access to the site, there could be an undue burden on emergency services or even a risk to life if cars are unable to achieve voluntary access when the onset of flooding commenced (which could be different to that forecast, as explained above).

- The FRA relies on modelled data to predict the duration of flooding, which the FRA states would be in the region of 3-5 hours, depending on the tide cycle and event. Our experience of recent tidal flooding events suggest that the actual duration of flooding would be much longer. For example, flooding in 2014 and 2020 (both low magnitude present day events) resulted in flooding that remained in situ for up to approximately 4 hours (The Portway) and over 2 hours (Cattle Market Road). We believe that the cause of this was blocked or tidelocked surface water drainage systems and the presence of infrastructure (riverside walls etc.) that aren't necessarily included in the flood models.
- The FRA correctly states that a design flood event would result in flooding over at least two tidal cycles. Whilst the peaks of the cycles would be 12 hours apart, the FRA needs to consider the duration of flooding comments raised under point 2 above. As the duration of flooding is likely to be longer than the model suggests, this would limit the time available for voluntary and free movement between tide cycles, in particular if (like the 2020 event), the peak tidal event is followed by a subsequent significant event. It could also exacerbate some of the human nature issues raised under point 2

The Lead Local Flood Authority have confirmed that the following the submission of additional modelling, with the addition of a raised walkway which would allow access to the east of the site in a flood event, that their objection would be overcome, subject to securing a robust flood evacuation strategy through conditions.

Air Quality has commented as follows:-

I have reviewed the air quality assessments for this development. Detailed dispersion modelling is used, which follows the relevant guidance and uses appropriate scenarios for predicting air quality impact. The assessments conclude that air quality impact all relevant modelled receptors is classified as negligible. I therefore have no objections to the development on the grounds of air quality. A suitable construction dust mitigation plan should be agreed with colleagues in pollution control and conditioned appropriately.

Development Control Committee A – 5 August 2020

**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

Arboricultural Team has commented as follows:-

The arboricultural report is currently a preliminary tree survey and arboricultural implication assessment; an arboricultural method statement is also required for this application.

The proposed seeks to remove 22 existing trees of low quality; mitigation figures in accordance with the planning obligations SPD have been presented and 40 replacement trees are required to mitigate the loss.

All of the retained trees are located at the eastern end of the site within and adjacent to plot 6. The arboricultural method statement (AMS) needs to address construction activities within the root protection area (RPA) of the retained trees in the plot.

The landscape proposals should include the following:

Tree location

Tree species

Stock size (Minimum of 10-12cm girth)

Watering and maintenance schedule through to establishment

The indicative plan suggests that tree replacement mitigation can be fulfilled on site without any requirements for a financial contribution.

Nature Conservation Officer has commented as follows:-

No objections subject to conditions to address the following issues:

- * No clearance of vegetation during the bird nesting season without ecological supervision;
- * Prior to commencement of development details of any external lighting shall be submitted and approved in writing;
- * Details of built-in bird nesting and bat roosting opportunities to be submitted for approval;

The proposed garden within plot 5, the wildflower shrub and hedgerow planting and the retention of the willow trees are welcomed.

The Design and Access Statement states that green roofs will be provided throughout the development. In accordance with Policy DM29 the provision of living roofs is recommended to provide habitat for wildlife.

Pollution Control has commented as follows:-

Noise levels at the site are high, and in accordance with Planning Practice Guidance, with the levels measured at the site 'there is an increased risk that development may be refused. The risk may be reduced by following a good acoustic design process'. Plot 1 being used as a buffer between Motion and plots 2 and 3 does show good acoustic design, although Plot 6, nearer to the railway line and St. Philips Causeway, shows less good acoustic design.

Due to the high noise levels the recommended internal noise levels within residential accommodation will only be achieved with windows closed. Ventilation strategies have been provided for the three residential plots, although these appear generic and not fully site specific at this stage. There also does not appear to be anything in the application regarding overheating.

Therefore, there is a concern that an unsatisfactory development could be provided, with residents of plots 2, 3 and 6 having to keep windows closed to ensure that suitable internal noise levels are achieved.

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

Paragraph 2 of Planning Practice Guidance - Noise states that noise should not be considered in isolation, separately from the economic, social and other environmental dimensions of proposed development. If there are justifiable other reasons to support this mixed use development in this location, then as long as recommended internal noise levels can be achieved through suitable façade insulation, ventilation and does not lead to overheating issues then I would not object to this application.

With specific reference to plots 2 and 3 the submitted noise assessment includes noise readings during day and night time events at Motion. It is understood that these readings were not taken during a worst case scenario event, and that Motion have undertaken their own assessment.

I agree with the acoustic report in that 'Music noise level from Motion should be assessed in the context of a vibrant city centre where outdoor music events are common part of city life over the summer'. The report proposes some mitigation measures that Motion could take to reduce noise from their outdoor events. Whilst I feel that cooperation and liaison between the applicant and Motion regarding possible noise reductions at source could be of utmost effectiveness in resolving any noise issues, I do not feel it is appropriate for such measures to be requested as part of the planning process.

Therefore, further surveys and information will be required which provide details of the level of sound insulation required to take account of:

- The worst case scenario event and motion nightclub; and
- The scenario whereby plot 1 is not constructed at the same time/in the same format as shown on the plans.

As a result it is recommended that conditions to secure the following are attached to any permission:

- Details of a scheme of noise insulation to be submitted and approved;
- Noise from plant and equipment to be at least 5db below background level;
- Details of ventilation/extraction system for the A3 uses to be submitted and approved;
- Odour management plan for A3 uses to be submitted and approved;
- Opening hours, deliveries and refuse and recycling activities to be restricted;
- Construction Management Plan to be submitted and approved.

Public Rights Of Way Team (Bristol City Council) has commented as follows:-

We note and welcome that the scheme masterplan allows for the existing PROW link (BCC/407) between Silverthorne Lane and St Vincent's footbridge to be widened to 4m as requested by BCC earlier in the pre-app process. We would welcome the opportunity to discuss the potential improvements to the surface and infrastructure of this PROW as part of the planning process.

As the proposal materially affects PROW BCC/407 then this needs to be advertised as such as part of the planning process.

Consideration would also need to be given to public access and safety for users of this PROW during construction work (see section 3.5 Bristol City Council Highways ' planning conditions, 1028 and 1043). If construction works are likely to require the temporary closure or diversion of the PROW, a Temporary Traffic Regulation Order (TTRO) will be required for the duration of the works on the grounds of safety of the public.

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

RELEVANT POLICIES

National Planning Policy Framework – February 2019

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocations and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2016 and Lawrence Weston Neighbourhood Development Plan 2017 and the Hengrove and Whitchurch Park Neighbourhood Development Plan 2019.

In determining this application, the Local Planning Authority has had regard to all relevant policies of the Bristol Local Plan and relevant guidance.

EQUALITIES IMPACT 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. Overall, it is considered that the approval of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

It is noted that the objections which refer to the loss of Motion nightclub would impact disproportionately on young people, and would also result in the loss of a safe space for the LGBT community. The impact on Motion is discussed under key issue E.

KEY ISSUES

(A) IS THE PROPOSAL ACCEPTABLE IN LAND USE TERMS?

The application site is located within the Temple Quarter Enterprise Zone, and as such policy BCAP35 of the Bristol Central Area plan applies. This establishes the aims for the Temple Quarter Enterprise Zone, as an employment-led mixed use regeneration area. Amongst the specific developments allowed for in the zone include:

- At least 100,000m² of net additional high quality office and flexible workspace;
- Up to 2,200 new homes including live/work space;
- Complementary retail and leisure uses, particularly within and adjacent to Bristol Temple Meads station;
- New walking and cycle routes to connect the developments to the rest of the city centre and surrounding neighbourhoods;
- Green infrastructure and public realm enhancements including the improvement of open space to serve the new developments.

Clearly, this allows for considerable flexibility in the delivery of development across the zone, although establishes a minimum provision of office floorspace and a maximum provision for residential accommodation. The policy also requires development to reflect the Spatial Framework for the Enterprise Zone.

The Spatial Framework is designed to be a 'living' document, which sets out a strategy and framework for meeting the policy aims set out above. It does not hold the weight of adopted planning policy for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004, but it is a material consideration for the purposes of determining the application. In large part the Spatial Framework promotes the site for 'mixed-use development parcels (where residential comprises up to 60% of total

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

floorspace)'. In effect, the overall scheme for the site will provide for a mixed-use development, with less than 50% of the total floorspace being residential (this includes the provision of student accommodation). Concerns have been raised that essentially the proposal will result in five largely independent plots, and some plots, particularly 4 and 5, would essentially provide for single use development on the plot. However, officers are satisfied that the proposal would contribute to the development of a mixed use neighbourhood, and would meet the policy aims in this respect.

Currently in the policy area there are around 350 homes under construction, and permission existing for another 953 student flats. This proposal would result in a maximum addition of 1,135 units, again including up to 764 student flats. Whilst this exceeds the maximum number of units for the Enterprise Zone (by 238 units), it is acknowledged that a large proportion of those units are student accommodation. The introduction of the new University Campus in this area is considered to be a significant change in circumstances from when the policy was written, and the need to provide the essential services associated with the Campus was not factored into the policy. In addition, it is acknowledged that the student housing proposals tend to be more intensive, and utilise less land. In addition, emerging planning policies acknowledge the need to provide higher residential numbers than are currently allocated in the Core Strategy, including student accommodation. Whilst these policies can only be given very limited weight at present, the direction of travel is very clear, and particularly in this area the need for additional student accommodation does need to be acknowledged. Therefore, whilst the proposal will result in an increase in residential numbers over and above that set out in the policy, subject to the development meeting the other policy aims it is not considered that this would warrant the refusal of the application.

The proposed provision of around 8,000 square metres of office floorspace, plus a maximum of just over 22,000 square metres of office/academic floorspace on plot 1, would contribute to meeting the policy aims in this respect. Whilst this does not account for losses of office floorspace elsewhere in the city, it appears that there is enough floorspace committed to ensure that development in this area could meet the policy aim of 100,000 square metres of office floorspace, and therefore the provision of other uses would not compromise meeting the policy requirements.

This proposal also includes commercial floorspace at ground floor of plots 1, 2 and 3, which could at its maximum provide just over 1,000 sq. m. of A3 uses. Whilst these uses are allowed for by policy, they also need to be considered against policy DM10. This policy permits such uses, subject to the development not harming the character of the area, residential amenity or public safety, either individually or as a result of the concentration of uses. These issues are dealt with specifically in the key issues below. However, in respect of the concentration of uses, it is noted that there are no other similar uses either existing or committed in the immediate area, and these uses would provide a level of amenity which will be necessary in order to develop a functioning mixed use neighbourhood.

However, the proposal also includes uses that are not specifically permitted by the policy, namely a secondary school and student accommodation. With regards to the school use, whilst there are no specific policies in the adopted local plan that address this issue, paragraph 94 of the National Planning Policy Framework states 'It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.' It goes on to state that LPAs should give great weight to the need for schools in its decision making.

In this case, the Council's education team have confirmed that Bristol is currently experiencing a shortfall in secondary school places as the population increase from primary schools has moved to secondary. The issue is particularly acute in the East Central area where the Council identified the need for additional places from September 2019. For September 2020 allocations, existing schools have reluctantly agreed to offer places well in excess of their capacity and some pupils from the area have had to be offered places in the Hartcliffe and Withywood area in order that the Council can meet

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

the statutory duty to offer all pupils a school place. Pupil projections indicate that there will be an even greater shortfall for September 2021 admission, with projected demand exceeding the admission numbers of schools in the area by approximately 200 pupils.

Therefore, whilst the proposal would lead to the loss of employment floorspace, it is on a site that is allocated for redevelopment. As referred to above, it is not considered that the development of this part of the site for employment land would impact on the delivery of the requirements of policy BCAP35. Therefore, subject to other policies in the plan, the provision of a school in this location would be consistent with the NPPF.

Finally, whilst policy BCAP35 allows for the provision of residential accommodation on the site, given that part of the residential development will be student accommodation, it also requires consideration against policy DM2 of the Development Management Policies. This policy sets out that specialist student housing schemes will be acceptable within the city centre. It states that specialist student housing schemes will not be permitted where they cause excessive noise and disturbance, unacceptable levels of on-street parking, and a detrimental impact to existing buildings or inadequate storage for refuse and cycles. Furthermore, policy BCAP4 sets out that specialist student housing schemes that contribute to the diversity of uses within the local area will be acceptable within Bristol City Centre, unless it would create or contribute to a harmful concentration of specialist student housing within any given area. The policy also acknowledges the benefit of growth of specialist student accommodation in the city centre in relieving pressure on the general housing stock.

In addition, whilst the emerging local plan policies have very little weight at present, the fact that these reflect the additional need related to the location of the new University Campus in this area should be acknowledged. Again, the clear direction of travel in this respect is material to the decision on this application.

In this case, the area around the site is currently dominated by industry, with very little purpose built student accommodation either extant, or committed, with the exception of the student accommodation approved at Temple Island, which was permitted as part of the extended campus proposals. Officers are also aware that student accommodation is proposed on a number of other sites in this area, with applications and pre-applications having been submitted. However, given that these have not been approved they should not hold up development on this site. Consideration of those sites will need to reflect what has been approved elsewhere. As such, as the area currently stands, the provision of student accommodation on the site would contribute positively to mix of uses in the area, and would not result in an over concentration of this specific use in this area. Issues related to the impact on amenity, highways and the quality and appearance of the proposals are dealt with in the following key issues. However, officers are satisfied that in relation to the principle of providing student accommodation on the site, there is no policy objection to this.

(B) IS THE PROPOSED DENSITY AND HOUSING MIX IN PLOTS 2 AND 3 APPROPRIATE?

The efficient use of land is integral to creating sustainable patterns of development and this is central to the focus on sustainable development in the NPPF. Indeed, the NPPF allows Local Planning Authorities to set their own approach to housing density to reflect local circumstances. Policy BCS20 of the Core Strategy sets a minimum development density of 50 dwellings per hectare. The overall density of the proposed development on plots 2 and 3 would be around 338 dwellings per hectare. The site is located in the City Centre, as identified by the Urban Living SPD, where higher densities will be supported – the SPD identifies an optimum density of 200 dwellings per hectare. However, it is noted that high residential densities can result in harmful impacts in terms of amenity, character of the area and highway impacts, and this is considered in more detail in the key issues below.

In addition, Policy BCS17 of the adopted Bristol Core Strategy (2011) requires affordable housing to be provided in residential developments of 15 dwellings or more at a percentage target of 40% in the

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

Inner East area. Such residential developments should provide a mix of affordable housing units and reflect identified needs, site suitability and economic viability. However, in April 2018, the Council published an Affordable Housing practice note. This offers an additional 'Threshold' approach, which allows for an offer of 20% to be accepted in the Inner East and the Inner West areas, subject to conditions including that work starts within 18 months of the grant of permission and the tenure mix in accordance with the Council's policy.

As the application was originally submitted it included a total of 73 affordable units, which resulted in 20% affordable housing provision. In all other regards the scheme meets the 'Threshold' approach as set out in the practice note. However, it is noted that through negotiation on the development additional open market housing has been added to the scheme. This has generally improved the mix of accommodation on site, but does result in a slight reduction in the proportion of affordable housing to 19.7% (to meet the 20% would require an addition 1.2 units). Given the site layout the need to accommodate those units on site would have a significant impact on the scheme. Therefore, given the shortfall being small officers are not recommending refusal on this basis.

Policy BCS18 also requires development to contribute to the mix of housing tenures, types and sizes in an area. In addition, policy BCAP3 requires the provision of family sized homes (which for flats requires three bedroomed flats), as part of any development within the City Centre.

In this case the proposals are dominated by smaller units, with only 1% of the proposed units being family accommodation. Indeed, over 60% of the units would be single bedroom or studio units. According to the 2011 Census figures the area around the application site is also dominated by smaller units of accommodation, although it is noted the Dings area, as well as the Lawrence Hill Ward generally, two bedroom units tend to be more prolific than single bedroom units. Whilst the applicant has added additional family accommodation into the scheme during the course of the application, in light of the mix of accommodation in the area the very small number of family units proposed is disappointing. However, it is recognised that the constraints of the site are such that it would not currently be very attractive to families moving in. Whilst this is not in itself a reason not to include family accommodation in the development, the failure to provide it must be weighed against the other benefits of the proposal.

In addition, it is noted that the proposal does include the provision of studio accommodation. Whilst studio flats are generally considered not to be policy compliant, as they do not meet the adaptability requirements of policy BCS18, it is noted that in this case the units appear to be reasonably well designed, meeting spaces standards, with a sensible arrangement of space and a good outlook. Given that only 17 units are proposed as part of the overall in scheme, and that they contribute to the mix of accommodation on site, it is not considered that the proposal warrants refusal on this basis.

(C) WOULD THE PROPOSED DEVELOPMENT PRESERVE OR ENHANCE DESIGNATED AND UNDESIGNATED HERITAGE ASSETS, BOTH ON THE SITE AND NEIGHBOURING THE SITE?

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The case of *R (Forge Field Society) v Sevenoaks DC* [2014] EWHC 1895 (Admin) (*Forge Field*) and in *Barnwell Manor Wind Energy Ltd v East Northants District Council, English Heritage, National Trust and Secretary of State for Communities and Local Government* [2014] EWCA Civ 137 it is made clear that where there is harm to a listed building or a conservation area the decision maker 'must give that harm considerable importance and weight' [48].

Section 16 of the national guidance within the National Planning Policy Framework (NPPF) 2018

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with any harm or loss requiring clear and convincing justification. Paragraph 195 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Paragraph 196 states that where there is less than substantial harm, this harm should be weighed against the public benefits of the proposal. These tests are relevant here as it is considered that the proposal would be harmful to heritage assets.

Policy BCS22 of the Core Strategy requires development to safeguard or enhance heritage assets, which includes historic buildings, both nationally and locally listed, and conservation areas.

In this case the proposals would impact on a number of heritage assets, including directly impacting the Grade II listed assets on site, and the setting of the Grade I listed Temple Mead Complex and St Mary Redcliffe Church, as well as the Grade II* listed St. Vincent's works.

- On Site Heritage Assets

The Silverthorne Lane site represents a very sensitive and historically rich area, one that has established national importance. The complex of buildings across the Silverthorne lane site represents an important survivor of Bristol's Nineteenth century industrial development. There are few sites in the city that can compare in historic importance and degree of survival. At its core are associative connections with the maritime and industrial development of the city represented by the Bristol Iron Works and its successors, key names like Brunel, and the Great Western Railway, and proud statements of architecture and durability.

Vestiges of the sites' long history can be found across the site, where it makes key contributions to character, townscape, public realm and city skyline. A gritty character to the north is provided by strong natural stone walls and is given added visual appeal with boundaries following the curving historic lanes that pre-date development. These walls are punctuated with fantasy gates, elaborate castellated Romanesque buildings, and intriguing scars and textures that create a memorable impression; an intentional evocation of medieval fortifications reinvented for the Industrial Revolution. Within these walls are halls of industry raised on steel and timber piers to create wide open workshops.

The site contains a complex group of buildings which have listed or curtilage listed status (mostly contained within plots 2 to 5). This reflects the incremental nature by which the site developed. As such, the Erecting Sheds (plot 4) and the Boiler Shop (plot 5) are specifically referred to in the listing, along with elements of the boundary walls running along the northern extent of the site. Also of note are the remnants of the Hammer Forge (which are subsumed with an existing building on plot 5), as well as the canal-side walls, along the frontage of plots 2 and 3. For the purposes of the NPPF all of these elements are designated heritage assets, and their removal will require clear and convincing justification. For the purposes of the report the assessment is carried out on a plot by plot basis:

PLOT 1

Plot 1 is largely made up of more modern structures, although it appears that may be remnants of a more historic building on site. Whilst a full assessment of this has not been possible, given the limited value of this asset it is not considered that any harm would be significant. As such, it is not considered that this element of the proposal will result in any identifiable harm to heritage assets.

PLOT 2-3

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

These plots currently contain a number of industrial sheds, which are curtilage listed by virtue of their relationship with the grade II and grade II* listed Lysaght's offices and Erecting shop. They also link to the canal-side walls which give the site significant character when viewed from the south. These are considered to have high group value, and give a clear indication of the expansion of the site from the 1870s to the early part of the 20th century.

Whilst the proposal will allow the retention of the canal-side wall, it would require the demolition of the other curtilage listed structures on site. This results in a notable loss of significance from the site with respect of heritage, and therefore constitutes harm for the basis of consideration under the NPPF. It is noted that the proposed development in large part follows the footprint of the existing buildings. However, the scale and loss of linearity from the site will result in a development which dominates the retained elements and will not overcome the harm. It is also notable that these building would be visible behind the group of listed buildings, when viewed from the north. This will be particularly notable when viewed against the distinctive silhouette of the grade II* Lysaght's offices.

It is, however, noted that following negotiations it is now proposed to retain more of the boundary wall than shown in the original submission. It is required to remove and reduce some elements of the boundary wall in order to provide a safe and convenient access at the site. Whilst the removal of this feature will result in some degree of harm, officers are satisfied that the impact on this element has been kept at a minimum level.

Plot 4

Plot 4 currently contains the grade II listed Erecting Shop. This building was originally erected as an 11 bay building, split into two elements (one of five bays and one of 6 bays). In relation to building 1b (the eastern part of the site), the roof and the eastern wall were removed in the 1960s, when the building was turned into a yard. The listed element that remains includes the gate piers and curving entrance walls to the east and the boundary wall (which is made up of the original northern wall) along the Silverthorne Lane boundary. This building to the west has also been subject to substantial fire damage in 2007, and what remains of the building is essentially the exterior walls, in part.

It is proposed to rebuild this element of the scheme in order to form office floorspace. The eastern block will be reroofed with a ribbed metal roof, and largely glazed southern elevation. However, the northern and western elevation would largely make use of the historic fabric.

Given that there is less fabric remaining on the eastern block, this part of the scheme will be constructed as a more modern interpretation of the original building, albeit using the original fabric where it exists. Whilst the original submission showed this element in a truncated form, in amended plans it is proposed to construct a five bay building, with a single bay space surviving between the two blocks. As a result of this the proposal would provide a visual indication of the full extent of the original building, and would represent an enhancement of the historic setting on the site.

Plot 5

This plot includes the grade II listed boiler shop, plus the curtilage listed boundary walls, wharf wall and dock inlet and remnants of the former Hammer Forge walls. The significance of the boiler shop is emphasised by the fact that for most this is the only element of the scheme that is known, by virtue of the fact that this element is visible from the railway and St. Philips Causeway. In general, the reuse and refurbishment of this element as a school sports hall is considered to be a positive heritage gain. However concerns remain that the proposal would lead to the unjustified loss of much of the Hammer Forge (which is likely to be one of the earliest elements of the site), as well as elements of the boundary wall. Again, therefore, whilst the proposals for plot 5 do provide some heritage benefits, overall, this proposal will result in a degree of harm to the heritage assets on site.

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

Plot 6

Whilst plot 6 does not contain any heritage assets of note, it is notable that the proposal will result in a development of significant scale directly adjacent to the historic assets on plot 5. There is no doubt that views of the boiler shop will be diminished from the west, which will result in harm to the setting of this building.

- Impact on the setting of offsite heritage assets

LYSAGHT'S WORKS OFFICES (grade II*)

As referred to above, this building sits directly adjacent to the site, and is a key element in the historic character and appearance of the area. The building has a very distinctive silhouette, which includes elaborate turrets and chimney design. The proposed housing blocks would be positioned directly to the south of this building, and would disrupt the silhouette, particularly when viewed from Kingsland Road. As such, it is considered that the proposal would be harmful to the setting of this building.

MARBLE WORKS WAREHOUSE (grade II)

This building is directly adjacent to plot 1, which currently is shown in outline only. However, the parameter details submitted with the application show the potential for a building of significant scale. It is also noted that the Marble Works has a visual link with the Retort House on Gas Lane, to the north of the site. The proposal would have a potentially overbearing impact on the listed building, and its relationship with the Retort House, which would constitute a degree of harm to the heritage assets. However, it is considered that the degree of harm could be largely mitigated through the detailed design of the scheme. Officers are satisfied that there is enough information, and enough control can be exerted at reserved matters stage, to ensure that the proposal results in a low degree of less than significant harm to the setting of these buildings.

TEMPLE MEADS STATION (grade I)

The visual impact assessment submitted with the application confirms that no part of the development would be visible against the skyline when viewed from the east of the station. It also confirms that the proposal will not have a harmful impact on any significant views from elsewhere.

ST. MARY REDCLFFE CHURCH (grade I)

It is noted that in distant views from the east the proposal will be viewed against the backdrop of the church spire. However, given that this will be viewed as part of a wider conglomeration of buildings, and would not completely disrupt views of the spire, it is considered that the degree of harm would be less than significant.

Overall, officers in discussion with Historic England, are of the view that the level of harm would be a high degree of less than substantial harm. Whilst it is clear that a significant reduction in the quantum of development would allow a reduction in the level of harm, this would not provide a similar level of benefits. With regards to providing clear and convincing justification for the loss of heritage assets, in large part officers are satisfied that a scheme of this nature could not be brought forward without the removal of those assets.

However, it is considered that there is not, at present, clear and convincing justification for the loss of elements of the Hammer Forge, and sufficient evidence has not been provided that further elements of this building could not be incorporated into the design of the new school building. As the proposal currently stands a condition will be recommended to secure a proper investigation into retaining further elements of this structure in the design of the scheme, should the scheme be recommended

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

for approval.

- Heritage gains

Whilst it is concluded that proposal will result in a degree of harm to the heritage assets, in accordance with paragraph 196 of the NPPF this harm should be weighed against the public benefits of any development. This can include, but is not limited to, heritage benefits. In this case, the following heritage gains should be acknowledged:

- The rebuilding and bringing in to viable use of the listed erecting sheds;
- The refurbishment and bringing to viable use of the boiler shop. It is noted that this building was, until quite recently, in use. However, the sensitive refurbishment and the use by the school is likely to result in a more assured future in the long term (the school being designed to have a 60 year life span);
- The proposal will also result in better public accessibility to the heritage assets, particularly Lysaght's office and the canal side, with views of this building being available from the public realm within the site. Subject to the agreement to a community use plan from the school, it is also likely that the public will also have access to the boiler shop;
- It is noted that the boiler shop is not currently visible from the south. Therefore, whilst the proposal will diminish the impact of the view from the east it will have more prominence from the south.

As such, it is acknowledged that the proposal will result in a high degree of harm to heritage assets, and in accordance with policy, this must be given great weight in the decision on the application. However, there are also heritage benefits to be provided from the development, and in particular the proposal to retain and refurbish the principle listed buildings on the site. This must be added to the other benefits of the development, as outlined in the following key issues, when reaching the decision on the application.

(D) WOULD THE PROPOSED DEVELOPMENT HARM THE CHARACTER OR APPEARANCE OF THIS AREA?

Policy BCS21 of the Core Strategy promotes high quality design, requiring development to contribute positively to an area's character, promote accessibility and permeability, promote legibility, clearly define public and private space, deliver a safe, healthy and attractive environment and public realm, deliver public art, safeguard the amenity of existing development and future occupiers, promote diversity through the delivery of mixed developments and create buildings and spaces that are adaptable to change. The adopted development management policies reinforce this requirement, with reference to Local Character and Distinctiveness (DM26), Layout and Form (DM27), Public Realm (DM28) and the Design of New Buildings (DM29). The design policies in the Central Area Plan refer to issues that specifically relate the City Centre. Of particular relevance to this application is BCAP31, which requires active ground floor uses adjacent to the public realm.

It is also noted that the Spatial Framework provides an indicative development proposals for the site, which includes a range of scales and aspirations. Most critically, it emphasises the importance of the context of the area and requires a heritage led approach to development.

Despite amendments the application in many respects remains the same. A few key elements have been amended such as the inclusion of a canal-side walk way adjacent to the school (which is an aspiration as set out in the Spatial Framework), reconstitution of the ruinous eastern half of the Grade II Erecting Shop and a revised architectural approach on buildings within plot 2-4. Other changes have also occurred including revisions to the student housing scheme on plot 6.

Plot 1

The Spatial Framework identifies this site as having the potential for a medium scale building of 4 to 8

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

stories. Design West referred to the outline proposal as ‘embarrassingly large’ suggesting that if not executed skillfully at the reserved matters stage the proposal could be harmful and overbearing particularly in relation to the adjacent listed building. However, it is noted that the proposed scale is broadly in line with the Spatial Framework. CDG concurs with the view of Design West and believe that part of the solution should come from a meaningful gap and pedestrian through route between it and plot 2-4. This is supported by the need for wider area north south connections currently being looked at within the University’s masterplans for the gasholder site.

Plots 2 – 4

The new residential blocks within 2-4 are proposed to replace the existing curtilage-listed linear brick-and-steel-frame sheds. Their low-slung, linear, appearance provides the site with a distinct historic grain. They make an important contribution to the significance of various designated heritage assets and the understanding of the site as an early industrial complex. The character of these buildings are highlighted in the Spatial Framework, which suggests that any redevelopment of this plot should seek to reuse the existing structures.

As evident in the BCC specialist assessment and consultation responses including HE and Design West there has been considerable debate regarding the in principle loss of the curtilage listed structures and the appropriateness of the proposed replacement buildings including their North – South orientation, which runs counter to the East - West grain of the site. The orientation of the buildings in combination with their scale, height and massing fundamentally challenges the existing character and capacity of the site. Despite improvements including amended architecture and the very meaningful heritage gains offered by the reconstituted Grade II Erecting Shops CDG share the HE view that these proposals will cause a high level of harm, at the upper levels of the wide spectrum of impacts bracketed under the planning term ‘less than substantial’.

In this regard, the proposal concerns the conservation of several heritage assets including a Grade II* listed building, a highly-graded heritage asset. CDG is not currently convinced that that an effective balance has been struck in terms of heritage harm and benefit. As noted by Design West the development quantum appears “... more driven by a desire to maximise the opportunity rather than being guided by the physical capacity and historic development of the area” CDG believe that a better heritage balance can be struck with less development pressure on the site. There is clearly a tension related to this point as the Design West Panel also felt that *‘considering the significant investment in the re-creation of Sheds 1a and 1b as well as the Boiler Shed along with the conservation of the boundary wall...a reasonable balance has been achieved’*.

BCC Policy DM26 advises that development should be expected to “contribute towards local character and distinctiveness by....respecting, building upon or restoring the local pattern and grain of development”, and that “Development should retain existing buildings and structures that contribute to local character and distinctiveness”.

It is clear that the revised proposals for plots 2-4 pose harm to heritage assets and challenge the guidance established in DM26, as well as the Spatial Framework. However it is also acknowledged that good place making can occur which is not necessarily in line with policy guidance.

Design West responded to this point stating *“PLOTS 2 & 3 will be to a very high density, perhaps challenging the levels suggested in the Urban Living SPD. But the manner in which it addresses orientation and the Feeder Canal suggests the basis of a successful solution. Although the suggested layout ignores the predominant direction of the original sheds the panel supports the emerging design. The revised approach to the façade design and suggested materials look promising...the panel appreciated the revisions that have allowed the creation of the proposed workspace buildings through the restoration and re-building of Sheds 1a and 1b in PLOT 4. This has the making of a fine re-use and contemporary interpretation of the former Erecting Sheds.”*

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

It is also material to the consideration of the application that a more contextual approach in respect of plots 2 and 3 would result in a scheme that performed very poorly in respect on amenity, or would be a significantly lower density (or potentially both). Given the housing need in the area it is considered that achieving a successful high density development on what is a very sustainable urban site should be given due weight in the consideration of the development.

The revised architectural approach is an improvement on the initial submission. This has been noted by Design West and HE, although in the case of the later and BCC specialists, the aesthetic has been challenged for its appropriateness in relation to retained historic fabric such as the canal side wall. Nonetheless, CDG is of the view that the architecture can deliver good looking buildings with an enduring design quality. This will be entirely dependent on their detailed design quality. In order to achieve this CDG has requested from the applicant detailed bay studies to be submitted.

Sheds 2a and 2b

With regard to sheds 2a and 2b and the proposal to retain/rebuilt in skeletal form CDG concurs with the HE suggestion of a non-standard planning condition requiring details of the methodology for these reformed structures.

Plot 5 School

CDG welcomes the inclusion of a canal-side walkway but are disappointed by the 2m width provision as noted above. The amended Grade II Erecting Shop, replacing the originally proposed car parking (now within plot 2-4) is one of the most meaningful and positive changes to the scheme. The general architectural expression of the new school building would not cause harm to the site. It's lower scale simple institutional form with brick cladding and large openings reflects the scale and solidity of the listed stone sheds on site.

Despite acceptance of the school's architectural expression, it is regrettable that additional resources haven't been earmarked to achieve a more ambitious design. As Bristol's largest secondary school, in area earmarked for regeneration and transformation, the school represents the city's social and physical aspirations at a moment of change and growth. Civic/educational buildings have the power to inspire and tell the story of a city. The industrial heritage on the site does exactly that. It is unfortunate that this cue has not been picked from the site analysis and purposefully carried forward by means of an architecturally ambitious school that clearly expresses the value placed on education. This is particularly regrettable given the involvement of two learning institutions in the reimagining of the site.

CDG shares HE's concern regarding the complete demolition of the Hammer Forge walls. As the only surviving element of the first phase of the site's development, the Hammer Forge is a meaningful piece of industrial archaeology. CDG supports the HE proposal that the eastern wall should be retained and conserved as part of the proposals and not demolished and rebuilt. A non-standard planning condition stipulating the retention and conservation of this element should be required

Plot 6 Student Housing

As referenced in the first paragraph, the student housing has been amended with some improvements from when it was previously reported to Design West. This has resulted in a more meaningful area of public realm, and amenity area at ground floor. The changes also result an improved layout, with a lower proportion of single aspect units, fewer residential units at ground floor, and simpler and more distinct form, particular with regard to the tower. It is also noted that the element of the scheme adjacent to Plot 5 has been reduced in scale, and is better articulated than the scheme that was considered by Design West. The inclusion of an access to the west of the building, also responds to concerns raised by Design West about the relationship between the development and the public footpaths in the area. This will also be beneficial in respect of ensuring activity on the public footpaths in the area, and avoiding anti-social behavior. As such, it is considered that the revisions to the proposal have positively responded to the concerns that have been raised by Design West.

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

It is also noted that there is still an outstanding HE concern regarding the proximity of the proposed student housing on the eastern part of the site to the boiler shop. The Northernmost part of the student halls, part 7 and part 5 storeys, will screen the western elevation of the boiler shop in key views from the railway. The ornamental neo-Norman styled gable of the boiler shop was designed to be viewed from the railway and the opportunity to celebrate the area's industrial heritage within its new role as mixed use 21st Century urban neighbourhood may be missed. However, the revised plans have resulted in a reduced impact, with the proposed building being moved further away from the retained listed building. It should also be noted that the view referred to is not a stationary view (i.e. it is from the railway), and the elevation will be revealed as you approach Temple Meads.

Canalside Walkway

The inclusion of a canal-side walkway is welcomed by officers. This has been commented on extensively by CDG and consultees including Design West. Throughout that commentary it has been consistently stressed that to be successful this space needs to be pursued as a linear piece of place making. The same level of design consideration and intent found in parts of plot 1-4 needs to be deployed for the entirety of the route. There remain concerns that the footpath is narrow, and particularly constrained where it passes the affordable housing block and the school. Additional information has been submitted to suggest how the detailed design of this area would ensure that this area remains attractive to uses, but ultimately it is considered that the final design could be secured by conditions.

Urban Living Assessment

The Urban Living Supplementary Planning Document establishes a set of criteria against which major developments are to be assessed, the aim being to create successful high density neighbourhoods. The guide is split into three sections, the first of which applies to all major developments, the second to residential developments and the last to tall buildings. All of the sections apply to at least elements of this development.

Council officers have undertaken the assessment for the whole development, although with a specific focus on elements that are particularly relevant to certain parts of the scheme. The results of this have informed the discussion in other parts of the report, so will not be repeated in detail here. However, it is worth noting that nature of the scheme is such that different parts of the scheme perform at different levels against the criteria, resulting in relatively moderate scores against some of the criteria. As a result, it is considered by officers that the scheme is only highly performing on 6 of 23 criteria (Green on the traffic light system).

However, there is only one criteria where the development is considered to perform poorly, and this is in relation to the response to the context. As described above it is not considered that the scheme as a whole responds well to the existing context, particularly in relation to scale of the buildings, the failure to incorporate historic fabric and grain into the development. It is acknowledged that some attempt has been made to respond to the emerging context (as described in the Spatial Framework), but again the development of plots 2 and 3 are not considered to give sufficient weight to the framework, and the scale of plot 6 is beyond that outlined in the framework. However, as discussed above this does not mean that in particular plots 2 and 3 would not be of high quality design and result in a high quality space, with good levels of amenity.

Therefore, whilst the Urban Living Assessment is considered to be a useful tool in assessing the design quality or proposals, in this case it is considered that this it does mask some of the significant benefits of the proposal (which are listed elsewhere in the report). It is important when considering the scheme these benefits are given due weight, and officers are of the view that these would in general outweigh the concerns raised through the Urban Living Assessment.

Ultimately, the success of the design of the scheme is rather mixed, with some areas performing much better than others. Whilst it is the view of officers that a less intensive scheme would be likely to

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

achieve a more successful and contextual design, officers also accept that such a scheme would not achieve some of the benefits that the current proposals do. In particular, it is acknowledged that this is a sustainable development site in an area allocated for development, and providing high density development would meet other development plan aims. Consequently, and acknowledging the significant weight that must be given the heritage issues, officers are satisfied that the design concerns are outweighed by other benefits of the scheme, and the design of the scheme can be supported.

(E) WOULD THE PROPOSAL UNACCEPTABLY AFFECT THE AMENITY OF THE AREA?

Policy BCS21 of the Core Strategy, as well as requiring development to be of a high quality design, also requires new development to safeguard the amenities of existing residents. In addition, policy BCS23 also requires development to be designed so as not to have a detrimental impact on the surrounding environment.

- Impact on Commercial Properties (including **Motion Nightclub**)

Policy BCS23 of the Core Strategy requires that in locating new developments account is taken of the impact of that new development on the viability of existing uses. Whilst this policy makes specific reference to the sensitivity of the development to noise and other pollution, it is noted that other policies in the plan do make specific reference to the importance of maintaining important employment sites. In addition, paragraph 182 of the NPPF introduces the 'agent of change principle'. In effect, this means that where a development would introduce a new use into the area which has the potential to be sensitive to the existing uses, the applicant (the 'agent of change') is responsible for mitigating the impact of that development such that those businesses do not have unreasonable restrictions placed on them.

It is noted that there is significant public interest in the threat to local business in the area, particularly Motion nightclub, but not exclusively the nightclub. For clarity, the application does not seek to redevelop the nightclub site, which has been suggested in some of the objections, but the concern is that the development would result in an impact on the operation of those businesses which would result in additional financial pressures on those businesses. The consideration here, therefore, is whether or not those impacts can be successfully mitigated to the point that those businesses can continue to operate as they currently do.

It is undoubtedly the case that by virtue of the uses proposed on the site the proposal will be transformative of the character of the area. The site has been allocated for redevelopment, and acceptable uses include those which would be sensitive to the existing industrial environment. The current nature of the infrastructure in the area means that it would need to be significantly upgraded to make it appropriate to a residential population, and in so doing change the character of the area. In allocating the land for redevelopment the Council has accepted that some impact may result in order to achieve the policy aims. However, the location of the more sensitive parts of the development is a material issue, and requires assessment here.

The area is industrial in character, with relatively high background noise levels. However, the constraints assessment of the site has identified specific issues at the eastern and western end of the site. These relate to the noise associated with the Motion nightclub towards the western end of the site, and the large scale transport infrastructure to the eastern end of the site. Issues relating to the transport infrastructure are covered in the next key issue. Therefore this part of the report primarily refers to the potential to impact on the viability of Motion nightclub.

In addition to the policies referred to above policy BCAP9 expresses that existing cultural facilities should be retained and enhanced where possible unless appropriate replacement facilities are provided in a suitable alternative location. As set out within the supporting text to that policy:

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

"For the purposes of this policy, 'cultural facilities and tourist attractions' refer to cultural or leisure facilities that are of regional, national or international importance or that make an important contribution to the distinctiveness of the city centre's visitor offer such as museums, theatres, concert venues, specialist cinemas, sport venues and historic buildings and monuments."

Whilst this policy does not relate directly to this proposal (as the application is not for the removal of the nightclub), officers are satisfied that Motion nightclub does contribute to the cultural officer in the city, particularly the nighttime economy. They currently benefit from a license which allows relatively high noise levels, both during the day time and at night, and also allows for a small number of outdoor events per year.

It is noted that the residential element of the proposal has been moved further away from the boundary with Motion than in the original submission, meaning that plot 1 will provide a degree of protection for the residents from the noise associated with Motion. However, it is noted that firstly, the final design of plot is not yet known, and secondly it is likely that the residential part of the scheme will come forward first, given that this part of the scheme is fully detailed. A noise assessment has been submitted with the application, however the Council's Pollution Control Officer has raised concerns that this does not take into account a worst case scenario event, or what happens if plot 1 is not constructed.

During the course of the application Motion nightclub undertook their own noise assessment and submitted it to the Local Planning Authority. As a result of this the applicant has been requested to review the noise assessment, to ensure that the mitigation measures proposed are adequate. Whilst there are outstanding concerns regarding the noise information submitted, what is shown is that in the case of a significant noise event, the recommended internal noise levels in the building will only be achieved if the windows are closed. Whilst this is not satisfactory in the long term it is noted that the nature of events at Motion are such that they are discreet events, rather than a contributor to the general background noises levels. In addition, the developer has expressed an interest in working with the operators at Motion to provide additional mitigation at source. It is considered that this is likely to result in more effective management of the issue. However, as Motion are not party to the application it is not considered that this can be secured through the application process. Notwithstanding this, it is suggested that a condition attached to the permission could allow some flexibility as to how this is addressed, and if addition protection is provided at source the on-site mitigation amended to reflect this. However, officers are satisfied that the impact can be mitigated, subject to the nightclub operating in line with the current restrictions.

In addition to this the operators of Motion are currently promoting the use of a Deed of Easement between themselves and the housing operator, which would restrict the ability of residents to complain about noise, subject to the nightclub operating within an established set of criteria. It is noted that this has been used by other local authorities (most notable in relation to the Ministry of Sound in London), and it has been established that it can be material in the decision on a planning application. The applicant has confirmed that they would have no objection in principle to entering into such a Deed.

Other authorities (notably Milton Keynes) have sought to secure a Deed of Easement through a condition. Currently, this approach is legally untested. It is noted that the Milton Keynes case has recently been subject to a successful appeal, which has allowed the development to come forward on part of the site not in compliance with that condition. However, this particular appeal did not invalidate the principle of seeking a Deed of Easement through condition, and it appears that there are still outstanding issues in that case (another appeal which is still outstanding). As Members will be aware there is now a requirement on the Local Planning Authority to agree pre-commencement conditions with the developer before issuing a decision. The applicant has confirmed that they would have no objection in principle to entering into such a Deed, and it is recommended that a condition is included on any approve to secure a Deed.

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

The other area of concern is the potential impact on existing businesses within the Silverthorne Lane Arches, which are located on the northern side of Silverthorne Lane. This includes car repair businesses and timber working business. Whilst the impact from noise on these businesses is factored into the assessment referred to above, the additional concern raised is that they rely on deliveries, and to a certain extent parking on Silverthorne Lane. With any significant development of this area there would be a degree of disruption to those businesses. Whilst some of that disruption can be managed Bristol City Council are unable to secure on street parking for these properties. Indeed, in order to facilitate the development of the site it will be necessary to significantly restrict on street parking in the area, and this may impact on some local business. As referred to above, it would be difficult to envisage any reasonable scale development in this area which would not impact on on street parking in Silverthorne Lane. Following discussions with officers, the Council's Economic Regeneration team have offered to engage with the local businesses affected, and following the resolution of this committee they will be requested to pursue this should the application be approved.

- Residential Amenity

Firstly, it should be noted that the surrounding development is largely commercial in character, with the nearest residential property being around 40 metres to the south (at the western end of Feeder Road) and 90 metres to the east of the site (Canterbury Street).

There are relatively few residential properties left on Feeder Road, and those that are left are mostly located towards the west of the road, close to plot 1. The applicant has submitted an assessment on the impact of the proposals on these properties. Given the orientation of the site the proposal would not lead to any loss of daylight. However, plot 1 could potentially result in a building of significant bulk directly opposite the site. The visual impact of development can be assessed against the criteria in the BRE trust guidelines using an assessment of the Visual Sky Component that that will be visible from the existing dwellings. The guidelines suggest that if the VSC would be less than 80% of the existing level, or falls below 27%, the occupants would notice the reduction in light. The assessment indicates that whilst for some of the dwellings opposite the VSC component will fall below 80% of the existing, none of the windows are shown to be below 27%. It should also be noted that views of the site from the neighbouring properties are currently partially screened by trees. In addition, the submission of this building is in outline only, and as such further improvements could be secured by condition. As such, officers are satisfied that whilst the proposals would have some impact on the amenities of these properties, the impact would not be so severe as to warrant the refusal of the application.

With regards to the Feeder Road properties, it is noted that the proposal would result in a significant increase in the intensity of development in relatively close proximity. However, given the surrounding area is largely industrial in character, and there are a number of sources of significant levels of noise nearby, it is not considered that this intensity of use would result in any additional harm. Furthermore, given the level of separation, there would be no additional loss of privacy for these properties.

With regards to the properties on Canterbury Street, whilst these are some distance from the application site, given the scale of the building on plot 6, there is some potential for some impact from the development. However, the shadowing analysis of the building suggests that it would have no impact on the buildings between the spring and autumn equinoxes. Whilst there is some potential for additional shadowing in winter, it is noted that these dwelling back on to the raised train line and St. Philips Causeway, and such are likely to be significantly overshadowed for much of the year, when the sun is low in the sky. Under these circumstances, whilst some properties on Canterbury Street may notice the shadow of the building as it passes, it is not considered that the impact would be harmful to the amenity of those properties.

(F) WILL THE PROPOSED DEVELOPMENT RESULT IN AN ACCEPTABLE RESIDENTIAL ENVIRONMENT FOR THE NEW RESIDENTS?

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

As well as protecting the amenities of existing residents, policy BCS21 also requires that development create a high-quality environment for future occupiers. Policy BCS18 also requires that proposed residential accommodation provides sufficient space for everyday activities. The Urban Living SPD expands on this further, by requiring that the individual residential units meet the nationally described space standards, and also setting standards for access to open space and play space as part of the development.

- Self Contained Residential Units

Plots 2 to 3 are made up of self contained residential units in five blocks. Broadly, these are separated into four finger blocks running north to south, perpendicular to the canal, and one perimeter block arranged around an internal courtyard.

The arrangement of the finger blocks are broadly similar, with each block served by a single core, providing access to between 8 and 11 units. All of these units meet the nationally described space standards. Whilst only around 43% of the units would be dual aspect, all of the single aspect units would either be east or west facing, meaning that all of the units would have access to direct sunlight at some point during the day. The layout of the blocks allow a space of around 17 metres between blocks, apart from the central space, where the separation distance is around 24 metres. Whilst this will mean that there is a degree of intervisibility between the blocks, the spaces are more generous than a scheme such as Wapping Wharf (for example) where the spaces between units tend to be between 10 to 15 metres. It is also noted that this scheme will generally have better outlook, given that all of the flats will at least have an oblique view of the canal. Given this, most of the units perform relatively well against BRE guidance for access to daylight, with over half meeting all of the requirements.

The perimeter block has a different arrangement, with access to the units being from the internal courtyard. This results in all of the proposed units having an outlook externally, with an additional secondary opening to the internal courtyard (for some units this is a door, for others a window and a door). Again, it is noted that all of the units would meet the nationally described spaces standards, as well as having an element of dual aspect. The corner units would clearly be fully dual aspect.

With regard to open space the proposal provides an average of 4.2 sqm of private amenity space as private balconies (90% of flats have private balconies). This is augmented by 160 sqm of roof terrace (shared spaces), plus relatively generous semi-private space on the podium (5,940 sqm semi private and public space). 3 bedroom (family units) have access directly on to the podium. The scheme also indicates the provision of some informal playspace within the public realm. As such, whilst the proposal falls marginally short of the requirements of the Urban Living SPD in relation to private amenity space (which requires 5 sqm per dwelling), it is considered that the proposal provides for relatively generous communal space. It is also material that the Dings Park is only around 200 m from the site, although it is noted that the route is not particularly pedestrian friendly at present (albeit the financial contributions will allow some improvements to this).

It is noted that the issue over noise levels for these units is addressed above, and officers are satisfied that a reasonable internal environment for these units can be secured. The proposed also include the provision of A3 units on the ground floor. Whilst this has the potential to cause some disruption, this type of use is common on the ground floor of large urban blocks such as this, and a suitable range of conditions will ensure that a reasonable residential environment is maintained is recommended. In addition, officers do not have any concerns regarding air quality in this area.

However, it is noted that the site directly to the north of the residential element is currently subject to a hazardous substance consent (in connection with the gas holders). The gas holders are not currently in use, but given the extant hazardous substance consent could be brought back into use at any time.

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

Given this, the site would normally be regarded as unsuitable for high density residential use, and would be subject to an objection from the Health and Safety executive. However, in this case, the site to the north is subject to a prior approval for the demolition of the gas holders, and in connection with this the Local Authority have the power to revoke the Hazardous Substance Consent. As such officers are currently pursuing this. However, any grant of planning permission would need to be subject to the prior removal of the Consent.

- Student Accommodation

As noted above, the proposed student accommodation is in a noisy location, adjacent to the road and railway line, so again these units will need to be subject to a degree of mitigation to ensure that a reasonable noise environment can be achieved. Again, it is considered that these measures could be secured by condition. In relation to air quality, the assessment submitted with the application does show that the levels of nitrous oxide do exceed the objective levels at the boundary of the site, and that these high levels would be associated with St. Philips Causeway. However, the high levels do fall away quickly once you move away from the road, and therefore the impact on the development will be negligible.

It is notable that as originally submitted there was significant concern about the quality of the accommodation provided as part of the student accommodation. There was a high proportion of studio apartments, a number of units with northern aspect and in locations adjacent to the public realm. In the revised scheme the number of studio units has been reduced to 53 (which includes 3 'double' studios). The cluster units are all dual aspect, apart from one ground floor unit, which has a south west aspect, and have generous provision of communal space within the units (kitchen/dining areas). There are also generous internal communal areas at ground floor, and on the top floor of the tower. With regard to the outdoor amenity space, it is considered that the internal courtyard area would have relatively poor amenity value, given that it would be largely overshadowed, and is likely to be relatively windy. However the canal side area has potential to provide much higher quality amenity.

It is recognised that the proposal represents a high density development, and some compromises have been made with the layout, and as a result some of the units have better amenity quality than others. However, it is considered that significant improvements to the scheme have been made in this respect and in general the proposal performs well against the relevant amenity requirements in the Urban Living SPD.

**(G) WOULD THE PROPOSED DEVELOPMENT SATISFACTORILY ADDRESS
TRANSPORT AND MOVEMENT ISSUES?**

Development Plan policies are designed to promote schemes that reflect the list of transport user priorities outlined in the Joint Local Transport Plan, which includes pedestrian as the highest priority and private cars as the lowest (BCS10). In addition, policy DM23 requires development to provide safe and adequate access to new developments.

The site is considered to be in a sustainable location, in close proximity to the city centre, and Temple Meads station. This is a focus for public transport, not only the railway, but also busses and ferries. The location of the site therefore means that the development would be accessible by multiple modes of transport, other than the private car, and this meets with the above policy aims. However, whilst in close proximity to the station, the current highway infrastructure in this area is not particularly attractive to pedestrians and cyclists, given the narrow road network, generally poor pedestrian footpaths, and the need to access the site through bridges and tunnels. In addition, the area has evolved with very few parking restrictions, which means that cars tend to park on both sides of the highway, and along the footpaths.

Access to public transport is reasonable, but the access routes do require significant improvement.

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

There is a bus stop for the 506 within about 4 minutes of the site, but this only provides a limited service. There are a much wider set of services at Temple Meads, although the routes to these are not direct. However, the University campus proposals would result in a much better bus service running along Cattle Market Road and Avon Street, and this would significantly improve public transport for the site. Mention is made in the application of securing a ferry stop as part of the development, although it is not clear how this would be secured.

A number of traffic incidents have been recorded in the area, which suggests that the current level of road safety is substandard, particularly as the proposal includes vulnerable road users. As such, there are a number of measures that would be required to bring the area up to a standard appropriate for the proposed use.

The traffic modelling for the site suggests that the result of the proposal would be a slight increase in traffic in the am peak, and slight decrease in the pm peak. However, it is noted that there are some significant assumptions in this modelling, particularly in relation to how students will get to the school. Whilst these assumptions are considered to be reasonable, given the predicted catchment of the school, there is no mechanism available to secure this. Notwithstanding this, the modelling does show that the proposal would not result in the current network exceeding its capacity. There are, however, some concerns about the Avon Street/Feeder Road/Albert Road junction regarding the lack of pedestrian facilities at that junction. Given that funding is available to upgrade this junction from other developments in the area, though, there is no objection to the development on these grounds.

Overall, the proposal could result in significant overflow car parking, which would have a detrimental impact on neighbouring properties. Funding has been secured for restricted parking measures for the St. Philip's area from the University of Bristol campus, and consideration should be given to extending this provision across other areas around the site.

The most recent set of revised plans show the provision of a canal-side walkway along the site frontage between Avon Street and the Public Footpath between plots 5 and 6. It is likely that that this will mostly serve as a leisure route, rather than a strategic cycle route. It is noted that public comments have suggested that the footpath be continued along the frontage of plot 6, to allow it to link with routes to the east. Whilst this may be desirable, currently any path would need to cross both the railway line and St. Philips Causeway, and it is unlikely that this would be achievable, or if it is it would be a long term project. As such, it is not considered that the proposal would merit refusal on these grounds.

Plot 1

The proposal includes adequate vehicle access to the site from Silverthorne Lane and pedestrian access from Avon Street. Full details will be required as part of the reserved matters submission.

The supporting statement suggests that plot 1 will be provided with 16 parking spaces and cycle storage in accordance with the policy requirement, which is acceptable.

Plot 2-4

The proposal includes a new vehicle access to the site, and considering its location on the bend, it is considered to have adequate visibility. A new length of footway will need to be provided along Silverthorne Lane, plus an appropriately designed crossing to the north. This will need to be carefully considered given that it will be used by school children accessing the school. The revised plans show a new pedestrian crossing in this location, which includes provision for a pedestrian crossing.

This part of the proposal would be provided with 100 parking spaces and 590 cycle parking spaces. Whilst some concerns were originally raised about the parking layout, the revised plans have

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

rationalised the arrangement, and transport development management have now confirmed that this is acceptable. Similarly, the arrangement for cycle parking on site has now been addressed. Whilst some concerns remain about the security of the cycle parking, this relates to how it is separated off from the rest of the car park, and these details can be secured by condition.

Plot 5

Three accesses to the school are proposed from Silverthorne Lane, as well as a pedestrian and cycle access through plots 2-4. The central and eastern access will allow a coach to enter and leave in a forward gear. Additional clarification has been provided that pedestrians and cycles will mostly enter the site through the existing arches.

Revised plans for plot 5 show the car parking figures reduced from 77 to 59. Whilst this is below the maximum parking figures for a school, given the accessibility of the site it is considered that the reduced provision is entirely appropriate. It is proposed to provide 360 cycle parking on site, in 'double decker' type stands. Whilst Sheffield stands are preferred, the constraints of the site are acknowledged, and no objections are raised on this basis.

Plot 6

This part of the site will be provided with an acceptable access with turning head. It will be provided with four accessible parking spaces, and 290 cycle spaces, which are acceptable given the scale of the proposal.

There are outstanding concerns about how student drop off and pick up will be managed as part of the development, and this will need to be resolved before the development comes forward.

Further works to be secured

- The development will require a travel plan, and fees of £20,660 should be secured to facilitate this.
- There will be a need for between 2 and 4 of Traffic Regulation Orders in the area to facilitate the development – the cost of each being £5,724.
- A contribution of £200,000 is sought for upgrading the highway infrastructure to the east of the site, which will include improvements to the footway and lighting.
- Currently the footbridge crossing the Feeder is considerably substandard, and is likely to need replacing or upgrading. The estimated cost of upgrading the bridge in this location is £150,000.
- With regards to routes to the north, particularly Gas Lane, this will need to be upgraded to improve pedestrian access. Whilst it is considered that significant works will be required in Gas Lane, officers are also aware of other development that are likely to come forward in future, which has the potential to contribute to some of these works. As such, it would be satisfactory to provide a minimum intervention approach, which would cost £50,000, although it may be that this gets superseded by a more comprehensive package of works that comes forward in the future.
- In order to fund potential parking restrictions in the area a contribution of £60,000.
- The applicant has also submitted a package of highway works for the area directly adjacent to the site which include the upgrading of the Silverthorne Lane/Gas Lane/Kingsland Road junction; raised tables, resurfacing and new kerbs; widening and resurfacing the PROW; the adoption of the turning head at plot 6. These works are agreed, and need to be secured through a section 278 agreement.

(H) WOULD THE PROPOSED DEVELOPMENT BE AT RISK FROM FLOODING, HAS A SEQUENTIAL APPROACH BEEN TAKEN TO LOCATING THE DEVELOPMENT, AND WOULD IT INCREASE THE RISK OF FLOODING ELSEWHERE?

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

The application site is partly in flood zone 2 and 3 (present day) as identified by the Environment Agency, although it should be noted that for a design flood event (which includes consideration of climate change for the lifetime of the development) the site would be at high risk of flooding. The NPPF and policy BCS16 require that a sequential approach is taken to the location of development, locating developments in areas with the lowest risk of flooding first. However, the site is also allocated for development by virtue of policy BCAP35, and that allocation in itself has been sequentially tested. Whilst there is still a need to locate developments within the allocated area in areas of lowest flood risk, it is noted that much of the Enterprise Zone is at risk of flooding. There are no other readily available sites of this scale in the area, and therefore it would not be possible to locate this development on a site at lower risk.

However, the development is also required to take a sequential approach to where the elements will be located on the site. The revised flood risk modelling suggests that broadly the flood risk is more severe to the west of the site, where it is proposed to locate the less vulnerable commercial development. Whilst no evidence has been presented that a sequential approach has been taken to the location of the rest of the development, it is noted that the residential use, school and student accommodation are all considered to be within the same flood vulnerability category (More Vulnerable), and as such are indistinguishable in respect of the sequential test. With regard to the proposed offices (plot 4), given the nature of these building (which are listed, and therefore have specific heritage issues that need to be considered, and have a relatively low floor level) there is limited scope for these to be occupied by other more vulnerable uses.

In addition to the need for a sequential test, the relevant planning policies also require that applications demonstrate that the development will be safe from flooding in a design flood event, for the lifetime of the development, taking account of the impacts of climate change. For reference, the lifetime of the development in respect of residential (including student residential) is considered to be 100 years, the other uses would be 60 years. However, as this application has to be considered as a single development, we must apply the 100 year climate change epoch to the whole site, and the design flood event are those predicted for the year 2120. It is in this regard that the Environment Agency have raised an objection to the application, who state that given the potential flood depths at the site, there would be a potential 'Danger for All' (as defined by Defra guidelines) in a flood event.

According to the Environment Agency's analysis of the flood risk modelling there is a potential for parts of the site to have flood water depths of up to 1.84m deep in 2080 and 2.5m in 2120. However, further evidence has been provided by the applicant, and whilst this suggests that there may be areas of the site where the flood depths would be in excess of 2m, these are relatively confined and do not impact on the operation of the site (for example, the canal side amenity area for plot 6). In large parts of the site the flood depths are likely to be closer to 1.5m for plots 2 and 3, and less than 0.5m in relation to plot 5.

The scheme has been designed such that residential uses would be positioned above the flood levels, but the access to the residential units, car parking and other ground floor use would be potentially inundated in a flood event. It is also understood that the floor levels of the proposed school would mean that there would be a requirement for manual flood barriers to be erected in the case of a flood event. The Environment Agency have also raised a concern regarding flood mitigation on the site. Whilst the modelling suggests that the development would not result in increased flood risk elsewhere, this does rely on the flooding of voids below buildings, which can often become blocked or filled with debris from the river or other items. Whilst a condition requiring the voids being kept clear has been suggested, the Environment Agency argue that such a condition would not meet the required tests (principally because this would need to be enforced for the next 100 years).

In support of the scheme the applicant argues that the worst case scenario described by the Environment Agency would only occur in a tidal flood event, which would allow a significant period of

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

warning, and would only occur for a relatively short period (up to 5 hours in 2120). Therefore, residents could be evacuated, or stay safely within a communal safe refuge for that period (above the flood level), and the commercial units and school could be shut down or safely evacuated before the flood event. It is therefore argued by the applicant that given the development would be largely managed, the Local Planning Authority can have a high degree of certainty that any mitigation measures put in place would be adhered to.

In addition, the applicant has provided details of how the walkway across the site could be designed to sit above the flood waters in a design flood event, and additional protection could be provided from a flood gate positioned to the east of Silverthorne Lane, adjacent to the railway arches. Whilst this would potentially result in a more visually intrusive feature, it would have the advantage that it would be largely be on the same level, improving the usability of this for those with mobility impairments. The barrier would also allow access to the site (albeit one corner of a long site) for emergency vehicles. Planning policy as set out in paragraph 39 of the NPPF states that **'Access considerations should include the voluntary and free movement of people during a 'design flood'** as well as the potential for evacuation before a more extreme flood. Access and egress must be designed to be functional for changing circumstances over the lifetime of the development.' The raised walkway would allow free movement of pedestrians in a flood event, although would not allow vehicles, including emergency services, to access the site. However, officers do note that, subject to the installation of a flood barrier, ambulances could get to the railway arches on Queen Ann Road, and given the convenient nature of the proposed walkway, this would provide reasonably convenient access to the rest of the development. This final point is important as a key reason for paragraph 39 of the NPPF flood risk guidance is to ensure no unnecessary additional burden is place on emergency planners, BCC as Civil Protection Unit and Highways Authority, or emergency services as a result of development. It should be noted that again, this approach is not ideal given the length of the site and therefore the time it would take for emergency services/site users to reach the flood-free evacuation point.

As a result of the provision of the raised walkway, the Council's Lead Local Flood Authority team are now satisfied that the voluntary and free movement of people during a design flood would be possible, and reasonable, albeit not ideal, access to the development by emergency services can be made. For clarity, the responsibility for commenting on the acceptability of the emergency access provision lies with the Council, rather than the Environment Agency, and therefore Council Officers have now removed their objections to the proposal on flooding grounds.

However, it should be acknowledged that there are still risks associated with the development. It is noted that whilst revisions to the design have reduced the reliance on voids below buildings to mitigate any inundation, but not entirely eliminated it. The applicant has illustrated other schemes where voids have provided the flood mitigation, although it is argued by the Environment Agency that these examples are materially different to the current proposal. The current design of the proposal also does not take account of an exceedance event (i.e. a flood event that exceeds the design flood event referred to above). A flood would also require that the residential car park would be evacuated, and obviously there is a reliance on occupants of the developments acting rationally and reasonably in advance of a flood event.

It is noted that one solution may be the provision of strategic flood protection which would reduce the risk of flooding at the site, as well as much of the city centre. Whilst it is argued that given large areas of the city centre are affected by the potential for flooding there will be a need for strategic flood defenses, there is no current commitment to provide this, and therefore no weight can be given to this in the decision.

In addition to this the Environment Agency has raised an additional concern that the development does not provide for 24/7 access to the canal side for the agency, which is required for purposes of flood risk management. It is noted that there is no access currently, and the canal side wall is

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

maintained from within the canal. It is also noted that maintenance responsibility for canal wall sits either with the landowner or the Harbour Authority(BCC). However, the introduction of more sensitive uses to the site means that the management regime may need to change in future, and the Environment Agency wish to protect their position in this regard. Again, revisions to the proposal do mean that greater access can be provided to the canal side, although not across the extent of the site.

The LLFA are also content with the proposed sustainable drainage strategy for the site.

It is noted that the comments from the Environment Agency on the latest revisions to the plan have not been submitted at the time of writing. However, Councils Officers are now satisfied that the provision of access and egress in a design flood event is achievable, and therefore the objections from Council LLFA have been removed. Whilst it has not been possible to eliminate all flood risk from the site, it is acknowledged that the most significant impacts relate to tidal flooding, which are reasonably predictable, and have a limited duration on site. Given the precedent of other development in the area, the fact that the site is allocated and the fact that the major risk to individuals, as well as potential burden on BCC (as Civil Protection Unit) or emergency services, has been mitigated, it is considered that the scheme can be supported on these grounds.

The LPA and LLFA will ensure appropriately worded conditions would be placed on the consent to ensure the above issues can be secured in the details of the scheme, should members be minded to approve the application.

It should be noted that as a statutory consultee, should the Environment Agency maintain their objections to the proposal, it is likely that there would be a need to refer the objection to the Secretary of State for determination.

(I) WILL THE PROPOSED DEVELOPMENT MAKE AN ADEQUATE CONTRIBUTION TO THE SUSTIANABILITY AND CLIMATE CHANGE GOALS OF ADOPTED PLANNING POLICIES?

Policies BCS13, BCS14 and BCS15 of the adopted Core Strategy give guidance on sustainability standards to be achieved in any development, and what measures to be included to ensure that development meets the climate change goals of the development plan. Applicants are expected to demonstrate that a development would meet those standards by means of a sustainability statement. In addition, policy BCAP 20 requires development of this scale to reach BREEAM 'Excellent' standards, and BCAP21 requires that account is taken of the opportunity to connect to nearby heat networks.

It is noted that the Council are proposing to develop a heat network in the area of the site, providing the opportunity for this development to connect into it. However, the site is constrained by the fact that there are currently significant services already running along Silverthorne Lane, which means that it is not possible to provide the heat network infrastructure all the way along the road. As a compromise position it has been agreed that plots 1 to 5 will connect to the network, but plot 6 will need to find an alternative method for meeting its heat demand. The suggested method for doing so will be through air source heat pumps, and officer are satisfied that this meets the requirements of the heat hierarchy, as set out in policy BCS14.

With regards to BREEAM, the submission confirms that all parts of the development, except plot 5, are targeting BREEAM 'Excellent' in accordance with the policy. Currently, plot 5 is targeting 'Very Good', with the applicant arguing that it is not possible to reach 'Excellent' without significant additional capital costs. In particular, it would be very difficult to achieve a high score in relation to the conversion of a listed building to form a sports hall. Whilst it is unfortunate that the school are not targeting a higher score, it is noted that the proposed developers have been in discussion with the Council's Sustainability team regarding areas where additional credits can be achieved. Given the site in general performs well against this criteria, it is not considered that the scheme merits refusal on

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

the basis of the performance of plot 5.

With regards to the wider sustainability requirements, it is noted that for plots 1 to 5, agreement on district heat network connection has only been reached recently, and therefore some of the assumptions within the Sustainability statements will need to change. How the details proposals are considered to be satisfactory, and show an appropriate response to the policy.

For plot 6, which is not proposed to connect, it is proposed to use a mixture of air source heat pumps and photovoltaic panels to meet the energy demands of this element of the proposal. According to the submitted energy strategy this would make a saving of 37.5% against the relevant building regulations requirements, which exceeds the current policy requirement of 20%. Further details, including the location of the air source heat pumps, as well as technical details over issues such as fabric efficiency and air permeability will need to be secured, but as this can be done by condition, there are no objections on these grounds.

(J) WILL THE PROPOSAL HAVE A HARMFUL IMPACT ON TREES, WILDLIFE AND ECOLOGY IN THE SURROUNDING AREA?

Policy BCS9 of the Core Strategy states that 'Individual green assets should be retained wherever possible and integrated into new development'. It also states that 'Development should incorporate new and/or enhanced green infrastructure of an appropriate type, standard and size. Where on-site provision of green infrastructure is not possible, contributions will be sought to make appropriate provision for green infrastructure off site.'

Currently there are relatively few trees on site, and they are mostly self seeded, with limited value as individual specimens. However, they do provide benefit as essential greening of what would otherwise be a relatively harsh industrial environment. The trees are largely located to the east of the site, around plot 6, with some specimens on the canal-side of plot 5. The proposal would allow for the retention of a number of the trees around plot 6, although it will be necessary to remove most of the trees on plot 5, and around the public footpath between plots 5 and 6. The tree survey suggests it will be necessary to remove 22 trees, which includes 1 category B tree, but the rest would be category C. In accordance with the Bristol Tree Replacement Standard it would be necessary to replace these with 40 trees. The landscape masterplan currently shows significantly more than 40 replacement trees, so officers are satisfied that adequate replacement tree planting can be provided on site.

It is noted that a preliminary Arboricultural Method Statement for works on plot 6 has been submitted recently. Whilst a final report has been requested, it is noted that this will not be available until a contractor is appointed (and therefore not until planning permission has been issued). As such, there is no objection to the proposal on these grounds, subject to appropriate conditions to secure the final method statement, as well as the appropriate replacement planting.

With regard to the potential impact on wildlife at the site, an ecological report was submitted in support of the application. Broadly, the Council's ecologist is satisfied with the contents of this report. The ecologist has suggested a number of conditions to ensure the protection of wildlife and the enhancement of the site.

(K) DOES THE PROPOSAL ADEQUATELY ADDRESS CONTAMINATED LAND ISSUES?

Policies BCS23 and DM34 relate to the need for any development to address and mitigate contamination, and to ensure that it does not impact on future occupiers or neighbours of the site. In this case the historic use of the site has resulted in significant contamination of parts of the site, and this has also been reported by neighbours of the site. A site investigation has been submitted with the application, and further site investigations are ongoing.

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD****CONCLUSION**

The application represents a significant redevelopment of a current industrial site, and results in a number of complex considerations. In particular, officers are concerned about the impact of the development on heritage assets, levels of contamination and noise, quality and design of the accommodation, and the impact on the site of flooding.

With regards to the impact of the proposal on heritage assets, officers have concluded that the proposal would result in a high level of less than significant harm. This will need to be given considerable weight when considering whether or not the proposal merits approval. However, it is considered that the proposal will provide significant benefits, include representing a significant level of investment in the area, the provision of new housing, including affordable housing, important heritage gains, particularly in relation to the erecting shed and boiler shop, and investment in new highway infrastructure. Importantly, policy requires that the Local Planning Authority gives considerable weight to the need for new schools, and the provision of a new school on the site is considered to be a significant positive.

It is noted that the scheme has the potential to have other harmful impacts, although in large part these will be possible to mitigate. However, in order to significantly improve the pedestrian and cycle safety in the area, to facilitate a residential presence to be introduced to the area, it will be necessary to significantly change the character of the highway infrastructure, which will reduce the opportunities for on street parking. It is likely that this will have some impact on local business. However, given the site is allocated for redevelopment these impacts cannot be entirely removed of the scheme.

At the time of writing, there is an outstanding objection from the Environment Agency on flooding grounds. However, Council Officers are now satisfied that access and egress to the site can be provided in a design flood event, and the other risks to the site are largely mitigated. It does need to be noted that the design of the scheme has not entirely removed the risk associated with the development. However, those risks are predictable, and will impact on the site for a limited period of time, it is not considered that the residual risks should prevent the development of an allocated site. In addition, there is also a requirement to revoke the hazardous substance consent on the neighbouring site to facilitate the development, and any resolution should be subject to this happening.

PLANNING OBLIGATIONS

In order to offset the impact of the development it is considered that a package of planning obligations is required, as follows:

- The provision of 73 affordable housing units on site;
- A financial contribution of £20,660 towards monitoring of a travel plan;
- A contribution of £5,913 per required Traffic Regulation Order (TDM to confirm number);
- A contribution of £200,000 for upgrading the highway infrastructure to the east of the site, which will include improvements to the footway and lighting;
- A contribution of £150,000 for upgrading the footbridge across the Feeder Canal;
- A contribution of £50,000 for upgrading Gas Lane;
- A contribution of £60,000 to fund resident parking measures within the vicinity of the site;
- A contribution of £9,000 to fund the provision of 6 fire hydrants on the site.

The applicant has agreed this package, and the Council's legal officers are current drafting a section 106 to secure these planning obligations.

CONDITIONS

There is a requirement for a complex suite of planning conditions to enable the delivery of the

Development Control Committee A – 5 August 2020**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

application and as Members will be aware that there is a requirement to agree the pre-commencement conditions with the applicant before the application is determined. As such, Officers are in discussions with the applicant with regard to a draft list of conditions, which cover the following issues:

- Stand time limits and phasing of delivery of the proposal;
- The contents of the reserved matters application;
- Highway works;
- Construction Management Plans;
- Contamination;
- Materials;
- Noise impacts, including the requirement to provide a Deed of Easement;
- Sustainable Drainage;
- Retention of historic fabric and archaeology;
- Public Art;
- Full details of riverside walkway;
- Arboricultural Method Statement and landscape design;
- Flood protection and evacuation;
- Travel Plans;
- Car Parking, including a student arrivals and departure strategy;
- A community access agreement for the school's community facilities.

COMMUNITY INFRASTRUCTURE LEVY

The development will be liable for the Community Infrastructure Levy (CIL). However, given late changes to the floorspace the final CIL figures are currently being calculated. Members will be updated with the relevant CIL figures at the meeting.

RECOMMENDED - GRANT subject to Planning Agreement and the revocation of the existing hazardous substance consent (please note that this may be subject to referral to the Secretary of State, subject to revised comments from the Environment Agency).

A) That the applicant be advised that the Local Planning Authority is disposed to grant planning permission, subject to the completion, within a period of six months from the date of this committee, or any other time as may be reasonably agreed with the Service Director, Planning and Sustainable Development and at the applicant's expense, of a planning agreement made under the terms of Section 106 of the Town and Country Planning Act 1990 (as amended), entered into by the applicant, Bristol City Council and any other interested parties to cover the following matters:

- The provision of 73 affordable housing units on site – to be reviewed after 18 months should the residential element not be implemented;
- A financial contribution of £20,660 towards monitoring of a travel plan;
- A contribution of £5,913 per required Traffic Regulation Order (TDM to confirm number);
- A contribution of £200,000 for upgrading the highway infrastructure to the east of the site, which will include improvements to the footway and lighting;
- A contribution of £150,000 for upgrading the footbridge across the Feeder Canal;
- A contribution of £50,000 for upgrading Gas Lane;
- A contribution of £60,000 to fund resident parking measures within the vicinity of the site;
- A contribution of £9,000 to fund the provision of 6 fire hydrants on the site.
- Connection to the District Heat Network.

Development Control Committee A – 5 August 2020

**Application No. 19/03867/P : Land And Buildings On The South Side Of Silverthorne Lane
Bristol BS2 0QD**

(B) That the Head of Legal Services be authorised to conclude the Planning Agreement to cover matters in recommendation (A).

(C) That on completion of the Section 106 Agreement, planning permission be granted, subject to the condition (final wording of which to be delegated to officers).