

Extension: Revised expiry date	7 March 2025
'Hold Date'	

Bristol City Council Development Management

Delegated Report and Decision

Application No:	24/04065/F	Registered:	15 October 2024
Type of Application:	Full Planning	Expiry Date:	10 December 2024
Case Officer:	Ben Royston		

Site Address:

Christchurch Studios
38 Portland Street
Clifton
Bristol
BS8 4JB

Description of Development:

Change of use of existing building to 9 flats, office and associated alterations to the building.

Ward: Clifton

Consultation Expiry Dates:

Advert	20 Nov 2024	Neighbour:	21 Nov 2024
and/or Site Notice:	20 Nov 2024		

SITE DESCRIPTION

The application site is located at 38 Portland Street and is known as Christchurch Studios. The property was constructed in the mid-19th century originally as a warehouse, although has since been used for a variety of uses including parish hall, and more recently a recording/editing studio, theatrical teaching space and associated office.

The property is a mid-terraced building, four-storeys in height, with masonry construction and a traditional pitched cut non-original timber framed roof. The property lies between Portland Street (to the south) and Gloucester Street (to the north) and has a main access to both streets, which are a storey apart in levels.

The property is Grade II listed as part of Carter's Buildings and Carter's Warehouse (List Entry Number: 1202450) and located within the Clifton and Hotwells Conservation Area.

RELEVANT PLANNING HISTORY

12/03939/LA: Renew roof covering with a breathable membrane, battens and artificial slates, provide insulation below the new roof covering. re-line the parapet gutters in lead. Lift and re-bed coping stones to perimeter parapet wall. Hack off existing cementitious render to the rear face of the parapet wall and renew with a lime based render. GRANTED subject to conditions on 08.11.2012.

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86/01737/F: Addition of louvred dormer units for fresh air intake and extract. GRANTED subject to conditions on 11.08.1986.

APPLICATION

Planning permission is sought for the change of use of existing building to 9 flats, office and associated alterations to the building.

The schedule of the proposed flats would be as follows:

- Flat 1. 1 bed 2 persons apartment (53m²)
- Flat 2. 2 bed 3 persons apartment (66m²)
- Flat 3. 2 bed 4 persons apartment (73m²)
- Flat 4. 1 bed 2 persons apartment (55m²)
- Flat 5. 2 bed 4 persons apartment (71m²)
- Flat 6. 2 bed 4 persons apartment (74m²)
- Flat 7. 3 bed 6 persons duplex apartment (112m²)
- Flat 8. 3 bed 6 persons duplex apartment (136m²)
- Flat 9. 3 bed 6 persons duplex apartment (143m²).

There would be a total of 254m² of office space at ground and basement level.

Please see plans and supporting documentation for full details.

A concurrent Listed Building Consent application (24/04066/LA) has been submitted alongside this application.

RESPONSE TO CONSULTATION AND PUBLICITY

Neighbours were consulted by letter with a deadline to respond of 21.11.2024.

Site and press notices issued with expiry date of 20.11.2024.

A total of 21 representations have been received (across this and the concurrent Listed Building Consent application) , 4 of which are objecting to the scheme, with 17 in support.

The key reasons for objection are summarised as follows:

- Failure to notify flats on Sion Place and Gloucester Row that use a car park on Gloucester Street.
- Potential for construction to damage the cobbled streets
- Increase in use of streets for access and deliveries
- Proposed parking space provision is unworkable.
- Property not marketed to all potential community uses
- Concern over sewage/foul water dispersal
- Inconvenience to existing residents
- Agent of change concerns regarding noise from The Coronation Tap.
- Concern over raised height of the building and potential for overlooking and privacy issues.

The key reasons for support are summarised as follows:

- Restoration, repair and adaptive use of a Listed Building should be supported
- Mixed use development is policy compliant
- New uses are viable and sustainable
- Well suited to residential area in a sustainable location.

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- Addition of new residential units where housing is needed in Bristol
- Sympathetic to Conservation Area.
- Would end students congregating outside residential properties nearby.
- Improve amenity for residential properties nearby
- Economic benefits of the development

OTHER COMMENTS:

The Conservation Advisory Panel has commented as follows:

'The revised scheme was preferable to the previous one. More information has been submitted to show that the interiors of the building have already been damaged, and the roof proposal is improved. However, the views taken from street level in the DAS appear to have been taken from pavement level rather than eye level, and these need to be redrawn to show whether or not the proposed dormers would be visible from the street. Subject to this point being satisfactorily resolved, the Panel was neutral'.

Historic England has commented as follows:

'Significance of Designated Heritage Assets

The property forms part of a development of 14 houses and a former warehouse known as Carter's Buildings, with its principal elevation onto Gloucester Street, but extending back onto Portland Street. The building group was built circa 1793, according to the list description, although noted in the heritage assessment as being constructed much later in 1854, probably by Foster and Woods Architects. The central warehouse, flanked by seven houses on either side, has a polite composition to both its north and south elevations and is materially indicative of the local palette and quite distinct. The warehouse, currently used by the Bristol Old Vic Theatre School, has had former uses as a school, social institute and recording studios. Its significance is derived from its aesthetic, historic and communal heritage values, also contributed by its building fabric and design, being a unique arrangement of a unified development of courtyard housing with a central warehouse.

The building is designated as Grade II, and great weight should be given to its conservation. The National Planning Policy Framework (NPPF) defines 'conservation' as 'the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance'.

Summary of proposals.

The proposals are for the conversion of the existing building into residential and office accommodation with the addition of an upward extension. Impact of the Proposed Development As the existing building is Grade II, our statutory remit is limited to element of substantial demolition of external elevations, roof or internal structures. Therefore, while your authority would be tasked with assessing impacts on the building's interior and setting within the Clifton Conservation Area, we would provide advice on the specific proposal to remove the existing roof, which is proposed to be replaced with a mansard. The visual impact of constructing a mansard on the character and appearance of the conservation area would also be for your conservation advisor to consider.

With regard to the proposals to replace the existing roof, we understand from the submitted information that the conventional pitched roof, supported on trusses was altered in the 1980's (addition of dormers) and later re-roofed with new slates in 2012. Further to providing pre-application advice to the applicant, we are pleased that the proposals now retain the substantial historic structural

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elements. The removal of the existing pitched roof form will impact on character and significance, although we understand that in terms of fabric this is almost entirely modern.

Planning Legislation & Policy Context

Central to our consultation advice is the requirement of the Planning (Listed Buildings and Conservation Areas) Act 1990 in Section 66(1) for the local authority to "have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses".

Section 72 of the act refers to the council's need to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area in the exercise of their duties.

Paragraph 205 states that in considering the impact of proposed development on significance, great weight should be given to the asset's conservation. Paragraph 206 goes on to say that clear and convincing justification is needed if there is loss or harm.

Historic England's advice is provided in line with the importance attached to significance and setting with respect to heritage assets as recognised by the Government's revised National Planning Policy Framework (NPPF) and in guidance, including the Planning Practice Guidance (PPG), and good practice advice notes produced by Historic England on behalf of the Historic Environment Forum (Historic Environment Good Practice Advice in Planning Notes (2015 & 2017)).

The significance of a heritage asset can be harmed or lost through alteration or destruction of the asset or development within its setting. As heritage assets are irreplaceable, any harm (whether substantial or less than substantial) is to be given great weight, and any harm to, or loss of, the significance of a designated heritage asset (or site of equivalent significance) should require clear and convincing justification.

Position.

While the form of the roof is to change as part of the proposed works and development, the historic elements of the historic roof are to remain. Overall, there is likely to be some harm to significance, which should be assessed by your authority. However, as it stands, we do not object to the proposed conversion and alterations.

Recommendation

Historic England does not object to the application on heritage grounds. In determining this application you should bear in mind the statutory duty of section 16(2) 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 and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.'

The Conservation Officer has commented as follows:

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Initial Comments (5th November 2024):

'The Heritage statement is much improved from pre-app discussions and now provides a good level of information on the remaining significance of the building. We recognise that there is significant intervention to the building, particularly the conversion to BBC studios. The historic interest of either the original warehouse use or the later parish use has been heavily eroded. Where architectural or historic interest survives, this is largely reserved for the wall and floor fabric and roof structure.

With regard to this, there is only a single, proposed, section; corresponding demolition and proposed sections are required to understand the current arrangement and the impacts of any intended demolition or infill of floors as part of proposals.

Further clarification also needs to be made on the proposed demolition plan for Level 1 at the North end, around the existing Lobby area. The proposed plan appears to retain the existing wall fabric here, whereas the demolition plan shows complete demolition.

Please re-consult Conservation following receipt of the additional drawings.'

Final Comments (dated 5th December 2024):

'The proposed redevelopment of the building will pose a low degree of harm to the special architectural and historic character of the listed building and character of the Clifton Conservation Area.

A long sequence of alterations to the original warehouse building have resulted in an interior that's heavily compromised and lacking in fabric and details that risk loss.

We are required to place great weight in the conservation of designated heritage assets. Where harm is not substantial the NPPF allows for tangible public benefits to be considered in offsetting that harm where it is justified. The low degree of harm posed through complete subdivision and the removal and replacement of the roof to a new profile is justified and the impact of the change of roof profile minimised. The retention of the original roof structures is an important aspect that ensures these survive to ensure legibility of the historic form.

The public benefit arising from the new residential units is clear, and this and economic benefit, are accepted in the planning balance in offsetting the low degree of harm posed to designated heritage assets. We are satisfied that development aligns with the NPPF and Local plan policies designed to protect the historic environment, subject to all relevant standard Listed building conditions being applied to any consent along with the following:

METHOD STATEMENTS
 DETAILED DRAWINGS
 MATERIALS.'

The Transport Development Management Officer has commented as follows (final comments):

Introduction

The application proposes the conversion of educational and office space into 2no. one-bedroom, 4no. two-bedroom, 3no. three-bedroom flats, and office space, with associated cycle and refuse storage. The site is between Gloucester Street and Portland Street, unclassified adopted highways with no

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official through routes and speed limits of 20mph, with further land currently used for parking and storage on the south side of Portland Street. Everyday necessities can be found in Clifton village with more infrequent amenities located in central Bristol. The Downs Way and Portway provide signed active travel routes from Cribbs Causeway and Avonmouth to central Bristol. Bus stops within a 15-minute walk provide frequent and regular services to destinations like Temple Meads and Southmead Hospital. Clifton Down station, a 5-minute cycle away, is served by hourly trains to Avonmouth, Bristol Temple Meads, Weston-super-Mare, and Severn Beach.

Access, visibility, and highway safety

Door widths leading to the cycle store are of compliant width bar the cycle store's door itself, being 0.97m and not the 1.2m.

Sufficient access has been provided for emergency vehicles with the width of the adopted highway exceeding the minimum operation width of 3.7m.

Revised: Door to the cycle stores have been altered to circa 1.2m

Motor Vehicle Parking, Clubs, and Controls

Proposed parking spaces comply with our minimum dimensions, maximum provision limits, and afford the necessary buffers of 0.45m to vertical structures and space to turn out of/into the spaces.

However, the path accessing the refuse container stores, to the east of the car parking spaces, is unacceptable as it does not meet our minimum of 1.5m. Due to the shared nature of the parking and the presence of an RPZ in the area, Clifton Village residents' parking scheme, residents will not be eligible for parking permits. There are 4 car club parking facilities within proximity to the site, 2 operated by Zip Car and Co-Wheels each.

Revised: The path accessing the refuse containers has been altered to a compliant 1.5m wide.

Cycle Parking

As outlined in our response to 24/02158/PREAPP, for a development of this size, cycle parking provision should have capacity for 16 resident cycle parking spaces and 1 office visitor cycle parking space. These should be enclosed, secure, weatherproofed, well illuminated, overlooked, and in the form of Sheffield Stands or similar. Therefore, the proposed vertical cycle parking in the basement stores, accessed via more than two doors with widths under 1.2m and a flight of stairs, is therefore unacceptable.

Revised: Instead of being provided in the form of vertical parking in the inaccessible basement, cycle parking is now provided in two compliant stores on the ground floor.

Maintenance, Servicing, and Utilities

Servicing has been demonstrated in the Design & Access Statement.

Refuse Storage

Proposed refuse storage is of adequate capacity for the residences but not the proposed office space. Residential and commercial refuse storage should be separate.

Revised: Commercial and residential waste has been separated as requested.

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Wider compatibility - Construction Management, Travel Planning, and Projects

Due to the nature of the development and its location a Construction Management Plan is unlikely to be required.

Residents will likely benefit from the proposed timed closure of Princess Victoria Street and the increased public realm this will afford.

The Travel Plan is satisfactory.

Recommendation

TDM recommends the approval of the above application after instances of non-compliance with DM23 were suitably resolved.

The Pollution Control Officer has commented as follows:

'The energy statement states that air source heat pumps will be used for space and water heating but I can't see that any further information regarding these has been provided in the application. The selection of heat pump model(s) and positioning will be key to ensure that nearby existing residents will not be disturbed by noise from any heat pumps. I would therefore ask for the following condition along with the advice below should the application be approved:

Noise from air source heat pumps'.

RELEVANT POLICIES

Clifton & Hotwells Conservation Area Character Appraisal

Planning (Listed Buildings & Conservation Areas) Act 1990

National Planning Policy Framework – December 2024

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.

KEY ISSUES:

A. IS THE PRINCIPLE OF DEVELOPMENT ACCEPTABLE?

The property is currently occupied on a short term leaseback by the previous owners, Bristol Old Vic Theatre School who are using the property for teaching and commercial use and as a recording studio. This is a temporary leaseback whilst they relocate facilities to an alternative fit for purpose location. Planning permission is sought for the change of use of the upper floors (first, second and third) to form nine new dwellings with a mix of one, two and three bedroom units (Use Class C3). The ground floor and basement will be retained as a separate commercial (office) space (Use Class E).

Proposed Residential Use:

There is no objection in principle to the creation of new residential accommodation in this mixed

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residential/commercial area. However, the existing use appears to cross between Class E and F1 uses in the new Use Class Order revisions. Community facilities (such as the existing theatre school) are protected through the following policies, and therefore justification would be required for the loss of the community floorspace, though part of the uses as a recording studio would be deemed Class E(c)/E(g) already.

Loss of Community/Education Use:

Policy BCS12 of the Core Strategy (2011) states that existing community facilities should be retained, unless it can be demonstrated that there is no longer a need to retain the use or where alternative provision is made. The supporting text clarifies that the term community facilities is wide-ranging and can include health care facilities. In such cases the Council will need to assess the loss in terms of the social, economic and physical impact on the local community and the harm caused to the level of community provision in the area.

Policy DM5 in the Site Allocations and Development Management Policies (2014) more specifically states that proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that:

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

The application sets out that the current occupant of the site has remained at the building on a lease-back arrangement that terminates in 2025. They have also confirmed that they will be moving current facilities to an alternative location within their portfolio (Downside Road Campus) because the current facilities are no longer fit for purpose and the building no longer provides the ability to adapt to modern requirements. As such, it is considered that points ii. and iv. are met in this instance and the loss of community use at the building would meet the policy requirements of BCS12.

It is also acknowledged that the proposal includes an open-office/co-working hot-desking facility for people to work in a professional environment. This caters for the local population where people that are now have home-working or remote working arrangements would have the ability to work alongside other members of the local community.

It is also noted that the site is located outside of the designated Clifton Town Centre where larger commercial and community uses would be expected.

Housing Delivery Test

Section 5 (Delivering a sufficient supply of homes) of the NPPF (2024) outlines that "To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without

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unnecessary delay". In relation to maintaining sufficient supply and delivery of homes, paragraph 75 of the NPPF outlines: "Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites."

Bristol has a positive approach to boosting the supply of homes. Policy H1 of the emerging Bristol Local Plan (Publication Version November 2023) proposes an ambitious housing requirement of 1,925 homes per year, substantially higher than that of the current Core Strategy (June 2011). The emerging plan offers a large range of potential development sites, areas of growth and regeneration and a variety of policy interventions that will help to ensure that the housing requirement is delivered and preferably exceeded. In doing so the emerging plan seeks to meet as much of the identified housing need as possible, consistent with paragraph 61 of the National Planning Policy Framework (NPPF) (2024).

Until the new local plan is adopted, the council is expected to identify and update annually a supply of specific deliverable sites to meet its local housing need for the next few years. If it cannot do this, the presumption in favour of sustainable development applies. For Bristol, only a four year supply must be demonstrated, as the emerging local plan has reached the Publication (Regulation 19) stage (NPPF paragraph 232).

The Government's standard method sets Bristol's local housing need at a very high level due to the inclusion of an additional 35% uplift for the largest cities and urban centres. Consequently, despite a substantial stock of planning permissions and a positive approach, Bristol is currently unable to demonstrate a four year supply of housing land. As set out in the SHLAA report (April 2024) the council has a five year supply of 12,682 homes. When measured against the current standard method housing need of 3,378 homes per year, this results in a housing land supply of 3.75 years. As set out in the council's Housing Delivery Test Action Plan, the 2022 HDT results showed that Bristol had achieved 88% of its housing requirement over the past three years.

As a result paragraph 11(d) of the NPPF is engaged and the tilted balance applies.

There are two aspects to understanding whether planning permission as prescribed by Paragraph 11(d) should be granted and whether policies which are most important to determining the application are out of date. The first is where the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. Amongst the areas of particular importance that may be relevant to Bristol, the footnote to paragraph 11d includes habitats sites including those designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty; irreplaceable habitats; designated heritage assets and areas at risk of flooding or coastal change.

Or the second, where any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

It is established that Bristol is not able to demonstrate a five year housing land supply, therefore the current policies are deemed out of date, and paragraph 11(d) of the NPPF - the tilted balance - is engaged. The Planning Practice Guidance confirms that all student accommodation can contribute towards an authority's housing land supply, and it has been accepted on other sites that student bedspaces can count towards 2.5:1 (bedspaces to dwellings). On this basis, the additional 9 dwellings proposed by this application attracts significant weight in the consideration of the proposals. This is included in the planning balance for this application as set out later in the report.

Given the above, the application is considered acceptable in terms of land use in this instance.

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B. IS THE PROPOSED DESIGN ACCEPTABLE AND WOULD IT HARM THE HISTORIC FABRIC OF THE GRADE II LISTED BUILDING AND WOULD IT PRESERVE OR ENHANCE THE SPECIAL CHARACTER OF THIS PART OF THE CLIFTON AND HOTWELLS CONSERVATION AREA?

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 Authority is also required (under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The case of *R (Forge Field Society) v Sevenoaks DC* [2014] EWHC 1895 (Admin) ("*Forge Field*") has made it clear 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) 2024 states (in paragraph 212) 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 214 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 total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Paragraph 215 further states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Paragraph 216 also states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

In addition, Bristol Core Strategy (Adopted 2011) Policy BCS22 seeks to ensure that development proposals safeguard or enhance heritage assets in the city with Policy DM31 in the Site Allocations and Development Management Policies (Adopted 2014) expressing that alterations to buildings should preserve or enhance historic settings. Policy BCS21 also requires new development in Bristol to deliver high quality urban design and sets out criteria to measure developments against including the need for development to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness.

Policy DM26 more specifically states that the design of development proposals should contribute towards local character and distinctiveness by responding appropriately to the height, scale, massing, shape, form and proportion of existing buildings, building lines, skylines and roofscapes. Policy DM27 further expresses that the layout, form, pattern and arrangement of streets, buildings and landscapes should contribute towards to creation of quality urban space and that the height, scale and massing of development should be appropriate to the immediate context, site constraints, character of adjoining streets and spaces and setting. Policy DM30 further states that any extensions and alterations to

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existing buildings should respect the siting, scale, form, proportions, materials and overall design and character of the host building and broader street scene. DM30 further states that extensions should be physically and visually subservient to the host building, including its roof form.

The proposed alterations to the building include:

- o Infill of double height spaces to reinstate floors (as per the likely original warehouse storeys) including the creation of staircases in the third to fourth floor duplex apartments
- o New partition walls and subdivisions throughout to create the new apartments
- o Insertion of new services to support kitchens and bathrooms in the apartments
- o Installation of a new mansard roof form with retained historic trusses
- o Insertion of a new staircase from basement to ground floor to facilitate the use of the basement and ground as connected office spaces
- o The reinstatement of blocked double height windows spanning ground and first floors

The proposed alterations to the Grade II Listed Building would have limited impact on the elevations of the building and the Conservation Officer has confirmed that upon revision, the proposals are acceptable and that the low degree of harm to the special architectural and historic character of the Listed building.

It is acknowledged that the existing roof profile is recent, with the slate roofing being installed in 2012 and that the conventional pitched roof and supporting trusses were altered substantially in the 1980s.

The proposed new roof with additional dormers and raised roof height would have limited impact on the design of the building and would not be any more visible at street level than the existing. Whilst there would be additional roof formers in the roof structure, they would be set down from the roof ridge and would be less visible than the current west side gabled dormers.

The public benefit arising from the new residential units is clear, and this, in combination with the economic benefit of retaining the commercial office space and communal hot-desking offering, are accepted in the planning balance in offsetting the low degree of harm posed to designated heritage assets. Officers are satisfied that development aligns with the NPPF and Local plan policies designed to protect the historic environment, subject to the conditions attached to the decision.

C. AMENITY

Policy BCS21 in the Bristol Core Strategy (2011) advocates that new development should deliver high quality urban design and safeguard the amenity of existing development. Policies DM27 and Policy DM29 in the Site Allocations and Development Management Policies (2014) further state that the layout and form of new buildings and development, including the size, shape, form and configuration of blocks and plots, will be expected to enable existing and proposed development to achieve appropriate levels of privacy, outlook and daylight. Policy BCS23 in the Core Strategy and Policy DM35 in the Site Allocations and Development Management Policy also state that new development should also not lead to any detrimental increase in noise levels.

All nine of the proposed dwellings comfortably meeting the designated minimum space standards and offer ample space for future flexibility and all habitable rooms would have windows and adequate natural light. The proposal also includes sound insulation to the flats and between residential and commercial use. No concerns are raised with regard to noise internally. A condition has been requested to ensure that any noise from proposed Air Source Heat Pumps provides sufficient noise mitigation.

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In addition, agent of change principles would apply with regard to the Coronation Tap public house located a few metres from the site on Portland Street. As such, future occupants would need to be made aware of the existence of the public house and would not be able to complain about any noise from the existing use. A condition is attached to ensure this.

With regard to neighbouring properties, there are no concern with regard to loss of light or overbearing development. The majority of windows are existing, but that the opening up and restoration of the blocked up double height windows would not lead to unacceptable additional overlooking. Concerns have been raised about additional overlooking and loss of privacy from windows in the revised roof, however given that these serve the same properties as the floor below, no additional overlooking is likely.

It is also noted that the change of use would lead to an end to additional noise from clusters of students around the entrance and shared courtyard space and in the streets outside the property. As such, there are improvements to the amenity of nearby properties that would result from this development. Overall, the application is therefore considered acceptable with regard to amenity for future occupants and neighbouring occupants in this instance.

D. TRANSPORT

Section 9 of the NPPF (2024) states that transport issues should be considered from the earliest stages of development proposals so that opportunities to promote walking, cycling and public transport use are identified and pursued and the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account including appropriate opportunities for avoiding and mitigating any adverse effects. This policy further states that development proposals should ensure that net environmental gains, and patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places. The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.

Policy BCS10 in the Bristol Core Strategy (2011) states that developments should be designed and located to ensure the provision of safe streets and reduce as far as possible the negative impacts of vehicles such as excessive volumes, fumes and noise. Proposals should create places and streets where traffic and other activities are integrated and where buildings, spaces and the needs of people shape the area.

Policy DM23 in the Site Allocations and Development Management Policies (2014) in addition states that development should not give rise to unacceptable traffic conditions. Examples of unacceptable traffic conditions referred to in the policy include the introduction of traffic of excessive volume, size or weight on to unsuitable highways/or in to residential or other environmentally sensitive areas. This could result in high levels of transport noise and disturbance, a decrease in air quality and unsafe conditions both on the highway and for pedestrians. This policy further states that development proposals will be expected to provide an appropriate level of safe, secure, accessible and usable parking provision (including cycle parking) and that proposals for parking should make effective and efficient use of land and be integral to the design of the development. The approach to the provision of parking aims to promote sustainable transport methods, such as walking, cycling and public transport, as encouraged by Core Strategy Policy BCS10. DM23 further states that development will be expected to provide safe and adequate access for all sections of the community within the development and onto the highway network.

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Policy BCS15 in the Bristol Core Strategy states that all new development will be required to provide satisfactory arrangements for the storage of refuse and recyclable materials as an integral part of its design. Policy DM32 in the Site Allocations and Development Management Policies states all new developments will be expected to provide recycling facilities and refuse bins of sufficient capacity to serve the proposed development. This policy further states that the location and design of recycling and refuse provision should be integral to the design of the proposed development. In assessing recycling and refuse provision, regard will be had to the level and type of provision, having regard to the above requirements and relevant space standards; and the location of the provision, having regard to the need to provide and maintain safe and convenient access for occupants, while also providing satisfactory access for collection vehicles and operatives. Policy DM23 also states that the provision in new development of safe, secure, well-located cycle parking can be very important in encouraging people to cycle regularly. It is important that development proposals incorporate these facilities and parking at the outset of the design process. Applicants should refer to the council's 'Guide to Cycle Parking Provision' for guidance on this matter.

The application has been reviewed by the Transport Development Officer and full comments are set out above along with acceptance of the revised scheme. Concerns were raised with regard to cycle and waste storage.

Cycle Parking

Following revision to the scheme, cycle storage is now provided for 16 cycles in dedicated stores at ground floor level. This is considered acceptable.

Waste Storage

The revised scheme now offers separate domestic waste and recycling receptacles for public collection and commercial waste and recycling for private collection. This is considered acceptable.

Car Parking

Two parking spaces for cars are retained within the proposal. The location of the proposed development is considered highly sustainable, close to the designated Clifton Town Centre and nearby bus stops with regular services running into and out of the City Centre. As such, the application is considered to be 'low car' and future occupants will not be eligible for parking permits.

Conclusion

The application is located in a highly sustainable location and will, upon revision, provide adequate and policy compliant waste, recycling and cycle storage. Further, with the exception of the two existing off-street parking spaces, future occupants will not be eligible for parking permits within the Clifton Village Residents' Parking Zone.

E. SUSTAINABILITY AND CLIMATE CHANGE

Current planning policy within the adopted Bristol Development Framework, Core Strategy (2011) requires new development to be designed to mitigate and adapt to climate change and meet targets to reduce carbon dioxide emissions. This should be achieved, amongst other measures, through efficient building design, the provision of on-site renewable energy generation to reduce carbon dioxide emissions by at least 20% based on the projected residual energy demand of new buildings. The approach proposed should also be supported by the provision of a sustainability statement and an energy strategy.

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Policy BCS14 states that new development will be expected to demonstrate that the heating and cooling systems have been selected according to the following heat hierarchy:

1. Connection to existing CHP/CCHP distribution networks
2. Site-wide renewable CHP/CCHP
3. Site-wide gas-fired CHP/CCHP
4. Site-wide renewable community heating/cooling
5. Site-wide gas-fired community heating/cooling
6. Individual building renewable heating

The applicant has submitted an Energy Strategy and Sustainability Statement (both produced by Fenton Energy) which set out how the application meets the heat hierarchy requirements through the inclusion of Air Source Heat Pumps and achieves a total carbon dioxide emissions reduction of 72.1% and 74.09% beyond Part L TER levels.

As such, the application is considered acceptable with regard to sustainability and climate change. Because the application is for conversion of an existing building and has no green infrastructure, not BNG assessment is required in this instance.

CONCLUSION

The proposed development would result in a low degree of harm to the Grade II Listed building as set out in the NPPF. The tangible benefits of restoration of original features, preservation of the remaining historic fabric, retaining the building in active use and public benefit of nine additional dwellings for the City's housing stock are considered to be significant in terms of public benefit that outweigh the harms posed. The application is considered policy compliant in all other matters, would preserve the special character of the Clifton and Hotwells Conservation Area and is recommended for approval on that basis.

EQUALITY ASSESSMENT

During the determination of this application due regard has been given to the impact of this scheme in relation to the Equality Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs, experiences, issues and priorities in relation this particular proposed development. Overall, it is considered that this application would not have any significant adverse impact upon different groups or implications for the Equality Act 2010.

RECOMMENDED GRANTED subject to condition(s)

Time limit for commencement of development

1. Full Planning Permission

The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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Pre commencement condition(s)

2. Construction Management Plan

No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- o 24 hour emergency contact number;
- o Hours of operation;
- o Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- o Routes for construction traffic;
- o Locations for loading/unloading and storage of plant, waste and construction materials;
- o Method of preventing mud being carried onto the highway;
- o Measures to protect vulnerable road users (cyclists and pedestrians)
- o Any necessary temporary traffic management measures;
- o Arrangements for turning vehicles;
- o Arrangements to receive abnormal loads or unusually large vehicles;
- o Methods to protect cobblestones and slabs on the neighbouring streets and pavement during the construction period.
- o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development, and protection of the streets within the Conservation Area.

Pre occupation condition(s)

3. Method Statements

Prior to commencement a method statement/statements for the following and shall be submitted to the local Planning authority and approved in writing:

- a) Intended process for demolitions including the forming of new openings and removal of existing roof structure, demolition using suitable hand tools, the use of all temporary structural support, the insertion of permanent structural support, and the removal of all fabric from site in a way that ensures the buildings fixtures and fittings are protected, and the making-good subsequent to demolitions.
- b) For the restoration and refurbishment of existing windows and detailing the process of identifying defects, removing and replacing frame or sash box elements, providing draft proofing or reprofiling, the replacement of any glass panes, and replacement in the building.
- c) all proposed cleaning and restoration of existing exterior finishes of the building including brickwork, stonework, and render and detailing the use of all mechanical, vapour, liquid, chemical or abrasive methods of removing airborne pollutants, organic growth, and loose and

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failed fabric and the use of tools and suitably trained personnel, and the repointing and repair of masonry.

Development shall be completed in accordance with the approved method statement.

Reason: To safeguard the architectural and historic significance of the Listed building and the special character of the Conservation Area.

4. Detailed Drawings

Prior to commencement detailed drawings of the following and shall be submitted to the local planning authority and approved in writing:

- a) 1:5 section details and 1:10 elevation details of all proposed new windows, rooflights, other glazing and secondary glazing and showing all materials, frames, profiles, opening lights, glazing bars, and fabric connections with head, reveal and cills
- b) 1:5 section details and 1:10 elevation details of all new internal and external doors and showing all proposed materials, frames profiles, panelling, beading and mouldings, architrave and fabric conditions at head, reveal and threshold.
- c) typical 1:5 section details of proposed partition walls within the Listed building and fabric connections at wall, floor and ceiling
- d) 1:5 section detail of proposed floor build-up, showing the proposed ceiling and floor treatment, proposed materials, and all fire and acoustic separation.
- e) 1:5 section details of the proposed roof and dormers showing all intended materials, jey junctions at ridge and angle, thermal upgrading, and build-up and guttering and fabric connections with the existing parapet
- f) section details to an appropriate scale showing proposed new stairs, balustrades, and handrails.
- g) 1:5 section details and 1:10 elevation details of all proposed bin an bike stores and showing all proposed structure, external materials, fabrication, doors, roof and eaves.

Development shall be completed in accordance with the approved drawings.

Reason: To safeguard the architectural and historic significance of the Listed building and the special character of the Conservation Area.

5. Materials

Prior to commencement the following materials samples shall be made available to the Local Planning Authority in their intended colour, composition, and finish and approved in writing:

- a) Roof slate
- b) Standing-seam zinc for dormers
- c) Ridge tiles
- d) Rainwater goods

Development shall be completed in accordance with the approved materials.

Reason: To safeguard the architectural and historic significance of the Listed building and the special character of the Conservation Area

6. Internal features

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All existing internal decoration features, including plaster work, ironwork, fireplaces, doors, windows, staircases, staircase balustrade and other woodwork, shall remain undisturbed in their existing position, and shall be fully protected during the course of works on site unless expressly specified in the approved drawings.

Reason: In order that the special architectural and historic interest of this Listed Building is safeguarded.

7. New works to match - Listed Building

All new external and internal works and finishes, and any works of making good, shall match the existing original fabric in respect of using materials of a matching form, composition and consistency, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved.

Reason: In order that the special architectural and historic interest of this Listed Building is safeguarded.

8. Partitions - Listed Building

All new partitions shall be scribed around the existing ornamental plaster mouldings.

Reason: To ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving its special architectural or historic interest.

9. No building or use hereby permitted shall be occupied or use commenced until the refuse/area and where necessary, dropped kerb(s) to facilitate the manoeuvring of four wheeled bins onto the carriageway have been completed in accordance with the approved plans.

Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site for the lifetime of the development.

The refuse store/area is not to be used for any other purpose other than the storage of refuse and recyclable materials. No refuse or recycling material shall be stored or placed for collection on the adopted highway (including the footway), except on the day of collection.

Reason: To safeguard the amenity of the occupiers of adjoining premises; protect the general environment; prevent any obstruction to pedestrian movement and to ensure that there are adequate facilities for the storage and recycling of recoverable materials.

10. Completion and Maintenance of Cycle Provision - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed, and thereafter, be kept free of obstruction and available for the parking of cycles only.

Reason: To ensure the provision and availability of adequate cycle parking.

11. Renewable energy (Air Source Heat Pump) - where further detail is required

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Prior to implementation, details of the air source heat pump (ASHP) (including the exact location, dimensions, design/ technical specification) together with calculation of energy generation and associated CO2 emissions to achieve 20% reduction on residual emissions from renewable energy in line with the approved energy statement should be submitted to the Local Planning Authority and approved in writing.

The renewable energy technology shall be installed prior to occupation of the dwellings and thereafter retained.

Reason To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

12. Noise from air source heat pumps

No commencement of use of any air source heat pumps shall take place until an assessment on noise from the heat pump(s) at nearby residential properties has been submitted to and been approved in writing by the Local Planning Authority.

If the assessment indicates that noise from the air source heat pump(s) is likely to affect neighbouring affecting residential or commercial properties then a scheme of noise mitigation measures shall be submitted to and approved in writing by the Council prior to the commencement of the development.

The noise mitigation measures shall be designed so that nuisance will not be caused to the occupiers of neighbouring noise sensitive premises by noise from the development.

Reason: To protect the amenity of future occupiers, nearby residential properties and the area generally.

Advice

Due to the proximity of existing noise sensitive development and the potential for disturbance arising from contractors' operations, the developers' attention is drawn to Section 60 and 61 of the Control of Pollution Act 1974, to BS 5528: Parts 1 and 2: 2009 Code of practice for noise and vibration control on construction and open sites and the code of practice adopted by Bristol City Council with regard to "Construction Noise Control". The hours that are usually allowed for construction or demolition works that are audible at any residential property to be carried out are 8.00 to 18.00 Monday to Friday and 8.00 to 13.00 Saturdays. Further information can be obtained from Pollution Control, Bristol City Council pollution@bristol.gov.uk.

13. Information to future occupiers (agent of change principle)

No commencement of use shall take place until a details of the information to be provided to prospective purchasers or occupants of the new dwellings and commercial space that indicates the existence of nearby licensed premises that have been in operation for some time prior to the development the subject of this application. This information should set out that agent of change principles exist and it may not be possible to uphold any noise complaints received from future residents of the site regarding noise impacts from neighbouring licensed premises.

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A copy of the information shall be submitted to the Local Planning Authority and approved in writing. Such details shall then be provided to prospective purchasers or occupants for the lifetime of the approved development.

Reason: In the interests of ensuring that internal noise levels within the residential accommodation hereby approved will be acceptable and not harmed by noise from nearby commercial venues, including the Rhubarb Tavern; and to ensure that the ongoing viability of nearby venues, such as the Coronation Tap, will not be prejudiced by the approval of residential accommodation in their vicinity.

List of approved plans

14. List of approved plans and drawings

The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision.

W0802-WW-XX-00-DR-A-1210-S2-A Level 00 Demolition Plan REV A, received 27 November 2024

W0802-WW-XX-01-DR-A-1211-S2-B Level 01 Demolition Plan REV B, received 27 November 2024

W0802-WW-XX-02-DR-A-1212-S2-B Level 02 Demolition Plan REV B, received 27 November 2024

W0802-WW-XX-B1-DR-A-1209-S2-A Level B1 Demolition Plan REV A
, received 27 November 2024

W0802-WW-ZZ-ZZ-GA-A-0402-S2-A Existing & Proposed North West Sections, received 27 November 2024

W0802-WW-ZZ-ZZ-GA-A-0403-S2-A Existing & Proposed North East Sections, received 27 November 2024

W802-WW-XX-XX-GA-A-0101-S0 Location plan, received 15 October 2024

W0802-WW-XX-XX-GA-A-0102 Existing and proposed site plan, received 15 October 2024

6064-2 Existing basement plan, received 15 October 2024

6064-3 Existing ground floor plan, received 15 October 2024

6064-4 Existing first floor plan, received 15 October 2024

6064-5 Existing second floor plan, received 15 October 2024

6064-6 Existing third floor plan, received 15 October 2024

W0802-WW-XX-00-DR-A-0220 Level 00 plan, received 15 October 2024

W0802-WW-XX-01-DR-A-0221-S2 Rev B Level 01 plan, received 5 March 2025

W0802-WW-XX-02-DR-A-0222 Level 02 plan, received 15 October 2024

W0802-WW-XX-03-DR-A-0223 Level 03 plan, received 15 October 2024

W0802-WW-XX-04-DR-A-0224 Level 04 plan, received 15 October 2024

W0802-WW-XX-05-DR-A-0225 Roof plan, received 15 October 2024

W0802-WW-XX-B1-DR-A-0219 Level 1B plan, received 15 October 2024

W0802-WW-XX-B1-DR-A-1209 Rev A Level 1B demolition plan, received 27 November 2024

W0802-WW-XX-B1-DR-A-1210 Rev A Level 00 demolition plan, received 27 November 2024

W0802-WW-XX-B1-DR-A-1211 Rev B Level 01 demolition plan, received 27 November 2024

W0802-WW-XX-B1-DR-A-1212 Rev B Level 02 demolition plan, received 27 November 2024

W0802-WW-XX-B1-DR-A-1213 Rev B Level 03 demolition plan, received 27 November 2024

W0802-WW-ZZ-ZZ-DR-A-0300 Existing north elevation, received 15 October 2024

W0802-WW-ZZ-ZZ-DR-A-0301 Existing east elevation, received 15 October 2024

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W0802-WW-ZZ-ZZ-DR-A-0302 Existing south elevation, received 15 October 2024
 W0802-WW-ZZ-ZZ-DR-A-0303 Existing west elevation, received 15 October 2024
 W0802-WW-ZZ-ZZ-DR-A-0310 Proposed north elevation, received 15 October 2024
 W0802-WW-ZZ-ZZ-DR-A-0311 Proposed east elevation, received 15 October 2024
 W0802-WW-ZZ-ZZ-DR-A-0312 Proposed south elevation, received 15 October 2024
 W0802-WW-ZZ-ZZ-DR-A-0313 Proposed west elevation, received 15 October 2024

W0802-WW-XX-ZZ-DT-A-5100 Stair 01 details, received 15 October 2024

W0802-WW-ZZ-01-DT-A-1280 Rev A Thermal insulation strategy materials, received 28 October 2024

W0802-WW-ZZ-XX-DT-A-5300 Repair methodology for windows, received 15 October 2024
 W0802-WW-ZZ-XX-DT-A-5301 Proposed strategy for existing windows, received 15 October 2024

Employment and skill strategy, received 15 October 2024
 Energy strategy, received 15 October 2024

Reason: For the avoidance of doubt.

Advices

1 Restriction of Parking Permits - Existing Controlled Parking Zone/Residents Parking Scheme

You are advised that the Local Planning Authority has recommended to the Highways Authority which administers the existing Controlled Parking Zone/Residents Parking Scheme of which the development forms part that the development shall be treated as car free / low-car and the occupiers are ineligible for resident parking permits as well as visitors parking permits if in a Residents Parking Scheme.

2 Noise and Nuisance complaints

The application has been assessed taking into account existing noise and odour sources in the area including the neighbouring Coronation Tap Public House.

The planning consent includes a condition requiring mitigation measures to be provided by the developer to ensure an acceptable living environment for future residents. However, future owners/occupants of the site are advised that given the matters above and that the Coronation Tap has been in operation for some time prior to the development the subject of this application; that it may not be possible to uphold any noise complaints received from future residents of the site regarding noise impacts from existing neighbouring uses.

Case Officer: Ben Royston

Authorisation: Peter Westbury

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