

From: Susannah Pettit [REDACTED]
Sent: Wednesday, August 7, 2024 7:32 PM
To: Section 62A Applications Non Major <section62anonmajor@planninginspectorate.gov.uk>
Subject: RE: S62A/2024/0047 39-43 College Green, Bristol

Dear Leanne

Please find below the LPA's response on the above referenced application. The LPA considers that the application may be determined by written representations.

POLICIES

The LPA's delegated report recommending refusal of application 23/03117/F submitted as an appendix to applicant's Planning and Heritage Statement, contains the relevant policy references for this application, and these are not considered to change with the current proposal. These have previously been provided along with the Questionnaire documents relating to this application.

COMMENTS

The application proposes a slightly amended layout to that which was refused in respect of application 23/03117/F. The existing unit is 90sqm and has an access onto the rear service yard as well as the College Green frontage. A retail unit of 37sqm is proposed, with its only frontage facing onto College Green. The access to the rear yard would be removed in the revised proposal.

The application has not demonstrated that the retained unit of 37sqm would be a viable size for an appropriate retail or related use, as required by Policy BCAP17. It is considered that the diminished unit would impact on the continued vitality and viability of the shopping frontage. Whilst the application documents indicate that Izakaya restaurant would occupy the adjacent unit, it is doubtful that sufficient storage, w/c service facilities and (if a restaurant use were to occupy it) kitchen equipment, could be incorporated into a unit of the restricted size proposed for any alternative operation. The site mentioned in the previous application (34 Park Street, ref 20/01395/F) retained a much larger retail floor area of over 112sqm plus refuse storage and lower ground floor shop storage.

Whilst the revised proposal allocates space for the storage of commercial waste, this would only be accessible by exiting the unit onto College Green and walking around the side access yard to the rear of the building (a distance of over 35m). Similarly, the refuse storage area is stated to measure 6.2sqm and appears unworkable, with containers unable to be manoeuvred internally to get them out, meaning that they would need to be removed individually to access those at the rear of the storage area. These constraints are likely to discourage staff from using the facility, meaning that refuse is more likely to be stored on the public footway in front of the unit awaiting collection.

Attached is policy DM32 – Recycling and Refuse Provision in New Development. Paragraph 2.32.11/2 state that for all recycling and refuse provision, sufficient space should be provided for independent, safe and convenient access to and manoeuvre of each bin, and that storage and collection arrangements should not be detrimental to highway safety. Also attached are the Council's adopted Waste Storage Guidelines. Section 8 refers to commercial uses.

It has not been demonstrated that a readily accessible or workable refuse storage solution would be achieved – or that it would be a viable size for an appropriate retail or related use. As a result it is likely that refuse would be left on the footway or highway, to the detriment of highway safety.

In the existing building layout, there is no cycle storage. The revised layout does not demonstrate that this has been taken into account and fails to take the opportunity to improve the situation by

providing cycle storage to meet the needs of each use within the building. New developments are required to provide adequate cycle storage (Appendix 2 of Bristol Local Plan 2014 "Site Allocations and Development Management Policies" is attached). It is acknowledged that no new floorspace is being provided by this application, however the application seeks to justify the loss of the commercial floorspace with improved entrance facilities for the PBSA, without having taken the opportunity to provide enhanced facilities for cyclists to encourage sustainable transport movements as required by policy DM23 (attached).

Overall, the diminished size of the retail unit is considered to harm the vitality, viability and diversity of this part of the secondary shopping frontage.

RECOMMENDATION

It is recommended that the application is refused.

Should the Inspector be minded to grant planning permission, the following three conditions are recommended.

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.

2. Waste Management Plan

Prior to commencement of development, a waste management plan setting out how waste will be stored and collected has been prepared in connection with each of the uses within the proposal, shall be submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved waste management plan for the lifetime of the development.

Reason: To ensure appropriate waste management facilities are provided to accommodate all waste generated by the development.

3. Implementation/Installation of Refuse Storage and Recycling Facilities – Shown on Approved Plans

No building or use hereby permitted shall be occupied or use commenced until the refuse store and area/facilities allocated for storing of recyclable materials, as shown on the approved plans 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. 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.

Also attached to this email are a section 14 notice, list of neighbours (consulted on 09.07.24), and a copy of the letter sent.

Regards
Susannah

Susannah Pettit

[REDACTED]

Principal Planner MRTPI
Development Management – Growth and Regeneration
City Hall, College Green, Bristol BS1 9NE

[REDACTED]

<https://www.bristol.gov.uk/planning-and-building-regulations>

Postal address: Development Management (CH), PO Box 3399, BS3 9FS