



16-18 Cherry Lane, S62A application.

Bristol City Council reference: 25/15180/PINS

PINS reference: S62A/2025/0141

Bristol City Council would offer the following advice to PINS in relation to this application.

Principle of development: acceptable. The flats above are in residential use.

Land contamination: We do not recommend permission is granted until matters related to vapours are resolved. Bristol City Council's Land Contamination officer has reviewed the proposals and made the following comments:

"I have looked into this application and see that the original application for the building was 14/04712/F. Review of the records we hold suggest that some of the contaminated land conditions remain outstanding. Previously correspondence on our files are as follows.

"The report prepared by Wesson Environmental is satisfactory with respect to the potential risks from contamination, so we have no objection to condition 6. There are however recommendations for the installation of the following.

"Because of the risk of vapour intrusion from volatile organic carbons/TPH it is recommended that during construction a membrane is installed that is specified for protection against such compounds. Installation should be in accordance with the manufacturer's specification and should be independently verified. If under floor voids are present these should be vented."

Can the applicant therefore submit details of these protection measures to fulfil the requirements of condition 7.

Condition 8 can only be discharged once the membrane has been installed (See attached guidance on how they can complete the validation process)

Condition 9 remains in force throughout the development and is only used when unexpected contamination is encountered as part of the build.

Regards"

Until the information relating to the installation of the membrane has been submitted and the outstanding conditions associated with 14/04712/F have been discharged we will have to object to this recent application.

Attached to this response is the decision notice for the relevant conditions. You will note that some conditions have only partially been discharged, and that further details regarding the vapour membrane still need to be provided.

Until confirmation is provided that the vapour membrane has been supplied, we do not recommend that permission is granted. The proposal will introduce new residents into the ground floor of the property, and so the vulnerability of the use is being increased. This means that it is particularly important that matters relating to ground gas are acceptably resolved.

Amenity of future occupiers: The living conditions are not ideal, as the rooms are single aspect. However, the daylight and sunlight report compliance with BRE guidance levels. The unit will not have outdoor amenity space. However, officers are aware that improvements will be taking place to the environment of Cherry Lane, linked to the refurbishment of the 360 Building opposite. This includes tree-planting and resurfacing. The site is located centrally, close to transport links and the amenities of the city centre. Overall, amenity of future occupiers is considered acceptable.

Amenity of neighbours: no concerns, subject to conditions on noise from any ASHPs – see below.

Transport and highways: No objection from the Transport Development Management officer, subject to the inclusion of conditions and informatics - see below.

Design and heritage: The site lies in close proximity to the setting of the Stokes Croft conservation area (see map submitted with questionnaire). However no change is proposed to the exterior of the building. There are therefore no concerns about design or heritage.

Noise: The Pollution Control officer made the following comments:

I have no objection to this change of use but do have some concerns with regards to the insulation of the bed and living rooms from noise from Cherry Lane & Stokes Croft along with the potential for noise from the proposed air source heat pump. I would therefore ask for the following conditions should the application be approved: [conditions on sound insulation and ASHP noise have been incorporated into the list below].

Coal mining: The site lies in a high risk area. The Coal Authority should be consulted.

Sustainability: BCS14 requires development to adhere to the heat hierarchy, and also to provide a 20% reduction in residual CO2 emissions via the use of renewable

energy. The applicant has submitted an energy statement. This states that an Air Source Heat Pump (ASHP) would be feasible. The covering letter and plans make no reference to an ASHP, and it is not clear where such plant could reasonably be located. Bristol City Council's Sustainability Practice Note states that applications for planning permission for a change of use only is exempt from the requirement to produce a sustainability statement. Hence, if an ASHP can be reasonably accommodated on the building, this would be welcomed, but failure to do so would not result in an objection from Bristol City Council.

Biodiversity net gain: The site does not contain any habitat and is considered exempt from BNG requirements.

Conclusion: We have concerns about outstanding information required regarding vapour membranes – see above. Until this matter is resolved, we do not consider that permission should be given. Without prejudice conditions are set out below for completeness.

Suggested conditions (without prejududice to our outstanding concerns):

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.

Sound insulation

No commencement of use shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of the specification for glazing and ventilation for the bedroom and livingroom

The glazing and ventilation specification shall take into account the provisions of BS 8233: 2014 " Guidance on sound insulation and noise reduction for buildings.

Reason: To protect the amenity of future occupiers.

Further details of cycle parking before relevant element started

Detailed drawings at the scale of 1:50 of the following shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The detail thereby approved shall be carried out in accordance with that approval.

a) Provision of 6no. Sheffield stands to ensure compliant provision of 12no. cycle parking spaces.

Reason: In the interests of visual amenity and the character of the area.

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.

Noise from air source heat pumps

Any air source heat pumps provided at the property shall be in compliance with noise levels specified in the Microgeneration Certification Scheme planning standards (MCS 020) (Details of the Microgeneration Certification Scheme (MCS 020) calculation can be found at <https://mcscertified.com/mcs-has-published-an-updated-version-of-mcs-020/>

Reason: To protect the amenity of future occupiers and neighbours.

Condition requiring list of approved plans

Proposed informatics (without prejudice to our concerns set out below)

Impact on the highway network during construction

1) The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authority's Highways Management Team at traffic@bristol.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed. To discuss and agree a programme of all temporary traffic management measures required such as footway, Public Right of Way, carriageway/lane closures, temporary parking restrictions, portable signals, stop & go, contraflow, priority working and give & take for which a Temporary Traffic Regulation Order (TTRO) will be required. You must give at least ten weeks' notice

prior to the date when you wish to put any measures in place, to enable the TTRO to be processed.

2) To discuss any licences required. In the case of installing/working on any apparatus such as drains, fibre optic cables, ducts, sewer, water, or gas pipes, you must give at least four weeks' notice prior to the date when you wish to undertake the work, to enable the Section 50 Licence to be processed. Depending on the amount of traffic management measures required this may increase to ten weeks. Where works affect traffic sensitive streets (as defined by Section 64 of the New Roads and Street Works Act 1991), specific working conditions such as overnight and/or weekend (including Sundays) working may be required. A plan of Traffic Sensitive Streets is available at

<https://eur03.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.bristol.gov.uk%2Ftrafficsensitivestreets&data=05%7C02%7Ckayna.tay%40bristol.gov.uk%7C2a1eaa5b64b2452fb9a308de4d343ac6%7C6378a7a50f214482aee0897eb7de331f%7C0%7C0%7C639033083883556706%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIYiOilwLjAuMDAwMCIsIaIiOjXaW4zMilsIkFOljoiTWFpbCIsIldUljoyfQ%3D%3D%7C0%7C%7C%7C&sdata=Niw3Ptb6xD7VLT%2Bmq9e3%2BWZf2z83eeMJlxD%2Fj2B9REg%3D&reserved=0>

Licence and TTRO application forms are available at

<https://eur03.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.bristol.gov.uk%2Fhighwaylicences&data=05%7C02%7Ckayna.tay%40bristol.gov.uk%7C2a1ea5b64b2452fb9a308de4d343ac6%7C6378a7a50f214482aee0897eb7de331f%7C0%7C0%7C639033083883600426%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIYiOilwLjAuMDAwMCIsIaIiOjXaW4zMilsIkFOljoiTWFpbCIsIldUljoyfQ%3D%3D%7C0%7C%7C%7C&sdata=EHUiL407Y%2BwsRPISnQ5s3%2B9ZbxK5DeOoOE6IIG8S8UQ%3D&reserved=0>

- Application forms to suspend:

- o Parking bays within the adopted highway or one of the Highway Authority's car parks are available at

<https://eur03.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.bristol.gov.uk%2Fparking%2Fsusensions&data=05%7C02%7Ckayna.tay%40bristol.gov.uk%7C2a1eaa5b64b2452fb9a308de4d343ac6%7C6378a7a50f214482aee0897eb7de331f%7C0%7C0%7C639033083883631124%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIYiOilwLjAuMDAwMCIsIaIiOjXaW4zMilsIkFOljoiTWFpbCIsIldUljoyfQ%3D%3D%7C0%7C%7C%7C&sdata=rirGUI87jevWgodNix5jSqdRRBdut6jFD3d42%2F7lwTw%3D&reserved=0>

- o Bus stops or taxi ranks are available at

<https://eur03.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.bristol.gov.uk%2Fbusstopstaxiranksuspension&data=05%7C02%7Ckayna.tay%40bristol.gov.uk%7C2a1eaa5b64b2452fb9a308de4d343ac6%7C6378a7a50f214482aee0897eb7de331f%7C0%7C0%7C639033083883664232%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIYiOilwLjAuMDAwMCIsIaIiOjXaW4zMilsIkFOljoiTWFpbCIsIldUljoyfQ%3D%3D%7C0%7C%7C%7C&sdata=LJQY0I4V3UKNGi5KfuYb49eNIJ9C5KKMoPB0AMePn%2Bo%3D&reserved=0> You must give at least eight weeks' notice prior to the date when you wish to undertake these measures.

- You are advised to contact the Highway Authority's Parking Infrastructure Team at [parking.businessteam@bristol.gov.uk](mailto:parking.businesssteam@bristol.gov.uk) if you need to suspend or remove a parking meter.

N.B. Traffic management measures where required must not be installed until:

- i) Construction Management Plan/Statement has been approved;
- ii) The correct licences have been issued;
- iii) Section 278 Agreement giving permission to work on the adopted highway has been signed, without which hoarding licences and footway closures will not be issued; If any measures are installed without the permission of the Highway Authority a Stop Notice can be issued and contractors ordered off the adopted highway. Any breach could result in the removal of licences/orders.

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/Permit Parking Area of which the development form's 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 Controlled Parking Zone/Residents Parking Scheme/Permit Parking Area. Further information is available on our website.

Holders of a disabled persons badge do not require resident parking permits. This also does not affect your right to obtain an Essential Visitors Permit (EVP) available at

<https://eur03.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.bristol.gov.uk%2Fparkingpermits&data=05%7C02%7Ckayna.tay%40bristol.gov.uk%7C2a1eaa5b64b2452fb9a308de4d343ac6%7C6378a7a50f214482aee0897eb7de331f%7C0%7C0%7C639033083883720828%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIYiOilwLjAuMDAwMCIsIIAiOiJXaW4zMilsIkFOljoiTWFpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=P10b0F6uZvWbNyzrxOVNEEvUkzpWYIYQ5JcQkKmlQbA%3D&reserved=0>