



Friday 3rd, August, 2018.

Comments relating to planning application for; 40-48 Midland Road, 18/02913/F.

Firstly we would like to state that we appreciate the opportunity given to us by the developer and their team to be involved with the approach to this scheme at an early stage unfortunately our considered comments seem to have been somewhat lost in the process. Our comments relating to the final application are below;

It is important for us to state that the Old Market Community Association have been involved in discussions about the development of this site for six years and in that time have produced a Neighbourhood Development Plan that was made in March 2016 and is now part of the Bristol Local Plan. Please refer to the end of this document to see a detailed chronology of the group's input and references to the policies within the plan that are relevant to this application.

Overall comments relating to the site.

- we fully support the principle to redevelop this site with a good quality proposal.
- we support the approach to delivering 100% affordable housing, again with the proviso that it is quality housing.
- it is important to appreciate that this site has an approved scheme to deliver 29 dwellings upon the existing footprint.

Fundamental elements of the current 2018 application proposal (Submitted June 2018)

- Scheme content – 62 flats, 1 cafe.
- Density 435 dwellings per hectare.
- 15no. 1b/2p flats, 18no. 2b/3p flats, 26no. 2b/4p flats, 3no. 3b/4p houses.
- 6-storey L shaped building on Midland Road and Midland Street.
- 55sqm. cafe space at ground level on Midland Road frontage.
- 235sqm. communal garden at first floor level.
- 2 no. disabled parking bays and 1 no. car club bay accessed from Louisa Street.

Comments relating to the 2018 planning proposal.

- The proposal is too dense. We consider the desire to deliver so many dwellings upon the existing footprint to be fundamentally wrong. The existing planning permission for a scheme which delivers 29 dwellings (204 dwelling per hectare) was considered high when compared against the sites listed in our our pre-app review. As the proposal stands, 62 dwellings would give a density of 435DPH - more than double the density. The attempt to achieve this density has forced elements of the design to be in conflict with our desire for quality developments within the Neighbourhood Development Plan area.

The Economic Context section of the Design and Access Statement claims that '*to make the scheme viable for United Communities, a minimum number of 60no. units would need to be delivered*'. There is no evidence in the application to substantiate this statement, which must be generated from the value ascribed to the site.

- The proposal is too tall. We ideally would like to see it being more in line with the existing buildings in the vicinity of the site. At six storeys it is two storeys higher than the next tallest residential building. At a 50% height increase this would create an unwelcome precedent. The Old Market Quarter Neighbourhood Development Plan (OMQNDP) clearly states in policy B2 that *'new buildings should be designed to be sympathetic to the height and design to neighbouring buildings, street width and frontage lines'*. Application of the building height parameter set out in OMQNDP Design Code section 2.0 Scale gives heights to eaves/top of parapets of 14metres (4.5 storeys) on Midland Road, and 9.5metres (3 storeys) on Midland Street including widened pavement. Therefore the 6-storey height proposed is excessive.

There is no precedent from immediate surrounding development that justifies the six storeys proposed. The Design and Access statement refers to the six storey buildings on the east side of Anvil Street. These emanate from the URBED Temple Quay Masterplan and are a transition between the 10-storey commercial buildings along Avon Street and the 2-storey houses in the Dings. The buildings on the edge of the masterplan area, along Barton Road, are mainly 3-storey and relate well to the older 2-storey and more recent 3-storey buildings on the opposite side of the road and are a more relevant precedent.

The prevailing building heights on Midland Road and Kingsland Road are 2 and 3-storeys or industrial buildings the equivalent of 2-storeys. There are only two 4-storey buildings on Midland Road; on the corners of Waterloo street and Horton Street. This is the context into which the proposed development should fit.

The Design and Access Statement refers to the site being in a *'low point along Midland Road'* and in a *'dipped area of road'* which lessens the visual impact that the building will have and so seeks to justify it being six storeys high. The *'dip'* is artificial due to the Kingsland Road railway bridge, the height of the proposed buildings should relate to the immediate context and surroundings and conform with OMQNDP Design Code section 2.0 Scale.

The height of buildings proposed on Midland Street severely prejudices the development potential of land on the opposite side of the road (cutting out sun/daylight on the façade of any potential building).

- We note that United Communities has agreed an option with the seller of the site, providing planning approval for this scheme is obtained.
- We are disappointed to note that *'work units for individuals (such as artists or start-ups) would not be viable, as United Communities as an organisation provides housing and would not have the administrative capacity to provide this facility'*. We don't understand this statement as United Communities have incorporated start-up business units on the ground floor beneath flats at Gainsborough Square, Lockleaze development. OMQNDP Policy C6, Site Specific Policies/Principles, development guidance stipulates *'new buildings of height and scale that reflect the characteristics of the surrounding area, predominantly residential, with commercial/workshop area at street level on the Midland Road frontage'*.
- We approve of the proposal in the Colliers' Economic Report that the permitted use class of the commercial unit is broadened to potentially include the following, which all meet the definition of *'commercial/workshop'* as stated in the OMQNDP: - *A1 Shops - A3 Restaurants and cafés - B1 Business - D1 Non-residential institutions. The existing planning permission (16/01164/F) restricts the equivalent 'studio/workshop' units to use class B1.*
- This is a site where it is anticipated that there will be houses with outdoor amenity space. The consented scheme, application 16/01164/F, includes nine houses with gardens and so complies with OMQNDP policy C5. The three 3-bedroom houses in this proposal do not have traditional gardens but roof terraces and so meet the expectations of the policy, however we would prefer to see conventional gardens at ground level.

We would disagree with the assertions in the Design and Access Statement that amenity space in the consented scheme is '*a small internal courtyard*' or that the '*approved scheme does not provide a usable external for apartment residents*'. The area of the communal space in the approved scheme is 180sqm or 9.0sqm per flat; the area of the communal space in this proposal is 235sqm or 4.0sqm per flat; The better space/unit ratio of approved scheme would suggest that it provides more usable external space than this proposal.

- The existing approved scheme for the site was a perimeter design with dual aspect for all dwellings and a ground level communal space. The drive for such high density has led to much of the site being infilled (the ground floor covering the whole site) leading to many of the dwellings being of single aspect, with much of the interior space being devoted to access and circulation. We also note that the proportion of single aspect flats is greater than at pre-app stage; there are now 37 out of 59. All flats in the consented scheme, application 16/01164/F, are dual aspect. We fully support the comment made in the BCC response to the pre-app submission that '*only in exceptional circumstances will single aspect flats be permitted on sites such as this*'.
- Despite analysis on submitted drawings and in the Design and Access Statement, the appearance of the proposed building, as seen in the photomontages and perspective views, and the architectural treatment suggested on the elevation drawings, bears little relationship to anything in the neighbourhood and so fails to meet OMQNDP policy B2. Our stated aspiration is '*to see variety, innovation and sustainable design solutions put forward for sites and the creation of beautiful buildings that can be appreciated for generations to come*'.
- None of the proposed external materials are common in the neighbourhood and are not in compliance with OMQNDP policy B2 and the Old Market Design Code. The material palette is too disparate. We support the use of brick at the ground floor as this is a quality material that ages well, we would like to have seen more use of such quality materials in the rest of the proposal rather than such a high proportion of applied, facing materials. We appreciate that the design team have tried to mitigate the mass of the building by using a variety of facing materials but it has created a somewhat unfocused set of elevations.
- We are not convinced that the set-backs at ground level on Midland Road and Midland Street '*help to promote an active street frontage*' but would rather become unloved spaces that would accumulate urban detritus such as crisp packets and drinks cans.
- We support the creation of street level front doors on the Jubilee Street elevation. Ideally, we would like to have seen more front doors onto the street to help promote an active street frontage at the ground floor of the building.
- The configuration of some of the proposed windows does not follow the vertical emphasis and sub-division criteria set out in Old Market Design Code.
- As stated in OMQNDP Policy C6/Appendix 1 a '*statement*' building would be considered on its merits, which would have to be exceptional. This proposal is far from exceptional. The site is not a suitable location for a '*statement*' building and is not indicated as such in Appendix 1, Site MR2.
- OMQNDP Policy T3 stipulates that residential development proposals on sites more than 100 metres from Old Market Street or West Street will be expected to provide on-site car parking spaces at a minimum ratio of 1 car space for every 2 dwellings. The area still lacks local amenities, especially good, fresh food shops. The proposal could house more than 150 people with only one car-club parking space. Occupants will still drive cars. The lack of parking spaces in the area is a major concern for residents and must be positively addressed.

The proposal contains only three parking spaces (2 no. disabled and 1 no. car club) and therefore does not comply with Policy T3 or the guidance for development of the site set out in Policy C6. The first plans submitted with application 16/01164/F include 15 spaces for 29 dwellings (52%) in bays on the road on three sides of the site perimeter, which meets with the policies.

The position of the pavement crossovers to these three parking bays coincides with the only two on-street parking bays next to pavements around the four sides of the site, so these two existing on-street spaces will be lost.

- We fail to understand why the footway on the southeast side of Midland Street is not shown widened to a minimum width of 2 metres, by extending existing footway into site, as Transport Development Management (TDM) stipulate in the BCC response to the Pre-app (Application no. 17/05505/PREAPP) dated 19.01.18. Our

Overall appraisal of current application.

Unfortunately, our overall assessment is that the proposal has made limited, positive improvements since the pre-app stage and is therefore unacceptable. The content, arrangement, massing and building height of the consented scheme for the site (16/01164/F) meets almost all the criteria set out in the Old Market Quarter Neighbourhood Development Plan which this proposal does not. We would have welcomed the opportunity to support a fully affordable scheme that would deliver good quality housing in the area, this scheme will not do that.

We see no reason to deviate from the form of development contained in the consented scheme 16/01164/F.

We would welcome a reworking of the consented scheme with some intensification but within the parameters set by the consent and by the Old Market Quarter Neighbourhood Plan. Such a reworking would not have to be in the traditional style or use historic architectural detailing, indeed we would welcome a top quality '*contemporary*' scheme that would set the yardstick for the many future applications that will inevitably come forward for development in the neighbourhood.

OMCA involvement with the site proposals and relevant plan policies.

Policies;

The Old Market Quarter Neighbourhood Development Plan (OMQNDP) includes the following Policies that are relevant to development of this site;

Policy T3: Residential development proposals on sites more than 100 metres from Old Market Street or West Street will be expected to provide on-site car parking spaces at a minimum ratio of 1 car space for every 2 dwellings. All residential development proposals will be expected to provide cycle parking in accordance with BCC standards as a minimum.

Policy B2: The design of new development must take account of the history and setting of the Old Market Quarter. New buildings should be designed to be sympathetic to the height and

design of neighbouring buildings, street width and frontage lines. Development proposals should also have regard to the Old Market Quarter Design Code set out in Appendix 3.

Policy C1: Mixed use development that includes flexible space suitable for accommodating a variety of business uses will be encouraged. This includes small scale office spaces and workshops integrated into residential development.

Policy C5: Proposals for new residential development will be only be permitted where a satisfactory standard of amenity and privacy can be provided. Proposals for dwellings suitable for occupation by families and having at least three bedrooms will be encouraged.

Policy C6: Applicants proposing development of any part or all of sites identified in Appendix 1 will be expected to show that the proposal takes account of the guidance set out for the site and to explain the reasons for any departure from this guidance. Development which can be shown to have been subject to consultation with the local community will be encouraged.

Appendix 1, Site MR2 Development of 40-48 Midland Road, the urban block bounded by Midland Road, Midland Street, Jubilee Street and Louisa Street (0.142ha) should:

- Comprise new buildings of height and scale that reflect the characteristics of the surrounding area, predominantly residential, with commercial/workshop area at street level on the Midland Road frontage;
- Provide a continuous frontage on all streets;
- Include on-site residential parking in accordance with the principles set out in policy T3;
- Include some outdoor amenity space.

Appendix 3, Old Market Design Code, 2.0 Scale

- Building heights to eaves or to top of parapets should not be more than twice the distance from the façade of the building to the centre of the street or lane.
- Buildings facing onto the streets can be two, two and a half, three, three and a half or four storeys high and have roof slopes parallel with the street, but some gables facing streets may be included. Variety of building heights along the streets is encouraged.
- Attic floors within a pitched roof or set behind a parapet should have all elements below a line drawn at 45° from the eaves or parapet (apart from dormer windows and chimneys).

Appendix 3, Old Market Design Code, 3.0 Urban and Architectural Character

- Elements within the building elevations should have a vertical emphasis.
- Variety in the design of the building facades facing onto the public realm is strongly encouraged.
- New 'statement buildings' will be considered on their merits.

Involvement;

We note from the minutes of a meeting held on 13 February 2018 between the applicant and Bristol City Council (included as an appendix in the submitted Design and Access Statement) that *'in principle the Local Plan ought to be considered as secondary to the Old Market Quarter Neighbourhood Development Plan'*. It appears to us that the applicant has not understood that this is the case or the weight that the Neighbourhood Plan is given as adopted planning policy.

To understand our comments in relation to this application it is important to consider the comments that we and Bristol City Council have made in respect of the pre-application submitted in October 2017. These comments are summarised below and our review of the current full planning application follows thereafter. Our comments are made in relation to the Neighbourhood Development Plan, the Pre-application submission and the scheme that is currently consented for this site – application 16/01164/F.

2016 Consented scheme

Application no.16/01164/F Submitted March 2016 Permission granted April 2017

- Scheme Content – 9 houses, 20 flats and 4 studio workshops.
- Density 203 dwellings per hectare.
- 9 no. 1b/2p flats, 7no. 2b/3p flats, 4no. 2b/4p flats, 6no. 3b/5p houses, 4b/6p houses.
- 4-storey building on Midland Road, three floors of flats above studio workshops at ground level.
- 3-storey terrace of houses on Jubilee Street with rear gardens.
- Breaks between buildings on Midland Street and Louisa Street.
- 180sqm. Communal garden at ground level in centre of site.
- 2 no. on-site parking spaces accessed from Midland Street.

2016 Consented scheme – OMCA Review

Revised drawings were submitted prior to granting approval; these are the ones on the BCC website.

OMCA was not given the opportunity to review the revised drawings, but if we had been we would have made the following comments -

- The loss of kerbside parking is not acceptable given that pre-application advice given in TDM memorandum from Jerry Humphries dated 24th July 2012 recommends car parking provision of at least 50% which is supported by OMQNDP policy T3. The same memo proposes an arrangement using on-street parking, in the form of adopted bays on the road at the site perimeter, with the pavement moved back, which is what is shown on the plan submitted in March 2016. TDM memo also confirms that residents of the development would be able to have parking permits as part of the Easton and St Philips Residents Parking Scheme if the arrangement of adopted on-street parking is implemented.
- The incorporation of two parking spaces on site instead of a house is therefore unnecessary and the house should be reinstated.
- The existing large radius bend on the corner of Midland Road and Louisa Street is unnecessary and the space would be better used for forming a strong corner to buildings on the site. The radius only needs to be 6m maximum, preferably 4m.
- We had spent a considerable amount of time supporting the applicant's architect in producing a scheme that met the community's aspirations, complied with the Old Market Quarter Neighbourhood Development Plan and followed the advice given Transport Development Management's Memorandum dated 24th July 2012. Then to have our efforts regarding the road layout and parking disregarded in the final iteration of the plans is both disheartening and discourteous.

2017 Proposal

Application no. 17/05505/PREAPP Submitted September 2017

- Scheme content – 62 flats, 1 retail unit.
- Density 435 dwellings per hectare.
- 13no. 1b/2p flats, 16no. 2b/3p flats, 30no. 2b/4p flats, 3no. 3b/5p flats.
- 6-storey L shaped building on Midland Road and Midland Street.
- 200sqm. retail space at ground level on Midland Road frontage.
- 230sqm. communal garden at ground level on Jubilee Street/Louisa Street corner.
- No on-site parking.

2017 Proposal – OMCA Review

- There is far too much accommodation proposed for the site. The density of 435 dph is greater than that of Finzells Reach (417 dph), Invicta - Harbourside (204 dph) and Wapping Wharf (194 dph). The consented scheme for the site (16/01164/F) has a density 204 dph which is high when considered against those above and well above the density of any nearby development.
- The Design and access statement refers to development in the Dings as two and three storey and new developments in the area being over six storeys. This is not the case. Most buildings in the Dings are two storey and the new buildings in the Zone adjacent to the Dings are three storey and some four storeys. So, there is no precedent from the immediate surrounding development that justifies the six storeys proposed.
- Application of the building height parameter set out in OMQNDP Design Code section 2.0 Scale gives heights to eaves/top of parapets of 14metres (4.5 storeys) on Midland Road, and 9.5metres (3 storeys) on Midland Street. Six storeys is excessive.
- The proposal contains no houses with gardens. This is a site where it is anticipated that there will be houses with outdoor amenity space. The consented scheme, application 16/01164/F, includes nine houses with gardens and so complies with OMQNDP policy C5. The three 3-bedroom flats in this proposal do not have outdoor amenity space and so do not meet the expectations set out in the policy.
- The proposal contains no car parking provision and therefore does not comply with OMQNDP policy T3 or the guidance for development of the site set out in Policy C6. The submitted plans in application 16/01164/F include 15 spaces for 29 dwellings (52%) in bays on the road on three sides of the site perimeter, which meets with the policies.
- The building footprint does not provide a continuous frontage on all streets as the guidance for development of the site set out in Policy C6. The wall of bin stores on the corner of Jubilee Street and Louisa Street is not a satisfactory frontage. The set-backs and staggers on the buildings along Midland Road and Midland Street create unnecessary complication in the form of buildings. The façades on all streets should be straight and parallel with the roads.
- The proposed retail unit (foodstore) is unlikely to be viable for an operator. There was a similar retail unit built in the Zone on the corner of Anvil Street and Kingsley Road, but the developer was unable to let it and it has now been converted into residential use.
- The appearance of the proposed building, as seen in the photomontages and perspective views, and the architectural treatment suggested on the elevation drawings bears no relationship to anything in the neighbourhood and so completely fails to meet OMQNDP policy B2.
- In line with OMQNDP Design Code a 'statement' building would be considered on its merits, which would have to be exceptional. This proposal is far from exceptional. The site is not a suitable location for a 'statement' building and is not indicated as such in Appendix 1, Site MR2.
- Our overall assessment is that the proposal is totally unacceptable. The content, arrangement, massing and building height of the consented scheme for the site (16/01164/F) meets almost all the criteria set out in the Old Market Quarter Neighbourhood Development Plan which this proposal does not.
- We see no reason to deviate from the amount and form of development contained in the consented scheme 16/01164/F.
- We would welcome a reworking of the consented scheme but within the parameters set by the consent.

2017 Proposal – BCC Review

Extracts from BCC letter dated 19.01.2018

- If the proposal was submitted in its current form, the application would fail to gain officer support due to substantial concerns relating to, amongst other things, the proposal's height, scale, massing, density and appearance and concerns with regard to the quality of residential environment it would provide, and the mix of accommodation proposed.

- In March 2017 planning permission was permitted for the demolition of the existing buildings and the erection of 20no. flats; 9no. houses; and 4no. studio workshops (16/01164/F refers) and this permission is of course material in the consideration of the development of the site.
- The previously approved development is material in that it represents a development considered to be acceptable at the site. Notwithstanding this, officers do find that there may be scope to intensify the residential use of site, provided the proposal's physical impact on the area and liveability within the scheme is not negatively affected.
- The height, scale, massing, density and appearance (including issues of urban design) of the proposal is not sufficiently influenced by the character of the area, meaning the development would give rise to material harm to the character of the area.
- The mix of accommodation proposed would exacerbate, rather than redress, the existing imbalance of housing accommodation within the area.
- The layout of the development would give rise to at least 26 single aspect flats that would fail to provide a high quality of amenity for future occupiers.
- The quality and quantity of the courtyard proposed would be insufficient to adequately provide for future occupiers.
- A lack of information has been submitted to establish if the loss of the existing employment use would be acceptable.
- A lack of information has been submitted to establish that the development would not prejudice existing and future nearby land uses including their existing and potential occupiers.

Policy T3: Residential development proposals on sites more than 100 metres from Old Market Street or West Street will be expected to provide on-site car parking spaces at a minimum ratio of 1 car space for every 2 dwellings. All residential development proposals will be expected to provide cycle parking in accordance with BCC standards as a minimum.

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