



Bristol City Council
The Council House
College Green
Bristol
BS1 5TR

19 December 2023

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
FULL PLANNING APPLICATION FOR THE INSTALLATION OF A DISABLED ACCESS
ARRANGEMENT COMPRISING A DOOR TO THE EXISTING BUILDING, INTERNAL ROLLER
SHUTTER AND EXTERNAL WORKS
BPP HOUSE, GROVE AVENUE, QUEENS SQUARE, BRISTOL, BS1 4QY
PP-12532841**

Please find enclosed a full planning application, on behalf of our client BPP Holdings Ltd, for the installation of a new disabled access arrangement at the existing premises BPP House, Grove Avenue, Bristol, BS1 4QY.

This application is supported by the following suite of documents:

- Planning application form and certificates;
- Site Location Plan (ref: 02120040.1);
- Existing Basement Layout (ref: E6287B-EX Rev 1);
- Existing Ground Floor Layout (ref: E6287G-EX Rev 2);
- Proposed Basement Layout (ref: E6287B-PR Rev 1);
- Proposed Ground Floor Layout (ref: E6287G-PR Rev 7);
- Flood Risk Assessment, prepared by SLR (ref: 416.065128.00001 Rev 1); and
- Highways Note, prepared by SLR (ref: P3492 Rev 001).

The application fee of £293.00 has been paid to Bristol City Council (herein 'the Council') under a separate cover.

SITE CONTEXT

BPP Holdings Ltd have been located in Bristol since 1999, when they moved into Kingston House; now known as BPP House. The building is located on the junction of The Grove and Grove Avenue, to the south of Queen Square Gardens.

BPP is a global leader in providing education to over 58,000 learners per year, working with 7,000 businesses and its Bristol hub has been educating local people since 1999, and providing employment for many local staff.



BPP House is located within the City and Queen Square Conservation Area (CQSCA) but is considered a negative building which does not contribute to the Conservation Area. It is a four-storey building which is clad in stone. BPP occupy the basement and ground floor area.

The surrounding area is primarily in office use but is also heavily used for recreation and tourism. The proposed development is located on Grove Avenue, which is a 'no through road', located between Queen Square and The Grove. Grove Avenue carries very little vehicular traffic, and the footways are lightly used.

PLANNING HISTORY

PREVIOUS APPLICATION FOR DISABLED ACCESS ARRANGEMENT

An application for the installation of a disabled lift and door at BPP House was refused in 2015 (ref: 15/01423/F). The applicant subsequently appealed the decision, which was overturned, on 1 February 2016. The time constraint, a set out in condition 1 of the decision notice, has now lapsed, necessitating the resubmission of the application.

The original reason for refusal stated that:

“The proposed new door to the disabled access lift is unacceptable as it opens outwards over the adopted footway on Grove Avenue causing an obstruction to pedestrian movements contrary to policies DM23 and BCS10.”

In summary, the Council deemed the lift unacceptable as it obstructed pedestrian movement along Grove Avenue.

Following the refusal, the applicant lodged an appeal, and the Council's decision was overturned¹. The main issues considered by the Planning Inspector were whether the proposal would prejudice the safety and convenience of users of the footway, and whether the proposal would affect the character and appearance of the CQSCA.

The Inspector found there was provision in the Highways Act 1980 that provides consent for the proposed opening. The Inspector also determined that there was a clear need for the lift, and that pedestrian access on Grove Avenue would not be unduly restricted by the proposal.

The Inspector went on to assess the effect of the proposal on the CQSCA. The Inspector summarised that although the proposed development would not preserve the appearance of this part of the CQSCA, the harm to the whole of the CQSCA, as a designated heritage asset, would certainly be less than substantial. The public benefit of the disabled access was therefore judged to outweigh the less than substantial harm to the CQSCA.

OTHER RELEVANT PLANNING HISTORY

In 1999, permission was granted for a change of use of the former office buildings that is BPP House to a training centre for graduates. Condition no.6 of this permission required access provision for people with disabilities (ref: 99/01486/F). However, the access was not carried out, and this application seeks to create compliance with this condition.

¹ BPP Holdings Ltd. Vs Bristol City Council. Appeal ref: APP/Z0116/W/15/3131531. Decision Date: 18 February 2016.

PROPOSED DEVELOPMENT

The proposal comprises the installation of a disabled access arrangement which includes a new entrance door with keypad access and a wheelchair lift platform. Galvanised steel barriers are proposed to be erected at both sides of the entrance, to avoid possible hazards for pedestrians.

BPP House has its ground floor above street level and there is no opportunity for a ramp from street level, a lift is therefore necessary to provide wheelchair access into the building. An internal lift cannot be accommodated with an entrance door opening inwards since there is insufficient space for it without compromising the building's structural integrity.

The new access is located on the Grove Avenue elevation of BPP House. The proposal will benefit both staff and students accessing the building. The proposed disabled access is necessary to serve BPP's continued use of BPP House. The new access point is adjacent to the existing stepped entrance to the building which provides general access.

PLANNING POLICY

ADOPTED LOCAL PLAN

The Local Development Framework consists of the following documents:

The Core Strategy (2011);

The Site Allocations and Development Management Policies Local Plan (2014); and

The 1997 saved Local Plan Policies (2014/1997).

Core Strategy

Policy BCS16 of the Core Strategy states that development in areas of flood risk will be expected to be resilient to flooding through design and layout, and/or incorporate sensitively designed mitigation measures.

Policy BSC22 of the Core Strategy sets out the protection of the Conservation and the Historic Environment, it states that development proposals should safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance.

Site Allocations and Development Management Policies Local Plan

Development Management (DM) Policy 28 states that all development should create easy access through the public realm and buildings, and provide adequate access, considering the mobility needs of users.

DM Policy 30 sets out the council's views on extensions and alterations to existing buildings and states that they will be expected to (among other criteria):

Respect the siting, scale, form, proportions, materials, details and the overall design and character of the host building, its curtilage and the broader street scene;

Retain and/or reinstate traditional or distinctive architectural features and fabric;

Safeguard the amenity of the host premises and neighbouring occupiers;

Leave sufficient usable external private space for the occupiers of the building.

DM Policy 31 states that development should preserve or enhance elements which contribute to the special character or appearance of a conservation area.

Conservation Area Character Appraisal

The appraisal outlines that the 1960s saw a vast amount of office development which has left the city over-supplied with brutalist tower blocks. BPP House is an example of this.

BPP House has been classified as a negative building within the Appraisal. The buildings surrounding the property have been classified as Neutral to the Conservation Area. The surrounding routes to the property do not include any long views of landmark buildings, or create local views.

LOCAL PLAN REVIEW

The Council is currently undertaking a Regulation 19 Consultation on the Bristol Local Plan (2023), which when adopted will supersede the current Local Development Framework.

According to paragraph 48 of the NPPF (2023), decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to relevant policies, and the degree of consistency of the relevant policies in the emerging plan to the NPPF.

As the emerging plan has not yet been through examination, low weight can be afforded to the policies within the emerging plan.

NATIONAL POLICY

The National Planning Policy Framework (NPPF) (2023) sets out a “presumption in favour of sustainable development”, as a golden thread to be applied by local planning authorities in decision taking.

Paragraph 130 of the NPPF states that decision should ensure developments are visually attractive as a result of good architecture, and sympathetic to local character and history.

Paragraph 159 of the NPPF states that where development is necessary in areas at risk of flooding, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Paragraph 194 of the NPPF states that applications should describe the significance of the heritage assets affected, including any contribution made by their setting.

Paragraph 202 of the NPPF states that where a development 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.

PLANNING ASSESSMENT

We consider that the key considerations of the proposal are the principle of development, design, heritage, flooding, and highways. These issues are considered in turn below.



PRINCIPLE OF DEVELOPMENT

As established by appeal decision ref: APP/Z0116/W/15/3131531, there is a clear need for the installation of a disabled access lift at the site. In accordance with Policy DM28², the proposal will create ease of access for those with impaired mobility from the public realm to the BPP building.

For the above reasons, the principle of development is both needed and acceptable, as established by the previous approval for the same development at the site.

DESIGN

The proposed doorway and steel barriers are designed to be in keeping with the existing building and have a minimal effect on the street scene.

The proposed glazed door will be in keeping with adjacent glazing on the Grove Avenue elevation of the BPP building. The door shutter will be flush with the building exterior and coloured to match the existing window framework.

In accordance with Policy 30 of the Site Allocations and Development Management Policies Local Plan, the proposal respects the form, proportions, materials, details and the overall design and character of the host building.

HERITAGE

In accordance with the NPPF, this assessment describes the appearance and character of the heritage assets potentially affected by the proposed development, and where their significance lies. It then assesses the impact of the proposals on their significance.

The heritage assets which have been identified as having the potential to be impacted by the proposed development are:

The City and Queen Square Conservation Area,

Grade II* Listed Nos. 36, 37, 38 Queen Square (NHLE ref: 1202468).

Nearby Heritage Assets

City and Queen Square Conservation Area

The City and Queen Square Character Appraisal was adopted by the Council in March 2009. The Character Appraisal considers the special significance of the Conservation Area, as well as the positive and negative aspects of the built environment.

The Character Appraisal states that the terraced houses in Queen Square were constructed piecemeal between 1700 and c1727. The bombing of Bristol during World War II resulted in the demolition of some of the buildings around Queen Square. The Character Appraisal notes that within the post-war period, multiple twentieth century buildings were constructed that do not make a successful contribution to the character of the Conservation Area. The Character Appraisal does not identify Grove Avenue as an 'Intimate Route' in Map 2, and identifies BPP House as a 'Negative Building' in Map 6³,

² Site Allocation and Development Management Policies Local Plan (2014)

³ City and Queen Square - Character Appraisal 2009 - Map 6: Listed Buildings, unlisted buildings of merit, negative and neutral buildings.

Nos. 36, 37 and 38 Queen Square (Listed Buildings)

The nearest listed buildings to the site are the Grade II* listed 36, 37 and 38 Queen Square (List Entry Number: 1202468). The terrace of houses was constructed in c.1703, in the Early Georgian style. The houses are materialised by brick, limestone quoins and dressings, brick party wall stacks and a pantile hipped roof. The buildings front Queen Square to the north, and 36 Queen Square features a side door onto Grove Avenue. The buildings are some of few remaining original houses of Queen Square, which was laid out in 1699.

Effect of the proposal on nearby heritage assets

The proposed external works to BBP House include the installation of an outward opening door; galvanised steel barriers; and a roller shutter. The site is located within the CQSCA and could be considered to within the wider setting of multiple listed buildings. The proposed development relates to the side elevation of BPP House, which is identified in the Character Appraisal to be a “negative building”. The proposed development will therefore not cause direct harm to any buildings of merit within the Conservation Area.

The buildings immediately surrounding the site include Queens Quay and the adjacent Suyuan Restaurant. These buildings are identified to have a neutral contribution to the character of the CQSCA in the Character Appraisal. The proposal will therefore not adversely impact the setting of any buildings of merit in the immediate vicinity of the site.

The proposed external works could be considered to be within the wider setting of the Grade II* listed Nos 36, 37 and 38 Queen Square. The primary frontage for the above listed buildings is towards Queen Square to the north, which forms the main elevation for the heritage assets. The proposed development will therefore not share intervisibility with the front of the listed buildings and will not be seen within views of the main elevation of the houses. The significance of the houses is likely to derive from their architectural merit, as well as their relationship with the historic Queen Square. The proposed development will not impact either of these key aspects of the buildings.

As set out above, the proposed development is functional in nature and designed to be minimalistic and subservient to the existing building and street scene. The alterations will therefore not cause significant change to the street scene, particularly when viewed from Queen Square to the north.

As discussed in the design section above, the proposed materials have been carefully selected to create continuity with the host buildings, thereby not detracting from the street scene.

Therefore, in accordance with Policies DM30 and DM31 of the Site Allocation and Development Management Policies Local Plan (2014), the site will respect the character of the host building and will not cause harm to any elements that contribute positively to the appearance of the CQSCA. In addition to this, the proposal will not cause harm to the significance of nearby listed buildings.

FLOODING

The site is largely located within Flood Zone 2 (Medium Risk) but includes small areas in Flood Zone 1 (Low Risk) and Flood Zone 3 (High Risk). Consequently, a Flood Risk Assessment is required to support this planning application.

In summary, despite being located in Flood Zone 2, the proposed development is entirely acceptable from a Flood Risk perspective. Further details of the flood risk and recommended mitigation can be found with the accompanying Flood Risk Assessment.

Flooding Policy Context

According to the Flood Risk and Coast Change section of the PPG⁴, alterations that do not increase the size of buildings are classified as minor development. Minor developments are unlikely to raise significant flood risk issues, except in certain circumstances. However, minor developments are still recognised as being able to affect flood risk within or beyond a property. Therefore, the PPG requires that applications for extensions or additions to still meet the requirements to provide a site-specific Flood Risk Assessment (as per footnote 55 of the NPPF).

The PPG advises that a shorter, simpler assessment is likely to be sufficient in most such cases. As a minimum, the assessment should show the development will be safe for its users for the lifetime of the development, without increasing flood risk elsewhere, and be sufficient flood resistance and resilience to the level and nature of the flood risk.

Flood Risk Assessment (FRA)

A FRA, prepared by SLR, is submitted in support of this application. The FRA identifies that the site is at risk from tidal flooding, in the 1 in 200 year defended scenario. The FRA therefore identifies solutions to minimise the impact of flood risk. Solutions include the production of a Flood Warning and Evacuation Plan, to improve the resilience of the disabled lift.

The proposal, in accordance with Policy BCS16 of the Core Strategy, is therefore entirely acceptable from the perspective of flooding.

HIGHWAYS / MOVEMENT

The Transport Development Management consultee previously responded to application ref 15/01423/F to state that the proposal would cause an unacceptable obstruction to pedestrian movements, contrary to section 153 of the Highways Act, and policies DM24 and BCS10 of the Local Plan. Application ref 15/01423/F was subsequently refused on the basis of this comment.

The Planning Inspector who overturned the decision to refuse the application, and in relation to highways concluded that:

“I am satisfied that the proposal would safeguard the pedestrian network in this part of the city, and I can see no reason why the occasional reduced width of useable footway would be incapable of providing safe and convenient access for all sections of the community. Indeed, the proposal would obviously be beneficial in this regard for wheelchair users.”

The Inspectors response confirms that the footway is of a sufficient width to provide safe and convenient access, despite the minor reduction in the width of the pavement.

SLR have prepared an Application for Consent Under Section 153 of the Highways Act 1980, for the proposed outward opening entrance door on Grove Avenue. SLR conclude that there is no substantive highway reason why the Council should not consent to the proposed outward opening door, as provisioned in Section 153 of the Highways Act.

⁴ Planning Practice Guidance, Flood Risk and Coastal Change, Paragraph: 051 Reference ID: 7-051-20220825

CONCLUSION

BPP House is a 1970's brutalist office block located within the City and Queen Square Conservation Area. The impact of the proposed access will be negligible on the setting and appearance of the Conservation Area. The design of the proposed access will match the existing materials and character of the building.

The proposed access door is adjacent to the existing, stepped access and is the most logical location for this access point. The pavement to Grove Avenue can accommodate this additional access, as set out in the accompanying Application for Consent Under Section 153 of the Highways Act 1980. The proposed access door will be made of glass to increase user's visibility of Grove Avenue.

While the proposed alterations to the street scene may cause minor harm to the Conservation Area, the NPPF states that less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal. There is a clear need for disabled access to BPP House, and the benefit of equitable access to the building outweighs the minor harm caused by the external alterations to the building.

Permission was previously granted for the same development at the site via an appeal in 2016, thereby setting the precedent for the approval of this application. The proposal is in accordance with both national and local policy. We therefore respectfully request that planning permission is granted without delay.

Yours faithfully,



Daniel Williams
Planning Consultancy