



Appeal Decisions

Site visit made on 4 March 2026

by **R J Redford MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 March 2026

Appeal A Ref: APP/Z0116/W/25/3372431

6 Upper York Street, St Pauls, Bristol BS2 8QN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant consent, agreement or approval to details required by conditions of a planning permission.
- The appeal is made by Fresh Yard Limited against the decision of Bristol City Council.
- The application Ref 24/02937/COND sought approval of details pursuant to conditions Nos 3, 17 and 19 of planning permission Ref 19/00066/F, granted on 19 August 2021.
- Details of the disputed conditions and the reasons for them are set out in Appendix 1.

Appeal B Ref: APP/Z0116/W/25/3372432

6 Upper York Street, St Pauls, Bristol BS2 8QN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant consent, agreement or approval to details required by conditions of a planning permission.
- The appeal is made by Fresh Yard Limited against the decision of Bristol City Council.
- The application Ref 24/02934/COND sought approval of details pursuant to conditions Nos 12 and 13 of planning permission Ref 19/00066/F, granted on 19 August 2021.
- Details of the disputed conditions and the reasons for them are set out in Appendix 1.

Appeal C Ref: APP/Z0116/W/25/3372433

6 Upper York Street, St Pauls, Bristol BS2 8QN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
- The appeal is made by Fresh Yard Limited against the decision of Bristol City Council.
- The application Ref 24/03168/COND sought approval of details pursuant to condition No. 5 of planning permission Ref 19/00066/F, granted on 19 August 2021.
- Details of the disputed condition and the reason for it are set out in Appendix 1.

Appeal D Ref: APP/Z0116/W/25/3372434

6 Upper York Street, St Pauls, Bristol BS2 8QN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
- The appeal is made by Fresh Yard Limited against the decision of Bristol City Council.
- The application Ref 24/03191/COND sought approval of details pursuant to condition No. 4 of planning permission Ref 19/00066/F, granted on 19 August 2021.
- Details of the disputed condition and the reason for it are set out in Appendix 1.

Appeal E Ref: APP/Z0116/W/25/3372435

6 Upper York Street, St Pauls, Bristol BS2 8QN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant consent, agreement or approval to details required by conditions of a planning permission.
- The appeal is made by Fresh Yard Limited against the decision of Bristol City Council.
- The application Ref 24/03169/COND sought approval of details pursuant to conditions Nos 6 and 7 of planning permission Ref 19/00066/F, granted on 19 August 2021.
- Details of the disputed conditions and the reasons for them are set out in Appendix 1.

Appeal F Ref: APP/Z0116/W/25/3372436

6 Upper York Street, St Pauls, Bristol BS2 8QN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant consent, agreement or approval to details required by conditions of a planning permission.
 - The appeal is made by Fresh Yard Limited against the decision of Bristol City Council.
 - The application Ref 24/02983/COND sought approval of details pursuant to conditions Nos 2, 9, 10, 11, and 18 of planning permission Ref 19/00066/F, granted on 19 August 2021.
 - Details of the disputed conditions and the reasons for them are set out in Appendix 1.
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Appeal G Ref: APP/Z0116/W/25/3372441

6 Upper York Street, St Pauls, Bristol BS2 8QN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant consent, agreement or approval to details required by conditions of a planning permission.
 - The appeal is made by Fresh Yard Limited against the decision of Bristol City Council.
 - The application Ref 24/02935/COND sought approval of details pursuant to conditions Nos 20 and 21 of planning permission Ref 19/00066/F, granted on 19 August 2021.
 - Details of the disputed conditions and the reasons for them are set out in Appendix 1.
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Appeal H Ref: APP/Z0116/W/25/3372442

6 Upper York Street, St Pauls, Bristol BS2 8QN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Fresh Yard Limited against the decision of Bristol City Council.
 - The application Ref 24/02936/COND sought approval of details pursuant to condition No. 22 of planning permission Ref 19/00066/F, granted on 19 August 2021.
 - Details of the disputed condition and the reason for it are set out in Appendix 1.
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Appeal I Ref: APP/Z0116/Y/25/3372444

6 Upper York Street, St Pauls, Bristol BS2 8QN

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against the refusal of details of works required by conditions of a listed building consent.
 - The appeal is made by Fresh Yard Limited against the decision of Bristol City Council.
 - The application Ref 24/03190/COND sought approval of details pursuant to conditions Nos 2, 3, 4, 5 and 6 of listed building consent Ref 19/00067/LA granted on 19 August 2021.
 - Details of the disputed conditions and the reasons for them are set out in Appendix 1.
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Decisions

Appeal A Ref: APP/Z0116/W/25/3372431

1. The appeal is dismissed insofar as it relates to the details submitted pursuant to conditions Nos 17, 19 and the second part of condition No. 3 attached to planning permission Ref 19/00066/F granted on 19 August 2021.
2. The appeal is allowed insofar as it relates to the details submitted pursuant to the first part of the condition No. 3 attached to planning permission Ref 19/00066/F granted on 19 August 2021 in accordance with the application 24/02937/COND and the below details submitted with it are approved:
 - Written Scheme of Investigation Historic Building Recording Date by Pegasus Group, dated August 2024 and reference: Pegasus Ref. BRS.3661 version 2.

Appeal B Ref: APP/Z0116/W/25/3372432

3. The appeal is allowed and the details submitted pursuant to conditions Nos 12 and 13 attached to planning permission Ref 19/00066/F granted on 19 August 2021 in

accordance with the application 24/02934/COND and the below details submitted with it are approved:

- Interpretive Site Investigation and Remedial Strategy Report by Forge Environmental Management Ltd, dated May 2024 and reference: Report no. UYS459.D/SI/001 Revision 2

Appeal C Ref: APP/Z0116/W/25/3372433

4. The appeal is dismissed.

Appeal D Ref: APP/Z0116/W/25/3372434

5. The appeal is dismissed.

Appeal E Ref: APP/Z0116/W/25/3372435

6. The appeal is dismissed.

Appeal F Ref: APP/Z0116/W/25/3372436

7. The appeal is dismissed insofar as it relates to the details submitted pursuant to condition No. 10 attached to planning permission Ref 19/00066/F granted on 19 August 2021.
8. The appeal is allowed insofar as it relates to the details submitted pursuant to conditions Nos 2, 9, 11 and 18 attached to planning permission Ref 19/00066/F granted on 19 August 2021 in accordance with the application 24/02983/COND and the below details submitted with it are approved:
- Drawing 16129_118 Revision A, entitled Proposed Phasing Block Plan;
 - Drawing No BRS.3661-PEG-XX-XX-DR-C-0120-P1, entitled S184 Vehicle Crossing Standard Details;
 - Drawing No BRS.3661-PEG-XX-XX-DR-C-0110-P2, entitled S184 Vehicle Crossings General Arrangement;
 - Pre-Commencement Highway Condition Survey by Pegasus Group, dated 8 April 2024 and reference: Project No. BRS.3661 TRO3; and
 - 'Section 7: Construction Environmental Management Plan' only of the Construction Management Plan by Pegasus Group, dated August 2024 and reference: Pegasus Ref. BRS.3661 TRO2 Revision A.

Appeal G Ref: APP/Z0116/W/25/3372441

9. The appeal is dismissed.

Appeal H Ref: APP/Z0116/W/25/3372442

10. The appeal is dismissed.

Appeal I Ref: APP/Z0116/Y/25/3372444

11. The appeal is dismissed.

Preliminary Matters

12. All the Appeals are linked to the same scheme and are all related to discharge of condition applications (DoCAs), with significant overlap between the evidence submitted and associated main party reasonings. However, each Appeal has been considered in its own right.
13. In total the 9 Appeals cover 22 conditions, Appeals A – H relating to a planning permission and Appeal I relating to the associated listed building consent. All the conditions are pre-commencement.
14. The appellant has stated works started on site on the 16 August 2024 which would have been 2 days after the last DoCA had been submitted, but prior to the Council providing approval or agreement in writing for the various details. This is a requirement of all the contested conditions except 20 and 21 of the planning permission and condition 6 of the listed building consent. However, whether the development has started or not is not for this type of appeal to determine. Matters of lawfulness are reserved for the lawful development process, and so these decisions will only consider whether each condition should be discharged based on its own merits.
15. The appellant has submitted a number of additional documents. Due to the appeals' type I am bound to consider the information available to the Council at the time of its decision making.
16. In relation to Appeals A and I, 2 updates of the Written Scheme of Investigation Historic Building Recording (WSI-HBR) were submitted. WSI-HBR2¹ was submitted to the Council on 12 August 2024 and made amendments to the photographic recording methodology. Whilst WSI-HBR3² was submitted with Appeals A and I and sought to expand on the archiving of the historic building record.
17. And in relation to Appeal F an updated vehicle crossing drawing³ - which showed the various proposed resurfacing, accesses, and kerb stones to align with their Section 184⁴ licensing plan - and a Construction Management Plan (CMP)⁵ were submitted. These were to overcome comments made by the Council's Transport Development Management Team (TDMTeam) and were submitted during the application process on 8 August 2024.
18. Although the Council did not give any formal confirmation of acceptance of the WSI-HBR2, the vehicle crossing drawing and the CMP, its decision on the relevant conditions was not issued until early March 2025. I am therefore satisfied these 3 documents were made available to the Council at the time of its decision making, so have been considered in these decisions.
19. However, WSI-HBR3 was not made available to the Council at the time of its decision making so has not been considered. Were I to have accepted WSI-HBR3 it would not have overcome the issues identified in these decisions.

¹ Dated August 2024, Pegasus Ref: BRS.3661 version 2

² Dated August 2025, Pegasus Ref: BRS.3661 version 3

³ Drawing No BRS.3661-PEG-XX-XX-DR-C-0110-P2

⁴ of the Highways Act 1980 (as amended)

⁵ By Pegasus Group, Date August 2024, Reference: BRS.3661 TRO2 Revision A

Background and Main Issues

20. The appeal site is a triangular plot enclosed by Upper York Street, Backfields and Moon Street within the Stokes Croft Conservation Area (CA). It is an urban site which has 2 significant buildings on it, the Grade II listed Former Coroner's Court (originally a Wesleyan school) (reference 1282422) (the LB) and the locally listed building 6 Upper York Street, or 'Lakota' (the LLB).
21. Planning Permission 19/00066/F (PP) and Listed Building Consent 19/00067/LA (LBC) were granted on 19 August 2021 for the conversion and extension of the LB and LLB and erection of a four-storey building to create 46 residential units, business space for Class A2/Class B1 uses, and associated cycle storage and landscaping.
22. It is recognised the Council had requested the withdrawal of the first tranche of DoCAs⁶, which was agreed by appellant and subsequently the conditions were reorganised and new applications were submitted.
23. Subsequently, the 9 Appeals have been submitted following the Council's refusal to discharge PP conditions 2, 11, 12, 13, and 18 due to procedural issues, although it has found the submitted details acceptable; and its refusal to approve the details submitted for PP conditions 3, 4, 5, 6, 7, 9, 10, 17, 19, 20, 21, and 22, and LBC conditions 2, 3, 4, 5, and 6.
24. Therefore, the main issues are whether:
 - procedural issues prevent PP conditions 2, 11, 12, 13 and 18 from being discharged;
 - the details submitted in relation to PP conditions 3, 4, 5, 6, and 7, and LBC conditions 2, 3, 4, 5 and 6 would preserve heritage assets;
 - the details submitted in relation to PP conditions 9 and 10 would ensure highway safety;
 - the details submitted in relation to PP condition 17 would secure employment opportunities in the construction and operation of the development.
 - the details submitted in relation to PP condition 19 would provide acceptable living conditions for future occupants in terms of noise;
 - the details submitted in relation to PP conditions 20 and 21 would ensure the development can adapt to a changing climate; and
 - the details submitted in relation to PP condition 22 would prevent an increase in surface water flood risk.

⁶ 24/01967/COND, and 24/02315/COND

Reasons

Procedural issues: Relevant to PP conditions 2, 11 and 18 (Appeal F), and 12 and 13 (Appeal B).

25. The Council has determined that PP conditions 2, 11, 12 and 13 could not be discharged due to the timings of the various DoCAs submissions in relation to the PP time limits condition. It is, however, satisfied the details submitted to discharge PP condition 2, 11, 12 and 13 are acceptable and there is nothing before me to conclude otherwise.
26. Case law⁷ has established that there is nothing to prevent a decision being made on a DoCA if the permission expires during the decision-making process, so long as the application was validly made before the expiry date of the permission. In this case, the application form related to Appeal B is dated 29 July 2024, and for Appeal F 30 July 2024. Both these dates are before the 3-year expiry date of the PP and LBC. On this basis, the applications have been validly made and so there is nothing to prevent these conditions being discharged.
27. PP condition 18 requires the submission of a Construction Environmental Management Plan (CEMP). The appellant has submitted a combined document⁸ which includes a CEMP and a CMP required by condition 10 (dealt with later in this decision). The Council has refused to discharge PP condition 18 due to matters relating to PP condition 10.
28. There is no evidence before me which would suggest that multiple conditions cannot be discharged by a singular document. Nor is there anything suggesting that the whole document must be considered acceptable for all relevant individual conditions to be discharged.
29. The CEMP element is limited to section 7 of the combined document and can be read in isolation to the construction management details. It includes all the elements set out within PP condition 18 and the Council has confirmed its contents would be acceptable. Accordingly, and with nothing before me to conclude otherwise, the details submitted are adequate to allow PP condition 18 be discharged.
30. For the reasons set out above the details submitted to discharge PP conditions 2, 11, 12, 13 and 18 are acceptable and there are no procedural issues as to why they cannot be discharged.

Heritage: Relevant to PP conditions 3 (Appeal A), 4 (Appeal D), 5 (Appeal C), 6 and 7 (Appeal E); and LBC conditions 2, 3, 4, 5, and 6 (Appeal I).

31. As the appeal site is in a conservation area and relates to a listed building special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) must be had.
32. The LB was built in the mid-19th century in a Gothic style, finished in pennant rubble with limestone dressing, and has steep ornate gabled roof forms. It is the

⁷ F G Whitley & Sons v SSW & Clwyd CC (1992) JPL 856 and Lisle-Mainwaring v Kensington and Chelsea RLBC (2024)

⁸ Construction Management Plan: author Pegasus Group, Date August 2024, Reference: BRS.3661 TRO2 Rev.A

only example of this style of building in the CA⁹ and this is emphasised by its setting within a large forecourt behind a high boundary wall, and surrounded by industrial buildings, including the LLB. The LB was originally built as a Wesleyan School and later converted into a coroner's court and mortuary. Its significance is therefore related to its unusual architectural style within its context and historic uses, although it is clearly in a poor state of repair and heavily graffitied.

33. The CA Character Appraisal notes the mix of quality architecture, functional and industrial uses, and a diverse local community inform the significance of the CA, with the LB being the key building in the more intimate and informal character area known as Backfields (area 3 of the CA). The LLB also known as the former Malthouse Building was one of the most visually dominant buildings in the Backfields area according to the Character Appraisal, however the redevelopment of many of the industrial plots around the appeal site, has meant its dominance in the Upper York Street scene has reduced.
34. PP condition 3 and LBC condition 2 are both identically worded, except that the former refers to the LLB whilst the latter the LB. PP conditions 4, 5 and 6, and LBC conditions 3, 4 and 5 are multi-faceted and all provide a definitive list of items which must be submitted to ensure each condition can be discharged. Due to the nature of these conditions relating to how works will proceed, materials and designs to be used, there is some overlap between the PP and LBC requirements.

Written Schemes of Investigation

35. PP condition 3 and LBC condition 2 are in 2 parts with the first part requiring a scheme of investigation for the recording of the building and the second requiring that scheme to be undertaken and the results submitted. However, the reasoning for the wording is important, and for PP condition 3 this is to record the heritage-related significance of the LLB, whilst for LBC condition 2 is to ensure that features of archaeological or architectural importance within the LB are recorded before their destruction or concealment.
36. Therefore, although on the face of it the conditions are similar, what they entail is quite different and due to the national importance of a listed building it is likely any scheme of investigation would be specific and detailed. Nevertheless, the appellant has submitted the same document for both, WSI-HBR2.
37. The outline of the investigations set out in the WSI-HBR2 would broadly align with the Level 4 standard set out in Historic England's 'Understanding Historic Buildings: A Guide to Good Recording Practice (HEguide)', albeit it in a generic manner.
38. The Council refused both conditions with reference to only needing a digital version of the investigation findings to be presented to the Bristol City Council Historic Environment Record (HER), that a version should also be deposited with Archaeology Digital Services (ADS) and that Oasis needs to be used to create a reference for the investigation findings. However, the proposed archiving scheme in WSI-HBR2 would provide for a digital version to be submitted and there is no requirement within the condition or HEguide to specifically deposit records with ADS. It is also understood that information can only be deposited with a HER if it

⁹ Paragraph 6.2.3 of the Stoke Croft Conservation Area Character Appraisal

has an Oasis reference so this would be a requisite to the recording of the findings even if it is not explicitly referred to in WSI-HBR2.

39. Therefore, in relation to local interest in the LLB and the requirement of the condition to record the heritage related significance of that building, WSI-HBR2 would satisfy the requirements for PP condition 3 part 1. However, as the investigation has not been undertaken PP condition 3 part 2 cannot be discharged.
40. In relation to LBC condition 2, a more detailed scheme of recording would be required due to the permanent and significant changes the approved scheme would have on the LB. As noted above WSI-HBR2 is generic and it does not go into specific details of how the investigations will be undertaken which would be especially relevant if there are invasive elements to those investigations. Nor does it describe how the LB's specific features of archaeological or architectural importance would be identified and recorded. With this in mind a bespoke scheme of investigation would be considered necessary and that WSI-HBR2 has only been found to be adequate for a non-designated heritage asset (the LLB) emphasises its inappropriateness in relation to the LB. Accordingly, WSI-HBR2 would not be adequate to discharge LBC condition 2.

Method statements

41. 3 parts of PP condition 4 are similarly worded to parts a), b) and c) of LBC condition 3. For these elements, the appellant has submitted 3 method statements.
42. The Council has not found specific harm in the submitted 'Discharge of condition 4(a) Demolition Works Method Statement' and 'Discharge of condition 4(b) Method Statement for The Formation of New External Openings in Existing Building Fabric', in relation to PP condition 4a) and b). However, these statements have also been submitted to discharge LBC condition 3a) and b). Due to the inextricable linkage between these conditions and the lack of specific detail pertaining to the LB, it is not found that these method statements would fully discharge these parts of the either condition.
43. One of the statements is entitled 'Discharge of condition 4(c) Method Statement for The Refurbishment of Existing Windows and Doors'. However, the actual document makes no reference to how the existing doors would be refurbished and only provides a generic high-level method as to how the windows would be refurbished. It relies on details to be finalised with unspecified third parties. I therefore do not find this to provide enough information to adequately discharge PP condition 4c) and LBC condition 3c).
44. Further no method statement has been submitted in relation to service route penetration within the LB, so condition 3d) has not been met. The statements submitted in relation to stone cleaning and repointing¹⁰, are of the general processes and do not specify what parts of the LB would be impacted nor is there information as to how decaying stonework, therefore the submitted information also does not meet the requirements of LBC condition 3e).

¹⁰ Method Statements by BMS Ltd – described as 'Hot Washing Thermatech Masonry surfaces' and 'Repointing a natural stone wall with lime putty mortar'

45. Accordingly, I do not find the method statements provided to adequately discharge PP condition 4 and LBC condition 3.

Detail drawings

46. PP condition 5 and LBC condition 4 set out the detail drawings requirements for relevant works. Both conditions have specific lists of drawings and are detailed about the individual requirements (identified in PP condition 5 as parts a) – j), and in LBC condition 4 as parts a) – k)). The appellant has submitted the same 33 drawing package (Nos. SK334 – SK366, all Revision 0) to discharge both conditions.
47. The drawing package is incomplete and fails to meet the specific requirements of either condition. No plans have been submitted in relation to PP condition 5d), e), h) and j) or LBC condition 4a), e), g), h), i) and j).
48. The plans submitted for PP condition 5b) and LBC condition 4c) do not provide a diagram showing which windows are which within the proposal, and only show examples for each type of 'replacement' rather than the specifics for each window to be replaced within the LB. Only some external door drawings have been submitted, and no internal door details so these drawings do not fully discharge PP condition 5c) and LBC condition 4d). As with both PP condition 5f) and LBC condition 4f), only balcony details have been submitted whilst both conditions require balconies, railings, gates, fences and other steel fall-arrest or guarding details. Only a singular generic drawing has been submitted to discharge PP condition 5g) and LBC condition 4k) without reference to which parts of the roof the plans on that drawing relate to; and the details relating to the glass art panel required by PP condition 5a) and LBC condition 4b) are also high level and generic with no details relating to the specific fixings, appearances, colours and finishes. Finally, the drawings of the bicycle store may be acceptable but without refuse store details the requirements of PP condition 5i) have not been met¹¹.
49. That the appellant considers some detail drawings can not be submitted at the pre-commencement stage and that an alternative 'trigger' such as prior to relevant works commencing should have been used is noted. But it is not for this type of appeal to determine whether the wording of the applied conditions is appropriate.
50. Accordingly, I do not find the submitted drawing package to satisfy the requirements of PP condition 5 and LBC condition 4.

Material schedule and samples

51. PP condition 6 and LBC condition 5 relate to material schedules and samples. LBC condition 5 has 3 requirements and these are replicated in PP condition 6 along with 6 additional ones. The appellant has submitted a singular document, Materials Schedule (revision 1), to discharge both conditions.
52. The materials schedule provides for a singular type of gutter and downpipe, new cills, and new external copings / cill. This does not take account of the nuances of the approved scheme which not only includes new build, but also the refurbishment of the LLB and the LB. All 3 elements of the proposal although interlinked are of

¹¹ It is recognised plan SK365, titled Bin Store (1), however it shows a bicycle storage section and not details of bin storage.

different styles and therefore would require gutters, downpipes, cills, and copings that are compatible with each individual element. The homogeneity and materials proposed are unlikely to be acceptable across the gothic style of the LB, the industrial style of the LLB, and the modern form of the new build elements. Furthermore, no material details have been submitted in relation to the glass screen artwork. Therefore, the details are not adequate to discharge LBC condition 5 and PP condition 6 f), h) and j).

53. It is recognised that in their Statement of Case the appellant is not intending to replace the rainwater goods on the LB and has remained silent about the LLB. However, by submitting the same information for LBC condition 5 and PP condition 6, the details must be considered across both and there is nothing in the material schedule to state existing rainwater goods would be retained.
54. Due to the historic nature of the appeal site and its location would be important that physical samples were viewed in context so their visual harmony with the existing historic fabric and finishes of the LB and LLB could be assessed. This is reflected in both conditions which require samples to be provided.
55. Further PP condition 7 specifically requires sample panels to be made available for the metal cladding and interface with the proposed brick work and mortar. This was not provided. Nor was a sample section for the cleaning and repointing of the LB's external façade as required by LBC condition 6.
56. It is recognised the appellant was seeking an initial approval of materials prior to provision of samples, but the conditions clearly state that samples need to be provided to fulfil the requirements of these conditions. Accordingly, that the Council did not want to undertake a 2-phase process to discharging these conditions does not alter the requirements of the conditions. Nor does the appellant's belief that the pre-commencement trigger of LBC condition 6 is unsuitable. That a Non Material Amendment (NMA) application to alter the trigger of PP condition 7 was refused, also does not alter how the conditions need to be discharged, as the NMA does not form part of any of the appeals before me.
57. For avoidance of doubt, samples have not been requested as part of these appeals, as I am bound to consider the same information as that provided to the Council.
58. Therefore, the details submitted are not adequate to discharge PP conditions 6 and 7, and LBC conditions 5 and 6.

Heritage Summary

59. PP conditions 3, 4, 5, 6, and 7, and LBC conditions 2, 3, 4, 5 and 6 have been specifically attached to the PP and LBC to safeguard the onsite heritage assets, and their settings. However, it has been found that the information submitted would not achieve this aim for PP conditions 4, 5, 6, and 7, and LBC conditions 2, 3, 4, 5 and 6. It is recognised the first part of the PP condition 3, could be discharged by the submitted WSI-HBR but this does not alter the findings in relation to the other conditions.

Highway safety: Relevant to PP conditions 9 and 10 (Appeal F).

60. PP condition 9 sets out specific highway work it requires to be shown on suitable plans. The TDMTeam expressed concerns with some elements missing on the original plans as set out in the appellant's statement of case¹² and reiterated in the Council's reason to refuse. However, the updated vehicle crossing drawing shows the required amendments. Therefore, in conjunction with the previously submitted plan BRS.3661-PEG-XX-XX-DR-C-0120-P1 and there being no proposed permanent changes to any Traffic Regulation Order, other structures on or adjacent to the highways or proposals for location of lighting signing, street furniture, street trees or pits, and nothing before me to conclude otherwise, I am satisfied the submitted details are adequate to discharge PP condition 9.
61. The updated CMP does go some way to alleviate the concerns of the TDMTeam, as identified in paragraph 4.68 of the appellant's statement of case, and the Council's reason for refusal. Nevertheless, there is a level of doubt and contradiction throughout the document in relation to the use of the streets around the appeal site and parking.
62. Specifically, it has been stated that Backfields should not be used for loading and unloading delivery vehicles. This would align with my observations on site whereby the whole road is lined with double yellow lines. However, paragraph 6.3 of the CMP infers that Temporary Traffic Regulation orders would be acceptable to temporarily close Backfields for loading and unloading when there is an absence of an internal site compound. However, the details of the construction compound in section 5 makes no reference to it being used by, or accessible for, vehicular unloading and loading and would be located in the north-east corner of the appeal site accessible from Upper York Street (CMP paragraph 5.1), not from Backfields.
63. In terms of parking provision CMP paragraph 5.7 both confirms that parking will not be permitted on the construction part of the site but also may be permitted in the site compound. With no clearly formulated scheme showing the site compound during the various phases, what vehicles if any would be accessing it and where unloading and loading would take place I do not find the submitted CMP satisfactory to ensure there would not be undue pressure on the surrounding road system during the construction phases, to the detriment of highway safety.
64. Therefore, for the reason set out above I find that although the submitted details would allow for PP condition 9 to be discharged, they are not satisfactory to discharge PP condition 10.

Employment: Relevant to PP condition 17 (Appeal A).

65. PP Condition 17 requires the developer or occupier to enter into an agreement with the Council, in this case Building Bristol (BB), to produce and implement a strategy to maximise opportunities for local residents to access employment offered by the development.
66. The appellant has submitted a copy of the Employment and Skills Plan Template (ESPT) from BB and has confirmed within this document that employment

¹² Paragraph 4.59

opportunity triggers were not included in the section 106 agreement which is travelling with the PP, so are not secured otherwise.

67. The appellant's ESPT provides broad outlines of what job opportunities may be available and how the BB's Key Performance Indicators would be met. It relies heavily on the non-specified lead contractor to finalise details with BB and to specify the relevant employment targets and monitoring. It is also noted that the ESPT has not been completed in consultation with BB prior to its submission, as expressed within the BB comments which requested drafts to be sent to them prior to submission of any DoCA. This means the details of the ESPT are vague, with no agreed targets, timetable, or clear strategy, and with reliance to comply placed heavily on a third party that has not been identified.
68. It is recognised that on the previously withdrawn DoCA¹³ BB considered the ESPT to be acceptable. However, this does not negate the fact that the incomplete ESPT would not currently be accepted by BB and so cannot be relied on to ensure an agreement with them as required by the condition.
69. For these reasons, the submitted information is inadequate to secure employment opportunities for local residents and so discharge condition 17.

Living conditions of future occupants: Relevant to PP condition 19 (Appeal A).

70. The appellant has submitted a Noise Assessment (NA)¹⁴ which identifies the use of 4/12/4 double glazing, and through wall ventilators and window mounted trickle ventilators as methods of ventilations, to ensure appropriate internal noise levels, including the higher <NR20 requirement of the Council.
71. However, the NA clearly notes that its analysis of these measures is to demonstrate that a design solution is feasible at the site and not necessarily for the purposes of detailed design or glazing procurement, and that the aspects of the detailed design that are important are the room dimensions, room finishes, window dimensions and the sound reduction performance of non-glazing elements. Further it also confirms other ventilator units may be suitable, and it is the responsibility of the glazing manufacturer to recommend and provide appropriate systems. Accordingly, the NA cannot be considered a detailed scheme of noise insulation measures for all residential accommodation, as required by PP condition 19.
72. It is recognised, however, that the NA would be an adequate starting point for a detailed scheme to be developed from, and this is reflected by the lack of objection from the Council's pollution officer.
73. Nonetheless, this does not negate that the submitted details fail to comply with the requirements of PP condition 19 and do not show how the proposal would provide acceptable living conditions for future occupants in terms of noise.
74. The Council had refused to discharge PP condition 19 with reference to historic fabric. However, from the information before me this condition was applied to the PP in the interests of the amenity of future occupiers of the development and to not prejudice nearby commercial sources of noise. It was not applied for reasons relating to heritage and is not replicated on the LBC.

¹³ 24/02315/COND

¹⁴ By inacoustic, project number 24-123 and dated 5 April 2024

Climate change: Relevant to PP conditions 20 and 21 (Appeal G).

75. PP conditions 20 sets out specific requirements for a revised Energy Statement (ES). Specifically, that the statement needs to demonstrate how the energy hierarchy has been followed, how the heat hierarchy has been applied and that a 20% reduction in carbon dioxide emissions beyond residual emissions can be met. It also requests full technology specifications and locations of photovoltaic panels and sets out details of a centralised gas boiler, unless otherwise agreed in writing.
76. The appellant has submitted an ES¹⁵ which sets out the energy hierarchy. But due to changes in Building Regulations the ES has found that the use of a centralised gas boiler and photovoltaic panels would not provide the required 20% reduction in carbon dioxide emissions. The ES does propose a connection to the District Heat Network (DHN) which would achieve this reduction as well as satisfy the heat hierarchy.
77. Nevertheless, the ES clearly states that the current operator of the DHN would need to be approached to ascertain whether connection would be possible and there is no evidence this has occurred. As such with no other solution to reduce carbon dioxide emissions by the required percentage the details do not satisfy this element of PP condition 20.
78. PP condition 21 requires details of the mechanical ventilation system for those homes that have an overheating risk. The appellant's Thermal Comfort Assessment (TCA)¹⁶ concludes that enhanced ventilation measures would be required for all the proposed homes within the LB and 3 of the homes in the LLB. However, details of the mechanical ventilation systems that would be used have not been submitted.
79. For the reasons given above, the ED and TCA do not provide enough information to ensure the development can adapt to a changing climate and so the details submitted are not adequate to discharge conditions 20 and 21.

Flood Risk: Relevant to PP condition 22 (Appeal H).

80. PP condition 22 requires a detailed design, management, and maintenance plan for surface water drainage. The appellant has submitted a Drainage Strategy Technical Note (DSTN) and Drainage Operation and Maintenance Manual (DOMM)¹⁷.
81. The DSTN relies on the Sustainable Drainage Statement (SDS)¹⁸ written by Oxford Architects and submitted with the PP. This sets a discharge rate of 5.0l/s for storm water drainage into the foul drainage network (FDN). However, from the email evidence submitted¹⁹, prior to the submission of the application to discharge PP condition 22, Wessex Water had stated it would expect evidence of the existing rate of surface water discharge to show that the proposed 5.0l/s discharge rate would represent a minimum reduction of 50%.
82. Paragraph 1.4 of the DSTN states the existing site runoff would be 18.05l/s, calculated by using the Modified Rational Method. However, there is nothing before

¹⁵ By CDP, reference 1963-CDP-XX-XX-RP-EN01 Revision P1, dated 12 June 2024

¹⁶ By CDP, reference 1963-CDP-XX-XX-RP-H-TC01 Revision P1, dated 19 June 2024

¹⁷ by Pegasus Group, reference BRS.3661 - DSTN: version 2 dated 25 July 2024; and DOMM version 1 dated 13 May 2024

¹⁸ Appendix B of the DSTN

¹⁹ Appendix D of the DSTN

me to suggest this method of calculation would be supported by Wessex Water or whether on-site investigations and tests would be required to verify the existing site runoff and FDN connection could still be used for surface water runoff. Accordingly, from the information provided, it is not clear that Wessex Water would support the continued use of the FDN for surface water.

83. Further the SDS specifies that the scheme it proposed would need to go through extensive detailed design to create a sustainable drain strategy and that site investigation surveys would be required to finalise design limits such as infiltration rates. From the information provided the site investigations appear to be limited to a CCTV survey²⁰ which, due to silting issues, has had to make a number of assumptions about the runs and links between surface water road gullies and the existing FDN.
84. It is acknowledged that separate regimes control the creation of links to the FDN, but if it is found the surface water cannot be discharged into the FDN, the proposed surface water drainage strategy would not be implementable, and no alternative has been proposed.
85. That the DOMM is likely to be acceptable in relation to the management and maintenance of the features it covers is noted. Nevertheless, this does not negate the issues identified with the design of the surface water strategy.
86. It has not been shown beyond reasonable doubt that the proposed surface water strategy would prevent an increase in surface water flood risk and so the submitted information is not adequate to discharge PP condition 22.

Other Matters

87. The appellant does not consider the Council to have communicated properly, positively engaged or dealt proactively with the various DoCAs during and prior to their submission. Regardless, it does not alter the planning merits of the cases.

Conclusion

88. The submitted details are sufficient to discharge PP conditions 2, 9, 11, 12, 13, 18, and the first part of condition 3, but are insufficient to discharge PP conditions 4, 5, 6, 7, 10, 17, 19, 20, 21, 22, and the second part of condition 3, and LBC conditions 2, 3, 4, 5, and 6.
89. Therefore, for the reasons given above, Appeal B is allowed; Appeal A is allowed insofar as it relates to the first part of condition 3 and dismissed insofar as it relates to conditions 17, 19 and the second part of condition 3; Appeal F is allowed insofar as it relates to conditions 2, 9, 11, and 18 and dismissed insofar as it relates to condition 10; and Appeals C, D, E, G, H, and I are dismissed.

RJ Redford

INSPECTOR

²⁰ Appendix C of the DSTN

Appendix 1: Conditions linked to each Appeal

Appeal A	Case Reference: APP/Z0116/W/25/3372431
	<i>Conditions</i>
3	Building Recording - Locally Listed Building, Lakota (no. 6 Upper York Street) No development shall take place until a written scheme of investigation detailing the proposed recording of the locally listed building, internal and externally, has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the building recording must be in accordance with the Level 4 standard as set out in Historic England's 'Understanding Historic Buildings: A Guide to Good Recording Practice', and the recording should be undertaken by an archaeologist or archaeological organisation. The recording work shall be completed in accordance with the written scheme of investigation, and the resulting information shall then be submitted to and approved in writing by the Local Planning Authority. <i>Reasoning</i> In the interests of recording the heritage-related significance of the locally listed building.
17	Local Employment Opportunities No development shall take place until the developer/occupier enters into an agreement with Bristol City Council to produce and implement a strategy that aims to maximise the opportunities for local residents to access employment offered by the development. The approved strategy shall be undertaken in accordance with an agreed timetable. <i>Reasoning</i> In recognition of the employment opportunity offered by the early phases of the construction and operation of the development.
19	Sound insulation No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of noise insulation measures for all residential accommodation, including details of mechanical ventilation, required to ensure nearby sources of noise do not cause unacceptable disturbance to future residents of the approved development. The scheme of noise insulation measures shall take into account the recommendations detailed in the Noise Assessments submitted with the application and the provisions of BS 8233: 2014 "Guidance on sound insulation and noise reduction for buildings". The scheme of noise insulation shall then be implemented in accordance with the approved details and Phasing Plan, ensuring that the scheme of noise insulation relevant to each phase of development is fully installed prior to the first occupation of each respective phase. <i>Reasoning</i>

	In the interests of the amenity of future occupiers of the development, and also to ensure that the proposal does not prejudice nearby commercial sources of noise, including late night music venues.
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Appeal B		Case Reference: APP/Z0116/W/25/3372432
	<i>Conditions</i>	
12	Land affected by contamination - Investigations A site specific risk assessment and intrusive investigation shall be carried out to assess the nature and extent of the site contamination and whether or not it originates from the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The results of this investigation shall be considered along with the reports submitted with the original application. The written report of the findings shall be submitted to an approved in writing by the Local Planning Authority prior to any works (except demolition) in connection with the development, hereby approved, commencing on site. This investigation and report must be conducted and produced in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11. <i>Reasoning</i> To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors.	
13	Land affected by contamination - Submission of Remediation Scheme No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, submitted to and been approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. <i>Reasoning</i> To ensure that risks from land contamination is understood prior to works on site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.	

Appeal C		Case Reference: APP/Z0116/W/25/3372433
	<i>Condition</i>	
5	Detailed Drawings of Relevant Works	

No development shall take place until detailed drawings of the following have been submitted to the Local Planning Authority and approved in writing: a) Details to an appropriate scale of the proposed "Glass Art Panels" and showing all proposed frames, fixings, appearance, colours and finishes in their intended appearance b) 1:5 section details and 1:10 elevation details of all proposed new windows, skylights, glazed AOVs, lanterns and other glazing to the showing all proposed frames, profiles, glazing, materials, glazing bars mouldings, and fabric connections with existing fabric at heads, cills, reveals and/or roof. c) 1:5 section details and 1:10 elevation details of all proposed external doors showing all proposed materials, frames, profiles, mouldings, panelling, and fabric connections at head, reveals and threshold. d) 1:5 section details of the proposed material connections between the brick, standing-seam cladding and showing all proposed materials, soffits, copings, joints, and cills e) 1:5 section and elevation details showing the proposed pop-out windows showing app proposed materials, connections with masonry fabric at head, flanks, and cills, and all proposed manufacturing details to corners and material connections of the framing element f) 1:5 section and elevation details of all proposed balconies, railings, gates, fences, and other steel fall-arrest or guarding and new boundary treatments, and showing all proposed materials, fabrication, and fixings with existing and proposed fabric on the Listed and Locally listed Buildings and the curtilage listed boundary walls. g) 1:5 section details of the proposed pitched roof eaves and gables and showing all proposed materials, build-up soffits, fascia's copings, rainwater goods, and fabric connections between roof material and masonry or façade cladding systems on the proposed new development. h) 1:5 section details of all inset or applied cladding panels between windows on proposed new elevations and showing all materials, reveals, of other fabric connections between panels and façade materials. i) 1:5 Section details and 1:10 elevation details of the proposed external refuse and cycle stores and showing all proposed external materials, wall construction, roof construction, eaves, fascias, rainwater goods, doors, vents, and other external features. j) 1:5 section details of all proposed door and window heads, cills, reveals, and thresholds and showing all proposed materials and fabric connections. Development shall be completed in accordance with the approved details.
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	Reasoning To safeguard the architectural and historic character of the Listed building and Special Character of the Conservation Area.
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Appeal D		Case Reference: APP/Z0116/W/25/3372434
	Condition	
4	Method Statements No development shall take place until the following method statements have been submitted to the Local Planning Authority and approved in writing: a) All proposed demolitions indicated on the approved plans, describing method of demolition, use of tools, use of appropriately trained contractors, reclamation, storage or disposal of all fabric proposed for demolition. b) The formation of all new external openings in the existing buildings, and detailing all use of tools, use of appropriately trained contractors, use of temporary structural support, instillation or formation of lintels and beams and all other permanent structural supports. c) Refurbishment of all existing windows and doors identified for reuse and detailing all proposed method of cleaning, stripping, replacement of frames, glazing bars, glass, and provision of environmental and acoustic enhancements. Development shall be completed in accordance with the approved method statements. Reasoning To safeguard the architectural and historic character of the Listed building and Special Character of the Conservation Area.	

Appeal E		Case Reference: APP/Z0116/W/25/3372435
	Conditions	
6	Material Schedule / Samples No development shall take place until a schedule of materials/specifications, as well as relevant element samples (including intended colour, finish, and texture), of the items listed below have been submitted to the Local Planning Authority and approved in writing. For the avoidance of doubt, samples and sample panels/sections shall be made available on site for inspection as appropriate. a) Proposed new brick for infill panels in "cream/brown" colour b) Proposed material for "pop-out" window structures c) Proposed mortars for use with proposed brickwork d) Standing-seam metal cladding in red/brown colour	

	e) Metal proposed for infill between windows on new-build element f) Gutters and downpipes g) Proposed wall and roof materials to bin and bike stores h) "Glass screen as artwork" proposed of window openings on ground floor i) All new cills and copings Development shall be completed in accordance with the approved schedule of materials/specifications and samples. <i>Reasoning</i> To safeguard the architectural and historic character of the Listed building and Special Character of the Conservation Area.
7	Sample Panel No development shall take place until a sample panel of the proposed standing seam metal cladding has been submitted to and approved in writing by the Local Planning Authority. The sample panel shall be no smaller than 2m X 2m, and shall include the proposed detail for the interface with the proposed cream/brown colour brickwork intended for the east façade to Upper York Street, showing the proposed fabric connections and proposed finish and colour of mortar. Development shall be completed in accordance with the approved sample panel, which shall be retained onsite as a point of reference until the relevant element of works has been completed. <i>Reasoning</i> To safeguard the Special Character of the Conservation Area.

Appeal F	Case Reference: APP/Z0116/W/25/3372436
	<i>Conditions</i>
2	Phasing Plan No development shall take place until a detailed programme of works detailing the phasing of development across the whole site (the Phasing Plan) and ensuring that all elements of the application scheme are commenced together or concurrently within appropriate timescales has been submitted to the Local Planning Authority and approved in writing. Development shall be completed in accordance with the programme of works (the Phasing Plan) unless otherwise agreed with the Local Planning Authority in writing. <i>Reasoning</i> To ensure that the public benefits of development, intended to offset harm to heritage assets, are realised, and to ensure all ancillary facilities required for each phase of development are implemented ready to support the future occupiers.
9	Approval of road works necessary No development shall take place until general arrangement plan(s) indicating the following works to the highway shall be submitted to and approved in writing by the Local Planning Authority

	○ Reinstatement of footway to full kerb height of vehicle crossovers on Backfields and Upper York Street. ○ Construction of vehicle crossover on Upper York Street to serve the proposed waste stores. ○ Reconstruction and resurfacing of vehicle crossover on Upper York Street to serve the proposed commercial space. Indicating proposals for: ○ Threshold levels of the finished highway and building levels ○ Alterations to waiting restrictions or other Traffic Regulation Orders to enable the works ○ Locations of lighting, signing, street furniture, street trees and pits ○ Structures on or adjacent to the highway ○ Extents of any stopping up or dedication of new highway The highways works will then be undertaken in accordance with the approved phasing plan and general arrangement plan(s) and substantially complete prior to occupation of the relevant elements of the development identified within the agreed Phasing Plan, to the satisfaction of the Highway Authority and approved in writing by the Local Planning Authority. <i>Reasoning</i> In the interests of public safety and to ensure that all road works associated with the proposed development are planned and approved in good time to include any statutory processes, are undertaken to a standard approved by the Local Planning Authority and are completed before occupation. NB: Planning consent is not consent to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the City Council's technical approval and inspection fees paid before any drawings are considered and approved and formal technical approval is necessary prior to any works being permitted."
10	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: ○ 24 hour emergency contact number;

	○ Hours of operation; ○ 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); ○ Routes for construction traffic; ○ Locations for loading/unloading and storage of plant, waste and construction materials; ○ Method of preventing mud being carried onto the highway; ○ Measures to protect vulnerable road users (cyclists and pedestrians) ○ Any necessary temporary traffic management measures; ○ Arrangements for turning vehicles; ○ Arrangements to receive abnormal loads or unusually large vehicles; ○ Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses. <i>Reasoning</i> 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.
11	Highway Condition Survey No development shall take place (including investigation work, demolition, siting of site compound/welfare facilities) until a survey of the condition of the adopted highway has been submitted to and approved in writing by the Local Planning Authority. The survey must consist of: ○ A plan to a scale of 1:1000 showing the location of all defects identified; ○ A written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey. <i>Reasoning</i> To ensure that any damage to the adopted highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer. N.B. To agree the extent of the area to be surveyed contact the Highway Authority's Transport Development Management Team by emailing transportdm@bristol.gov.uk
18	Site Specific Construction Environmental Management Plan

	No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to: ○ Procedures for maintaining good public relations including complaint management, public consultation and liaison ○ Arrangements for liaison with the Council's Pollution Control Team ○ All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: ○ 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays. ○ Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above. ○ Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works. ○ Procedures for emergency deviation of the agreed working hours. ○ Bristol City Council encourages all contractors to be 'Considerate Contractors' when working in the city by being aware of the needs of neighbours and the environment. ○ Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants. ○ Measures for controlling the use of site lighting whether required for safe working or for security purposes. Reasoning In the interests of the amenities of surrounding occupiers during the construction of the development.
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Appeal G	Case Reference: APP/Z0116/W/25/3372441
	Conditions
20	Energy efficiency and Renewable energy – Proposal Notwithstanding the submitted Energy and Sustainability Assessment, Rev A, February 2020, JS Lewis Ltd, no development shall take place until a revised Energy Statement has been submitted to Local Planning Authority for written approval. The energy statement shall demonstrate how the energy hierarchy has

	been followed, how the heat hierarchy has been applied and how a 20% reduction in carbon dioxide emissions beyond residual emissions through the use of photovoltaic panels has been achieved including full technology specifications and locations. For the avoidance of doubt, and in accordance with the submitted Energy and Sustainability Assessment, Rev A, February 2020, JS Lewis Ltd, a centralised gas boiler(s) will provide heating and hot water to the development unless otherwise agreed in writing, and shall be a low NOx boiler(s) with a thermal capacity limited to no more than 450KW. <i>Reasoning</i> To ensure the development contributes to minimising the effects of, and can adapt to a changing climate.
21	Mechanical Ventilation System to avoid Overheating No development shall take place until details of the mechanical ventilation system for the homes hereby approved that have an overheating risk in accordance with CIBSE TM59, has been submitted to the Local Planning Authority for written approval. The development shall then be carried out and maintained thereafter for the lifetime of the development in strict accordance with the approved mechanical ventilation system, which for the avoidance of doubt shall incorporate heat recovery. <i>Reasoning</i> To ensure the development adapts to climate change appropriately, and in order to ensure that the homes at risk of overheating are ventilated to ensure a high quality of residential amenity.

Appeal H		Case Reference: APP/Z0116/W/25/3372442
	<i>Condition</i>	
22	Sustainable Drainage System (SuDS) Notwithstanding the submitted drainage proposals, the development hereby approved shall not commence until a Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved Sustainable Drainage Strategy and the approved Phasing Plan, and substantially complete prior to occupation of the relevant elements of the development identified within the agreed Phasing Plan. <i>Reasoning</i> To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal.	

Appeal I	Case Reference: APP/Z0116/Y/25/3372444
	<i>Conditions</i>
2	Building Recording - Listed Building No development shall take place until a written scheme of investigation detailing the proposed recording of the listed building, internal and externally, has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the building recording must be in accordance with the Level 4 standard as set out in Historic England's 'Understanding Historic Buildings: A Guide to Good Recording Practice', and the recording should be undertaken by an archaeologist or archaeological organisation. The recording work shall be completed in accordance with the written scheme of investigation, and the resulting information shall then be submitted to and approved in writing by the Local Planning Authority. <i>Reasoning</i> To ensure that features of archaeological or architectural importance within a building are recorded before their destruction or concealment.
3	Method Statements No development shall take place until the following method statements have been submitted to the Local Planning Authority and approved in writing: a) All proposed demolitions indicated on the approved plans, describing method of demolition, use of tools, use of appropriately trained contractors, reclamation, storage or disposal of all fabric proposed for demolition. b) The formation of all new openings within the Listed building, and detailing all use of tools, use of appropriately trained contractors, use of temporary structural support, instillation or formation of lintels and beams and all other permanent structural supports. c) Refurbishment of all existing windows and doors within the Listed building identified for reuse and detailing all proposed method of cleaning, stripping, replacement of frames, glazing bars, glass, and provision of environmental and acoustic enhancements. d) Details of all proposed formation of all proposed service penetrations through existing walls, floors, and ceilings in the Listed building, and detailing the appropriate use of hand tools, and trained contractors where necessary. e) For all repair and cleaning of existing stonework on the Listed building and including the method of cleaning and repointing mortar, repair and replacement of decayed stonework, mechanical or chemical cleaning of stonework and including the use of all proposed tools, appropriately trained contractors, and the use of all chemical, steam or liquid, particulates, and other abrasive cleaning methods.

	Development shall be completed in accordance with the approved method statements. <i>Reasoning</i> To safeguard the architectural and historic character of the Listed building.
4	Detailed Drawings of Relevant Works No development shall take place until detailed drawings of the following have been submitted to the Local Planning Authority and approved in writing: a) Structural details to an appropriate scale and showing all proposed new beams, lintels, floor and mezzanine structures proposed for the Listed building and including all mezzanine structures and new flats within the existing roof zone. b) Details to an appropriate scale of the proposed "Glass Art Panels" and showing all proposed frames, fixings, appearance, colours and finishes in their intended appearance c) 1:5 section details and 1:10 elevation details of all proposed new windows, sky-lights, glazed AOVs, lanterns and other glazing to the showing all proposed frames, profiles, glazing, materials, glazing bars mouldings, and fabric connections with existing fabric at heads, cills, reveals and/or roof. d) 1:5 section details and 1:10 elevation details of all proposed internal and external doors within the Listed building showing all proposed materials, frames, profiles, mouldings, panelling, and fabric connections at head, reveals and threshold. e) 1:5 section details and 1:10 elevation details of all proposed secondary glazing within the Listed buildings and showing all proposed frames, profiles, materials, glazing bars, and fabric connections with the existing fabric at head, reveals and cills. f) 1:5 section and elevation details of all proposed balconies, railings, gates, fences, and other steel fall-arrest or guarding and new boundary treatments, and showing all proposed materials, fabrication, and fixings with existing and proposed fabric on the Listed building and the curtilage listed boundary walls. g) Typical 1:5 section details of proposed new internal partitions within the Listed building and showing materials and fabric connections with the existing ceilings, walls, floors, cornices, dado, picture rails, wainscot and all other remaining decorative details. h) 1:5 section details of the thermal, acoustic , and fire protection enhancements proposed between floors within the Listed building and showing all proposed materials, build-up and use of voids between existing joists to accommodate enhancement without harm to existing ceilings or changes to finished floor levels.

	i) 1:5 and 1:10 section details and elevations of all proposed new stairs within the Listed building and showing all proposed materials, structure, balustrades, risers, goings, and fabric connections with existing walls and floors. j) Details to an appropriate scale showing the proposed servicing runs within the Listed building for water, power, gas, drainage, and ventilation and showing all proposed new openings through wall, floor and ceiling fabric, all risers, service cupboards, ducts, trunking, meter locations, and external vents, flues, grilles and their proposed design and materials. k) 1:5 section details of the proposed roof detail within the Listed building and showing all proposed materials, build-up and fabric connections between existing timber trusses, rafters, and purlins and the proposed new dry lining, insulation, and internal finishes. Development shall be completed in accordance with the approved method statements. <i>Reasoning</i> To safeguard the architectural and historic character of the Listed building.
5	Samples No development shall take place until a schedule of materials/specifications, as well as relevant element samples or sample panels/sections (including intended colour, finish, and texture), of the items listed below have been submitted to the Local Planning Authority and approved in writing. For the avoidance of doubt, samples and sample panels/sections shall be made available on site for inspection as appropriate. a. Gutters and downpipes b. "Glass screen as artwork" proposed of window openings on ground floor c. All new cills and copings Development shall be completed in accordance with the approved samples. <i>Reasoning</i> To safeguard the architectural and historic character of the Listed building.
6	Sample Section for Cleaning and Repointing No development shall take place until a sample section of cleaning and repointing of the external façade of the Listed Building has been presented to the Local Planning Authority for written approval. All cleaning and repointing of the external façade shall then take place in accordance with the approved sample section, and shall be completed prior to the occupation of the Listed building. For the avoidance of doubt, the sample section shall measure no smaller than 2m X 2m. <i>Reasoning</i> To safeguard the architectural and historic character of the Listed building.