

SUPPLEMENTARY PLANNING GUIDANCE (SPG): ASSESSMENT OF FOOD AND DRINK USES (September 2001)

Gloucester Road (The Arches to Rudthorpe Road), including Cheltenham Road and Zetland Road

1.0 INTRODUCTION

- 1.1 In recent years there has been a significant increase in the number of food and drink (A3) uses in the Cheltenham Road/Gloucester Road area, many of which are orientated towards evening time activity. The increase in the number of people using these facilities has led to concern being expressed by businesses, local residents and others, in terms of their impact on both the character of the area and residential amenity. However, A3 uses have also added to the vitality of the area, providing diversity and support to the daytime retail and evening time leisure economies.
- 1.2 In response to this, research has been carried out to assess the situation, in particular, to look at how the balance of uses in the area has changed, what effect this has had and whether specific planning guidance is required to regulate further proposed changes to the A3 (Food and Drink) Use Class.
- 1.3 This has led to the production of this guidance, which provides a detailed planning policy framework in which future decisions on individual applications can be made. The overall aim of the guidance is to ensure that an appropriate balance of food and drink with other uses is retained, to support the retail function of the area and to protect residential amenity.
- 1.4 A map showing the area included for the purposes of this guidance is attached at the end of this SPG statement.

2.0 LAND USE SURVEY

- 2.1 One of the products of the assessment has been a survey of ground floor and upper floor uses along the shopping frontages of the study area, plus an assessment of the land use characteristics of their surroundings. This in itself will assist the consideration of further proposals in the area. In assessing individual proposals, other uses including residential accommodation and food and drink premises, outside but near to the shopping areas may be relevant to an assessment of the context. The information has also assisted in the writing of individual character assessments (see below) by identifying, for example, the range and nature of existing food and drink uses and their relationship with residential accommodation within, and adjacent to the main study area.

3.0 OVERALL APPROACH TO POLICY

- 3.1 Policy S8 of the Bristol Local Plan (adopted December 1997) sets out particular criteria by which individual proposals for food and drink uses will be assessed. Other policies of the Plan are also relevant such as S5 and S6 (see below). Whilst policy S8 identifies a range of possible locations where new food and drink uses might be acceptable in principle, the supporting text to the policy stresses the City Council's desire to direct major night clubs and larger scale food and drink establishments to the city centre, in locations where, amongst other things there is less likely to be a harmful impact upon residential communities and there is better access to public transport, and car parking.
- 3.2 Policies S5 and S6 of the Bristol Local Plan set out the City Council's objectives for Primary and Secondary Frontages, focusing on the need to prevent any unacceptable fragmentation through the uncontrolled introduction of inappropriate uses. There is a mixture of these two types of shopping frontage in the Cheltenham Road, Gloucester Road and Zetland Road area. Proposals to change the use of a shop (A1) to a non-shopping (non-A1) use on a Primary Frontage will only be permitted provided that the retail function of the shopping area is not seriously undermined. A series of factors are used to assess the effects of a proposal, including the nature and character of the proposed use, the location and prominence of the premises, and the number and location of other non-shopping uses, among others. Non-shopping uses such as food and drink services are acceptable in principle along Secondary Frontages.
- 3.3 The policies outlined above benefit from back-up guidance to assist in the interpretation of the criteria and to alert potential applicants to the issues that will be considered when planning applications are submitted and to recommend good practice. This takes the form of a Policy Advice Note (No.17) entitled: "Retail Diversity - Planning for Change" (March 1999).
- 3.4 The Policy Advice Note is applicable to all proposals throughout the city, but the issues arising particularly in the Gloucester Road area have highlighted the need to provide further area specific guidance, where increasing pressure is being experienced for new food and drink uses and harm to the residential and shopping environments may occur. It is for this reason that a character assessment has been produced for the Cheltenham Road, Gloucester Road and Zetland Road area. This will be used to assist the consideration of any future proposals.

4.0 **RESTRICTIONS OF ACTIVITIES WITHIN THE USE CLASS A3**

- 4.1 The range of activities and their environmental impact within the food and drink use class (Class A3) is very broad. For example, the impact of a café or restaurant is likely to be significantly different to that of a public house. However, as such uses are all within the same use class, changes between them cannot be controlled unless they are subject to specific restrictive conditions.
- 4.2 The Council will however consider imposing conditions that would prevent a change in the use within the specific use class or to the character of the premises after

planning permission has been granted, so as to limit the potential impact on the character or amenity of an area. For example, a condition to restrict the hours of opening to ensure that an A3 use can only operate during the day so as to prevent evening time activity may be imposed. In general, daytime A3 uses such as cafes, are viewed as being supportive to shopping and do not have an impact on local residents. In contrast, evening time A3 activity can create disturbance and in so doing harm residential amenity.

- 4.3 The character assessment in some cases draws a distinction between “large” and “small” premises. Defining these terms is largely to do with context but the following criteria will be used in making this distinction:
- (i) the range and size of premises within the respective shopping centre; including the range and size of food and drink premises within the respective shopping centre
 - (ii) the width of frontage, size and shape of the premises in question and how this fits into the spectrum for the range and size of premises within the respective shopping frontage. The proposed capacity of the food and drink use and how that compares to the range of capacities to be found in the particular shopping centre
 - (iii) small scale would relate to those proposals that occupied the ground floor of those premises in the lower order of the spectrum or had capacities comparable with the lower order of the spectrum. As a rule of thumb, proposals that exceed the ground floor area of a typical single traditional shop unit of a typical traditional Victorian parade in Cheltenham Road or Gloucester Road would not be considered small scale.
- 4.4 In view of the distinctions drawn between “large” and “small” premises the Council will consider attaching conditions to any planning permission to prevent adjoining property in the same food and drink or similar use being linked to prevent larger premises being created from an amalgamation of smaller premises.
- 4.5 Applicants are required to submit supporting information that clearly illustrates how the premises will be used. This should include details of any outdoor areas that are to be included in the proposal.
- 4.6 There are some cases where planning permission for a change of use will not be required. For example, premises that are used for the sale of cold food/warmed snacks, and hot and cold drinks for consumption off-site are likely to fall within the A1 Use Class. In addition, the provision of tables and chairs to enable a few customers to eat on the premises does not automatically result in a change of use to class A3. In cases where the use of an outlet is not clear, it is the primary use that is the key issue in determining which Use Class the use falls within.

5.0 STATUS OF GUIDANCE

- 5.1 This Supplementary Planning Guidance is a ‘material consideration’ that the planning authority will take into account in making decisions on individual planning applications.

6.0 CHARACTER ASSESSMENT

- 6.1 A character assessment has been undertaken for the Cheltenham Road, Gloucester Road and Zetland Road study area. This has been sub-divided into three further areas that are each broadly considered to have similar characteristics. Each character assessment includes a description and appraisal followed by conclusions.

Area 1: Cheltenham Road, Zetland Road

Context

- 6.2 This character assessment is focussed on the southernmost section of the study area, and is located within the Cotham, Redland and Gloucester Road Conservation Area. This area is shown on the map attached at the end of this SPG statement.
- 6.3 In common with the whole of the study area, the shopping parades are set within a residential hinterland, with dwellings located directly to the rear, and in many cases above and alongside the parades. Zetland Road for example is predominantly residential; Kingsley Road, which lies to the west and runs to the rear of Cheltenham Road, is entirely residential. The upper floors in this area are also for the most part used for residential purposes, many of which are occupied by students.
- 6.4 There is a high level of both on-street parking and traffic flow throughout the area. Congestion problems are accentuated at peak times, particularly at the junction of Cheltenham Road with Gloucester Road and Zetland Road.
- 6.5 The area contains a high number of food and drink uses, particularly on the western side of Cheltenham Road, and within Zetland Road. In particular, on the west side of Cheltenham Road there is a large pub “The Hogshead”, a wine bar, two restaurants and three hot food take-away shops. On the eastern side of Cheltenham Road there are a further five take-away shops together with a mix of convenience food and comparison goods shops. On Zetland Road there are three restaurants and one hot food take-away shop.

Conclusion

- 6.6 It is considered that there is a concentration of food and drink uses in this area, the majority of which are orientated towards the evening economy. The number of such

uses on Cheltenham Road and Zetland Road is already causing difficulties because of the residential character of the area. For example, the added demand for car parking, the increased vehicular activity and the general disturbance and in some cases anti-social behaviour that occurs as people move to and from eating and drinking establishments has already lead to some loss of residential amenity. It is considered that if present levels of activity were markedly raised, then the quality of the residential environment would be further harmed. For this reason, proposals for any A3 evening uses within Cheltenham Road and Zetland Road shall be resisted.

- 6.7 However, within Cheltenham Road and Zetland Road limited opportunities may exist for small-scale daytime uses such as cafés that may be acceptable, subject to other local Plan policies and restrictions within the A3 use class.
- 6.8 Nightclubs, or similar proposals that would attract large numbers of people and would stay open into the small hours are unacceptable in this location. Indeed, proposals for such uses anywhere within the study area would be resisted because of the disturbance this would cause to local residents. As set out in the supporting text to Policy S8 of the adopted Bristol Local Plan, such establishments are best located within the city centre where there is less likely to be a harmful impact upon residential communities and there is better access to public transport and car parking.

Area 2: Gloucester Road (Cheltenham Road to Berkeley Road/Brynland Avenue)

Context

- 6.9 Moving northwards, this next section runs from the start of Gloucester Road to its junctions with Berkeley Road and Brynland Avenue and is shown on Map 3 at the end of this SPG statement. This area is dominated by retail use and indeed is considered to be the strongest shopping area within the whole area covered by this SPG. The eastern side of Gloucester Road is particularly strong for virtually its entire length from Cromwell Road to Brynland Avenue, and experiences high pedestrian flows. Its importance as a retail area is reflected in the designation of almost the whole of this frontage as ‘Primary’ under policy S5 of the Bristol Local Plan. The retail facility on offer is wide ranging and varies from a supermarket, to specialist food and non-food shops, ethnic food and gift shops and a number of second hand and charity shops. This diversity reflects the case for the study area in general. On this side of Gloucester Road there are a number of A2 uses (Financial and Professional Services) and what is considered to be an appropriate level of food and drink uses, many of which are of a daytime nature and support the retail function of this parade.
- 6.10 The western side of Gloucester Road has a mixture of primary and secondary frontage in this area. This stretch of road again has a strong retail element, particularly at its southern end (designated as primary frontage) with only a small number of A2 and A3 uses. However, at the northern end, two of the A3 uses are well-used large pubs: “The

Rising Sun” and the “Goose at the Flyer” which are located almost directly next to one another.

- 6.11 Taken together, the A3 uses on Gloucester Road in this area are generally considered to be well spread and vary in their nature, thus contributing to both day and evening economies.
- 6.12 The northern end of this area is adjoined by residential properties and many of the upper floors of the shopping parades are also used as residential flats, as well as for offices and storage.

Conclusion

- 6.13 The retail character of this area is very strong and its retention is of prime importance in considering the balance between retail and other uses. It is recognised however, that food and drink uses have a key role to play in providing diversity and support the daytime retail and evening time leisure economies. The existing balance between these uses is considered appropriate and has created an attractive, diverse shopping centre. The need to maintain the right balance is crucial to ensuring that the character and attractiveness of this part of Gloucester Road remains.
- 6.14 Proposals for further large-scale evening orientated A3 uses such as pubs will be resisted. The two large pubs that exist at the northern end of this area (‘The Bristol Flyer’ and ‘The Rising Sun’) have a significant impact and the introduction of others will lead to a concentration of such uses that would be harmful to residential amenity and the retail character of this part of Gloucester Road. There are already a number of pubs in this area in addition to the two mentioned above that cater to a similar market, such as ‘The Hobgoblin’, ‘The Prom Bar’ and ‘The Hogshead’ on Cheltenham Road. It is now felt that the level of activity that these types of establishments generate should not be added to.
- 6.15 It is considered however, that along the secondary frontages in this part of Gloucester Road there is potential for smaller-scale uses such as restaurants or cafes to add to the vitality of the area both throughout the day and into the evening. Within the primary frontages however, it is unlikely that further A3 uses of any kind would be acceptable. This is because the existing balance of uses within the primary frontages allows for a good level of diversity whilst maintaining a strong retail character. It is considered that further loss of existing retail units through their conversion to A3 uses would upset this balance and weaken the retail character of these parades.

Area 3: Gloucester Road (Berkeley Road/Brynland Avenue to Rudthorpe Road)

Context

- 6.16 The final section moves northwards from Berkeley Road/Brynland Avenue to Horfield and is again shown on the attached map. Within this section there are a high number of retail uses that vary in size and nature from large food stores to small-scale local services such as hairdressers. There is a significant presence of food and drink uses, spread throughout the area along both primary and secondary frontages. There are several popular pubs, along with a variety of restaurants and food take away uses. There are also a significant number of A2 uses spread across the area, most of which are situated on secondary frontages.
- 6.17 Generally, the mixture of uses is greater on the western frontage of Gloucester Road, particularly at the northern end of this area, while the eastern side is for the most part characterised by retail use. The Somerfield supermarket is the largest premises on the shopping frontage of Gloucester Road and also provides off-street car parking facilities.
- 6.18 The Memorial Stadium is located close to the northern end of the study area and attracts many people to Gloucester Road on match days, creating an added demand for food and drink outlets. The Gloucestershire County Cricket Ground also attracts similar custom on Gloucester Road during larger events. Horfield Prison is another key feature of the area, located on Cambridge Road to the west of Gloucester Road. The presence of several church buildings to the south adds to the character and attractiveness of the area.
- 6.19 As with the southern part of the study area, levels of on-street parking are high, both along the Gloucester Road and in nearby streets. Congestion is common, particularly around the junctions with Nevil Road and Ashley Down Road.
- 6.20 Upper floors along the shopping frontage are commonly used for residential purposes as well as office and storage purposes. Residential dwellings adjoin the southern and northern boundaries of this area.

Conclusion

- 6.21 Food and drink uses contribute significantly to the use and character of the area and add to the diversity and vitality of the shopping parades. These uses are spread throughout the frontages and are for the most part small-scale, although there are three popular, larger pubs in this area, namely “The John Cabot”, “Finnegan’s Wake and “Bar Oz”. These outlets attract relatively high levels of custom.
- 6.22 The residential environment in the area does not appear to have been significantly harmed through the activities associated with food and drink uses, although clearly the introduction of further large bars or similar activities could well give rise to concern in view of the residential character of adjoining streets. Therefore it is considered that the current balance should not be exceeded and proposals for new large A3 evening orientated uses will be resisted.

- 6.23 Opportunities may exist for further small-scale café or restaurant uses that may be acceptable, subject to other local plan policies and restrictions within the A3 use class.
- 6.24 However, the degree of evening activity associated with such uses will be closely monitored and in future, if it is considered that levels of activity have reached acceptable limits, further proposals for evening orientated A3 uses in this area would be resisted.

The Cheltenham Road and Gloucester Road Supplementary Planning Guidance Area.



Extent of SPG Area.



Scale in Kilometres



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office & Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to legal proceedings. Bristol City Council, Ladbroke, 2001.

**Area 3:
Gloucester Road.**
(Berkeley Road / Brynland Avenue to
Rudthorpe Road).

**Area 2:
Gloucester Road.**
(Cheltenham Road to Berkeley Road /
Brynland Avenue).

**Area 1:
Cheltenham Road and
Zetland Road.**

