

WARD: Stoke Bishop **CONTACT OFFICER:** Lewis Cook
SITE ADDRESS: The Laurels Downleaze Bristol BS9 1LT

APPLICATION NO: 15/03760/F Full Planning
EXPIRY DATE: 23 September 2015

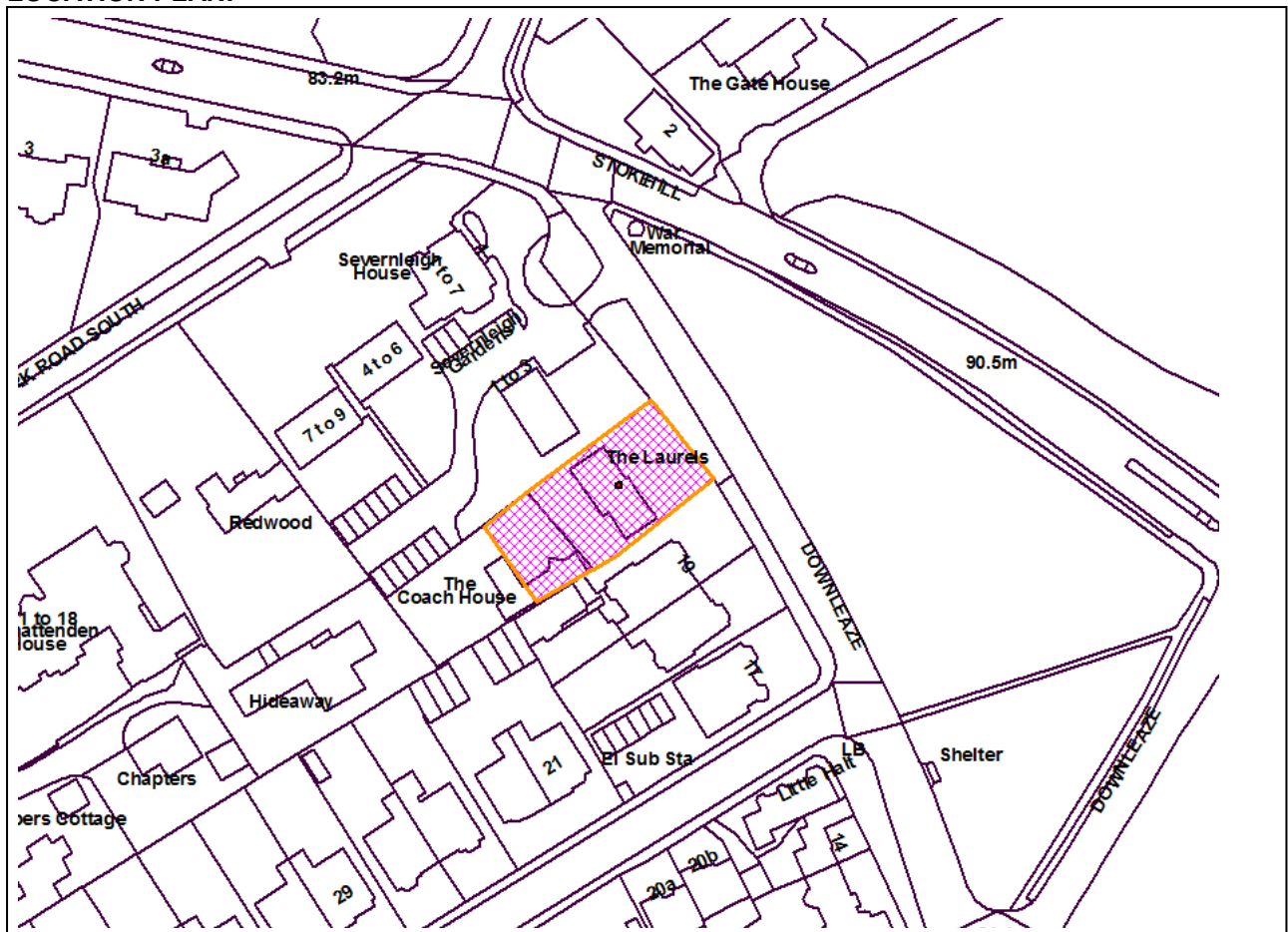
Demolition of existing dwelling and replacement with 9 no. Apartments and other related ancillary development including landscaping and car parking.

RECOMMENDATION: Grant subject to Condition(s)

AGENT: Grass Roots Planning Ltd
86-88 Colston Street
Bristol
BS1 5BB **APPLICANT:** Mr Jon Amos
The Laurels
Downleaze
Bristol
BS9 1LT

The following plan is for illustrative purposes only, and cannot be guaranteed to be up to date.

LOCATION PLAN:



Development Control Committee A – 14 October 2015
Application No. 15/03760/F: The Laurels Downleaze Bristol BS9 1LT

SITE DESCRIPTION

The application site is currently occupied by a single dwelling, known as 'the Laurels'. The site is accessed from Downleaze, although the building itself is set back about 15 metres from the highway. The existing building is two storeys high 1960s style dwelling, and accommodates a five bedroom dwelling. To the rear of the Laurels is the 'Coach House', which is a small bungalow essentially in the rear garden of the existing property. There is a separate planning permission to develop this as a separate dwelling. There is an existing vehicle access and driveway to the front of the Laurels, with the Coach House having a separate access through Severnleigh Gardens. The rest of the site largely set to grass.

The site lies adjacent to Durdham Down, and as such the area to the east of Downleaze is open space. The west side of Downleaze is characterised by residential dwellings of two, three and four storeys. Immediately to the south of the application site is a group of large, grade II listed buildings, in use as a mixture of single dwellings and flats. To the north of the site is a development of flats which includes one building which is broadly contemporary with the listed buildings in the area, but also includes three three storey 1980s style buildings. Along with the current building on the application site these buildings are at odds with the prevailing character of large, stone fronted buildings.

The proposal is located within the Downs Conservation Area, but is otherwise unallocated in the Local Plan.

RELEVANT HISTORY

The existing dwelling on the site was granted planning permission in 1960. Since that time there have been a number of applications for tree works, but no other applications for building work until the following:

14/04284/F: Demolition of existing dwelling and replacement with 7 No. flats, office space and other related ancillary development including landscaping and car parking – Application withdrawn: 29/09/15.

This application was withdrawn following concerns raised by the case officer, predominantly regarding the design of the proposal, but also relating to the proposed office use. As a consequence the proposal was amended, and this led to the current submission.

The following application relating to the Coach House to the rear of the site is also considered to be relevant to the current proposal.

14/04285/F: Demolition of existing dwelling and replacement with single detached dwelling, ancillary development including landscaping and car parking – Permission granted: 06/03/2015.

APPLICATION

The current application is for full planning permission for the demolition of the existing dwelling on site and erection of a new building containing nine flats. The proposed development would include five storeys of accommodation, which includes a basement level and additional accommodation within a partly pitched roof. The proposed building would be fronted in pennant sandstone, with limestone ashlar at ground floor level.

The proposed building would accommodate nine two bedroom flats. It is noted that as originally submitted the proposal included five three bedroom units, but revised plans were submitted during the course of the application which converted the additional bedroom to an office in those five units, given concerns about the position of side windows in the development. The front of the site would

Development Control Committee A – 14 October 2015
Application No. 15/03760/F: The Laurels Downleaze Bristol BS9 1LT

accommodate car parking, cycle storage and bin stores. A total of six car parking spaces are proposed, which will be provided via three 'Cardoks', which essentially would provide two levels of parking space, accessed by a car lift.

As stated above, amended plans have been submitted during the course of the application. As well as the removal of the third bedroom from the three bedroom units, this also shows the removal of rear balconies to flats 5 and 7. The amended plans also show a revision to the cycle store to the front of the site.

PRE APPLICATION COMMUNITY INVOLVEMENT

No evidence of pre-application community involvement has been submitted with the application. However, given the nature and scale of the application this is not a validation requirement for this proposal.

It is noted that the Local Planning Authority did respond to a pre-application submission prior to the planning application being submitted, as well as discussions held following the submission of previous application on the site.

RESPONSE TO PUBLICITY AND CONSULTATION

The application was advertised by the erection of a site notice, by an advertisement in a local newspaper and by writing to 72 neighbouring properties. As a result one letter of support and 14 objections were received.

The supporting comment states that the proposal would be a significant improvement on the existing building and will be a positive addition to this area of the downs.

The objections to the proposal have raised the following issues:

Density and mix of development (see key issue A)

- * The proposal would be an overdevelopment of the site;
- * The accommodation is not suitable for families, and will not contribute to the mix of accommodation in the area.

Impact on the Character of the Area (see key issue B)

- * The proposal, at five stories, is excessive in height and would be harmful to the character of the Conservation Area;
- * The detailed design, including balconies and large front facing windows, would be harmful to character of the Conservation Area;
- * The approved 'Coach Hose' development would not be in keeping with the proposal, and the visual link will be lost;
- * The design officer's comments on the proposal should be reconsidered as they refer to the proposal overcoming previous objections rather than being a full assessment of the proposal.

Impact on Residential Amenity (see key issue C)

- * The parking lifts will cause noise and disturbance for neighbouring residents;
- * The proposal will lead to increased overshadowing of the neighbouring garden;
- * The balconies and side windows will lead to the loss of privacy for neighbouring properties;
- * The proposal is overbearing on neighbouring properties;
- * The proposed gardens would not be private as they would be heavily overlooked;
- * Bedroom two of unit one will have no access to daylight.

Highway issues (see key issue D)

Development Control Committee A – 14 October 2015**Application No. 15/03760/F: The Laurels Downleaze Bristol BS9 1LT**

- * The proposal would provide for inadequate car parking, which will add to parking congestion in the area and lead to parked cars impacting on highway safety;
- * There is no provision for servicing the building;
- * The lack of parking provision will impact on bus routes in the area;
- * Construction traffic would impact on highway safety in the area;
- * The increase in traffic will be detrimental to the area;
- * Sufficient manoeuvring space is not provided to the front of the site, which may result in vehicles reversing on to the highway;
- * There is no footpath on the lower part of Downleaze and therefore pedestrian access is poor;
- * No indication of bin or refuse storage is provided in the application.

Impact on Trees and Wildlife (see key issue)

- * Trees on the adjacent property will be under threat during construction.

Other issues

- * The application does not provide adequate detail in order to assess the application (Officer comment: The application include scaled plans which allow appropriate assessment of the proposal – in addition details of materials were subsequently submitted);
- * The consultation has taken place when most residents are on holiday, a number of neighbours have not be consulted and the site notice has been removed (Officer comment: The consultation carried out in accordance with the relevant requirement in the Development Management Procedure Order);
- * The proposal would set a precedent for the development of other sites in this area (Officer comment: The application has to be considered on its own merits, as would any future application in this area);
- * The same heritage statement and planning statement were submitted as for the previous application, which undermines the information submitted (Officer comment: It is unfortunate that these have not been updated, but they are intended to provide background information and analysis, and the application should be determined on the basis of the submitted plans);
- * The proposal may be constructed higher than is indicated in the approved plans (Officer comments: The application should be assessed on the basis of the submitted drawings, and if the development is not constructed in accordance with this it may be subject to enforcement action);
- * The proposal should provide a secondary emergency exit (Officer comment: This is covered by building regulations, and is not material to the decision on the planning application);
- * The view of the TPO trees in the area would be blocked (Officer comment: Whilst the trees contribute to the character of the area planning legislation does not protect views, and an application could not be resisted on this basis).

An objection has also been received from the Sneyd Park Residents Association, raising the following issues:

- * The proposal does not provide adequate car parking spaces, and the proposed Cardoc system does not provide equivalent provision as surface level parking;
- * The proposed design would be overly dominant, would be of only average quality and would be detrimental to the setting of the neighbouring listed building and the character of the conservation area;
- * The large windows proposed are not characteristic of the area;
- * The proposed windows on the side elevation would lead to the loss of privacy of the neighbouring property.

OTHER COMMENTS

Contaminated Land Environmental Protection has commented as follows:-

High levels of Arsenic and Lead have been encountered on sites within this area, possibly due to historic mining activities that took place in this area pre 1850. As a consequence the applicants will need to establish if similar conditions exist at this site.

Development Control Committee A – 14 October 2015
Application No. 15/03760/F: The Laurels Downleaze Bristol BS9 1LT

Radon protection may also be required as part of the new building.

The following conditions are therefore recommended

Contaminated Land -

Part a) Site Assessment and Remediation Following demolition but prior to the commencement of development the following shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority:

- _ A ground investigation study to identify any contamination at the site
- _ A risk assessment to quantify the risk from contamination and
- _ A written method statement detailing how any contamination will be remediated.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: 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 offsite receptors

Part b) Contaminated Land - Verification of remediation The decontamination/remediation works will be carried out in accordance with the approved remediation scheme, unless otherwise agreed by the local planning authority. Following the completion of the remedial works and prior to occupation a verification report should be submitted to and approved by the local planning authority.

Reason: To demonstrate the contamination has been successfully remediated, In the interests of the health and safety of future occupiers at the site.

Plus condition C1.

Flood Risk Manager has commented as follows:-

Insufficient drainage information has been submitted for this application. A full drainage strategy needs to be submitted, including drainage calculations and runoff rates for the site. Runoff rates from the proposed development should match greenfield runoff rates as much as reasonably possible. The soakaway which was mentioned needs further information submitted to show it is suitable with an infiltration test -BRE 365. Storage and maintenance regime should also be submitted. Other SuDS techniques should be further investigated to reduce runoff rates.

To assist with the drainage strategy, additional information can be found in the West of England SuDS Guide Section2 Bristol, SuDS Design Guide <http://www.bristol.gov.uk/page/environment/flood-risk-drainage-and-development>

Until further drainage information is submitted we object to the application

Nature Conservation Officer has commented as follows:-

The following advisory note should be provided. All species of wild birds, their eggs, nests and chicks are legally protected until the young have fledged. No site clearance or tree or hedge removal shall be carried out on site between 1st March and 30th September inclusive in any year, unless a check has been carried out beforehand by a qualified ecologist as agreed with the local planning authority.

This proposal includes the demolition of an existing dwelling. The following advisory note should be provided. All species of bats and their roosts are legally protected. If bats are encountered all demolition or construction work should cease and the Bat Conservation Trust (Tel 0845 1300 228) should be consulted for advice.

Development Control Committee A – 14 October 2015
Application No. 15/03760/F: The Laurels Downleaze Bristol BS9 1LT

Transport Development Management has commented as follows:-

The property currently benefits from off street parking, which is accessed via a driveway with a 3m access point off of the highway. Due to the angle of the access point, usable space would be reduced to 2.4m, which would not be wide enough for refuse or service vehicles. As such, the access point should be at least 3.5m wide. In addition, any planting adjacent to the access should be restricted to 0.6m wide.

The area in front of the car docks is in excess of the 6m minimum manoeuvring distance.

The use of gravel and grasscrete in the vehicle accessible area is unacceptable. Suitable drainage provision must be provided at the point of access to prevent discharge of surface water on to the highway.

The proposed car parking is within the maximum parking standard for the development (11 for the revised proposal). The proposal should include 18 cycle parking spaces. The original proposal included 16 spaces, so an additional Sheffield Stand should be provided.

The proposed bin store meets the relevant standard, although it should be noted that the store is on private land and City Councils refuse lorries would not enter the site.

Due to the impact this will have on the highway network during construction a construction management plan should be secured as a condition.

Urban Design has commented as follows:-

Context

The proposed development site is located within The Downs Conservation Area and fronts on to the edge of The Downs which is an Important Open Space and a Local Historic Park and Garden. The surrounding context consists of a mixture of large Victorian residential villas and lower scale two storey residential buildings which front onto the open space. The site is flanked to the south east by a generously scaled Listed three storey semi-detached villa with semi-submerged basement. This adjacent building presents a grand residential form and façade composition based around a pitched roof form and offering a double gable frontage, rich detailing and a clear fenestration hierarchy. To the North West, the proposed development site is flanked by a modest three storey block of apartments.

Proposal

The current proposal reflects the design suggestions made in the previous comments, and represents significant positive amendments to the originally proposed scheme. In this way it is considered the proposal has overcome the issues raised in relation to scale, form and response to local context in the previous application, and represents a more appropriate scheme in this context.

The inclusion of additional landscaping to the front of the building is noted, and helps to reduce the impact of hard standing parking and circulation areas.

Some concerns were expressed over the potential use of materials, and the need to ensure a more contemporary finish with the detailing. The proposed materials reflect this, with the intent to provide high quality natural facing and roofing material and metal composite windows and drainage components.

Conclusions

The proposed scheme is considered to represent significant design changes from the previous, withdrawn, application in response to previous design comments from CDG. Upon review of the current proposals, it is considered a more appropriate scheme has been put forward. No objection is raised.

Development Control Committee A – 14 October 2015
Application No. 15/03760/F: The Laurels Downleaze Bristol BS9 1LT

RELEVANT POLICIES

National Planning Policy Framework – March 2012

Bristol Core Strategy (Adopted June 2011)

BCS5	Housing Provision
BCS9	Green Infrastructure
BCS10	Transport and Access Improvements
BCS11	Infrastructure and Developer Contributions
BCS13	Climate Change
BCS14	Sustainable Energy
BCS15	Sustainable Design and Construction
BCS16	Flood Risk and Water Management
BCS18	Housing Type
BCS20	Effective and Efficient Use of Land
BCS21	Quality Urban Design
BCS22	Conservation and the Historic Environment
BCS23	Pollution

Bristol Site Allocations and Development Management Policies (Adopted July 2014)

DM1	Presumption in favour of sustainable development
DM17	Development involving existing green infrastructure
DM23	Transport development management
DM26	Local character and distinctiveness
DM27	Layout and form
DM28	Public realm
DM29	Design of new buildings
DM31	Heritage assets
DM32	Recycling and refuse provision in new development
DM33	Pollution control, air quality and water quality
DM34	Contaminated land
DM35	Noise mitigation

KEY ISSUES

(A) IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN LAND USE TERMS AND IS THE PROPOSED DENSITY AND HOUSING MIX APPROPRIATE?

The application is for the replacement of the existing dwelling on the site with a development of nine flats. Therefore, the proposal does not involve a change in use, and the key issue is whether or not an intensification in the use of the site is appropriate. The efficient use of land is integral to creating sustainable patterns of development and this is central to the focus on sustainable development in the NPPF. Indeed, the NPPF allows Local Planning Authorities to set their own approach to housing density to reflect local circumstances. Policy BCS20 of the Core Strategy sets a minimum development density of 50 dwellings per hectare.

The proposed development would be in excess of 100 dwellings per hectare and as such would comply with this policy requirement. It is noted that there have been objections to the proposal on the basis that it would be an overdevelopment of the site. Whilst there are no policy basis for setting a maximum density for development, high density development can impact amenity and the character of the area, and these issues are considered further below.

In addition, Policy BCS18 requires development to contribute to the mix of housing tenures, types and sizes in an area. Assessment of 2011 census figures shows that the Stoke Bishop ward is over represented by large family dwellings. However, in the immediate area around the application site the

Development Control Committee A – 14 October 2015
Application No. 15/03760/F: The Laurels Downleaze Bristol BS9 1LT

proportion of flats is higher, at around 63%, although the figures suggest that there is a reasonable mixture of sizes of flats. The neighbours of the site have raised a concern about the lack of family accommodation in the proposal, and it is acknowledged that the proposed flats would not meet the normal definition of family accommodation. However, the nature of large multi storey buildings in this area does lend itself to the use as flats, and it is not considered that there is a significant concentration of two bedroom flats in the area to warrant refusing the application on the basis of a harmful impact on mix of housing.

(B) WOULD THE PROPOSED DEVELOPMENT HARM THE CHARACTER OR APPEARANCE OF THE DOWNS CONSERVATION AREA?

The Local Planning Authority is required (under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The case of R (Forge Field Society) v Sevenoaks DC [2014] EWHC 1895 (Admin) (Forge Field) has made it clear where there is harm to a listed building or a conservation area the decision maker 'must give that harm considerable importance and weight' [48].

Section 12 of the national guidance within the National Planning Policy Framework (NPPF) 2012 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with any harm or loss requiring clear and convincing justification. Paragraph 132 of the NPPF states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Further, Para.134 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Policy BCS22 of the Core Strategy and DM31 of the Development Management Policies require development to safeguard or enhance heritage assets, which includes historic buildings, both nationally and locally listed, and conservation areas.

In addition policy BCS21 of the Core Strategy promotes high quality design, requiring development to contribute positively to an area's character, promote accessibility and permeability, promote legibility, clearly define public and private space, deliver a safe, healthy and attractive environment and public realm, deliver public art, safeguard the amenity of existing development and future occupiers, promote diversity through the delivery of mixed developments and create buildings and spaces that are adaptable to change. The adopted development management policies reinforce this requirement, with reference to Local Character and Distinctiveness (DM26), Layout and Form (DM27), Public Realm (DM28) and the Design of New Buildings (DM29).

The Downs Conservation Area is dominated by the Downs itself, and the large villas and institutional buildings that front on to the Downs. This is particularly relevant to this site, as it fronts on to the open space. The ridge height of the existing building is smaller than both of the immediate neighbours, and whilst a reasonable example of a building of its period it is clearly at odds with the neighbouring villas, in terms of scale, material and the horizontal emphasis which this building displays. The existing building therefore contributes little to the character of the Conservation Area, and at best is a neutral building in the context of the area. As such, there is no objection to the removal of this building, subject to a suitable replacement being proposed.

In terms of the proposed development, a number of neighbours of the site have raised a concern that the proposed building is too tall. However, given the context of the site it is considered that there is scope for a building of a significant scale on the site. The ridge height of the proposed building would be lower than the listed building to the south east, and whilst concerns have been raised that the proposal would be taller than the neighbouring flats at Severnleigh Gardens, these are relatively modern buildings, and again have a relatively neutral impact on the Conservation Area. As such, it is

Development Control Committee A – 14 October 2015**Application No. 15/03760/F: The Laurels Downleaze Bristol BS9 1LT**

not considered that the ridge height and the design of proposal should directly reflect those properties, but instead the scale should be staggered between the adjacent buildings. The concerns of the neighbours include that the proposal would be provided with five storeys of accommodation, rather than three or three and a half at the neighbouring properties. This has been achieved partly by provision of a basement, making use of the sloping nature of the site, and accommodation within the roof. Whilst the floor to ceiling height would be significantly less than 19 Downleaze, it would be similar to the flats at Severnleigh Gardens, so this would not appear incongruous in the street. Concerns have also been raised that in order to accommodate the five stories of accommodation the resultant building would be larger than indicated on the drawings indicate. However, the drawings provide clear ridge heights and show the relationship with the neighbouring properties, and therefore any development that does not accord with the drawings would not benefit from planning permission.

With regard to the detailed design of the proposal, following the submission of the previous application considerable negotiations have been ongoing between the applicant and officers from the City Design Group. This has resulted in building which is sensitive to its relationship with the neighbouring listed building. This includes the provision of front facing gable, pitched roof, and bays window. In addition, the building would be faced in natural stone with a slate roof, which are considered to be appropriate materials. Concerns have been raised about the excessive glazing and balconies on the elevations. It is noted that the balconies on the front elevation take advantage of the position of the bays and porch, and a similar approach is taken on the listed buildings to the south east. The front facing gable would be largely glazed at high level, but this is a relatively minor element, and given the proposal is a modern response to the character of the area this is not considered to be inappropriate. The rear elevation has a much more modern aspect, with more glazing and larger balconies. However, this area is outside of the public realm, and notwithstanding the additional glazing the form and materials is general considered appropriate. As a consequence the proposed building is considered to be an appropriate design response to the context of the area.

The other concern raised regarding the design of the proposal relates to the treatment of the landscaping at the site. Whilst the previous application on the site showed the rear garden set to car parking, this has been removed as part of this proposal, and the provision of soft landscaping in this area is considered to be more appropriate. However, this does result in the front garden having to provide for the parking and servicing at the property, including the provision of the 'Cardok' parking system. With regard to the impact on the area the most important element is the front boundary wall and hedge, and whilst it is necessary to widen the access the front boundary will be largely retained. Whilst there will be a degree of household clutter (bins/cycles etc), this will be largely screened by the boundary wall. Whilst concerns have been raised that the 'Cardoks' would be uncharacteristic, whilst not in use these would sit in the lowered position, and would have no visual impact. The highway officer has also raised concern about the material finish for the front parking area. Whilst a completely tarmac area would be considered inappropriate, final details of the surfacing, along with details of soft landscaping could be secured by condition, and therefore an appropriate treatment could be secured.

Given that the proposal would result in an increase in terms of visual impact from the current position it cannot be concluded that the proposal would preserve the existing aspect of the Conservation Area, and therefore the test that needs to be applied is whether or not the proposal would result in an enhancement. As a result of the existing, non-confirming building, and the sensitive design approach of the new dwelling, it is considered that the proposal would achieve this enhancement, and as such would meet this policy test, would enhance the character and appearance of the conservation area and the setting of the neighbouring listed building.

- (C) WOULD THE PROPOSAL UNACCEPTABLY AFFECT THE RESIDENTIAL AMENITY OF THE AREA AND WOULD IT CREATE AN ACCEPTABLE STANDARD OF AMENITY FOR THE PROPOSED RESIDENTS?

Policy BCS21 of the Core Strategy, as well as requiring development to provide a good quality residential environment for future residents, and also requires new development to safeguard the amenities of existing residents.

Development Control Committee A – 14 October 2015
Application No. 15/03760/F: The Laurels Downleaze Bristol BS9 1LT

In this case the main impact of the proposal would be felt at 19 Downleaze and the flats at Severnleigh Gardens. Whilst there is a separate dwelling directly to the rear of the site, this is currently in the same ownership as the application site (as indicated by the blue line on the site location plan), and is subject to redevelopment proposals, which would present a largely blank elevation to the proposed development, and therefore does not need to be considered further here.

It is noted that there have been a number of objections from residents at Severnleigh Gardens regarding the impact on residential amenity. The proposed building would be larger than the immediate neighbour. However, it would not intercept a 45 degree angle from any of the windows on that property, and hence would not have an impact on the visual amenity. A shadow and daylight survey was submitted with the original application which demonstrated that there was no significant impact on the amenities of Severnleigh Gardens. The change in design of the proposal would moderately reduce the impact and therefore the impact is considered acceptable in this regard.

Concerns have also been raised about the impact on privacy of the proposed development on these properties. Any views into windows that would result from the proposed development would be at a distance in excess of 35 metres, and at this distance it is not considered that there would be a material impact on privacy as a result of this relationship. However, the proposal will overlook the grassed area at the centre of the Severnleigh development. However, the public access to the Severnleigh Gardens flats allows access to the centre of the site, as does the access to the Coach House site. As such, this area cannot be described as private amenity space. When considering the impact on privacy the key issue is whether the proposal would lead to a reduction in existing level of privacy. Given this area is not private the impact of development is not considered to have a material impact on privacy, and therefore does not merit the refusal of the application.

With regard to 19 Downleaze, this property is currently in use as flats. The proposed building would be smaller than the neighbouring building, and would not extend beyond the front or rear elevation of that property. 19 Downleaze does have windows in the side elevation, but largely these serve communal hallways or bathrooms. One window serves a kitchen, but this is a secondary window. Therefore, whilst the proposal would impact on the access to daylight from those windows, it is not considered that this would be harmful to the residential amenity at these properties. In addition, the orientation of the site would mean that the proposal would not lead to material levels of overshadowing of the garden of this building.

With regard to the privacy of no. 19, given the position of the building in the rear garden of that property there is a relatively narrow angle which would allow views through into the private rear garden. In addition, there is a significant change in levels, and a high boundary wall, which means that there would be no views over the neighbouring property from basement or ground floor level. The balconies adjacent to the boundary at first and second floor level have been removed in revised plans, and the views from the other balconies would be at some distance and a very obscure angle. As a result of this is not considered that the impact on privacy would be greater than existing levels of mutual overlooking. There are windows on the side elevation of the proposal, some of which would allow some view into the side windows in 19 Downleaze. However, in amended plans these are not principle windows to habitable rooms, and it would be reasonable to require them to be obscure glazed by condition. As a result, the proposed building would not have an impact on the neighbouring properties in respect of amenity that would warrant the refusal of the application.

Concern has been raised about the function of the 'Cardoks' and the resulting noise and disturbance that would result from this. Whilst this is an unusual element within a suburban area such as this, it is noted that the mechanical element of this proposal is below ground level, and according to the supporting documentation the operation of this system would be 'virtually silent'. As such, this system would not be considered as harmful to residential amenity.

With regard to the quality of the residential environment proposed, policy BCS18 requires that development meet the minimum space standards required for everyday activities with specific reference the Homes and Community Agency Standard. The smallest of the proposed flats is around

Development Control Committee A – 14 October 2015
Application No. 15/03760/F: The Laurels Downleaze Bristol BS9 1LT

90 square metres (the minimum space requirement for a two bedroom four person flat is 67 square metres). As such, the proposed flats are considered to be generously sized. It is noted that the lower ground floor levels is largely served by light wells, with the exception of the rear elevation. The main habitable accommodation is to the rear, and this will have direct access to the garden. The proposed bedrooms at this level would have limited outlook, but given the general quality of accommodation it is not considered that the proposed environment is so poor as to warrant the refusal of the application.

(D) WOULD THE PROPOSED DEVELOPMENT SATISFACTORILY ADDRESS TRANSPORT AND MOVEMENT ISSUES?

Development Plan policies are designed to promote schemes that reflect the list of transport user priorities outlined in the Joint Local Transport Plan, which includes pedestrian as the highest priority and private cars as the lowest (BCS10). In addition, policy DM23 requires development to provide safe and adequate access to new developments.

The application site is within a suburban area, with most of the properties having on site parking spaces. However, it is acknowledged that during the officer site visit the surrounding streets were relatively heavily parked. The current policy for car parking is that a development of this nature would require a maximum of 11 car parking spaces. The proposal complies with this aspect of the policy. However, the maximum parking requirement is only one aspect of the policy and consideration also needs to be given to the appropriate nature of the car parking and the accessibility of the site. Whilst the site is at some distance from a local centre it is served by a frequent bus service, which runs seven days per week. Concerns have been raised that an increase demand for on street car parking would impact on this bus service, but given the proposal is likely to increase demand for bus services it is not considered that the proposal would impact on existing services. With regard to the 'Cardok' system the information included with the proposal includes details of maintenance, and a back up generator, which should ensure that six parking spaces are maintained at the property. As a consequence, given the level of accessibility at the site the short fall of parking spaces from the maximum is not considered to be harmful to highway safety, and therefore it is not considered that the proposal warrants refusal in this regard.

With regard to the accessibility to the site in respect of pedestrians and vehicles, amended plans have been submitted which shows the access widened to 4 metres, which would allow access to service vehicles. Concerns were originally raised regarding the visibility at the access, but there is a wide grass verge at the front of the property, which would allow reasonable visibility at the access. The grass verge does mean that there is no pavement access directly to the property. However, there is only a small area of grass verge blocking the access, and the road is relatively quiet in this location. As such, the highways officer has raised no objection to the proposal on these grounds.

With regard to bin and cycle storage, the submitted plans indicate an acceptable bin storage area. Revised plans have also been submitted showing policy compliant 18 cycle storage spaces. As a consequence, whilst it is recognised that a number of residents have raised concerns about the parking provision at the site, it is not considered that the proposal would be harmful to highway safety, and as such the proposal is not considered to merit refusal on these grounds.

(E) WOULD THE PROPOSAL INCLUDE ADEQUATE MEASURES TO PROTECT THE ENVIRONMENT AND MEET THE CLIMATE CHANGE AND SUSTAINABILITY GOALS OF THE DEVELOPMENT PLAN?

Policies BCS13, BCS14, BCS15 and BCS16 of the adopted Core Strategy give clear guidance on sustainability standards to be achieved in any development, and what measures to be included to ensure that development meets the climate change goals of the development plan. Applicants are expected to demonstrate that a development would meet those standards by means of a sustainability statement. In this case a sustainability statement has been submitted stating a number of measures will be incorporated in the development. This includes the provision of photovoltaic panels on the flat

Development Control Committee A – 14 October 2015**Application No. 15/03760/F: The Laurels Downleaze Bristol BS9 1LT**

roof section of the building. This would result in a CO2 saving of 20.26% in comparison with the Building Regulations standard, and as such is considered to be policy compliant.

With regard to surface water drainage, no details have been provided as part of the application. However, the site includes a reasonable proportion of soft landscaping, and there is scope to mitigate the impact of the additional surface water run-off. Details of this can be secured by condition, and therefore there is no objection to the development on these grounds.

(F) **WOULD THE PROPOSAL LEAD TO THE LOSS OF SIGNIFICANT TREES OR WILDLIFE HABITATS AND CAN THE IMPACT BE ADEQUATELY MITIGATED?**

Policy BCS9 of the Core Strategy states that 'Individual green assets should be retained wherever possible and integrated into new development'. It also states that 'Development should incorporate new and/or enhanced green infrastructure of an appropriate type, standard and size. Where on-site provision of green infrastructure is not possible, contributions will be sought to make appropriate provision for green infrastructure off site.'

The application site does not contain any significant trees, although there are trees which overhang the site from neighbouring sites. This includes a group of leylandii, which are referred to in the objections listed above, although none of the trees on the neighbouring sites have been identified as being of high value. An arboricultural statement has been submitted with the application, which includes details of tree protection and suggests that the work within the root protection zones be supervised. Subject to the development being carried out in accordance with the statement it is not considered that the proposal will have a harmful impact on the tree cover in the area.

The Council's ecologist has also been consulted on the application, and he has not raised any specific concerns about protected species or habitats at the site, although the applicant should be advised regarding potential impact on bats and nesting birds.

CONCLUSION

The application is for demolition of the existing building on the site and construction of a building containing nine flats. The existing building on the site is of no particular merit, and does not follow the existing character of the area. As such, a proposal for the intensification of the use of the site is supported. The design of the proposal is considered to be sensitive to the existing character, and the setting of the neighbouring listed building, and would not be harmful to the amenities of neighbouring properties. With regard to highways impact, despite the fact that the proposal provides less than the maximum parking spaces that would be permitted by policy, highway officers are satisfied that this would not impact on highway safety. The proposal also includes sufficient measures to meet the policy requirements in respect of sustainability. Therefore, the proposal is considered to be in accordance with the relevant policies and is recommended for approval.

COMMUNITY INFRASTRUCTURE LEVY

How much Community Infrastructure Levy (CIL) will this development be required to pay?

The CIL liability for this development is £64,373.13

Development Control Committee A – 14 October 2015
Application No. 15/03760/F: The Laurels Downleaze Bristol BS9 1LT

RECOMMENDED GRANT subject to condition(s)

Time limit for commencement of development

1. Full Planning Permission

The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Pre commencement condition(s)

2. Construction management plan

No development shall take place including any works of demolition until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:

Parking of vehicle of site operatives and visitors
 routes for construction traffic
 hours of operation
 method of prevention of mud being carried onto highway
 pedestrian and cyclist protection
 proposed temporary traffic restrictions
 arrangements for turning vehicles
 protection of grass verges and reinstatement

Reason: In the interests of safe operation of the highway in the lead into development both during the demolition and construction phase of the development.

3. Site Assessment and Remediation

Following demolition but prior to the commencement of development the following shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority:

- A ground investigation study to identify any contamination at the site
- A risk assessment to quantify the risk from contamination and
- A written method statement detailing how any contamination will be remediated.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: 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 offsite receptors

4. Contaminated Land – Verification of remediation

The decontamination/remediation works will be carried out in accordance with the approved remediation scheme, unless otherwise agreed by the local planning authority. Following the

Development Control Committee A – 14 October 2015
Application No. 15/03760/F: The Laurels Downleaze Bristol BS9 1LT

completion of the remedial works and prior to occupation a verification report should be submitted to and approved by the local planning authority.

Reason: To demonstrate the contamination has been successfully remediated, In the interests of the health and safety of future occupiers at the site.

5. Protection of Retained Trees During the Construction Period

No work of any kind shall take place on the site until the protective fence(s) has (have) been erected around the retained trees in the position and to the specification shown on Drawing No. 140731-TLD-TPP1-LI&AM. The Local Planning Authority shall be given not less than two weeks prior written notice by the developer of the commencement of works on the site in order that the council may verify in writing that the approved tree protection measures are in place when the work commences and thereafter all work shall be carried out in accordance with the Arboricultural Method Statement. The approved fence(s) shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the council.

Reason: To protect the retained trees from damage during construction, including all ground works and works that may be required by other conditions, and in recognition of the contribution which the retained tree(s) give(s) and will continue to give to the amenity of the area.

6. Contract for Redevelopment

Works for the demolition of the building(s) or part of the building forming part of the development hereby permitted shall not be commenced before a valid contract for the carrying out and completion of works of redevelopment of the site for which planning permission has been granted has been entered into, and evidence of that contract submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the demolition is followed by immediate rebuilding and to maintain the character and appearance of the Conservation Area.

7. Sustainable Drainage System (SuDS)

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 prior to the use of the building commencing and maintained thereafter for the lifetime of the development.

Reason: 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.

Development Control Committee A – 14 October 2015
Application No. 15/03760/F: The Laurels Downleaze Bristol BS9 1LT

8. Further details before relevant element started

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

- a) Typical details of all types of doors and window opening including sills, lintels, surrounds, reveals and design of external doors and windows.
- b) Typical details of all balcony types and treatments
- c) Typical details of bay projections, porches and canopies
- d) Typical details of eaves, soffits, overhangs, ridge, parapets, coping and balustrades.
- e) Typical details of rain water goods
- f) Typical details of junctions between materials
- g) Details of cycle storage

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

9. Sample Panels before specified elements started

Sample panels of the external materials, including the pennant sandstone, ashlar limestone and roof slate, demonstrating the colour, texture, face bond and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.

Reason: In order that the external appearance of the building is satisfactory.

Pre occupation condition(s)

10. Land affected by contamination - Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 3 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of that condition, which is to be submitted to and be approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 4.

Reason: 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 offsite receptors.

11. Implementation/Installation of Refuse Storage and Recycling Facilities - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s)

Development Control Committee A – 14 October 2015**Application No. 15/03760/F: The Laurels Downleaze Bristol BS9 1LT**

that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.

Reason: To safeguard the amenity of the occupiers of adjoining premises, protect the general environment, and prevent obstruction to pedestrian movement, and to ensure that there are adequate facilities for the storage and recycling of recoverable materials.

12. Completion of Vehicular Access - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the means of vehicular access has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be retained for access purposes only.

Reason: In the interests of highway safety.

13. Completion and Maintenance of Car/Vehicle Parking - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the car/vehicle parking area shown on the approved plans has been completed, and thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development. The 'CarDok' shall be maintained in accordance with the manufacturer specification unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that there are adequate parking facilities to serve the development.

14. Completion and Maintenance of Cycle Provision - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed, and thereafter, be kept free of obstruction and available for the parking of cycles only.

Reason: To ensure the provision and availability of adequate cycle parking.

15. Submission and Approval of Landscaping Scheme

No building or use hereby permitted shall be occupied or the use commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection, in the course of development. The approved scheme shall be implemented so that planting is carried out no later than the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

Reason: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory.

16. Artificial Lighting (external)

No building or use hereby permitted shall be occupied or use commenced until a report detailing the lighting scheme and predicted light levels at neighbouring residential properties has been submitted to and been approved in writing by the Local Planning Authority.

Development Control Committee A – 14 October 2015**Application No. 15/03760/F: The Laurels Downleaze Bristol BS9 1LT**

Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E2 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

17. Sustainability Statement

The application shall be carried out only in accordance with the Sustainability Statement submitted by Darren Evans in support of the application, and all measures contained in the statement, including the photovoltaic panels, shall be installed and be operational prior to the occupation of the dwellings hereby approved.

Reason: To meet the sustainability and climate change goals of the adopted Local Plan.

Post occupation management

18. Non opening and obscured glazed window

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the proposed windows on the side elevation shall be non-opening (or limited opening to a degree which has been approved in writing by the Local Planning Authority) and glazed with obscure glass to a specification to be agreed with the Local Planning Authority and shall be permanently maintained thereafter as such..

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy.

19. Restriction of noise from plant and equipment

The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB below the background level as determined by BS4142: 1997- "Method of rating industrial noise affecting mixed residential and industrial areas".

Reason: To safeguard the amenity of nearby premises and the area generally.

20. Ridge Height

The proposed development shall be constructed to a maximum ridge height of 62.75 above Ordnance Datum.

Reason: To accord with the approved plan and to ensure the proposal has an acceptable impact on the character and appearance of the area.

List of approved plans

21. List of approved plans and drawings

The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision.

P637/001 Location Plan, received 29 July 2015

P637/003C Proposed floor plans, received 1 October 2015

Development Control Committee A – 14 October 2015
Application No. 15/03760/F: The Laurels Downleaze Bristol BS9 1LT

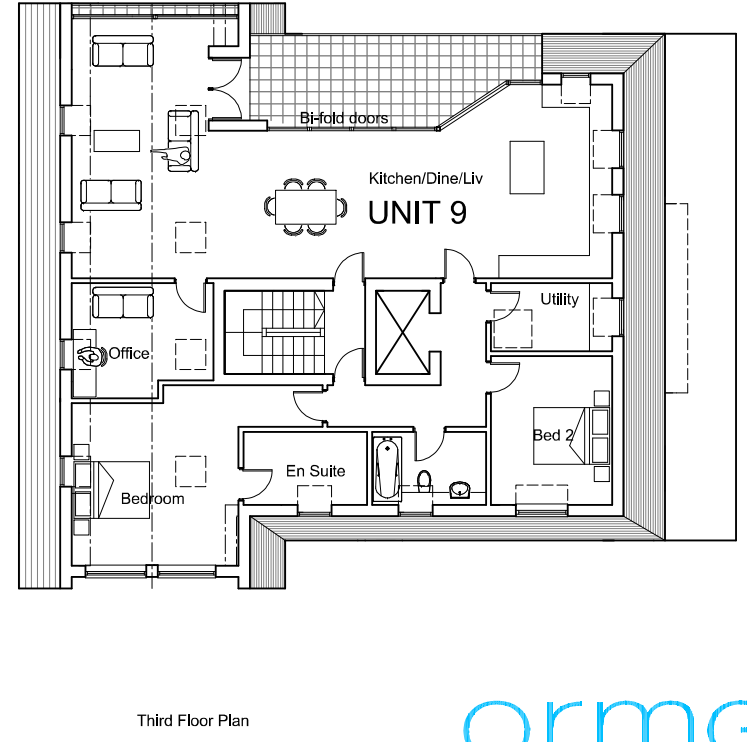
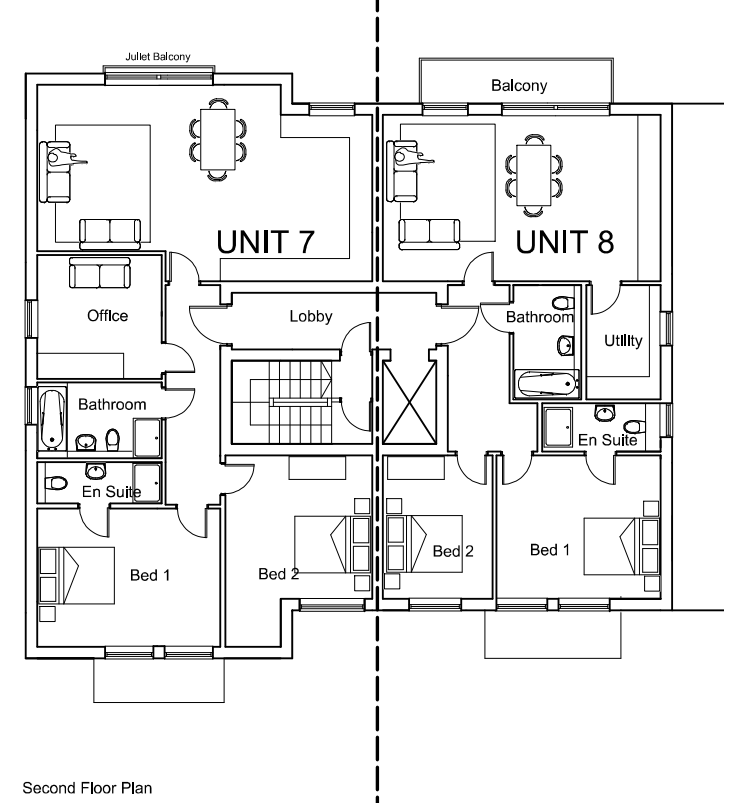
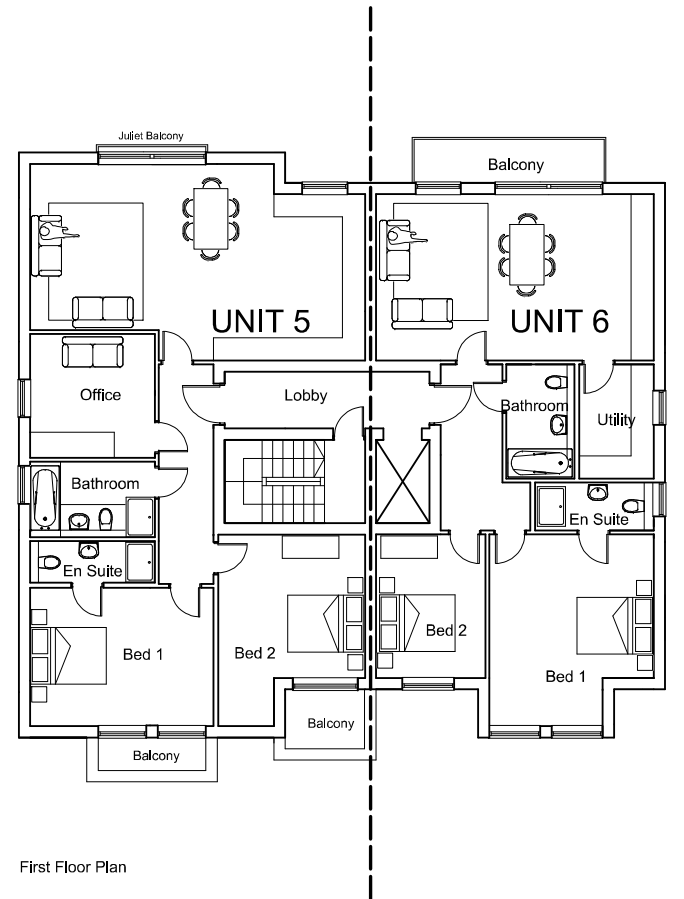
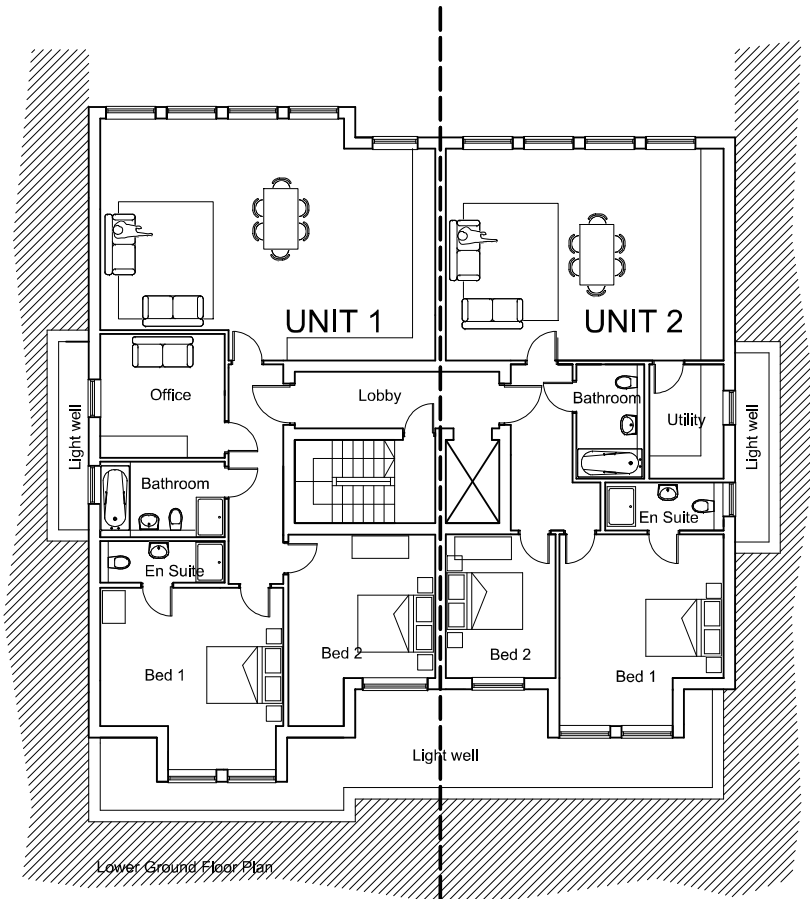
P637/005B Proposed elevations, received 16 September 2015
P637/006B Proposed sections, received 16 September 2015
P637/007 Proposed south elevation, received 29 July 2015
CLH/003/01 Level Survey, received 29 July 2015
Schedule of Materials, received 16 September 2015

Reason: For the avoidance of doubt.

BACKGROUND PAPERS

Urban Design	3 September 2015
Contaminated Land Environmental Protection	4 September 2015
Flood Risk Manager	25 August 2025
Nature Conservation Officer	1 September 2015
Transport Development Management	11 September 2015
Urban Design	24 September 2015

commdelgranted
V1.0211



orme

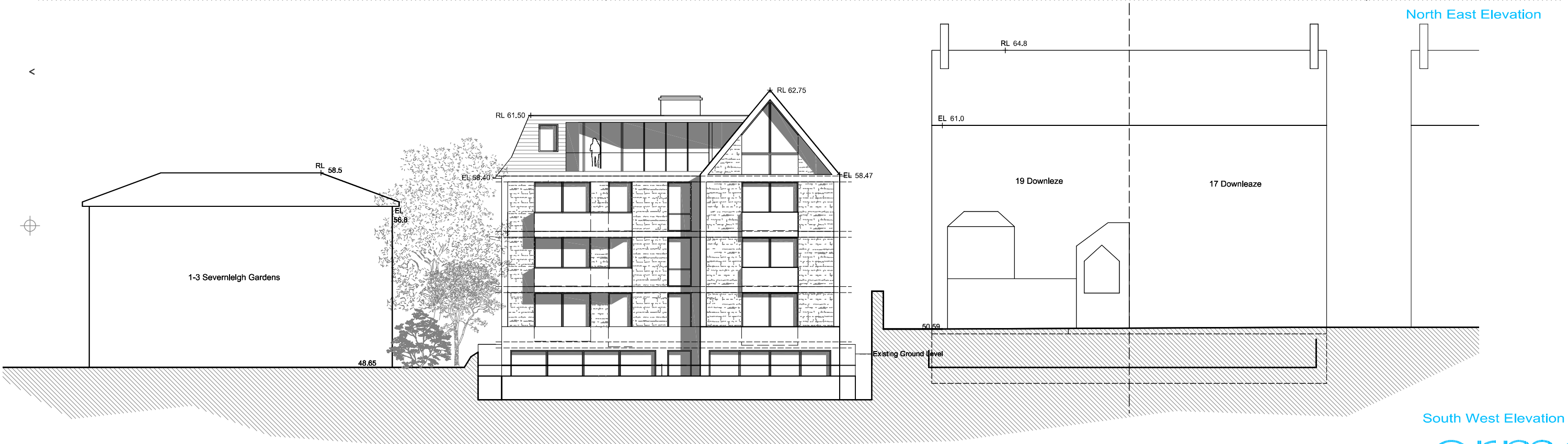
The Laurels

revision #	revision date	title	proposed floor plans
A - General adjustments	20.05.15	date	24.03.15
B - Juliet balconies indicated to units 5 & 7	14.09.15	scale	1:200 @ A3
C - Cycle spaces modified	30.09.15	drawing#	p637/003

The title, copyright and confidential information in this document belongs to Orme Limited, all rights reserved. All dimensions to be checked on site before work commences and any discrepancies reported to the Architect immediately. This drawing is to be read in conjunction with other documents issued by the Architect.



North East Elevation



South West Elevation



or^me

The Laurels

revision #	revision date	title	Front and Rear Elevations
A - General adjustments	20.05.15	date	24.03.15
B - Juliet balconies indicated to units 5 & 7	14.09.15	scale	1:200 @ A3
		drawing#	p637/004

The title, copyright and confidential information in this document belongs to Orme Limited, all rights reserved. All dimensions to be checked on site before work commences and any discrepancies reported to the Architect immediately. This drawing is to be read in conjunction with other documents issued by the Architect.