

WARD: Westbury-on-Trym **CONTACT OFFICER:** Andrew Cross
SITE ADDRESS: Land To The East Of Wesley College Westbury-on-Trym Bristol

APPLICATION NO: 15/05503/F Full Planning
EXPIRY DATE: 24 March 2016

Proposed construction of four new residential dwellings with associated access and landscaping.

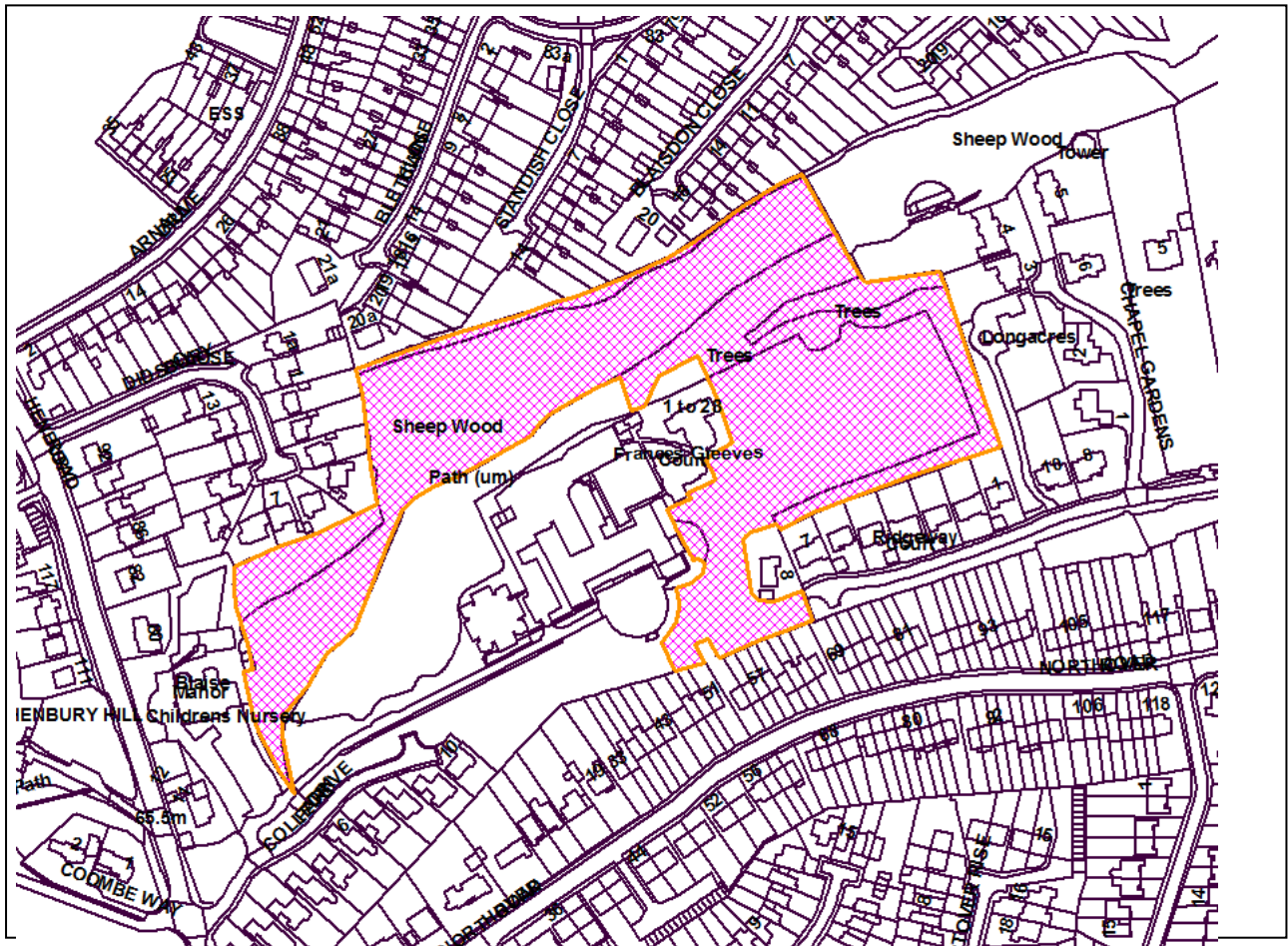
RECOMMENDATION: Refuse

AGENT: Bilfinger GVA
 St Catherine's Court
 Berkeley Place
 Bristol
 BS8 1BQ

APPLICANT: Northover Developments Limited
 C/o Agent

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

LOCATION PLAN:



Development Control Committee A – 6 April 2016**Application No. 15/05503/F: Land To The East Of Wesley College Westbury-on-Trym Bristol****SITE DESCRIPTION AND APPLICATION**

The application relates to an open parcel of land within the grounds of Wesley College, formally used as a sports field associated with the college. The site is set within the Brentry Conservation Area, and the college itself is an unregistered heritage asset, the main building of which is a locally designated monument (record number 3330M).

The site is bound to the north by Sheepwood, an ancient woodland with a designation as a Site of Nature Conservation Interest (SNCI) as well as designation as Important Open Space, which wraps around the main Wesley College Building. The open field that forms the application site, in the main falls outside the Important Open Space designation.

To the south is existing residential development on Ridgeway Court (cul-de-sac) and Northover Road. To the east is residential development on Chapel Gardens and The Ridgeway beyond. Adjacent to the north-eastern corner of the site is a Grade II* listed Gothic Arch, and an historic Lime Kiln (monument record 1931M).

The application proposes the construction of four detached houses, with associated access and landscaping. Access is proposed via Ridgeway Court.

See plans and supporting documents for full information.

RELEVANT HISTORY

13/02361/F - Erection of 11 no. four bedroom, two storey, detached dwellings with associated access off Ridgeway Court following the demolition of the existing domestic garage, with associated landscaping (including the retention and management of woodland and trees) and associated infrastructure (major application). REFUSED for the following reasons:

The loss of open space would harm the character and appearance of the Brentry Conservation Area, to include the setting to Wesley College. It is therefore contrary to Policy B15 of the Adopted Bristol Local Plan December 1997, Policy BCS22 of the Adopted Bristol Core Strategy June 2011 and Policy DM31 of the Publication Version of the Site Allocation and Development Management Policies March 2013.

The architectural appearance, density layout and form of the proposed development does not respect the character and appearance of the nearby part of the Brentry Conservation Area which is characterised by substantial detached houses, of differing architectural forms, set within mature gardens. It is therefore contrary to Policy B15 of the Adopted Bristol Local Plan December 1997, Policy BCS22 of the Adopted Bristol Core Strategy June 2011 and Policy DM31 of the Publication Version of the Site Allocation and Development Management Policies March 2013.

The proposed development will harm the landscape quality and visual amenity of the application site, the role it plays in providing relief to the built environment and in the broader landscape to the east and west, it will erode the integrity and connectivity of the line of strategic green infrastructure of which it forms part. It is therefore contrary to Policy NE1 of the Bristol Local Plan adopted in December 1997 and Policy BCS9 of the Bristol Core Strategy adopted June 2011.

The decision was subsequently appealed, at which stage the third reason for refusal was removed due to changes in land designation. APPEAL DISMISSED by the planning inspector due to harm to the Conservation Area and the setting of Wesley College.

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RESPONSE TO PUBLICITY AND CONSULTATION

Consultation was undertaken via site notice, along with letters sent to 182 surrounding properties. 57 written responses were received (it is acknowledged that this figure includes some duplication of contributors), raising concerns that can be summarised as follows:

Heritage and Design (see key issue A)

- o Negative impact upon the Conservation Area and Wesley College site
- o Harm to Important Open Space (turning head proposed within it)
- o Harm to the setting of Henbury Hill House (Listed)
- o Any development of the site would be contrary to the Planning Inspector's previous decision relating to the site
- o The open space should be retained
- o Design out of keeping for surrounding area

Highways (see key issue B)

- o Highway safety (lack of any footpath, inadequate carriageway width, and relationship with 8 Ridgeway Court)
- o Increased traffic

Residential Amenity (see key issue C)

- o Amenity harm through increased activity
- o Loss of privacy through increased passers-by
- o Noise and disruption during construction

Nature Conservation (see key issue D)

- o Impact upon wildlife corridor
- o Harm to the wildlife that uses the site
- o Sheepwood could have a management plan without the proposed development going ahead. Lack of development would be better for the woodland

Trees (see key issue E)

- o Impact upon trees

Sports pitch (see key issue F)

- o The sports pitch should be retained

Councillor Alistair Watson has commented as follows:

The previous planning application was rejected by the Council Planning Committee, and then the Planning Inspector on appeal, on the grounds that residential development was inappropriate on this piece of green space. This application does not seem to make any difference to this decision. This field is an important wildlife corridor and amenity for the local community. The application should be rejected for the same reasons as previously.

It has also been brought to my attention that some of the documents submitted with the application were incorrect and misleading. Although we cannot know whether this was deliberate, it must still be noted as poor attention to detail in the very least.

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The Conservation Advisory Panel (CAP) has commented as follows:

The Panel objected to this application.

The Panel supports the submission by the Bristol Civic Society which objects to the principle of residential development on this area of open space which is an integral part and important feature of the Conservation Area, its partial development for large houses would, therefore, be harmful to the character of the Conservation Area and the setting of Wesley College.

The Panel further agrees that this open space is important locally to provide a break between areas of residential development and to provide a setting for the Wesley College building. The open and undeveloped character of this land is important to the character of the Conservation Area in which it is located. The proposed development of this land would reduce the mass of open space there and harm the character of the Conservation Area. This area of open space also has strategic importance in the longer term bearing in mind the large scale residential development at and near the former Filton Airfield. There is an opportunity to create a corridor of open space linking Filton Airfield with the Blaise Castle and Coombe Dingle.

Urban Design has commented as follows:

Site/ Context

The site is located within the Brentry Conservation Area and forms part of the setting of Wesley College, an unlisted heritage asset. Despite the absence of a character appraisal, it has been acknowledged by previous appeal decisions that the sites significance is primarily for its open character. The openness, spaciousness and verdant maturity of the area are key characteristics that give the area its special quality.

CDG have previously commented on proposals for this site, particularly related to the refused application 13/02361/F. The site has also been subject to number of appeal decisions which are relevant to the current proposals (APP/Z0116/A/14/2215660 and APP/Z0116/W/15/3011485). Most recently verbal feedback relating to pre-application enquiry (ref: 15/02112/PREAPP) was provided to the case officer, as noted in the pre-application response.

The Proposal

The scheme proposes the development of 4no detached houses to the west of Wesley College, with access from Ridgeway Court. However, as noted above, the open and spacious character of the site is considered to positively contribute to the special character and appearance of the Conservation Area, and setting of an unlisted heritage asset. As such some fundamental concerns relating to the potential impact of the scheme on this character remain.

- o The proposed layout appears logical in response to the existing units along Ridgeway Court, although has been widely acknowledged that these units should not be used as precedent.
- o It is unfortunate that the opportunity to create some landscaped open space adjacent to Plot 1 has not been taken.
- o It is noted the proposal seeks to draw on the variation in building form and detailing, as is characteristic of development to the west.
- o The removal of garages from the frontage is a positive design change.
- o While a reduced density from the refused 13/02361/F application, fundamentally the proposal constitutes a significant infringement on the open character of the area, and is considered to undermine the special character and appearance of the conservation area and setting and significance of the College site.

Conclusions/Recommendations

Due to the loss of open character and its subsequent impact on the setting and the unlisted heritage asset as well special character and appearance of the conservation area the application cannot be supported as it is contrary to local policy BCS21, BCS22, PAN2, DM26 and DM31.

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Historic England has commented as follows:

We have previously commented on proposals for this site (our ref. P00281293, dated 4 November 2013) and the Wesley College site has been subject to a number of useful appeal decisions (APP/Z0116/A/14/2215660 and APP/Z0116/W/15/3011485).

Summary

The site is within the Brentry Conservation Area and the setting of the Wesley College, an unlisted heritage asset. The open nature of the site is identified as contributing to their significance and character, and the current proposals would cause harm to both heritage assets.

Historic England Advice

The site is within the Brentry Conservation Area, and although there is no appraisal it has been acknowledged by previous appeal decisions that its significance is primarily for its open character (APP/Z0116/W/15/3011485, paragraph 8). The openness, spaciousness and verdant maturity of the area are key characteristics that give the area its special quality (APP/Z0116/A/14/2215660, paragraph 14).

Those appeal decisions acknowledge that "the main 1950's building of the former Wesley College has an imposing architectural grandeur which is attractively set in spacious grounds. Although Francis Grieve House is more recent the whole complex reads as a single entity which includes the associated land. The site as a whole is an important heritage asset that is also culturally significant to the history of the area." (APP/Z0116/A/14/2215660, paragraph 15); as well as being "an imposing and notable building in extensive grounds within the CA" (APP/Z0116/W/15/3011485, para. 8).

APP/Z0116/A/14/2215660 also states that "the infilling of the site would undermine the setting and significance of the College site." (paragraph 15) and that the appeal scheme would not preserve or enhance the character or appearance of the Brentry Conservation Area.

Although there has been a reduction in the density of the proposals on the site, relative to the previous application, it is still proposed to infill the site with a row of substantial detached houses. This would obviously erode the open nature of the site and the Conservation Area in general. It would, therefore, undermine the setting and significance of the College site and the character of the Conservation Area, causing harm to both.

Recommendation

In our view the amendments to the proposals do not address the level of harm to the Conservation Area and the setting of Wesley College, as stated recently by the Appeal Inspector.

In terms of the NPPF this would constitute less than substantial harm. As the decision making body, the Council needs to weigh any harm against the public benefits of the proposal (NPPF paragraph 134), whilst being mindful of the great weight which should be attached to conservation of heritage assets and the statutory test of paying special attention to the desirability of preserving or enhancing the character or appearance of the area.

Transport Development Management has commented as follows:

Principle

The application proposes to construct four five bed houses with associated access and landscaping. Pre-application advice was given earlier in 2015 - 15/02112/PREAPP. Whilst a number of changes have been made to the layout with revised plans submitted Transport Development Management object to the proposed works in respect of the lack of a footway and the access point which are considered to be prejudicial to highway safety and the failure to provide information regarding the lighting and materials that will be used in the construction of the private

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access road.

Road Safety

The revised plans submitted propose a 4.4m wide private access road. A more suitable and safer option would be to provide a 4.8m road which would allow a large vehicle to be able to pass a car, thereby ameliorating the need to provide passing places. Swept path analysis however, shows that vehicles can safely pass at all three points but that in at least one instance forward visibility will be affected by a number of trees to the side of the private access road. These therefore must be removed.

Despite objections raised the applicant has still not provided a footway. This is not acceptable. Whilst it is appreciated that the proposed usage of the site will likely generate low trip rates pedestrians should still be afforded proper protection from vehicular traffic. As such at least a 1.35m wide footway with full kerb height must be provided. The applicant would need to demonstrate how this would join the existing footway that runs along the full length of Ridgeway Court.

Several residents of Ridgeway Court, including the occupier of No 8, the property right by the proposed private access road, raise concerns regarding the safety of the access point. Although the applicant has sought to address these by providing a raised table to help reduce vehicle speeds this does not address the issue of the potential for conflict with vehicles and pedestrians seeking access to No 8 Ridgeway Court. At present access to this property and its garage is via a dropped kerb at the end of Ridgeway Court. On the left hand side of the garage is an area of grass/shrubs with a hedge to the rear. In the plans submitted by the applicant the proposed private access road would cut right across this area to join the existing road.

The plans submitted do not indicate what protection would be offered to the occupiers of this property where the access road meets their access point which is concerning as it would appear from several of the objections received that the property is home to several young children. Equally anyone pulling out in a car would not have adequate visibility of any vehicle travelling towards them. Both of these issues must be addressed and it is recommended that the applicant revise the access point taking these concerns into consideration.

Access / Lighting / Design

It is proposed that each house would have a set of gates which will be set at least 5m from the carriageway and that all boundary walls/hedges will not be higher than 0.6m. This is acceptable. No information has been provided as to how the access road will be lit to allow safe access for vehicles/cyclists/pedestrians during the evenings and in the winter, or what the access road, passing places, turning head and the parking spaces will be constructed from. This needs to be clarified.

Cycle Parking

Each garage will feature a vertical cycle rack able to accommodate at least four cycles which is acceptable.

Waste

The application proposes that each house will have a refuse/recycling store that will measure 2.875m wide by 0.985m long with sliding doors, which would be acceptable.

Construction Management

Due to the impact this proposal will have on the highway network during the construction period a construction management plan or construction method statement must be submitted.

Recommendation

Whilst a number of changes have been made to the layout the applicant has not addressed the need to provide a footway or the concerns of the residents regarding where the private access road

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will join the existing road and the level of protection that will be afforded to the residents of the neighbouring properties, especially those of No 8 Ridgeway Court. Equally the applicant has failed to provide as requested any information on how the private access road will be lit or what it will be constructed from. Transport Development Management therefore objects to these proposals which are considered to be prejudicial to highway safety and are contrary to:

- o Policy BCS10: Transport and Access Improvements of Bristol Development Framework Core Strategy - Policies - Adopted June 2011 which states that developments should be designed and located to ensure the provision of safe streets and reduce as far as possible the negative impacts of vehicles such as excessive volumes, fumes and noise. Proposals should create places and streets where traffic and other activities are integrated and where buildings, spaces and the needs of people shape the area.

- o Policy DM23: Transport Development Management of Bristol Local Plan - Site Allocations and Development Management Policies - Adopted July 2014 which states that development should not give rise to unacceptable traffic conditions and will be expected to provide safe and adequate access for all sections of the community within the development and onto the highway network including designs which secure low vehicles speeds.

- o National Planning Policy Framework Paragraph 32 which states that plans and decisions should take account of whether safe and suitable access to the site can be achieved for all people.

Council For The Protection Of Rural England has commented as follows:-

CPRE South Gloucestershire/North Bristol District committee objects to the above application for the following reasons:

This application has implications for city-wide planning and raises a number of concerns which we have about threats to the environmental credentials of the Bristol Local Plan and its associated documents. In particular it raises issues of planning principles in the Local Plan Core Strategy and of designations in the Site Allocations and Development Management Policies 2014 (SADMP). We are firmly of the opinion that the site is protected by Core Strategy policies on Green Infrastructure, Wildlife Corridors and Conservation Areas.

We do not consider that the new application in any way negates the reasons for Planning Inspector's dismissal of the previous application for 11 houses (APP/Z0116/A/14/2215660), notably paragraphs 14: "The openness, spaciousness and verdant maturity of the area are key characteristics that give the area its special quality. The open field to the former college makes a valuable contribution to this character"; 15: "The infilling of the appeal land would undermine the setting and significance of the College site" and 18: "Public access and views of the appeal site from the surrounding area may be very limited due to the fact that it is private land and there is intervening development and trees. Nevertheless, this does not diminish the importance attached to protecting the character and appearance of the Conservation Area. The presence of much tighter urban development that encloses the Conservation Area to the north and south makes it all the more important that the specialness of the intervening lung of openness is preserved".

We are strongly of the view that his carefully chosen words emphasising the spaciousness of the field and the "specialness of the intervening lung of openness" are a key part of his decision opinion which is entirely relevant to the future of the site.

It also reflects the views of an overwhelming number of neighbours and local residents who responded in writing to the pre-application consultation. Matters of ownership of the land or public access to it are irrelevant. It is clear that the Inspector, the local community and organisations like ours have an understanding of the value of such open spaces within a city like Bristol. This is not just a field, is an inherent part of an ecosystem bounded by an ancient woodland.

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As such the proposed development is contrary to the provisions of Bristol Core Strategy BCS9 (Green Infrastructure) and SADMP policies DM15 (Green Infrastructure Provision) DM17 (Development Involving Existing Green Infrastructure) and DM19 (Development and Nature Conservation).

We are of the firm opinion that the construction of 4 substantial 3 storey houses with a new road and rear gardens subdivided by 1.8 metre high timber fencing (application document "Proposed site plan showing boundaries") would destroy the "lung of openness" and the open character of the Conservation Area.

Not only would it affect the immediate setting of the former college, it would have a strong impact on the visual amenity of distant views from Westbury on Trym. The Westbury on Trym Character Appraisal 2015 refers to the view from Westbury towards the site, which is within the Brentry Conservation Area, (page 13) and the photograph shows the College building framed by woodland. The height of the proposed houses would impinge on this view and therefore be contrary to DM 17 Unidentified Open Spaces: "Development which would result in the loss of open space which is locally important for recreation, leisure and community use, townscape and visual amenity will not be permitted"; and Urban landscape: "Proposals which would harm important features such as green hillsides, promontories, ridges, valleys, gorges, areas of substantial tree cover will not be permitted".

We also consider that the strategic importance of the site as part of the green infrastructure network in this area of north Bristol and as a designated Wildlife Corridor must be taken into consideration in determining any planning application resulting in the loss of the field. Its location adjacent to one of the few remaining areas of ancient woodland in Bristol and an SNCI make it particularly sensitive to any disruption.

An aerial view of the field shows just what a strategic position it holds in the GI corridor running from Blaise Castle estate across the whole Wesley College site and the long gardens of the houses in The Ridgeway to the former Brentry hospital grounds and beyond and the major contribution it makes to the connectivity of that corridor.

Bristol Core Strategy Policy BCS9 explanatory paragraphs 4.9.3-4.9.5 clearly outline the characteristics and role of the strategic green infrastructure network (GI) within Bristol and diagram 4.9.1 indicates that the site in question falls within green infrastructure links 3-6 to the north and to the east. Policy BCS9 states "Loss of Green Infrastructure will only be allowed for as part of a Development Plan Document or is necessary, on balance, to achieve the policy aims of the Core Strategy". Given that the first sentence of policy BCS 9 is "The integrity and connectivity of the strategic green infrastructure network will be maintained, protected and enhanced" we consider that development of this site would be contrary to those policy aims.

We dispute the applicant's claims that a development which will cover most of the Wildlife corridor in buildings, a road and closely fenced gardens will aid and enhance the connectivity of green infrastructure and opportunities for wildlife and biodiversity. SADMP policy DM19 paragraph 2.19.19 states that development proposals are expected to understand the role and route of any wildlife corridors, which we believe this application fails to do. The barrier effect of the fencing to the north and between the rear gardens will prevent the current normal movement of species through and across the site.

With regard to the Ecological Assessment Report we feel that there are a number of unanswered questions:

Most of the 2012 Report does not appear to have been updated. The assessment of the field area appears to be out of date. Should there not have been a reptile survey given the existing areas of rough grassland? Amphibians and reptiles are mentioned in paragraph 4.14. This is a rare habitat within the locality for small mammals and invertebrates.

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Who exactly will be implementing the proposed woodland management scheme and how long will it last? If not long term how will the scrub in the buffer zone be prevented from taking over? How will the grassland and hedgerows within the site be managed and who will be responsible for regularly layering the latter?

We recognise that there is no requirement in the Report to acknowledge the regular presence of deer grazing on the field. However there is no doubt that these would be displaced - at best being "corralled" into the wood, which itself would have implications for the health of the woodland and its diversity. The Woodland Trust Report on the Impacts of Nearby Development on Ancient Woodland: Addendum 2012 states that the presence of deer may hamper the restoration of woodland and that browsing and trampling by deer alter woodland structure. Displacing the deer from the field would therefore have a strong negative effect on the woodland due to increased grazing pressure.

Various different species of wildlife would also be displaced by the disruptive construction work long before the proposed hedgerows and other plantings had reached a sufficient stage of maturity to support them.

SADMP Policy DM19 states that development which would have a harmful impact on the nature conservation value of a Site of Nature Conservation Interest will not be permitted. The open field has become an important adjunct to the adjoining woodland and the SNCI and its loss would impact on their conservation value.

The Woodland Trust has become increasingly concerned that while there is protection for ancient woodlands themselves, the damage caused by neighbouring developments, including housing, can have other very harmful effects. Research commissioned by the Trust by Corney, PM et al (2008) and Ryan (2012) on impacts of nearby development on the ecology of ancient woodland has highlighted the threats to their ecology caused by neighbouring developments, including chemical pollution, invasion by non-native plant species and the activities of humans and domestic pets. These kinds of threats would not be mitigated by a fence and a planting scheme. For example if a hole under the woodland fence is created to allow small mammals out, it will also allow pets in. The site is also one of the few remaining areas of tranquil open space in North West Bristol, indeed the neighbouring flats in Frances Greeves House were marketed in 2012 on behalf of the present applicant as being located in a "tranquil, semi-rural area".

Tranquil environments are important for wildlife, as well as for the physical and mental wellbeing of humans. The current development of the former college building as a large care home for the elderly would be an additional incentive to maintaining this tranquillity for the benefit of residents.

It is clear that the NPPF recognises the importance of local areas of tranquillity. Paragraph 123 states that planning decisions should aim to "identify and protect areas of tranquillity" and Paragraph 77, which allows for communities to identify land as Local Green Space states in bullet point 2: "where the green area holds a particular local significance, for example because of its beauty...tranquillity or richness of its wildlife."

We wish to make 3 further observations related to the application:

Firstly, Bristol City Council's Appeal Statement 12/02361/F in response to the appeal A/14/2215660 against refusal of the previous application for the site contains many statements which are still relevant to the present application: these include that the open space relates well to the former college building and provides a spacious setting; that an engineered road damages the relationship between the college building and the open space; that tree planting in mitigation for the loss of trees is mitigation not enhancement, especially of air quality; that there are no social benefits and that the development would not add to the mix of housing as there are a number of large dwellings in the vicinity of the site. It would therefore be extremely perverse to come to a decision which went against all these arguments against development of the site. Secondly there is currently adequate provision within the SADMP of sites to meet the housing targets identified in Bristol's Core Strategy. Taking a holistic view of this part of the North West urban fringe, there are a number of housing developments which are coming on stream which will impact on existing green spaces, threats from climate change, traffic levels and quality of life of residents.

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These include the Anderson and Leese Building at the nearby former Brentry Hospital site on the opposite side of Passage Road, where around 80 dwellings are currently under construction. The designation in the South Gloucestershire Core Strategy of the Cribbs/Patchway area as a new neighbourhood of around 5,700 new dwellings will result in the loss of large areas of open fields and Green Belt land along the A4018 on both sides of Wyck Beck Road to the north of the Wesley College site. These combined developments have considerable implications for levels of traffic flow along Passage Road and will also contribute to the relentless encroachment onto remaining green areas within the urban fringe of Bristol. Such undeveloped land is a scarce and valuable commodity. The harm caused by loss of a further green site in this area, whose size belies its importance as part of the Green Infrastructure network of North West Bristol, would be greater than the advantage in providing 4 market houses.

Finally we are somewhat concerned at the number of inconsistencies and anomalies in the various different application documents. For example the Design and Access Statement refers to the field as a "previously developed site" which is inaccurate; it states that the turning head is adequate for a "medium size refuse vehicle" while the Planning Statement refers to "large" vehicles and states that the turning head allows for any vehicle to turn around. The "Proposed Site Plan Showing Boundaries" shows the house of no. 8 Ridgeway Court to be outside the site boundary and having a garage; the "Proposed Site Plan" document similarly shows the curtilage of the house outside the site boundary but without a garage and the Ecology Report states (1.3) that there is to be "provision of new access to the development from Ridgeway Court (following demolition of the existing domestic garage associated with 8 Ridgeway Court)"; while drawing 161(11)001 entitled "Rear elevation AA" in fact shows the front elevation. While these are not material planning issues they do cast some doubt on the overall accuracy of elements of the application.

Nature Conservation has commented as follows:

This proposal directly affects a Wildlife Corridor site, Land around Wesley College. Page 41 of policy DM 19: Development and Nature Conservation in the Site Allocations and Development Management Policies, adopted July 2014, states that:

'Development which would have a harmful impact on the connectivity and function of sites in Wildlife Corridors will only be permitted where the loss in connectivity, or function, of an existing Wildlife Corridor is mitigated in line with the following hierarchy:

- a. Creation of a new wildlife corridor within the development site;
- b. Enhancement of an existing corridor or creation of a new corridor off-site to maintain the connectivity of the Bristol Wildlife Network.'

Section 2.19.21 on page 43 adds:

'Development should integrate existing wildlife corridors. Where this is not practicable it should provide suitable mitigation in the form of on-site, functional Wildlife Corridor(s). Development should also provide mitigation for any habitats, species or features of value associated with the Wildlife Corridors, where they are harmed or lost. This should take place on the development site wherever possible.'

Accordingly the measures set out below should be secured by condition.

The adjacent site is a Site of Nature Conservation Interest (SNCI), Sheep Wood which is an ancient woodland. The high ecological value of ancient woodland is specifically highlighted in the National Planning Policy Framework (NPPF) (2012). According to paragraph 118 (page 27) of the NPPF, 'Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.' Accordingly the following planning condition is required to include a buffer strip of at least 5 metres from the edge of the SNCI, and preferably of 10 to 15 metres to help protect the ancient woodland from undesirable impacts such as disturbance, trampling and the potential dumping of rubbish and garden waste. A buffer strip of 5m is currently proposed. Condition: Prior to commencement of development a Construction Environmental Management

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Plan shall be submitted to, and approved in writing by the Local Planning Authority. The approved plan shall be implemented and adhered to thereafter at all times during construction.

Guidance: This shall include best practice pollution control measures to ensure that adverse impacts (including dust and air pollution, effects on water quality, pollution from fuel use and storage and other potentially hazardous materials) do not occur on the adjacent SNCI and a protective buffer area (from the edge of the SNCI of at least 5 metres and preferably 10-15 metres) as a result of construction works. The CEMP should include details of robust protective fencing incorporating warning signs and its location and a map showing the boundaries of the SNCI. Contractors and sub-contractors should be briefed on the importance of the ecological features which are to be retained on site and the ecological value of the SNCI prior to the commencement of works.

Reason: To conserve the Site of Nature Conservation Interest.

A 5 metre wide locked gated access corridor and close boarded fence is currently proposed as a buffer zone against the Sheep Wood SNCI in the Updated Ecological Assessment dated October 2015. A wider corridor is preferred (please see above). Rather than a close boarded (wooden) fence, a more robust metal fence is strongly recommended. This fence should be sufficiently high to discourage rubbish or garden waste being tipped over it. Access to a key to the gated access corridor should be confined to the organisation carrying out site maintenance.

Condition: No development shall take place until measures to protect badgers from being trapped in open excavations and/or pipes and culverts is submitted to and approved in writing by the local planning authority. Measures shall include cover-plating, fencing or the creation of sloping escape ramps for badgers by edge profiling of trenches/excavations or placing a plank in the bottom of open trenches at the end of each working day to allow any trapped badgers to escape. This is to prevent foraging badgers falling into trenches during the construction phase of the development. Open pipework larger than 150 mm outside diameter should be blanked off at the end of each working day.

Reason: To prevent harm to legally protected badgers.

Section 4.14 on page 17 of the Updated Ecological Assessment dated October 2015 states that reptiles may be present in the area of tall ruderal vegetation along the southern boundary of the proposed development site and the woodland edge (to the north). The Ecological Assessment dated October 2015 states that the ruderal vegetation will be retained. However, this area of habitat appears to be proposed for removal in the proposed Site Plan and Landscape Strategy Plan where it is proposed to be planted, with a range of different planting including native hedgerow species. In addition the woodland edge to the north is proposed to be planted.

Slow-worms are legally protected against being killed or injured. Accordingly the following planning condition should be conditioned.

Condition: Prior to clearance of the site, a detailed method statement for clearance works with respect to the potential presence of slow-worms, to be prepared by a suitably qualified ecologist shall be submitted to and agreed in writing by the local planning authority. Works shall then proceed in accordance with the agreed method statement.

Reason: To ensure that if legally protected reptiles are present on the site that they are not harmed.

Guidance: Please note that if slow-worms are found on site that features to promote their conservation such as a hibernaculum and the retention or provision of suitable vegetation, should be incorporated within the method statement. Please also note that slow-worms can only be translocated (moved) when they are active, which is usually between April and September inclusive.

Trees, shrubs and scrub are proposed to be removed as part of this proposal. All species of wild birds, their eggs, nests and chicks are legally protected until the young have fledged.

Condition: No clearance of vegetation or structures suitable for nesting birds, shall take place between 1st March and 30th September inclusive in any year without the prior written approval of the local planning authority. The authority will require evidence that no breeding birds would be

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adversely affected before giving any approval under this condition.

Reason: to ensure that wild birds, building or using their nests are protected.

Please note that the common pipistrelle bat roosts which occur on site in the Main Building and Frances Greeves House have been assessed as being unaffected by the proposals (section 4.18 of the updated Ecological Assessment dated October 2015) and so the planning case officer does not need to apply the three derogation tests under the Habitats Regulations. This proposal includes the demolition of a small garage which has been assessed as having negligible potential to support roosting bats.

The new garages are proposed to have green roofs which is welcomed because living (green/brown) roofs can provide compensatory habitat for wildlife and this accords with Policy DM29 in the Local Plan. Living roofs also contribute towards Sustainable Urban Drainage Systems (SuDS). However, the use of Sedum is not recommended. The following guidance applies. The roofs should be covered with local low-nutrient status aggregates (not topsoil) and no nutrients added. Ideally aggregates should be dominated by gravels with 10 - 20% of sands. On top of this there should be varying depths of sterilised sandy loam between 0 - 3 cm deep. An overall substrate depth of at least 10 cm of crushed demolition aggregate or pure crushed brick is desirable. The roofs should include areas of bare ground and not be entirely seeded (to allow wild plants to colonise) and not employ Sedum (stonecrop) because this has limited benefits for wildlife. To benefit certain invertebrates the roofs should include local substrates, stones, shingle and gravel with troughs and mounds, piles of pure sand 20 - 30 cm deep for solitary bees and wasps to nest in, small logs, coils of rope and log piles of dry dead wood to provide invertebrate niches (the use of egg-sized pebbles should be avoided because gulls and crows may pick the pebbles up and drop them). Deeper areas of substrate which are at least 20 cm deep are valuable to provide refuges for animals during dry spells. An area of wildflower meadow can also be seeded on the roof for pollinating insects. Please see www.livingroofs.org for further information and the following reference: English Nature (2006). Living roofs. ISBN 1 85716 934.4

The future nature conservation management of the Sheep Wood Site of Nature Conservation Interest (SNCI) should be secured including a budget for site management works. This should include features such as the proposed ecotone between Sheep Wood and the proposed buffer to the development, bird and bat boxes on trees within Sheep Wood and habitat piles. The following planning condition is recommended.

Condition: As a planning condition, a ten year landscape and nature conservation management plan shall be produced for the application area and the area of the Sheep Wood Site of Nature Conservation Interest (SNCI) within the applicant's ownership. This shall include consideration of features of interest, objectives, management prescriptions, a work schedule including a 10 year annual work plan, resourcing including a financial budget and monitoring.

Reason: To conserve and enhance the nature conservation and landscape features on the site.

The following planning condition is recommended.

Condition: All site clearance and construction works shall be carried out in strict accordance with the recommendations in the submitted Updated Ecological Survey dated 15 October 2015, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the protection and welfare of legally protected and priority species.

The following planning condition is recommended.

Condition: Should no development take place within twelve months from the date of the Updated Ecological Survey dated 15 October 2015, the site should be re-surveyed for legally protected and priority (Section 41) species and an updated survey submitted to and agreed by the Local Planning Authority. The development shall only take place in accordance with the recommendations and (if applicable) mitigation measures contained in the approved updated ecological survey, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide up to date information to determine whether legally protected and priority

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species are present on the site.

The wildlife corridors on site and SNCI should be kept dark to allow their use by nocturnal wildlife including bats. Section 5.0 of the Design and Access Statement refers to the use of low level bollard lighting on site. The Updated Ecological Survey dated 15 October 2015, recorded common pipistrelle roosts in Frances Greeves House and the Main Building. All species of bats and their roosts are legally protected. Whilst these bat roosts would not be directly affected by the proposed works, lighting of bat roosts needs to be avoided to prevent bats from abandoning the roosts. The following planning condition is recommended.

Condition: Prior to commencement of development, details for any proposed external lighting shall be submitted and agreed in writing by the Local Planning Authority. This shall include a lux level contour plan, and should seek to ensure no light spill outside of the site boundaries. The lux contour plan should extend outwards to incremental levels of zero lux. The location of the two recorded bat roosts shall also be marked on the plan (as shown on plan 1 in the Updated Ecological Survey dated 15 October 2015).

Guidance: According to paragraph 125 (page 29) of the National Planning Policy Framework (2012), 'By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'

Reason: To conserve legally protected bats and other nocturnal wildlife.

Landscaping of the site should predominantly employ native species of local provenance including berry and fruit-bearing tree, hedgerow and shrub species for birds and nectar-rich flowering plants for invertebrates. The proposed native species hedgerow along the western boundary of the site and the approximately 15 cm gap under the fence to allow access for animals shown on the submitted Landscape Strategy Plan (Appendix 6) should be secured as part of this condition.

Condition: Prior to occupation details of a landscaping scheme including new boundary treatments shall be submitted and agreed in writing by the Local Planning Authority.

Reason: To protect the wildlife features on site.

There are records of a number of bird species in the vicinity. These include priority (i.e. Section 41 Species of Principal Importance in England) species such as house sparrow, starling, dunnock and song thrush.

Condition: Prior to commencement of development details shall be submitted providing the specification and location for built-in bird nesting and bat roosting opportunities. This should include eight built-in bird and eight built-in bat boxes to include three house sparrow boxes (not terraces).

Guidance: Examples of built-in bird and bat boxes are available from:

<http://www.ibstock.com/sustainability-ecozone.asp>

http://www.nhbs.com/brick_boxes_for_birds_eqcat_431.html

If built-in bird and bat boxes cannot be provided within built structures, they should be provided on trees (with no more than one bird box per tree).

Bird boxes should be installed to face between north and east to avoid direct sunlight and heavy rain. Bat boxes should face south, between south-east and south-west. Bird boxes should be erected out of the reach of predators and at least 3.5 metres high on publicly accessible sites. For small hole-nesting species bird boxes should be erected between two and four metres high. Bat boxes should be erected at a height of at least four metres, close to hedges, shrubs or tree-lines and avoid well lit locations. Bat boxes which are being placed on buildings should be placed as close to the eaves as possible.

House sparrows

House sparrow boxes should be grouped together because they nest communally. Please note that the RSPB does not recommend the use of house sparrow terraces in new build projects because they are seldom used by more than one pair of birds. Instead house sparrow nesting boxes should be used which should be located at least 1.5 metres apart. Bird boxes should be installed to face between north and east to avoid direct sunlight and heavy rain. Bird boxes should be erected out of the reach of predators. House sparrow boxes should be erected between two and four metres high. The house sparrow boxes should be positioned high up under the eaves if

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possible.

Reason: To help conserve legally protected bats and birds which include priority species.

Sport England has commented as follows:

Summary: Sport England Objects to the proposed development

Sport England - Statutory Role and Policy

It is understood that the site forms part of, or constitutes a playing field, or prejudices the use of a playing field, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 74) and Sport England's Playing Fields Policy, which is presented within its Planning Policy Statement titled 'A Sporting Future for the Playing Fields of England'. Sport England's policy is to oppose the granting of planning permission for any development affecting playing field land unless it meets with one or more of the five exceptions stated in its policy. Further details of these exceptions and the policy in full can be found at: www.sportengland.org/playingfieldspolicy

Assessment against Sport England Policy/NPPF

Sport England's policy does not support the loss of playing field land for housing development. The application has not demonstrated that the development is acceptable in policy terms and it has not been demonstrated that the development complies with Sport England policy or paragraph 74 of the NPPF. Sport England is aware that a Playing Pitch Strategy is currently being produced by Bristol City Council. Should this Strategy identify that this site is genuinely surplus to sporting need and is not required in order to meet any current or future sporting demand then the site may, at that point be considered for housing development. However at this stage, such an application is premature.

Conclusion

In light of the above, Sport England objects to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 74 of the NPPF.

Should your Council be minded to grant planning permission for the development then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the application should be referred to the Secretary of State, via the National Planning Casework Unit.

Flood Risk Manager has commented as follows:-

The proposed surface water management strategy of managing runoff via individual plot soakaways and permeable paving is acceptable. However, if the access route is to be adopted, permeable paving may not be preferred by the Highways Authority and therefore may need to be drained via one of the other options outlined in the Flood Risk Assessment. Therefore, if planning permission is granted, we request that our standard pre-commencement condition is applied.

Contaminated Land Environmental Protection has commented as follows:-

The proposed development is sensitive to contamination, looking at the submitted report it was prepared prior to changes to the screening criteria for land contamination in 2014. Both the two shallow surface samples identify elevated lead concentrations against present day screening

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criteria so we do recommend the applicants consider looking at this report again with respect to this contaminant (they could either do more assessment or proposed clean cover for the garden areas). Ideally they would do this prior to determination so we can limit pre-commencement conditions. We are aware of the other application at the site and they may wish to consider looking at the results again for this area.

Full radon protection is also required - this should be covered by building regulations.

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 |
| 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 |

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

| | |
|------|---|
| DM17 | Development involving existing green infrastructure |
| DM19 | Development and nature conservation |
| DM23 | Transport development management |
| DM26 | Local character and distinctiveness |
| DM27 | Layout and form |
| DM29 | Design of new buildings |
| DM31 | Heritage assets |
| DM32 | Recycling and refuse provision in new development |
| DM34 | Contaminated land |

KEY ISSUES

(A) IS THE PROPOSAL ACCEPTABLE IN RELATION TO DESIGN AND HERITAGE PRINCIPLES?

Under the Site Allocations and Development Management Policies (2014) the application site has no specific land use designation. The site is set within the Brentry Conservation Area, and the college itself is an unregistered heritage asset, the main building of which is a locally designated monument (record number 3330M). The site is part of a designated wildlife corridor.

Core Strategy policy BCS5 aims to deliver new homes within the built up area to contribute towards accommodating a growing number of people and households in the city. The policy states that the development of new homes will primarily be on previously developed sites across the city, but some new homes will be developed on open space which does not need to be retained as part of the city's green infrastructure provision.

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Policy BCS20 encourages the efficient use of land, but in doing so acknowledges the need to achieve high quality well designed environments, and the need for development to be informed by local context, accessibility and the characteristics of the site.

Core Strategy policy BCS21 relates to overarching urban design principles to ensure high quality development acceptable within its context, with Development Management policies DM26 and DM29 relate specifically to local character and distinctiveness and the design of new buildings respectively. Policy DM26 requires development to contribute towards local character and distinctiveness, in relation to various factors including pattern and grain of development, scale, character, building lines and set-backs from the street.

Policies BCS22 and DM31 relate to heritage assets. Policy BCS22 expresses that development proposals will safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance, including historic buildings (both nationally and locally listed) and conservation areas. Policy DM31 expresses that development that has an impact upon a heritage asset will be expected to conserve or enhance the asset or its setting.

The previous proposal for residential development of the site (application 13/02361/F) was refused in part due to harm to the Brentry Conservation Area and the setting of Wesley College. This view was upheld by the Planning Inspector in making their decision on the subsequent appeal. This appeal decision is a key material planning consideration in the determination of the current proposal.

As expressed within the planning inspector's report relating to the previous proposal for the site, key characteristics of the Conservation Area include openness, spacious and verdant maturity. It is considered that previous concerns of impact upon the Conservation Area and the setting of Wesley College are not overcome by this reduced proposal. Paragraphs 13-18 of the Planning Inspectors report are key in relation to this. In paragraph 15 the Inspector states "the main 1950's building of the former Wesley College has an imposing architectural grandeur which is attractively set in spacious grounds....The site as a whole is an important heritage asset that is also culturally significant to the history of the area. The infilling of the appeal land would undermine the setting and significance of the College site." Paragraph 18 of the report states "Public access and views of the appeal site from the surrounding area may be very limited due to the fact that it is private land and there is intervening development and trees. Nevertheless, this does not diminish the importance attached to protecting the character and appearance of the Conservation Area. The presence of much tighter urban development that encloses the Conservation Area to the north and south makes it all the more important that the specialness of the intervening lung of openness is preserved."

While the number of dwellings proposed since the previous application has reduced from 11 to 4, and the extent of soft landscaping (predominantly comprising private gardens) has increased, the issue remains that the infilling of the site by development, even at a low density, would harm the character and appearance of the Brentry Conservation Area due to the infilling of open land, and for the same reason would cause negative impact to the setting of the former Wesley College.

During the course of the application the developer's agent has submitted a document seeking to address the issues raised within the Planning Inspectors report (copy provided within supporting documents to committee members, along with a copy of the appeal decision). As part of the rebuttal report submitted, in response to paragraph 18 of the Inspector's report, it has been expressed by the developer's team that the site's current contribution to the Conservation Area is negligible and could be much improved through sensitive redevelopment. This view is not shared, with the open land considered to provide a valuable contribution to the Conservation Area and the setting of Wesley College, neither of which would be preserved or enhanced by the development of the land. It is also stated within the agents submission that the site as it currently stands is unkept, and of low ecological value, and therefore of a limited special value. It should be noted that neglect

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of a site (particularly in relation to heritage assets) is not justification for its redevelopment, as set out within the NPPF.

In addition, the revised highway layout includes encroachment of a turning head into designated important open space, contrary to policies BCS9 and DM17.

The low density development set within spacious plots, along with the varied detailed design of the buildings proposed is considered to adequately reflect locally characteristic development within the vicinity, however these improvements when compared with the previously refused scheme do not overcome the significant concern raised in relation to harm to the Brentry Conservation Area and setting of Wesley College. Further, the proposed provision of a management plan for the adjacent Sheep wood is not considered of public benefit to justify the harm that would be caused to heritage assets.

(B) DOES THE PROPOSAL ADDRESS MOVEMENT, TRANSPORT AND HIGHWAY SAFETY ISSUES?

The consultation response received from the Development Management Highways Team (set out in full above) is comprehensive and as such the themes within it need not be revisited in full here.

By virtue of narrow carriageway width of the access road proposed, which requires the provision of passing places to enable oncoming traffic to pass; poor visibility due to a sharp bend and proposed tree planting; the lack of any pedestrian footway (resulting in pedestrian reliance on the proposed vehicle carriageway); and the poor relationship of the proposed access with vehicle and pedestrian access to the existing property at 8 Ridgeway Court, the proposal is considered unacceptable when considering issues of access and highway safety. It is recommended that the application is refused on this basis.

(C) WOULD THE PROPOSAL CAUSE ANY UNACCEPTABLE HARM TO THE RESIDENTIAL AMENITY OF NEIGHBOURING OCCUPIERS OR FUTURE OCCUPIERS OF THE SITE?

The scale and positioning of the proposed houses are such that no unacceptable harm would be caused to the residential amenity of neighbouring residents through overshadowing or the creation of any overbearing sense of enclosure. Good distances of separation are achieved between existing and proposed residential development such that overlooking is not of concern.

Noise associated with increased activity was raised as a concern within objection comments, however the level of activity reasonably likely to be associated with four new large dwellings is not considered to be of a level where refusal on residential amenity grounds is justified.

Space standards are met for the new dwellings, and adequate servicing provision is provided.

If the development is approved, a Construction Environmental Management Plan could be secured by condition, to safeguard against residential amenity impacts during development works.

It is therefore concluded that the proposed works would not cause any unacceptable harm to the residential amenity of neighbouring occupiers or future occupiers of the site.

(D) IS THE PROPOSAL ACCEPTABLE IN RELATION TO NATURE CONSERVATION?

The application site comprises part of a designated wildlife corridor under the provisions of the Bristol Local Plan Site Allocations and Development Management Policies, with policy DM19 applying. The City Council Nature Conservation Officer has not objected to the principle of development in nature conservation terms, but has recommended a number of necessary conditions to safeguard wildlife (see consultation response above) if planning permission is granted. Subject to the provision of the aforementioned conditions, the proposal is considered acceptable in

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relation to nature conservation.

(E) IS THE PROPOSAL ACCEPTABLE IN RELATION TO TREES?

The removal of 34 trees is proposed as part of the development, including a TPO tree to the eastern corner of the site. The City Council Arboricultural Officer has expressed that the TPO tree in question is in a poor condition and as such its removal is not resisted in principle.

Replacement planting of 55 new trees is proposed to compensate for the trees to be removed, which is in line with the Bristol Tree Replacement Standard under the provisions of policy DM17. The new trees would be provided within the site, as set out on the submitted landscape plan. If permission is granted, a revised landscape (planting) plan would be required by condition in order to improve visibility along the proposed access road.

It is concluded that the proposal is acceptable in relation to trees.

(F) IS THE PROPOSED LOSS OF THE PLAYING FIELD ACCEPTABLE?

The application site was formally in use as a playing field associated with Wesley College. While it is understood that the site has not been used for this purpose for some time, aerial photography suggests that the playing field use has been in use within a five year period preceding the application submission. Sport England were therefore consulted as a statutory consultee. Sport England has objected to the proposal on the basis that the proposal is contrary to the NPPF and Sport England's Playing Fields policy and exceptions.

The NPPF states that existing open space, sports and recreational buildings and land, including playing fields should not be built on unless;

- i) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- ii) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- iii) the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Under the previous application a financial contribution was offered by the developer for the enhancement of other local sports facilities as mitigation against the playing field to be lost. No such contribution has been put forward under the current proposal and as such refusal is recommended under the provisions of section 74 of the NPPF. If however an appropriate financial contribution is subsequently forthcoming, as was the case under the previous application, then the reason for refusal on this basis could reasonably be removed.

(G) WOULD THE PROPOSAL BE ACCEPTABLE IN RELATION TO ISSUES OF SUSTAINABILITY AND FLOOD RISK MITIGATION?

Current planning policy within the adopted Bristol Development Framework, Core Strategy (2011) requires new development to be designed to mitigate and adapt to climate change and meet targets to reduce carbon dioxide emissions. This should be achieved, amongst other measures, through efficient building design, the provision of on-site renewable energy generation to reduce carbon dioxide emissions by at least 20% based on the projected residual energy demand of new buildings and extensions to existing buildings, and for new development to mitigate against the risk of flooding, including rainwater soak-away drainage. The approach proposed should also be supported by the provision of a sustainability statement and an energy strategy.

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On site renewable energy generation is provided as part of the proposal, adequate to reduce CO2 emissions from the residual energy demand of the dwellings by in excess of 20%, in accordance with current policy requirements.

The application site is set within flood zone 1 and as such is at low risk from tidal and fluvial flooding. A condition should be attached to any permission granted, for the provision of a scheme of Sustainable Urban Drainage for the site.

Given the imposition of appropriate planning conditions, the proposal is found to be acceptable when considering issues relating to sustainability and flood risk.

COMMUNITY INFRASTRUCTURE LEVY

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

The CIL liability for this development is £113,710.00

RECOMMENDED REFUSE

The following reason(s) for refusal are associated with this decision:

Reason(s)

1. By virtue of infilling an existing open site that positively contributes to the character and appearance of the Brentry Conservation Area and the setting of Wesley College, and highway works that encroach into designated important open space, the proposed development would result in unacceptable harm to these heritage assets and the area's character and identity as a result, contrary to policies BCS9, BCS21 and BCS22 of the Bristol Local Plan, Core Strategy (2011); and policies DM17, DM26 and DM31 of the Bristol Local Plan, Site Allocations and Development Management Policies (2014).
2. By virtue of narrow carriageway width of the access road proposed, which requires the provision of passing places to enable oncoming traffic to pass; poor visibility due to a sharp bend and proposed tree planting; the lack of any pedestrian footway (resulting in pedestrian reliance on the proposed vehicle carriageway); and the poor relationship of the proposed access with vehicle and pedestrian access to the existing property at 8 Ridgeway Court, the proposal is unacceptable when considering issues of access and highway safety. The proposal is therefore contrary to policy BCS10 of the Bristol Local Plan, Core Strategy (2011); and policy DM23 of the Bristol Local Plan, Site Allocations and Development Management Policies (2014).
3. The loss of the existing playing field use without justification or adequate mitigation is such that the proposed development is contrary to policy BCS9 of the Bristol Local Plan, Core Strategy (2011); and section 74 of the National Planning Policy Framework (2012).

Advice(s)

1. Refused Applications Deposited Plans/Documents

The plans that were formally considered as part of the above application are as follows:-
 Townscape and Visual Impact Assessment. Plan 4, Part 2, received 28 January 2016
 Townscape and Visual Impact Assessment. Plan 6, received 28 January 2016
 Townscape and Visual Impact Assessment. Plan 3, Part 1, received 28 January 2016


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161(10)002 C Proposed Site Plan, received 22 January 2016
 161(11)001 A Rear Elevation AA, received 28 January 2016
 161(11)005 B Long Site Section BB, received 14 January 2016
 161 (06) 001 B House Type 1 - Plans and Elevations, received 14 January 2016
 161 (06) 003 B House Type 3 - Plans and Elevations, received 14 January 2016
 0459-010 Proposed Passing Places and Turning Head, received 28 January 2016
 1502_P32C Landscape Strategy Plan, received 18 February 2016
 161(10)003 C Proposed Site Plan Showing Boundaries, received 22 January 2016
 161 (06) 002 B House Type 2 - Plans and Elevations, received 14 January 2016
 161 (06) 004 B House Type 4 - Plans and Elevations, received 14 January 2016
 161 A Site Location Plan, received 28 January 2016
 161(11)002 A Material Elevation Houses 1 and 2, received 28 January 2016
 161(11)003 A Material Elevation Houses 3 and 4, received 28 January 2016
 161-WCH-002 REV B - Existing Site Plan, received 28 January 2016
 FRA Addendum (26.10.15), received 28 January 2016
 REV D Heritage, Design and Access Statement, received 22 January 2016
 Report on Site Investigation - Appendix G, received 28 January 2016
 Report on Site Investigation - Main Text and Appendices A to F, received 28 January 2016
 1502 R04A MR HM Tree Survey and Arboricultural Method Survey, received 28 January 2016
 Ecological Assessment Update, received 28 January 2016
 Heritage Statement 3, received 28 January 2016
 Townscape and Visual Impact Assessment - Appendix 3, received 28 January 2016
 Design and Access Statement including Energy Table, received 28 January 2016
 Planning Statement, received 28 January 2016
 Heritage 1, received 28 January 2016
 Heritage 2, received 28 January 2016
 Townscape and Visual Impact Assessment - Appendix 4, received 28 January 2016
 Townscape and Visual Impact Assessment - Appendix 5, received 28 January 2016
 Townscape and Visual Impact Assessment - Appendix 6, received 28 January 2016
 Townscape and Visual Impact Assessment - Full Document Pages 1-78, received 28 January 2016
 161(10)001 C Proposed Site Plan, received 18 January 2016
 161(11)004 C Section A-A, received 14 January 2016
 161(22)001 A Garage and Bin Store, received 14 January 2016
 Response to Highway Comments, received 14 January 2016
 Appeal Report Review, received 23 February 2016

BACKGROUND PAPERS

| | |
|---|------------------|
| Council For The Protection Of Rural England | 22 December 2015 |
| Wales & West Utilities | 27 November 2015 |
| Transport Development Management | 22 December 2015 |
| Urban Design | 21 December 2015 |
| Flood Risk Manager | 4 January 2016 |
| Nature Conservation Officer | 21 December 2015 |
| Contaminated Land Environmental Protection | 23 December 2015 |
| Historic England | 16 December 2015 |
| Sport England | 9 December 2015 |



| | | | | | | | | |
|--|----------|--------------------|----------------------------------|---|---------------------------|------------------------|----------------|---|
| | Rev A | Date 28.09.2015 | Amendment Issued for Planning | Date September 2015 | Project Wesley College | Job Ref. WCH | Job no. 161 |  |
| © 3W Architecture Limited. All rights reserved. | | | | Scale @ A3 1:1250 | Checked | Title Location Plan | | |
| 3W Architecture Limited registered in England. | | | | Status Planning | Dwg. no. 161 | | Rev. A | |
| Company no. 3132871 Registered Office The Pines Boars Head East Sussex | | | | Architect 3W Thames Wharf Studios Rainville Road London W6 9HA tel. 020 7835 5552 fax. 020 7835 5525 email. mail@3W.org | | | | |



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| Rev | Date | Amendment | Rev | Date | Amendment |
|-----|------------|--|-----|------|-----------|
| A | 29.09.2015 | Issued for Planning | | | |
| B | 06.01.2016 | amended to reflect planners comments and re-issued | | | |
| C | 18.01.2016 | amended to reflect planners comments and re-issued | | | |
| | | | | | |
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|------------|--|----------|----------------|----------|--------------------|---------|-----|
| Date | September 2015 | Project | Wesley College | Job Ref. | WCH | Job no. | 161 |
| Scale @ A1 | 1:1250 | Checked | | Title | Proposed Site Plan | | |
| Status | Planning | Dwg. no. | 161 (10) 001 | Rev. | A | | |
| Architect | Thames Wharf Studios Rainville Road London W6 9HA tel. 020 7835 5552 fax. 020 7835 5525 email. mail@3w.org | | | | | | |



Plan - NTS



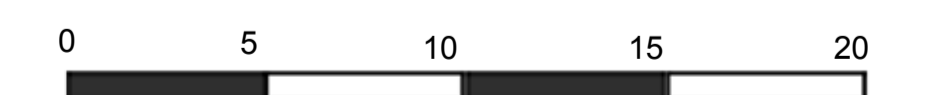
House 4

House 3

House 2

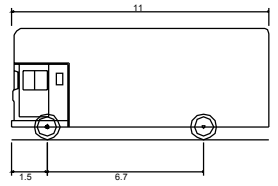
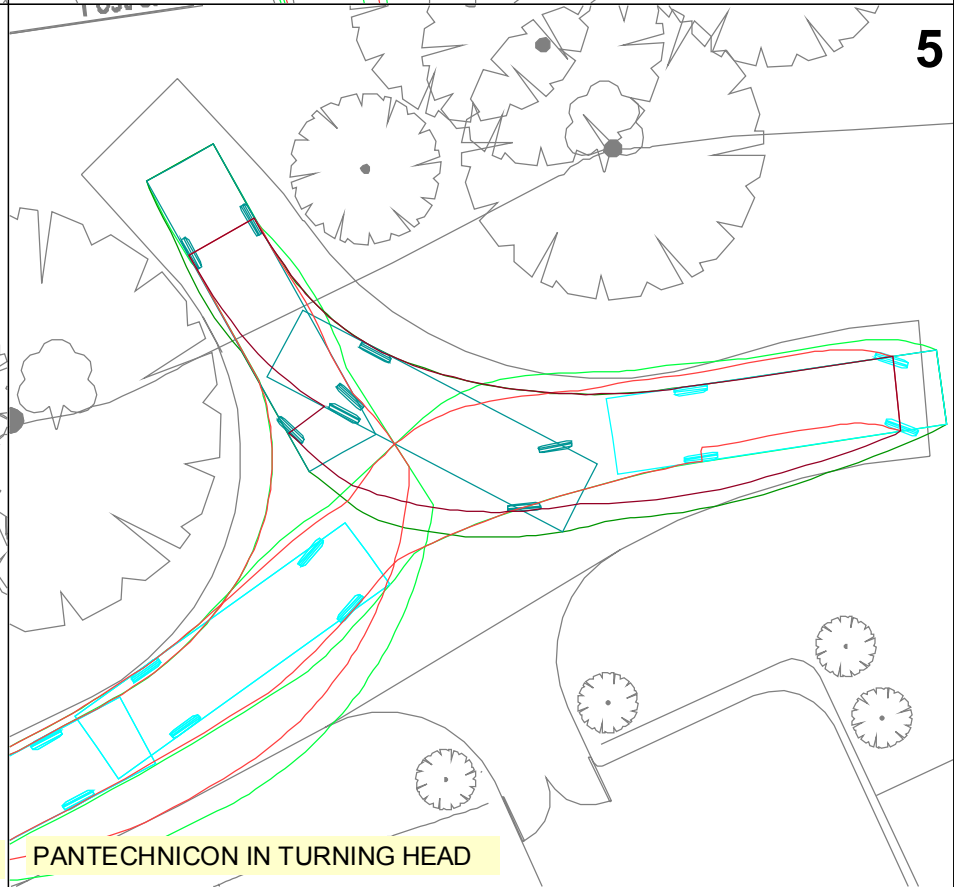
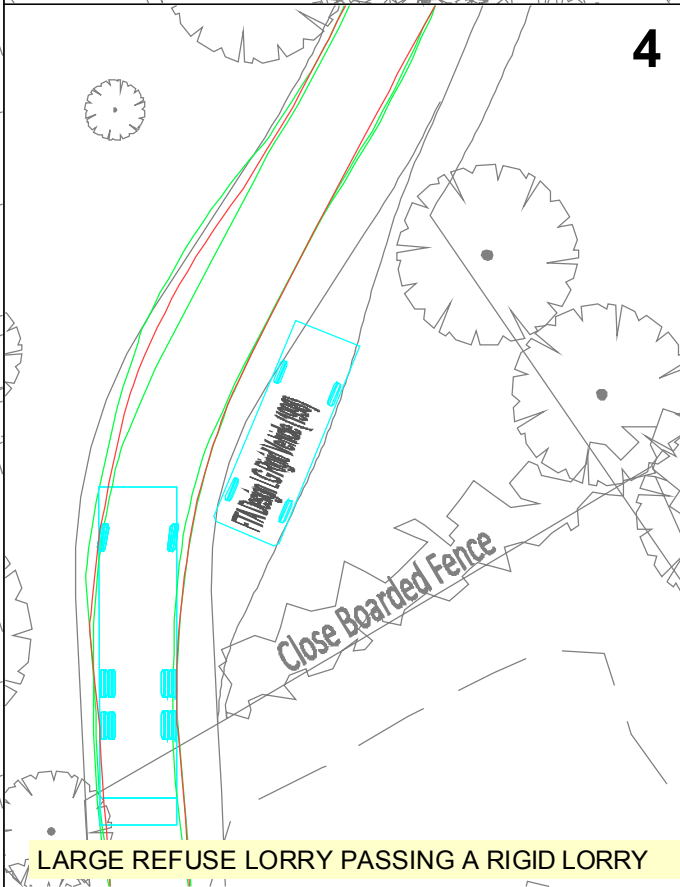
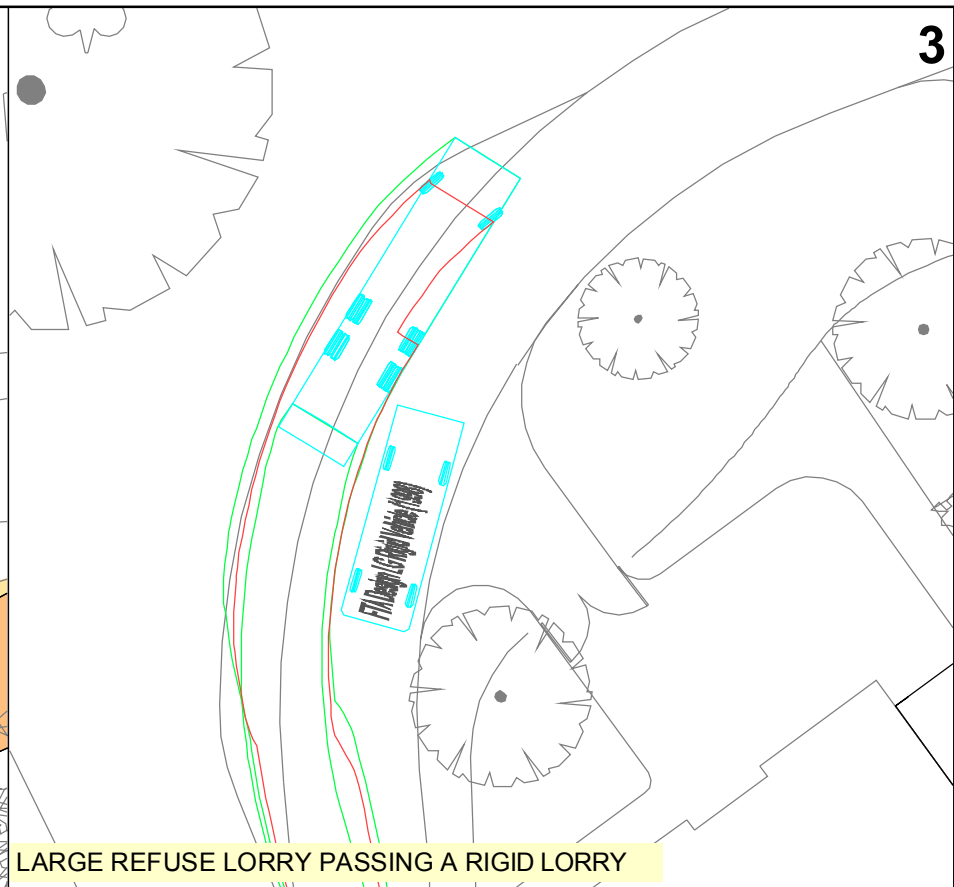
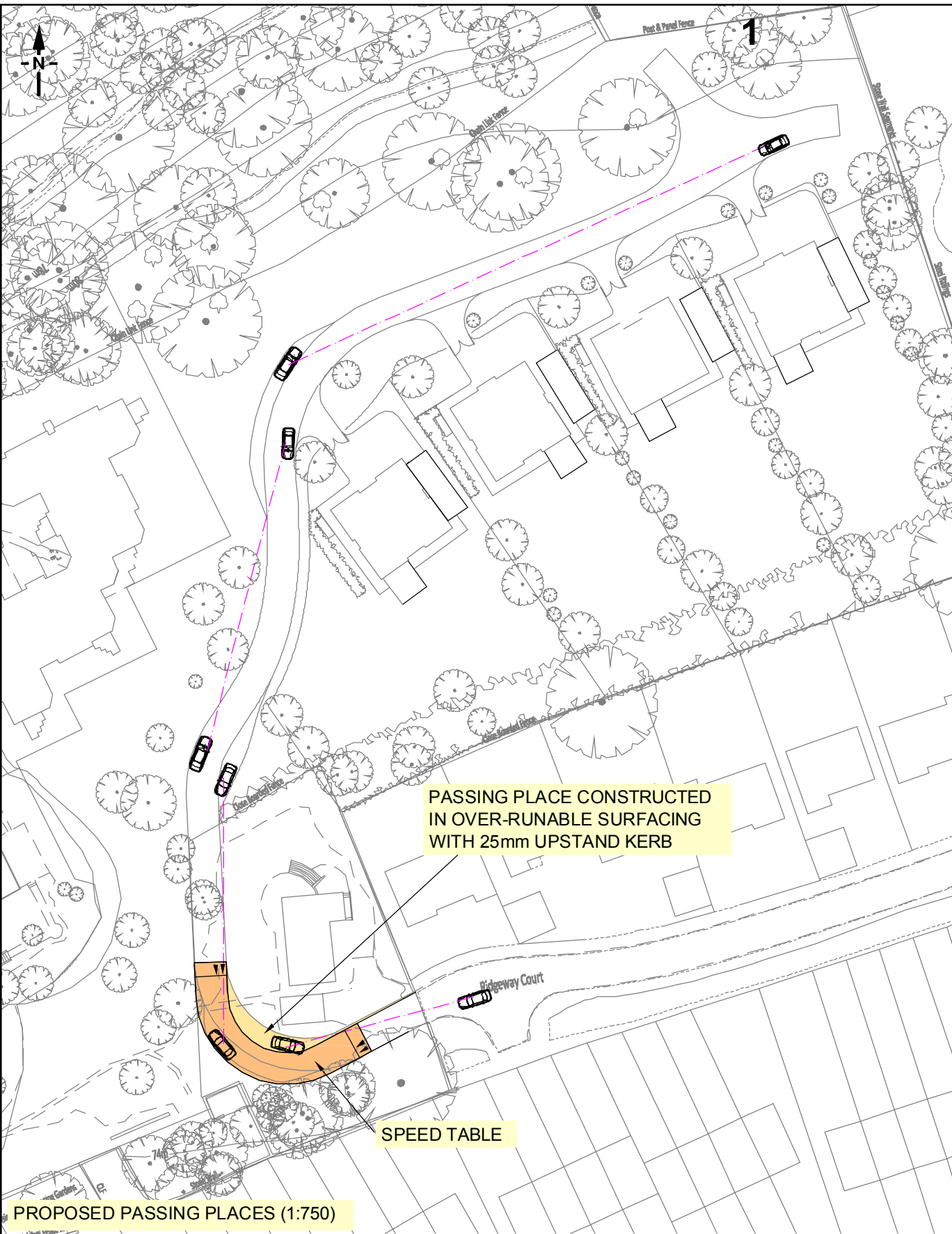
House 1

Scale In Meter

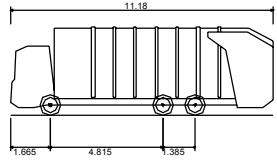


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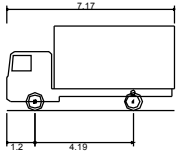
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Pantechnicon / Removals Van
Overall Length 11.000m
Overall Width 2.500m
Overall Body Height 4.730m
Min Body Ground Clearance 0.541m
Track Width 2.500m
Lock to Lock Time 6.00s
Kerb to Kerb Turning Radius 12.200m



Phoenix 2 One-Pass (with Elite 6x4 chassis)
Overall Length 11.180m
Overall Width 2.550m
Overall Body Height 3.760m
Min Body Ground Clearance 0.312m
Track Width 2.550m
Lock to Lock Time 4.00s
Kerb to Kerb Turning Radius 10.150m



FTA Design LG Rigid Vehicle (1998)
Overall Length 7.170m
Overall Width 2.300m
Overall Body Height 3.580m
Min Body Ground Clearance 0.375m
Track Width 2.120m
Lock to Lock Time 3.00s
Kerb to Kerb Turning Radius 7.000m

WESLEY COLLEGE

PROPOSED PASSING PLACES AND TURNING HEAD

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Appeal Decision

Site visit made on 2 July 2014

by Gareth Symons BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8 August 2014

Appeal Ref: APP/Z0116/A/14/2215660

Wesley College, Henbury Road, Henbury, Bristol, BS10 7QD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Northover Developments Ltd against the decision of Bristol City Council.
 - The application, Ref: 13/02361/F, dated 23 May 2013, was refused by notice dated 7 January 2014.
 - The development proposed is the erection of 11 No. (10 No. 4 bed and 1 No. 5 bed), 2 storey detached dwellings on land to the east of Wesley College with vehicular access off Ridgeway Court following the demolition of an existing single garage, retention and enhancement of woodland (Sheep Wood), landscaping and associated infrastructure.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application was originally submitted for 12 dwellings but during the course of negotiations between the appellant and the Council the scheme was revised to 11 dwellings. I have thus considered the 11 dwellings proposal.

Main Issue

3. The application was refused for three reasons. The third reason related to concerns about interrupting a line of green infrastructure. However, the Council has since decided to drop a proposed Important Open Space designation of the appeal site. This was based on the view of the Inspector appointed to consider the Bristol City Council Sites Allocation and Development Management Policies Development Plan Document (SADMP) that such a designation was not justified. Consequently the Council has confirmed that it no longer contests the third reason for refusal.
4. In view of the above, the main issue is whether the appeal proposal would preserve or enhance the character or appearance of the Brentry Conservation Area, having regard to factors including the loss of open space, the impact on the setting of Wesley College, density, layout and form of the new houses.

Planning Policy

5. When the application was refused the Council referred to its emerging SADMP. This has since been adopted and so the SADMP has full development plan

- status. As a consequence policy B15 from the Bristol City Local Plan has also been revoked. The policies relevant to the main issue are now policy BCS22 from the adopted Bristol Core Strategy (CS) and policy DM31 from the SADMP.
6. Policy BCS22 requires development proposals to safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including Conservation Areas. In terms of policy DM31, amongst various criteria, development that has an impact upon a heritage asset will be expected to conserve or enhance the asset or its setting and ensure that the significance of the asset is not compromised.
 7. The appellant has had the opportunity to comment on the changes to the planning policies. In my opinion the revoking of Local Plan policy B15 and the full status now of policy DM31 have had no material effect on the planning policy circumstances relevant to the main issue in this appeal, which is also underpinned by the statutory requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Reasons

8. Brentry Conservation Area is linear and is bisected by the busy Passage Road which is a main link between Bristol city centre and the M5 motorway. On the east side of Passage Road is Brentry House and its parkland which date from 1802 and were designed and laid out by Humphrey and John Repton for William Payne. Brentry House is a Grade II listed building which was in use as a hospital and has now been converted into residential flats. The surrounding parkland is included on the Register of Historic Parks and Gardens (Grade II).
9. To the west of Passage Road is The Ridgeway which provides access to several houses. The first few of these are set well back from the road in large spacious plots. One of the houses is the 'Concrete House' which is a Modern Movement Grade II listed building. Further west into the Conservation Area along The Ridgeway the houses are more recent and have a suburban estate mock Tudor style particularly in Chapel Gardens which is a cul-de-sac of six houses built within the garden of the house known as Longacre. In the garden of 4 Chapel Gardens (previous garden to Longacre) is a Grade II* listed Gothic arch which was formerly the west window of St Mark's Chapel on College Green, Bristol.
10. Towards the end of The Ridgeway are 1-8 Ridgeway Court which probably originate from the 1980's and again have a suburban estate type layout and form of detached executive style houses set close together in a line. These houses are on the outside edge of the Conservation Area. West again towards the tapered end of the Conservation Area is Wesley College which was a purpose built Methodist theological college that opened in 1953. It is an imposing three storey building constructed of brick with a clay pantile roof. A low rise flat roof building known as the Headingly building was erected to the west of the main building in 1968 to provide a new chapel and tutorial block. A residential block, Francis Grieve House, was erected to the east of the main building in 1983. The college closed in 2010. The building and the surrounding land was sold and the main building is to become a residential nursing home.
11. In between the former college buildings to the west and Longacre and Chapel Gardens to the east is a grass field that was recreation land associated with the college. This is the appeal site to the north of which is Sheep Wood which is a

remnant of a much larger tract of woodland occupying higher ground close to the boundaries of Westbury-on-Trym and Henbury. The wood separates the Conservation Area from the much denser housing estates to the north. The site is bounded to the south by the rear gardens of the Ridgeway Court houses.

12. The garage to 8 Ridgeway Court is part of the application site which would be demolished to make way for an extension of The Ridgeway to gain access into the appeal site. The new access road would sweep round into the appeal site past the corner of the main college building close to Francis Grieve House and more or less dissect the land down the middle in an east/west direction. Plots 1 to 6 would be on the south side of the new road and have their back gardens next to the rear gardens of Ridgeway Court while plots 7 to 11 would face the new road and thus have their rear gardens backing onto Sheep Wood. The new houses, their gardens and the road would occupy the whole field except for some narrow margins around the edges to account for tree root protection areas, new planting and a woodland buffer.
13. The Council's Conservation Area Enhancement Statement Bristol Local Plan Policy Advice Note 2 (PAN 2) from 1993 is an old assessment. Nevertheless, it provides a useful starting description of the character of the conservation area and the key issues identified then which the Conservation Area faced. It states that "There is increasing pressure for development particularly for residential use throughout the Conservation Area. The further disposal of hospital land could threaten the historic parkland setting of Brentry House. This, together with further extension of the theological college and the infilling of extensive private gardens, either by extension or new development, would undermine the open character of the Conservation Area".
14. The openness, spaciousness and verdant maturity of the area are key characteristics that give the area its special quality. The open field to the former college makes a valuable contribution to this character. A dense coverage of two tightly spaced ranks of houses would tangibly shift downwards the positive balance of open space in the area, thus significantly damaging the Conservation Area's open character.
15. Moreover, the main 1950's building of the former Wesley College has an imposing architectural grandeur which is attractively set in spacious grounds. Although Francis Grieve House is more recent the whole complex reads as a single entity which includes the associated land. The site as a whole is an important heritage asset that is also culturally significant to the history of the area. The infilling of the appeal land would undermine the setting and significance of the College site. Inter-visibility between the land and the college is not obscured by trees to a significant extent and this is not necessarily a determinative factor because of the historical association.
16. The Chapel Gardens houses came after the Conservation Area designation. However, I agree with the negative description of this development in PAN2 which states "recent housing development within the garden of a large detached house has produced a form of development whose density and style lacks the distinctive qualities of other residences within the Conservation Area". Moreover, the dense suburban ranked arrangement of the houses at Ridgeway Court does not set a positive design precedent. These houses are also outside of the Conservation Area and thus do not define its residential character.

17. Drawing incorrectly on these layouts to justify the appeal development would create an arrangement of short narrow suburban plots in which the houses would be squeezed in thus creating an overcrowded mass of development. This would not pay any respect to the layout of the other main group of houses on this side of Passage Road (1-5 The Ridgeway) where space prevails significantly over development thus making a positive contribution to the spatial quality of the area. Also, while the chosen design language would be different and contemporary, the lack of variation between the limited range of designs and the regularity of the layout means that the proposed scheme would be a homogenous unrelated block of development.
18. Public access and views of the appeal site from the surrounding area may be very limited due to the fact that it is private land and there is intervening development and trees. Nevertheless, this does not diminish the importance attached to protecting the character and appearance of the Conservation Area. The presence of much tighter urban development that encloses the Conservation Area to the north and south makes it all the more important that the specialness of the intervening lung of openness is preserved.
19. I have noted the views of the SADMP Inspector about the appeal site when he decided that its designation as Important Open Space was not justified. However, he had not been appointed to determine the appeal scheme. He was considering whether the site should have an Important Open Space designation. He did though remark that townscape quality could be safeguarded without this and he noted that the open character of the Conservation Area could be addressed through the development management process. I do not see anything in the other Inspector's comments that passed a view about this particular development. Therefore my own views on townscape are not fettered by any previous findings.
20. There have been recent developments in the grounds of Brentry House to which the appellant refers. However, there is no planning history to these developments and so I do not know the circumstances that led to them being granted planning permission. As such I accord them little weight. Also, I am required to assess the particular impact of this proposal on the character and appearance of the Conservation Area.
21. For the reasons given the appeal scheme would not preserve or enhance the character or appearance of the Brentry Conservation Area. As such it would conflict with the conservation and heritage asset protection aims of CS policy BCS22 and SADMP policy DM31.
22. In my view the harm identified above is less than substantial which engages paragraph 134 from the National Planning Policy Framework (NPPF). This requires a balancing exercise of harm against the public benefits of the proposal. In this case the public benefits put forward fall into three categories: Economic: Social: Environmental.
23. Jobs might be created from the development and local spending could be increased. However, there is no quantification of these alleged benefits and they would be short term whereas the harm to the Conservation Area would be irretrievable. Using sustainable construction materials would not offset the harm and deploying sustainable and renewable energy technologies to bring environmental benefits is expected in new buildings anyway. The incentive of delivering the New Homes Bonus would be a very minor benefit and there is no

indication that this windfall site is needed to assist delivery of the Council's housing land supply. Using a previously developed site in an accessible location does not override the harm identified.

24. Access to and enhancement of Sheep Wood would be positive steps but it has not been shown that these would be totally reliant on this scheme. There is no measured assessment of how increased tree coverage would improve local air quality and so this has very little weight. Restricting water run-off from the site would be a very minor benefit. Retention of Wesley Collage as a non-designated heritage asset has been secured in terms of the main building already by its conversion into a care home and there is no evidence showing that the other buildings are at risk or do not have other uses.
25. Taken either individually or collectively, the public benefits do not outweigh the great weight I am required to attach to the conservation of heritage assets. Moreover, notwithstanding this balancing exercise, the harm identified to the Brentry Conservation Area would conflict with the statutory test of paying special attention to the desirability of preserving or enhancing the character or appearance of the area.

Other Matters

26. I have noted that there were no formal objections to the scheme in terms of highway arrangements, nature conservation, arboriculture, drainage, residential amenity and various other matters. The scheme was also subject to pre-application engagement and continued discussions with the Council and a positive community engagement exercise. I have also not found any other reasons why the appeal should be dismissed. However, even taking all of these points into account, and all other matters raised, none outweigh my previous findings.
27. The appeal is failing on the substantive planning merits based on the main reasons for refusal of the planning application. Therefore it is not necessary to look at the submitted planning obligation in relation to playing field provision given that the proposal is unacceptable for other reasons.

Conclusion

28. It is concluded that the appeal should be dismissed.

Gareth Symons

INSPECTOR



Our Ref: 07B414975
Your Ref: 15/05503/F

23 February 2016

Andy Cross
Planning Officer
Development Management
Bristol City Council,
Brunel House,
St Georges Road,
Bristol BS3 9FS

St Catherine's Court
Berkeley Place
Bristol
BS8 1BQ

T: +44 (0)8449 02 03 04
F: +44 (0)117 988 5344

gva.co.uk

Direct Dial: 0117 988 5308
Email: veronica.barbaro@gva.co.uk

Dear Andy

APPLICATION REF. 15/05503/F, LAND TO THE EAST OF WESLEY COLLEGE

As discussed when we met on 4th February 2016, we have reviewed the Inspector's report relating to appeal ref. APP/Z0116/A/14/2215660 (Appendix 1). The appeal followed Bristol City Council's refusal of application ref. 13/02361/F for the erection of 11 no. (10 No. 4 bed and 1 No. 5 bed), 2 storey detached dwellings with associated access and landscaping on the same site.

Following the dismissal of the appeal, a huge amount of work has gone into the preparation of revised proposals for the site, informed by a thorough review of the Inspector's report for appeal ref. APP/Z0116/A/14/2215660 as well as by a series of consultation events and pre-application discussions. As a result, the revised scheme only seeks to provide four new homes on the site, significantly reducing the quantum of development proposed when compared to the original 11-dwelling scheme. On this basis, we feel that the proposals are so significantly different that they cannot be compared and therefore the decision notice and Inspector's report relating to the original application should not be used to inform the Council's determination of application ref. 15/05503/F insofar as neither precludes the redevelopment of the site.

Nevertheless, we understand that the Council feel that the Inspector's report does constitute a key consideration in informing the determination of the application for four homes of land to the east of Wesley College. Therefore we hope that our detailed review of the report against the current scheme is helpful in clarifying the acceptability of the revised scheme.

In summary, the revised proposals will result in the following key benefits for the site and wider area:

- Conservation and enhancement of Sheep Wood: this is a key objective of the Brentry Conservation Area Enhancement Statement, which dates back to 1993 and which 20 years on has not been secured. The wood is in my client's ownership and its protection and management can only be secured through the redevelopment of the area of land formerly used as a playing field. Discussions with the Council's Nature Conservation Officer have confirmed a preference for public access to the wood to be restricted so as to maximise its preservation; this is reflected in the Heads of Terms Ecological Management Plan appended to the Ecological Assessment submitted in support of application ref. 15/05503/F.

- Enhancement of the setting of the Conservation Area and undesignated Wesley College: the site in its current state is of low ecological value; it is unkept and un-managed and will continue to deteriorate if left undeveloped. The proposals for the site are supported by a robust landscape strategy which includes new planting including new trees, introduction of grassland buffers to western and northern boundaries, and native hedgerows. As well as resulting in a net ecological gain and contribution to the local green infrastructure network, the scheme will significantly enhance the



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appearance of the site. This will positively impact upon the setting of the conservation area and of Wesley College. The proposals will also significantly improve the boundary treatment between the former college site and the application site, directly responding to concerns raised by residents of Frances Greeves House.

- Retention of the open nature of the site and wider Conservation Area: the proposals are for the development of four new homes set within large gardens within a heavily landscaped site. The balance between built form and open space has been carefully managed so as to ensure that the majority of the site remains undeveloped. In addition, the introduction of green roofs on the garage means that when viewed aerially, green space will prevail. On this basis it is conserved that the proposals will retain the open nature of the site as well as enhancing it as discussed above.

- Provision of new family homes within Bristol's built-up-area boundary: the site lies within the city's built-up area boundary, in a sustainable location within close proximity to the public transport network and to key services and facilities. The Brentry Conservation Area Enhancement Statement recognised the need to identify suitable locations for development in the Conservation Area. The site is not covered by any designations; it is not identified as Important Open Space; it is not a greenfield site as it was until recently used as sports pitches in association with the former Wesley College. Its location within the Brentry Conservation Area does not preclude development. The site is therefore appropriate for small scale, sensitive development. In light of the Government's commitment to the delivery of new homes on brownfield land and on small sites emphasised in emerging changes to planning policy, it is considered that the proposals the subject of application ref. 15/05503/F should be supported.

- Certainty with regards to the site's future use: the site's planning history to date has led to uncertainty with regards to its future development. The site is not covered by any designations which restrict its redevelopment and therefore if planning application ref. 15/05503/F is refused, subsequent applications will be made for revised schemes on the site. This will perpetuate a feeling of uncertainty amongst local residents and particularly immediate neighbours as to what development might eventually come forward. It is felt that the scheme currently under consideration is the best possible scheme for this site. However should this application be refused, following the expected changes to planning policy currently being considered by Government, it is likely that a higher density scheme on the site may eventually be secured.

Finally, it should be noted that while the level of resident objections to the proposals remain high at approx 50 objections, this number represents half of the objections received in respect of application ref. 13/02361/F, demonstrating that the revised proposals are much less contentious than the original ones.

I trust that the information provided within this letter and accompanying document will assist you in the determination of application ref. 15/05503/F. However please do not hesitate to contact me should you require further clarification, or should you wish to discuss any of the above in further detail on 01179885308/ veronica.barbaro@gva.co.uk.

Yours sincerely,



Veronica Barbaro, MRTPI
Senior Planner
For and on behalf of GVA Grimley Limited

Appendix 1 - Applicant response to Inspector's report relating to Appeal Ref: APP/Z0116/A/14/2215660

**Land to the east of Wesley College, College Park Drive, Westbury-on-Trym,
Bristol - Applicant response to Inspector's report relating to Appeal Ref:
APP/Z0116/A/14/2215660**

| Inspector's Comments – extracts from Appeal ref. APP/Z0116/A/14/2215660 | Bilfinger GVA Response |
|---|--|
| <p>Para 5. (...) <i>The policies relevant to the main issue are now policy BCS22 from the adopted Bristol Core Strategy (CS) and policy DM31 from the SADMP.</i></p> | <p>In addition, the site falls in an area identified in BCC Policy as the Northern Arc – Policy BCS3 is therefore also relevant and advises that in the Northern Arc emphasis will be on:</p> <ul style="list-style-type: none"> • <i>Encouraging higher density and mixed forms of development in the most accessible locations;</i> • <i>Making more efficient use of underused land;</i> • <i>Promoting improved access and linkages to neighbouring areas.</i> <p>The guidance set out in the NPPF is also a key consideration. At para 131 the Framework advises that: <i>In determining planning applications, local planning authorities should take account of:</i></p> <ul style="list-style-type: none"> • <i>the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;</i> • <i>the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and</i> • <i>the desirability of new development making a positive contribution to local character and distinctiveness.</i> <p>It should also be noted that the Government is also currently consulting on proposed changes to planning policy (the consultation period extends from 7 December 2015 to 22 February 2016). The document emphasises the Government's commitment to the delivery of new homes on brownfield land and on small sites. While the site has not been previously developed it has been previously in use as a sports field. It is not a greenfield site and is of no agricultural value. On this basis the redevelopment of the site reflects emerging national policy aspirations.</p> <p>The 'Consultation on proposed changes to national planning policy' document states:</p> <p><i>22. To ensure that all possible opportunities for brownfield development are pursued, we propose to make clearer in national policy that substantial</i></p> |

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| | <p>weight should be given to the benefits of using brownfield land for housing (in effect, a form of 'presumption' in favour of brownfield land). We propose to make it clear that development proposals for housing on brownfield sites should be supported, unless overriding conflicts with the Local Plan or the National Planning Policy Framework can be demonstrated and cannot be mitigated.</p> <p>23. Small sites of less than 10 units play an important role in helping to meet local housing need, and the majority of these sites are on brownfield land.(...) Building new homes on small sites, whether in rural or urban locations, can deliver a range of economic and social benefits, including:</p> <ul style="list-style-type: none"> • providing opportunities for small and medium-sized companies to enter the development market, helping to promote competition and quality in the house-building market; • increasing build out rates in local areas; • creating local jobs and sustaining local growth, particularly in rural areas; and • making effective use of developable land. |
| <p>Para 13: <i>The Council's Conservation Area Enhancement Statement Bristol Local Plan Policy Advice Note 2 (PAN 2) from 1993 is an old assessment. Nevertheless, it provides a useful starting description of the character of the conservation area and the key issues identified then which the Conservation Area faced. It states that "There is increasing pressure for development particularly for residential use throughout the Conservation Area. The further disposal of hospital land could threaten the historic parkland setting of Bentry House. This, together with further extension of the theological college and the infilling of extensive private gardens, either by extension or new development, would undermine the open character of the Conservation Area".</i></p> | <p>The Conservation Area Enhancement Statement is over 20 years old. Relying on this statement does not seem appropriate given the level of change in the area since the statement was published. In addition, the statement does not reflect any subsequent policy position, specifically NPPF paras 126, 128, 131, 134, and 135.</p> <p>Indeed, Historic England guidance set out in 'Understanding Place: Conservation Area Designation, Appraisal and Management' (June 2012) relating to the review of Conservation Area designations advises: Section 69(2) of the Planning (Listed Building and Conservation Areas) Act 1990 requires local authorities to carry out reviews 'from time to time' but there is no indication in law how often this might mean. Good practice is generally accepted to be every 5 years.</p> <p>Nevertheless, if we are to rely on the Conservation Area Enhancement Statement for an assessment of the Bentry Conservation Area then it should be noted that the statement also says under 'key issues': (5) Sheep Wood and other woodlands in the Conservation Area show signs of neglect and misuse. They also fail to realise their educational and recreational potential.</p> <p>The proposals would directly address this key issue by</p> |

providing a management plan for Sheep Wood. Discussions with the Council Nature Conservation Officer have indicated that BCC's preference is for access to the Wood to be restricted rather than being open to the public in order to maximise the preservation of the wood.

The Statement also sets out the following general conservation area enhancement objectives:

- (1) In conjunction with land owners in the area and the Highway Authority a footpath linking the woodland of the Conservation Area should be established.*
- (2) Any development within the grounds of Brentry House on land flanking the east side of Passage Road and the north west side of Charlton Road will be resisted. However, a study should be undertaken to identify other land that could be developed without adversely affecting the character of the Conservation Area.*
- (3) The City Council will encourage the Health Authority to apply the principles and guidance relating to new buildings in Conservation Areas which are expressed in the City Council's Conservation Handbook.*
- (4) Design guidance for new development within the Conservation Area will need to be produced. This should focus on the relationship between building views and the historic landscape.*
- (5) A woodland management plan needs to be produced to enhance the quality of woodland in the area. This should explore opportunities for educational and recreational use in accordance with the strategic greenway routes identified in the Bristol Local Plan.*

Consultation with the local community and with BCC's Nature Conservation Officer has confirmed that there is no desire for a public footpath to link Sheep Wood to the wider Conservation Area.

The proposals are not for development within the grounds of Brentry House or to the north west of Charlton Road. The enhancement objectives encourage the identification of sites within the Conservation Area that could be developed. It is considered that land at Wesley College is a suitable site, the sensitive redevelopment of which would avoid any harm to the setting and character of the Conservation Area. The development of this brownfield site to provide 4 new homes set within large landscape gardens will retain the area's open character. The robust landscaping strategy will result

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| | <p>in net biodiversity and green infrastructure gain.</p> <p>As highlighted above, the proposals include a woodland management plan for Sheep Wood.</p> <p>A priority of the Conservation Area Enhancement Statement clearly is to restrict development within the grounds of the Grade II Listed Bentry House. Nevertheless outline planning permission was granted in 2012 for residential development of up to 80 dwellings, including the demolition of Lewis House and change of use of Phoenix House to 3 no. 2-bed and 3 no. 1-bed flats. (planning ref.12/01932/P). While every application should be determined on its own merit, this application on a much more sensitive site clearly sets a precedent for sensitive and appropriate development in the Bentry Conservation Area.</p> |
| <p>Para 14. <i>The openness, spaciousness and verdant maturity of the area are key characteristics that give the area its special quality. The open field to the former college makes a valuable contribution to this character. A dense coverage of two tightly spaced ranks of houses would tangibly shift downwards the positive balance of open space in the area, thus significantly damaging the Conservation Area's open character.</i></p> | <p>This is a conclusion that the Inspector has drawn and not taken from the Conservation Area Enhancement Statement which simply states: <i>(7) Farther west lie the grounds of Wesley College. The college itself is a large brick educational building adjoined by a modern hall of residence and an open field.</i></p> <p>With regards to the application site, the openness of the conservation area is only experienced when looking at aerial views of the site given the limited number of views into the site and no access from any public highway or right of way and therefore we challenge how the openness can be harmed by the inclusion of four residential units set into the landscape.</p> <p>Every application should be assessed and determined on its own merit. We accept that the previous proposals on the site were detrimental to the character of the conservation area. However, the new proposals have been significantly revised from 11 to 4 properties, set in a heavily landscaped setting, therefore retaining the positive balance of open space in the area as well as enhancing the quality of that open space.</p> <p>This new application is supported by an up-to-date and robust Heritage Statement which as well as assessing the impact of the current proposals also had regard to the appeal decision and Inspector's report. The statement includes an assessment of the impact of the proposals on the character of the conservation area in line with Historic England advice. Paras 5.27 to 5.33 of the Heritage Statement are particularly relevant, highlighting the following considerations:</p> |

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| | <ul style="list-style-type: none"> • <i>The proposed development site does not make a positive contribution to elements of the Conservation Area which contribute to character and appearance of the designated area</i> • <i>The only reference to the proposed development site within the Brentry Conservation Area Enhancement Statement is via the description of the site as an 'open field'. The statement refers to the open character of the Conservation Area but this is not taken to mean that the whole conservation area is characterised by openness, as indeed a lot of it is built up. The term 'open character' can be accurately applied to the remainder of the Parkland at Repton Hall, however it is considered that the contribution of the site to the Conservation Area in terms of 'open nature' is negligible.</i> • <i>Paragraph 138 of the Framework states that not all elements of a Conservation Area will necessarily contribute to its significance – the proposed development site does not make a contribution to the significance of the Conservation Area as a whole.</i> |
| <p>Para 15. <i>Moreover, the main 1950's building of the former Wesley College has an imposing architectural grandeur which is attractively set in spacious grounds. Although Francis Grieve House is more recent the whole complex reads as a single entity which includes the associated land. The site as a whole is an important heritage asset that is also culturally significant to the history of the area. The infilling of the appeal land would undermine the setting and significance of the College site. Inter-visibility between the land and the college is not obscured by trees to a significant extent and this is not necessarily a determinative factor because of the historical association.</i></p> | <p>It must be emphasised that the former Wesley College is not locally or nationally listed. Nor is Frances Greeves House. With regards to the College building, the Conservation Area Enhancement Statement merely states: (7) <i>Farther west lie the grounds of Wesley College. The college itself is a large brick educational building adjoined by a modern hall of residence and an open field.</i></p> <p>There is no reference to 'architectural grandeur' which is a subjective statement made by the Inspector. As stated in the Heritage Statement submitted in support of this application, 'The significance of the main Wesley College building is primarily derived from the historic and architectural interest of its physical form as an example of a mid-20th century institutional building associated with the Methodist movement'. (para 4.89)</p> <p>With regards to intervisibility, the Heritage Statement advises:</p> <p>4.98 <i>Views towards the proposed development site in its capacity as a recreational area for the College are not considered to have formed part of the design intent of the main College building, nor do they contribute to its historic or architectural interest. (...)</i></p> <p>4.99 <i>Views of the proposed development site, and hence the experience of it, from the main College buildings are therefore not considered to form part of</i></p> |

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| | <p><i>the setting of the asset which contributes to its heritage significance.(...)</i></p> <p>In addition, in order to inform the Townscape and Visual Impact Assessment (TVIA), an assessment of the representative views of the site from a variety of receptors within the local area was undertaken and representative viewpoints chosen based on a brief consultation with BCC Landscape Officer. The assessment concluded that the extent of the site's visual envelope is limited due to built form, land form and intervening vegetation however, its location is associated with the presence of Sheep Wood, the former Wesley College and Frances Greeves House which are prominent features.</p> <p>The TVIA concluded that the effect of the scheme on views will be largely localised adverse effects and will occur in respect of the visual experience during the construction phase for adjacent residents (Frances Greeves House, Ridgeway Court, Chapel Gardens, The Ridgeway and workers within the former College building). Effects on users of PRow / cycle routes; users of amenity / recreational space; road users; workers and children within Acorn nurseries; as well as residents further afield will be negligible.</p> <p>With regards to infilling, as stated above, each application should be determined on its own merit. While the introduction of 11 residential units on the application site is considered to constitute over development, detrimental to the character of the conservation area, the revised proposals constitute a significant departure from the original scheme and are not considered to constitute 'in-filling' of the site. Indeed, the proposals would ensure that the majority of the site remains undeveloped and sensitively landscaped.</p> |
| <p>Para 16. <i>The Chapel Gardens houses came after the Conservation Area designation. However, I agree with the negative description of this development in PAN2 which states "recent housing development within the garden of a large detached house has produced a form of development whose density and style lacks the distinctive qualities of other residences within the Conservation Area". Moreover, the dense suburban ranked arrangement of the houses at Ridgeway Court does not set a</i></p> | <p>This point has been taken on board and directly addressed in the revised application. Our proposals take cue from the houses along the Ridgeway (nos. 1-5) which are set back and set within long landscaped gardens, <i>'where space prevails significantly over development thus making a positive contribution to the spatial quality of the area.'</i> (Inspector's report, paragraph 17)</p> <p>In addition, the scheme has sought to incorporate an element of variation between the 4 units, again responding to the Inspector's comments that <i>'the lack of variation between the limited range of designs and the regularity of the layout means that the proposed scheme would be a homogenous unrelated block of development.'</i> (para 17)</p> |

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| <p><i>positive design precedent. These houses are also outside of the Conservation Area and thus do not define its residential character.</i></p> | |
| <p>Para 17. <i>Drawing incorrectly on these layouts to justify the appeal development would create an arrangement of short narrow suburban plots in which the houses would be squeezed in thus creating an overcrowded mass of development.</i></p> <p><i>This would not pay any respect to the layout of the other main group of houses on this side of Passage Road (1-5 The Ridgeway) where space prevails significantly over development thus making a positive contribution to the spatial quality of the area. Also, while the chosen design language would be different and contemporary, the lack of variation between the limited range of designs and the regularity of the layout means that the proposed scheme would be a homogenous unrelated block of development.</i></p> | <p>Understood and taken on board in this new application, see above. It should be noted that none of these comments advise that no residential development is appropriate on the site but they focus on the design and layout of the proposals for 11 units on the site.</p> <p>To summarise: The density, scale, layout and form of the proposed development is informed by the residential area to the east of the site (nos 1-5 The Ridgeway). The proposed dwellings are to be located at the top of the site with front doors facing north. This allows for the provision of large south facing gardens, reflecting the rhythm and form of the group of houses along The Ridgeway (nos. 1-5). While the internal layout of the proposed dwellings is similar, each property has its own individual style expressed through the choice of materials, external finishes and detailing.</p> |
| <p>Para 18. <i>Public access and views of the appeal site from the surrounding area may be very limited due to the fact that it is private land and there is intervening development and trees. Nevertheless, this does not diminish the importance attached to protecting the character and appearance of the Conservation Area.</i></p> <p><i>The presence of much tighter urban development that encloses the Conservation Area to the north and south makes it all the more important that the specialness of the intervening lung of openness is preserved.</i></p> | <p>There is no public access (rather than limited). The 'openness' of the site is only experience when viewed from aerial views. While it is accepted that the limited levels of views into the sites does not diminish the importance attached to conserving the character of the Conservation Area, it is considered that the site's current contribution to the CA is negligible and could be much improved through sensitive redevelopment and landscaping. The revised proposals would retain the open character of the site by leaving a large proportion of the site undeveloped.</p> <p>The site as it currently stands is unkept, and of low ecological value. Its special value is therefore limited. The proposals would however enhance the site through careful landscaping, also resulting in clear ecological gain and they would crucially ensure the future management and protection of Sheep Wood which surely plays a greater role in contributing to the conservation area's openness than the former playing field element of the site.</p> |
| <p>Para 19. <i>I have noted the views of the SADMP Inspector about the appeal site when he decided that its</i></p> | <p>We agree with the Inspector's statement, however wish to stress that addressing the open character of the Conservation Area through the development</p> |

designation as Important Open Space was not justified. However, he had not been appointed to determine the appeal scheme. He was considering whether the site should have an Important Open Space designation. He did though remark that townscape quality could be safeguarded without this and he noted that the open character of the Conservation Area could be addressed through the development management process. I do not see anything in the other Inspector's comments that passed a view about this particular development. Therefore my own views on townscape are not fettered by any previous findings.

management process does not mean refusing any application for future development of the site. As confirmed by BCC, the proposals for 4 new homes on the site are well thought out and sensitively designed. The site is not allocated as an area of important open space, nor is it covered by any environmental designations which preclude its redevelopment. The site is a previously developed site within Bristol's development boundary. Its location within a Conservation Area does not preclude its redevelopment. There are on this basis no clear reasons why a low density, high quality scheme would not be accepted on the site given that all technical concerns relating to the development of the site have been addressed.

Finally there are a number of examples in Bristol of consented schemes for new development in a conservation area. Of note is the recently consented application for the development of the St Matthias Campus site which lies in a conservation area and which was also temporarily identified as important open space:

Development at St Matthias Campus – BCC Planning ref. 14/02640/F, within the Stapleton and Frome Valley Conservation Area

The Officer's report advised:

"However the issue of whether it should be designated as important open space was considered and the inspector noting that the land in question was visually contained by the boundary and generally at a lower level than the remainder of the estate its was of no central importance to the important open space designation and its exclusion would not compromise the value of the remaining area." Inspectors Report Page 12

"It is recognised that the loss of the land will remove the existing openness of this part of the estate, obstruct views and lead to harm to the registered landscape. English Heritage and Avon Gardens Trust have objected to the proposal on these grounds. When assessing the degree of harm this would cause, the design of the proposal along the park edge is taken into account with shared surface treatment, the landscape buffer and proposal to incorporate art into this buffer. The improved design of the proposed sports hall, dwellings and the overall layout is also acknowledged given that it falls within the conservation area.

Overall it is concluded that the harm will be less than substantial. It is therefore necessary to ascertain what public benefit will accrue from the development" – Inspectors Report Page 14

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| | <p>The St Matthias Campus site was highly visible from a series of public rights of way and public highways which is not the case at land to the east of Wesley College</p> |
| <p>Para 20. <i>There have been recent developments in the grounds of Brentry House to which the appellant refers. However, there is no planning history to these developments and so I do not know the circumstances that led to them being granted planning permission. As such I accord them little weight. Also, I am required to assess the particular impact of this proposal on the character and appearance of the Conservation Area.</i></p> | <p>The Inspector accords no weight to other applications for proposals in the conservation area in light of needing to assess the particular impact of the 11 dwelling scheme. Similarly, BCC should assess the particular impact of the 4 dwelling scheme – each application needs to be determined on its own merit and this scheme cannot be compared to the previous one therefore this appeal decision should not be used to guide the Council's recommendations in the light that it does not preclude development from the site.</p> |
| <p>Para 23. <i>Jobs might be created from the development and local spending could be increased. However, there is no quantification of these alleged benefits and they would be short term whereas the harm to the Conservation Area would be irretrievable. Using sustainable construction materials would not offset the harm and deploying sustainable and renewable energy technologies to bring environmental benefits is expected in new buildings anyway.</i></p> | <p>It must be noted that the site as it currently stands does not positively contribute to the character of the conservation area. The proposals are for a small scheme however given the shortage of sites within Bristol's built-up area boundary, the sustainable location of the site and the fact that it is a previously developed site, it presents a key opportunity to deliver 4 new family homes. This should not be overlooked given the shortage of homes in Bristol.</p> <p>As mentioned throughout this response, another key benefit of the site is securing the long term management of Sheep Wood which has been a key BCC aspiration since the Conservation Area Enhancement Statement was adopted in 1993 and has to date not come forward.</p> |
| <p>Para 24. <i>Access to and enhancement of Sheep Wood would be positive steps but it has not been shown that these would be totally reliant on this scheme</i></p> | <p>The enhancement of Sheep Wood is fully reliant on this scheme coming forward as the wood is in my client's ownership. There is currently no access to the wood and no management plan in place. A management plan will only come forward as part of the development of the site. The management of the wood is a key 'enhancement objective' of the Conservation Area Enhancement Statement and therefore a key material consideration.</p> <p>In addition, the revised proposals are supported by a robust landscaping scheme which will enhance the green infrastructure and ecological value of the site, further benefitting the Sheep Wood SNCI.</p> |
| <p>Para 25. <i>Taken either individually or collectively, the public benefits do</i></p> | <p>The Inspector in his report has already identified that the harm of the proposals to the Conservation Area</p> |

not outweigh the great weight I am required to attach to the conservation of heritage assets. Moreover, notwithstanding this balancing exercise, the harm identified to the Brentry Conservation Area would conflict with the statutory test of paying special attention to the desirability of preserving or enhancing the character or appearance of the area.

will be less than substantial.

At para 134, the NPPF advises:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Para 135 add: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The Inspector's conclusions in respect of the 11-dwelling scheme cannot be applied to the revised proposals for 4 homes on the site.

As concluded in the Cotswold Archaeology Heritage Statement:

6.8 The change of use of the proposed development site to residential development is considered to be reflective of the organic development of surrounding area, and although there will be an element of change both in terms of the character and built form, it is not considered to be of a degree to cause harm to the Conservation Area.

6.9 The proposed development will not change the setting of Listed Buildings within the immediate environs of the proposed development site which would result in an impact on their architectural and historic interest.

6.10 The proposed development will result in a change in character of the proposed development site in relation to the main Wesley College building and the wider views to the east. This change is however considered to result in less than substantial harm to the overall heritage significance of this non-designated heritage asset.