

WARD: Kingsweston CONTACT OFFICER: Andrew Cross  
SITE ADDRESS: 61 Arbutus Drive Bristol BS9 2PW

APPLICATION NO: 15/05435/F Full Planning  
EXPIRY DATE: 1 January 2016

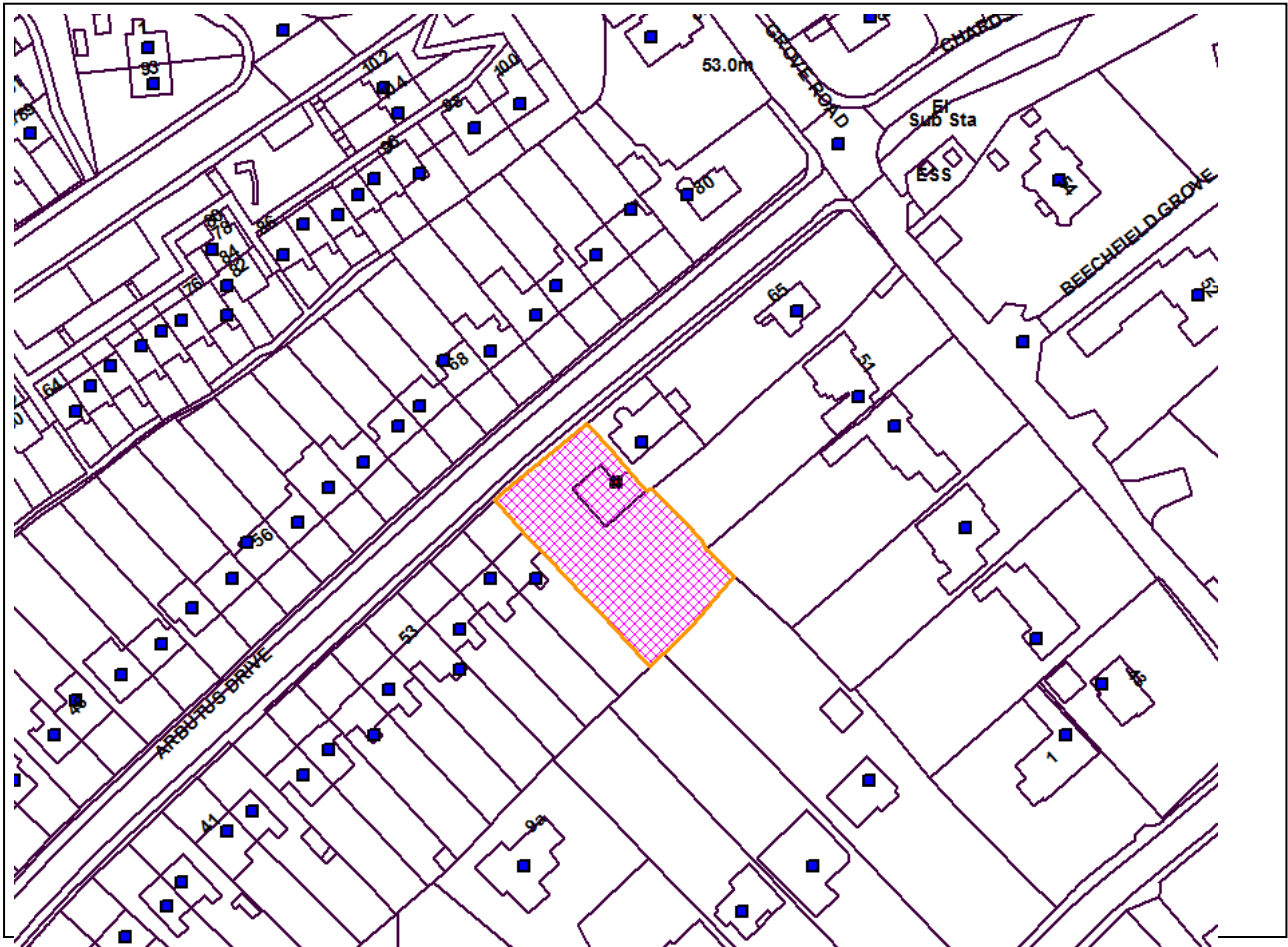
*Proposed four storey building (including basement), to accommodate 4 no. flats.*

RECOMMENDATION: Grant subject to Condition(s)

AGENT: APPLICANT: Mr Matthew Bagg  
61 Arbutus Drive  
Bristol  
BS9 2PW

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

LOCATION PLAN:



**Development Control Committee B – 16 March 2016**  
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## BACKGROUND

This application has been called in to planning committee by Councillor Tim Leaman, with reasons cited as (i) residential amenity impact as a result of increased activity from levels of on-street parking; and (ii) impact of intensifying occupancy of the site as four flats on amenity and character of the immediate area.

## SITE DESCRIPTION AND APPLICATION

The application site is located on the south-east side of Arbutus Drive, set within the Kingsweston and Trym Valley Conservation Area. The site is former garden land, with planning consent for the construction of a new house. Directly alongside the current application site is a house under construction following the demolition of the original house that occupied the site.

The application proposes the construction of a four-storey building (including basement) to form four self-contained flats. The building is of a similar scale, form and appearance to the previously approved house on the site, with only minor alterations in relation to its footprint and fenestration arrangement.

See plans and supporting information for full details.

## RELEVANT HISTORY

15/03514/F - Proposed detached building to accommodate 4 no flats, (alteration to consent granted under App. No. 13/03047/F). CANCELLED (incorrect red line site).

13/05075/X - Application for deletion of condition 14 (no implementation of shown glass canopy) variation of condition 17 (approved plans) following a grant of planning permission 13/02143/F - Proposed demolition of existing house and garage and construction of new house and rear boundary wall - to introduce front porch, remove basement, remove glass canopy and add additional obscure glass window to flank elevation. PERMISSION GRANTED.

\*13/03047/F - Proposed construction of dwelling at land adjacent to no 61 Arbutus Drive. PERMISSION GRANTED.

13/02664/H - Proposed construction of:- A) New games rooms building located in sunken garden. B) New Summer house and trellis walkway with Photo voltaic Solar Panels. C) Partial removal and replacement of external boundary hedges/ Trees, inclusive of installation of new vertical panel fences. PERMISSION GRANTED.

13/02143/F - Proposed demolition of existing house and garage and construction of new house and rear boundary wall. PERMISSION GRANTED.

12/02173/P - Outline application for single detached dwelling and garage on land adjacent to 61 Arbutus Drive.

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RESPONSE TO PUBLICITY AND CONSULTATION

Consultation was undertaken via press and site notices, along with the issue of 34 individual letters. 24 written responses were received, including representation from Councillor Tim Leaman.

Councillor Leaman has commended as follows:

Application 15/05435/F has presented issues for residents in the immediate vicinity and particularly for close neighbours. I would like to raise policies DM2 DM26 and BCS21 (core strategy and local plan) which should be considered by a planning committee in respect of the following points. Increase in on-street parking with an impact on local amenity and overall character of the area. There is already off-street parking congestion in Arbutus drive which is also a bus route and the site is very close to a junction with nearby Grove Road. The site application represents an intensification of use which will also have an adverse impact on the immediate areas character and add to its loss which will also include residents of the new dwellings.

Concerns raised by nearby occupiers can be summarised as follows:

Principle (See key issue B)

- o Flats would be out of keeping for the area

Residential Amenity (See key issue C)

- o Overlooking
- o Overshadowing
- o Overbearing
- o Inadequate refuse/recycling storage
- o Levels of activity that would harm residential amenity through noise and disturbance
- o Lack of natural light, ventilation and outlook to the basement flat
- o No outdoor space allocated to the attic flat
- o Nuisance and disruption during construction

Highways (See key issue D)

- o Inadequate level of off-street parking
- o Highway safety issue re additional on-street parking on a bus route
- o Refuse/recycling store would hinder vehicle manoeuvres

Design (See key issue E)

- o Overdevelopment of the site
- o The proposed building would be out of keeping for the area
- o Visual impact within the Conservation Area

These points will be discussed within the key issues section of this report.

**Transport Development Management** has commented as follows:-

Highway safety: no objection

Parking level: acceptable

Cycle storage: acceptable, subject to alternative provision for basement flat

Refuse/recycling storage: acceptable

Conditions recommended in relation to parking, cycle storage, refuse/recycling storage, and external lighting provision

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**Flood Risk Manager** has commented as follows:-

We have reviewed the proposed surface water plan and found that it appears to be identical to that submitted in order to discharge the approved application 14/00173/COND. We therefore have no further comments.

RELEVANT POLICIES

**National Planning Policy Framework – March 2012**

**Bristol Core Strategy (Adopted June 2011)**

BCS5	Housing Provision
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)**

DM1	Presumption in favour of sustainable development
DM2	Residential sub-divisions, shared and specialist housing
FDM21	Development of private gardens
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
DM35	Noise mitigation

KEY ISSUES

(A) IS THE REDEVELOPMENT OF THE SITE ACCEPTABLE IN LAND USE TERMS?

The residential development of the site has already been established as acceptable in principle, with the site currently benefitting from planning permission for the provision of a new house. There have been no recent changes in planning policy that lead to a different conclusion in terms of the principle of residential development of the site.

(B) WOULD THE PROPOSAL RESULT IN A HOUSING MIX THAT WOULD CAUSE HARM TO THE AMENITY AND CHARACTER OF THE AREA?

Objection comments received raise concern that the provision of flats would be out of character for the area. Core Strategy policy BCS18 expresses that all new residential development should maintain, provide, or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.

The application site is set within Kingsweston Ward, which on the basis of 2011 Census data, contains 28.3% flats. When considering the Lower Super Output Area (LSOA) within which the site is

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located (Coombe Dingle West), the proportion of flatted development falls to 11.7%, which is similar to the adjoining LSOA at 11.4% flats. It is therefore apparent that as well as the proportion of flatted development in the area being low, it is also well below the Ward average. The provision of four flats on the site would therefore add to the mix of accommodation in the area and would not lead to an unacceptable housing imbalance, such that the amenity and character of the area would be safeguarded.

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

Although the footprint of the building has been amended slightly when compared with the existing consent for a single house, with a chamfer to the side projection removed, with the wall now lining straight through, the scale of the building remains as previously approved, as does its relationship with surrounding properties. On this basis concern is not raised in relation to overshadowing and overbearing impacts.

When compared with the extant planning permission for a house on the site, an additional six windows are proposed to the south-western side elevation, facing the side of 59 Arbutus Drive. It is proposed all of these are obscure glazed, which could be ensured by condition. This would prevent unacceptable overlooking of side windows at number 59.

Other windows and balconies accord with the previously approved building, with adequate separation distances from surrounding development. The balconies incorporate the provision of privacy screens.

Noise associated with increased occupancy was raised within objection comments. The provision of four flats in an established residential area is unlikely to result in significant impact when considering noise.

In terms of future occupiers, all of the flats exceed current space standards requirements. Three of the flats also have outdoor space, with basement, ground and first floor flats having private terrace areas, as well as the rear garden being allocated for shared use by occupiers of the ground and first floor flats.

The basement flat would have a limited outlook given its basement position, but large areas of glazing to the rear, supplemented by glazing to the balcony above, along with rooflights along the length of the flat, are such that adequate levels of natural light should be achieved. The other flats within the proposed development would achieve good levels of outlook and natural daylighting.

The submitted scheme includes a dedicated storage area for refuse/recycling facilities within the curtilage of the site. This would prevent these facilities from being stored on the highway, except on the day(s) of collection, which is acceptable. This dedicated storage area would be provided and retained through a planning condition.

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

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

The proposed development incorporates the provision of four off-street parking spaces, with two allocated to each of two flats. Two flats would therefore be without off-street parking, however any additional parking requirements could reasonably be accommodated on-street within the locality. The level of off-street parking proposed accords with current parking standards requirements, with current policy seeking to minimise levels of off-street parking provided, rather than encouraging over-

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provision.

The vehicular accesses proposed are considered acceptable, with no concerns raised by the City Council Highways Officer in relation to highway safety. This view was formulated in acknowledgement that Arbutus Drive is on a bus route.

Cycle storage is proposed for each of the flats, in accordance with current policy requirements. These are generally easily accessible, perhaps with the exception of the provision within the basement courtyard, which requires bicycles to be carried up/down a flight of steps. A condition is therefore recommended for alternative cycle storage provision for the basement flat in order to improve accessibility.

The site is located close to local shops and services, as well as local and city wide bus links, all of which are located nearby on Westbury Lane.

On the basis of the above, the proposal is considered acceptable in relation to movement, transport and highway safety issues.

**(E) WOULD THE PROPOSED DESIGN BE ACCEPTABLE?**

The design differs only slightly from that of the approved house for the site, with a slight amendment to the building footprint and the provision of additional windows being the principle changes. Subject to the agreement of suitable finishing materials, which can be secured by condition, the proposed design is therefore considered acceptable in the context of the street scene and the wider Conservation Area setting.

**(F) 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.

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. Increased rain water run-off as a result of increased site coverage by building and hardstanding would be mitigated against through the provision of an attenuation tank for storm water which incorporates rainwater harvesting to serve the development, as well as soak-away drainage to deal with any overflow.

New external paved surfaces will also be required by condition to be permeable, in accordance with current policy, in order to mitigate against rainwater run-off.

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

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COMMUNITY INFRASTRUCTURE LEVY

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

The CIL liability for this development is £30,458.04

**RECOMMENDED GRANT subject to condition(s)**

**Time limit for commencement of development**

1. Full Planning Permission

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

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

**Pre commencement condition(s)**

2. Protection of retained trees during the construction period

Prior to the commencement of development a tree protection plan shall be submitted to and approved in writing for the proposed development identifying appropriate protection measures for retained trees.

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

Reason: To protect the retained trees from damage during construction and in recognition of the contribution which the retained tree(s) give(s) and will continue to give to the amenity of the area.

3. Sample Panels before specified elements started

Sample panels of all external finishing materials are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.

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

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**Pre occupation condition(s)**

4. Boundary Treatment

Details of an appropriate boundary treatment to secure the privacy between the respective occupiers of the existing dwelling to 61 Arbutus Drive and the approved development shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. The agreed boundary treatment shall be completed prior to the first occupation of the development hereby approved and thereafter be retained.

Reason: In the interests of the privacy of the neighbouring and future occupiers of the development.

5. Renewables

The scheme of on-site renewable energy generation shall be completed in accordance with the approved details prior to the first occupation of the development hereby approved, and retained and maintained as such thereafter.

Reason: To ensure adequate provision of on-site renewable energy generation.

6. SUDS

The scheme of sustainable urban drainage shall be completed in accordance with the approved details prior to the first occupation of the development hereby approved, and retained and maintained as such thereafter. This shall include all new paving to external areas to be permeable.

Reason: To mitigate against increased rainwater run-off as a result of the development.

7. Privacy screens pre occupation

The privacy screens to the terrace/balcony areas shall be completed in accordance with the approved details prior to the first occupation of the development hereby approved, and retained and maintained as such thereafter.

Reason: To safeguard against overlooking and loss of privacy.

8. Completion and Maintenance of Cycle Provision

No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed, and thereafter, be kept free of obstruction and available for the parking of cycles only. This shall include alternative provision at ground floor level to serve the basement flat, details of which are to be submitted to and approved in writing by the Local Planning Authority.

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

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

No building or use hereby permitted shall be occupied or the use commenced until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans. Thereafter, all



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refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.

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

10. Completion of Vehicular Access - Shown on approved plans

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

Reason: In the interests of highway safety.

11. Completion of Pedestrians/Cyclists Access - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the means of access for pedestrians and/or cyclists have been constructed in accordance with the approved plans and shall thereafter be retained for access purposes only.

Reason: In the interests of highway safety.

12. Installation of vehicle crossover - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the vehicular crossover(s) has been installed and the footway has been reinstated in accordance with the approved plans.

Reason: In the interests of pedestrian safety and accessibility

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

No building or use hereby permitted shall be occupied or the use commenced until the car/vehicle parking area shown on the approved plans has been completed, and thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development

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

**Post occupation management**

14. Obscure glazing

Obscure glazing shall be installed to side-facing windows in accordance with approved drawing 61-202 revision A, and shall be retained and maintained as such.

Reason: To safeguard against overlooking.

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15. Restriction of noise from plant and equipment

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

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

**List of approved plans**

16. List of approved plans and drawings

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

61-202 Elevations proposed, received 6 November 2015  
869.AL(0)134 Proposed Surface Water Plan, received 6 November 2015  
Site Location Plan, received 6 November 2015  
61-101 01 Proposed Site Plan, received 6 November 2015  
61-101 01 Site Plan Existing and Proposed, received 6 November 2015  
61-201 Proposed Floor Plans 1, received 6 November 2015  
61-201 Proposed Floor Plans 2, received 6 November 2015  
Sustainability Statement, received 6 November 2015

Reason: For the avoidance of doubt.

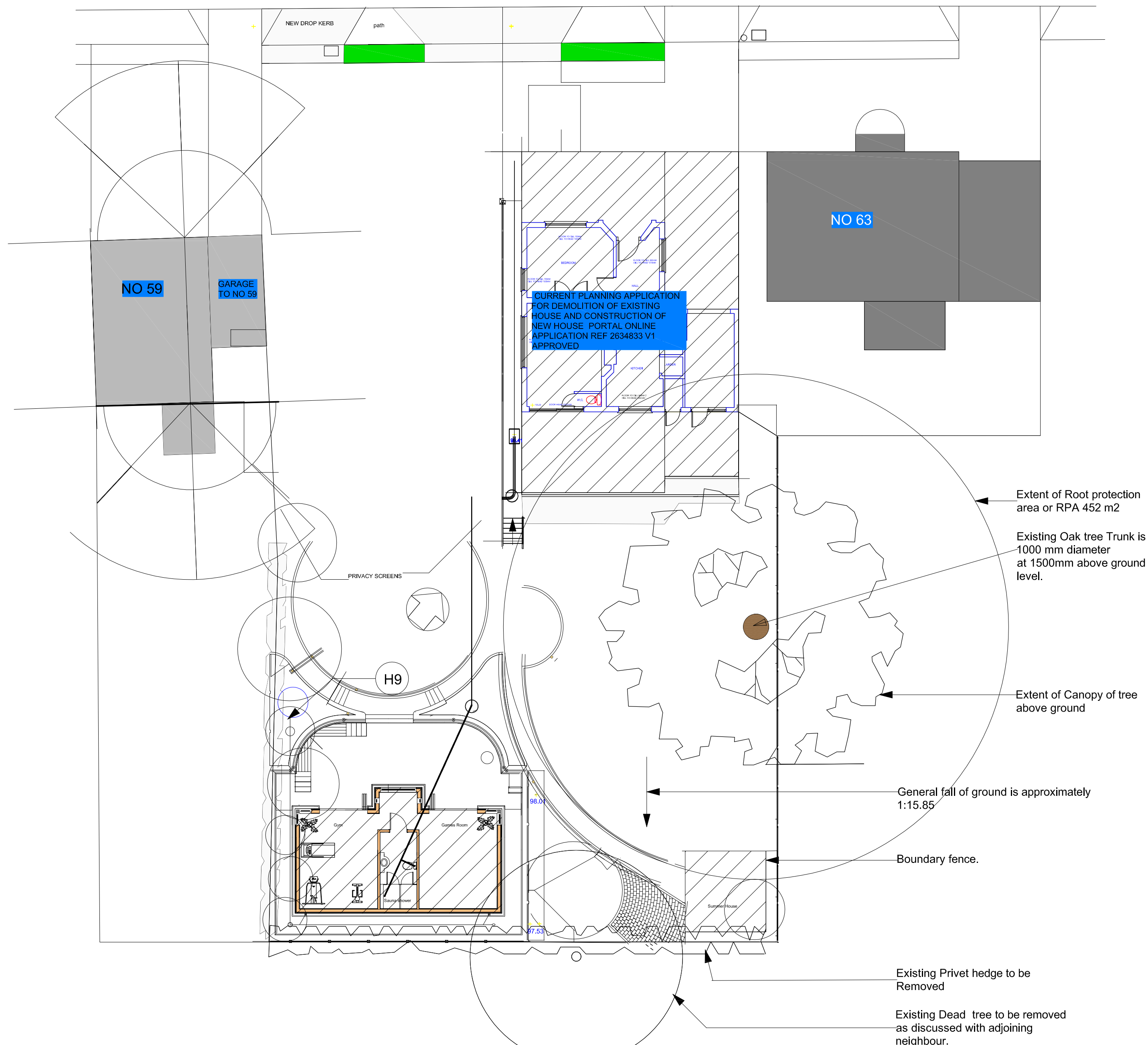
**Advices**

1. Minor works on the public highway: The development hereby approved includes the carrying out of work on the public highway. You are advised that before undertaking the work on the highway you must enter into a highway agreement under s184 or s278 of the Highways Act 1980 with the council. You will be required to pay fees to cover the council's costs in undertaking the approval and inspection of the works. You should contact the Highways Asset Management Team on 0117 9222100.

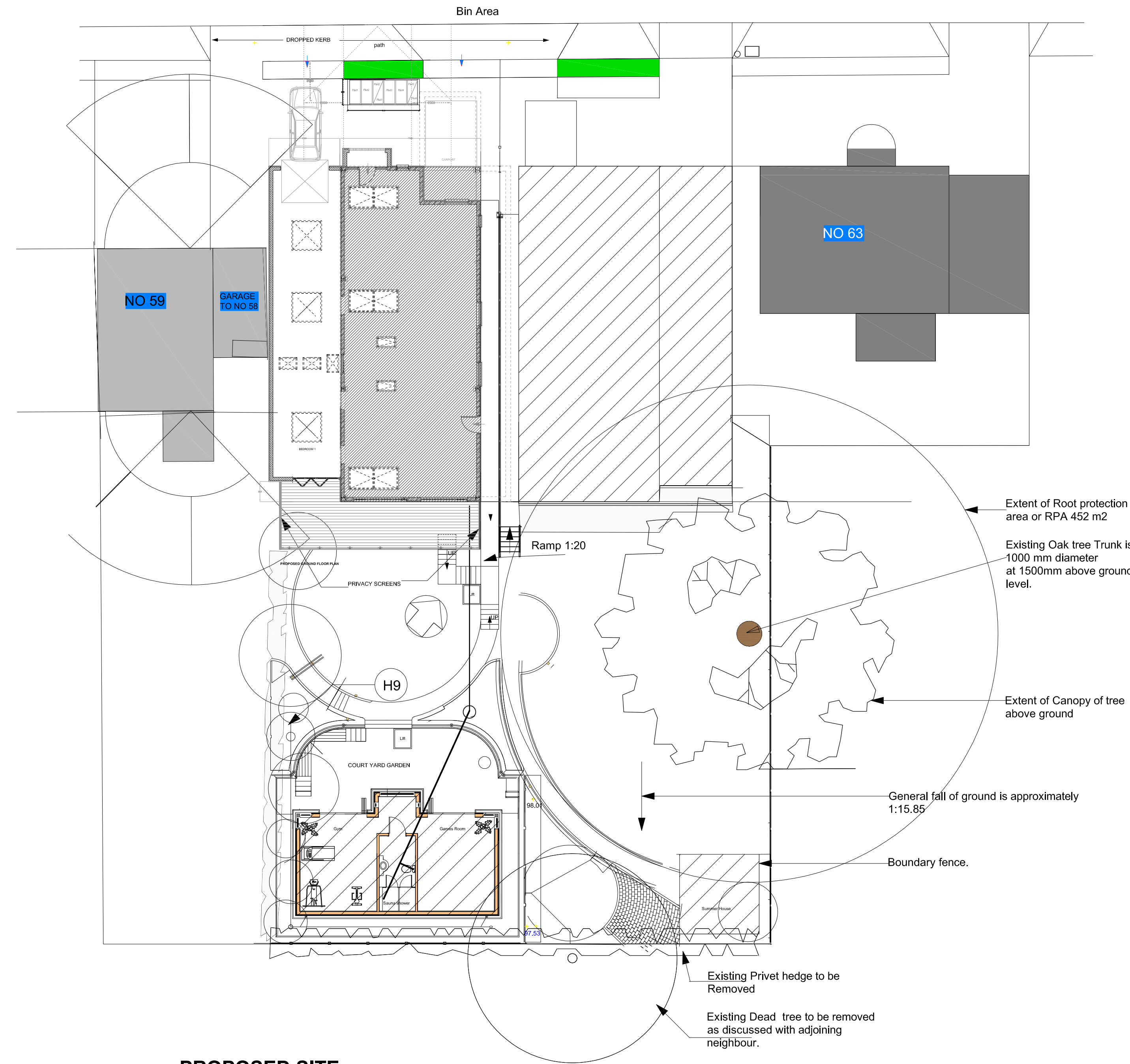
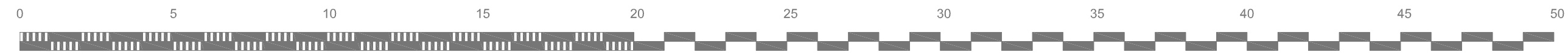
**BACKGROUND PAPERS**

Transport Development Management  
Flood Risk Manager

18 December 2015  
4 January 2016



**EXISTING SITE  
PLAN SCALE 1;150**

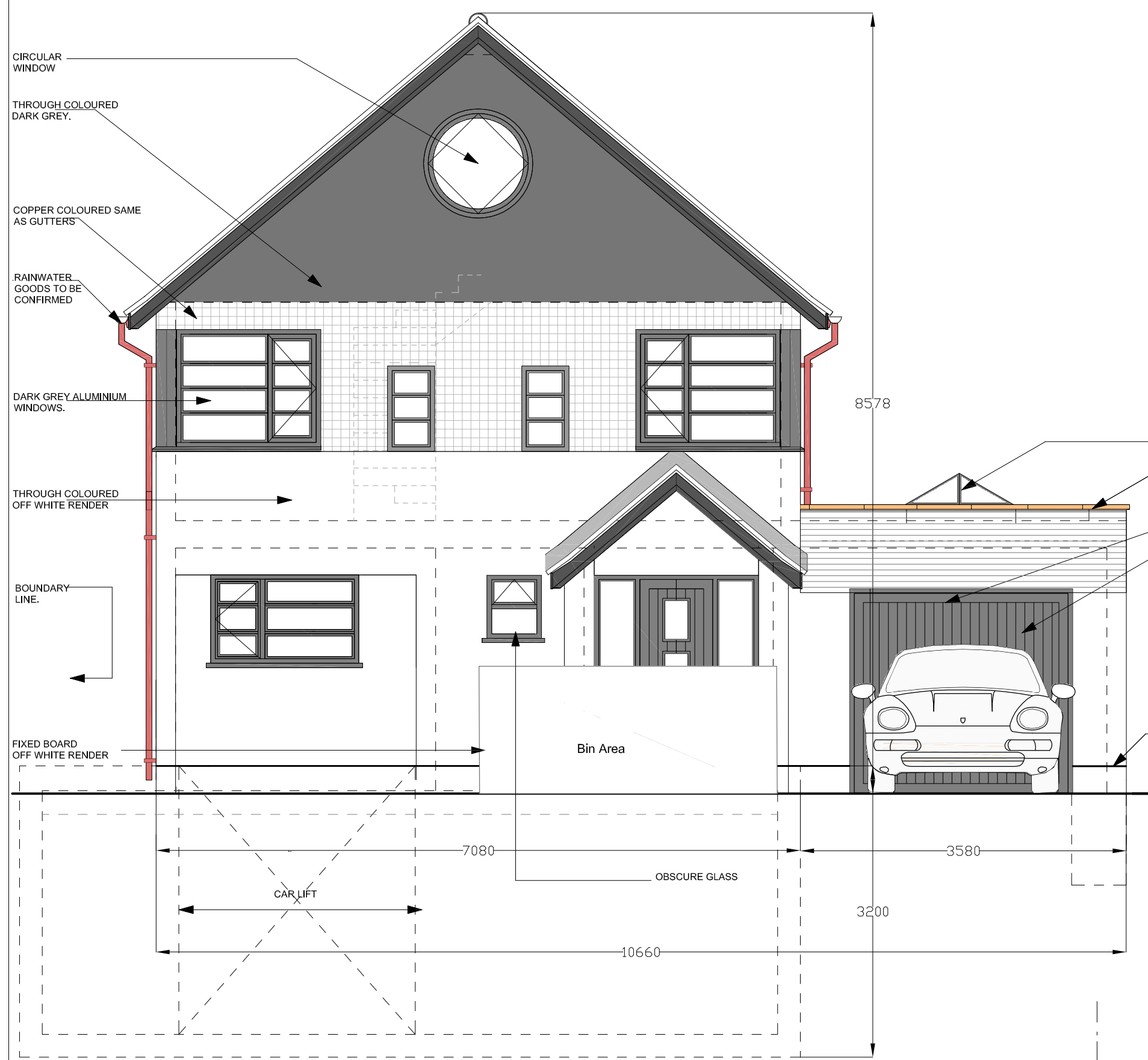


**PROPOSED SITE  
PLAN SCALE 1;150**

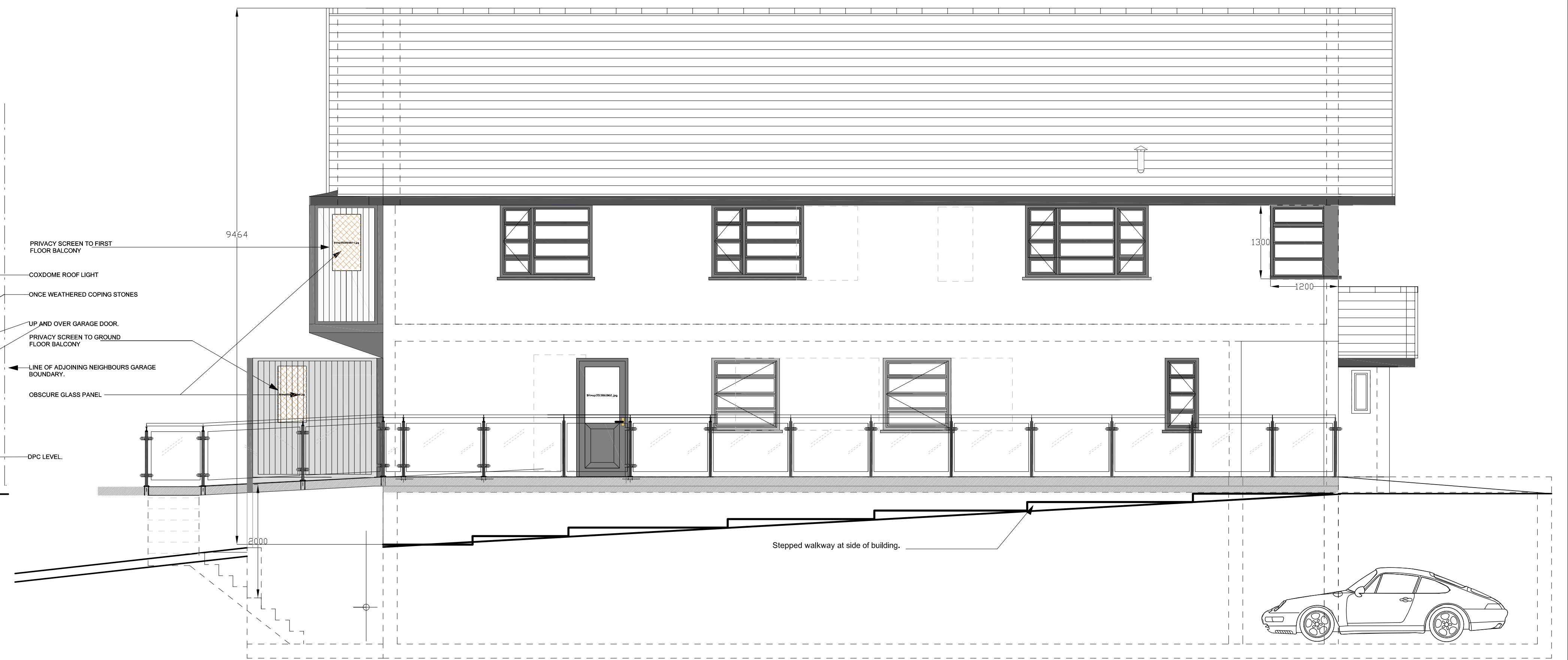


Client:	Matthew Richard Jackson Bagg		
Project:	Proposed Construction of New house Type 2 at land adjacent to 61 Arbutus Drive, Coombe Dingle, Bristol BS9 2PW.		
Drawn:	LB		
Scale:	1:150@A1	Date:	Jun- 2015
Drawing:	Site Plan		
Number:	Build/fl:	Type:	Revision:
61-101	-01	Bs	/





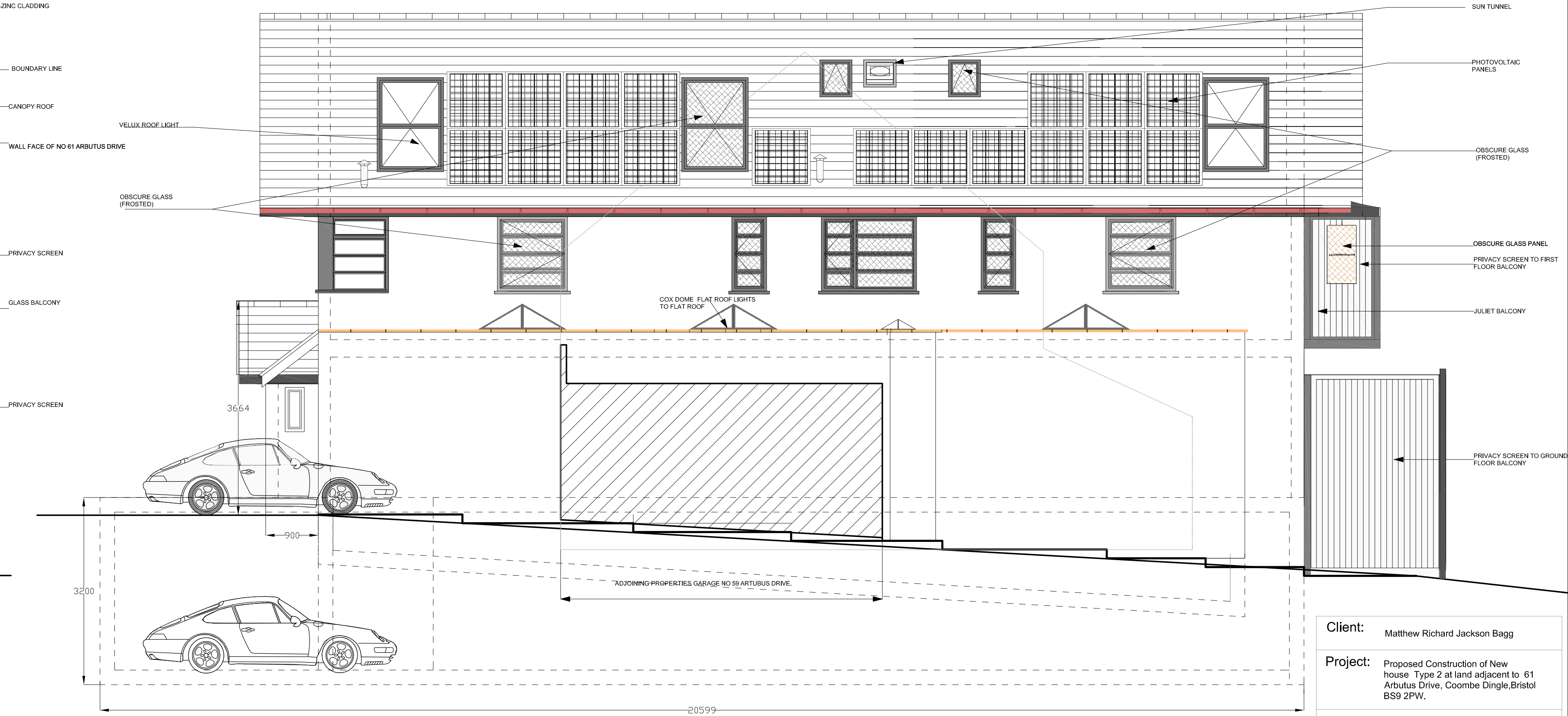
PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION FACING 61 ARBUTUS DRIVE



PROPOSED BACK ELEVATION



PROPOSED SIDE ELEVATION FACING 59 ARBUTUS DRIVE

Proposed Elevations  
SCALE 1.50



Client: Matthew Richard Jackson Bagg

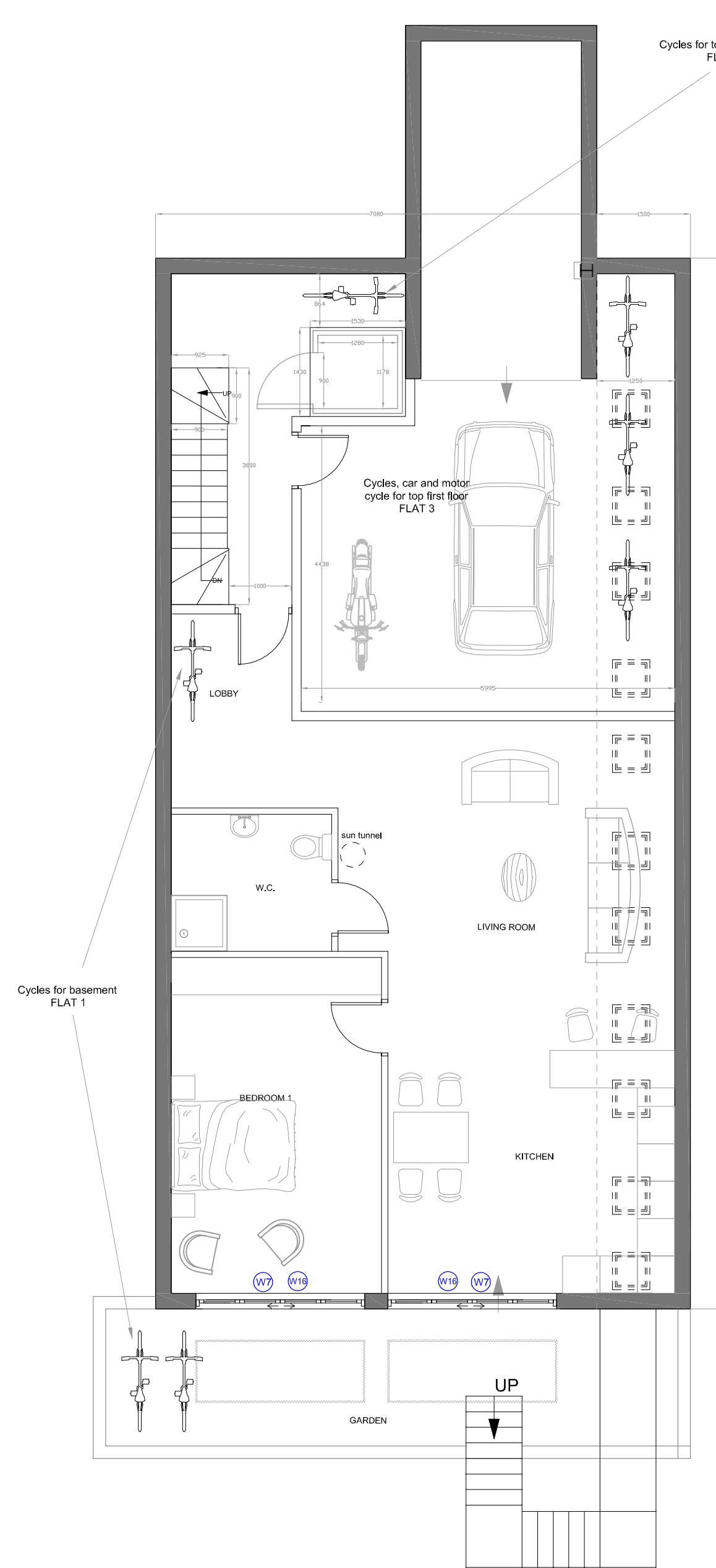
Project: Proposed Construction of New house Type 2 at land adjacent to 61 Arbutus Drive, Coombe Dingle, Bristol BS9 2PW.

Drawn: LB

Scale: 1:50@A1 Date: Jun- 2015

Drawing: Proposed Elevations

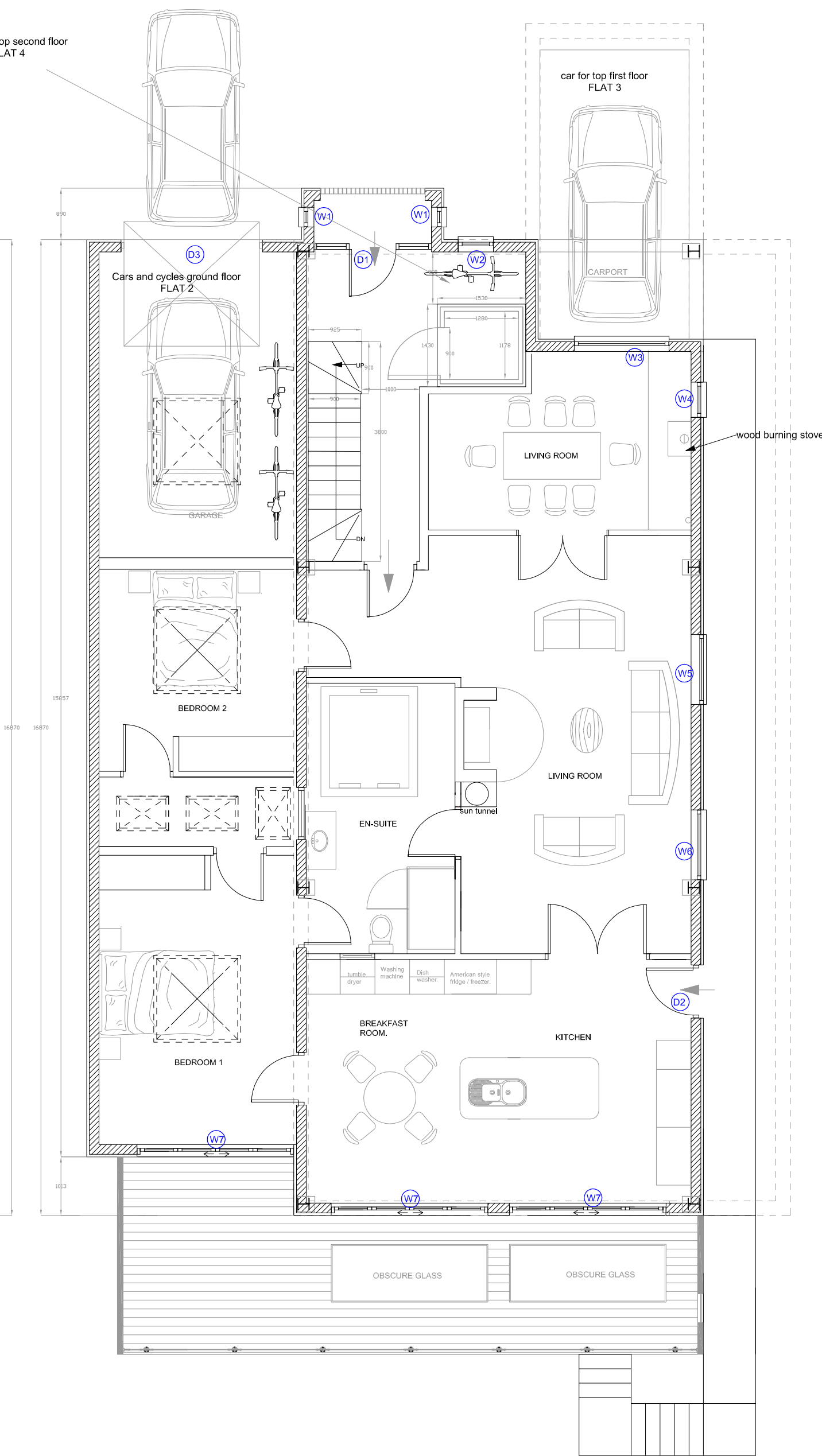
Number:	Build/ft:	Type:	Revision:
61-202	-	EI	A



PROPOSED BASEMENT FLOOR PLAN

**BASEMENT FLAT 1**

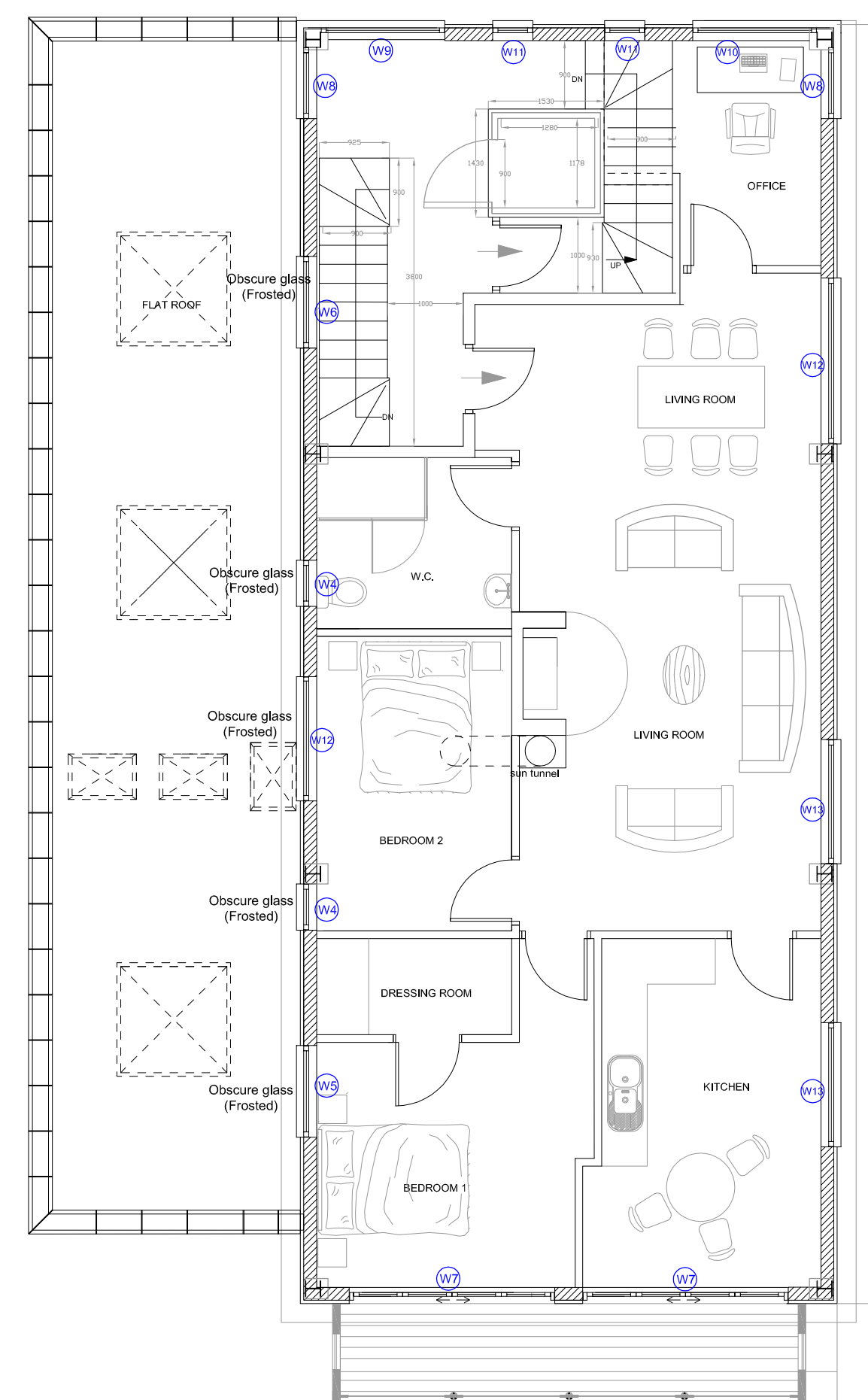
- 1 LIVING ROOM
- 1 KITCHEN
- 1 BEDROOM
- 1 W.C
- 1 LOBBY
- 1 GARDEN
- 3 CYCLE PLACES



PROPOSED GROUND FLOOR PLAN

**GROUND FLOOR FLAT 2**

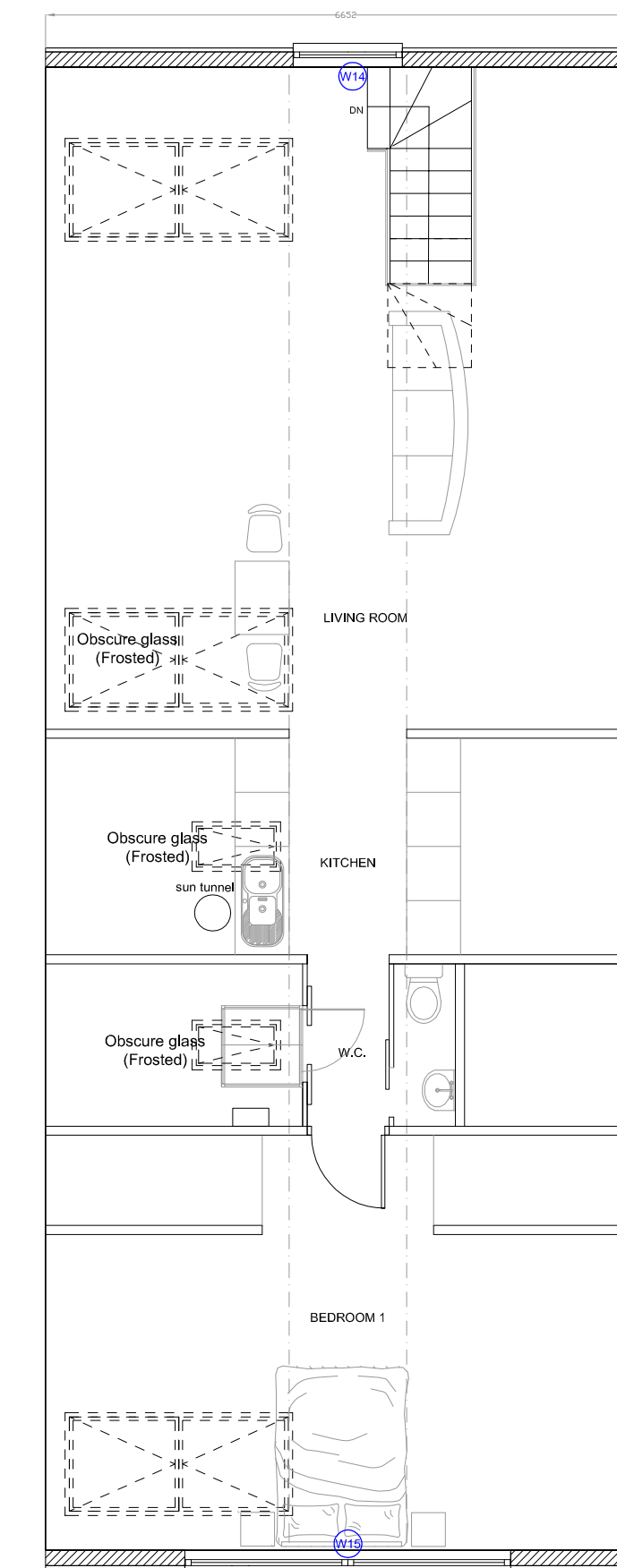
- 1 LIVING ROOM
- 1 DINING ROOM
- 2 BEDROOM
- 1 DRESSING
- 1 WC
- 1 GARAGE
- 2 CAR PLACES
- 2 CYCLE PLACES



PROPOSED FIRST FLOOR PLAN

**FIRST FLOOR FLAT 3**

- 1 LIVING ROOM
- 1 KITCHEN
- 2 BEDROOM
- 1 WC
- 1 OFFICE
- 2 CARS PLACE
- 3 CYCLES PLACE
- 1 MOTOR CYCLE PLACE



PROPOSED SECOND FLOOR PLAN

**SECOND FLOOR FLAT 4**

- 1 LIVING ROOM
- 1 KITCHEN
- 1 BEDROOM
- 1 WC
- 2 CYCLE PLACES



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Drawn:	LB	Date:	Jun- 2015
Scale:	1:75@A1		
Drawing:	Proposed Floor plans		
Number:	61-201	Build/fl:	-01
Type:	Fp	Revision:	/