

**WARD:** Windmill Hill **CONTACT OFFICER:** Jaymi Cue  
**SITE ADDRESS:** Land To Rear Of 11 Eldon Terrace Bristol BS3 4NZ

**APPLICATION NO:** 14/02598/F Full Planning  
**EXPIRY DATE:** 5 August 2014

*Proposed demolition of existing workshop and the erection of 2 no. 3-bedroom properties.*

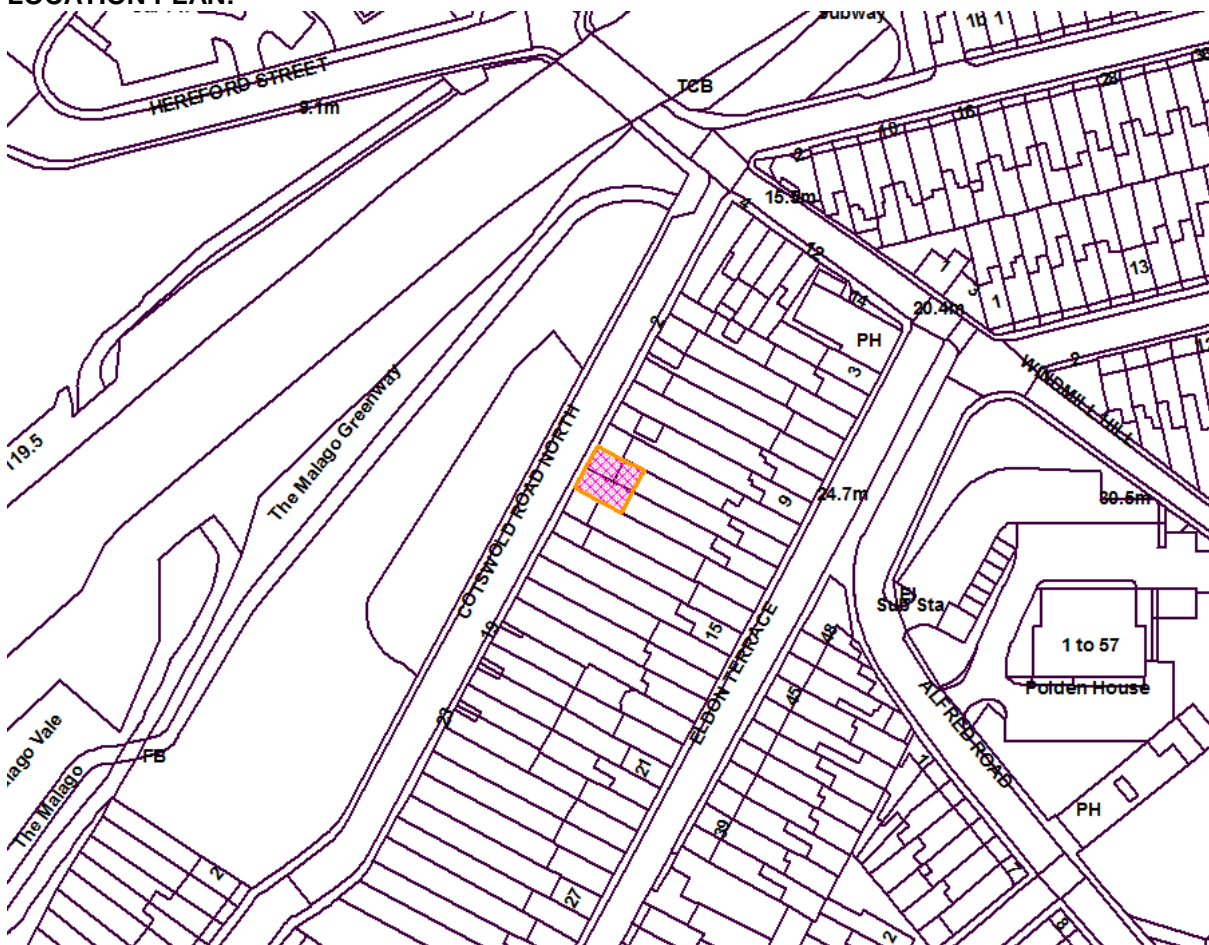
**RECOMMENDATION:** Grant subject to Condition(s)

**AGENT:** GE2 LTD  
20 Parsonage Road  
Long Ashton  
Bristol  
BS41 9LL

**APPLICANT:** Mr I Buck  
45 Winchester Road  
Brislington  
Bristol

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

**LOCATION PLAN:**



comtop  
v4.0408

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## REASON FOR REFERRAL

The application is coming before Committee due to referral from Cllr Mark Bailey on the grounds of loss of commercial use and overdevelopment of the site, impacting the neighbouring properties.

The Officers recommendation is for approval of the scheme, subject to the use of detailed conditions.

## SITE DESCRIPTION

The application site is a workshop and yard, situated at the bottom of the gardens of nos.11 and 12 Eldon Terrace. It fronts onto Cotswold Road North.

The workshop is located to the rear of no. 12; it is single storey, gable fronted with dual pitch roof. It has no windows and there is a roller shutter door to the front. The rear of the workshop forms the boundary to no. 12 and the gable projects just above the garden.

The yard is located to the rear of no.11 and is contained by high metal double gates; within the yard is a lean to store building which backs onto a stepped retaining wall that forms the boundary to the garden behind, above which it projects.

The gardens slope down from the houses, which are part of a typical Victorian terrace. On Eldon Terrace they are two storeys high but because of the slope across the site to the north they are arranged as three storeys at the rear, and with steps leading down the basement in all cases which are generally in use as kitchens as they open directly out onto gardens. There is a variety of rear extensions, annexes and outbuildings within the gardens.

In the garden to no. 12 is a shed at right angles and in the garden to no.11 is a slightly larger shed side on.

Facing the application site to the north on the other side of Cotswold Road North is an area of public open space bounded by a mature hedge.

## HISTORY

### Site Specific Planning History

The site had previously been used by a metal working company. In 1984 and 1985 applications were submitted for single storey extensions to the workshop, the first to store materials the second for garaging vehicles. Both were refused.

In 2008 planning permission was GRANTED on the application site for a two storey building with a monopitch roof to the rear and flat roof to the front elevation, which would accommodate 4 flats (Application ref: 08/03359/F)

The permission was not implemented and a renewal was requested in 2011, however the new policy context of the Core Strategy 2011 resulted in the application failing to meet the sustainability requirements and it was REFUSED for this reason (Application ref: 11/03819/R). No appeal was submitted for this decision.

There is also relevant planning history for sites in proximity to the application site:

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In 2006 applications were GRANTED for the development of land to the rears of nos. 23, 22, 21, 20 and 19 Eldon Terrace. These applications extended into the rear garden space by approx. 20 metres and involved the excavation of these gardens and the erection of four, three storey dwellings (nos. 23, 22, 21, 20) and one, two storey dwelling, (no.19). The dwellings are all similar in appearance being flat roofed and modern in design, amenity space is provided in the form of roof terraces. The applications were submitted by the owners of the Eldon Terrace houses. The two storey dwelling at the rear of no.19 is a result of concerns regarding the impact along the garden area of no.18 to the east. These dwellings are now occupied.

In 2010 (Application ref: 10/00997/F) land to the rear of no.25 Eldon Terrace was refused for the following reasons relating to the appearance of a stand along, three storey building with narrow frontage and excessively deep flank elevation walls would appear incongruous. The proposed height and depth of the development when considering the existing height and depth of the neighbouring built out development would severely enclose and overshadow the rear garden of no. 24 Eldon Terrace. No refuse storage facilities were provided which was unacceptable.

No appeal was submitted against this decision, however a revised scheme was resubmitted attempting to address the refusal reasons of the previous scheme - (Application ref: 11/04706/F) which was GRANTED in 2012. The scheme addressed the amenity issues by creating a stepped scheme which sunk back into the slope of the hill, which could not be resisted in terms of design and was granted.

## PROPOSAL

This is an application for planning permission for the demolition of the existing workshop and the construction of 2no 3 bedroom properties facing onto Cotswold Road North. Contrary to previous approaches on this site, the design of the proposal moves away from a flat roof form and includes a pitched roof.

As it faces Cotswold Road North the building is 5.2m high to eaves, at the rear, cross sections show it to be 5.2m high at eaves level to the proposed rear amenity space, which is 2 metres deep. Although separated from the end of the neighbouring gardens by the proposed amenity space, this equates to an eaves height approximately 2.1m above the ground level at the bottom of the gardens at nos. 11 and 12 Eldon Terrace. The roof ridge is 1.3m above eaves level but 5m from the shared boundary to the gardens in question. The roof pitch is fairly steep and the ridge sits 3.3m above the eaves level. The apex of the roof sits approx. 7m from the shared boundary between the site and the properties of Eldon Terrace.

The building is faced in a mix of render and natural stone facing at ground floor level facing Cotswold Road North, the roof materials are double roman clay tiles.

There are french windows on the kitchens to the rear, opening onto the amenity space. There is an entrance porch to the front which includes space for refuse to be stored. On the upper floor there are Juliet balconies to the front serving the living area and first floor bedroom windows to the rear. A number of roof lights are proposed on the front and rear of the roof space, although the agent has proposed opaque glazing those to the rear as they serve a bathroom and a store room.

There are no windows on the side elevations. Internally a cycle store is proposed accessed within the hallway. Each dwelling has a kitchen on the ground floor towards the rear of the site, and the main living area on the first floor, looking onto Cotswold Road North. The main bedroom is located within the roof space with rooflights onto Cotswold Road North.

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**PUBLICITY AND CONSULTATION**

As a result of the consultation exercise for this site 18 representations were made, in addition to the Cllr referral.

The comments received can be summarised as follows:

**General**

- The principle of the site for residential development is not objected to
- Happy for the site to be cleared as it is unsightly
- Many have made reference to a scheme that was withdrawn prior to the approved scheme for the two storey building on this site - Officers must advise that the only material planning considerations that can be taken into account are schemes that have been determined by the Local Planning Authority, and not schemes that have been withdrawn.
- Housing stock is needed but recent permissions surely negate this - Officer Note: the permissions referred to (i.e. St Catharine's Place) have not been implemented
- Know of person who wanted to park cars on this site - Officer Note: Officers must assess on the evidence laid before them
- Is it all about economic benefits?
- Would like the provision of a work-live space
- Levels are slightly different between 11 and 12, and footprint is not accurate (rear extension not on section plan). Officer Note: Both of these issues were noted on site; however Officers consider that the plans are accurate enough to enable an assessment of the impacts of the proposal.
- Application description is misleading - Officer Note: consider that the application description is acceptable and plans clearly show the parcel of land to be developed.
- During the course of the application one resident submitted a redesigned scheme. Officer Note: Whilst Officers appreciated the input, the agent did not wish to change the design of the scheme and we are unable to assess any other scheme than the one laid before us.

**Design**

- Avoid a hotch potch of styles - development falls between the Victorian and contemporary styles
- We need a consistent design guide / masterplan / strategic design guide
- Inclusion of stone walling detail is welcomed and could give consistency to the dwellings along the road
- Treats back same as front, should prioritise the front views over the back
- No coordinated plan for design along this terrace
- Three storeys is too high
- Those in neighbouring Eldon Terrace are not able to use their roof terrace due to perception of overlooking
- The distance from the rear is less than 21 metres to my kitchen and WC windows
- We need community consultation on the design of these proposals - Officer Note: we advocate community engagement prior to applications being submitted, however for an application of this size it is not a requirement.
- Pitched roof makes the houses higher than with a flat roof, should be described as three storeys, pitch itself is too steep
- Would prefer more progressive design

**Transport**

- Parking in Eldon Terrace is pressured
- Drivers use Windmill Hill as a rat run
- No residents parking has been introduced (yet) and the area offers free parking close to the station / town

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- There is no garage or bike storage
- Where will residents park their cars

**Amenity - Neighbours**

- Houses need to be less than 8 metres in height
- Houses need to be less than 6 metres in height - Officer Note: there is no agreed height in this location, Officers must assess impact in terms of appearance and residential amenity in terms of overbearing, overlooking, loss of privacy, loss of light.
- The design overall is insensitive to amenity of others
- Overshadowing
- Loss of light to garden / trees in garden
- The back of my house has windows less than 30 metres from the site
- Overbearing - this will be overbearing because the contemporary houses permitted at nos 19-23 are overbearing - Officer Note - these dwellings are a consideration, but it must be noted they are more bulky to the roof and extend significantly deeper into the site than the proposal.
- Overbearing impact on nos 10 and 13 due to flank wall.
- We don't want any windows to the rear
- Tree in neighbouring garden will die from loss of light in afternoons

**Amenity - future occupiers**

- Some of the rooms / terrace are small
- Bad quality accommodation
- After the revised plans where the roofline was lowered, the head height in the rooms in the roof will be poor

During the course of the application, a number of further changes were made to the application, to include a lower ridge height, opaque glazing to the rear windows, and a revised cycle store.

A number of objection comments were made relating to the accuracy of the plans, the accuracy of the shadow diagrams, and the accuracy of the marketing statement. Officers went back to Agents to clarify these points and were advised that the plans/ shadow analysis and marketing information were correct. Officers consider that the information submitted allows for adequate assessment of the proposals.

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

The principle of two three bedroom houses on the site of the existing workshop should not result in a significant increase in traffic or parking pressure on-street. The site is located within walking distance of Bedminster town centre shops and amenities and regular bus services and rail services through Bedminster to the City Centre. Therefore car use is not essential for most journeys and the proposed houses are accepted without off-street parking provision.

Residents appear to park partly on the footway on the southern side of Cotswold Road North, due to the width of the road. It is suggested that to manage this, a condition requiring a Traffic Regulation Order on this stretch could be sought, in order to put double yellows on one side of the road.

**Cycle Parking**

The revised ground floor plan indicates cycle storage within the hall which subject to providing the length of space illustrated should provide sufficient space to store and manoeuvre two adult size bicycles.

**Waste Storage**

Sufficient waste storage space has been illustrated.

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**Contaminated Land Environmental Protection** has commented as follows:-

As mentioned within the design and access statement the site was formally a metal fabricators, as the proposed development is sensitive to contamination the applicant will need to demonstrate the site is fit for purpose.

Therefore it is recommended B11 B12 B13 and C1 conditions are applied to any planning consent.

**City Design Group** has commented as follows:-

The proposed scheme will establish a new two storey frontage to Cotswold Road, which is appropriate for this particular site. This will provide good levels of enclosure to the public realm and ensure there is activity and surveillance to the street.

The detailed architectural design proposed misses opportunities to introduce a high quality design response suited to this particular context, instead presenting a simple, minimalist façade to the street. Should other similar sites along this street frontage become available for development, it is expected that these schemes do not widely replicate this proposed scheme as a typology.

**Nature Conservation Officer** has commented as follows:-

No objection, subject to the use of suitable conditions.

## RELEVANT POLICIES

### **National Planning Policy Framework – March 2012**

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

BCS1	South Bristol
BCS5	Housing Provision
BCS8	Delivering a Thriving Economy
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
BCS23	Pollution

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

DM1	Presumption in favour of sustainable development
DM12	Retaining valuable employment sites
DM23	Transport development management
DM26	Local character and distinctiveness
DM27	Layout and form
DM29	Design of new buildings
DM32	Recycling and refuse provision in new development
DM34	Contaminated land

Bristol City Council Climate Change and Sustainability Practice Note (December 2012)  
 Bristol City Council Space Standards Practice Note (July 2011)

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KEY ISSUES

A) IS THE PROPOSED LAND USE ACCEPTABLE IN PRINCIPLE?

The NPPF and Policy DM1 of the SADM (2014) requires a positive approach with a presumption in favour of sustainable development.

The rear gardens to Eldon Terrace have no site specific allocation. As such, each application is required under planning law to be assessed on its individual merits. It is clear to Officers that these rear gardens present a development opportunity. The current land use of the site is B1 employment use. As such we must assess whether the loss of this employment land/buildings is acceptable.

The loss of this employment use was agreed in principle as part of the previous permission which included evidence to demonstrate that the accommodation was no longer valuable or viable for employment purposes. At that time, much of the lack of interest was attributed to the poor condition of the building, which it was estimated (evidenced by a building company works estimate) that the renovation of the building would cost £70,000.

The Core Strategy states that employment sites outside of the City's Principal Industrial and Warehousing Areas will be retained where they make a valuable contribution to the economy and employment opportunities. Policy DM12 of the Site Allocations and Development Management Policies (SADM 2014) seek retention unless there is no demand for employment uses, particularly if the site has remained empty or vacant for a period of time although it has been marketed. Officers observed a large sign on the site advertising the vacancy,

The current application outlines that the same commercial property agents have continued to advertise that the property is available, and states that all interest in the building since 2009 has been in a redevelopment capacity and no offers have been made for use as a workshop.

Whilst this has been refuted by a neighbouring occupier stating that there has been a query as to using the site for car parking, no evidence to the contrary has been sighted and Officers must assess on the information provided.

During site visits to the site, the building appears to be in a fairly neglected condition. As such, it appears that there remains a lack of market interest at the site; much of this still appears to be due to the poor condition of the site, which has not been renovated in the intervening period of time since the principle was agreed in the previously approved application. Consequently no objection is raised to the loss of this site for employment purposes.

In terms of residential use, the site is located within an existing residential area. Policy BCS20 of the Core Strategy (2011) states that new development will maximise opportunities for redeveloped land, seeking more efficient land use across the city. The site is located within walking distance of Bedminster Town Centre and Bedminster Train Station and so it is appropriate for residential use.

The application proposes two dwelling houses, each with three bedrooms. The nature of housing in this area is a mix of houses and flatted accommodation. Given the constrained nature of the site, there is limited scope for a mix of housing within the development itself and the proposal is concluded to be acceptable in this respect and to contribute towards objectives to achieve mixed and balanced communities.

As such the principle of residential development in this location remains supported.

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**B) IS THE DESIGN OF THE PROPOSED DWELLING ACCEPTABLE?**

Previous applications for sites along this terrace have stated that the design implications of an incremental approach to development could result in a more rich and varied streetscape of positive character.

The area has a number of characteristics; including the modern three storey (with roof terrace) flat roofed scheme to Nos. 19-22; the traditional Victorian terraces with their pitched roofs facing Cotswold Road and their continuation under the permission to the rear No. 25 Eldon Terrace; the traditional rubble stone boundary wall along the bottom of the gardens (which is integrated into a number of garages and the scheme at Nos. 19-25 Eldon Terrace); the gable roof forms to the traditional 1.5 storey industrial units / garages to the northern end of Cotswold Road; as well as the valley roofs and rendered rear elevations to the original properties to Eldon Terrace.

Policy DM26 of the Site Allocations and Development Management Policies 2014 requires development to respond appropriately to local patterns of movement, and the scale, character and function of streets and respond appropriately to the height, scale, massing, shape form and proportion of existing buildings, building lines and roofscapes.

Policy DM27 states that layout and form of development will be expected to achieve continuity of development which will achieve continuity of development edge that encloses and clearly defines the public realm while securing the private realm and create distinctive public fronts and private backs. It also requires development to enable active frontages to the public realm and natural surveillance. Height, scale, and massing should be appropriate to the context, site constraints, the setting, and character of adjoining streets and spaces.

The approach to date had been to resist piecemeal development on the basis of the resultant amenity impacts to adjoining gardens and to encourage land acquisition that would overcome this. This formed part of the refusal of the originally submitted scheme to No. 25 which was for a three storey dwelling with a roof deck to the rear. The developer for this scheme however responded to the refusal by generating a stepped scheme, which overcame the amenity impacts and was difficult to resist on design grounds when sat nearby the modern design forms of Nos. 19-23. However, this approach does not result in a frontage that adequately addresses the street and would not be sought moving forward.

There remain objection concerns that the roof height of proposal is overscaled for this location, which mainly relate to amenity concerns, and there are many concerns over the piecemeal type of development along this frontage. Whilst Officers appreciate these concerns, the proposed development, at two storey, would in Officer's view, allow for an appropriate frontage to the street, while 'stepping down' from the larger and more bulky appearance of nos. 19-23 Eldon Terrace to the south west, to the lower scale of development 1/1.5 storey light industrial units and garages at the north-east end of the street and on balance the scale is considered to be acceptable.

The City Design Group have not objected to the proposal and advise that the proposed scheme will establish a new two storey frontage to Cotswold Road, which is appropriate for this particular site. This will provide good levels of enclosure to the public realm and ensure there is activity and surveillance to the street.

However the Officer goes on to state that 'the detailed architectural design proposed misses opportunities to introduce a high quality design response suited to this particular context, instead presenting a simple, minimalist façade to the street. Should other similar sites along this street frontage become available for development, it is expected that these schemes do not widely replicate this proposed scheme as a typology.' This however is not cited as a reason to refuse the application.



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The quality of the accommodation is referred to in objection comments. Whilst the quality of the rear rooms is questioned, contrary to the previously approved scheme and other schemes along this road natural light is available to the ground floor rear rooms. There is very little amenity space due to the constraints of the site, which whilst is a matter of concern, due to the public open space opposite it is not considered Officers would be able to justify a refusal on these grounds

Whilst many objections call for a need to find a unity for the design of proposed new dwellings along this frontage, unfortunately there is no specific allocation for this site within the Site Allocations and Development Management Document (2014) and as such, due to issues of managing land acquisition from the different owners, the sites are likely to come forward for development in a piecemeal fashion.

Further, when considering the existing variety of styles along Cotswold Road North and implemented permissions, including Victorian style dwellings, modern contemporary dwellings, stepped dwellings, and industrial workshops, employment spaces, and garaging, Officers consider that the design acceptable in this location, and the gable roof feature and proposed materials are in keeping with materials seen in this part of Cotswold Road North and would be secured by condition.

**C) WOULD THE PROPOSAL HAVE AN UNACCEPTABLE IMPACT ON SURROUNDING RESIDENTIAL AMENITY?**

Policy BCS21 of the Core Strategy states that new buildings should be designed so that the amenity of the existing and future occupiers of residential properties is not adversely affected. This has been assessed with respect to the relationship between the proposed properties and the existing surrounding properties. The key issues raised by local residents in response to consultation include issues of loss of privacy, and reduction in light levels.

During the course of the application a number of shadow diagrams were sought to demonstrate the impact of the development on neighbouring properties in terms of shadow fall. Since that shadow fall diagram was submitted, plans have been submitted further lowering the ridge and eaves height of the proposed development.

As a general rule of thumb, a back to back distance of 21 metres is sought when considering the rear elevations of development when on a level ground. This can be reduced areas suitable to be more densely developed, as accepted with the built dwellings at 19-23 Cotswold North, which leave 12 metres between rear elevations, although the buildings are partly built into the hill at the rear.

Comparatively, the back to back distance of the main rear elevations of Eldon Terrace and the proposed scheme is over 25 metres and the drop in levels is approx. 8 metres from the rear garden of Eldon Terrace to the ground level of the proposed dwelling along Cotswold Road North.

It is therefore considered that the proposal would not be too close to residential development on Eldon Terrace and it would provide an appropriate layout in terms of the existing urban form.

**Sunlight**

The proposed development is to the north west of the houses on Eldon Terrace and hence shadow fall from the development will be towards the ends of the gardens from towards the mid-late afternoon onwards. This will be at a time when the rear of the houses themselves will receive sunlight.

The height of the development has been reduced through negotiation during the course of the consideration of the application.

The scheme has an eaves height of 5.2m to the rear of the site, which is 2.2 metres from the rear boundary with nos. 11 and 12. This rises to a maximum height of 8.5 metres to the roof ridge. The apex of the roof ridge is situated 7 metres away from the rear boundary of the site shared with nos. 11 and 12 Eldon Terrace and approx. 29 metres from the rear elevation of Eldon Terrace.

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Whilst Officers note the objections relation to the proposal on the grounds that it is higher than that of the previously approved scheme, the bulk of the additional height is sited 7 metres away from the rear gardens of Eldon Terrace which helps to reduce the impact. The shadow diagram demonstrates that loss of sunlight would not affect any windows to the rear of the properties and for most of the day there will be no impact on neighbouring gardens. It can be assessed that during the winter months, sunlight in the afternoon-evenings to the lower ends of these gardens would be affected.

It is notable, however, that existing boundary treatments are present between gardens of dwellings and the fact that this would also overshadow significantly towards the end of the day when shadows are long (especially during winter months), as shown on the shadow diagram. Whilst there is no doubt that the lower parts of gardens 9, 10 and 11 will be overshadowed in the afternoon-evenings during winter, the size of these gardens must be borne in mind: the gardens of nos. 9 and 10 are over 30m in length, and the gardens of nos. 10 and 11 are 23m in length, and it is considered that the most sensitive area nearest the rear of the existing dwellings would remain broadly unaffected by overshadowing by the proposed dwellings.

When taking this into the change in levels, the fact that the gardens are comparatively long, and the existing boundary treatments, it is considered that the overall impact is not anticipated to be 'significantly harmful' to warrant objection.

#### Daylight / Overbearing impact

Similarly to the above issue, the distance between the proposal and houses to the rear combined with the change in levels will offset any significant loss of daylight. Concern has been raised with regard to impact of the flank elevation walls causing overbearing impact on the gardens on no.10 and no.13 Eldon Terrace. From site visits it appears that the lower area of these gardens is laid to garaging and as such the amenity value of these parts of the gardens cannot be valued to be significant and a refusal on these grounds is not sought.

#### Privacy

This was raised by neighbouring residents as a significant issue. Following revisions to the scheme, the bedroom in the roof to the rear has been removed and now rooms in the roof to the rear consist of a small bathroom and store room. The agent has also offered the provision of opaque glazing to these rooms to allay any concerns of lack of privacy to occupiers of Eldon Terrace and this could be. There is a rear first floor window to a bedroom; however again, due to the distances involved, in addition to the change of levels, overlooking towards the rear rooms of Eldon Terrace is not assessed to be harmful.

There is more concern relating to overlooking from those rooms of Eldon Terrace towards the new development due to the change in levels, but again due to the distances involved and the fact that occupiers would have bought into the environment, it is not considered that this could represent a reason to refuse the application. There is potential for some overlooking towards the lower end of the rear gardens of Eldon Terrace from the first floor rear bedroom window, however this is not likely to materially impact on the more sensitive area adjacent to the Eldon Terrace dwellings, and is also mitigated by existing boundary treatment, planting, and positioning of ancillary sheds in the rear gardens. As such, on balance, this aspect is acceptable.

#### Future occupiers

Space standards- The proposed development is for two dwellings each with a single and two double bedrooms (i.e. five bedspaces). The dwellings would exceed the minimum space standards required by Policy BCS18 of the Core Strategy for dwellings of this size.

The proposal shows a small area of rear amenity space, which in Officer's opinion forms more of a light well than usable space. As such, the proposal for a family dwelling does not have the amount of amenity space as expected for this type of dwelling; however with the large area of public open space across the road from the development it is considered that this would be acceptable.

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The outlook of habitable rooms is generally acceptable, although it is noted that the first floor bedroom to the rear would be compromised somewhat due to the change in levels towards the rear of the site and the potential for boundary treatments / ancillary structures likely to be introduced in the rear of nos. 11 and 12 Eldon Terrace. However, the level of outlook overall is acceptable.

**D) TRANSPORT AND MOVEMENT**

The proposal does not contain any car parking. The site is considered to be sustainable given that it is within easy walking distance of Bedminster Shopping centre on East Street, which contains the full range of local facilities and is a key public transport route. It is also within reasonable walking distance of the city centre and in close proximity to the Malago Greenway cycleway, which links to the centre as well as south Bristol.

Notwithstanding this, this section of Cotswold Road contains very little residential accommodation, most of the completed housing contains an integral garage and there is therefore scope for on road parking.

Parking on street in this location appears to be limited to the north side of Cotswold Road North, due to the width of the road. Transport Officers have highlighted an existing issue of residents parking partly on the footway along the south side of Cotswold Road North. With the current proposal and potentially future residential development along this frontage, Transport Officers have suggested that a requirement to seek a Traffic Regulation Order to prevent parking on one side of the road could be applied by condition attached to any permission. However, conditions must be reasonable, and Officers do not consider that in the provision of two dwellings the application of such a condition would be meet the test of reasonableness.

Cycle storage and refuse storage is proposed off-street and is acceptable. Conditions are recommended to secure this provision.

Accordingly, as the cycle parking is satisfactory, there are no objections to lack of car parking on the grounds of Policy BCS10 of the Core Strategy, or DM23 of the Site Allocations and Development Management Policies 2014.

**E) SUSTAINABILITY**

A sustainability statement and energy strategy has been submitted to demonstrate the energy efficiency and renewable energy generation measures proposed for the development. The application proposes the installation of solar photovoltaic panels and the completed energy strategy table indicates that this would achieve a reduction in carbon dioxide emissions of 20% from the residual level in line with local sustainability policy objectives.

Conditions are recommended to ensure that the sustainability measures would be provided as proposed.

**F) ANY OTHER ISSUES**

The site is within Flood Zone 1 and there are no flood risk issues.

The site is on land previously used for industrial purposes, and has the potential to be contaminated land. The City Council's Contaminated Land Officer has been consulted with regard to this application and has advised that this issue can be dealt with through the provision of suitable conditions attached to any grant of permission. As such, this aspect is acceptable and meets BCS23 of the Core Strategy 2011 and DM34 of the SADM 2014.

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Objection comment has been raised by a neighbouring occupant due to the potential impact on loss of light in afternoons to the apple tree within the garden. It is considered that this would not necessarily result in the apple tree failing and cannot represent a reason to refuse the application.

Objection comments have been submitted with regard to impact on birds. The Nature Conservation Officer has requested that in order to address this a condition should be attached to any permission requiring the provision of bird and bat boxes on the building as well as a condition requiring a soft strip in the demolition of the building itself.

**CONCLUSION**

The principle of residential development in this location was agreed within the previous application and continues to be supported. The key issues in the determination of this application are the design of the proposal and the impact on residential amenity. It is considered that the design is on balance acceptable, and the impact on neighbouring occupants would not be considered to be of 'significant' impact. The proposal is concluded to be acceptable in respect of principle, transport, contaminated land, sustainability and as such Officers must recommend approval of the scheme subject to detailed conditions.

**COMMUNITY INFRASTRUCTURE LEVY**

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

The CIL liability for this development is £6242.41

**RECOMMENDED GRANT subject to condition(s)****Time limit for commencement of development**

1. Full Planning Permission

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

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

**Pre commencement condition(s)**

2. Construction management plan

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

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

Reason: In the interests of safe operation of the highway and to ensure residential amenity

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3. Land affected by contamination - Site characterisation

No development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme should be submitted to and be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- \* human health,
- \* property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- \* adjoining land,
- \* groundwaters and surface waters,
- \* ecological systems,
- \* archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

4. Land affected by contamination - submission of remediation scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

5. Land affected by contamination - implementation of approved remediation scheme

In the event that contamination is found, no development other than that required to be carried out as part of an approved scheme of remediation shall take place until the approved remediation scheme has been carried out in accordance with its terms. The Local Planning

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Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and be approved in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

6. Samples before specified elements started

a) Sample panels of the rubble stone wall and render; demonstrating the colour, texture, face bond and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced.

b) Samples of the window materials shall be submitted to and approved in writing by the Local Planning Authority before 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.

7. Bird and bat boxes

Prior to commencement of development details shall be submitted providing the specification and location for built-in bird nesting and bat roosting opportunities. This shall include two built-in bird and two built-in bat boxes. The approved details shall be installed prior to the first occupation of the dwelling hereby approved and retained at all times thereafter.

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

8. Demolition

The demolition of the workshop shall be carried out using a 'soft strip' method. Areas of the workshop with relatively high bat potential such as the roof tiles on the main part of the workshop shall be dismantled by hand.

Reason: To conserve legally protected bats in the event that they are found to be roosting.

**Pre occupation condition(s)**

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 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.

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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 and maintenance of cycle provision - shown on approved plans

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

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

11. Sustainability Statement and Energy Strategy

The development hereby approved shall be carried out in accordance with the measures contained within the approved Sustainability Statement including the Energy Strategy prior to the first occupation of the development hereby approved and shall be maintained in accordance with these details in perpetuity.

Reason: To ensure that sustainability policy objectives would be met.

12. Solar photovoltaic panels

The solar photovoltaic panels hereby approved shall be installed and made fully operational prior to the first occupation of the dwellings hereby approved. The solar panels shall be maintained in situ in accordance with the approved details and as fully operational thereafter.

Reason: To ensure that the development would meet sustainability and climate change policy objectives.

13. Land affected by contamination - Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 3 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 4, which is to be submitted to and be approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 5.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

**Post occupation management**

14. No further extensions

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) no extension or enlargement (including additions to roofs) shall be made to the dwellinghouse(s) hereby

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permitted, or any detached building erected, without the express permission in writing of the council.

Reason: The further extension of this (these) dwelling(s) or erection of detached building requires detailed consideration to safeguard the amenities of the surrounding area.

## 15. Non opening and obscured glazed window

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) the proposed rear rooflight windows shall be non-opening and glazed with obscure glass and shall be permanently maintained thereafter as non opening and obscure glazed.

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

**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.

009B Existing floor plan/elevation/view Cotswold Road, received 10 June 2014

015 Proposed bin storage, received 10 June 2014

Design and Access Statement, received 10 June 2014

Sunlight Study, received 10 June 2014

Economic statement, received 10 June 2014

A Sustainability Statement, received 10 June 2014

011D Proposed floor plans, received 5 August 2014

12C Proposed elevations, received 5 August 2014

13C Proposed Site Section, received 5 August 2014

14B Proposed front elevation showing materials, received 5 August 2014

Reason: For the avoidance of doubt.

**Advices**

## 1 Bats

All species of bats and their roosts are legally protected. Soft stripping is a precautionary measure in case legally protected bats are roosting in a building. For example ridges and roof tiles should be lifted off vertically rather than slid off, and linings within the roof and any wooden cladding, soffits or similar which provide crevices should also be removed with care. Demolition of buildings is best carried out between April to October inclusive to avoid disturbing hibernating bats. If bats are encountered all demolition or construction work should cease and the Bat Conservation Trust (Tel 0845 1300 228) should be consulted for advice.

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



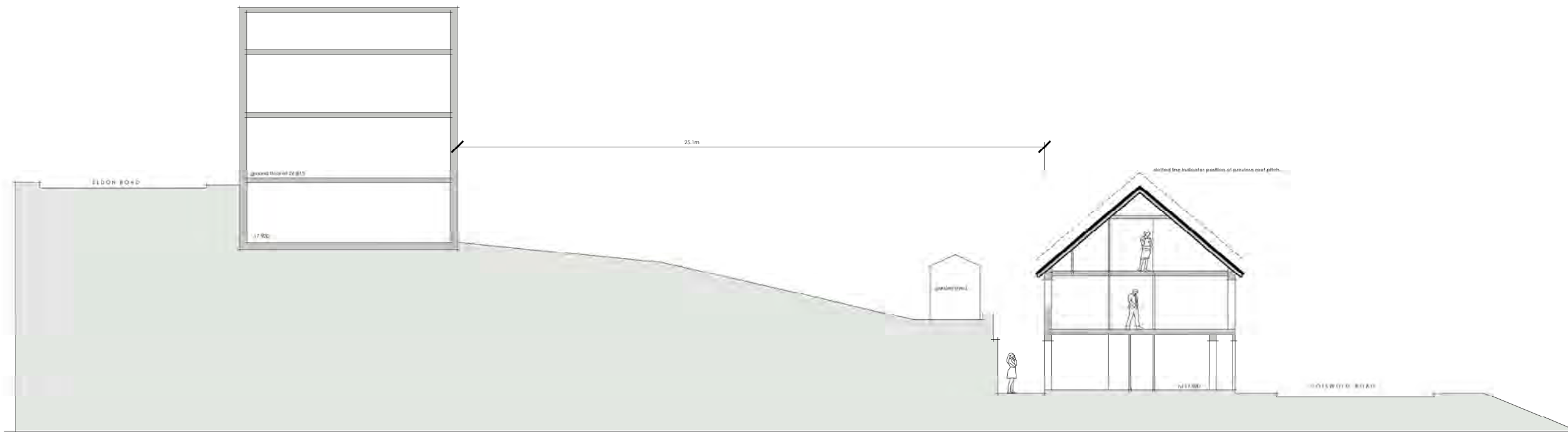
**Development Control Committee A – 3 December 2014**  
**Application No. 14/02598/F: Land To Rear Of 11 Eldon Terrace Bristol BS3 4NZ**

BACKGROUND PAPERS

Transport Development Management  
Contaminated Land Environmental Protection  
City Design Group  
Nature Conservation Officer

20 November 2014  
29 July 2014  
20 November 2014  
20 November 2014

commdelgranted  
V1.0211



**Section**  
scale 1:200

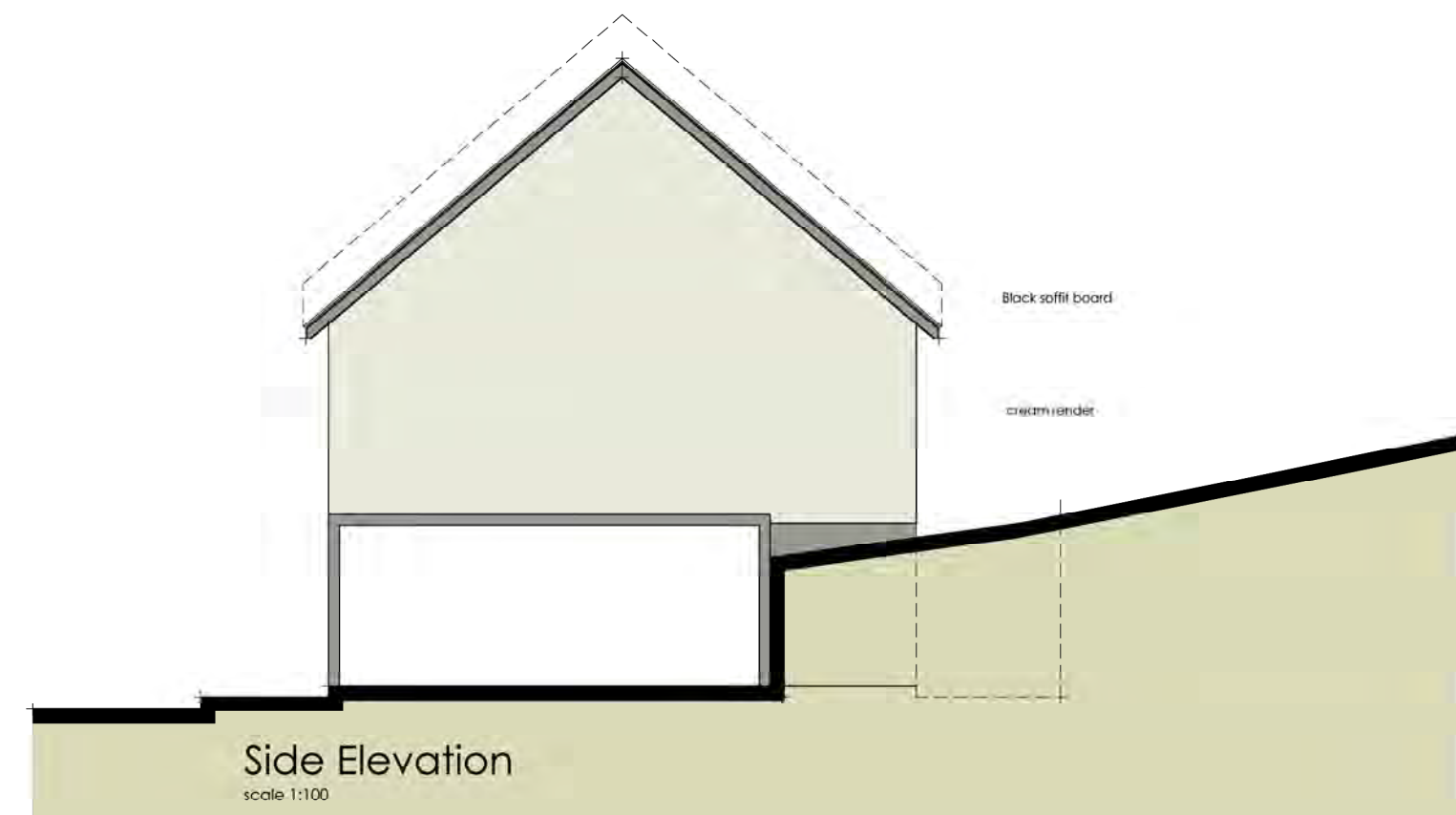
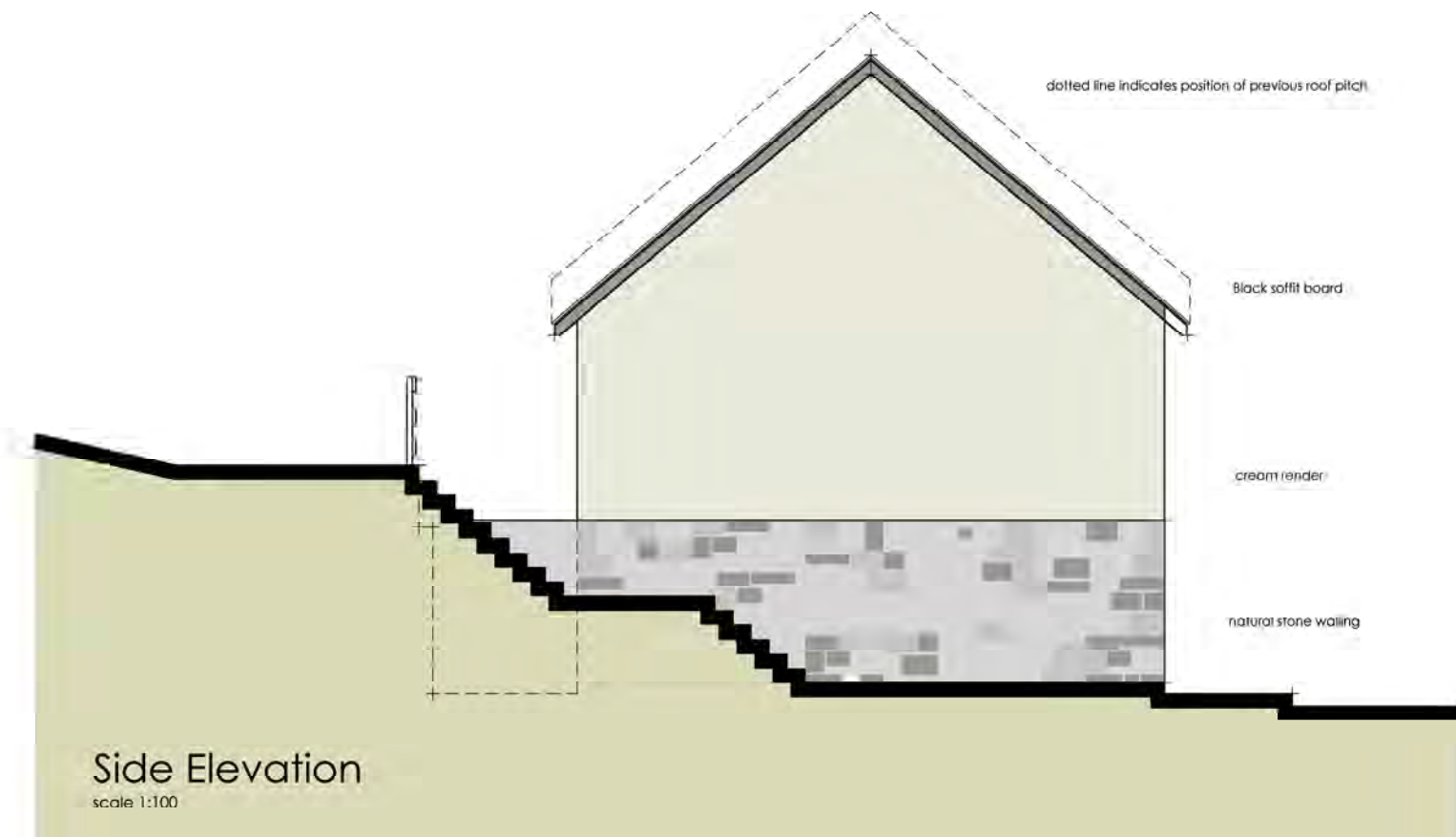


**Site location plan**  
scale 1:1250

rev C 04.08.14 Roof lowered  
rev b 14.05.14 updated with redesign



16 giffards place, bishopsworth, bristol t: 01179 649024 www.ge2.co.uk  
Project: Land to rear of 11 & 12 Eldon Road Scale: 1:200 @A3  
Windmill Hill, Bristol BS3 4NZ Date: 22.01.14  
Title: Proposed site section Drawing No: 13.039 - 013C



**SUSTAINABILITY**

P.V. PANEL 1610X861 SOLAR P.V. PANELS  
6m providing 1kW/peak solar PV

Plots 1,2, to be provided with 4 no PV panels each  
total output to be a minimum of 0.7kW/peak per  
dwelling solar PV in accordance with sustainability  
statement

rev c 04.08.14 roof height reduced  
rev b 14.05.14 elevation updated with redesign

**GE2**

U R B A N D E S I G N

16 giffords place, bishopsworth, bristol t: 01179 649024 www.ge2.co.uk

Project : **Land to rear of 11& 12 Eldon Road** Scale : 1:100 @A3  
**Windmill Hill, Bristol BS3 4NZ** Date : 22.01.14  
 Title : Proposed elevations Drawing No: 13.039 - 012c

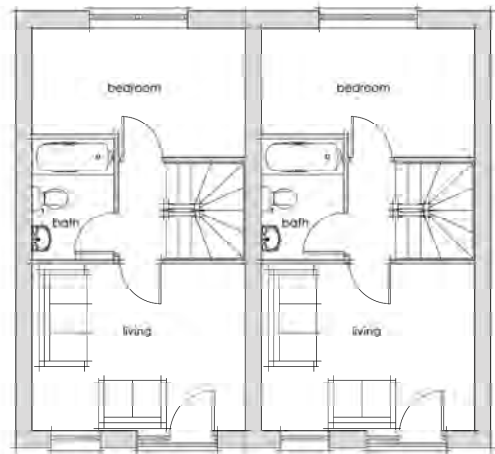


Examples of Small Courtyard gardens



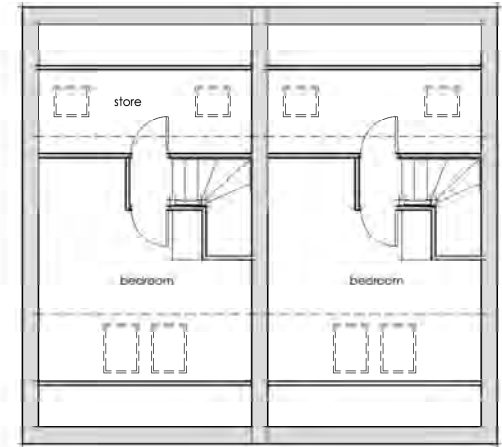
**Ground floor plan**

scale 1:100



**First floor plan**

scale 1:100



**Attic floor plan**

scale 1:100

rev d 04.08.14 floor plans amended due to roof height being reduced  
 rev c 14.07.14 cycle storage amended  
 rev b 14.05.14 updated with redesign



16 gilford's place, bishopsworth, bristol t: 01179 649024 www.ge2.co.uk

Project: Land to rear of 11 & 12 Eldon Road Scale: 1:100 @A3  
 Windmill Hill, Bristol BS3 4NZ Date: 22.01.14  
 Title: Proposed floor plans Drawing No: 13.039 - 011d